



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

SPECIAL COUNCIL MEETING

30 AUGUST 2011

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

INDEX (30 AUGUST 2011)

ITEM	REPORT DESCRIPTION	PAGE
7.	REPORTS	
7.1	Review of State Planning Policy No.3.1 relating to the Residential Design Codes – Request for Comment (PLA0110)	17
7.2	Department of Planning – Draft Capital City Planning Framework (PLA0215)	25
7.3	Proposed Extension of Perth Bicycle Network, On Road Cycle Lanes and other improvements on Palmerston Street between Randall Street and Stuart Street, Perth (TES0172)	30
7.4	No. 220 Vincent Street - New Fire Water Tanks, Pump Room and Limestone Retaining Wall Associated with Beatty Park Leisure Centre. (PRO1149;5.2011.390.1)	35
7.5	Scarborough Beach Road Urban Design Framework – Finalisation Report (PLA0205)	12
7.6	Amendment No. 76 to Planning and Building Policies – Policy No. 3.5.2 relating to Signs and Advertising – Finalisation Report (PLA0188)	5
7.7	Western Australian Local Government Declaration on Climate Change (ENS0129)	9
7.8	Investment Report (FIN0033)	39
7.9	Provisional Financial Statements (FIN0026)	41
7.10	nib Stadium Management Committee Meeting – Receiving of Unconfirmed Minutes 1 August 2011 (RES0082) [Absolute Majority Decision Required]	46
7.11	Draft Festivals Policy No. 1.1.8 (ADM0023) [Absolute Majority Decision Required]	48
7.12	Design Advisory Committee – Appointment of a Selection Panel (ADM0067) [Absolute Majority Decision Required]	54
8.	COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
8.1	Notice of Motion- Cr D Maier- Request for a Policy on Naming Right-of –Ways in the City	59
9.	CLOSURE	59

Minutes of the Special Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 30 August 2011, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.05pm and read out the following:

ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"We acknowledge that this land that we meet on today is part of the traditional land of the Nyoongar people. We acknowledge them as the traditional custodians of this land and pay our respects to the Elders; past, present and future".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Steed Farrell – apology due to work commitments.

Cr Warren McGrath – apology as he will be arriving late due to work commitments

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward (from 6.12pm)
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

5 members of the Public were present.

(c) Members on 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. Scott Kerr, Director of Masterplan, 77 Thomas Street, Subiaco – Item 7.5 Stated the following:
 - Representing a number of owners from Scarborough Beach Road, between Brady and Jugan Streets.
 - The residents only became aware of the proposal to modify Scarborough Beach Road Urban Design Framework, to alter the proposed designation of their land from Activity Centre to Mixed use on Tuesday afternoon.
 - He would like to request that the Council defer the Item to allow the residents time to consider the implications of this change and to provide further information to the Council in this regard.

- Advised, the Council may be aware that the subject land is affected by an existing road widening reservation with a further road widening resulting from the Scarborough Beach Road transit corridor proposal.
 - The area is still subject to the historic City of Stirling Planning Scheme requirements.
 - The land owners have been in liaison with the Council for several years to address these issues with the proposed Town Planning Scheme Amendment 29, which is currently awaiting the WA Planning Commission approval to be advertised.
 - The original proposal for the Activity Centre designation was identified as a means of supporting this process in consultation with City of Vincent Officer's and they are concerned the proposed modification will further constrain the options for the subject land.
 - Land owners took the opportunity during the advertising period to indicate their support for the original proposals.
 - Again would like to request the Council take on board his comments and defer the Item.
2. Michael McDonald of 42 Federation Street, Mt Hawthorn. – Item 7.5 Stated the following:
- Has lived in Mt Hawthorn for many years and was part of the group who pushed to have the subject land transferred from City of Stirling to the City of Vincent.
 - Unhappy with the plans recently published for the development between Brady and Jugan street and the proposed 6 storey height.
 - Would like further time to consider the Item and requests the Council defer the item so that they are able to lodge a formal application in regards to the plan.

There being no further speakers, Public Question Time closed at approx. 6.11pm.

Cr McGrath entered the Meeting at approx 6.12pm.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

6. DECLARATION OF INTERESTS

- 6.1 Mayor Catania declared a Financial interest in Item 7.8 – Investment Report. The extent of his interest being that he is the Chairperson of the North Perth Community Bank, in which the City has investment shares.
- 6.2 Cr Burns declared a Financial interest in Item 7.8 – Investment Report. The extent of her interest being that she is a shareholder and her father is a Director in the North Perth Community Bank, in which the City has investment shares.
- 6.3 Cr Buckels declared a Financial interest in Item 7.2 - Department of Planning – Draft Capital City Planning Framework. The extent of his interest being he is employed by the Department of Planning.
- 6.4 Cr McGrath declared a Proximity interest in Item 7.3 - Proposed Extension of Perth Bicycle Network, On Road Cycle Lanes, and other improvements on Palmerston Street between Randall Street and Stuart Street, Perth – Further Report. The extent of his interest being he owns a property and resides at Palmerston Street, immediately adjacent to the proposal. (Read out at 6.40pm.)

REPORTS

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

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

Items 7.5

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 7.10, 7.11, and 7.12

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

Items 7.2, 7.3 and 7.8

Presiding Member, Mayor Nick Catania, requested Council Members to indicate:

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 Topelberg	Nil.
Cr Buckels	Item 7.4
Cr McGrath	Nil.
Cr Lake	Nil.
Cr Harvey	Nil.
Cr Burns	Nil.
Cr Maier	Items 7.1 and 7.9
Mayor Catania	Nil.

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

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

Items 7.6 and 7.7

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 7.6 and 7.7

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

Items 7.5

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

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

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Topelberg Seconded Cr Maier

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

Items 7.6 and 7.7

CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

7.6 Amendment No. 76 to Planning and Building Policies – Policy No. 3.5.2 relating to Signs and Advertising – Adoption of Final Amended Version

Ward:	Both	Date:	25 August 2011
Precinct:	All	File Ref:	PLA0188
Attachments:	001 – Draft Amended Policy No. 3.5.2 002 – Comments Table		
Reporting Officer:	E Lebbos, Strategic Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of the Draft Amended Policy No. 3.5.2 relating to Signs and Advertising, as shown in Appendix 7.6 in accordance with Clause 47 (5) (b) of the City's Town Planning Scheme No. 1; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of the Draft Amended Policy No. 3.5.2 relating to Signs and Advertising, as shown in Appendix 7.6, in accordance with Clause 47 (6) of the City's Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 7.6

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Farrell was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for the Draft Amended Policy No. 3.5.2 relating to Signs and Advertising, to present to the Council the final amended version of the Draft Amended Policy, and to seek final adoption of the Policy.

BACKGROUND:

14 September 2010 At its Ordinary Meeting, the Council refused an application for proposed signage (billboard) at Nos. 67-69 (Lot 35; D/P: 67625) Scarborough Beach Road, North Perth (Item 9.1.7). At this meeting, a subsequent motion was carried as follows:

"That the Town's Administration advise the Council with a suggested scope for a review of its Policy No. 3.5.2 to Signs and Advertising, based on discussions (this evening)."

In particular, the following matters were raised by the Council Members for investigation during debate:

- the suitability of billboards in the City;

- the possibility of incorporating site selection criteria in the City's Policy No. 3.5.2, relating to Signs and Advertising, for where billboards are considered appropriate; and
- the incorporation of new Policy provisions relating to introducing a fee for billboards, similar to that outlined in the City's Policy No. 3.5.13, relating to Percentage for Public Art.

5 April 2011

Councillor Burn's Notice of Motion, relating to a review of the City's Policy No. 3.5.2, relating to Signs and Advertising, was adopted by the Council, as follows:

"That the Council REQUESTS:

- (i) the Chief Executive Officer to review and prepare a report on the Town of Vincent Signs and Advertising Policy 3.5.2. The scope of the review should include (but not be limited to):*
 - (a) a more equitable way to manage signage and advertising in the Town (the focus being on signage);*
 - (b) the efficacy of the current approach;*
 - (c) research into the approaches taken by other similar Local Governments in managing signage and advertising, particularly in relation to billboard and window signs;*
 - (d) the review to consider:*
 - *how much of the entire wall and/or windows are used for signage rather than each as a discrete consideration but still without allowing too much coverage;*
 - *the option to allow greater signage if the signs used are see through (i.e. like the signage used on car windows) so that there is still passive surveillance;*
 - *the Town's Policy stance in relation to the suitability of billboards within the Town's jurisdiction, the possibility of incorporating site selection criteria for where billboards are considered appropriate, the possible incorporation of new Policy provisions relating to introducing a fee for billboards, Policy provisions relating to fence signs, window signs, panel signs and movable signs;*
 - (e) whether the current level of Delegated Authority is appropriate; and*
 - (f) any other relevant matters; and*
- (ii) a report be submitted to the Council no later than June 2011."*

14 April 2011

At its Ordinary Meeting, the Council considered a report relating to Policy No. 3.5.2, relating to Signs and Advertising (Item No. 9.1.1),

whereby it was resolved that a further report relating to the matter will be submitted to the Council by no later than June 2011.

- 28 June 2011 The Council considered a report relating to Policy No. 3.5.2, relating to Signs and Advertising, and resolved to authorise the Draft Amended Policy to be advertised for public comment.
- 19 July 2011 The public consultation period commenced for the Draft Amended Policy No. 3.5.2, relating to Signs and Advertising.
- 15 August 2011 The public consultation period closed for the Draft Amended Policy No. 3.5.2, relating to Signs and Advertising.

DETAILS:

Submissions Received

The Draft Amended Policy No. 3.5.2, relating to Signs and Advertising, has been advertised as required by Clause 47 of the City's Town Planning Scheme No. 1, commencing on 19 July 2011 and closing on 15 August 2011. Following the completion of the advertising period, the Policy was further considered in light of the submissions received, and where appropriate, has been modified in light of these submissions.

A summary of the proposed key amendments to the Draft Amended Policy No. 3.5.2, relating to Signs and Advertising, following the advertising period, are as follows:

- Clarify which provisions of the Policy the final statement in Clause 5 specifically relates to. The subject statement is as follows: *'It should be noted that a proposed development may still be refused on the basis of non-compliance with signage requirements, regardless of whether these provisions have been met.'*;
- Amend typographical errors; and
- Amend any reference to the 'Town of Vincent' to reflect its new designation as 'City of Vincent', as of 1 July 2011.

The proposed amendments are considered appropriate and logical, and will serve to further enhance the transparency and legibility of the City's Policy No. 3.5.2, relating to Signs and Advertising.

Details of all proposed amendments are outlined in Appendix 7.6, and have been depicted via strikethrough and underline.

CONSULTATION/ADVERTISING:

The Draft Amended Policy was advertised for a period of 28 days, in accordance with Clause 47 of the City of Vincent's Town Planning Scheme No. 1. The formal advertising period commenced on 19 July 2011 and closed on 15 August 2011.

In total, three (3) submissions were received, all of which stated no objection to the proposed Amendment No. 76.

A summary of the comments received can be found in Appendix 7.6.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

"Improve and Maintain the Environment and Infrastructure:

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

SUSTAINABILITY IMPLICATIONS:

By addressing signage that do not comply with the requirements outlined in the City's Policy No. 3.5.2, relating to Signs and Advertising, this will preserve the amenity of the locality by reducing the adverse impact that such development will have on the streetscape (for example, visual clutter).

Therefore, it is envisaged that by amending this Policy No. 3.5.2, relating to Signs and Advertising, this will ensure a more equitable way in managing signage and advertising in the City, serving to protect and encourage aspects of environmental and social sustainability.

FINANCIAL/BUDGET IMPLICATIONS:

The current 2011/2012 Budget allocates \$40,000 to Town Planning Scheme Amendments and Policies.

