



**CITY OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**24 JUNE 2014**

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Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 24 June 2014, commencing at 6.00pm.

**1. (a) DECLARATION OF OPENING**

The Presiding Member, Mayor John Carey, declared the meeting open at 6.05pm and read the following Acknowledgement of Country Statement:

**(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

*"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".*

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

**(a) Apologies:**

Cr John Pintabona unwell.

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

2.1 Cr Wilcox on approved leave of absence from Thursday 1 May 2014 to Thursday 31 July 2014 (inclusive), due to personal commitments.

2.2 Director Community Services, Mr Rob Boardman on approved sick leave.

**(c) Present:**

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Mike Rootsey	Acting Chief Executive Officer
Craig Wilson	Acting Director Technical Services
Jacinta Anthony	Acting Director Community Services
Bee Choo Tan	Acting Director Corporate Services (until 7.55pm)
Petar Mrdja	Acting Director Planning Services
Gabrielle Pieraccini	Director Special Projects (until 7.45pm)
Jerilee Highfield	Executive Assistant (Minutes Secretary until approximately 8.05pm)
<u>Employee of the Month Recipient</u>	
Tim Elliott	Planning Officer Strategic (until approximately 6.30pm)
<u>Media</u>	
Sara Fitzpatrick	Journalist – "The Guardian Express" (until approximately 8.05pm)
David Bell	Journalist – "The Perth Voice" (until approximately 8.05pm)

Approximately 14 Members of the Public

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

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

1. Marie Slyth of 89 Carr Street, West Perth – Items 9.1.3 and 9.1.4 stated the following:
  - Further to Council's proposed recommendation that this site not be placed on the MHI category B. I wish to inform Council that last weekend, I found some further documentation dated 2008, which records show that nominations were made for this building to be assessed by the National Trust at that time and unfortunately National Trust failed to act further at that time. Copies of this nomination I have here with me tonight as well as documentation, which shows correspondence that the entire corner and surroundings of the residents when nominated to the State Heritage Council in 2008 at that time the State Heritage Council informed that it would take several years to assess and complete.
  - Finally I would reiterate that this matter be considered by Council, which represents the last vestige of any of our cultural history on that area.
  - Item 9.1.4, the Cleaver Precinct Action Group wishes to commend Council for speeding up this long drawn out matter in order to create the oversight made by the State Government. We in Cleaver Precinct support the rezoning of the areas, zoned Residential R 80 within Cleaver Precinct down to R 50, with multiple joining that are currently not permitted, we wish to hope that our proposed character to attention Heritage Streetscape within Cleaver Precinct are rezoned to R 50.
  
2. John Adams of 19 Field Street, Mount Lawley – Confidential Item 14.1 stated the following:
  - I am speaking against the approval. My wife and I own the two (2) retail shops immediately next door as you are probably all aware you have heard me stand and talk about this before, we are directly affected by this change of use, as we have that parapet wall between us. I note that this matter has been to SAT and off course now is being discussed behind closed doors, it is a little bit difficult now to speak to it, but I am only going to reiterate what I have said in the past.
  - Our dealings with this particular developer go back to 2006/2007, when the development was approved by the Town of Vincent with a car parking shortfall of twenty four (24) cars. Much of the floor area was originally approved as consulting rooms and the space in question as offices which in my view should have never been office, should have been retail as it is on the footpath, was approved to bring down the parking shortfall for the development as a result got that fourth (4) floor, which at the time was outside the Planning Code.
  - We have endured and our tenants in particular have endured years of construction noise, this has been one of the longest running developments, I have ever seen. We have put up with construction noise, dust, trespassing, physical damage to our building, abuse both verbal and legal and have tried to protect our rights as best we can as joint owners. These developers have continually applied for retrospective approvals, so they have come to Council had one approval and come back to you and not had consultation with ourselves.
  - I just feel that the rules are made for all of us and not just for some of us and we have a Planning Code, we have parking shortfall requirements for everybody's development, we are not anti development we are pro good quality development, that is representative of the area and also looks after the rights and protects our other tenants and other owners in the area.

3. Christine Cochness of 56 Wasley Street, Perth – Confidential Item 14.1 stated the following:
  - I am also speaking against the application and I feel that I have hands on or parking on or whatever way you want to look at it, right to be very adamant that this is going to really intrude more and impact as the years are going by.
  - Not just because of this developer changing the use or wanting to, but as we all know the domino effect and at the moment in this area parking is a real problem. We have some lovely families moving in and I have been there now nineteen (19) years and their children grow up and want cars. However, there are other issues that are also very important that I think the Council has been bullied by this developer and everything he seems to do, they come after the event and get approval for it and I don't know whether that is way you just weigh down your opposition.
  
4. Frank Lopresti of 11 Gordon Road, Dianella – Confidential Item 14.1 stated the following:
  - I am representing my mother who lives at 77 Wasley Street, Perth and I have the same concern about this recreational gym. My concern also is the parking and what would happen if there was a twenty four hour gym on this corner.
  - There are two (2) main problems, one is the disturbance that goes on at night, I don't know if the Council is aware, but this carpark, there has been a lot of noise going on at night especially between 11pm and 2pm mainly from the Rosemount Hotel and I can only see the problem getting worse, with a twenty four hour gym, as they say it is unsupervised. There is usually banging of car doors in the middle of the night, you have arguments between people, we have people laughing and we have even had football games out there about midnight.
  - My mother lives adjacent to the car park and this gym would have rear door access, so the only place to park at from what I can see is adjacent to my mothers place and I could imagine the amount of doors being opened and closed and conversations that will go on. I really don't think the Council should accept this proposal in this area, mainly due to the disturbance factor, but also the other factor is the parking, I did not realise it was so short on parking bays.
  
5. Aaron Sice of 6 Dale Court, Ocean Reef – Confidential Item 14.2 stated the following:
  - I am the applicant for 18 Turner Street. The design for you, displays an effort undergone to redesign the proposal to sit more harmoniously in the neighbourhood, indeed we have had a number of meditations now with the neighbours.
  - The narrowing of the facade facing the street has reduced the visual bulk, the roof to the rear is provided at 45 degrees, with smaller pop outs to maintain north light entering the development as per DAC requirements, but with seal heights at 1.65 metres to ensure privacy for the neighbours as negotiated.
  - The addition of steep roof pitches to the sides reduces the impacts of the wall height as per previous concerns and has a marked reduction in the overall perceived visual height, the proposal is still plot ratio compliant, it is still open space compliant, it is still height compliant and is still providing landscaping in excess of the minimum. Material choices are harmonious with dwellings in the immediate vicinity.
  - The proposal represents a carefully considered approach to smaller lot living and there are three (3) different dwelling types within the one building, that presents no bigger than the average two storey and three storey homes in the immediate vicinity.

6. M Zrinski of 47 Blackbird Avenue, Gwelup – Confidential Item 14.2 stated the following:
- I just wanted to let the Council know, as per my email this week we have mediated a number of times since we last had reconsideration. Three times with the Mayor and the independent Town Planner and the City's Officers together with the neighbours and I have also been meeting informally with the other neighbour.
  - I have enjoyed, even though it has been a fairly stressful process. I have enjoyed working in a harmonious nature that has been quite civil and everyone has mediated really well and so I am thankful that everyone could come did and voice their concerns so that we could work towards a better proposal, the dwelling and proposal is know quite significantly different in particular the third floor, but now it is known as a loft, completely enclosed within the roof space, it is now fifteen (15) percent smaller than it was last time it was reconsidered, it might not seem a lot but when it was only a 100 square metres and is now 80 square metres.
7. Debbie Saunders of 150 Oxford Street, Leederville – stated the following:
- I have lodged a petition today regarding the Bike Network Plan, it is not the part of the plan that is on tonight's Agenda so I will not go right into it. It is pretty self explanatory petition that asks the Council to reconsider Option three (3), which doesn't take out any of the parking at Oxford Street, which is something we just can't afford to lose any more of.
  - Another comment just with the Bike Network Plan, the cyclist that did support the plan, especially on Bulwer Street, many of them have criticised the format. It seems Council's downplaying the criticisms the concerns about the dooring of cyclists, it claims to be doing best practice, I don't that there has not been enough research done in to it.
  - Just a couple of questions, then,
  - Question one: *"Why is the Council Reform Item Confidential?"*  
*The Presiding Member advised Ms Saunders he would take the question on Notice.*
  - Question two: *"The Beaufort Street Artwork, will the Council be disclosing the amounts spent on this Item, in the future?"*  
*The Presiding Member advised Ms Saunders he would take the question on Notice.*
  - Question three: *"in regards to that, did the Council go against their legal advice on that item?"*  
*The Presiding Member advised Ms Saunders he would take the question on Notice.*
  - Question four: *"the Oxford Street Reserve, the Council is claiming that the project is greening the Town Centre, when in fact the green aspect of that park is being reduced by over 50%?"*  
*The Presiding Member advised Ms Saunders he would take the question on Notice.*
- There being no further speakers, Public Question Time closed at approx. 6.25pm.

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

- [3.1](#) Letter sent to Ms D Saunders in relation to – *"does the Council think that all businesses in Leederville have a PO Box in Leederville and what are they basing that on and why weren't they delivered like the residents were?"*

#### **4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Mayor John Carey requesting leave of absence from Thursday 26<sup>th</sup> June 2014 to Tuesday 1 July 2012 (inclusive), due to personal commitments.

**Moved Cr McDonald, Seconded Cr Cole**

**That Mayor Carey's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

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

- 5.1 Petition received from Ms D. Saunders of Oxford Street, Leederville, along with 104 signatories of which 64 signatories are non Vincent address. Requesting that the Council: resolve that community consultation is required for all public art that is Council, and therefore ratepayer, funded or is on public land. Also, that Council abide by their stated aim of encouraging community involvement in decision making by not removing the requirement for consultation on public art from the Community Consultation Policy

The Acting Chief Executive Officer recommended that this petition be received and referred to the Acting Director Community Services for investigation and report.

**Moved Cr Buckels, Seconded Cr McDonald**

**That the petition be received as recommended.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

- 5.2 Petition received from Ms D. Saunders of Oxford Street, Leederville, along with 143 signatories of which 99 signatories are non Vincent residents. Requesting that the Council: Does not remove any car parks on Oxford Street to accommodate the Bike Network Plan and that the option that Council has previously disregarded (Option C – Item 9.2.4 – OMC 27 May 2014) be endorsed and used by Council as the preferred option of the ratepayers, residents and workers of Vincent.

The Acting Chief Executive Officer recommended that this petition be received and referred to the Acting Director Technical Services for investigation and report.

**Moved Cr Buckels, Seconded Cr McDonald**

**That the petition be received as recommended.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

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

- 6.1 Minutes of the Ordinary Meeting of Council held on 10 June 2014

**Moved Cr Topelberg, Seconded Cr Harley**

**That the Minutes of the Ordinary Meeting of Council held on 10 June 2014 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**



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

The Presiding Member Mayor John Carey read the following;

### 7.1 Employee of The Month Award For The City Of Vincent For May 2014

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the City. The recipients receive a \$120 voucher, kindly donated by the Bendigo North Perth Community Bank, and a Certificate.

The Employee of the Month Award for May 2014 is awarded to Tim Elliott, Planning Officer (Strategic) in the City's Planning Services Section.

Tim was nominated for this Award by the City's A/Director Planning Services, Petar Mrdja, for providing an outstanding level of service within the Planning Services Directorate during the months of February, March and April.

During this period, the Statutory Planning section lost a number of staff members and, despite being appointed as a Strategic Planning Officer, Tim accepted to work within the Statutory Section to provide cover and assistance until other Officers could be appointed.

Tim put in an enormous amount of effort across these months, often performing both Statutory work and completing your Strategic projects at the same time.

In late April, he effortlessly switched back to the Strategic section and was able to provide cover when, due to unforeseen circumstances, the Manager Strategic Planning, Sustainability and Heritage Services and the Senior Strategic Planning Officer were both away for a week in April.

Tim always goes about his tasks in a professional and friendly manner and his commitment and hard work within the Planning Services Directorate during these past few months is much appreciated by his colleagues in both Statutory and Strategic Planning.

Congratulations to Tim - and well done!!

**Received with Acclamation!**

### 7.2 Late Item

I have approved of the following Late Item on tonight's Agenda:

Item 14.4 Confidential Item - Settlement of Deed - *This matter is confidential as it contains legal advice obtained, or which may be obtained, by the local government.*

## 8. DECLARATIONS OF INTERESTS

8.1 Mayor John Carey declared a Financial interest in Item 9.1.4 – LATE ITEM: Amendment No. 37 to City of Vincent Town Planning Scheme No. 1 – Rezone from Residential R80 to Residential R50 in the Cleaver and Hyde Park Precincts. The extent of his interest being that he owns a property affected by the proposed and may benefit or not benefit from tonight's decision and he will not participate in the debate.

8.2 Mayor John Carey declared an Impartiality interest in Confidential Item 14.1 – No. 448 (Lot 1) Fitzgerald Street, North Perth – Proposed Change of Use to Ground Floor Office to Recreational Facility (GYM)- State Administrative Tribunal (SAT) Review Matter DR 133 of 2014. The extent of his interest being that he is good friends with a community member who is actively opposing this change of use and as a consequence they maybe a perception, that his impartiality on the matter maybe affected and he declared that he will consider this matter on its merit and vote accordingly.

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

Nil.

**10. REPORTS**

The Presiding Member, Mayor John Carey, requested that the Acting Chief Executive Officer advise the meeting of:

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

Items 9.1.3, 9.1.4, 14.1 and 14.2

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

Items 9.3.5, 9.4.1 and 9.4.2

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

Item 9.1.4

Presiding Member, Mayor John Carey, requested Council Members to indicate:

**10.4 Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

<b>COUNCIL MEMBER</b>	<b>ITEMS TO BE DISCUSSED</b>
Mayor John Carey	Nil
Cr Buckels	9.1.1, 9.3.5 & 9.4.3
Cr Cole	9.2.2
Cr Harley (Deputy Mayor)	9.4.2
Cr McDonald	Nil
Cr Peart	9.1.5 & 9.2.3
Cr Pintabona	An Apology
Cr Topelberg	Nil
Cr Wilcox	On Approved Leave of Absence.

The Presiding Member, Mayor John Carey, requested that the Acting Chief Executive Officer to advise the meeting of:

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

Items 9.1.2, 9.2.1, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.5.1, 9.5.2 & 9.5.3

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

Items 14.1, 14.2 & 14.3

**New Order of Business:**

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

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

Items 9.1.2, 9.2.1, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.5.1, 9.5.2 & 9.5.3

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

Items 9.1.3, 9.1.4, 14.1 and 14.2

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

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

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

**The Presiding Member, Mayor John Carey ruled that the Items raised during public question time for discussion are to be considered in numerical order as listed in the Agenda index.**

**ITEMS APPROVED “EN BLOC”:**

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

**Moved Cr Topelberg, Seconded Cr Cole**

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

**Items 9.1.2, 9.2.1, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.5.1, 9.5.2 & 9.5.3**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

**9.1.2 Amendment No. 121 to Planning and Building Policies – Policy No. 7.5.23 - ‘Construction Management Plans’**

<b>Ward:</b>	Both Wards	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0268
<b>Attachments:</b>	<a href="#">001</a> – Policy No. 7.5.23 – ‘Construction Management Plans’ <a href="#">002</a> – Summary of Submissions		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M Tarca, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

- ADOPTS** the final amended version of Policy No. 7.5.23 relating to Construction Management Plans as shown in Appendix 9.1.2; and
- AUTHORISES** the Acting Chief Executive Officer to advertise the final amended version of Policy No. 7.5.23 relating to Construction Management Plans in accordance with Clause 47(6) of the City of Vincent Town Planning Scheme No. 1.

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to present to the Council the outcomes of the formal advertising period for Policy No. 7.5.23 relating to Construction Management Plans.

**BACKGROUND:**

The City of Vincent has seen an influx of applications for demolition, excavation and retention of structures and it is considered that the current Policy is believed to be lacking direction and guidance for development applications. It is recommended that the existing Policy 7.5.23 be amended to provide a more detailed framework on when dilapidation reports are required. As a result, the amended Policy will assist the applicant in providing information which the City requires.

**History:**

Date	Comment
26 October 2010	Policy No. 7.5.23 relating to Construction Management Plans was adopted by Council
8 April 2014	The Council at its Ordinary Meeting held on 8 April 2014 initiated Amendment No. 121 to consider changes to Policy No. 7.5.23 relating to Construction Management Plans
22 April 2014	The advertising period for Amendment No. 121 commenced
10 June 2014	The advertising period for Amendment No. 121 concluded.

**Previous Reports to Council:**

This matter was previously reported to the Council on 8 April 2014.

The Minutes of Item 9.1.7 from the Ordinary Meeting of Council held on 8 April 2014 relating to this report is available on the City's website at the following link: [http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes).

**DETAILS:**

The Council at its Ordinary Meeting held on 8 April 2014 initiated Amendment No. 121 to consider changes to Policy No. 7.5.23 relating to Construction Management Plans. The subject of Amendment No. 121 includes updating current provisions which provide consistent guidelines for dilapidation reports required by the city.

This policy provides guidance when dilapidation reports are required by the City and to what extent. It also ensures that sheet piling methods are not encouraged and what is required by the City if applicants chose to use this method. It also establishes consistent guidelines for the consideration of applications for Construction Management Plans.

As a result of the community consultation, it is recommended that Policy No. 7.5.23 is to be further amended.

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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The amended Policy was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1.

Consultation Period: 50 days, 22 April 2014 to 10 June 2014.

Consultation Type: Four adverts in local paper, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, letters to Western Australian Planning Commission, and other appropriate government agencies as determined by the City of Vincent. The advertising period was extended a further 3 weeks due missing adverts in the local paper for 2 weeks.

A total of five (5) submissions were received during the four week consultation period as follows:

Authority and Organisation Submissions

Position	Number Received	Percentage
Support	1	25%
Object	-	-
Not Stated	3	75%
<b>Total</b>	<b>4</b>	<b>100%</b>

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	1	100%
<b>Total</b>	<b>1</b>	<b>100%</b>

**Total Submissions Received**

Position	Number Received	Percentage
Support	1	20%
Object	-	-
Not Stated	4	80%
<b>Total</b>	<b>5</b>	<b>100%</b>

**Summary of Comments Received**

Issue	Comment
<p><b>Clause 1.5 Confusion of Heritage Place as High Risk category:</b></p> <p><i>“Appreciates the City’s aim to care for heritage places, in relation to cases of damage due to nearby works, we have no indication that a heritage place is at any greater risk than a non heritage place. 1.5(c)(i) as an indicator of high risk is not supported. It would be appreciated if, where submitted as part of a construction management plan, a copy of the dilapidation report for any State Registered Place be forwarded onto the Heritage Office for our records.”</i></p> <p><i>“Clause 1.5 has been poorly drafted and doesn’t make sense. What does 15(a) mean? Needs to be worded more clearly. (provides example). Some indication given to what constitutes as high risk but no guidance is given to what constitutes as low risk.”</i></p>	<p>Noted, the addition of Heritage Place as a high risk does not specify clearly on whether it is the heritage place being demolished (which is not acceptable) or if there are any heritage places within the actual radius of affected properties. Based on the comments received the policy will be amended.</p> <p>Supported, The City has received two submissions regarding the confusion and meaning of Clause 1.5, the policy will be amended as per the example given by the community submission. Note that this recommendation addresses the comments made by the Heritage Council of WA (as commented above)</p>
<p><b>Inconsistency between Clause 1.1 and 1.4</b></p> <p><i>“A CMP should be assessed along with the building permit. Clause 1.1 is not consistent with 1.4 which requires something to be done before a building permit is issued.”</i></p>	<p>Supported, there is evidence of inconsistency between the use of words “submission” and “issue” of a building permit between Clauses 1.1 and 1.4. After clarification with the City’s Building Surveyor’s, Clauses 1.1 and 1.4 will be amended to read “prior to the <u>issue</u> of a Building Permit”.</p>
<p><b>More Clarification Needed for Vibration Monitoring in Clause 1.4</b></p> <p><i>“Clause 1.4 suggests the use of a vibration monitoring report, how can people do this? Surely it is about submitting a <b>vibration monitoring plan</b>? If so it should refer the monitoring being undertaken and the results being made available to the City. Sheet piling is associated with construction rather than demolition.”</i></p>	<p>Supported, as per the amended Clause 1.4 applicants who are required to complete a dilapidation report and/or vibration monitoring for the use of sheet piling methods. For vibration monitoring applicants are required to submit a Vibration Monitoring Plan of which shows where the vibration monitoring equipment will be installed on the site. The pre determined thresholds are not to exceed Australian Standards. The results will be provided to the City for future records.</p>

Issue	Comment
<p><b>New Clause Required for Pedestrian Safety</b></p> <p><i>“If dilapidation reports and sheet piling methods have been promoted from the Guidelines then same should apply to the Traffic Management Plans and pedestrian safety. Should introduce a clause for Pedestrian Safety (provides example).”</i></p>	<p>Supported, a new clause will be added to the policy regarding pedestrian safety as per the recommendation. The promotion of Traffic Management Plans from the Guidelines to Policy 7.5.23 is not required as its performance in the Guidelines is sufficient.</p>
<p><b>Clause Renumbering</b></p> <p><i>“Second paragraph of 1.3 should be made a separate clause as it does not relate to the first paragraph. Numbering of clauses should be changed from 1.1 – 1.5 to 1 – 5.”</i></p>	<p>Supported, the policy will be amended as per the following recommendation and the second paragraph of Clause 1.3 will be separated into a separate Clause.</p>
<p><b>Removal of Affected Radius Areas</b></p>	<p>After speaking with City’s Manager of Planning and Building Services, the extent to which dilapidation reports are required cannot be determined by a radial area. Rather these will be pre-determined on a case by case basis.</p>

A summary of the submissions received is outlined in Appendix 002.

