



## TOWN OF VINCENT

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

8 MARCH 2011

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Nil. 52
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Nil. 52
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Nil. 52
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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 March 2011, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.05pm.

**2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE**

**(a) Apologies:**

Cr Taryn Harvey - apology due to family commitments.  
Cr Anka Burns - apology due to family commitments.  
Cr Warren McGrath - apology - arriving late due to work commitments.  
Mike Rootsey, Director Corporate Services - apology due to attendance at a conference on behalf of the Council.

**(b) Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Steed Farrell	North Ward
Cr Sally Lake ( <i>Deputy Mayor</i> )	South Ward
Cr Warren McGrath	South Ward (from 6.07pm)
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
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
2 Members of the Public	

**(c) Members on Approved Leave of Absence:**

Nil.

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

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

1. Lyn Hudson of 24 Burt Street, Mt Lawley – Item 9.1.3. Stated the following:
  - Has resided on Burt Street for 22 years, opposite No. 17.
  - Understands the City of Perth approved of 4 brick buildings to be used as a warehouse.
  - Over the last 10 years or so they have observed the change of use.
  - Believed this item to be on the Agenda largely due to complaints by her and neighbours.
  - Have had nothing but trouble from No. 17, which has been used as Art Studios. However they have had many cars going up and down the street beeping horns and creating noise.

- No. 17 is not used from 9am-5pm during the week – it is often used up until midnight, which results in noise issues, car doors slamming, people parking across their driveway and multiple shipping containers in the street.
- Cannot see any benefit of the approval.
- Believed when the property was purchased they well aware of the use.
- In the last 5-10 years this has been used as a commercial building.
- It is in the middle of a residential street and should not be allowed.

**Cr McGrath entered the Chamber at 6.07pm.**

**The Presiding Member, Mayor Nick Catania asked whether Ms Hudson believed the current use to be Art Studio or Art Gallery.**

Ms Hudson stated:

- It is 4 brick buildings being used in all different uses not an Art Gallery. A couple of years ago it was an Art Studio for primary school students cause traffic and noise problems. It has also been used by an IT Consultant, Accountant, by a community group of up to 30 people which she has in writing and by almost a “feral” sort of an art group.
  - There is always rubbish in the street and wheelie bins are never taken in they are on the street week after week.
  - Seems to them that there is no care or responsible about this “dogs breakfast”.
  - Their sleeping and access to their property has been ruined by this.
2. Brian Hunt of 61 Memorial Avenue, Baskerville – Item 9.1.3. Stated the following:
- Has no ownership involvement with the property – he is a planning consultant.
  - Is not in a position to dispute anything said by the previous speaker.
  - One of the units was used by what he understands to be an “inventors club”, whereby a large group of people did have access and did come possible at all hours however, this group has ceased and no longer utilises the building.
  - There is an Artist at one end of the group of buildings and at all times he has visited (which is not extensive) has been that she has been working alone.
  - To some extent, he is reliant on advice he receives from others.
  - The 2 spaces in the middle are used for warehousing and one would have created the incident with the container. He was advised of at least one container (however is not disputing that there may be others) came to disgorge furniture and was then removed. However, there are some circumstances where he has been advised that the collection did not happen as appropriately as it should have.
  - The end unit in the group is occupied by people who do external computer consultancy they do not bring clients to the building, they go to them.
  - It appears to him that the fact that this has been brought to the Council’s attention and it is being acted on, bringing it into some kind of more regulatory structure can only be helpful, especially as he considers that the uses that are now being requested is a fundamental aspect of the non-conforming use.

There being no further speakers, Public Question Time closed at approx. 6.15pm.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Minutes of the Ordinary Meeting of Council held on 22 February 2011.

**Moved Cr Farrell, Seconded Cr Maier**

*That the Minutes of the Ordinary Meeting of Council held 22 February 2011 be confirmed as a true and correct record.*

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

Nil.

**8. DECLARATIONS OF INTERESTS**

8.1 Cr Lake declared an Impartiality interest in Item 9.3.1 – Proposed Oktoberfest 2011 - Medibank Stadium - Approval in Principle. The extent of her interest being that a near neighbour is one of the applicants. Cr Lake stated that as a consequence, there may be a perception that her impartiality on the matter may be affected. Cr Lake declared that she will consider the matter on its merits and vote accordingly.

8.2 Cr Maier declared an Impartiality interest in Item 9.3.1 – Proposed Oktoberfest 2011 - Medibank Stadium - Approval in Principle. The extent of his interest being that he is a close neighbour of one of the applicants. Cr Maier stated that as a consequence, there may be a perception that his impartiality on the matter may be affected. Cr Maier declared that he will consider the matter on its merits and vote accordingly.

**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:**

Item 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:**

Items 9.2.3, 9.2.4 and 9.4.4.

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

Nil.

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	Item 9.1.4.
Cr Buckels	Nil.
Cr McGrath	Nil.
Cr Lake	Nil.
Cr Maier	Items 9.2.1 and 9.2.2.
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 9.1.1, 9.1.2, 9.3.1, 9.4.1, 9.4.2, 9.4.3 and 9.4.5.

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

Nil.

**New Order of Business:**

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

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

Items 9.1.1, 9.1.2, 9.3.1, 9.4.1, 9.4.2, 9.4.3 and 9.4.5.

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

Item 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 Farrell, Seconded Cr Lake**

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

***Items 9.1.1, 9.1.2, 9.3.1, 9.4.1, 9.4.2, 9.4.3 and 9.4.5.***

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**9.1.1 Review of Town of Vincent Town Planning Scheme No. 2 – Progress Report No. 12**

<b>Ward:</b>	Both	<b>Date:</b>	23 February 2011
<b>Precinct:</b>	All	<b>File Ref:</b>	PLA0140
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Marie; Planning Officer (Strategic) S Kendall; Senior Strategic and Heritage Officer		
<b>Responsible Officer:</b>	R Boardman; Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the quotation submitted by Syme Marmion and Co at a cost of \$26,100, as being the preferred consultant to carry out the Peer Review of the Draft Town Planning Scheme No. 2 and associated documentation.*

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval to appoint a consultant to review the Draft Town Planning Scheme No. 2 and associated documentation.

**BACKGROUND:**

21 December 2010 At its Ordinary Meeting the Council considered Progress Report No. 11 on the Review of Town of Vincent Town Planning Scheme No. 1. At this meeting, the Council authorised the Chief Executive Officer to obtain quotations for the Peer Review of the Draft Town Planning Scheme No. 2 and associated documentation.

**DETAILS:**

The Town called for quotations for the Peer Review of the Draft Town Planning Scheme No. 2 and associated documentation, which includes:

- the draft Local Planning Strategy;
- the draft Town Planning Scheme No. 2 Text and Maps; and
- the draft Precinct Policies.

The purpose of the Peer Review is to ensure the Town's planning framework is consistent with the broader strategic direction for growth as outlined by the State Government and to reflect the community's vision for growth and change into the future. More specifically the preferred consultant is to critique and highlight the:

1. Comprehensiveness and relevance of research undertaken;
2. Comprehensiveness of analysis of research and identification of all relevant State and local planning issues;
3. Suitability and adequacy of recommendations based on above research and analysis; and
4. Suitability and adequacy steps/action taken to ensure the fruition of the recommendations.

The request for quotations closed at 5:00pm on Friday 4 February 2011. A total of 12 companies submitted a quotation, as follows:

Ranking	Consultancies	Price (Inc GST)	Score
1	Syme Marmion and Co	\$26,100	82
2	TPG Town Planning and Urban Design	\$61,262	81
3	Aurecon	\$22,154	77
4	Hames Sharley	\$59,213	76
5	Urbis	\$29,073	75
6	Land Insights	\$42,372	71
7	Cardno	\$26,070	70
8	RPS	\$25,228.50	68
9	Burgess Design Group	\$32,917.50	65
10	Greg Rowe and Associates	\$86,696	60
11	Masterplan	\$36,938	59
12	Whelans	\$44,259	54

### Evaluation Criteria

The Evaluation Criteria for the quotations were based on the requirements of Section No. 10 of the Peer Review Project Brief relating to Quotation Requirements.

Criteria	%
<b>1.1 Relevant experience and expertise</b> <ul style="list-style-type: none"> <li>• Demonstrated understanding and detailed knowledge of the State Planning Framework, including the Model Scheme Text, Directions 2031, and the State Planning Policies.</li> </ul>	<b>20%</b>
<b>1.2 Methodology</b> <ul style="list-style-type: none"> <li>• Proposed methodology is thought out and all proposed elements are considered to be value adding to ensure a comprehensive and thorough review.</li> <li>• Proposed methodology demonstrates that the project will be completed on time and within budget.</li> </ul>	<b>20%</b>
<b>1.3 Relevant experience, expertise and project team</b> <ul style="list-style-type: none"> <li>• experience, expertise and project team.</li> <li>• role and credentials of the key person(s) in the provision of the service (i.e. formal qualifications and experience).</li> <li>• ongoing availability to provide sufficient skilled persons capable of performing the tasks consistent with the required standards.</li> <li>• Demonstrated experience in projects of a similar nature, particularly in WA.</li> </ul>	<b>20%</b>

Criteria	%
1.4 <b>History and Viability of Organisation</b> <ul style="list-style-type: none"><li>• Includes comments received from referees.</li></ul>	<b>20%</b>
1.5 <b>Fee Proposal</b> <ul style="list-style-type: none"><li>• Represents the "<i>best value</i>" for money.</li><li>• Application of a reasonable fee structure in proportion to the service and relevant actions provided.</li></ul>	<b>20%</b>
<b>TOTAL</b>	<b>100%</b>

### Evaluation

The quotations received were of a high calibre, with the key variations between the quotations relating to the proposed methodologies and the demonstrated understanding and detailed knowledge of the State Planning Framework.

Based on the evaluation criteria, consultants Syme Marmion and Co received the highest score and have subsequently been recommended as the preferred consultant. Syme Marmion and Co are considered highly qualified to undertake the Peer Review for the following reasons:

- the project team has an extensive range of expertise not only in relation to architecture, urban design and statutory and strategic planning but also in economic analysis and development and policy analysis, preparation and review;
- the consultants have had involvement with inner-city development authorities and Local Governments and therefore have an understanding of the complexities of inner-city regeneration and development;
- the consultants have demonstrated a great deal of experience working with Local Government Authorities and being involved in State Government Planning Policy Development;
- the methodology proposed is comprehensive, well structured and supports the Town's requirements; and
- the consultants demonstrated the best value for money and falls within the Budget allocation for the *Review of the Town Planning Scheme* for the 2010/11 financial year.