COMMENTS:

It is considered that these amendments, together with those that were advertised, will result in a comprehensive and transparent Policy No. 3.5.2, relating to Signs and Advertising, ensuring a more equitable way in managing signage and advertising in the City.

In light of the above justification and the submissions received, it is recommended that the Council receives and adopts the final version of the Draft Amended Policy in accordance with the Officer Recommendation.

7.7 Western Australian Local Government Association (WALGA) – Climate Change Declaration for Local Governments

Ward:	Both	Date:	25 August 2011
Precinct:	All	File Ref:	ENS0129
Attachments:	001 – Western Australian Local Government Declaration on Climate Change		
Reporting Officer:	A Marriott, Project Officer – Sustainability		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

1. **CONSIDERS** the Declaration on Climate Change as shown in Appendix 7.7; and
2. **ADVISES** the Western Australian Local Government Association (WALGA) that the Council **SUPPORTS IN-PRINCIPLE** the Declaration on Climate Change as shown in Appendix 7.7.

COUNCIL DECISION ITEM 7.7

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Farrell was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present WALGA’s *Western Australian Local Government Declaration on Climate Change*, and to seek in-principle support for this Declaration as requested by WALGA.

BACKGROUND:

- | | |
|----------------|---|
| 2008 | WALGA endorsed the resourcing of a climate change specific position to assist the Local Government sector to respond to the impacts and the opportunities inherent in climate change management. |
| 2009 | State Council endorsed a Policy Statement for WALGA on Climate Change. |
| 22 August 2011 | In Issue 33.11 of its Local Government Newsletter, WALGA called on Local Governments to provide in-principle support for its <i>Western Australian Local Government Declaration on Climate Change</i> . WALGA’s Climate Change Coordinator has requested that this feedback be provided by close of business Friday, 28 October 2011. |

DETAILS:

Over the past ten years, Local Governments in Western Australia have made significant commitments to and investments in climate change action. WALGA has developed the *Western Australian Local Government Declaration on Climate Change* to help Local Governments to consolidate this work, and create a strong advocacy position for the sector.

The final wording of this document was based on the *Nottingham Declaration* (which 90% of UK Councils have signed), considered by the Climate Change Councillors Group and endorsed by State Council. However, it can be amended by Local Governments to suit their individual needs and commitments should they wish to strengthen its intent, or include locally relevant targets, projects and policies.

Issue 33.11 of the WALGA Local Government Newsletter states that, the *Declaration on Climate Change* is consistent with the intent of WALGA's endorsed *Climate Change Policy Statement*, and was endorsed at the August 2011 meeting of State Council. It stands as a voluntary opportunity for Councils to demonstrate their political commitment to locally appropriate climate change management, and to participate in a sector wide leadership approach.

At the present time significant political action is underway on climate change at both a national and state-wide level. Local Governments will need a strong, consolidated position from which to continue their leadership on climate change and advocate for appropriate funding mechanisms to be developed to support Local Government climate change management.

WALGA encourages all Local Governments to become signatories to the Declaration, and advises that it will support the Association's policy and advocacy work, including the development of a funded sector-wide program to assist Local Governments to respond to climate change risks and impacts.

Councils are asked to consider the Declaration, and communicate their 'in-principle' support to WALGA's Climate Change Coordinator by close of business Friday, 28 October 2011, with ceremonial signing of the final document planned for February 2012.

Should the City wish to sign the *Western Australian Local Government Declaration on Climate Change*, the document is proposed to read as follows:

The City of Vincent acknowledges that:

- Evidence shows that climate change is occurring.
- Climate change will continue to have significant effects on the Western Australian environment, society and economy, and the Local Government sector.
- Human behaviours, pollution and consumption patterns have both immediate and future impacts on the climate and environment.

The City of Vincent supports the:

- Environmental, social and economic benefits of addressing climate change immediately.
- Opportunity for Local Government to demonstrate leadership in climate change management at a community level.
- Development of equitable and implementable State and Commonwealth strategies for climate change management.

The City of Vincent commits from date of signing to:

- Set an appropriate, individual Local Government emissions reduction target and work toward its achievement.
- Work with State and Federal Government to ensure achievement of greenhouse gas emissions reduction targets as set out in key National and International agreements.
- Work with State and Federal Government to implement key actions and activities for climate change management at a local level.
- Assess the regionally specific risks associated with climate change and implications for Local Government services, and identify areas where appropriate mitigation and/or adaptation strategies should be applied.

- Develop an internal Climate Change Action Plan (CCAP) for climate change actions across all Local Government functions, with a focus on the two, five and ten year future.
- Ensure that, at appropriate review intervals, the strategic plan and policies for the Local Government are reviewed and amended to reflect climate change management priorities and emissions reduction targets.
- Encourage and empower the local community and local businesses to adapt to the impacts of climate change and to reduce their greenhouse gas emissions.
- Monitor the progress of climate change initiatives and ensure full communication of achievements for Council and Community.

The *Western Australian Local Government Declaration on Climate Change* as it appears on WALGA's website can be viewed in Appendix 7.7.

CONSULTATION / ADVERTISING

In-principle support for the Declaration is requested by close of business Friday, 28 October 2011. Ceremonial signing of the document is planned for February 2012.

LEGAL/POLICY:

Not Applicable.

RISK MANAGEMENT IMPLICATIONS:

Signing the *Declaration on Climate Change* will demonstrate the City's leadership and proactive approach toward tackling climate risks and adopting appropriate mitigation and adaptation strategies.

STRATEGIC IMPLICATIONS:

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

"Natural and Built Environment:

- 1.1 *Improve and maintain environmental infrastructure,*
 - 1.1.3 *Take action to reduce the City's environmental impacts and provide leadership on environmental matters."*

SUSTAINABILITY IMPLICATIONS:

Signing the *Declaration on Climate Change* will demonstrate the City's commitment to promoting and implementing the principles of environmental sustainability.

FINANCIAL/BUDGET IMPLICATIONS:

No additional funding required beyond that which has been allocated for implementation of the City's *Sustainable Environment Strategy 2011-2016*.

COMMENTS:

Given that the City has already adopted a *Sustainable Environment Strategy*, which reflects the statements and embodies the commitments set out in the Declaration above, it is recommended that the Council provide in-principal support for WALGA's *Western Australian Local Government Declaration on Climate Change*.

7.5 Scarborough Beach Road Urban Design Framework – Adoption of Final Amended Version

Ward:	-	Date:	25 August 2011
Precinct:	All	File Ref:	PLA0205
Attachments:	001 – Draft Scarborough Beach Road Urban Design Framework 002 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	E Lebbos, Planning Officer (Strategic)		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of the Draft Scarborough Beach Road Urban Design Framework as shown in Appendix 7.5(a);
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of the Draft Scarborough Beach Road Urban Design Framework; and
3. **REFERS** a copy of the final amended version of the Draft Scarborough Beach Road Urban Design Framework to the Department of Planning, to inform the overarching Place Making Strategy.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Discussion ensued.

PROCEDURAL MOTION

Moved Cr Topelberg, Seconded Cr Buckels

That the item be DEFERRED for further consideration and to allow sufficient time for Members of the community to lodge a submission.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for the Draft Scarborough Beach Road Urban Design Framework, to present the final amended version of the Draft Framework to the Council, and to seek final adoption of the Framework, a copy of which will be referred to the Department of Planning to inform the overarching Place Making Strategy for the Scarborough Beach Road Activity Corridor.

BACKGROUND:

13 June 2008 The City of Vincent participated in the Scarborough Beach Road Activity Corridor scoping project facilitated by the then Department for Planning and Infrastructure.

- July 2008 Hassell Planning Consultants completed a Scoping Report and Action Plan for Scarborough Beach Road, which recommended that 3 studies be undertaken, namely; a Population/Land Use Target Study, a Transport Strategy and a Place Making Strategy.
- 10 September 2008 The City of Vincent accepted an invitation from the then Department for Planning and Infrastructure to participate in the working group for the Scarborough Beach Road Activity Corridor Demonstration Project.
- 6 February 2009 The City of Vincent provided the then Department of Planning and Infrastructure in-principle support to the project management structure as outlined within the Statement of Intent for the Project.
- February 2009 Fortnightly working group meetings commenced, facilitated by the Department of Planning and attended by representatives from the City of Vincent, the City of Stirling, the Public Transport Authority, Main Roads WA, and as required, the Consultants engaged to undertake the Population and Land Use Target Study and the Transport Study, namely Syme Marmion and Sinclair Knight Merz respectively.
- May 2010 Information sessions were held at the City's Administration and Civic Centre, whereby general information about the Project was presented to the community.
- 15 June 2010 The Department of Planning and the City of Vincent's Strategic Planning Section presented to the Council Member Forum, providing an update on the Scarborough Beach Road Activity Corridor Project.
- 22 February 2011 The Council considered a report relating to the three (3) road design options for Scarborough Beach Road between Main Street and the Mitchell Freeway, as part of the Scarborough Beach Road Activity Corridor Project. The Council endorsed Option 2, resulting in a 3.5 metre increase in the existing 5 metre road reservation for this portion of the road.
- April 2011 Community workshops were undertaken at the City's Administration and Civic Centre, whereby two urban design options for the future development of Scarborough Beach Road were presented, one relating to a targeted option, the other to a significant option.
- 14 June 2011 The Council endorsed the Draft Scarborough Beach Road Urban Design Framework.
- 28 June 2011 The public consultation period commenced for the Draft Scarborough Beach Road Urban Design Framework.
- 25 July 2011 The public consultation period closed for the Draft Scarborough Beach Road Urban Design Framework.

DETAILS:

The then Department of Planning and Infrastructure initiated the Scarborough Beach Road Activity Corridor Demonstration project in 2008-2009.

A letter received from the Department, dated 28 January 2009, clearly sets out the following three elements of the Scarborough Beach Road Activity Corridor Project, which emerged as recommendations of the Scarborough Beach Road Action Plan undertaken in 2008:

- Population/Land Use Study;
- Transport Strategy; and

- Place Making Strategy.

Element one (the Population/Land Use Study) was completed by consultant Syme Marmion & Co, and element two (the Transport Strategy) was completed by consultant Sinclair Knight Merz. Element three however, a high level non-statutory document, will be undertaken by the Department of Planning and informed by the respective Local Government authorities, that being the City of Vincent and the City of Stirling. For its part, the City of Vincent has prepared the Urban Design Framework to inform element three, that being the Place Making Strategy.

Proposed Key Amendments

The Draft Urban Design Framework was advertised between 28 June 2011 and 25 July 2011. Following the completion of the advertising period, the Draft Framework was further considered in light of the submissions received, and where appropriate, has been amended in light of these submissions.

A summary of the proposed key amendments to the Draft Framework following the advertising period are as follows:

- Incorporate property No. 1/84 Bondi Street, Mount Hawthorn, into the land use plans for both the Targeted and Significant Options;
- For the three properties located at the corner of Jugan Street and Gibney Avenue (namely No. 16 Gibney Avenue, No. 18 Gibney Avenue, and No. 6 Jugan Street), it is considered appropriate to retain a residential zoning for these properties. As such, the land use plans for both the Targeted and Significant Options have been amended to reflect this;
- Amend the Draft Urban Design Framework to include an Activity Zone (R-AC2) for the Toyota site only, between the Freeway and Jugan Street, as opposed to also those lots directly abutting Scarborough Beach Road between Jugan and Brady Streets. For those lots directly abutting Scarborough Beach Road, between Jugan and Brady Streets, these have been amended to have a mixed use zoning. As such, the land use plans for both the Targeted and Significant Options have been amended to reflect this;
- Amend the Draft Urban Design Framework to make reference to water efficiency;
- The Draft Urban Design Framework will be amended to make reference to Department of Water document Better Urban Water Management 2008; and
- Amend any reference to the 'Town of Vincent' to reflect its new designation as 'City of Vincent', as of 1 July 2011.