**LEGAL/POLICY:**

- City of Vincent Town Planning Scheme No. 1 and associated Policies.
- City of Vincent Policy No. 4.1.5 Community Consultation
- Town Planning Regulations 1967; and

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The City already has the ability to consider construction management plans under the provisions of the Town Planning Scheme No. 1; however this Policy will provide a clearer framework and ensure that dilapidation reports are considered consistently.

**STRATEGIC IMPLICATIONS:**

In keeping with the City’s *Strategic Community Plan 2011-2021* Objectives 1.1.1:

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

**SUSTAINABILITY IMPLICATIONS:**

The Policy Amendment has no direct sustainability implications relating to the City’s Sustainable Environment Strategy 2013-2018.

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

<b>ENVIRONMENTAL</b>
Nil
<b>SOCIAL</b>
This Policy gives greater certainty to the community on being notified when development is undertaken in surrounding areas which affect their property. New Clause has been amended to protect adjacent infrastructure from damages of development as well as the addition of a new clause to protect pedestrian safety.
<b>ECONOMIC</b>
This Policy will provide a clear framework for developers and ensure that the process for preparing a dilapidation report is more efficient.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

Town Planning Scheme Amendments and Policies

Budget Amount:	\$ 73,000
Spent to Date:	<u>\$ 62,650</u>
Balance:	\$ 10,341

**COMMENTS & CONCLUSION:**

This Policy will provide a clear and consistent framework for detailing when dilapidation reports are required to be submitted to the City for development. This will provide more certainty for the developer and the community.

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



**9.2.1 Proposed Traffic Calming – Angove Street, North Perth**

<b>Ward:</b>	North	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Smith's Lake (6)	<b>File Ref:</b>	TES0135
<b>Attachments:</b>	<a href="#">001</a> – Proposed Plan No. 3155-CP-01		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Acting Director Technical Services		
<b>Responsible Officer:</b>	C Wilson, Acting Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **APPROVES IN PRINCIPLE** the implementation of the proposed traffic calming for Angove Street, North Perth, between Farmer and Daphne Streets, estimated to cost \$25,000, as shown on attached Plan No. 3155-CP-01;
2. **CONSULTS** with affected residents and businesses; and
3. **RECEIVES** a further report at the conclusion of the public consultation.

**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to seek Councils approval to consult with the residents and businesses of Angove Street, between Farmer and Daphne Streets, in respect of a proposal to install low profile speed humps as a traffic calming measure as requested in an eighty (80) signature a petition as presented to the Ordinary Meeting of Council on 11 March 2014.

**BACKGROUND:**

In early March 2014 the City received a petition with eighty (80) signatories.

The following is an (amended) extract of from petition organiser’s cover letter:

*“Angove Street has become a very popular café strip with a lot of pedestrian traffic, however the street itself is extremely busy with fast moving traffic. The interaction between vehicles and pedestrians is a major concern, having personally witnessed two significant accidents and numerous close calls. In addition, from what I know of, that since 2010 I have had our family vehicle written off while parked on Angove Street. The resident at 95 Angove had their parked vehicle significantly damaged by a side swipe. The resident at 97 Angove had their parked vehicle significantly damaged by a side swipe. A vehicle was written off out the front of 101 Angove Street. A vehicle was hit with such force the parked car was shunted into a tree that snapped in half. The resident at 101 Angove had their fence broken by an out of control vehicle. A parked vehicle was written off out the front of approximately 110 Angove Street. Telephone pole crashed into outside of 98 Angove Street requiring its replacement. Vehicle side swiped while parked outside of 50 Angove Street; vehicle pulling out of Vine Street onto Angove Street was written off by vehicle on Angove Street. A motorbike was hit from behind out the front of 92 Angove Street.*

*Low speed humps have some effect in slowing traffic near the Cafes, however the remainder of the street towards Charles Street has no traffic calming devices despite that it also has high pedestrian traffic. In addition, vehicles tend to speed up once out of the café strip and regularly break the speed limit.*

*Any assistance in resolving this issue with additional low speed humps or rubber humps (like on Fitzgerald) all along Angove Street would be greatly appreciated by the residents of Angove and those that enjoy the street from surrounding areas.”*

**DETAILS:**

Angove Street is classified as a District Distributor B Road in accordance with the Metropolitan Functional Road Hierarchy. Under this classification, the anticipated weekday traffic volume is greater than 6,000 vehicles per day, with a recommended operating speed of either 50 or 60 kph.

Angove Street carries in the order of 9,250 vehicles average weekday traffic (AWT) and has a posted speed limit of 50 kph.

The cafe/commercial strip, east of Daphne Street to Fitzgerald Street, had low profile speed humps installed as part of the streetscape enhancement works completed in the mid 2000’s and which has proven very successful in limiting the speed of traffic. The 85% speed is 36.4 kph while the average speed is 29.3 kph.

However the predominately residential portion of Angove Street from Farmer Street to Daphne Street, and which is a relatively steep grade, has no such traffic calming measures.

As a consequence there is a propensity for motorists to increase speed on the downhill grade west bound from Daphne Street and similarly accelerating on the uphill grade east bound before encountering the first speed hump near Daphne Street.

Road	Location	AWT 5 day	Ave Speed kph	85% Speed kph
Angove Street	Near Daphne Street	9,263	45.4	52.2
Angove Street	Near Vine Street	9,259	47.5	54.0

Table 1

Whilst the speeds do not appear the excessive the interesting statistics is the percentage of traffic travelling between 50 and 60 kph, and above 60kph, as per table 2.

Road	Location	% 50-60 kph	% > 60 kph
Angove Street	~20m west of Daphne Street	23.3%	1.7%
Angove Street	~20 east of Vine Street	33.5%.	2.6%

Table 2

When the above data is taken into consideration with the traffic volumes, there is understandably a perception that speed is an issue.

However the figures also demonstrate the effectiveness of the existing traffic calming measures east of Daphne Street, either entering or exiting the cafe strip, as the compliance rate is approximately 11.5% (un-adjusted) better than that of the section near Vine Street.

**Officer Comment:**

It should be noted that the traffic travelling above 50 kph but below 60 kph is commonly referred to a ‘*low level speeding*’. However it is now become a focus of both the WA Police and the Road Safety Council as accidents in this speed range, and particularly those involving pedestrians, form a significant percentage of traffic accidents with many resulting in the serious consequences (i.e. injury and/or major damage).

**Proposal**

Therefore while the 85% speeds are reasonable in an endeavour to control errant driver behaviour and reduce the incidents of speeding, it is proposed that to install a series of three (3) low profile speed humps between Farmer and Daphne Streets as shown on Plan No. 3155-CP-01.

These measures, which are both effective and relatively inexpensive, should ensure that vehicles slow down to within the posted speed limit with minimal impact on nearby residents.

**Officer Comment:**

The proposed Angove Street traffic calming is unlikely to have an adverse impact upon Farmer Street by diverting the traffic away from Angove Street. The existing Farmer Street speed humps, which have been very effective and are to be avoided. will remain as is.

**ITAG Meeting 30 April 2014**

The aforementioned traffic data was discussed at the Integrated Transport Advisory Group (ITAG) of 30 April 2014. The Group agreed that traffic calming measures, in the form of low speed humps, were warranted and that the pending Council's approval *In Principle*, that the affected residents and businesses should be consulted.

**CONSULTATION/ADVERTISING:**

Residents and businesses will be consulted regarding the proposal.

**LEGAL/POLICY:**

Not applicable.

**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:**

The Council ensures its road infrastructure is maintained to an acceptable level of service, including road safety improvements, with funds allocated annually to various programs.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2014/2015 Budget includes \$25,000 for traffic management improvements in Angove Street, which is the estimated cost to install the proposed treatment.

**COMMENTS:**

The City receives many requests for traffic management and/or calming. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. On other occasions the residents' complaints are referred to the Police Services for enforcement of the legal speed limit.

While the traffic data indicates that the speed in Angove Street is not excessive the significant % of 'low level speeding' is of concern and in light of the traffic accidents itemised in the petitioners cover letter it is recommended that the proposal, as outlined on attached Plan No 3155-CP-01, be approved in principle subject to gaining the Angove Street residents and businesses support.

**9.3.1 Investment Report as at 31 May 2014**

<b>Ward:</b>	Both	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0033
<b>Attachments:</b>	<a href="#">001</a> – Investment Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	B Wong, A/Manager Financial Services; N Makwana, Accounting Officer		
<b>Responsible Officer:</b>	B C Tan, Acting Director Corporate Services		

**OFFICER RECOMMENDATION:**

That the Council **NOTES** the Investment Report for the month ended 31 May 2014 as detailed in Appendix 9.3.1.

**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

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

**BACKGROUND:**

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

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

**DETAILS:**

Total Investments for the period ended 31 May 2014 were \$12,211,000 compared with \$14,311,000 at 30 April 2014. At 31 May 2013, \$11,021,305 was invested.

Investment comparison table:

	<b>2012-2013</b>	<b>2013-2014</b>
July	\$18,211,000	\$9,611,000
August	\$30,511,000	\$21,411,000
September	\$28,511,000	\$20,411,000
October	\$26,711,000	\$20,411,000
November	\$24,711,000	\$19,811,000
December	\$20,711,000	\$17,811,000
January	\$20,711,000	\$17,811,000
February	\$18,711,000	\$17,811,000
March	\$17,111,000	\$16,811,000
April	\$13,011,000	\$14,311,000
May	\$11,021,305	\$12,211,000

Total accrued interest earned on Investments as at 31 May 2014:

	<b>Annual Budget</b>	<b>Budget Year to Date</b>	<b>Actual Year to Date</b>	<b>%</b>
Municipal	\$281,340	\$274,429	\$276,274	98.20
Reserve	\$386,610	\$369,116	\$322,105	83.32

**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. 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).

The interest earned is below budget. This is due to the decrease in the Reserve Bank of Australia cash rate from 3.50% in September 2012 to 2.50% in September 2013. Current cash rate is maintained at 2.50%.

The funds invested have decreased from previous period due to payment to creditors.

The report comprises of:

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

**9.3.2 Authorisation of Expenditure for the Period 1 – 31 May 2014**

<b>Ward:</b>	Both	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0032
<b>Attachments:</b>	<a href="#">001</a> – Creditors Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	A Siapno, Acting Accounts Payable Officer; B Wong, Acting Manager Financial Services		
<b>Responsible Officer:</b>	B C Tan, Acting Director Corporate Services		

**OFFICER RECOMMENDATION:**

That the Council **CONFIRMS** the;

1. **Schedule of Accounts for the period 1 May – 31 May 2014 and the list of payments;**
2. **direct lodgement of payroll payments to the personal bank account of employees;**
3. **direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **direct lodgement of Child Support to the Australian Taxation Office;**
5. **direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

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

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**DECLARATION OF INTEREST**

<b>Members/Officers</b>	<b>Voucher</b>	<b>Extent of Interest</b>
Nil.		

**PURPOSE OF REPORT:**

To present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 May – 31 May 2014.

**BACKGROUND:**

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

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

**DETAILS:**

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

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account</b>		
Automatic Cheques	76195 - 76372	\$297,122.55
Transfer of Creditors by EFT Batch	1665, 1667 – 1670, 1673 - 1676	\$2,266,757.86
Transfer of PAYG Tax by EFT	May 2014	\$275,812.47
Transfer of GST by EFT	May 2014	
Transfer of Child Support by EFT	May 2014	\$1,826.70
Transfer of Superannuation by EFT:		
• City of Perth	May 2014	\$25,902.41
• Local Government	May 2014	\$117,456.36
<b>Total</b>		<b>\$2,984,878.35</b>
<b>Bank Charges &amp; Other Direct Debits</b>		
Bank Charges – CBA		\$8,134.09
Lease Fees		\$4,607.45
Corporate MasterCards		\$6,993.46
Loan Repayment		\$162,968.63
Rejection fees		\$67.50
<b>Total Bank Charges &amp; Other Direct Debits</b>		<b>\$182,771.13</b>
<b>Less GST effect on Advance Account</b>		<b>0.00</b>
<b>Total Payments</b>		<b>\$3,167,649.48</b>

**LEGAL POLICY:**

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

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2013-2017:

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

**ADVERTISING/CONSULTATION:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

**COMMENT:**

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

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



### 9.3.3 Financial Statements as at 31 May 2014

<b>Ward:</b>	Both	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0026
<b>Attachments:</b>	<a href="#">001</a> – Financial Reports		
<b>Tabled Items:</b>	<a href="#">002</a> – Significant Accounting Policies		
<b>Reporting Officers:</b>	B Wong, Acting Manager Financial Services; N Makwana, Accounting Officer		
<b>Responsible Officer:</b>	B C Tan, Acting Director Corporate Services		

#### OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Statements for the month ended 31 May 2014 as shown in Appendix 9.3.3.

#### COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

#### PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 31 May 2014.

#### BACKGROUND:

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

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

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

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

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

**DETAILS:**

The following documents represent the Statement of Financial Activity for the period ending 31 May 2014:

Note	Description	Page
1.	Summary of Income and Expenditure by Service Areas	1-30
2.	Statement of Financial Activity by Programme Report	31
3.	Statement of Financial Activity by Nature and Type Report	32
4.	Statement of Financial Position	33
5.	Statement of Changes in Equity	34
6.	Capital Works Schedule	35-41
7.	Restricted Cash Reserves	42
8.	Sundry Debtors Report	43
9.	Rate Debtors Report	44
10.	Beatty Park Leisure Centre Report – Financial Position	45
11.	Major Variance Report	46-57
12.	Monthly Financial Positions Graph	58-60

**1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES**

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

Comments on the financial performance are set out below:

**2. As per Appendix 9.3.3.**

**3. Statement of Financial Activity by Programme Report**

**Operating Revenue excluding Rates**

YTD Actual	\$22,402,627
YTD Revised Budget	\$26,189,414
YTD Variance	(\$3,786,787)
Full Year Budget	\$28,176,497

**Summary Comments:**

The total operating revenue is currently 86% of the year to date Budget estimate.

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

- General Purpose Funding – 8% over budget;
- Governance – 244% over budget;
- Law, Order, Public Safety – 18% under budget;
- Health – 1% over budget;
- Education and Welfare – 39% under budget;
- Community Amenities – 12% over budget;
- Recreation and Culture – 1% under budget;
- Transport – 25% under budget;
- Economic Services – 5% over budget;
- Other Property and Services – 61% under budget; and
- General Administration (Allocated) – 15% under budget.

**Operating Expenditure**

YTD Actual	\$45,751,015
YTD Revised Budget	\$43,881,237
YTD Variance	\$1,869,778
Full Year Budget	\$48,927,550

**Summary Comments:**

The total operating expenditure is currently 104% of the year to date Budget estimate.

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

- General Purpose Funding – 1% over budget;
- Governance – 7% over budget;
- Health – 5% under budget;
- Education and Welfare – 3% under budget;
- Community Amenities – 3% under budget;
- Recreation & Culture – 4% over budget;
- Transport – 8% over budget;
- Economic Services – 7% under budget;
- Other Property & Services – 34% over budget; and
- General Administration (Allocated) – 106% over budget.

**Net Operating and Capital Excluding Rates**

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

YTD Actual	\$22,444,020
YTD Revised Budget	\$24,881,180
Variance	(\$2,437,160)
Full Year Budget	\$29,136,897

**4. Statement of Financial Activity by Nature and Type Report**

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

**5. Statement of Financial Position and**

**6. Statement of Changes in Equity**

The statement shows the current assets of \$14,080,461 and non-current assets of \$204,771,873 for total assets of \$218,852,334.

The current liabilities amount to \$6,001,054 and non-current liabilities of \$19,400,907 for the total liabilities of \$25,401,961.

The net asset of the City or Equity is \$193,450,374.

**7. Net Current Funding Position**

	<b>31 May 2014 YTD Actual \$</b>
<b>Current Assets</b>	
Cash at Bank	2,052,295
Cash Restricted	9,022,956
Receivables – Rates and Waste	95,440
Receivables – Others	2,706,380
Inventories	192,390
	<b>14,069,461</b>
<b>Less: Current Liabilities</b>	
Trade and Other Payables	(3,260,590)
Provisions	(2,670,802)
	<b>(5,931,392)</b>
<b>Less: Restricted Cash Reserves</b>	(9,022,956)
Net Current Funding Position	<b>884,887</b>

**8. Capital Expenditure Summary**

The Capital Expenditure summary details projects included in the 2013/2014 budget and reports the original budget and compares actual expenditure to date against these.

	<b>Budget</b>	<b>Year to date Revised Budget</b>	<b>Actual to Date</b>	<b>%</b>
Furniture & Equipment	\$201,750	\$190,250	\$61,791	32%
Plant & Equipment	\$3,269,666	\$3,031,396	\$813,308	27%
Land & Building	\$1,229,000	\$966,000	\$507,355	53%
Infrastructure	\$12,198,585	\$11,578,280	\$4,477,103	39%
<b>Total</b>	<b>\$16,899,001</b>	<b>\$15,765,926</b>	<b>\$5,859,556</b>	<b>37%</b>

Note: The actual to date value for Plant and Equipment is the net of trade in value of the purchase price.

Note: Detailed analyses are included on page 35 – 41 of Appendix 9.3.3.

**9. Restricted Cash Reserves**

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

The balance as at 31 May 2014 is \$9.02m. The balance as at 31 May 2013 was \$8.9m.

**10. Sundry Debtors**

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$563,503 is outstanding at the end of May 2014.

Out of the total debt, \$294,636 (58%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangement for more than one year.

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

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

**11. Rate Debtors**

The notices for rates and charges levied for 2013/14 were issued on the 22 July 2013.

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

First Instalment	26 August 2013
Second Instalment	28 October 2013
Third Instalment	3 January 2014
Fourth Instalment	7 March 2014

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)	\$11.00 per instalment
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 31 May 2014 including deferred rates was \$180,455 which represents 0.70% of the outstanding collectable income compared to 0.89% at the same time last year.

## 12. Beatty Park Leisure Centre – Financial Position Report

As at 31 May 2014 the operating deficit for the Centre was \$431,178 in comparison to the year to date revised budgeted surplus of \$483,348.

The cash position showed a current cash surplus of \$269,875 in comparison year to date revised budget estimate of a cash surplus of \$1,015,044. The cash position is calculated by adding back depreciation to the operating position.

Budget on revenue has been adjusted in various areas during mid year budget review to show a better operating position.

## 13. Major Variance Report

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

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

### CONSULTATION/ADVERTISING:

Not applicable.

### LEGAL/POLICY:

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

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

### RISK MANAGEMENT IMPLICATIONS:

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2011-2016:

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Not applicable.

**COMMENT:**

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

**9.3.4 81 (Lot 500) Angove Street, North Perth - Progress Report No. 5**

<b>Ward:</b>	North	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Smith's Lake	<b>File Ref:</b>	PRO2919
<b>Attachments:</b>	<a href="#">001</a> – Concept subdivision plan <a href="#">002</a> - Landgate plan		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	G Pieraccini, Director Special Projects		
<b>Responsible Officer:</b>	M Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the Progress Report No. 5 relating to further investigation into the subdivision of 81(Lot 500) Angove Street, North Perth as requested by Council;
2. **APPROVES** a two (2) lot subdivision and subsequent sale of the rear lot;
3. **LISTS** for consideration an amount of \$35,000 in the 2014/15 Draft Budget to perform the work associated with the subdivision; and
4. **AUTHORISES** the Acting Chief Executive Officer to engage a licensed surveyor to undertake the subdivision process.