### CONSULTATION/ADVERTISING:

Invitations to quote for the Peer Review were sent out on 30 December 2010, with the closing date for submissions being Friday 4 February 2011.

In addition, an advertisement was placed on the Town's website and in the *Guardian Express* newspaper, inviting quotations for Peer Review.

### LEGAL/POLICY:

Town Planning Scheme No. 1 and Associated Policies.

### RISK MANAGEMENT IMPLICATIONS:

**Medium:** Peer review of the draft Town Planning Scheme will provide feedback on the work undertaken to date.

**STRATEGIC IMPLICATIONS:**

Town of Vincent Strategic Plan 2009 -2014 states:

- '1. *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:**

The Draft Town Planning Scheme No. 2 Text and Maps, LPS and local Planning Policies have been developed to be considerate of the key principles of sustainability.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2010/11 Budget contains an amount of \$58,200 for the Review of the Town Planning Scheme.

**COMMENTS:**

As outlined in the 'Details' section of this report, it is considered appropriate to secure the services of Syme Marmion and Co to undertake the Peer Review of the Draft Town Planning Scheme No. 2 and associated documentation. Accordingly, it is recommended that the Council adopt the Officer Recommendation to enable the commencement of the Peer Review.

**9.1.2 No. 3 (Lot 15; D/P: 1149) Scott Street, Leederville - Proposed Construction of Grouped Dwelling and Carport Addition to Existing Single House**

<b>Ward:</b>	South Ward	<b>Date:</b>	23 February 2011
<b>Precinct:</b>	Leederville Precinct;P3	<b>File Ref:</b>	PRO5279; 5.2010.625.1
<b>Attachments:</b>	<a href="#">001</a> - Property Information Report, Development Application and Plans		
<b>Tabled Items</b>	Nil		
<b>Reporting Officer:</b>	T Cappellucci, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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 M J Palermo on behalf of the owner M J Palermo for proposed Construction of Grouped Dwelling and Carport Addition to Existing Single House, at No. 3 (Lot 15; D/P: 1149) Scott Street, Leederville, and as shown on plans stamp-dated 14 January 2011, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners and the like, shall not be visible from the street(s), are designed integrally with the building and be located so as not to be visually obtrusive from Scott Street;*
- (ii) *any new street/front wall, fence and gate within the Scott 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;*
- (iii) *first obtaining the consent of the owners of Nos. 1A & 3 Scott Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 1A & 3 Scott Street in a good and clean condition;*
- (iv) *no street verge tree(s) shall be removed. The street verge tree(s) shall be retained and protected from any damage including unauthorized pruning;*
- (v) *the double carport gates proposed for the existing single house are not to open onto the adjoining footpath area along Scott Street;*
- (vi) *the carport to the existing single house shall be one hundred (100) per cent open on all sides and at all times (open style gates/panels with a visual permeability of eighty (80) per cent are permitted), except where it abuts the main building walls of the existing single house;*
- (vii) *the driveway for the new grouped dwelling is for the exclusive use of the rear unit;*
- (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 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) *waste management and materials re-use;*
- (8) *parking arrangements for contractors and subcontractors;*
- (9) *Consultation Plan with nearby properties; and*
- (10) *any other matters deemed appropriate by the Town; and*

(b) **Landscaping and Reticulation Plan**

*A detailed landscape and irrigation 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 and such method;*
- (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 plants (indicating details of materials to be used).*

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

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

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**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

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<b>Landowner:</b>	M J Palermo
<b>Applicant:</b>	M J Palermo
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	607 square metres
<b>Access to Right of Way</b>	Not Applicable

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination as it involves a minimum site area variation. In this instance however, an absolute majority decision is not required due to the proposed minimum site area for the rear lot having a reduced minimum site area variation of less than 5 percent as permitted in the R-Codes.

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves the construction of a new grouped dwelling to the rear of an existing single house, as well as a carport addition to the existing single house.

The new dwelling has been designed so that the lots can be subdivided into a battleaxe arrangement; therefore, two (2) crossovers, one (1) for the existing single house and one (1) for the proposed battleaxe dwelling are acceptable.

The proposed new grouped dwelling for the rear lot has a total land area of 390 square metres, which is 10 square metres short of the minimum allowed for a R40 battleaxe dwelling of 400 square metres.

**COMPLIANCE:**

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<b>Minimum Site Area:</b>	Rear Lot = 400 square metres for battleaxe site	390 square metres
<i>Officer Comments:</i>		
Supported – See “Comments” below.		
<b>Building Setbacks:</b> <i>Ground Floor</i>		
- South	1.5 metres	Nil – 1.65 metres
- North	1.5 metres	1 metre
<i>Officer Comments:</i>		
Supported – No objections received from directly affected neighbours during the consultation period and not considered to have an undue impact on the neighbouring properties.		
<b>Building Setbacks:</b> <i>Upper Floor</i>		
- South	2.1 metres	1.2 metres – 2.1 metres
<i>Officer Comments:</i>		
Supported - Not considered to have an undue impact on the neighbouring property as the elevation is considered to achieve the objectives of articulation as varying setbacks and materials have been proposed in this elevation.		
<b>Buildings on Boundary:</b>	Walls not higher than 3.5 metres with average of 3 metres for 2/3 (16.86 metres) of the length of the balance of the boundary behind the front setback, to one side boundary.	- South Wall Height = 3.3 metres; Wall Length = 13.9 metres.
<i>Officer Comments:</i>		
Supported – No objections received from affected land owner and two (2) parapet walls on the southern boundary do not result in any undue amenity impacts on the adjoining southern boundary property.		
<b>Open Space:</b>	45 per cent of site area	Lot 1 = 38 percent Lot 2 = 54 percent  Overall open space = 48 percent
<i>Officer Comments:</i>		
Supported – See “Comments” below.		

Consultation Submissions		
Item	Comments Received	Officer Comments
Support (0)	Nil.	Noted.
Objection (0)	Nil.	Noted.

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

**COMMENTS:**

**Minimum Site Area**

The zoning of the subject site and the surrounding area is Residential R40. The required minimum lot area for a battleaxe lot therefore is 400 square metres. The proposed rear battleaxe lot is 390 square metres. Under Clause 6.1.3 of the Residential Design Codes in relation to 'Variation to the minimum site area requirements', the performance criteria states the following:

*"The WAPC or a council may approve the creation of a survey strata lot or strata lot for a single house or a grouped dwelling of a lesser minimum site area than that specified in table 1 provided that the variation would meet the following criteria:*

- *be no more than five per cent less in area than that specified in table 1; and*
- *facilitate the retention of a significant element that contributes toward an existing streetscape worthy of retention."*

In this instance, given the area of the subject battleaxe lot is 390 square metres, it would comply with the above-mentioned R-Codes requirement as the site area proposed is 2.5 per cent less in area than the minimum battleaxe lot area allowed of 400 square metres. In addition, given the variation to the minimum battleaxe area for the rear dwelling exists mainly because of the retention of the existing front single house, as the normal access leg width required is 4 metres, reduced to 3.1 metres as part of this proposal for the exclusive use of the rear dwelling only, this variation is supported.

**Open Space**

The proposed open space for the site is 38 percent for Lot 1 (existing single house) and 54 percent for Lot 2 (proposed rear battleaxe dwelling), with an overall open space of 48 percent for the whole site. The open space variation for the existing single house, 38 percent in lieu of the required 45 percent for the lot, is not considered to have an undue impact on the surrounding area and the amenity of the residents, as the proposal demonstrates significant compliance with the performance criteria for open space provision as stated in the R Codes.

The R Codes suggest that a variation to open space can be considered if there is sufficient open space around buildings to complement the building, to allow attractive streetscapes and to suit the future needs of residents, having regard to the type and density of the dwelling. In this instance, the proposed open space complements the building, and allows for the continuation of an attractive streetscape, given the outdoor living area of the subject front single house is located within the front setback and is much larger than the required 16 square metres for both dwellings. In addition, the site is within close proximity to local parks and regional reserves.

In light of the comments above, it is recommended the Council approves the application.

**9.3.1 Proposed Oktoberfest 2011 - Medibank Stadium - Approval in Principle**

<b>Ward:</b>	South	<b>Date:</b>	21 February 2011
<b>Precinct:</b>	Oxford Centre(4)	<b>File Ref:</b>	RES0071
<b>Attachments:</b>	<a href="#">001</a> – Proposed Consultation Area		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **APPROVES IN PRINCIPLE** the Subiaco Football Club, Eating WA and Watch This Space Management to hold “Oktoberfest” at Medibank Stadium from 1pm to 10pm on Sunday, 23 October 2011, subject to:
- (a) *the payment of event fees as listed in the report which will be levied to the organisers for the costs of venue hire and as listed in the 2010/11 Fees and Charges Schedule;*
  - (b) *an event bond of \$3,000 being retained by the Town as security for any damage to or clean-up of the venue and surrounds;*
  - (c) *a noise bond of \$20,000 being retained by the Town as security to ensure compliance with the Regulation 18 Noise Exemption Approval that would be required for the event;*
  - (d) *suitable traffic, risk, noise and event management/site plans being submitted to the Town at least one (1) month prior to the event at the expense of the organisers;*
  - (e) *the event organisers shall hold current a policy of insurance for Public Liability for an amount of not less than \$20,000,000 (twenty million dollars) for the event;*
  - (f) *the event organisers indemnifying the Council against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the sponsored event, regardless of the cause;*
  - (g) *the event organisers, are to full comply with conditions of use and fees being imposed including Environmental Health and other conditions; and*
  - (h) *the event organisers shall ensure full compliance with the Town's Policy 3.8.3 Concerts and Event;*
- (ii) **REQUESTS** the Organiser to carry out consultation with community seeking public comment, to the area shown in Appendix 9.3.1, for a period of fourteen (14) days, to the satisfaction of the Chief Executive Officer; and

(iii) *after the expiry of the period of submissions:*

- (a) *FURTHER considers the application having regard to any written submissions; and*
  - (b) *DETERMINES to proceed with, or not to proceed with, the application, with or without amendment.*
- 

### **COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

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### **PURPOSE OF REPORT:**

To obtain the Council's approval for the Subiaco Football Club, Eating WA and Watch This Space Management to organise "Oktoberfest" at Medibank Stadium from 1pm to 10pm on Sunday 23 October 2011.

