



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

8 OCTOBER 2013

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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 8 October 2013, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Acting Mayor Cr Warren McGrath, declared the meeting open at 6.04pm 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 due to work commitments.

Director Technical Services – will be arriving late, due to a personal commitment.

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Cr Warren McGrath (*Acting Mayor*) Presiding Member

Cr Matt Buckels	North Ward (from 6.05pm)
Cr John Carey	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward

John Giorgi, JP	Chief Executive Officer
Mike Rootsey	Director Corporate Services
Rob Boardman	Director Community Services
Rick Lotznicker	Director Technical Services (from 6.30pm)
Petar Mrdja	A/Director Planning Services

Jerilee Highfield Executive Assistant (Minutes Secretary until approximately 8 pm)

Employee of the Month Recipient

Nil.

Media

Sara Fitzpatrick	Journalist – <i>"The Guardian Express"</i> (until approximately 8.00 pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (until approximately 8.00 pm)

Approximately 5 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. Michelle Blakely – Secretary of South Vincent Precinct Group – Address not stated Item 10.2 Stated the following:
 - She resides in the area that is affected by the proposal within the agenda for the Council Meeting.
 - She is the secretary of the South Vincent Precinct group, which this Motion is particularly important to them as it affects their Precinct more than any other area.
 - She expressed her concern at the damaging impact that the amended R80 zoning is likely to have on the character and quality of their neighbourhood.
 - She was concerned about the loss of inner city workers cottages which are an important part of the History of Vincent.

There being no further speakers, Public Question Time closed at approx. 6.09pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Mr J Riley and Ms L Helman of Wavertree Place, Leederville on behalf of residents of Wavertree Place, Leederville, along with 10 signatures, opposing the proposal to construct a 1.8 metre footpath to the EASTERN side of Wavertree Place and confirming they are not opposed to the construction of a footpath to the western side of Wavertree Place, adjacent to the property boundary, to assist the residents and other users of the proposed aged care facility.

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

Moved Cr Harley, Seconded Cr Wilcox

That the petition be received as recommended.

CARRIED UNANIMOUSLY (7-0)

(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 24 September 2013

Moved Cr Maier, Seconded Cr Harley

That the Minutes of the Ordinary Meeting of Council held 24 September 2013 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Acting Mayor Cr Warren McGrath read the following;

7.1 Withdrawal of Notice Of Motion 10.1

Councillor Joshua Topelberg has withdrawn his Notice of Motion 10.1 - relating to his supporting the designation of a "5 minute pick up or set down only" car bay on Oxford Street.

7.2 Appreciation to Retiring Councillors

I would also like to acknowledge that Local Government Elections are to be held on the 19 October 2013, I wish to thank those Council Members whose terms are expiring for their service to the City and Councillor Maier for his eight (8) year dedicated service to the City.

Also would like to thank Councillor Buckels and Councillor Topelberg. For their services over the last four (4) years and I wish them all the best in the coming Elections.

On a personal note I would like to thank all Council Members, the Chief Executive Officer and City Staff for working with me in my role as Council Member and subsequently Deputy Mayor for the last four (4) years and I look forward to watching the new Council Progress in the exciting initiatives and the programmes that we have started and progressed ourselves.

8. DECLARATIONS OF INTERESTS

8.1 Cr Maier declared an Impartiality interest in Item 10.2 – NOTICE OF MOTION: Cr Dudley Maier Rescission Motion to Change an item concerning some of the areas that are coded R80 and the impact on the Residential Design Codes. The extent of his interest being that he owns a property in the area that is affected by the proposal and this property is less than 240 sq metres in size and so it is not affected by the Rcodes and he also believes that he has an interest in common.

8.2 Chief Executive Officer, Mr John Giorgi, JP declared an Financial interest in Item 14.1- CEO Annual Performance Review 2013. The extent of his interest being that this matter relates to his Contract of Employment.

8.3 Chief Executive Officer, Mr John Giorgi, JP declared an Impartiality interest in Item 12.1- WALGA Nomination for Deputy Member to the Healthway Board. The extent of his interest being that he is currently WALGA's representative on the Healthway Board, as their Member.

8.4 Cr Carey declared an Financial and Proximity interest in Item 10.2 – NOTICE OF MOTION: Cr Dudley Maier Rescission Motion to Change an item concerning some of the areas that are coded R80 and the impact on the Residential Design Codes. The extent of his interest being that his property at 213 Brisbane Street, Perth, it is impacted by the R80 zoning change and will be a rezoning to R50. He requested Council approval to participate in the debate and vote on both items.

Cr Carey departed the Chamber at 6.12 pm – to allow the Council to consider his request to participate in the debate and vote on Item 10.2.

MOTION:

Moved Cr Maier, Seconded Cr Harley

That Cr Carey's request to participate in the debate and vote on item 10.2, be approved.

CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

Cr Carey returned to the Chamber at 6.13pm.

The Presiding Member, Acting Mayor Cr Warren McGrath that his request had been approved to participate in the debate and vote on the item.

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

Nil.

10. REPORTS

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

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

Item 10.2

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:

Item 10.2

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

Items 10.2 and 14.1

Presiding Member, Acting Mayor Cr Warren McGrath, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Acting Mayor Cr Warren McGrath	Nil
Cr Buckels	9.1.1
Cr Carey	9.1.5
Cr Harley	Nil
Cr Maier	9.1.3, 9.1.4, 9.2.2 and 9.2.7
Cr Pintabona	Apology for the Meeting
Cr Topelberg	9.1.2, 9.4.1 and 9.4.3
Cr Wilcox	Nil

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

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

Items 9.2.1, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.3.1, 9.4.2, 9.4.4, 9.5.1, 9.5.2.

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

Item 14.1.

New Order of Business:

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

(a) Unopposed items moved *En Bloc*;

Items 9.2.1, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.3.1, 9.4.2, 9.4.4, 9.5.1, 9.5.2.

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

Item 10.2

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

ITEMS APPROVED "*EN BLOC*":

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

Moved Cr Buckels, Seconded Cr Harley

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

Items 9.2.1, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.3.1, 9.4.2, 9.4.4, 9.5.1, 9.5.2.

CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

9.2.1 Traffic Related Matters Referred to the City's Integrated Transport Advisory Group (ITAG): Richmond/Loftus Street, Leederville; Cowle Street, West Perth; Eton, Barnet and Fitzgerald Streets, North Perth and Beaufort/Walcott Street, Mount Lawley

Ward:	Both	Date:	27 September 2013
Precinct:	Hyde Park (12), North Perth (8), Smith's Lake (6), North Perth Centre (9), Mount Lawley Centre (11)	File Ref:	TES0173, TES0132, TES0216, TES0227, TES0156, TES0545, TES0130, TES0076 & TES0013
Attachments:	001 – Proposed Plan No.3087-CP-01 002 – Proposed Plan No.3085-CP-01 003 – Proposed Plan No.3086-CP-01&02 004 – Proposed Plan No. 3067-CP-02		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

That the Council;

1. **NOTES** the recommendations of the Integrated Transport Advisory Group Meeting (ITAG) held on 17 July and 12 September 2013 as outlined in the report;
2. **AUTHORISES** the Chief Executive Officer to;
 - 2.1 **consult with residents in the following streets;**
 - 2.1.1 **Richmond Street** regarding the installation of a 'Seagull' island at the intersection of Richmond Street and Loftus Street, as shown on Plan No 3087-CP-01, estimated to cost \$25,000;
 - 2.1.2 **Cowle Street** regarding the installation of planted nibs and a speed hump in Cowle Street, as shown on Plan No 3085-CP-01, estimated to cost \$12,000;
 - 2.1.3 **Eton Street** regarding the installation of additional speed humps as shown on attached Plan No. 3086-CP-01, estimated to cost \$5,000; and
 - 2.1.4 **Barnet Street** regarding a proposal to install speed humps, as shown on plan No 3067-CP-02, estimated to cost \$12,000;
 - 2.2 **write to MRWA** advising that the;
 - 2.2.1 existing speed cushions in Fitzgerald Street will be made permanent and request that consideration be given to permanently lowering the posted speed along Fitzgerald Street between Burt Street and Raglan Road to 40 kph;
 - 2.2.2 City support starting the morning peak period right turn bans at the corner of Beaufort Street and Walcott Street, Mount Lawley, at 7.00am (currently 7.30am).

- 2.3 write to the local members of Perth and Mount Lawley requesting that they lobby the WA Police to install a red light camera at the intersection; and
- 2.4 write to the WA Police Commissioner regarding a 'possible' scenario whereby the City funds the supply/installation of a camera at the Beaufort Street/Walcott Street intersection, owns the camera and recoups all of the fines revenue until the camera has been paid off and then hands the camera over to the WA Police on the proviso that it remains at the intersection indefinitely; and
3. RECEIVES further reports on the outcomes of the actions outlined in Clause 2.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to request that the Council approve the recommendations made by the Integrated Transport Advisory Group (ITAG) at its meeting held on 12 September 2013.

BACKGROUND:

The City's ITAG plays an instrumental role in the implementation of road safety improvement initiatives in collaboration with the City's residents. The group considers matters relating to:

- Local Area Traffic Management
- Road Safety
- Sustainable Transport
- Cycling
- Pedestrians

At the ITAG meeting held on 12 September 2013 a number of 'Traffic Management' matters were discussed whereby following discussion a consensus was reached on a possible way forward for each of the matters.

DETAILS:

Richmond Street:

Issue: - Safety at the Richmond/Loftus Street Intersection:

Following continual complaints by some residents in Richmond Street, an overview of the intersection, traffic movements and accident statistics was provided to the group.

The group was advised that a Black Spot submission had been lodged for 2014/2015 for safety improvements at the intersection following a deputation from some local residents. The proposal is for a 'seagull' island on the eastern leg restricting traffic to left in/left out only. The BCR (benefit cost ratio) score was high enough to suggest that it had a good chance of success.

Discussion ensued on the potential impact of the proposal on the other streets and other 'rat running' issues in Barnet, Campsie, Morrision and Emmerson Streets were discussed.

ITAG Recommendation:

Recommend to the Council for 'Approve in Principle' to install a 'Seagull' island as shown on Plan No. 3087-CP-01 and to consult with residents to determine whether there is support for this proposal.

Cowle Street:

Issue: - Speeding Vehicles/Traffic Volume:

Two (2) issues were raised speeding (possible installation of speed humps) and volume of traffic. The traffic and speed data presented was discussed.

Traffic Volume:

The traffic volume is 1,060 vehicles per day. The morning peak traffic (8.00am to 9.00am) is 170 vehicles per hour and the evening peak traffic (5.00pm to 6.00pm) is 97 vehicles per hour.

Due to its geographical location in the road network, even though the street is classified as an access road*, it is obvious that vehicles use Cowle Street as a rat run during the morning peak period to access Charles Street from Fitzgerald Street. While the 5 day average traffic data is comparatively low, the morning peak traffic volume is on the high side (170 vehicles in one hour).

Note: An access road is classified to carry up to 3,000 vehicles per day.

Speed:

The posted speed for Cowle Street is 50 kph. The recorded 85% speed is 55.8 kph therefore there is some justification to implement some traffic calming. Due to the wide carriageway width in Cowle Street, i.e.10.0m, several years ago a 'wider street treatment was implemented in the street mainly with line markings.

ITAG Recommendation:

Undertake community consultation with residents of Cowle Street regarding the installation of planted nibs and a speed hump as shown on attached Plan No. 3085-CP-01.

Eton Street:

Issue: - Speeding vehicles.

As a result of complaints received in the past two (2) 'low profile' speed humps were installed in Eton Street at the top of the hill south of Gill Street. More recent complaints received regarding the speed of vehicles in the street prompted the officers to install vehicle classifiers to determine the speed and volume of traffic using the street.

The results of the classifiers indicate that between Loch Street and Hobart Street the 85% speed is 58.3 kph with a traffic volume of 640 vehicles per day. Between Hobart and Haynes (where requests for traffic calming were received) the 85% speed is 54 kph with a traffic volume of 740 vehicles per day.

It was considered that while the traffic volume for Eton Street is acceptable (it is an Access Road) the speed is 8 and 4 kph above the posted speed.

ITAG Recommendation:

Undertake community consultation with residents in Eton Street regarding the installation of additional speed humps as shown on attached Plan No. 3086-CP-01 and 3086-CP-02.

Barnet Street:

A report on the matter was presented to the Council at its ordinary meeting held on 13 August 2013 where the Council approved the implementation of the proposed traffic calming in principle with two (2) options, one (1) option being the rubber pad and the other option being a low profile speed hump and that the precise treatment chosen to be reported back to the Council for Barnet Street, North Perth estimated to cost \$12,000, as shown on attached Plan No. 3067-CP-02.

This was discussed by ITAG and it was considered that the speed cushion proposal would be the best option for this location as the proposed measures, are effective and relatively inexpensive.

They will ensure that vehicles slow down in the vicinity of the Italian/Australian Child Care Centre with minimal impact on nearby residents due to the proposed locations opposite Charles Veryard Reserve.

ITAG Recommendation:

That the Council authorise the Chief Executive Officer to consult with the residents of Barnet Street on the proposal as shown on Plan No 3067-CP-02

Fitzgerald Street:

Issue: Letter from MRWA (future of the speed cushions):

A letter received from MRWA on 29 August 2013 indicated that the speed on Fitzgerald Street had dropped significantly where the speed cushions have been installed and reducing the severity of potential accidents. However pedestrian accidents have increased as a result in the slower speed as people tend to cross Fitzgerald Street in areas other than designated locations.

It was considered that the issue of vehicles swerving to avoid the speed cushions was more when vehicles change lanes due to parked cars. The type of cushion chosen was to allow buses and wider bodied vehicles to be able to 'straddle' the speed slowing devices.

MRWA have indicated that they are prepared to consider lowering the posted speed along the section of Fitzgerald Street between Burt and Raglan Road subject to the speed cushions remaining in place and the Council formally request the permanent speed reduction.

The proposal to install permanent speed humps was discussed and it was concluded that if this was undertaken traffic data would have to be assessed over a period of time to verify that the lower speeds were maintained.

ITAG Recommendation:

That the Council authorise the Chief Executive Officer to write to MRWA advising that the existing speed cushions will be made permanent and requesting that consideration be given to permanently lowering the posted speed of Fitzgerald Street between Burt Street and Raglan Road to 40 kph.

Intersection of Walcott and Beaufort Streets:

This was previously considered at the ITAG meeting held 17 July 2013 where the group was advised that a local resident, formerly from South Africa, mentioned the existence of a four (4) phase traffic signals cycle commonly used in South Africa that may be appropriate for the Walcott/Beaufort intersection.

Investigations with MRWA and their South African contacts failed to find any information on this matter.

An overview of the traffic data provided by MRWA was presented and the Group discussed the existing right turn bans that operate as per the following:

- Beaufort Street north bound - permanent ban
- The other three (3) legs right turn bans operate:
 - 7.30 - 9.00am Monday – Saturday, and
 - 3.30 – 6.00pm Monday – Friday.

Discussion ensued regarding the numbers of vehicles travelling through the intersection and the potential impact of the proposed bus lane times in Beaufort Street.

ITAG Recommendation:

At the meeting ITAG held on 17 July 2013 it was recommended that In light of the traffic data that the Council is to advise MRWA that the City support starting the morning peak period right turn bans at 7.00am (currently 7.30am).

At the meeting ITAG held on 12 September 2013 it was recommended that the Council authorise the Chief Executive Officer write to the local members requesting that they lobby the WA Police to install a red light camera at the intersection and to also write to the WA Police Commissioner with a proposal that the City pays for the installation of the camera, owns the camera and recoups the fines revenue income until the camera has been paid off and then hands the camera over to the WA Police on the proviso that it remains at the intersection.

CONSULTATION/ADVERTISING:

Residents will be consulted in accordance with the City's consultation policy.

LEGAL/POLICY:

All roads outlined in this report are under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Medium: Excessive speed/volume of traffic on roads has the potential for accidents to occur.

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:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Richmond Street - installation of a 'Seagull' island at the intersection of Richmond Street and Loftus Street: Application for Black spot Funding for 2014/2015 – estimated cost \$25,000.

Cowle Street - installation of planted nibs and a speed hump. Can be funded from the miscellaneous Traffic management budget allocation – estimated cost \$12,000.

Eton Street - installation of additional speed humps. Can be funded from the miscellaneous Traffic management budget allocation – estimated cost \$5,000.

Barnet Street - proposal to install speed humps. To be funded from the 'Traffic calming Charles Veryard Reserve' budget allocation – estimated cost \$12,000.

COMMENTS:

As mentioned above safety issues have presented themselves at the various locations mentioned in the report and it is incumbent on the City to ensure that any identified hazards are rectified in consultation with residents and other stakeholders.

It is therefore recommended that the remedial actions as proposed be supported.

9.2.3 Tender for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths - Tender No. 471/13

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	TEN0481
Attachments:	Nil		
Reporting Officers:	C Economo, Manager Engineering Operations G Dennison, Depot Purchasing Officer R Cribbin, Engineering Depot Technical Officer		
Responsible Officers:	R Lotznicker, Director Technical Services B Tan, Acting Director Corporate Services		

REVISED OFFICER RECOMMENDATION:

~~That the Council ACCEPTS the Tender submitted by Nextside Pty Ltd & Cobblestone Concrete for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths, in accordance with the terms and conditions of Tender No. 471/13.~~

“That the Council ACCEPTS the following in accordance with the specifications as detailed in Tender No. 471/13;

1. the tender submitted by Nextside Pty Ltd as the preferred supplier for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths; and
2. the tenders submitted by Cobblestone Concrete as subsidiary suppliers should West Coast Profilers Pty Ltd Nextside Pty Ltd Pty Ltd be unable to supply.”

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

COUNCIL DECISION ITEM 9.2.3

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council’s approval to award Tender 471/13 for the construction of concrete crossovers and cast in-situ concrete paths.

BACKGROUND:

Tenders for the construction of concrete crossovers and cast in-situ concrete paths for a three (3) year period closed at 2.00 pm on 17 July 2013 and three (3) tenders were received.

The tenders received were by the following companies Nextside Pty Ltd, Cobblestone Concrete and CDJY Pty Ltd.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

DETAILS:

Details of all submissions received for Tender No. 471/13 are as follows. Prices include GST:

Construction of Concrete Crossovers

Description	Nextside \$/m ²	Cobblestone \$/m ²	CDJY \$/m ²
Box out, prepare base, supply all materials and install standard concrete crossover and make good. <ul style="list-style-type: none"> • 100mm thick • 150mm thick • 200mm thick 	\$50.00/m ² \$58.00/m ² \$66.00/m ²	\$68.75/m ² \$76.84/m ² \$84.93/m ²	\$80.00/m ² \$100.00/m ² \$125.00/m ²
Concrete cutting	Inclusive	\$18.00/linear metre	\$12.00 - \$24.00/lm Min \$250 charge
Additional cost for 150mm thick concrete sweeps/wings per crossover at a 1 metre radius	\$100.00/item	\$74.12/item	\$300.00/item
Colour	\$6.00/m ²	\$15.50/m ²	An extra \$5.00 to the above rates
Weekend rates	Sat. – same rate Sun. – Plus \$1500.00 to open plant + 20% m ² rate	See notes 1 & 2 below	\$1000.00 + 20% of half m ² rates

Construction of Concrete Footpaths

Description	Nextside \$/m ²	Cobblestone \$/m ²	CDJY \$/m ²
Path construction (replacement path incorporating removal of existing slab path) <ul style="list-style-type: none"> • Remove slabs, box out/compact, supply all materials for the construction of 100mm thick In-situ concrete footpaths and makes good. 	\$47.50/m ²	\$41.20/m ²	\$80.00/m ²
Reinstatements/Repairs <ul style="list-style-type: none"> • Less than 30m² 	\$51.50/m ² Min Job - \$800.00	\$61.20/m ²	\$100.00/m ²
Cutting concrete or bitumen	Inclusive	\$18/linear metre	\$12.00 - \$24.00/lm Min \$250 charge
Cost per salvaged precast concrete slab to residents in City of Vincent	\$2.00 each	\$4.00 each	\$1.20 each

Note*: Cobblestone

1. Traffic control if supplied by Cobblestone will be charged at quoted rate + 10%
2. Weekend work will incur the additional cost incurred by Cobblestone to complete the job. Quote beforehand.

Note**: CDJY

1. Pricing for traffic management not included in the Price Schedule.

Evaluation:

The tender evaluation was undertaken by Director Technical Services, and Manager Engineering Operations and Depot Purchasing Officer in accordance with the selection criteria as outlined in the tender documentation as follows:

Evaluation Criteria	Weighting	Nextside	Cobblestone	CDJY
Past experience in provision of required services	40%	39.0	39.0	19.0
Contract Price	30%	30.0	26.8	16.0
Organisational Structure / Financial Capacity / Resources	10%	10.0	9.2	6.2
Compliance with tender specification and Health/Safety requirements	15%	14.5	14.0	0
References	5%	5.0	5.0	3.2
TOTAL	100%	98.5	94.0	44.4

Total weighted Score (98.5)	(1st) Nextside
Past experience in provision of required services	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Demonstrated proven experience in undertaking concrete path works for local government.
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Extensive experience in undertaking similar works for 15 local governments and 15 private contractors.
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	All works documented with follow up crews for reticulation repairs/ back fill.
Price Tender	Lowest overall price submitted with Traffic Management inclusive.
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Supervisor / earthworks crew and 3 x Grano crews.
<ul style="list-style-type: none"> • role and credentials of the key persons 	Director 20 years experience, Bookkeeper 20 years, supervisor 12 years experience.
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	17 x grano workers
<ul style="list-style-type: none"> • understanding of the service required 	Plenty Local Government experience
Compliance with tender specification and Health/Safety requirements	Tender complies with OH&S requirements / Health Safety Policy submitted.
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements / submitted.
References	Shane Amus / Manager Civil Works / City of Armadale Nathan Croker/ General Manager/ Croker Construction Alan Coupland Coordinator / Engineer Operations/ City of Rockingham

Total weighted Score (94)	(2nd) Cobblestone
Past experience in provision of required services	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Demonstrated proven experience undertaking concrete path works for local government.
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Experience with 3 local governments
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	Not stated
Price Tender	Second lowest overall price submitted. Extra cost weekend work and traffic management.
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Owner plus 6 x grano workers
<ul style="list-style-type: none"> • role and credentials of the key persons 	Owner 17 experience
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	6 x grano workers
<ul style="list-style-type: none"> • understanding of the service required 	Local government experience with the City of Vincent / Subiaco
Compliance with tender specification and Health/Safety requirements	Tender complies with OH&S/ Policy submitted
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements / submitted
References	David Derwin / Town of Cottesloe Remo Simbaldi / City of Subiaco Charlie Silvestro / Town of Cambridge Tony Gerber / Pindan
Total weighted Score (44.4)	(3rd) CDJY
Past experience in provision of required services	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Relatively new company / no local government experience
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Past experience in the private sector only
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	Not stated
Price Tender	Third lowest price submitted / extra cost traffic management and weekend rates.
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Sub contractors to assist works
<ul style="list-style-type: none"> • role and credentials of the key persons 	Not stated
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	Not stated
<ul style="list-style-type: none"> • understanding of the service required 	No experience
Compliance with tender specification and Health/Safety requirements	Tender does not comply with OH&S requirements
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Tender does not comply with OH&S requirements
References	Leon Messina / WA Polished & Grinded Flooring Jamie Koutsoukous / Clearshield Australia Greg O' Brien & Alice Turnbull P & M Master Plumbing

Officer's comments:

The panel concluded that the tender be awarded jointly to Nextside Pty Ltd and Cobblestone Concrete for Tender 471/13

Nextside Pty Ltd scored higher in the Evaluation Criteria than Cobblestone Concrete but the panel decided to allocate the tender to two (2) suppliers since Cobblestone have provided a good service to the City in the past.