**COUNCIL DECISION ITEM 9.3.4**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to provide additional information to Council on the subdivision of 81 Angove Street, North Perth and seek approval to progress the subdivision and sale of the rear lot.

**BACKGROUND:**

**History**

<b>Date</b>	<b>Comment</b>
29 October 2009	The Council purchased No. 81 Angove Street, North Perth at public auction for \$1.725 million
3 November 2009	The Council resolved to endorse the Business Plan for the Major Land Transaction and to borrow \$1,600,000 for the purchase of No. 81 Angove Street, North Perth.
8 February 2011	The Council resolved to approve the lease of the property to GROW WA for 3 years, at \$27,000 per annum (expires May 2014).
6 December 2011	The Council requested the Chief Executive Officer to investigate alternative community uses for the property to be introduced at the end of the current lease to GROW WA
27 March 2012	The Council requested the Chief Executive Officer to investigate further options for alternative uses and redevelopment options for the property and that \$50,000 be listed in the 2012/2013 draft Budget for the preparation of a Feasibility Study for various development and land use scenarios.



Date	Comment
December 2012	Internal North Perth Police Station Working Group prepared draft Business Plan for options for alternative uses for the property
May 2013	The Council resolved to approve the engagement of 'Integral Project Creation' to conduct a Feasibility Study on Usage Options for 81 Angove Street.
December 2013	The Council authorised the Chief Executive Officer to further investigate the development of apartments (Option 1.2) and the survey strata (option 4.1) of the rear of the property and approved the extension of the current lease with GROW WA for a further twelve (12) months.

**Previous Report to Council:**

At the Ordinary Meeting of Council held 13 May 2014, the Council resolved as follows:

- “1. *APPROVES IN PRINCIPLE the subdivision and sale of the rear lot at 81 Angove Street, North Perth; and*
2. *RECEIVES a further progress report prior to the final consideration of 2014/2015 budget.*”

**DETAILS:**

Following receipt of the Feasibility Study on Usage Options for 81 Angove Street North Perth, prepared by Integral Project Creations Pty Ltd. Council Officers and an independent town planner undertook a detailed review of the two recommended options. Subsequently a report was tabled at the Ordinary Meeting of Council held on 13 May 2014 Item No. 9.3.2 recommending the City proceed with a subdivision and sale of the rear portion of the lot subject to the findings of the review.

During the review of the recommended options two issues were encountered that had not been taken into account previously. These issues have implications for any subdivision or development and are;

- The location of a sewer main on the eastern side of the rear of the lot which services a number of properties and is located approximately two (2) metres within the lot; and
- The requirement to provide pedestrian access to a dedicated road, in line with State Policy and the City's Policy No. 7.2.1 Residential Design Elements Clause 19 (i), “All lots to be provided with pedestrian access to a dedicated road”.

Subsequent to Council's resolution to “approve in principle” the subdivision and it receive a further report prior to final consideration of the 2014/15 Budget, Council Officers contacted a number of licensed surveyors about the subdivision and potential associated costs. As a result an alternate subdivision option has been developed which takes into consideration the above issues as well as the financial impact on the City.

Thought was given to the realignment of the sewer main however due to the number of properties connected to this main upstream it is likely it would prove to be quite difficult and costly. Therefore it was resolved that the sewer main be retained in its current location adjacent the eastern boundary and a sewerage easement would be required to be created over the main within the subdivision.

### **The proposed subdivision - two lots (Police Station at front + one lot for sale at rear)**

It is proposed that a two (2) lot subdivision be undertaken, creating a potential development lot at the rear for sale, with a 1.5 metre wide pedestrian access corridor to Angove Street and vehicle access via the rear ROW, while retaining the heritage listed Police Station on a separate lot with frontage to Angove Street. (refer attachment 001) Concept Subdivision Plan. This proposed subdivision is in line with other survey and built strata subdivisions undertaken within adjacent properties to the west of this lot. (refer attachment 002) Landgate Plan.

The rear lot could allow for a single unit residential development or potentially for a multi-unit development with the ability to subsequently be strata titled. Once a licensed Surveyor is appointed further consideration and advice will be provided to determine what type of subdivision ("green title", "strata title, "battleaxe" or other) is possible and offers the best outcome for the City.

### **The Subdivision Process**

The subdivision process has essentially two stages and should take between eight (8) and twelve (12) months to be completed.

#### STAGE 1

##### **Surveyor**

- A feature survey will be undertaken, type of subdivision finalised and a plan of the proposed subdivision and application are prepared; and
- The proposed subdivision application is submitted to the WAPC for assessment and is referred to all of the relevant authorities.

#### STAGE 2

- WAPC will refer the application to Water Corporation, Western Power and the Local Government for comment and conditions for approval;
- WAPC will issue a "Conditional Approval" (if successful) which outlines the requirements of the subdivision;
- It is important to note, that until "Conditional Approval" has been received from the WAPC and the various authorities have agreed and confirmed their requirements, the total cost associated with any conditions or works required for the subdivision cannot be confirmed;
- Any requirements and conditions imposed on the subdivision are the responsibility of the land owner and will include the following;
- Water Corporation – a sewer and water connection is required for all new lots;
- Western Power – A new power connection point will be required;
- Local Government/site works – rear of site will need to be cleared of buildings and vegetation, and may require clean fill, retaining on side boundaries; a demolition permit and geotechnical report may be required. The ROW widening area will be required to be sealed to match into the existing ROW; and
- Once the conditions of subdivision approval have been met, the Deposited Plan is forwarded back to the referral agencies (Water Corporation, Western Power and the Local Government) with a request for clearance of the subdivision conditions.

##### **Surveyor**

- On receipt of conditional approval from the WAPC a cadastral survey will be carried out to peg new lot boundaries;
- A Deposited Plan and associated documents will be prepared and submitted to all authorities to seek clearance; and
- A Deposited Plan will be lodged at Landgate and WAPC.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** It is important that the City fully assesses any options for the site and building usage to ensure limited financial risks are placed on the Council with managing this City owned asset.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2013 - 2017* states:

- "1.1 Improve and maintain the natural and built environment and infrastructure; and*
- 1.1.4 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment;*
- 3.1 Enhance and promote community development and wellbeing; and*
- 3.1.6 Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community;*
  - (a) Build the capacity of individuals and groups within the community to initiate and manage programs and activities that benefit the broader community , such as the establishment of "men's sheds", community gardens, toy libraries and the like; and*
- 4.1 Provide good strategic decision-making, governance, leadership and professional mananagement; and*
- 4.1.2 Manage the organisation in a responsible, efficient and accountable manner;*
  - (d) Continue to Implement the City's Asset Management Plans."*

**SUSTAINABILITY IMPLICATIONS:**

Not Applicable

**FINANCIAL/BUDGET IMPLICATIONS:**

There is currently no budget allocation for this project in the 2013/14 Budget however an allocation of \$15,000 has been assigned for further work to be undertaken in the 2014/15 Draft Budget. Should Council resolve to proceed with a subdivision the estimated budget allocation, as outlined below, will be required.

**BUDGET ESTIMATE**

<b>A two lot subdivision</b>	<b>\$30,000 - \$40,000 (excl. GST)*</b>
Application + Clearance fees	\$ 5,500
Sewer & Water (Water Corp headworks)	\$ 5,000
Power (Western Power works i.e. power dome)	\$ 5,000
Surveyor	<u>\$11,000</u>
	<u>\$26,500</u>
Demolition & Site works (if required)	<u>\$10,000</u>
TOTAL (excl.GST)	<u>\$37,500</u>

**NOTE:** Until "Conditional Approval" has been received from the WAPC and the various authorities have agreed and confirmed their requirements, the total cost associated with the subdivision cannot be confirmed.

**COMMENTS:**

It has emerged that the sewer main located at the rear of the existing lot will have significant impact on any subdivision of the site. However, should Council wish to proceed with a subdivision with the aim of selling the rear portion of the site, then a two (2) lot subdivision which maintains the heritage listed Police Station on a front lot in Angove Street and a rear lot, with the potential for development by a prospective purchaser, appears to provide the most straightforward and beneficial subdivision scenario.

**9.5.1 Strategic Community Plan 2013-2023 – Progress Report No. 2**

<b>Ward:</b>	-	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	001 – Special/Major Projects Summary Form – (CONFIDENTIAL COUNCIL MEMBERS ONLY) – Not for Public Distribution		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		
<b>Responsible Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **NOTES** the progress of its adopted Special Projects, as shown in Appendix 9.5.1 (Attachment 001).

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to update the Council for the various adopted Major Projects.

**DETAILS:**

At the Ordinary Meeting of Council held on 19 November 2013, the Council resolved as follows;

*“That the Council;*

1. APPROVES BY AN ABSOLUTE MAJORITY to;
  - 1.1 ADOPT indicative timeframes and milestones for the various key result areas in the City’s Strategic Community Plan 2013-2023, as shown in Appendix 9.5.5 (attachment 001); and
  - 1.2 INCLUDE the following new projects into the Strategic Community Plan (which arose after the Adoption of the Strategic Community Plan) as follows;

1.2.1

KRA No	Item	Indicative Timeline
1.1.4 (e)	Implement the Brookman/Moir Street Precincts Local Enhancement Project	2013-June 2015
1.1.4 (l)	Investigate locations and install water playground in Mount Hawthorn – northern part of the City	2013-June 2014
1.1.6 (g)	Finalise implementation of Woodville Reserve Masterplan	2013 -2014
2.1.4 (b)	Finalise implementation of Leederville Activity Centre Structure Plan	2013-December 2014
3.1.1 (b)	Implement major artwork for; <ul style="list-style-type: none"> <li>• Beatty Park Leisure Centre</li> <li>• Leederville Town Centre</li> <li>• North Perth Town Centre; and</li> <li>• Weld Square</li> </ul>	November 2013- Dec2014 Dec 2013 – June 2015 Nov 2013 – Dec 2014 January 2014-June 2015

2. **ADOPTS;**
  - 2.1 *the detailed "Major Projects Summary Form (as updated on the 19 November 2013), - as shown in, Appendix 9.5.5 (Attachment 002);and*
  - 2.2 *the "Strategic Projects – Executive Summary– Council Key Priorities 2014-2015", (as at the 19 November 2013), as shown in Appendix 9.5.5 (Attachment 003); and*
3. **AUTHORISES** *the Chief Executive Officer to amend the Community Strategic Plan to reflect the Council's Decision."*

At the Ordinary Meeting of Council held on 10 September 2013, the Council adopted a revised Strategic Community Plan – which reflected changes made by the Council over the previous twelve (12) months.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

The Council adopted a revised Plan for the Future at the Ordinary Meeting of Council held on 10 September 2013. The City's Strategic Community Plan forms part of the Plan for the Future. It is a legal requirement to have a Strategic Community Plan.

**RISK MANAGEMENT IMPLICATIONS:**

**HIGH:** It is important that the adopted indicative timelines and milestones be closely monitored. Failure to do so may result in some projects not being implemented in a timely manner

**STRATEGIC IMPLICATIONS:**

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2013-2023. The reporting on a regular basis is in accordance with the Strategic Plain 2013-2023 Key Result Area.

This is in keeping with the City's Strategic Community Plan 2013-2023- "*Leadership, Governance and Management*", in particular, Objective 4.1.2 - "*Manage the Organisation in a responsible, efficient and accountable manner*".

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The report reveals that the Council's adopted Major Projects are with some adjustments to the initial adopted timelines due to changing priorities.

**9.5.2 Local Government Amalgamation - Consideration of Minutes of Special Meeting of Electors**

<b>Ward:</b>	-	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0056
<b>Attachments:</b>	<a href="#">001</a> – Minutes of Special Meeting of Electors		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		
<b>Responsible Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the Minutes of the Special Meeting of Electors held at 6.00pm on Monday 9 June 2014 relating to Local Government Amalgamations, as shown in attachment 001 and **NOTES** that four Motions were moved at the Meeting;
2. **APPROVES IN PRINCIPLE** the two motions that were adopted at the Special Electors Meeting;
  - 2.1 That the City of Vincent support initiatives to question and challenge the legality of the State Governments so-called local government reform process; and
  - 2.2 That the City of Vincent reiterates the Electors preferred position that the City of Vincent remain as is.

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**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

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**PURPOSE OF REPORT:**

To report to the Council the Minutes of the Special Meeting of Electors held on Monday 9 June 2014, relating to the Local Government Amalgamations.

**BACKGROUND:**

The City of Vincent received a Request for a Special Meeting of Electors signed by one hundred and forty two (142) signatures.

Under Section 5.28 of the Local Government Act 1995 from Denham Robert Boulder of 38A Sydney Street, North Perth 6006.

The details of the matters to be discussed at the Special Meeting were:

- The clearly-expressed view of the electors of the City of Vincent that the City of Vincent should remain as it is;
- The Council resolution of 5<sup>th</sup> February 2014, which acknowledged the community's preference and the Council's opposition to forced Local Government mergers that 'do not give ratepayers the final say on the future of their council';
- The absence of (a) and (b) from subsequent statements and actions of the Vincent Council; and
- The lack of a clear role for or involvement of the electors and community of Vincent, since the original one-in, all-in' campaign.

**DETAILS:**

The City of Vincent held a Special Electors Meeting on Monday 9 June 2014 at 6.00pm in the Civic and Administration Centre. There were a total of 93 public that attended out of which were 82 Electors present.

**CONSULTATION/ADVERTISING:**

The Special Meeting of Electors were advertised on the 27/05/14 - Guardian Express and 31/05/14 – The Perth Voice.

Notices were also placed on the public notice boards the City's website and Facebook pages.

**LEGAL/POLICY:**

**Local Government Act 1995**

The Local Government Act Section 5.33 requires; *"all decisions made at an Electors Meeting to be considered at the next Ordinary Council Meeting. Also, if at a meeting of the Council, a Local Government makes a decision in response to a decision made at an Electors Meeting, the reasons are to be recorded in the Minutes."*

**STRATEGIC IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

There is considerable community interest in the Local Government Amalgamation process and its impact on the City of Vincent.

The recommendations to the report are the ones adopted at the Special Elector's Meeting.

In accordance with the Local Government Act 1995, the motions are submitted for Council's consideration.



**9.5.3 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** the Information Bulletin dated 13 June 2014, as distributed with the Agenda.

**COUNCIL DECISION ITEM 9.5.3**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**DETAILS:**

The items included in the Information Bulletin dated 13 June 2014 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Unconfirmed Minutes of the Loftus Recreation Centre Management Committee Meeting held on 21 May 2014
IB02	Unconfirmed Minutes of the Medibank Stadium (Leederville Oval) Ground Management Committee
IB03	Confirmed Minutes of the Party Bus Working Group Meeting held on 5 February 2014
IB04	Unconfirmed Minutes of the Party Bus Working Group Meeting held on 23 April 2014
IB05	Confirmed Minutes of the Parks People Working Group Meeting held on 20 November 2013
IB06	Unconfirmed Minutes of the Parks People Working Group Meeting held on 19 February 2014
IB07	Confirmed Minutes of the Safer Vincent Crime Prevention Partnership Meeting held on 4 December 2013
IB08	Unconfirmed Minutes of the Safer Vincent Crime Prevention Partnership Meeting held on 12 March 2014
IB09	Progress Report No.6 Heritage Assistance Fund

**9.1.3 FURTHER REPORT - Amendment to the Municipal Heritage Inventory**

<b>Ward:</b>	South Ward	<b>Date:</b>	16 June 2014
<b>Precinct:</b>	Leederville Precinct (P3); Oxford Centre (P4)	<b>File Ref:</b>	PLA0260
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Fox, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	P Mrdja, A/Director Planning Services		

**FURTHER OFFICER RECOMMENDATION:**

That the Council **APPROVES** the Officer's recommendation to not proceed with the nomination to include No. 452-458 (Lots 1-3) Newcastle Street, West Perth onto the City's Municipal Heritage Inventory (MHI) given that consent by the owner was not provided.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND LOST (1-6)**

**For:** Cr Buckels

**Against:** Presiding Member Mayor Carey Cr Cole, Cr Harley, Cr McDonald, Cr Peart and Cr Topelberg

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**REASONS FOR REFUSAL OF OFFICER RECOMMENDATION:**

The Council is of the opinion that No. 452-458 (Lots 1-3) Newcastle Street, West Perth does have significant Heritage value and should be included on the Municipal Heritage Inventory (MHI).

**COUNCIL DECISION ITEM 9.1.3**

**ALTERNATIVE RECOMMENDATION:**

Moved Cr Topelberg, Seconded Cr Cole

That the Council **PROCEEDS** with the nomination to include No. 452-458 (Lots 1-3) Newcastle Street, West Perth onto the City's Municipal Heritage Inventory (MHI) under Category B.

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

**For:** Presiding Member Mayor Carey Cr Cole, Cr Harley, Cr McDonald, Cr Peart and Cr Topelberg

**Against:** Cr Buckels

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

### **FURTHER REPORT:**

The Council at their Ordinary Meeting of Council held on 27 May 2014, considered an amendment to the Municipal heritage Inventory (MHI) to consider the inclusion, No. 452-458 (Lots 1-3) Newcastle Street, West Perth and resolved as follows:

*'That the item be DEFERRED to seek further clarification.*

### **REASONS FOR DEFERRAL:**

*The Council is seeking further advice from the National Trust regarding the classification of the buildings.'*

Following the decision of Council, the City's Officers wrote to the National Trust of WA on 3 June 2014 to seek further clarification of their support and classification of the subject property onto the MHI.

### **National Trust of WA comments:**

The City received correspondence from the National Trust on 11 June 2014, which confirmed that in their correspondence of 10 April 2014 they supported the inclusion of the subject property on the City's Municipal Heritage Inventory. The Trust stated their agreement with the City's heritage assessment, which identified the subject place as having significance at a local level and recommendation of a Management Category B classification; however they gave no additional reasons. Notwithstanding this however, they supported the Officers recommendation not to proceed with the nomination of the subject place and concurred that further consideration of the heritage values is encouraged as part of any future development application.

### **COMMENTS**

Despite the City's heritage assessment having identified the subject place as having *moderate cultural heritage* value to warrant entry on to the City's Municipal Heritage Inventory as a Category B – Conservation recommended and the National Trust of WA support of this assessment; in accordance with the City's Policy 7.6.2 relating to Heritage Management – Assessment, owner's consent is required in order to proceed with the nomination.

It is therefore recommended the Council supports the Officer's recommendation not to proceed with the nomination of No. 452-458 (Lots 1-3) Newcastle Street, West Perth onto the City's Municipal Heritage Inventory (MHI) given that consent by the owner was not provided.

In accordance with the City's Policy No. 7.6.5 relating to Heritage Management - Amendments to the Municipal Heritage Inventory (MHI), the owner and nominator will be advised that should the nomination not be progressed at this stage, a further investigation of the cultural heritage value of the place will be undertaken in the event that a demolition application is received by the City. This is in accordance with Clause 41 of the City's Town Planning Scheme No. 1 relating to the Determination of an Application for Demolition.

The Minutes of the Ordinary Meeting of Council held on 27 May 2014 can be found at:  
[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes).

**9.1.4 Amendment No. 37 to City of Vincent Town Planning Scheme No. 1 – Rezone from Residential R80 to Residential R50 in the Cleaver and Hyde Park Precincts**

<b>Ward:</b>	South	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Cleaver Precinct (P5); Hyde Park Precinct (P12)	<b>File Ref:</b>	PLA0262
<b>Attachments:</b>	<a href="#">001</a> – Scheme Amendment No. 37 Report <a href="#">002</a> – Summary of Submissions Confidential – Hyde Park and Cleaver Precinct Submissions		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Smith, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RESOLVES** pursuant to Town Planning Regulations 17, 18 and 25:
  - 1.1 to **RECEIVE** the 118 submissions in relation to Amendment No. 37 to the City of Vincent Town Planning Scheme No. 1, as summarized in Attachment 002; and
  - 1.2 that Amendment No. 37 to the City of Vincent Town Planning Scheme No. 1, **BE ADOPTED FOR FINAL APPROVAL** for the purpose of:
    - 1.2.1 Rezoning the areas zoned Residential R80 within the Hyde Park Precinct and Cleaver Precinct, where multiple dwellings are currently not permitted, to Residential R50;
    - 1.2.2 Amend the reference to the zoning in Clause 20(4)(a)(i) and 20(4)(e)(i) of the City’s Town Planning Scheme No. 1 from Residential R80 to Residential R50;
    - 1.2.3 Amend the reference to the zoning in the ‘Additional Information’ boxes of Scheme Map 5 and Scheme Map 12, from Residential R80 to Residential R50; and
    - 1.2.4 Amend Scheme Map 5 and Scheme Map 12 to make reference to the new clauses 20(4)(a)(iv) and 20(4)(e)(iii) relating to the residential code.
2. **AUTHORISES** the Mayor and the Acting Chief Executive Officer to execute and affix the City of Vincent common seal to Amendment No. 37 to the City of Vincent Town Planning Scheme No. 1 Amendment documents reflecting the Council’s endorsement of final approval;
3. **FORWARDS** the relevant executed documents to the Western Australian Planning Commission and **REQUESTS** the Honourable Minister for Planning and the Western Australian Planning Commission to adopt for final approval and gazettal, Amendment No. 37, to the City of Vincent Town Planning Scheme No. 1; and
4. **ADVISES** the Environmental Protection Authority and those who made submissions of the Council’s decision

The Presiding Member Mayor Carey departed the Chamber at 6.40pm.