Further to the above, a late submission was received by Main Roads Western Australia (MRWA), dated 27 July 2011, outlining certain concerns they have with the Draft Urban Design Framework, particularly in relation to the cross-sections and aerial profile plan prepared by Sinclair Knight Mertz for the portion of Scarborough Beach Road between Main Street and the Mitchell Freeway. The City forwarded these comments onto the Department of Planning and Department of Transport, who provided comment in favour of the City's proposal. Notwithstanding this, the City has acknowledged that further detailed design work is required to address certain matters raised by MRWA; however, this is outside the scope of this Project. The comments provided by the MRWA, and the subsequent responses provided by the Department of Planning and Department of Transport are comprehensively set out in Appendix 7.5 (b).

Furthermore, details of all the proposed amendments are outlined in Appendix 7.5 (a), and have been depicted via strikethrough and underline.

CONSULTATION/ADVERTISING:

The Draft Scarborough Beach Road Urban Design Framework was advertised for a period of 28 days, with the formal advertising period commencing on 28 June 2011 to 25 July 2011.

In total, thirty nine (39) submissions were received, the breakdown of which is as follows:

- Support: thirteen (13);
- Object: sixteen (16);
- Neither support nor object: seven (7); and
- Not stated: three (3).

A summary of the submissions received is set out in Appendix 7.5 (b).

LEGAL/POLICY:

- City of Vincent Town Planning Scheme No. 1;
- City of Stirling District Planning Scheme No. 2;
- City of Stirling District Planning Scheme Amendment 423 (Schedule 14);
- Metropolitan Region Scheme; and
- Planning and Development Act 2005.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

“Improve and Maintain the Environment and Infrastructure:

- 1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.*
- 1.1.4 *Take action to improve transport and parking in the Town and mitigate the effects of traffic.*
- 1.1.5 *Enhance and maintain the Town's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.”*

SUSTAINABILITY IMPLICATIONS:

The Scarborough Beach Road Activity Corridor Project is based on the premise of best practice sustainability principles.

It aims to provide an overarching transport and land use concept that, when implemented over time, will significantly improve the form and function of the road and its surrounds into the future for residents, cyclists, pedestrians and public transport patrons alike.

As such, it is envisaged that this Urban Design Framework, which sets out the future land use concept for the road, will inform and facilitate development along Scarborough Beach Road in a sustainable manner, by making efficient use of existing land and infrastructure, accommodating a balanced transport mode share along Scarborough Beach Road, and promoting a diversity of high quality land uses.

FINANCIAL/BUDGET IMPLICATIONS:

The 2011/2012 Budget allocates \$40,000 to Town Planning Scheme Amendments and Policies.

COMMENTS:

In its current state, Scarborough Beach Road is unlikely to attract or be suitable for high activity land uses, particularly outside the Mount Hawthorn Town Centre. The dominant role and function of the road as a district distributor reduces its ability to attract the appealing development needed to create vibrant, pedestrian orientated environments along the road. As such, this Project, including the City's Draft Scarborough Beach Road Urban Design Framework, forms the first step to improving the future development of Scarborough Beach Road in terms of transport function and land use.

In light of the above justification and the submissions received, it is recommended that the Council adopts the final amended version of the Draft Scarborough Beach Road Urban Design Framework, and refers a copy of the document to the Department of Planning to inform the overarching Place Making Strategy, in accordance with the Officer Recommendation.

7.1 Review of State Planning Policy No. 3.1 relating to the Residential Design Codes – Request for Comment

Ward:	Both	Date:	12 August 2011
Precinct:	All Precincts	File Ref:	PLA0110
Attachments:	001 – Submission		
Tabled Items:	Amended R-Codes Consultation Paper		
Reporting Officer:	R Marie, Planning Officer (Strategic)		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADVISES** the Western Australian Planning Commission (WAPC) and the Western Australian Local Government Association (WALGA) that the City of Vincent **SUPPORTS IN PRINCIPLE** the proposed amendments to State Planning Policy 3.1 – Residential Design Codes, subject to the comments identified in the City’s Submission, as shown in Appendix 7.1., being further investigated and addressed by the WAPC; and
2. **AUTHORISES** the Chief Executive Officer to forward a copy of the City’s submission shown in Appendix 7.1 to the WAPC and WALGA for their consideration.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Topelberg

That the following amendment be adopted.

PROPOSED AMENDMENT:

That clause 1 be amended to read as follows:

1. **ADVISES** the Western Australian Planning Commission (WAPC) and the Western Australian Local Government Association (WALGA) that the City of Vincent **SUPPORTS IN PRINCIPLE** the proposed amendments to State Planning Policy 3.1 – Residential Design Codes, subject to the comments identified in the City’s Submission, as shown in Appendix 7.1, being further investigated and addressed by the WAPC, subject to comments 8 and 18 being amended as follows; and

- 1.1 **Comment Number 8 on pages 3 and 4**

~~It is unnecessary and unrealistic to list the following requirements in the ‘deemed to comply’ criteria:~~

~~‘and does not adversely impact:~~

- ~~• more than 50% of the primary outdoor living areas on the adjoining property/s; and/or~~
- ~~• existing major openings to habitable rooms; and/or~~

- ~~• existing solar collectors (skylights, solar panels and hot water systems); and/or~~
 - ~~• existing balconies or verandahs~~
- ~~As measured on 21st June at noon.'~~

~~Given the lot sizes and widths in the City, it is almost impossible to comply with both the percentages and additional criteria. It is more likely that objections will be received if both percentages and criteria are required.~~

~~The arbitrary choice of noon on 21 June only addresses the impact on neighbours to the south and ignores the impact on other neighbours. This is arbitrary in nature.~~

Recommendation

Delete the following text from 5.9.1 D 1

- ~~'and does not adversely impact on existing:~~
- ~~• outdoor living areas; and/or~~
 - ~~• major openings to habitable rooms; and/or~~
 - ~~• solar collectors (skylights, solar panels and hot water systems); and/or~~
 - ~~• balconies or verandahs~~
- ~~As measured on 21st June at noon.'~~

~~The Deemed-to-Comply provisions should more closely relate to an outcome that is performance based and should consider provisions that do not reduce access to sunlight to outdoor living areas etcetera below a certain number of hours per day.~~

1.2 Comment Number 18 on pages 5 and 6

~~It is unnecessary and unrealistic to list the following requirements in the 'deemed to comply' criteria:~~

- ~~'and does not adversely impact:~~
- ~~• more than 50% of the primary outdoor living areas on the adjoining property/s; and/or~~
 - ~~• existing major openings to habitable rooms; and/or~~
 - ~~• existing solar collectors (skylights, solar panels and hot water systems); and/or~~
 - ~~• existing balconies or verandahs~~
- ~~As measured on 21st June at noon.'~~

~~Given the lot sizes and widths in the City, it is almost impossible to comply with both the percentages and additional criteria. It is more likely that objections will be received if both percentages and criteria are required.~~

~~The arbitrary choice of noon on 21 June only addresses the impact on neighbours to the south and ignores the impact on other neighbours. This is arbitrary in nature.~~

Recommendation

Delete the following text from 6.4.2 D2

- ~~'and does not adversely impact:~~

- ~~• more than 50% of the primary outdoor living areas on the adjoining property/s; and/or~~
 - ~~• existing major openings to habitable rooms; and/or~~
 - ~~• existing solar collectors (skylights, solar panels and hot water systems); and/or~~
 - ~~• existing balconies or verandahs~~
- ~~As measured on 21st June at noon.~~

The Deemed-to-Comply provisions should more closely relate to an outcome that is performance based and should consider provisions that do not reduce access to sunlight to outdoor living areas etcetera below a certain number of hours per day.

Debate ensued.

Cr Topelberg requested that the word "Arbitrary" be deleted where it first appears in new Clauses 1.1 and 1.2.

The Mover Cr Maier agreed to delete the word "Arbitrary" and this was deleted from the amendment.

Debate ensued.

AMENDMENT PUT AND CARRIED (5-3)

(Cr Farrell was an apology for the meeting.)

For: Cr Harvey, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Against: Mayor Catania, Cr Buckels, Cr Burns.

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Farrell was an apology for the meeting.)

COUNCIL DECISION ITEM 7.1

1. ADVISES the Western Australian Planning Commission (WAPC) and the Western Australian Local Government Association (WALGA) that the City of Vincent SUPPORTS IN PRINCIPLE the proposed amendments to State Planning Policy 3.1 – Residential Design Codes, subject to the comments identified in the City's Submission, as shown in Appendix 7.1, being further investigated and addressed by the WAPC, subject to comments 8 and 18 being amended as follows; and

1.1 Comment Number 8 on pages 3 and 4

~~It is unnecessary and unrealistic to list the following requirements in the 'deemed to comply' criteria:~~

~~'and does not adversely impact:~~

- ~~• more than 50% of the primary outdoor living areas on the adjoining property/s; and/or~~
 - ~~• existing major openings to habitable rooms; and/or~~
 - ~~• existing solar collectors (skylights, solar panels and hot water systems); and/or~~
 - ~~• existing balconies or verandahs~~
- ~~As measured on 21st June at noon.~~

~~Given the lot sizes and widths in the City, it is almost impossible to comply with both the percentages and additional criteria. It is more~~

~~likely that objections will be received if both percentages and criteria are required.~~

The choice of noon on 21 June only addresses the impact on neighbours to the south and ignores the impact on other neighbours. This is arbitrary in nature.

Recommendation

Delete the following text from 5.9.1 D 1

~~'and does not adversely impact on existing:~~
~~• outdoor living areas; and/or~~
~~• major openings to habitable rooms; and/or~~
~~• solar collectors (skylights, solar panels and hot water systems);~~
~~and/or~~
~~• balconies or verandahs~~
~~As measured on 21st June at noon.'~~

The Deemed-to-Comply provisions should more closely relate to an outcome that is performance based and should consider provisions that do not reduce access to sunlight to outdoor living areas etcetera below a certain number of hours per day.

1.2 Comment Number 18 on pages 5 and 6

~~It is unnecessary and unrealistic to list the following requirements in the 'deemed to comply' criteria:~~

~~'and does not adversely impact:~~
~~• more than 50% of the primary outdoor living areas on the~~
~~adjoining property/s; and/or~~
~~• existing major openings to habitable rooms; and/or~~
~~• existing solar collectors (skylights, solar panels and hot water~~
~~systems); and/or~~
~~• existing balconies or verandahs~~
~~As measured on 21st June at noon.'~~

~~Given the lot sizes and widths in the City, it is almost impossible to comply with both the percentages and additional criteria. It is more likely that objections will be received if both percentages and criteria are required.~~

The choice of noon on 21 June only addresses the impact on neighbours to the south and ignores the impact on other neighbours. This is arbitrary in nature.

Recommendation

Delete the following text from 6.4.2 D2

~~'and does not adversely impact:~~
~~• more than 50% of the primary outdoor living areas on the~~
~~adjoining property/s; and/or~~
~~• existing major openings to habitable rooms; and/or~~
~~• existing solar collectors (skylights, solar panels and hot water~~
~~systems); and/or~~
~~• existing balconies or verandahs~~
~~As measured on 21st June at noon.'~~

The Deemed-to-Comply provisions should more closely relate to an outcome that is performance based and should consider provisions that do not reduce access to sunlight to outdoor living areas etcetera below a certain number of hours per day; and

- 2. AUTHORISES the Chief Executive Officer to forward a copy of the City's submission shown in Appendix 7.1 to the WAPC and WALGA for their consideration.**
-

PURPOSE OF REPORT:

The purpose of this report is to advise the Council that State Planning Policy 3.1 – Residential Design Codes (R-Codes) is currently being advertised for public comment, and to provide a summary of the Draft Strategy to the Council and for the Council to endorse the City's comments in relation to the amended Policy.

