



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

26 JUNE 2012

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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 26 June 2012, commencing at 6.01pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.01pm 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:

Nil.

(b) Members on Approved Leave of Absence:

Cr Julia Wilcox – approved leave of absence until 2 July 2012 inclusive, due to family commitments.

Cr Roslyn Harley – approved leave of absence from 23 June 2012 to 21 July 2012 inclusive due to personal commitments.

(c) Present:

Mayor Hon. Alannah MacTiernan Presiding Member

Cr Warren McGrath (*Deputy Mayor*) South Ward

Cr Matt Buckels North Ward

Cr John Carey South Ward

Cr Dudley Maier North Ward

Cr John Pintabona South Ward

Cr Joshua Topelberg South Ward

John Giorgi, JP Chief Executive Officer

Rob Boardman Director Community Services

Carlie Eldridge Director Planning Services

Rick Lotznicker Director Technical Services

Mike Rootsey Director Corporate Services

Jerilee Highfield Executive Assistant (Minutes Secretary until 8.00pm)

Media

Lauren Peden Journalist – *"The Guardian Express"* (until approximately 7.30pm)

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:

Nil.

There were no speakers.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

4.1 Cr McGrath requested leave of absence from 27 July 2012 to 11 August 2012 (inclusive), due to work and personal commitments.

Moved Cr Pintabona Seconded Cr Maier

That Cr McGrath request for leave of absence be approved.

CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Minutes of the Ordinary Meeting of Council held on 12 June 2012.

Moved Cr Pintabona Seconded Cr Maier

That the Minutes of the Ordinary Meeting of Council held 12 June 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

6.2 Minutes of the Special Meeting of Council held on 20 June 2012.

Moved Cr Carey, Seconded Cr Pintabona

That the Minutes of the Special Meeting of Council held 20 June 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Agreement For The Perth Soccer Club To Use Parking At The Mount Lawley Campus (Central Institute Of Technology)

A Memorandum of Understanding (MOU) has been entered into between the City, Perth Soccer Club and the Central Institute of Technology for Perth Soccer Club to use the parking facilities in the grounds of the Central Institute of Technology, Mount Lawley Campus, on Sundays.

Discussions between myself and the Managing Director of Central Institute of Technology, Neil Fernandes, were held resulting in a very positive collaboration between all parties, as well as providing considerable benefit to the local community.

Perth Soccer Club players, members, and spectators have access to the Campus Car Park on Sundays allowing the Forrest Street Parking to be used by local residents and other users of the Reserve and relieving the parking pressure currently experienced by Forrest Park users during this time.

The City of Vincent will operate the Central Institute of Technology Car Park between 8.30am and 3.00pm on Sundays and conduct the enforcement of parking restrictions with an agreement to review after a period of five years.

This arrangement will greatly improve the parking congestion around Forrest Park on match days and will therefore improve the amenity of the local residents.

7.2 Census 2012

The 2012 Census statistics were recently received and this has provided some interesting statistics for the City of Vincent, including the following:

The City of Vincent has seen a population growth of 17.37% between 2006 and 2011, with the total population being 31,549 persons. The rapid growth can be partly attributed to the expansion of the City of Vincent's boundaries in 2007, however it also reflects the strong attraction of living in Vincent, within close proximity to the CBD.

This is also reflected in the increases in dwelling numbers particularly those of flat/unit/apartments. Between 2006 and 2011 the percentage change in flat/unit/apartment dwellings is 34.96%.

There is a strong desire to accommodate high density living in Vincent, however the percentage increase between 2006 and 2011 of separate houses (8.02%) and Semi-detached, row or terrace house, townhouse (13.09%) still indicates there is a desire to live in these forms of dwellings.

Of particular interest has been the significant increase in the demographics of families with young children. There has been a 24% increase in the number of children between 0-4 years between 2006 and 2011.

The 2006 and 2011 Census data reveals that there has not been a great to change to the family composition over the past five years, however the increase in population has resulted in greater numbers of families with and without children, one parent families and other families.

The age group that had the greatest population growth between 2006 and 2011 was people aged between 55 and 64 (31.69% population growth) and a decline in growth for the age group 75-84 years (-8.04%).

This increase in young children, together with the growth in the baby boomer age group highlight that mechanisms are urgently required to enable conveniently located day care centres and kindergartens, together with age care facilities, retirement villages, a diversity of housing typologies and other key services for these user groups, being provided in the City, to ensure that Vincent remains attractive to live, work and do business.

Statistics

- The City of Vincent has a population of 31,549 (male – 50.9% and female - 49.1%). In 2006 the total population was 26,878, however since this time, the City of Vincent has increased in size.
- Median age is 34 compared to 35 in 2006.
- 13.8% of the population were children aged between 0-14.
- 10.5% of the population were people aged 65 and over.
- 29.4% of Vincent's population were attending an educational institution made up of 18.8% primary school, 10.2% secondary school and 33.4% tertiary or technical school.
- Family structure: Couple family without children 47.6%, couple family with children 38.1%, one parent family 11.3% and other family 3.0%
- Dwelling Structure: separate house 56.4%, semi-detached/row or terrace house/townhouse 18.8%, flat/unit/apartment 24.4% and other 0.3%

8. DECLARATIONS OF INTERESTS

- 8.1 Cr McGrath declared an Impartiality interest in Item 9.5.4 – Information Bulletin, particularly IB05 and IB18. The extent of his interest being that his company is undertaking Environmental Consultancy Services for the Tamala Park Regional Council. Cr McGrath stated that as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider the matter on its merits and vote accordingly.
- 8.2 Cr McGrath declared an impartiality interest in Item 9.1.2 – No. 51 (Lot 87; D/P: 6064) Milton Street, Mount Hawthorn. The extent of his interest being that the application has been made by a social acquaintance and there may be a perception that his impartiality on the matter may be affected. He declared that he would consider the matter on its merits and vote accordingly.
- 8.3 Cr Carey declared a financial interest in Item 9.4.1 – Festivals Programme 2012/2013. The extent of his interest being that he is on the board of the Beaufort Street network, which runs the festival and has a financial interest in the success of the festival. He declared that that he may be liable for any losses of the festival. Cr Carey advised that the wished to depart the Chamber while the matter is being considered.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Hon. Alannah MacTiernan, 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:**

Nil.

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

Items 9.2.4, 9.4.3, 9.5.1, 9.5.2, 10.1, 14.1 and 14.2.

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

Item 9.4.1

Presiding Member, Mayor Hon. Alannah MacTiernan, requested Council Members to indicate:

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

Cr Carey	Nil.
Cr Topelberg	Nil.
Cr Buckels	Nil.
Cr McGrath	Item 9.4.1
Cr Pintabona	Nil.
Cr Maier	Item 9.1.1, 9.1.3, 9.2.1, and 9.5.4
Mayor Hon. MacTiernan	Nil.

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer to advise the meeting of:

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

Items 9.1.2, 9.2.2, 9.2.3, 9.3.1, 9.3.2, 9.3.3 ad 9.4.2

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

Item 14.1 and Item 14.2.

New Order of Business:

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

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

Items 9.1.2, 9.2.2, 9.2.3, 9.3.1, 9.3.2, 9.3.3 ad 9.4.2

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

Nil.

- (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”).

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Pintabona Seconded Cr Buckels

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

Items 9.1.2, 9.2.2, 9.2.3, 9.3.1, 9.3.2, 9.3.3 ad 9.4.2

CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

9.1.2 No. 51 (Lot 87; D/P: 6064) Milton Street, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Six (6) Two-Storey Multiple Dwellings

Ward:	North	Date:	15 June 2012
Precinct:	COS; P16	File Ref:	PRO4656; 5.2012.132.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items	Neighbourhood Context Report		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, 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 A Gauci on behalf of the owner S Myles for Proposed Demolition of Existing Single House and Construction of Six (6) Two-Storey Multiple Dwellings, at No. 51 (Lot 87; D/P: 6064) Milton Street, Mount Hawthorn, and as shown on plans stamp-dated 4 March 2012 and amended plans dated 11 June 2012, subject to the following conditions:

1. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Milton Street;
2. any new street/front wall, fence and gate within the Milton Street setback area, including along the side boundaries within this street setback area, shall comply with the Residential Design Codes provisions relating to Street Walls and Fences;
3. 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;
4. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:

4.1 Construction Management Plan

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

4.2 Schedule of External Finishes

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

4.3 Section 70 A Notification under the Transfer of Land Act

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

The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units as at the time of assessment, the on-site car parking was in accordance with the requirements of the Residential Design Codes.

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

4.4 Landscape and Reticulation Plan

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

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

- 4.4.1 provision of increased soft landscaping of ten (10) percent of the total site common areas with a view to significantly reduce areas of hardstand and paving;
- 4.4.2 the visitors parking and driveway shall be landscaped and shall comprise of grass-crete or concrete rings placed cylindrically with grass-seed grown within or an equivalent alternative treatment to the satisfaction of the City's Manager Parks and Property Services, whilst providing sufficient pedestrian access along the driveway;
- 4.4.3 the location and type of existing and proposed trees and plants;
- 4.4.4 all vegetation including lawns;
- 4.4.5 areas to be irrigated or reticulated;
- 4.4.6 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 4.4.7 separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

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

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

4.5 Refuse and Recycling Management Plan

Bin numbers, collection and stores shall meet with the City's minimum service provision; and

5. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City;

5.1 Clothes Dryer

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying;

5.2 Residential Car Bays

A minimum of five (5) car bays and two (2) car bays shall be provided for the residents and visitors respectively. The seven (7) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development; and

5.3 Visitor Bays

The car parking area shown for the visitor bays shall be shown as 'common property' on any strata or survey strata subdivision plan for the property.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

The report is referred to a meeting of Council as six (6) multiple dwellings are proposed and the application received five (5) or more objections during the consultation period.

BACKGROUND:

Nil.

DETAILS:

The proposal involves the demolition of the existing single storey dwelling and the construction of six (6) two-storey multiple dwellings.

Landowner:	S Myles
Applicant:	A Gauci
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Residential R50
Existing Land Use:	Single Residential
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	731 square metres
Access to Right of Way	Not Applicable.

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	✓		
Streetscape	✓		

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Front Fence	✓		
Front Setback	✓		
Building Setbacks	✓		
Boundary Wall	✓		
Building Height	✓		
Building Storeys	✓		
Open Space	✓		
Bicycles	✓		
Access & Parking	✓		
Privacy	✓		
Solar Access	✓		
Site Works	✓		
Essential Facilities	✓		

The proposed development is compliant with all of the acceptable development provisions of the Residential Design Codes and the City's Policy 3.2.1 relating to Residential Design Elements.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	15 May 2012 to 29 May 2012.
Comments Received:	Neighbour consultation was undertaken in relation to the proposed upper floor setback and visual privacy variations. Twenty (20) objections were received; eighteen (18) during the consultation period and two (2) after the consultation period had closed. The following table is a summary of the comments received.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Parking</p> <ul style="list-style-type: none"> Concern with impact of the development upon parking congestion in Milton Street. There already is difficulty in obtaining street parking. The addition of six (6) new units (with one (1) car bay each) will further increase street congestion and street parking. The increase on parking within the street will impact the existing residents and with most units requiring two (2) car parking bays, overspill of parking onto the street will occur. 	Dismiss. The proposed parking on site is compliant in terms of Clause 7.3.3 of the Residential Design Codes for Multiple Dwellings.
<p>Issue: Density</p> <ul style="list-style-type: none"> The proposal is for higher density living which the street has not previously had. This will change the nature of the street from family friendly to one of apartment living and will not blend into the street. The development if approved will set an unwelcome precedent for high density developments that will change the character of the area for the worse. 	Dismiss. The Residential coding for the property is Residential R50 which, according to Table 4 of the Residential Design Codes, allows for a plot ratio of 0.6 or 434.88 square metres of built area. In effect, the development is no greater in scale or density than three (3) grouped dwellings, which would be permitted on site.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Loss of Sunlight</p> <ul style="list-style-type: none"> Concern regarding the loss of morning sunlight from the development of two-storey dwellings on the site. 	<p>Dismiss. The proposed upper floor setback is compliant for the development and given the development is of a two-storey nature, it is not anticipated that the impact of sunlight will be significant to the adjoining property owners.</p>
<p>Issue: Privacy</p> <ul style="list-style-type: none"> Concern in relation to the upper floor balconies on site and their impact upon rooms of the adjoining property. Apartments 4, 5 and 6 should have screening applied. 	<p>Dismiss. The proposed upper balconies to Apartments 4, 5 and 6 have been amended to include privacy screening along the western elevation of each balcony to a minimum height of 1.6 metres from finished floor level, which is now compliant with the Residential Design Codes requirements.</p>
<p>Issue: Scale and Bulk</p> <ul style="list-style-type: none"> The development of six (6) apartments on site has too much of an impact on site where as a proposal for four (4) would provide room for sufficient parking, the minimisation of bulk and allowance of front gardens which retain the character of Milton Street. 	<p>Dismiss. The development is compliant in terms of height and plot ratio for the Residential R50 coding and is therefore a compliant development.</p>
<p>Issue: Non Compliance with Setback Requirements</p> <ul style="list-style-type: none"> Concern in relation to proposed setback variations which are considered to be excessive along the eastern and western boundaries. The impact of which will be felt to the adjoining properties and impact habitable rooms. 	<p>Dismiss. The applicant has amended the proposed western and eastern elevations to meet compliance with the side setback requirements of Table 2a and 2b of the Residential Design Codes.</p>
<p>Issue: City's Vision for the Area</p> <ul style="list-style-type: none"> Concern the development does not meet the Vincent Vision 2024 vision in regard to housing density, parking and infrastructure development. With regard to density being carefully managed, car parking provided to meet the needs of residents and which are innovative and reduce the visual dominance and presence of cars. 	<p>Dismiss. The property was formerly part of the City of Stirling area which at the time of the Vincent Vision 2024 project, was not within the City's boundaries. The property is Residential R50 and under the Residential Design Codes 2010, the Western Australian Planning Commission specifically noted the allowance for Multiple Dwellings in areas coded R50 where a plot ratio of 0.6 and several acceptable development provisions were complied with. The development is compliant with the acceptable development provisions of the Residential Design Codes.</p>
<p>Issue: Landscaping</p> <ul style="list-style-type: none"> Object to the fact the development proposes inadequate landscaping on site. The proposed hardstand at the front of the property is considered excessive and will have an impact along Milton Street. The absence of inadequate landscaping within the street setback area of the site does not assist in screening the multiple dwelling developments. The development should provide landscaping to shield the proposed visitor car parking bays. 	<p>Condition. The applicant has amended the proposed plans to include significant areas of landscaping along the majority of the western boundary in addition to portions along the eastern boundary. Also provided is a portion of landscaping in front of the visitor car parking bays at the front of the property.</p> <p>Furthermore, a condition of approval that a significant landscaping and reticulation plan be provided noting the specific types of species and plants are to be provided with the application for a Building Permit.</p>

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

Design Advisory Committee:

Referred to Design Advisory Committee: No.

LEGAL/POLICY:

City of Stirling District Planning Scheme No. 2 and associated Policies.

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."*

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 design of the dwellings allow for adequate light and ventilation. The dwellings all have eastern light to the living areas and cross ventilation given their design. These design elements have the potential to reduce the need or reliance on artificial heating and cooling as well as high levels of artificial lighting.	

SOCIAL	
Issue	Comment
The proposal is for six (6) apartments within Mount Hawthorn. This proposal will increase housing diversity and provide housing for smaller households within the City which are anticipated to grow and become a significant proportion of households.	

ECONOMIC	
Issue	Comment
The construction of the building will provide employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

In view of the above and given the proposed development has incorporated significant amelioration of the built form through the provision of landscaping at the front of the property and the extent of the western boundary, the application is supportable. In addition, it is considered that as the proposal is compliant with the Acceptable Development Provisions of the Residential Design Codes with respect to plot ratio, setbacks, height, site works and stores, the development is consistent with the intent of the Residential Design Codes to provide for greater housing choice. It is also noted that the development, in terms of built form, will not be out of character with the two-storey grouped dwellings already prevalent along Milton Street. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions.

9.2.2 Development of a New Local Bicycle Plan – Approval of a Consultant

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	TES0172
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

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.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Integrated Transport Advisory Group's (ITAG) selection process and recommendation of a preferred candidate to develop a new City of Vincent Local Bicycle Plan.

BACKGROUND:

The City (then Town) first developed a Local Bicycle Plan in 1998, endorsed by the Council in the same year.

The plan was last reviewed in 2004.

In 2011 the City applied to the Department of Transport (DoT) for grant funding to again review the plan. The application was successful and the City was granted the maximum funding available of \$5,000 on the understanding that the City would contribute the same.

However during the 2011/12 budget process several Councillors expressed an opinion that the existing plan was outdated and that rather than merely undertake a review that a new plan, based upon current standards and best practice, should be developed.

The Council duly allocated \$25,000 (in addition to the DoT \$5,000 grant) for a new Local Bicycle Plan and the matter referred to the ITAG for consideration.

DETAILS:

The development of a new Local Bicycle Plan was first considered by the ITAG at its meeting of 30 November 2011.

Having discussed in general terms the Group's expectations and as to what was considered the required and desirable elements of a good Local Bicycle Plan the Manager Asset and Design Services was assigned the task of developing a 'brief' which could be circulated to suitability qualified consultants.

ITAG Meeting 9 February 2012

Prior the following ITAG meeting on 9 February 2012 three variations of a 'consultants brief' was circulated to the Group members. The documents had been sourced from other Local Governments of varying sizes, from a large, mid size and small metropolitan Council.

The Group subsequently discussed the documents and reached the conclusion that none adequately conveyed what the City was seeking.

It was then agreed that selected, suitability qualified consultants, with proven experience in developing Local Bicycle Plans, be invited to submit and present a proposal to the ITAG.

The three consultants selected were:

- Aurecon;
- Cardno;
- Opus.

Each was provided with the same information to assist in their preparation of their submissions and presentations.

It was emphasised to each that the total budget was \$30,000, that the City was keen to engage the broader community not just the cycling community and that the implementation phase had to be largely completed within three (3) years.

Bike Futures Seminar 29 March 2012

The RAC-WA held a Bike Futures Seminar at its Wellington Street offices on 29 March 2012 attended by in excess of 100 delegates. Amongst the participants were officers from the various state Transport agencies, bicycle advocacy groups and Local Governments (Councillors, Technical Officers and TravelSmart Officers).

Four (4) members of the ITAG attended primarily for the presentations on developing effective Local Bicycle Plans.

ITAG Meeting 14 May 2012

All three (3) consultants accepted the City's invitation and attended the ITAG meeting of 14 May 2012.

Each was given twenty (20) minutes to make a brief presentation outlining their experience, their proposed methodology and to ask questions of the Group.

The first presentation was by Cardno represented by four members of their Traffic and Transport team.

The second was by the principal Traffic and Transport Engineer of Aurecon's Perth office, while the third was by Opus's Senior Transportation Planner.

All provided an outline of their experience, the composition of their project team and what they saw to be the main criteria and priorities in developing an effective Local Bicycle Plan.

At the conclusion of the presentations the Group discussed the merits of each.

ITAG's Recommendation

The consensus of the Group was the 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's having access to the Cycling Environment Review System 'CERS', software (compatible with the City's GIS system) that allows the user undertake a full audit of the road network from a cycling prospective 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.

The end result should be a more focused implementation plan.

Prior to this report being presented to Council each consultant agreed to, and has duly submitted, a formal proposal to the City, based upon their discussions with the ITAG, clearly identifying what they would deliver to meet the City's requirements.

Officer Comment:

It should be noted that given that the consultants knew in advance of the project budget it was not competitive tender based upon price but rather a competitive tender based upon methodology and outcomes.