Deputy Mayor Cr Roslyn Harley assumed the Chair at 6.40pm.

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY (6-0)**

**(Mayor Carey was absent from the Chamber and did not vote.)  
(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to present the findings from the public consultation period regarding Scheme amendment No. 37 to the City's Town Planning Scheme No. 1.

**BACKGROUND:**

Scheme Amendment No. 37 originated as a result of the Western Australian Planning Commissions review of State Planning Policy No. 3.1, the Residential Design Codes (R Codes). The reviewed R Codes came into effect on 2 August 2013. Prior to 2 August 2013, the areas zoned R80 required an average site area of 180 square metre per lot and a minimum site area of 160 square metres per lot for single house and grouped dwellings. The R Codes review introduced new requirements for single houses and grouped dwellings for the R80 standards. The R80 zone now requires an average site area of 120 square metres per lot and minimum site area of 100 square metres per lot.

Overall, there are 578 additional lots across the City which are now able to be subdivided, where previously they were unable to due to minimum lot size restrictions. A significant portion of these lots are located in the Cleaver and Hyde Park Precincts, where multiple dwellings are not permitted. These areas are considered to contain extensive examples of architectural and heritage character including highly intact examples of late nineteenth to early twentieth century residential development. The overall form, style, height, setback and selection of materials of the historic dwellings contribute to the uniformity of the streetscapes, providing a coherent character with a high level of retained original detailing.

The introduction of reduced average and minimum site area requirements for Residential R80 zoned land is considered to significantly impact on the character of some areas within the City zoned R80 where multiple dwellings are not permitted.

On 27 August 2013, Council resolved to further investigate the creation of Heritage Areas in the Hyde Park and Cleaver Precincts and also resolved that City Officers were to advise affected residents of the investigation and seek comment if they would support a down-zoning of their area to R50.

On 8 October 2013, former Councillor Dudley Maier put forward a Notice of Motion, which was then carried, to change the previous Council decision of 27 August 2013. On 8 October 2013 Council resolved as follows:

*“Requests the Chief Executive Officer to:*

- 4.1 *Initiate a scheme amendment to rezone the areas coded R80 and where multiple dwellings are prohibited, to R50;*
- 4.2 *Contact Officers of the Department of Planning/Western Australian Planning Commission, to discuss the possibility of fast tracking the processing of the scheme amendment, as it is aimed at maintaining the status quo and reducing the potential unintended consequences of the new provisions for single and grouped dwellings in areas coded R80; and*
- 4.3 *Provide a report to the council no later than 5 November 2013 concerning this matter.”*

As a result, a Scheme Amendment No. 37 was prepared by City Officers and initiated by the Council on 19 November 2013.

**History:**

<b>Date</b>	<b>Comment</b>
2 June 2013	The WAPC released a media statement stating the R-Codes have been amended and will be gazetted on 2 August 2013.
9 July 2013	Report to Council outlining the changes to the R-Codes and the possible impacts for the City.
16 July 2013	City Officers presented to a council member forum explaining the changes to the R-Codes.
2 August 2013	Revised R-Codes gazetted and in effect.
3 August 2013	The City held a community forum explaining the impacts of the R-Codes changes. The majority of community participants were in favour of pursuing the introduction of Heritage Areas in the City.
27 August 2013	The outcomes of the forum were presented to Council and further investigation of Heritage Areas was endorsed. It was also resolved that City Officers were to advise affected residents of the investigation and seek comment if they would support a down-zoning of their area to R50.
8 October 2013	A Notice of Motion was put forward and carried, to change the previous Council decision of 27 August 2013. Council resolved to initiate a scheme amendment to rezone the areas coded R80 where multiple dwellings are prohibited, to R50. It was also resolved that Officers would attempt to expedite the amendment process with the Department of Planning/Western Australian Planning Commission.
31 October 2013	The City's Officers contacted the Department of Planning staff and expressed the desire for an expedited amendment process. The Department of Planning Staff indicated that a fast-tracked amendment process is highly unlikely as they are understaffed with a significant backlog of scheme amendments waiting to be processed already.

Date	Comment
19 November 2013	Report to Council to initiate Scheme Amendment No. 37 to rezone those areas zoned Residential R80 and where multiple dwellings are not allowed, to Residential R50.
28 January 2014	The public consultation period for Amendment No. 37 commenced.
19 February 2014	Scheme Amendment Information Session. 15 people attended.
11 March 2014	Public consultation period for Scheme Amendment No. 37 closed.
22 April 2014	A summary of submission report was presented to Council with an officers recommendation to re-advertise the amendment with a new split coding of R50/R80, with R80 being permitted where the original dwelling is retained. The item was held over.

**Previous Reports to Council:**

This matter was previously reported to the Council on the following dates: 19 November 2013 and 22 April 2014.

The Minutes of Item 9.1.6 from the Ordinary Meeting of Council held on 19 November 2013 relating to this report is available on the City's website at the following link:

[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes).

**DETAILS:**

**Community Consultation and Advertising**

Although the Council initiated the amendment in November 2013, the City was unable to advertise over the Christmas and New Year Holiday Period and therefore advertising took place between 28 January 2014 and 11 March 2014.

The City carried out consultation with all affected landowners and occupiers within the subject areas for a period of forty-two (42) days, in line with the Town Planning Regulations 1967 and the City's Community Consultation Policy. The Amendment was advertised on the City's website, in the City's e-newsletter and in The Guardian newspaper once a week for the duration of the public consultation period.

To ensure the Community had an informed understanding of the Amendment and to encourage community participation in the decision making process, the City held a community information night at the City of Vincent Administration and Civic Centre on 10 February 2014. All affected landowners and occupiers were invited to attend and the event was advertised on the City's website, e-newsletter and on Facebook. Approximately twenty (20) people attended the information session.

During the advertising period 118 submissions were received. Fifty-eight (58) submissions supported the amendment and fifty-one (51) submissions objected to the amendment. One (1) submission did not express a comment. Ten (10) submissions were received from Government Authorities neither objecting nor supporting the amendment.

A summary of each submission is included in Attachment 002 – Summary of Submissions. It is noted that the officers have not provided comments to each individual submission in the attachment as generally the comments from the submissions are statements regarding the overall intent of the Amendment which is to remove subdivision potential and retain heritage character.

A map showing where the support and where the objections came from is shown in Confidential Attachment 003 and Confidential Attachment 004. The main themes raised by those who supported the Amendment were:

- The R50 zone will assist in retaining the existing amenity and heritage value;
- The R50 zone will assist in retaining backyards and trees;
- There was no consultation for the R80 zone in the first place;
- The R80 zone attracts developers and not occupiers; and
- Parking and infrastructure is already an issue in the area and will be further exacerbated by the R80 zone.

The main issues raised by those who objected to the Amendment were:

- The R50 zone reduces the flexibility for future development and takes away development choice;
- The R50 zone devalues the land;
- The R50 zone will stunt the growth and development of the area;
- Down zoning is against sustainable urban infill development; and
- Down zoning is not the correct planning tool for heritage preservation.

In light of the above, City officers cannot report a clear majority either way regarding Amendment No. 37.

Verbal confirmation from the Department of Planning has acknowledged these areas were an 'unintended consequence' of amending the minimum site areas to address issues in the outer metropolitan areas and this Scheme Amendment will re-instate the long understood density of the two localities.

Notwithstanding this however, the City is recommending the proposed Scheme Amendment 37 to the City's Town Planning Scheme No. 2 proceed as advertised which will rezone the properties zoned R80 in the Hyde Park and Cleaver Precincts to R50.

The main reasons for the change in zone includes the following:

- 1) Although the zone will change, it represents maintaining the status quo of the required minimum lot sizes which up until August of last year was 160m
- 2) Although demolition is still permitted in these areas despite the zoning, it will reduce the incentive for landowners to sell / develop their property based on additional lot yield which has only been in place for a few months
- 3) The reduced lot sizes does not represent the long term aspirations of the area as a high valued, character suburb attracting people to this area for this very reason
- 4) The City is already achieving its infill targets identified by Directions 2031 in targeted growth areas and these localities are not considered to be desirable for development of this type
- 5) The prohibition of multiple dwellings in this area means that more land area is required to achieve extra lots which put existing dwellings at risk of demolition to make up the land area

**CONSULTATION/ADVERTISING:**

Required by Legislation	Yes	Required by City of Vincent Policy	Yes
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Consultation Period: Advertising for Scheme Amendment No. 37 was granted consent to advertise on 31 December 2013, of 42 days in accordance with Regulation 25 of the Town Planning Regulations 1967. The advertising period commenced on 28 January 2014 and concluded on 11 March 2014.



Consultation Type: One advert in local paper, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, letters to the affected owners and occupiers, Western Australian Planning Commission, and other appropriate government and non-government agencies.

Government Authority Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	10	100%
<b>Total</b>	<b>10</b>	<b>100%</b>

Community Submissions

Position	Number Received	Percentage
Support	58	52%
Object	51	47%
Not Stated	1	1%
<b>Total</b>	<b>110</b>	<b>100%</b>

**Total Submissions Received**

Position	Number Received	Percentage
Support	58	49%
Object	51	42%
Not Stated	10	9%
<b>Total</b>	<b>119</b>	<b>100%</b>

**LEGAL/POLICY:**

- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- Residential Design Codes 2013;
- Planning and Development Act 2005; and
- Town Planning Regulations 1967.

**RISK MANAGEMENT IMPLICATIONS:**

**High:** it is considered that the amendments to the R Codes in relation to the introduction of average and minimum site area provisions for areas zoned R80 is a high risk to the community as there are an additional 578 lots in the City that will be able to be subdivided, where previously they were unable to. These lots are located in areas where it is considered to have high levels of character and streetscape value and these provisions may cause great concern for the community.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2013-2017* states:

"Natural and Built Environment:

*Objective 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 City.*

Leadership, Governance and Management:

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

4.1.4 *Plan effectively for the future.*

4.1.5 *Focus on stakeholder needs, values, engagement and involvement.”*

**SUSTAINABILITY IMPLICATIONS:**

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

ENVIRONMENTAL	
Issue	Comment
The Amendment will assist in preserving lot sizes. As a result, environmental impacts as a result of use intensification, (such as increased hardstand area) will be minimal. Additionally, streetscape character, including landscaping and verge plantings, will be maintained.	

SOCIAL	
Issue	Comment
The Amendment will facilitate the City's intention to protect and promote housing and precinct character, and assist in providing a diverse housing choice within the municipality.	

ECONOMIC	
Issue	Comment
The Amendment may assist in preserving and enhancing property values in the precincts, by promoting the retention of architectural character of properties in the area.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter has been incurred under the following budgeted item:

Town Planning Scheme Amendments and Policies

*Budget Amount:*           \$73,000  
*Spent to Date:*           \$64,401  
*Balance:*                 \$11,599

**CONCLUSION:**

Although the advertising of Scheme Amendment No. 37 did not reveal a clear majority for or against the proposed changes to the zoning, it is recommended the Council adopt the officers recommendation of this report to adopt the proposed Amendment 37 to the City's Town Planning Scheme No 1.

**9.1.1 FURTHER REPORT: No. 13 (Lot 24; D/P 2324) Grosvenor Road, Mount Lawley – Proposed Demolition of Existing Dwelling and Construction of Two (2) Storey Mixed-Use Development Comprising One (1) Office and One (1) Multiple Dwelling and Associated Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Norfolk, P10	<b>File Ref:</b>	PRO3533; 5.2013.564.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant Justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**FURTHER OFFICER RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by The Drawing Shop on behalf of the owners, New York Chase Pty Ltd, for Proposed Demolition of Existing Dwelling and Construction of Two (2) Storey Mixed-Use Development Comprising One (1) Office and One (1) Multiple Dwelling and Associated Car Parking at No. 13 (Lot 24; D/P 2324) Grosvenor Road, Mount Lawley and as shown on amended plans stamp-dated 26 May 2014, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 11 & 15 Grosvenor Road, Mount Lawley in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;

2. **Street Interaction**

Windows, doors and adjacent areas fronting Grosvenor Road, Mount Lawley shall maintain an active and interactive relationship with the street;

3. **On-Site Parking – Residential**

A minimum of one (1) residential car bay and one (1) visitor car bay are to be provided on site for the multiple dwelling component of the development;

4. **On-Site Parking Provision – Commercial**

A minimum of One (1) car bay is to be provided for the commercial component of the development;

5. **Car Parking and Accessways**

5.1 The car park shall be used only by residents, tenants and visitors directly associated with the development;

5.2 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1;

5.3 Visual Truncations to comply with the City's Visual Truncation requirements at the exit of parking area onto the right-of-way with a maximum height of 0.65 metres within 1.5 metres of the vehicle exit point of the property; and

5.4 The proposed garage sectional roller doors are to be widened to a minimum of 5.2 metres to allow for the obstruction of the central and side pillars;

6. Prior to the submission of a Building Permit application, the following shall be submitted to and approved by the City;

6.1 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan in accordance with the requirements of the Commercial and Mixed-Use Policy for the development site and adjoining road verge shall be submitted to the City for assessment and approval;

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

- 6.1.1 The location and type of existing and proposed trees and plants.
- 6.1.2 All vegetation including lawns.
- 6.1.3 Areas to be irrigated or reticulated.
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months.
- 6.1.5 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; and

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

6.2 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development;

6.3 **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. 7.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

6.4 **Section 70 A Notification under the Transfer of Land Act**

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

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

- 6.4.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. The on-site car parking was in accordance with the requirements of the Residential Design Codes, the City's Policy No. 7.7.1 relating to Parking and Access.

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

6.5 Waste Management Plan/Stormwater Management Plan

Waste Management and Storm Management Plans to be submitted and approved by the City's Technical Services;

6.6 Revised Plans

6.6.1 The piers to the primary street shall have a maximum width of 0.355 metres; and

6.6.2 The maximum solid height of the street wall and fencing shall be 1.2 metres;

6.6.3 The Balcony depth is to be reduced to be in line with the ground floor set back.

6.6.4 The average wall height to be a maximum of 3.5 meters and average of 3 meters

7. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, the following shall be completed to the satisfaction of the City;

7.1 Clothes Drying Facility

The multiple dwelling shall be provided with a clothes drying facility to be incorporated into the development in accordance with the City's Policy No. 7.5.12 relating to Development Guidelines for Commercial and Mixed Use Developments and the Residential Design Codes of WA 2013;

7.2 Car Parking

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

7.3 Residential Bicycle Bays

A minimum of one (1) residential bicycle bay and one (1) visitor bicycle bay must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

7.4 Commercial Bicycle Bays

A minimum of one (1) Class 3 bicycle bay be provided on-site. The Class 3 bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

8. The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City.

**ADVICE NOTES:**

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 Grosvenor Road;
2. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
3. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
4. A bin store is required to be provided, of sufficient size to accommodate the City's maximum bin requirement, as assessed by the City's Technical Services Directorate;
5. Structures including walls, fencing, retaining and any proposed landscaping within 1.5 metres of a driveway meeting a property boundary must comply with the requirements for visual truncation, being that anything above 0.65 metres in height is to have a minimum visual permeability of 50 percent, with the exception of a single pier which may not exceed 355mm in width;
6. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage; and
7. A demolition permit shall be obtained from the City prior to commencement of any works on the site.

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Deputy Mayor Cr Roslyn Harley vacated the Chair at 6.45pm.

Mayor John Carey returned to the Chamber and assumed the Chair at 6.45pm.

**COUNCIL DECISION ITEM 9.1.1**

**Moved** Cr Buckels, **Seconded** Cr Topelberg

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND LOST (2-5)**

**For:** Cr Cole and Cr Topelberg

**Against:** Presiding Member Mayor Carey Cr Buckels, Cr Harley, Cr McDonald and Cr Peart

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**REASONS FOR REFUSAL OF OFFICER RECOMMENDATION:**

Does not meet the policy requirements in relation to the Commercial component of the development.

**PURPOSE OF REPORT:**

The proposal is referred to the Council for determination, given the proposal includes a multiple dwelling.

**BACKGROUND:**

28 May 2013	The Council at its Ordinary Meeting approved an application for a change of use from the Existing Single House to Office.
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**FURTHER REPORT:**

The proposal was previously referred to a meeting of Council on 10 June 2014 where it was determined with the following:

That the item be DEFERRED.

Reasons for Deferral of Item:

“That the item be DEFERRED for confirmation of the plot ratio calculation compliance.”

The Minutes of Item 9.1.3 from the Ordinary Meeting of Council held on 10 June 2014, relating to this Report is available on the City’s website at the following link:

[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes)

**ADDITIONAL INFORMATION**

The City has provided further assessment of the application and clarification of the City’s Policy No. 7.5.12 in relation to Commercial and Mixed Use Developments. Given the property is considered as a buffer site, the maximum permitted commercial component of the development is 30% of the required plot ratio. The permitted plot ratio under the Residential R40 coding is 0.6 with the permitted plot ratio area of 270 square metres. According to the maximum 30% requirement of the commercial portion of the development, the permitted area is 81 square metres or 0.18. The proposed commercial portion of the development is 131.81 square metres or 48.81% of the permitted plot ratio for the site (0.6 or 270 square metres). This additional variation is noted in the assessment table and justification provided accordingly.

It is noted however the recommendation to the Council is unchanged.

**DETAILS:**

<b>Landowner:</b>	New York Chase Pty Ltd (T McVee & H McVee)
<b>Applicant:</b>	The Drawing Shop
<b>Zoning:</b>	Residential R40
<b>Existing Land Use:</b>	Commercial
<b>Use Class:</b>	“P” & “SA”
<b>Use Classification:</b>	Multiple Dwelling, Office
<b>Lot Area:</b>	450 square metres
<b>Right of Way:</b>	Southern, 4.0 metre width, Sealed, City owned.

The proposed application is for the Demolition of Existing Dwelling and Construction of Two (2) Storey Mixed-Use Development Comprising One (1) Office and One (1) Multiple Dwelling and Associated Car parking.