### **BACKGROUND:**

The "Münchner Oktoberfest", or as the local Bavarians refer to it, "Die Wiesn" is the single biggest and most prestigious fair in the world that takes place in Munich. However, it is also one the most traditional fairs in the world and gives the visitor a good insight on the mixture between 21st century modern Germany and ancient Bavarian culture and customs. Probably the best resemblance for that, are the "Dirndls" (traditional dress) and the "Lederhosn" (leather shorts). They are age-old traditional clothes worn by old Oktoberfest veterans as well as by teenagers. These clothes are deeply rooted in the Bavarian culture and also stand for a certain way of life which is unique in the entire world.

Oktoberfest has been organised in Perth, at the Paddington Ale House in 2008 and 2009, and on Aberdeen Street in conjunction with the Deen Hotel in 2010. These events have been well patronised, with numbers increasing each year, so much so that the event has outgrown the previous venues. The organisers believe the open air venue, with marquees offers a great opportunity to expand this event and provide a fun event for people over 18 years of age. The core demographic over the last few years has been 25 to 45 year olds.

### **DETAILS:**

The event organiser's goal is to host Oktoberfest in the Town of Vincent for at least the next 3 years, and believe that this will promote the Town of Vincent as well as provide a fun and safe environment to be enjoyed by the community.

The main objective of the event is to attract 5,000 to 10,000 people to Leederville to enjoy a cultural festival to showcase Perth's music, food and beer, as well as German folk dancing, music and entertainment. Medibank Stadium Oval will be adorned with marquees similar to the halls of the Munich "Oktoberfest", with different areas dedicated to food, German Song and Dance, games, current bands and music, areas for Beer Tastings, and areas for relaxing with friends. Previous year's events have seen about 60 % of the patrons dressing up in German and Bavarian traditional outfits to enhance the event's sense of fun and enjoyment.

The event organisers propose to will have designated licensed areas subject to the approval of the Department of Racing, Gaming and Liquor. The event will be provided with an appropriate number of security personnel. The responsible service of alcohol and drinking will be monitored by the licensed security team, and bar managers. Being an 18+ event, identification checks will be carried out as the ticket holders are entering the ground.

The tickets will be priced at \$50 per person and will include fares for public transport. Each ticket holder will be encouraged to get to and from the event via the public transport network.

The Town's internal working group for external events that has been dealing with other external events in the Town such as the Hyde Park Fair, shall determine a management plan ensuring compliance with conditions imposed and coordinate the event from the perspective of the Town with the following representatives:

- Manager Community Development (Chairperson);
- Manager Parks Services;
- Manager Ranger Services and Community Safety;
- Manager Health Services;
- WA Police Service;
- plus representatives from the organising committee.

The working group has had a preliminary meeting with the event organisers to gather information on previous events as well as determine the organiser's plans for the event in 2011. In principle, support is given, subject to community consultation.

#### **Consultation Required**

The Council's Policy No. 4.1.19 states:

*"That:*

1. *no Town controlled facility be used for any purpose other than its primary designed use, without the prior approval of the Council;*
2. *any Organiser proposing to conduct a function or event (at the Town owned facility) which is likely to adversely impact on residents and ratepayers in the immediate vicinity, shall carry out community consultation, at no cost to the Town, to the satisfaction of the Chief Executive Officer;*
3. *the Council shall give due consideration to the outcome of the community consultation, prior to granting approval for any functions or events."*

#### **CONSULTATION/ADVERTISING:**

The event organisers will be:

- (a) required to carry out community consultation in accordance with Policy No. 4.1.19; and
- (b) encouraged to engage in a comprehensive promotional strategy for the event which includes advertising in both community newspapers, street banners, letter drop to residents and flyers/posters and possible use of social networking pages.

The proposed consultation area is shown in Appendix 9.3.1, attached to this report.

#### **LEGAL/POLICY:**

Policy 3.8.3 Concerts and Events;

Policy 1.1.5 Donations, Sponsorship & Waiving of Fees and Charges; and

Policy 4.1.19 Council Facility – Use other than Primary Designated Purpose.

**RISK MANAGEMENT IMPLICATIONS:**

The event organisers shall hold current a policy of insurance for Public Liability for an amount of not less than \$20,000,000 (twenty million dollars) for the event. A copy of the current certificate is to be provided to Council at least 10 (ten) days before the commencement of the event.

The event organisers shall indemnify the Council against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the sponsored event, regardless of the cause.

A risk management plan will be required of the event organisers which will need to be submitted to the Town at least two (2) months prior to the event.

**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 event is to provide for a unique cultural event in the Leederville area, it would also be an excellent opportunity to promote environmental/sustainability initiatives as part of the programme of events offered, as has been done in the events organised by the Town.

**FINANCIAL/BUDGET IMPLICATIONS:**

Tickets for the event will be approximately \$50 per person.

The fees associated for the event which will be payable to the Town are as follows:

- \$2,500 per day;
- \$140 per hour for lights;
- \$200 Administration Fee;
- \$3,000 Refundable Bond; and
- \$20,000 Refundable Noise Bond.

**COMMENTS:**

The Oktoberfest event held in previous years has been successful with no reported problems or issues. The event is a popular one in the community's social calendar and the unique annual celebration will enhance Leederville as a vibrant cultural hub in the Town.

Accordingly, the application is supported in principle and it is recommended that the Council approval in principle the application and request the Organiser to carry out community consultation. A further report will be submitted after the close of community consultation period.

**9.4.1 Use of the Council's Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	28 February 2011
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council NOTES the use of the Council's Common Seal on the documents listed in the report, for the month of February 2010.*

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr Burns and Cr Harvey were apologies 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:

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
03/02/2011	Contract of Employment	3	Town of Vincent and Manager Beatty Park Leisure Centre - <i>For a Term of five (5) years commencing 2/10/11</i>
08/02/2011	Deed of Covenant	3	Town of Vincent and Q Tho To and T Phuong Nguyen of 222 Charles Street, North Perth re: No. 1 (Lot 1: D/P 580) Irene Street - Proposed Demolition of Existing Single House and Construction of Two, Two-Storey Grouped Dwellings - <i>To satisfy conditional approval of the Ordinary Meeting of Council held on 16/12/08</i>
09/02/2011	Contract Documents	2	Town of Vincent and Mr G E Ratchford re: Unit 20, Leederville Gardens Retirement Estate

Date	Document	No of copies	Details
09/02/2011	Contract Documents	2	Town of Vincent and Mrs M J Balinski re: Unit 28, Leederville Gardens Retirement Estate
15/02/2011	Licence Application	1	Town of Vincent and Department of Water, Swan Avon Region, 7 Ellam Street, Victoria Park WA 6100 re: Beatty Park Leisure Centre Project - Hot Sedimentary Aquifer (HAS) Geothermal Water Supply - <i>Section 26D Licence Application</i>
15/02/2011	Licence Application	1	Town of Vincent and Department of Water, Swan Avon Region, 7 Ellam Street, Victoria Park WA 6100 re: Beatty Park Leisure Centre Project - Hot Sedimentary Aquifer (HAS) Geothermal Water Supply - <i>Section 5C Licence Application</i>
22/02/2011	Loan Agreement	2	Town of Vincent and Western Australian Treasury Corporation - Loan Agreement for \$960,000 - Loan No. 9 dated 1 March 2011 - Relating to Parking Ticket Machines
24/02/2011	Withdrawal of Caveat	2	Town of Vincent and Downings Legal of Level 11, 2 Mill Street, Perth WA 600 re: No. 2-10 (Lots 24, 25 and 34) Woodville Street, Mount Lawley
25/02/2011	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: AHPRA Examinations on 1 March 2011 (Gareth Naven Room, nib Lounge and Suites 1-13)
25/02/2011	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: Rebel Group Meeting on 2 and 3 March 2011 (Gareth Naven Room)
28/02/2011	Lease	3	Town of Vincent and Mount Hawthorn Play Group Inc. of PO Box 427, Mount Hawthorn WA 6016 re: Mount Hawthorn Community Centre – <i>Term: 5 years from 01/01/2011 to 01/12/2015, with 5 year option from 01/01/2016 to 31/12/2020</i>

**9.4.2 Medibank Stadium (Leederville Oval) Ground Management Committee - Receiving of Unconfirmed Minutes - 16 February 2011**

<b>Ward:</b>	South	<b>Date:</b>	18 February 2011
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	RES0078
<b>Attachments:</b>	<a href="#">001</a> - Ground Management Committee Unconfirmed Minutes		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Unconfirmed Minutes of the Medibank Stadium (Leederville Oval) Ground Management Committee Meeting held on 16 February 2011, as shown in Appendix 9.4.2.*

**COUNCIL DECISION ITEM 9.4.2**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**PURPOSE OF REPORT:**

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Medibank Stadium (Leederville Oval) Ground Management Committee meeting held on 16 February 2011.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 26 October 2004, the Council considered the establishment of a Committee for the management of Leederville Oval (now known as "Medibank Stadium") and resolved inter alia as follows;

*"That the Council APPROVES BY AN ABSOLUTE MAJORITY;*

- (i) pursuant to Section 5.9(2)(c) of the Division 2, Part No. 5 of the Local Government Act 1995, to establish a Committee for the management of Leederville Oval ("Ground Management Committee");*
- (ii) in accordance with the lease between the Town and East Perth Football Club (EPFC) and Subiaco Football Club (SFC), to APPOINT the Chief Executive Officer to the Committee and invites EPFC and SFC to also nominate a representative;*
- (iii) to delegate the following functions to the Committee;*
  - (a) to determine the Clubs' rights (day-to-day) to use the facilities;*

- (b) *to consider and make representation to the Town for alternative training grounds;*
  - (c) *to determine day-to-day operational issues, (including catering, advertising, sponsorship, turf maintenance, cleaning, security, ticketing, use of car park);*
  - (d) *to establish and review Key Performance Indicators (KPIs);*
  - (e) *to establish and review Risk Management Plans;*
  - (f) *to consider any request for temporary structures;*
  - (g) *to make recommendations for the maintenance of the common area;*
  - (h) *to make recommendations on Capital Improvements;*
  - (i) *to make recommendations on catering and formalise a catering policy; and*
  - (j) *to do other such things with respect to management of Leederville Oval; and*
- (iv) *the KPIs be referred back to Council for adoption."*

**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:**

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:**

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.