Also due to the City's environment being within close proximity to the CBD area requiring works to be undertaken on weekends, Nextside did not submit extra costs for Saturday works whilst Cobblestone advised they would quote each weekend job on a case by case basis.

This gives operations greater scope to program works outside weekday clearway hours on Primary Distributor Roadways alleviating road congestion.

Having two contractors gives the City greater scope to instigate works when required.

CDJY Ptd Ltd were not considered due to higher rates, less experience and a smaller organisational profile.

CONSULTATION/ADVERTISING

Nil.

LEGAL/POLICY:

The Tender was advertised in accordance with the Local Government Act tender regulations.

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.

(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The service provided as outlined in this tender will be utilised for the construction and maintenance of the City's infrastructure during the 2013/2014 to 2015/2016 financial years.

An amount of \$470,000 has been allocated in the 2013/2014 for the slab path replacement program with either brick paving or cast insitu concrete.

COMMENTS:

The majority of this work is programmed to be undertaken in concrete this financial year.

The panel considers that Nextside Pty Ltd and Cobblestone Concrete be awarded the tender jointly to undertake the works for the City of Vincent.

9.2.4 Tender for Laying of Brick and Concrete Pavers - Tender No. 472/13

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	TEN0481
Attachments:	Nil		
Reporting Officers:	C Economo, Manager Engineering Operations G Dennison, Depot Purchasing Officer R Cribbin, Engineering Depot Technical Officer		
Responsible Officers:	R Lotznicker, Director Technical Services B Tan, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the tender submitted by **A-Line Brickpaving** for the laying of brick/concrete pavers, in accordance with the specifications, as detailed in Tender No. 472/13.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval to award Tender 472/13 for the laying of brick and concrete pavers.

BACKGROUND:

Tenders for the laying of brick and concrete pavers for a three (3) year period closed at 2.00 pm on 17 July 2013 and three (3) tenders were received.

The three (3) tenders received were A-Line Brickpaving, ABM Landscaping and New Age Paving.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

DETAILS:

Details of all submissions received for Tender No. 472/13 are as follows. Prices include GST:

Description	A-Line (\$)	ABM (\$)	New Age (\$)
Laying Patterns: <ul style="list-style-type: none"> 90° herringbone pattern 45° herringbone pattern 400 mm x 400 mm Urban Stone Pavers 	\$13.00/m ² \$14.00/m ² \$15.00/m ²	\$13.00/m ² \$14.00/m ² \$16.00/m ²	\$17.00/m ² \$18.00/m ² \$25.00/m ²
Cutting Pavers: <ul style="list-style-type: none"> To match building and kerbline To match public utility service outlets 	\$10.00/linear metre \$10.00/linear metre	\$10.00/linear metre \$10.00/linear metre	\$10.00/linear metre \$10.00/linear metre
Laying standard concrete Edge bricks on mortar bed (Prep work and concrete to be supplied by contractor)	\$15.00/linear metre	\$14.00/linear metre	\$15.00/linear metre
Reinstatement	\$20.00/m ²	\$21.50/m ²	\$25.00/m ²
Box out/ earthworks and Laying/cutting of brick pavers. Clean up of site. Supply TMP and Traffic Management	\$40.00/m ² plus traffic management as per attachment *	\$40.00/m ²	\$50.00/m ²

Evaluation:

The tender evaluation was undertaken by Manager Engineering Operations, Depot Purchasing Officer and Engineering Depot Technical Officer Engineering, in accordance with the selection criteria as outlined in the tender documentation as follows:

Evaluation Criteria	Weighting	A-Line	ABM	New Age
Past experience in provision of required services	35%	35	35	28.3
Price Tender	30%	30	29.7	24.2
Organisational Structure/ Financial Capacity / Resources	15%	14	15	10
Compliance with tender specification and Health/Safety requirements	10%	10	5.0	4.0
References	10%	10	10	10
TOTAL	100%	99	94.7	76.5

Total weighted score (99)	(1 st) A-Line
Past experience in provision of required services	
<ul style="list-style-type: none"> Experience, expertise and project team 	Demonstrated proven experience undertaking works for the City over the last 20 years. Beaufort Street Upgrade.
<ul style="list-style-type: none"> Past experience and success of similar projects 	Extensive experience in undertaking similar works with other local governments.
<ul style="list-style-type: none"> Demonstrate Quality Assurance 	Quality assured company
Price Tender	Lowest overall price submitted
Organisational Structure/ Financial Capacity / Resources	

<ul style="list-style-type: none"> Capacity to address the range of services required 	Demonstrated capacity documented over past contracts with the City of Vincent.
<ul style="list-style-type: none"> role and credentials of the key persons 	Owner 17 years experience
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	Three brick pavers plus contractors
<ul style="list-style-type: none"> understanding of the service required 	Plenty Local Government experience
Compliance with tender specification and Health/Safety requirements	Tender complies with OH&S requirements / policy submitted
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements / policy submitted
References	Mr Con Economo / City of Vincent Mr Keith Wakeling / Pyramid Construction Mr Lloyd Mckeeman / Lloyd Mckeenan Homes

Total weighted score (94.7)	(2nd) ABM
Past experience in provision of required services	
<ul style="list-style-type: none"> Experience, expertise and project team 	Demonstrated proven experience is extensive in Key projects.
<ul style="list-style-type: none"> Past experience and success of similar projects 	Extensive local government and private experience
<ul style="list-style-type: none"> Demonstrate Quality Assurance 	Not stated
Price Tender	Second lowest overall price submitted
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> Capacity to address the range of services required 	Large company and capacity documented
<ul style="list-style-type: none"> role and credentials of the key persons 	Aaron Trew / Managing Director-Registered Builder Morgan Trew / Finance Manager & OHS Rep-BSc (Sports Science) Plus 6 x Supervisors
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	Very large operation with many crews
<ul style="list-style-type: none"> understanding of the service required 	Comprehensive understanding
Compliance with tender specification and Health/Safety requirements	Tender does not comply with OH&S requirements- No OSH Policy submitted
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	Tender does not comply with OH&S requirements- Minor reference to OH&S
References	Ian Lynch- City of Swan Mark Ferry- Ertech Pty Ltd Mike Welmink – Mundaring Shire

Total weighted score (76.5)	(3rd) New Age
Past experience in provision of required services	
<ul style="list-style-type: none"> Experience, expertise and project team 	Seven (7) years experience only
<ul style="list-style-type: none"> Past experience and success of similar projects 	Not a great deal of experience only works with City of Mandurah and private works
<ul style="list-style-type: none"> Demonstrate Quality Assurance 	Not stated
Price Tender	Third lowest price submitted
Organisational Structure/ Financial Capacity / Resources	

<ul style="list-style-type: none"> Capacity to address the range of services required 	One crew providing brick paving for government, commercial & residential
<ul style="list-style-type: none"> role and credentials of the key persons 	Bogdan Tica / General Manager Zenaida Abrin / Project Engineer John Sinclair / Supervisor
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	one crew / not stated
<ul style="list-style-type: none"> understanding of the service required 	Only works City of Mandurah
Compliance with tender specification and Health/Safety requirements	Tender does comply with OH&S requirements / No policy submitted
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	Tender does not comply with OH&S requirements / No policy submitted
References	Keith Box / Manager Operations- City of Mandurah George Olsen / Western Power Ian / Huntingdale Primary School

Officer's Comments:

The City has undertaken quite a number of medium to large streetscape upgrade projects over the years both for our Capital Works Budget and Recoverable Works for building developers which has involved large areas of paving.

A-Line Brickpaving having scored higher due to price and Health & Safety Policy submitted. ABM Landscaping scored second on pricing, previous experience, organisational structure but no Health and Safety Policy submitted.

New Age Paving was substantially higher in price, health/safety policy was not included and they do not have the relevant experience required or organisational profile to undertake the works required.

The panel decided to award the tender to one (1) supplier A-Line Brickpaving due to the previous excellent service they have provided the City over nineteen (19) years years.

A-Line Brickpaving have provided a very high calibre of workmanship in the past and have concluded all works on the time frame requested by the City of Vincent.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The Tender was advertised in accordance with the Local Government Act tender regulations.

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.

(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The service provided as outlined in this tender will be utilised for the construction and maintenance of the City's infrastructure during the 2013/2014 to 2016/2017 financial years.

COMMENTS:

A-Line Brickpaving is the City's current paving contractor and the company has consistently provided a high level of service in all projects they have undertaken for the City. It is therefore recommended, that the Council accept the tender for the laying of brick/concrete pavers as submitted by A-Line Brickpaving in accordance with the terms and conditions as detailed in Tender No. 472/13.

9.2.5 Tender for Pavement Profiling - Tender No. 473/13

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	TEN0482
Attachments:	Nil		
Reporting Officers:	C Economo, Manager Engineering Operations G Dennison, Depot Purchasing Officer R Cribbin, Depot Technical Officer		
Responsible Officers:	R Lotznicker, Director Technical Services B Tan, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the following in accordance with the specifications as detailed in Tender No. 473/13;

- 1 the tender submitted by West Coast Profilers Pty Ltd as the preferred supplier for Pavement Profiling, and
2. the tenders submitted by W.A. Profiling Pty Ltd and Downer EDI Works Pty Ltd as subsidiary suppliers should West Coast Profilers Pty Ltd be unable to supply.

COUNCIL DECISION ITEM 9.2.5

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval to award Tender 473/13 for Pavement Profiling.

BACKGROUND:

Tenders for the Pavement Profiling for a three (3) year period closed at 2.00 pm on 17 July 2013 and three (3) tenders were received. The prices submitted are to be fixed for a twelve (12) month period. Beyond this period of the contract, in accordance with Terms and Conditions price adjustments for CPI may be negotiated.

DETAILS:

Details of all submissions received for Tender No. 473/13 are as follows. *(all prices exclude GST).*

Pavement Profiling

Profiling	Unit	Downer * \$	WA Profiling** \$	West Coast \$
25mm depth	m ²	\$1.60 (min 3,000m ²)	\$1.70	\$1.50
30mm depth	m ²	\$1.60 (min 3,000m ²)	\$1.80	\$1.50
40mm depth	m ²	\$1.92 (min 2,500m ²)	\$1.90	\$1.50
50mm depth	m ²	\$1.92 (min 2,500m ²)	\$2.00	\$1.68
75mm depth	m ²	\$2.40 (min 2,000m ²)	\$2.10	\$1.68
100mm depth	m ²	\$3.20 (min 1,500m ²)	\$2.30	\$1.87
125mm depth	m ²	\$4.00 (min 1,200m ²)	\$2.40	\$1.87
150mm depth	m ²	\$4.80 (min 1,000m ²)	\$2.60	\$2.24

Large Profilers

Description	Unit	Downer* \$	WA Profiling** \$	West Coast \$
Mobilisation/ demobilisation Fee	Item	2 meter - \$1,320.00	\$550.00	\$660.00
Large Sweeper (Monday to Friday)	Hour	\$159.50 (Min 4 hours)	\$135.00 (Min 4 hours)	\$130.00
Large Sweeper (Weekend Penalty)	Hour	\$176.00 (Min 4 Hours)	20%	20% surcharge

Bobcat, profiler and sweeper

Description	Unit	Downer* \$	WA Profiling** \$	West Coast \$
Mobilisation/ demobilisation Fee	Item	\$250.00 (includes 2 machines)	\$155.00	Gate to Gate
Monday to Friday	Item	Profiler \$145.00/hr Sweeper \$112.00/hr (Min 4 Hours)	\$155.00 (Min 4 Hours)	As per attached schedule
Weekend Penalty	Item	\$35.00/hr/man (Min 4 Hours)	20%	20% surcharge

Truck hire with operator

Description	Unit	Downer* \$	WA Profiling** \$	West Coast \$
6 Wheeler	Hour	\$105.00 (Min 4 Hours)	\$95.00	\$95.00
8 Wheeler	Hour	\$116.00 (Min 4 hours)	\$110.00	\$105.00
Semi Tipper	Hour	\$130.00 (Min 4 hours)	\$125.00	\$130.00
Weekend Penalty		\$35.00/hr/man (Min 4 Hours)	20%	20% surcharge

- * Addendum from Downer EDI Works Pty Ltd: No allowance for Traffic Control in the above rates.
- **Addendum from WA Profiling Pty Ltd: Hourly hire rates for jobs under 500m² submitted or Stand Down.
- No Addendum from West Coast Profilers Pty Ltd to the above rates.

Tender Evaluation:

The tender evaluation was undertaken by the Manager Engineering Operations, Depot Purchasing Officer, Depot Technical Officer in accordance with the selection criteria as outlined in the tender documentation as follows:

Evaluation Criteria	Weighting	West Coast	WA Profiling	Downer EDI
Past experience in provision of required services	35%	35	35	35
Contract Price	30%	30	28.1	27.3
Organisational Structure / Financial Capacity / Resources	15%	15	15	15
Compliance with tender specification and Health/Safety requirements	10%	10	10	10
References	10%	10	10	10
TOTAL	100%	100.0	98.1	97.3

Total weighted score (100)	(1 st) West Coast Profilers
Past experience in provision of required services	
<ul style="list-style-type: none"> Experience, expertise and project team 	Demonstrated proven experience with many Shires and private companies.
<ul style="list-style-type: none"> Past experience and success of similar projects 	Conducted similar works for City of Vincent, City of Stirling and City of Rockingham and others.
<ul style="list-style-type: none"> Demonstrate Quality Assurance 	Quality assured company with A.A.P.A & C.C.F and Main Roads
Price Tender	Lowest price submitted
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> Capacity to address the range of services required 	Demonstrated capacity documented in past project sheets submitted.
<ul style="list-style-type: none"> role and credentials of the key persons 	Chad Komarnycky- Director – 13 years experience with other companies. Christian Joder- General Manager / Engineer – 10 years experience Tony Rule- Operations Manager- 23 years experience
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	Four (4) crews plus machinery required
<ul style="list-style-type: none"> understanding of the service required 	Past track record indicative of requirement of service
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements / Policy submitted
References	Steve Mc Dermott- Operations Manager – Boral Asphalt Ian Foster- Contracts Manager- BGC Asphalt Sina Schroeder- Construction Engineer – City of Stirling

Total weighted Score (98.1)	(2nd) WA Profiling
Past experience in provision of required services	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Demonstrated proven experience with many shires and private companies
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Conducted similar works for City of Vincent, City of Cockburn, City of Gosnells and others.
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	Quality assured company with Bureau Veritas Certification.
Price Tender	Second lowest in price
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Demonstrated capacity documented in past project sheets submitted
<ul style="list-style-type: none"> • role and credentials of the key persons (i.e. formal qualifications and experience) 	Peter Blackburn- Managing Director- 20 years experience Graham Blackburn- C.P.A.- 40 years experience Chris Hansen- Diploma Management- 14 years experience
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	Four(4) crews plus machinery required
<ul style="list-style-type: none"> • understanding of the service required 	Past track record indicative of requirement of service
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements- policy submitted
References	Colin McMillan- Asset Inspection Officer-City of Cockburn Bob Mills- Engineering Maintenance-City of Gosnells Lachlan Buck- Construction Supervisor- City of Fremantle

Total weighted Score (97.3)	(3rd) Downer EDI
Past experience in provision of required services	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Demonstrated proven experience documented in past projects submitted
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Conducted similar work for City of Vincent, City of Stirling & City of Belmont
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	Quality assured company with Bureau Veritas Certification
Price Tender	Third Lowest
Organisational Structure/ Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Demonstrated capacity documented in past projects submitted
<ul style="list-style-type: none"> • role and credentials of the key persons (i.e. formal qualifications and experience) 	Andy Ince-General Manager- 25 years experience Mick Kelly- Business Manager- 25 years experience Eric McSweeney- Project Manager- 10 years experience
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	Four (4) crews plus machinery required

<ul style="list-style-type: none"> • understanding of the service required 	Past track record indicative of requirement of service
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Tender complies with OH&S requirements / policy submitted
References	Joseph Trusso- City of Belmont Emil Tupkovic- City of Stirling Con Economo- City of Vincent

Officers' Comments:

These three (3) companies provided services to the City of Vincent in the 2012/2013 tender for road pavement profiling and all provided an excellent service to the City of Vincent.

When comparing the prices submitted by the three (3) tenderer's and incorporating the pricing into a typical project for weekday work and weekend work West Coast Profilers Pty Ltd scored higher in pricing due to no extra surcharges in addendum's.

All other aspects of the tender submitted by the three (3) companies were in compliance with the Evaluation Criteria requested by the City.

Subsequently being value for money for the City of Vincent, West Coast Profilers Pty Ltd was selected as the primary supplier to this tender.

The other companies were also included in the panel in case West Coast Profilers Pty Ltd cannot supply their services on the time frame requested by the City due to an asphalt contractor also required to follow up on the works or strict compliance of the tender specifications are not adhered.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Tender was advertised in accordance with the Local Government Act tender regulations.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2021* 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.

(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The service provided as outlined in this tender will be utilised for the construction and maintenance of the City's infrastructure during the 2013/2014 to 2016/2017 financial years.

COMMENTS:

It is recommended that the Council accepts the tender submitted by West Coast Profilers Pty Ltd as the preferred supplier for Pavement Profiling, and the tenders submitted by W.A. Profiling Pty Ltd and Downer EDI Works Pty Ltd as subsidiary suppliers should West Coast Profilers Pty Ltd be unable to supply.

9.2.6 Tender for the Supply of Pre Mixed Asphalt and Supply and Laying of Hot mixed Asphalt - Tender No. 470/13

Ward:	Both	Date:	1 October 2013
Precinct:	All	File Ref:	TEN0479
Attachments:	Nil		
Reporting Officers:	C. Economo, Manager Engineering Operations G. Dennison, Depot Purchasing Officer R. Cribbin, Depot Technical Officer		
Responsible Officers:	R. Lotznicker, Director Technical Services B Tan, A/ Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the following tenderer's in accordance with the terms and conditions as detailed in Tender No. 470 /13;

1. **Fulton Hogan Pty Ltd, Asphaltech and Downer EDI Works Pty Ltd for the 'Supply of Pre Mixed Asphalt' and Supply of Hot mixed Asphalt ex plant to be collected by the City; and**
2. **Fulton Hogan Pty Ltd for the 'Supply and Laying of Hot mixed Asphalt' (includes Supply and laying of Dense Graded Hot Mixed Asphalt, Supply and laying of Stone Mastic Asphalt, Supply and laying of Red Hot Mixed Asphalt and Supply and laying of Sami Seal).**

COUNCIL DECISION ITEM 9.2.6

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval to award Tender 470/13 for the Supply of Pre Mixed Asphalt and Supply and Laying of Hot mixed Asphalt.

BACKGROUND:

Tenders for the supply of Pre Mixed Asphalt and Supply and Laying of Hot mixed Asphalt for a three (3) year period closed at 2.00 pm on 17 July 2013 and three (3) tenders were received.

The contract shall not be subject to any adjustment within the first twelve (12) month period. However beyond this period asphalt adjustments may be negotiated based on an increase or decrease in the "World Commodity Index Price" for oil and in accordance with the Contract Terms and Conditions.

DETAILS:

Details of all submissions received are listed below:

Supply of Pre-Mixed Asphalt:

Type	Downer* Collected \$/Tonne	Asphaltech ** Collected \$/Tonne	Fulton Hogan*** Collected \$/Tonne
7mm Coldmix	\$143.00	-	\$155.00
10mm Coldmix	\$143.00	-	\$152.00
7mm Hotmix	\$128.00	\$168.18 Min 8 tonne load	-
10mm Hotmix	\$119.00	\$170.00 Min 8 tonne load	-
14mm Hotmix	\$115.00	\$170.00 Min 8 tonne load	-
Weekend penalty rate	\$1500 per opening \$50 if plant is operating	\$1590/day	\$2500

Supply and laying of Dense Graded Hot mixed Asphalt

Mix Type/Marshall Blow		Downer * \$	Asphaltech ** \$	Fulton Hogan*** \$
7mm 35 Blow	0-25	\$321.35	\$295.00	\$417.50
	26-50	\$264.87	\$229.00	\$275.50
	51-100	\$227.35	\$190.00	\$223.00
	101-200	\$177.82	\$169.00	\$181.30
	201-300	\$174.73	\$168.00	\$163.00
	301-400	\$174.73	\$167.00	\$155.50
	400+	\$174.73	\$166.00	\$155.50
10mm 50 Blow	0-25	\$311.66	\$293.00	\$415.50
	26-50	\$255.17	\$227.00	\$273.50
	51-100	\$217.65	\$188.00	\$221.00
	101-200	\$169.52	\$167.00	\$179.30
	201-300	\$155.75	\$166.00	\$161.00
	301-400	\$155.75	\$165.00	\$153.50
	400+	\$155.75	\$164.00	\$153.50
10mm 75 Blow	0-25	\$311.66	\$292.00	\$410.50
	26-50	\$255.17	\$226.00	\$268.50
	51-100	\$217.65	\$187.00	\$216.00
	101-200	\$169.52	\$166.00	\$174.30
	201-300	\$155.75	\$165.00	\$156.00
	301-400	\$155.75	\$164.00	\$148.50
	400+	\$155.75	\$163.00	\$148.50
14mm 50 Blow	0-25	\$307.34	\$291.00	\$410.50
	26-50	\$250.86	\$225.00	\$268.50
	51-100	\$213.34	\$186.00	\$216.00
	101-200	\$165.21	\$165.00	\$174.30
	201-300	\$151.43	\$164.00	\$156.00
	301-400	\$151.43	\$163.00	\$148.50
	400+	\$151.43	\$162.00	\$148.50
14mm 75 Blow	0-25	\$307.34	\$291.00	\$410.50
	26-50	\$250.86	\$225.00	\$268.50
	51-100	\$213.34	\$186.00	\$216.00
	101-200	\$165.21	\$165.00	\$174.30
	201-300	\$151.43	\$164.00	\$156.00
	301-400	\$151.43	\$163.00	\$148.50
	400+	\$151.43	\$162.00	\$148.50

Weekend & Public Holiday opening – Fee:	See note below	\$2790.00 Sat \$3470.00 Sun \$3970.00 Public Holiday	\$4500.00 (includes labour rates for crew and plant fee)
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Note 1: 7mm/35 Blow means the mix comprises of a 7mm aggregate size (Granite) and 35 blow equates to the required compaction for the voids/bitumen ratio.

