



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

<h2>8 FEBRUARY 2011</h2>

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

INDEX
(8 FEBRUARY 2011)

ITEM	REPORT DESCRIPTION	PAGE
9.1 DEVELOPMENT SERVICES		
9.1.1	No. 43 (Lot 13386; D/P 194297; Reserve 22357) Richmond Street, corner Oxford Street, Leederville - Proposed Construction of a Residential Building comprising 98 Residential Units with Ancillary Eating House, Shop, Three (3) Offices, Educational Establishment and Associated Car Parking – “Youth Foyer” (PRO4172; 5.2010.531.1)	88
9.1.2	No. 21 (Lot 22; D/P 2028) Angove Street, North Perth - Proposed Demolition of Existing Building and Construction of Two-Storey Commercial Building, comprising One (1) Eating House, Two (2) Offices and Associated Car Parking (PRO1011; 5.2010.621.1)	19
9.1.3	No. 220 (Lot 1618; D/P 222995; Reserve 884) Vincent Street, North Perth – Redevelopment of the Beatty Park Leisure Centre (PRO1149; 5.2010.615.1)	74
9.1.4	Nos. 148-158 (Lot 600) Scarborough Beach Road, Corner Fairfield Street, Mount Hawthorn - Proposed Low Impact Telecommunication Facility to Existing Shopping Centre (The Mezz) (PRO0266)	58
9.1.5	East Perth Redevelopment Authority – Stage 1A & 1B Normalisation of New Northbridge (PLA0226)	110
9.2 TECHNICAL SERVICES		
9.2.1	Proposed Wetlands Heritage Trail/Greenway Implementation Program 2011/2012 to 2016/2017 (CMS0071)	115
9.2.2	Proposed “Ecozoning” of Parks and Reserves Implementation Plan 2011-2025 (RES 0039)	123
9.2.3	Proposed Introduction of Two (2) Hour Parking Restrictions – Woodville Street, North Perth (PKG0166/TES0223)	129
9.2.4	Investigation of a Trial for a Vehicle Charge Point for Electric Vehicles (TES0047)	14
9.3 CORPORATE SERVICES		
9.3.1	Investment Report as at 31 December 2010 (FIN0033)	132
9.3.2	Authorisation of Expenditure for the Period 1 – 31 December 2010 (FIN0032)	27
9.3.3	Financial Statements as at 31 December 2010 (FIN0026)	30
9.3.4	Annual Plan - Capital Works Programme – 2010/2011 – Progress Report No. 2 as at 31 December 2010 (FIN0025)	35
9.3.5	Reconciliation Place Project – Progress Report No. 2 (CMS0120)	38
9.3.6	Further Report - Tender No. 411/10A – Proposed Lease of 81 Angove Street (Formerly North Perth Police Station), North Perth (PRO2919)	69
9.3.7	Angove Street Festival 2011 (CMS0110)	43

9.4 CHIEF EXECUTIVE OFFICER

9.4.1	Use of the Council's Common Seal (ADM0042)	47
9.4.2	Items Approved under Delegated Authority 2010-2011 – Receiving of Reports (ADM0018)	50
9.4.3	Loftus Centre, 99 Loftus Street, Leederville – Receiving of Management Committee Unconfirmed Minutes (PRO3829)	52
9.4.4	Local History Advisory Group – Adoption of Advisory Group and Terms of Reference	134
9.4.5	Strategic Plan 2009-2014 – Progress Report for the Period 1 October 2010 – 31 December 2010 (ADM0038)	54
9.4.6	Delegations for the Period 1 October 2010 to 31 December 2010 (ADM0018) [Absolute Majority Decision Required]	138
9.4.7	Information Bulletin	56

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

Nil	141
-----	-----

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

Nil	141
-----	-----

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil	141
-----	-----

13. URGENT BUSINESS

Donation - Lord Mayor's Distress Relief Fund - Perth Hills Fire and Secondment to Queensland to assist in Flood Recovery (FIN0008)	141
--	-----

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

Nil	146
-----	-----

15. CLOSURE

146

Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 8 February 2011, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.04pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Matt Buckels had arrived at the meeting however, was temporarily out of the Chamber.

Cr Taryn Harvey – apology due to work commitments.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward (from 6.07pm)
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Dale Morrissy	Manager Beatty Park Leisure Centre (until approximately 7.30pm)
Anita Radici	Executive Assistant (Minutes Secretary)
<u>Annual Employee of the Year Recipient</u>	
Nadine Wellington	Development Compliance Officer (until approximately 6.40pm)
<u>Employee of the Month Recipient</u>	
Rob Barker	Lifeguard – Beatty Park Leisure Centre (until approximately 6.40pm)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ” (until approximately 8.35pm)

Approximately 14 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

Cr Buckels entered the Chamber at 6.07pm.

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

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

1. Angie Lionetto-Civa of Fairfield Street, Mt Hawthorn. Read out the following:
"I refer the Council to the Officer Recommendation regarding Optus' proposal to locate a mobile base station at the Mezz Shopping Centre. In the Agenda of the current meeting, the Officer Recommendation is that the Council strongly object to Optus' proposal. The reasons given include the following:
 - *non-compliance with Town of Vincent policy, stating that telecommunication facilities are to be located a minimum of 300 metres from any residential building;*
 - *public health and safety concerns of the local community;*
 - *letters and petitions of objection to this location, totalling over 770 local community members, and*
 - *the unacceptable precedent this would establish, with the likelihood that other telcos would be encouraged to co-locate base stations at the site.**None of these serious objections are in any way addressed by Optus' proposal to locate a base station at the front of the Mezz, instead of to the rear. This proposal is still non-compliant with Town of Vincent policy, it is still less than 100 metres from homes, and still disregards the wishes of the approximately 800 local residents who signed letters and petitions rejecting the Mezz as a location for a mobile base station. And of extreme concern is that Optus has already indicated its intention to allow its partner Vodafone to co-locate on the site.*
We strongly object to having a cluster of mobile base stations in this local residential area, emitting Electromagnetic radiation to local homes 24 hours a day. Neither Optus nor any national or international body can guarantee that exposure to EMR from living in close proximity to mobile base stations is free of serious health risks. We do NOT want more base stations here.
I also note that Optus is claiming to Council that it does not have a base station in the Mount Hawthorn area, when in fact it does have a base station, in Lynton Street, only 1 kilometre from the Mezz, with another close by in Oxford St Leederville, less than 1.5 kilometres away.
We do not believe that any of you as parents, grandparents or future parents would wish to raise your children in close proximity to a cluster of base stations, nor do we believe that the people who make up Optus' corporation or those at Daly International, would want this, any more than we do.
We deserve respect and protection for our children and families' future health, and this means no more base stations in our local community.
We ask the Town of Vincent Council to send the strongest possible message to Optus to find a location away from homes."
2. Jennifer Robertson of Fairfield Street, Mt Hawthorn. Read out the following:
"I am here to represent the Mount Hawthorn community who live, work and raise their families in the precinct of the Mezz Shopping Centre, including around 800 local people who have signed the petition or letters, objecting to Optus' proposal to install a mobile base station on the Mezz.
Firstly, I wish to applaud the Officer Recommendation, and to urge the Council to respond as strongly as possible to Optus, that they much find an alternative, safer site for any future base station in Mount Hawthorn.
In the current climate of growing public awareness of environmental risks to health and safety, it is not acceptable to expose communities to the serious potential health risks posed by Electromagnetic Radiation Emissions from mobile base stations located very close to homes.
Neither Optus, nor any other national or international body, including the WHO, can prove or guarantee the safety of public exposure to EME from base stations. I remind the Council that none of the predicted EME readings provided, or

compliance with Australian standards, will change the fact that the true health risks for people living close to base stations, are currently unknown. Our entire community including all our children, young people and pregnant women, deserve to be protected from the potential risks these facilities pose. We do not want Optus and their joint venture partner Vodafone adding to a cluster of base stations so close to our homes. The Precautionary Principle which is recognised and applied in International Law, and is referred to in The Australian Communications Industry Forum (ACIF) Code, states that:

“if an action or policy has a suspected risk of causing harm to the public, in the absence of scientific consensus that the action or policy is harmful, the burden of proof that it is not harmful falls on those taking the action”.

The Precautionary Principle implies that there is a social responsibility to protect the public from exposure to harm, when scientific investigation has found a plausible risk. This means it is Optus’ responsibility to prove that living close to a base station is safe, and they cannot do that. Therefore they must take all possible action to protect the public from exposure to harm. The ACIF Code also states that Carriers must have “regard to the minimization of EME exposure to the public”, and to have the objective of “avoiding community sensitive locations”.

Optus claims they are being sensitive to community concerns, and care about public safety. They are not. They are noncompliant with the Precautionary Principle (and Town of Vincent policy for that matter) by proposing a base station extremely close (less than 100 metres) to homes, within a predominantly residential area. Corporate interests should not be allowed to dominate the legitimate, valid and serious health concerns of our community. Optus can and should find a base station site well away from homes, and should receive the strongest possible message from the Town of Vincent that the Mezz is not an acceptable location.”

3. Stuart Frear of Optus, 1260 Hay Street, West Perth – Item 9.1.4. Stated the following:
 - Optus has complied with the ACIF Code under the Telecommunications Act;
 - original installation proposed, under the ACIF Code they had to notify residents and Council;
 - upon receiving the Petition with 722 signatures, they relocated further from the residents to the north of the site, which they believed to be a more sympathetic location;
 - Optus agreed to cover costs and undertake an independent Electromagnetic Report which was completed and on agreeing with Council they were going to complete the post installation being install and this is still going to take place;
 - believed the 722 signatures was concerning the original installation which they have now relocated and has not seen a new petition for this;
 - the 300m buffer zone relates to a development application not a low impact facility under the Telecommunication Act;
 - Vodafone have a current low impact installation on the Paddington Alehouse directly across the road;
 - Optus did not advise there are no sites in the Town, as there are;
 - the network is being developed to get better customer service; and
 - the base stations have been located in proximity to houses all over the world and the World Health Organisation has produced various reports and studies.

4. Louise Howell, Manager of Grow WA, 780B Canning Highway, Applecross – Item 9.3.6. Stated the following:
 - Grow is a consumer driven community mental health organisation established in 1957 in Sydney and 1967 in WA;
 - their approach to mental health is person centred, health orientated and community building;

- over the last 54 years they have evolved into adult education which embraces self understand, self regulation and self sharing for mental health etc. it is a whole philosophy of life based, above all, the tremendous value of the human person;
 - the service provided is founded on their weekly rehabilitation mutual help support groups however, they do not operate in isolation they have a well developed infrastructure that provides supportive leadership training, community outreach, fundraising, live-in weekends and a social network;
 - 5 years ago they had 16 Grow groups, after receiving additional funding they now have 30 and have nearly outgrown their current Applecross centre;
 - they are mainly funded by the Mental Health Commission but do raise their own funds by way of donations, other grants/sponsorship and fundraising (with an annual street appeal Friday 18 February 2011);
 - understand community concerns however they are based on helping yourself by helping others and do not operate as a “drop-in” centre or clubhouse model;
 - 25% that attend their group have no diagnosis of mental and use the program as a school of life and leadership;
 - they handle general enquiries, administration and host team meetings, base for field and volunteer staff, training and an occasional social;
 - current centre holds 2 Grow groups which they hope to continue in the Town;
 - their programs and methods are research validated and award winning, last year winning: Caring Employer of the Year, City of Melville Consumer Group of the Year and Premier’s Active Citizenship Award; and
 - believe they offer an effective valuable and much needed service to WA.
5. Tundie Jones of 12 Farr Avenue, North Perth – Item 9.1.3. Stated the following:
- their petition had 16 signatures with only 10 houses on Farr Avenue;
 - queried why the car park adjacent to Farr Avenue needs to be expanded to cater for more Beatty Park users when they have never seen it full;
 - even when their street is full and overflowing and they cannot reverse out of their driveways, the car park is never full; and
 - the tiny bit of green grass gives them a lovely outlook from their houses however, when the car park is expanded it will be gone.

There being no further speakers, Public Question Time closed at approx. 6.20pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Joshua Topelberg requested leave of absence from the Ordinary Meeting of Council to be held on 22 February 2011 and the Special Meeting of Council to be held on 3 May 2011 due to work commitments.

Moved Cr McGrath, Seconded Cr Buckels

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

CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Mr G. Connell on behalf of residents of Farr Avenue, North Perth along with 16 signatures, objecting to the proposed development car park plans as part of the redevelopment of Beatty Park Leisure Centre.

The Chief Executive Officer recommended that this petition be received and considered during consideration of Item 9.1.3 on this Agenda.

- 5.2 Petition received from Ms A. Mills of Palmerston Street, Perth along with 96 signatures, opposing the proposed change of use of the home at No. 99 Palmerston Street to a lodging house/commercial backpacker's hostel.

The Chief Executive Officer advised that the Applicant had withdrawn the development application therefore, he recommended that this petition be received and noted.

Moved Cr Farrell, Seconded Cr Burns

That the petitions be received as recommended.

CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 21 December 2010.

Moved Cr Farrell, Seconded Cr McGrath

That the Minutes of the Ordinary Meeting of Council held 21 December 2010 be confirmed as a true and correct record.

CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Annual Employee Awards – 2010

As you may be aware, the Annual Employee Awards were introduced in 2007 as part of the Town's commitment to its Employees, which are incorporated in the Town's Guiding Values.

The Awards contain a number of categories for both individuals and teams and also recognise that internal customer service is as important as external customer service.

The number of submissions in each category made it extremely difficult to select a winner however, the persons nominated and the recipients were of a high standard and met the criteria.

The following Annual Employee Awards were announced and presented by the Chief Executive Officer (where possible) at the function held on 24 December 2010.

Congratulations and well done to all recipients!

Category 1

Excellence in Customer Service for an Individual Providing Services within the Organisation was presented to;

- Tracy Lumbis – Administration Officer – Technical Services.

Tracy is a pleasant, professional and willing worker who provides support above and beyond that required. She is always on the look out for new ways to streamline procedures and practices which in turn provides a better service to all. Her helpful manner has earned respect and confidence and she is well like by her peers.

A *"Highly Commended"* Award went to Laura Lacrimini – CSO Customer Service Centre - Laura always greets everyone by name (where she can) and with a smile, she is helpful and respectful to her fellow employees and to the Town's customers.

Category 2

Excellence in Customer Service for an Individual to the Residents/Ratepayers/ Members of the Public was presented to;

- Rasiah (Rasa) Rasaratnam – Co-ordinator Statutory Planning

Rasa continually displays a very strong work ethic and gets on with the job without too much fuss. He works in an extremely busy, complex and highly pressured area that attracts keen interest from members of the public and the Council and he has received recognition from them.

The high level of customer service provided and interpersonal resolution skills have earned recognition and respect.

A *"Highly Commended"* Award went to Paul Morrice – CSO Infringement Processing - Paul deals with a high volume of unhappy customers on a daily basis both over the phone and in person. His patience, quite and pleasant manner and ability to remain unfazed where situations always have the potential to be conflictive are commendable.

Category 3

Excellence in Customer Service for a Section or Group within the organisation was presented to;

- Ros Smith & Helen Smither – Café Vincent.

Ros and Helen continuously strive to develop new ways to improve customer service to the public as well as services to staff. They have assisted Health Services to implement Menu Wise, an initiative that will benefit everyone. This project has been well received and their efforts and their positive approach to the changes are commendable.

A *"Highly Commended"* Award went to the Records Section – Renae Oldfield & David Beatty - David and Renae work well together to ensure that their tasks are completed in a timely manner so that other areas can complete their duties efficiently. They offer assistance to all in a friendly and helpful manner.

Category 4

Excellence in Customer Service for a Section or Group Providing Services to the Residents/Ratepayers/Members of the Public was presented to;

- Health Services – Scott Teymant, Lara DiNella, Prue Reddingius, Christine Ng, Natasha Haythornthwaite & Cristina D’Agosinto.

This Team provides services both within the organisation and to Residents/Ratepayers and Members of the public. They strive to promote their industry in a positive and pro active light whilst successfully fulfilling its statutory functions and responsibilities. They have launched a number of new initiatives that have had immense benefit to the community and which have won them recognition from a number of organisations.

Health Services have produced a National Award winning program which was recognised at the ALGA National Congress. It has also recently launched a new program which will benefit the whole community.

A "*Highly Commended*" Award went to Community Development – Jacinta Anthony, Jamie Bennett, Toni Farrell, Jill Symons, Sarah-Jane Hansen, Belinda Grandoni, Richard Gunning and Diana Rose. The Community Development Team continually provide a high standard of events and programmes for the community. These events have all been very well received by all.

Category 5

Best Innovation/Business Improvement by an Employee (non-managerial) was presented to;

- Tory Woodhouse – Co-ordinator Strategic Planning.

Tory is extremely dedicated and committed to her role and has successfully guided many initiatives of vital importance to numerous key projects that draw the attention of the public and Council. She is continually involved in consultation with the community, working and business groups and key stakeholders. These initiatives have raised the profile of the section and the Town.

A "*Highly Commended*" Award went to Elena Currie – Senior Rates Officer – Elena has worked very hard to reduce the amount of outstanding rates debtors and has introduced an in-house debt collection process which has resulted in significant cost savings. She has also ensured that the interim rating processes have been carried out promptly which results in more interest earnings and better cash flow. We just love it when we get more money more quickly!!

Category 6

Best Innovation/Business Improvement by an Employee (managerial) was presented to;

- Jacinta Anthony – Manager Community Development.

The duties and services provided by Community Development have developed significantly over the years with more and more emphasis being placed on the type of services and events the Town provides.

Under Jacinta's management the section has successfully raised the profile of a wide range of services provided by the Town to its community and has received recognition from the community, local government industry and Council Members.

Jacinta also recently acted in the role of Director Corporate Services whilst Mike was on leave and performed extremely well.

Received with Acclamation!

Employee of the Year Award 2010

The Employee of the Year Award is open to ALL employees including the "Employee of the Month" who are automatic entries for this Award. It is awarded to the person who is deemed to provide outstanding customer service (both to the community and also within the organisation) and demonstrates the personal qualities in the Town's Guiding Values which are:

- Excellence and Service
- Honesty and Integrity
- Innovation and Diversity
- Caring and Empathy
- Teamwork and Commitment

This person demonstrates outstanding customer service at all times and often has to deal with unhappy and frustrated customers. They are always respectful, fair and professional and assists above and beyond what is normally required. Once again, this person is "*a quiet achiever*".

This person is a valuable member of their team and of the Town. The commitment and dedication shown to their job is commendable, truly appreciated and they are a fine role model for other employees.

This year has seen this person deal with a number of complex matters which have been extremely emotive and required the skills of a person who has tact, discretion, empathy, tolerance and patience.

The Award is sponsored by the North Perth Community Bank.

The Award 2010 was presented to NADINE WELLINGTON – Development Compliance Officer.

As Nadine was on Annual Leave at the time of the Award Presentation, I am delighted to present the Award to her at tonight's Council Meeting.

Congratulations and well done Nadine!

Received with Acclamation!

A "*Highly Commended*" Award went to Milko Stojanoski – Supervisor Construction and Maintenance – Milko is a long term employee of the Town and he treats everyone with respect and is always helpful often going above and beyond what is required. He has earned the respect of his colleagues and members of the public.

7.2 Employee of the Month Awards for the Town of Vincent for January and February 2011

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$120 voucher (*increased from \$100 due to inflation*), kindly donated by the North Perth Community Bank, and a Certificate.

January 2011

For JANUARY 2011, the award is presented to Rob Barker and Fiona Hewitt, Lifeguards at the Town's Beatty Park Leisure Centre. Rob and Fiona were nominated by John Giorgi, Chief Executive Officer, for the following reasons;

On 29 December 2010, the Manager Beatty Park Leisure Centre was called to the outdoor pool deck where a rescue and resuscitation had just taken place.

He observed the patient in the recovery position, with several lifeguards (Rob Barker, Fiona Hewitt, Kelly Jones and Tahvia Andres) and the Centre Supervisor (Robin Wilkinson) in attendance.

It was understood that the patient had been attempting to swim the length of the 50m pool underwater, while holding his breath and had blacked out. A patron sitting on the edge of the pool observed the patient floating under the lane rope and jumped in and pulled him to the side, where lifeguards Rob Barker and Fiona Hewitt removed him from the water before commencing resuscitation (CPR). CPR was performed for approx two minutes before the patient came around and was put into the recovery position and oxygen therapy administered until the paramedics arrived.

He was sitting up and able to answer questions by the time he left in the ambulance.

The patient was at the pool with his father and two younger brothers. The father was very appreciative of the staff and the bystander who pulled his son to the edge of the pool.

The Award is presented to Rob and Fiona for the effective and efficient way they handled a potentially life-threatening incident.

Special mention should also be made to Lifeguards, Kelly Jones, Tahvia Andres and Centre Supervisor, Robin Wilkinson, for their assistance.

Congratulations Rob and Fiona - and well done to all!

Received with Acclamation!

February 2011

For FEBRUARY 2011, the award is presented to Annie Smith, Manager Human Resources. Annie was nominated by the Manager Parks & Property Services, Jeremy van den Bok and the Manager Engineering Operations, Con Economo for the following reasons:

Both the Town's Manager Human Resources Annie Smith and the Chief Executive Officer, John Giorgi have for almost a year, been working on the new National Award Transition process, which was recently implemented following meetings with all employees. Considerable effort was made leading up to the award transition to ensure that no employee would be worse off when changing over from the existing award to the new award and that equity and fairness prevailed. At the same time, the transition resulted in almost no additional cost to the organisation.

As part of the process, Annie arranged to meet all employees and to address any concerns.

Annie provided all employees with information which she outlined in a clear, concise and very professional manner. She also met the Outside Workforce, at short notice, to further explain the new pay forms - which are now printed in a new format - immediately taking the "heat" out of a potential issue that might have escalated and had significant potential ramifications at the Depot at the time.

Annie is a worthy recipient of the Award for her professionalism and commitment to the Town.

Congratulations Annie - and well done!

Received with Acclamation!

7.3 Donation to Disasters

Many Australian communities have been the victims of extreme weather conditions over the last few months.

I am pleased to announce that the Council recently approved, under Delegated Authority, of the following donations, in accordance with the Council Policy;

Carnarvon Floods

- \$3,000 to Lord Mayor's Distress Relief Fund - "Gascoyne and Mid West Floods Appeal" to assist the people of Carnarvon, Mid West and Gascoyne who were several affected by the devastating floods which hit the region late in 2010.
- After a request of assistance was received from the Shire of Carnarvon seeking suitably qualified and experienced Parks Employees, the Town also sent six of its Parks Services employees to Carnarvon to carry out urgent remedial work to the Shire's parks and gardens for a week. These persons worked very long hours.
- On behalf of the Council, I would like to thank the Town's employees who volunteered to assist in these relief works.

Queensland Floods

- \$6,158 to the Queensland Premier's Disaster Appeal Relief Fund, to support the State which has been severely impacted by floods.
- In December 2010 and January 2011, Queensland experienced the worst floods in the history of the State. Authorities confirmed that 200,000 people in 22 cities and towns were affected by the floods. Sadly, more than 20 deaths occurred.
- Today, the Chief Executive Officer approved the deployment of the Town's Manager Ranger & Community Safety Services, Jim MacLean and Co-ordinator Safer Vincent, Michael Wood, to Queensland from Saturday 12 February 2011 to Friday 18 February 2011, to assist in disaster relief operations.
- Both Jim MacLean and Michael Wood are experienced State Emergency Services (SES) Officers, with considerable experience in disaster management and have volunteered their services.
- FESA advised that approximately ten (10) SES personnel will be sent to either Cairns, Tully or Townsville. The secondment will be at no cost to the Town.

Victorian Floods

- \$3,000 to the Red Cross Victorian Flood Relief Appeal, to support the State which has also been experiencing severe flooding.
- The floods are continuing to impact the State and our thoughts go out to the communities who have been affected by this and the other disasters.

On behalf of the Council, may I express our deepest sympathy to all the victims of the recent disasters, especially those who have lost loved ones. Our thoughts and prayers are with 0 affected communities.

7.4 Urgent Business

I have also approved of an Urgent Business matter - Item 13.1 - for inclusion on tonight's Agenda, relating to a donation to the Lord Mayor's Distress Relief Fund for the Perth Hills Fires, in accordance with the Council's Policy.

Our thoughts also go out to the victims of the weekend's fierce fires that devastated areas of the Perth Hills. Many homes were lost and many people are now facing extreme hardship.

7.5 Withdrawal of Item 9.2.4

It is announced that Item 9.2.4 relating to the Investigation of a Trial for a Vehicle Charge Point for Electric Vehicles has been WITHDRAWN from tonight's Agenda at the request of the Chief Executive Officer - who has advised that new information has been received after the writing of the report, concerning costings for this service, including one from a company who was involved in the previous trial.

This new information significantly alters the findings of the report. In addition, due process will need to be followed to allow all other companies to also submit their costings on a fair and equitable basis, as required by the Local Government Act.

The item will be re-submitted when the new information has been evaluated.

7.6 Beatty Park Leisure Centre – Federal Funding

At the Ordinary Meeting of Council held on 28 September 2010, the Council resolved for the Mayor to request a meeting with the Federal Minister of Infrastructure and Transport in regard to funds required urgently for works needed for the continued operation of the aquatic facility originally built for the 1962 Commonwealth Games.

Requests for a meeting have been made and, as of today, the Town is still awaiting a response.

However, it should be noted that the Federal Government has recently announced that funding from two major programs established to benefit local government and communities will be redirected under a major initiative to help rebuild Queensland in the wake of devastating floods that hit the State in January 2011.

Part of the funds to finance the Priority Regional Infrastructure Program and the Building Better Regional Cities Program will now be used for reconstruction efforts.

The ramifications of the Federal Government's decision are yet unknown and hopefully this will not affect the Council's request for Federal Funding for the Beatty Park Leisure Centre Redevelopment.

Once details are known, the matter will be reported to the Council.

8. DECLARATIONS OF INTERESTS

- 8.1 Mayor Catania declared a Financial interest in Item 9.3.1 – Investment Report. The extent of his interest being that he is the Chairperson of the North Perth Community Bank in which the Town has investment shares.
- 8.2 Cr Burns declared a Financial interest in Item 9.3.1 – Investment Report. The extent of her interest being that she is a shareholder and her father is a director in the North Perth Community Bank in which the Town has investment shares.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Nick Catania, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.4, 9.3.6 and 9.1.3.

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 9.4.6.

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

Item 9.3.1.

Presiding Member, Mayor Nick Catania, 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 Farrell	Nil.
Cr Topelberg	Nil.
Cr Buckels	Item 9.1.1.
Cr McGrath	Items 9.1.5, 9.2.1 and 9.2.2.
Cr Lake	Items 9.2.3 and 9.4.4.
Cr Burns	Nil.
Cr Maier	Nil.
Mayor Catania	Nil.

The Presiding Member, Mayor Nick Catania, requested that the Chief Executive Officer to advise the meeting of:

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

Items 9.1.2, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.7, 9.4.1, 9.4.2, 9.4.3, 9.4.5 and 9.4.7.

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 9.1.2, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.7, 9.4.1, 9.4.2, 9.4.3, 9.4.5 and 9.4.7.

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

Items 9.1.4, 9.3.6 and 9.1.3.

(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.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Topelberg, Seconded Cr Maier

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

Items 9.1.2, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.7, 9.4.1, 9.4.2, 9.4.3, 9.4.5 and 9.4.7.

CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

ITEM WITHDRAWN BY THE CHIEF EXECUTIVE OFFICER

(For the reasons stated by the Presiding Member during his announcements,
Item 7.5. Refer to page 11.)

9.2.4 Investigation of a Trial for a Vehicle Charge Point for Electric Vehicles

Ward:	Both	Date:	28 January 2011
Precinct:	All	File Ref:	TES0047
Attachments:	-		
Reporting Officer(s):	C Chaudhry, Project Officer – Environment		
Responsible Officer:	R Lotznicker, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

(i) *NOTES that;*

- (a) *the Department of Transport records indicate that there are currently approximately twelve (12) electric vehicles in the Town of Vincent;*
- (b) *the initial setup cost and annual operating cost of one (1) electrical charge point is in the order of \$4,500 to \$9,000 with a possible ongoing annual operating cost of up to \$300 per annum depending on what product and supplier is chosen;*
- (c) *there are a number of possible risks associated with establishing electrical car charge points (as outlined in the report); and*
- (d) *a Communications Plan would need to be required should an electrical vehicle charge point trial be progressed; and*

(ii) *DOES NOT proceed with the establishment of an Electrical Vehicle charge point, at this stage, for the following reasons:*

- (a) *the very limited number of electric vehicles in the Town;*
- (b) *the cost of setup and annual operating is not cost efficient;*
- (c) *the loss of potential revenue from car parking revenue; and*
- (d) *the high risks associated with operating such a facility.*

PURPOSE OF REPORT:

The purpose of this report is to provide information pertaining to the establishment of a trial charge point for electric vehicles within the Town.

RELEVANT DOCUMENTS:

Attachments:

Nil.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

At its Ordinary Meeting held on 23 November 2010 the Council considered a Notice of Motion, where the following decision was made:

“That the Council REQUESTS the Chief Executive Officer to investigate the opportunity to trial a "charge point" for the recharging of electric vehicles to be located in a publicly accessible location, with a report to be submitted to the Council by March 2011 to include;

- (a) a preferred location/s (such as a Town of Vincent public car-park which is easily accessible, with space available for vehicles to park while charging, highly visible location for maximum exposure to raise public awareness of this initiative and be located within a Town Centre);*
- (b) possible suppliers of "charge points";*
- (c) indicative budget implications of conducting a trial;*
- (d) a draft "Communications Plan" for promoting use and benefits to the environment in using electric vehicles (including scooters) over conventional (petrol/gas/diesel) powered vehicles; and*
- (e) the "Communications Plan" to highlight that the Town would be trialling the installation of a "charge point" to assess and promote the uptake of use of electric vehicles (particularly scooters) for local travel, as a more environmentally sustainable transport option, compared with the use of conventional vehicles.”*

DETAILS

Preferred Locations:

Some possible suitable locations that may be appropriate for the establishment of an Electrical Vehicle Charge Point (EVCP) are:

- Loftus Community Centre car park
- Chelmsford/Raglan Road car parks
- Barlee Street car park
- Beatty Park Car Park
- Richmond Street, Leederville Street Parking
- The Avenue/Frame Court carpark
- Joel Terrace Car Park – Opposite Banks Pavilion

These locations were selected on criteria of: available power supply, vehicle usage, traffic, parking availability, public access and vandalism statistics. Other sites may be considered if they are able to meet the stated criteria.