**9.4.3 Donation - New Zealand Red Cross 2011 Earthquake Appeal**

<b>Ward:</b>	-	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	-	<b>File Ref:</b>	FIN0008
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Manuela McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES a donation of \$6,158 (six thousand, one hundred and fifty eight dollars) to the New Zealand Red Cross 2011 Earthquake Appeal, (which is the maximum amount) in accordance with the Town's Policy No. 4.1.27 - "Disaster Appeals - Donations and Assistance"; and*
- (ii) *AUTHORISES the Chief Executive Officer to second Town of Vincent Employees to Christchurch, New Zealand to assist in the recovery process, if a request is received.*

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**COUNCIL DECISION ITEM 9.4.3**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

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**PURPOSE OF REPORT:**

To approve of a donation to the New Zealand Red Cross 2011 Earthquake Appeal.

**BACKGROUND:**

On 22 February 2011, a magnitude 6.3 earthquake occurred very close to Christchurch, New Zealand. The quake, approximately five kilometres underground and located 10 kilometres south east of the city has caused wide spread damage, bursting sewage lines, damaging buildings and homes, cutting power and telephone lines to many areas of the city.

Sadly, at the time of writing this report (Saturday 26 February 2011), the death toll from the devastating earthquake has risen to 145, with over 200 people still reported to be missing. The death toll was still expected to rise.

A national state of emergency has been declared and the central city area has been under curfew.

Three hundred Australian police have been sent to Christchurch as well as a 75-bed field hospital with six surgical, medical and support staff. A 25-strong specialist medical team has also been sent to the stricken city.

**DETAILS:**

New Zealand Red Cross has launched the "New Zealand Red Cross 2011 Earthquake Appeal" to support those affected by the Christchurch earthquake.

All funds will be used towards the New Zealand Red Cross response to the disaster, including transport and provision of goods.

Families with loved ones missing have been asked to provide the Red Cross with any information on distinguishing features to help with the identification process.

**Previous Donations**

The Town of Vincent has previously provided donations for disaster relief as follows:

<b>Date</b>	<b>Details</b>	<b>Amount</b>
January 1998	Lord Mayor's Distress Relief Fund for the Brookton/Pingelly Bush Fire	\$ 500
April 1999	<ul style="list-style-type: none"> <li>• Lord Mayor's Moora Flood Appeal</li> <li>• Lord Mayor's Exmouth Cyclone Appeal</li> </ul>	\$ 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

Date	Details	Amount
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
February 2011	Lord Mayor's Distress Relief Fund - Perth Hills Fire	\$ 3,000

### Request for Assistance

The Town of Vincent Safer Vincent Co-ordinator is a member of the Australian Safe Communities Foundation who have emailed the Town advising of the possible need for experienced staff from a variety of disciplines to assist in the recovery process. Due to the enormity of the devastation caused by the earthquake, the following experienced personnel may be required:

- Engineers (Roads and Infrastructure);
- Building Surveyors;
- Environmental Health Officers;
- Emergency Management Officers;
- Community Safety and Security Officers; and
- Community Development Officers.

Approval is requested from the Council, for the Chief Executive Officer to approval of any requests, in the event that the request is received from the Australian Safe Communities Foundation.

### 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."*

**RISK MANAGEMENT IMPLICATIONS:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$6,158 (six thousand, one hundred and fifty eight 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 next 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 devastation caused by the earthquake and the loss of life is substantial. Therefore, a donation of \$6,158 is considered appropriate.

Should any request for personnel be received, the Chief Executive Officer will advise the Council/Council Members in a further report.

**9.4.5 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	25 February 2011
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 9.4.5**

**Moved Cr Farrell, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**DETAILS:**

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

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter from the Secretary of the Western Australian Planning Commission regarding the Metropolitan Region Scheme Proposed Amendment 1161/41 Parks and Recreation Reservations for Public Lands
IB02	Letter from Department of Planning regarding Development Assessment Panels: Update on Implementation
IB03	Letter from Celebrate WA regarding 2011 Western Australian Citizen of the Year Awards
IB04	Letter from the Office of the Electoral Distribution Commissioners regarding Commencement of the 2011 Electoral Distribution
IB05	Letter of Appreciation to the Town of Vincent and Acknowledgement of Senior Planning Officer from Australian Government – Indigenous Land Corporation regarding 35-37 Gladstone Street, Perth – Change of Use Planning Application
IB06	Local Government Reform Update Bulletin 07, February 2011
IB07	Minutes of the Local Area Traffic Management Advisory Group Meeting held on 16 December 2010
IB08	Minutes of the Sustainability Advisory Group Meeting held on 21 February 2011
IB09	Minutes of Tamala Park Regional Council Ordinary Meeting of Council held on 17 February 2011
IB10	Summary Minutes of the State Council Meeting held on 18 February 2011
IB11	Register of Petitions - Progress Report - March 2011
IB12	Register of Notices of Motion - Progress Report - March 2011
IB13	Register of Reports to be Actioned - Progress Report - March 2011
IB14	Register of Legal Action (Confidential – Council Members Only) - Progress Report - March 2011
IB15	Register of State Administrative Tribunal Appeals - Progress Report - March 2011
IB16	Forum Notes - 15 February 2011
IB17	Notice of Forum - 15 March 2011

**9.1.3 No. 17 (Lot 14; D/P: 25299) Burt Street, Mount Lawley - Proposed Change of Use from Warehouse (Non-Conforming Use) to Warehouse, Art Studio (Unlisted Use) and Office (Retrospective Application) and Alteration of Residential Car Bays for Existing Residential Dwelling**

<b>Ward:</b>	South	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	Norfolk Precinct; P10	<b>File Ref:</b>	PRO1254; 5.2010.413.3
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report, Development Application and Plans		
<b>Tabled Items</b>	Applicant's submission and associated documentation		
<b>Reporting Officer:</b>	T Cappellucci, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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 Brian Hunt Pty Ltd on behalf of the owner E E & F T Stoltze for proposed Change of Use from Warehouse (Non-Conforming Use) to Warehouse, Art Studio (Unlisted Use) and Office (Retrospective Application) and Alteration of Residential Car Bays for Existing Residential Dwelling, at No. 17 (Lot 14; D/P: 25299) Burt Street, Mount Lawley, and as shown on plans stamp-dated 22 November 2010, 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 Burt Street;*
- (b) The maximum gross floor area for the office and artist studio shall be limited to 71 square metres and 78 square metres, respectively. The maximum total gross floor area of the warehouse shall be limited to 277 square metres. Any increase in gross floor area or change of use of the office, artist studio and warehouse 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**

- (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 bays allocated to the warehouse, artist studio and office shall be used only by employees, tenants, and visitors directly associated with the development; and*
- (c) The two (2) proposed residential car bays for the existing residential property on-site shall be used only by the occupiers of the residential dwelling;*

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

(a) 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*

(b) Residential Car Bays

*A detailed landscaping plan showing a landscaping strip between the proposed residential car bays and the footpath towards Burt Street is to be provided to enable screening of the car bays from the street; and*

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

(a) Car Parking

*Prior to the first occupation of the development, the car parking spaces provided for the warehouse, artist studio and office as well as for the residential property shall be clearly marked and signposted.*

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**COUNCIL DECISION ITEM 9.1.3**

**Moved** Cr Farrell, **Seconded** Cr Topelberg

*That the recommendation be adopted.*

Debate ensued.

**PROCEDURAL MOTION**

**Moved** Cr Farrell, **Seconded** Cr Topelberg

*That the item be DEFERRED for further consideration and including the investigation of matters mentioned during Public Speaking Time.*

**PROCEDURAL MOTION PUT AND CARRIED (6-1)**

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

**Against:** Cr Maier

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

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<b>Landowner:</b>	E E & F T Stoltze
<b>Applicant:</b>	Brian Hunt Pty Ltd
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R40
<b>Existing Land Use:</b>	Warehouse (Non-Conforming Use) and Residential Dwelling
<b>Use Class:</b>	Warehouse, Office, Artist Studio (Unlisted Use) and Residential Dwelling
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	1468 square metres
<b>Access to Right of Way</b>	Not applicable

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination as it involves a retrospective application with a "SA" use which received objections during the Community Consultation period.

**BACKGROUND:**

8 September 1999      The Council granted conditional approval for a home occupation (greeting card manufacture) at No. 17A Burt Street, the residential dwelling on-site.

21 April 1980          The City of Perth, at its Ordinary Meeting, acknowledged the use of a building on the subject property for warehouse activities, as an established non-conforming use recognised by the Council.

**DETAILS:**

The site currently is acknowledged as having non-conforming use rights for a warehouse at the rear, with a residential side-by-side dwelling at the front, towards Burt Street.

The proposal involves a change of use of the existing non-conforming warehouse into a warehouse, artist studio (unlisted use) and office as well as re-locating the two (2) car bays for the residential component towards the front of the site near Burt Street, in order to ensure that the car parking proposed for the commercial development is able to provide the necessary ACROD bay as well as be compliant with Australian standards. No structural changes to the existing building are being proposed.

**COMPLIANCE:**

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<b>Car Parking:</b>	5.1 car bays	5 car bays
<i>Officer Comments:</i>		
Supported - Refer to "Comments" below.		
<b>Bicycle Parking:</b>	One (1) class 1 or 2 bicycle parking spaces.	No bicycle parking spaces identified on the plans.
<i>Officer Comments:</i>		
Not Supported - A condition has been placed to comply with the provision and number of bicycle bays required.		

<b>Consultation Submissions</b>		
<b>Item</b>	<b>Comments Received</b>	<b>Officer Comments</b>
Support (1)	Nil	Noted.
Objections (3)	<p>We object to commercial development in our residential street.</p> <p>Parking problems, noise late at night and weekends, bins never taken in and no one in charge.</p> <p>It has been a commercial building, busy and it is currently used late into the night where the users make noise, park across driveways and non-stop anti social behaviour.</p> <p>Every now and then at least one of the units has multiple people there until very late at night.</p> <p>Even get shipping containers delivered in the middle of the street – for days – with no lights.</p> <p>Submission has put making money with commercial rent over and above the considerations of people who have bought in the area.</p> <p>If it has to be used as a warehouse, fair enough.</p>	<p>Noted.</p> <p>Noted – The Town’s Health Services is able to action complaints under the Environmental Protection (Noise) Regulations 1997, as deliveries should only occur between 7am-7pm Monday to Saturday and 9am-7pm on Sundays/Public Holidays.</p> <p>It is noted that the use of the building at the rear of the subject property has an established non-conforming use (warehouse).</p> <p>It is deemed that given adequate car parking is provided on-site, this will ensure that no unreasonable commercial parking spills into the adjacent residential street to reduce the potential for conflict between the proposed commercial uses and the adjoining residential properties.</p> <p>Not Supported – Not a relevant planning consideration.</p> <p>Supported – Given the established non-conforming use for warehouse activities, the two (2) of the four (4) units of the rear building still operating as a warehouse use can continue to do so in accordance with their non-conforming use rights.</p>
<b>Advertising</b>	Advertising for a period of 21 days was carried out as per the Town’s Policy No. 4.1.5 – relating to Community Consultation as an Office is an “SA” use in a Residential zone.	