Supply of Hot mixed Asphalt ex plant to be collected by the City

Mix Type	Marshall Blow	Downer * \$	Asphaltech** \$	Fulton Hogan*** \$
7mm	35 Blow	\$128.00	\$138.18	\$133.00
10mm	35 Blow	\$119.00	\$140.00	\$133.00
	50 Blow	\$119.00	\$140.00	\$129.00
14mm	50 Blow	\$115.00	\$142.00	\$129.00
	75 Blow	\$115.00	\$142.00	\$129.00

Supply and laying of Stone Mastic Asphalt (SMA)

Mix Type/job size tonnes	Downer* \$/Tonne	Asphaltech** \$/Tonne	Fulton Hogan*** \$/Tonne
SMA7	0-25	\$606.02	\$441.00
	26-50	\$408.60	\$299.00
	51-100	\$244.59	\$246.50
	101-200	\$199.85	\$204.80
	201-300	\$207.46	\$186.50
	301-400	\$207.46	\$179.00
	400+	\$207.46	\$179.00
SMA10	0-25	\$606.02	\$432.00
	26-50	\$408.60	\$290.00
	51-100	\$244.59	\$237.50
	101-200	\$199.85	\$195.80
	201-300	\$207.46	\$177.50
	301-400	\$207.46	\$170.00
	400+	\$207.46	\$170.00
SMA14	0-25	\$606.02	\$432.00
	26-50	\$408.60	\$290.00
	51-100	\$244.59	\$237.50
	101-200	\$199.85	\$195.80
	201-300	\$207.46	\$177.50
	301-400	\$207.46	\$170.00
	400+	\$207.46	\$170.00

Supply and laying of Red (gravel pave) Hot mixed Asphalt

Mix Type/job size tonnes	Downer* \$/Tonne	Asphaltech** \$/Tonne	Fulton Hogan*** \$/Tonne
10mm	0-25	\$407.65	\$438.50
	26-50	\$297.20	\$296.50
	51-100	\$259.68	\$244.00
	101-200	\$222.55	\$203.30
	201-300	\$222.55	\$184.00
	301-400	\$222.55	\$176.50
	400+	\$222.55	\$176.50
12mm *	0-25	\$403.34	\$438.50
	26-50	\$332.41	\$296.50
	51-100	\$255.37	\$244.00
	101-200	\$218.23	\$202.30
	201-300	\$218.23	\$184.00
	301-400	\$218.23	\$176.50
	400+	\$218.23	\$176.50

Note; Fulton / Hogan includes 1 % oxide in the above price.

Supply and lay 'Sami Seal'

Aggregate size		Downer* Job size \$/m ²	Asphaltech** Job size \$/m ²	Fulton Hogan*** Job size \$/m ²
7mm	0-500	\$57.26	To be negotiated	\$35.50
	500-1000	\$27.70		\$22.35
	1000-2000	\$13.44		\$10.75
	2000-3000	\$10.41		\$7.65
	3000+	\$8.14		\$6.15
10mm	0-500	\$57.81		\$35.65
	500-1000	\$29.35		\$22.50
	1000-2000	\$13.99		\$10.95
	2000-3000	\$10.96		\$7.80
	3000+	\$8.69		\$6.30

Addendums: Downer

Note: Rates submitted by Downer for Traffic Management below.

Item	Unit	Rate
Preparation and development of TMP	Each	\$808.27
Provide Traffic control Crew 2 person 1 Ute	Hour	\$131.87
Provide Traffic control Crew 4 person 2 ute	Hour	\$263.73
Extra Over to tonnage rate for work completed during weekends	Each	\$5946.44
Extra over to tonnage rate for work completed during nightshift	Each	\$7,365.43
Extra over to tonnage rate for restricted working hours (site availability less than 8 hours per shift)	Hour	\$756.27
Rate for Skidsteer Broom (Minimum 4 hours per shift)	Hour	\$98.61

Addendums: Asphaltech

Sami- Seal to be negotiated, no prices submitted.

- 1 Prices are subject to rise and fall as follows:
 - (a) CPI Adjustment
 - (b) Variable bitumen pricing
2. The cost of traffic management is the responsibility of the City of Vincent.

Addendums: Fulton Hogan:

Additional traffic controllers - \$56.90/hour each Monday to Friday.

Tender Evaluation:

The tender evaluation was undertaken by Manager Engineering Operations, Depot Purchasing Officer, Depot Technical Officer in accordance with the selection criteria as outlined in the tender documentation as follows:

Evaluation Criteria	Weighting	Asphaltech	Downer EDI	Fulton Hogan
Demonstrated previous experience in the provision of similar projects/works	30%	30	30	30
Contract price	30%	28.9	26.8	30
Organisational Structure / Financial Capacity / Resources	30%	30	30	30
Compliance with tender specification and Health/Safety requirements	5%	4.5	4.5	5
References	5%	5	5	5
TOTAL	100%	98.4	96.3	100

Total weighted Score (100%)	(1st) Fulton Hogan
Demonstrated previous experience in the provision of similar projects/works	
<ul style="list-style-type: none"> Experience, expertise and project team 	Highly professional delivering plenty of expertise in asphalt works.
<ul style="list-style-type: none"> Past experience and success of similar projects 	Numerous Local government tenders, supplying excellent works for the City of Vincent for 9 years, Perth Airport works and private contractors.
<ul style="list-style-type: none"> Demonstrate Quality Assurance 	ISO AS/NZS 9001: 2008(Quality) ISO AS/ NZS) 14001:2004 (Environmental) ISO AS/NZS 4801:2001 (Safety) NATA accredited laboratory for asphalt and raw material testing.
Contract price	Scored best for type of works undertaken by the City of Vincent.
Organisational Structure / Financial Capacity / Resources	
<ul style="list-style-type: none"> Capacity to address the range of services required 	Have an asphalt plant, crews and machinery to undertake required works.
<ul style="list-style-type: none"> role and credentials of the key persons 	Extensive wide range of Engineers, Laboratory personal, Safety and Environmental staff.
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	Have quite a few asphalt crews and contractors available.
<ul style="list-style-type: none"> understanding of the service required 	Plenty of experience in Local government requirements.
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	Has won the AAPA award for Health & Safety and all polices included. ISO AS/ NZS 4801:2001 (Safety)

References	Tony Cullinane- Laboratory Manager- Pavement Technology & Main Roads. Ron Hunter- Works Manager – City of Canning Con Economo- Works Manager- City of Vincent
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Total weighted Score (98.4%)	(2nd) Asphalttech
Demonstrated previous experience in the provision of similar projects/works	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Extensive professional experience in asphalt works.
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Numerous Local Government tenders with major achievements.
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	ISO 9001:2008 (Quality) ISO AS/ NZS 4801:2001(Safety) ISO 14001:2004 (Environmental) NATA Certification.
Contract price	Scored second on projects undertaken by the City of Vincent.
Organisational Structure / Financial Capacity / Resources	
<ul style="list-style-type: none"> • Capacity to address the range of services required 	Have asphalt plant, crews and machinery to undertake required works.
<ul style="list-style-type: none"> • role and credentials of the key persons 	Extensive wide range of Engineers and other support staff.
<ul style="list-style-type: none"> • ongoing availability to provide sufficient skilled persons 	Have quite a few asphalt crews and contractors available.
<ul style="list-style-type: none"> • understanding of the service required 	Plenty of experience in Local Government requirements.
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> • Demonstrate capacity to adhere to all Australian H&S standards. 	Health & Safety Policy statement only. No policy attached but do have ISO AS/NZS 4801:2001 Safety
References	City of Bayswater – Steve Scott- Senior Works Coordinator City of Stirling- Alex Berezovski- Works Engineer City of Joondalup- Michael Whidborne- Operations Coordinator

Total weighted Score (96.3%)	(3rd) Downer EDI
Demonstrated previous experience in the provision of similar projects/works	
<ul style="list-style-type: none"> • Experience, expertise and project team 	Extensive professional experience in asphalt works
<ul style="list-style-type: none"> • Past experience and success of similar projects 	Extensive Local Government tenders
<ul style="list-style-type: none"> • Demonstrate Quality Assurance 	AS/NZS ISO 9001:2008 (Quality) AS/NZS 4801:2001 (Safety) AS/NZS ISO 14001:2004 (Environmental) NATA Accredited Laboratory with MRWA &AS test methods.

Contract price	Scored third on projects undertaken by City of Vincent.
Organisational Structure / Financial Capacity / Resources	
<ul style="list-style-type: none"> Capacity to address the range of services required 	Have asphalt plant, crews and machinery to undertake required works.
<ul style="list-style-type: none"> role and credentials of the key persons 	Credentialed staff to undertake required works.
<ul style="list-style-type: none"> ongoing availability to provide sufficient skilled persons 	Have sufficient asphalt crews to undertake required works.
<ul style="list-style-type: none"> understanding of the service required 	Plenty of experience in Local Government requirements.
Compliance with tender specification and Health/Safety requirements	
<ul style="list-style-type: none"> Demonstrate capacity to adhere to all Australian H&S standards. 	No policy attached but do have AS/NZS 4801:2001
References	Yadwinder Hunjan- Contract Manager- City of Perth Paul Campbell- Operations Manager- Downer Muchell Brigitte Napier- Contracts Manager- City of Melville

Officer's comments:

It is considered that all three (3) tenderer's are more than capable of providing the City with the requirements of the tender and this is reflected in the tender evaluation.

The City's current contractor is Fulton Hogan Pty Ltd (previously known a Pioneer Road Services PL) and they have provided an excellent service over the last nine (9) years to the City of Vincent.

When comparing the tendered prices for the most common products and quantities used by the City, Fulton Hogan has submitted the most competitive tender price.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The Tender was advertised in accordance with the Local Government Act tender regulations.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2021* 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.

(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

SUSTAINABILITY IMPLICATIONS:

This product is used predominantly to maintain/upgrade the City's roads, Right of Ways and car park assets to an acceptable level of service.

FINANCIAL/BUDGET IMPLICATIONS:

The service provided as outlined in this tender will be utilised for the construction and maintenance of the City's infrastructure during the 2013/2014 to 2016/2017 financial years.

COMMENTS:

The quantity of hot mixed Asphalt used annually is in the order of approximately 4,000 tonnes, with the majority of projects being in the 50 tonne (plus) category.

The City also carries out red asphalt overlays in streetscapes and traffic management projects and predominantly uses Stone Mastic Asphalt (SMA,) and dense graded asphalt applications on road resurfacing projects.

All three (3) tenderers are more than capable of providing the City with the requirements of the tender, however, Fulton Hogan submitted the most competitive tender for the supply and laying of asphalt in all categories including supply and laying of Dense Grade, Sami- Seal, Red Asphalt and Stone Mastic Asphalt (S.M.A.) and they have provided a very good service to the City for over the last nine years.

The City has also found that the quality of asphalt provided by Fulton Hogan in the past has been of a very high standard.

It is therefore recommended that the tender for the "Supply and Laying of Hot mixed Asphalt - Tender No. 470/13 ", be awarded to Fulton Hogan Pty Ltd.

The City only uses a small quantity of premixed "cold mix" per annum, and approximately 300 tonnes of premixed hot mixed asphalt.

It is also recommended all three (3) tenderer's Fulton Hogan, Downer and Asphaltech be awarded the tender for the "Supply of Premixed Asphalt – Tender No. 470/13" utilised by the City's works crews on a day to day basis.

9.3.1 Financial Statements as at 31 August 2013

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	FIN0026
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	B Wong, A/Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	B Tan, A/Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the **Financial Statements** for the month ended 31 August 2013 as shown in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(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 August 2013.

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 August 2013:

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 or 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	46-50
12.	Monthly Financial Positions Graph	51-53

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 9.3.1.

3. Statement of Financial Activity by Programme Report

Operating Revenue excluding Rates

YTD Actual	\$4,151,850
YTD Revised Budget	\$4,188,680
YTD Variance	(\$36,830)
Full Year Budget	\$28,176,497

Summary Comments:

The total operating revenue is currently 99% of the year to date Budget estimate.

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

General Purpose Funding – 35% under budget;
 Governance – 999% over budget;
 Law, Order, Public Safety – 89% under budget;
 Health – 21% under budget;
 Education and Welfare – 2% under budget;
 Community Amenities – 3% under budget;
 Recreation and Culture – 30% over budget;
 Transport – 3% over budget;
 Economic Services – 7% under budget;
 Other Property and Services – 26 over budget; and
 General Administration (Allocated) – 119% over budget.

Operating Expenditure

YTD Actual	\$7,405,950
YTD Revised Budget	\$7,669,065
YTD Variance	\$263,115
Full Year Budget	\$48,927,550

Summary Comments:

The total operating expenditure is currently 97% of the year to date Budget estimate.

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

General Purpose Funding – 8% under budget;
 Governance – 23% under budget;
 Law and Order – 13% under budget;
 Health – 24% under budget;
 Education and Welfare – 30% under budget;
 Community Amenities – 9% under budget;
 Recreation and Culture – 1% over budget;
 Transport – 1% under budget;
 Economic Services – 3% over budget;
 Other Property & Services – 23% over budget; and
 General Administration (Allocated) – 123% 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	\$3,213,553
YTD Revised Budget	\$4,061,699
Variance	(\$848,146)
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 \$36,526,133 and non-current assets of \$205,421,719 for total assets of \$241,947,852.

The current liabilities amount to \$10,883,394 and non-current liabilities of \$19,400,907 for the total liabilities of \$30,284,301.

The net asset of the City or Equity is \$211,663,551.

7. Net Current Funding Position

	31 August 2013 YTD Actual \$
Current Assets	
Cash at Bank	11,373,475
Cash Restricted	8,589,016
Receivables – Rates and Waste	12,459,795
Receivables – Others	3,848,395
Inventories	217,031
	36,487,712
Less: Current Liabilities	
Trade and Other Payables	(7,310,095)
Provisions	(2,646,098)
	(9,956,193)
Less: Restricted Cash Reserves	(8,589,016)
Net Current Funding Position	17,942,503

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.

	Budget	Year to date Revised Budget	Actual to Date	%
Furniture & Equipment	\$201,750	\$3,832	\$0	0%
Plant & Equipment	\$3,269,666	\$57,500	\$3,800	7%
Land & Building	\$1,229,000	\$109,500	\$86,956	79%
Infrastructure	\$12,198,585	\$1,391,760	\$460,420	33%
Total	\$16,899,001	\$1,562,592	\$551,176	35%

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 9.3.1.

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 August 2013 is \$8.5m. The balance as at 31 August 2012 was \$17.2m.

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 \$924,614 is outstanding at the end of August 2013.

Out of the total debt, \$320,234 (34.6%) 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)	\$10.00 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 August 2013 including deferred rates was \$10,679,253 which represents 41.28% of the outstanding collectable income compared to 41.69% at the same time last year.

12. Beatty Park Leisure Centre – Financial Position Report

As at 31 August 2013 the operating deficit for the Centre was \$256,209 in comparison to the year to date budgeted deficit of \$578,021.

The cash position showed a current cash deficit of \$128,155 in comparison year to date budget estimate of a cash deficit of \$481,349. The cash position is calculated by adding back depreciation to the 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.

9.4.2 Barefaced Stories Workshop and Event

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	CMS0057
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts and Creativity J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES** the proposed Barefaced Stories Workshop and Event with a total budget of \$10,000.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

To develop and deliver a creative workshop and spoken word event for the City as part of the Arts programme.

BACKGROUND:

Barefaced Stories started in 2010 and is Perth's exciting regular storytelling series. Each storyteller takes the stage in turn with nothing but their true life tales - some humorous, some sad, and some downright perverse. It has a monthly residency at The Bird small bar in Northbridge and the events are often sold out. Barefaced Stories is honest, risk-taking, refreshing entertainment that hits the spot!

At the Arts Advisory Group Meeting held on 3 July 2013, the idea was tabled and after discussing the concept, the Group wished to pursue the workshops.

DETAILS:

In the Barefaced Stories Workshop, participants will discover the fundamentals of true storytelling as performance under the guidance of improviser and comedian, and Barefaced co-creator Andrea Gibbs. Participants will learn to dig inside their own life to find humorous and relatable material to turn into entertaining stories that can be told in front of an audience. All attendees will leave with a short performance piece or personal essay at the end of the series of workshops.

Comedian and co-creator of Barefaced Stories, Andrea Gibbs, will help participants develop and deliver stories ready for the stage. Participants will learn basic elements of storytelling including point of view, character, stage presence, confidence and most importantly finding the truth in the tale.

The workshop will be open to performers and non-performers who reside or work in the City. The workshops will consist of a series of three separate workshops with three hours duration. It is intended that this workshop is done as a series by the same participants so as to get the best performance and story skills. The maximum number for the workshop is twelve (12) participants. Depending on interest and registration numbers, it is proposed that another series of workshops will run with another set of twelve (12) participants.

The location for the workshops is proposed to be at Lazy Susan's Comedy Den, located upstairs at The Brisbane Hotel.

At the end of the workshops, a Barefaced Stories event will be held giving the participants the opportunity to test their newfound skills, and the public to enjoy some local stories. This event will be open to the community to attend and will be held at a venue within the City to be confirmed.

CONSULTATION/ADVERTISING:

This event will be promoted in local newspapers, websites, social media, poster and flyer distribution, and network databases.

LEGAL/POLICY:

Policy No. 3.8.3 – 'Concerts and Events'.

RISK MANAGEMENT IMPLICATIONS:

Moderate: Low level of risk. It is an indoor event, on licensed premises, with limited capacity.

STRATEGIC IMPLICATIONS:

The City of Vincent 'Plan for the Future'; *Strategic Plan 2011 – 2016*, Objective 3 states:

"Community Development and Wellbeing

3.1: *Enhance and Promote Community Development and Wellbeing:*

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The estimated budget for the workshop and event is as follows:

Workshop & Event Costs	Estimated Cost
Workshop 1	\$2,000
Workshop 2 (upon demand)	\$2,000
Workshop materials	\$100
Venue hire	\$500
Workshop Refreshments	\$200
Graphic Design and Printing	\$1,200
Distribution and Advertising	\$1,500
Barefaced Story final spoken word event costs	\$2,500
TOTAL ESTIMATE	\$10,000

COMMENTS:

Barefaced Stories workshop and event would be a great opportunity to encourage the art spoken word and public speaking in our community, and a chance to be entertained and hear some local stories. It is a great opportunity to help foster and grow an art appreciative community in the City of Vincent, by providing an entertaining and interactive event for all.

9.4.4 Closed Circuit Television (CCTV) Implementation and Grant Funding, Results of Community Consultation and Current Status – Progress Report No. 1

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	FIN0129
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	M Wood, A/Manager Ranger and Community Safety Services; B Albonetti, A/Coordinator Safer Vincent		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Progress Report No. 1 concerning the City’s current status of CCTV implementation and recent grant funding;
2. **NOTES** the results of consultation and that no further comments were received in preparation of the Draft CCTV Strategic Plan 2013-2018;
3. **ADOPTS** the City of Vincent CCTV Strategic Plan 2013-2018;
4. **REQUESTS** that a further progress report be submitted to the Council upon completion of the latest grant from the National Crime Prevention Fund; and
5. **LISTS FOR CONSIDERATION** an amount of \$13,000 in the Draft Budget 2014/2015 as the City’s co-contribution to maintenance of the CCTV systems established.

COUNCIL DECISION ITEM 9.4.4

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Pintabona was an apology for the Meeting.)

Additional Information:

In relation to the Australian Government National Crime Prevention Fund grant for CCTV of \$200,000, the City has recently been advised that this funding is on hold. The Attorney-General's Department has notified the City that the drafted funding agreement from the previous Federal Government is in abeyance at this stage, until the new Federal Government works through the arrangements in implementing their commitments. The City has also been advised to not make any financial commitments until the Funding Agreement has been signed, and that it will be notified once financial arrangements have been confirmed with the Minister and Attorney-General, Hon. Senator George Brandis QC. The Acting Coordinator Safer Vincent is keeping in close contact with the Attorney General’s Department on any further developments.

PURPOSE OF REPORT:

The purpose of this report is to update Council on the results of community consultation for the Draft CCTV Strategic Plan 2013-2018, progress and current status of Closed Circuit Television (CCTV) implementation and grant funding, along with seeking provision of maintenance funding required for cameras.

BACKGROUND:

At the Ordinary Meeting of Council held on 9 April 2013, the Council approved the following:

"That the Council;

1. *AUTHORISES the Chief Executive Officer to undertake community consultation for a period of twenty-one (21) days, to establish whether the proposed strategy meets the needs and expectations of the community, with respect to CCTV coverage in the City of Vincent;*
2. *LISTS FOR CONSIDERATION the inclusion of \$130,000 in the City of Vincent Draft Budget 2013/2014 to progress the CCTV Network, being year 1 of 5; and*
3. *NOTES that;*
 - 3.1 *a further report will be submitted to the Council, after the conclusion of the public consultation period; and*
 - 3.2 *subject to review of Oxford Street, Leederville, William Street, Perth, Fitzgerald Street, North Perth and Mount Hawthorn Town Centre, to the approval of the Strategic Plan, the City will apply for grants to assist in the implementation of the CCTV."*

DETAILS:

The City of Vincent CCTV Strategy was first developed in 2010 when the City of Vincent, aided by a grant from the then Office of Crime Prevention (now WA Police), obtained 8 CCTV cameras and installed them in a number of locations in Leederville. In 2013, the City is now into its second stage in developing a more extensive CCTV system, with 47 cameras installed in Beaufort Street, in the suburbs of Perth, Highgate and Mount Lawley. This was to a large extent funded through a 'Criminal Proceeds of Crime' grant from the WA State Government, Attorney General Department, although the City of Vincent has also provided funding.