Officers Comments:

Contacting the Western Australian Planning Commission (WAPC) revealed that there was greater than 10 electrical vehicles existing in the Town of Vincent. The type and location of these was not detailed. The ideal location for a Trial point would be the Barlee Street Car Park based on the area meeting the appropriate criteria.

Suppliers:

Following extensive research it was considered that only two (2) suppliers would be the most suitable to supply the Town with the required service.

Supplier 1

This company is a leader in the electric mobility industry that enables electric vehicle drivers the convenience of charging their battery at home, and in public locations including kerb-side, workplace and shopping centres.

This company can provide vehicle-charging infrastructure providing multiple web-based portals for charge point owner.

The networked charging stations can range from 240 Volt to 400 Volt AC charging and up to 500 Volt DC charging.

Users would be able to receive a 'ChargePass' which would allow them to charge their vehicle at any Charging Station throughout Australia.

Supplier 2

This company started in Western Australia in 2009. Their aim is to serve the emerging Electric Vehicle (EV) market by providing low cost plug in charge points. Their belief is that the EV market will require low cost infrastructure to ensure its viability and to offer a level of convenience to drivers that encourages the uptake of electric vehicles.

Budget Implications of Conducting a Trial:

The estimated indicative costs to establish a vehicle charging station could vary from between \$4,100 up to \$9,000 depending on what product and what supplier is ultimately chosen.

For example, one of the suppliers has advised that depending on what product is chosen 100% Green Power could be supplied for free for one year.

This would need to be further explored and 'firmed up' should the Council decide to proceed with the proposal.

Officer Comments:

In the first year the capital cost and operating costs could be as low as approximately \$4,000 and as high as approximately \$9,000. These costs do not factor in the loss of revenue from the loss of one (or two) parking bays if the charging station was located in a paid parking area.

In the first year the capital cost and operating cost would be just over \$9,000 with about \$300 per annum thereafter. These costs do not factor in the loss of revenue from the loss of one (or two) parking bays if the charging station was located in a paid parking area.

Possible Risks Involved:

The current number of registered electrical vehicles existing in the Town is currently less than twelve (12) per the Department of Transport records. This means the initiative would only cater for 0.03% of the of the Town of Vincent's residents.

The potential for vandalism to occur to charge points is high. Trials have shown that Vehicle Electrical Charge points are a constant target of vandalism and anti social behaviour.

The length of time to recharge a vehicle at a charge point is lengthy when compared with fuelling up a conventional vehicle. This could discourage their use as the charge point is not designed to be a rapid charger as is currently used in Asian and American countries. To establish the desired rapid charger in the Town could add a significant cost to be paid to Western Power for the installation of these at \$50,000 or greater.

Research has shown that the EVCP's can easily be damaged by an impact to the unit, running over the charging cable or driving away with the charging cable attached.

The cost of charging an electric vehicle from EVCP's may be high when compared with home charging. Electrical Vehicle owners may perceive this cost as too great and charge at home instead. To further support this perception most Electrical Vehicle owners in the US charge at home to benefit from the free electricity generated from their solar power systems.

Potential for damage to occur through over voltage from the charge point. Western Power has indicated that it cannot be held responsible for damage to a vehicle due to uncontrollable fluctuations in the power grids that could lead to an over charge. The issue of insurance would need to be considered. In terms of the annual cost this is difficult to determine as this is a new emerging technology. Based on the unknowns an insurance company would most likely make this a higher based premium.

The EVCP's when engaged in charging an electrical vehicle may present the danger of becoming a trip, snag or snare hazard. This may occur through the owner or operator getting entangled in the cord or public users of the carpark crossing its path. This could lead to serious injury to the person that comes into contact with it and possible damage to the EVCP. One thing that they have not considered is the potential problem of another car or other motor vehicle becoming entangled in the cable.

The dawn of electric vehicles in the Town present a new danger that has not been readily experienced by the Town. It is known that electric vehicles when attached to a charging station can over charge and set the vehicle on fire. Unlike petrol which is treated to somewhat reduce this occurrence; electric vehicles have minimal safe guards against this. In light of this information the Town would have to think carefully where they place a EVCP's to reduce overall damage to an area if a fire event in one of these vehicles was to occur.

Officers Comments:

The potential risks outlined above are considered moderate/high.

Communication Plan:

Should the trial be approved a communications plan will be required.

CONSULTING/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Moderate to High. Refer comments in the report.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads.”*

FINANCIAL/BUDGET IMPLICATIONS:

Total cost for one year to establish the Electric Car Charge Point in the first year could range from approximately \$4,000 to approximately \$9,000 with some minor ongoing annual operating costs.

COMMENTS:

The Electrical Vehicle Charge Point establishment initiative would help transition Western Australian drivers to more sustainable forms of transport.

However, as there are only 12 electric vehicles in the Town, the cost required to install and operate a facility and the potential high risks associated with the operations a facility does not justify the Town's involvement at this point in time.

It is therefore recommended that the Council notes the information in the report and take no further action.

9.1.2 No. 21 (Lot 22; D/P 2028) Angove Street, North Perth - Proposed Demolition of Existing Building and Construction of Two-Storey Commercial Building, comprising One (1) Eating House, Two (2) Offices and Associated Car Parking

Ward:	North	Date:	25 January 2011
Precinct:	North Perth; P03	File Ref:	PRO1011; 5.2010.621.1
Attachments:	001		
Reporting Officer:	T Cappellucci, Acting Senior Planning Officer (Statutory) H Au, Heritage Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Glory Construction Holdings WA Pty Ltd on behalf of the owner D & D Christou & Angove Property Investments Pty Ltd for Proposed Demolition of Existing Building and Construction of Two-Storey Commercial Building comprising, One (1) Eating House, Two (2) Offices and Associated Car Parking, at No. 21 (Lot 22; D/P 2028) Angove Street, North Perth, and as shown on plans stamp dated 17 January 2011, subject to the following conditions:

- (i) **Building**
- (a) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, 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;*
 - (b) *doors, windows and adjacent floor area of the cafe fronting Angove Street, shall maintain an active and interactive relationship with this street;*
 - (c) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
 - (d) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
 - (e) *the maximum public floor area for the café component shall be limited to 48.88 square metres and the maximum gross floor area of office space shall be limited to 297.17 square metres, and further increase or decrease in the area of the café and number of offices may be allowed. 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 Town; and*
 - (f) *first obtaining the consent of the owners of No. 23 Angove Street and No. 459 Fitzgerald Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 23 Angove Street and No. 459 Fitzgerald Street in a good and clean condition;*

(ii) Car Parking

- (a) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (b) *the car park shall be used only by employees, tenants, and visitors directly associated with the development; and*
- (c) *all pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath and road levels;*

(iii) Turntable

- (a) *all turntable maintenance agreements/contracts are to be current for the life of the building and renewed annually;*
- (b) *the applicant/owner will undertake to provide, maintain and ensure the turntable system is operable and in good working order at all times for the life of the building, and all tenants shall be provided with a written instruction procedure, which is to also be signposted appropriate to the control panel;*
- (c) *the applicant/owner agrees to indemnify the Town for any claims, actions or litigation arising from the turntable system; and*
- (d) *in the event of a power failure, the turntable is to be able to be operated manually;*

(iv) Signage

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(v) Cash-in lieu

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 \$21,840 for the equivalent value of 7.28 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town's 2010/2011 Budget; OR*
- (b) *lodge an appropriate assurance bond/bank guarantee of a value of \$21,840 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*
 - (1) *to the Town 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 Town 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.*

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;

- (vi) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

- (1) *public safety, amenity and site security;*
- (2) *contact details of essential site personnel;*
- (3) *construction operating hours;*
- (4) *noise control and vibration management;*
- (5) *Dilapidation Reports of nearby properties;*
- (6) *air and dust management;*
- (7) *stormwater and sediment control;*
- (8) *soil excavation method (if applicable);*
- (9) *waste management and materials re-use;*
- (10) *traffic and access management;*
- (11) *parking arrangements for contractors and subcontractors;*
- (12) *Consultation Plan with nearby properties; and*
- (13) *any other matters deemed appropriate by the Town;*

(b) **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services for assessment and approval, demonstrating a minimum 10 per cent of the site being allocated for landscaping.

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:

- (1) *the location and type of existing and proposed trees and plants;*
- (2) *all vegetation including lawns;*
- (3) *areas to be irrigated or reticulated;*
- (4) *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- (5) *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

(c) **Refuse and Recycling Management**

A comprehensive Refuse and Recycling Management Plan shall be prepared and submitted by a duly qualified consultant, detailing such matters as number of bins (general waste and recycling), bin store size, wash down facility, frequency and manner of collection, size of collection vehicle etc, to ensure that the proposal is compatible with the Town's Waste Management Policy; and

(d) **Screening**

prior to the issue of the Building Licence, revised plans and details shall be submitted and approved demonstrating the balcony to the office on the first floor on the southern elevation, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 2-10 Woodville Street, stating no objection to the proposed privacy encroachments; and

(vii) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT**, the following shall be completed to the satisfaction of the Town:

(a) **Underground Power**

The power lines adjacent to the subject lots shall be placed underground for the complete length of the Angove Street frontage of the development, at the full expense of the developer;

(b) **Entry Gates**

Any proposed vehicular entry gates adjacent to the commercial car parking area shall a minimum 50 per cent visually permeable and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial uses at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;

(c) **Car Parking**

Prior to the first occupation of the development, the car parking spaces provided for the café and offices shall be clearly marked and signposted; and

(d) **Bicycle Parking Facilities**

A minimum of three (3) class one or two bicycle parking facilities and three (3) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Cr Harvey was an apology for the meeting.)

Landowner:	D & D Christou & Angove Property Investments Pty Ltd
Applicant:	D Christou
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Shop
Use Class:	Eating House, Office Building
Use Classification:	"P"
Lot Area:	407 square metres
Access to Right of Way	Not applicable

PURPOSE OF REPORT:

The proposal requires referral to the Council for determination given the shortfall in car parking.

RELEVANT DOCUMENTS:

Attachments:

001 – Property Information Report, Development Application, Plans and Heritage Assessment.

Tabled for Viewing at the Meeting:

Applicant's revised submission and associated documentation.

BACKGROUND:

23 February 2010 The original proposal for the demolition of the existing building and construction of a three (3) storey commercial building, comprising one (1) Eating House and four (4) Offices and associated car parking was granted conditional approval by the Council at its Ordinary Meeting.

DETAILS:

The new proposal involves the demolition of the existing shop and construction of a two-storey commercial building comprising one eating house, two offices and associated car parking.

The applicant has submitted a new proposal which involves a reduction in height from what was previously approved on the site. The new proposal is for a 2 storey high (7.88 metres high) building, rather than a three storey high (11.77 metres high) building. The remaining variations proposed are consistent with the variations previously approved for the site.

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Building Setbacks:		
Rear – Ground and Upper Floors	6 metres (As per Non-Residential/Residential Interface Policy)	Ground and First Floors = 5.05 metres
<i>Officer Comments:</i>		
Supported - The proposal complies with the overshadowing requirements and there will be no undue impact on the adjoining rear property. No objections to the previous approval were received from the adjoining (rear) owners and in this instance, the variation is supported.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Heights:	Two Storeys - 7 metres	Two Storeys – 7.8 metres
<i>Officer Comments:</i>		
Supported - There will be no undue impact on the surrounding area. No objections from the adjoining neighbours were received in the initial proposal for a three (3) storey commercial building and in this instance, given the proposal is now for a two (2) storey commercial building, the variation is supported.		
Landscaping:	Ten per cent of site to be landscaped = 40.7 square metres	Nil
<i>Officer Comments:</i>		
Not Supported - In the event of approval, a planning condition will be imposed to ensure compliance with this requirement.		
Awnings:	Maximum depth of fascia 300 mm	700 mm
<i>Officer Comments:</i>		
Supported - The proposed awning will match with existing neighbouring shops and in this instance, the variation is supported.		
Privacy:	Balcony - 7.5 metres setback to boundary.	Balcony to first floor (rear) - 5.05 metres setback.
<i>Officer Comments:</i>		
Not Supported - It will impact on the privacy of the rear property. The balcony is required to be screened.		
Car Parking:	12.28 car bays.	5 car bays.
<i>Officer Comments:</i>		
Supported - Refer to “Comments” below.		
Bicycle Parking:	3 (Class 1 or 2) bicycle facilities. 3 (Class 3) bicycle facilities.	2 bicycle parking rakes.
<i>Officer Comments:</i>		
Not supported – Location of two (2) bicycle rack shown, but dimensions not shown. A condition has been placed to comply with the provision and number of bicycle bays required.		

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

Consultation	
In Support:	2
Objections:	Nil
Comments Received	Officer Comments
<p><i>“I confirm our support for the planning application. On behalf of the Owners of the Rosemount Hotel, I confirm our support for the planning application (for a three storey development) currently before Council in relation to the above site.</i></p> <p><i>The Hotel currently has a surplus of available bays during office hours and in support of the said application advise that Agreement has been reached pursuant to which the Hotel will provide the occupiers of the above lot with reciprocal access to and use of 5 car parking bays from 8.30am until 5.30pm Monday to Friday; in return for the Owners of the above property in the future making available 5 bays for the benefit of the Hotel for all trading hours outside 8.30am to 5.30pm Monday to Friday.”</i></p>	<p>Noted. This agreement is a private matter between two adjoining owners. The five car bays are not included in the car parking provision.</p>

Consultation		
Fire and Emergency Services Authority		Officer Comments
FESA has no issues with the plans as submitted.		Noted.
Advertising	Further Advertising of the above revised plans was not carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	
Other Implications		
Legal/Policy	TPS 1, R-Codes and associated Policies.	
Strategic	Nil.	
Sustainability	Nil.	
Financial/Budget	Nil.	
Risk Management Implications	Not applicable.	
Car Parking		
Car parking requirement (nearest whole number)		17 car bays
Eating House - 1 space per 4.5 square metres of public area (proposed 48.88 square metres)= 10.86		
Office - 1 space per 50 square metres of gross floor area (proposed 297.17 square metres)= 5.94		
Total = 16.8 (17)		
Apply the parking adjustment factors.		(0.7225)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) 		12.28 car bays
Minus the car parking provided on-site		5 car bays
Minus the most recently approved on-site car parking shortfall		Not applicable
Resultant shortfall		7.28 car bays
Bicycle Parking		
Eating House	<ul style="list-style-type: none"> • 1 space per 100 square metres of public area (proposed 49 square metres) (class 1 or 2) = 0.49 spaces = 1 • 2 spaces plus 1 space per 100 square metres of public area floor area (class 3) = 2.49 spaces = 3 	Three (3) bicycle racks stated on plans, but dimensions not specifically detailed.
Office	<ul style="list-style-type: none"> • 1 space per 200 square metres of gross floor area (proposed 297 square metres) (class 1 or 2) = 1.485 spaces = 2 	Three (3) bicycle racks stated on plans, but dimensions not specifically detailed.

COMMENTS:

Demolition

The subject rendered brick and iron shop and attached house at No. 21 Angove Street, North Perth was constructed in the Inter-war Retail style of architecture circa 1921.

The subject property was identified as a place of interest as part of the review of the Town's Municipal Heritage Inventory (MHI) in 2006. During the consultation period of the MHI review, no objection was received for the proposed listing, and subsequently it was included on the Town's MHI on 12 September 2006.

After being included on the MHI, the Town received a 'Nomination to Delete' the place from the MHI. A full heritage assessment was undertaken at this time, which is contained as an attachment to this report, and revealed as follows:

'whilst the place has some aesthetic and historic value as outlined in the statement of significance and forms part of the collection of shops constructed along Angove Street during the Inter-war period, which together have some cultural heritage significance to the locality, it is considered that individually, the place does not meet the threshold for entry onto the Town's Municipal Heritage Inventory.'

In line with the above assessment, the Council at its Ordinary Meeting held on 17 June 2007, resolved to delete the place from the MHI. In light of this, the Town's Heritage Services have no objection to the demolition of the subject place, subject to standard conditions.

Car Parking

The Town's Policy 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 (ii) of the Town's Parking and Access Policy states that in determining whether this development should be refused on car parking grounds, the following percentage should be used as a guide:

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

In this instance, with the reduction of the development from a three-storey development to a two-storey commercial building, comprising one (1) eating house and two (2) offices, the proposed shortfall in car parking is now 7.28 car bays, reduced from the original proposal approved with a shortfall in car parking of 10.17 car bays.

The shortfall in parking, whilst still significant, is supported, given the unique nature of the lot, its narrowness and the inability to fit in all the parking required. There exists on-street parking, which people use to access the commercial uses between Woodville Street and Fitzgerald Street, along Angove Street. Further, this section of Angove Street is a pedestrian oriented strip, and the proposed development, with fewer cars entering the property from Angove Street, will assist in maintaining the pedestrian environment of this area. The proposed development will contribute to the regeneration of the surrounding commercial area and enhance the vitality and uniqueness of Angove Street.

Given the above, the variation to parking is supported, and it is recommended that the application be approved as per the Officer Recommendation.

9.3.2 Authorisation of Expenditure for the Period 1 – 31 December 2010

Ward:	Both	Date:	22 January 2011
Precinct:	All	File Ref:	FIN0032
Attachments:	001		
Reporting Officers:	K Ball, Finance Officer – Accounts Payable; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 December – 31 December 2010 and the list of payments;*
- (ii) *direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) *direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) *direct lodgement of Child Support to the Australian Taxation Office;*
- (v) *direct lodgement of creditors payments to the individual bank accounts of creditors; and*
- (vi) *direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;*

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

COUNCIL DECISION ITEM 9.3.2

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 December to 31 December 2010.

RELEVANT DOCUMENTS:**Attachments:**

001 – List of cheque payments.

Tabled for Viewing at the Meeting:

Vouchers, supporting invoices and other relevant documentation.

BACKGROUND:

The Council has delegated to the Chief Executive Officer (Delegation No. 3.1 – the exercise of its power to make payments from the Town'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	069282- 069490	\$283,042.33
Transfer of Creditors by EFT Batch	1158, 1160, 1162-1166, 1168, 1171, 1172	\$2,767,758.35
Transfer of PAYG Tax by EFT	December 2010	\$212,447.25
Transfer of GST by EFT	December 2010	
Transfer of Child Support by EFT	December 2010	\$1,146.38
Transfer of Superannuation by EFT:		
• City of Perth	December 2010	\$53,330.89
• Local Government	December 2010	\$104,622.41
Total		\$3,422,347.61
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$6,626.03
Lease Fees		806.82
Corporate Master Cards		\$9,120.69
Loan Repayment		\$56,737.45
Rejection Fees		\$15.00
Total Bank Charges & Other Direct Debits		\$73,305.99
Less GST effect on Advance Account		0.00
Total Payments		\$3,495,653.60

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:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014 – Key Result Area 4.2 – Governance and Management:

“Adopt best practice to manage the financial resources and assets of the Town.”

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 and are tabled.

9.3.3 Financial Statements as at 31 December 2010

Ward:	Both	Date:	22 January 2011
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officers:	B Tan, Manager Financial Services; B Wong, Accountant		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Statements for the month ended 31 December 2010 as shown in Appendix 9.3.3.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the Financial Statements for the period ended 31 December 2010.

RELEVANT DOCUMENTS:

Attachments:

001 – Financial Statement.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

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

As stated above the financial reports as presented, are provisional copies to provide an estimate of the year end position. There are still a number of year end transactions, and adjustments that need to be prepared before the year end accounts can be finalised.

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

- the annual budget estimates;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure and totals and the relevant annual budget provisions for those totals from 1 July to the end of the period; and
- includes such other supporting notes and other information as the local government considers will assist in the interpretation of the report.

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 31 December 2010:

- Income Statement;
- Summary of Programmes/Activities (pages 1-17);
- Income Statement by Nature or Type Report (page 18);
- Capital Works Schedule (pages 19-25);
- Statement of Financial Position (page 26);
- Statement of Changes in Equity (page 27);
- Reserve Schedule (page 28);
- Debtor Report (page 29);
- Rate Report (page 30);
- Statement of Financial Activity (page 31);
- Net Current Asset Position (page 32);
- Beatty Park Report – Financial Position (page 33);
- Variance Comment Report (pages 34-41); and
- Monthly Financial Positions Graph (pages 42-44).

Comments on the financial performance are set out below:

Income Statement and Detailed Summary of Programmes/Activities

Net Result

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

YTD Actual	-	\$11.6 million
YTD Budget	-	\$10.3 million
Variance	-	\$1.3 million
Full Year Budget	-	\$10.6 million

Summary Comments:

The current favourable variance is due to increase revenue, reduced operational expenditure and timing on extended funding.

Operating Revenue

YTD Actual	-	\$30.4 million
YTD Budget	-	\$30.0 million
YTD Variance	-	\$0.4 million
Full Year Budget	-	\$38.4 million

Summary Comments:

The total operating revenue is currently 1.5% over budget which is attributed to increased revenue from Development Application, increased fees from parking fees and infringements and money received from insurance claims submitted as a result of the March 2010 storm.

Major variances are to be found in the following programmes:

- Governance – 37% over budget;
- Law Order and Public Safety – 12% below budget;
- Education and Welfare – 16% over budget;
- Community Amenities – 26% over budget;
- Other Property and Services – 265% over budget;
- Administration General – 240% below budget.

More details variance comments are included on the page 34 – 41 of this report.

Operating Expenditure

YTD Actual	-	\$19.5 million
YTD Budget	-	\$20.8 million
YTD Variance	-	-\$1.3 million
Full Year Budget	-	\$40.3 million

Summary Comments:

The operating expenditure is currently 6.2% below budget.

The major variance for expenditure is located in the following programmes:

- Health – 13% below budget;
- Education and Welfare – 11% below budget;
- Community Amenities – 20% below budget;
- Economic Services – 16% over budget;
- Other Property and Services – 70% over budget;
- Administration General – 90% below budget.

Detailed variance comments are included on the page 34 – 41 of this report.

Income Statement by Nature and Type Report

This income statement shows operating revenue and expenditure are classified by nature and type.

Capital Expenditure Summary

The Capital Expenditure summary details projects included in the 2010/11 budget and reports the original budget and compares actual expenditure to date against these.

Capital Works shows total expenditure including commitment for year to date at the 31 December 2010 of \$3,181,754 which represents 12% of the revised budget of \$26,096,037.

	Budget	Revised Budget	Actual to Date	%
			(Include commitment)	
Furniture & Equipment	\$214,900	\$214,900	\$137,235	64%
Plant & Equipment	\$2,662,600	\$2,666,100	\$697,094	26%
Land & Building	\$12,125,150	\$12,222,672	\$245,254	2%
Infrastructure	\$10,843,834	\$10,992,365	\$2,102,171	19%
Total	\$25,846,484	\$26,096,037	\$3,181,754	12%

Statement of Financial Position and Statement of Changes in Equity

The statement shows the current assets of \$28,556,769 and non current assets of \$142,713,102 for total assets of \$171,269,871.

The current liabilities amount to \$10,576,594 and non current liabilities of \$13,423,518 for the total liabilities of \$24,000,112. The net asset of the Town or Equity is \$147,269,759.

Restricted Cash Reserves

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

The balance as at 31 December 2010 is \$8.9m. The balance as at 30 June 2010 was \$9.1m.

General Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$534,373 is outstanding at the end of December 2010.

Out of the total debt, \$149,675 (28%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking and \$186,269 (35%) relates to the storm damage claim from FESA which is yet to be finalised.

The Debtor Report identifies significant balances that are well overdue.

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

Rate Debtors

The notices for rates and charges levied for 2010/11 were issued on the 19 July 2010.

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

First Instalment	23 August 2010
Second Instalment	25 October 2010
Third Instalment	5 January 2011
Fourth Instalment	9 March 2011

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$8.00
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 31 December 2010 including deferred rates was \$4,199,869 which represents 19.56% of the outstanding collectable income compared to 19.19% at the same time last year.

Statement of Financial Activity

The closing balance carry forward for the year to date 31 December 2010 was \$10,185,075.

Net Current Asset Position

The net current asset position as at 31 December 2010 is \$19,062,112.

Beatty Park – Financial Position Report

As at 31 December 2010 the operating deficit for the Centre was \$192,452 in comparison to the year to date budgeted deficit of \$429,962.

The cash position showed a current cash surplus of \$27,921 in comparison year to date budget estimate of a cash deficit of \$182,673. The cash position is calculated by adding back depreciation to the operating position.

Variance Comment Report

The comments will be for the favourable or unfavourable variance of greater than 10% of the year to date budgeted.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014 – Key Result Area 4.2 – Governance and Management:

“Adopt best practice to manage the financial resources and assets of the Town.”

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

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

9.3.4 Annual Plan – Capital Works Programme – 2010/2011 – Progress Report No. 2 as at 31 December 2010

Ward:	Both	Date:	28 January 2011
Precinct:	All	File Ref:	FIN0025
Attachments:	001		
Reporting Officers:	M Rootsey, Director Corporate Services; R Lotznicker, Director Technical Services; R Boardman, Director Development Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES Progress Report No. 2 for the period 1 October to 31 December 2010 for the Capital Works Programme 2010/2011, as detailed in Appendix 9.3.4.

COUNCIL DECISION ITEM 9.3.4

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly progress report on the Council’s Capital Works Programme 2010/11 for the period 1 October 2010 to 31 December 2010.

RELEVANT DOCUMENTS:

Attachments:

001 – Annual Plan – Capital Works Programme – 2010/2011 – Progress Report No. 2 as at 31 December 2010.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

The Council adopted the Capital Works Programme at the Ordinary Meeting of Council held on 10 August 2010 as follows:

“That the Council APPROVES the 2010/2011 Capital Works Programme as shown in Appendix 9.3.2.”

Quarterly reports will be presented to Council to advise of the schedule and progress of the Capital Works Programme.

DETAILS:

This report focuses on the work that was due to be completed up to the end of the first quarter. Comments on the report relate only to works scheduled to be carried out in the period up to 31 December 2010.

The Annual Plan 2010/2011 was adopted by the Council at its meeting held on 10 August 2010.

The schedule of projects may be subject to change during the year. Progress for the second quarter is on the schedule in accordance with the planned programme with the following exceptions.

Projects Unlikely to Proceed in 2010-2011

The following projects are unlikely to be undertaken in this financial year for the reasons listed below:

Item	Budget Amount	Comment
Britannia Reserve Training Lights	\$25,000	On hold pending outcome of the Britannia Reserve Masterplan
Loton Park installation of pine bollards around Public Open Space	\$8,000	On hold pending the development of nib Stadium
Wetlands Heritage Trail – Beatty Park Reserve	\$63,000	The Bikewest grant funding application for this project was unsuccessful
Street Lighting – Pandal Lane	\$7,500	Not required as new development has addressed the lighting issues at this location
Bus Shelter Scheme – The Bus Shelter Scheme has been cancelled by the Public Transport Authority	\$60,000	The projects listed below are currently on hold awaiting the outcome of other actions or decisions which will change the timing of the work from the adopted works programme

Projects on Hold

The projects listed below are currently on hold awaiting the outcome of other actions or decisions which will change the timing of the work from the adopted works programme.

Item	Budget Amount	Comment
Furniture and Equipment – Personal Digital Assistant (PDA) for Mobile Computing	\$2,800	On hold awaiting Authority System upgrade to Version 6
Buildings – Mount Hawthorn Playgroup modification to the outdoor area including pergola	\$16,500	On hold pending upgrade of Mount Hawthorn Hall
Buildings – Loftus Recreation Centre placement of selected air-conditioning units	\$15,000	On hold, alternative solution with the use of ceiling fans implemented
Right of Ways – Nova Lane Configuration/Resurfacing	\$50,000	On hold, pending development
Slab Footpath Programme – Charles St – Angove to Albert	\$63,500	Part completed/remainder pending development
Slab Footpath Programme – Charles St – Scarborough Beach Rd	\$65,000	On hold pending development

Item	Budget Amount	Comment
Parks Development – Leederville Oval – Returfing of Oval (Central Corridor)	\$98,000	On hold work may not be required this year due to mild winter
Parks Furniture/Lighting – Hyde Park – Replacement of main power supply cubicle	\$23,000	Waiting on Western Power
Parks Furniture/Lighting – Street Litter Bin replacement program Stage 3 of 3	\$40,000	On hold in view of Beaufort Street future artworks and streetscape design

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act 1995 provides a framework for the operations of local governments in Western Australia. Section 1.3(2) states:

“This Act is intended to result in:

- (a) Better decision making by local governments;*
- (b) Greater community participation in the decision and affairs of the local governments;*
- (c) Greater accountability of local governments to their communities; and*
- (d) More efficient and effective government.”*

RISK MANAGEMENT IMPLICATIONS:

Low: The quarterly progress report provides a mechanism for tracking progress against milestones for major projects and programs.

STRATEGIC IMPLICATIONS:

Plan for the Future 2009-2014:

Key Result Area Four – Leadership, Governance and Management:

“4.1 Provide Good Strategic Decision-Making, Governance, Leadership and Professional Management.”; and

Key Result Area One – Natural and Built Environment:

“1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment.”

SUSTAINABILITY IMPLICATIONS:

All projects and programs in the Annual Plan contribute to community wellbeing, the natural and built environment, economic development and good governance.