**ASSESSMENT:**

**Town Planning Scheme/Residential Design Codes Assessment**

Design Element	Complies 'Deemed to Comply' or TPS Clause	OR	'Design Principles' Assessment or TPS Discretionary Clause
Plot Ratio	✓		
Streetscape	✓		
Street Setback			✓
Lot Boundary Setbacks			✓
Building Height/ Number of Storeys	✓		
Open Space	✓		
Bicycles			✓
Development Guidelines for Commercial and Mixed Use Development Variations			✓
Access & Parking	✓		
Privacy	✓		
Solar Access	✓		
Site Works	✓		
Utilities & Facilities	✓		
Surveillance	✓		

**Town Planning Scheme/Residential Design Codes Assessment**

Issue/Design Element:	Street Setbacks
Requirement:	<b>Residential Design Elements Policy 7.2.1 SADC 5</b> Upper Floor Balconies are to be setback 1 metre behind the lower floor building line. Upper walls are to be setback 2 metres behind the lower floor building line.
Applicants Proposal:	Upper Floor Balcony overhangs ground floor by 2.6 meters. The upper floor wall has a nil setback from the lower floor building line.
Design Principles	<b>Residential Design Elements Policy No. 7.2.1 SPC 5</b> Development is to be appropriately located on site to: <ul style="list-style-type: none"> <li>maintain streetscape character;</li> <li>ensure the amenity of neighbouring properties is maintained;</li> <li>allow for the provision of landscaping and space for additional tree plantings to grow to maturity;</li> <li>facilitate solar access for the development site and adjoining properties;</li> <li>protect significant vegetation; and</li> <li>facilitate efficient use of the site.</li> </ul> <p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>



Issue/Design Element:	Street Setbacks
Applicant justification summary:	<i>"The balcony provides protection to the northern glazing; also provides shelter to entry and; bicycle parking shelter. The upper floor walls setback has been reduced to increase to 0.6 metres on the east and 1.58 metres on the west to moderate the impact of the development. Finishes vary as wall stagger to create visual interest."</i>
Officer technical comment:	<p>Not Supported. The proposed design of the dwelling is not in keeping with the existing streetscape in which the upper floor balcony protrudes in front of the ground floor. The City accepts the proposal is for a contemporary design, however the balcony will create an undesirable precedent for future development. Amended plans are required to reduce the balcony depth to be in line with the ground floor set back. The balcony has been conditioned accordingly.</p> <p>On balance the location of the site as a buffer location between commercial/car park uses and residential uses, and allows for some discretion to be applied for the built form being proposed.</p>

Issue/Design Element:	Lot Boundary Setbacks
Requirement:	<p><b>Residential Design Codes Clause 6.1.4 C4.1</b>  <b>Ground Floor:</b>                      Eastern elevation:                      1.5 metre  <b>Upper Floor:</b>                      Western elevation:                      2 metres  <b>Walls on boundary:</b>                      On one side of the boundary                      Average height - 3 metre or less</p>
Applicants Proposal:	<p><b>Ground Floor:</b>                      Eastern elevation:                      1.02 metres  <b>Upper Floor:</b>                      Western Elevation:                      1.58 metres                      On two side boundaries                      Average height - 3.3 metres</p>
Design Principles	<p><b>Residential Design Codes Clause 6.1.4 P4.1 and P4.2</b>                      P4.1 Buildings set back from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> <li>• ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;</li> <li>• moderate the visual impact of building bulk on a neighbouring property;</li> <li>• ensure access to daylight and direct sun for adjoining properties; and</li> <li>• assist with the protection of privacy between adjoining properties.</li> </ul>
	<p>P4.2                      In mixed use development, in addition to the above:</p>

Issue/Design Element:	Lot Boundary Setbacks
	<ul style="list-style-type: none"> <li>side boundary setbacks to retail/commercial component of the development is in accordance with the existing street context, subject to relevant scheme provisions.</li> <li>retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses</li> </ul>
Applicant justification summary:	<i>"The single parapet wall to garage allocated for public art. West boundary garage parapet to match/align with neighbouring garage parapet wall, entry parapet height reduced."</i>
Officer technical comment:	<p>Partly Supported. On balance the proposed setback variations will provide for limited impact to the adjoining and adjacent properties. The presence of highlight window openings along the eastern and western facades will provide sunlight and ventilation to the residential unit whilst the openings to the front of the building will allow for passive sunlight and cross ventilation to the commercial use.</p> <p>The boundary parapet wall variation to the permitted average height provisions of the Residential Design Codes should be complied with, and conditioned accordingly.</p>

Issue/Design Element:	Commercial and Mixed Use Policy
Requirement:	<p><b>Development Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12</b></p> <p><b>Ground floor Frontage</b> 80% of the width of the street frontage of each individual occupancy is to provide clear glazing to ground street.</p> <p><b>Landscaping</b> Landscaping to be provided for a minimum width of 2.0 metres including deep soil planting, including a minimum of 100 litre trees at a maximum spacing of 5 metres across the full length of the site and/or retention of existing mature trees and vegetation incorporated into the rear of the proposed development as a buffer to the rear abutting property.</p> <p><b>Fencing and gates</b> Street Walls and fences within the front setback area to the primary street are not permitted for Commercial and Mixed-Use Developments.</p> <p><b>Access</b> Where vehicular access is provided from a street, all vehicles are required to enter and exit the site in forward gear.</p> <p><b>Commercial Component Plot Ratio</b> 30% or 81 square metres</p>
Applicants Proposal:	<p><b>Ground Floor Frontage –</b> 43.75%</p> <p><b>Landscaping</b> Landscaping not incorporated into rear of the site as it is utilised for garaging and has been taken for ROW widening.</p> <p><b>Fencing and Gates</b> 1.3 metre high fence on half of the frontage (solid).</p>

Issue/Design Element:	Commercial and Mixed Use Policy
	<p><b>Access</b> Visitor/disable space unable to exit in forward gear.</p> <p><b>Commercial Component Plot Ratio</b> 48.81% or 131.81 square metres</p>
Design Principles	<p><b>Development Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12</b> P2.1 Commercial and Mixed Use developments shall integrate with adjoining streets, laneways, parks and other public spaces; provide building frontages that contribute to the liveliness, interest, comfort and safety of adjacent streets, laneways, parks and other public spaces; and provide for passive surveillance of streets, laneways, parks and other public spaces.</p>
Applicant justification summary:	<p><i>“A glazing reduction is requested; to minimize the visual impact of the commercial use; and to minimize the need for protection to the north facing glazing which would detract from the glazing itself.</i></p> <p><i>1.3 metres (nominal) high to approximately 40% of the northern (street) boundary. Note: 1.3 metres visually permeable fence returns along Eastern boundary to increase surveillance.”</i></p>
Officer technical comment:	<p>Supported. The proposed office use on the ground floor provides good connection with the street with two large windows and entry statements to both the commercial and residential entry points.</p> <p>The existing driveway at the front of the property will provide access for the accord bay.</p> <p>The proposed street walls are considered to be supportable as they maintain the residential appearance of the building and are of a low scale and aesthetically pleasing. The street walls are to be a maximum height of 1.2 metres solid and conditioned accordingly.</p> <p><u>Although the commercial component of the development provides for a variation to the Policy requirement, the actual use is not considered to not be an overbearing portion of the mixed use development. The ground floor commercial uses includes standard floor areas that would normally be required in a standard office fit out and not considered to be an overdevelopment of the site. The rooms at the front of the ground floor enable a greater interactive frontage to the street whilst the areas to the rear of the floor feature amenities such as toilets, tea rooms and corridors required to enable use by tenants. It is also noted that whilst incidental areas such as toilets and corridors are required to be included in the plot ratio area, the actual office areas would be closer to the 30% or 81 square metre requirement.</u></p> <p><u>In addition the existing building was previously approved as an entirely office building, which offsets the impact to the street and allows for a transition in land uses from the commercial/car park use to the residential properties along Grosvenor Street.</u></p> <p><u>It is also noted the ground floor area and the layout proposed will enable the future adaptation of the use into a residential use. With area available for conversion of office areas into bedrooms, tea rooms into a kitchen and the front reception areas into living rooms.</u></p>

**Proposed Car Parking**

<b>Commercial Car Parking</b>	
Office – 1 space per 50 Net Lettable Area – 104.96 square metres – 2.10 Required = 2.1 car bays= 2.0 car bays	2.0 car bays
Adjustment Factors 0.80 – The development is located within 400 metres of a bus route 0.80 – The development is located within 200 metres of an existing off-street public car park with in excess of 50 car bays.	0.64 car bays 1.28 car bays
Proposed Car Parking Bays on-site	4.00 car bays
<b>Surplus</b>	<b>2.72 car bays</b>

As per the City's Parking and Access Policy No. 7.7.1 the whole car parking provided on-site is allocated to the commercial use initially, with the remaining car bays to the Residential use of the site.

<b>Residential Car Parking</b>	
Medium Multiple Dwelling (75-110 square metres)-1 bay per dwelling (1 dwelling)= 1.00 car bay Visitors= 0.25 per dwelling (1 dwelling) = 0.25 bays or 1.0 car bay  Total= Two (2) car bays (1 Residential/1 Visitors)	Proposed 1.00 Car bay for the residential component
<b>Surplus/Deficit</b>	Nil car bays for residential visitors and as such one (1) commercial car bay is to be utilised as a visitor bay for the residential use. This has been conditioned accordingly

<b>Residential Bicycle Parking</b>	
<b>Bicycle Parking</b>	Residential component (as per the R-Codes- 1 bicycle space to each 3 dwellings for residents (1 dwellings – 0.33 or 1.0 bay required) and 1 bicycle space to each 10 dwellings for visitors(1 dwellings – 0.1 or 1.0): Required: One (1) Residents Bay and One (1) Visitor Bay
	Proposed: Bicycle Area at the Front of the building.

<b>Commercial Bicycle Parking</b>	
<b>Bicycle Parking</b>	Office: 1 space per 100 square metres net lettable area (104.96 square metres)– 1.05 – 1.00  Total Bicycle spaces – 1.00 Class 2 Facilities - 35% of required (1) spaces – 0.35 spaces or Nil  Class 3 Facilities – 65% of required (1.0 space – 0.65 spaces or 1 space.
	Proposed – Allocated Area  Office – Bicycle Area Allocated to front of building

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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<b>Comments Period:</b>	8 May 2014 – 22 May 2014
<b>Comments Received:</b>	Two (2) Comments received with One (1) Objection and One (1) Comment of Support.

<b>Summary of Comments Received:</b>	<b>Officers Technical Comment:</b>
<p><u>Issue: Use</u></p> <ul style="list-style-type: none"> <li>The proposal includes a substantial commercial element in a residential zone. This is a threat to the amenity of the residential area.</li> </ul>	<p>Not supported. It is considered the proposed mixed-use development is appropriate for this location given the site is considered as a buffer site, according to the Commercial and Mixed Use Policy No. 7.5.12, as the lot abuts a City of Vincent owned car park and is adjacent to the Beaufort Street commercial shopping strip. The concept of the mixed-use allows for a better transition from commercial to residential uses. It is noted that the existing house on the subject site has previously been approved as an office use and the proposed mixed-use is however considered a better outcome.</p>
	<p>It is considered the residential appearance incorporates well into the existing street layout and the contemporary design will enhance the streetscape.</p>

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

**Design Advisory Committee:**

Referred to Design Advisory Committee: No

It is considered the proposed development is of a residential appearance and design, with the multiple dwelling located on the second floor well accommodated in terms of liveable area, access and provision of car parking and therefore negating the need for referral to the City's DAC.

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Demolition of Existing Dwelling and Construction of Two (2) Storey Mixed-Use Development Comprising One (1) Office and One (1) Multiple Dwelling and Associated Car parking.

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1
- Residential Design Codes of Western Australia 2013;
- Development Guidelines for Commercial and Mixed Use Policy No. 7.5.12;
- Norfolk Precinct Policy No. 7.1.10.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

*"Natural and Built Environment*

- 1.1 *Improve and maintain the natural and built environment and infrastructure.*
- 1.1.2 *Enhance and maintain the character and heritage of the City."*

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

<b>ENVIRONMENTAL</b>
The design of the building allows for adequate light and ventilation.

<b>SOCIAL</b>
The proposal provides for an increase in housing diversity and provides housing for smaller households within the City which are anticipated to grow.

<b>ECONOMIC</b>
The construction of the building and provision of an office use will provide short and long term employment opportunities.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

**Heritage Comments**

The proposed development application involves the demolition of the existing property at No. 13 Grosvenor Road, Mount Lawley. The subject property is not listed on the City's Municipal Heritage Inventory (MHI) or the MHI review List.

A preliminary heritage assessment indicates that the place has little aesthetic, historic, scientific or social heritage significance and the place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy No. 7.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

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

**Planning Comments**

The proposed development is considered to generally improve the streetscape and surrounding area through the redevelopment, which will provide a catalyst for other sites to be developed along this section of Grosvenor Road. The site is considered as a buffer site according to the City's Commercial and Mixed-Use Policy and it will assist in the creation of a smooth transition from the commercial uses and car park to residential uses.

The proposed office use on the ground floor is considered to be an adequate buffer from the existing commercial and retail uses of Beaufort Street and the adjoining public car park. It is considered that buffer sites permit uses which are low scale, low intensity and comprise interactive uses which may serve the day-to-day needs of the local population. The office use is considered to be of a small scale and low intensity and operate on a typical work week function. The use of the premises in both a commercial and residential nature will also enable the provision of an alternative form of housing in the locality.

### **CONCLUSION**

Overall, the proposed variations to street setback, lot boundary setbacks and the Commercial and Mixed Use Policy are supported, given the presence of an interactive street frontage, articulation in building bulk and a contemporary residential upper storey layout.

In light of the above, it is recommended that the proposed development be approved subject to the above mentioned conditions.

**9.1.5 Amendment No. 39 to City of Vincent Town Planning Scheme No. 1 – Multiple Dwelling Restriction in the Mount Hawthorn Precinct**

<b>Ward:</b>	South	<b>Date:</b>	23 June 2014
<b>Precinct:</b>	Mount Hawthorn (P1)	<b>File Ref:</b>	PLA0275
<b>Attachments:</b>	<a href="#">001</a> – Scheme Amendment No. 39 Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Elliott, Planning Officer		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. Pursuant to section 75 of the Planning and Development Act 2005, **RESOLVES** to **INITIATE** Scheme Amendment No. 39 to the City’s Town Planning Scheme No. 1 to:
  - 1.1 **Include Clause 20(4)(h)(ii)** in the City of Vincent Town Planning Scheme No. 1 as follows:

**“Multiple Dwellings will not be permitted on land coded R20 and R30.”**
2. **ENDORSES** the Scheme Amendment No. 39 Report as shown in Attachment 9.1.5;
3. **FORWARDS** the City’s decision to the Western Australian Planning Commission;
4. **REFERS** Scheme Amendment No. 39 to the City’s Town Planning Scheme No. 1, to the Environmental Protection Authority to seek approval prior to advertising;
5. **APPROVES** the advertising of Scheme Amendment No. 39 to the City’s Town Planning Scheme No. 1 for a period of forty-two (42) days, in accordance with regulation 25 of the Town Planning Regulations 1967 and the City’s Community Consultation Policy;
6. **INITIATES** a new Policy relating to Design Guidelines for Multiple Dwellings in Areas Coded R40 and Less, to be prepared by an external Consultant; and
7. **AUTHORISES** the Acting Chief Executive Officer to write to the Town Planning Consultants to request a revised scope for the preparation of a new local planning policy relating to Multiple Dwellings in low to medium density residential areas, as outlined in the details section of this report.

**PURPOSE OF REPORT:**

The purpose of this report is to initiate an amendment to the City’s Town Planning Scheme No. 1 by including Clause 20(4)(h)(ii) to restrict multiple dwellings in areas coded R20 and R30 within the Mount Hawthorn Precinct; and propose the preparation of a Local Planning Policy relating to Multiple Dwellings in medium to low density areas by an external consultant.



**Moved Cr Cole, Seconded Cr Buckels**

That the recommendation be adopted.

Debate ensued.

The Presiding Member advised the Council that Clauses 1-5 to be deferred for further consideration

**PROCEDURAL MOTION**

**Moved Cr Buckels, Seconded Cr Harley**

That Clauses 1 – 5 be DEFERRED for further consideration

That the Council;

1. Pursuant to section 75 of the Planning and Development Act 2005, RESOLVES to INITIATE Scheme Amendment No. 39 to the City's Town Planning Scheme No. 1 to:
  - 1.1 Include Clause 20(4)(h)(ii) in the City of Vincent Town Planning Scheme No. 1 as follows:

“Multiple Dwellings will not be permitted on land coded R20 and R30.”
2. ENDORSES the Scheme Amendment No. 39 Report as shown in Attachment 9.1.5;
3. FORWARDS the City's decision to the Western Australian Planning Commission;
4. REFERS Scheme Amendment No. 39 to the City's Town Planning Scheme No. 1, to the Environmental Protection Authority to seek approval prior to advertising;
5. APPROVES the advertising of Scheme Amendment No. 39 to the City's Town Planning Scheme No. 1 for a period of forty-two (42) days, in accordance with regulation 25 of the Town Planning Regulations 1967 and the City's Community Consultation Policy;

**CLAUSES 1- 5 DEFERRED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.1.5**

6. INITIATES a new Policy relating to Design Guidelines for Multiple Dwellings in Areas Coded R40 and Less, to be prepared by an external Consultant; and
7. AUTHORISES the Acting Chief Executive Officer to write to the Town Planning Consultants to request a revised scope for the preparation of a new local planning policy relating to Multiple Dwellings in low to medium density residential areas, as outlined in the details section of this report.

**CLAUSES 6 & 7 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

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**BACKGROUND:**

The Council, at its Ordinary Meeting held 11 February 2014, resolved as part of Item 9.1.4 as follows:

*“That the Council APPROVES the implementation of Option 2 and Option 4 as outlined in the ‘Details’ section of this report, as follows:*

- 1.1 *Option 2 – Scheme Amendment to Town Planning Scheme No. 1 for selected areas zoned Residential R30 and R30/40 in Mount Hawthorn, Leederville and North Perth – Mount Hawthorn, Smiths Lake, Leederville and North Perth Precincts; and*
- 1.2 *Option 4 - Local Planning Policy Amendment; and*
- 1.3 *The funding for the works to be carried from a source to be determined by the Chief Executive Officer.”*

Since receiving this mandate from the Council, a Request for Quotation was prepared by City Officers and sent to 11 town planning consultant firms for a response. Response was received from 4 planning consultant firms to complete the abovementioned options 2 and 4 however since this time the Department of Planning have initiated the 2014 R Codes review which, in part, relates to Multiple Dwellings in areas coded R35 and less.

The 2014 R Code review returned the assessment of multiple dwellings in areas coded R35 and below, from a plot ratio calculation to the traditional minimum site area density calculation. This means that rather than a percentage of the site area being the allowed area of floor space for multiple dwellings, a minimum site area per dwelling is applied to multiple dwellings in areas coded R35 and below.

Therefore the scope of work initially conveyed for the abovementioned quotation has since changed as the Scheme Amendment is now revised to restrict Multiple Dwellings in medium to low density residential zones in Mount Hawthorn. This scheme amendment will now be undertaken by the City’s Officers whilst the preparation of a local planning policy is recommended to be undertaken by an external consultant to ensure the City has an appropriate tool to assess low to medium density multiple dwelling developments.

**History:**

Date	Comment
17 December 2013	The Council resolved that ‘investigations be undertaken into the potential to restrict multiple dwelling developments in areas zoned R30 in Mount Hawthorn, Leederville and North Perth.
11 February 2014	The Council approved the implementation of two options put forward by the investigation including a Scheme Amendment on <i>selected</i> streets throughout these areas and the progression of a local planning policy which would propose a suite of design guidelines for this type of development in these areas.
27 May 2014	A report was prepared to appoint a Consultant to assist the City in preparing a Scheme Amendment and Local Planning Policy however this was withdrawn due to the 2014 Residential Design Codes review.

**Previous Reports to Council:**

This matter was previously reported to the Council on the following dates, 17 December 2013 and 11 February 2014.

The Minutes of Item 9.1.10 from 17 December 2013 and 9.1.4 from 11 February 2014 relating to this report is available on the City's website at the following link:  
[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes).

#### **DETAILS:**

The 2014 Residential Design Code review returns the assessment of multiple dwellings in areas coded R35 and below, from a plot ratio calculation to the traditional minimum site area density calculation. This removes the incentive from developers to amalgamate lots for increased development potential as achieving additional units by increased plot ratio area will no longer be an option. If the proposed amendments to the R Codes are approved proposals for dwellings in areas coded R35 and less will relate solely to the type of development as multiple dwelling proposals will now be assessed against the same provisions as a proposal for a single house or grouped dwelling in the same code. This may result in poor design outcomes if there are no appropriate tools for assessment, therefore the careful preparation of design guidelines is necessary to achieve appropriate multiple dwelling development.

The Western Australian Planning Commission's (WAPC) Statutory Planning Committee endorsed the 2014 R Codes amendment for preparation by the Department of Planning at its meeting held 27 May 2014. The Department is currently obtaining preliminary comments from local governments and other key stakeholders until 27 June 2014. Following this period of consultation a report will be prepared to the WAPC with or without amendments to or to not proceed. Following this process a consultation will be extended to the public for a period of 60 days. Following the public consultation the WAPC will make a recommendation to the Minister, and should the recommendation be to adopt, the governor will be requested to make a proclamation and the amendments gazetted. This process is estimated to conclude in December 2014.

Whilst the 2014 review is undertaken, it is proposed that a Scheme Amendment be initiated to restrict Multiple Dwellings in low to medium density areas of Mount Hawthorn to ensure the established character is protected. To run concurrently with this, it is recommended a Local Planning Policy be prepared which will assist in controlling the design of Multiple Dwellings in all other low and medium density areas. Initiating this process as soon as practical is recommended to allow the Commission sufficient time to review the City's proposal prior to the finalisation of the proposed R Codes amendment.