CONSULTATION/ADVERTISING:

Consultation was not part of the selection process but will be an integral part of the development of a Local Bicycle Plan.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

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 the dependence on the motorised transport and pollution.

FINANCIAL/BUDGET IMPLICATIONS:

The 2011/2012 budget included an allocation of \$30,000, carried forward to the 2012/2013, in anticipation of the Local Bicycle Plan proceeding.

COMMENTS:

The ITAG members expressed an opinion that they did not want an 'off the shelf' Local Bicycle Plan. Rather, they wanted a more innovative plan that engaged the local community and would encourage greater cycling participation, particularly in underrepresented groups, such as young women and the elderly. In order to achieve these outcomes the plan has to identify practical destinations, via safe routes, with appropriate end of trip facilities. Further, it has to provide an implementation phase that will not extend beyond three (3) years.

It was agreed by the Group that this could not be adequately conveyed in a standard 'brief' so the Group sort to turn the process around and asked three selected consultants what can you do for the \$30,000 budget?

At the conclusion of the process the Group selected Aurecon as the preferred consultant and is now seeking Council's endorsement.

9.2.3 Tender No. 446/12 Specialised Turf Maintenance, Herbicide Applications and Turfing Services

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	TEN0455
Attachments:	Nil		
Tabled Items:	-		
Reporting Officers:	J Parker, Project Officer – Parks & Environment; J van den Bok; Manager Parks & Property Services		
Responsible Officers:	R Lotznicker; Director Technical Services; M Rootsey; Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the tenders submitted by Lawn Doctor, Turfmaster Facility Management and Turf Developments (WA) Pty Ltd as being the most acceptable to the City for Specialised Turf Maintenance, Herbicide Applications and Turfing Services and awards the specific components of the contract as follows and in accordance with the specifications as detailed in Tender No. 444/12.

1. **Verti-Mowing and Sweeping – Lawn Doctor;**
2. **Fertilising – Lawn Doctor;**
3. **Herbicide Applications – Turfmaster Facility Management; and**
4. **Turfing Services – Turf Developments (WA) Pty Ltd.**

COUNCIL DECISION ITEM 9.2.3

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the tender(s) evaluated as being the best value for money for Specialised Turf Maintenance, Herbicide Applications and Turfing Services.

BACKGROUND:

Tenders for Specialised Turf Maintenance, Herbicide Applications and Turfing Services for a three (3) year period were advertised in the West Australian on 18 April 2012.

Tenders closed at 2.00pm on 2 May 2012 after a fourteen day (14) advertising period and three (3) tenders were received. Present at the opening of the tenders were Finance Officer, Mary Hopper, Property Maintenance Officer, Keith Steicke and the Parks Technical Officer, Kim Godfrey.

DETAILS:

The details of all tenders received for Tender No. 446/12 are listed below:

Note: All prices *include* GST.

Thatch removal by verti-mowing:

Verti-Mowing	Lawn Doctor	Turfmaster	Turf Developments
Verti-mow	\$301.00	\$319.00	\$434.50
Sweep	\$275.00	\$275.00	\$434.50
TOTAL	\$576.00	\$594.00	\$869.00

Disposal of Debris	Lawn Doctor	Turfmaster	Turf Developments
<u>Option 1</u> Debris transported by compactor truck to locations as selected within the City of Vincent boundary. The Contractor is to load and transport the debris. The Contractor shall bear all costs associated with disposal except tipping fees.	\$26.00 / m ³ banked	\$27.50/m ³ banked	\$525 + GST = \$577.50 per compactor truck load or part thereof PER SITE. Compactor truck has 19m ³ volume
<u>Option 2</u> Debris transported by compactor and disposed of by the Contractor. All costs of loading, transport and disposal of debris to be borne by the Contractor.	\$88.00/m ³ banked	\$38.50/ m ³ banked	\$745 + GST = \$819.50 per compactor truck load or part thereof PER SITE
How many hectares can be verti-mowed / swept on one day?	6 ha	15 ha	6 ha verti-mowed and swept = 360/ m ³ thatch
What quantity of thatch material can be removed in one (1) hour?	40-50/m ³	60 m ³	30 m ³

Supply and Apply Only Cost Fully Granulated Fertilisers:

Item No	Service Description	Unit	Lawn Doctor	Turfmaster	Turf Developments
1	Sulphate of Ammonia @ 100kg	Ha	\$ 81.10	\$ 96.58	\$ 90.20
2	Sulphate of Ammonia @ 150kg	Ha	\$106.70	\$125.62	\$113.30
3	Sulphate of Ammonia @ 200kg	Ha	\$133.10	\$154.66	\$136.40
4	Ammonium Sulphate Nitrate 23.5%N, 14%S, 3.6%Ca @ 125kg	Ha	\$148.50	\$183.70	\$204.60

Item No	Service Description	Unit	Lawn Doctor	Turfmaster	Turf Developments
5	Ammonium Sulphate Nitrate 23.5%N, 14%S, 3.6%Ca @ 150kg	Ha	\$189.20	\$212.74	\$261.80
6	Ammonium Sulphate Nitrate 23.5%N, 14%S, 3.6%Ca @ 200kg	Ha	\$221.10	\$270.82	\$334.40
7	Energy Turf organic 13.5N, 1%P, 8%K, 3.6%Ca, 11%S, 1%Mn, 0.9%Fe, 0.6%Mg @ 300kg	Ha	\$448.80	\$537.46	\$671.00
8	Energy Turf organic 13.5N, 1%P, 8%K, 3.6%Ca, 11%S, 1%Mn, 0.9%Fe, 0.6%Mg @ 370kg	Ha	\$545.82	\$653.88	\$818.40
9	Energy Turf organic 13.5N, 1%P, 8%K, 3.6%Ca, 11%S, 1%Mn, 0.9%Fe, 0.6%Mg @ 440kg	Ha	\$642.84	\$770.31	\$964.70
10	3.1.1 Granulated 16%N, 1%P, 9%K, +0.41%Fe, 0/64%Mn, 0.9%Ca @ 150kg	Ha	\$164.45	\$192.94	\$248.60
11	3.1.1 Granulated 16%N, 1%P, 9%K, +0.41%Fe, 0/64%Mn, 0.9%Ca @ 200kg	Ha	\$210.10	\$244.40	\$317.90
12	3.1.1 Granulated 16%N, 1%P, 9%K, +0.41%Fe, 0/64%Mn, 0.9%Ca @ 250kg	Ha	\$255.75	\$295.90	\$389.40
13	Brilliance Granulated 16%N, 0%P, 10%K, +0.73Fe, 0.6%Mn @ 150kg	Ha	\$192.50	\$226.60	\$291.50
14	Brilliance Granulated 16%N, 0%P, 10%K, +0.73Fe, 0.6%Mn @ 200kg	Ha	\$247.50	\$289.30	\$374.00
15	Brilliance Granulated 16%N, 0%P, 10%K, +0.73Fe, 0.6%Mn @ 250kg	Ha	\$302.50	\$352.00	\$458.70
16	Superphosphate @ 100kg	Ha	\$ 92.40	\$159.50	\$135.30
17	Superphosphate @ 150kg	Ha	\$124.85	\$216.70	\$182.60
18	Superphosphate @ 200kg	Ha	\$157.30	\$276.10	\$228.80
19	Agriculture Lime @ 1000kg	Ha	\$330.00	\$236.50	\$228.80
20	Agriculture Lime @ 2000kg	Ha	\$495.00	\$434.50	\$416.90
21	Gypsum @ 1000kg	Ha	\$357.50	\$170.50	\$270.60
22	Gypsum @ 2000kg	Ha	\$605.00	\$308.00	\$499.40
23	Palletised and bagged poultry manure @ 500kg	Ha	\$473.00	\$352.00	\$534.60
24	Palletised and bagged poultry manure @ 1000kg	Ha	\$616.00	\$566.50	\$1029.60

Item No	Service Description	Unit	Lawn Doctor	Turfmaster	Turf Developments
25	Application Only (spreading)	Ha	\$ 33.00	\$ 38.50	\$104.50

Supply and Apply Only Cost Liquid Fertilisers:

Item No	Service Description	Unit	Lawn Doctor	Turfmaster	Turf Developments
1	GT Green 20%N, 6%Fe, 4%Mn @ 40 lt	Ha	\$157.30	\$217.80	\$408.00
2	GT Green plus 16%N, 0%P, 5%K, 5%Fe, 2%Mn, 1%Mg @ 40lt	Ha	\$176.00	\$242.20	\$423.50
3	Liquid Iron and Manganese 9.6%Fe, 9.8%Mn @ 50 lt	Ha	\$152.35	\$217.80	\$387.20
4	Ferrous sulphate, manganese sulphate & sulphate of ammonia amsul tech grade @ 25kg p/ha of each	Ha	\$176.00	\$217.80	\$438.90

Supply and Apply Only Cost Granule and/or Liquid Wetting Agent Base:

Item No	Service Description	Unit	Lawn Doctor	Turfmaster	Turf Developments
1	Liquid Grosorb wetting agent @ 20lt	Ha	\$247.06	\$327.80	\$482.90
2	Liquid Grosorb wetting agent @ 30lt	Ha	\$329.34	\$436.70	\$559.90
3	Granular Grosorb wetting agent @ 200kg	Ha	\$649.00	\$680.90	\$869.00
4	Granular Grosorb wetting agent @ 300kg	Ha	\$913.00	\$991.10	\$1171.50

A: Supply Only of Pesticides

Pesticide	Application Rate	Tendered Prices		
		Lawn Doctor	Turfmaster	Turf Developments
Imazypyr (250g/l)	8L/HA	\$113.52 / L	\$49.50 / L	\$504+GST for 5L = 110.88/L
Glyphosate (540g/l)	9L/HA	\$18.00 / L	\$6.50 / L	\$127+GST for 20L = \$6.99/L
Simazine (900g/Kg)	10KG/HA	\$9.00 / kg	\$6.60 / L	\$182+GST for 20L = \$10.01/L
Fenamiphos (400g/l)	11L/HA	\$ 58.10 / L	\$35.00 / L	\$338+GST for 5L = \$74.36/L
Imidacloprid (200g/l)	2.5L/HA	\$27.00 / L	\$150.00 / L	\$528+GST for 20L = \$29.04/L
Dithopyr (120g/l)	7L/HA	\$204.48 / L	\$55.00 / L	\$930+GST for 5L = \$204.60/L

Diflufenican (15g/l)	5L/HA	\$24.96 / L	\$25.00 / L	\$462+GST for 20L = \$25.41/L
Clopyralis (20g/l)				
MCPA (300g/l)				

B: Application Only of Pesticides:

Task	Area (approx)	Tendered Prices(including GST)		
		Lawn Doctor	Turfmaster	Turf Developments
Paths	435,000m2	\$0.025 /m2	\$0.055 /m2	\$ 0.087/m2
Kerb lines	350,000lm	\$0.05 /m2	\$0.088 /m2	\$ 0.087/m2
Traffic Islands	30,000m2	\$0.10/m2	Free	\$ 0.231/m2
Turf - Broadleaf	30Ha	\$150.00/Ha	\$100.00/Ha	\$352.00/Ha
- Crabgrass	30Ha	\$150.00/Ha	\$100.00/Ha	\$352.00/Ha
-Black Beetle	30Ha	\$150.00/Ha	\$100.00/Ha	\$379.50/Ha
- Nematodes	30Ha	\$300.00/Ha	\$100.00/Ha	\$379.50/Ha

Supply/Delivery Only - Supply/Delivery/Install Turf:

INSTANT TURF		Tendered Prices		
		Lawn Doctor	Turfmaster	Turf Developments
Supply/install Instant Kikuyu	Standard roll (approx 1m2)	\$ 6.60/sqm	\$ 6.60/sqm	\$ 8.69/sqm
	Jumbo roll (approx 15m2)	\$14.80/sqm	\$16.50/sqm	\$16.39/sqm
Supply/install Instant Wintergreen Couch		\$ 6.60/sqm	\$ 6.60/sqm	\$ 8.69/sqm
Supply/deliver Instant Kikuyu (Standard roll approx 1m2)		\$ 4.40/sqm	\$ 5.50/sqm	\$ 4.95/sqm
Supply/deliver Instant Wintergreen Couch		\$ 4.40/sqm	\$ 5.50/sqm	\$ 4.95/sqm

OTHER	Tendered Prices		
	Lawn Doctor	Turfmaster	Turf Developments
Rotary Hoeing	\$ 0.12/sqm	-	\$ 0.79/sqm
Smudge Board/and Tractor	\$ 0.12/sqm	\$ 0.0935/sqm	\$ 0.39/sqm
Top-Dressing with Town supplied sand	\$ 0.16/sqm	\$ 0.0935/sqm	\$ 0.19/sqm
Bobcat	\$88.00/hour	\$82.50/hour	\$99.00/hour
Truck	\$120.00/hour	\$82.50/hour	\$121.00/hour
<u>Optional:</u> Bobcat and truck	-	-	\$148.00/hour

Tender Evaluation

Evaluation Criteria

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

Evaluation Criteria	Weighting
Past experience in similar projects/works	30%
Contract price	30%
Organisational structure/capacity/resources	20%
Financial capacity	10%
Compliance with tender specification	5%
References	5%
TOTAL	100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Jeremy van den Bok; Manager of Parks & Property Services, Ian Ellies; Coordinator Parks and Patricia Moss; Rates Officer. Each tender was assessed using the above evaluation criteria in accordance with the tender documentation.

The Tender Evaluation Panel met on 7 June 2012 to assess the submissions. The tenders were further independently evaluated by each of the Panel members and the final evaluation scores submitted for collation.

Tender Summary

Thatch Removal by Vert-mowing/ Sweeping:

	Weighting	Lawn Doctor	Turfmaster Facility Management	Turf Developments
Past experience in similar projects/works	30%	24.0	24.0	23.0
Contract price	30%	30.0	29.4	19.9
Organisational structure/capacity/resources	20%	18.0	18.0	16.7
Financial capacity	10%	8.3	8.3	8.0
Compliance with tender specification	5%	4.0	4.5	4.2
References	5%	4.0	4.0	4.2
TOTAL/SCORE	100%	88.3	88.2	76.0
		1	2	3

1. Lawn Doctor – 88.3

The tender submitted was well documented and Lawn Doctor is resourced adequately to undertake this part of the contract. With the reduced need for this type of work within the City over the next three (3) years they have provided sufficient evidence that they can cope with the requirements of the contract and have provided a competitive price schedule.

2. Turfmaster Facility Management – 88.2

The tender was well documented and Turfmaster have held this component of the tender for in excess of nine (9) years. They are very well resourced and have shown the ability to undertake these works quickly and efficiently.

3. Turf Developments (WA) Pty LTD – 76.0

The tender was well documented and the company have provided evidence that they have the capacity and resources to undertake these works; however their pricing schedules are significantly higher than the submissions received from both Lawn Doctor and Turfmaster Facility Management.

Comments/Conclusion:
The tender component submitted by Lawn Doctor for Thatch Removal by Verti-mowing/Sweeping has been assessed as being the most suitable for the City's requirements for Tender No. 446/12.

Supply and Application of Fertilisers

	Weighting	Lawn Doctor	Turfmaster Facility Management	Turf Developments
Past experience in similar projects/works	30%	25.0	21.0	25.0
Contract price	30%	30.0	29.4	22.1
Organisational structure/capacity/resources	20%	16.0	18.0	17.3
Financial capacity	10%	8.3	8.3	8.0
Compliance with tender specification	5%	4.0	4.5	4.2
References	5%	4.0	3.5	4.0
TOTAL/SCORE	100%	87.3	84.7	80.6
		1	2	3

1. Lawn Doctor – 87.3

The tender submitted was well documented and Lawn Doctor is resourced adequately to also undertake this part of the contract. They have provided the best rates for the majority and most commonly used fertiliser formulations and whilst they have never held a contract with the City of Vincent previously, have provided a significant list of referees where similar works have been successfully undertaken.

2. Turfmaster Facility Management – 84.7

The tender was well documented and Turfmaster have held this component of the tender for in excess of nine (9) years. They are very well resourced and have shown the ability to undertake these works quickly and efficiently.

3. Turf Developments (WA) Pty LTD – 80.6

The tender was well documented and the company have provided evidence that they have the capacity and resources to undertake these works; however their pricing schedules are again significantly higher than the submissions received from both Lawn Doctor and Turfmaster Facility Management, particularly for the spreading.

Comments/Conclusion:

The tender component submitted by Lawn Doctor for the Supply and Application of Fertilisers has been assessed as being the most suitable for the City's requirements for Tender No. 446/12.

Supply and Application of Herbicides

	Weighting	Turfmaster Facility Management	Lawn Doctor	Turf Developments
Past experience in similar projects/works	30%	26.0	21.0	24.0
Contract price	30%	30.0	25.6	10.2
Organisational structure/capacity/resources	20%	18.7	14.7	16.0
Financial capacity	10%	8.3	8.3	8.0
Compliance with tender specification	5%	4.5	4.3	4.3
References	5%	4.3	3.8	4.0
TOTAL/SCORE	100%	91.8	77.7	66.5
		1	2	3

1. Turfmaster Facility Management – 91.8

The tender was well documented and Turfmaster have held this component of the tender for the City of Vincent under various company names since our inception and have provided and excellent service. They are well resourced and haven proven to undertake what is sometimes a controversial operation, safely and with high regard to the public in both parks and public spaces where herbicide control is required.

Supply and application of Glyphosate (Round-up) is predominantly undertaken throughout the City with very little broadacre spraying of reserves undertaken due to the thick sward of turf resisting weed infestations. Turfmaster Facility Management's rates for the majority of supply and applications are the lowest and have been maintained since 2009.

2. Lawn Doctor – 77.7

The tender submitted was well documented and Lawn Doctor has provided evidence that they have the capacity and resources to undertake these works as required.

3. Turf Developments (WA) Pty LTD – 66.5

The tender was well documented and the company have provided evidence that they have the capacity and resources to undertake these works; however their pricing schedules are again higher than the submissions received from both Lawn Doctor and Turfmaster Facility Management.

Comments/Conclusion:

The tender component submitted by Turfmaster Facility Management for Supply and Application of Herbicides has been assessed as being the most suitable for the City's requirements for Tender No. 446/12.

Supply and Installation of Turf

	Weighting	Turf Developments	Lawn Doctor	Turfmaster Facility Management
Past experience in similar projects/works	30	27.0	23.0	19.0
Contract price	30	23.8	30.0	27.9
Organisational structure/capacity/resources	20	18.0	16.0	16.0
Financial capacity	10	8.0	8.3	8.3
Compliance with tender specification	5	4.5	3.7	3.2
References	5	4.8	3.3	3.2
TOTAL/SCORE	100	86.1	84.3	77.6
		1	2	3

1. Turf Developments (WA) Pty Ltd – 86.1

The tender submitted by Turf Developments (WA) Pty Ltd was well documented and the company have provided evidence that they have the capacity and resources to undertake these works. However, most importantly they have provided evidence that the source of the turf they are supplying is 'Sting' nematode free.

Whilst the prices submitted are higher than both Turfmaster Facility Management and Lawn Doctor the requirement for the supply or supply and installation of turf is relatively small in comparison with the overall operating budget for parks and sportsgrounds and a quality product must be assured given the potential for this soil borne pest to devastate turfed areas.

2. Lawn Doctor – 84.3

The tender submitted was well documented and Lawn Doctor has provided evidence that they have the capacity and resources to undertake these works. No specific evidence or test results provided in relation to the product being supplied is 'Sting' nematode free.

3. Turfmaster Facility Management – 77.6

The tender submitted was well documented and Turfmaster Facility Management has provided evidence that they have the capacity and resources to undertake these works. No specific evidence or test results provided in relation to the product being supplied is 'Sting' nematode free.

Comments/Conclusion:

The tender component submitted by Turf Developments (WA) Pty Ltd for the Supply and Installation of Turf has been assessed as being the most suitable for the City's requirements for Tender No. 446/12.