FINANCIAL/BUDGET IMPLICATIONS:

All projects and programs in the Annual Plan 2010/2011 have been included in the 2010/2011 Annual Budget.

The process is currently proceeding according to funding in the Annual Budget 2009/2010.

COMMENTS:

The Capital Works Programme 2010-2011 is progressing on target and no major problems have been encountered.

9.3.5 Reconciliation Place Project – Progress Report No. 2

Ward:	South	Date:	22 January 2011
Precinct:	Banks - P15	File Ref:	CMS0120
Attachments:	001		
Reporting Officer:	J Anthony, Manager Community Development		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the Consultant's Report – "Reconciliation Place Project Stage 1", dated September 2010;
- (ii) **CONSIDERS** the Consultant's Report and its recommendation as shown in Appendix 9.3.5;
- (iii) **ADVERTISES** the Consultant's Report as submitted by the Vincent Reconciliation Group, for public comment for a period of up to twenty one (21) days, in accordance with the Town's Community Consultation Policy 4.1.5; and
- (iv) **NOTES** that the Chief Executive Officer will provide a further report following the community consultation on the Reconciliation Place Project.

COUNCIL DECISION ITEM 9.3.5

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a further progress report to the Council on the Reconciliation Place Project and advertise the consultant's report for public comment.

RELEVANT DOCUMENTS:

Attachments:

001 – Consultant's Report – "Reconciliation Place Project Stage 1", dated September 2010.

Tabled for Viewing at the Meeting:

Consultant's project brief and final report as submitted by the Vincent Reconciliation Group.

BACKGROUND:

At the Ordinary Meeting of Council, held on 9 June 2009, the following resolution was adopted:

"That the Council;

- (i) **APPROVES IN PRINCIPLE** support for:
 - (a) creating a "Reconciliation Place" in the Town of Vincent; and
 - (b) support for using the identified land on Banks Reserve for the purposes of creating the Reconciliation Place;

- (ii) *LISTS for consideration in the 2009/2010 draft budget an amount of \$15,000 for Stage 1 of the Reconciliation Place Project; and*
- (iii) *NOTES that a further report will be submitted to Council at the conclusion of Stage 1 of the project."*

At the Ordinary Meeting of Council, held on 22 June 2010, the following resolution was adopted:

"That the Council RECEIVES Progress Report No. 1 for the Reconciliation Place Project."

In May 2007, the Vincent Reconciliation Group (VRG) commenced a process to develop a new reconciliation-themed project in the Town of Vincent. VRG members formulated the idea of a reconciliation place project, identified a preferred location for the reconciliation place, conducted initial consultations with stakeholders and were successful in securing seed funding of \$8,800 to scope the project.

The Reconciliation Place project has the following aims:

- To provide an interactive reconciliation experience for the Town of Vincent and the wider community that can be appreciated by all ages;
- To involve community members in an artistic, collaborative, place making initiative that is community building;
- To provide the Town of Vincent with an attractive piece of community art;
- To represent the interaction of Aboriginal and other communities as well as the journey of reconciliation in the Town of Vincent; and
- To educate the community about aspects of their local history.

The preliminary location of interest for the Reconciliation Place was a vacant piece of land near the river at Banks Reserve, East Perth. The VRG had sought preliminary advice from the Swan River Trust and Department of Indigenous Affairs in relation to development approvals processes relevant to the proposed site.

The Reconciliation Place was envisaged as an outdoor space with simple design features that have minimal impact on the community's existing access to, and views of, the river. It was also intended that no negative environmental impacts will result from the construction of the space.

The VRG have formed the Interim Steering Committee overseeing project development, which includes representatives from the following organisations/groups:

- Vincent Reconciliation Group;
- Town of Vincent;
- Ruah Community Services;
- Doolan-Leisha Eatts (Noongar elder) and Walter Eatts (Aboriginal elder);
- Yorgum; and
- Other organisations/groups involved in the process who are interested in being on the Steering Committee.

DETAILS:

The VRG, in consultation with the Town, had contracted Anne Goodall and Tim Muirhead to coordinate the development of Stage 1 of the proposed reconciliation place project in November 2009.

Stage 1 of the project encompassed community visioning and place audit processes, and the aims were to:

- Confirm the site for the reconciliation place and identify the opportunities and constraints afforded by the site;
- Engage stakeholders and community members;
- Establish community priorities for design and process; and
- Develop the vision and guiding principles for the place and process.

The consultants undertook targeted engagement with Town of Vincent residents living in the Banks Precinct. This included meeting with the Banks Precinct Group and inviting members to meetings and events.

Targeted engagement strategies were also undertaken to consult with Wadjuk/Nyungar Elders. Guidance was sought from the South West Aboriginal Land and Sea Council (SWALSC) and Perth Region NRM (formerly Swan Catchment Council) about appropriate engagement with Wadjuk/Nyungar elders in relation to enhancing Banks Reserve as a place for reconciliation.

Three community events designed to engage local residents and other key stakeholders for the project were held at the reserve between 29 May and 25 June 2010.

The first event was held during national Reconciliation Week in May 2010 and included activities such as Welcome to Country, smoking ceremony, aboriginal performances and stories of memories and history of the area. Around sixty (60) people participated in this event and were invited to register their interest in the upcoming workshop as well as record their thoughts on reconciliation and how it could be reflected in Banks Reserve.

The second community event was a workshop focused on developing a shared vision on how to make the reserve a place for reconciliation. There were twenty-one (21) participants who attended and exchanged ideas about reconciliation and how these could be represented as physical features in the reserve.

The third community event was designed as a shorter focused workshop for reviewing the ideas and suggestions made to date and shaping them into recommendations for action.

Details on these events and on various aspects of the project is included in the final report as submitted by the VRG and provided as an attachment.

Recommendations

The following recommendations have been put forward by the consultants in the final report for further consideration;

1. That the Town of Vincent supports and endorses the concept of enhancing Banks Reserve as a Place of Reconciliation through the development of the seven identified elements.
2. In implementing future stages of the Reconciliation Place Project, that workers and volunteers are guided by the project principles.
3. That the three themes of Reconciliation identified by the community are integrated into community artwork and interpretative signs at Banks Reserve and underpin any place activities.
4. That the Steering Committee and Town of Vincent work together to seek funding and in-kind support to implement the three priority community art

5. That VRG continue to convene the project Steering Committee.
6. That Town of Vincent works with the Steering Committee to bring a range of volunteers and stakeholders together to assist with current plans to rehabilitate Walters Brook.
7. That Town of Vincent Community Development makes the 2011 summer concert held at Banks Reserve a showcase of Nyungar performance and considers making this Banks Reserve event an annual celebration of Aboriginal and Torres Strait Islander performance/culture.
8. That Town of Vincent Community Development consider making 'reconciliation' the theme for the 2010 community film project and/or screening a reconciliation-themed feature film at the Banks Reserve film event.
9. That the Steering Committee hosts a meeting for local residents to explain progress of the project.
10. That the Steering Committee continues to seek guidance from SWALSC and Perth Region NRM about appropriate engagement with Wadjuk/Nyungar elders in relation to the project.
11. That VRG keep people on the Reconciliation Place Project mailing list informed of project progress and opportunities for involvement.
12. That Town of Vincent officers planning activities or physical enhancements at Banks Reserve give consideration to how their plans can contribute to achieving the community vision of enhancing Banks Reserve as a Place of Reconciliation.
13. That Town of Vincent Community Development explores how the Reconciliation Place Project can enhance the development and/or implementation of the Town's Reconciliation Action Plan.
14. That Town of Vincent officers explore how the Reconciliation Place Project can enhance plans for an Indigenous Heritage Trail.
15. That the Steering Committee continues exploring with SWALSC and Perth Region NRM how the Reconciliation Place Project can link with the Swan and Canning Iconic River Trails Project.

CONSULTATION/ADVERTISING:

The VRG have been in active consultation with a number of community groups in the area in the initial consultation phase including the South West Aboriginal Land and Sea Council, Ruah Community Services, Leederville HQ, Aranmore Catholic College, North Perth Primary School, Claise Brook Catchment Group and the Redemptorist Monastery Social Justice Group. These groups all indicated that they are in support of the program and would like to be involved in the project in the future. A number of people from the indigenous community have also expressed their support and interest in the project: Yorgum, Anawim, Noel Nannup, Doolann-Leisha and Walter Eatts.

The Banks Precinct Group and a number of residents have approached the Town's officers through the process, with queries and concerns regarding the project. It has been requested that despite the targeted consultations by the project consultants, that further community consultation be undertaken once the final report has been submitted prior to the recommendations being reviewed and ratified by Council.

The final report as submitted by VRG will be made available for public comment for a period of no less than twenty-one (21) days.

LEGAL/POLICY:

Banks Reserve is zoned 'Parks and Recreation' under the Metropolitan Regional Scheme and therefore any proposed development of the site will need to be referred to the Western Australian Planning Commission for determination. The site is currently under the care and control of the Western Australian Planning Commission.

Banks Reserve forms part of an Aboriginal Registered Site and so any proposed development of the site will require a Section 18 Approval under the Aboriginal Heritage Act 1972. A Section 18 Approval was sought by the Town of Vincent and may be extended to include the proposed area.

The Swan River Trust will also need to be approached in regards to this project as Banks Reserve is located within the Swan River Trust Development Zone.

RISK MANAGEMENT IMPLICATIONS:

Low: Progress reports provide a mechanism to advise Council on the status of a project.

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014 Key Result Areas:

"1.1.3 Enhance and maintain the character and heritage of the Town of Vincent

1.1.5 Enhance and maintain parks, landscaping and community facilities

3.1.1 Celebrate and acknowledge the Town's cultural and social diversity

3.1.2 Provide and develop a range of community programs and community safety initiatives

3.1.3 Determine the requirements of the Community and focus on needs, value, engagement and involvement."

SUSTAINABILITY IMPLICATIONS:

The project will encompass sustainability principles in developing future concepts for the reserve.

FINANCIAL/BUDGET IMPLICATIONS:

The \$15,000 which was been budgeted in 2009/2010 has funded Stage 1 of the project, which will include the consultants' fees and catering.

COMMENTS:

The project is designed to be a genuine community development initiative that engages the Vincent community in creating a vision for and developing a new community place. It is therefore important that decisions about the type of community artwork (e.g. mosaic, sculpture, etc) and any infrastructure elements (such as interpretive signage, seating and landscaping) to be incorporated into the Reconciliation Place are made only after Stage 1 (community visioning and place audit) have been completed. Full details and costing for subsequent stages will be developed at this time.

Stage 1 of the project has been designed to have clear, 'stand alone' community development outcomes, in terms of community education about local history and reconciliation themes, which ensures Stage 1 has value even if subsequent stages are not implemented. There are no construction costs in Stage 1.

If adopted this will be the first project of its kind in Perth. Once complete other councils in Perth may be interested in developing similar Reconciliation Place projects in their communities.

9.3.7 Angove Street Festival 2011

Ward:	North	Date:	20 January 2011
Precinct:	Smith's Lake (6)	File Ref:	CMS0110
Attachments:	-		
Reporting Officer:	J Anthony, Manager Community Development		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council APPROVES;

- (i) *the Angove Street Festival organised by the North Perth Business and Residents' Association to be held in Angove Street, North Perth (between Fitzgerald and Albert/Woodville Streets) on 20 April 2011; and*
- (ii) *the Town's Harmony Week event to be incorporated into the Angove Street Festival 2011, subject to:*
 - (a) *the Angove Street Festival being organised by the North Perth Business and Residents' Association;*
 - (b) *sponsorship of not less than \$35,000 being provided by the North Perth Community Bank to the festival organisers; and*
 - (c) *all festival publications and advertisements including reference to the Town's Harmony Week.*

COUNCIL DECISION ITEM 9.3.7

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

To obtain the Council's approval for the Town to be involved in a partnership with the businesses in Angove Street to organise the Angove Street Festival in April 2011.

RELEVANT DOCUMENTS:

Attachments:
Nil.

Tabled for Viewing at the Meeting:
Nil.

BACKGROUND:

The North Perth Festival was held in 2008 and 2009, in Angove Street, North Perth. The festivals attracted over 10,000 people and the feedback received from local businesses, festival participants and those who attended was extremely positive. The festival progressively had more businesses involved in the working group in 2009 which was a result of the overwhelming success of the event in the previous year. A number of businesses were also willing to offer in kind sponsorship such as stage entertainment, graphic design and printing of promotional material.

Apart from entertainment on two stages, coffee workshops and over sixty (60) stallholders offering a variety of quality produce and goods, there was also a buskers' stage, both amateur and professional, plus short film screening that featured the short films that the Town has commissioned for the past three years.

In 2010, the Council resolved that the Town would organise festival events in other parts of the Town such as Beaufort Street and William Street, given that the Angove Street festival has been held for two years. It was promoted to be a good opportunity to work with businesses in other locations of the Town to give them the same opportunities as was given at Angove Street.

DETAILS:

The Angove Street businesses have been contacting the officers since the festivals of 2008 and 2009, to continue to hold the festival as an annual event in their area. The North Perth Community Bank has also expressed interest in supporting the businesses in organising an annual festival in the area.

A North Perth Business and Residents' Association has been formed and applied for incorporation, comprising of businesses and residents in the area. This group has started to meet and discuss progressing a festival in April 2011 in Angove Street. The group has a membership of approximately ten businesses to date and the members are enthusiastic.

Harmony Week

The Town of Vincent has participated in Harmony Week celebrations since 2000. Harmony Week is an annual event which was initially a part of the Commonwealth Government's "Living in Harmony" initiative and then embraced by the State Government in subsequent years. It provides the opportunity for Australians to celebrate our diverse cultural heritage. In 2004 this Commonwealth/State initiative extended from Harmony Day celebrations to Harmony Week celebrations.

In 2002 and 2003, the Town celebrated Harmony Week with a small concert in the North Perth Multicultural Garden.

The Town has facilitated other multicultural festivals with 'Viva Vincent' in 2001 and 2002, as well as 'Culture Shock' which was held in 2003.

In 2007, the Office of Multicultural Interests (OMI) invited the Town to enter into a partnership to organise a major event at Hyde Park for Harmony Week called "Connect @ Hyde Park". OMI provided state funding to a total of \$35,000 to the Town for the partnership project.

After this event, the Town continued to organise "Harmony on Hyde" annually to coincide with Harmony Week. Unfortunately, funding submissions to OMI for continued funding support was not successful after 2007, as the funding criteria had changed making local governments ineligible for funding through the grants programme. Over the last couple of years, the Town's event has not been promoted or featured in any way through OMI's promotions for Harmony Week.

Given the enthusiasm of the Angove Street businesses and their request for the Town to continue their involvement in an annual festival in the area, it is recommended that the Harmony Week event be incorporated into the Angove Street Festival, instead of being a standalone event. This would entail organising similar multicultural activities that were planned for the event in Hyde Park, to be part of the programme schedule for the Angove Street Festival, thereby continuing the Town's commitment to hold a multicultural event.

The timing of the event in April would be a better fit with the planned event schedule in terms of utilising staff resources, than organising an event in March in conjunction with Harmony Week. Harmony Week runs from 15 to 21 March 2011. The William Street Festival has been earmarked for 20 March 2011.

The current programmed event schedule is as follows:

16 January 2011	Summer Concert in the Park (Hyde Park)
30 January 2011	Summer Concert in the Park (Braithwaite Park)
13 February 2011	Summer Concert and Short Film Screening (Banks Reserve)
20 February 2011	Summer Concert in the Park (Hyde Park)
6 & 7 March 2011	Hyde Park Community Fair
20 March 2011	William Street Festival
1 April 2011	National Youth Week
10 April 2011	Angove Street Festival
25 April 2011	Anzac Day (Axford Park)

The activities and programme developed for the Harmony Week event has been thematically linked to the Town's multicultural communities. These themes can be easily transferred to the Angove Street Festival, which will provide for synergies with the local businesses as well as add value to a combined event as opposed to a stand alone event. Such a partnership project would also assist in sharing skills and knowledge in event management with the businesses in the area who are extremely keen to continue the highly successful Angove Street Festival as an annual event.

The event for 2011 will be organised in a similar format to the ones organised in 2008 and 2009 with staged entertainment, market stalls, food and beverage vendors, performances, roving entertainment, children's entertainment and a myriad of other exciting activities to enthrall the patrons.

CONSULTATION/ADVERTISING:

A comprehensive promotional strategy is being planned by the business group for the festival which includes advertising in community newspapers, street banners, letter drop to residents and flyers/posters and possible use of social networking pages.

LEGAL/POLICY:

Policy 3.8.3 - "*Concerts and Events*"; and
Policy 1.1.5 - "*Donations, Sponsorship & Waiving of Fees and Charges*".

The standard conditions for sponsorship would apply to this event (notwithstanding those contained in Policy 1.1.5).

RISK MANAGEMENT IMPLICATIONS:

Moderate: Festival to be organised by Community Group, previous festivals have been successful, however factors such as weather on the day can be a contributing factor.

STRATEGIC IMPLICATIONS:

The Town of Vincent’s Plan for the Future, Strategic Plan 2009 – 2014:

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

3.1.1 Celebrate and acknowledge the Town’s cultural and social diversity:

- (a) Organise and promote community events, programs and initiatives that engage the community and celebrate cultural and social diversity of the Town, including the development of a program for the holding of an event in each of the Town's main commercial centre;*
- (b) Develop a coordinated Event Plan and issue an Annual Program/Calender of Events to promote celebrate and acknowledge the Town’s cultural and social diversity, and*
- (c) Investigate opportunities for an annual “Iconic Event” for the Town and implement events.”*

SUSTAINABILITY IMPLICATIONS:

The purpose of the Festival is to support business in the area and provide a diverse range of community events in the Town. It would also provide an excellent opportunity to promote environmental/sustainability initiatives provided by the Town and businesses in the area.

FINANCIAL/BUDGET IMPLICATIONS:

Currently there is \$20,000 listed for Harmony Week in the 2010/11 Budget. The North Perth Community Bank has committed sponsorship of \$35,000 towards the festival (this may be increased to \$40,000). This sponsorship is essential as it will enable the festival organisers to arrange a festival that will be successful. A number of businesses in the area have provided assurances of in-kind sponsorship through their services e.g. providing website setup, art design and promotion, entertainment, showbags and raffle prizes.

Festival Indicative Budget: \$75,000.

Source	Amount
North Perth Community Bank	\$35,000
North Perth Business and Resident’s Association	\$20,000
Town of Vincent	\$20,000
TOTAL:	\$75,000

COMMENTS:

It recommended that the Harmony Week event be incorporated into the Angove Street Festival in April 2011. This will provide for a quality event for local residents, whilst at the same time adding to the dimension of the festival. A partnership with local businesses in this venture will engender goodwill with the Town and possibly provide a springboard for further economic development strategies for the area.

9.4.1 Use of the Council's Common Seal

Ward:	-	Date:	28 January 2011
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council NOTES the use of the Council's Common Seal on the documents listed in the report, for the months of December 2010 and January 2011.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Cr Harvey was an apology for the meeting.)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
3/12/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: WA Police Workshop - 7 December 2010 (nib Lounge)
10/12/2010	Contract of Employment	3	Town of Vincent and Manager Library and Local History Centre - Contract of Employment
13/12/2010	Withdrawal of Caveat	1	Town of Vincent and Downings Legal, Level 11, 2 Mill Street, Perth re: No. 25 (Lot 230 and 231; D/P 32620) Monger Street, Perth

Date	Document	No of copies	Details
14/12/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Football Hall of Fame Soccer Match - 15 December 2010 (Gareth Naven Room, Pitch and Change Room 1 and 2)
15/12/2010	Deed of Covenant	4	Town of Vincent and J Rut-Thamnoon Chindarsi and A J Patrick both of 47 Clieveden Street, North Perth re: No. 47 (Lot: 124 D/P: 3784) Clieveden Street, North Perth - Partial Demolition of and Alterations and Second Storey Addition to Existing Single House and Additional Two Storey Single House - Deed of Covenant for Conservation of Existing Dwelling
15/12/2010	Restrictive Covenant	4	Town of Vincent and A Swingler and C Woods both of 7 Barrington Street, West Leederville re: Nos. 59 & 59A (Lots: 800 & 801 D/P: 52292) Chelmsford Road, Mount Lawley - Freehold Subdivision
15/12/2010	Covenant in Gross on Crown Land Order	3	Town of Vincent and The State of Western Australia acting through the Minister for Lands, a body corporate under the Land Administration Act 1997, c/o Department of Regional Development and Lands, 1 Midland Square, Midland WA 6056 re: Nos. 59 & 59A (Lots: 800 & 801 D/P: 52292) Chelmsford Road, Mount Lawley - Freehold Subdivision
15/12/2010	Restrictive Covenant	2	Town of Vincent and L and S D'Alessio both of Unit 1, 83 Robert Street, Como and L and M Costa both of Unit 2, 83 Robert Street, Como re: No. 53-61 (lot 48) Grosvenor Road, Mount Lawley - <i>To satisfy Clause (3) of Western Australian Planning Commission conditional approval of a Green Title Subdivision of the Subject Lot dated 8 October 2009</i>
11/01/2011	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Crossman Communications Pty Ltd (DMG Radio (Perth) Pty Ltd) of 4.05, 46A Macleay Street, Potts Point, NSW 2011 re: Weet-Bix TRYathlon Media Call - 12 January 2011 (Pitch)
19/01/2011	Lease	2	Town of Vincent and West Australian Croquet Association Incorporated of PO Box 681, Mount Lawley WA 6929 and Forrest Park Croquet Club Incorporated of 66 Harold Street, Mount Lawley re: Lease Area Forrest Park Club Rooms - <i>Term: Five (5) years from 15/01/11 to 14/01/16</i>
19/01/2011	Licence	2	Town of Vincent and West Australian Croquet Association Incorporated of PO Box 681, Mount Lawley WA 6929 and Forrest Park Croquet Club Incorporated of 66 Harold Street, Mount Lawley re: Lease Area Forrest Park Club Rooms - <i>Licence to use the property for the Term up to and subject to the provisions of the Licence</i>
19/01/2011	Lease	2	Town of Vincent and Aranmore Catholic Primary School of 20 Brentham Street, Leederville WA 6007 re: 20 Brentham Street, Leederville - <i>Term: Ten (10) years from 1/07/10 to 30/06/20</i>
21/01/2011	Lease	3	Town of Vincent and Minister for Education of 151 Royal Street, East Perth WA 6004 re: Lease for Margaret Pre-School, Leederville - <i>Term: Five (5) years and Six (6) months from 1 July 2010 to 31 December 2015</i>
21/01/2011	Lease	3	Town of Vincent and Minister for Education of 151 Royal Street, East Perth WA 6004 re: Lease for Highgate Pre-Primary, Highgate - <i>Term: Five (5) years and Six (6) months from 1 July 2011 to 31 December 2016</i>

Date	Document	No of copies	Details
21/01/2011	Deed	1	Town of Vincent and Commonwealth of Australia as represented by the of Department of Climate Change and Energy Efficiency, of GPO Box 854, Canberra, ACT 2601 re: Pilot Sea-Level Rise Visualisation (<i>Web Based</i>) Tool
24/01/2011	Lease	3	Town of Vincent and Perth Soccer Club Inc of PO Box 249, North Perth WA 6906 re: Lease Area Forrest Park - <i>Term: Ten (10) years from 1/01/10 to 31/12/20 with five (5) year Option from 1/01/21 to 31/12/25</i>
24/01/2011	Licence	3	Town of Vincent and Perth Soccer Club Inc of PO Box 249, North Perth WA 6906 re: Use of Car Park at Forrest Park <i>Term: Ten (10) years from 1/01/10 to 31/12/20</i>
25/01/2011	Restrictive Covenant	2	Town of Vincent and JNI Developments Pty Ltd, Avalon Holdings (WA) Pty Ltd and Land Surveys Pty Ltd all of Level 2, 43 Cedric Street, Stirling re: NO. 72 (Lots 118 and 119 D/P: 2503) Flinders Street, Mount Hawthorn - <i>To satisfy WAPC Conditional Approval dated 16 June 2008. The restrictive covenant is to the benefit of the Town so as to prevent vehicle access onto Lord Street.</i>
31/01/2011	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Fitness First Function on 1 February 2011 (Gareth Naven Room)

9.4.2 Items Approved under Delegated Authority 2010-2011 - Receiving of Status Report

Ward:	-	Date:	28 January 2011
Precinct:	-	File Ref:	ADM0018
Attachments:	001		
Reporting Officers:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the items approved under Delegated Authority over the period 22 December 2010 to 7 February 2011, as shown in Appendix 9.4.2.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the items approved under Delegated Authority for the period 22 December 2010 to 1 February 2011.

RELEVANT DOCUMENTS:

Attachments:

001 – Delegated Authority Reports – Schedule of Outcomes.

Tabled for Viewing at the Meeting:

Delegated Authority Reports.

BACKGROUND:

At the Ordinary Meeting of Council held on 7 December 2010, this matter was considered and Council resolved as follows;

“That the Council APPROVES BY AN ABSOLUTE MAJORITY, pursuant to Section 5.42 of the Local Government Act 1995 to delegate authority to the Chief Executive Officer to deal with any items of business that may arise from 22 December 2010 to 7 February 2011, subject to:

- (i) the action taken being in accordance with the Officer recommendation;*
- (ii) the Chief Executive Officer being authorised to make minor amendments to the Officer Recommendation which may be necessary, as a result of responses received from Council Members;*

- (iii) *reports being issued to all available Council Members for a period of three (3) days prior to approval and a simple majority of the responses received be accepted;*
- (iv) *items being displayed in the Town of Vincent Administration Centre, the Library and on the Town's website for a period of three (3) days prior to approval;*
- (v) *a report summarising the items of business dealt with under delegated authority being submitted for information to the Council at its meeting to be held in February 2011; and*
- (vi) *a Register of Items Approved under Delegated Authority being kept and made available for public inspection during the period that the delegation applies."*

The items that were dealt with under Delegated Authority are listed in Appendix 9.4.2.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Local Government Act 1995 states:

*"Delegation of some powers and duties to CEO
5.42(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act (other than those referred to in section 5.43 and this power of delegation)."*

Matters requiring an Absolute or Special Majority decision of the Council cannot be approved under Delegated Authority.

RISK MANAGEMENT IMPLICATIONS:

Low: It is a statutory requirement to report matters approved under Delegated Authority to the Council.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2009-2014 - Objective 4 – *"Leadership, Governance & Management"* – 4.1 – Provide good strategic decision-making, governance, leadership and professional management.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The use of Delegated Authority was in keeping with the Council's practice of providing a high standard of customer service to continue processing ratepayer requests and development applications.

A complete list and copy of the reports considered under Delegated Authority will be included in the Council Minutes.

9.4.3 Loftus Centre, 99 Loftus Street, Leederville – Receiving of Management Committee Unconfirmed Minutes

Ward:	South	Date:	22 January 2011
Precinct:	Oxford Centre	File Ref:	PRO3829
Attachments:	001		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Unconfirmed Minutes of the Loftus Centre Management Committee Meeting held on 13 December 2010 as shown in Appendix 9.4.3.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Loftus Centre Management Committee meeting held on the 13 December 2010.

RELEVANT DOCUMENTS:

Attachments:

001 – Unconfirmed Minutes of Committee meeting held on 13 December 2010.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

At the Ordinary Meeting of Council held on 19 December 2006, Item 10.4.9 the Council approved of a Management Committee for the Loftus Centre, as follows;

“OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY;

- (i) *pursuant to Section 5.9(2)(c) of the Local Government Act 1995, to establish a Committee to determine the day-to-day operational issues of the Loftus Centre, 99 Loftus Street, Leederville;*
- (ii) *the Committee shall comprise of the following persons;*
 - (a) *the Town's Chief Executive Officer or his representative;*
 - (b) *a representative of Belgravia Leisure Pty Ltd;*
 - (c) *a representative of Gymnastics WA;*
 - (d) *a representative of the Loftus Community Centre; and*
 - (e) *the Town's Manager Library and Information Services;*

- (iii) *in accordance with the Lease between the Town and Belgravia Leisure Pty Ltd, to APPOINT the Chief Executive Officer (with the and Executive Manager Corporate Services as Deputy) to the Committee; and*
- (iv) *to delegate the following functions to the Committee;*
- (a) *to determine day to day operational issues (including without limitation, use of the Premises, Common Areas cleaning, security issues, and use of the car park) which may arise as a result of the Lessee's use of the Loftus Centre Facilities with a view to ensuring the safe and efficient use of the Centre's Facilities by all users;*
 - (b) *to establish and review risk management plans for the Centre's Facilities;*
 - (c) *to consider and approve, if satisfactory, temporary structures within the Centre's Facilities;*
 - (d) *to make recommendations for the maintenance of Common Areas;*
 - (e) *to make recommendations for any capital improvements to the Centre's Facilities; and*
 - (f) *to do all such other things and to determine all such other issues in respect of the Centre's Facilities as are incidental or conducive to the above objects or any of them."*

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The Town of Vincent's Plan for the Future, Strategic Plan 2009 – 2014:
*"Key Result Area Four – Leadership, Governance and Management - Objective 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."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

The reporting of the Town's Committee Minutes to the Council Meeting is in keeping with the *Local Government Act 1995* and its regulations.

**9.4.5 Strategic Plan 2009-2014 – Progress Report for the Period
1 October 2010 – 31 December 2010**

Ward:	Both	Date:	28 January 2011
Precinct:	All	File Ref:	ADM0038
Attachments:	001		
Reporting Officers:	Managers, Directors		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the progress report on the Strategic Plan 2009-2014 for the period 1 October 2010 – 31 December 2010 as shown in Appendix 9.4.5.

COUNCIL DECISION ITEM 9.4.5

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly update on the Strategic Plan for the period 1 October 2010 – 31 December 2010.

RELEVANT DOCUMENTS:

Attachments:

001 – Strategic Plan Quarterly Progress Report.

Tabled for Viewing at the Meeting:

Nil.

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 Town'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:

Low.