#### **Map Amendments**

The following Town Planning Scheme No. 1 Map will require amendments as a result of the proposed restriction:

Mount Hawthorn Precinct – Scheme Map 1: The 'Additional Information' text boxes will need to be amended to read:

*'(ii) Multiple Dwellings will not be permitted on land coded R20 and R30'*

#### **Scheme Text Amendments**

The Additional Information text boxes refer to the Clause 20 of the Town Planning Scheme. As a result of Scheme Amendment No. 39, Clause 20(4)(h)(ii) will be amended to read:

*'Multiple Dwellings will not be permitted on land coded R20 and R30'*

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

In relation to Scheme Amendment No. 39, the City will carry out consultation with all affected landowners within the subject areas for a period of forty-two (42) days, in line with the Town Planning regulations 1967 and the City's Community Consultation Policy.

**LEGAL/POLICY:**

- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- Residential Design Codes 2013;
- Planning and Development Act 2005; and
- Town Planning Regulations 1967.

**RISK MANAGEMENT IMPLICATIONS:**

**High:** The appointment of a consultant to assist with the progression of the local planning policy will mitigate the requirement to divert any staff resources away from other priority projects including the City's Local Planning Strategy and Town Planning Scheme No. 2. A priority itself, this project will be well advanced by consultants within the required timeframe.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2013-2017* states:

*"Natural and Built Environment:*

*Objective 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 City.*

*Leadership, Governance and Management:*

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

*4.1.4 Plan effectively for the future.*

*4.1.5 Focus on stakeholder needs, values, engagement and involvement."*

**SUSTAINABILITY IMPLICATIONS:**

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

<b>ENVIRONMENTAL</b>
The Amendment and preparation of local planning policy will assist in preserving amenity in character areas and achieving high design quality (including liveability) for new dwellings.
<b>SOCIAL</b>
The Amendment will facilitate the City's intention to protect and promote housing and precinct character, and assist in providing a diverse housing choice within the municipality.
<b>ECONOMIC</b>
The Amendment may assist in preserving and enhancing property values in the precincts, by promoting the retention of architectural character of properties in the area.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

*Town Planning Scheme Amendments and Policies*

<i>Budget Amount:</i>	<i>\$73,000</i>
<i>Spent to Date:</i>	<i><u>\$ 7,562</u></i>
<i>Balance:</i>	<i>\$65,438</i>

**CONCLUSION:**

The 2014 review of the Residential Design Codes (R Codes) has gone some way in dealing with the complicated issue of Multiple Dwellings in low to medium density zoned land. It is noted however that the proposed R Codes amendments are out of the City's jurisdiction and may be held up unnecessarily. In order to continue to meet the communities expectation the Council is requested to consider an amendment to the City's Town Planning Scheme No. 1 to restrict Multiple Dwellings in medium and low density precinct of Mount Hawthorn whilst the Western Australian Planning Commission are contemplating the amendments to the R Codes.

In light of the above, it is recommended that the Council support the Officer recommendation to initiate Scheme Amendment No. 39 and the revision of quotation for the preparation of a Local Planning Policy relating to Multiple Dwellings in medium to low density residential areas.

**9.2.2 Braithwaite Park - Design and Construct a Nature Play Area (with a water element) - Tender No. 485/14**

<b>Ward:</b>	North	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Mount Hawthorn (1)	<b>File Ref:</b>	TEN0494
<b>Attachments:</b>	001 – Landscape Concept Plan 002 – Confidential Appendix (Council Members only)		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officers:</b>	C Wilson, Acting Director Technical Services M Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ACCEPTS** the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;
2. **AUTHORISES** the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and
3. **NOTES** that future features such as (a zip line) may be considered in the new financial year subject to available funding.

Moved Cr Cole, Seconded Cr Buckels

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

“That the Council;

1. **ACCEPTS** the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;
2. **AUTHORISES** the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and
3. ~~NOTES that future features such as (a zip line) may be considered in the new financial year subject to available funding~~
3. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”

Debate ensued.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2.2**

**That the Council;**

1. **ACCEPTS** the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;
2. **AUTHORISES** the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and
3. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval to award the tender for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn.

**BACKGROUND:**

Tender No. 485/14 Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn was advertised in the *West Australian newspaper* on Wednesday 23 April 2014.

At the close of the tender at 2.00pm on Wednesday 21 May 2014, four (4) tenders were received. Present at the opening were Contracts Finance Officer, Mary Hopper, and Projects Officer, Kon Bilyk.

**DETAILS:**

The details of all tenders received for Tender No. 485/14 are detailed in the Confidential Appendix 9.2.2.

**Tender Evaluation:**

Evaluation Criteria

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

<b>Criteria</b>	<b>Weighting</b>
Financial Offer/Fee Proposal: <ul style="list-style-type: none"> <li>• This contract is offered on a lump sum basis. Include in the lump sum all fees and any other costs and disbursements to provide the required service and the appropriate level of the goods &amp; services tax (GST).</li> <li>• Represents the “best value” for money.</li> <li>• Application of a reasonable fee structure in proportion to the service provided.</li> </ul>	50%
Relevant experience, expertise and the project team. Demonstrate your: <ul style="list-style-type: none"> <li>• Experience and expertise of the project team</li> <li>• Capacity to address the range of services required</li> <li>• Role and credentials of the key persons in the provision of the service.</li> <li>• Ongoing availability to provide sufficient skilled persons capable of performing the tasks consistent with the required standards.</li> <li>• Understanding of the required service associated with delivering the services to the City.</li> </ul>	20%

History and Viability of the Organisation: <ul style="list-style-type: none"> <li>Detail your history and viability</li> <li>Include any comments received from referees</li> <li>Demonstrate your capacity to deliver</li> <li>Demonstrate your capacity and depth to affectively address the range of requirements of the City.</li> </ul>	15%
Methodology: <ul style="list-style-type: none"> <li>Proposed methodology for this project to be completed on time and within budget</li> <li>Proposed methodology for this project and demonstrated evidence of successful results particularly within WA.</li> <li>Demonstrated project management experience in relevant projects of a similar nature, particularly within WA.</li> </ul>	10%
Quality Assurance: <ul style="list-style-type: none"> <li>Demonstrate your level of quality assurance.</li> </ul>	5%
<b>Total</b>	<b>100%</b>

Tender Evaluation Panel

The Tender Evaluation Panel consisted of A/Director Community Services, Jacinta Anthony, Manager Parks and Property Services, Jeremy van den Bok, Manager Financial Services, Bee Choo Tan, Projects Officer Parks and Environment, Jackie Parker, and the Parks Technical Officer, Kim Godfrey.

Each tender was assessed using the above evaluation criteria in accordance with the tender documentation.

Tender Summary

Evaluation Criteria	Weighting	Phase 3 (Option 2)	Phase 3 (Option 1)	Nature Play Solutions (Option 2)	LD Total	Nature Play Solutions (Option 1)	Earthcare (Option 2)	Earthcare (Option 1)	Earthcare (Option 3)
Financial Offer/Fee Proposal	50%	39.41	30.43	35.38	35.33	28.70	30.76	28.39	22.14
Relevant experience, expertise and the project team	20%	18.0	18.0	15.6	16.0	15.6	15.2	15.2	15.2
History and Viability of the Organisation	15%	12.6	12.6	9.9	7.8	9.9	7.5	7.5	7.2
Methodology	10%	8.6	8.4	6.8	6.2	7.0	6.6	6.6	6.4
Quality Assurance	5%	4.4	4.4	4.2	4.2	4.2	4.2	4.2	4.2
<b>Total</b>	<b>100%</b>	<b>83.01</b>	<b>73.83</b>	<b>71.88</b>	<b>69.53</b>	<b>65.40</b>	<b>64.26</b>	<b>61.89</b>	<b>55.14</b>
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>

The Tender Evaluation Panel met on 27 May 2014 to assess the four (4) tender submissions and associated options submitted by each tenderer for the project. The tenders were further independently evaluated by each of the panel members and the final evaluation scores submitted for collation.



Tender Evaluation Panel comments are shown below:

**1. Phase 3 (Option 2)**

<b>Total Weighted Score:</b>	<b>83.01 - First (1<sup>st</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Phase 3's Option 2 comes in under the project budget and whilst this design option does not include the flying fox it uses the entire space well, includes use of all existing mature trees and has a network of paths that incorporates many features outlined within the brief. The flying fox could easily be added to (Option 1) at a later date if funding was acquired. This design option presented the best value for money following the assessment by the evaluation team.
Relevant experience, expertise and the project team.	The company and project team have considerable expertise including Griffin Longley who has extensive experience in Nature play consultation and elements as the CEO of Nature Play WA.
History and Viability of the Organisation	Phase 3 was founded in 2007 and has been operating successfully in the industry since 2000. The skill set of the directors enables them to deliver landscape architectural projects to a superior high quality. The company has been a multi award winner in the 2008, 2010 and 2011 Landscape Industries Assoc. of WA.
Methodology	Detailed methodology for implementing this project was outlined within their submission
Quality Assurance	Phase 3 have a quality management system in place ensuring compliance with ISO 9001 industry standards and regulatory requirements.

**2. Phase 3 (Option 1)**

<b>Total Weighted Score:</b>	<b>73.83 – Second (2<sup>nd</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Phase 3's Option 1 includes the flying fox with an additional landscape feature to prevent park patrons running through the flying zone. Whilst significantly over budget the evaluation team recognised that this submission again showed the good value for money and used the space well. An excellent design overall, however lacked a few components for older aged children.
Relevant experience, expertise and the project team.	The company and project team have considerable expertise including Griffin Longley who has extensive experience in Nature play consultation and elements as the CEO of Nature Play WA.
History and Viability of the Organisation	Phase 3 was founded in 2007 and has been operating successfully in the industry since 2000. The skill set of the directors enables them to deliver landscape architectural projects to a superior high quality. The company has been a multi award winner in the 2008, 2010 and 2011 Landscape Industries Assoc. of WA.
Methodology	Detailed methodology for implementing this project was outlined within their submission.
Quality Assurance	Phase 3 have a quality management system in place ensuring compliance with ISO 9001 industry standards and regulatory requirements.

**3. Nature Play Solutions (Option 2)**

<b>Total Weighted Score:</b>	<b>71.88 – Third (3<sup>rd</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Nature Play Solutions Option 2 significantly under budget and was a basic design that included many features, however some elements such as rubber softfall were not considered preferable in the design for this play area.
Relevant experience, expertise and the project team.	An extensive list of completed projects was presented together with the roles and credentials of persons within the company providing specific services for the various projects completed.
History and Viability of the Organisation	Nature Play Solutions are a privately owned and operated Western Australian established in 2011. The company has grown to meet increasing demand for expertise and has a proven history of delivering many design and construct nature based playspace projects.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	Nature Play Solutions has a well developed Business Management System (BMS) based on the requirements of ISO9001.

**4. LD Total**

<b>Total Weighted Score:</b>	<b>69.53 – Forth (4<sup>th</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	The submission from LD Total was marginally over the project budget and the design was innovative and contained many features including a single flying fox/zipline. Concern was raised in regard to the alignment of this feature in the overall design, however a satisfactory design and good value for money.
Relevant experience, expertise and the project team.	A list of completed projects was presented together with the roles and credentials of persons within the company and their specific responsibilities.
History and Viability of the Organisation	Formally Landscape Development, LD Total was established in 1979 initially providing landscape services, however adding landscape architectural services in 2000. LD Total has provided design & construction services on many POS, playgrounds and park upgrade projects throughout the state.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	A quality assurance certificate relating to Occupational Health and Safety Management systems was provided in their submission.

**5. Nature Play Solutions (Option 1)**

<b>Total Weighted Score:</b>	<b>65.40 – Fifth (5<sup>th</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Nature Play Solutions Option 1 was considerably over the budget for this project and significantly encroached into the area of the park that is used for large events. Again some elements proposed such as rubber softfall were not considered preferable in the design for this play area and the alignment of the proposed flying fox was questionable given the area and existing slope of the park.
Relevant experience, expertise and the project team.	An extensive list of completed projects was presented together with the roles and credentials of persons within the company providing specific services for the various projects completed.
History and Viability of the Organisation	Nature Play Solutions are a privately owned and operated Western Australian established in 2011. The company has grown to meet increasing demand for expertise and has a proven history of delivering many design and construct nature based playspace projects.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	Nature Play Solutions has a well developed Business Management System (BMS) based on the requirements of ISO9001.

**6. Earthcare (Option 2)**

<b>Total Weighted Score:</b>	<b>64.26 – Sixth (6<sup>th</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Earthcare have presented a number of interesting features within their design, however this design was over budget and in the evaluation teams assessment did not maximise the space provided. Option 2 deleted the tree house however this design was still not considered the best value for money.
Relevant experience, expertise and the project team.	An extensive list of completed projects was presented together with the roles and credentials of persons within the company and their specific responsibilities.
History and Viability of the Organisation	Earthcare were established in 1989 and has over 24 years experience in creating sustainable, engaging and inspiring landscapes. Their strong focus is on the construction of quality POS and playgrounds and they have won an array of award winning landscapes throughout the state.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	A quality control statement was provided in their submission which outlined various achievement goals in their quality management system.

**7. Earthcare (Option 1)**

<b>Total Weighted Score:</b>	<b>61.89 – Seventh (7<sup>th</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Earthcare have presented a number of interesting features within their design, however this design was significantly over budget and in the evaluation teams assessment did not maximise the space provided and was not considered the best value for money.
Relevant experience, expertise and the project team.	An extensive list of completed projects was presented together with the roles and credentials of persons within the company and their specific responsibilities.
History and Viability of the Organisation	Earthcare were established in 1989 and has over 24 years experience in creating sustainable, engaging and inspiring landscapes. There strong focus is on the construction of quality POS and playgrounds and they have won an array of award winning landscapes throughout the state.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	A quality control statement was provided in their submission which outlined various achievement goals in their quality management system.

**8. Earthcare (Option 3)**

<b>Total Weighted Score:</b>	<b>55.14 – Eighth (8<sup>th</sup>)</b>
Financial Offer/Fee Proposal in terms of design and value for money.	Earthcare have presented a number of interesting features within their design, however this design was significantly over budget and in the evaluation teams assessment did not maximise the space provided and was not considered the best value for money.
Relevant experience, expertise and the project team.	An extensive list of completed projects was presented together with the roles and credentials of persons within the company and their specific responsibilities.
History and Viability of the Organisation	Earthcare were established in 1989 and has over 24 years experience in creating sustainable, engaging and inspiring landscapes. There strong focus is on the construction of quality POS and playgrounds and they have won an array of award winning landscapes throughout the state.
Methodology	Adequate methodology was proposed in implementing this project and this was outlined within their submission.
Quality Assurance	A quality control statement was provided in their submission which outlined various achievement goals in their quality management system.

Officers Comments:

As noted in the comments above for each respective tenderer, all have the relevant experience and have provided satisfactory designs which have included a water element. However, it was interesting to note that the majority of concepts submitted did not include enough emphasis on the 10-14 age groups which may in turn relate to budget available and cost of items focussed on this age range.

Notwithstanding the above, following the assessment process the best value for money submission was presented by Phase 3 and their team is very experienced and highly regarded.

All other companies providing submissions for this design and construct project satisfied the requirements of this tender at different levels

**CONSULTATION/ADVERTISING:**

Tender No 485/14 Braithwaite Park - Design and Construct a Nature Play Area (with a water element) was advertised for a total of twenty eight (28) days.

**LEGAL/POLICY:**

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

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** This project when completed will; provide a quality landscape and playground area designed and constructed in accordance with building/construction codes and playground safety standards.

**STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2011-2023 Objective 1:*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The overall improvements to Braithwaite Park will provide for the creation of additional green space using Western Australian native plants and recyclable materials where practicable in accordance with the City's Sustainable Environment Strategy 2011- 2016.

**FINANCIAL/BUDGET IMPLICATIONS:**

Refer Confidential Appendix 9.2.2.

**COMMENTS:**

It is therefore recommended that the tender submitted by Phase 3 is accepted as being the most acceptable to the City for the Design & Construction of a Nature Play Area (with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2.

**9.2.3 Vincent Bike Network Plan 2013 – Vincent and Bulwer Streets - Progress Report No. 6**

<b>Ward:</b>	Both	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0172; TES0600; FIN0131
<b>Attachments:</b>	<a href="#">001</a> – Summary of feedback Vincent Bulwer <a href="#">002</a> – Summary of feedback General <a href="#">003</a> – Proposed Plan Nos 3095-CP-01 / 3141-CP-01 / 3107-CP-01A		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, Travel Smart Officer C Wilson, Acting Director Technical Services		
<b>Responsible Officer:</b>	C Wilson, Acting Director Technical Services		

That the Council;

1. **NOTES** that the City is yet to be advised on the outcome of the Perth Bicycle Network (PBN) Funding Grants 2014/2015; and
2. **CONSIDERS** the;
  - 2.1 submissions received (as per attachment 001) in relation to the proposal to install bike lanes on Vincent and Bulwer Streets; and
  - 2.2 general feedback submissions received (as per attachment 002) in relation to the Bike Network Plan implementation;
3. **APPROVES** the progression of works as shown on the attached Plan Nos 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) scheduled to commence in the new financial year; and
4. **ADVISES** the respondents and stakeholders of its decision.

Moved Cr Peart, Seconded Cr Buckels

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

“That the Council;

1. **NOTES** that the City is yet to be advised on the outcome of the Perth Bicycle Network (PBN) Funding Grants 2014/2015; and
2. **CONSIDERS** the;
  - 2.1 submissions received (as per attachment 001) in relation to the proposal to install bike lanes on Vincent and Bulwer Streets; and
  - 2.2 general feedback submissions received (as per attachment 002) in relation to the Bike Network Plan implementation;
3. **AUTHORISES** the Chief Executive Officer to investigate, and report back to the Council by 22 July 2014 with amendments to Plan No.s 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) to highlight path users' priority including, but not limited to:-
  - 3.1 marking a zebra crossing at the slip lane on northeast corner of Loftus and Vincent Streets;
  - 3.2 installing a raised plateau or painting green lanes across the driveway entrances and exits of properties including the post office, DSR building, Medibank Stadium, 244 Vincent Street and Beatty Park Leisure Centre;
  - 3.3 installing a raised plateau or painting green lanes at the intersection of Morriston and Vincent Streets; and
  - 3.4 removing the depicted give way markings for path users;

- 34. APPROVES IN PRINCIPLE** the progression of works as shown on the attached Plan No.s 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) scheduled to commence in the new financial year and subject to the abovementioned amendments to highlight path users' priority; and
- 45. ADVISES** the respondents and stakeholders of its decision.”

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2.3**

That the Council;

1. **NOTES** that the City is yet to be advised on the outcome of the Perth Bicycle Network (PBN) Funding Grants 2014/2015; and
2. **CONSIDERS** the;
  - 2.1 submissions received (as per attachment 001) in relation to the proposal to install bike lanes on Vincent and Bulwer Streets; and
  - 2.2 general feedback submissions received (as per attachment 002) in relation to the Bike Network Plan implementation;
3. **AUTHORISES** the Chief Executive Officer to investigate, and report back to the Council by 22 July 2014 with amendments to Plan No.s 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) to highlight path users' priority including, but not limited to:-
  - 3.1 marking a zebra crossing at the slip lane on northeast corner of Loftus and Vincent Streets;
  - 3.2 installing a raised plateau or painting green lanes across the driveway entrances and exits of properties including the post office, DSR building, Medibank Stadium, 244 Vincent Street and Beatty Park Leisure Centre;
  - 3.3 installing a raised plateau or painting green lanes at the intersection of Morriston and Vincent Streets; and
  - 3.4 removing the depicted give way markings for path users;
4. **APPROVES IN PRINCIPLE** the progression of works as shown on the attached Plan Nos. 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) scheduled to commence in the new financial year and subject to the abovementioned amendments to highlight path users' priority; and
5. **ADVISES** the respondents and stakeholders of its decision.

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**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval to proceed with the implementation of the Vincent Bike Network Plan – Vincent and Bulwer Street bike lanes.