BACKGROUND:

- | | |
|------------------|--|
| 22 November 2010 | Amendments were made to the R-Codes to include new provisions relating to multi unit housing developments. |
| 4 August 2011 | The City's Officers attended an information session, which outlined the major changes to the R-Codes. |
| 31 August 2011 | Consultation period closes. |

DETAILS:

The objective of the review of the R-Codes is to examine the effectiveness and continued relevance of aspects of the Codes. The changes to the R-Codes have been outlined in the Consultation Paper, as 'Tabled' and a summary is provided below.

Major Changes

Terminology

The terms 'Acceptable Development' and 'Performance Criteria' have been amended to 'Deemed to Comply' and 'Design Solution' respectively. It was sometimes interpreted that the 'Acceptable Development' was the only way to assess an application. This was not the intention of the R-Codes. If an application cannot comply with the provisions of the 'Acceptable Development', it could be assessed using the 'Performance Criteria'. Therefore, the terminology has been amended to make clearer that both options are acceptable and comply with the overarching objectives of the R-Codes.

This is considered an important change for the City as this question is often raised in the consultation process.

Detailed Area Plans (now Specific Area Plans)

With the introduction of Development Assessment Panels (DAPs), the term Detailed Area Plan has been amended to Area Specific Plans (ASPs). ASPs are proposed as a spatial variant to local planning policies. It is proposed that all new ASPs be prepared in accordance with the Local Planning Policy format, with attached plans.

Whilst the City does not have any Detailed Area Plans, the change is important to note.

Local Planning Policy Format

The R-Codes recommend that more focus be given to the existence of Local Planning Policies, and it is suggested that they be noted and filed in the R-Codes ring binder.

A proposed Policy Format has been included in Appendix 5. This also clearly outlines which section of the R-Codes is being varied.

Given that the City has a large Policy Manual; it would be difficult to include all of the City's Policies with the R-Codes folder. In addition, the City has a standard Policy template currently used for all Local Planning Policies. Whilst it is acknowledged that the standard template provided in Appendix 5 of the R-Codes will aim to streamline Policies across the State, it is important to recognise that some flexibility to Policy format should be offered to Local Governments. The standard Policy template could be utilised for the proposed Town Planning Scheme No. 2 and associated Policies.

Local Planning Strategies and Local Housing Design Objectives

It has been suggested that objectives relating to a locality within a municipality, could be included in the relevant authority's Local Planning Strategy to be considered through assessment in a Design Solution process. The City is already including these aspects in the Draft Local Planning Strategy.

Additional Dwelling Type

This refers to Supplementary Accommodation, Aged or Dependent Person's Accommodation and Single Bedroom Dwellings.

'Ancillary Accommodation' is now referred to as a 'Supplementary Dwelling'. The change to the definition is to clearly differentiate between the former 'Ancillary Accommodation' which is associated with the main dwelling. The definition of 'Supplementary Dwelling' now permits non-familial residence in the dwelling, to assist in providing affordable housing options and greater housing choice.

It is noted that in response to a key recommendation of the City's Affordable Housing Strategy, the City already allows for the non-familial occupation ancillary dwellings through the City's Policy No. 3.4.1 relating to Ancillary Accommodation. Whilst this initiative provides alternative housing options, based on the City's experience, issues relating to the facilities required in the ancillary dwelling needs to be clarified to address the requirements of the Building Code of Australia and the City's Health Local Laws.

Changes have been made to the maximum floor area of Aged or Dependent Person's Accommodation and the provision for Single Bedroom Dwelling have been expanded.

Minimum Site Area

For zonings R20 to R40, the minimum site area for a single house has been reduced to allow more flexibility. It is noted that the minimum site area now prescribed is equivalent to the average site area of the subsequent coding.

This is considered appropriate particularly in the City where the retention of the existing house is often encouraged to maintain the character of a locality; therefore, reducing the minimum site area provides more scope for the rear of the lot to be developed.

Key Recommendations beyond the Scope of this Review

Removal of Subdivision Control

The removal of the subdivision controls are not recommended as part of this review of the R-Codes; however, it is an opportunity for discussion in relation to the proposal. The R-Codes Review Consultation Paper states;

'It is a critical recommendation of this review that the control of subdivision be removed in its entirety from the Codes, to be addressed by a separate WAPC Policy. As the main function of the Codes is to provide the basis for controlling the design of residential buildings and

associated works (i.e. site development) and how these are arranged on site, it is considered inappropriate to confuse this with the urban design issues associated with the subdivision of land, which is largely considered through operational policies such as liveable neighbourhoods and Development Control Policy 2.2 – Residential Subdivision (DC Policy 2.2).'

The above matter was discussed at the workshop held on 4 August 2011 and will be further investigated following the consultation period.

Generic Local Planning Policies for Climate Responsive Design

The Local Government has a number of options to influence housing design that is climate responsive, such as through a Local Planning Strategy, Local Planning Policies and Local Laws. The Consultation Paper prepared by the WAPC recommends that, '*Regional Development Commissions, in conjunction with the WAPC, help to prepare a series of generic climate responsive design provisions that can be utilised in the preparation in one or more of the above options.*'

The R-Codes have limited information on climate, given variation in climatic regions across the State. Given this, the R-Codes themselves leave it more up to the Local Government with direction from the State to determine the impacts of climate on the development. The City is actively pursuing this direction by adopting Policy No. 3.5.10 relating to Sustainable Design and the associated Checklist, as well as providing incentives for sustainable design through the City's Policy No. 3.4.8 relating to Multiple Dwellings.

Training and Development

The WAPC recommend that once the R-Codes are adopted, that it also be accompanied by a well resolved training program. It is acknowledged that there are many different interpretations of the R-Codes and ongoing training and education is essential to address this.

Additional Proposals

It has been noted that in some areas the R-Codes do not match the characteristic of an area, which can have implications for the good design and the neighbourhood character. The Consultation Paper proposes a solution where the assessment of a development is based on the lot size rather than the R-Code. It is noted that this proposal will only have affect if subdivision controls are removed from the R-Codes.

This will have implications for the City and may achieve a better design response if managed appropriately and guidance is provided in the R-Codes.

CONSULTATION/ADVERTISING:

The R-Codes are being advertised by the WAPC for a period of two (2) months, ceasing on 31 August 2011.

LEGAL/POLICY:

State Planning Policy 3.1 – Residential Design Codes
City of Vincent Town Planning Scheme No. 1 and associated Policies

RISK MANAGEMENT IMPLICATIONS:

Not Applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 1.1.1 states:

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

SUSTAINABILITY IMPLICATIONS:

Not Applicable

FINANCIAL/BUDGET IMPLICATIONS:

Not Applicable.

COMMENTS:

In general, the City supports in principle the changes to the R-Codes; however, some comments have been made and clarification requested on a number of matters outlined in the City's submission, shown in Appendix 7.1.

As a result of some of the changes to the R-Codes, following the Gazettal of the changes, the City may need to review a number of its Planning and Building Policies to align with the provisions of the R-Codes. Policies include;

- Ancillary Accommodation – this term is no longer used in the R-Codes; therefore, the City's Policy should be amended to reflect this, along with the new definition. There may also be implications for car parking;
- Parking and Access Policy – this may require review in light of car parking requirements of the R-Codes; and
- Local Planning Policies – it is suggested that Local Planning Policies be included at the back of the R-Codes. Given the size of the City's Policy Manual this is unrealistic; however, it is suggested that in Schedules 1 and 2, the City's Policies and provisions could be listed in the relevant sections.

Following the Gazettal of the amended R-Codes, it is also considered appropriate to list where the City varies the R-Codes in Schedules 1 and 2 of the amended R-Codes. This will make it easier for applicants and the City's staff to determine which provisions are to be used.

In light of the above and the comments made in Appendix 7.1, it is recommended that the Council adopt the Officer Recommendation.

Cr Buckels declared a Financial interest in the Item and departed the Chamber at 6.40pm and did not speak or vote on the matter.

7.2 Department of Planning – Draft Capital City Planning Framework

Ward:	-	Date:	12 August 2011
Precinct:	All	File Ref:	PLA0215
Attachments:	001 – Comments Table		
Tabled Items:	Draft Capital City Planning Framework		
Reporting Officer:	E Lebbos, Planning Officer (Strategic)		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council **ADVISES** the Department of Planning (DoP) that the Council **SUPPORTS IN PRINCIPLE** the Draft Capital City Planning Framework (Framework) as Tabled, subject to the comments identified in the City’s submission, as shown in Appendix 7.2, being further investigated and addressed by the DoP.

Moved Cr Maier, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

AMENDMENT:

Moved Cr Maier, Seconded Cr McGrath

That the following amendment be adopted.

That the Officer Recommendation be amended to read as follows:

“That the Council ADVISES the Department of Planning (DoP) that the Council SUPPORTS IN PRINCIPLE the Draft Capital City Planning Framework (Framework) as Tabled, subject to the comments identified in the City’s submission, as shown in Appendix 7.2, being further investigated and addressed by the DoP, and subject to Appendix 7.2 being amended as follows.

- (1) Remove the sentence under the ‘Recommendation’ section in Section 5.4.2: proposed spatial plan on page 6, which states ‘...and its main purpose is to hide building height behind a featureless facade in an effort to incorporate high-rise buildings in communities that are otherwise averse to such development.’;
- (2) Remove the entire Section 6.4: Proposed State Government actions on page 8, relating to the possible delay that a metropolitan wide redevelopment authority may cause; and
- (3) Make reference to the importance of the Draft Framework to address infrastructure provisions relating to Section 5.3.7: The bicycle network, other than bicycle routes (for example, end-of-trip facilities such as secure lockers and showers).

Debate ensued.

AMENDMENT PUT AND CARRIED (7-0)

(Cr Farrell was an apology for the meeting. Cr Buckels was out of the Chamber and did not vote.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Farrell was an apology for the meeting. Cr Buckels was out of the Chamber and did not vote.)

COUNCIL DECISION ITEM 7.2

‘That the Council **ADVISES** the Department of Planning (DoP) that the Council **SUPPORTS IN PRINCIPLE** the Draft Capital City Planning Framework (Framework) as Tabled, subject to the comments identified in the City’s submission, as shown in Appendix 7.2, being further investigated and addressed by the DoP and subject to Appendix 7.2 being amended as follows.

- (1) Remove the sentence under the ‘Recommendation’ section in Section 5.4.2: proposed spatial plan on page 6, which states ‘...and its main purpose is to hide building height behind a featureless facade in an effort to incorporate high-rise buildings in communities that are otherwise averse to such development.’;
- (2) Remove the entire Section 6.4: Proposed State Government actions on page 8, relating to the possible delay that a metropolitan wide redevelopment authority may cause; and
- (3) Make reference to the importance of the Draft Framework to address infrastructure provisions relating to Section 5.3.7: The bicycle network, other than bicycle routes (for example, end-of-trip facilities such as secure lockers and showers).

Cr Buckels returned to the Chamber at 6.40pm and the Presiding Member advised him that the Item was carried with one (1) amendment.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the DoP’s Draft Capital City Planning Framework, and to seek the Council’s endorsement of the document.

BACKGROUND:

The City of Vincent received a letter from the DoP, dated 6 July 2011, advising that the Minister for Planning has released the Draft Framework for a three (3) month public comment period, with submissions closing on 19 September 2011.

As part of this public comment period, the DoP presented on the matter at the Council Member Forum held on 19 July 2011, whereby a number of issues were raised by Council Members as outlined in Appendix 7.2.