CONSULTATION/ADVERTISING:

The tender was advertised in the West Australian Newspaper on the 18 April 2012.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

"Natural and Built Environment

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Works associated with this tender are charged against the respective park/reserve, or verge maintenance account or capital works budget accounts as required.

In previous years Verti-mowing and Sweeping of sportsgrounds has amounted to in excess of \$20,000 per annum, however this activity has been reduced significantly over the past three (3) years) as the thatch layers have been reduced and other maintenance options have been introduced. Whilst this work is still undertaken it is envisaged that the total cost per annum, will not exceed \$20,000.

Fertilising of parks/reserves, particularly sportsgrounds has been intensified over the past three (3) years and dependant on results of annual soil and leaf analysis and recommendations from turf consultants on application rates and schedules this activity will cost up to \$50,000 per annum.

Herbicide applications in parks/reserves amounts to approximately \$35,000 per year and the spraying of kerbs/footpaths program (twice per year) costs around \$70,000 per application.

Turfing costs vary considerably dependant on what projects are listed on budget, however maintenance and returfing of goal squares etc at the end of the winter season amounts to approximately \$15,000 per year.

COMMENTS:

It is therefore recommended that the tenders submitted by Lawn Doctor, Turfmaster Facility Management and Turf Developments (WA) Pty Ltd be accepted as being the most acceptable for the City for Specialised Turf Maintenance, Herbicide Applications and Turfing Services as noted in the recommendation and in accordance with the specifications as detailed in Tender No. 446/12.

9.3.1 Investment Report as at 31 May 2012

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	FIN0033
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	B C Tan, Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **NOTES** the Investment Report for the month ended 31 May 2012 as detailed in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

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

BACKGROUND:

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

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

DETAILS:

Total Investments for the period ended 31 May 2012 were \$22,711,000 compared with \$24,511,000 at 30 April 2012. At 31 May 2011, \$14,035,743 was invested.

Investment comparison table:

	2010-2011	2011-2012
July	\$11,109,646	\$13,511,000
August	\$22,184,829	\$24,011,000
September	\$20,084,829	\$22,011,000
October	\$20,084,829	\$21,511,000
November	\$21,086,506	\$21,011,000
December	\$19,585,155	\$18,011,000
January	\$19,335,155	\$25,011,000

	2010-2011	2011-2012
February	\$18,335,510	\$23,811,000
March	\$17,635,510	\$27,111,000
April	\$15,535,743	\$24,511,000
May	\$14,035,743	\$22,711,000

Total accrued interest earned on Investments as at 31 May 2012:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$567,000	\$566,000	\$565,180	99.68
Reserve	\$700,000	\$658,000	\$641,665	91.67

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

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

COMMENT:

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

The funds invested have reduced from previous period due to payments to creditors.

The increase in investment fund as compared to previous year is due to \$8,065,000 loan received from WA Treasury and \$1,248,750 contribution from Department of Sport and Recreation for Beatty Park Redevelopment. \$5,000,000 was also received from State Government of Western Australia for a new lease agreement for the nib Stadium for 25 years.

The report comprises of:

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

9.3.2 Authorisation of Expenditure for the Period 1 – 31 May 2012

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	FIN0032
Attachments:	001 – Creditors Report		
Tabled Items:	-		
Reporting Officers:	O Wojcik, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

1. Schedule of Accounts for the period 1 May – 31 May 2012 and the list of payments;
2. direct lodgement of payroll payments to the personal bank account of employees;
3. direct lodgement of PAYG taxes to the Australian Taxation Office;
4. direct lodgement of Child Support to the Australian Taxation Office;
5. direct lodgement of creditors payments to the individual bank accounts of creditors; and
6. direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;

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

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

COUNCIL DECISION ITEM 9.3.2

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

To present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 May – 31 May 2012.

BACKGROUND:

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

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Automatic Cheques	072128-072330	\$255,217.43
Transfer of Creditors by EFT Batch	1379 – 1381, 1383, 1385, 1386, 1388, 1390 - 1392	\$3,622,618.81
Transfer of PAYG Tax by EFT	May 2012	\$226,819.20
Transfer of GST by EFT	May 2012	
Transfer of Child Support by EFT	May 2012	\$702.86
Transfer of Superannuation by EFT:		
• City of Perth	May 2012	\$55,718.40
• Local Government	May 2012	\$110,148.52
Total		\$4,271,225.22
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$5,134.89
Lease Fees		\$10,309.34
Corporate Master Cards		\$13,179.77
Loan Repayment		\$113,688.59
Total Bank Charges & Other Direct Debits		\$142,312.59
Less GST effect on Advance Account		0.00
Total Payments		\$4,413,537.81

LEGAL POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 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.

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENT:

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

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

9.3.3 DEFERRED ITEM: Review of Long Term Financial Plan – Progress Report No. 1

Ward:	Both	Date:	25 June 2012
Precinct:	All	File Ref:	FIN0025
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** the progress report on the review of the City's Long Term Financial Plan; and
2. **REQUESTS** that:
 - 2.1 the Chief Executive Officer arranges a workshop in September/October 2012 (in conjunction with the review of the City's Strategic Community Plan) for the Council Members to have input into the preparation of the City of Vincent Long Term Financial Plan 2012-2022; and
 - 2.2 the City of Vincent Long Term Financial Plan for the period 2012 – 2022 be reported to Council in December 2012.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

FURTHER INFORMATION:

This Item was deferred at the OMC 12 June 2012, due to the Council Meeting finishing earlier than usual, due to the severe storm conditions.

PURPOSE OF REPORT:

To inform the Council of the current status of the review of the Long Term Financial Plan.

BACKGROUND:

The City's current Long Term Financial Plan is for the period 2006 – 2016.

As part of the Strategic Community Plan 2011 – 2021 under Key Result Area Four – Leadership, Governance and Management.

Objective 4.1.4 Plan effectively for the future:

(a) Review and update the City's Long Term Financial Plan to ensure the long term sustainability of the City.

In the Strategic Community Plan it is proposed that the long term financial plan be updated and reviewed in 2011/2012.

However, as part of the Local Government Department's Integrated Planning Framework the City has to prepare a Strategic Community Plan and Corporate Business Plan in support of these documents, the following must be provided:

- Workforce Plan;
- Asset Management Plans; and
- Long Term Financial Plan.

The regulations require the City to comply with these requirements by 30 June 2013.

As a result of the new regulations requirements the Administration has begun preparation of a new Long Term Financial Plan for the City for a ten (10) year period.

The Local Government Department has produced a Long Term Financial Planning Framework and Guidelines, these are as follows:

The Long Term Financial Plan should be a high – level document that can be easily understood by the community.

The high – level Long Term Financial Plan should be supported by detailed spreadsheets and other information that would usually be prepared for internal use, although not included in the published plan.

A Long Term Financial Plan can be presented separately as part of a range of other informing plans and documents, or can be included in the Corporate Business Plan document.

As a minimum the Long Term Financial Plan should included ten (10) year financial forecasts comprising:

- Forecast income statement;
- Statement of cash flows;
- Rate setting statement;
- Statement of financial position; and
- Equity statement.

These statements must be supported by:

- Details of assumptions on which the plan has been developed;
- Projected income and expenditure;
- Methods of measuring performance – Key Performance Indicators (KPIs);
- Scenario modelling and sensitivity analysis;
- Major capital works schedules; and
- Risk assessments of major projects.

DETAILS:

The preparation of a new Long Term Financial Plan has commenced, using current information from our works programmes and existing operating budget documentation.

However, it is important that input is received from the Council Members to ensure that the plan reflects the direction of the Council.

It is also important that the Long Term Financial Plan is as current as possible and is a working document. The 2012/13 Annual Budget should be used as the base document for this plan.

It is therefore proposed that the timeframe for the review and update on the current Strategic Community Plan be moved from the period 2011-12 to 2012-13.

CONSULTATION/ADVERTISING:

Not Applicable.

LEGAL/POLICY:

Not Applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The Long Term Financial Plan will reflect more accurate estimates and have greater validity with the movement of the review date.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"4.1.4 Plan effectively for the future

- (a) Review and update the City's Long Term Financial Plan to ensure the long term sustainability of the City."*

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not Applicable.

COMMENTS:

The amendment to the timeframe will allow alignment with the documentation requirements for the Local Government Department Integrated Planning Framework and Reporting which needs to be complied with by 30 June 2013.

Accordingly, approval of the Officer Recommendation is requested.

9.4.2 No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 1

Ward:	South	Date:	15 June 2012
Precinct:	CoP (19)	File Ref:	PRO5055
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Progress Report No. 1 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **ENDORSES** the course of action taken by the Cheriton Street Property Advisory Group in determining possible future use and partnership collaborations with relevant agencies; and
3. **NOTES** that a further report will be presented to the Council once further work on the project has been carried out by the Cheriton Street Property Advisory Group, as outlined in the report.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Pintabona Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

To provide a progress report to the Council for No. 34 (Lot 1) Cheriton Street, Perth.

BACKGROUND:

- 27 July 2010 The Council at its Ordinary Meeting resolved to commence including land ceded from various Local Government authorities to the then Town (part of the boundary changes in July 2007), into the City's Town Planning Scheme No. 1, with reporting to the Council on the commencement process in September 2010.
- 28 July 2010 The City received a letter from Gray & Lewis Land Use and Planners, seeking the Council's support for the land to be considered to be rezoned from 'Region Reserve for Public Purposes (Special Use)' to 'Urban', with the intention largely to provide greater development options for the site.
- 10 August 2010 A report was presented to the Ordinary Meeting of Council to provide information on the Applicant's request to the Western Australian Planning Commission (WAPC) regarding a proposed MRS Amendment relating to the rezoning of the subject land (road widening and Lot 1 Cheriton Street, Perth), from 'Region Reserve for Public Purposes' (Special Uses) to 'Urban'.

- The Council also requested that the Chief Executive Officer approach the relevant Minister(s) and local Member of Parliament seeking transfer of the land, free of cost to the City as a Crown Grant (or equivalent), rather than freehold.
- 20 August 2010 The City wrote to the Minister for Transport, Minister for Planning and the Shadow Minister for Culture and the Arts as directed at the Ordinary Meeting of Council on 10 August 2010.
- 27 August 2010 Response received from the Department of Regional Development and Lands stating that they would not support the transfer of land at no cost, but were prepared to make a direct offer of transfer in freehold to the City at market value as determined by Landgate's Valuation Services Branch.
- 2 September 2010 The City responded to the Department of Regional Development and Lands, declining their offer to organise a valuation for the property as the City was not interested in purchasing the property at market value.
- 30 September 2010 Western Australian Planning Commission response letter to the applicants of the MRS Amendment regarding the status of the land.
- 11 October 2010 Response letter from the Minister for Transport advising that the Public Transport Authority (PTA) was unable to transfer the land free of charge as Government Policy requires the disposal of assets at market value, and funds from such a sale generally applied to the reduction of debt or the acquisition of infrastructure in line with the objectives of the PTA.
- 27 October 2010 Response letter from the Western Australian Planning Commission declaring their intention to sell the property on the open market and that there was an interested party wishing to refurbish the property for commercial use (offices). The City's support was also sought to consider all applications in line with the adopted EPRA Scheme No. 1 as a guide for proposed uses until the City has reviewed its Town Planning Scheme.
- 21 April 2011 Correspondence received from Norwood Neighbourhood Association requesting further information from the City on the various heritage reports and assessments that have been compiled regarding the property.
- May 2011 The Norwood Neighbourhood Association requested Council Members and City Officers, through a number of direct conversations, to revisit the use of the property as a community facility after receiving information that the State Government had discontinued their sale process for the property.
- 2 June 2011 The City wrote to Michael Sutherland, MLA, seeking support for the property to be leased to the City at a 'peppercorn lease' in return for the property being refurbished for community use.
- 13 June 2011 Michael Sutherland, MLA wrote to the Minister for Lands advising that he had met with a number of local residents, as well as the City's Chief Executive Officer, Mayor and two Council Members, to discuss the possible use of the property as a community facility. The Member for Mount Lawley supported the proposition that the City undertake an upgrade of the property for community use given the change of demographics in the immediate vicinity.

10 November 2011 Correspondence received from the Department of Regional Development and Lands requesting information from the City on its financial capacity to refurbish the building within a two (2) year period for a community facility.

At the Ordinary Meeting of Council held on 6 December 2011, the following recommendation was adopted;

“That the Council;

1. *AUTHORISES the Chief Executive Officer to:*
 - 1.1 *advise the Department of Regional Development and Lands of the City's preliminary interest in refurbishing the property at No. 34 (Lot 1) Cheriton Street, Perth for the purpose of establishing a community facility;*
 - 1.2 *investigate the community needs and service gaps in relation to developing a facility and associated services that may be required in the locality;*
 - 1.3 *liaise with Central TAFE to investigate partnership pathways to develop a 'live-work' project involving Aboriginal students; and*
 - 1.4 *investigates sources of external funding for the project; and*
2. *NOTES that a further report will be presented to the Council once investigations in the project have been carried out.”*

At the Ordinary Meeting of Council held on 27 March 2012, the following recommendation was adopted;

“That the Council;

1. *APPROVES the acceptance of a Management Order from the Department of Regional Development and Lands for No. 34 (Lot 1) Cheriton Street, Perth with a condition attached that the property (building) on Lot 1 is to be:*
 - 1.1 *refurbished and in use for community purposes within two (2) years of issue of the Management Order; and*
 - 1.2 *used as a Community Centre as prescribed in the Management Order;*
2. *REQUESTS the Chief Executive Officer to further investigate:*
 - 2.1 *possible uses for the premises;*
 - 2.2 *Scope of Work and Cost Estimates; and*
 - 2.3 *partnership and funding opportunities;*
3. *APPROVES BY AN ABSOLUTE MAJORITY to adopt the formation of the “Cheriton Street Property” Advisory Group, Terms of Reference and Meeting Procedures as shown in Appendix 9.4.2;*
4. *in accordance with the provisions of the Local Government Act 1995, Sections 2.28, 5.8 and 5.10, APPROVES the APPOINTMENT of the following Council Members and/or persons to the Council's “Cheriton Street Property” Advisory Group as follows:*
 - 4.1 *Three (3) Council Members:*
 - (a) *Mayor Alannah MacTiernan (Chairperson);*
 - (b) *Cr John Carey; and*
 - (c) *Cr Warren McGrath;*

- 4.2 *Director Community Services;*
 - 4.3 *Manager Community Development;*
 - 4.4 *Manager Parks and Property Services; and*
 - 4.5 *Two (2) Community Representatives being the Chairperson and Secretary of the Norwood Neighbourhood Association Inc; and*
5. *NOTES that a further report will be submitted to the Council once further investigations on the project have been carried out by no later than 31 June 2012."*

DETAILS:

The Cheriton Street Property Advisory Group convened its first meeting on 11 June 2012 to work through the opportunities and possibilities for uses of the property.

Community Use

The proposal from the Norwood Neighbourhood Association (NNA) dated 13 July 2011, that the property be turned into a "Railway Themed Norwood Neighbourhood Centre" was discussed. This would involve the existing structure in a refurbished form, providing resources such as internet access, community information, meeting rooms, an office for a visiting service provider/agency and community kitchen. It is suggested that the refurbishment could contribute to sustainability education through adaptation for energy efficiency.

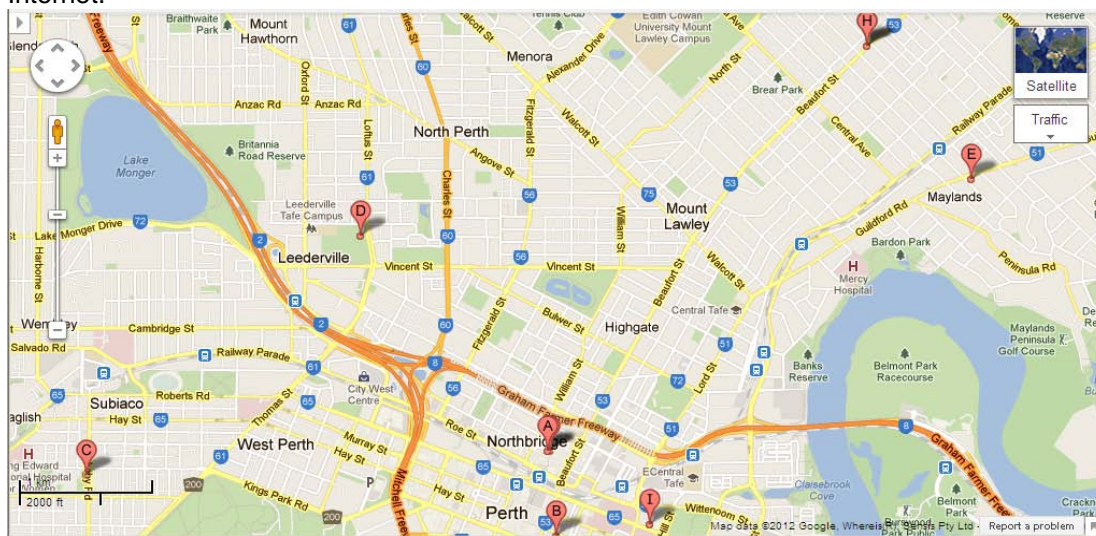
This Group has also been in discussions with Parks and Property Services and Community Development on establishing Community Gardens at the adjacent Norwood Park.

The President and Secretary of NNA made suggestions to include railway and other related memorabilia, which would provide a level of community interest. The representatives will be engaging in further research to gather information on the ideas presented for the next Advisory Group Meeting.

Library Facility

There is a wide variety of reasons why this would be a valuable addition to the City's community facilities. This location could be put to positive use as a small 'boutique' library.

As indicated on the map below, the former Railway's House is located approximately equidistant from the Vincent and Maylands Libraries. Due to current bus routes, residents in this general area find it much easier to go to the Maylands Library, rather than to the City's Library. This means they are missing more than access to this Library service; they are also missing out on access to local information and events which support personal development, such as the regular Vincent Library Forum and Storytime events and free access to the Internet.



As there are currently no community facilities in the area, the presence of a new Library Service would be seen as a positive drawcard to attract people into a safe meeting place.

As the City's Library has an established community presence and a positive identity, this would be reflected in the new Library; a positive outcome for the general area. It has long been recognised that the presence of a public library, however small, is a motivating force in urban renewal or development projects. Libraries are known to enhance the space that they occupy, and support synergetic connections within the community, and between the community and the associated local government.

Creative use of emerging technologies would facilitate the new Library Service, maximising the use of the small space available. The Library already makes good use of a variety of RFID products; future options such as an automated returns chute would make sense in this small environment. However, the Library should be "more than books"; provision of regular events should be considered as essential to this redevelopment.

The new Library could also work as an outlet for other Council services, such as the provision of green waste bags and the display of community consultation documents. This would also be recognised as of great benefit to the community. Should the need be identified there is also an opportunity for the regular attendance of a Customer Services Officer to collect rates and other payments.

The presence of a Library in the building does not preclude co-location with other community facilities. For example, a Community Centre and a Public Library can be a very effective partnership, particularly when running events for shared community sectors. Opportunities for the building to be a meeting place for a variety of groups would also enhance community access to the resource.

Partnership with Central Institute of Technology (formerly TAFE)

The City has been involved with a number of 'live work projects' in partnership with Central Institute of Technology and Aboriginal students, with older style dwellings, similar to the subject property, including Lee Hops Cottage in Robertson Park, North Perth and also No. 245 Vincent Street, Leederville (opposite the City's Administration and Civic Centre). Both of these projects engaged community groups to restore these two cottages, and enabled the community groups to remain involved in the on-going use of the properties once restored. These projects have provided good examples of best practice restoration outcomes that the City has been able to show case.