**BACKGROUND:**

**Ordinary Meeting of Council held on 17 December 2013:**

The Vincent Bike Network Plan 2013 Progress Report No.2 was reported to the above Council meeting where the following decision was made:

*“That the Council;*

1. **NOTES;**
  - 1.1 *the following proposed three (3) Staged Plan to deliver the Vincent/Bulwer Street Bike Lanes as outlined in the report and as outlined in the attached spread sheet at attachment 9.2.7;*

- 1.1.1 *Vincent Street Bike Lanes – Oxford Street to Charles Street on path lanes as shown on Plan No. 3095-CP-01 and Charles Street to Bulwer Street on road lanes as shown on Plan No, 3108-CP-01 estimated to cost \$88,100;*
- 1.1.2 *Stage 1: Bulwer Street Bike Lanes – Vincent Street to Palmerston Street as shown on attached Plan No. 3107-CP-01, estimated to cost \$650,000; and*
- 1.1.3 *Stage 2: Bulwer Street Bike Lanes – Palmerston Street to Lord Street ‘tentatively’ estimated to cost \$1,300,000;*
- 1.2 *that grant applications for Perth Bicycle Funding for 2014/2015 totalling \$347,500 have been submitted and will be determined in February 2014; and*
- 1.3 *the progress on the other Vincent Bike Network Plan initiatives;*
2. *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$93,500 from the 2013/2014 Totem Way Finding budget to fund the proposed Vincent Street Bike Lanes, as per clause 1.1.1 above;*
3. *AUTHORISES the Chief Executive Officer to progress the design/implementation of the Vincent Street on-path lanes, between Oxford Street and Charles Street, and the Bulwer Street on-road bike lanes, between Vincent Street to Palmerston Street subject to;*
  - 3.1 *a feasible and practical design being finalised and approved by the various stakeholders;*
  - 3.2 *appropriate funding being obtained/allocated; and*
  - 3.3 *consultation with affected residents/businesses being undertaken; and*
4. *RECEIVES further progress report on the implementation of the Vincent Bike Network Plan in February/March 2014.”*

**Ordinary Meeting of Council held on 25 February 2014:**

A further progress report (No. 3) was presented to this meeting where the following decision was made (in part)

*“That the Council;*

1. *NOTES the;*
  - 1.2 *Strategic Routes have been split into the following, based on the above advice;*
    - 1.2.1 *Phase 1, comprising all works relating to the delivery of Vincent and Bulwer Street bike lane to Palmerston Street as shown on attached Plan No.s 3095-CP-01, 3107-CP-01 and 3104-CP-05B estimated to cost \$740,000; and*
    - 1.2.2 *Phase 2, comprising all works relating to the delivery of bike lanes on Oxford Street and Scarborough Beach Road as shown on attached concept Plan No 3104-CP-05B and 3127-CP-01 estimated to cost \$1,515,000;*
  - 1.4 *2013/2014 Budget includes \$639,500 for Bicycle Network Implementation and Improvements; and*
  - 1.5 *decision of the PBN Funding Grants 2014-15 has been delayed;*
2. *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$100,500 from the Capital Reserve Fund;*
3. *APPROVES IN PRINCIPLE the proposed Phase 2 projects currently estimated to cost \$1,515,000 to be implemented in 2014/2015, as outlined in clause 1.2.2;*
4. *LIST and amount of \$ 1,515,000 for consideration in the 2014/2015 Draft Budget;*



5. *CONSULTS with affected residents/businesses regarding the Phase 1 project and advertises the plan to the wider community; and*
6. *RECEIVES a further report on the implementation of Phase 1 of the Vincent Bike Network Plan at the conclusion of the community consultation.*

**Ordinary Meeting of Council held on 11 March 2014:**

The following decision was made at this meeting regarding progress report No. 4.

*“That the Council APPROVES BY AN ABSOLUTE MAJORITY to allocate additional funding of \$20,000 from a source to be determined by the Chief Executive Officer for costs associated with advertising and marketing of the Vincent Bike Network Plan.”*

**Ordinary Meeting of Council held on 27 May 2014:**

Progress report No.5 was presented at the above meeting which related to Phase 2 of the Bike Network Plan only.

**DETAILS:**

**PHASE 1 – Vincent and Bulwer Streets Bike Lanes:**

In accordance with the Council's decision of 25 February 2014, the City consulted the affected residents/businesses between 28 April - 23 May 2014, regarding the Phase 1 project and advertised the plan to the wider community.

The City received eighty one (81) responses, during this period, including one late submission. of these responses, thirty four (34) related specifically to the Vincent/Bulwer Streets Phase 1 project, or came from residents or those directly affected by the works. The remaining forty seven (47) responses were more general in nature and will be noted separately.

Phase 1 Bulwer and Vincent Street Project:

In Favour	25 (74%)
Against	3 ( 9%)
Neither Support nor Object	6 (17%)
Total	<b><u>34</u></b>

Officers Comments:

Those either living on or directly affected by the proposed works are overwhelmingly in favour (outlined in Attachment 001). Note that 30 (88%) of the 34 respondees are Vincent residents.

Some comments received indicated a concern with the potential for 'dooring' (cyclists being hit by drivers in parked cars opening their doors) and that 'best practice' bike lanes should be adopted, with audible markers on the traffic side of the bike lane. Comments also indicated a false impression that cyclists do not pay for roads and that cyclists currently are a menace on footpaths and do not obey road rules.

GENERAL Feedback:

In Favour	46 (98%)
Against	1 (2%)
Neither Support nor Object	0
Total	<b><u>47</u></b>

Officers Comments:

Those supplying General feedback (see Attachment 002) were overwhelmingly positive (98%), with 40 (85%) of the 47 respondees being Vincent residents.

Some comments received indicated a concern with the potential for 'dooring' (cyclists being hit by drivers in parked cars opening their doors) and that 'best practice' bike lanes should be adopted with audible markers on the traffic side of the bike lane. The only negative comment also indicated the impression that those who cycle do not pay for roads.

### **CONSULTATION/ADVERTISING:**

A consultation program was designed and implemented in conjunction with the City's Marketing and Communications Officer and in accordance with the City's Consultation Policy.

#### **Leaflets:**

The 500 residences in streets directly affected by the Vincent/Bulwer Street works were hand delivered leaflets, containing the following:

- Specific works brochure;
- 2 x detailed maps;
- A feedback form: and
- A reply paid envelope.

Every residence in Vincent was letterbox dropped a 'General Works' brochure which outlined the Phase 1 and Phase 2 works and encouraged people to comment using the online facility, and 5,300 brochures were also delivered to PO Boxes in the City of Vincent via Australia Post.

As a result those who live in the Vincent/Bulwer Street affected areas would have received both a General Works brochure as well as the targeted information relating to works in or near their street.

#### **Advertising:**

Three (3) full page advertisements were placed in the local papers delivered to Vincent residents (they were placed in the Guardian Express (May 6) and the Perth Voice (May 10 and May 17).

#### **Online:**

The Invitation to Comment was distributed online through the Vincent e-list and has regular mentions on the e-news bulletin.

#### **Media:**

An article and photo appeared 26 February 2014 in The West Australian and 4 March 2014 in the Guardian Express announcing the initiative.

### **LEGAL/POLICY:**

The initiative aligns with the City's *Strategic Plan 2013-23*, *Physical Activity Plan 2009-2013* and the *Sustainable Environment Strategy 2011-2016*.

### **STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2013-2023*, Objective 1 states:

*"1.1: Improve and maintain the natural and built environment and infrastructure*

*1.1.5 Take action to improve transport and parking in the City and mitigate the effects of traffic.*

*(d) Promote alternative methods of transport."*

In accordance with the City's *Sustainable Environment Strategy 2011-2016*, Objective 1 states:

*"Contribute to a cleaner local and regional air environment by promoting alternative modes of transport than car use to residents and employees within the City".*

**SUSTAINABILITY IMPLICATIONS:**

The congestion experienced due to proximity to the Perth Central Business District, as well as, increasing densification of sections of the City of Vincent highlight the need to provide infrastructure for those seeking to use active transport.

An increased cycling participation rate by both residents and the wider community should lead to improved general health and well being of the community, while reducing carbon emissions and the dependence on motorised transport.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** The design of the bike lane infrastructure has included input from Aurecon consultants; Bicycle Network; Bicycling WA; Bicycle Transportation Alliance; and Main Roads WA.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2013/2014 Bicycle Network Implementation and Improvements budget account has a balance of \$639,500 which is made up from the original 2013/2014 funds of \$56,500 plus \$93,200 re-allocated at the Ordinary Meeting of Council held on 17 December 2013 and \$489,800 re allocated at the Ordinary Meeting of Council held on 11 February 2014).

<b>PHASE 1 (2013/2014)</b>			
<b>Street</b>	<b>Section</b>	<b>Description</b>	<b>Estimated cost</b>
Vincent St.	Oxford to Charles	On-Path cycle lanes	\$85,000
Vincent St.	Charles to Bulwer	On-Road bike lanes	\$5,000
Bulwer St.	Vincent to Palmerston	On-Road bike lanes	\$650,000
		<b>Total</b>	<b>\$740,000</b>

Note: The City is still awaiting the result of its application to the PBN Grants 2014/2015 funding round. The Assessment Panel for these grants is meeting currently, with a decision imminent.

**COMMENTS:**

The general feedback received relating to the overall implementation plan has been overwhelmingly positive, with the community supporting the Council aims.

The feedback received relating to the Specific Phase 1 works to be implemented on Vincent and Bulwer Streets has also been positive. The feedback has highlighted the need to ensure a best practice model is adopted for this section.

The feedback has also highlighted the need for an accompanying education campaign to advise all road users of safety issues and also to dispel myths as to who contributes to paying for infrastructure.

**9.3.5 Adoption of Fees and Charges 2014/15**

<b>Ward:</b>	Both	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0025
<b>Attachments:</b>	<a href="#">001</a> – 2014/15 Fees and Charges Schedule		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Bee Choo Tan, Acting Director Corporate Services		
<b>Responsible Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** to adopt the Schedule of Fees and Charges for the 2014/15 financial year, as shown in Appendix 9.3.5.

**Moved** Cr Buckels, **Seconded** Cr Harley

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

**Moved** Cr Buckels, **Seconded** Cr Harley

“That the Fees and Charges for 2014/2015 be amended as follows:

**Kerbside Parking Fees - Day**

**1. Page 8.7 – Brewer Street from \$1.30 to \$2.30; and**

**Car Parking Fees – Per Day**

**2. Page 8.6 – Stadium Car Park from \$9.40 to \$16.50”**

Debate ensued.

**AMENDMENT 1 PUT AND CARRIED (6-1)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley, Cr McDonald and Cr Peart

**Against:** Cr Topelberg

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

Debate ensued.

**AMENDMENT 2**

**Moved** Cr Harley, **Seconded** Cr Buckels

“That the Fees and Charges for 2014/2015 be amended as follows:

**Kerbside Parking Fees - Day**

**1. Page 8.7 – Pier Street from \$1.30 to \$2.30;”**

Debate ensued.

**AMENDMENT 2 PUT AND CARRIED (6-1)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley, Cr McDonald and Cr Peart

**Against:** Cr Topelberg

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**AMENDMENT 3**

**Moved Cr Cole, Seconded Cr Harley**

“That the Fees and Charges for 2014/2015 be amended as follows:

**Car Parking Fees – Per Day – Hourly Rate**

**2. Page 8.6 – Stadium Car Park from \$1.30 to \$2.30”**

**AMENDMENT 3 PUT AND CARRIED (6-1)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley, Cr McDonald  
and Cr Peart

**Against:** Cr Topelberg

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**AMENDMENT 4**

**Moved Cr Buckels, Seconded Cr Peart**

“That the Fees and Charges for 2014/2015 be amended as follows:

**Parking Permits**

**1. Page 8.6 – All Car Parks per month fee from \$156 to \$165;”**

**AMENDMENT 4 PUT AND CARRIED (7-0)**

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

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

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.3.5**

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

**1. to adopt the Schedule of Fees and Charges for the 2014/15 financial year, as shown in Appendix 9.3.5;**

**1.1 Kerbside Parking Fees - Day**

**Page 8.7 – Brewer Street from \$1.30 to \$2.30; and**

**Car Parking Fees – Per Day**

**Page 8.6 – Stadium Car Park from \$9.40 to \$16.50**

**1.2 Kerbside Parking Fees - Day**

**Page 8.7 – Pier Street from \$1.30 to \$2.30;**

**1.3 Car Parking Fees – Per Day – Hourly Rate**

**Page 8.6 – Stadium Car Park from \$1.30 to \$2.30**

**1.4 Parking Permits**

**Page 8.6 – All Car Parks per month fee from \$156 to \$165.**

**PURPOSE OF REPORT:**

To obtain the Council's approval of the Fees and Charges for the Financial Year 2014/15.

**BACKGROUND:**

The City of Vincent, as all other local governments, apply charges for services provided and for the use of the facilities available for hire. All such fees are required to be reviewed annually.

The *Local Government Act (1995)* allows for fees and charges to be adopted and include in the Annual Budget without having to be gazetted separately.

**DETAILS:**

The attached schedule outlines details of the Fees and Charges proposed for the 2014/15 financial year with a comparison to last year's fees. Where there has been an increase from last year the value is highlighted in bold.

A number of fees are determined by legislation, these include; Dogs, Planning/Building fees, and a number of fees raised under the *Health Act (1911)*.

GST must be applied to fees and charges that are raised where the City is engaged in what is deemed to be commercial activity. Fees where GST is applicable are marked with a 'Y' in the last column of the schedule. Local government fees and charges that are raised under legislation or Local Laws are in general GST free by way of exemption through Division 81 of the GST legislation.

**New fees recommended for 2014/15 include:**

**Rangers & Community Safety Services Fees:**

Dog Legislation:

New discounted fees have been introduced this year for pensioners, associated with the registration of dogs following the adoption of the new Cat Act last year.

**Health Services Fees:**

Fees associated with a one off stallholder fee for both annual and once off stallholders are to be introduced this financial year.

**Waste Services Fees:**

The fees associated with the sale of compost bins in the City have been included in the fees and charges for 2014/15.

**General Planning Fees:**

A threshold value is set for the percentage for Public Art.

**Existing fees include:**

**Parking Fees:**

An increase of ten (10) cents for the fees in the majority of the City's car parks is proposed.

**Kerbside Parking Fees:**

An increase of ten (10) cents for all of the kerbside parking fees is proposed.

**Building/Planning Fees:**

At the time of preparation of this report the City has not received advice from the State Government of any proposed increase in Building or Planning fees for 2014/15, as a result no increases in the Building/Planning Fees are included for the next financial year.

**Cash in Lieu:**

An increase of four (4) percent in cash in lieu payment for car parking is proposed.

**Beatty Park Leisure Centre:**

An annual review of the Beatty Park Leisure Centre fees is undertaken to benchmark against other local government leisure centres.

Beatty Park Leisure Centre fees and charges are adjusted each year to minimise a significant increase in any one year and to ensure that the Centre remains financially sustainable as well as maintaining its community obligations.

**CONSULTATION/ADVERTISING:**

Advertised as part of the Annual Budget document.

**LEGAL/POLICY:**

In accordance with the *Local Government Act (1995)*, Sections 6.16, 6.17 and 6.18.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The fees and charges are supported by the City. The risk is that the budgeted level of revenue from the fees and charges may not be attained in any one financial year.

**STRATEGIC IMPLICATIONS:**

The new and amended fees and charges have been included in the preparation of the Draft Annual Budget 2014/15.

**SUSTAINABILITY IMPLICATIONS:**

The fees and charges represent a significant component of the City's revenue and require to be adjusted annually to ensure the City's financial sustainability.

**FINANCIAL/BUDGET IMPLICATIONS:**

The revenue received from the proposed fees and charges have been included in the Draft Annual Budget 2014/15.

**COMMENTS:**

It is recommended that the fees and charges contained in the attached schedule be adopted for the 2014/15 Budget so that the Council can apply from 1 July 2014 (or subsequent dates where nominated).

**9.4.1 Luna Cinema, Leederville – Proposed Mural**

<b>Ward:</b>	South	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	CMS0135
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY a large scale mural on the southern wall of the Luna Cinema, for estimate cost of \$20,000 and**
2. **NOTES the contribution of \$10,000 from the Luna Cinema to this project, to match the City of Vincent funding.**

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Harley, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of the report is to approve the allocation of \$10,000 towards a mural on the Vincent Street side of the Luna Cinema in the Leederville Town Centre.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 8 April 2014, the Council resolved to the following:

*“That the Council REQUESTS the officers to approach the owners of the Luna Cinema in relation to potentially funding a mural art project on their southern wall.”*

**DETAILS:**

The Luna Cinema is an iconic building in Leederville. The City’s Officers met with the Luna Cinema Manager and Marketing Coordinator on 26 May 2014 to discuss the possibility of funding a mural on the Vincent Street side of the building, which measures approximately 30 meters wide by 15 meters high. The Manager and Marketing Coordinator of Luna Cinemas, along with the owner of the property, have agreed to the installation of a mural. The City’s Officers negotiated a \$10,000 contribution from Luna Cinema, subject to matched funding from the City of Vincent.



The City's Officers and Luna Cinema representatives will work together with the Arts Advisory Group to choose a high calibre design that will become an iconic artwork for Leederville. The brief will invite artists and creative teams to respond to the brief by putting forward their innovative ideas for a large scale, original work. The City is looking to commission a piece that offers an exciting, intelligent and expressive response to the site's surrounds and social context, creating an opportunity for public users to encounter and engage with art in an ordinary, daily context.

**Proposed Dates**

Request For Quote advertised: 30 June 2014

Submissions close: 1 August 2014

Panel Meeting: August 2014

Painting commencement and completion: September 2014

**CONSULTATION/ADVERTISING:**

Nil

**LEGAL/POLICY:**

- Policy No. 3.10.9: Public Murals

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Artists engaged will adhere to Occupational Health and Safety guidelines and have public liability insurance.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the following Objective of the City's '*Strategic Plan – Plan for the Future 2013-2017*':

*'1.1.6 Enhance and maintain the City's parks, landscaping and the natural environment'*

*'3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity'*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Luna Cinemas have agreed to contribute \$10,000 towards the Mural. With the City's recommended \$10,000 this allows a budget total of \$20,000 for the mural.

The City has listed for consideration on the 2014/15 Draft Budget through the Mural/Wall Art expenditure budget contribution of \$10,000.

**COMMENTS:**

The City of Vincent is fast becoming known for its support of murals and its growing collection. This would be the City's largest mural acquisition to date, adding much needed colour and life to an otherwise blank wall. The City's Officers will work closely with the Luna Cinema to ensure that the chosen mural is appropriate and the Luna's cultural iconic status is maintained.

**9.4.2 Funding the Proposed 'Laneway Collective' Mural Community Project**

<b>Ward:</b>	All	<b>Date:</b>	13 June 2014
<b>Precinct:</b>	Both	<b>File Ref:</b>	CMS0135
<b>Attachments:</b>	<a href="#">001</a> – Laneway Collective Proposal		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** to contribute funding to a maximum of \$5,000 to be listed in the 2014/15 Draft Budget for the Laneway Collective proposal to complete artwork along Grosvenor Street Laneway as a showcase project, as found in Appendix 9.4.2A.

**Moved Cr Harley, Seconded Cr Buckels**

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

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** to contribute funding to a maximum of ~~\$5,000~~ **\$12,500** to be allocated from the Community Arts Programme for the Laneway Collective Proposal in the 2014/15 Draft Budget for the Laneway Collective proposal to complete artwork **as follows; along Grosvenor Street Laneway as a showcase project, as found in Appendix 9.4.2A.**

- 1. \$5,000 funding to complete artwork along Grosvenor Street Laneway;**
- 2. Up to \$2,500 funding to complete artwork along Moir Lane under a matched funding arrangement; and**
- 3. Up to \$2,500 funding to complete artwork along two (2) other laneways, in close proximity to town centre's, under a matched funding arrangement.**

Debate ensued.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.4.2**

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** to contribute funding to a maximum of \$12,500 to be allocated from the Community Arts Programme for the Laneway Collective Proposal in the 2014/15 Draft Budget for the Laneway Collective proposal to complete artwork as follows;

- \$5,000 funding to complete artwork along Grosvenor Street Laneway;**
- Up to \$2,500 funding to complete artwork along Moir Lane under a matched funding arrangement; and**
- Up to \$2,500 funding to complete artwork along two (2) other laneways, in close proximity to town centre's, under a matched funding arrangement.**

**PURPOSE OF REPORT:**

The purpose of the report is to consider and approve the proposal of funding for painting murals on residential properties, in Grosvenor Street Laneway as outlined in the Laneway Collective Proposal found in Appendix 9.4.2A.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 27 May 2014, the Council considered a Notice of Motion by Councillor Roslyn Harley, and resolved as follows:

*"That the Council:*

1. *REQUESTS the Acting Chief Executive Officer to investigate funding the proposed 'Laneway Collective' mural community project; and*
2. *PROVIDES a report to the Council no later than 24 June 2014."*

On 16 June, the City's Officers and Councillor Roslyn Harley met with Mel McVee of the proposed Laneway Collective to discuss the proposal in depth. Outcomes of this meeting are detailed in the body of the report.