The Implementation Plan for CCTV coverage in Beaufort Street, from Walcott Street to Newcastle Street, is now underway and will be completed before 1 November 2013. Commissioning of the Beaufort Street Network will begin when the City's CCTV contractor, in conjunction with telecommunications providers, overcome transmission problems and are currently in the process of rectifying issues related to 'Live Viewing' footage. Commissioning of the CCTV cameras will run for a period of 3 months. The City's appointed CCTV contractor has recently installed the CCTV program on relevant Officers work stations at the City of Vincent administration, in line with WA Police protocols and standards for cameras.

In May 2013 the City submitted a grant application for \$488,800 to the Australian Government National Crime Prevention Fund for the City's Closed-Circuit Television Strategy 2013-2018 project, with the aim to identify, reduce and prevent graffiti, billposting, antisocial behaviour, street prostitution and kerb crawlers. The City was successful in obtaining \$200,000. As the City was not successful in obtaining the whole amount (\$488,000), to cover the remainder of identified camera priority areas according to its strategy, the CCTV implementation will be installed to offer the maximum coverage with highest priority areas installed first.

The City has five (5) identified priority locations, in order of priority; Oxford Street - Leederville, Stirling Street and adjoining Streets - Highgate, William Street - Perth, Fitzgerald Street - North Perth and Oxford Street - Mount Hawthorn. For areas that cameras cannot be covered with the latest funding, these will be subject to further grant funding where possible.

A summary of grant funding secured thus far by the City of Vincent is detailed in the below table;

Year	Funding Body	Cameras and Location	Grant amount
2009	Office of Crime Prevention (now WA Police)	8 x Leederville cameras	\$88,000
2012/2013	'Criminal Proceeds of Crime' grant from the WA State Government, Attorney General Department	47 x cameras installed in Beaufort Street, in the suburbs of Perth, Highgate and Mount Lawley	\$188,000
2013/2014	Australian Government National Crime Prevention Fund	No. of cameras to be determined and installed in area of priority as identified in CCTV Strategy in locations in order of identified priority	\$200,000
Total		55 x cameras	\$476,000

It should be noted that in all CCTV implementation thus far, key stakeholders in the community have been involved and are integral to CCTV's ongoing effectiveness in tackling crime. This has included WA Police in utilising their expertise in identifying effective CCTV locations and hotspots and businesses to obtain their cooperation to install cameras on shop fronts, along with broader community input into camera locations and areas of need.

CONSULTATION/ADVERTISING:

Residents, business and members of the public were invited to comment on the proposed new strategy. The City advertised the CCTV Strategy for comment for a period of 21 days on its website/ Facebook page and on in *the Guardian* Newspaper on 16 July 2013 until 6 August 2013. No comments were received.

A recent survey conducted in the City however, in conjunction with the Beaufort Street Network and through our own Facebook page, received positive feedback to the question posed- 'How effective do you think CCTV will be in reducing crime?' Sixty percent (60%) of respondents indicated they believed that the CCTV would be very effective in reducing crime. A copy of a positive post on the City of Vincent Facebook page is included below:



Ongoing Maintenance

Recently the City has encountered issues with its wireless link in its Leederville system that has cost the City \$1,440 to repair. The cameras are also experiencing usual wear and tear and, as identified in the Draft CCTV Strategy 2013-2018, require regular maintenance at an annual operating cost of \$13,000 that is outside of grant funding allocation, with this cost needing to be borne by the City. This maintenance figure relates to programmed maintenance of 4 quarterly visits to carry out:

- Cleaning of all cameras and mounts checked for security;
- Cameras viewed live to correct alignment;
- Cameras recordings reviewed for quality and sensitivity to motion;
- Recording servers inspected and software and manufacturer updates applied;
- Reviewing of Servers disk management and recording durations checked;
- Camera firmware updates applied;
- System health checks; and
- Written reports of findings and recommendations.

As further cameras are added these figures may need to be reviewed for future budget allocations.

LEGAL/POLICY:

Policy No. 3.9.12 – Closed Circuit Television (CCTV). There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS:

High: There is a risk that if the expansion of the existing CCTV Network is not managed in a strategic manner, the City may not get the best value for money, and will not be able to effectively manage crime, graffiti and anti social behaviour. It is also essential that the City maintain its CCTV network to required WA Police high standards and community expectation. Having the CCTV system fail would not be acceptable in the case of a serious incident occurring and footage not being able to be provided.

STRATEGIC IMPLICATIONS:

This aligns with the City of Vincent *Strategic Plan 2011 – 2016*, where Objective 1.1.4 states:

“Enhance and maintain the City’s infrastructure, assets and community facilities to provide a safe, sustainable and functional environment”.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The City of Vincent Safer Vincent area has been successful in obtaining \$476,000 in external grant funding for CCTV cameras. The current complement of cameras is fifty five (55) and as identified in the Draft CCTV Strategy 2013-2018, requires regular maintenance at an estimated annual operating cost of \$13,000.

COMMENTS:

This report outlines all progress and the status of the City's comprehensive CCTV Strategy and implementation thus far. The City has eight (8) cameras already installed in Leederville and is in its final stages of completing the CCTV installation along Beaufort Street. This will add a further forty-seven (47) CCTV cameras to its existing network and will be expanding more cameras with the \$200,000 recently granted to the City, to manage the future expansion of CCTV network in the City.

Whilst no further comments were received in preparation of the Draft CCTV Strategic Plan 2013-2018, residents and businesses in surveys conducted thus far, have been overwhelmingly supportive of the City's efforts in the installation of cameras as an effective crime prevention tool.

The City has been well placed to seek and obtain grant funding for its CCTV network with \$472,000 of grant funding from various funding bodies obtained so far. Grant funding will be continue to be sought; though it is noted that this cannot always be relied upon, as grant funding is often once off and sometimes not offered recurrently.

The provision of ongoing maintenance for cameras in future Draft Budgets as identified in the Draft CCTV Strategy 2013-2018, is an essential component of operating the City's growing CCTV system to ensure it continues to run smoothly and to required WA Police standards and community expectation.

This report is recommended for approval.

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	27 September 2013
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **NOTES** the use of the Council's Common Seal on the documents listed in the report, for the month of September 2013.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Pintabona was an apology for the Meeting.)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
18/09/2013	Withdrawal of Caveat	2	City of Vincent and HWL Ebsworth Lawyers, Level 11, 167 St Georges Terrace, Perth WA 6000 re: No. 118 Richmond Street, Leederville - Removal of a Caveat relating to Plate Height - <i>To satisfy Condition (3) of the Western Australian Planning Commission Permit for the Strata Subdivision (Ref: 1347-02) - June 2003</i>
19/09/2013	Removal of Modification of Notification under Section 70A	2	City of Vincent and M A Coletti of 51 Pennant Street, North Perth re: No. 51 (Lot: 4 STR: 59516) Pennant Street, North Perth - Removal of Section 70 Notification relating to Single Bedroom Dwellings - <i>Conditional Approval granted at Ordinary Meeting of Council held on 16 December 2008</i>
25/09/2013	Notification under Section 70A	1	City of Vincent and Goldlabel Corporation Pty Ltd of Unit 5, 25 Harris Road, Malaga re: No. 145 (Lot 349) Walcott Street, Mount Lawley - <i>To satisfy Condition (xiii) of Delegated Approval issued 27 July 2013</i>

9.5.2 Information Bulletin

Ward:	-	Date:	27 September 2013
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 27 September 2013, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Pintabona was an apology for the Meeting.)

DETAILS:

The items included in the Information Bulletin dated 27 September 2013 are as follows:

ITEM	DESCRIPTION
IB01	Letter from Department of Fire & Emergency Services regarding State Emergency Management Plan – Westplan Fire
IB02	Letter from the Hon Tony Simpson MLA, Minister for Local Government; Community Services; Seniors and Volunteering; Youth
IB03	Unconfirmed Minutes of the Design Advisory Committee held on 4 September 2013
IB04	WALGA Minutes of Special Meeting of State Council held on 25 September 2013
IB05	Register of Petitions – Progress Report – October 2013
IB06	Register of Notices of Motion – Progress Report – October 2013
IB07	Register of Reports to be Actioned – Progress Report – October 2013
IB08	Register of Legal Action (Confidential – Council Members Only) – Monthly Report (October 2013)
IB09	Register of Orders and Notices Issued Under the Building Act 2011 and Health Act 1911 (Confidential – Council Members Only) – Quarterly Report (October 2013)
IB10	Register of State Administrative Tribunal Appeals – Progress Report – As at 26 September 2013
IB11	Register of Applications Referred to the Design Advisory Committee – October 2013
IB12	Register of Applications Referred to the MetroWest Development Assessment Panel – 24 January 2013 - Current
IB13	Forum Notes – 17 September 2013
IB14	Notice of Forum – 15 October 2013

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Cr Joshua Topelberg – Supports the designation of a "5 minute pick up or set down only" car bay on Oxford Street

**ITEM WITHDRAWN BY THE PROPOSER OF THE MOTION –
CR TOPELBERG**

That the Council;

1. Supports the designation of a "5 minute pick up or set down only" car bay on Oxford Street, as shown in the attached diagram No 3087-CP-01; and
2. The bay is to be fee free, consistent with all short term bays in the city.

10.2 NOTICE OF MOTION: Cr Dudley Maier Rescission Motion to Change an Item Concerning Some Of The Areas That Are Coded R80 and the impact the Residential Design Codes

That the Council;

1. NOTES that at the Ordinary Meeting of Council held on 27 August 2013 (Item 9.1.6) in Clause 3 it resolved (in part);

"That the Council;

3. ADVISES affected residents and property owners of the above decision and seeks comment if they would also support a down-zoning of their area to R50;"
2. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25(1)(e) of the Local Government Act 1995, three Elected Members, namely Councillors Maier, Pintabona and Topelberg, being one third of the number of offices of members of the Council, SUPPORT this motion to change the Council decision;
3. Councillor Maier MOVES a motion to CHANGE the decision by amending Clause 3 (as above); and
4. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25(1)(e) of the Local Government Act 1995 the Council APPROVES BY AN ABSOLUTE MAJORITY that Clause 3 be amended to read 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.

COUNCIL DECISION ITEM 10.2

Moved Cr Maier, Seconded Cr Buckels

That the motion be adopted.

Debate ensued.

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

(Cr Pintabona was an apology for the Meeting.)

9.1.1 Nos. 231-233 (Lot: 100 D/P: 74591) Bulwer Street, corner Lake Street, Perth – Proposed Change of Use from Office, Warehouse and Showroom to Office, Warehouse and Shop

Ward:	South	Date:	27 September 2013
Precinct:	Hyde Park; P12	File Ref:	PRO0650; 5.2013.153.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant Justification		
Tabled Items:	Nil		
Reporting Officer:	D Bothwell, Planning Officer (Statutory)		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Urban and Rural Perspectives on behalf of the owner, Diamond Oaks 1977 Pty Ltd for Proposed Change of Use from Office, Warehouse and Showroom to Office, Warehouse and Shop at No. 231-233 (Lot: 100 D/P: 39280) Bulwer Street, corner Lake Street, Perth, and as shown on plans stamp-dated 17 June 2013, subject to the following conditions:

1. Doors, windows and adjacent floor areas facing Bulwer Street and Lake Street shall maintain active and interactive relationships with these streets;
2. The maximum gross floor areas shall be limited as follows:
 - 2.1 Office - 587.92 square metres;
 - 2.2 Warehouse - 144.47 square metres;
 - 2.3 Shop - 94.53 square metres;
3. WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:
 - 3.1 Pay a cash-in-lieu contribution of \$39,250 for the equivalent value of 7.85 car parking spaces, based on the cost of \$5,000 per bay as set out in the City's 2013/2014 Budget; OR
 - 3.2 Lodge an appropriate assurance bond/bank guarantee of a value of \$39,250 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:
 - 3.2.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or
 - 3.2.2 To the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
 - 3.2.3 To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

4. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:**

4.1 **Car Parking**

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

4.2 **Bicycle Parking Facilities**

Three (3) class one or two bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility; and

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

ADVICE NOTES:

1. With regards to condition 2, any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
3. 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 Bulwer Street and Lake Street;
4. Any new street/front wall, fence and gate within the Bulwer Street and Lake Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences; and
5. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Buckels, Seconded Cr Wilcox

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-2)

For: Acting Mayor Cr Warren McGrath, Cr Carey, Cr Harley, Cr Topelberg and Cr Wilcox

Against: Cr Buckels and Cr Maier

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The application is referred to Council as the car parking shortfall exceeds 5 car bays. In addition, the application is seeking to extend a non-conforming use and as such must apply for and obtain the planning approval of the Council under the Scheme.

BACKGROUND:

Date	Comment
25 May 1988	The City of Perth granted planning approval for an office, warehouse, showroom and ancillary sewing/cutting business at the subject property.
26 June 1995	The Council at its meeting granted conditional approval for fifteen grouped dwellings and three commercial tenancies.
20 November 2012	The Council at its Ordinary Meeting resolved to acknowledge that the property has non-conforming use right for office, warehouse and showroom purposes.

DETAILS:

The application is for a change of use from office, warehouse and showroom to office, warehouse and shop.

Landowner:	Diamond Oaks 1977 Pty Ltd
Applicant:	Urban and Rural Perspectives
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R80
Existing Land Use:	Office, Warehouse and Showroom
Use Class:	Office, Warehouse and Shop
Use Classification:	"SA", "non-conforming use" and "SA"
Lot Area:	948 square metres
Right of Way:	3.6 metres in width, sealed

ASSESSMENT:

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

Issue/Design Element:	Commercial Development on Buffer Sites
Requirement:	Development Guidelines for Commercial and Mixed Use Developments Policy No. 3.5.12 Clause 7.1 The City will only consider a full commercial land use on a buffer site, where the existing building is to be retained.
Applicants Proposal:	The subject site is not on a buffer site.
Performance Criteria:	Not applicable.
Applicant justification summary:	The subject land currently enjoys a non-conforming use right for warehouse and showroom. As such the site is currently being used for commercial purposes, therefore the matter regarding the buffer site is considered inappropriate at this stage.
Officer technical comment:	The proposed office, warehouse and shop are considered to be supportable in this instance, as the subject site functions similar to that of a buffer site. The subject site comprises an office, warehouse and showroom, which are also listed on the City's Non-Conforming Use Register, as NCU No. 33. Buffer sites permit uses which are of a low scale, low intensity and comprise interactive uses which may serve the day-to-day needs of the local resident population, which can generate pedestrian traffic and surveillance of the street.

Issue/Design Element:	Commercial Development on Buffer Sites
	<p>It is considered that the proposed office, warehouse and shop are of a small scale and low intensity, which provides a service that meets the needs of the local residents. It is also noted that the office and warehouse are uses which have previously been approved by the City for the subject site, with the predominant change being the use of showroom to shop.</p> <p>As the proposal retains the existing building, with minor changes to the internal of building, it does not interrupt the existing amenity of the locality. In light of the above the proposed change of use still retains both the character of the building and the locality.</p>
Issue/Design Element:	On-site Parking
Requirement:	Parking and Access Policy No. 3.7.1 17.85 car bays
Applicants Proposal:	10 car bays – Proposed shortfall of 7.85 car bays
Performance Criteria:	Not applicable.
Applicant justification summary:	The existing commercial development does not currently comprise any on-site parking. Furthermore, the road reserves abutting the subject land contain ample on-street car parking to assist with any car parking demand that maybe generated by the uses on the subject land.
Officer technical comment:	<p>Supported. Clause 11 “Cash-in-lieu” of the City’s Policy No. 3.7.1 states:</p> <p><i>“This policy provision is not to be seen to be replacing the developer’s responsibility to provide on-site parking, but rather as a mechanism to enable otherwise desirable developments, for which the full amount of parking cannot be provided on site, to proceed. The provision of an adequate supply of parking is the intent of this provision and, as such, the following matters apply:</i></p> <ul style="list-style-type: none"> <i>i) cash-in-lieu provisions are only to be permitted in localities where the City already provides off-street public car parking which has spare capacity, or the City is proposing to provide or is able to provide a public car park (including enhanced or additional on-street car parking where appropriate) in the near future, within 400 metres of the subject development;</i> <i>ii) cash-in-lieu contributions may comprise all or part of the shortfall in onsite parking proposed for a development;”</i> <p>It is considered in this instance that the proposed 7.85 car parking shortfall for the proposed office, warehouse and shop does not replace the developer’s responsibility to provide car parking as there is currently ten (10) car bays provided on-site. As stated in Clause 11 (above), cash-in-lieu is able to be considered where the full amount of car parking required cannot be provided for a development; as the proposal relates to a change of use to an existing building which comprises a portion of the car parking bays, it is considered to be in keeping with the Clause 11 of the City’s Policy No. 3.7.1 relating to Parking and Access.</p>

Issue/Design Element:	On-site Parking
	<p>Further to the above, Clause 22 "Minimum Parking Requirements" of the City's Policy No. 3.7.1 states:</p> <p><i>"In determining whether the proposed development should be refused on car parking grounds, the following percentages should be used as a guide:</i></p> <p><i>ii) If the total requirement (after adjustment factors have been taken into account) is between 11 - 40 bays, a minimum of 15 per cent of the required bays is to be provided."</i></p> <p>As the proposed office, warehouse and shop requires 17.85 car bays, Clause 22 ii) of the City's Policy No. 3.7.1 is applicable. In accordance with Clause 22 ii) a minimum of 2.68 car bays are to be provided on-site for the proposed office, warehouse and shop for cash-in-lieu to be considered. As the development comprises ten (10) car bays being provided (being 56.02 percent of the required bays) with the shortfall being 7.85 car bays, the proposed variation is able to be supported in this instance subject to the payment of cash-in-lieu.</p>

Issue/Design Element:	On-site Parking
Requirement:	Parking and Access Policy No. 3.7.1 Class one or two: 3 bicycle spaces
Applicants Proposal:	2 bicycle spaces
Performance Criteria:	Not applicable.
Applicant justification summary:	Not provided
Officer technical comment:	It is a condition of approval that three (3) bicycle spaces are provided in accordance with the City's Policy No. 3.7.1 relating to Parking and Access.

Car Parking	
Car parking requirement (nearest whole number):	21 car bays
<ul style="list-style-type: none"> • Office – 1 space per 50 square metres of gross floor area Gross Floor Area: 587.92 square metres = 11.76 car bays • Warehouse – 3 spaces for the first 200 square metres of gross floor area and thereafter 1 space per 100 square metres of gross floor area or part thereof Gross floor area: 144.47 square metres = 3 car bays • Retail Premise Shop – 1 space per 15 square metres of gross floor area Gross Floor Area: 94.53 square metres = 6.3 car bays 	
Total = 21.06 car bays	
Apply the adjustment factors.	(0.85)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop/station) 	= 17.85 car bays
Minus the car parking provided on-site	10 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	7.85 car bays

Bicycle Parking

Office (Gross Floor Area: 587.92 square metres):

- 1 space per 200 square metres gross floor area (class 1 or 2) = 2.94 spaces
- 1 space per 750 square metres over 1000 square metres (class 3) = Nil

Retail Premise – Shop (Gross Floor Area: 94.53 square metres):

- 1 space per 300 square metres gross floor area (class 1 or 2) = 0.32 spaces
- 1 space per 200 square metres (class 3) = 0.47 spaces

Required

Class 1 or 2: 3.26 spaces = 3 spaces

Class 3: 0.47 spaces = Nil

Provided

2 spaces

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	1 August 2013 – 21 August 2013
Comments Received:	Nil

Design Advisory Committee:

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- City of Vincent Town Planning Scheme No. 1;
- Hyde Park Precinct Policy No. 3.1.12;
- Parking and Access Policy No. 3.7.1; and
- Development Guidelines for Commercial and Mixed Use Developments Policy No. 3.5.12.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"Natural and Built Environment

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

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

Economic Development

2.1 *Progress economic development with adequate financial resources*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

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

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

ENVIRONMENTAL	
Issue	Comment
The proposal uses an existing building for the proposed office, warehouse and showroom land uses.	

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

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

FINANCIAL/BUDGET IMPLICATIONS:

NIL

COMMENTS AND CONCLUSION:

The subject site comprises an office, warehouse and showroom, which are also listed on the City's Non-Conforming Use Register, as NCU No. 33. The proposed uses are a continuation of an existing non-conforming use that has been dealt with under the provisions of Clause 16 of the Scheme and advertised in accordance with Clause 37 of the Scheme.

It is considered that the proposed office, warehouse and shop are of a small scale and low intensity, which provides a service that meets the needs of local residents. It is to be noted that the office and warehouse are uses which have been previously approved for the subject property, with the predominant change being the use of showroom to shop.

With regard to car parking, the provision of 10 on-site car bays is considered to be a significant improvement on the nil on-site car bays for the existing uses provided on-site. As the development comprises ten (10) car bays being provided (being 56.02 percent of the required bays) with a shortfall being 7.85 car bays (being 43.98 percent of the required car bays); the proposed variation is able to be supported in this instance subject to the payment of cash-in-lieu.

Accordingly, it is recommended the application be approved subject to standard and appropriate conditions and advice notes.