Preliminary contact with Central Institute of Technology through the Solid Futures project has indicated keen interest in incorporating some of the work required for the refurbishment into the planning of critical pathways as part of the curriculum for 2012. The Solid Futures also works towards the future career development of Aboriginal students.

Central Institute of Technology representatives will be attending the next Advisory Group meeting to discuss the various options and opportunities for refurbishing the property.

Management Order

The City advised the Department of Regional Development and Lands of its acceptance of the proposal to create a reserve for "Community Centre" over Lot 1 on Deposited Plan 62743, and offer a Management Order to the City of Vincent with a condition attached to the Management Order that the property (building) on Lot 1 is to be refurbished and in use for community purposes within 2 years of issue of the Management Order.

The Department Officers are currently in the process of arranging a number of tenure amendments and lodging the Management Order with Landgate. Once the process is finalised, the City will be contacted to enter into the agreement.

Possible Sources of Funding

The Cheriton Street Property Advisory Group considered possible sources of funding for the refurbishment of the property for community use. Lotterywest Funding Officers will be invited to attend the next meeting of the Group to provide some information on current community service models that they are funding that is different to the traditional "Lotteryhouse" concept and advise on funding possibilities for the project.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The City's Policy No. 4.1.5 relating to Community Consultation will apply to this project. Relevant due diligence will also be conducted to ensure the viability of the project and protecting the City's financial interest in relation to providing funds towards capital improvements of the property.

RISK MANAGEMENT IMPLICATIONS:

Low: At the current stage of the project, there are low risk implications for the City.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 3 states:

"Community Development and Wellbeing

3.1 *Enhance and promote Community Development and Wellbeing:*

3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community;*

(a) *Build the capacity of individuals and groups within the community to initiate and manage programs and activities that benefit the broader community, such as the establishment of "men's sheds", community gardens, toy libraries and the like."*

SUSTAINABILITY IMPLICATIONS:

The potential of the premises for community use supports general principles of sustainability. Proposed "live work" projects to be undertaken by Central Institute of Technology will incorporate the assessment of materials and construction techniques to promote sustainability elements for the project where possible.

FINANCIAL/BUDGET IMPLICATIONS:

Based on the Building Inspection Report which was presented to the Ordinary Meeting of Council held on 6 December 2011, the estimated cost for refurbishing the building is between \$250,000 and \$300,000. An amount of \$100,000 has been listed in the City's Draft 2012/2013 Budget, with half of the budgeted amount expected from external grants.

COMMENTS:

The project has a number of exciting possibilities to benefit the community through collaboration with agencies such as Central Institute of Technology.

9.1.1 No. 2/356 (Lot 64; D/P: 1823) Charles Street, North Perth - Proposed Change of Use From Light Industry (Commercial Kitchen) to Small Bar (Unlisted Use)

Ward:	North	Date:	15 June 2012
Precinct:	Charles Centre, P7	File Ref:	PRO0842; 5.2012.173.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items	Applicant's Submission		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, 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 D Sterpini on behalf of Cocktail Gastronomy Pty Ltd on behalf of the owner Aztec Pty Ltd for proposed Change of Use From Light Industry (Commercial Kitchen) to Small Bar (Unlisted Use), at No. 2/356 (Lot 64; D/P: 1823) Charles Street, North Perth, and as shown on plans stamp-dated 3 May 2012, subject to the following conditions:

1. **Building**

- 1.1 all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Charles Street; and
- 1.2 the windows, doors and adjacent floor area facing Charles Street shall maintain an active and interactive frontage to this street;

2. **Signage**

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 Permit application, being submitted to and approved by the City prior to the erection of the signage;

3. **Use of the Premises**

- 3.1 the maximum patronage for this portion of the premises shall be twenty-five (25) persons; and
- 3.2 packaged liquor is not to be sold at the premises;

4. **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:**

- 4.1 pay a cash-in-lieu contribution of \$7,235 for the equivalent value of 2.334 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; or
- 4.2 lodge an appropriate assurance bond/bank guarantee of a value of \$7,235 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- 4.2.1 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
- 4.2.2 to the owner(s)/applicant following receipt by the City with a Statutory Declaration on the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development; or
- 4.2.3 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; and

- 5. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City:

- 5.1 Management Plan

A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained.

Moved Cr Maier Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier Seconded Cr Topelberg

Debate ensued.

"That clause 3.1 be amended and a new clause 5.2 be inserted as follows:

- 3. Use of the Premises

- 3.1 the maximum patronage for ~~this portion of the premises~~ the small bar shall be ~~twenty-five (25) persons~~ one hundred and twenty persons; and

- 5.

- 5.2 Bicycle Parking Facilities

a minimum of 1 (one) Class 3 Bicycle parking facility shall be provided at a location convenient to the entrance of the development. Details of the design and layout of bicycle parking facilities shall be submitted and approved prior to installation of such facilities."

Debate ensued.

REVISED AMENDMENT

Cr Maier stated he was agreeable to allow Clause 3 to remain, a new Clause 5.2 be inserted (as above) and an Advice Note being added as follows;

"The maximum number of patrons for the small bar should not exceed one hundred and twenty (120) persons"

The Seconder, Cr Topelberg agreed.

Debate ensued.

REVISED AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.1

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 D Sterpini on behalf of Cocktail Gastronomy Pty Ltd on behalf of the owner Aztec Pty Ltd for proposed Change of Use From Light Industry (Commercial Kitchen) to Small Bar (Unlisted Use), at No. 2/356 (Lot 64; D/P: 1823) Charles Street, North Perth, and as shown on plans stamp-dated 3 May 2012, subject to the following conditions:

1. **Building**

- 1.1 all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Charles Street; and
- 1.2 the windows, doors and adjacent floor area facing Charles Street shall maintain an active and interactive frontage to this street;

2. **Signage**

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 Permit application, being submitted to and approved by the City prior to the erection of the signage;

3. **Use of the Premises**

- 3.1 the maximum patronage for this portion of the premises shall be twenty five (25) persons; and
- 3.2 packaged liquor is not to be sold at the premises;

4. 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:

- 4.1 pay a cash-in-lieu contribution of \$7,235 for the equivalent value of 2.334 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; or

4.2 lodge an appropriate assurance bond/bank guarantee of a value of \$7,235 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

4.2.1 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

4.2.2 to the owner(s)/applicant following receipt by the City with a Statutory Declaration on the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or

4.2.3 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; and

5. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City:

5.1 Management Plan

A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained.

5.2 Bicycle Parking Facilities

a minimum of 1 (one) Class 3 Bicycle parking facility shall be provided at a location convenient to the entrance of the development. Details of the design and layout of bicycle parking facilities shall be submitted and approved prior to installation of such facilities."

Advice Note:

The maximum number of patrons for the small bar shall not exceed one hundred and twenty (120) persons.

PURPOSE OF REPORT:

The application is presented to Council for its consideration as the use is a Small Bar, an 'unlisted' use.

BACKGROUND:

Date	Comment
22 March 2011	The City approved a development application for a Small Bar/Café/External Catering Service at 1/356 Charles Street, North Perth.

This proposal is an extension of the above approved development into an adjoining tenancy.

DETAILS:

The proposal involves a change of use from a vacant tenancy formerly approved and operational as a commercial kitchen to small bar. The proposal will form an extension of the existing small bar at 1/356 Charles Street, North Perth, known as "The Classroom".

The existing approved tenancy at 1/356 Charles Street has approval for a maximum of ninety-five (95) persons and with the proposal for the subject tenancy of a maximum of twenty-five (25) persons, will total one hundred and twenty (120) persons. The aim of the addition is to reduce congestion and space in the existing tenancy, allow for greater ease of movement for customers to utilise the bar and toilet facilities as well as additional table areas.

The existing site does not include any established on-site car parking, with only a delivery area and bitumised area available at the rear of the premises.

There are no changes proposed to the existing façade, except for additional signage replicating "The Classroom" signage. Internally, an area of ninety-four (94) square metres of seating, couches and storage area is proposed. The proposed storage area has been included to service the premises and only aesthetic changes are proposed internally to the premises in the form of paint, furniture and lighting.

Further justification is included in the Applicant's Submission, as shown in Appendix 9.1.1.

Landowner:	Aztec Pty Ltd
Applicant:	D Sterpini on behalf of Cocktail Gastronomy
Zoning:	Metropolitan Region Scheme: (MRS) Town Planning Scheme No. 1 (TPS 1): Local Centre
Existing Land Use:	Vacant. Previously Approved as Light Industry (Commercial Kitchen)
Use Class:	Unlisted Use
Use Classification:	"SA"
Lot Area:	591 square metres
Access to Right of Way	N/A

ASSESSMENT:

Town Planning Scheme Initial Assessment

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	N/A		
Streetscape	N/A		
Front Fence	N/A		
Front Setback	N/A		
Building Setbacks	N/A		
Boundary Wall	N/A		
Building Height	N/A		
Building Storeys	N/A		
Open Space	N/A		
Bicycles	N/A		
Access & Parking			✓
Privacy	N/A		
Solar Access	N/A		
Site Works	N/A		
Essential Facilities	N/A		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Non-Compliant Requirement:	"P" Permitted	Small Bar - "unlisted"
Officer Comments:		
Supported. It is considered the proposed extension of the existing small/bar will provide activation in the area and encourage people to utilise Charles Street at a local level. The proposed premises abut several businesses including offices and shops and it is considered the further increase in size of the small bar will add to the vibrancy of the area.		

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

Car Parking Calculation	
Car parking requirement (nearest whole number)	
Tenancy 1 – Existing Small Bar (1 space per 4.5 persons – 95 persons) = 21.11 car bays	
Tenancy 2 – Proposed Small Bar (1 space per 4.5 persons – 25 persons) = 5.55 car bays	
Tenancy 3 – 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; 159.45 square metres) = 3.00 car bays	
Total = 29.66	Required = 30.00 car bays
Apply the adjustment factors.	
<ul style="list-style-type: none"> • 0.85 (The proposed development is within 400 metres of a bus stop/station) • 0.95 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 25 car parking spaces) 	(0.8075)
	= 24.225 car bays
Minus the car parking provided on-site.	Nil car bays.
Minus the most recently approved on-site car parking shortfall	
<ul style="list-style-type: none"> • 13.542 car bays (OMC – 26.10.1998 – $16.77 \times 0.8075 = 13.542$ car bays) • 8.349 car bays (OMC 22.3.2011) – Cash in Lieu being paid on Payment Plan 	21.891 car bays
New Shortfall	2.334 car bays

The proposed parking provisions for a small bar establishment under the City's Parking and Access Policy require one (1) space per 4.5 persons of the maximum number of persons approved for the site. Based on this requirement, along with the existing uses on site, the total car parking bay shortfall is 2.334 car bays.

In the event a shortfall in car parking was to be supported, a cash in lieu payment may be considered. The cash in lieu payment required would be \$3,100 per bay based on the 2011/12 fees; \$7,235 in this instance.

The City's Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bays, to provide and/or upgrade parking in other car parking areas. The policy stipulates that;

“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.”

Whilst taking this provision of the Policy into account, the premises are located adjacent to the Pansy Street Car Park located at the rear of the property with access via a laneway and Pansy Street. The Pansy Street Car Park includes twenty-eight (28) free car parking bays. It is noted that the café/small bar entrance is to Charles Street and there is no public rear entrance, hence users will be required to walk around the block to the premises.

Clause 22 (ii) of the City’s Parking and Access Policy, states that in determining whether this development should be refused on car parking grounds, the following percentage should be used as a guide:

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

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
Comments Period:	17 May 2012 to 7 June 2012		
Comments Received:	Community consultation was undertaken in relation to the proposed car parking shortfall, with one (1) support being received.		

Design Advisory Committee:

Referral to Design Advisory Committee: Not required.

LEGAL/POLICY:

1. City of Vincent *Town Planning Scheme No. 1* and associated Policies; and
2. State Planning Policy 4.2 *“Activity Centre for Perth and Peel”*.

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 has no environmental design features incorporated.	

SOCIAL	
Issue	Comment
The proposal will provide for increased activation to the area at all times of the day and during the week thus allowing for an increased presence of people and security for the area.	

ECONOMIC	
Issue	Comment
The proposed addition to the existing Small Bar use will facilitate business development within the City, as they provide the potential for new businesses to invest whilst also creating job opportunities within the locality.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Small Bar

In May 2007, an amendment was made to Section 41 of the Liquor Control Act 1988 to include a Small Bar Licence as a form of Hotel Licence. A Small Bar Licence differs from Hotel and Tavern Licences by the conditions imposed to restrict the scope of the licence. A Small Bar Licence is a form of Hotel Licence with:

- A condition prohibiting the sale of packaged liquor; and
- A condition limiting the number of persons who may be on the licensed to a maximum of one hundred and twenty (120).

Charles Centre Precinct

It is considered that the proposal is in keeping with the type of development encouraged by the City's Policy No. 3.1.7 relating to the Charles Centre Precinct. In addition, it is noted that the extension of the small bar proposal would provide even greater ambience and encourage more people both locally and externally as well as providing the option for other retailers in this precinct to experience additional trade from users of the Small Bar.

The proposed car parking shortfall of 2.334 car bays is supported in this instance, subject to the payment of cash-in-lieu for the bays. The subject site is located on Charles Street, which is a high frequency public transport route which provides alternative forms of transport to the subject site and is also bordered to the rear by the Pansy Street car park which provides for twenty-eight (28) car parking bays. It is also noted that the majority of the businesses in this area close after 5 or 6pm, which allows for users of the premises to obtain the maximum provision of car parking in the public car park off Pansy Street.

In light of the above, given the proposal for a Small Bar in the tenancy alongside the existing "The Classroom" Small Bar is for a small addition in numbers of twenty-five (25) persons to the pre existing approval with ninety-five (95) persons, creating one hundred and twenty (120) persons, it is suggested the development with a minimal additional car parking shortfall from the previously approved parking shortfall on site, be supported.

9.1.3 LATE ITEM: Nos. 250-252 (Lot 300; D/P: 44848) Oxford Street, corner of Bourke Street, Leederville – Demolition of Existing Building and Construction of Four-Storey Commercial Development Comprising Eating House, Offices and Associated Parking (Amendment to Previous Approval)

Ward:	South	Date:	22 June 2012
Precinct:	Oxford Centre; P4	File Ref:	PRO2918; 5.2011.262.2
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s justification		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, 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 Bruce Robinson Architects Pty Ltd for Demolition of Existing Building and Construction of Four-Storey Commercial Development Comprising Eating House, Offices and Associated Parking (Amendment to Previous Approval) at No. 250-252 (Lot 300; D/P: 44848) Oxford Street, corner of Bourke Street, Leederville, and as shown on plans stamp-dated 6 June 2012, subject to the following conditions:

1. **Building**

- 1.1 all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioner and the like, shall not be visible from the street(s), are designed integrally with the building and be located so as not to be visually obtrusive from Oxford Street and Bourke Street;
- 1.2 first obtaining the consent of the owners of No. 248 Oxford Street and No. 19 Bourke Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 248 Oxford Street and No. 19 Bourke Street, in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;
- 1.3 the doors, windows and adjacent floor areas fronting Oxford Street and Bourke Street shall maintain an active and interactive relationship with these streets;
- 1.4 the maximum gross floor area of the offices shall be limited to 3,842 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied for and obtained from the City;
- 1.5 the maximum public floor area of the eating house shall be limited to ninety-four (94) square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied for and obtained from the City; and

- 1.6 an interpretative plaque or another appropriate form of interpretation that recognises the historic significance of the subject place at Nos. 250-252 (Lot 300; D/P: 44848) Oxford Street, Leederville, shall be installed prior to the first occupation of the approved development on site. The design and wording of the interpretative plaque or other interpretative medium shall be undertaken in accordance with the City's Heritage Management Policy No. 3.6.4 relating to Interpretive Signage and be submitted to and approved by the City prior to the submission of a Building Permit application;

2. Car Parking and Access-ways

- 2.1 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 2.2 the car parking area shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;

3. Vehicle Entry Gates

The proposed vehicular entry gates to the car parking area shall have a minimum fifty (50) percent visual permeability and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial tenancies at all times. Details of the management measures shall be submitted to and approved by the City prior to the first occupation of the development;

4. Public Art

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

- 4.1 WITHIN TWENTY EIGHT (28) DAYS OF THE 'APPROVAL TO COMMENCE DEVELOPMENT', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$67,200 (Option 2), for the equivalent value of one percent (1%) of the estimated total cost of the development (\$6,720,000);

- 4.2 in conjunction with the above chosen option;

- 4.2.1 Option 1 – prior to the commencement of the development, obtain approval for the Public Art Project and associated Artist;

and

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

OR

- 4.2.2 Option 2 – prior to the commencement of the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount.

The approved artwork in accordance with Option 1 above, shall be installed prior to the issue of a Certificate of Occupancy for the development;

5. **Signage**

All signage that does not comply with the City's Policy No. 3.5.2 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;

6. **Street Verge Trees**

No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorized pruning;

7. **Underground Power**

In keeping with the City's Policy No. 2.2.2, with exception of the high voltage power lines, all other power lines shall be placed underground along both street frontages of the development site, at the cost of the developer. The developer must liaise with Western Power regarding the proximity of the development to the high voltage power lines in Bourke Street, and take measures as proscribed by Western Power to ensure satisfactory safety measures are implemented;

8. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:**

8.1 **Construction Management Plan**

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

8.2 **Landscape and Reticulation Plan**

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

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

- 8.2.1 the location and type of existing and proposed trees and plants;
- 8.2.2 all vegetation including lawns;
- 8.2.3 areas to be irrigated or reticulated;
- 8.2.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 8.2.5 separate soft and hard landscaping plans (indicating details of plant species and materials to be used); and
- 8.2.6 a 'green roof' treatment across the area of the first floor balcony on the eastern side of the building, which is to function as a landscaped buffer between the adjacent residential area and the commercial building.

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

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

8.3 Schedule of External Finishes

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

8.4 Acoustic Report

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

8.5 Refuse and Recycling Management Plan

A bin compound being provided in accordance with the City's Health Services specifications, divided into commercial and residential areas and sized to contain:

Commercial Properties:

One (1) Mobile Garbage Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected weekly); and

One (1) Mobile Recycle Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected fortnightly).

8.6 Security Bond

In keeping with the City's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the City's specification. A refundable footpath upgrading bond of \$26,000 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the City's Technical Services Division. An application to the City for the refund of the upgrading bond must be made in writing;

8.7 Privacy Screening

The balcony on the first floor and the windows on the second and third floors on the eastern elevation being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;

8.8 Bicycle Parking Facilities

A minimum of twenty-three (23) class one or two bicycle parking facilities and seven (7) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;

8.9 End of Trip Facilities

- 8.9.1 a minimum of two (2) male showers and two (2) female showers being located in separate change rooms;
- 8.9.2 the change room facilities being secure and capable of being locked; and
- 8.9.3 a minimum of twenty-three (23) lockers being provided for the development; and

8.10 Design Features

A minimum of two (2) appropriate significant design features being incorporated into the southern elevation of the building; and

- 9. 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.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier Seconded Cr McGrath

Debate ensued.

“That a new clause 10 be inserted to read as follows:

Awnings

- 10. Continuous and complementary awnings being provided over the Oxford and Bourke Street footpaths in accordance with the City's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres and a maximum of 750 millimetres from the kerb line of Oxford and Bourke Streets.”