**DETAILS:**

The Mural Art Policy was adopted in September 2011 with the purpose "to encourage public art and beautification on blank walls on both private and public properties within the City of Vincent". Since then, the City's Officers have worked with artists and property owners to revitalise areas by filling blank walls with colour and life. The City's growing Mural Collection can be viewed online on the City's website.

The City of Vincent is fast becoming known for its mural collection. In 2014, the City's Officers advertised callouts, via social media and the Arts e-newsletter, for blank walls to be considered for mural artwork. Both residents and business owners have contacted the City offering up their walls.

In recent months, local artists have been commissioned directly by residents to paint the rear of their properties. These include a property on Chelmsford Street, Mount Lawley, by local artist Martin E Wills, and the rear of a property in Grosvenor Lane, Mount Lawley, by local artist Mel McVee. These two (2) commissions have been independent of any City's funding, however consultation on design with the City's Officers was undertaken to ensure they met the criteria within the City's Mural Policy. The only other formality requested by the City is to ensure that the property owner provided written consent.

Local artist, Mel McVee was recently commissioned to paint the rear of a property on Grosvenor Lane in Mount Lawley, which turned the back of a property into a colourful work of art. A local resident from Moir Street, David McLoughlin, worked with FORM to present live laneway mural paintings during the Public Art festival in April 2014. Since then, Mel McVee and David McLoughlin have teamed up under the name "The Laneway Collective" and wish to complete the laneways started at the back of Moir Street in Perth, and Grosvenor Lane in Mount Lawley.

The City has been approached to fund "The Laneway Collective" which will cost a total of \$10,000 through the payment of twenty (20) artists, at \$500 each, to assist with materials and time costs. The City's Officers recommend that a "dollar for dollar" programme could be developed, to a maximum funding of \$5,000 per financial year, to assist with the beautification of residential laneway walls within Vincent.

The Deputy Mayor, Councillor Roslyn Harley, Acting Chief Executive Officer and Acting Director Community Services met with Mel McVee from the Laneway Collective to further deliberate on how the project could be delivered.

It was determined that the City would fund the artwork for Grosvenor Laneway to pay ten (10) artists \$500 each to complete the project as a showcase initiative. The Laneway Collective would be responsible for the overall coordination and delivery of the project. This will include organising the artists, and engaging and seeking permission from residents and property owners.

It is envisaged that after this showcase project, that other laneway projects could be stimulated where funding could be sourced from residents, property owners and/or businesses.

An agreement will be drawn up between the City and The Laneway Collective to highlight what each party will and will not be responsible for, to ensure an easy process to undertake of the project.

**CONSULTATION/ADVERTISING:**

Nil

**LEGAL/POLICY:**

- Policy No. 3.10.9: Public Murals

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** The Laneway Collective will be responsible for ensuring permission is granted from property owners, not renters. The Collective will be responsible to ensure that property owners are happy with the design painted and the Council will not be liable if the property owner should change their mind.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the following Objective of the City's '*Strategic Plan – Plan for the Future 2013-2017*':

*'1.1.6 Enhance and maintain the City's parks, landscaping and the natural environment'*

*'3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity'*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Laneway Collective is seeking a total of \$10,000 to complete both laneways. The City will fund the Grosvenor Laneway as a showcase project. This \$5,000 would need to be listed in the 2014/15 Draft Budget.

Given that the Laneway Collective is not incorporated, the funding would be disbursed through the Beaufort Street Network.

**COMMENTS:**

The City wishes to continually add to the growing collection of vibrant artistic murals already within the City of Vincent. By supporting the Laneway Collective proposal with the initial showcase project in the Grosvenor Street Laneway, future projects would be developed to encourage residents to commission local artists to help make their properties and our laneways more colourful, creating a more positive atmosphere within our currently barren and disused laneways.

**9.4.3 LATE ITEM: Leederville Town Centre Enhancement Project – Progress Report No. 7**

<b>Ward:</b>	South	<b>Date:</b>	20 June 2014
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	ADM0106
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager D Shaw, Place Manager A Birch, A/Manager Community Development C Wilson, A/Director Technical Services		
<b>Responsible Officer:</b>	J Anthony, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** Progress Report No. 7 relating to the Leederville Town Centre Action Plan, Water Corporation laneway revitalisation and installation of new bins and public seating; and
2. **APPROVES** the painting of thirty-four (34) existing bicycle racks throughout the Leederville Town Centre.

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**Moved Cr Harley, Seconded Cr Buckels**

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

That the Council;

1. **RECEIVES** Progress Report No. 7 relating to the Leederville Town Centre Action Plan, Water Corporation laneway revitalisation and installation of new bins and public seating; and
2. **APPROVES DEFERS** the painting of thirty-four (34) existing bicycle racks throughout the Leederville Town Centre **and REQUESTS an update report to Council once they have been considered by the Leederville Town Centre Enhancement Working Group.**

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.4.3**

That the Council;

1. **RECEIVES** Progress Report No. 7 relating to the Leederville Town Centre Action Plan, Water Corporation laneway revitalisation and installation of new bins and public seating; and
2. **DEFERS** the painting of thirty-four (34) existing bicycle racks throughout the Leederville Town Centre and **REQUESTS** an update report to Council once they have been considered by the Leederville Town Centre Enhancement Working Group.

**PURPOSE OF REPORT:**

The purpose of this report is to provide Council with a progress report on the Leederville Town Centre Action Plan to date and seek approval for the painting of thirty-four (34) bicycle racks in the Leederville Town Centre.

**BACKGROUND:**

- 20 November 2012      Leederville Town Centre Enhancement Project – Progress Report No. 2. At the Ordinary Meeting of Council held on 20 November 2012, the Council resolved to approve a contribution of \$3,000 to a mural which faces the laneway adjacent to No.148 Oxford Street, Leederville.
- 26 March 2013        Leederville Town Centre Enhancement Project – Progress Report No. 3. At the Ordinary Meeting of Council held on 26 March 2013, the Council resolved to approve in principle the City's preferred option for the proposed improvements to Oxford Street Reserve at an estimated cost of \$1,050,000.
- 11 June 2013         Leederville Town Centre Enhancement Project – Oxford Reserve Playground Update, Expression of Interest and Other Proposed Actions Progress Report No. 3. At the Ordinary Meeting of Council held on 11 June 2013, the Council resolved to approve the planting of five (5) *Eucalyptus Maculata*'s and install three (3) x 1/4P parking bays in Newcastle Street.
- 27 August 2013      Leederville Town Centre Enhancement Project – Progress Report No. 4. At the Ordinary Meeting of Council held on 27 August 2013, the Council resolved to approve seven (7) trees comprising *Eucalyptus leucoxylon* and *Jacaranda mimosaeifoliaon* Oxford Street.
- 10 September 2013   Leederville Town Centre Enhancement Project Newcastle Street and Carr Place Intersection Proposed Modifications – Approval and Progress Report No. 5. At the Ordinary Meeting of Council held on 10 September 2013, the Council resolved to approve implementation of the proposed modifications to the Newcastle Street and Carr Place intersection and for the funding shortfall to be funded from the Leederville Town Centre – Streetscape and Park Enhancement Budget allocation.
- 5 November 2013     Leederville Town Centre Enhancement Project – Progress Report No. 6. At the Ordinary Meeting of Council held on 5 November 2013, the Council resolved to defer a confidential report relating to a tender for the Leederville Town Centre Enhancement Project.

**DETAILS:**

Leederville Connect is a Precinct Group operating on behalf of the local Leederville business and resident community. To date the group has run the annual Light Up Leederville Carnival and are now working with the City's Officers to develop their Action Plan, as detailed below.

**Leederville Connect Action Plan Process**

As part of the City's newly initiated Place Management Programme, Leederville Connect, with the support of the City's Place Managers, is preparing an Action Plan. The Plan will identify the strengths, weaknesses and opportunities for the current Leederville Town Centre. It will create a shared vision and principles to guide future action for immediate, medium and long term implementation.

To develop this Action Plan, the following information and engagement sessions have taken place:

1. *Leederville Farmers Market - Sunday 8 June 2014:*  
Members of the Leederville Connect and one of the City's Place Managers gave out information on the first Engagement Session planned for 19 June and the Light Up Leederville Carnival planned for 7 December.
2. *Water Corporation Laneway – Thursday 19 June 2014:*  
This engagement session was organised by members of the Leederville Connect and the City's Place Managers. The engagement session allowed the local resident and business community to list the current strengths and weaknesses of the Leederville Town Centre. Further engagement sessions will be conducted throughout July.
3. *Development of the Town Centre Action Plan:*  
The information gathered in these sessions will then be explored in a community workshop and developed into the Leederville Town Centre Action Plan.

### **Water Corporation Laneway**

At the Leederville Town Centre Enhancement Working Group (LTCEWG) held on Monday 14 April 2014, a series of options were considered to improve Lot 3 Oxford Street, Leederville.

Lot 3 is owned by the Water Corporation and is currently used (as per a Deed of Licence with the City) as a pedestrian access way, connecting Oxford Street with The Avenue Car Park. This pedestrian access way is commonly known as the Water Corporation Laneway. South of the Water Corporation laneway is a vacant lot, which is currently the subject of a Development Application. The Development Application proposes an active frontage to the Water Corporation Laneway. Any further improvement works to the Water Corporation Laneway will need to be sensitive to this future development – both practically and aesthetically.

The LTCEWG supported the following improvements to the Water Corporation Laneway:

- Resurfacing of the Laneway with a preference for the use of recycled materials;
- Removal of the fence by GNTM Pty Ltd (owners of the vacant lot);
- Installation of up-lights and canopied lighting;
- Installation of planter boxes with olive trees; and
- Installation of temporary lights in olive trees.

In a subsequent meeting with Leederville Connect, it was also agreed that the above elements should be supported, subject to further investigation and community consultation. The City's Officers are currently reviewing the Deed of Licence and obtaining quotes for lighting, tree and resurfacing options. It is expected that works will begin in the Water Corporation Laneway (subject to Council approval) at the start of the 2014-2015 financial year.

### **Bins**

The City's Officers presented alternative bin designs to replace the existing large black bins in the Town Centre. The LTCEWG resolved to consider further options for smaller bins and review recommended locations. Further designs and quotes and the refinement of locations is being undertaken by the City's Officers.





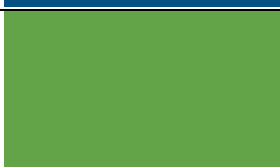
### **Public Seating**

The City's Officers have identified up to twenty (20) new locations for public seating in the Leederville Town Centre. These locations and a variety of design options were presented to the LTCEWG at the meeting on 14 April 2014. The LTCEWG resolved to postpone the selection of seating types and locations to allow for further designs and quotes to be sought by the City's Officers.

**Painting of Bicycle Racks**

Quick and effective improvements to the physical realm of the Leederville Town Centre should not be postponed until the completion of the Action Plan process. The existing bicycle parking infrastructure in Leederville is excellent, but the presentation is tired. Painting these bicycle racks in a series of bright colours will be a simple yet effective measure to rejuvenate the existing infrastructure and provide extra colour and interest in the Town Centre.

Thirty-four (34) existing bicycle racks have been identified in the Town Centre. Five (5) colours have been selected for the bicycle racks. Bicycle racks will be painted one (1) of the following five colours:

<b>Dandelion Yellow</b>		
<b>Bright Delight</b>		
<b>Red Stop</b>		
<b>Dance Studio</b>		
<b>Zatar Leaf</b>		

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Nil.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** Painting the racks will require minor and temporary impediments to pedestrian accessibility.



**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2013 – 2017* states:

*“Natural and Built Environment*

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

1.1.2 *Enhance and maintain the character and heritage of the City.*

*Community, Development and Wellbeing*

3.1 *Enhance and promote community development and wellbeing*

3.1.3 *Promote health and wellbeing in the community”*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The proposal to paint the existing bicycle racks in the Leederville Town Centre will cost \$6,985.00 (incl.GST).

This cost will be covered from the following budgets:

<b>Budget</b>	<b>Total</b>
Bicycle Network – Bike Racks	\$4,000.00
Economic Development Strategy implementation actions	\$2,985.00
	<b>\$6,985.00</b>

**COMMENTS:**

It is proposed to paint the thirty-four (34) existing bicycle racks in the Leederville Town Centres one (1) of the five (5) colours. This will improve the presentation of the bicycle racks and provide immediate colour and interest in the Leederville Town Centre.

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

**10.1 NOTICE OF MOTION: Mayor John Carey - Request for City of Vincent to develop a Car Sharing Policy**

That the Council REQUESTS the Acting Chief Executive Officer to prepare a Car Sharing Policy for consideration by the Council.

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**COUNCIL DECISION ITEM 10.1**

**Moved Cr Buckels, Seconded Cr Cole**

That the motion be adopted.

Debate ensued.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

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**10.2 NOTICE OF MOTION: Mayor John Carey – Request to undertake an audit of the City’s Usage of Active Reserves**

That the Council **AUTHORISES** the Acting Chief Executive Officer to undertake an audit of the current usage of all City of Vincent reserves and parks, including:

1. Current usage by all sporting clubs, with detailed information on schedules for 2014;
2. Formal request to all sporting clubs to provide accurate membership data, including current number of City of Vincent members;
3. Current lease arrangements by all sporting clubs for reserve and park facilities and end date for leases; and
4. That this report should be provided no later to Council than by September 2014.

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**Moved Cr Buckels, Seconded Cr Harley**

That the motion be adopted.

Debate ensued.

**AMENDMENT**

**Moved Cr Harley, Seconded Cr Cole**

“That a new Clause 5 be inserted to read as follows:

5. an audit of all leases over green space.”

Debate ensued.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**COUNCIL DECISION ITEM 10.2**

That the Council **AUTHORISES** the Acting Chief Executive Officer to undertake an audit of the current usage of all City of Vincent reserves and parks, including:

1. Current usage by all sporting clubs, with detailed information on schedules for 2014;
2. Formal request to all sporting clubs to provide accurate membership data, including current number of City of Vincent members;
3. Current lease arrangements by all sporting clubs for reserve and park facilities and end date for leases; and
4. That this report should be provided no later to Council than by September 2014; and
5. an audit of all leases over green space.

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

Nil.

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

Nil.

**13. URGENT BUSINESS**

Nil.

**PROCEDURAL MOTION**

At 8.05pm **Moved Cr Buckels, Seconded Cr McDonald**

That the Council proceed "behind closed doors" to consider confidential item 14.1,

as this matter contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting

Confidential Item 14.2 as this matter contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;

Confidential Item 14.3 at the conclusion of the items, to consider the matter, relating to the Local Government Amalgamation update; and

Confidential Item 14.4 as this matter relates to the Deed of Settlement.

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

(Cr Wilcox was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

There were no members of the public present.

Executive Assistant (Minutes Secretary) – Jerilee Highfield departed the meeting.

Media departed the Meeting.

**PRESENT:**

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Mike Rootsey	Acting Chief Executive Officer
Craig Wilson	Acting Director Technical Services
Jacinta Anthony	Acting Director Community Services
Petar Mrdja	Acting Director Planning Services
Steve Allering	Allering and Associates Planning Consultants
Beth Robinson	Allion Legal

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

**14.1 CONFIDENTIAL REPORT : No. 448 (Lot 1 STR: 10630) Fitzgerald Street, Corner Wasley Street, Perth – Proposed Change of Use To Ground Floor Office to Recreational Facility (Gym) to Existing Four (4) Storey Mixed Use Development including Offices and Eating House – Reconsideration under s31 of the State Administrative Tribunal Act 2004 (DR 133 of 2014)**

<b>Ward:</b>	South	<b>Date:</b>	11 June 2014
<b>Precinct:</b>	North Perth Centre, P09	<b>File Ref:</b>	PRO1047; 5.2013.534.1, 5.2013.309.1
<b>Attachments:</b>	001 – Development Application Plan 002 – Parking Demand Study 003 – Plan of Management dated 11 February 2014 004 – Further Information from Applicant		
<b>Tabled Items:</b>	Nil		
<b>Responsible Officer:</b>	Steve Allerding – Allerding & Associates (Engaged Consultant)		

**OFFICER RECOMMENDATION:**

That the Council;

1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating to Proposed Change of Use to Ground Floor Office to Recreational Facility (Gym) to Existing Four (4) Storey Mixed Use Development Including Offices and Eating House – Reconsideration under s31 of the State Administrative Tribunal Act 2004 (DR 133 of 2014), at No. 448 (Lot 1 STR: 10630) Fitzgerald Street, Corner Wasley Street, Perth and as shown on plans stamp-dated 23 August 2013 as this matter contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
2. AUTHORISES the Acting Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

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**COUNCIL DECISION ITEM 14.1**

**Moved Cr Topelberg, Seconded Cr Peart**

That the recommendation be adopted.

**MOTION AS AMENDED PUT AND CARRIED (6-1)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole Cr Harley, Cr McDonald and Cr Peart

**Against:** Cr Topelberg

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

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**DETAILS:**

The Acting Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*"2.14 Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

**14.2 CONFIDENTIAL REPORT - No. 18 (Lot 401) Turner Street, Corner of Wright Street, Highgate Proposed Three Storey Residential Development Comprising Three (3) Multiple Dwellings and Associated Car Parking – Reconsideration under Section 31 of the State Administrative Tribunal (SAT) Act (DR 461 of 2013)**

<b>Ward:</b>	South	<b>Date:</b>	9 June 2014
<b>Precinct:</b>	Forrest, P14	<b>File Ref:</b>	PRO3536; 5.2013.35.1
<b>Attachments:</b>	001 – Property Information Report and Development Application Plans 002 – 3-D Perspective Drawings.		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Steve Allering – Allering and Associates (engaged consultant)		

**OFFICER RECOMMENDATION:**

That the Council;

1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating Proposed Construction of a Three (3) Storey Residential Development comprising Three (3) Two Bedroom Multiple Dwellings and Associated Car Parking- Reconsideration under Section 31 of the State Administrative Tribunal (SAT) Act (DR 461 of 2013) and as shown on amended plans stamp-dated 11 June 2014 as this matter contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
2. **AUTHORISES** the Acting Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

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**COUNCIL DECISION ITEM 14.2**

**Moved Cr Cole, Seconded Cr Buckels**

**That the recommendation be adopted.**

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

**(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)**

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**DETAILS:**

The Acting Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*"2.14 Confidential business*

- (1) All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.



**14.3 CONFIDENTIAL ITEM: Local Government Reform Process**

<b>Ward:</b>	-	<b>Date:</b>	18 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Mayor John Carey		
<b>Responsible Persons:</b>	Mayor John Carey		

**OFFICER RECOMMENDATION:**

That the Council;

1. pursuant to section 5.23 (2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds "behind closed doors" at the conclusion of the items, to consider the matter, relating to the Local Government Amalgamation update; and
2. **AUTHORISES** the Acting Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

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**COUNCIL DECISION ITEM 14.3**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

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**DETAILS:**

Nil.

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*"2.14 Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members and the Acting Chief Executive Officer.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information. At the conclusion of these matters, the Council may wish to make some details available to the public.

**14.4 CONFIDENTIAL ITEM: Settlement of Deed**

<b>Ward:</b>	-	<b>Date:</b>	24 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Mayor John Carey		
<b>Responsible Persons:</b>	Mayor John Carey		

**OFFICER RECOMMENDATION:**

That the Council;

1. pursuant to section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds "behind closed doors" at the conclusion of the items, to consider the matter, relating to the Deed of Settlement;
2. **AUTHORISES** the Acting Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

**COUNCIL DECISION ITEM 14.4**

**Moved Cr Harley, Seconded Cr Buckels**

That the recommendation be adopted.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**DETAILS:**

Mayor John Carey has requested that this matter be included as a Confidential Item. In accordance with Section 5.23 of the Local Government Act, the report is to be kept confidential until determined by the Council to be released for public information by the Acting Chief Executive Officer.

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

"2.14 *Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members and the Acting Chief Executive Officer.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

**PROCEDURAL MOTION**

At 9.40pm **Moved** Cr McDonald, **Seconded** Cr Harley

That the Council resume an “open meeting”.

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

(Cr Wilcox was on approved leave of absence.)  
(Cr Pintabona was an apology for the Meeting.)

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9.40pm with the following persons present:**

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Mike Rootsey	Acting Chief Executive Officer
Jacinta Anthony	Acting Director Community Services
Petar Mrdja	Acting Director Planning Services

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 24 June 2014.

Signed: .....Presiding Member John Carey.

Dated this ..... day of ..... 2014.