9.1.2 Amendment No. 85 to Planning and Building Policy Manual – Rescission of Existing Policy Nos. 3.7.1, 3.7.2, 3.7.3 and 3.4.4 and Final Adoption of New Policy No. 3.7.1 relating to Parking and Access

Ward:	Both Wards	Date:	27 September 2013
Precinct:	All Precincts	File Ref:	PLA0199
Attachments:	001 – New Policy No. 3.7.1 relating to Parking and Access 002 – Summary of Submissions		
Tabled Items:	003 – Existing Policy No. 3.7.1 relating to Parking and Access 004 – Existing Policy No. 3.7.2 relating to Loading and Unloading 005 – Existing Policy No. 3.7.3 relating to Car Stacking Systems 006 – Existing Policy No. 3.4.4 relating to Vehicle Access to Dwellings via a Right of Way		
Reporting Officer:	D Mrdja, Acting Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the new Policy No. 3.7.1 – Parking and Access, as shown in Appendix 9.1.2 (Attachment 001);
2. **RESCINDS** the following Policies as Tabled and shown in electronic Attachment 003, 004, 005 and 006 respectively:
 - 2.1 **No. 3.7.1** relating to Parking and Access;
 - 2.2 **No. 3.7.2** relating to Loading and Unloading;
 - 2.3 **No. 3.7.3** relating to Car Stacking Systems; and
 - 2.4 **No. 3.4.4** relating to Vehicle Access to Dwellings via a Right-of-Way; and
3. **AUTHORISES** the Chief Executive Officer to advertise the new Policy No. 3.7.1 - Parking Access and the rescission of existing Policies Nos. 3.7.1, 3.7.2, 3.7.3 and 3.4.4, in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

The Presiding Member ruled that he would consider each of Cr Maier's proposed amendments separately.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Buckels

"That Clause 1 be amended as follows:

1. **ADOPTS** the new Policy No. 3.7.1 – Parking and Access as shown in Appendix 9.1.2 (Attachment 001), subject to the following amendments:
 - 1.1 The last sentence of clause 1.4 be amended to state "This total number, after subtracting the existing parking that is provided on site...";

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 2

Moved Cr Maier, Seconded Cr Buckels

“That Clause 1.2 be amended as follows:

1.2 The car parking requirements for an ‘Eating House’ be amended to ‘1 bay per 5 persons (based on persons approved for the site)’;

Debate ensued.

AMENDMENT 2 PUT AND CARRIED (4-3)

For: Cr Buckels, Cr Maier, Cr Topelberg and Cr Wilcox

Against: Acting Mayor Cr McGrath, Cr Carey and Cr Harley

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 3

Moved Cr Maier, Seconded Cr Carey

“That Clause 1.3 be amended as follows:

“1.3 Clause 2.4 relating to ‘Car Parking Shortfall in New Buildings’ being reinstated into the policy; and”

Debate ensued.

Cr Carey departed the Chamber at 6.55pm.

Debate ensued.

Cr Carey returned to the Chamber at 6.57pm.

Debate ensued.

The Mover, Cr Maier advised that *he* wished to *change his* amendment and *reword it*, The Seconder, Cr Carey agreed.

“1.3 Clause 2.4 relating to ‘Car Parking Shortfall in New Buildings with a two year stipulation’ being reinstated into the policy; and”

AMENDMENT 3 PUT AND LOST (2-5)

For: Cr Carey and Cr Maier

Against: Acting Mayor Cr McGrath, Cr Harley, Cr Buckels, Cr Topelberg and Cr Wilcox

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 4

Moved Cr Carey, Seconded Cr Topelberg

“That Clause 1.3 be amended as follows:

“1.3 Clause 2.4 relating to ‘Car Parking Shortfall in New Buildings with a twelve month stipulation’ being reinstated into the policy; and”

Debate ensued.

AMENDMENT 4 PUT AND LOST (3-4)

For: Cr Carey, Cr Harley and Cr Maier

Against: Acting Mayor Cr McGrath, Cr Buckels, Cr Topelberg and Cr Wilcox

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 5

Moved Cr Maier, Seconded Cr Topelberg

“That Clause 1.4 be amended as follows:

Table 5: Maximum Number of Car Parking Bays

Car Parking Requirement taking into account Clauses 1.3 and 1.5 (After Adjustment Factors “Adjusted Parking Requirement *)”	Maximum Surplus (Percentage of the Car Parking Requirement)
0-15.99 car bays	Maximum surplus of 50% of car parking requirement
16-30.99 car bays	Maximum surplus of 40% of car parking requirement
31-45.99 car bays	Maximum surplus of 30% of car parking requirement
46-99.99 car bays	Maximum surplus of 20% of car parking requirement
100+ car bays	Maximum surplus of 10% of car parking requirement

*Parking Requirement taking into account Clauses 1.3 and 1.5.

Debate ensued.

AMENDMENT 5 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 6

Moved Cr Topelberg, Seconded Cr Harley

“That Clause 3.2 in the Parking Policy be deleted as follows:

~~3.2 Where there is a surplus of car parking after the minimum commercial and residential parking requirements have been met, at least 50 percent of the surplus is to be allocated to the commercial component.”~~

Debate ensued.

AMENDMENT 6 PUT AND CARRIED (5-2)

For: Acting Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Topelberg and Cr Wilcox
Against: Cr Carey and Cr Maier

(Cr Pintabona was an apology for the Meeting.)

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

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.2

That the Council;

1. **ADOPTS** the new Policy No. 3.7.1 – Parking and Access as shown in Appendix 9.1.2 (Attachment 001), subject to the following amendments:

1.1 The last sentence of clause 1.4 be amended to state “This total number, after subtracting the existing parking that is provided on site;

1.2 The car parking requirements for an ‘Eating House’ be amended to 1 bay per 5 persons (based on persons approved for the site);

1.3 Table 5: Maximum Number of Car Parking Bays

Car Parking Requirement taking into account Clauses 1.3 and 1.5 (“Adjusted Parking Requirement **”)	Maximum Surplus (Percentage of the Car Parking Requirement)
0-15.99 car bays	Maximum surplus of 50% of car parking requirement
16-30.99 car bays	Maximum surplus of 40% of car parking requirement
31-45.99 car bays	Maximum surplus of 30% of car parking requirement
46-99.99 car bays	Maximum surplus of 20% of car parking requirement
100+ car bays	Maximum surplus of 10% of car parking requirement

*Parking Requirement taking into account Clauses 1.3 and 1.5.

1.4 That Clause 3.2 in the Parking Policy be deleted as follows:.

~~3.2 Where there is a surplus of car parking after the minimum commercial and residential parking requirements have been met, at least 50 percent of the surplus is to be allocated to the commercial component.”;~~

2. **RESCINDS** the following Policies as Tabled and shown in electronic Attachment 003, 004, 005 and 006 respectively:

2.1 No. 3.7.1 relating to Parking and Access;

2.2 No. 3.7.2 relating to Loading and Unloading;

2.3 No. 3.7.3 relating to Car Stacking Systems; and

2.4 No. 3.4.4 relating to Vehicle Access to Dwellings via a Right-of-Way; and

3. **AUTHORISES** the Chief Executive Officer to advertise the new Policy No. 3.7.1 - Parking Access and the rescission of existing Policies Nos. 3.7.1, 3.7.2, 3.7.3 and 3.4.4, in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1.

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the re-advertising period of the City’s new consolidated Policy No. 3.7.1 – Parking and Access, and the rescission of:

- Policy No. 3.7.1 relating to Parking and Access;
- Policy No. 3.7.2 relating to Loading and Unloading;
- Policy No. 3.7.3 relating to Car Stacking Systems; and
- Policy No. 3.4.4 relating to Vehicle Access to Dwellings via a Right-of-Way.

BACKGROUND:

The City of Vincent Draft Town Planning Scheme No. 2 (TPS No. 2) and Local Planning Strategy (LPS) were endorsed by the Council at the Ordinary Meeting held on 20 December 2011. These documents, along with the draft Precinct Policies were sent to the Department of Planning on 23 December 2011 in order for them to give the City consent to advertise the TPS No. 2 and LPS. As a part of the scheme review process, the City's Officers are also reviewing the Planning and Building Policy Manual. The proposed rescission of the abovementioned policies and the preparation of a new consolidated policy titled Parking and Access forms part of this review process to streamline the existing Policies.

In addition, a key recommendation of the City's Car Parking Strategy was to modify the existing local planning framework relating to car parking to encourage alternative transport options and align the City's parking policy framework for developments with best practice.

History:

Policy No. 3.7.1 relating to Parking and Access

Date	Comment
27 March 2001	The Council at its Ordinary Meeting resolved to adopt the Planning and Building Policy Manual, which included the adoption of Policy No. 3.7.1 relating to Parking and Access.
20 November 2001	The Council at its Ordinary Meeting resolved to adopt Amendment No. 1 to the Planning and Building Policy Manual which included a minor amendment to Policy No. 3.7.1 relating to Parking and Access.
24 September 2002	As a result of the Council adopting the original Car Parking Strategy at its Ordinary Meeting held on 12 February 2002, some amendments to Policy No. 3.7.1 were required. Therefore, the Council at its Ordinary Meeting held on 24 September 2002 resolved to adopt Amendment No. 6 to the Planning and Building Policy Manual.
26 October 2004	The Council at its Ordinary Meeting resolved to adopt Amendment No. 10 to the Planning and Building Policy Manual which included amendments to Policy No. 3.7.1 relating to Parking and Access. These amendments included the amendment of the car parking ratio for Club Premises, Hall, Hotel, Nightclub, Place of Assembly and Tavern and the addition of the definition of 'Public Floor Area'.
23 May 2006	The Council at its Ordinary Meeting resolved to adopt Amendment No. 21 to the Planning and Building Policy Manual which included amendments to Policy No. 3.7.1 relating to Parking and Access. This amendment related to provisions for cash-in-lieu for car parking.
12 August 2008	The Council at its Ordinary Meeting resolved to adopt Amendment No. 52 to the Planning and Building Policy Manual which included minor amendments to Policy No. 3.7.1 relating to Parking and Access. This amendment was for the addition of a Small Bar land use parking ratio.
9 March 2010	The Council at its Ordinary Meeting resolved to adopt an amended Car Parking Strategy and associated Parking Precinct Management Plans.
11 May 2010	The Council at its Ordinary Meeting resolved to adopt a Car Parking Strategy Implementation Plan which included the requirement to amend the City's Parking & Access Policy No. 3.7.1.

Policy No. 3.7.2 relating to Loading and Unloading

Date	Comment
27 March 2001	The Council at its Ordinary Meeting resolved to adopt the Planning and Building Policy Manual, which included the adoption of Policy No. 3.7.2 relating to Loading and Unloading.

Policy No. 3.7.3 relating to Car Stacking Systems

Date	Comment
14 April 2009	The Council at its Ordinary Meeting resolved to adopt the Policy No. 3.7.1 relating to Car Stacking Systems.

Policy No. 3.4.4 relating to Vehicle Access to Dwellings via a Right-of-way

Date	Comment
27 March 2001	The Council at its Ordinary Meeting resolved to adopt the Planning and Building Policy Manual, which included the adoption of Policy No. 3.7.2 relating to Vehicle Access to Dwellings via a Right-of-way.

Previous Reports to Council:

This matter was previously reported to the Council on 26 March 2013 and on 23 July 2013.

Date	Comment
26 March 2013	The Council at its Ordinary Meeting resolved to advertise Policy Amendment No. 85 relating to the adoption of a new draft Policy No. 3.7.1 – Parking and Access and the rescission of existing Policy No's. 3.7.1 – Parking and Access, 3.7.2 – Loading and Unloading, 3.7.3 – Car Stacking Systems and 3.4.4 – Vehicle Access to Dwellings via a Right-of-Way.
23 July 2013	As a result of the advertising of the policy endorsed by Council at its Ordinary Meeting held on 26 March 2013, the Officers recommended that the Council adopted an amended policy. Due to the significant number of changes proposed by the Officers, the Council resolved to readvertise the draft policy.

The Minutes of Item 9.1.10 from the Ordinary Meeting of Council held on 26 March 2013 and the Minutes of Item 9.1.4 from the Ordinary Meeting of Council held on 23 July 2013, is available on the City's website at the following link:

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

DETAILS:

In accordance with the resolution from the Ordinary Meeting of Council held 23 July 2013, the draft new Policy and rescission of Policies were advertised between 13 August 2013 and 10 September 2013.

Proposed Amendments to Draft Policy

The following table outlines the proposed amendments that have been made to the draft policy that was advertised. A majority of these amendments have been made due to concerns and queries raised by the community and Government Authorities, however, a number of amendments are also due to further discussions with the City's Officers and a further review of the provisions.

Clause	Proposed Amendment
Clause 1.2 – Commercial Development	<p>Table 1 of the policy outlines all the requirements for car parking for specific land uses. At the Ordinary Meeting of Council held on 23 July 2013, there was a discussion regarding bicycle parking for small bars and taverns and the need for this. It appears that there is an error in clause 1.24 of the Minutes of the Meeting, which amend the car parking requirements for small bars to 1 bay per 50 square metres. The amendment should have been for bicycle parking. In light of this, the City's Officers are proposing to revert back to the original proposed policy so that the car parking requirements for a small bar are 1 bay per 5 persons approved for the site.</p> <p>A further amendment has been to the parking requirements for a recreational facility as suggested by a community member during advertising. Given that Health Services issue a maximum accommodation certificate for these venues, the number of persons is restricted for the premises, in the same way it is restricted for a licensed premises. In light of this, it is proposed that the parking requirements for a recreational facility be amended from 1 bay per 30 square metres of gross floor area to 1 bay per 4 persons approved for the premises.</p>
Clause 1.3 – Car Parking Adjustment Factors	<p>In the 'Adjustment Factor' column of table 2 an additional or and adjustment has been added for adjustment 7B for further clarification. No change to the intent or purpose is proposed.</p>
Clause 2.2.3	<p>An amendment was moved by the Council on 23 July 2013 to add in "(signatory to Form 1)" as the party entering into the agreement regarding the payment of cash-in-lieu. It is proposed to delete this and amend to "applicant/owner" as it has always been the City's position that it is up to the owner and tenant of a property on who pays the cash-in-lieu.</p>
Clause 2.4 – Car Parking Shortfalls in New Buildings	<p>The City's Officers are proposing to delete this clause given the heavy restriction it places on new buildings. This clause restricts the ability of Council to consider applications for a change of use on its own merits. The City has received a number of objections relating to the inclusion of this clause and the City's Officers support this.</p>
Clause 3.2 – Allocation of Car Parking in a Mixed Use Development	<p>This clause states that in a mixed use development, the car parking is to be allocated so that the commercial car parking requirement is compliant initially and then the remainder can be allocated to the residential car parking in accordance with the minimum standards. The clause does not cater for those developments where there is a surplus of car parking once both the commercial and residential requirements have been met. Due to this, an additional part is proposed to state that "<i>where there is a surplus of car parking after the minimum commercial and residential parking requirements have been met, at least 50 percent of the surplus is to be allocated to the commercial component.</i>" The reason for this is the City's Officers are often finding that where there is a surplus, developers will give the remaining car bays to the residential component, mainly due to financial reasons. However, realistically it's the commercial component that needs the parking more. In light of this, the proposal for at least half of the surplus to be given to the commercial component is not considered unreasonable.</p>

Clause	Proposed Amendment
Clause 5.1 – Commercial Bicycle Parking Requirements	Table 7 of the policy outlines all the requirements for bicycle parking for specific land uses. At the Ordinary Meeting of Council held on 23 July 2013, there was a discussion regarding bicycle parking for small bars and taverns and the need for this. It appears that the Minutes of the Meeting do not include any amendments relating to this and this is may be an error. In light of this, the City’s Officers propose that bicycle parking for small bars be required at the rate of 1 bay per 20 persons approved for the site. This is the same requirement for Halls, Club Premises and Place of Worship.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Policy Amendment No. 85 was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1.

Consultation Period: 28 days, 13 August 2013 – 10 September 2013.

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, the City’s Business E-News Newsletter, other inner-city Local Councils, the City’s Parking Consultants, local developers and planning consultants, the Western Australian Planning Commission, and other appropriate government agencies as determined by the City of Vincent.

Summary of Submissions

A total of 9 submissions were received during the four week consultation period as follows:

Government Authority Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Comment	4	57%
No Comment	3	43%
Total	7	100%

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	1	50%
Comment	1	50%
No Comment	-	-
Total	9	100%

Total Submissions Received

Position	Number Received	Percentage
Support	-	-
Object	1	11%
Comment	5	56%
No Comment	3	33%
Total	9	100%

Summary of Major Concerns Raised

- Clause 3.2 – Allocation of Parking in a Mixed Use Development

Concerns:

The submission states that the given that most areas with the City are in Location A, in some cases the R Codes only requires 0.75 bays per dwelling, which overall equals to less than 1 bay per apartment and providing less than 1 bay per apartment is not possible in Perth's current market.

The submission also states that the requirements given in the R Codes are a minimum standard and it is inappropriate for the City to consider these as a maximum standard. *"If a developer chooses to provide additional bays at their own expense they should be permitted to designate them as they see fit, so long as an excessive amount of bays are not provided."*

Officer Comment:

The Council introduced this clause as on a number of occasions the designation of car bays was always in favour of the residential component as the developers were of the view that they would just 'pay the cash-in-lieu'. In reality there is a shortfall of non-residential car parking bays within the City and especially in the areas where mixed-use developments are likely to occur.

The City is not suggesting that the no more bays than the minimum residential requirement be proposed, it is suggesting that the commercial component must firstly comply, then the residential bays can be allocated.

An additional part to this clause has been added as the current clause does not cater for those developments where there is a surplus of car parking once both the commercial and residential requirements have been met. Due to this, an additional part is proposed to state that *"where there is a surplus of car parking after the minimum commercial and residential parking requirements have been met, at least 50 percent of the surplus is to be allocated to the commercial component."* The reason for this is the City's Officers are often finding that where there is a surplus, developers will give the remaining car bays to the residential component, mainly due to financial reasons. However, realistically it's the commercial component that needs the parking more. In light of this, the proposal for at least half of the surplus to be given to the commercial component is not considered unreasonable.

Clause 2.4 – Car Parking Shortfall in New Buildings

Concerns:

This clause is highly inappropriate as it fetters the ability of Council to consider an application for change of use on its own merits. The clause will seriously hamper the ability of developers to lease or sell commercial units and ignores the simple fact that when applications for planning approval are sought, in the vast majority of instance the developer has no idea what business each of the tenancies would eventually attract... Additionally this clause would result in a very negative impact on the City, as it would result in tenancies being vacant for much longer periods of time (which creates an unattractive and 'dead' streetscape) and may result in a large amount of office tenancies, which provide low level interaction with the street when compared with other commercial uses.

Officer Comments:

The City's Officers are proposing to delete this clause given the heavy restriction it places on new buildings. This clause restricts the ability of Council to consider applications for a change of use on its own merits.

- Amend Parking Requirements for Recreational Facilities

Concerns:

An amendment to the car parking requirement for gyms/fitness centres/yoga studios is required. This should be based on the amount of people, not square metres.

Officer Comments:

Given that Health Services issue a maximum accommodation certificate for these venues, the number of persons is restricted for the premises, in the same way it is restricted for a licensed premises. In light of this, it is proposed that the parking requirements for a recreational facility be amended from 1 bay per 30 square metres of gross floor area to 1 bay per 4 persons approved for the premises.

- Separate Parking for Staff and Customers

Concerns:

There should be commercial parking requirements for staff and customers separately for specific land uses.

Officer Comments:

The City's have considered this on a number of occasions and concluded that this becomes too hard monitor and determine whether a staff member or a customer is using the bay. Furthermore, in some instances there maybe 1 or 2 car bays located off a right of way at the rear of a commercial building and the only access to the car bays is through the non-public areas of the business. In these instances it is very unlikely that a customer would use these bays so there would not be much point in saying that at least 1 of them be used by for the customers.

LEGAL/POLICY:

The following legal/policy documents are relevant to this report:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- Residential Design Codes of Western Australia;
- City of Vincent Car Parking Strategy; and
- City of Vincent Precinct Parking Management Plans.

RISK MANAGEMENT IMPLICATIONS:

Low: The development requirements outlined in the new Parking and Access policy are predominantly derived from the City's four (4) existing policies relating to parking. Given these policies have been in effect for a considerable period of time, the consolidated policy is considered relatively low risk. Further, as the City's proposed new Parking and Access Policy is to be read in conjunction with Australian Standard 2890.1 and Residential Design Codes, its requirements are not standalone, further lowering risk.

STRATEGIC IMPLICATIONS:

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

“Improve and Maintain the Environment and Infrastructure:

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

SUSTAINABILITY IMPLICATIONS:

It is considered that the proposed amendment and rescission of existing policies support a more sustainable approach to reduce vehicles and promote a mix of other transport modes and shared parking initiatives.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for advertising of the Policies will be incurred under the following budgeted item:

'Town Planning Scheme Amendments and Policies'

Budget Amount:	\$73,000
Spent to Date:	<u>\$ 3,542</u>
Balance:	\$69,458

COMMENTS:

Consolidating the City's existing Policy Nos. 3.7.1, 3.7.2, 3.7.3 and 3.4.4 into the proposed new Policy No. 3.7.1 relating to Parking and Access will provide an all encompassing Policy that will guide the development of car and bicycle parking facilities to a standard expected by the City and the broader community.

In light of the above, it is recommended that the Council finalise the adoption of the proposed new Policy No. 3.7.1 relating to Parking and Access and the rescission of existing Policy Nos. 3.7.1 relating to Parking and Access; No. 3.7.2 relating to Loading and Unloading Areas; Policy No. 3.7.3 relating to Car Stacking Systems; and No. 3.4.4 relating to Vehicle Access to Dwellings via a Right-of-Way in accordance with the Officer Recommendation.

9.1.3 Amendment No. 100 to Planning and Policy Policies – Policy No. 3.4.8 relating to Development Guidelines for Multiple Dwellings

Ward:	Both wards	Date:	27 September 2013
Precinct:	All precincts	File Ref:	PLA0247
Attachments:	001 – Policy No. 3.2.8 – Development Guidelines for Multiple Dwellings 002 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	J O'Keefe, Senior Planning Officer (Strategic)		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the new Policy No. 3.4.8 – Development Guidelines for Multiple Dwellings as shown in Appendix 9.1.3; and
2. **AUTHORISES** the Chief Executive Officer to advertise the new Policy No. 3.4.8 - Development Guidelines for Multiple Dwellings in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Topelberg

“That Clause 1 is amended as follows:

1. **ADOPTS** the new Policy No. 3.4.8 – Development Guidelines for Multiple Dwellings as shown in Appendix 9.1.3, **subject to the following amendments:**

“**1.1 Clause 2.2 be amended to state “In addition to the provisions which apply to developments adjoining properties coded below R60 and which are identified in Clause 2.3, heights are to be in accordance with the following”;**

Debate ensued.

Cr Harley departed the Chamber at 7.09pm.

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Pintabona was an apology for the Meeting.)

(Cr Harley was absent from the Chamber and did not vote.)