AMENDMENT NO 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

AMENDMENT NO 2

Moved Cr Topelberg Seconded Cr Buckels

“That a new clause 8.11 be added to read as follows:

- 8.11. Revised plans demonstrating that all walls, building, or material attached to a wall or building, are fully contained within the lot boundaries with the exception of flagpoles, sunscreens and signs, provided such signs are related purely to the building and/or business, and mouldings and minor ornamental features intruding no more than 12mm at street level, where the intruding structure is of an ornamental nature, and does not form a permanent, load bearing, original part of the building.”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.3

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 Bruce Robinson Architects Pty Ltd for Demolition of Existing Building and Construction of Four-Storey Commercial Development Comprising Eating House, Offices and Associated Parking (Amendment to Previous Approval) at No. 250-252 (Lot 300; D/P: 44848) Oxford Street, corner of Bourke Street, Leederville, and as shown on plans stamp-dated 6 June 2012, subject to the following conditions:

1. **Building**

- 1.1 all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioner and the like, shall not be visible from the street(s), are designed integrally with the building and be located so as not to be visually obtrusive from Oxford Street and Bourke Street;
- 1.2 first obtaining the consent of the owners of No. 248 Oxford Street and No. 19 Bourke Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 248 Oxford Street and No. 19 Bourke Street, in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;
- 1.3 the doors, windows and adjacent floor areas fronting Oxford Street and Bourke Street shall maintain an active and interactive relationship with these streets;
- 1.4 the maximum gross floor area of the offices shall be limited to 3,842 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied for and obtained from the City;
- 1.5 the maximum public floor area of the eating house shall be limited to ninety-four (94) square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied for and obtained from the City; and
- 1.6 an interpretative plaque or another appropriate form of interpretation that recognises the historic significance of the subject place at Nos. 250-252 (Lot 300; D/P: 44848) Oxford Street, Leederville, shall be installed prior to the first occupation of the approved development on

site. The design and wording of the interpretative plaque or other interpretative medium shall be undertaken in accordance with the City's Heritage Management Policy No. 3.6.4 relating to Interpretive Signage and be submitted to and approved by the City prior to the submission of a Building Permit application;

2. Car Parking and Access-ways

- 2.1 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 2.2 the car parking area shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;

3. Vehicle Entry Gates

The proposed vehicular entry gates to the car parking area shall have a minimum fifty (50) percent visual permeability and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial tenancies at all times. Details of the management measures shall be submitted to and approved by the City prior to the first occupation of the development;

4. Public Art

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

- 4.1 WITHIN TWENTY EIGHT (28) DAYS OF THE 'APPROVAL TO COMMENCE DEVELOPMENT', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$67,200 (Option 2), for the equivalent value of one percent (1%) of the estimated total cost of the development (\$6,720,000);

- 4.2 in conjunction with the above chosen option;

- 4.2.1 Option 1 – prior to the commencement of the development, obtain approval for the Public Art Project and associated Artist;

and

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

OR

- 4.2.2 Option 2 – prior to the commencement of the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount.

The approved artwork in accordance with Option 1 above, shall be installed prior to the issue of a Certificate of Occupancy for the development;

5. **Signage**

All signage that does not comply with the City's Policy No. 3.5.2 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;

6. **Street Verge Trees**

No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorized pruning;

7. **Underground Power**

In keeping with the City's Policy No. 2.2.2, with exception of the high voltage power lines, all other power lines shall be placed underground along both street frontages of the development site, at the cost of the developer. The developer must liaise with Western Power regarding the proximity of the development to the high voltage power lines in Bourke Street, and take measures as proscribed by Western Power to ensure satisfactory safety measures are implemented;

8. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:**

8.1 **Construction Management Plan**

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

8.2 **Landscape and Reticulation Plan**

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

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

- 8.2.1 the location and type of existing and proposed trees and plants;
- 8.2.2 all vegetation including lawns;
- 8.2.3 areas to be irrigated or reticulated;
- 8.2.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 8.2.5 separate soft and hard landscaping plans (indicating details of plant species and materials to be used); and
- 8.2.6 a 'green roof' treatment across the area of the first floor balcony on the eastern side of the building, which is to function as a landscaped buffer between the adjacent residential area and the commercial building.

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

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

8.3 Schedule of External Finishes

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

8.4 Acoustic Report

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

8.5 Refuse and Recycling Management Plan

A bin compound being provided in accordance with the City's Health Services specifications, divided into commercial and residential areas and sized to contain:

Commercial Properties:

One (1) Mobile Garbage Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected weekly); and

One (1) Mobile Recycle Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected fortnightly).

8.6 Security Bond

In keeping with the City's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the City's specification. A refundable footpath upgrading bond of \$26,000 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the City's Technical Services Division. An application to the City for the refund of the upgrading bond must be made in writing;

8.7 Privacy Screening

The balcony on the first floor and the windows on the second and third floors on the eastern elevation being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;

8.8 Bicycle Parking Facilities

A minimum of twenty-three (23) class one or two bicycle parking facilities and seven (7) class 3 bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;

8.9 End of Trip Facilities

- 8.9.1 a minimum of two (2) male showers and two (2) female showers being located in separate change rooms;
- 8.9.2 the change room facilities being secure and capable of being locked; and
- 8.9.3 a minimum of twenty-three (23) lockers being provided for the development;

8.10 Design Features

A minimum of two (2) appropriate significant design features being incorporated into the southern elevation of the building; and

- 8.11. Revised plans demonstrating that all walls, building, or material attached to a wall or building, are fully contained within the lot boundaries with the exception of flagpoles, sunscreens and signs, provided such signs are related purely to the building and/or business, and mouldings and minor ornamental features intruding no more than 12mm at street level, where the intruding structure is of an ornamental nature, and does not form a permanent, load bearing, original part of the building;

- 9. 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; and

Awnings

- 10. Continuous and complementary awnings being provided over the Oxford and Bourke Street footpaths in accordance with the City's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres and a maximum of 750 millimetres from the kerb line of Oxford and Bourke Streets.

ADDITIONAL INFORMATION:

Community consultation was undertaken for the abovementioned proposal which commenced on 8 June 2012 and concluded on 21 June 2012. During this period two objections were received; with an additional objection being received outside the consultation period, on 22 June 2012, which is summarised below.

Summary of Comments Received:	Officers Technical Comment:
Issue: Building Setbacks: East (Rear) Opposed as a blatant disregard to acceptable development standards.	Dismiss. The proposed setback of the eastern wall has remained the same from the previous planning approval granted by Council at its Ordinary Meeting held on 6 December 2011. The Oxford Centre Precinct requires a 9 metre rear setback. The proposed 4.87 metres setback to the second and third floor is supportable in this instance as it is due to the location of the supporting piers, which are structurally significant and continue up to the fourth storey. The support piers are setback 4.87 metres so as to be clear of sightlines for vehicles reversing.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Visual Privacy.</p> <p>Opposed as a blatant disregard to acceptable development standard. Proposed use of landscape only appropriate if guarantees 24/365 privacy coverage.</p>	<p>Supported. It is a condition of approval that the first floor balcony and second and third floor office windows are screened with a permanent obscure material, which is not able to be opened, up to 1.6 metres above the finished floor level.</p>

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination as the development comprises more than two (2) storeys (i.e. four (4) storey's).

BACKGROUND:

History:

Date	Comment
27 April 2010	The Council at its Ordinary Meeting conditionally approved an application for the Demolition of the Existing Civic Building (Police Station) and the Construction of a Five-Storey Commercial Building comprising of Shops, Offices and Associated Basement Car Park.
6 December 2011	The Council at its Ordinary Meeting conditionally approved an application for the Demolition of the Existing Civic Building (Police Station) and Construction of a Four-Storey Commercial Development comprising Eating House, Offices and Associated Car Park.

Previous Reports to Council:

This proposal involves an amendment to the previous approval (6 December 2011) for the construction of a four-storey commercial building comprising of an eating house, offices, and associated car park.

The previous approval consisted of a four-storey commercial building comprising of an eating house, offices, and associated car park. The approval included variations to the street setbacks and side setbacks.

The former police station building was recently demolished and the site is now clean.

DETAILS:

The current proposal involves an amendment to the previous approval dated 6 December 2011, for the construction of a four-storey commercial building comprising of an eating house, offices, and associated car park. This amendment is necessary due to a Western Power requirement regarding setbacks from high voltage power lines on Bourke Street.

The amendment comprises reducing the size of the second and third floors by 463 square metres, by setting them 3.85 metres to 4.85 metres further back from the northern boundary to allow for an adequate setback from the high voltage overhead power cables. The reduction in the second and third floors results in the office floor area being reduced from 4,305 square metres to 3,842 square metres. The amendment also proposes to increase the eating house on the ground floor by 34 square metres.

Landowner:	Mainbelle Pty Ltd ATF The Leederville Trust
Applicant:	Bruce Robinson Architects Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Vacant site
Use Class:	Eating House and Office
Use Classification:	"P" and "P"
Lot Area:	1,825 square metres
Right of Way:	Not Applicable

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	N/A		
Streetscape	N/A		
Front Fence	N/A		
Front Setback			✓
Building Setbacks			✓
Boundary Wall	✓		
Building Height	✓		
Building Storeys	✓		
Open Space	N/A		
Bicycles	✓		
Access & Parking	✓		
Privacy			✓
Solar Access	N/A		
Site Works	N/A		
Essential Facilities	N/A		

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

Issue/Design Element:	Front Setback
Requirement:	<p>Oxford Centre Precinct – Policy No. 3.1.4 <i>Oxford Street (Western boundary):</i> Ground Floor = Nil First Floor = Nil Second Floor = Nil Third Floor = Nil</p> <p><i>Bourke Street (Northern boundary):</i> Ground Floor = Nil First Floor = Nil Second Floor = Nil Third Floor = Nil</p>
Applicant's Proposal:	<p><i>Oxford Street (Western boundary):</i> Ground Floor = Nil – 4.6 metres First Floor = Nil – 4.6 metres Second Floor = Nil – 4.6 metres Third Floor = Nil – 4.6 metres</p> <p><i>Bourke Street (Northern boundary):</i> Ground Floor = Nil – 2 metres First Floor = Nil – 2 metres Second Floor = 4.85 metres Third Floor = 4.85 metres</p>

Issue/Design Element:	Front Setback
Performance Criteria:	N/A
Applicant justification summary:	The building area on the northern side of the building (Bourke Street) has been cut back to allow for existing high voltage overhead power cables in accordance with Development Approval "Engineering Specific Condition" as attachment to Approval Item (3).
Officer technical comment:	<p>The proposed ground and first floor setbacks remain the same as the previous planning approval granted by Council at its Ordinary Meeting held on 6 December 2011.</p> <p>The second and third floor setbacks are supported in this instance as they are setback to provide a sufficient separation between the existing high voltage overhead power cables and the proposed four-storey commercial building.</p>

Issue/Design Element:	Building Setbacks
Requirement:	<p>Oxford Centre Precinct – Policy No. 3.1.4</p> <p><i>Eastern boundary:</i> Ground Floor = 9 metres First Floor = 9 metres Second Floor = 9 metres Third Floor = 9 metres</p>
Applicant's Proposal:	<p><i>Eastern boundary:</i> Ground Floor = Nil First Floor = Nil to the balcony; 4.87 metres to the building Second Floor = 4.2 metres – 4.87 metres Third Floor = 4.2 metres – 4.87 metres</p>
Performance Criteria:	N/A
Applicant justification summary:	No justification received.
Officer technical comment:	<p>The proposed setback and height of the eastern wall has remained the same from the previous planning approval granted by Council at its Ordinary Meeting held on 6 December 2011.</p> <p>The 4.87 metres setback to the second and third floor is supportable in this instance as it is due to the location of the supporting piers, which are structurally significant and continue up to the fourth storey. The support piers are setback 4.87 metres so as to be clear of sightlines for vehicles reversing.</p>

Issue/Design Element:	Privacy
Requirement:	<p>Residential Design Codes Clause 6.8.1 A1</p> <p><i>Office</i> 6 metre cone of vision setback</p> <p><i>Balcony</i> 7.5 metres cone of vision setback.</p>
Applicant's Proposal:	<p><i>Office</i> 4.87 metre cone of vision setback</p> <p><i>Balcony</i> Nil cone of vision setback</p>

Issue/Design Element:	Privacy
Performance Criteria:	<p>Residential Design Codes Clause 6.8.1 P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.</p> <p>Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.</p> <p>Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.</p> <p>Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.</p>
Applicant justification summary:	No justification received.
Officer technical comment:	The first floor balcony and second and third floor office windows do not comply with the Performance Criteria of the R-Codes, as they look directly into the rear of the adjoining eastern and western properties. A condition of approval is recommended which requires the first floor balcony and second and third floor office windows to be screened up to 1.6 metres above the floor level.

Car Parking	
<p>Car parking requirement (nearest whole number)</p> <ul style="list-style-type: none"> • Eating House Restaurant – 1 bay per 4.5 square metres of public floor area Public Floor Area = 94 square metres = 20.88 car bays • Office Office – 1 space per 50 square metres of gross floor area Gross Floor Area = 3,842 square metres = 76.84 car bays <p>Total car bays required = 97.72 car bays = 98 car bays</p>	= 98 car bays
<p>Apply the adjustment factors.</p> <ul style="list-style-type: none"> • 0.85 (the proposed development is within 800 metres of a rail station) • 0.85 (the proposed development is within 400 metres of a bus stop/station) • 0.90 (the proposed development provides 'end-of-trip' facilities for bicycle users) 	(0.65025) = 63.7245 car bays
Minus the car parking provided on-site	67 car bays
Minus the most recently approved on-site car parking shortfall	N/A
Resultant Surplus	3.2755 car bays

Bicycle Parking
<p>Restaurant (94 square metres):</p> <ul style="list-style-type: none"> • 1 space per 100 square metres public floor area (class 1 or 2) = 0.94 spaces • 2 spaces plus 1 space per 100 square metres public floor area (class 3) = 2.94 spaces <p>Office (3,842 square metres):</p> <ul style="list-style-type: none"> • 1 space per 200 square metres gross floor area (class 1 or 2) = 21.92 spaces • 1 space per 750 square metres over 1,000 square metres (class 3) = 4.51 spaces

Bicycle Parking

Required:

Total class one or two bicycle spaces = 22.86 spaces = 23 spaces
Total class three bicycle spaces = 7.45 spaces = 7 spaces

Provided

40 spaces

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	8 June 2012 to 21 June 2012
Comments Received:	Two (2) objections.

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

Summary of Design Advisory Committee Comments:

- The elevations are to be further developed to explore the grain and scale of Leederville and adjacent streets. Introduce a clear coding of material that responds to Leederville;
- Articulate the massing to reflect the scale of adjacent buildings and consider the use of a podium that addresses the smaller scale of surrounding buildings;
- Develop a dense 'urban' quality instead of a 'city' quality;
- Make reference to the City of Vincent Leederville precinct sustainable design objectives as a base for developing the project;
- Explore alternative options for the west elevation sunshade system to improve performance while meeting the objectives of points 1 to 3 noted above; and
- Improve access to natural light for occupants.

Applicant's Response to Design Advisory Committee Comments:

- Taken on board comments, have added grain and scale to elevations along with design elements to enhance the quality and identity of the area. Have further articulated the elevations;
- Scale and mass of building has been addressed to reflect two (2) to three (3) storey scale of existing buildings;
- Have considered urban quality of development in preference to a city quality despite Council Scheme suggesting "city feel" – activation of street to Oxford and Bourke Street/Cafe;
- Building will achieve a high quality of sustainable design in all respects;
- Have considered alternative options for sun shading to west and north elevations to satisfy DAC comments;
- Building will have maximum natural light via full height glazing to east/west and north elevations;
- This site is a gateway and landmark site as it is the entry from the north to Oxford Centre Precinct and we have included geometry of varying scale relative to the surrounding development. We have included a continuous awning to Oxford and Bourke Street to add human scale at street level. Extra height and scale at the corner will give prominence to the building as suggested in the Council Scheme Text; and
- We consider this development is of a high quality and will have a positive effect on the amenity of the area.

LEGAL/POLICY:

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

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 development consists of a one hundred (100) percent non-permeable surface, comprising ground floor eating house, two (2) offices and associated car parking. As there are no permeable surfaces, stormwater management is important. As per the approval granted by Council at its Ordinary Meeting held on 6 December 2011, it is a condition of approval that a 'green roof' treatment across the area of the first floor balcony on the eastern side of the building be incorporated into the design.	

SOCIAL	
Issue	Comment
The proposal provides for access to a wider range of services to the local community.	

ECONOMIC	
Issue	Comment
The construction of the building will assist in creating employment opportunities. In addition, the proposed eating house and office land uses will facilitate business development within the City, as they provide the potential for new businesses to invest whilst also creating job opportunities within the locality.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

The increased setback from 1 metre to 4.87 metres on the second and third floors is supportable in this instance as it provides a sufficient separation between the existing high voltage overhead power cables and the proposed four-storey commercial building.

The amendment to the eating house, being an increase in the floor area of 34 square metres is also considered to be supportable, as the proposed changes result in the car parking for the overall development having a 3.2755 car bay surplus.

It is considered that the applicant has sufficiently addressed the Design Advisory Committee comments, as the increased setbacks to the second and third floor reduces the impact of the building to Bourke Street, which is in keeping with the surrounding buildings whilst having an appropriate presentation to Oxford Street. Further changes have been made to the facade to enhance the articulation of the proposed building, with the building design maximising the natural light to the offices and eating house. A continuous awning has also been proposed along both Oxford and Bourke Streets.

It is noted that the subject site is located within the Oxford Street Activity Corridor which forms part of the City's Draft Local Planning Strategy, with the proposal being a benchmark for future development.

In view of the above, it is recommended that the Council approve the development, subject to standard and appropriate conditions.

9.2.1 Traffic Management Matter Pennant Street, North Perth - Consideration of Community Consultation Submissions and Approval of Road Modifications

Ward:	North	Date:	15 June 2012
Precinct:	Smith's Lake (6)	File Ref:	TES0275
Attachments:	001 – Plan No. 2831-SD-01A; 002 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES** the retention of the 'modified' single lane slow point as outlined on the attached Plan No 2831-SD-01A.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Buckels, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Carey

"That the Officer Recommendation be amended to read as follows:

That the Council;

1. **APPROVES** the retention of the 'modified' single lane slow point as outlined on the attached Plan No 2831-SD-01A and;
 - 1.1 removes the speed cushion;**
 - 1.2 measures the speed again after a two (2) month period; and**
 - 1.3 installs a low profile speed hump if it is found that the speeds have increased appreciably above the February 2012 results."**

Debate ensued.

Cr Carey departed the Chamber at 6.36pm

Debate ensued.

Cr Carey returned to the Chamber at 6.38pm

AMENDMENT PUT AND LOST (1-6)

For: Cr Maier

Against: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr McGrath, Cr Topelberg, Cr Pintabona

(Cr Wilcox and Cr Harley on approved leave of absence.)

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to advise Council of the outcome of community consultation following the single lane traffic calming trial.

BACKGROUND:

Ordinary Meeting of Council – 9 August 2011:

The Council as advised, in a report, that residents were consulted regarding a trial slow point and the removal of the residential only parking restriction and replacing this with a 2P restriction and the majority of respondents were in favour of both these initiatives.

Following consideration of the report the Council made the following decision (in part):

“That the Council;

1. *NOTES that;*
 - 1.1 *the majority of respondents are in favour of trailing a ‘single lane’ slow point in Pennant Street for a six (6) month period as shown on the attached plan No. 2831-SD-01 and 2831-CP-01 and the removal of the ‘Residential Parking Only Restriction’ and replacing it with a 2P time restriction 8.00am to 5.30pm Monday to Friday as shown on the attached plan No 2786-CP-04;*
 - 1.2 *the Director Technical Services has commenced assessing traffic in Pennant, Chamberlain and Howlett Streets prior to implementing the signal lane slow point trial and will liaise with the residents directly adjacent to the proposed trial slow point location prior to implementing the trial; and*
 - 1.3 *once the trial is implemented, traffic in the above streets will be progressively assessed over the six (6) month trial period and a further progress report will be prepared for further consideration at the conclusion of the trial; and*
2. *APPROVES the removal of the ‘Residential Only Parking Zone’ in Pennant Street and replaces it with a 2P time restriction between 8.00am and 5.30pm Monday to Friday, as shown on attached plan No 2786-CP-04, and places a moratorium on issuing infringements for the first two (2) weeks from the implementation of the 2P time restriction; and;*
3. *ADVISES all the residents in Pennant Street of its decision.”*

DETAILS:

Further Community Consultation:

On 24 May 2012 residents in pennant Street were consulted regarding retaining the slow point, retention of the slow point and removal of the speed hump or removal of the slow point altogether.