STRATEGIC IMPLICATIONS:

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2009-2014. The reporting on a quarterly basis is in accordance with the Strategic Plan 2009-2014 Key Result Area.

This is in keeping with the Town's Strategic Plan 2009-2014 - "*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 Town's administration is progressing the various strategies in accordance with the Council's adopted programs and adopted budget.

9.4.7 Information Bulletin

Ward:	-	Date:	28 January 2011
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 8 February 2011, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.4.7

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Cr Harvey was an apology for the meeting.)

DETAILS:

The items included in the Information Bulletin dated 8 February 2011 are as follows:

ITEM	DESCRIPTION
IB01	Letter of Approval to the Hon Warren Snowdon MP, Minister for Veterans' Affairs, Minister for Defence Science and Personnel, Minister for Indigenous Health regarding grant under the Saluting Their Service Commemorations Grant Program
IB02	Letter from the Department of Local Government regarding Local Government Reform Submission – District Boundary Amendments
IB03	Letter from WALGA regarding Local Government Charter for the Swan and Canning River System
IB04	Letter from Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests; Youth, Robyn McSweeney MLC in regards to Seniors Safety and Security Rebate
IB05	Letter from Department of Planning in regards to Road Reservations – Beaufort Street (Brisbane Street to Walcott Street) and Fitzgerald Street (Carr Street to Walcott Street)
IB06	Letter to Mr G. Lantzke of Egina Street, Mount Hawthorn in response to Question Taken on Notice at the Ordinary Meeting of Council held on 23 November 2010
IB07	Letter of Appreciation from Fire & Emergency Services Authority regarding Manager Ranger & Community Safety Services
IB08	Letter of Appreciation from the Leederville Early Childhood Centre regarding support with recent bathroom renovations

ITEM	DESCRIPTION
IB09	Letter of Appreciation from Mr B. Ellis regarding the Town grant towards his Basketball Tour in the USA
IB10	Email of Appreciation from Ms A. Gillett regarding Library and Local History Centre
IB11	Certificate of Appreciation from the North Perth Primary School regarding the valuable contribution to the North Perth School Fete
IB12	Summary and letters of appreciation regarding Seniors Outing at Araluen for Housebound members of the Town of Vincent Library and Local History Centre
IB13	Minutes of the Mindarie Regional Council Meeting held on 9 December 2010
IB14	Minutes of the Mindarie Regional Council Special Meeting held on 16 December 2010
IB15	Minutes of the Tamala Park Regional Council Meeting held on 16 December 2010
IB16	Minutes of the Parks People Project Working Group (PPPWG) Meeting held on 4 November 2010
IB17	Minutes of the Art Advisory Group Meeting held on 30 November 2010
IB18	Minutes of the Seniors Advisory Group Meeting held on 9 December 2010
IB19	12th Australian Parking Convention 2010 – Conference Report
IB20	The 11 th International Cities, Town Centres and Communities (ICTC) 2010 Society Conference – Conference Report
IB21	Reconciliation Action Plan – Progress Report No. 1
IB22	Progress Report on Local History Collection: July to December 2010
IB23	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/293 of 2010 – Motearefi v Town of Vincent, 91 Bourke Street, Leederville
IB24	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/343 of 2010 – Baker v Town of Vincent, 87 Angove Street, North Perth
IB25	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/187 of 2010 – McDonald’s Australia Limited v Town of Vincent, 208-212 Beaufort Street, Perth
IB26	Ranger Services Statistics for October, November and December 2010
IB27	Register of Petitions - Progress Report - February 2011
IB28	Register of Notices of Motion - Progress Report - February 2011
IB29	Register of Reports to be Actioned - Progress Report - February 2011
IB30	Register of Legal Action (Confidential – Council Members Only) - Progress Report - February 2011
IB31	Register of State Administrative Tribunal Appeals - Progress Report - February 2011
IB32	Forum Notes - 14 December 2010
IB33	Notice of Forum - 15 February 2011

9.1.4 Nos. 148-158 (Lot 600) Scarborough Beach Road, Corner Fairfield Street, Mount Hawthorn - Proposed Low Impact Telecommunication Facility to Existing Shopping Centre (The Mezz)

Ward:	North	Date:	25 January 2011
Precinct:	Mount Hawthorn Centre; P2	File Ref:	PRO0266
Attachments:	001 , 002		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the Telecommunications (Low Impact Facilities) Determination 1997 ADVISES Daly International that it STRONGLY OBJECTS to the proposal for an Optus Telecommunication Facility at Nos. 148-158 (Lot 600) Scarborough Beach Road, corner Fairfield Street, Mount Hawthorn, and as shown on plans stamp-dated 7 October 2010, for the following reasons:

- (i) (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (b) *the non - compliance with the Town's Policies 3.1.2 and 3.5.6 relating to the Mount Hawthorn Centre Precinct, and Telecommunications Facilities, in particular, whereby telecommunication facilities are to be located 300 metres away from any residential building;*
- (c) *consideration of the petitions of objections and individual submissions received; and*
- (d) *the unacceptable precedent and likelihood to encourage other telecommunications carriers to co-locate at this site;*
- (ii) *STRONGLY OBJECTS to Optus and the owner of "The Mezz" Shopping Centre, that it does not support the location of the proposed telecommunication facility;*
- (iii) *RECOMMENDS that Optus identify alternative suitable sites for the proposed telecommunication facility; and*
- (iv) *ADVISES the objectors of the Council's decision and that the Council has limited powers concerning the control of telecommunications facilities.*

COUNCIL DECISION ITEM 9.1.4

Moved Cr Buckels, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-3)

For: Mayor Catania, Cr Burns, Cr Farrell, Cr McGrath, Cr Topelberg

Against: Cr Buckels, Cr Lake, Cr Maier

(Cr Harvey was an apology for the meeting.)

ADDITIONAL INFORMATION:

A list of existing telecommunications facilities within and around the Town of Vincent together with a map were tabled for viewing at the meeting and shown in Attachment 002.

Landowner:	Hyde Park Management Pty Ltd
Applicant:	Daly International on Behalf of Optus Communications
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): District Centre and Special Use (car park)
Existing Land Use:	Shopping Centre- The Mezz Shopping Centre
Use Class:	Shop and Car park
Use Classification:	"P" & "P"
Lot Area:	12740 square metres
Access to Right of Way	North of property, 5 metres wide sealed and is a dedicated road.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the Consultation Report regarding the responses received from those notified and the results of any other consultation conducted under the plan.

RELEVANT DOCUMENTS:

Attachments:

001 – Property Information Report, Development Application, Plans and Applicant’s response to the concerns raised in the public submissions.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

- 15 April 2010 The Town received written notification from Daly International of a proposed Telecommunications facility at The Mezz Shopping Centre, and giving the Town five (5) working days to comment regarding a Consultation Plan to the adjoining landowners.

- 21 April 2010 The Town inadvertently sent letters out to the Community similar to the radius of consultation carried out by the carriers, rather than the 500 metres radius as per the Town's Telecommunications Facilities Policy 3.5.6 and the requirement to send in their concerns to the consultant Daly International.

- 28 April 2010 Further information provided by Daly International regarding the Consultation Strategy.

- 4 May 2010 Memorandum forwarded to Councillors/CEO/Directors regarding the proposal requesting comment by 10 May 2010.

- 21 May 2010 Received 3 petitions consisting of 772 signatures from the community regarding the proposed telecommunication facility.

- 28 May 2010 The Town received a response from Daly International regarding the submissions received and further justification.

- 31 May 2010 The Town received a further response from Daly International in response to the further information sought by the Town.

- 8 June 2010 The Council at its Ordinary Meeting resolved to strongly object to the low impact telecommunication facility proposal at the above site.
- 24 August 2010 The Town's Officers reported to the Council the Health concerns of proposed Mobile Phone towers.
- 28 September 2010 The Town's Officers reported to the Council the readings of 12 specific sites as selected by the Town for Electromagnetic readings.
- 7 October 2010 The Town received written notification from Daly International of a proposal for a Telecommunications Facility on the south east corner of the site on the corner of Scarborough Beach Road and Fairfield Street, and giving the Town five (5) working days to comment regarding a Consultation Plan to the adjoining landowners.
- 18 November 2010 The Town sent out letters to landowners within a 500 metre radius of the site as per the Town's Policy 3.5.6 relating to Telecommunications Facilities and the requirement to send in their concerns to the consultant Daly International.
- 26 November 2010 The Town received a 772 signature petition objecting to the proposed telecommunications facility.

DETAILS:

The proposal involves the construction of three (3) panel antennas, each not more than 2.8 metres long, attached on support steelwork on the rooftop cooling equipment screening on the south - east corner of the "The Mezz" shopping centre.

In addition to the antennas, as part of the facility, an equipment shelter, with an area of 7.5 square metres and no more than 3 metres in height, is proposed below the antennas, to house solely the equipment associated with the telecommunication facility. Ancillary equipment such as safety equipment, amplifiers, feeders and other associated infrastructure are also included. The applicant proposes to match the equipment shelter and antenna with the existing background colours.

Optus regards that the facility as a *Low-impact facility* as per the Telecommunications (Low Impact Facilities) Determination 1997. If a proposed facility is determined as a "Low Impact Facility", the telecommunication carrier is required to follow the below processes:

- "11(i) *Immediately the Town is notified by Telecommunications companies of the intention to erect low- impact facilities adjoining residential properties, those adjoining residents, local community or precinct groups and ward Councillors are also notified; and*
- (ii) *the Town of Vincent inspect all existing low impact facilities in the Town of Vincent to update its database and ensure that these facilities strictly meet the definition of low impact."*

Following this notification, the Town as a matter of standard practice, consults with its local residential and business owners, local or community or precinct groups and Ward Councillors as per Clause 11 (i) above. In most instances, once the Town has been notified by the Telecommunications companies of a proposed low – impact facility being installed in the Town, as per Clause 11 (i) above, it is generally only the Town that undertakes the consultation. In this instance, the carrier has also separately advertised the proposal.

In response to the Town's request for further information, the applicant has provided the following:

1. The reasons for the selection of the location of the Telecommunication Facility at *The Mezz Shopping Centre*.

Carrier's Response - *"The site is required to provide improved on-street mobile phone coverage as well as in-building voice and data coverage to the Mezz Shopping Centre and the surrounding business and residential areas. This is based on customer complaints and our network improvement activities. We refer to the attached coverage plot for existing Optus coverage in the area. Optus does not currently have a mobile site in the Mt Hawthorn area. Telstra & 3GIS have existing sites providing coverage for their services. As the Optus site is part of the joint venture program with Vodafone/VHA, the site also has the capability to provide services for Vodafone and their customers if they have this requirement in future.*

2. Alternative locations for the facility on the same site that could be proposed; or any other less sensitive site in the vicinity.

Carrier's Response - *"In order to provide service to mobile telephone customers Optus needs to locate sites where people use their mobiles. This means being located where people work and live. The area required for the facility is focused around the commercial area along Scarborough Beach Rd (Matlock St to Oxford St). We are currently investigating the option to locate the facility on the Scarborough Beach Rd frontage of the Mezz shopping centre rooftop, (see attached plan and photomontage). Due to this location being lower than the existing preferred site at the lift shaft room, the radio frequency objective for the site would be slightly compromised at this location. However, Optus is willing to pursue this location if it is preferred by Council. It should also be noted that at this stage, we do not have owners consent for this location."*

3. The current location of other Optus facilities within the Town of Vincent and in close proximity;

Carrier's Response *"Existing Optus Mobile sites in the Town of Vincent: - P0151 Glendalough - SES Tower Lynton St, Mt Hawthorn (1km south west) - P0031 North Perth - Rear of 1-3 Blake Street North Perth (1.78km to the east) - P0107 Leederville - Oxford Spares 207 Oxford St Leederville WA 6007 (1.44km to the south) - P0141 Hyde Park 318 Fitzgerald St North Perth WA 6006 (2.45km to the southeast) P0334 Highgate West 15 Robinson Ave Northbridge WA 6000 (3.42km to the south east) - P0287 Menora 71- 77 Walcott St, Mount Lawley WA 6050 (3.36km to the south – east) Sites located to the north (not located in the Town of Vincent Council boundaries); - P0297 Osborne Park East, 83 Main Street Osborne Park WA 6017 (1.98km to the north west) - P0014 Joondanna, Buttler Place, McDonald St, Roberts St Joondanna WA 6060 (1.6km to the north)."*

4. The possibility of co-location with other Telecommunication Facilities.

Carrier's Response *"In considering co-location candidates Optus assessed the following sites; The Paddington Ale House - discarded as the site is listed on the Municipal Heritage Inventory. Existing 3GIS equipment on the roof Telstra Exchange -the building is too low and will not meet the radio frequency objectives for the site."*

5. Any other information that you think is relevant to your proposal.

Carrier's Response *"This area been identified by Optus as an area of increasing demand, especially for mobile broadband services. This site is required to improve service to Optus customers by relieving congestion on the surrounding sites in the network. The demand presently experienced, for mobile telephone coverage and mobile broadband services has caused network congestion in some metropolitan areas. The area required for the facility is focused around the commercial area along Scarborough Beach Rd (Matlock St to Oxford St).*

In order to provide service to mobile telephone customers we need to locate sites where people use their mobiles. This means being located where people work and live. We acknowledge the community's concerns about proximity to residences and wish to re-assure you that the safety of the community is of the utmost importance to Optus. Under the ACIF Code we are obliged to incorporate a Precautionary Approach in planning the site. This requires us to specifically identify 'sensitive uses', this is a term defined by the ACIF Code and refers to a specific list of uses. This does not mean that we have not considered residential uses or the safety of the general public. The safety of the community is always a consideration in site design. Safety of nearby residents is ensured by our compliance with the Australian Standard - Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz. The Standard sets limits for human exposure to radiofrequency (RF) fields in the frequency range 3 kHz to 300 GHz. The ARPANSA Standard also includes requirements for protection of the general public and the management of risk in occupational exposure, together with additional information on measurement and assessment of compliance. I would refer you the ARPANSA website for more detail on the Standard and how it is formulated. http://www.arpansa.gov.au/pubs/eme/EME_factsheet_4.rtf.

Electromagnetic Energy (EME) Prior to the construction of a facility an EME Report is prepared by an Optus radiofrequency engineer. This report summarises the estimated maximum cumulative electromagnetic energy (EME) levels at ground level emitted from the proposed mobile phone base station antennas. The car park level was used for the base of the proposed facility when the report was generated. In addition to the estimated EME readings, it is possible for readings to be taken from specific properties before and after construction to ensure that they comply with the Australian safety standards."

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Town's Telecommunications Facility Policy 3.5.6		
<i>Clause 3 – Distance from Residential Buildings</i>	300 metres	40-60 metres
Officer Comments:		
Not supported – Undue impact on the amenity of surrounding residential area.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<i>Clause 7 – Due Consideration to various matters</i>	Visual and aesthetic matters, and environmental and health matters.	Antennas, poles protrude from the existing roof top and will be visible from the east, west, north and possibly south elevations. The structure will be in full view of all shoppers parking their motor vehicles on this level.
Officer Comments:		
Not supported – As there is no integration of the facility with the existing structure on-site. Will be an eyesore and visibly seen along Scarborough Beach Road driving westwards. In terms of health, there is a perceived genuine concern regarding the negative impact on people health, especially children.		
<i>Clause 9 - Design</i>	Design to have a minimal impact on the streetscape and the amenity of the surrounding area.	Antennas, poles protrude from the existing roof top and will be partly visible from the east, west, north and possibly south elevations.
Officer Comments:		
Not supported – The subject proposal is considered to have a detrimental impact on the streetscape and the amenity of the surrounding area.		
Mount Hawthorn Centre Precinct: <i>Built Form</i>	Consistency in style, form, rhythm and articulation of buildings.	Proposal protrudes well above the existing roof line and proposed equipment shelter is not consistent with existing building form.
Officer Comments:		
Not supported – Proposal is considered to be inconsistent with the style and rhythm of the existing buildings, as these matters were closely monitored when the shopping centre was redeveloped.		
<i>Scale</i>	All new buildings to be consistent with existing scale of buildings.	Antennas protrude not more than 3 metres above the height of the existing structure.
Officer Comments:		
Not supported- Undue impact on scale of building and surrounding locality.		

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

Consultation	
In Support:	Nil.
Objections:	Eleven (11), including a petition with a total of 772 signatures.
Comments Received	Officer Comments
The necessity of the facility given the good coverage of the phone service.	Noted. The carrier has responded to this in the attachment.
Alternative sites could have been considered by the carrier.	As above.

Consultation	
The location close to a Residential Area in which there is a high number of young children, a number of persons under 40, number of women in area, pregnant women.	As above.
High level of possible exposure for the persons noted above within a close proximity to the Telecommunication facility. Radiation exposure is increased by a factor of 90 times compared with residents in the radius 400-500 metres away.	As above.
It has been published in scientific literature that women and children are more sensitive to radiation emissions.	As above.
The current EME levels need to be documented prior to anything being done, in case they are unexpectedly high as an ethical responsibility to address public health concerns.	As above.
There should be plans to measure EME levels after the installation of any such facility to ensure that the 'predicted' levels are not unexpectedly exceeded, and periodic monitoring of the same in the case of malfunction of equipment.	As above.
Issue with the fact that a Telecommunication Facility can be constructed without some form of shire approval.	As above. Under the Telecommunications (Low Impact Facilities) Determination 1997, carrier(s) can construct a low impact facility, without the Council Approval.
"The Mezz" Shopping Centre is not a large shopping centre and by its very location it is close to schools, child care facilities and medical centres.	As above.
The construction of telecommunication structure placed on top of a shopping centre car park would create aesthetic issues for the Town.	As above.
The issue that there are already three mobile phone towers within close proximity to the proposed tower.	As above.
Impact of any further towers when it comes to radiation emissions.	As above.

Consultation	
Any previous towers had not come to our attention and were not publicised.	Noted. Following perusal of the Town's Records, one example of where a proposed Telecommunications Facility (Low Impact Facility) has been documented. This was received by the Town in November 2000 for a roof top facility at the Paddington Alehouse. The proposal was for 3 antennas with a length of 1.3 metres, to be erected on the rooftop.
	The proposal was advertised to the immediately adjoining landowners and a Memorandum sent to Councillors noting the proposal.
Any level of radiation emissions should be unacceptable in a residential environment where children are present and potentially exposed.	Noted. The carrier has responded to this in the attachment.
The Council should do all it can to prevent carriers from adding further structures in the proposed location and in fact should have some removed.	Noted. The Town has a Telecommunications Policy that addresses these matters.
Any future placement of Telecommunication Facilities should be well away from residences, schools, health centres and all areas of high public use.	Noted. The carrier has responded to this in the attachment.
Gaps in the research on the health effects of exposure to electro magnetic energy (EME).	As above.
The "sprinkler effect" of base station EME on nearby homes, whereby the further away from the Telecommunication Facility the more intense the emissions.	As above.
A shopping centre surrounded by a Commercial Buffer Zone of smaller shops would be far more suitable. Alternatively, placed closer to the Commercial zones on Scarborough Beach Road or on top of the Mt Hawthorn Telephone Exchange (Cnr Scarborough Beach and Oxford Street).	As above.
Closeness of Children to facility in the areas they live and recreate.	As above.
In some countries there are limitations on placing Telecommunication facilities; that is, United Kingdom extra precautions are required and approvals are required.	As above.

Consultation	
<p>If the facility is installed as planned we request regular EME levels testing by independent and professional persons prior to commencement and during. Costs should be borne by the carrier for future testing of the levels.</p>	<p>Noted. The carrier has responded to this in the attachment, and agrees to fund such reporting of levels.</p>
<p>Homes along Fairfield Street, especially, are in direct line of sight with the Telecommunication Facility with no barriers in between them.</p>	<p>Noted. The carrier has responded to this in the attachment.</p>
<p>Schools and local churches are considered as sensitive locations however, residential properties where children spend a greater majority of their time 7 days per week are of greater significance to the location of Telecommunication Facilities.</p>	<p>As above.</p>
<p>The carrier is not adopting a “Precautionary Approach” in choosing the site and is not meeting the objective of avoiding sensitive locations and, as such, is a breach of the ACIF Code (Sections 5.1.4 (b) & (d).</p>	<p>As above.</p>
<p>A tract of land directly surrounded on three sides by residential land cannot be classed as a “Commercial Precinct”, this is a predominantly a residential area with a small commercial zone woven into it.</p>	<p>Noted. The carrier has responded to this in the attachment.</p>
<p>The greatest impact from the RF field will be on the neighbouring residential area not on the Commercial Precinct.</p>	<p>As above.</p>
<p>The submitter requests that the carrier should relocate the Telecommunication Facility where there is a better buffer zone and good separation to residents.</p>	<p>As above.</p>
<p>The submitter further states that once one base station is installed (or 3) it has been widely observed that co-location then becomes attractive for other Telecommunication carriers and possibly increasing the EMR emissions on-site.</p>	<p>As above.</p>
<p>Concerns about long term affects of the facility on young families.</p>	<p>Noted. The carrier has responded to this in the attachment.</p>
<p>Less than 12 months ago, a petition of 770 residents and shoppers strongly opposed the abovementioned proposal in the form of a signed petition. There are already two existing stations within this residential area, emitting constant electromagnetic radiation and although levels may be considered low by some, the health, scientific and telecommunications industries cannot provide concrete proof that this source of radiation will not cause serious problems in the future.</p>	<p>Noted. The carrier has noted the general objection to the proposed location.</p>

Consultation	
Applying the precautionary principle requires the highest standards of impact mitigation to protect community values. Request the base station to be erected at a location further away from residents, such as along the Graham Farmer Freeway.	As above.
Concerns about the erection of the facility in the current location.	As above
Objector acknowledges that expected future accumulated radio emissions will be below the allowed exposure levels. However, it is not yet known what long term effect will be from continual exposure to low impact electromagnetic radiation.	Noted. The carrier has addressed this concern in their response attached.
Objector notes that whilst the future RF EME readings are expected to be lower than stipulated by ACMA, this is not an adequate assurance of their long term safety. While it is not possible to demonstrate health risks at levels of exposure similar or lower than those provided by ACMA, it is equally impossible for a carrier to demonstrate at this time that long term exposure to RF EME from base stations is safe.	As above.
Objector notes that by applying a precautionary principle, it is better that the base station be erected at a location further away from residents, such as along the Graham Farmer freeway.	As above.
The location for the facility should be in a non resident location, such as the Mitchell Freeway near Lake Monger.	As above.
Concerns the addition of another facility as well, as the facilities at the Paddington Alehouse and Telstra building, will cause additional long term effects associated with exposure to radiation.	Noted. The carrier has responded to this in the attachment.
Note that it is better to maximise the communities' safety by limiting exposure to a minimum. Would argue that there are other suitable locations which are not detrimental to local residents.	Noted.
Concern with a number of young children within the vicinity, the impact of being exposed to EMR emissions for a prolonged period of time.	As above.

Consultation	
Advertising	Advertising of the above telecommunications facility was carried out as per the Town's Policies No. 4.1.5 – relating to Community Consultation and No. 3.5.6 relating to Telecommunications Facilities, from 17 November 2010 to 15 December 2010.
Other Implications	
Legal/Policy	TPS No. 1 and Telecommunication Facilities Policy 3.5.6, Telecommunications (Low Impact Facilities) Determination 1997 and Telecommunication Code of Practice 1997 (as per the schedule of the Telecommunication Act 1997).
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.
Risk Management Implications	Not applicable.

COMMENTS:

Alternative Locations

The position of the Town as per the Telecommunication Facilities Policy is for new telecommunications facilities to be co-located with existing facilities. Within the vicinity, there are three locations where this could occur. These include the Paddington Alehouse, whereby a facility is already located on the roof top, the corner of Lynton and Anzac Road, where Optus Facilities are already located and Nos. 205-207 Oxford Street, where Optus has a tower on the roof of commercial premises.

Summary

In light of the above, the Town's Officers consider the proposal and the location of the facility to pose a significant negative impact to the residents living within close proximity of the proposed site. In addition, the lack of integration with existing facilities and minimising its visual impact on the surrounding properties, promotes these concerns.

On the above basis, the proposed development, by reason of its scale, massing, height and design of its antennas and poles, would result in a negative visual and amenity impact on the surrounding residential area. Furthermore, the proposed facility would form a negative precedent in the area to the detriment of the visual amenity and character of the area. The proposed development is therefore contrary to the provisions of the Town's Policies and on the above basis; it is recommended that Optus is advised that the Town strongly objects to the telecommunication proposal.

9.3.6 Further Report – Tender No. 411/10A – Proposed Lease of 81 Angove Street (Formerly North Perth Police Station), North Perth

Ward:	North	Date:	22 January 2011
Precinct:	Smith's Lake	File Ref:	PRO2919
Attachments:	001		
Reporting Officer:	M Rootsey, Director Corporate Services;		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council:

(i) *APPROVES of a lease for the existing building located at 81 Angove Street (formerly North Perth Police Station) as shown in Appendix 9.3.6, North Perth to GROW WA for a period of three (3) years subject to satisfactory negotiations by the Chief Executive Officer and including the following Terms and Conditions:*

- (a) *Term: three (3) years;*
- (b) *Rent: \$27,500/annum;*
- (c) *Outgoings: to be paid by the Lessee;*
- (d) *Rates & Taxes: to be paid by the Lessee; and*
- (e) *Permitted Use: Office; and*

(ii) *REQUESTS the Chief Executive Officer to further investigate options for the land at the rear of the building at 81 Angove Street, North Perth and provide a report to the Council.*

Moved Cr Lake, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg Seconded Cr Farrell

That clause (ii) be deleted and a new clause (ii) be inserted as follows:

“(ii) *ADVISES the proposed Lessee that the Town will continue to actively investigate alternative uses for the land at the rear of the site and the site itself at the conclusion for the lease period.*”

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

Debate ensued.

PROCEDURAL MOTION

Moved Cr Lake, Seconded Cr Maier

That the item be DEFERRED to a Confidential Council Forum for further consideration.

**PROCEDURAL MOTION PUT AND LOST ON THE
CASTING VOTE OF THE PRESIDING MEMBER (4-5)**

For: Cr Buckels, Cr Lake, Cr McGrath, Cr Maier
Against: Presiding Member, Mayor Nick Catania (two votes – deliberative and casting vote), Cr Burns, Cr Farrell, Cr Topelberg

(Cr Harvey was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.3.6

That the Council:

(i) *APPROVES of a lease for the existing building located at 81 Angove Street (formerly North Perth Police Station) as shown in Appendix 9.3.6, North Perth to GROW WA for a period of three (3) years subject to satisfactory negotiations by the Chief Executive Officer and including the following Terms and Conditions:*

- (a) *Term: three (3) years;*
- (b) *Rent: \$27,500/annum;*
- (c) *Outgoings: to be paid by the Lessee;*
- (d) *Rates & Taxes: to be paid by the Lessee; and*
- (e) *Permitted Use: Office; and*

(ii) *ADVISES the proposed Lessee that the Town will continue to actively investigate alternative uses for the land at the rear of the site and the site itself at the conclusion for the lease period.*

PURPOSE OF REPORT:

To report to Council the outcome of the negotiations with the tenderers following the resolution made at the Ordinary Meeting of Council held on 24 August 2010 for the Lease or Licence of 81 Angove Street (formally North Perth Police Station), North Perth.

RELEVANT DOCUMENTS:

Attachments:

001 – Indicative Lease Plan.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

At the Ordinary Meeting of Council, held on 24 August 2010, Item No. 9.3.4, the Council adopted the following resolution:

“That the Council;

- (i) DOES NOT ACCEPT the:*
 - (a) tenders from Grow WA and Bethanie Group Inc. for the lease of the existing premises located at 81 Angove Street, North Perth as shown in attachment A of the Tender; and*
 - (b) tender from Bethanie Group Inc. for the lease proposed development as shown in attachment B of the Tender documentation;*
- (ii) AUTHORIZES the Chief Executive Officer to enter into negotiations with:*
 - (a) Bethanie Group Inc. regarding the proposed development of vacant land located at 81 Angove Street, North Perth, in attachment B of the Tender documentation;*
 - (b) Grow WA regarding the lease of the existing building as specified in attachment A of the Tender documentation; and*
 - (c) Multicultural Services Inc. regarding the lease for the existing building and proposed development of the vacant land at 81 Angove Street, North Perth: and*
- (iii) REQUESTS that the Chief Executive Officer to provide a further report on the outcome of the negotiations.”*

DETAILS:

Following the Council resolution at the Ordinary Meeting of Council held on 24 August 2010, the Director Corporate Services separately met with the representatives of the Bethanie Group and Grow WA to request further information on their respective submissions.

Bethanie Group:

The submission from Bethanie Group outlined an “in-principle” proposal to partner with the Town of Vincent for the development of the vacant area for a Community Facility at the property located at 81 Angove St.

The Town requested that more information was to be provided on what the concept of the building would be like.

At the time of writing the report, no further information has been received from the Bethanie Group.

Grow WA:

In this submission, confirmation was required for what the lease price covered. The tendered price was submitted as being an all inclusive price covering all rates, taxes and charges.

The Town was concerned that as there had been no history of occupancy charges the Town may have been liable for costs that would have been covered by the lessee.

However, in subsequent discussions with Grow WA they have confirmed that their lease offer is a cash payment plus the payment of utility and operational maintenance charges.

In a letter received by the Town on 1 October 2010, Grow WA stated in-part, the following:

“GROW WA operates the current GROW Centre (in Applecross) under a ‘standard commercial lease.’ We understand the ‘standard outgoings’ were water and council rates, which our landlord absorbs. We based our tender submission on this premise. The amount of \$27,500 was solely for the actual lease of the property and the above outgoings. As tenants we would absorb any other ‘on costs’ including electricity, gas, excess water, telephone, repairs and maintenance, etc as we currently do. Thank you for clarifying other outgoings including ESL and waste bins, which GROW WA is prepared to absorb.”

This now makes this offer for the existing building financially attractive.

Multicultural Services of WA (MCSWA):

This organisation did not submit a second tender.