<b>Other Implications</b>	
<b>Legal/Policy</b>	TPS 1, R-Codes and associated Policies.
<b>Strategic</b>	Nil.
<b>Sustainability</b>	Nil.
<b>Financial/Budget</b>	Nil.

<b>Car Parking</b>	
Car parking requirement (nearest whole number) Office (Unit 4) = 1 space per 50 square metres of gross floor area <ul style="list-style-type: none"> <li>Office – Gross Floor Area = 71 square metres (requires 1.42 cars bays)</li> </ul> Artist Studio (Unit 1), Warehouse (Unit 3) & Storage (Unit 2) = 3 spaces for the first 200 square metres of gross floor area and thereafter 1 space per 100 square metres of gross floor area or part thereof <ul style="list-style-type: none"> <li>Warehouse – Gross Floor Area = 218 square metres</li> <li>Storage – Gross Floor Area = 59 square metres</li> <li>Artist Studio – Gross Floor Area = 78 square metres</li> </ul> (Total Warehouse car bays required is 4.55) Total car bays required = 5.97 car bays	= 6 car bays (nearest whole number)
Apply the adjustment factors. <ul style="list-style-type: none"> <li>0.85 (within 400 metres of a bus stop)</li> </ul>	(0.85) = 5.1 car bays
Minus the car parking provided on-site	5 car bays
Minus the most recently approved on-site car parking shortfall.	Nil
Resultant shortfall	0.1 car bays

<b>Bicycle Parking</b>		
<b>Office</b>	<ul style="list-style-type: none"> <li>1 space per 200 square metres of gross floor area for employees (class 1 or 2) = 0.355 spaces</li> <li>1 space per 750 square metres over 1000 square metres for visitors (class 3) = Nil</li> </ul>	Nil.

**COMMENTS:**

**Car Parking**

The Town's Policy relating to Parking and Access notes if the resultant shortfall of parking is less than or equal to 0.5 bays, no parking bays or cash-in-lieu of parking is required for the shortfall.

In this instance, the proposed shortfall in car parking is 0.1 car bays as the applicant has provided five (5) car bays, therefore no cash-in-lieu for the car parking is required.

Units 2 and 3 are being utilised as per the established non-conforming warehouse use for the site and have periodic attendance in terms of staff, in addition to a small van or utility not expecting to exceed one visit per week. Therefore, the use of these two (2) units as a warehouse is considered within their non-conforming use rights.

In addition, units 1 and 4, proposed to be an artist studio and an office respectively, are not considered to cause a significantly greater undue amenity impact on the adjoining residential properties than what the non-conforming use of a warehouse would at the subject site. Given the minimal amount of employees at these two units, as well as the applicant's proposed opening hours of 8am – 6pm, the proposed change of use of these subject units is supportable. The building has been existing for a substantial period of time and there is adequate car parking on-site, to accommodate for the minimal amount of car parking bays required for the proposed uses of the four (4) units.

In regards to the re-configuration of the existing two (2) car parking bays for the residential dwelling on-site, the car bays have been moved from the rear of the dwelling to the front setback area facing Burt Street. Given the car parking bays are compliant with requirements, the Town supports this modification as it ensures the required disabled car parking bay at the rear of the dwelling, for the commercial development on-site, is compliant.

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

**9.1.4 Draft Economic Development Strategy 2011-2016 – Final Adoption**

<b>Ward:</b>	Both Wards	<b>Date:</b>	23 February 2011
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	ADM0067
<b>Attachments:</b>	<a href="#">001</a> - Draft Economic Development Strategy 2011-2016 <a href="#">002</a> – Summary of Submissions		
<b>Tabled Items:</b>	Economic Futures Discussion Paper		
<b>Reporting Officer:</b>	E Lebbos, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council ADOPTS the Draft Economic Development Strategy 2011-2016, as shown in Appendix 9.1.4.*

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**Debate ensued.**

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

**PURPOSE OF REPORT:**

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for the Draft Economic Development Strategy 2011-2016, to present to the Council the final amended version of the Draft Strategy, and to seek its final adoption as the Town’s Economic Development Strategy 2011-2016.

**BACKGROUND:**

- 23 February 2010 At its Ordinary Meeting, the Council resolved to authorise the Chief Executive Officer to call for quotations for the preparation and delivery of an Economic Development Strategy, to replace the Town’s existing *Economic Development Strategy 2005-2010*.
- 10 March 2010 The Town’s Officers sent a request for quotation for the preparation of an Economic Development Strategy to five (5) consultants.
- 25 May 2010 At its Ordinary Meeting, the Council endorsed SGS Economics and Planning to prepare an Economic Development Strategy and Action Plan for the Town.
- 13 October 2010 The Consultants SGS Economics and Planning presented their findings to the Executive Management Team.

- 2 November 2010 At the Special Council Member Forum, the Consultants SGS Economics and Planning presented a brief overview of the key aspects of the Draft Economic Development Strategy.
- 7 December 2010 At its Ordinary Meeting, the Council resolved to advertise the Draft Economic Development Strategy 2011-2016, prepared by SGS Economics and Planning, for public comment for a period of twenty eight (28) days.
- 11 January – The Draft Economic Development Strategy was advertised for public  
8 February 2011 comment.

#### **DETAILS:**

The Draft Economic Development Strategy 2011-2016 has been advertised, with advertising commencing on 11 January 2011 and closing on 8 February 2011.

Five submissions on the Draft Strategy were received from the Swan River Trust, the Heritage Council of Western Australia (HCWA), the Water Corporation, Main Roads Western Australia (MRWA) and the City of Perth. Where appropriate, the Draft Strategy has been amended in light of the submissions.

Of particular note, the Town received a detailed submission from the HCWA, who suggested that the Draft Strategy could be amended to proactively support the Town's various strategic objectives such as heritage conservation. They stated that *'the Town of Vincent Heritage Strategic Plan 2007-2012 contains many 'Key Result Areas' which could be integrated into the Draft Strategy, resulting in actions which further support the effective management of heritage assets within the Town.'*

This suggestion by the HCWA is supported by the Town's Officers who have accordingly amended the Draft Strategy to establish a link between the Draft Economic Development Strategy and the Town's Heritage Strategic Plan 2007-2012.

The Draft Strategy (Attachment 001) incorporates all the proposed amendments, which are shown using strikethrough and underline.

#### **CONSULTATION/ADVERTISING:**

The Draft Strategy was advertised for a period of 28 days, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1. The formal advertising period commenced on 11 January 2011 and closed on 8 February 2011.

In total, five (5) submissions were received, the breakdown of which is as follows:

- one (1) of which expressed support for the Draft Strategy; and
- four (4) of which did not state either support or objection to the Draft Strategy.

A summary of the submissions received can be found in Attachment 002.

Following the Council's adoption of the Draft Strategy, the document will be advertised.

**LEGAL/POLICY:**

Local Government authorities are not legally required to have an Economic Development Strategy; however, it is considered "best practice" management to adopt a Strategy, in order to complement the Council's *Strategic Plan 2009-2014*.

**RISK MANAGEMENT IMPLICATIONS:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

*Strategic Plan 2009-2014* states:

"Natural and Built Environment

1.1 *Improve and maintain the environment and infrastructure*

1.1.1 *Capitalise on the Town's strategic location, its centres and commercial areas."*

"Economic Development

2.1 *Progress economic development with adequate financial resources*

2.1.1 *Promote the Town of Vincent as a place for investment appropriate to the vision for the Town.*

2.1.3 *Promote business development.*

2.1.4 *Identify the needs and expectations of the business community and facilitate outcomes in the Town."*

**SUSTAINABILITY IMPLICATIONS:**

Economic development plays a fundamental role in building sustainable and liveable communities. The implementation of the Draft Strategy will provide long-term benefits to the Town in terms of promoting economic and social sustainability.

**FINANCIAL/BUDGET IMPLICATIONS:**

The current 2010/2011 Budget lists \$40,000 for the development of the Economic Development Strategy.

The Actions identified in the Draft Strategy for implementation in the next financial year will be considered in the Town's 2011/2012 Budget.

**COMMENTS:**

It is considered that with the proposed amendments incorporated, the Draft Strategy forms a comprehensive Economic Development Strategy for the Town. It provides transparent and detailed information to the public in regards to economic development within the Town, and guides the Town's agenda for the next five years in promoting and facilitating economic development.

Following the Council's adoption of the Economic Development Strategy 2011-2016, it is envisaged that the Town will begin to implement the Actions outlined in the Strategy, relating to both the Town-Wide and Precinct-Specific Actions, according to the priority and timing assigned to each Action in the Strategy.

In light of the above, it is recommended that the Council adopts the Draft Economic Development Strategy 2011-2016, in accordance with the Officer Recommendation.

**9.2.1 Proposed Installation of Baby Change Stations & Associated Infrastructure/signage**

<b>Ward:</b>	Both	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	All	<b>File Ref:</b>	PRO1226
<b>Attachments:</b>	<a href="#">001</a> - Council Owned/Managed Buildings Accessibility & Disability Implementation Plan 2011 <a href="#">002</a> - Diagrams/photographs of baby change stations		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	K Steicke; Property Maintenance Officer J van den Bok; Manager Parks & Property Services		
<b>Responsible Officer:</b>	R Lotznicker; Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES the installation of Baby Change Stations and associated infrastructure within the Town's Buildings, as shown on the attached Implementation Plan 2011; and*
- (ii) *LISTS an amount of \$15,000 in the Draft Budget 2011/2012 to undertake the works required.*

**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**AMENDMENT**

**Moved Cr Maier, Seconded Cr Buckels**

*That clause (i) be amended to read as follows:*

- “(i) *APPROVES the installation of Baby Change Stations and associated infrastructure within the Town's Buildings, as shown on the attached Implementation Plan 2011, subject to Forrest Park Clubrooms and YMCA Youth Facility being included; and*”

Debate ensued.