Further to this, the City’s Strategic Planning Officers attended a follow-up Reference Group Workshop on 20 July 2011, where the DoP presented an overview of the themes and directions of the Draft Framework. The Workshop also provided the opportunity for attendees to discuss and provide comment on the various aspects of the Draft Framework. The relevant issues for the City of Vincent arising from this Workshop have been documented in Appendix 7.2.

DETAILS:

The Draft Capital City Planning Framework sets out a spatial strategy and key directions for Central Perth, that being the 12 kilometre by 12 kilometre area around the city centre, to ensure it develops into a place *‘housing a vast assortment of institutions, endeavours and enterprises, which contribute to its being the heart and the capital of Western Australia.’*

In addition, the Draft Framework is intended to address the themes in *Directions 2031 and Beyond*, and implement the principles developed in the *Central Metropolitan Perth*

Sub-regional Strategy. The Draft Framework provides strategic direction to the development of Central Perth to 2031, and in a more general way to 2050. Furthermore, it also provides overarching principles to guide and complement local government plans, such as the City of Perth publication, *An Urban Design Framework*.

The following statement, in part derived from *Directions 2031 and Beyond*, has been established as the overarching vision for Central Perth: '*Central Perth will be a world class liveable central city; green, vibrant, compact and accessible with a unique sense of place.*'

To achieve this vision, the following key objectives and their related principles (derived from *Directions 2031 and Beyond* and expanded on in collaboration with the local government authorities of Central Perth), have been identified in Section 4 of the Draft Framework, relating to *Vision, objectives and principles*:

- Become a more liveable city;
- Enhance our sense of place;
- Reconnect with our indigenous heritage;
- Provide for a growing residential population;
- Provide for a diverse residential population;
- Reduce the city's resource footprint;
- Build robustness against climate change;
- Build our knowledge and cultural economy;
- Become less dependent on private cars; and
- Build a compact Central Perth.

In addition, a suite of key spatial proposals for the Draft Framework is outlined in Section 5, relating to *Physical framework*. These elements derive from an application of the principles identified in Section 4 to the existing fabric of Central Perth, and fall into three main parts relating to *Setting, Movement*, and the *Activity and built form*. Although these three elements relate to the physical framework, there is also a fourth element relating to *Spatial form*, as some of the key concepts identified under the physical framework have had a spatial dimension applied through illustrative maps.

More specifically, the following key concepts have been identified under each of the elements:

- Setting:
 - Key concept 1: A city with a reconceived setting; and
 - Key concept 2: A city of capital city places.
- Activity and built form:
 - Key concept 3: A city for growth;
 - Key concept 4: A city with urban characteristics;
 - Key concept 5: A city for living in;
 - Key concept 6: A city for knowledge and culture; and
 - Key concept 7: A city for quality environment.
- Movement:
 - Key concept 8: A city with streets for movement and activity;
 - Key concept 9: A city with networks for all modes; and
 - Key concept 10: A city with a well-connected city centre.
- Spatial form:
 - Key concept 11: A city with an evolving spatial form.

Proposed actions for taking the next steps of resolving and implementing the above is included in Section 6 of the Draft Framework, relating to *Implementation*. Although these actions are proposed for the State Government, this Section states that '*while the Draft Framework is an expression of interest of the State Government's intent, it is hoped that the framework's ownership will be with the broader Western Australian community. It is only by means of this broad support that the framework's implementation will be successful.*'

The relevant issues for the City of Vincent arising from the Draft Framework have been documented in Appendix 7.2.

CONSULTATION/ADVERTISING:

The City of Vincent received a letter from the DoP, dated 6 July 2011, advising that the Minister for Planning has released the Draft Framework for a three (3) month public comment period, with submissions closing on 19 September 2011.

As mentioned previously, the DoP presented on the matter at the Council Member Forum held on 19 July 2011, whereby a number of issues were raised by Council Members, as outlined in Appendix 7.2.

Further to this, the City's Strategic Planning Officers attended a follow-up Reference Group Workshop on 20 July 2011, where the DoP presented an overview of the themes and directions of the Draft Framework. The Workshop also provided the opportunity for attendees to discuss and provide comment on the various aspects of the Draft Framework. The relevant issues for the City of Vincent arising from this Workshop have been documented in Appendix 7.2.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

“Improve and maintain the natural and built environment and infrastructure:

- 1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.*
- 1.1.2 *Enhance and maintain the character and heritage of the City.*
- 1.1.3 *Take action to reduce the City's environmental impacts and provide leadership on environmental matters.*
- 1.1.5 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.”*

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

SUSTAINABILITY IMPLICATIONS:

The Draft Framework addresses the triple bottom line of social, economic and environmental sustainability, certain aspects of which have been outlined in the 'Details' section of this report. More specific information relating to these three facets of sustainability is outlined below:

In terms of social sustainability, the Draft Framework addresses the various aspects of ongoing social change (for example, diversity of household composition, increased longevity and disparity of incomes), and how this will have a strong bearing on the planning of the city.

As such, the Draft Framework aims to cultivate a sense of place by ensuring that planning can contribute significantly to positive community identity and engagement.

In terms of economic sustainability, the Draft Framework outlines how creativity can be utilised as an economic force, particularly in terms of how it can add value to the use of land, labour, raw materials and market access. As such, the Draft Framework states that *'Perth needs to become a creative hub to become a more internationally competitive city, to attract and retain skilled workers and to provide synergy with our natural resource-based economy...to create a climate in which creativity can flourish in business, education, research administration and broader culture.'*

Finally, in terms of environmental sustainability, the Draft Framework outlines the increasing importance for the more efficient consumption of water, energy and other resources. Furthermore, acknowledges that the response to climate change will be an increasing challenge, as reduced rainfall and increasing heat, storms and sea levels will challenge the liveability and ecosystems of Central Perth.

COMMENTS:

The City of Vincent considers that the key objectives and spatial proposals outlined in the Draft Capital City Planning Framework are in line with best practice planning, urban design and sustainability principles.

In light of the above, it is considered appropriate that the Council endorse the Officer Recommendation to advise the DoP that the City of Vincent supports in principle the intent and content of the Draft Capital City Planning Framework, subject to the comments identified in the City's submission, as shown in Appendix 7.1, being further investigated and addressed by the DoP.

The Chief Executive Officer read out Cr McGrath's disclosure of Proximity interest and his request for the Council to approve of him to remain in the Chamber to participate in debate on the Item only.

Cr McGrath had declared a Proximity interest and departed the Chamber at 6.40pm whilst his request was being considered.

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr Buckels

That Cr McGrath's request to remain in the Chamber to participate in debate on the Item only be approved.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Farrell was an apology for the meeting. Cr McGrath was out of the Chamber and did not vote.)

Cr McGrath returned to the Chamber at 6.41pm and the Presiding member advised that his request to participate in debate only was approved.

7.3 Proposed Extension of Perth Bicycle Network, On Road Cycle Lanes, and other improvements on Palmerston Street between Randall Street and Stuart Street, Perth – Further Report

Ward:	South	Date:	12 August 2011
Precinct:	Hyde Park – P12	File Ref:	TES0172
Attachments:	001 – Plan 2778-CP-01A		
Tabled Items:	-		
Reporting Officer:	R Lotznicker; Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council

1. **NOTES** that the City applied for contributory funding from the Department for Planning and Infrastructure 2011/2012 Perth Bicycle Network local government grants program for funding for the Palmerston Street, Perth project however at the time of writing this report no information was available on the status of the City's funding application;
2. **APPROVES** the implementation of the proposal for the Extension of Perth Bicycle Network, On Road Cycle Lanes, and other improvements on Palmerston Street between Randall Street and Stuart Street, Perth estimated to cost \$150,000, as shown on 'revised' Plan No. 2778-CP-01A, which incorporates a number of comments received during the consultation period, subject to contributory funding being received from the Department for Planning and Infrastructure 2011/2012 Perth Bicycle Network local government grants program; and
3. **ADVISES** the Palmerston Street residents of its decision.

COUNCIL DECISION ITEM 7.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 6.43pm.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Farrell was an apology for the meeting. Cr McGrath was out of the Chamber and did not vote.)

Cr McGrath returned to the Chamber at 6.44pm and was advised the Item was carried as recommended.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the Community Consultation on the proposal to extend the existing on road bicycle lanes, improve the parking/streetscape amenity and implement minor traffic improvements along Palmerston Street between Randall Street and Stuart Street, Perth.

BACKGROUND:

This matter was considered by the Council at its Ordinary meeting held on 5 April 2011 where the following decision was made:

That the Council

- (i) APPROVES IN PRINCIPLE the proposal for Proposed Extension of Perth Bicycle Network, On Road Cycle Lanes, and other improvements on Palmerston Street between Randall Street and Stuart Street, Perth estimated to cost \$150,000 as shown on Plan No. 2778-CP-01.*
- (ii) LISTS an amount of \$150,000 for consideration in the draft Budget 2011-2012 for the proposed works;*
- (iii) NOTES that the Town will be applying for contributory Bikewest Funding for the cycling component of the project;*
- (iv) CONSULTS with affected residents in Palmerston Street regarding the proposal; and*
- (v) NOTES that a further report will be submitted to the Council at the conclusion of the consultation period.*

DETAILS:

Community Consultation:

In accordance with clause (iv) of the Council decision on 15 April 2011 a total a forty four (44) letters were distributed to residents along Palmerston Street seeking their comments on the proposal. At the close of consultation on 2 May 2011 only six (6) responses had been received (representing a very low 14% response) with three (3) in favour of the proposal and three (3) against the proposal. The Director Technical Services also met a resident on site during the consultation period however they did not provide any formal comments.

The plan presented to the residents comprised the creation of the following:

- 5.9m wide carriageway, 2 x 1.5m wide cycle lanes (red asphalt) with 2.1m on-road embayed parking
- An element of landscaping on verges where practical
- Cycle bypass around the back of the Palmerston/Brisbane roundabout north bound.

Comments in Favour of the proposal:

These included:

- Strongly support the proposal with the following suggestions:
 - A more robust speed hump than the existing ones to slow down traffic.
 - Parking to be deleted from the edge of Robertson Park that is immediately adjacent to the Vietnamese boatpeople memorial.
- With the increase in traffic on Palmerston St, the cycle lanes will increase safety for cyclists particularly the section from Stuart St on the western side to Robertson Park.
- One with no comment.

Officer Comments:

Increasing the heights of speed humps can be a contentious matter and it is considered that given that the recorded traffic speeds in Palmerston Street are within the acceptable criteria, what is being proposed will improve traffic safety while maintaining adjoining residents amenity. The proposal is to remove some parking from the edge of the park where the memorial will be located but also leave some. It is considered that what is being proposed provides a reasonable balance between increasing 'green areas' and maintaining some on road parking.*

Note:* Recorded Speeds in Palmerston Street – September 2010

- Bulwer St to Myrtle St - 85% speed, 32.8 kph
- Myrtle St to Randell St - 85% speed, 33.8 kph
- Randell St to Brisbane St - 85% speed, 40.3 kph
- Brisbane St to Stuart St - 85% speed, 51.5 kph

Comments Against the proposal:

These included:

- I strongly object to the removal of the grassed verge in front of my house. You will be removing the ONLY GUARANTEED parking space available to my residence. The grassed verge in front of my property represents the only guaranteed place in close proximity to my property where other members of the public cannot park.

Part of the proposed plan is to remove the street parking opposite my property in order to install a cycle path there. This will halve the number of parking spaces available compounding the problem of having to compete for parking.

Officer Comments:

The Plan No. 2778-CP-01 has been amended (refer plan No 2778-CP-01A) to take these comments into account. The verge area is now proposed to be maintained with some parking reinstated on the park side.

- I am disappointed that the only plan put forward does not capture all of the potential greening and enhancement opportunities and is effectively an extension of what has occurred further up the road. I am opposed to the removal of verges; especially where so many people have made efforts to care for them and in some cases maintain very attractive gardens. The current proposal will not enhance the aesthetics or streetscape of this street. I would like to see greater traffic management given the very high volume of traffic and speed.
- One with no comment.