AMENDMENT 2

Moved Cr Maier, Seconded Cr Carey

“That Clause 1.2 be amended as follows:

“1.2 Removal of “plus loft” from Clauses 2.2.1 – 2.2.5;

Debate ensued.

AMENDMENT 2 PUT AND CARRIED (5-1)

For: Acting Mayor Cr McGrath, Cr Carey, Cr Maier, Cr Topelberg and Cr Wilcox
Against: Cr Buckels

(Cr Pintabona was an apology for the Meeting.)
(Cr Harley was absent from the Chamber and did not vote.)

AMENDMENT 3

Moved Cr Maier, Seconded Cr Carey

“That Clause 1.4 be amended as follows:

1.4 Clause 2.4.1 be amended to state “For land zoned Residential, the primary and secondary street setback is to be in accordance with the City’s Policy No. 3.2.1, relating to Residential Design Elements”;

AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Pintabona was an apology for the Meeting.)
(Cr Harley was absent from the Chamber and did not vote.)

AMENDMENT 4

Moved Cr Maier, Seconded Cr Topelberg

“That Clause 1.5 be amended as follows:

1.5 Clause C6.3 renumbered to C6.4 and reworded: “Where communal clothes drying facilities are provided they should conform to the following requirements””

Debate ensued.

Cr Harley returned to the Chamber at 7.12pm.

Debate ensued.

AMENDMENT 4 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

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

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.3

That the Council;

- 1. ADOPTS the new Policy No. 3.4.8 – Development Guidelines for Multiple Dwellings as shown in Appendix 9.1.3, subject to the following amendments:**
 - 1.1 Clause 2.2 be amended to state “In addition to the provisions which apply to developments adjoining properties coded below R60 and which are identified in Clause 2.3, heights are to be in accordance with the following;**
 - 1.2 Removal of “plus loft” from Clauses 2.2.1 – 2.2.5;**
 - 1.3 Clause 2.4.1 be amended to state “For land zoned Residential, the primary and secondary street setback is to be in accordance with the City’s Policy No. 3.2.1, relating to Residential Design Elements”;**
 - 1.4 Clause C6.3 renumbered to C6.4 and reworded: “Where communal clothes drying facilities are provided they should conform to the following requirements; and**
- 2. AUTHORISES the Chief Executive Officer to advertise the new Policy No. 3.4.8 - Development Guidelines for Multiple Dwellings in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1.**

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period of the amendments, and to ask Council to adopt amended Policy No. 3.4.8 relating to Development Guidelines for Multiple Dwellings.

BACKGROUND:

Policy No. 3.4.8 relating to Development Guidelines for Multiple Dwellings in Residential Zones was adopted by Council on 28 October 2008.

The purpose of the policy is to facilitate good quality and well designed multiple dwelling developments within the City and is designed to be read in conjunction with State Planning Policy 3.1, the Residential Design Codes (R Codes).

Since its adoption in 2008, the policy has been subject to various amendment processes with many of these a result of amendments to the Residential Design Codes, requiring the policy to be updated.

On 20 November 2012, Council resolved to re-advertise amendments to the City’s Policy No. 3.4.8 (Council Decision Item 9.1.7) with the intent of ensuring its provisions applied to all zones, not just residential zones as the title suggests.

Following this resolution, as the policy was being prepared to be advertised, the 2013 edition of the Residential Design Codes was gazetted, resulting in several changes to certain terminology and the structure of the document itself.

On this basis, additional amendments were made to Policy No. 3.4.8 prior to its advertising, incorporating the terminology modifications.

History:

Date	Comment
28 October 2008	The Council at its Ordinary Meeting first adopted Policy 3.4.8 relating to Multiple Dwellings in Residential Zones.
11 August 2009	The Council at its Ordinary Meeting adopted the amended Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones.
9 August 2011	The Council at its Ordinary Meeting adopted the amended Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones to implement changes to the 2010 R Codes.
20 November 2012	The Council resolved to re-advertise the amended Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones to ensure the development standards applied to all zones.
23 July 2013	The Council at its Ordinary Meeting adopted the amended Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones, specifically, 'side/rear interface' issues.
8 October 2013	The Council is now asked to adopt the amended Policy No. 3.4.8 relating to Multiple Dwellings with changes to the policy that allow it to be applied to all zones, as well as amendments which align the landscaping and setback clauses with the 2013 R Codes.

Previous Reports to Council:

The most recent amendment to this Policy was adopted by Council on 23 July 2013 (Amendment 108). The changes to the policy related primarily to 'side/rear building interface' issues.

The Minutes of Item 9.1.5 from the Ordinary Meeting of Council held on 23 July 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.

Notwithstanding these recent amendments, clause 3 of Council's resolution 9.1.7 made on 20 November 2013 stated:

- "3. *AUTHORISES the Chief Executive Officer to ADVERTISE for public comment, further amendments to Policy No. 3.4.8 relating to Development Guidelines for Multiple Dwellings to propose that the policy applies in all zones, in accordance with Clause 47 of the City's Town Planning Scheme No. 1 and the City's Policy No. 9.1.5 relating to Community Consultation.*"

In light of this decision, the City's Officers proposed some minor amendments to the policy that enabled the policy to be used in zones other than Residential.

DETAILS:

Having undergone several recent amendments of this policy, the proposed changes that are the subject of this report are considered minor in ensuring its provisions can be applied to all multiple dwelling developments within the City and not limited to residential zones.

Furthermore, certain administrative amendments have been made relating to terminology within the policy aligning it with the 2013 edition of the R Codes.

The amendments are listed below.

Policy Amendments	Officer Comment
Deletion of the words 'in Residential Zones' from the title of the Policy	The deletion of these words will remove the inference that the policy only applies to multiple dwelling development within the City.
Replacement of all references to 'Performance Criteria' to 'Design Principles'	Amendments to this terminology align the document with the 2013 edition of the R Codes.
Replacement of all references to 'Acceptable Development' to 'Deemed to comply criteria'	Amendments to this terminology align the document with the 2013 edition of the R Codes.
Replacement of the word 'Overlooking' with 'Surveillance' in the description of Principle 8 on Page 3	The Metropolitan Redevelopment Authority recommended this amendment and is supported by City Officers. MRA suggest that 'Surveillance' considered as an aspiration is more appropriate without the negative associations attached to 'overlooking'
Adding a new Clause 2.1.2 stating that <i>"For all other zones, the plot ratio is to be in accordance with the relevant Precinct Policy"</i> .	The addition of a clause in this section stipulates how to determine Plot Ratio for multiple dwelling developments in areas not zoned Residential.
Adding a new Clause 2.2.7 stating that <i>"For all other zones, the building height is to be in accordance with the corresponding Precinct Policy"</i>	The addition of a clause in this section stipulates how to determine Building Height for multiple dwelling developments in areas not zoned Residential.
Replace the words 'Rear Building Interface' in Clause 2.3 with 'Building Height Adjoining Residential Zones' and deletion of part (a) of that Clause.	Amending the title of this Clause provides greater clarity on what the provisions relate to. The deletion of part (a) of this clause relates to varying a building setback which is not permitted by the R Codes. It has been relocated to Clause 4.2.1.
Amend Clause 2.3.2 to read <i>'Variations to the requirements of 2.3.1 may be considered where the applicant demonstrates special circumstances that ensure that greater height close to the boundary will provide an improved design outcome and minimise negative impacts on the neighbour in regards to overshadowing, bulk or general amenity'</i> .	The Metropolitan Redevelopment Authority recommends this amendment in order to ensure that additional considerations are given to how the non-compliant building design provides an improved design outcome for the site, not only how it minimises negative impacts. It is supported by City officers.
Replacing the title of Clause 2.4 from 'Street Setbacks' to 'Building Setbacks'	Terminology change to align with the 2013 R Codes
Adding a new 'Clause 2.4.2 stating that <i>"For all other zones, the building setbacks are to be in accordance with the relevant precinct policy"</i> .	The addition of a clause in this section stipulates how to determine building setbacks for multiple dwelling developments in areas not zoned Residential.
Replacing the title of Clause 3.1 from 'Surveillance of the Street' to 'Street Surveillance'	Terminology change to align with the 2013 R Codes.
Adding a new Clause 4.2.1, which must provide 2.4 metres of landscaping, including trees at a maximum of 3 metre spacing, within the side and rear setback areas in accordance with figure 1.	This new clause has been added to protect the amenity of adjoining buildings through the provision of a landscaping strip where it adjoins existing residential.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period: 28 days

Consultation Type: Advert in local paper
 Notice on the City's website
 Copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre
 Written notification to owner(s) and occupier(s) of adjacent affected properties as determined by the City of Vincent
 Western Australian Planning Commission
 State Heritage Office
 Resident and Business Action groups
 Other appropriate government and utility agencies as determined by the City of Vincent

Comments received: A total of four comments were received by the City in relation to the advertised policy. No submissions were received from the general public, with all submissions received from government agencies. These are detailed below.

Summary of Comments Received:	Officers Comment:
Department of Water <i>Returned referral Assessed – No comments.</i>	Noted. No change to the policy required.
Department of Education <i>The Department has reviewed the proposal and wishes to advise that it has no objection to this Amendment.</i>	Noted. No change to the policy required.
Main Roads <i>Main Roads has no objection to the proposed amendment.</i>	Noted. No change to the policy required.
Metropolitan Redevelopment Authority (late submission) <i>Would like to see the Policy provide greater clarity as to how it will deliver affordable housing. Would like the word 'overlooking' replaced with 'surveillance' throughout Principle 8. Would like solar protection for ground floor living areas achieved through passive solar design rather than dark glazing. For variations to setbacks and height, additional consideration should be given to how the non-compliant building provides improved design outcomes.</i>	The City will support amending the word 'overlooking' with 'surveillance' in the description of Principle 8 on page 3. The City will support amending Clause 2.3.2 to read <i>'Variations to the requirements of 2.3.1 may be considered where the applicant demonstrates special circumstances that ensure that greater height close to the boundary will provide an improved design outcome and minimise negative impacts on the neighbour in regards to overshadowing, bulk or general amenity'.</i>

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important that the City's Local Planning Policies are reviewed regularly to ensure that they are consistent with the requirements of the Western Australian Planning Commission, and align with the City's strategic direction. It is also important that a Local Planning Policy provides a clear and transparent planning tool when assessing and determining applications for Planning Approval.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

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:

ENVIRONMENTAL

Additional landscaping requirements which ensure that applicants include within their required open space areas, landscaped areas and soft landscaped areas which will increase tree and vegetation coverage and reduce areas of hard paving which has heat impacts.

The policy also makes the requirement to address solar access to improve the environmental performance of dwellings and provide the potential to reduce reliance on mechanical heating and cooling.

SOCIAL

The policy amendments proposed aim to improve streetscape design and landscape design which both provide tangible benefits to the community in both streetscape amenity and safety through increased passive surveillance.

ECONOMIC

The policy encourages multiple dwelling developments of a quality which should have an economic benefit to the greater community and future owners.

FINANCIAL/BUDGET IMPLICATIONS:

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

Town Planning Scheme Amendments & Policies

Budget Amount: \$73,000
Spent to Date: \$ 3,542
Balance: \$69,548

COMMENTS & CONCLUSION:

The Amendments proposed to the City's Policy 3.4.8 – Development Guidelines for Multiple Dwellings in Residential Zones are considered to be minor and requested to be adopted by Council.

The submissions received have been considered with two minor amendments made to the policy in support of their recommendations. All others have been noted.

In consideration of the submissions received, and the minor nature of the changes, it is recommended Council adopt the amended Policy.

9.1.4 Amendment No. 117 to Planning and Building Policies – Final Adoption of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties

Ward:	Both Wards	Date:	27 September 2013
Precinct:	All Precincts	File Ref:	PLA0261
Attachments:	001 – Policy No. 3.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties 002 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	A Fox, Planning Officer (Strategic)		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties, as shown in Appendix 9.1.4; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties in accordance with Clause 47(6) of the City’s Town Planning Scheme No. 1.

Moved Cr Maier, Seconded Cr Buckels

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

“That Clause 1 be amended to read as follows:

- “1. **ADOPTS** the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties as shown in Appendix 9.1.4, subject to the Policy being amended as follows: and
 - 1.1 A new Definition be included in the Policy as follows:

“Category 4 Applications

Developments of a minor complex nature or impact as addressed in the City’s Delegated Authority Register.””

Debate ensued.

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

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.4

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties as shown in Appendix 9.1.4, subject to the Policy being amended as follows:
 - 1.1 **A new Definition be included in the Policy as follows:**

“Category 4 Applications

Developments of a minor complex nature or impact as addressed in the City’s Delegated Authority Register”; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties in accordance with Clause 47(6) of the City’s Town Planning Scheme No. 1.

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the outcomes of the formal advertising period for the Amendments to Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties.

BACKGROUND:

History:

Date	Comment
27 June 2006	The Council at its Ordinary Meeting adopted Policy No. 3.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.
13 July 2010	The Council at its Ordinary Meeting adopted an amended version of Policy No. 3.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.
12 July 2012	The Council at its Ordinary Meeting adopted an amended version of Policy No. 3.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.
23 July 2013	The Council at its Ordinary Meeting initiated an Amendment No. 117 to Policy No. 3.6.1 – Heritage Management – Development Guidelines to Heritage and Adjacent Properties.
13 August 2013	The advertising period for Amendment No. 117 to Policy No. 3.6.1 – Heritage Management – Development Guidelines to Heritage and Adjacent Properties commenced.
10 September 2013	The advertising period for Amendment No. 117 to Policy No. 3.6.1 – Heritage Management – Development Guidelines to Heritage and Adjacent Properties finished.

Previous Reports to Council:

This matter was previously reported to the Council on 23 July 2013.

The Minutes of Item 9.1.6 from the Ordinary Meeting of Council held on 23 July 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.

DETAILS:

The Council at its Ordinary Meeting held on 23 July 2013 initiated Amendment No. 117 to Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties. The subject of Amendment No. 117 includes provisions within Policy No. 3.6.1 to allow development of a minor nature to be exempt from the need to obtain planning approval for certain heritage listed properties.

The amendment applies only to those properties referenced as ‘Category B’ in the City’s Municipal Heritage Inventory and is restricted to minor forms of development defined within the Policy No. 3.6.1 as Category 4 applications.

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: 28 days, 13 August 2013 – 10 September 2013.

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.

A total of six (6) submissions were received during the four week consultation period as follows:

Authority and Organisation Submissions

Position	Number Received	Percentage
Support	4	67%
Object	-	-
Not Stated	2	33%
Total	6	100%

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	-	-
Total	-	-

Total Submissions Received

Position	Number Received	Percentage
Support	4	67%
Object	-	-
Not Stated	2	33%
Total	6	100%

Comments received:

Issue	Comment
The Policy should include a definition of Category 4 applications.	The categories of development applications, including Category 4 applications are listed in the City's Delegated Authority Register and are not required to be defined separately in Policy No. 3.6.1. No change to the policy will be made in this regard.
A suggested change of wording from 'reduce' to 'minimise' in paragraph 2 of Clause 6.	This suggestion is noted, however in this instance the words 'reduce' and 'minimise' are synonymous. No change to the policy will be made in this regard.
It is recommended that the City delete reference to 'of a modern and traditional nature' from the final sentence as it is considered confusing.	This suggestion is noted, however the City's Officers do not consider that the aforementioned reference to 'modern and traditional nature' adds confusion to the policy. No change to the policy will be made in this regard.

Policy No. 3.6.1 was further considered in light of the submissions received, however the comments received did not result in any further amendment to the policy.

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

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important that the City's Local Planning Policies are reviewed regularly to ensure that they are consistent with the requirements of State Legislation, and align with the City's strategic direction. It is also important that a Local Planning Policy provides a clear and transparent planning tool when assessing and determining applications for Planning Approval.

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"; and

SUSTAINABILITY IMPLICATIONS:

ENVIRONMENTAL
Nil.
SOCIAL
Amendments to the policy will provide clarification to the community, developers and planners in relation to common forms of minor development which have not previously been exempted from the need for formal planning approval for heritage listed properties.
ECONOMIC
Amendment to the policy to exempt minor nature development from the need to obtain planning approval in certain instances will result in a reduction in the regulatory and cost burden on residents within the City, while ensuring that acceptable development outcomes are maintained in relation to heritage places.

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>3,542</u>
Balance:	\$69,458

COMMENTS & CONCLUSION:

It is considered that the further proposed amendments to Policy 3.6.1 relating to Heritage Management – Development Guidelines to Heritage and Adjacent Properties will provide clarification in relation to common forms of minor development which have not previously been exempted from the need for formal planning approval for some heritage listed properties. Amendments to the policy will result in reduction in the regulatory and cost burden on residents, developers and the City by exempting development assessments for minor nature development, while ensuring that acceptable development outcomes are maintained in relation to heritage places.

In light of the above it is requested that the Council adopts the final amended version of Policy No. 3.6.1 relating to Heritage Management – Development Guidelines to Heritage and Adjacent Properties and authorises the Chief Executive Officer to advertise the final amended version of the policy.

9.1.5 Draft Town Planning Scheme No. 2 (Text and Maps) – Response to the Minister for Planning

Ward:	Both Wards	Date:	27 September 2013
Precinct:	All Precincts	File Ref:	PLA0140
Attachments:	001 – Schedule of Modifications (9.1.5A) 002 – Officers comments to Modifications (9.1.5B)		
Tabled Items:	003 – Draft Town Planning Scheme No. 2 Text (9.1.5C) 004 – Draft Town Planning Scheme No. 2 Maps (Scheme Maps 1-5) (9.1.5D)		
Reporting Officer:	D Mrdja, Acting Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** the Schedule of Modifications as approved by the Minister for Planning on 5 September 2013; and
2. **AUTHORISES** the Chief Executive Officer to forward the modified Town Planning Scheme Text and Maps to the Western Australian Planning Commission for approval by the Minister in accordance with regulation 14(4) of the Town Planning Regulations 1967.

Moved Cr Carey, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Buckels

“That a new clause 3 be inserted as follows:

3. **REQUESTS** that after the period of consultation, the Chief Executive Officer amends clause 8.2 of the draft Town Planning Scheme No. 2 to reflect the Model Scheme Text (except for the deletion of clause (c)) and a new clause be added to state “and any other development that may be defined by the local government.”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

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

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.5

That the Council;

1. **NOTES** the Schedule of Modifications as approved by the Minister for Planning on 5 September 2013; and
2. **AUTHORISES** the Chief Executive Officer to forward the modified Town Planning Scheme Text and Maps to the Western Australian Planning Commission for approval by the Minister in accordance with regulation 14(4) of the Town Planning Regulations 1967; and
3. **REQUESTS** that after the period of consultation, the Chief Executive Officer amends clause 8.2 of the draft Town Planning Scheme No. 2 to reflect the Model Scheme Text (except for the deletion of clause (c)) and a new clause be added to state “and any other development that may be defined by the local government.”

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with a list of the modifications to the draft Town Planning Scheme No. 2 Text and Maps and for the Council to authorise the Chief Executive Officer to forward the documents to the Western Australian Planning Commission (WAPC) for approval by the Minister.

BACKGROUND:

The City of Vincent Draft Town Planning Scheme No. 2 (TPS No. 2) and Local Planning Strategy (LPS) were endorsed by the Council at the Ordinary Meeting held on 20 December 2011. These documents, along with the draft Precinct Policies were sent to the Department of Planning (DoP on 23 December 2011 in order for them to give the City consent to advertise the TPS No. 2 and LPS).

History:

Date	Comment
27 May 2003	The Council at its Ordinary Meeting considered a Notice of Motion and resolved to allocated \$40,000 to begin a community visioning process prior to the Town Planning Scheme Review.
24 June 2003	The Council at its Ordinary Meeting considered a report relating to Review of the City of Vincent Town Planning Scheme No. 1 - Scheme Examination Report and Community Visioning Process.
23 August 2005	The Council at its Ordinary Meeting considered a report relating to Progress Report - Community Visioning Project - Final Project Report and Associated Documentation.
21 November 2006	The Council at its Ordinary Meeting approved the establishment of a Town Planning Scheme Review Committee.
27 March 2007	The Council at its Ordinary Meeting approved the establishment of a Town Planning Scheme Review Advisory Group.
March 2007 – October 2008	During this period, five progress reports were submitted to Council relating to the review of the Town Planning Scheme and the development of the Local Planning Strategy.
28 October 2008	The Council at its Special Meeting considered the Draft Local Planning Strategy and resolved to make several amendments to the document.
2 December 2008	The Council at its Ordinary Meeting considered the amended Draft Local Planning Strategy and resolved to defer the item for further consideration.
14 April 2009	The Council at its Ordinary Meeting adopted the Draft Local Planning Strategy and resolved to refer the Draft Local Planning Strategy to the WAPC for certification in accordance with the Town Planning Regulations 1967.
2 December 2009	The City received advice from the Department of Planning (DoP) requiring the document to be written in line with the structure of the Western Australian Planning Commission (WAPC)/DoP, publication entitled <i>Guidance on the Format of Local Planning Strategies</i> , dated July 2000.
9 March 2010	The Council at its Ordinary Meeting endorsed a Notice of Motion which requested that a Peer Review of the Town Planning Scheme, Local Planning Strategy and Precinct Policies be completed.
25 May 2010	The Council at its Ordinary Meeting resolved to endorse the Draft Local Planning Strategy, dated April 2010, as a working document, to be used in the development of the Policy Manual.
July 2010 – November 2010	The City's Officers provided monthly updates on the progress of the Town Planning Scheme to the Council Member Forums.