The Town’s Officer’s met with the Executive Officer of this organisation to explain the difficulties their parking requirement imposed on the site and further explained what planning considerations need to be considered when submitting a plan for this site. The Town required a more detailed concept plan of what they proposed if the Town was able to consider any submission from MCSWA.

MCSWA made a presentation at the December Forum on their position.

As a result of the presentation to the Council Forum held on 14 December 2010 the MCSWA have advised that they have no further interest in the site, but they have stated that the MCSWA would prefer to focus on the development of the facility they lease from the Town at Farmer Street.

The Town purchased the site in November 2009 given that the property has been vacant for a period of more than 12 months.

It is now recommended that the Council now consider accepting the offer from Grow WA for the lease of the existing property.

Proposed Terms and Conditions

The offer of \$27,500 per annum plus other costs, including maintenance is a financially attractive offer, for a Community Group.

It is proposed to negotiate on the following Terms and Conditions:

- (a) Term: three (3) years;
- (b) Rent: \$27,500/annum;
- (c) Outgoings: all to be paid by the Lessee;
- (d) Rates & Taxes: all to be paid by the Lessee;
- (e) Permitted Use: Office; and
- (f) Leased Area: As hatched in black on lease plan shown in Appendix 9.3.6.

A redevelopment clause will be inserted into the proposed lease which would allow for the Council to terminate the lease in the event that it proposes to redevelop the premises.

Rear Land

The land at the rear the building (as outlined in yellow in Appendix 9.3.6), will be retained by the Town and further uses will be investigated. Possible uses include:

- (a) Multipurpose Community Centre – subject to funding from LotteryWest;
- (b) subdivision of land for sale; and
- (c) other uses yet to be identified.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The tender was advertised in accordance with the Local Government Act Tender Regulations and the Town of Vincent's Code of Tendering Policy No 1.2.2.

RISK MANAGEMENT IMPLICATIONS:

Low: Lease awarded in accordance with Local Government Tender processes. Lease awarded to a Community Group with funding guaranteed.

STRATEGIC IMPLICATIONS:

Plan for the Future Strategic Plan 2009-2014 - Key Result Area – Community Development:

“3.1 Enhance and promote community development and well being:

3.1.1 Determine the requirements of the community and focus on needs, values, engagement and involvement.”

SUSTAINABILITY IMPLICATIONS:

Sustainability principles will be utilised in the construction of a new facility and social sustainability will be conducted in the operations and functions of the operations at the property.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$1.2 million is listed on the Annual Budget 2010/11 for a Community Centre at 81 Angove Street (formally the old North Perth Police Station). No revenue has been allocated in the Annual Budget 2010/11 for the lease of the premises.

At the time of the budget preparation no decision had been made as to the lease arrangements, although provision has been made for the recoup of utilities and building insurance.

COMMENTS:

The follow up with the various interested parties following the determination of the tender at the Ordinary Meeting of Council held on 24 August has resulted in no further communication being received by Bethanie Homes despite numerous attempts to contact them. As outlined in the report, the MCSWA have withdrawn their interest in this site and are focusing on the development/refurbishment of the Farmer Street facility.

Grow WA have clarified their original submission and their submission for the existing building is financially attractive. The group is a community group that provides a valuable service to a special section of the community. It is also recommended that the lease for Grow WA for the existing premises be supported.

In regard to the rear of the property, there may be other parties interested in the rear lot of the property. The Town could consider the construction of a community centre to be operated or leased to a community organisation; this may be considered a high risk project to the Town. Alternatively, consideration may be given to the sale of the rear lot of the property for development by third parties.

9.1.3 No. 220 (Lot 1618; D/P 222995; Reserve 884) Vincent Street, North Perth – Redevelopment of the Beatty Park Leisure Centre

Ward:	South	Date:	25 January 2011
Precinct:	Smith's Lake; P6	File Ref:	PRO1149; 5.2010.615.1
Attachments:	001 ; 002		
Reporting Officer:	R Rasiah, Coordinator Statutory Planning		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Peter Hunt Architects, on behalf of the Town of Vincent for proposed Redevelopment of the Beatty Park Leisure Centre at No. 220 (Lot: 1618, D/P: 222995, Reserve 884) Vincent Street, North Perth, and as shown on plans stamp-dated 29 November 2010 and 5 January 2011, subject to the following conditions:

(i) **Building**

- (a) *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 Vincent and Morrision Streets, Swimming Lane and Farr Avenue; and*
- (b) *the doors, windows and adjacent floor areas fronting Vincent Street shall maintain an active and interactive relationship with this street;*

(ii) **Car Parking**

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

(iii) **Signage**

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(iv) **Fencing**

Any new street/front wall, fence and gate within the Vincent and Morrision Streets, Swimming Lane and Farr Avenue setback areas, including along the side boundaries within these street setback areas, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(v) **Public Art**

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

(a) *within twenty – eight (28) days of the issue date of this ‘Approval to Commence Development’, elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$120,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$12,000,000); and*

(b) *in conjunction with the above chosen option;*

(1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*

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

OR

(2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(vi) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

- (1) *public safety, amenity and site security;*
- (2) *contact details of essential site personnel;*
- (3) *construction operating hours;*
- (4) *noise control and vibration management;*
- (5) *Dilapidation Reports of nearby properties;*
- (6) *air and dust management;*
- (7) *stormwater and sediment control;*
- (8) *soil excavation method (if applicable);*
- (9) *waste management and materials re-use;*
- (10) *traffic and access management;*
- (11) *parking arrangements for contractors and subcontractors;*
- (12) *Consultation Plan with nearby properties; and*
- (13) *any other matters deemed appropriate by the Town;*

(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town'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:

- (1) the location and type of existing and proposed trees and plants;*
- (2) all vegetation including lawns;*
- (3) areas to be irrigated or reticulated;*
- (4) proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- (5) separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

(c) Acoustic Report

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town. 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;

(d) Car bays for persons with a disability

Location of car bays for persons with a disability to be submitted to and approved by the Town; and

(e) Screening of bin areas

Details of screening and securing of all bin storage areas to be submitted to and approved by the Town;

(vii) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Bicycle Parking Facilities

A minimum of fifteen (15) class 1 or 2 bicycle parking facilities and a minimum twenty-five (25) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities. Additional class 1 or 2 and 3 facilities are to be provided, if there is additional demand for these facilities;

(viii) Heritage Council of WA (HCWA) Requirements

- (a) *Further detailed design drawings are to be submitted to and approved by the HCWA for the upgrade works to the 50 metres competitive pool, diving pool and concourse. Physical interpretation methods are to be included in the design, that communicates to visitors the changes to the layout of the 50 metres competitive pool and the diving pool;*
- (b) *A Standard Archival Record, as per the Heritage Council's Guide to Preparing an Archival Record, is to be prepared and submitted to the HCWA prior to the commencement of any Demolition works on site; and*
- (c) *As per Policy 7.2.7 of the Conservation Plan, an Interpretation Plan shall be submitted to and approved by the HCWA and implemented within two years of Practical Completion of the renovation works. The plan is to be prepared by a specialised interpretation professional and may contain strategies to communicate to visitors the followings points:*
- (1) *a brief overview of the development of Beatty Park;*
 - (2) *a context of the Commonwealth and Empire Games;*
 - (3) *the games bid and preparation for the games;*
 - (4) *the people responsible for the games and their roles;*
 - (5) *staging the swimming events at Beatty Park;*
 - (6) *the use and decline in the use of the place;*
 - (7) *its revival and new life as Beatty Park Leisure Centre;*
 - (8) *the current upgrade and renovation works that continue the story of the place; and*
 - (9) *other stories of Beatty Park the applicant would like to capture; and*
- (ix) *Within twelve months of practical completion of the new works, the Conservation Plan for Beatty Park shall be updated to reflect the changes to the place and submitted to the HCWA.*

Cr Burns departed the Chamber at 7.49pm.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Topelberg

That subclause (vii)(a) be amended to read as follows:

“(vii)(a) Bicycle Parking Facilities

A minimum of fifteen (15) class 1 or 2 bicycle parking facilities and a minimum ~~twenty-five (25)~~ fifty-three (53) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities. Additional class 1 or 2 and 3 facilities are to be provided, if there is additional demand for these facilities;”

Debate ensued.

Cr Burns returned to the Chamber at 7.52pm.

Debate ensued.

AMENDMENT NO 1 PUT AND LOST (2-6)

For: Cr Lake, Cr Maier

Against: Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr McGrath, Cr Topelberg

(Cr Harvey was an apology for the meeting.)

Debate ensued.

AMENDMENT NO 2

Moved Cr Buckels, Seconded Cr McGrath

That a new clause (x) be inserted as follows:

“(x) the car parking not be extended beyond the existing point or any closer to Farr Avenue.”

Debate ensued.

AMENDMENT NO 2 PUT AND LOST (3-5)

For: Cr Buckels, Cr Lake, Cr Maier

Against: Mayor Catania, Cr Burns, Cr Farrell, Cr McGrath, Cr Topelberg

(Cr Harvey was an apology for the meeting.)

Debate ensued.

AMENDMENT NO 3

Moved Cr Farrell, Seconded Cr Lake

That a new clause (x) be inserted as follows:

“(x) a redesign of the car park to take into account the Petition received from residents in Farr Avenue and the pedestrian access.”

Debate ensued.

The Chief Executive Officer suggested the amendment be worded as follows:

“(x) The Chief Executive Officer be requested to review the car park layout to minimise any further impact on the residents of Farr Avenue and also consider the existing pedestrian accessway and provide other alternative options to the Council.”

The Mover, Cr Farrell and the Seconder, Cr Lake agreed to the revised wording.

AMENDMENT NO 3 PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.1.3

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Peter Hunt Architects, on behalf of the Town of Vincent for proposed Redevelopment of the Beatty Park Leisure Centre at No. 220 (Lot: 1618, D/P: 222995, Reserve 884) Vincent Street, North Perth, and as shown on plans stamp-dated 29 November 2010 and 5 January 2011, subject to the following conditions:

(i) **Building**

- (a) *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 Vincent and Morriston Streets, Swimming Lane and Farr Avenue; and*
- (b) *the doors, windows and adjacent floor areas fronting Vincent Street shall maintain an active and interactive relationship with this street;*

(ii) **Car Parking**

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

(iii) **Signage**

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(iv) **Fencing**

Any new street/front wall, fence and gate within the Vincent and Morriston Streets, Swimming Lane and Farr Avenue setback areas, including along the side boundaries within these street setback areas, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(v) **Public Art**

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

- (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$120,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$12,000,000); and*

(b) *in conjunction with the above chosen option;*

(1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence
for the development, obtain approval for the Public Art Project and
associated Artist; and*

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

OR

(2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence
for the development or prior to the due date specified in the invoice
issued by the Town for the payment (whichever occurs first), pay
the above cash-in-lieu contribution amount;*

(vi) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be
submitted to and approved by the Town:**

(a) **Construction Management Plan**

*A Construction Management Plan, detailing how the construction of the
development will be managed to minimise the impact on the surrounding
area, shall be submitted to and approved by the Town, addressing the
following issues:*

- (1) *public safety, amenity and site security;*
- (2) *contact details of essential site personnel;*
- (3) *construction operating hours;*
- (4) *noise control and vibration management;*
- (5) *Dilapidation Reports of nearby properties;*
- (6) *air and dust management;*
- (7) *stormwater and sediment control;*
- (8) *soil excavation method (if applicable);*
- (9) *waste management and materials re-use;*
- (10) *traffic and access management;*
- (11) *parking arrangements for contractors and subcontractors;*
- (12) *Consultation Plan with nearby properties; and*
- (13) *any other matters deemed appropriate by the Town;*

(b) **Landscape and Reticulation Plan**

*A detailed landscape and reticulation plan for the development site and
adjoining road verge shall be submitted to the Town'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:*

- (1) *the location and type of existing and proposed trees and plants;*
- (2) *all vegetation including lawns;*
- (3) *areas to be irrigated or reticulated;*

- (4) *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- (5) *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

(c) *Acoustic Report*

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town. 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;

(d) *Car bays for persons with a disability*

Location of car bays for persons with a disability to be submitted to and approved by the Town; and

(e) *Screening of bin areas*

Details of screening and securing of all bin storage areas to be submitted to and approved by the Town;

(vii) ***PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:***

(a) *Bicycle Parking Facilities*

A minimum of fifteen (15) class 1 or 2 bicycle parking facilities and a minimum twenty-five (25) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities. Additional class 1 or 2 and 3 facilities are to be provided, if there is additional demand for these facilities;

(viii) *Heritage Council of WA (HCWA) Requirements*

(a) *Further detailed design drawings are to be submitted to and approved by the HCWA for the upgrade works to the 50 metres competitive pool, diving pool and concourse. Physical interpretation methods are to be included in the design, that communicates to visitors the changes to the layout of the 50 metres competitive pool and the diving pool;*

(b) *A Standard Archival Record, as per the Heritage Council's Guide to Preparing an Archival Record, is to be prepared and submitted to the HCWA prior to the commencement of any Demolition works on site; and*

- (c) *As per Policy 7.2.7 of the Conservation Plan, an Interpretation Plan shall be submitted to and approved by the HCWA and implemented within two years of Practical Completion of the renovation works. The plan is to be prepared by a specialised interpretation professional and may contain strategies to communicate to visitors the followings points:*
- (1) *a brief overview of the development of Beatty Park;*
 - (2) *a context of the Commonwealth and Empire Games;*
 - (3) *the games bid and preparation for the games;*
 - (4) *the people responsible for the games and their roles;*
 - (5) *staging the swimming events at Beatty Park;*
 - (6) *the use and decline in the use of the place;*
 - (7) *its revival and new life as Beatty Park Leisure Centre;*
 - (8) *the current upgrade and renovation works that continue the story of the place; and*
 - (9) *other stories of Beatty Park the applicant would like to capture;*
- (ix) *Within twelve months of practical completion of the new works, the Conservation Plan for Beatty Park shall be updated to reflect the changes to the place and submitted to the HCWA; and*
- (x) *The Chief Executive Officer be requested to review the car park layout to minimise any further impact on the residents of Farr Avenue and also consider the existing pedestrian accessway and provide other alternative options to the Council.*

Landowner:	Town of Vincent
Applicant:	Peter Hunt Architects
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Civic Use, Parks and Recreation
Existing Land Use:	Recreational Facility
Use Class:	Recreational Facility
Use Classification:	"P"
Lot Area:	57, 619 square metres
Access to Right of Way	Not Applicable

PURPOSE OF REPORT:

The proposal requires referral to the Council for determination.

RELEVANT DOCUMENTS:

Attachments:

- 001 – Property Information Report, Development Application and Plans; and
002 – Heritage Impact Statement for Beatty Park Leisure Centre.

Tabled for Viewing at the Meeting:

Applicant's submission and documentation.

BACKGROUND:

8 December 2009 The Council at its Ordinary Meeting held on 16 December 2008 resolved in part, the following:

- (iii) *"AUTHORISES" the Chief Executive Officer to: (a) instruct the Project Architect to prepare the final plans for the redevelopment of Beatty Park Leisure Centre for the consideration of the Council. Peter Hunt Architects were appointed to Design the Beatty Park Leisure Centre Development.*

DETAILS:

The proposal involves the redevelopment of the Beatty Park Leisure Centre, as prepared and submitted by Peter Hunt and Associates. The proposal includes part demolition, and the following alterations and additions:

- new 50 metres, 10 lane lap pool;
- new building extensions to house a gymnasium, aerobic centre, new entry, pool plant; and
- service yard and reconfigured car park, which includes removal of some trees.

The existing 3 crossovers onto Vincent Street will remain.

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
End of trip bicycle facilities for staff.	Three male shower and three female showers being located in separate change rooms.	One male and one female shower is being provided in the staff room.
<i>Officer Comments:</i>		
It is recommended that no additional end of trip facilities be required in this instance, as there are already adequate showers and change rooms provided for the facility.		
1 space per 400 square metres gross floor area (proposed 10545 square metres) (Class 1 or 2)	26.36, rounded to 26 class 1 or 2 bicycle facilities.	Nil. It is recommended that 15 class 1 or 2 bicycle facilities be provided in the first instance, and more be provided if there is additional demand from staff for these locked facilities.
<i>Officer Comments:</i>		
A condition has been proposed addressing the provision of bicycle facilities		
1 space per 200 square metres gross floor area (proposed 10545 square metres) (class 3).	52.75, rounded to 53 class 3 bicycle facilities.	There are currently 15 class 3 facilities on-site. It is recommended that an additional 10 class 3 facilities be provided, resulting in a total of 25 Class 3 bicycle facilities. Should there be an increased demand for the class 3 bicycle facilities, then they should be provided as required (that is, 53 class 3 bicycle facilities in total).
<i>Officer Comments:</i>		
A condition has been proposed addressing the provision of bicycle facilities		

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

CONSULTATION	
In Support:	5
Objections:	3 individual submissions and a petition with 16 signatures.
Comments Received	Officer Comments
The expansion is too large for the current centre.	Not supported. The expansion has been designed to cater for the current and future needs of the Town's community. Moreover the facility needs major renovation works to be carried out, as the centre was built in the 1960's for the Empire Games held in Perth in 1962.
Objection to the additional car parking being proposed closest to Farr Avenue on the north side of the development.	Not supported. The Town's Technical Services have advised that the initial redevelopment proposal included a multi-deck car park (where the existing car park is currently located). Due to resident concerns, the multi deck car park was excluded from the redevelopment proposal and the existing car park proposed to be reconfigured to accommodate the additional parking requirements. The proposed additional parking at the Farr Avenue end of the car park has been designed to ensure that a green buffer of approximately 5 metres wide remains between the edge of the proposed car park and Farr Avenue. Landscaping will also be included to provide screening to the car park.
There is already an existing problem along the street, in that the Farr Avenue is already often full of parked vehicles.	Noted. There is currently a 3 hour parking limit along Farr Avenue, which is to deter long term on-street car parking in the area. Rangers patrol Farr Avenue regularly, but issue very few infringement notices to offenders. Most vehicles are removed before the expiry of the time limit. The Town's Technical Services will be undertaking traffic counts along Farr Avenue in the coming months to ascertain traffic volumes. No access to/from Farr Avenue is proposed from the car park area, and therefore there is no anticipated increased impact on Farr Avenue from this development.
The proximity of the car park extension and new additional car bays will increase noise, glare and exhaust smells, which will reduce privacy and the amenity of the street.	Not supported. A landscaping strip will be planted along the car parking area, which will stop light glare from motor vehicles. The level of noise and smells are considered not to have an undue impact on the amenity of the area.
On very rare occasions is the existing car park at is full capacity.	It is anticipated that the upgrade (including doubling the size of the gym facility) will attract more users and therefore, necessitate the increase in parking provision on-site

CONSULTATION	
Detract value of the 2 new homes constructed at 12 Farr Avenue.	The upgrade will be an enhancement of the Facility, including landscaping along Farr Avenue, and improve the amenity of the locality. Any possible effect on property value is speculative only and is not a valid planning consideration.
Consideration is given to embayed car parking along Farr Avenue, as a compromise to the many cars being along Farr Avenue, who use the pool/gym facilities, oval for football, cricket and other sporting activities. This will also add benefit to residents along Farr Avenue, which is currently a narrow street, with parking on both sides during busy period, resulting in exiting and entering properties "extremely" difficult.	Widening of the carriageway by installing embayed parking may increase the pace of traffic and is not supported. The increased capacity of the Beatty Park Car Park is expected to relieve parking congesting in the surrounding streets.
Possibility of undertaking traffic counts along the street, to determine current use of Farr Avenue as a main thoroughfare. The constant traffic impedes the quiet enjoyment of residents in the street.	Agreed. Traffic counters will be deployed in Farr Avenue once the school year commences and traffic patterns have returned to normal.
Both the intersections of Farr Avenue appear dangerous during busy periods. Consideration of speed humps to address this issue. The "ideal" situation would be to close Swimming Lane at the intersection with Farr Avenue.	The Town has recently undertaken measures to improve traffic management in Farr Avenue and Main Roads will be installing "Give Way" control at the intersection of Farr Avenue and Emmerson Street.
The street verges in front of Farr Avenue are very small and green space is needed.	Not supported. There is still a vast amount of open space available in Beatty Park for active and passive recreation needs. The landscaping buffer between Farr Avenue and the car park is proposed to be 5 metres in width, and therefore constitute an enhancement to the existing green space.
Any windows of the gymnasium overlooking into Nos .12 and 12A Farr Avenue.	Not supported. As there are no windows within 6 metres of the nearest northern lot boundary being Farr Avenue.
The loss of "green belt" landscaping in the centre of the car park, next to the existing building.	Not supported. The Town's Parks and Property Services have advised that to enable the project to proceed, the landscaping adjacent to the existing building requires removal. A significant amount of landscaping or "greenbelt" will remain around the complex and additional landscaping will be undertaken around the new building and within Beatty Park Reserve following completion of the project.
There needs to be more vegetation incorporated into the design.	Noted. Comments as above.
During the last refurbishment of Beatty Park, the pile driving resulted in vibration in Cleaver Street. This issue even continued after the person who lodged the submission spoke to the Project Manager at the time, with pile driving being continued. Request that pile driving impact be reduced or alternative methods be employed to this respect.	Noted. A condition has been proposed for the submission of a Construction Management Plan prior to the issue of the Building Licence. This information is submitted by the contracted builder. The Town's Officers will also be monitoring the matter during the construction period.

CONSULTATION		
Advertising	Advertising of the proposal for a period of 28 days was carried out as per the Town's Policy No. 4.1.5 relating to Community Consultation.	
Other Implications		
Legal/Policy	TPS 1 and associated Policies.	
Strategic	A project "needs analysis" was carried out in 2004, with the appointment of the ABV Consultants by the Town, to prepare a Needs Analysis as to whether a redevelopment of the Beatty Park Leisure Centre was required. The findings and conclusion of the above Needs Analysis was that the redevelopment of Beatty Park Leisure Centre was required.	
Sustainability	Nil.	
Financial/Budget	Previously considered.	
Risk Implications	Management	Not applicable
Car Parking		
Car Parking Requirement (nearest whole number) Recreational and Leisure (existing 8525 square metres GFA plus proposed 2020 square metres GFA: 1 space per 30 square metres of gross floor area(GFA): Total = 351.5 car bays. Car parking requirement (nearest whole number) = 352		352 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) 		(0.7225) 254.32 car bays
Minus the car parking provided on-site. This figure does not include the 41 car bays located along Morriston Street.		331 car bays
Minus the most recently approved on-site car parking shortfall		Nil
Surplus		76.68 car bays
Bicycle Parking		
Recreational Facility. The Health Club requirements have been used in this instance.	<ul style="list-style-type: none"> • 1 space per 400 square metres gross floor area (proposed 10545 square metres) (Class 1 or 2) = 26.3 spaces. • 1 space per 200 square metres gross floor area (proposed 10545 square metres) (Class 3) = 52.75 spaces. • 3 separate male and female showers and separate lockers. 	Further details in the above non-compliant requirements table. As above. Some end of trip facilities and bicycle bays have been catered for, but not specifically detailed. Further details in the above non-compliant requirements table.

COMMENTS:

Heritage Services

Beatty Park Leisure Centre and Recreation Grounds were permanently listed on the State Register of Heritage Places on 17 December 2004. Accordingly, the proposed development and a Heritage Impact Statement prepared by the Town's Officers were referred to the Heritage Council for comment. The Heritage Impact Statement is included as an attachment to this report.

The Heritage Council's Development Committee considered the proposed development on 18 January 2011. The Committee resolved to support the proposed upgrade and renovation of Beatty Park Leisure Centre subject to a number of conditions, which have been included as conditions (viii) and (ix) of the Officer Recommendation.

Technical Services

Car Parking

The initial redevelopment proposal included a multi-deck car park (where the existing car park is currently located). Due to some resident concerns at the time, the multi deck car park was deleted from the redevelopment proposal and the existing car park design reconfigured to accommodate additional car parking requirements. As such, any deletion of parking bays is not supported especially when the resident's argument for deletion is weak and not justifiable.

The proposed additional car parking at the Farr Avenue end of the car park has been designed to ensure that a green buffer of approximately 5 metres wide remains between the edge of the proposed car park and Farr Avenue. Landscaping will also be included to provide screening to the car park. The area in question is not used for any passive or active recreation at present. There will be no access from the car park to Farr Avenue (even though from a traffic safety point of view this would be most desirable).

Bin Enclosure

Bin enclosures are to be provided to screen stored bins from view, cleaning purposes and also to protect bins from being stolen or vandalized.

Building Services

The Town's Building Services Officers have discussed with the applicant, the non-compliant matters relating to the Building Code of Australia (BCA). The BCA matters can be resolved at the Building Licence stage.

Health Services

Health Services have advised that the applicant is to demonstrate compliance with the Town's Sound Attenuation Policy 3.5.21, in relation to the proposed development. An acoustic report undertaken by a reputable Acoustic Consultant is to be submitted to the Town, prior to the Building Licence being issued, to demonstrate how the proposed development has been acoustically assessed and designed for the purpose of minimising the effects of noise intrusion and/or noise emissions.

Conclusion

Beatty Park Leisure Centre has been identified as requiring further redevelopment. The proposal is considered to provide increased lifestyle recreational benefits to the Town's inhabitants and surrounding community. In light of the above, it is recommended that Council approve the application, subject to standard and appropriate conditions to address the above matters.

9.1.1 No. 43 (Lot 13386; D/P 194297; Reserve 22357) Richmond Street, corner Oxford Street, Leederville - Proposed Construction of a Residential Building comprising 98 Residential Units with Ancillary Eating House, Shop, Three (3) Offices, Educational Establishment and Associated Car Parking – “Youth Foyer”

Ward:	South	Date:	25 January 2011
Precinct:	Oxford Centre;P4	File Ref:	PRO4172; 5.2010.531.1
Attachments:	001 ; 002		
Reporting Officers:	R Narroo, Senior Planning Officer (Statutory) T Cappellucci, Planning Officer (Statutory) H Au, Heritage Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Metropolitan Region Scheme, RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by Chindarsi Architects Pty Ltd on behalf of the owner Department of Training and Workforce Development for proposed Construction of a Residential Building comprising 98 Residential Units with Ancillary Eating House, Shop, Three (3) Offices, Educational Establishment and associated Car Parking, at No. 43 (Lot 13386; D/P 194297; Reserve 22357) Richmond Street, corner Oxford Street, Leederville, and as shown on plans stamp-dated 13 October 2010 and amended plans dated 3 November 2010 and 26 November 2010, subject to the following conditions:

(i) Building

- (a) all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford and Richmond Streets;*
- (b) if entry to neighbouring land is required, first obtaining the consent of the owners of No. 164 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 164 Oxford Street in a good and clean condition;*
- (c) doors, windows and adjacent floor areas to the shop, eating house and entrance to the building fronting Oxford Street, shall maintain an active and interactive relationship with this street. In this context, the solid wall to the Eating House facing Oxford Street shall be replaced by clear glass; and*
- (d) the maximum gross floor area of the office and shop components shall be limited to 312 square metres and 85.4 square metres, respectively. The maximum public floor area of the eating house shall be limited to 151.4 square metres. Any increase in floor space/public floor area or change of use of the office, shop and eating house, shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town’s Parking and Access Policy No. 3.7.1;*

(ii) **Car Parking and Accessways**

- (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (b) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*
- (d) *the car park shall be used only by employees, tenants, and visitors directly associated with the development and Central Institute of Technology (CIT);*

(iii) **Public Art**

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

- (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$168,800 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$16,880,000); and*
- (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*
 - (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(iv) **Signage**

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(v) **Fencing**

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

(vi) **Trees**

No street verge tree(s) or on-site trees of significance shall be removed. The street verge tree(s) and the on-site trees of significance shall be retained and protected from any damage including unauthorised pruning in accordance with the Town of Vincent Town Planning Scheme No. 1;

(vii) **Car Parking-Cash-in-lieu**

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 \$69,960 for the equivalent value of 23.32 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town's 2010/2011 Budget; OR*
- (b) *lodge an appropriate assurance bond/bank guarantee of a value of \$69,960 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*
 - (1) *to the Town 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 Town 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.*

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;

(viii) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

- 1. *public safety, amenity and site security;*
- 2. *contact details of essential site personnel;*
- 3. *construction operating hours;*
- 4. *noise control and vibration management;*

5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) *Section 70 A Notification under the Transfer of Land Act*

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

- (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non- residential activities; and*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

(c) *Landscape and Reticulation Plan*

A detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the Town'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:

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*
4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

(d) Schedule of External Finishes

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

(e) Acoustic Report

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. This report shall include the potential for amplified music in the 'raised platform' area and the recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development. The applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

(f) Waste Management Plan

A revised Waste Management Plan shall be submitted prior to the issue of a Building Licence. The Plan shall include details of how and by whom the 1,100 litre bins will be moved in and out of the bin enclosure, and describe how recycling and general waste will be separated;

(g) Security Bond

A Roa/Verge security bond or bank guarantee of \$4,000 payable by the Builder shall be lodged with the Town prior to the issue of a Building Licence and be held until all building/development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired/reinstated to the satisfaction of the Town's Technical Services. An application for the refund of the security bond or bank guarantee must be made in writing. This bond is non-transferable;

(h) Underground Power

In keeping with the Town's Policy 2.2.2, the power lines along the Oxford Street frontage of the development shall be undergrounded at the Developer's full cost. The Developer is required to liaise with both the Town and Western Power to comply with their respective requirements, prior to the issue of the Building Licence; and

(i) End-of-Trip Facilities

- (a) *a minimum of two male showers and two female showers being located in separate change rooms;*
- (b) *the change room facilities being secure and capable of being locked; and*
- (c) *a minimum of one locker being provided for every bicycle parking bay provided.*

The revised plans shall not result in any greater variation to the Town's Policies; and

(ix) ***PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:***

(a) **Residential Car Bays**

The 2 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

(b) **Bicycle Parking**

Twenty-eight (28) class one or two bicycle and twelve (12) class three parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities;

(c) **Management Plan-Vehicular Entry Gate**

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

(d) **Management Plan-Parking**

A detailed management plan detailing management measures for the access/egress of Central Institute of Technology vehicles from the basement and also how a vehicle will enter/exit a tandem parking bay when there is a vehicle already parked at the rear or front parking bay, shall be submitted to and approved by the Town.