A total of 48 letters were distributed and, at the close of consultation on 8 June 2011, 17 responses were received representing a 35% response. A summary of the comments received are attached.

The following information was distributed as part of the consultation pack.

In response to residents’ concerns that Pennant Street is being used as a ‘rat run’ and that the speed of traffic is excessive the City modified the intersection of Scarborough Beach Road and Pennant Street in 2010 and installed the single lane slow midway between Howlett Street and Scarborough Beach Road in 2011.

Slow Point Trial:

While the intersection modifications have improved road safety by better controlling traffic movement through the intersection, and will remain, the single lane slow point was installed as a six (6) month 'trial'.

Now that the trial period has finished there are three (3) options for residents to consider:

1. Retain the single lane slow point (with the speed cushion), as is;
2. Retain the single lane slow point but remove the speed cushion; and
3. Remove the entire device.

Once the City has received your responses and collated the results a further report will be presented to the Council.

Traffic Data:

Before: The classifier was located approximately midway between Howlett Street and Scarborough Beach Road from 29 July to 5 August 2011.

After: The classifiers were installed just north of Howlett Street (to avoid the turning movement through the intersection), Location 1, and mid-way between the slow point and Scarborough Beach Road, Location 2.

	Before	During Trial		During Trial	
	July/Aug	Oct/Nov 2011		Feb 2012	
		Location 1	Location 2	Location 1	Location 2
85% speed - kph	52.9	45.7	48.6	40.7	47.2
Average speed - kph	44.5	37.2	40.3	33.7	39.4
Average weekday	825	792	798	827	830
AM Peak (8.00 to 9.00)	107	81	82	82	83
PM Peak (5.00 to 6.00)	90	89	93	87	88

The 85% speed (the speed at which 85% of motorists travel 'less than' and is used to determine the 'speed environment of a roadway). Please note: the results are consistent with the 50 kph urban speed limit and it is not the intention to make motorists travel significantly slower than legally allowed.

Consultation Outcomes:

As mentioned above, at the close of consultation of the 48 letters distributed 17 responses were received as with comments broken down as follows:

- Retain device as is: (10);
- Retain device but remove 'speed cushion' (2);
- Remove the device all together (6);
- More traffic calming required (6); and
- Remove 2P parking (4).

Discussion:

As can be seen the majority of the respondents (10) are in favour of retaining the device as is with six (6) wanting it removed altogether. One of the respondents suggested that the device is noisy. Six (6) comments were received suggesting more calming was required and four (4) respondents suggested that the 2P restrictions should be removed.

Conclusions:

Pennant Street is an access road (Functional Road Hierarchy). It has a posted speed of 50kph and is classified to carry below 3,000 vehicles per day. From the before and after traffic data it can be seen that the 85% speed has reduced since the installation of the device (from 52.9kph to an average of 47.15kph and 43.95kph respectively) while traffic volumes (both vpd and vph) have remained relatively unchanged (average 814 vehicles per day).

Therefore it is considered that the road functions well within its classification and no addition traffic calming can be justified at this stage.

Only four (4) comments were received regarding removal of the 2P parking restrictions therefore it is suggested that these remain in place as they replaced the previous residential only parking restrictions.

With regards the speed hump, the device comprises a toughened rubber a 'speed cushion'. Two (2) respondents suggested that the speed cushion be removed due to noise etc.

It is therefore recommended that the current 'speed cushion' (refer photo 1 below) be removed and replaced with a lower profile red asphalt speed cushion and associated landscaping (refer photo 2 below).



Photo 1: Existing trial slow point Pennant Street



Photo 2: Proposed treatment to slow point

CONSULTATION/ADVERTISING:

Residents were requested to comment on the matter and the resultant comments are attached.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The recorded 85% speed is not excessive however residents previously raised concerns given the number of children living in the street.

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:

Improve safety for residents and road users.

FINANCIAL/BUDGET IMPLICATIONS:

To formalise the device i.e. red asphalt speed hump and associated landscaping is estimated to cost \$3,500. This can be funded from the miscellaneous traffic management allocation.

2011/2012 Financial year:

Budget:	\$35,000
Expended to date:	<u>\$28,000</u>
Funds remaining:	\$7,000

COMMENTS:

The Traffic data indicates that there is a not a major speed issue in Pennant Street, however some residents had concerns given the number of children living in the street.

The modifications at the Scarborough Beach Road/Pennant Street intersection had little impact in lowering the speed of vehicles and residents were previously advised that the matter would be further considered if there was no change following the introduction of this treatment.

The residents were consulted regarding a trial slow point and the removal of the residential only parking restriction and replacing this with a 2P restriction and the majority of respondents were in favour of both these initiatives.

9.2.4 LATE ITEM: Rescission Motion and Reconsideration of the previous Council Decision concerning the approved Location for the ‘Vietnamese Monument of Gratitude’ on Robertson Park and Approval in Principle for a new location on Wade Street Reserve, Located near the corner of William and Brisbane Streets, Perth

Ward:	South	Date:	22 June 2012
Precinct:		File Ref:	CMS0021
Attachments:	001 – Drawing No. 2954-DP-01 – Wade Street Reserve 002 – Plan No. 2751-CP-01B – Robertson Park 003 – Letter from Vietnamese Community in Australia/WA Chapter Inc.		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok; Manger Parks & Property Services; R Lotznicker; Director Technical Services		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That the Council:

1. at its Ordinary Meeting held on 22 March 2011 (Item No. 9.2.3, Clause (i), (ii) and (iii)), the Council decided that:
 - “(i) **APPROVES the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ and Drainage Retention Basin within Robertson Park as shown on the attached Plan No. 2751-CP-01B;**
 - (ii) **LISTS an amount of \$30,000 to progress an Approval, pursuant to Section 18 of the Aboriginal Heritage Act for the installation of the Vietnamese Monument, and associated works, and \$75,000 for construction of retention basin for consideration in the draft 2011/12 budget; and**
 - (iii) **SUBMITS the final plans of the proposed Vietnamese Boat People Monument of Gratitude and the Landscaped Drainage Retention Basin to the Heritage Council of Western Australia for their assessment.**
2. Councillor McGrath MOVES a motion to CHANGE the decision by deleting:
 - “(i) **APPROVES the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ within Robertson Park as shown on the attached Plan No. 2751-CP-01B;**
3. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25(e) of the Local Government Act 1995, three Elected Members, namely Mayor MacTiernan, Cr McGrath and Cr Pintabona being one third of the number of offices of members of the Council, SUPPORT this motion to revoke or change a Council decision; and
4. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to Section 5.25(e) of the Local Government Act 1995, the Council RESOLVES BY AN ABSOLUTE MAJORITY to CHANGE part of the resolution adopted by the Council at its Ordinary Meetings held on 22 March 2011 (Item 9.2.3), as shown below:
 - 4.1 deleting:

“the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ within Robertson Park as shown on the attached Plan No. 2751-CP-01B;” and

4.2 inserting:

“APPROVES IN PRINCIPLE the installation of the Vietnamese Boat People Monument of Gratitude, within the Wade Street Reserve, as shown on the attached Drawing Plan No. 2954-DP-01, as shown in Appendix 9.2.4A, subject to undertaking consultation with the Vietnamese Community and adjoining residents”; and

5. Subject to Clauses 1-4 above being approved, AUTHORISES the Chief Executive Officer to carry out Community consultation for a period of fourteen (14) days, seeking public comment; and

6. NOTES that:

6.1 the City's Officers will investigate suggestions and possible improvements to make the Reserve more suitable to accommodate the festivals and the annual commemorative ceremony, including possible temporary part road closures; and

6.1 a further report will be submitted to the Council after the close of the Community consultation period to consider any submissions received.

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Topelberg

“That the Officer Recommendation be amended to read as follows:

“4.2 inserting:

“APPROVES IN PRINCIPLE the installation of the Vietnamese Boat People Monument of Gratitude, within the Wade Street Reserve, as shown on the attached Drawing Plan No. 2954-DP-01A, as shown in appendix 9.2.4A, subject to undertaking consultation with the Vietnamese community and adjoining residents”; and”

Debate ensued.

The mover Cr Maier agreed to reword the amendment to read as follows;

4.2 inserting:

“APPROVES IN PRINCIPLE the installation of the Vietnamese Boat People Monument of Gratitude, within the Wade Street Reserve, ~~as shown on the attached Drawing Plan No. 2954-DP-01A,~~ subject to undertaking consultation with the Vietnamese Community and the adjoining residents, highlighting two (2) possible locations as shown in the attached Plans No. 2954-DP-01 and No. 2954 DP-01A, as shown in Appendix 9.2.4A, subject to undertaking consultation with the Vietnamese Community and adjoining residents”; and”

The seconder, Cr Topelberg consented to the reviewed wording.

ADDITIONAL INFORMATION:

Please note that the proposed amended plan 2954-DP-01A is attached for reference.

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 9.2.4

That the Council:

1. at its Ordinary Meeting held on 22 March 2011 (Item No. 9.2.3, Clause (i), (ii) and (iii), the Council decided that:
 - “(i) **APPROVES the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ and Drainage Retention Basin within Robertson Park as shown on the attached Plan No. 2751-CP-01B;**
 - (ii) **LISTS an amount of \$30,000 to progress an Approval, pursuant to Section 18 of the Aboriginal Heritage Act for the installation of the Vietnamese Monument, and associated works, and \$75,000 for construction of retention basin for consideration in the draft 2011/12 budget; and**
 - (iii) **SUBMITS the final plans of the proposed Vietnamese Boat People Monument of Gratitude and the Landscaped Drainage Retention Basin to the Heritage Council of Western Australia for their assessment.**
2. Councillor McGrath MOVES a motion to CHANGE the decision by deleting:
 - “(i) **APPROVES the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ within Robertson Park as shown on the attached Plan No. 2751-CP-01B;**
3. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25(e) of the Local Government Act 1995, three Elected Members, namely Mayor MacTiernan, Cr McGrath and Cr Pintabona being one third of the number of offices of members of the Council, SUPPORT this motion to revoke or change a Council decision; and
4. in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25(e) of the Local Government Act 1995, the Council RESOLVES BY AN ABSOLUTE MAJORITY to CHANGE part of the resolution adopted by the Council at its Ordinary Meetings held on 22 March 2011 (Item 9.2.3), as shown below:
 - 4.1 deleting:

“the installation of the Vietnamese Boat People Monument of Gratitude, ‘Option 2’ within Robertson Park as shown on the attached Plan No. 2751-CP-01B;” and
 - 4.2 inserting:

APPROVES IN PRINCIPLE the installation of the Vietnamese Boat People Monument of Gratitude, within the Wade Street Reserve, ,subject to undertaking consultation with the Vietnamese Community and the adjoining residents, highlighting two (2) possible locations as shown in the attached Plans Nos: 2954-DP-01 and 2954-DP-01A, as shown in Appendix 9.2.4A;
5. Subject to Clauses 1-4 above being approved, AUTHORISES the Chief Executive Officer to carry out Community consultation for a period of fourteen (14) days, seeking public comment; and

6. NOTES that:

- 6.1 the City's Officers will investigate suggestions and possible improvements to make the Reserve more suitable to accommodate the festivals and the annual commemorative ceremony, including possible temporary part road closures; and**
 - 6.1 a further report will be submitted to the Council after the close of the Community consultation period to consider any submissions received.**
-

PURPOSE OF REPORT:

The purpose of the report to advise the Council of a recent meeting held with the Spokesperson of the Vietnamese Community, Ms Mai Nguyen in relation to the proposed Vietnamese Monument and its proposed location on Robertson Park.

BACKGROUND:

Previous progress reports have been presented to the Council over the past years in relation to the proposal to install a Vietnamese Monument of Gratitude on a site within the City of Vincent.

Ordinary Meeting held on 14 July 2009:

The Council approved 'in principle' of the installation of the Vietnamese monument at Weld Square and NOTES that the location of Hyde Park is not supported by the Heritage Council of W.A.

Ordinary Meeting held on 27 July 2010:

The Council approved further investigation in relation to the location of the Vietnamese Monument in either Robertson Park or Wade Street Reserve.

Ordinary Meeting held on 9 November 2010:

The Council approved "in principle" to locate the Vietnamese Boat People Monument of Gratitude in the north east corner of Robertson Park and to CONSULT with the local community surrounding Robertson Park for a period of twenty one (21) days seeking their views in relation to the proposals and obtains comments from the Heritage Council of Western Australia with respect to the proposal.

Ordinary Meeting held on 22 March 2011:

After considering the comments received from the community, the Council approved the installation of the Vietnamese Boat People Monument of Gratitude, 'Option 2' within Robertson Park as shown on the attached Plan No. 2751-CP-01B;

DETAILS:

Meeting with the Spokesperson for the Vietnamese Community – Ms Mai Nguyen:

On the 11 June 2012 the City's Mayor Hon. Alannah MacTiernan and Manager Parks & Property Services met with Ms Mai Nguyen (spokesperson for the Vietnamese Community) to provide an update on the proposal to install the Vietnamese Monument at Robertson Park.

During the meeting the Mayor indicated that, in her view, the Robertson Park site was not the most suitable for the monument being in an urban setting and located in the back corner of a very 'busy' park in terms of features and other memorials on the site.

Discussion ensued in relation to the progress of the project and the alternative locations previously investigated. Wade Street Reserve located at the northern end of William Street near Brisbane Street was previously highlighted by the City's Officers as being the most appropriate site and Mai was particularly interested in further investigating this site.

Following a meeting on site, Ms Nguyen agreed that this site was more preferable being closer to the William Street business area and advised the Mayor that this matter would be raised with the President of the Vietnamese Community and the Council formally advised of their position.

Alternative locations for the Vietnamese Monument of Gratitude:

The City's Officers have been in regular contact with the Vietnamese Community in trying to accommodate their request for location of the Vietnamese Boat People Monument of Gratitude.

Following consultation in relation to the proposed Weld Square site the East Perth Redevelopment Authority (EPRA) indicated that William Street (Wade Street Reserve) would be considered to be a more suitable location for the Vietnamese Boat People Monument of Gratitude.

Various other locations for the monument site have been investigated previously, including the Multicultural Children's playground, Banks Reserve, Birdwood Square and Gladstone Street reserve; however the officers preferred location has always been Wade Street Reserve.

Email to Mayor 20 June 2012:

Dr Anh Nguyen, President of the Vietnamese Community in Australia emailed the Mayor, Honourable Alannah Mactiernan with a letter as shown in Appendix 9.2.4B attached. The email indicated '*that the Wade Street site for the Boat People is the final decision of our recent core Vietnamese Committee Meeting*'.

The letter is attached at Appendix 9.2.4A (attachment 001) and an extract from the letter is as follows.

"The Vietnamese Community is honoured to have your support for our Boat People Monument. We very much appreciate your endeavour to assist us in realising our dream of building the Monument to be a part of the landscape of Australia's Multicultural History.

I am aware that Your Worship has proposed a site for the Monument to be built at the location of a park in Wade Street, facing William Street in Highgate. This site is a bright, well exposed area and is frequented by locals, the general public and tourists; it is indeed a perfect and prominent location.

On behalf of the Vietnamese Community Committee I am so excited to receive Your Worship's offer. Please accept my deepest gratitude for your assistance with respect to this monument.

All correspondence please direct to me or Ms. Mai Nguyen, our spokesperson."

CONSULTATION/ADVERTISING:

Further consultation will be undertaken in accordance with the City's Community Consultation Policy No. 4.1.5., (Clause 7. Non-Statutory and General consultation) for a period of fourteen (14) days. All respondents will be advised of the Council decision.

The City's Policy states:

*"Consultation for Parks and Reserves upgrades and enhancements will be carried out to an area of not less than 500mm surrounding the park or reserve for at least **fourteen (14) days**. Local Public notice (if required at the discretion of the Chief Executive Officer/Director)."*

LEGAL/POLICY:

Not applicable

RISK MANAGEMENT IMPLICATIONS:

Not Applicable

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: *"1.1.5 Enhance and maintain parks, landscaping and community facilities" (b) Continue to implement infrastructure improvements for public open space, including the Wetlands Heritage Trail and the Greenway Plan."*

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

As indicated in the previous report presented to the Council all costs associated with any additional feature lighting and the design, construction and installation of the monument will be borne by the Vietnamese community. The City could assist with any minor reserve reinstatement works following the completion of the works.

COMMENTS:

As previously reported to the Council on 27 July 2010, Wade Street Reserve was identified as a possible location for the Vietnamese Boat People Monument of Gratitude due to its location at the northern end of the William Street shopping precinct and the site being unencumbered.

However, at the time the Vietnamese Community discounted this option due to the small size of the park - not so much for the actual memorial installation, but it being too small for their annual commemorative ceremony, which attracts an attendance of approximately 500 persons.

The Vietnamese community has reconsidered its position and has now indicated that this site is considered suitable. The City's Officers will investigate possible road closures and relocation of existing vegetation/structures to provide additional open space and space for the annual event and this will be reported to the Council at a later date.

Approval of the Officer Recommendation is therefore requested.

9.4.1 Festivals Programme 2012/2013 - Further Report

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	CMS0110
Attachments:	CONFIDENTIAL – Budgets for Beaufort Street Festival, William Street Festival and Angove Street Festival; 002 – Perth International Jazz Festival Proposal		
Tabled Items:	Nil		
Reporting Officers:	A Campbell, Senior Community Development Officer; J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

FURTHER OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the following festival events funding as part of the City of Vincent Festivals Programme for 2012/2013:

Festival/Event	Amount Allocated	Source
Leederville	\$50,000	Festival Funding
Angove Street	\$45,000	Festival Funding
Beaufort Street	\$40,000	Festival Funding
Perth International Jazz Festival	\$10,000	Festival Funding
WA Youth Jazz Orchestra	\$6,000	Festival Funding
Harmony Celebrations	\$25,000	Harmony Day Funding

2. **AUTHORISES** the following festivals to take place in 2012/2013:
 - 2.1 The Beaufort Street Network Inc. to organise the “Beaufort Street Festival” to be held on Saturday, 17 November 2012, from 12pm to 10pm and the Festival Bar until midnight;
 - 2.2 The North Perth Business and Residents Group (The North Perth Group) to organise the Angove Street Festival to be held on Sunday, 24 March 2013;
 - 2.3 WA Youth Jazz Orchestra to organise a festival to take place at a date to be advised;
 - 2.4 WA Ellington Jazz Club to organise a ‘Perth International Jazz Festival’ to take place at a date to be advised; and
 - 2.5 The Leederville business owners to organise a festival to take place at a date to be advised;
3. **DEFERS** consideration of the William Street Festival until such time as the City’s Officers have carried out further engagement with the local community and stakeholders; and
4. **AUTHORISES** that the festival events detailed in clause 2 above shall be subject to the following conditions to the satisfaction of the Chief Executive Officer:
 - 4.1 The sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;

- 4.2 'Event Fees' for the festivals shall be waived;
- 4.3 A bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;
- 4.4 A suitable traffic, risk management and event site plan shall be submitted to the City at least two (2) months prior to the event at the expense of the organisers;
- 4.5 The event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;
- 4.6 The event organisers shall ensure full consultation with businesses and residences within the event perimeter and at a minimum of a five hundred (500) metre radius outside of the event parameter to ensure that the festival is representative of and attuned to the local businesses;
- 4.7 The activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;
- 4.8 Acknowledgement of the City of Vincent as a major sponsor of the events on all publications and advertising materials, subject to the conditions listed in the report;
- 4.9 The funds received from the City shall be acquitted together with a full evaluation report on the festival being provided no later than three (3) months after the event; and
- 4.10 Compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events'.