Date	Comment
21 December 2010	The Council at its Ordinary Meeting approved the Draft Town Planning Scheme No. 2 and associated documents for the purpose of the Peer Review.
8 March 2011	The Council at its Ordinary Meeting resolved to engage <i>Syme Marmion & Co.</i> to undertake the Peer Review of the Draft Town Planning Scheme No. 2 and associated documents.
August 2011	<i>Syme Marmion & Co</i> provided the final Peer Review and additional economic analysis to the City.
13 September 2011	The Council at its Ordinary Meeting resolved to defer the endorsement of the Draft Town Planning Scheme No. 2, Local Planning Strategy and Precinct Policies.
11 October 2011	The Council at its Ordinary Meeting resolved to endorse the draft Town Planning Scheme No. 2, Local Planning Strategy and Precinct Policies and forward to the WAPC for consent to advertise.
October 2011 – November 2011	<p>Since the endorsement of the Draft Town Planning Scheme No. 2, Local Planning Strategy and Precinct Policies by Council at its Ordinary Meeting on 11 October 2011, the City's Officers have considered further amendments to the Town Planning Scheme text, maps and Precinct Policies. These amendments specifically relate to clause 5.5 of the Scheme Text.</p> <p>The Council have made a general consensus that the endorsed clause 5.5, which allows variations to an infinite extent, does not provide the community with the certainty that they would like, as it is clear in the Scheme that Precinct Policies can be varied.</p>
	<p>The City's Officers then provided a brief overview of the Scheme Text, Maps and Precinct Policies at a Council Member Forum on 15 November 2011. The City's Officers also tabled a '<i>Proposed Clause 5.5 Amendment</i>' which essentially states that the number of storeys prescribed in the City's Precinct Policies can only be varied to a maximum of two storeys, provided that the development can incorporate one of a number of elements that is considered beneficial for the locality and/or the wider community. This concept was generally supported by the Council; however, several comments were raised and these were noted by the City's Officers.</p> <p>Based on the comments raised at the Council Member Forum, the City's Officers have made amendments to this clause and sought legal advice relating to this clause.</p>
13 December 2011	The City's Officers presented the amended clause 5.5 to a Council Member Forum as well as other amendments that have been made to the Scheme.
20 December 2011	The Council at its Ordinary Meeting resolved to revoke the decision made on 11 October 2011 and endorsed an amended version of the draft TPS No. 2, LPS and Precinct Policies.
23 December 2011	The City's Officers forwarded the documents to the WAPC for consent to advertise.
23 January 2011	The Environmental Protection Authority advised that it is not necessary for them to provide any advice or recommendation on the draft TPS No. 2.
8 March 2012	The City's Officers met with the Officers at the DoP and provided a presentation on the key changes and proposals listed in the draft TPS No. 2 and LPS.
5 April 2012	The City's Officers provided the DoP a map outlining all the proposed zoning changes in the City.
May/June/July 2012	The City's Officers contacted the DoP on a number of occasions requesting an update on the progress of draft TPS No. 2 and LPS.

Date	Comment
14 August 2012	The Council at its Ordinary Meeting endorsed a Community Engagement Plan for the advertising of the draft TPS No. 2 and LPS.
27 August 2012	The City's Officers provided the DoP with further justification relating to specific clauses in the draft TPS No. 2.
9 October 2012	The Council at its Ordinary Meeting endorsed an amended version of the Community Engagement Plan.
19 December 2012 and 8 January 2013	The City's Officers met with the Officers at the DoP to discuss the progression of the draft TPS No. 2 and LPS. The DoP advised that a decision will not be made until after the State Election in March 2013.
12 February 2013	The Council at its Ordinary Meeting resolved to receive a progress report on the draft TPS No. 2 and LPS and endorsed an updated Indicative Timeframe.
14 May 2013	The DoP emailed a draft copy of the Schedule of Modifications. This draft proposed 106 modifications to the TPS and 4 modifications to the LPS.
28 May 2013	Draft TPS 2 and LPS was tabled at Statutory Planning Committee (SPC) meeting which was attended by the Mayor and Cr. Maier. A deputation was presented by the Mayor detailing the City's objection to several requested modifications.
27 August 2013	At the meeting of the SPC, a final recommendation was given to the Minister to provide consent to advertise Draft TPS 2 and LPS.
3 September 2013	The Minister provides formal consent to advertise Draft TPS 2 and LPS with modifications. The Minister supported the City's view in relation to demolition as permitted development and the inclusion of R-AC codings within areas zoned District Centre. He did not support the City's view to <i>not</i> remove the clauses which empowered the Design Advisory Committee (DAC), rezoning of the concrete batching plant sites to 'Special Use – Batching Plants' and rezoning of surrounding land to 'Commercial' and prohibiting residential as a use where it abuts the batching plants.

The Minutes of Item 9.1.10 from the Ordinary and Special Meetings of Council, is available on the City's website at the following link:

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

DETAILS:

City officers have now completed making the required modifications of the Draft Town Planning Scheme No. 2 as instructed by the Minister. They are required to be provided to the WAPC within 42 days (17 October 2013) for checking prior to final approval being given.

The required modifications to the Draft Local Planning Strategy are not required to be checked by the WAPC prior to commencing advertising. City officers will prioritise making these modifications following 17 October 2013, along with a review of the Draft Precinct Policies to ensure consistency with the Draft TPS and LPS.

The Schedule of Modifications as provided by the Department of Planning, the revised Draft Town Planning Scheme No. 2 Text and a schedule of officers comments against each modification is provided as an attachment to this report.

CONSULTATION/ADVERTISING:

At this point in time no consultation is required. Once the WAPC has checked the modifications and granted consent to advertise, the documentation will be advertised for a period of three (3) months in accordance with Regulation 15 of the Town Planning Regulations 1967.

The proposed consultation methodology during this period is guided by the Community Engagement Action Plan endorsed by Council.

In addition to the standard advertising required by the Town Planning Regulations 1967, the Action Plan recommends a comprehensive consultation approach, including:

- Community workshops;
- Dedicated publications delivered to all owners and occupiers in the Scheme area;
- Advertisements on the City's website, Administration and Civic Centre and Library and Local History Centre and in a newspaper circulated in the locality.

This approach will ensure the community has ample opportunity to provide a submission on the proposed new Town Planning Scheme No. 2.

LEGAL/POLICY:

- Planning and Development Act 2005; and
- Town Planning Regulations 1967.

RISK MANAGEMENT IMPLICATIONS:

Medium – High: The City's Town Planning Scheme No. 2 will significantly improve the legislative framework for planning and development in the City. Failure to progress the matter will result in the delay in the implementation of Town Planning Scheme No. 2.

STRATEGIC IMPLICATIONS:

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

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

SUSTAINABILITY IMPLICATIONS:

The Draft Town Planning Scheme No. 2 (Text and Maps), Local Planning Strategy and Precinct Policies aim to address the key principles of sustainability to ensure that the City of Vincent develops in a sustainable way. To emphasise the City's commitment to sustainability, additional reference has been made throughout the Draft Local Planning Strategy, within the Draft Town Planning Scheme No. 2 Text and elaborated further within the Precinct Policies, to ensure that developments have due consideration for the principles of sustainability.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for advertising of the Policies will be incurred under the following budgeted item:

'Town Planning Scheme Amendments and Policies'

Budget Amount:	\$73,000
Spent to Date:	<u>\$ 3,542</u>
Balance:	\$69,458

COMMENTS:

Council is now requested to accept the schedule of modifications to the City's Draft Town Planning Scheme No. 2 provided by the WAPC and requested by the Minister.

Attachment 004 to this report is a summary of each modification requested and a comment of the view of the City, whether it supports or doesn't support each amendment.

Regardless of the City's view for each of the Ministers modifications, the amendments are required to be made to the Draft Town Planning Scheme No. 2 text for the purposes of it being advertised. It should be noted the requested modifications can be identified in Attachment 001 by way of either double strike through or double underline. Single strike through or single underline are subject to changes made previously.

During the advertising period, a key message to the public will include which of the Ministers modifications are supported by the City, and which are not. Following the advertising period and in light of the submissions received, Council is then in a position to resolve whether to retain or delete the modifications, prior to it being considered by the WAPC for final approval.

9.2.2 Proposed Introduction of Additional 1/4P and Motorcycle Parking – Various Locations

Ward:	Both	Date:	27 September 2013
Precinct:	All	File Ref:	PKG0001
Attachments:	001 – Proposed Plan No. 3084-CP-01 002 – Proposed Plan No. 3083-CP-01 003 – Proposed Plan No. 3082-CP-01A		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the;
 - 1.1 introduction of two (2) x 1/4P bays in Beaufort Street, Perth, adjacent 'Tyne Square', from 8.00am to 4.15pm Monday to Friday, and 8.00am to 12noon Saturdays, as shown on the attached Plan No. 3084-CP-01; and
 - 1.2 installation of five (5) x motorcycle bays in the Frame Court in-lieu of a car bay, as shown on Plan No. 3083-CP-01;
2. **CONSULTS** with the businesses in Scarborough Beach Road to determine the preferred location for motorcycle bays between Coogee Street and Flinders Street, as shown on Plan No. 3082-CP-01A; and
3. **RECEIVES** a further report at the conclusion of the consultation.

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Topelberg

"That a new clause 4 be inserted as follows and the remaining clauses renumbered:

"4. Requests that the Frame Court motorcycle bays be monitored three months after their introduction and APPROVES the conversion of a second car bay to 5 motorcycle bays if, in the opinion of the Director of Technical Services, it is warranted."

"4. 5. RECEIVES a further report at the conclusion of the consultation."

Debate ensued.

AMENDMENT PUT AND CARRIED (5-2)

For: Acting Mayor Cr McGrath, Cr Buckels, Cr Maier, Cr Topelberg and Cr Wilcox
Against: Cr Carey and Cr Harley

(Cr Pintabona was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Acting Mayor Cr McGrath, Cr Buckels, Cr Carey, Cr Maier, Cr Topelberg and Cr Wilcox
Against: Cr Harley

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.2.2

That the Council;

1. **APPROVES** the;
 - 1.1 **introduction of two (2) x 1/4P bays in Beaufort Street, Perth, adjacent 'Tyne Square', from 8.00am to 4.15pm Monday to Friday, and 8.00am to 12noon Saturdays, as shown on the attached Plan No. 3084-CP-01; and**
 - 1.2 **installation of five (5) x motorcycle bays in the Frame Court in-lieu of a car bay, as shown on Plan No. 3083-CP-01;**
2. **CONSULTS** with the businesses in Scarborough Beach Road to determine the preferred location for motorcycle bays between Coogee Street and Flinders Street, as shown on Plan No. 3082-CP-01A;
3. **Requests that the Frame Court motorcycle bays be monitored three months after their introduction and APPROVES the conversion of a second car bay to 5 motorcycle bays if, in the opinion of the Director of Technical Services, it is warranted; and**
4. **RECEIVES** a further report at the conclusion of the consultation.

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval to install two (2) x 1/4P parking bays in Beaufort Street, Perth adjacent to the 'Tyne Square' and five (5) x motorcycle bays in the Frame Court car park and to consult with the businesses in Scarborough Beach Road, Mount Hawthorn as to the preferred location for motorcycle parking between Coogee and Flinders Streets.

BACKGROUND:

The City recently received a number of requests for additional 1/4P parking in Beaufort Street and motorcycle parking in the Leederville and Mount Hawthorn Town Centres.

DETAILS:

Beaufort Street, Perth:

Prior to the reintroduction of two-way traffic in the City's section of Beaufort Street, between Brisbane and Newcastle Streets in May 2013, there was some short term parking in Beaufort Street adjacent the 'Tyne Square' development just north of the Newcastle Street intersection.

As part of the two-way project peak period bus lanes were introduced with the out/north bound lane operations mirroring the City's existing Clearway restrictions, 4.15pm to 6.00pm.

Some of the smaller businesses located within Tyne Square have requested that the City reinstate two (2) x 1/4P bays to assist in better capturing 'passing trade'. Currently patrons have to park in the adjacent (Coles/Wilson's) car park at the rear of the development and walk back to retailers/medical rooms fronting Newcastle and William Streets. The proprietors believe that people find this inconvenient and bypass their businesses.

The proposal is to install two (2) x 1/4P parking spaces approximately 25m north of the Newcastle Street intersection and before the entrance the aforementioned car park (with the appropriate clearance).

The hours of operation would be 8.00am to 4.15pm, from when the Clearway/Bus Lane starts, and 8.00 am to 12noon Saturdays. Outside these hours would be no restrictions which is consistent with the remainder of the Beaufort Street on-road parking through to Brisbane Street.

The bays would be free in accordance with the City's policy for short term parking.

Frame Court car park, Leederville:

The City has in past received requests for long term motorcycle parking in the Frame Court car park for commuter motorcyclists. Currently there are a number of well utilised short term motorcycle bays in Oxford and Newcastle Streets, popular with patrons of the cafes and restaurants.

However currently there is no long term motorcycle parking in the Frame Court car park which could be utilised by commuter motorcyclists who work in the area.

The proposal is to replace one (1) car bay with five (5) motorcycle bays as shown on Plan No. 3083-CP-01.

Mount Hawthorn Town Centre - Scarborough Beach Road, Mount Hawthorn:

Similar to that of Leederville the City has received a number of complaints and comments about the lack of motorcycle parking in the Mount Hawthorn Town Centre. While there are some motorcycle bays nearer Matlock Street and the Boulevard there are none in the section between Coogee and Flinders Streets.

Therefore it is proposed to install three (3) motorcycles either outside 167 Scarborough Beach Road (the Ladder Cafe) or 174 Scarborough Beach Road, outside 'Antedote' Living, and below the 'Cabin' small bar.

While it would appear that there is some support from the traders for motorcycle parking in the precinct it proposed to consult before seeking Councils approval to proceed. The two (2) locations suggested offer some protection for motorcycles as they do not directly adjoin another parking space.

However, the location referred to as *Option 2* on Plan No. 3082-CP-01A outside 'the Ladder Cafe' at 167 Scarborough Beach Road is also subject to an application for an On Road Café (ORC) as reported to the Ordinary Meeting of Council 24 September 2013. While the proprietor had previously verbally supported the motorcycle parking at this location if they proceed with their application for an ORC it will obviously no longer be an option.

Therefore it is proposed to offer an *Option 3*, outside 168 Scarborough Beach Road, which houses a number of office suites. While this spot does not afford the same level of protection, as the adjacent car bay would still be used for parallel parking, it can be improved by installing yellow 'kerb stop's' with reflective bollards as a physical impediment to a vehicle reversing into the motorcycles.

CONSULTATION/ADVERTISING:

Consultation will be undertaken in accordance with the Council decision.

LEGAL/POLICY:

There is no legal consequence of the recommendation. Generally the City's Rangers would place a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of new parking restriction signs.

RISK MANAGEMENT IMPLICATIONS:

Low: Mainly related to amenity improvements for residents.

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:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The 2013/2014 budget includes an amount of \$15,000 for motorcycle parking. Costs associated with motorcycle parking including the manufacture and installation of signs and line-marking estimated to cost \$1,200 will be charged to this account.

On road parking changes estimated to cost \$250 would be charged to the miscellaneous parking signs budget.

COMMENTS:

Prior to the conversion of Beaufort Street to two-way traffic the smaller traders of 'Tyne Square' had the benefit of some short term parking in Beaufort Street which was well utilised by passing traffic. However the bays were removed as part of the aforementioned works. Now that the changes in Beaufort Street have been 'bedded' down it is proposed to re-introduce two (2) x 1/4P bays as shown on Plan No. 3084-CP-01.

In respect of the motorcycle parking the Perth climate generally lends itself to motorcycle and scooter riding with demand peaking in the warmer months. As discussed in the body of the report there is a lack of long term motorcycle parking in the Leederville area while in the Mount Hawthorn Town Centre there is limited on-road motorcycle parking.

It is therefore requested that the officer's recommendation be approved.

9.2.7 LATE REPORT: Vincent Bike Network Plan 2013 – Progress Report No 2

Ward:	Both	Date:	7 October 2013
Precinct:	All	File Ref:	TES0172; FIN0131
Attachments:	001 – Vincent Bike Network Plan 2013 002 – Proposed Implementation Plan		
Tabled Items:	Nil		
Reporting Officer:	F Sauzier, TravelSmart Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the Vincent Bike Network Plan 2013 as shown in Attachment 001; and
2. **NOTES;**
 - 2.1 the Strategic Recommendations outlined in the Vincent Bike Network Plan 2013 and the Proposed Implementation Plan (Attachment 002); and
 - 2.2 that as soon as the Vincent Bike Network Plan 2013 has been adopted the City's Officers will submit a funding application for Perth Bike Network Funding prior to the 15 November 2013 cut-off date.

COUNCIL DECISION ITEM 9.2.7

Moved Cr Carey, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Harley

That the item be DEFERRED to the Special Meeting of Council to be held on 15 October 2013.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval of the Vincent Bike Network Plan 2013 and to note the strategic recommendations.

BACKGROUND:

The Vincent Bike Network Plan 2013 has been developed in consequence to the Ordinary Meeting of Council held on 26 June 2012, Council Decision Item 9.2.2 which states:

“That the Council;

1. *APPROVES the Integrated Transport Advisory Group’s recommendation of Aurecon as the preferred consultant to develop a new City of Vincent Local Bicycle Plan at a cost of \$30,000; and*
2. *RECEIVES a further report seeking Council’s endorsement of the Local Bicycle Plan and proposed implementation strategy when completed.”*

The consensus of the group was that Aurecon’s presentation best demonstrated an understanding of the group’s expectations and that there were a number of innovative ideas displayed based upon practical experience.

Further, Aurecon’s proposal included the City having access to the Cycling Environment Review System ‘CERS’ software (compatible with the City’s GIS system) that allows the user to undertake a full audit of the road network from a cycling perspective rather than the motorcar.

The system identifies barriers to cycling, both perceived and physical, and is used to:

- Establish the relative quality of different cycling environments;
- Review the potential for improving individual links and crossings at a detailed level;
- Assist with resource prioritisation and allocation; and
- Guide future policy development.

DETAILS:

Aurecon was appointed by the City of Vincent to undertake the 2013 Bike Plan. The Plan sets out an action plan for attaining immediate improvements to the cycle network and environment, as well as a strategic vision for the continued development and promotion of cycling for the short to medium term.

The main objectives of the plan include:

- Evaluating cycling and its associated infrastructure in the study area, along with the existing Bike Plan;
- Consulting with key stakeholders (local Government, State Government and Local Community) regarding the future of cycling within the City of Vincent;
- Planning the expansion of the bicycle network;
- Encouraging and promoting cycling;
- Developing a prioritised schedule of works; and
- Developing a maintenance schedule for the protection of new and existing assets.

Aurecon conducted an extensive CERS (Cycling Environment Review System) audit of the City’s bike networks and routes beginning in September 2012. An initial Pilot Route audit was conducted in conjunction with the City’s TravelSmart Officer (TSO) to better understand the categories to be applied and how results would be determined.

Aurecon collected and interpreted this data, combining it with extensive information collected from the Technical Officers’ and Community workshops and online surveys held between December 2012 and February 2013.

ITAG 10 June 2013:

The Draft Bike Network Plan was presented at an ITAG meeting 10 June 2013. The Bike Network Plan identified three levels of actions:

- Immediate cycling improvements including specified road maintenance and minor works, way-finding signage, end of trip facilities and other miscellaneous items;
- A cycling infrastructure maintenance and renewal program including an annual audit of the cycle facilities and maintenance schedule; and
- Strategic Recommendations identifying priority routes to increase cycling participation rates and safety.

The immediate cycling improvements will be addressed via a maintenance work plan. In addition, a maintenance and renewal program will be developed by the TSO to better schedule regular review of cycling infrastructure.

Of the strategic recommendations put forward, ITAG members requested further rationale be sought from Aurecon as to which of two nominated routes; Oxford Street or Scarborough Beach Road, should be chosen as initial projects.

Aurecon later responded by email that although the Oxford Street route currently hosted more cyclists, it was important for the more difficult projects such as Scarborough Beach Road, to be tackled first as that level of project will only get more difficult to deliver.

ITAG 17 July 2013:

At the 17 July 2013 ITAG meeting, a breakdown of the Scarborough Beach Road and Oxford Street strategic routes was presented.

Scarborough Beach Road:

It is expected that this route will become a major east-west and north-south connector in Vincent and surrounding areas, providing a connecting route to the Mitchell Freeway Principal Shared Path and the future redevelopment of the Osborne Park area. The route currently only has one section of infrastructure in place (bike lanes between Eucla Street and Kalgoorlie Street leading into the Mount Hawthorn shopping precinct).

This major route has been broken down into sections and it is the recommendation of ITAG that the section between Brady/Main Street and Eucla Street be put forward as the first section to be completed. In addition to this being seen as a significant section connecting to existing bike lanes, it was also identified that an added benefit would be that the changes from double to single lane in the area would potentially alleviate some traffic movement concerns between Main Street and Green Street.

Oxford Street:

Consultant recommendation is that it is unlikely to include bike lanes on Oxford Street due to its width and that a combination of on-road signage and a driver/cyclist education campaign be considered for this area. The consultant also recommends the installing of three (3) advanced start boxes (these are a green painted lead in lane and holding area for cyclists at traffic lights, wired to current traffic signals) on Oxford Street.

The City of Perth currently prices these at \$25,000 each and the City could apply for funding for these in future grant rounds. The driver/cyclist education campaign could also potentially be funded by a possible Road Wise grant application.

Council Forum 20 August 2013:

The Draft Bike Network Plan was presented at a Council Forum meeting held on 20 August 2013. Some discussion surrounding the Strategic Recommendations ensued including:

- Installing bicycle lanes on Oxford Street should be included as an action, but that it would necessitate the removal of substantial on-street parking;
- The order of priority should be altered so as Oxford Street works were conducted prior to Scarborough Beach Road;
- That bicycle lanes on Vincent Street should be installed also between Bulwer Street and Hyde Park; and
- That connections to William Street be improved.

CONSULTATION/ADVERTISING:

Consultation was an integral part of the developing of the Vincent Bike Network Plan and included:

- A Technical Officers Workshop with twelve (12) people in attendance, held at the City offices in October;
- A Community workshop with twenty five (25) in attendance held in early December; and
- An online community survey with one hundred and twenty seven (127) respondents which was open from December 2012 to late January 2013.

Displays were mounted and hard-copy surveys were also available from the Vincent Library and Local History Centre and the three (3) local bike shops in Vincent. The online survey was also distributed through a range of organisations and databases.

LEGAL/POLICY:

The initiative aligns with the City's *Strategic Plan 2011-16*, *Physical Activity Plan 2009-2013* and the *Sustainable Environment Strategy 2011-2016*.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2016* which states:

"Natural and Built Environment:

Objective 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 states:

"Air & Emissions:

Objective 1: 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:

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:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The 2013-14 Budget includes an allocation of \$68,000 for Bicycle Network Implementation and Improvement, consisting of \$28,000 carried forward from the 2012-13 Budget, and an allocation of \$40,000 for 2013-14.

Oxford Street on-road cycle lanes have not been costed due to the scope of works, but on-road signage and education measures have been costed at \$7,000 and advance start boxes at \$75,000.

The Brady Street to Eucla Street section of the Scarborough Beach Road Strategic Route has a preliminary costing of \$107,000. Further costings for this project need to be progressed.