Moved Cr Buckels, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Buckels

That clause (vii) relating to cash-in-lieu for parking be deleted, in recognition of the residential nature of the facility, and the likelihood that most patrons of the café will come from TAFE or the residents of the foyer, and therefore determines to only calculate the parking requirement based on the shop and office components of the development.

Debate ensued.

Cr Farrell departed the Chamber at 8.18pm.

Debate ensued.

Cr Farrell returned t the Chamber at 8.21pm.

Debate ensued.

AMENDMENT NO 1 PUT AND LOST (2-6)

For: Cr Lake, Cr Maier

Against: Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr McGrath, Cr Topelberg

(Cr Harvey was an apology for the meeting.)

Debate ensued.

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr McGrath

That:

1. *clause (vii) be amended to read as follows:*

“(vii) Car Parking-Cash-in-lieu

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 ~~\$69,960~~ \$22,770 for the equivalent value of ~~23.32~~ 7.59 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town’s 2010/2011 Budget; OR

(b) lodge an appropriate assurance bond/bank guarantee of a value of ~~\$69,960~~ \$22,770 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:...”

2. *clause (viii)(i) be amended to read as follows:*

“(viii)(i) End-of-Trip Facilities for Non-Residential Component ...”

3. *that the Car Parking Assessment Table be amended to reflect the above.*

AMENDMENT NO 2 PUT AND CARRIED (7-1)

For: Mayor Catania, Cr Buckels, Cr Farrell, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Against: Cr Burns

(Cr Harvey was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.1.1

That the Council;

in accordance with the provisions of the Metropolitan Region Scheme, RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by Chindarsi Architects Pty Ltd on behalf of the owner Department of Training and Workforce Development for proposed Construction of a Residential Building comprising 98 Residential Units with Ancillary Eating House, Shop, Three (3) Offices, Educational Establishment and associated Car Parking, at No. 43 (Lot 13386; D/P 194297; Reserve 22357) Richmond Street, corner Oxford Street, Leederville, and as shown on plans stamp-dated 13 October 2010 and amended plans dated 3 November 2010 and 26 November 2010, subject to the following conditions:

(i) Building

- (a) all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford and Richmond Streets;*
- (b) if entry to neighbouring land is required, first obtaining the consent of the owners of No. 164 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 164 Oxford Street in a good and clean condition;*
- (c) doors, windows and adjacent floor areas to the shop, eating house and entrance to the building fronting Oxford Street, shall maintain an active and interactive relationship with this street. In this context, the solid wall to the Eating House facing Oxford Street shall be replaced by clear glass; and*
- (d) the maximum gross floor area of the office and shop components shall be limited to 312 square metres and 85.4 square metres, respectively. The maximum public floor area of the eating house shall be limited to 151.4 square metres. Any increase in floor space/public floor area or change of use of the office, shop and eating house, shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Parking and Access Policy No. 3.7.1;*

(ii) Car Parking and Accessways

- (a) the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (b) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (c) the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*
- (d) the car park shall be used only by employees, tenants, and visitors directly associated with the development and Central Institute of Technology (CIT);*

(iii) **Public Art**

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

(a) *within twenty – eight (28) days of the issue date of this ‘Approval to Commence Development’, elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$168,800 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$16,880,000); and*

(b) *in conjunction with the above chosen option;*

(1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*

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

(2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(iv) **Signage**

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(v) **Fencing**

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

(vi) **Trees**

No street verge tree(s) or on-site trees of significance shall be removed. The street verge tree(s) and the on-site trees of significance shall be retained and protected from any damage including unauthorised pruning in accordance with the Town of Vincent Town Planning Scheme No. 1;

(vii) **Car Parking-Cash-in-lieu**

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 \$22,770 for the equivalent value of 7.59 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town's 2010/2011 Budget; OR*

(b) *lodge an appropriate assurance bond/bank guarantee of a value of \$22,770 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*

- (1) *to the Town 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 Town 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.*

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;

(viii) **PRIOR TO THE ISSUE OF A BUILDING LICENCE**, *the following shall be submitted to and approved by the Town:*

(a) **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

1. *public safety, amenity and site security;*
2. *contact details of essential site personnel;*
3. *construction operating hours;*
4. *noise control and vibration management;*
5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) **Section 70 A Notification under the Transfer of Land Act**

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

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

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

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

(c) *Landscape and Reticulation Plan*

A detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the Town'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:

- 1. the location and type of existing and proposed trees and plants;*
- 2. all vegetation including lawns;*
- 3. areas to be irrigated or reticulated;*
- 4. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- 5. separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

(d) *Schedule of External Finishes*

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

(e) *Acoustic Report*

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. This report shall include the potential for amplified music in the 'raised platform' area and the recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development. The applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

(f) *Waste Management Plan*

A revised Waste Management Plan shall be submitted prior to the issue of a Building License. The Plan shall include details of how and by whom the 1,100 litre bins will be moved in and out of the bin enclosure, and describe how recycling and general waste will be separated;

(g) Security Bond

A Roa/Verge security bond or bank guarantee of \$4,000 payable by the Builder shall be lodged with the Town prior to the issue of a Building Licence and be held until all building/development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired/reinstated to the satisfaction of the Town's Technical Services. An application for the refund of the security bond or bank guarantee must be made in writing. This bond is non-transferable;

(h) Underground Power

In keeping with the Town's Policy 2.2.2, the power lines along the Oxford Street frontage of the development shall be undergrounded at the Developer's full cost. The Developer is required to liaise with both the Town and Western Power to comply with their respective requirements, prior to the issue of the Building Licence; and

(i) End-of-Trip Facilities for Non-Residential Component

- (a) *a minimum of two male showers and two female showers being located in separate change rooms;*
- (b) *the change room facilities being secure and capable of being locked; and*
- (c) *a minimum of one locker being provided for every bicycle parking bay provided.*

The revised plans shall not result in any greater variation to the Town's Policies; and

(ix) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Residential Car Bays

The 2 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

(b) Bicycle Parking

Twenty-eight (28) class one or two bicycle and twelve (12) class three parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities;

(c) Management Plan-Vehicular Entry Gate

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

(d) Management Plan-Parking

A detailed management plan detailing management measures for the access/egress of Central Institute of Technology vehicles from the basement and also how a vehicle will enter/exit a tandem parking bay when there is a vehicle already parked at the rear or front parking bay, shall be submitted to and approved by the Town.

Landowner:	Department of Training and Workforce Development
Applicant:	Chindarsi Architects Pty Ltd
Zoning:	Metropolitan Region Scheme: Public Purpose – Technical School Town Planning Scheme No. 1 (TPS 1): Public Purpose – Technical School
Existing Land Use:	Educational Establishment
Use Class:	Residential Units, Eating House, Shop, Offices (3) and Educational Establishment
Use Classification:	The uses give effect to the purpose to which the land is reserved under Metropolitan Region Scheme and Town Planning Scheme No. 1
Lot Area:	29,647 square metres – total site area for Central Institute of Technology 3,119.61 square metres – approximate area proposed for the Youth Foyer
Access to Right of Way	Not applicable

PURPOSE OF REPORT:

The proposal requires referral to the Council for consideration, prior to referral to the Western Australian Planning Commission for determination.

RELEVANT DOCUMENTS:

Attachments:

- 001 – Property Information Report, Development Application and Plans; and
- 002 – Heritage Impact Statement for 43 Richmond Street, corner Oxford Street, Leederville.

Tabled for Viewing at the Meeting:

Applicant’s submission and documentation.

BACKGROUND:

The area of the TAFE site that will house the proposed building is located on the south-western corner of the site. This area mainly consists of grass, some trees and a bitumen car park. There is also an existing transformer building; however, this will remain as a part of the proposal.

DETAILS:

The proposal involves the construction of a residential building comprising 98 residential units with ancillary eating house, shop, three (3) offices, and educational establishment and associated car parking.

The site is located within Precinct 2 – Education Precinct of the Leederville Town Centre Masterplan.

The applicant has provided the following details:

The proposal is for a four-storey mixed-use development to be located on the Central Institute of Technology campus at No. 43 Richmond Street, Leederville

“It is proposed that a separate lot of approximately 3119.61 m² with an Oxford Street frontage of 53 metres will be created to accommodate this development and this area has been used for the purpose of this Development Application.

The site is a Crown Reserve for the purpose of education and training. It is an open area with light grass coverage and trees currently used by Central Institute of Technology for car parking and bulk rubbish collection. The site falls gradually from west to east.

The proposed Oxford Youth FOYER is a joint partnership between Anglicare WA, Central Institute of Technology and Foundation Housing. The FOYER will:

- *Provide 98 studio and 1 bedroom units to house up to 74 single young people and 24 young parents and their children (aged under 3 years old);*
- *Offer accommodation to young people aged between 16-25 years, with a mix of one third high, one third medium and one third low support needs;*
- *Be located in Oxford Street Leederville adjacent to the Central Institute of Technology Leederville Campus;*
- *Provide onsite support and case worker services to provide co-ordination and linkage to education and training facilities and other essential support services;*
- *Provide 24/7 onsite security, including CCTV and electronic access control to create and provide a safe place to live;*
- *Incorporate a café, a retail outlet and office spaces; and*
- *Provide opportunities for training and education in-house and through Central Institute of Technology.”*

In response to the objections and comments received for the proposal, the applicant has provided the following additional information:

“The proponents of the Oxford Foyer project – Anglicare WA, Central Institute of Technology and Foundation Housing – offer the following responses to the issues raised.

Facilities

The Oxford Foyer will be a four-storey building designed to complement the new-look Central Institute of Technology and fit in with its natural surroundings. The facility will include retail space for a coffee shop and other amenities for use by residents, TAFE students and the wider community.

The Oxford Foyer will have common rooms with entertainment equipment such as TVs, a computer area, training rooms and a child-friendly room, that can be booked by residents. There will also be a courtyard which will have a basketball hoop, a BBQ area and a raised platform where music performances can be held. Additional to these leisure and recreational facilities, residents will be able to use Beatty Park, Loftus Recreation Centre, the Leederville skate park and other Leederville amenities.

Parking

The building will include a basement carpark and the parking spaces will be shared between Oxford Foyer staff and residents, and TAFE staff and students. The project team believes that this will provide adequate parking and that the Foyer will not impact the parking requirements of Leederville residents. It is anticipated that very few Oxford Foyer residents will require car parking spaces. Bike storage facilities will also be available and the residents will also be encouraged to use public transport.

Size and scope

During the definition phase of the project, the project team consulted with Foyer experts and found that the most functional Foyers contained between 80 and 100 beds. This range was also found to be financially viable.

The project team aimed to design a facility that could accommodate as many people as the budget and site allowed, within that 80-100 resident range. As a result, the proposal is to build a 98-bed facility, with capacity to house up to 25 young parents with children, and accommodate some people with a disability and their carers.

A larger sized Foyer provides the opportunity to establish a high-quality facility of a scale that warrants a good level of amenity and adequate security and supervision can be provided. A larger Foyer also builds an environment of aspiration, where young people encourage each other to meet their goals and succeed in education or employment.

The Foyer service will seek to employ qualified youth workers to provide best practice in the area. The project already has interest from high-quality potential employees to work in this program. Preference will be given to youth workers eligible for full membership of the WA Association of Youth Workers. The proponents (and Anglicare WA in particular) also have a long history of providing service to disadvantaged young people through professional youth work practice.

New residents

A diverse community of young people aged 16-25 will reside at the Oxford Foyer. Residents will be selected from a range of sources, including the existing Western Australian youth services network and various education institutions. The service will promote a stable environment through the careful selection of a diverse mix of young people – from those who need little support to those who have higher needs. All residents will be required to meet strict criteria to secure a place, including a positive work ethic and a commitment to getting back on their feet. Their progress will be closely monitored by staff – as individuals and as a community.

An evaluation conducted of the UK Foyers in 2006, called Launch Pad for Life, included a survey of residents and the findings may provide an insight into the people that may come to reside at the Oxford Foyer. The survey found that in most cases, the ethnic mix of residents in each Foyer was representative of the particular community in which the Foyer was located, and the majority of the residents required medium to high levels of support. Overall the evaluation found that Foyers support young people with various and multiple needs in addition to training, education and employment.

Security management and concerns

Security management

The Oxford Foyer will feature a mix of security-in-design principles, CCTV and 24-hour security and staff availability, ensuring that the behaviour and progress of the residents is closely monitored. A support worker will be available to ensure residents experiencing difficulties after hours have assistance. There will also be a register of people onsite. Similar arrangements are used by Foyers in the UK and are seen to be an effective management practice.

The 24-hour security will not be in place to confine the residents – it will be to provide them with a secure place to live. The security will also assist with monitoring and controlling who comes in and out of the building, protecting the residents' personal belongings.

Residents will also be required to follow strict house-keeping guidelines and conditions around visitor access to ensure a safe and peaceful environment is maintained. Ultimately, management staff will be responsible for monitoring the behaviour and safety of the residents.

Safety

Oxford Foyer residents will have to pass strict eligibility criteria and assessment, so only young people committed to improving themselves and their situation, will become residents.

Young people who become residents of the Oxford Foyer will not necessarily be past offenders or people who have been involved in illegal activities – though such people who are committed to turning over a new leaf may well become residents. Others will be people from a variety of backgrounds and circumstances who require assistance to gain a qualification, a new job and a permanent home.

The Oxford Foyer will be for young people with potential to start a new life – but need a break and some support to achieve that potential.

There is no evidence that the Oxford Foyer will increase criminal activity in the Leederville community. There is evidence that it will make an important contribution to disadvantaged young people and provide them with new opportunities.

There are already disadvantaged young people in the community – the Foyer provides them with a constructive and very positive pathway to training and employment.

Why Leederville?

The 2006 evaluation of the UK Foyers highlighted the importance of locating Foyers near public facilities, which is why the project team believes Leederville is an ideal location. Oxford Foyer residents will be training at the Central Institute of Technology, and will make good use of various public transport options, shopping facilities, cafes and entertainment facilities. The central location of Leederville also makes it very accessible for staff and residents – only a few minutes from the city.

Property values and Leederville's culture

Leederville culture

The Town of Vincent's motto is "Enhancing and Celebrating our Diverse Community". It believes in a community that is sustainable and caring, built with vibrancy and diversity. The development of the Oxford Foyer in the Leederville community demonstrates the Town's commitment to be inclusive and welcoming of a diverse range of community members.

Leederville is predominately populated by young people, with the 20-34 age group making up around 40% of the resident population. The Oxford Foyer will fit in well with the Leederville culture and that the residents will benefit from many of the existing services. It will further demonstrate the inclusive nature and culture of the Leederville community.

In turn, the residents will patronise local businesses and add to the prosperity of the area. They will also bring their own cultural and community experiences and contributions.

Property prices and employment

The proponents have no evidence that a Foyer negatively impacts local property prices.

The new cafe and shops planned for the site will, however, add to local amenity and be part of a development that will add to the streetscape in that section of Oxford Street.

It is estimated that the Foyer project will support 30-50 jobs in the local community.”

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Density:	N/A	N/A
<i>Officer Comments:</i>		
Noted.		
Plot Ratio:	N/A	N/A
<i>Officer Comments:</i>		
Noted.		
Car Parking:	38.32 car bays	15 car bays (shortfall of 23.32 car bays)
<i>Officer Comments:</i>		
Supported-Refer to Car Parking Assessment Table and Comments below.		
Bicycle Parking:	End-of-Trip Facilities	No End-of-Trip Facilities
<i>Officer Comments:</i>		
Not supported – If this application is supported, the applicant will be required to provide end-of-trip facilities.		
Interaction with Street:	Cafe should have clear glasses facing the primary street (Oxford Street) to encourage surveillance of, and interaction with the street.	The Cafe has a partly solid wall facing the primary street (Oxford Street).
<i>Officer Comments:</i>		
Not supported- If this application is supported, the applicant will be required to amend the plans showing clear glass to the café instead of a solid wall facing Oxford Street.		
Side Fence	Height= 1.8 metres from natural ground level	Height= 2.4 metres from natural ground level
<i>Officer Comments:</i>		
Supported- No undue impact on the adjoining property.		

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

Consultation Submissions		
Item	Comments Received	Officer Comments
Support (1)	Nil	Noted.
Objections (5), including (1) late submission.	Anti-social behaviour <i>Given those young people who will occupy this proposed building have offended before, there is no guarantee that they will not re-offend.</i>	Not supported - The purpose of this project is to provide rehabilitation to disadvantaged young people by supplying various life skills and other training opportunities. Moreover, as part of this program, the youth who will live in these units will have to be either in work, training or education. Their residency will be 6 months to 12 months only and operational managers will be permanently on site.

Consultation Submissions		
Item	Comments Received	Officer Comments
	<p><i>The Oxford street café is among the best cafe strip in Perth. The occupiers of this building will destroy this strip due to their anti-social background.</i></p> <p><i>The next door property to this facility is School of Isolated and Distant Education which provides accommodation facilities for students. In the future these students will have to live next a building with young people who have offended previously.</i></p>	<p>Moreover, the applicant has confirmed that the Foyer has been designed incorporating CPTED principles and a qualified security consultant has been engaged for the whole project. It is considered the project addresses security concerns.</p> <p>Not supported - As outlined in the applicant's submissions, the project is a unique proposal which supports young people in training, education and employment within a stable, supervised environment.</p> <p>Not supported - The proposal emanates from the Department of Education and Training who controls the School of Isolated and Distance Education.</p>
	<p><i>Has any research done on the impact of such a facility on the surrounding community?</i></p> <p><i>Given 98 disadvantaged people locked together this may result into misbehaviour among the residents only.</i></p>	<p>Not supported - This is the first project in Western Australia; however, according to the applicant, in the UK, foyers have been operating for a long time and prove successful in the rehabilitation of young disadvantaged groups.</p> <p>Not supported – see comments above.</p>
	<p>Additional Information</p> <p><i>Is there any further information which the Town can provide on this project?</i></p> <p>Parking</p> <p><i>There is no objection to the proposed development, however, how such a big development complies with the parking requirement?</i></p>	<p>A leaflet was distributed in the letterboxes of all the surrounding residents inviting comment by the applicant.</p> <p>Supported in-part – The car parking table details parking. As noted below, the applicant has advised that 35 car parking bays will be allocated to the Central Institute of Technology.</p>

Consultation Submissions		
Item	Comments Received	Officer Comments
	<p>Advertising</p> <p><i>Concerns that surrounding landowners did not receive the letter for public comments.</i></p> <p>Number of people</p> <p><i>If the proposal was designed for less people (about 30), there would not be any objection. Ninety-eight people will impact on the security of the surrounding area.</i></p> <p>Security</p> <p><i>What measures will the Foyer and the Town of Vincent put in place to protect my property?</i></p>	<p>Not supported - The proposal was advertised as per the Town's Community Consultation Policy.</p> <p>Not supported – see comments above.</p> <p>Not supported – The Oxford Foyer will provide a diverse range of security from CCTV and 24-hour security, as well as on-site staff. In addition, there will be a register of people onsite.</p>
Advertising	Advertising for a period of 21 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

Car Parking

The car parking requirements for the proposed development are as follows.

Car Parking	
<p>Car parking requirement (nearest whole number)</p> <ul style="list-style-type: none"> • Residential Building (1 space per bedroom or 1 space per 3 beds provided, whichever is greater) Proposed 98 units (given the purpose of the proposed building and the arrangement of the rooms, the requirement 1 space per 3 beds applies) = 32.67 car bays • Office (1 car bay per 50 square metres gross office floor area) Proposed 312 square metres = 6.24 car bays • Shop (1 space per 15 square metres of gross floor area) Proposed 85.4 square metres = 5.69 car bays • Restaurant (Café and Alfresco) (1 space per 4.5 square metres of public area) Proposed 151.4 square metres = 33.64 car bays <p>Total car bays required = 78.24 car bays</p>	78 car bays
<p>Apply the parking adjustment factors.</p> <ul style="list-style-type: none"> ▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area residential) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of public car park in excess of a total of 75 car parking spaces) ▪ 0.85 (the development is within 800 metres of a rail station) 	(0.4913)
Minus the car parking provided on-site	38.32 car bays
Minus the most recently approved on-site car parking shortfall	40 car bays
Surplus	Nil
	1.68 car bays

It is noted educational establishment was not included in the parking calculation as the applicant advised that the training room will generally be used for internal uses by the offices and the residents. Small bays are also not included in the parking calculation as they do not comply with the parking standards.

Bicycle Parking	
<ul style="list-style-type: none"> • Residential Building (98 lodging rooms) Class 1 or 2 – 1 space per 4 lodging rooms = 24.5 spaces Class 3 – 1 space per 16 lodging rooms = 6.125 spaces • Office (312 square metres of GFA) Class 1 or 2 – 1 space per 200 square metres of GFA = 1.56 spaces Class 3 – 1 space per 750 square metres of GFA over 1000 square metres = Nil • Shop (85.4 square metres of GFA) Class 1 or 2 – 1 space per 300 square metres of GFA = 0.285 spaces Class 3 – 1 space per 200 square metres of GFA = 2.34 spaces • Eating House (151.4 square metres of PFA) Class 1 or 2 – 1 space per 100 square metres of PFA = 1.514 spaces Class 3 – 2 spaces plus 1 space per 100 square metres of PFA = 3.514 spaces <p>Total class 1 or 2 bicycle parking = 27.859 spaces = 28 spaces Total class 3 bicycle parking = 11.97 spaces = 12 spaces</p>	<p>Bicycle parking bays have been provided. However, no end of trip facilities provided.</p>

The applicant advised the following:

“There will be no loss of bays for CIT as they will be leased back the 25 bays in the basement of our building. The site stays owned by the Department of Education and we will have a 50 year lease with reciprocal Rights of Carriageway enabling them to park on the Foyer site and us to gain access across their site.”

Therefore, 25 car parking bays of the total car parking bays provided, 40 car bays, will be allocated to the Central Institute of Technology (CIT). There will be a legal agreement between CIT and the owners of Youth Foyer whereby 25 bays will be used by CIT. Therefore, only 15 car spaces will be available for the Youth Foyer.

Given the above, the parking calculation is re-calculated as shown below:

Car Parking	
<p>Car parking requirement (nearest whole number)</p> <ul style="list-style-type: none"> • Residential Building (1 space per bedroom or 1 space per 3 beds provided, whichever is greater) Proposed 98 units (given the purpose of the proposed building and the arrangement of the rooms, the requirement 1 space per 3 beds applies) = 32.67 car bays • Office (1 car bay per 50 square metres gross office floor area) Proposed 312 square metres = 6.24 car bays • Shop (1 space per 15 square metres of gross floor area) Proposed 85.4 square metres = 5.69 car bays • Restaurant (Café and Alfresco) (1 space per 4.5 square metres of public area) Proposed 151.4 square metres = 33.64 car bays <p>Total car bays required = 78.24 45.57 car bays = 46 car bays</p>	<p>78 46 car bays</p>

Car Parking	
Apply the parking adjustment factors.	(0.4913)
<ul style="list-style-type: none"> ▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area residential) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of public car park in excess of a total of 75 car parking spaces) ▪ 0.85 (the development is within 800 metres of a rail station) 	38.32 <u>22.59</u> car bays
Minus the car parking provided on-site	15 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Shortfall	23.32 <u>7.59</u> car bays
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic	Draft Local Planning Strategy
Sustainability	Nil.
Financial/Budget	Nil.
Risk Management Implications	Not applicable.

COMMENTS:

Heritage

The place at No. 43 Richmond Street, Leederville is listed on the Town's Municipal Heritage Inventory with a Management Category A - Conservation Essential. Accordingly, a Heritage Impact Statement has been undertaken for the proposal, as shown at Appendix 9.1.1.

The Heritage Impact Statement noted that the subject site comprises a number of buildings constructed in different eras at the corner of Richmond and Oxford Streets. As identified by the Place Record Form, these buildings are not identified as having any significant aesthetic cultural heritage value and rather the places significance lies in its social value. Overall, it is considered that the proposal will not detract from the social cultural heritage value of the existing TAFE campus; instead, the proposed addition provides a means to integrate the existing older style elements of the educational buildings, with new development to meet the facility's modern needs. The proposal will ensure that the subject place maintains its role as a landmark educational campus at a State level.

Waste Management

A waste management plan has been submitted proposing the use of a private waste collection service. 8 x 1,100 litre bins are proposed to be used; however, these large bins may be difficult to manoeuvre in and out of the bin enclosure by hand, especially when full of waste, as they weigh approximately 60kg when empty.

660 litre bins may be a more practical option in terms of being able to move in and out of the enclosure. The applicant needs to demonstrate how these bins will be moved in and out of the enclosure and by whom? Also as stated, safe access to the internal access road and adequate space for temporary storage of bins will need to be provided to facilitate the collection.

It is noted that a chute system is proposed. The chute system should be designed to allow for recycling to be separated into different bins. The applicant needs to provide information on how/where recyclables will be separated/recovered. A sprinkler system should be incorporated in the chute design to address possible fire hazard.

An educational program is proposed in the draft Waste Management Plan and its implementation will be a condition of Development Approval. A revised waste management plan addressing the above matters will be required to be submitted, prior to the issue of a Building License.

In accordance with the Town's Policy 2.2.2 Undergrounding of Power, the power lines across the Oxford Street frontage of the development are to be put underground, thereby relocating the terminating pole and eliminating one or more bays. The developer is to liaise with Western Power and is responsible for all costs associated with the requirement.

Car Parking and Vehicular Access

The Town'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 (ii) of the Town's Parking and Access Policy states the following:

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

The subject application for No. 43 Richmond Street has a total car parking requirement of 38.32 car bays (after adjustment factors). If the above clause of the Parking and Access Policy is applied to the subject application, a total of 5.748 car bays are required to be provided on-site. Fifteen (15) car bays are provided for this development.

The target group accommodated on-site are unlikely to have cars and the site's proximity to public transport supports consideration of a reduction in the need for car parking. Moreover, it is considered this project will provide benefit to the community, as it will provide life skills and other training opportunities to a vulnerable section of the society.

Given the above, the shortfall is supported subject to cash-in-lieu being paid for the shortfall in parking.

The proposal demonstrates that the vehicular access to the car parking area of the proposed building will be from a TAFE car park located to the north of the proposed development, which is accessed from Oxford Street. In the event that the Department of Training and Workforce Development initiate the subdivision of the subject 3,119.61 square metres, which is the approximate area proposed for the "Youth Foyer", the Town will recommend that the "Youth Foyer" site has reciprocal rights of access.

"Youth Foyer" Proposal

The proposed development complies with The Leederville Town Centre Masterplan and Built Form Guidelines – Precinct 2: Education Precinct, requirements. The proposed building is a total of four storeys in height. The first two storeys (ground and first floor) will have nil setback, and the second and third floors will be setback 5 metres from the Oxford frontage. It is considered that the articulation provided to the street frontage addresses Oxford Street; however, with the exception of the eating house as shown in the compliance table.

Moreover, on the social aspect of this project, it is a positive initiative for the Town's community - providing much needed supported accommodation for an important target group. The multi-agency approach is also unique in terms of providing holistic support - education, counselling support, as well as accommodation. The project also caters for young families with children who are important as those in this vulnerable category can face further challenges in the community, in terms of accessing adequate housing and job opportunities. From a community development perspective, the project provides the vulnerable young people in the target group with further opportunities and choices in transitioning into independent living.

In view of the above, the application is supportable as it is considered that the development will not result in any undue impact on the amenity of the surrounding area, and will contribute to the development of the Leederville Town Centre.

9.1.5 East Perth Redevelopment Authority – Stage 1A & 1B Normalisation of New Northbridge

Ward:	South	Date:	25 January 2010
Precinct:	Beaufort (P13)	File Ref:	PLA0226
Attachments:	001 ; 002 ; 003 ; 004		
Reporting Officer:	R Marie; Planning Officer (Strategic)		
Responsible Officer:	R Boardman; Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *SUPPORTS Stage 1B Normalisation of New Northbridge as it relates to the Town of Vincent as shown in Appendix 9.1.5;*
- (ii) *AUTHORISES the Chief Executive Officer to recommend to the East Perth Redevelopment Authority the following post normalisation zones and reservations under the Metropolitan Region Scheme and Town of Vincent Town Planning Scheme No. 1 for the land subject to Stage 1B Normalisation of New Northbridge;*
 - (a) *The entire land subject to Stage 1B Normalisation of New Northbridge be rezoned from ‘Central City Area’ to ‘Urban’ under the Metropolitan Region Scheme;*
 - (b) *The land bounded by Stirling Street, Newcastle Street, Lord Street and Parry Street, Perth, be rezoned to Residential/Commercial R60 and included in the Town of Vincent Town Planning Scheme No. 1 Scheme Map 13 – Beaufort Precinct as shown in Attachment 002; and*
 - (c) *Weld Square located at No. 180 (Lots 1271 and 1272) Beaufort Street, Perth, be rezoned Town of Vincent Parks and Recreation Reserve and included in the Town of Vincent Town Planning Scheme No. 1 Scheme Map 13 – Beaufort Precinct as shown in Attachment 002; and*
- (iii) *REQUESTS clarification from the East Perth Redevelopment Authority and the Western Australian Planning Commission as to whether the ‘Central City Area’ zoning under the Metropolitan Region Scheme for the portion of Beaufort Street between Newcastle and Parry Streets, will be removed and the Other Regional Road Classification extended post-normalisation.*

COUNCIL DECISION ITEM 9.1.5

Moved Cr McGrath, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the Minister for Planning's approval to commence Stage 1A and 1B Normalisation of the New Northbridge Project Area and the implications for the Town of Vincent. The extent of the New Northbridge Project Area is shown in Attachment 001.