Cr Maier queried whether the amount of \$15,000 was still sufficient.

The Chief Executive Officer suggested changing that amount to \$15,600.

The Mover, Cr Maier advised that he wished to add the following to his amendment:

*That clause (ii) be amended to read as follows:*

- “(ii) *LISTS an amount of ~~\$15,000~~ \$15,600 in the Draft Budget 2011/2012 to undertake the works required.*”

The Seconder, Cr Buckels agreed.

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Burns and Cr Harvey were apologies for the meeting.)

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

(Cr Burns and Cr Harvey were apologies for the meeting.)

**COUNCIL DECISION ITEM 9.2.1**

*That the Council;*

- (i) ***APPROVES the installation of Baby Change Stations and associated infrastructure within the Town's Buildings, as shown on the attached Implementation Plan 2011, subject to Forrest Park Clubrooms and YMCA Youth Facility being included; and"***
- (ii) ***LISTS an amount of \$15,600 in the Draft Budget 2011/2012 to undertake the works required.***

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**PURPOSE OF REPORT:**

To advise the Council in regard to the Town's owned/managed buildings and their compliance with the Disability Access and Inclusion Plan under the Disability Services Act 1993 and seek approval for funding to install Baby Change Stations and associated infrastructure.

**BACKGROUND:**

An assessment of all Town owned/managed buildings was recently conducted, by the Property Maintenance Officer, to determine compliance with the Disability Access and Inclusion Plan under the Disability Services Act 1993.

Many of these premises are being, and will be, upgraded to current compliance within the auspices of the Council approved Universally Accessible Building Upgrade Program 2008-2028.

However, in the interim it was found that many facilities could obtain compliance with the installation of baby change stations, mother's rest room seats, and suitable signage to indicate the services available.

The focus of the survey was on those premises requiring parenting rooms, such as Child Health Centres, Halls, and Civic & Recreation Centres.

Of the Town's 73 Council owned/managed buildings, the majority either already have parenting facilities, or did not require them due to the nature of their activities.

The assessment revealed that the main issue was the lack of suitable signage to indicate what was available in the way of baby change facilities at particular premises.

**DETAILS:**

**Baby Change Stations**

The Town's buildings require sixteen (16) baby change stations. Baby change stations are available in wall mounted horizontal or vertical units depending on the wall and floor space available in the room.

**Wall mounted fold down seats**

Ten (10) fold down, wall mounted, Mother's baby feeding seats are required within the Town's buildings. The seats recommended are a vinyl covered wall mounted hinged seat - 700mm long by 430 mm wide (shower seat).

**Signage**

A total of twenty seven (27) parenting room signs are required.

The toilet/change room signage suggested is a combination of Baby Change or Parenting Room 180mm x 180mm with Braille in addition to the toilet signage already in place.

If no signage is in place, a 180mm x 180mm Unisex toilet sign with Braille and the male/female toilet & baby change emblem should be installed.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Public authorities (State Government agencies and local governments) in Western Australia are required to have Disability Service Plans (DSPs). The Disability Services Act was amended in 2004 and now requires public authorities to develop and implement Disability and Inclusion Plans (DAIPs). The requirements of DAIPs build on those of DSPs, so that people with disabilities can access services provided by public authorities in a way that facilitates increased independence, opportunities and inclusion within the community.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The element of risk should this not proceed is considered to be low.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area one of strategic Plan 2009 – 2014 1.1.5(e) *Develop and implement a Universal Accessible Building Upgrade & Maintenance program.*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The total estimated cost for the installation of Baby Change Stations and associated infrastructure is \$15,000 as follows:

<b>Item</b>	<b>Number</b>	<b>Estimated Cost</b>
Baby Change Stations	16	\$6,900
Wall mounted fold down seats	10	\$4,600
Signage	27	\$2,400
Installation	-	\$1,100
<b>TOTAL</b>		<b>\$15,000</b>

**COMMENTS:**

It is therefore recommended that the Council approves the installation of the Baby Change Tables and associated infrastructure within the Town's buildings as outlined within the report and considers allocating funding in the 2011/2012 draft budget to undertake these works.

**9.2.2 Further Report - Environmental Grants and Awards**

<b>Ward:</b>	Both	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	ALL	<b>File Ref:</b>	FIN0169
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	C Chaudhry, Project Officer Environment		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council NOTES that all funded projects have been completed and all Grants provided have been acquitted as a condition of the Grant funding.*

**Moved Cr Maier, Seconded Cr Topelberg**

*That the recommendation be adopted.*

Debate ensued.

**AMENDMENT**

**Moved Cr Maier, Seconded Cr McGrath**

*That the recommendation be amended as follows:*

*“That the Council;*

- (i) NOTES that all funded projects have been completed and all Grants provided have been acquitted as a condition of the Grant funding; and*
- (ii) REFERS the guidelines for environmental grants to the Sustainability Advisory Group for review.”*

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Burns and Cr Harvey were apologies for the meeting.)

Debate ensued.

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

(Cr Burns and Cr Harvey were apologies for the meeting.)

**COUNCIL DECISION ITEM 9.2.2**

*That the Council;*

- (i) NOTES that all funded projects have been completed and all Grants provided have been acquitted as a condition of the Grant funding; and*
- (ii) REFERS the guidelines for environmental grants to the Sustainability Advisory Group for Review.*

**PURPOSE OF REPORT:**

To provide Council with acquittals or Statutory Declarations indicating that the Environmental grants were spent in accordance with Policy No. 4.1.30.

**BACKGROUND:**

At its Ordinary Meeting held on 28 September 2010 the Council adopted the following notice of motion:

*“That the Council REQUESTS a report by 26 October 2010 on the Environmental Grants and Awards Scheme which details all awards and grants approved since June 2007 and includes, but is not limited to:*

- (i) recipient and purpose for each grant or award;*
- (ii) the amount granted or awarded;*
- (iii) the outcomes achieved by the grant or award consistent with the relevant policy guidelines;*
- (iv) how acquittal of the grant was verified; and*
- (v) promotion and advertising undertaken.”*

A report was submitted to the Council on 26 October 2011. The Council deferred the item and requested further information.

The Environmental Awards and Grants program was established in 2008 and is a fund that Schools and Community Groups or Organisations can apply for which falls into one of the Environmental categories.

- Acknowledged climate change and was/is involved in activities, which target reduction in carbon emissions
- Achieved a reduction in the amount of waste they produce annually and or achieved maximum separation of waste including recycling, organics and putrescible waste with a reduction in total waste entering the waste stream.
- Demonstrated water conservation strategies and initiatives that achieve a reduction in overall water usage onsite at home or within the Town of Vincent.
- Outcomes of greater flora and fauna health through improved/addressing the salinity and biodiversity in the Town.
- Achieved a reduction in energy consumption, use of alternative power or production in alternative clean/green power.
- Provided increased support and involvement for environmental initiatives within the Town of Vincent.

**DETAILS:**

**Recipient/Project amount granted or awarded**

<b>Date Approved</b>	<b>Recipient</b>	<b>Project/Purpose</b>	<b>Amount</b>	<b>Acquittal Documentation Provided/Stat DEC</b>
7/04/2008	Mount Hawthorn P and C Association	• School Garden	\$1,415	Yes
7/04/2010	Mount Hawthorn Junior Primary School	• School Garden	\$750	Yes
16/04/2010	North Perth Primary School	• Water Wise School Garden	\$750	Yes

Date Approved	Recipient	Project/Purpose	Amount	Acquittal Documentation Provided/Stat DEC
9/03/2009	Saint Kieran Catholic Primary School	• School Garden	\$500	Yes
09/03/2009	Highgate Primary School	• School Garden	\$750	Yes
08/04/2009	Macedonian Orthodox Church Community	• restoration/roof repairs and air conditioner maintenance	\$2,500	Yes
09/04/2009	Highgate Primary School	• Prize for Categories for Water Wise, Recycling, Natural Area improvement	\$1,000	Yes
09/04/2009	Remedia Creative Reuse Centre	• Recycling Initiative	\$2,500	Yes
30/06/2010	Aranmore Primary School	• Community Garden	\$1,700	Yes
30/06/2010	Maltings Complex	• Community Garden	\$3,000	Yes

**Outcomes:**

Recipient	Outcomes
Mount Hawthorn P and C Association	<ul style="list-style-type: none"> <li>• better understanding by students, parents and teachers of the environmental responsibility to minimize water and waste.</li> <li>• a food network resource for the school community.</li> <li>• exposure of children to healthy eating and natural produce.</li> <li>• key curriculum learning areas in society environment. Personal and social science.</li> </ul>
Mount Hawthorn Junior Primary School	<ul style="list-style-type: none"> <li>• better understanding by students, parents and teachers (community) of the environmental responsibility to minimize water and waste.</li> <li>• a food network resource for the school community.</li> <li>• exposure of children to healthy eating and natural produce.</li> <li>• key curriculum learning areas in society environment. personal and social science.</li> </ul>
North Perth Primary School	<ul style="list-style-type: none"> <li>• improved conservation of school water use by 15% allocated on the school garden.</li> <li>• creation of natural water wise habitats for native flora and fauna.</li> <li>• education of the school children on the benefits of environmental custodianship.</li> <li>• creation of sustainable gardens in a harrowing drying climate.</li> </ul>
Highgate Primary School	<ul style="list-style-type: none"> <li>• Better understanding by students, parents and teachers of the environmental responsibility to minimize water and waste.</li> <li>• A food network resource for the School Community.</li> <li>• Exposure of Children to healthy eating and natural produce.</li> <li>• Key curriculum learning areas in Society Environment. Personal and Social Science.</li> <li>• Promotion of Community Participation.</li> </ul>
Macedonian Orthodox Church Community	<ul style="list-style-type: none"> <li>• To reduce heat loss in the winter period.</li> <li>• Reduce use of electricity and the cooling of the building leading to fewer greenhouse gas emissions.</li> </ul>

Recipient	Outcomes
Saint Kieran Catholic Primary School	<ul style="list-style-type: none"> <li>• Conservation of School water use by 15% allocated on the School Garden.</li> <li>• Creation of Natural Waterwise habitats for Native Flora and Fauna.</li> <li>• Education of the School Children on the benefits of Environmental Custodianship.</li> <li>• Creation of Sustainable gardens in a harrowing drying climate.</li> </ul>
Highgate Primary School (Award)	<ul style="list-style-type: none"> <li>• Improved water conservation at a school garden level.</li> <li>• Improved waste minimisation of school wastes.</li> <li>• Natural Area improvement through sustainable re use of recycled materials for school children resources.</li> </ul>
Remedia Creative Reuse Centre	<ul style="list-style-type: none"> <li>• Improved waste Minimisation through recycling practices and research into community use.</li> </ul>
Aranmore Primary School	<ul style="list-style-type: none"> <li>• Improved waste minimisation of municipal house hold wastes.</li> <li>• Improved water conservation.</li> <li>• Reduction in resource pressure of buying food from local markets.</li> <li>• Increase in social cohesion and community participation.</li> <li>• Education on food health and Environmental responsibility.</li> </ul>
Maltings Complex Community Garden Group	<ul style="list-style-type: none"> <li>• Improved waste minimisation of municipal house hold wastes.</li> <li>• Improved water conservation.</li> <li>• Reduction in resource pressure of buying food from local markets.</li> <li>• Increase in social cohesion and community participation.</li> <li>• Education on food health and Environmental responsibility.</li> </ul>

**Acquittal:**

The policy requires that the recipients of a grant shall submit to the Town an Acquittal Report within three (3) months from the completion of the activity.