Bike Network Grants Round:

Funding applications to contribute to sections of the Strategic routes will be made to the Perth Bike Network Grants round (opened 23 September and closing on 15 November 2013), for works to be delivered in the 2014/2015 financial year. Other Strategic Recommendations could be explored in following years, as per the Implementation Plan, and corresponding funding applied for.

COMMENTS:

Aurecon has delivered a Bike Network Plan for Vincent that has identified the need for some immediate cycling improvements as well as the need for a cycling infrastructure maintenance and renewal program. In addition, five (5) Strategic Recommendations have been made which identify strategic routes in Vincent, particularly Scarborough Beach Road and Oxford Street, which could be progressed.

It is recommended that the Vincent Bike Network Plan 2013 be approved and that the Strategic Recommendations and accompanying Implementation Plan be noted.

The order of works implementation can be altered once the Plan is approved so as PBN Grants for projects in the 2014-2015 financial year can be applied for before November 15 2013.

9.4.1 No. 742 (Lot 30; D/P: 42555) Newcastle Street, Leederville (Leederville Hotel) – Renewal of Permit for Additional Outdoor Eating Area

Ward:	South	Date:	27 September 2013
Precinct:	Oxford Centre; P04	File Ref:	PRO0630
Attachments:	001 – Aerial Photograph of Leederville Hotel and Ground Floor Plan and Furniture		
Tabled Items:	Nil		
Reporting Officers:	M Wood, A/Manager Ranger and Community Safety Services, E Clucas, A/ Manager Health and Compliance Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council:

1. **APPROVES the Renewal of Permit for Additional Outdoor Eating Area (OEA) for the Leederville Hotel with extended hours until 30 June 2014, subject to the following conditions:**
 - 1.1 **The outdoor eating area shall be restricted to a maximum capacity of thirty (30) persons;**
 - 1.2 **Leederville Hotel staff and security personnel shall ensure that there is no conflict between patrons of the Hotel and patrons of the Taxi Rank;**
 - 1.3 **That a Pedestrian Management Plan, identifying how the issue of footpath congestion will be dealt with, shall be submitted by the Leederville Hotel;**
 - 1.4 **The operating hours shall be restricted to 11:30am to 11:45pm Monday to Saturday and 11.30am to 10.00pm on Sunday;**
 - 1.5 **The chairs, tables and barriers shall be removed by no later than 12:15am of the following day;**
 - 1.6 **The footpath shall have a clear unobstructed access way of 2 metres in width for pedestrians at all times;**
 - 1.7 **The consumption of alcohol is permitted within the approved delineated outdoor eating area, provided that the permit holder has obtained an appropriate approval from the Department of Racing, Gaming and Liquor (DRGL). The permit holder shall ensure ongoing compliance with permit conditions, DRGL requirements, and effectively control noise and antisocial behaviour. Management of the area shall be included in the venue Alcohol Management Plan;**
 - 1.8 **As the OEA is nearby to residential premises, the City reserves the right to amend the operating hours by giving written notice, should complaints relating to noise and anti social behaviour be substantiated during the approved hours of operation, particularly after 10.00pm; and**
 - 1.9 **The City reserving the right to cancel the permit if the conditions are not complied with or conflict on the footpath occurs; and**

2. **NOTES that:**

- 2.1 Meals shall be available to customers in the new outdoor eating area; and
- 2.2 The permit previously approved to operate between 11.30am to 6.30pm Monday to Sunday has operated well and without any incident, and the extension of this permit renewal to the later hours of 11.30pm Monday to Saturday and until 10.00pm Sunday, is further trialled until 30 June 2014 to assess suitability.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Buckels, Seconded Cr Topelberg

“That Clauses 1.4 and 1.5 be amended as follows:

- 1.4 The operating hours shall be restricted to 11:30am to ~~11:45pm~~ 6.30pm Monday to Saturday and 11.30am to ~~10.00pm~~ 6.30pm on Sunday;
- 1.5 The chairs, tables and barriers shall be removed by no later than ~~12:15am~~ 6.30pm of the following day;

Debate ensued.

AMENDMENT 1 PUT AND LOST (3-4)

For: Cr Buckels, Cr Maier and Cr Wilcox

Against: Acting Mayor Cr McGrath, Cr Carey, Cr Harley and Cr Topelberg

(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 2

Moved Cr Topelberg, Seconded Cr Harley

“That Clauses 1.4 and 1.5 be amended as follows:

- 1.4 The operating hours shall be restricted to 11:30am to ~~11:45pm~~ 8.00pm Monday to Saturday and 11.30am to ~~10.00pm~~ 8.00pm on Sunday;
- 1.5 The chairs, tables and barriers shall be removed by no later than ~~12:15am~~ 8.30pm of the following day;

Debate ensued.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Acting Mayor Cr McGrath, Cr Buckels, Cr Carey, Cr Harley, Cr Topelberg and Cr Wilcox

Against: Cr Maier

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.4.1

That the Council:

1. **APPROVES the Renewal of Permit for Additional Outdoor Eating Area (OEA) for the Leederville Hotel with extended hours until 30 June 2014, subject to the following conditions:**
 - 1.1 **The outdoor eating area shall be restricted to a maximum capacity of thirty (30) persons;**
 - 1.2 **Leederville Hotel staff and security personnel shall ensure that there is no conflict between patrons of the Hotel and patrons of the Taxi Rank;**
 - 1.3 **That a Pedestrian Management Plan, identifying how the issue of footpath congestion will be dealt with, shall be submitted by the Leederville Hotel;**
 - 1.4 **The operating hours shall be restricted to 11:30am to 8.00pm Monday to Sunday;**
 - 1.5 **The chairs, tables and barriers shall be removed by no later than 8.30pm;**
 - 1.6 **The footpath shall have a clear unobstructed access way of 2 metres in width for pedestrians at all times;**
 - 1.7 **The consumption of alcohol is permitted within the approved delineated outdoor eating area, provided that the permit holder has obtained an appropriate approval from the Department of Racing, Gaming and Liquor (DRGL). The permit holder shall ensure ongoing compliance with permit conditions, DRGL requirements, and effectively control noise and antisocial behaviour. Management of the area shall be included in the venue Alcohol Management Plan;**
 - 1.8 **As the OEA is nearby to residential premises, the City reserves the right to amend the operating hours by giving written notice, should complaints relating to noise and anti social behaviour be substantiated during the approved hours of operation, particularly after 10.00pm; and**
 - 1.9 **The City reserving the right to cancel the permit if the conditions are not complied with or conflict on the footpath occurs; and**
2. **NOTES that:**
 - 2.1 **Meals shall be available to customers in the new outdoor eating area; and**
 - 2.2 **The permit previously approved to operate between 11.30am to 6.30pm Monday to Sunday has operated well and without any incident, and the extension of this permit renewal to the later hours of 11.30pm Monday to Saturday and until 10.00pm Sunday, is further trialled until 30 June 2014 to assess suitability.**

PURPOSE OF REPORT:

To seek Council approval for Renewal of Permit for Additional Outdoor Eating Area for the Leederville Hotel and for extended hours of operation.

BACKGROUND:

At the Ordinary Meeting of Council held on the 12 March 2013, the Council resolved the following:

"That the Council:

1. *APPROVES the application from the Leederville Hotel to introduce a second Outdoor Eating Area in Newcastle Street, Leederville, on a trial basis for a maximum period of six (6) months, as shown in Appendix 9.4.6A and B, subject to conditions as follows:*
 - 1.1 *The new outdoor eating area shall be restricted to a maximum capacity of thirty (30) persons;*
 - 1.2 *Leederville Hotel staff and security personnel shall ensure that there is no conflict between patrons of the Hotel and patrons of the Taxi Rank;*
 - 1.3 *The operating hours shall be restricted to 11:30am to 6:30pm Monday to Sunday;*
 - 1.4 *The chairs, tables and barriers (as shown in Appendix 9.4.6, Attachment 003) used in the outdoor eating area shall be removed by no later than 7:00pm each night;*
 - 1.5 *The footpath shall have a clear unobstructed accessway of 1.5 metres, for pedestrians, at all times;*
 - 1.6 *Payment of the Prescribed fee of \$2821;*
 - 1.7 *The City reserving the right to cancel the permit if the conditions are not complied with or conflict on the footpath occurs;*
 - 1.8 *That any bicycle facilities in the proposed outdoor eating area will be relocated by the Leederville Hotel at no cost to the City; and*
2. *NOTES that meals shall be available to customers in the new outdoor eating area."*

DETAILS:

The Leederville Hotel Application for the Renewal of Permit for Additional OEA, is based on the same conditions that were previously approved by the Council on 12 March 2013, except in the following areas;

Hours of Operation

The Leederville Hotel is requesting an extension of hours of operation for their OEA. It should be noted that the intention of the Hotel was always to extend the operating hours of the Outdoor Eating Area, should the initial trial be successful, and clearly stated in the following correspondence (as reported at Item 9.4.6, 12 March 2013) received from the General Manager of the Leederville Hotel on Friday, 1 March 2013:

"The Leederville Hotel would be agreeable to trialling the Alfresco during the hours of 11.30am to 6.30pm Wed to Sat. The Hotel currently does not operate Sunday through Tuesday.

During this trial period, I should be happy to monitor & build information obtained from this trial into a Pedestrian Management Report for Council consideration with a view to the possibility of increasing the Alfresco hours of operation on a permanent basis."

Pedestrian Management Plan

As cited in Item 9.4.6 considered at the Ordinary Meeting of Council held on 12 March 2013 *'if the Hotel makes an application to increase the operating hours, it will also submit a Pedestrian Management Plan, identifying how the issue of footpath congestion will be dealt with.*

Any future applications will be assessed on their merit, having regard to how the pedestrian congestion and conflict was managed.' Noting the increase in hours of operation requested by the Hotel in renewal of this permit, the City's Officers have recommended that a Pedestrian Management Plan be submitted as a condition of this OEA renewal. The Pedestrian Management Plan would need to take into account the close proximity of the taxi rank area, which is utilised from 8.00pm. There would therefore need to be greater consideration of patron and pedestrian conflict and possible congestion on the footpath that could result whilst people are queuing for taxis.

Health Services

Health Services have assessed the premises and confirm that the current application for OEA is consistent with what has been previously approved by the Council, with no changes proposed in terms of numbers of patrons.

Health Services have requested the additional stipulations regarding the consumption of alcohol in the OEA if approved by DRGL. In regards to noise, a further condition has been recommended to allow the City to amend operating hours should complaints be received and subsequently substantiated.

Planning Services

Planning Service's has no objection to the proposal provided that it does not operate outside of the approved hours of operation for the adjoining section of the Leederville Hotel. The hours most recently approved by the Council at its Ordinary Meeting held on 22 August 2006 are as follows:

Monday – Thursday	6am to 12am;
Friday – Saturday	6am to 1am; and
Sunday	6am to 11pm.

Ranger and Community Safety Services

Rangers have conducted a surveillance operation from 23 May 2013 to 25 August 2013 looking at aspects of the operation of the OEA, including days of operation, queuing of people and extent of queuing, whether queuing outside is from east to west and extending down to Reds café and use of crowd control barriers. Forty one (41) separate visits were conducted by Rangers. It should be noted however that the OEA was not always in operation as the Leederville Hotel has the option to not use the area, should weather be unsuitable on any day. On each Ranger visit where the OEA was in operation, it was observed to be operating in a safe and orderly way.

Ranger and Community Safety Services have raised previous concerns over possible congestion of the footpath and conflict with the taxi rank in the evening, and the development of a Pedestrian Management Plan and subsequent trial to 30 June 2014 to assess this is suggested as a more prudent approach to address these matters.

Complaints Received

A complaint has been received from a member of the public who advised that the OEA did not activate the area and raised concerns in relation to the apparent difference in tables and chairs. This was investigated and, whilst the chairs were slightly different from the original colour, the tables and chairs were considered identical or of a very similar type to those approved by the Council. The chairs used are the same type; however, are white/grey instead of red/black and a different brand of table is being used. The outdoor furniture complies with the OEA Policy No. 3.8.1, clause 4.5: *'all furniture must .. be maintained in good condition, and be aesthetically satisfactory and safe'*.

Further concerns were raised about the advertising on crowd control barriers. At the Ordinary Meeting of Council held on 6 November 2007, the Council adopted the Policy relating to Signs and Advertising (Item 10.1.3) which allowed signage in Outdoor Eating Areas, provided it was approved as part of the OEA application and related to the use of the premises. The crowd control barriers were considered as part of OEA for the Leederville Hotel at the Ordinary Meeting of Council held on the 12 March 2013, and were subsequently approved at this meeting.

An additional concern was raised with queuing outside the outdoor eating area; however, Rangers observation indicate this was minimal, with often little or no queue being observed up until 10pm most nights. Friday and Saturdays nights were evidenced to be the busiest nights with queues of 10 people observed at approximately 10pm onwards and up to 30 people observed queuing from 10.30pm to midnight. There was little or no queue outside the Hotel from east to west and extending down to Reds café. No footpath obstructions were observed and the correct location of furniture was observed with the correct number of chairs and tables, which appeared to be safe and practical on each Ranger visit.

LEGAL/POLICY:

- City of Vincent Local Government Property Local Law 2007; and
- Policy No. 3.8.1 relating to Outdoor Eating Areas.

RISK MANAGEMENT IMPLICATIONS:

Medium: The increase in the use of the footpath, by an additional OEA, during the day and in the evening would have little effect on the use of the footpath. However the existing taxi rank does get used from 8pm and can be very busy for much of the evening, which may lift the risk from low to medium. These risks can however be mitigated with effective pedestrian management strategies.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011 – 2016*, Objective 1.1.4(b) states:

"Continue to implement both minor and major improvements in public open spaces".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications to the City, associated with this report.

COMMENTS:

The Leederville Hotel originally made application for approval for an additional outdoor eating area, close to the existing outdoor area and adjacent to the Hotel boundary. The application sought operating hours from 11:30am to midnight. The City's Officers at that time did not believe that it was appropriate to approve the application, given the current pedestrian congestion from around 8:00pm each night. However, the Hotel subsequently amended the application and reduced the operating hours to cease at 6:30pm, which the Council subsequently supported at the Ordinary Meeting of Council held on 12 March 2013. A trial of these times commenced until 12 September 2013 and Ranger reports indicate the OEA operated without incident.

The additional condition relating to compliance with the Liquor Control Act and the Environmental Protection (Noise) Regulations 1997 will ensure the area is managed to a high standard.

Ranger reports indicate peak periods and queuing on Friday and Saturday nights beyond 10pm with possible congestion of the footpath and conflict with the taxi rank in the evening. The Leederville Hotel has crowd control on entry points to the Hotel, and monitor and manage issues relating to pedestrians and patrons of the Hotel during the proposed hours. The existing outdoor area works well and provides an improved amenity for this part of Newcastle Street. A Pedestrian Management Plan submitted by the Hotel identifying how the issue of footpath congestion will be dealt with, is therefore proposed as part of the conditions for the later hours requested.

The current approval with the later hours proposed will be for a further trial period until 30 June 2014 and will be re-assessed prior to renewal of any further permit. The application is therefore recommended for approval.

9.4.3 Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of Lease for North Perth Community Gardens (Inc.)

Ward:	North	Date:	27 September 2013
Precinct:	North Perth	File Ref:	CMS0123
Attachments:	001 – Map of Proposed Leased Area		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council APPROVES a peppercorn lease from 1 October 2013 to 1 October 2015, for the premises at No. 10 (Lot 2545) Farmer Street, North Perth , an area of approximately 743 m² being granted to the North Perth Community Garden (Inc.), as shown in Appendix 9.4.3, (Drawing 2846-CP-01E)as follows:

Term:	Two (2) years;
Rent:	\$1.00 per annum plus GST;
Outgoings:	To be paid by the Lessee;
Rates & Taxes:	To be paid by the Lessee; and
Permitted Use:	Community Garden activities;

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the North Perth Community Garden (Inc.) to lease a portion of No. 10 (Lot 2545) Farmer Street to implement a Community Garden.

BACKGROUND:

At the Ordinary Meeting of Council held on 12 February 2013, the following resolution was adopted:

“That the Council;

1. *RECEIVES Progress Report No. 5 on the Woodville Reserve MasterPlan; and*
2. *ADOPTS the MasterPlan as shown in Plan No. 2846-CP-01E, as shown in Appendix 9.4.2B; and*

3. *INVESTIGATES the use of grass-crete in the driveway component next to the Wellness Centre."*

As a part of the resolution the Woodville Reserve Masterplan was approved as outlined in Appendix 9.4.3. The Woodville Reserve Masterplan included approval of a Community Garden in the location shown in Appendix 9.4.3.

The Steering Committee for the North Perth Community Garden has become an incorporated body and will be independently managing the North Perth Community Garden with the support of the City. The City's Officers recommend putting a lease in place for the North Perth Community Garden to clearly highlight the roles and responsibilities of both the City and the Group.

DETAILS:

The City's Officers are recommending a peppercorn lease for the North Perth Community Gardens Inc. use of Portion of No. 10 (Lot 2545) Farmer Street, North Perth. Although the North Perth Community Garden is an incorporated body, they are a new entity and are not yet financially independent from the City.

The North Perth Community Garden has completed a significant amount of work on the proposed leased area since approval of the project at the Ordinary Meeting of Council held on 12 February 2013. A garden shed and water tank has been installed on site, garden beds built, mulch and soil delivered and an accessible pathway is in the process on being installed.

The Group is also in the planning stages of a Grand Opening for the Community Garden to be held on Saturday, 26 October 2013. This will be a free community event to show case the works completed so far and give community members an opportunity to express interest in becoming a member of the Group.

The City's Officers recommend a rent of \$1 per annum, plus GST for a period of two (2) years. This will allow the North Perth Community Garden Inc. time to raise revenue through membership fees, fundraising, grants and donations and become financially independent.

After a period of two (2) years, the City will review the rent on the Lease agreement for North Perth Community Garden Inc.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Policy No. 1.2.1 – Terms of Lease.

RISK MANAGEMENT IMPLICATIONS:

Low: Upon careful assessment of this project, it has been deemed as low risk.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016*, the following Objectives state:

"2.1.3: *Develop business strategies that reduce reliance on rates revenue.*

...

(c) *Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.*

3.1.3: *Promote health and wellbeing in the community.*

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

3.1.6: *Build capacity within the community to meet its needs."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

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

Budget Amount:	\$27,100
Spent to Date:	<u>\$ 992</u>
Balance:	\$26,108

COMMENTS:

The North Perth Community Garden is a project approved as part of the Woodville Reserve Masterplan. The City's Officers recommend implementing a peppercorn lease to determine roles and responsibilities of both the City and the North Perth Community Garden Inc. in implementing the approved project.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

12.1 WALGA Nominations - Healthway Board; Local Health Authorities Analytical Committee; Swan River Trust, State Graffiti Taskforce

Ward:	-	Date:	25 September 2013
Precinct:	-	File Ref:	ORG0045
Attachments:	001 – WALGA Nomination Details		
Tabled Items:	Nil		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That:

1. _____ be nominated as WALGA Deputy Member - Healthway Board;
2. _____ be nominated as WALGA Metropolitan Member - Local Health Authorities Analytical Committee (Ministerial Approval) – *Re - advertised*;
3. _____ be nominated as WALGA Metropolitan Member - Swan River Trust (Ministerial - Panel of 3); and
4. _____ be nominated as WALGA Metropolitan Member - WA State Graffiti Taskforce.

COUNCIL DECISION ITEM 12.1

Moved Cr Harley, Seconded Cr Maier

The Presiding Member Acting Mayor Cr Warren McGrath called for Nominations and the following was received:

That:

1. _____ be nominated as WALGA Deputy Member - Healthway Board;
2. _____ be nominated as WALGA Metropolitan Member - Local Health Authorities Analytical Committee (Ministerial Approval) – *Re - advertised*;
3. Cr Buckels be nominated as WALGA Metropolitan Member - Swan River Trust (Ministerial - Panel of 3); and
4. _____ be nominated as WALGA Metropolitan Member - WA State Graffiti Taskforce.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Buckels

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 22 October 2013.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

DETAILS:

Please see Appendix 12.1 for further details.

NB:

NOMINATIONS CLOSE BY 5PM THURSDAY 14 NOVEMBER 2013

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 8.00pm **Moved Cr Harley, Seconded Cr Carey**

That the Council proceed “behind closed doors” to consider confidential item 14.1, as the matter relates to an employee and 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 Chief Executive Officer.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

There were no members of the public present.

John Giorgi, JP Chief Executive Officer departed the meeting.

Rob Boardman Director Community Services, Mike Rootsey Director Corporate Services, Rick Lotznicker Director Technical Services and Petar Mrdja A/Director Planning Services departed the meeting

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

Journalists Sara Fitzpatrick and David Bell departed the meeting.

PRESENT:

Cr Warren McGrath (<i>Acting Mayor</i>)	Presiding Member
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward

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

14.1 CONFIDENTIAL ITEM: Chief Executive Officer’s Performance Appraisal 2013

Ward:	-	Date:	4 October 2012
Precinct:	-	File Ref:	
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	Natalie Lincolne (Senior Consultant) Price Consulting Group John Giorgi, Chief Executive Officer		
Responsible Persons:	Acting Mayor and John Giorgi, Chief Executive Officer		

Chief Executive Officer John Giorgi has declared an financial interest in Item 14.1. The extent of his interest being that it relates to his Contract of Employment.

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 the Chief Executive Officer’s Performance Appraisal 2013, as this matter relates to an employee; and
2. **AUTHORISES** the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

COUNCIL DECISION ITEM 14.1

Moved Cr Topelberg, Seconded Cr Carey

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Buckels

That the item be DEFERRED to the Special Meeting of Council to be held on 15 October 2013.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it relates as the matter relates to an employee. 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 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 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 8.07 pm **Moved Cr Harley, Seconded Cr Maier**

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Pintabona was an apology for the Meeting.)

15. CLOSURE

There being no further business, the Presiding Member, Acting Mayor Cr Warren McGrath, declared the meeting closed at 8.07pm with the following persons present:

- Cr Warren McGrath (*Acting Mayor*) Presiding Member
- Cr Matt Buckels North Ward
- Cr John Carey South Ward
- Cr Roslyn Harley North Ward
- Cr Dudley Maier North Ward
- Cr Joshua Topelberg South Ward
- Cr Julia Wilcox North Ward

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 October 2013.

Signed:Presiding Member
Acting Mayor Cr Warren McGrath

Dated this day of 2013