Officer Comments:

Where ever possible, the plan has been modified to incorporate the 'very few' comments received. The revised plan is a balance between the requirement to maintain a reasonable level of 'on road' parking, incorporate 1.5m wide cycle lanes while still maintaining a two way traffic flow, and provide more 'greening'. There is no real scope to substantially change the layout, and what is being proposed, is basically an extension of "what has occurred further up the road" albeit with less on road parking and more verge area remaining. It is considered that the traffic calming measures being proposed may deter some through traffic however any "greater traffic management" could result in an adverse impact for adjoining residents.

The Director Technical Services also met a resident on site during the Consultation period and their requirements have also been incorporated in the revised plan. This related to maintaining the 'Status Quo' as best as possible where three (3) crossovers are located in close proximity to each other on the west side of the street just south of the access road into Robertson Park.

CONSULTATION/ADVERTISING:

Residents in Palmerston Street will be advised on the Council decision.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium: Given that Palmerston Street in on the Perth Bicycle network and is heavily used by cyclists on a daily basis the works are considered important to improve safety and amenity.

STRATEGIC IMPLICATIONS:

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

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The City applied for contributory funding from the Department for Planning and Infrastructure 2011/2012 Perth Bicycle Network local government grants program for funding for the Palmerston Street project. The estimated cost of the works is \$150,000 with a potential contribution from Bikewest of up to \$50,000. At the time of writing this report no information was available on the status of the City's funding application.

COMMENTS:

Palmerston Street forms part of Perth Bicycle Network (PBN) route NE4. The street is classified as an Access Road (in accordance with the Metropolitan Functional Road Hierarchy) i.e. should carry no more than 3,000 vehicles per day (vpd), have a posted speed

limit of 50 kph, and provide access predominantly to residential properties. Palmerston Street complies with its classification.

The proposal includes the creation of 'on road' cycle lanes similar to what currently exists on Palmerston Street south of Stuart Street. The proposal will improve the parking and streetscape amenity and provide traffic improvements along the section of the Street between Randall Street and Stuart Street.

One difference between what is being proposed with this project and what was previously implemented is a reduction in on road embayed parking and greater verge areas. These will be landscaped wherever possible in liaison with the adjoining residents as residents would need to agree to maintain the respective verge areas. Also adjacent to Robertson Park, and in other locations, where feasible and appropriate an element of stormwater harvesting will be incorporated in the design. This will be discussed with officers from the Department of Water during the detailed design phase

Where ever possible the comments received from the respondents have been incorporated in the revised plan. During the implementation phase the affected residents, who provided comments will further liaised with prior to works being undertaken directly adjacent to their properties.

7.4 Nos. 220 (Lot 1618; D/P: 222995; Reserve: 884) Vincent Street, North Perth – Proposed New Fire Water Tanks, Pump Room and Limestone Retaining Wall Associated with the Beatty Park Leisure Centre

Ward:	South	Date:	25 August 2011
Precinct:	Smith's Lake; P6	File Ref:	PRO1149; 5.2011.390.1
Attachments:	001 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	R Rasiah, Coordinator Statutory Planning		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Peter Hunt Architects, on behalf of the City of Vincent for Proposed New Fire Water Tanks, Pump Room and Limestone Retaining Wall Associated with the Beatty Park Leisure Centre at No. 220 (Lot 1618; D/P: 222995; Reserve 884) Vincent Street, North Perth, and as shown on plans stamp-dated 9 August 2011, subject to the following conditions:

1. **Building**

1.1 All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Vincent and Morrision Streets, Swimming Lane and Farr Avenue; and

2. **PRIOR TO THE ISSUE OF A BUILDING LICENCE**, the following shall be submitted to and approved by the City:

2.1 **Construction Management Plan**

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

2.2 **Landscape and Reticulation Plan**

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

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:

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

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

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

COUNCIL DECISION ITEM 7.4

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

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

PURPOSE OF REPORT:

The proposal requires referral to the Council for determination.

BACKGROUND:

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

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

8 February 2011 The Council at its Ordinary Meeting resolved to conditionally approve the Redevelopment of the Beatty Park Leisure Centre.

DETAILS:

The application is for proposed new fire water tanks, pump room and limestone retaining wall associated with Beatty Park Leisure Centre. The pumps and tanks are for both the existing and new additions for the purpose of fire fighting. The proposed location will result in the loss of 10 car bays for the site. A total 331 car bays were depicted on the plans approved at the Ordinary Meeting of Council held on 8 February 2011. The car parking table has been amended to reflect the change in car bays on site to 321 car bays.

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Retaining wall:	0.5 metre above and below natural ground level	Between 0.6 metre to 2 metres below natural ground level, along Morriston Street.
Officer Comments:		
Supported- The variation will not have an adverse impact on the amenity of the area.		
Front fencing:	2.4 metres in height	1.8 metres to 2.8 metres in height along part of Morriston Street, and between 2.8 metres to 3.4 metres in height along part of Swimming Lane, North Perth.
Officer Comments:		
Supported- The fence height is required to provide adequate screening and also mitigate any potential noise from the pump room. The additional fence height will not result in any undue visual impact to the surrounding area.		

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

Consultation	
In Support:	Nil
Comments Received	Officer Comments
N/A	Noted.
Objections:	2
Comments Received	Officer Comments
<ul style="list-style-type: none"> Height of wall built in close proximity to house, will impact on the visual amenity. Insufficient beautification to conceal wall. New pump room must mitigate against noise from pump. 	<p>Noted. It is noted that portions of the wall are below street level; the wall is also proposed to be landscaped to restrict impact on the street.</p> <p>In terms of the pump room, the only time that the pumps will operate is for testing purposes and in the event of a fire.</p>
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation. The application was advertised for 14 days.

Other Implications	
Legal/Policy	City of Vincent Town Planning Scheme No. 1
Strategic	The City's <i>Strategic Plan 2011-2016</i> - Objective 1 states: <i>"Natural and Built Environment</i> 1.1 <i>Improve and maintain the natural and built environment and infrastructure</i> 1.1.2 <i>Enhance and maintain the character and heritage of the City."</i>
Sustainability	Nil.
Financial/Budget	Nil.
Risk Management Implications	Associated with Safety of the Beatty Park Leisure Centre

Car Parking	
Car Parking Requirement (nearest whole number) Recreational and Leisure (existing 8525 square metres GFA plus proposed 2020 square metres GFA: 1 space per 30 square metres of	352 car bays

Car Parking	
gross floor area(GFA): Total = 351.5 car bays. Car parking requirement (nearest whole number) = 352	
Apply the parking adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) 	(0.7225) 254.32 car bays
Minus the car parking provided on-site. This figure does not include the on-street 41 car bays located along Morrision Street.	321 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Surplus	66.68 car bays

COMMENTS:

Heritage Services

The Heritage Council of WA have advised that they have no objection to the tanks, as they are located at the rear of the subject site.

Building Services

The City's Building Services have advised that Engineer's details and access to the tanks will be required to be submitted at the Building Licence stage.

Conclusion

The proposed fire tanks are an integral safety component associated with the current and proposed redevelopment of Beatty Park. In light of the above, the planning application is recommended for approval, subject to standard and appropriate conditions.

The Chief Executive Officer advised that Mayor Catania and Cr Burns had declared a financial interest in Item 7.8. They departed the Chamber at 6.48pm and did not speak or vote on this matter.

Deputy Mayor, Cr Sally Lake assumed the Chair at 6.48pm.

7.8 Investment Report as at 31 July 2011

Ward:	Both	Date:	12 August 2011
Precinct:	All	File Ref:	FIN0033
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	B C Tan, Manager Financial Services; B Wong, Accountant		
Responsible Officer:	M Rootsey, Director Corporate Services		

Disclosure of Financial Interest:

Mayor Nick Catania and Cr Anka Burns have disclosed a financial interest in this item.

COUNCIL DECISION ITEM 7.8

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Farrell was an apology for the meeting. Mayor Catania and Cr Burns were absent from the Chamber and did not vote on this matter.)

Mayor Catania and Cr Burns returned to the Chamber at 6.49pm. Mayor Catania, assumed the Chair. The Chief Executive Officer advised that the item was carried.

OFFICER RECOMMENDATION:

That the Council NOTES the Investment Report for the month ended 31 July 2011 as detailed in Appendix 7.8.

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the City, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 7.8.

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

DETAILS:

Total Investments for the period ended 31 July 2011 were \$13,511,000 compared with \$11,511,000 at 30 June 2011. At 31 July 2010, \$11,109,646 was invested.

Investment comparison table:

	2010-2011	2011-2012
July	\$11,109,646	\$13,511,000

Total accrued interest earned on Investments as at 31 July 2011:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$567,000	\$12,000	\$18,913	3.34
Reserve	\$433,000	\$35,000	\$43,683	10.09

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

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

COMMENT:

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

Rates revenue has been received during this month as a result of the earlier distribution of the rate notices this year. This has resulted in surplus monies be available for investment.

The report comprises of:

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

7.9 Provisional Financial Statements as at 30 June 2011

Ward:	Both	Date:	12 August 2011
Precinct:	All	File Ref:	FIN0026
Attachments:	001 – Financial Reports		
Tabled Items:	Nil		
Reporting Officer:	B C Tan, Manager Financial Services; B Wong, Accountant		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Provisional Financial Statements for the month ended 30 June 2011 as shown in Appendix 7.9.

COUNCIL DECISION ITEM 7.9

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the Provisional Financial Statements for the period ended 30 June 2011.

BACKGROUND:

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

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

It is anticipated that the final accounts will be available at the second council meeting in October.

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

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

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 30 June 2011:

- Income Statement;
- Summary of Programmes/Activities (pages 1-17);
- Statement of Comprehensive Income by Nature or Type Report (page 18);
- Capital Works Schedule (pages 19-25);
- Statement of Financial Position (page 26);
- Statement of Changes in Equity (page 27);
- Reserve Schedule (page 28);
- Debtor Report (page 29);
- Rate Debtors Report (page 30);
- Statement of Financial Activity (page 31);
- Net Current Asset Position (page 32);
- Beatty Park Report – Financial Position (page 33);
- Variance Comment Report (pages 34-39); and
- Monthly Financial Positions Graph (pages 40-42).

Comments on the financial performance are set out below:

Income Statement and Detailed Summary of Programmes/Activities

Net Result

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

YTD Actual	-	\$0.1 million
YTD Revised Budget	-	\$2.4 million
Variance	-	-\$2.3 million
Full Year Budget	-	\$10.6 million

Summary Comments:

The current unfavourable variance is due to a timing difference on the receipt of revenue from Capital Grants and Contributions.

Operating Revenue

YTD Actual	-	\$38.6 million
YTD Revised Budget	-	\$38.8 million
YTD Variance	-	-\$0.2 million
Full Year Budget	-	\$38.4 million

Summary Comments:

The total operating revenue is currently 99.40% of the year to date Budget estimate.

Major variances are to be found in the following programmes:

Governance – 26% over budget;
Law Order and Public Safety – 42% below budget;
Health – 17% below budget;
Education and Welfare – 13% below budget;
Community Amenities – 19% over budget;
Administration General – 127% over budget.

More details variance comments are included on the page 34 – 39 of this report.

Operating Expenditure

YTD Actual	-	\$39.6 million
YTD Revised Budget	-	\$40.6 million
YTD Variance	-	-\$1.0 million
Full Year Budget	-	\$40.3 million

Summary Comments:

The operating expenditure is currently 97.53% of the year to date Budget estimate

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

Health – 12% below budget;
Education and Welfare – 15% below budget;
Community Amenities – 10% below budget;
Economic Services – 14% over budget;
Other Property & Services – 22% over budget.
Administration General – 565% over budget.