The Presiding Member Hon. Alannah MacTiernan advised the meeting that Cr Carey had declared a financial interest in this item.

Cr Carey departed the Chamber at 7.00pm

He did not speak or vote on this item.

Moved Cr McGrath, Seconded Cr Pintabona

That the recommendation, together with the following changes, be adopted:

"That clause 1 be amended and a new clause 5 be added as follows:

1. APPROVES the following festival events funding as part of the City of Vincent Festivals Programme for 2012/2013:

Festival/Event	Amount Allocated	Source
Leederville	\$50,000	Festival Funding
Angove Street	\$45,000 \$40,000	Festival Funding
Beaufort Street *	\$40,000*	Festival Funding
Perth International Jazz Festival	\$10,000	Festival Funding
WA Youth Jazz Orchestra	\$6,000	Festival Funding
Harmony Celebrations	\$25,000	Harmony Day Funding
Unallocated Festival and Community Events Funding	\$80,000	Festival Funding

* NOTES that the City has already approved at the Ordinary Meeting of Council held on 10 April 2012 (Item 9.4.2) a \$20,000 contribution to the Beaufort Street Network Inc. to assist in organising the 2012 Beaufort Street Festival.

5. That Council RECEIVES a further report in relation to the Perth Fashion Festival, Harmony Celebrations and any other events which are allocated funding”

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)
(Cr Carey was absent from the Chamber and did not vote.)

AMENDMENT NO 1

Moved Cr McGrath, Seconded Cr Pintabona

“That clause 3 be amended to read as follows:

3. DEFERS consideration ~~of the William Street Festival~~ until such time as the City’s Officers have carried out further engagement with the local community and stakeholders; and report back to the last Ordinary Meeting of Council in August 2012.

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)
(Cr Carey was absent from the Chamber and did not vote.)

Debate ensued.

AMENDMENT NO 2

Moved Cr McGrath, Seconded Cr Pintabona

“That clause 5 be amended as follows:

5. That Council RECEIVES a further report in relation to the Perth Fashion Festival, Harmony Celebrations and any other events which are allocated or seeking funding”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)
(Cr Carey was absent from the Chamber and did not vote.)

AMENDMENT NO 3

Moved Cr Maier, Seconded Cr Pintabona

“That clause 4.3 be amended to read as follows:

- 4.3 A bond of ten percent of the grant up to a maximum of \$3,000 shall be retained by the city as security for any damaged to or clean-up of the event area;

Debate ensued.

The mover Cr Maier agreed (and the seconder Cr Pintabona consented to the change) to reword his amendment to read as follows;

- 4.3 A bond up to a maximum of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;

Debate ensued.

AMENDMENT NO 3 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)
(Cr Carey was absent from the Chamber and did not vote.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)
(Cr Carey was absent from the Chamber and did not vote.)

COUNCIL DECISION ITEM 9.4.1

That the Council;

1. APPROVES the following festival events funding as part of the City of Vincent Festivals Programme for 2012/2013:

Festival/Event	Amount Allocated	Source
Leederville	\$50,000	Festival Funding
Angove Street	\$40,000	Festival Funding
Beaufort Street *	\$40,000*	Festival Funding
Perth International Jazz Festival	\$10,000	Festival Funding
WA Youth Jazz Orchestra	\$6,000	Festival Funding
Unallocated Festival and Community Events Funding	\$80,000	Festival Funding

* NOTES that the City has already approved at the Ordinary Meeting of Council held on 10 April 2012 (Item 9.4.2) a \$20,000 contribution to the Beaufort Street Network Inc. to assist in organising the 2012 Beaufort Street Festival.

2. AUTHORISES the following festivals to take place in 2012/2013:

- 2.1 The Beaufort Street Network Inc. to organise the "Beaufort Street Festival" to be held on Saturday, 17 November 2012, from 12pm to 10pm and the Festival Bar until midnight;
- 2.2 The North Perth Business and Residents Group (The North Perth Group) to organise the Angove Street Festival to be held on Sunday, 24 March 2013;
- 2.3 WA Youth Jazz Orchestra to organise a festival to take place at a date to be advised;
- 2.4 WA Ellington Jazz Club to organise a 'Perth International Jazz Festival' to take place at a date to be advised; and
- 2.5 The Leederville business owners to organise a festival to take place at a date to be advised;

3. DEFERS consideration until such time as the City's Officers have carried out further engagement with the local community and stakeholders; and report back at the last Ordinary Meeting of Council in August 2012;

4. **AUTHORISES** that the festival events detailed in clause 2 above shall be subject to the following conditions to the satisfaction of the Chief Executive Officer:
- 4.1 The sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;
 - 4.2 'Event Fees' for the festivals shall be waived;
 - 4.3 A bond up to a maximum of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;
 - 4.4 A suitable traffic, risk management and event site plan shall be submitted to the City at least two (2) months prior to the event at the expense of the organisers;
 - 4.5 The event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;
 - 4.6 The event organisers shall ensure full consultation with businesses and residences within the event perimeter and at a minimum of a five hundred (500) metre radius outside of the event parameter to ensure that the festival is representative of and attuned to the local businesses;
 - 4.7 The activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;
 - 4.8 Acknowledgement of the City of Vincent as a major sponsor of the events on all publications and advertising materials, subject to the conditions listed in the report;
 - 4.9 The funds received from the City shall be acquitted together with a full evaluation report on the festival being provided no later than three (3) months after the event; and
 - 4.10 Compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events'; and
5. That Council **RECEIVES** a further report in relation to the Perth Fashion Festival, Harmony Celebrations and any other events which are or seeking funding.

ADDITIONAL INFORMATION:

Mayor Hon. Alannah MacTiernan and the Perth Fashion Festival (PFF) Directors have discussed the possibility of the City hosting an event(s) as a peripheral of the Perth Fashion Fringe Festival. The event would occur in the lead-up to the main PFF events, which are predominantly hosted by the City of Perth. Due to the short lead time, one event is likely to occur in 2012, with more events expected in 2013.

The PFF Directors and the Hon. Mayor carried-out a site inspection of West End Deli, an attractive urban café in West Perth. The Hon. Mayor proposed a new initiative, the 'shoe' event (a show and carpark sale), which the PFF Directors were very interested in being involved in. The City's involvement in the Festival would include purchasing a promotional space in the Festival guide and co- coordination of the event in conjunction with the PFF team. The City has allocated provisional funding of \$10,000 to assist in the coordination of the PFF.

In reference to the Festivals Policy No. 3.10.8, Festival funding can only be allocated to events that have submitted a proposal, including a detailed plan and budget. Therefore, the remaining funds which were previously allocated to the Perth Fashion Festival, William Street Festival and Harmony Celebrations are labelled under 'Unallocated Festival and Community Events Funding' to be determined once further details have been confirmed."

FURTHER REPORT:

The purpose of this report is to provide further detail regarding the proposed Festival Programme so that the Council may approve the programme and its associated funding amounts. Information includes the level of community and stakeholder support, the goals and objectives for each festival and the net income and expenditure statements.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 May 2012, Amendments (No. 1, 2 and 3) were made to the Officer Recommendation before the Council resolved to defer this matter, for further information regarding each of the proposed festivals;

- "1. APPROVES the following festival events funding as part of the City of Vincent Festivals programme for 2012/2013:

<i>Festival/Event</i>	<i>Amount Allocated</i>	<i>Source</i>
<i>Beaufort Street</i>	<i>\$40,000</i>	<i>Festival Funding</i>
<i>Angove Street</i>	<i>\$45,000</i>	<i>Festival Funding</i>
<i>William Street</i>	<i>\$60,000</i>	<i>Festival Funding</i> <i>Lotterywest Grant</i>
<i>Harmony Week Celebrations</i>	<i>\$25,000</i>	<i>Harmony Day Funding</i>
<i>WA Youth Jazz Orchestra</i>	<i>\$6,000</i>	<i>Festival Funding</i>
<i>WA Ellington Jazz Club Festival</i>	<i>\$10,000</i>	<i>Festival Funding</i>
<i>Leederville</i>	<i>\$50,000</i>	<i>Festival Funding</i>

2. AUTHORISES the following festivals to take place in 2012/2013:

- 2.1 the Beaufort Street Network Inc. to organise the "Beaufort Street Festival" to be held on 17 November 2012, from 12noon to 10pm and the Festival Bar until midnight;
- 2.2 the North Perth Business and Residents Group to organise the Angove Street Festival to be held on Sunday, 24 March 2013; ~~a date to be advised, which shall be a minimum of two (2) weeks after the William Street Festival;~~
- 2.3 WA Youth Jazz Orchestra to organise a festival to take place at a date to be advised;
- 2.4 WA Ellington Jazz Club to organise a festival to take place at a date to be advised; and
- 2.5 The Leederville business owners to organise a festival to take place at a date to be advised; and
- ~~2.6 the William Street Festival to take place on Sunday, 17 March 2013; and~~

3. *The festival events detailed in clause 2 above shall be subject to the following conditions:*
- 3.1 *the sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;*
 - 3.2 *'event fees' for the festivals shall be waived;*
 - 3.3 *a bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;*
 - 3.4 *a suitable traffic, risk management and event site plan shall be submitted to the City at least two (2) months prior to the event at the expense of the organisers;*
 - 3.5 *the event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;*
 - 3.6 *the event organisers shall ensure full consultation with businesses and residences within the event parameter and at a minimum of a five hundred (500) metre radius outside of the event parameter to ensure that the festival is representative of and attuned to the local businesses;*
 - 3.7 *the activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;*
 - 3.8 *acknowledgement of the City of Vincent as a major sponsor of the events on all publications and advertising materials, subject to the conditions listed in the report;*
 - 3.9 *the funds received from the City shall be acquitted together with a full evaluation report on the festival being provided no later than three (3) months after the event; and*
 - 3.10 *compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events';*

to the satisfaction of the Chief Executive Officer.

4. *DEFERS consideration of the William Street Festival until such time as the City's Officers have carried out further engagement with the local community and stakeholders."*

As per additional information requested on the Festivals Programme 2012/2013, this along with a funding recommendation has been added to this report.

DETAIL:

Leederville Business Precinct Festival

The City's Officers have recently met with some of the business owners from the Leederville business precinct. The meeting was to discuss the recent agreement by the newly formed Leederville Business Group (Leederville Connect) to develop and stage a Festival in Leederville. The business representatives at the meeting had agreed to sit on this recently formed Festival sub-group.

After discussion about various times and themes, it was decided at the meeting that given a minimum of six (6) months lead time was required, an event that was themed around Christmas and run in early December would be the starting point for the festival. It would also provide a good opportunity to incorporate streetscaping improvements and new Christmas lights and banners. It was suggested the Festival might mark the lighting of the Leederville

Christmas lights. "Light up Leederville" was a naming idea for the event. The timing and theme of the event is advantageous as it does not collide or replicate the theme of any of the other proposed festivals.

Angove Street Festival

The Angove Street Festival is driven by the community and businesses in the area. It is community focussed, as well as being representative of the local businesses and residents in the North Perth area. The surrounding areas in the City of Vincent of Leederville, North Perth, Mount Hawthorn, West Perth and Mount Lawley all have unique qualities and demographics that attract genuine community spirit.

The diversity of these communities will be represented throughout the Angove Street Festival through the branding, entertainment, stall holders and businesses, directly benefiting residents in the larger Perth Metropolitan area. People who attend and participate in the festival will have the opportunity to connect and engage with local residents, the wider community and local businesses.

Local artists will have the opportunity to interact with a large and diverse community which would assist in creating exposure to often less well known artistic groups.

The local businesses will also have an opportunity to promote their services and actively connect with the community. The success of the festival will benefit the profile of the businesses and local groups, as well as attracting visitors and locals to the areas fostering a vibrant cultural strip.

Objectives for Festival

- To encourage community engagement, support community capacity and increase social capital in the North Perth area;
- To create an overall community ownership of the event incorporating decision making, participation and leadership; and
- To run a kid-safe event that caters for all (children, families, adults, couples, men, women, people with disabilities, all ages and genders).

Goals for the Future

- Attract additional local business owners to an up and coming area; and
- Attract clientele to Angove Street cafe strip and surrounding North Perth businesses.

Sponsorship Contribution

The sponsorship package created by the City of Vincent was detailed offering four (4) levels of sponsorship (Gold - \$4000, Silver - \$2000, Bronze - \$1000 and Naming rights - \$1000). The 2012 Festival sponsorship package increased in competitiveness due to the success of the Festival in 2011 and a longer lead time created more opportunities to secure sponsorship. An increase in communication with each business owner also encouraged extra sponsorship and support for the Festival. The following sponsorship was confirmed in 2012:

- Bendigo Bank was the major sponsor for the 2012 Angove Street Festival, contributing \$35,000;
- Lotterywest contributed \$20,000 towards the Angove Street Festival, specifically towards the toilets, generators and staging;
- Paragon Property contributed \$4,000 and received the stage rights to the small stage at the end of Angove Street, near Daphne Street;
- The Rosemount Hotel sponsorship went towards the payment and coordination of 50% of the music programme on the day;
- Pal & Panther donated a brand new bicycle as part of the raffle competitions;
- Fiorentina's Patisserie contributed \$2,000 towards the Angove Street Festival; and
- Milk'd contributed \$1,000 towards the Angove Street Festival.

Local Business contribution/involvement

Sponsors Paragon Property, Rosemount Hotel, Pal and Panther, Fiorentina's and Milk'd were also local business owners in Angove Street.

The majority of businesses on the street assisted during the organisation of the Angove Street Festival. This included direct sponsorship and in-kind support. The businesses also supported and helped generate ideas for the Festival through the monthly North Perth Group meetings.

Some examples of business involvement include; stallholder participation, coordination of art and kids activities, interactive cooking demonstrations and idea generation.

The sponsorship package was sent out to businesses in the City of Vincent area, and particular emphasis was placed around the North Perth businesses.

External Stall Holders

As Angove Street has a limited number of businesses, the majority of stallholders were provided by Upmarket, Perth.

In 2012, approximately sixty eight (68) stallholders were brought in by Upmarket Perth. This proved very successful and attracted a larger market of people to the Festival. Upmarket also encouraged a commercial aspect to the Festival which has not been strong in previous years. A good number of these stalls were allocated to Western Australian designers and craftspeople selling their own quality wares.

The increased number of patrons that were attracted to the area enabled all of the businesses in surrounding areas to benefit.

Budget

A full Budget for the Beaufort Street Festival, William Street Festival and Angove Street Festival is shown in Confidential Appendix 9.4.1A and circulated to Council Members, Chief Executive Officer and Directors only.

City of Vincent Staff Resources

One (1) part-time City Officer worked on the event for approximately five (5) months leading up to the Festival. Six (6) City Officers worked most of the day at the actual event.

In addition, two (2) Officers were involved in regular North Perth Group meetings with local businesses and residents from the end of 2011.

The City's Health, Ranger Services and Engineering Services were also involved in the immediate lead up to the event. Two (2) Health Officers, one (1) Ranger, and two (2) Engineering staff were also rostered on for the Angove Street Festival event.

Beaufort Street Festival

Target Market

The main target audience for the Beaufort Street Festival are local, professional singles between the ages of eighteen and forty (18-40). The Festival does however, offer something for all ages. In 2012, the Festival will introduce two (2) distinct children's festival districts in order to ensure all ages are considered.

Objectives for Festival

- To capitalise on the growing interest in Beaufort Street as one of Perth's most vibrant and cutting edge retail and cafe strips;
- To showcase local creative talent with four key themes:
 - Music;
 - Art;
 - Fashion; and
 - Food.
- To create new opportunities for young people in festival leadership roles.

Sponsorship Contribution

In 2011, a dedicated business coordinator was engaged to assist businesses in the development of festival events and to help liaise with art groups, etc. A business participation pack outlining how businesses could get involved in the Festival was developed and distributed to all businesses.

A new business registration fee was created to cover the costs associated with assisting business participation in the festival. Approximately sixty (60) businesses registered for the Festival.

The Beaufort Street network worked hard to secure in-kind or financial sponsors in order to match the contribution provided by City of Vincent.

A similar process is currently being implemented for the 2012 Festival.

Volunteers

A dedicated volunteer's coordinator was established and a number of volunteers assigned various roles throughout the day (including management committees).

Volunteer roles included stage hands, traffic marshals, art set up and pack up and general festival assistance.

City of Vincent Staff Resources

In the weeks leading up to the Beaufort Street Festival, there was significant support from section Officers, Managers and Directors. In addition to the ongoing correspondence and suggestions from the City, there was representation across Community Development, Corporate Services, Technical Services, Asset and Design Services, Rangers and Community Safety Services, Health Services and Development Services at four (4) Working Group meetings. A total of ten (10) City of Vincent staff were involved in the planning stages. Two (2) staff from Ranger Services and three from Health Services (3) also worked on the day of the event. In addition, there were ten (10) outdoor staff rostered and divided into two (2) shifts throughout the day/night of the Festival. Five of the outdoor staff (5) worked from 5.00am to 10.00am cleaning the surrounding streets and placing bins and liners around the area prior to the event, and five (5) outdoor staff assisted in the clean up and in removing bins from 8.00pm to 2.00am Sunday morning.

Budget

A full Budget for Beaufort Street Festival, William Street Festival and Angove Street Festival is shown in Confidential Appendix 9.4.1A and circulated to Council Members, Chief Executive Officer and Directors only.

Perth International Jazz Festival

On 5 June 2012, a detailed sponsorship proposal regarding the Jazz Festival was received from the Ellington Jazz Club as shown in Appendix 9.4.1B. The organisers stated on the proposal that the festival was to be named "Perth International Jazz Festival". For this

reason, the name stated in the initial recommendation, "WA Jazz Festival" has been change to "Perth International Jazz Festival".

Proposed Dates and Venue

The proposed dates and venue for the Festival are:

- 24 May 2013 – 5.00pm to 10.00pm;
- 25 May 2013 – 12.00pm to 10.00pm; and
- 26 May 2013 – 12.00pm to 10.00pm.

It is proposed the main outdoor venue be the City of Vincent's Weld Square, Perth. The organisers plan to fence off the park for the weekend of the Festival. There will be additional events held at the Ellington Jazz Club and across various venues around the City of Perth and City of Vincent.

Target Market

The target demographic is aged thirty five (35) years plus, yet it will cater to a wide range of people of all ages and walks of society.

Objectives for Festival

Vision

To create a world class international Jazz Festival that will help Perth become a more vibrant city and establish itself as a leader in Jazz performance and education.

Mission

To develop music industry, government, corporate and community partnerships to further promote the exposure of quality jazz music in Western Australia.

Goals

To seek sponsorship and partnerships to present an inaugural jazz festival (Perth International Jazz Festival 2013).

Sponsorship Contribution

Aside from the City of Vincent, the City of Perth, Metropolitan Redevelopment Authority, Department for Culture and the Arts, Eventscorp, Healthway, Festivals Australia and Lotterywest are all potential sponsors of this event and initial feedback has been very positive.

Partnership funding will be sought from Bankwest, Oakagee Mines and Ports, Rio Tinto, ConocoPhillips Australia, Ogdens, KPMG and Gresham Investments. The organisers are also scheduling meetings with various airline, hotel and media sponsors. Depending on funding opportunities from Country Arts and Royalty for Region funds there may also be a regional component to the festival.

It is recommended that the City's sponsorship be limited to events held within the City of Vincent boundaries.