RELEVANT DOCUMENTS:

Attachments:

- 001 – Maps; and
- 002 – Proposed Zoning Maps.

Tabled for Viewing at the Meeting:

- 003 – New Northbridge Design Guidelines (also electronically attached); and
- 004 – Development Design Guidelines (also electronically attached).

BACKGROUND:

January 2000 The East Perth Redevelopment Authority (EPRA) was identified as the planning authority for the New Northbridge Project.

1 July 2007 A portion of the New Northbridge Precinct roughly bounded by Newcastle, Lord, Parry, Little Parry and William Streets, Perth, was transferred to the Town of Vincent from the City of Perth as part of a local government boundary change. At this time, the area remained under the planning control of EPRA.

5 November 2010 The Minister for Planning grants approval to commence Stage 1A and 1B Normalisation of the New Northbridge Project.

Normalisation involves returning planning authority for the area to the local government resulting in EPRA no longer being the planning authority.

As part of this process, a 60 day period of consultation (concluding 7 February 2011) is required with comments sought from the Town, stakeholders and the community.

DETAILS:

Pursuant to the East Perth Redevelopment Act 1991, the East Perth Redevelopment Area, which is under the planning control of the EPRA, may be enlarged or reduced by Regulation. In 1999, the Redevelopment Area was extended to include the New Northbridge Project Area.

When the redevelopment of land is completed by EPRA, that land is subtracted from the Redevelopment Area through the normalisation process and planning control is transferred back to the appropriate local government. On 5 November 2010, the Minister for Planning granted approval to commence Stage 1A and 1B Normalisation of the New Northbridge Project. The area within Stage 1A normalisation, will be normalised to the City of Perth and Stage 1B normalisation, involves land being returned to the Town of Vincent. It is proposed that the process of normalisation will be complete by mid 2011. The areas to be returned to the Town are shown in Attachment 001 and are bounded by Beaufort, Newcastle, Lord and Parry Streets. The area contains a local reserve Weld Square; and the remainder of the area has mostly been developed, characterised by residential and mixed use developments that are predominantly two and three storeys.

Implications for the Town of Vincent

The *East Perth Redevelopment Act 1991* provides the Minister with the ability to create Regulations to amend the local scheme following normalisation, negating the need for the Town to prepare a Metropolitan Region Scheme (MRS) or a Scheme amendment to include the area within the Town's boundaries. Section 5 (4) (a) (ii) of the *East Perth Redevelopment Act 1991* states that;

- (a) *empowering the Minister, where land is subtracted from the redevelopment area, to amend the Metropolitan Region Scheme or a relevant local planning scheme or improvement scheme to provide for —*
- (i) *the subtracted land to be included in the area to which any such scheme applies; and*
 - (ii) *the land to have a reservation or zoning under those schemes the same as or similar to that which applied to it immediately before it was subtracted;*

In accordance with the above clause, the Town has the ability to recommend to the Minister post-normalisation zones and reservations under the MRS and Town of Vincent Town Planning Scheme No. 1 for the land subject to Stage 1B Normalisation of New Northbridge. Such zonings and reserves are to be reflective of the current EPRA Scheme and Policy provisions which have guided the redevelopment of the area to date.

Recommended Zoning Post-Normalisation:

1. Metropolitan Region Scheme

Currently, the subject area is zoned 'Central City Area' under the MRS. Zones and Reservations in the MRS are broad categories which are not precisely defined or limited. However, the following description provides a guide for the scope and intent of the 'Central City Area':

'Strategic regional centre for major retail, commercial and office facilities as well as employment, civic business and residential use.'

It is not considered that the Parry Street Precinct has been developed to be representative of a Strategic regional centre, with the EPRA planning framework facilitating low to medium rise mixed use development and mandating the retention of the established character homes throughout the Precinct. Given this, it is considered to be more inline with the general 'Urban' MRS classification, which can be defined as follows:

'Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry.'

In addition, it is considered that the 'Central City Area' zone was reflective of its former position within the City of Perth. In 2007, the area was transferred to the Town of Vincent from the City of Perth as part of a local government boundary change. Accordingly it is recommended that the area be rezoned 'Urban', to be consistent with its positioning within the Town.

2. Proposed Town Planning Scheme No. 1 Zonings

Most of the Parry Street Precinct area has been redeveloped. With the exception of a number of character homes, the Precinct comprises a mixture of two storey dwellings and three storey multiple dwellings. Some developments of greater heights are located on corner sites. It is noted that one vacant lot remains, along Pisoneri Street; however, planning approval has been granted for its development by EPRA.

In recommending post-normalisation zones and reservations, as allowed by section 5(4)(a)(ii) of the *East Perth Redevelopment Act 1991* above, the Multi Unit Housing Code of the Residential Design Codes of WA (R Codes) has been considered. Given the general three-storey height of development in the area and that there are currently commercial uses in the area, it is considered appropriate that a mixed use zoning of Residential/Commercial R60 be applied.

Weld Square is located along the western boundary of the Precinct. It is considered appropriate to recommend this be zoned Town of Vincent Parks and Recreation Reserve, to maintain the current recreational use. The proposed new Scheme Map 13 is shown in Attachment 002.

The subject area abuts the Town's existing Beaufort Precinct (Scheme Map 13) and shares similar characteristics in terms of uses and scale of development. It is therefore considered most appropriate that following normalisation, the area be incorporated into the Town of Vincent Town Planning Scheme No. 1 Scheme Map 13 – Beaufort Precinct.

It is noted that Draft Town Planning Scheme No. 2 proposes consistent zonings to those described above.

Planning and Building Policy Manual

EPRA has a suite of Policies and Design Guidelines to guide development in the New Northbridge Area. Whilst the area has been almost completely developed and therefore unlikely that the area will experience additional redevelopment in the near future, it will be necessary to consider these policies and assess their suitability for inclusion in the Town's Policy Manual.

This process will require an amendment to the Town's Planning and Building Policy Manual, which can run in parallel with normalisation. This is not a requirement of normalisation; however, it is necessary for the Policies outlined below, to be included in the Town's Planning and Building Policy Manual. This amendment will be considered by the Council in a subsequent report.

The main documents for consideration are as follows:

- *New Northbridge Design Guidelines* - set out the requirements for building design and other development standards for the Project Area. The Design Guidelines provide Core/Common Design Guidelines for all Precincts and specific provisions for the Parry Street Precinct. The Guidelines are shown in Attachment 003 as Tabled and electronically attached.
- *Development Design Guidelines for Structures Above or Adjacent to the Graham Farmer Freeway Tunnel Northbridge (2002)*, as prepared by Main Roads WA. These Guidelines are to be adhered to as they contain information relating to the weight permitted over the Graham Farmer Freeway Tunnel. The Guidelines are shown in Attachment 004 as Tabled and electronically attached.

Municipal Heritage Inventory

Parry Street comprises a number of historic dwellings. The importance of these dwellings has been recognised with various heritage listings:

- The dwellings at Nos. 89 – 147 Parry Street are listed on the State Register of Heritage Places, as the Parry Street Precinct (HCWA Place No. 11543);
- The dwellings at Nos. 65 (Lot 825), 63 (Lot 826) and 61 (Lot 827) Parry Street were listed on the ERPA Heritage Inventory; and
- Weld Square at No. 180 (Lots 1271 and 1272) Beaufort Street was listed on the City of Perth Heritage List and is recognised as an Aboriginal Registered Site.

It is recommended that following normalisation, the above properties and Weld Square be listed on the Town of Vincent Municipal Heritage Inventory. A separate report will be presented to the Council on this matter.

CONSULTATION/ADVERTISING:

The EPRA are advertising the normalisation proposal for 60 days, until 7 February 2011.

LEGAL/POLICY:

Town of Vincent Town Planning Scheme No. 1 and associated policies;
East Perth Redevelopment Act 1991; and
East Perth Redevelopment Scheme 2.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2009-2014 states:

'Natural and Built Environment

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

In order to ensure that there is a smooth transition of the area from EPRA to the Town of Vincent, it is recommended that the Town ensure that there are mechanisms in place to minimise any confusion or complications. This includes making zoning recommendations to EPRA.

As outlined in Section 5 (4) (a) (ii) of the *East Perth Redevelopment Act 1991*, when the land is transferred back to the planning control of the local government, the land is to be reserved the same or similar to that which applied immediately before it was subtracted. The EPRA generally does not prescribe zonings under their Scheme; however, as per the above discussion, the extant building heights and uses are considered to align with a mixed use Residential/Commercial R60 zoning, with the exception of the land comprising Weld Square. It is recommended that Weld Square be reserved a Town of Vincent Parks and Recreation Reserve.

In light of the above, it is recommended that the Council adopt the Officer Recommendation.

9.2.1 Proposed Wetlands Heritage Trail/Greenway Implementation Program 2011/2012 to 2016/2017

Ward:	North	Date:	26 January 2011
Precinct:	Leederville P3;Smith's Lake P6	File Ref:	CMS0071
Attachments:	001		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES IN PRINCIPLE** the proposed Wetland Heritage/Greenway Implementation Program (2011/2012 to 2016/2017) as outlined in the report;
- (ii) **ADVERTISES** the Wetland Heritage/Greenway Implementation Program (2011/2012 to 2016/2017) for a period of twenty-one days, seeking public comment;
- (iii) *after the expiry of the period of submissions:*
 - (a) **REVIEWS** the Wetland Heritage/Greenway Implementation Program (2011/2012 to 2016/2017) having regard to any written submissions; and
 - (b) **DETERMINES** to proceed with, or not to proceed with, the Wetland Heritage/Greenway Implementation Program (2011/2012 to 2016/2017), with or without amendment;
- (iv) **CONSULTS** with affected property owners regarding the proposed location/route of the Wetland Heritage/Greenway trail as shown on attached photos and plan No. 2774-CP-01;
- (v) **CONSIDERS** listing appropriate funding in subsequent annual budgets to progressively implement the Wetland Heritage/Greenway Program as outlined in the report at an estimated total cost of \$1,195,000;
- (iv) **NOTES** that further reports will be submitted to the Council following consultation and prior to implementing any works.

COUNCIL DECISION ITEM 9.2.1

Moved Cr McGrath, **Seconded** Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to outline the scope of works required to complete the Town's 'physical' Wetlands Heritage Trail/Greenway to provide a continuous recreational link between Lake Monger and the Swan River.

RELEVANT DOCUMENTS:

Attachments:

001 – Plans and photographs.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

Ordinary Meeting held on 12 July 2005:

The Council considered a comprehensive report in relation to the Wetlands Heritage Trail/Greenway. It approved the formation of a Working Group comprising a number of Council Members and officers from the Town's Technical Services and Community Development to develop a program for the completion of the Wetland Heritage Trail and determine annual funding requirements associated with the program.

Ordinary Meeting held on 23 May 2006:

The Council was advised that the Wetlands heritage trail/greenway Working Group had met on numerous occasions since November 2005 to discuss and resolve the various options presented in terms of the final trail routes, infrastructure improvements, artworks and signage.

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

- “(vi) *APPROVES IN PRINCIPLE the program of works and annual cost estimates for years 2006/2007 to 2012/2013, as indicated in the report, to be implemented over a six year (6) year period subject to the officers considering a stage implementation of the Smith's Lake Link in 2006/07;*
- (ix) *CONSULTS with the various stakeholders prior to implementing the various sections of the Wetlands heritage trail/greenway and associated works in accordance with the Town's consultation policy; and*
- (x) *RECEIVES a further report/s on the project/s following consultation prior to implementation proceeding.”*

DETAILS:

The following table outlines the previously completed sections of Greenway/Wetlands heritage Trail (in geographic order from east to west).

SECTION	DESCRIPTION	STATUS
Along the Swan River	2.5m wide DUP parallel to River	Completed: Constructed by CoP
Swan River to Lord Street	2.5m wide DUP north of GFF	Completed: Constructed by MRWA

SECTION	DESCRIPTION	STATUS
Lord St to Beaufort Street	Along Parry Street - On road cycling, footpaths for walking	Completed: Constructed by CoP
William to Lake Street	Along Forbes South side of Forbes Road (2.5m wide DUP)	Completed
Lake St to Palmerston St	2.5m wide DUP through Stuart Street reserve	Completed
Palmerston to Fitzgerald St	2.5m wide red asphalt DUP with lighting completed as part of the Robertson park upgrading	Completed
Hyde park Spur (Robertson Park to Hyde Park)	2.5m wide red asphalt DUP with lighting completed as part of the Robertson Park upgrading and onroad cycle lanes Palmerston Street to Glendower Street	Completed
Fitzgerald St to Victoria St	South Side of Lawley St, 2.5m DUP/ parking improvements and landscaping/ section through Dorien Gdns reserve	Completed
Victoria St	East Side of street 2.5m wide DUP	Completed
Victoria St to Charles St	Along ROW (sealed in red asphalt) and 2.5m wide red asphalt DUP with lighting completed as part of the Royal Park upgrading	Completed
Charles St to Beatty Park carpark	2.5m wide red asphalt DUP with lighting (south side of park parallel to Vincent Street)	Completed
Farr Ave to Bourke Street	2.5m wide red asphalt DUP with lighting, through Smiths lake Reserve road crossing Morrision Street & Farr Ave section	Completed

2010/2011 Budget:

The following wetlands heritage trail/greenway Projects have been included in the 2010/2011 Budget as follows:

SECTION	DESCRIPTION	STATUS	TOTAL
Beaufort to William Street	Along Little Parry Street. 5.0m wide sealed ROW.	Funds allocated in 2010/2011 budget	60,000
Bourke to Albert Street	Proposed 2.5m wide red asphalt DUP with lighting through Charles Veryard Reserve	Funds allocated in 2010/2011 draft budget	145,000

Future Projects:

The following wetlands heritage trail/greenway Projects are proposed to be undertaken in the future to complete the link between the Swan River and Lake Monger (in geographic order from east to west).

SECTION	DESCRIPTION	STATUS	TOTAL
Fitzgerald Street Crossing	Road widening \$160,000 and Western Power service relocations \$230,000	Cost prohibitive project currently on hold	390,000
From Vincent St through Beatty Pk Res to Farr Ave	Proposed 2.5m wide red asphalt DUP with lighting through Beatty Park Reserve	Apply for contributory funding in 2011/2012	100,000
From Albert St along Tay Place to Kadina St	Replace the existing brick paved path with a 2.5m wide red asphalt DUP east side of Tay Place following Claisebrook Main Drain	Existing path to upgraded	30,000

SECTION	DESCRIPTION	STATUS	TOTAL
From Tay Pl along Kadina St to Pennant St	Proposed 2.5m wide DUP behind kerb south side Kadina St	Consultation with affected residents required	115,000
From Kadina St along Pennant St to Chamberlain St	Proposed 2.5m wide DUP in verge next to existing concrete path east side of Pennant St	Consultation with affected residents required	
From Pennant St along Chamberlan St to Loftus St	Proposed 2.5m wide DUP behind kerb north side Chamberlan St and east side of Loftus Street to existing crossing at Franklin Street	Consultation with affected residents required	110,000
From Loftus St along Franklin St to Shakespeare St	Proposed 2.5m wide DUP behind kerb south side Franklin St	Consultation with affected residents required	95,000
From Shakespeare along Franklin St to Oxford St	Utilise existing pavement and treat existing concrete pathway with a red coloured bonding agent to define greenway	Liaise with Aranmore	20,000
Along Oxford St to Bennelong Place	Utilise existing concrete path and treat with a red coloured bonding agent to define greenway	Consultation with affected residents required	15,000
From Oxford St along Bennelong Pl to Brentham St Res	Remove existing concrete path on the north side of Bennelong Pl and install 2.5m wide red asphalt path	Consultation with affected residents required	
From Bennelong Pl through Brentham St Res to Brentham St	2.5m wide red asphalt DUP with lighting through Brentham St Reserve to Brentham St	Refer *** below	130,000
From Brentham through Britannia St Res to Lake Monger	2.5m wide red asphalt DUP with lighting through Britannia Reserve to existing Bourke St DUP at Lk Monger	Refer **** below	160,000
			\$1,195,000

The proposed links/projects are discussed as follows:

Fitzgerald Street Crossing (on hold):

This project is currently on hold due to the exorbitant cost of service relocation (high tension over head power lines estimated at \$200k+). The proposal includes the installation of pedestrian median islands and road widening at Randall Street.

Total estimated project cost is \$390,000.

From Vincent St through Beatty Park Reserve to Farr Ave:

This project comprising extending the existing DUP around the northern perimeter of the Beatty Park Reserve from the existing DUP at Vincent Street to the existing DUP at Farr Ave.

Contributory funding was allocated in the 2010/2011 budget however as reported to Council at its ordinary meeting held on 26 October 2010 the Beatty Park project did not attract Bikewest funding and municipal funds were reallocated for the Charles Veryard project i.e. \$51,230 available. The Council did however note that the *Town will reapply for Bikewest for funding for a shared path through the Beatty Park Reserve in 2011/2012.*

The total estimated project cost is \$100,000. **Proposed 2011/2012**

Albert Street to end of Bennelong Place (start of Brentham Street Reserve)

The proposal is to install a 2.5m wide red asphalt DUP in the verge adjacent to the kerbline in the following streets:

- Tay Place – east side Albert to Kadina*
 - Kadina Street – south side Tay to Pennant
 - Pennant Street – east side Kadina to Chamberlan
- Total estimated cost = \$135,000 – **Proposed 2012/2013**

Note:* There is an existing brick paved path through the wider verge area (over the water corporation drainage reserve) however as this path is only 1.5m in width. It is proposed to remove this path and construct a 2.50m wide asphalt path

- Chamberlan Street – north side Pennant to Loftus
 - Loftus Street – east side Chamberlan to Crossing at Franklin St
- Total estimated cost = \$115,000 - **Proposed 2013/2014**
- Franklin Street – south side (Loftus to Shakespeare)
 - Franklin Street – south side (Shakespeare to Oxford)**
 - Oxford Street – west side Franklin to Bennelong**
 - Bennelong Place – north side Oxford to Brentham Street Reserve.
- Total estimated cost = \$165,000 - **Proposed 2014/2015**

Note:**It is proposed that the existing pavement along Franklin Street be used (and made legible) and the existing concrete paths along Franklin and Oxford Street be treated with a red coloured bonding agent to define greenway.

Officers Comments:

As mentioned it is proposed that the section of Greenway (Albert Street to Shakespeare Street) will be constructed in the verge. This will require detailed consultation with affected residents.

An alternative option would be to remove the existing concrete path and install the new path at the property boundary (and make good the verge area). The latter option would allow residents more room to park on the verge (if they so desire) but could possibly create a danger due to vehicles reversing from driveways.

Another possible option is to use the existing right of ways (between Kadina and Chamberlan) and (Franklin to Marian Street) in lieu of the corresponding sections of path in the verge.

This would involve resurfacing the ROWs (or a portion thereof) with red asphalt and installing lighting (and possibly planting trees if feasible).

The estimated cost of the ROW option/s in lieu of the corresponding DUP sections are similar.

Bennelong Place to Brentham Street through Brentham Street Reserve: ***

At its ordinary meeting held on 12 February 2002 the Council resolved that it 'considers providing funds in the 2002/2003 draft budget to implement part or all of the park upgrading works as shown on attached Plan No. A1-1133-PP.01'.

During the budget deliberations, due to other priorities, the project/s was not funded and to date no part of the project/s has been implemented.

It should be noted that the proposed Greenway section (outlined in the above table) is the section of DUP between Bennelong Place and Brentham Street only.

Total estimated cost = \$130,000 - **Proposed 2015/2016**

Brentham Street to Lake Monger through Britannia Road Reserve: *****

At its meeting held on 12 February 2002 the Council resolved that it '*considers providing funds in the 2002/2003 draft budget to implement part or all of the park upgrading works as shown on attached Plan No. A1-1133-PP.01*'.

During the budget deliberations due to other priorities, the project/s was not funded and to date no part of the project/s has been implemented.

At its meeting held on 24 August 2010 the Council considered a report on a 'Masterplan for Britannia Reserve'. Part of the proposal included the section of Greenway previously considered by the Council in February 2002.

After considering the August 2010 report on a 'Masterplan for Britannia Reserve' the Council adopted the Masterplan 'In Principle', approved to amend its Strategic Plan by including the new Action Item referring to the Masterplan for Britannia Reserve, and approved of community consultation to be carried out concerning the proposed Concept Masterplan.

The Proposed first (1st) stage i.e. Year 1 – 2011/2012 of the implementation of the 'Masterplan for Britannia Reserve' as adopted by the Council in August 2010, includes the section of Greenway.

Total estimated cost = \$160,000 - **Proposed 2011/2012**

BikeWest Funding:

The Town's officers previously received funding assistance from the Perth Bicycle Network from Bikewest in January 2006 to complete the section of the Wetlands Heritage Trail/greenway through Stuart Street Reserve. Funding was again sought in 2009 for two (2) wetlands heritage trail/greenway projects however only funding for one of the projects, i.e. Charles Veryard Reserve, was received.

The Town's officers will continue to pursue to funding from BikeWest for the Greenway extension.

CONSULTATION/ADVERTISING:

The works associated with the Wetlands heritage trail/greenway that may impact on adjoining residents or stakeholders, will be advertised in accordance with the Town's consultation policy.

With regards the Greenway Sections through Britannia Reserve and Brentham Street Reserve, on 2 January 2002, 398 letters were distributed to owners/occupiers in the area bounded by Britannia Road and Brentham Street, and properties adjoining Brentham Street and Britannia Road reserves.

As mentioned above, the matter was reported to the ordinary meeting held on 12 February 2002 where it was resolved that the Council '*considers providing funds in the 2002/2003 draft budget to implement part or all of the park upgrading works as shown on attached Plan No. A1-1133-PP.01*'.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low risk.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. *“(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads.”*

SUSTAINABILITY IMPLICATIONS:

This project will not only create purposeful links but will also provide the following added value in the Town:

- Improvements to Parks and Reserves (access, lighting and furniture);
- Cultural benefits;
- Recreational benefits (walking, cycling);
- Tourism incentives; and
- Improvements to degraded infrastructure associated with the project.

FINANCIAL/BUDGET IMPLICATIONS:

Proposed ‘draft’ Greenway Implementation Program 2011/2012 to 2016/2017

SECTION	DESCRIPTION	PROPOSED FINANCIAL YEAR	TOTAL
Beatty Park to Farr Ave	Proposed 2.5m wide red asphalt DUP with lighting	2011/2012	\$100,000*
Albert to Kadina Street	Proposed 2.5m wide red asphalt DUP east side of Tay Place following Claisebrook Main Drain	2012/2013	\$30,000
Tay Pl to Chamberlan St	Proposed 2.5m wide DUP behind kerb south side Kadina St and east side of Pennant St		<u>\$105,000</u> \$135,000
Pennant to Loftus Street	Proposed 2.5m wide DUP behind kerb north side Chamberlan St and Loftus to crossing	2013/2014	\$115,000
Loftus to Shakespeare Street	Proposed 2.5m wide DUP behind kerb south side Franklin St	2014/2015	\$95,000
Shakespeare St to Oxford Street	Proposed 2.5m wide DUP along Franklin St		\$20,000
Oxford to Bennelong Pl	Proposed 2.5m wide DUP along Oxford St to Bennelong Pl		\$15,000
Along Bennelong Pl to Brentham St Res	Proposed 2.5m wide DUP along Bennelong Pl to Bentham St Res		<u>\$35,000</u> \$165,000

SECTION	DESCRIPTION	PROPOSED FINANCIAL YEAR	TOTAL
Bennelong Pl to Brentham Street	2.5m wide red asphalt DUP with lighting through Brentham St Reserve to Brentham St	2015/2016	\$130,000
Brentham Street to Lake Monger	2.5m wide red asphalt DUP with lighting through Britannia Reserve to existing Bourke St DUP at Lake Monger		\$160,000 \$290,000
Fitzgerald Street Crossing	Road widening \$160,000 and Western Power service relocations \$230,000+	TBA possibly 2016/2017	\$390,000
			\$1,195,000

COMMENTS:

As previously reported to the Council, the completed Wetlands heritage trail/greenway projects have contributed greatly to highlighting the cultural and environmental richness within the Town and, in particular, the land pertaining to the former wetlands system.

The completion of this section of the path through the Charles Veryard Reserve will provide an additional accessible link through the Town and be a step further to completing this project, which is gaining interest and momentum.

9.2.2 Proposed "Ecozoning" of Parks and Reserves Implementation Plan 2011-2025

Ward:	Both	Date:	28 January 2011
Precinct:	All	File Ref:	RES0039
Attachments:	001 ; 002		
Reporting Officer:	J van den Bok; Manager Parks & Property Services		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *ADOPTS IN PRINCIPLE the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 for areas within the Town's Parks & Reserves which have been identified for potential conversion, from turf to native garden areas, as shown on the attached spreadsheet and as shown in Appendix 9.2.2 - Plan Nos. 2772-CP-01 to 25;*
- (ii) *ADVERTISES the 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 for a period of twenty-one days, seeking public comment;*
- (iii) *after the expiry of the period of submissions:*
 - (a) *REVIEWS the Draft 'Ecozoning' Parks & Reserves Implementation Plan 2011-2025 having regard to any written submissions; and*
 - (b) *DETERMINES to proceed with, or not to proceed with, the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025, with or without amendment;*
- (iv) *LISTS an amount of \$30,000 for consideration in the 2011/12 draft Capital Works Budget and in future annual budgets to enable the works as outlined in the report, to be implemented; and*
- (v) *NOTES that a further report will be submitted to the Council to consider any submissions received.*

Moved Cr McGrath, **Seconded** Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath, **Seconded** Cr Maier

That clause (i) be amended to read as follows:

- “(i) ADOPTS IN PRINCIPLE the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 for areas within the Town's Parks & Reserves which have been identified for potential conversion, from turf to native garden areas, as shown on the attached spreadsheet and as shown in Appendix 9.2.2 - Plan Nos. 2772-CP-01 to 25, subject to the following:*
- (a) Keith Frame Reserve and Loftus Street Median be moved to 2011/2012; and*
 - (b) Kyilla Park and Mick Michael Reserve be moved to 2015/2016;”*

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.2.2

That the Council;

- (i) *ADOPTS IN PRINCIPLE the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 for areas within the Town's Parks & Reserves which have been identified for potential conversion, from turf to native garden areas, as shown on the attached spreadsheet and as shown in Appendix 9.2.2 - Plan Nos 2772-CP-01 to 25, subject to the following:*
 - (a) *Keith Frame Reserve and Loftus Street Median be moved to 2011/2012; and*
 - (b) *Kyilla Park and Mick Michael Reserve be moved to 2015/2016;*
- (ii) *ADVERTISES the 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 for a period of twenty-one days, seeking public comment;*
- (iii) *after the expiry of the period of submissions:*
 - (a) *REVIEWS the Draft 'Ecozoning' Parks & Reserves Implementation Plan 2011-2025 having regard to any written submissions; and*
 - (b) *DETERMINES to proceed with, or not to proceed with, the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025, with or without amendment;*
- (iv) *LISTS an amount of \$30,000 for consideration in the 2011/12 draft Capital Works Budget and in future annual budgets to enable the works as outlined in the report, to be implemented; and*
- (v) *NOTES that a further report will be submitted to the Council to consider any submissions received.*

Note: The Council requested that the concept plans for each specific park/reserve be reported to the Council for approval, prior to implementation.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the areas identified within the Town's Parks and Reserves for potential conversion from turf to native garden areas and to adopt in principle the Draft 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025 prior to advertising for community consultation.

RELEVANT DOCUMENTS:

Attachments:

- 001 – 'Ecozoning' Parks and Reserves Implementation Plan 2011-2025; and
- 002 – 'Ecozoning' Parks and Reserves aerial photographs.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

At its Ordinary Meeting held on 9 November 2010, the Council adopted the following Notice of Motion:

“That:

- (i) the Council REQUESTS the Chief Executive Officer provide a report to the Council by 8 February 2011 identifying areas of irrigated turf on Town owned land that is potentially suitable for conversion to ‘waterwise’ native gardens to:*
 - (a) reduce the volume of water used annually by the Town for maintenance of lawns;*
 - (b) reduce fertiliser use; and*
 - (c) increase natural habitat values locally for native wildlife;*
- (ii) suitable sites would include those that are:*
 - (a) not actively used for recreation;*
 - (b) considered poorly utilised by the Town;*
 - (c) situated around Council owned buildings and facilities, such as that on the corner of Loftus and Vincent Streets Leederville; and*
 - (d) areas within public open space where conversion to native gardens would not affect current or anticipated recreational use;*
- (iii) for each site, the report will include:*
 - (a) a summary of the sites location, use, current watering regime;*
 - (b) an aerial photo with boundaries for extent of areas for conversion;*
 - (c) an estimate of the likely reduction in annual water and fertiliser use as a result of the change in maintenance requirements;*
 - (d) likely environmental benefits from conversion;*
 - (e) expected capital expenditure for conversion from turf to native garden;*
 - (f) any external funding potentially available for the Town to apply for to assist for expenditure; and*
 - (g) identification of any other potential challenges with native garden conversion; and*
- (iv) the report will include a recommendation for at least, but not necessarily limited to, one site to proceed with conversion in 2011-12, for which a budget item would be required in the 2011-12 budget.”*

DETAILS:

Water Conservation Plan:

The Town's Parks services staff conducted a Water Conservation Planning workshop in November 2007 with representatives from the irrigation, parks and environmental sections attending.

The workshop was facilitated by Sports Turf Technology, consultants who had assisted the Department of Water (DoW) in preparing a template for Water Conservation Plans.

The aim of the workshop was to identify issues and develop objectives, strategies and actions to manage groundwater sustainably. One of the strategies and subsequent actions identified was to introduce hydro-zoning and eco-zoning across all parks and reserves.

Hydro-zoning

- This refers to the application of irrigation at differing rates to Parks & Reserves based on their category and/or application of water to different parts of a Park/Reserve. e.g. application of more water across "active" playing surfaces versus the surrounds or verges of a Park/Reserve.