The Town's records indicate that all of the organisations have now provided the required acquittal documentation. An inspection of all funded projects was undertaken and all the grants were used in accordance with the submission received.

Appropriate measures have now been implemented which require the project acquittal to be documented by the Project Officer – Environment and verified by the Manager and Director.

In addition, schools applying for grant funding will be signed by the school bursar and all future grants recommended for approval under Delegated Authority are to be approved by the Chief Executive Officer.

**CONSULTATION/ADVERTISING:**

Environmental Awards and Grants were advertised via mail out to all schools in close proximity to the Town. Advertisements were placed in the local newspaper and the matter was advertised on the Town's Webpage and in the Town's Newsletter.

**LEGAL/POLICY:**

In accordance with Policy No 4.1.30.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The Delegated Authority Register has been amended requiring all grant funding to be approved by the Chief Executive Officer. This will ensure that control procedures are in place. This is in addition to the Section Manager and Directors recommendation.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.4 *Minimise negative impacts on the community and environment and 1.15 Enhance and maintain parks, landscaping and community facilities.*

**SUSTAINABILITY IMPLICATIONS:**

- Waste Minimisation.
- Water Conservation.
- Reduced Energy Consumption.
- Natural Area Improvement.
- Environmental Responsibility and Education.

**FINANCIAL/BUDGET IMPLICATIONS:**

Funds were allocated in the respective year's budgets for this purpose.

**COMMENTS:**

The Environmental Awards and Grants program is a successful and well appreciated fund made available to Community groups and Schools. Since its establishment eleven (11) projects have been funded with highly desirable Environmental outcomes for the community.

It has been established that failure of some of the grants to be acquitted on time was due in part to the rotation of teachers/staff through the school or group and the lack of follow up by the Town's previous environmental officer.

To avoid this in future, the bursar/treasurer of the school or *group* will be required to sign off the grant and provide the acquittal to the Town on a mutually agreed date.

**9.2.3 Urgent Drainage Remediation Works Beaufort Street, Perth**

<b>Ward:</b>	South	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	Beaufort Precinct P14 Hyde Park Precinct P12	<b>File Ref:</b>	TES0210/TES0067
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	C Economo, Manager Engineering Operations R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY to reallocate  funds up to \$90,000 from the surplus funds identified at the mid year Budget review, as approved at the Ordinary Meeting of Council held on 22 February 2011;*

*(i)  ~~\$60,000 from the Little Parry Street Improvement project; and~~*

*(ii)  ~~\$30,000 from the Bus Shelter Grants Scheme;~~*

*to the “Beaufort Street Urgent drainage works” to remediate a section of the Town’s 750 millimetre diameter drainage pipeline in Beaufort Street, at an estimated cost of \$70,000 – \$90,000.*

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

**Moved Cr Maier, Seconded Cr Buckels**

*That the recommendation be adopted.*

Debate ensued.

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

(Cr Burns and Cr Harvey were apologies for the meeting.)

**COUNCIL DECISION ITEM 9.2.3**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY to reallocate funds up to \$90,000 from the surplus funds identified at the mid year Budget review, as approved at the Ordinary Meeting of Council held on 22 February 2011 to the “Beaufort Street Urgent drainage works” to remediate a section of the Town’s 750 millimetre diameter drainage pipeline in Beaufort Street, at an estimated cost of \$70,000 – \$90,000.*

**COMMENT:**

At the mid year Budget review approved at the Ordinary Meeting of Council held on 22 February 2011 (page 117 of the Minutes), the Council deleted the Bus Shelter Scheme project (\$30,000) as the Bus Shelter Scheme was cancelled by the Perth Transit Authority and, as a result, no funding will be available from them.

An amount of \$137,751 was identified at the mid year Budget review as surplus funds.

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval to carry out urgent drainage remediation works required to be undertaken to the Town's existing 750 millimetre (mm) diameter drainage line on the east side of Beaufort Street between Greenway Street and Brisbane Street.

**BACKGROUND:**

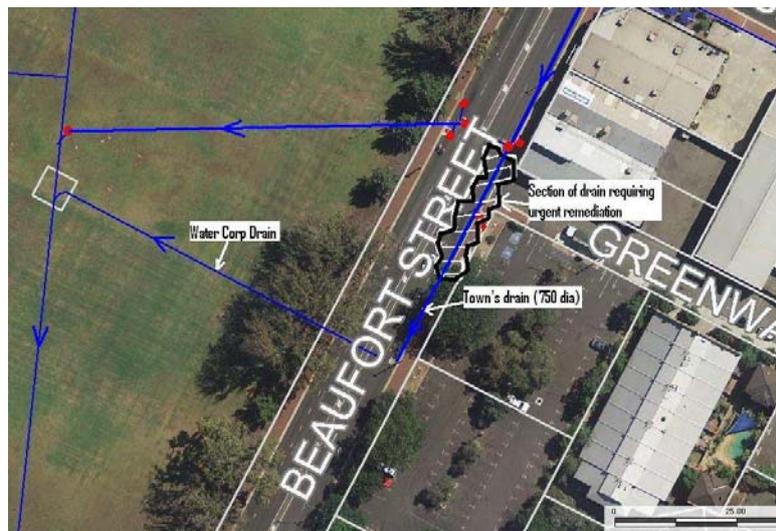
A recent detailed inspection of a section of the existing 750mm diameter drainage line on the east side of Beaufort Street between Greenway Street and Brisbane Street has revealed that a section of the pipeline has subsided and there is extensive ground water ingress, including sand/sediment flowing continually into the drainage lines through the pipe joints.

In addition there is a depression on the road surface which is getting progressively worse - hence the need to undertake urgent remedial works.

**DETAILS:**

The drainage line in question is located within the southbound Beaufort Street carriageway. It is approximately 3.0 metres deep and discharges into a Water Corporation inspection chamber located approximately mid way between Greenway Street and Brisbane Street.

The section of pipeline requiring remediation is shown below:



The Town's operations staff arranged for a camera to be sent down the pipe line and this revealed excessive infiltration of ground water and sediment at several locations. In addition when viewing the video footage it was clear that there was a surge in water ingress when a heavy vehicle passed over the drainage line.

This suggests that the ground around the pipe line is saturated/uncompacted which is contributing to the road subsidence. It is therefore considered that urgent works to address the matter are required given the high traffic volumes and heavy vehicles using this important regional road.



Photo showing road subsidence

### **Proposal**

It is therefore proposed to undertake the following works:

- implement temporary traffic management to close one lane of traffic in the vicinity of the works for at least one week
- saw cut the road way in the affected section
- excavate roadway to expose the section of deteriorated pipe line
- apply dewatering (as the pipe line varies in depth of approximately 3.0m)
- once exposed assess the infrastructure and decide on the most suitable remediation option i.e. remove/replace, relay or repair realign, re-compact around pipe
- rebuild road infrastructure, i.e. construct new pavement, re-kerb, repair/replace inspection chambers/gully's (if required), apply an asphalt surfacing, line marking

### **CONSULTATION/ADVERTISING:**

An information bulletin will be distributed to all affected residents/businesses. A public notice will be placed in the State newspaper regarding the temporary lane closure.

### **LEGAL/POLICY:**

The Town is responsible for the care, control, and management of Beaufort Street.

### **RISK MANAGEMENT IMPLICATIONS:**

**High:** There is a high risk of the roadway collapsing hence the urgent nature of the works.

### **STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 Key Result Area One: 1.1.6 *“(b) Implement and promote strategies for improved drainage, storm water conveyance and improved water quality, including identify and implement a pilot project demonstrating “best practice” Water Sensitive Urban Design in a Town facility, street or car park”*.

**SUSTAINABILITY IMPLICATIONS:**

Maintain the Town's infrastructure in a safe condition.

**FINANCIAL/BUDGET IMPLICATIONS:**

Given the nature of the proposed works at this stage and exact cost cannot be determined however when assessing the scope of works it is estimated that the works could cost in the range of \$70,000 to \$90,000.

It is therefore recommended that the funding be made up as follows:

Little Parry Lane

A budget of \$60,000 has been allocated in the 2011/2012 budget for this project. A recent inspection has revealed that there is no drainage in this section of roadway and that the scope of works required to upgrade the Street may exceed this budget allocation.

It is recommended that this project be deferred to 2011/2012 and that a revised budget figure be listed for consideration in the 2011/2012 draft budget.

It is recommended that the \$60,000 be reallocated to the 'Beaufort Street Urgent drainage works'.

Budget Review OMC 22 February 2011

The Council adopted the review whereby it was determined that \$30,000 (the Town's contribution) would not be required for the Bus Shelter Scheme due to the scheme being discontinued by the Public Transport Authority.

It is recommended that the \$30,000 be reallocated to the 'Beaufort Street Urgent drainage works'.

**COMMENTS:**

As mentioned above a recent detailed inspection of a section of the existing 750mm diameter drainage line on the east side of Beaufort Street between Greenway Street and Brisbane Street revealed that a section of the pipeline has subsided and there is extensive ground water ingress, including sand/sediment flowing continually into the drainage lines through the pipe joints.