Detailed variance comments are included on the page 34 – 39 of this report.

Statement of Comprehensive Income by Nature and Type Report

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

Capital Expenditure Summary

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

Capital Works shows total expenditure including commitment for year to date at the 30 June 2011 of \$6,618,532 which represents 45% of the revised budget of \$14,585,113.

	Budget	Revised Budget	Actual to Date	%
			(Include commitment)	
Furniture & Equipment	\$214,900	\$218,800	\$156,837	72%
Plant & Equipment	\$2,662,600	\$1,908,250	\$1,857,783	97%
Land & Building	\$12,125,150	\$3,750,480	\$778,337	21%
Infrastructure	\$10,843,834	\$8,707,583	\$3,825,575	44%
Total	\$25,846,484	\$14,585,113	\$6,618,532	45%

Statement of Financial Position and Statement of Changes in Equity

The statement shows the current assets of \$13,971,548 and non - current assets of \$178,898,568 for total assets of \$192,870,116.

The current liabilities amount to \$8,074,282 and non - current liabilities of \$13,052,234 for the total liabilities of \$21,126,516. The net asset of the Town or Equity is \$171,743,600.

Restricted Cash Reserves

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

The balance as at 30 June 2011 is \$9.3m. The balance as at 30 June 2010 was \$9.1m.

General Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$605,370 is outstanding at the end of June 2011.

Out of the total debt, \$165,887 (27.4%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking.

The Debtor Report identifies significant balances that are well overdue.

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

Rate Debtors

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

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

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

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

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

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

Rates outstanding as at 30 June 2011 including deferred rates was \$127,459 which represents 0.59% of the outstanding collectable income compared to 1.05% at the same time last year.

Statement of Financial Activity

The closing balance for the year to date 30 June 2011 was \$2,296,766.

Net Current Asset Position

The net current asset position as at 30 June 2011 is \$7,027,983.

Beatty Park – Financial Position Report

As at 30 June 2011 the operating deficit for the Centre was \$712,099 in comparison to the year to date budgeted deficit of \$697,700.

The cash position showed a current cash deficit of \$269,025 in comparison year to date budget estimate of a cash deficit of \$238,660. The cash position is calculated by adding back depreciation to the operating position.

Variance Comment Report

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

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

- “4.1 Provide good strategic decision-making, governance, leadership and professional management:*
 - 4.1.2 Manage the organisation in a responsible, efficient and accountable manner;*
 - (a) Continue to adopt best practice to ensure the financial resources and assets of the Town are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

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

7.10 nib Stadium Management Committee Meeting - Receiving of Unconfirmed Minutes 1 August 2011

Ward:	South	Date:	2 August 2011
Precinct:	Beaufort, P13	File Ref:	RES0082
Attachments:	001 - Unconfirmed Minutes of Stadium Committee Meeting		
Tabled Items:	Nil		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Unconfirmed Minutes of the nib Stadium Management Committee Meeting held on 21 April 2011, as shown in Appendix 7.10; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** of the Media Policy, as detailed in the Committee Unconfirmed Minutes, for use by the City's Stadium Manager.

COUNCIL DECISION ITEM 7.10

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

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

(Cr Farrell was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the nib Stadium Management Committee meeting held on 1 August 2011.

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 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)."

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:

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

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Plan - Plan for the Future 2011-2016, 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 City's Committee Minutes to the Council Meeting is in keeping with the Local Government Act 1995 and its regulations.

7.11 Draft Festivals Policy No. 1.1.8

Ward:	Both	Date:	11 August 2011
Precinct:	All Precincts	File Ref:	CMS0110
Attachments:	001 – Draft Policy		
Tabled Items:	Nil		
Reporting Officers:	J Anthony, Manager Community Development M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY** the Draft Policy No. 1.1.8 – “Festivals” as shown in Appendix 7.11;
2. **ADVERTISES** the Draft Policy No. 1.1.8 –“Festivals” for a period of twenty-one days, for public comment;
3. **After the expiry period of submissions:**
 - 3.1 **REVIEWS** the Draft Policy No. 1.1.8, relating to Festivals, having regard to any written submissions; and
 - 3.2 **DETERMINES** the Draft Policy No. 1.1.8, relating to Festivals, with or without amendment, to or not to proceed with it.
4. **AUTHORISES** the Chief Executive Officer to include the above Draft Policy No. 1.1.8 –Festivals in the City’s Policy Manual if no submissions are received from the community.

Moved Cr Maier, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT No. 1

Moved Cr Maier , Seconded Cr Buckels

That the draft policy be amended as follows:

‘Application Timeframe and Approval Process’ be **MOVED** to come under the Guidelines and Policy Procedures for Festivals Policy 1.1.8; and

That the ‘Policy Statement’ be **REPLACED** with the following:

1. In recognition that festivals can play an important role in fostering community spirit and well being, as well as raising funds for community based organisations the City will assess requests for support for festivals and determine the level of support to be provided as part of an annual program.

2. The level of support will be determined based on:
 - the value to the Vincent community in terms of economic, cultural and social benefits;
 - the competition for support from other festivals;
 - the level of support for previous festivals in the location or organised by the same organisation; and
 - other demands on the annual budget
3. The City will support a festival by organising the festival, by providing direct financial support or by providing 'in-kind' support.
4. The City will only provide financial support to not for profit organisations and will not provide financial support for private money making ventures.
5. In determining the level of support for large or regional festivals the City will seek input from the Business Liaison and Economic Development Advisory Group.
6. Support will only be provided for festivals held within the City.
7. The City will not support festivals that charge more than a token entry fee.
8. Any financial support which is provided must be acquitted.

Debate ensued.

AMENDMENT No. 1 PUT AND CARRIED (5-3)

(Cr Farrell was an apology for the meeting.)

For: Cr Burns, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg
Against: Mayor Nick Catania, Cr Buckels, Cr Harvey

Debate ensued.

AMENDMENT No. 2

Moved Cr McGrath , Seconded Cr Burns

That the following amendment be adopted:

“AUTHORISES the Chief Executive Officer to amend the Policy and Policy Guidelines to include any definitions which are applicable in the Policy, into the Policy Guidelines;”

Debate ensued.

AMENDMENT No. 2 PUT AND CARRIED (8-0)

(Cr Farrell was an apology for the meeting.)

AMENDMENT No. 3

Moved Cr McGrath , Seconded Cr Buckels

That clauses 2.2.5, 3.1.3 and 5.2.6 of the draft policy be amended as follows:

“... ”

2.2.5 Consultant/staff fees;

3.1.3 **Organisation capacity to organise and/or a proven track record of experience, skills and knowledge of organising similar festivals; and**

5.2.6 **Upon completion of the sponsored festival, a report outlining the outcomes of the festival, publicity/promotion and a full budget for the event must be submitted to the City no more than ~~thirty (30)~~ sixty (60) days after the festival."**

That a new clause 3.1.7 be added as follows:

3.1.7 **Whether the City has provided funding to the Festivals in previous years and if so, if the Festival has as a result attracted funding from other sources (e.g. local businesses, corporate sponsorship) that may provide for future self sufficiency or decreased dependence on the City for funding to run.**

It was requested that each new Clause be considered and voted upon separately and the Presiding Member agreed and ruled accordingly.

Debate ensued.

Clause 2.2.5

AMENDMENT- Clause 2.2.5 PUT AND LOST (2-6)

(Cr Farrell was an apology for the meeting.)

For: Cr McGrath, Cr Maier

Against: Mayor Nick Catania, Cr Buckels, Cr Burns, Cr Harvey, Cr Lake, Cr Topelberg

Clause 3.1.3

AMENDMENT- Clause 3.1.3 PUT AND CARRIED (8-0)

(Cr Farrell was an apology for the meeting.)

Clause 5.2.6

AMENDMENT- Clause 5.2.6 PUT AND CARRIED (8-0)

(Cr Farrell was an apology for the meeting.)

Clause 3.1.7

AMENDMENT- Clause 3.1.7 PUT AND CARRIED (5-3)

(Cr Farrell was an apology for the meeting.)

For: Cr Burns, Cr Harvey, Cr Lake, Cr McGrath, Cr Maier

Against: Mayor Nick Catania, Cr Buckels, Cr Topelberg

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

COUNCIL DECISION ITEM 7.11

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY the Draft Policy No. 1.1.8 – "Festivals" as shown in Appendix 7.11, Subject to the following amendments;**

That the draft policy be amended as follows:

1.1 'Application Timeframe and Approval Process' be **MOVED** to come under the Guidelines and Policy Procedures for Festivals Policy 1.1.8; and

1.2 That the 'Policy Statement' be **REPLACED** with the following:

"1. In recognition that festivals can play an important role in fostering community spirit and well being, as well as raising funds for community based organisations the City will assess requests for support for festivals and determine the level of support to be provided as part of an annual program.

2. The level of support will be determined based on:

the value to the Vincent community in terms of economic, cultural and social benefits;

the competition for support from other festivals;

the level of support for previous festivals in the location or organised by the same organisation; and

other demands on the annual budget

3. The City will support a festival by organising the festival, by providing direct financial support or by providing 'in-kind' support.

4. The City will only provide financial support to not for profit organisations and will not provide financial support for private money making ventures.

5. In determining the level of support for large or regional festivals the City will seek input from the Business Liaison and Economic Development Advisory Group.

6. Support will only be provided for festivals held within the City.

7. The City will not support festivals that charge more than a token entry fee.

8. Any financial support which is provided must be acquitted." ;

Clause 3.1.3 Be amended to read as follows:

"3.1.3 Organisation capacity to organise and/or a proven track record of experience, skills and knowledge of organising similar festivals"; and

Clause 5.2.6 Be amended to read as follows:

"5.2.6 Upon completion of the sponsored festival, a report outlining the outcomes of the festival, publicity/promotion and a full budget for the event must be submitted to the City no more than sixty (60) days after the festival";

That a new clause 3.1.7 be added as follows:

"3.1.7 Whether the City has provided funding to the Festivals in previous years and if so, if the Festival has as a result attracted funding from other sources (e.g. local businesses, corporate sponsorship) that may provide for future self sufficiency or decreased dependence on the City for funding to run.";

2. **ADVERTISES** the Draft Policy No. 1.1.8 –“Festivals” for a period of twenty-one days, for public comment;

3. **After the expiry period of submissions:**
 - 3.1 **REVIEWS the Draft Policy No. 1.1.8, relating to Festivals, having regard to any written submissions; and**
 - 3.2 **DETERMINES the Draft Policy No. 1.1.8, relating to Festivals, with or without amendment, to or not to proceed with it; and**
 4. **AUTHORISES the Chief Executive Officer to;**
 - 4.1 **amend the Policy and Policy Guidelines to include any definitions which are applicable in the Policy, into the Policy Guidelines; and**
 - 4.2 **include the above Draft Policy No. 1.1.8 –Festivals in the City’s Policy Manual if no submissions are received from the community.**
-

PURPOSE OF REPORT:

The purpose of this report is to consider the Draft Policy No. 1.1.8 –“Festivals” and seek approval for the Festivals programme for 2011/12.

BACKGROUND:

At the Ordinary Meeting of Council on 26 July 2011, the following resolution was adopted;

That the item be DEFERRED to further consider the draft Policy No. 1.1.8 – “*Festivals*” including removing any inconsistencies, reducing the size of the Policy and to allow for Council Members to submit their comments to the City’s Administration.

DETAILS:

The City organised the inaugural "Indulgence Festival" in May/June 2006 and the Cappuccino Festival in September 2007. Both festivals featured the various aspects of the popular coffee culture in the City along with other consumable genres that businesses in Leederville, Mt Hawthorn, and Beaufort St are well known for.