Eco-zoning

- This refers to the identification of areas within a park that are currently turf that could be better managed as a native garden area.

Whilst hydro-zoning was implemented across all Parks within the Town during the 2008/09 summer period, this process is an ongoing initiative that is being progressed. In some areas the process is quite simple to implement, however in others, works are required to modify or completely redesign reticulation systems to enable water savings to be made.

Eco-zoning of parks has gradually been undertaken over a number of years and again is a process that will take time and funding, particularly in some of the larger parks identified within this report.

Locations and current use:

The areas identified as part of this proposal are generally the surrounds of playing fields or verge areas around parks and reserves. In some cases entire reserves have been selected as their size and location does not offer a safe "active" space and is better suited to provision of a natural garden setting with appropriate rest areas.

Water budget:

As part of the Town's Water Conservation Plan (WCP) Parks & Reserves have been categorised based on their priority of use and hydrozoned accordingly.

Therefore varying volumes of irrigation have been allocated to specific parks or parts of parks dependant on which category they fall into.

For example, Leederville Oval (Medibank Stadium) being one of the highest priority use reserves receives up to 11,000kl per hectare per annum whilst a passive reserve such as Charles/Vincent Street Reserve would only receive around 5,000kl per hectare per annum.

As another example, the playing surfaces at Les Lilleyman Reserve would receive around 9,000kl per hectare per annum whereas the surrounds would receive 5,000kl per hectare per annum.

Potential groundwater savings:

The attached spreadsheet outlines the volume of irrigation allocated to the park/reserve or section of park/reserve that has been identified for potential "eco-zoning".

The potential groundwater savings is based on the area of 'eco-zoning' multiplied by the allocated volume of irrigation for that specific park/reserve or part thereof. This saving is an estimate only as the areas outlined are not necessarily watered by one specific watering station.

In most cases the design of the Town's recent irrigation systems have park/reserve surrounds separate from playing areas, however the systems have not been designed specifically taking into account hydro-zoning or eco-zoning principles and therefore the savings cannot always be optimal.

Potential cost savings:

The cost savings is only an estimate and has been calculated using varying rates per hectare dependant on the total area and the actual part of a park/reserve which is being "eco-zoned".

Where an entire park/reserve is being eco-zoned the 'per hectare' rate is much higher as all the usual activities can either be deleted or savings calculated reasonably accurately. As a guide a figure of \$20,000 per hectare has been averaged out and used where an entire park or vast majority of area has been identified.

In larger parks such as sportsgrounds the savings are much less due to the cross over of activities and the additional maintenance and resources required to maintain to the required standard.

A rate of \$8,000 per hectare has been calculated as an average savings for larger recreational spaces within the Town.

Environmental benefits:

There are considerable environmental benefits from implementing this program such as a reduction in overall maintenance costs by reducing applications of pesticides and fertilisers.

In view that turf is being removed; the grass does not require watering or mowing therefore reducing the impact on water and power resources and subsequent ongoing pollution of the atmosphere.

One of the most significant benefits is increased biodiversity. Native plants provide suitable habitat for native species of birds, insects and other wildlife.

The indigenous plants have co-evolved with animals, fungi and microbes to form a complex network of relationships and a more sustainable landscape.

Estimated cost:

The estimated cost to implement this program is based on the area identified multiplied by the rate to spray out/remove the turf and plant at a rate of two (2) tubestock plants per square metre.

As outlined, parts of parks/reserves identified within this program have already been sprayed out or planted (in part) and the estimated cost does not reflect the works completed to date.

CONSULTATION/ADVERTISING:

Where required consultation with adjacent owner/occupiers would be undertaken and an Information Bulletin distributed to advise of the changes being undertaken to an adjacent park or reserve.

LEGAL/POLICY:

As part of the Water Efficiency Measures announced by the State Government in 2007, all Metropolitan and some selected regional Local Governments were required to complete Water Conservation Plans (WCP) as part of their water licence. The Town's WCP was completed and submitted to the Department of Water in October 2008.

RISK MANAGEMENT IMPLICATIONS:

Low risk.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.5 Enhance and maintain parks, landscaping and community facilities. *“(c) Implement the Town's water Conservation Plan.”*

SUSTAINABILITY IMPLICATIONS:

Implementation of this proposal will have many Environmental, Economic and Social benefits as outlined on the attached spreadsheet.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of implementing “eco-zoning” has been based on the funding required to remove or spray out the existing turf, provision of suitable mulching and planting of the areas at a rate of two (2) plants per square metre.

Costs associated with the initial implementation of these works and potential cost saving per annum are listed on the attached spreadsheet.

Whilst the total funding amount required may vary considerably it is recommended, given the works already completed in some areas, that the Council allows an amount of \$30,000 per annum to undertake the works. If not all works can be completed within the budget allowance the planting rate can be decreased and revisited the following year as part of the individual parks planting programs or alternatively the areas decreased slightly to keep within the budgeted amount.

COMMENTS:

Given that the “eco-zoning” or conversion of unused portions of turf are already being converted to more sustainable native garden areas it is recommended that the Council approve the program and list \$30,000 in the 2010/2012 draft budget and subsequent annual budgets to enable the proposed program to be progressively implemented.

9.2.3 Proposed Introduction of Two (2) Hour Parking Restrictions – Woodville Street, North Perth

Ward:	North	Date:	25 January 2011
Precinct:	North Perth Centre (P9)	File Ref:	PKG0166/TES0223
Attachments:	001		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council APPROVES the introduction of a two (2) hour parking restriction in Woodville Street, North Perth, in the existing 90° angled parking bays immediately adjacent side boundary of 39 Angove Street, from 8.00am to 5.30pm Monday to Friday, and 8.00am to 12noon Saturday, as shown on attached Plan No. 2780-PP-01.

Moved Cr Lake, Seconded Cr Topelberg

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

That new clauses (ii) and (iii) be inserted as follows:

- “(ii) ADVERTISES the proposal and carries out community consultation for a period of fourteen (14) days, in accordance with the Council’s Community Consultation Policy; and*
- (iii) NOTES that a further report will be submitted to the Council at the conclusion of the advertising period to consider any submissions received.”*

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.2.3

That the Council:

- (i) APPROVES the introduction of a two (2) hour parking restriction in Woodville Street, North Perth, in the existing 90° angled parking bays immediately adjacent side boundary of 39 Angove Street, from 8.00am to 5.30pm Monday to Friday, and 8.00am to 12noon Saturday, as shown on attached Plan No. 2780-PP-01;*
- (ii) ADVERTISES the proposal and carries out community consultation for a period of fourteen (14) days, in accordance with the Council’s Community Consultation Policy; and*
- (iii) NOTES that a further report will be submitted to the Council at the conclusion of the advertising period to consider any submissions received.*

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of a request for the Town to consider installing a two (2) hour parking restriction in the existing 90° on-road parking bays on the eastern side of Woodville Street, between Fitzgerald Street and the Right of Way, at the rear of 39 Angove Street, and to seek approval to implement the changes.

RELEVANT DOCUMENTS:

Attachments:

001 – Plan No. 2780-PP-01 of Proposed Parking Restrictions.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

In early January 2011 the Town received a request from Pal and Panther (motorcycles and bicycles retailer), located at 29 Angove Street, North Perth, for the Town to re-assess the current parking restrictions in the immediate area.

The shop is reliant upon regular cliental as well as passing pedestrian and vehicle traffic. While the on-road parking bays in Angove Street are time restricted, the bays are constantly occupied as a result of the successful 2003 Angove Street streetscape improvement project which lead to the rejuvenation of Angove Street as a café and restaurant strip. Further, as part of the aforementioned project the Town constructed 13 x 90° angled parking bays in Woodville Street which, at the time, were left un-restricted to assist businesses in the area and encourage activity. However it is now common for motorists not associated with the immediate area, to park there all day to the detriment of the local businesses.

DETAILS:

Angove Street, between Daphne and Fitzgerald Streets has a mix of timed parking restrictions to cater for the differing businesses in an endeavour to ensure that parking spaces are generally available. Because of the growing popularity of the Angove Street strip there is intense competition for on-road parking during busy periods.

However, the existing 13 x 90° on-road parking spaces in Woodville Street, immediately south of Angove Street, are currently unrestricted and are regularly occupied from early in the day and not vacated until the evening.

The shop proprietor acknowledges that the renewed vibrancy of the area is of benefit to all the businesses including that of his own. The downside to this success is the increased pressure upon the parking stock and that a more frequent turnover of the parking spaces in Woodville Street would help assist in meeting this demand.

The Town's officers have investigated the matter and concur that for reasons of consistency and amenity, it would be appropriate to impose a 2P parking restriction, to operate from 8.00am to 5.30pm Monday to Friday and 8.00am to 12 Noon Saturday, in the aforementioned on-road parking bays.

CONSULTATION/ADVERTISING:

The applicant will be informed of the Council's decision.

LEGAL/POLICY:

There is no legal consequence of the recommendation.

The Town's Rangers will place a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs.

RISK MANAGEMENT IMPLICATIONS:

Low risk.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads.”*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Implementing the new restrictions will require the purchase and installation of four (4) new signs and poles costing approximately \$500.

COMMENTS:

The current situation in Woodville Street would suggest that some motorists are taking advantage of the lack of parking restrictions to the detriment of the adjacent business. The problem is easily rectified by imposing a 2P restriction as shown on Plan No. 2780-PP-01.

The Chief Executive Officer advised that Mayor Catania and Cr Burns had declared a financial interest in Item 9.3.1. They departed the Chamber at 8.45pm. They did not speak or vote on this matter.

Deputy Mayor, Cr Sally Lake assumed the Chair at 8.45pm.

9.3.1 Investment Report as at 31 December 2010

Ward:	Both	Date:	22 January 2011
Precinct:	All	File Ref:	FIN0033
Attachments:	001		
Reporting Officer:	B Tan, Manager Financial Services; B Wong, Accountant		
Responsible Officer:	M Rootsey, Director Corporate Services		

Disclosure of Financial Interest:

Mayor Nick Catania and Cr Anka Burns have disclosed a financial interest in this item.

COUNCIL DECISION ITEM 9.3.1

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

MOTION PUT AND CARRIED (6-0)

(Cr Harvey was an apology for the meeting. Mayor Catania and Cr Burns were absent from the Chamber and did not vote on this matter.)

Mayor Catania and Cr Burns returned to the Chamber at 8.46pm. Mayor Catania, assumed the Chair. The Chief Executive Officer advised that the item was carried.

OFFICER RECOMMENDATION:

That the Council NOTES the Investment Report for the month ended 31 December 2010 as detailed in Appendix 9.3.1.

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.

RELEVANT DOCUMENTS:

Attachments:

001 – Investment Report, Tables and Charts.

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

Interest from investments is a significant source of funds for the Town, 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 31 December 2010 were \$19,585,155 compared with \$21,086,506 at 30 November 2010. At 31 December 2009, \$18,774,076 was invested.

Investment comparison table:

	2009-2010	2010-2011
July	\$12,782,999	\$11,109,646
August	\$21,773,889	\$22,184,829
September	\$21,773,889	\$20,084,829
October	\$21,273,889	\$20,084,829
November	\$20,274,076	\$21,086,506
December	\$18,774,076	\$19,585,155

Total accrued interest earned on Investments as at 31 December 2010:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$454,000	\$295,100	\$322,007	70.93
Reserve	\$403,000	\$201,498	\$209,173	51.90

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Funds are invested in accordance with the Town’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 Town performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes, and are excluded from the Financial Statements.

The funds invested have reduced from previous period due to instalment payment to ESL and payments to creditors.

The report comprises of:

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

9.4.4 Local History Advisory Group – Adoption of Advisory Group and Terms of Reference

Ward:	South	Date:	20 January 2011
Precinct:	Oxford Centre	File Ref:	
Attachments:	001 , 002		
Reporting Officers:	E Scott, Manager Library and Local History Centre; J Davidson, Senior Librarian (Local Studies); M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the formation of the Local History Advisory Group and Terms of References as shown in Appendix 9.4.4;*
- (ii) *ADVERTISES for three (3) Community Representatives to be appointed to the Town’s Local History Advisory Group, until 17 October 2011;*
- (iii) *NOTES that a further report will be submitted to the Council to appoint Council Members and Community Representatives, at the conclusion of the advertising period; and*
- (iv) *AUTHORISES the Chief Executive Officer to review all of the Town’s Advisory Groups and their Terms of Reference during 2011, and provide a report to the Council, prior to September 2011.*

Moved Cr Lake, Seconded Cr Topelberg

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

That clause (i) be amended to read as follows:

- “(i) *APPROVES the formation of the Local History Advisory Group and Terms of References as shown in Appendix 9.4.4, subject to the following additional objective being included:*
 - “(e) *the development of interpretive works including but not limited to plaques, signage, publications or artworks.*”;

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

COUNCIL DECISION ITEM 9.4.4

That the Council;

- (i) *APPROVES the formation of the Local History Advisory Group and Terms of References as shown in Appendix 9.4.4, subject to the following additional objective being included:*
 - “(e) *the development of interpretive works including but not limited to plaques, signage, publications or artworks.*”;

- (ii) *ADVERTISES for three (3) Community Representatives to be appointed to the Town's Local History Advisory Group, until 17 October 2011;*
 - (iii) *NOTES that a further report will be submitted to the Council to appoint Council Members and Community Representatives, at the conclusion of the advertising period; and*
 - (iv) *AUTHORISES the Chief Executive Officer to review all of the Town's Advisory Groups and their Terms of Reference during 2011, and provide a report to the Council, prior to September 2011.*
-

PURPOSE OF REPORT:

The purpose of this report is to establish a Local History Advisory Group in the Town of Vincent and to adopt.

RELEVANT DOCUMENTS:

Attachments:

001 – Terms of Reference

002 – Local History Collection Strategic Plan 2002

Tabled for Viewing at the Meeting:

Nil.

BACKGROUND:

At the Ordinary Meeting of Council held on 21 December 2010, the following Notice of Motion was adopted:

“That the Council REQUESTS the Chief Executive Officer to:

- (i) *investigate and report on the formation of a Local History Advisory Group; and*
- (ii) *develop Term of Reference for the proposed Group that includes the following key elements;*
 - (a) *membership of the Group;*
 - (b) *terms of office for the Group;*
 - (c) *meeting procedures for the Group;*
 - (d) *objectives and functions of the Group.*

DETAILS:

The Town's Local History Centre has been recognised by its peers as one of the best in the Centre. The quality and quantity of the collection is without disappointment. The establishment of the group will benefit the Centre by providing Council and community members to be able to promote and market the Local History Centre within the community. This will encourage more community members to participate in the Local History Collection. It will also provide a higher profile for the Centre within the Town.

The Local History Advisory Group will act in an advisory capacity in Local History matters as requested by the Council. The group will also provide further support for the implementation of the key objectives as detailed in the Town of Vincent Local History Collection Strategic Plan and encourage and promote the use of the collection by the community. Terms of Reference are shown in Appendix 9.4.4.

Local History Collection Strategic Plan 2002

This document was not formally adopted by Council but has formed the basis for the objectives of the Local History Centre to date and should be reviewed by the Advisory Group.

CONSULTATION/ADVERTISING:

The positions of Community Representatives will be advertised for a period of 14 days.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Plan for the Future 2009-2014:

Key Result Area Three – Community Development:

“3.1 Enhance and Promote Community Development and Wellbeing.”

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

The Local History Advisory Group will provide an ongoing interest and support for the continued maintenance of the Local History Centre as a valuable asset for the community and the Town’s history. As elections will be held in October 2011, membership of all Councillors and Advisory Groups will cease.

Review of the Town’s Advisory Groups

The following is a list of the current Advisory Groups:

Advisory Group	Date of Adoption	Comments
Aboriginal Liaison Occasional Advisory Group	19 January 1998	Possibly expand to include reconciliation matters.
Art Advisory Group	25 September 1995	Possibly expand to include arts, culture and possibly festivals/events.
Heritage Advisory Group	13 May 1996	-

Advisory Group	Date of Adoption	Comments
Local Area Traffic Management Advisory Group	9 February 1998	Possibly expand to include transport, road safety and parking.
Safer Vincent Crime Prevention Partnership*	27 July 2004	-
Seniors Advisory Group	12 March 2002	-
Sustainability Advisory Group	24 June 2003	-
Town of Vincent Garden Awards Occasional Advisory Group	14 August 1995	-
Town of Vincent Building Design and Conservation Occasional Advisory Group	October 2000	-
Universal Access Advisory Group	12 June 1995	-

* Committee/Advisory Group

The Advisory Groups have been in place since the inception of the Town and have not been comprehensively reviewed for a number of years. It is therefore appropriate to review these. The review will:

1. examine existing Advisory Groups and their Terms of Reference;
2. consider and recommend new Advisory Groups e.g. youth, business liaison/economic development/tourism; and
3. consider and recommend changes to existing Advisory Groups.

The Chief Executive Officer recommends that the Council authorise him to review all of the Council's Advisory Groups during 2011 and provide a report no later than September 2011. This will enable the Council to finalise the matter prior to the Election to be held in October 2011.

9.4.6 Delegations for the Period 1 October 2010 to 31 December 2010

Ward:	Both	Date:	13 January 2011
Precinct:	All	File Ref:	ADM0018
Attachments:	001		
Reporting Officers:	J MacLean, Manager Ranger and Community Safety Services P Morrice, Acting Co-ordinator Statutory Processes		
Checked/Endorsed by:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *ENDORSES the delegations for the period 1 October 2010 to 31 December 2010 as shown at Appendix 9.4.6; and*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to write-off infringement notices/costs to the value of \$34,350 for the reasons as detailed below:*

<u>Description</u>	<u>Amount</u>
<i>Breakdown/Stolen (Proof Produced)</i>	<i>\$620</i>
<i>Details Unknown/Vehicle Mismatched</i>	<i>\$170</i>
<i>Equipment Faulty (Confirmed by Technicians)</i>	<i>\$385</i>
<i>Failure to Display Resident or Visitor Permit</i>	<i>\$14,525</i>
<i>Interstate or Overseas Driver</i>	<i>\$2,040</i>
<i>Ranger/Clerical Error</i>	<i>\$7,230</i>
<i>Signage Incorrect or Insufficient</i>	<i>\$1,475</i>
<i>Ticket Purchased but not Displayed (Valid Ticket Produced)</i>	<i>\$1,320</i>
<i>Other (Financial Hardship, Disability, Police On-duty, etc)</i>	<i>\$5,675</i>
<i>Dog Act</i>	<i>\$700</i>
<i>Pound Fees Modified</i>	<i>\$210</i>
TOTAL	\$34,350

COUNCIL DECISION ITEM 9.4.6

Moved Cr Farrell, Seconded Cr Topelberg

That the recommendation be adopted.

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

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the Town's Administration for the period 1 October 2010 to 31 December 2010 and to obtain the Council's approval to write-off infringement notices.

RELEVANT DOCUMENTS:

Attachments:

001 – Schedule of Quarterly Delegations.

Tabled for Viewing at the Meeting:

Nil.

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.

The next most prevalent withdrawal class is that of "*Ranger/Clerical Error*"; however, it should be noted that in most cases the infringement notices were reissued to the offending vehicle, on the spot, when the error was identified. It should also be noted that the Town has engaged a number of new Temporary Rangers, in the past few months.

ADVERTISING/CONSULTATION:

Not applicable.

LEGAL/POLICY:

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the CEO the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a CEO to further delegate to an employee of the Town; and states that the CEO 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 Town's Administration. A copy of these for the quarter is shown at Appendix 9.4.6.

RISK MANAGEMENT IMPLICATIONS:

Low: It is a statutory requirement to report matters approved under Delegated Authority to the Council.

STRATEGIC IMPLICATIONS:

The above is in accordance with Strategic Objective 4.1.2 of the Town of Vincent Strategic Plan 2009-2014: *“Manage the organisation in a responsible, efficient and accountable manner.”*

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.

The details of the Infringement Notices are as follows:

<u>Description</u>	<u>Amount</u>
Breakdown/Stolen (Proof Produced)	\$620
Details Unknown/Vehicle Mismatched	\$170
Equipment Faulty (Confirmed by Technicians)	\$385
Failure to Display Resident or Visitor Permit	\$14,525
Interstate or Overseas Driver	\$2,040
Ranger/Clerical Error	\$7,230
Signage Incorrect or Insufficient	\$1,475
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$1,320
Other (Financial Hardship, Disability, Police On-duty, etc)	\$5,675
Dog Act	\$700
Pound Fees Modified	\$210
TOTAL	\$34,350

COMMENTS:

It is recommended that the delegations be endorsed by the Council and the write-off of 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

13.1 URGENT BUSINESS: Donation - Lord Mayor's Distress Relief Fund - Perth Hills Fire and Secondment to Queensland to assist in Flood Recovery

Ward:	-	Date:	8 February 2011
Precinct:	-	File Ref:	FIN0008
Attachments:	-		
Reporting Officer:	Manuela McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES a donation of \$3,000 (three thousand dollars) to the Lord Mayor's Distress Relief Fund - "Perth Hills Fire" in accordance with the Town's Policy No. 4.1.27 - "Disaster Appeals - Donations and Assistance"; and*
- (ii) *NOTES that the Chief Executive Officer has authorised the deployment of the Manager Ranger & Community Safety Services, Mr Jim MacLean and the Co-ordinator Safer Vincent, Mr Michael Wood, to Queensland from Saturday 12 February 2011 to Friday 18 February 2011, to assist in disaster relief operations.*

COUNCIL DECISION ITEM 13.1

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Cr Harvey was an apology for the meeting.)

PURPOSE OF REPORT:

To approve of a donation to the Lord Mayor's Distress Relief Fund - "Perth Hills Fire" to support the victims of the fire.

BACKGROUND:

The Lord Mayor's Distress Relief Fund (LMDRF) has been activated for the third time this summer, to assist the community suffering as a result of fierce fires that swept through parts of the Perth Hills over the weekend of 5-6 February 2011.

One of WA's most destructive fires in 50 years has completely razed more than 68 buildings, damaged at least another 30 houses and left dozens of people homeless. Luckily, no loss of life has been reported and injuries have been minimal.

DETAILS:

The Lord Mayor's Distress Relief Fund (LMDRF) is the recognised state emergency fund. It provides relief for personal hardship and distress arising from natural disasters occurring within Western Australia.

"Lord Mayor Lisa Scaffidi said she was shocked by the sudden and devastating impact of the fires and extensive loss and damage to property. Early estimates put the number of homes lost at more than 60."

440 hectares have been burnt at Kelmscott and Roleystone.

The Premier, Hon Colin Barnett, has declared the Perth Hills fire zone a natural disaster and confirmed that the State Government would be providing immediate financial assistance to the families whose homes had been destroyed by the fires.

On a positive note, more than 40 wildlife volunteers joined the Department of the Environment and Conservation (DEC) in an attempt to save Carnaby's Black Cockatoos at the Kaarakin Black Cockatoo Rehabilitation Centre in Martin. The birds were rounded up and placed in boxes as the fire front approached. Happily, the northern line of the fire was contained by twelve DEC trucks *"that appeared from nowhere"* and the birds did not need to be moved. A hotline has also been set up for anyone needing to report injured wildlife.

Offer of Assistance

The Town's Chief Executive Officer has also been in contact with the Chief Executive Officers of the Cities of Armadale and Swan and offered the Town's support and assistance. Thankfully, at this stage, assistance is not required, however financial donations are most welcome.

Deployment to Queensland

On 10 January 2011, the Council approved, under Delegated Authority, an amount of \$6,158 to be made to the Queensland Premier's Disaster Relief Appeal Fund "Queensland Floods". Subsequently, the Fire and Emergency Services Authority (FESA) of Western Australia contacted the Town to advise that they were requesting the release of suitably qualified and experienced emergency services personnel in Western Australia to assist in the Flood Relief Operations.

The Town's Chief Executive Officer approved of the secondment request, subject to confirmation of details. Both the Manager Ranger & Community Safety Services, Jim MacLean and Co-ordinator Safer Vincent, Michael Wood are experienced State Emergency Services (SES) Officers, with considerable experience in disaster management.

On 8 February 2011, the Chief Executive Officer authorised the deployment of Jim MacLean and Michael Wood to Queensland from Saturday 12 February 2011 to Friday 18 February 2011, to assist in disaster relief operations.

FESA advised that approximately ten (10) SES personnel will be sent to either Cairns, Tully or Townsville. The secondment will be at no cost to the Town, who will continue to pay both employees' wages in accordance with the Council's Human Resources Policy No. 5.7.2 - "Community Service Leave" - the Council's Policy reflects Section 108 and 109 of the Fair Work Act 2009, which entitles an employee "who engages in eligible community service activities." Community Services includes "jury duty, voluntary emergency activities dealing with a natural disaster..." and the like to be released from work, with no loss of pay or benefits.

Previous Donations

The Town of Vincent has previously provided donations for disaster relief as follows:

Date	Details	Amount
January 1998	Lord Mayor's Distress Relief Fund for the Brookton/Pingelly Bush Fire	\$ 500
April 1999	<ul style="list-style-type: none"> • Lord Mayor's Moora Flood Appeal • Lord Mayor's Exmouth Cyclone Appeal 	\$ 1,000 \$ 1,000
November 2002	Lord Mayor's Distress Relief Fund for the Victims of the Bali Bombing	\$ 5,000
January 2005	Tsunami Appeal to CARE Australia	\$ 5,000
November 2005	Earthquake Relief Appeal - Afghanistan, India, Pakistan and Kashmir	\$ 2,500
March 2006	Lord Mayor's Distress Disaster Relief Fund (<i>General request for Donations</i>)	\$ 500
April 2006	Premier's Disaster Relief Appeal Fund for the communities affected by Cyclone Larry in North Queensland	\$ 2,500
June 2006	Australian Red Cross - Indonesian Earthquake Appeal Fund	\$ 2,000
February 2007	Lord Mayor's Disaster Relief Fund – Dwellingup Fires Appeal	\$ 2,500
May 2008	CARE Australia – Myanmar (Burma) Cyclone Nargis Appeal	\$ 3,500
May 2008	Australian Red Cross - China Sichuan Earthquake Appeal 2008	\$ 3,500
February 2009	Australian Red Cross - Victorian Bushfire Appeal 2009	\$10,000
April 2009	Italian Earthquake Appeal 2009	\$ 3,000
December 2009	Bushfires Appeal 2009 - Toodyay	\$ 3,000
January 2010	World Vision Australia - Haiti Earthquake Appeal 2010	\$ 5,950
August 2010	Australian Red Cross - Pakistan Monsoon Floods Appeal 2010	\$ 6,158
December 2010	Lord Mayor's Disaster Relief Fund - Gascoyne and Mid West Floods Appeal	\$ 3,000
January 2011	Queensland Premier's Disaster Relief Appeal Fund - Queensland Floods	\$ 6,158
January 2011	Red Cross Victorian Flood Relief Appeal	\$ 3,000

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Town's Policy No. 4.1.27 - "Disaster Appeals - Donations and Assistance" (in part) states;

"OBJECTIVES

To provide guidance to the Council when considering requests for the provision of financial assistance and other support to alleviate the impact of disasters and other significant emergencies.

POLICY STATEMENT

1. *Council to Approve Requests*

All requests to provide financial assistance and other support to alleviate the impact of disasters and other significant emergencies shall be in response to an appeal launched by the Federal, State, Local Government or other bona fide agency and shall be reported to the Council for consideration and determination.

2. *Financial Support*

- (a) Financial support shall be limited to a maximum of \$6,158 to any one disaster or other significant emergency appeal.*
- (b) In the event of more than one relief organisation/agency being involved in the Disaster Appeal, the Council shall determine the most appropriate relief organisation to receive the support.*
- (c) Financial support will only be made to approved agencies/organisations and cash donations will not be made directly to individuals.*

3. *Non-financial Support*

The Council will consider support, other than financial, which includes but is not limited to:

- (a) the provision and use of the Town's resources, machinery, vehicles, equipment for disasters which occur within Australia;*
- (b) the use of the Town's buildings and facilities for emergency accommodation and other approved purposes;*
- (c) support for employees with professional expertise who wish to assist in the disaster by releasing the person on payment of their current salary and conditions, assistance to travel costs and incidental costs, provision of emergency clothing, equipment and the like which is necessary for the duration of the employees absence to a maximum of \$6,158 (Indexed by CPI on 1 July of each year – includes 2010 increase);*
- (d) the use of Town as a receiving agent for any donations by the public; and*
- (e) any other bona fide requests which may arise from a disaster or emergency."*

STRATEGIC IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$3,000 (three thousand dollars) would be expended from the Donation Account 2010-2011. In view of the high number of donations made, the Donations Account will show an over-expenditure. This matter will be considered at the Town's mid-year Budget Review.

COMMENTS:

The donation is in accordance with the Town's Policy. Whilst it is always difficult to quantify a donation in terms of dollars/victims, the damage caused to the area is substantial. Therefore, a donation of \$3,000 is considered appropriate.

The deployment of two of the Town's employees will in some way assist in the recovery process, following the devastating floods in Queensland.

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, Mayor Nick Catania, declared the meeting closed at 8.50pm with the following persons present:

- | | |
|---------------------------------------|--|
| Mayor Nick Catania, JP | Presiding Member |
| Cr Matt Buckels | North Ward |
| Cr Anka Burns | South Ward |
| Cr Steed Farrell | North Ward |
| Cr Sally Lake (<i>Deputy Mayor</i>) | South Ward |
| Cr Warren McGrath | South Ward |
| Cr Dudley Maier | North Ward |
| Cr Joshua Topelberg | South Ward |
| John Giorgi, JP | Chief Executive Officer |
| Rob Boardman | Director Development Services |
| Rick Lotznicker | Director Technical Services |
| Mike Rootsey | Director Corporate Services |
| Anita Radici | Executive Assistant (Minutes Secretary) |
| Lauren Peden | Journalist – “ <i>The Guardian Express</i> ” |

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 February 2011.

Signed:Presiding Member
Mayor Nick Catania

Dated this day of 2011