It is therefore recommended that the Council reallocate funds, as recommended; to enable urgent remediation works to be undertaken.

**9.2.4 Loftus Recreation Centre – Installation of a monitored fire protection sprinkler system - Installation of a rubber underlay for the outdoor soccer pitch**

<b>Ward:</b>	South	<b>Date:</b>	24 February 2011
<b>Precinct:</b>	Oxford Centre P4	<b>File Ref:</b>	RES0061
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	K Bilyk, Property Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY the installation of:*

- (i) a monitored fire protection sprinkler system in the kiosk area of the Loftus Recreation Centre, at a cost of \$13,700; and*
- (ii) a rubber technical base layer underlay beneath the new replacement synthetic turf at the Loftus Recreation Centre outdoor soccer pitch, at a cost of \$8,500;*

*and these be funded from the Loftus Recreation Centre Reserve Fund.*

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**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Topelberg, Seconded Cr Buckels**

*That the recommendation be adopted.*

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

**(Cr Burns and Cr Harvey were apologies for the meeting.)**

---

**PURPOSE OF REPORT:**

The purpose of this report is to provide details of works which are required at the Loftus Recreation Centre to improve safety and enhance community satisfaction when using the Loftus Recreation Centre.

**BACKGROUND:**

**Fire protection monitored sprinkler system installation kiosk area:**

As a result of a recent building inspection audit conducted at the Loftus Recreation Centre it was noted that the kiosk area requires additional fire protection systems in place to comply with the current Building Code of Australia requirements. In addition the installation and commissioning of these sprinklers will aid in further developing the overall Fire and Safety Strategy for the Centre improving the overall safety of employees and users.

**Outdoor soccer pitch rubber underlay installation:**

Since the installation of the synthetic turf surface on the outdoor soccer pitch in 2008 there has been a notable degradation in the quality of the surface. The use of this particular type of synthetic surfacing, which was new to the market, was agreed to by the Town at the time as it seemed to offer the right mix of 'spring' due to the crumbed rubber component and pile depth. However, the synthetic turf has deteriorated. The turf will be replaced by the original contractor, at their cost, as the product is covered by their warranty.

**DETAILS:**

**Fire protection monitored sprinkler system installation kiosk area:**

A new 65 millimetre (mm) fire service is required to be connected to the main 100mm fire service which runs externally north to south on the eastern side of the complex. The requirement of this sprinkler was not identified when the kiosk was upgraded as part of the major renovation of the Centre in 2008. The hydraulic consultant did not specify this sprinkler requirement at the time. Negotiations with the consultant and builder have been unsuccessful. The total estimated cost of installing the sprinkler system is \$13,700.

**Outdoor soccer pitch rubber underlay installation:**

The manufacturer has indicated that the faults being experienced are most probably as a result of the manufacturing process at the time, as only certain areas of the pitch are affected.

As a result of consultation with the manufacturer (Advanced Polymer Technology Australasia Pty. Ltd.) and the installer (West Coast Synthetic Surfaces) it was agreed that the surface would be replaced at no cost to the Town with an alternative product (given the issues currently being experienced with the current product).

The replacement product comprises a rubber pellet filled product which only requires a third of the amount of infill to bond and protect the synthetic surface compared with the current surfacing.

The replacement product while being more robust will result in a harder playing surface with less cushioning for falls than the existing surface.

As a result it has been strongly recommended that a 'rubber technical base layer' be installed under the proposed synthetic surface to improve the overall longevity of the playing surface by minimising the force directly applied to the playing surface and also minimising the impact on players when running or falling on the surface. This will minimise any injury to player knees and joints.

The replacement product is considered superior in quality to the current synthetic turf. However, to ensure the turf lasts longer and to improve player safety, the installation of the rubber hose is supported.

A total area of 575m<sup>2</sup> will require a rubber technical base layer. The total cost of installing the underlay will be \$8,500.

**CONSULTATION/ADVERTISING:**

Consultation with Belgravia Centre Management and Peter Hunt Architects was undertaken to ensure that these upgrades met all requirements of the Loftus Recreation Centre.

**LEGAL/POLICY:**

Nil.

**RISK MANAGEMENT IMPLICATIONS:**

High: There is a high risk of an incident/injury occurring should the underlay not be applied and similarly there is a high risk of serious injury/property damage should the sprinkler system not be installed to the BCA requirements.

**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.*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The cost of delivering both of the above mentioned safety improvements to the Loftus Recreation Centre is as follows:

<b>Item</b>	<b>Cost</b>
Fire Protection Sprinkler System	\$13,700
Rubber Underlay	\$8,500
<b>Total</b>	<b>\$22,200</b>

**COMMENTS:**

Both items outlined in this report will provide significant safety improvements at the Loftus Recreation Centre. As such, it is this officer's recommendation that the Council approve the funding to enable the works to proceed.

**9.4.4 nib Stadium Management Committee Meeting - Receiving of Unconfirmed Minutes 24 February 2011 and Approval of Essential Works**

<b>Ward:</b>	South	<b>Date:</b>	28 February 2011
<b>Precinct:</b>	Beaufort, P13	<b>File Ref:</b>	RES0082
<b>Attachments:</b>	<a href="#">001</a> - Unconfirmed Minutes of Stadium Committee Meeting		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant/John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **RECEIVES** the Unconfirmed Minutes of the nib Stadium Management Committee Meeting held on 24 February 2011, as shown in Appendix 9.4.4;
- (ii) **APPROVES BY AN ABSOLUTE MAJORITY** of:
  - (a) *the purchase and installation of a replacement air conditioning unit for Suite 11, at an estimated cost of \$3,150;*
  - (b) *additional drainage works to alleviate the flooding behind Gate 1, at an estimated cost of \$3,500; and*
  - (c) *essential works and/or repairs to the various stairs and exits in the main Grandstand, at an estimated cost of \$10,000; and*

*for these works to be funded from the Perth Oval Reserve Fund; and*
- (iii) **APPROVES** of the application by Allia dated 17 February 2011 to name The Shed at the Stadium, as the "Bankwest Shed", subject to:
  - (a) *the period be for three (3) years, effective from 1 March 2011;*
  - (b) *all signs to be in accordance with the Stadium Signage Strategy and approved by the Town; and*
  - (c) *all costs be paid by the Applicant.*

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**COUNCIL DECISION ITEM 9.4.4**

**Moved** Cr Farrell, **Seconded** Cr Buckels

*That the recommendation be adopted.*

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

(Cr Burns and Cr Harvey were apologies for the meeting.)

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## **PURPOSE OF REPORT:**

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the nib Stadium Management Committee meeting held on 24 February 2011 and approve of essential works needed to be undertaken at the Stadium.

## **BACKGROUND:**

At the Ordinary Meeting of Council held on 14 September 2004, the Council considered the establishment of a Committee for the management of the Stadium (now known as "nib Stadium" - formerly "ME Bank Stadium") and resolved inter alia as follows:

*"That the Council APPROVES BY AN ABSOLUTE MAJORITY; ...*

- (iii) *to delegate the following functions to the Committee;*
- (a) *to establish and review the Heads of Agreement (HOA) Key Performance Indicators (KPIs) in conjunction with Allia;*
  - (b) *to assess whether each proposed Licensing Agreement is consistent with the KPIs and the provisions of the HOA and to approve the proposed Licensing Agreement if it is consistent;*
  - (c) *to supervise the performance of the Services by Allia and to ensure that Allia performs the Services in accordance with the KPIs and the HOA;*
  - (d) *to receive and consider Performance Reports;*
  - (e) *to advise the Council on Capital Improvements required for the Stadium and to make recommendations to the Council about the use of the Reserve Fund;*
  - (f) *to review Naming Signage; and*
  - (g) *to review the Risk Management Plan;*

*(For the purpose of avoidance of doubt, it is acknowledged that the Committee's functions do not include carrying out any of the Operational Management Services which are to be provided by Allia)."*

## **Request for Essential Works – Grandstand**

On 7 February 2011, Allia wrote to the Town to advise of the necessity to apply a non-slip strip to the various grandstands stairs. Allia will be carrying out these works in the main grandstand and the Town will be responsible for the southern stand - these works will be paid out of the Stadium Annual Maintenance Budget.

On 24 February 2011, the Department of Sport and Recreation (DSR) provided a copy of a Building Code of Australia (BCA) Compliance Audit report relating to the Fred Book Stand at Perth Oval. This BCA Compliance Audit was carried out as part of their due diligence investigations prior to entering into a long term lease with the Town.

The BCA report:

1. Advised that the existing grandstand was non-compliant in a number of areas, with the current Building Code of Australia, however acknowledged that it would have been compliant with the various Codes applicable at the time of construction in 1956.
2. Indicates that the two central staircases leading to the rear passageway and beyond (No: 9 and 11) and the central staircase (No: 10) leading into the Function Room are too steep and have non-compliant risers, posing a trip hazard.

Irrespective of whether the stairs complied with the relevant legislation prevailing at the time, essential works are required to improve the above staircases and exits and such works will include the installation of additional central handrails, installation of non-slip materials on steps, upgrade of lighting and signage. Other minor works will be carried out as part of the normal repairs and maintenance and either funded by Allia or the Town, as required.

The Town has commenced investigations into these matters to provide a short term remedy and also a long term solution - the long term solution may require additional works and if required, a further report will be submitted to the Council. In addition, Allia will be required to upgrade their safety management plans for the various events held at the Stadium.

It is considered that the above works will improve patron safety, minimise risk and reduce the Town's public liability risk. In addition, Allia will be required to upgrade their Risk Management Plan to provide security personnel at the top and bottom of the stairs, during an event. This currently occurs, but will be a mandatory requirement – as part of the risk mitigation strategy.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

The Local Government Act Regulations 1996 requires that Committee Meeting Minutes be reported to the Council.

**RISK MANAGEMENT IMPLICATIONS:**

Reporting of Minutes:

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

Essential Works:

**High:** Failure to carry out essential works would expose the Town to potential legal liability, in the event that an incident occurs and a claim is lodged.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the Town's Strategic Plan - Plan for the Future 2009-2014, Objective 4.1 - *"Provide Good Strategic Decision Making, Governance, Leadership and Professional Management"* and, in particular, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**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.

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

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

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

Nil.

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

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor Nick Catania, declared the meeting closed at 6.30pm with the following persons present:**

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North 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
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 March 2011.

Signed: .....Presiding Member  
Mayor Nick Catania

Dated this ..... day of ..... 2011