The City continued to organise the Mezz Food Festival on 18 October 2008 and the North Perth Community Festival on 30 November 2008 as part of the “Cappuccino Festival 2008”. Businesses that were involved with both Festivals were extremely pleased with the turnout and financial benefits from trading at both events. The City was actively lobbied by businesses at the Mezz and on Angove Street to continue organising the events on an annual basis.

In view of the success of the Festivals, the Angove Street Festival was held again in November 2009 due to its high success and popularity with a second festival, Leederville Carnivale held in the Oxford Business District, Leederville in March 2010.

Since then external parties such as the Beaufort Street Network and the North Perth Business and Residents’ Association have approached the City for sponsorship to organise festivals in their respective business areas. Different levels of sponsorship have been provided for the two externally organised festivals.

The Draft Festivals policy aims to provide some guidance and consistency to the festival coordination and sponsorship process. It provides guiding principles to ensure that the festivals in the City are organised for the benefit of the local community, encouraging economic and community development outcomes. It should be read in conjunction with

Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees' and Policy 3.8.3 'Concerts and Events'.

CONSULTATION/ADVERTISING:

The City's Community Consultation Policy No. 4.1.5 prescribes that the Draft Policy is to be advertised for 21 days with letters to be distributed to local Businesses and Community Groups to advise them.

LEGAL/POLICY:

The City of Vincent Policy Manual.
The draft Festivals policy is to be read in conjunction with Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees' and Policy 3.8.3 'Concerts and Events'.

RISK MANAGEMENT IMPLICATIONS:

Moderate: Previous festivals organised by the City have been extremely popular and successful, however factors such as weather on the day can be a contributing factor to attendance levels.

STRATEGIC IMPLICATIONS:

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

Objective 3.1 - *"Enhance and promote community development and wellbeing"*

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

Objective 4.1 - *"Provide good strategic decision-making, governance, leadership and professional management"*.

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The Annual Budget 2011/2012 includes an amount of \$130,000 for the Festivals programme.

COMMENTS:

As outlined in the draft policy, festival events are animators of public and static urban spaces. They bring to life public facilities which may not be regularly associated with celebration and provide opportunities for markets, shopping, and entertainment. They can provide a catalyst for urban renewal, with strategic applications to amenities and infrastructure to successfully develop an event. It is recommended that the draft policy be approved to provide a framework for such significant events in the City.

7.12 Design Advisory Committee - Appointment of Committee - Selection Panel

Ward:	Both	Date:	24 August 2011
Precinct:	All Precincts	File Ref:	ADM0067
Attachments:	001 – Terms of Reference		
Tabled Items:	-		
Reporting Officers:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. APPROVES BY AN ABSOLUTE MAJORITY;

1.1 pursuant to Section 5.8 of the Local Government Act 1995 the establishment of a Committee - Selection Panel to select and make recommendations to the Council of the preferred appointees to the City's newly created Design Advisory Committee (DAC) for the term October 2011 to October 2013; and

1.2 an amount of \$14,000 for the DAC meeting fees and plan photocopying, for the 2011/2012 Financial Year; and

2. APPROVES of;

2.1 the Committee to comprise;

- Council Members (3) – one as Chair;
- Chief Executive Officer;
- Director Development Services;
- Independent Architect; and

2.2 the appointment of Council Members
..... to the Committee and
..... as Chair.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

The Presiding member advised that he wished to Chair the committee and called for nominations for the other two (2) positions.

Cr McGrath and Cr Maier nominated. No further nominations were received.

Debate ensued.

**MOTIONAS AMENDED PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (8-0)**

(Cr Farrell was an apology for the meeting.)

COUNCIL DECISION ITEM 7.12

That the Council;

- 1. APPROVES BY AN ABSOLUTE MAJORITY;**
 - 1.1 pursuant to Section 5.8 of the Local Government Act 1995 the establishment of a Committee - Selection Panel to select and make recommendations to the Council of the preferred appointees to the City's newly created Design Advisory Committee (DAC) for the term October 2011 to October 2013; and**
 - 1.2 an amount of \$14,000 for the DAC meeting fees and plan photocopying, for the 2011/2012 Financial Year; and**
- 2. APPROVES of;**
 - 2.1 the Committee to comprise;**
 - Council Members (3) – one as Chair;**
 - Chief Executive Officer;**
 - Director Development Services;**
 - Independent Architect; and**
 - 2.2 the appointment of Council Members Mayor Catania, Cr McGrath and Cr Maier to the Committee and Mayor Catania as Chair.**

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval to form a Committee - Selection Panel to make recommendations of the preferred appointees to the City's newly created Design Advisory Committee, for the term October 2011 - October 2013.

BACKGROUND:

At the Ordinary Meeting of Council held on 28 June 2011, the Council considered the establishment of a Design Advisory Committee and resolved as follows;

"That the Council;

- (i) APPROVES BY AN ABSOLUTE MAJORITY, pursuant to Section 5.8 of the Local Government Act 1995 and Clause 36 of the Town of Vincent Town Planning Scheme the establishment of a Design Advisory Committee, as shown in the Draft Terms of Reference Relating to a Design Advisory Committee, as shown in Appendix 9.4.2, subject to the following:*
 - (a) clause 3.2(b) of the Terms of Reference being amended to read as follows:*

"3.2 Current registration with their relevant Professional Body is desirable."
 - (b) clause 3.1 and 3.2 be amended to read as follows:*
 - "3.1 External members*

The Membership of the Town of Vincent Design Advisory Committee (DAC) shall comprise of five (5) external members and three (3) deputy members approved by the Council and appointed by the Chief Executive Officer.
 - 3.2 The Town will seek to engage external members so that the Advisory Committee meetings will consist of five (5) members and three (3) deputy members having..."*

- (ii) APPROVES BY AN ABSOLUTE MAJORITY the following fee structure:
- (a) A single fee of \$300 paid to the Design Advisory Committee Chairperson for attendance at each Design Advisory Committee meeting;
 - (b) A single fee of \$200 paid to each Design Advisory Committee Member for attendance at each Design Advisory Committee meeting;
 - (c) No additional fee paid to Design Advisory Committee Members for additional work associated with the Design Advisory Committee;
 - (d) A Development Application referral fee of \$200 paid by proponents for applications referred to the Design Advisory Committee for consideration; and
 - (e) The Development Application referral fee of \$200 be credited towards the standard Development Application fee for a Development Application submitted within 60 days of the last consideration by the Design Advisory Committee; and
- (iii) AUTHORIZES the Chief Executive Officer to:
- (a) advertise for Members and Deputy Members for appointment to the Town's Design Advisory Committee for a period of two (2) years from the period of the ratification of the Committee by the Council; and
 - (b) review the operation of the Design Advisory Committee after a period of twelve (12) months of its implementation and submit a report to the Council."

DETAILS:

Following the Council's decision on 28 June 2011, an advertisement was placed in the local newspapers calling for nominations to the City's newly created Design Advisory Committee. At the closing date, eleven (11) nominations were received.

The Design Advisory Committee requires the following;

1. Chairperson;
2. Members (5); and
3. Deputy Members (3);

As the candidates are highly qualified and experienced, it is considered most beneficial for the Council to form a Committee - Selection Panel whose role is to;

1. Review applications and prepare a shortlist of interviewees;
2. Conduct interviews; and
3. Make recommendations for position of Chairperson, Members (x 5) and Deputy Members (x 3).

It is recommended that the Committee - Selection Panel comprise of Council Members, Chief Executive Officer and Director Development Services, together with an independent Qualified Architect to provide advice concerning the various nominations.

Indicative Timeline

Item	Date
Council approval of Committee	30 August 2011
Committee to meet to establish Selection Process and Shortlist	5 - 9 September 2011
Committee to interview Shortlist Candidates	12 - 16 September 2011
Preparation of Report	19 - 24 September 2011
Council Appointment of Design Advisory Committee	11 October 2011

CONSULTATION/ADVERTISING:

Letters and Nomination Forms were posted to Architects located in the City.

LEGAL/POLICY:

The establishment of a Committee is specified in Section 5.8 of the Local Government Act and the appointment of Members and Deputy Members is specified in Sections 5.10 and 5.11A of the Local Government Act.

Clause 36 of the City of Vincent Town Planning Scheme No. 1 requires that:

- “1) *The Council is to appoint a design advisory Committee for the purpose of considering, and advising the Council with respect to, applications.*
- 2) *The Design Advisory Committee may be consulted on design matters relating to development.”*

RISK MANAGEMENT IMPLICATIONS:

Medium: The appointment of Members to the City's Design Advisory Committee involves some risk as the Members will be advising Council and applicants on design criteria for developments. It is essential that the Members be well qualified and experienced in their field.

STRATEGIC IMPLICATIONS:

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

“Natural and Built Environment:

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
 - 1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision;*
 - 1.1.2 *Enhance and maintain the character and heritage of the Town.”*

SUSTAINABILITY IMPLICATIONS:

It is considered that a DAC would provide a holistic approach to the assessment of Development Applications. The panel of expertise will aim to ensure that the best design outcome is achieved for the environment, the community and the applicant.

FINANCIAL/BUDGET IMPLICATIONS:

The 2010/2011 Budget does not contain any funds for the Design Advisory Committee, as the matter was approved by the Council after the formulation of the Budget 2011/2012.

Photocopying of Plans

An indicative amount of \$2,500 will be considered ample.

Fees

A single fee of \$300 is paid to the Design Advisory Committee Chairperson for attendance at each Design Advisory Committee meeting.

A single fee of \$200 is paid to each Design Advisory Committee Member for attendance at each Design Advisory Committee meeting.

No additional fee is paid to Design Advisory Committee Members for additional work associated with the Design Advisory Committee.

Based on twelve (12) meetings per year, an amount of \$1,200 per meeting will be required (\$14,000 per annum.) An amount of \$10,800 will be required for the 2011/2012 Financial Year for meeting fees.

Annual Costs

Therefore, the total cost for the DAC (excluding Officer support and attendance time) will be approximately \$17,000 per annum. The Officer time and administrative support will be paid from the Town Planning Operating Budget.

COMMENTS:

It is considered that a DAC will add value to the Town by providing an alternative means of ensuring design excellence, through an independent advisory role outside the statutory decision making process.

The appointment of a Committee will ensure that the most suitably qualified and experienced persons will be appointed to the City's Design Advisory Committee. The Chief Executive Officer considers it would be beneficial to form a Committee to review the nominations and make recommendations to the Council.

It is therefore recommended that the Council approve of the Officer Recommendation.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8.1 Notice of Motion – Cr Dudley Maier – Request for a Policy on Naming Right of Ways in the City.

That the Council REQUESTS the Chief Executive Officer to develop a draft policy on naming Right of Ways in the City.

COUNCIL DECISION ITEM 8.1

Moved Cr Maier , Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued and the Council requested that the Policy be as inclusive as possible so as not to disadvantage any members of the community.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Farrell was an apology for the meeting.)

9. CLOSURE

There being no further business, the Presiding Member, Mayor Nick Catania, declared the meeting closed at 7.26pm with the following persons present:

- | | |
|---------------------------------------|-------------------------------|
| Mayor Nick Catania, JP | Presiding Member |
| Cr Matt Buckels | North Ward |
| Cr Anka Burns | South Ward |
| Cr Taryn Harvey | North Ward |
| Cr Sally Lake (<i>Deputy Mayor</i>) | South Ward |
| Cr Warren McGrath | South Ward |
| Cr Dudley Maier | North Ward |
| Cr Joshua Topelberg | South ward |
| John Giorgi, JP | Chief Executive Officer |
| Rob Boardman | Director Development Services |
| Rick Lotznicker | Director Technical Services |
| Mike Rootsey | Director Corporate Services |

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Special Meeting of the Council held on 30 August 2011.

Signed: Presiding Member
Mayor Nick Catania

Dated this day of 2011