WA Youth Jazz Orchestra

Details on the WA Youth Jazz Orchestra's sponsorship submission were included in the Agenda Item 9.4.3 for the Ordinary Meeting of Council held on 22 May 2012, with an amount of \$6,000 recommended.

William Street Festival

Proposed Date

There is currently no proposed date for the Festival. However, if enough support and interest is gained by local businesses, it is suggested the festival could tie in with Chinese New Year celebrations for 'Year of the Snake' on Sunday, 10 February 2013.

Proposed Community Engagement

The Council has recommended community engagement take place to gauge interest of local business owners prior to the William Street Festival date being set. It is proposed a letter will be posted to William Street and surrounding businesses, inviting them to attend a meeting with the Mayor to discuss their involvement in hosting an event in lieu of the William Street Festival. The letter will suggest that the event coincide with Chinese New Year (Sunday, 10 February 2013), 'Year of the Snake' celebrations. It will also be made clear in the letter that the event will not proceed without significant interest, financial contribution and participation of business owners.

Objectives for Festival

- Promote local business;
- Build community networks;
- Promote cultural diversity through the various restaurants and shops;
- Encourage visitors from both the local and wider community to William Street;
- Reclaim the streets (pedestrians, no traffic);
- Showcase local talent;
- Create a vibrant, fun and festive atmosphere for youths, families and adults; and
- Work in partnership with On William and City of Perth.

Future Goals

- For culturally and linguistically diverse (CALD) groups to have an opportunity to promote their business and share their culture with the wider community;
- For local artists and musicians to showcase their talent to a large audience;
- For local shops to gain exposure;
- For William Street to become a popular precinct for eating, shopping and drinking; and
- To place William Street on the map as a popular tourist attraction.

Sponsorship Contribution

Prior to the 2012 Festival, the Community Development Officer met with each of the businesses to discuss sponsorship possibilities. Local and surrounding businesses were invited to sponsor the Festival with four sponsorship levels offered (Gold - \$5000, Silver - \$3,000, Platinum - \$1,000 and In-Kind).

The Australian Chinese Times and the Community Newspaper Group both provided in-kind advertising for the event to the combined value of \$10,000.

The City was successful in gaining a \$20,000 grant from Lotterywest to contribute towards infrastructure and printing costs associated with the festival. In return, the City included the Lotterywest logo on all printed material, verbally thanked the sponsor in interviews and on the day, and displayed supplied signage at key locations on the day of the event.

Local Business Involvement/Contribution

The Vincent end of William Street does not have a formal business network or residents' group as such. Most of the businesses are small with many of the owners from a CALD background.

Given the cultural nuances of the businesses in the street, the process of including them in the organisation/coordination and sponsorship of the festival is one that requires further development.

However, it should be noted that business participation on the day was strong and included the following establishments:

William Street business involvement

Business name	Involvement
Mela Indian Sweets	Food stall.
Wing Hong Butcher	Meat display and sales, meat cooking demonstrations.
Lido Restaurant	Food stall.
Scraps	Retail stall.
Fair Go Trading	Retail stall.
William Topp	Retail stall.
VHT Perth	Retail stall.
The Red Teapot	Food stall.
S&T Thai Gourmet Cafe	Food stall.
Viet Hoa Restaurant	Food stall.
The Salvation Army	Pop up cafe and the Salvation Army Band performed.

Neighbouring business involvement

Business Name	Involvement
Capital Trading	Wholesale food sales stall.
The Butcher Shop	Were paid to facilitate an urban artwork workshop.
Australian and Chinese Times	Sponsored the event with in-kind advertising and hosted an information stall.
Beans and Bunches	Retail stall.
Chung Wah Association	Hosted a stall and did tea ceremony demonstrations. The group were also paid to perform dancing.

Budget

A full Budget for Beaufort Street Festival, William Street Festival and Angove Street Festival is shown in Confidential Appendix 9.4.1A and circulated to Council Members, Chief Executive Officer and Directors only.

City of Vincent Staff Resources

There was one Officer in charge of the majority of the event coordination from approximately five (5) months lead up to the event. There was ongoing correspondence and attendance at two (2) working group meetings by representatives from City of Vincent Health, Rangers and Technical Services departments in the weeks leading up to and at the event. There were two (2) additional Officers who assisted in the immediate lead up to the event and on the day. Two (2) Health Officers, one (1) Ranger, and two (2) Engineering staff were also rostered on for the William Street Festival event.

Harmony Celebrations

The City's Officers met with Perth International Comedy Festival organisers recently to discuss an idea to run a multicultural comedy week during Harmony Week (18-24 March 2013). This concept will be further developed and promoted.

CONSULTATION/ADVERTISING:

A comprehensive promotional strategy will be prepared for all festivals, which include advertising in community newspapers, street banners, letter drop to City of Vincent residents/businesses, flyers/posters and possible use of social networking pages.

LEGAL/POLICY:

Policy No. 1.1.5 – Donations, Sponsorship and Waiving of Fees and Charges;
Policy No. 1.1.8 – Festivals; and
Policy No. 3.8.3 – Concerts and Events.

STRATEGIC IMPLICATIONS:

The City of Vincent's '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:

The purpose of the Festivals is to provide community events in the City and is an excellent opportunity to promote environmental/sustainability initiatives provided by the City.

RISK MANAGEMENT IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The amount of \$176,000 is listed on the Draft 2012/2013 Budget for the Festival Programme.

The proposed allocation of funding for the scheduled festivals is as follows:

- Angove Street Festival \$45,000;
- Beaufort Street Festival \$40,000;
- Harmony Celebrations \$25,000;
- Perth International Jazz Festival \$10,000;
- WA Youth Jazz Orchestra \$6,000; and
- Leederville Festival \$50,000.

COMMENTS:

The Festivals that were staged in the City of Vincent last year were all very successful, with large attendances and excellent positive feedback from both the community and businesses.

The City's Officers recognise the excellent contribution the festivals make to the community and support the proposed festivals.

The Minutes of the Item 9.4.3 placed before the Council at its Ordinary Meeting held on 22 May 2012 are available on the City's website from the following link:

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

9.4.3 Loftus Community Centre – Additional Funding

Ward:	Both	Date:	15 June 2012
Precinct:	All	File Ref:	CMS0123
Attachments:	Nil		
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;

1. **RECEIVES** the report regarding additional funding for the Loftus Community Centre; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** the increase of \$20,000 of “one-off” funding to the Loftus Community Centre for the Draft 2012/2013 Budget for the following projects;
 - 2.1 ‘Class Manager’ Database Management System (\$5,000); and
 - 2.2 Playground Redevelopment (\$15,000); and
3. **Subject to Clause 2** being approved, advises the Loftus Community Centre that future funding will be \$55,000, plus CPI.

Cr Buckels departed the Chamber at 7.29pm.

Cr Carey returned to the Chamber at 7.31pm

The Presiding Member Hon. Alannah MacTiernan advised Cr Carey of the Council decision for Item 9.4.1.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Maier, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

Cr Buckels returned to the Chamber at 7.32pm

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to review the current funding and seek approval for the increase in funding to the Loftus Community Centre.

BACKGROUND:

Traditionally, the City has funded the Loftus Community Centre in order that it can provide services and programmes to residents on behalf of the City. Since the 2006 financial year, the City has made an annual contribution of \$30,000 to the Centre. In the 2010 Annual Budget, the amount was further increased to a total of \$50,000 due to concerns regarding the Centre’s financial viability. The additional funds were provided to fund operational matters.

At the Ordinary Meeting of Council held on 22 August 2006, the following resolution was adopted:

"That the Council;

- (i) RECEIVES the report on the Loftus Community Centre;*
- (ii) APPROVES of the following guidelines to be applied for the distribution of the annual financial contribution by the Town to the Loftus Community Centre.*

"Guidelines:

- (a) The Loftus Community Centre provide events, activities, programs and courses at affordable rates, which benefit the community, provide places for people and community groups to meet which are affordable and accessible and provide opportunities for people to contribute to the community;*
 - (b) The Town not to be directly charged for the reasonable use of the facility or the hire of rooms at the Centre;*
 - (c) Community groups to have the ability to discuss rates charge with the Management Committee;*
 - (d) The Town to be advised of the fees and charges to be charged for each financial year;*
 - (e) Consideration be given for an Elected Member and a senior officer of the Town to sit on the Board of Management;*
 - (f) The Child Health Clinic not be charged out for hire by the Loftus Community Centre;*
 - (g) The Annual Report including Financial Statements, Annual Budget and monthly Financial Statements for the Centre to be submitted to the Town prior to the issue of any funds by the Town;*
 - (h) Recognition of the Town of Vincent as a major sponsor/supporter in the Centre's activities and programmes as outlined in the report; and*
 - (i) the Town's funding to be made to the Centre in the first (September) and third (March) quarter of the financial year and this is subject to the Centre agreeing and compliance with the Town's Guidelines"; and*
- (iii) NOTES that a report will be provided to the Council on the operation of the Centre at the end of each financial year."*

At the Special Meeting of Council held on 15 May 2012, in considering the Draft Annual Budget 2012/2013 the following resolution was adopted in part:

"...1.4 (Page 119) That consideration be given to an increase in the Loftus Community Centre funding from \$55,000 to \$75,000, subject to:

- (a) receiving a report on the justification for the increase; and*
- (b) how the funding is to be spent;..."*

DETAILS:

The Loftus Community Centre has seen an increase in operational costs of approximately 11% over the last three years. This includes areas such as insurance, electricity, telephone, cleaning, consumables and general operating costs. The two (2) areas having the largest impact on the budget are general centre maintenance and staff salaries. Due to the ageing nature of the facility and the increased community usage there has been an increase in operational maintenance costs. Furthermore, the Loftus Community Centre staff are paid under the Social and Community Service (SACS) Award, which are due for a legislated increase of 40% to pay rates over the next 8 years.

With the increased usage of the facility, there is growing demand for registration for the Three Plus (3+) Kindergarten Club and use of the facilities for Community Playgroups. At present, the Centre currently has an outdoor play area with a sand pit and plastic jungle gym. The Early Childhood Education Standard is changing and there is an increased emphasis on outdoor play in natural playgrounds.

A portion of the operational maintenance budgets is allocated toward cleaning the Centre. The Loftus Community Centre currently budgets \$22,000 per annum towards cleaning, which is insufficient to clean the Centre to a level that is expected and needed. The Centre has recently sought other quotes and implemented a new cleaning schedule to combat the large amount of complaints that are being received. Based on the quotes that the Centre has received, \$40,000 would need to be budgeted to adequately clean the Centre. As the Centre needs to pay for the additional costs of cleaning, they are requesting assistance with the cost of redeveloping the playground and outdoor area.

Database Management System

The Loftus Community Centre has recently undertaken extensive research looking at possible database management systems. Currently, the Centre database is a series of Excel spreadsheets which are insufficient to successfully report on Centre usage and to effectively manage the Centre.

The Centre has researched a number of systems including Centaman, Class and Class Manager as possible products. Centre management has chosen 'Class Manager' as an appropriate system for the Centre as it has specifically been developed for Community Centres. This new database will allow the Centre to accurately report on all aspects of the Centre, including recording venue hire, tracking memberships, reporting to the management committee and reporting to the City and other key funding bodies.

This database is a very cost effective option for the Centre moving forward as it operates on an ongoing price system and there is no upfront cost. The Centre will be required to pay 'Class Manager' \$0.35 cents per enrolment and \$0.70 cents per hour for room hire. The Centre has negotiated a free three month trail for this database and are also negotiating reduced fees per enrolment.

The Centre intends to eventually pass this cost onto their users excluding community groups (Playgroup, Toy Library, Child Care Cooperative), seniors and not for profit hirers. At this stage, the Centre will not be increasing room hire rates or programme fees for these groups, however they envisage passing the cost onto their other users in the 2013/2014 Budget.

Playground Redevelopment

It is proposed to allocate \$15,000 in the Draft 2012/2013 Budget to go toward redeveloping the Loftus Community Centre Playground to be a more nature based place for children to learn, play and develop. To save on costs, designs for the proposed developments to the playground would be drawn up by external sources. Furthermore, the Centre can apply for various funding to cover costs that the City cannot meet.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low: Upon careful assessment of the risk management matrix and consideration of this project, it has been determined that this programme is low risk.

STRATEGIC IMPLICATIONS:

The approval of this implementation plan is in keeping with the City's *Strategic Plan 2011-2016*:

"3.1.6 Build capacity within the community for individuals and groups to meet their needs and the needs of a broader community".

SUSTAINABILITY IMPLICATIONS:

The Loftus Community Centre provides a variety of community and support services to Vincent residents and the wider community on behalf of the City.

Approval of the requested increase of \$20,000 will allow for the ongoing provision of these services and programmes and will also allow for additional partnership opportunities between the City and the Centre.

The Centre is a sustainable operation as they do not solely receive funding from the City but other key funding bodies, such as the \$120,000 grant they received recently from Lotterywest for air conditioning and other building costs. Moreover, they are able to recoup a portion of their operating costs through room hires and memberships fees. With the increased costs in operational budget, the Centre intends to implement cleaning fees to room hirers, and slightly increased membership fees to recoup a portion of the increase needed for the above proposal.

FINANCIAL/BUDGET IMPLICATIONS:

In total, the City of Vincent's budgeted financial commitment to the Loftus Community Centre in the 2011/2012 financial year is as follows:

Expenditure

Ground Maintenance	\$ 5,000
Building Maintenance	\$ 21,800
Water	\$ 1,345
Building Insurance	\$ 3,435
ESL Levy	\$ 3,480
Council Contribution	\$ 53,500
Depreciation Expense	\$ 24,765
Total	\$113,325

Revenue

Leases	\$ 1,080
Recoup WAWA charges	\$ 1,345
Recoup Building Insurance	\$ 3,435
Reserve Fund Contribution	\$ 5,620
Total	\$ 11,480

Furthermore, the Centre has received toilet refurbishments from the City's Capital Budget costing approximately \$7,000 in the current financial year.

In the Draft Budget 2012/2013, it is recommended that the Budget contribution from the City be increased from \$55,000 to \$75,000. The increased funding is to be utilised for the following items:

Annual Contribution	\$ 55,000
Playground Redevelopment	\$ 15,000
Centre Manager Database	\$ 5,000
Total amount requested	\$ 75,000

The City's annual contribution of \$55,000 will be increased by the CPI index annually.

COMMENTS:

It is recommended that the Loftus Community Centre receive an increase in funding of \$20,000 for the Draft 2012/2013 Budget. These funds will go toward a new database system and a redevelopment of the current playground to suit the changing standards of nature based playgrounds.

9.5.1 City of Vincent Policy No. 2.2.8 – Rights of Way – Naming

Ward:	-	Date:	15 June 2012
Precinct:	-	File Ref:	ADM0023
Attachments:	001 – Amended Policy No. 2.2.8		
Tabled Items:	Nil		
Reporting Officers:	John Giorgi, Chief Executive Officer R Lotznicker, Director Technical Services;		
Responsible Officers:	John Giorgi, Chief Executive Officer – Policy R. Lotznicker, Director Technical Services - ROW and Naming;		

OFFICER RECOMMENDATION:

That the Council;

1. APPROVES BY AN ABSOLUTE MAJORITY:

- 1.1 to rename Policy No. 2.2.8 “Rights of Way” to “Laneways and Rights of Way”;
- 1.2 to amend Policy No. 2.2.8 – “Rights of Way” – Guidelines Clause 5. “Naming”, as shown in Appendix 9.5.1; and
- 1.3 subject to clause 1.1 above being approved, to amend Policy No. 4.1.5 – “Community Consultation” – “Guidelines and Policy Procedure Part 7 – Non-Statutory and General Consultation” as follows:

Subject	Minimum Requirement
<u>RIGHTS OF WAY - NAMING</u>	<u>Local public notice for twenty one (21) days in a local community newspaper.</u> <u>Letter to all landowners and residents within a 250m radius of the Right of Way.</u>

- 2. **AUTHORISES** the Chief Executive Officer to **ADVERTISE** Policy No. 2.2.8 – “Rights of Way” – Guidelines Clause 5. “Naming”, for a period of twenty one (21) days, seeking public comment; and
- 3. **after the expiry of the period of submissions:**
 - 3.1 **REVIEWS** Policy No. 2.2.8 – “Rights of Way” – Guidelines Clause 5. “Naming”, having regard to any written submissions;
 - 3.2 **DETERMINES** to proceed with, or not to proceed with Policy No. 2.2.8 – “Rights of Way” – Guidelines Clause 5. “Naming”, with or without amendment; and
 - 3.3 **include** Policy No. 2.2.8 – “Rights of Way” – Guidelines Clause 5. “Naming”, in the City’s Policy Manual if no submissions are received from the public.

COUNCIL DECISION ITEM 9.5.1

Moved Cr McGrath, **Seconded** Cr Buckels

That the recommendation be adopted.

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

PURPOSE OF REPORT:

To obtain the Council's approval to rename Council Policy No. 2.2.8 – "Rights of Way", to "Laneways and Rights of Way" and amend, Guidelines Clause 5. "Naming", as per the Council's Notice of Motion.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 May 2012, the Council considered a Notice of Motion (Item 10.1) relating to the Naming of Right of Ways and adopted the following decision (in part):

"That:

4. *in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to Section 5.25(e) of the Local Government Act 1995, the Council RESOLVES BY AN ABSOLUTE MAJORITY to CHANGE part of the resolution adopted by the Council at its Ordinary Meetings held on 28 February 2012 (Item 9.5.1), as shown below:*

4.1 *deleting:*

"Section 5 of "Guidelines an Policy Procedures" for Policy No. 2.2.8 – Rights of Way; and" (as shown in [Appendix 10.1](#))

4.2 *and inserting:*

"REQUESTS the Chief Executive Officer to modify Section 5 of "Guidelines and Policy Procedures for Rights of Way, Policy No. 2.2.8" relating to naming rights of way to include:

- **Criteria for assigning names to rights of way.** *Such criteria are to list possible themes or, if based on the names of people or families, a mechanism to ensure that the name is assigned in an equitable and open manner;*
- **A mechanism to seek community feedback on potential names** *prior to a name being submitted to the Geographic Names Committee for 'in principle' approval.*
- **Any other matter considered relevant by the Chief Executive Officer.** *"*

Naming of Rights of Ways - Amended Policy

The City's Administration have researched the matter and have recommended as follows:

1. New Title

The Geographic Names Committee – Principles, Guidelines and Procedures define a lane as *"Lane – A narrow way between walls, buildings etc, a narrow Country or City roadway."*

A Right of Way is defined as follows;

"Right of Way – is a term first used to describe the right to travel unhindered, to access a route regardless of land ownership or any other legality."

A ROW is also defined as;

"a legal right of passage over another person's ground" or "the area over which a right-of-way exists."

The term "Laneway" is more widely known and used in the Community, eg: Nova Lane, *"the back lane..."* it is a prescribed term by the Geographic Names Committee.

In addition, not all of the City's ROW's give a right of access to everyone – therefore it is a misnomer.

It is therefore proposed to rename the Policy to "Laneways and Rights of Way" to better reflect the Policy. The term "Laneways and Rights of Way", is prescribed in the Geographic Names Committee – Principles, Guidelines and Procedures, (page 9) and therefore has recognition by a Government Committee. If approved, it is proposed to insert "Laneways" in lieu of "ROW" throughout the Policy, where applicable and appropriate.

2. Criteria for assigning names to Rights of Ways (ROW's) and Laneways

The Policy has been amended to apply to Rights of Ways and also Laneways.

The naming of ROWs could include an extensive list such as names of:

- long standing resident;
- war veterans (World War 1, World War 2, Korean War, Vietnam War etc);
- plants and trees;
- solar system;
- birds; and
- aeroplanes; etc.

As the list could be extensive, it is impracticable to specify criteria for each and it is considered preferable that the Council be able to determine a name "on its merits", based on the new criteria, as specified below.

The previous Policy has been expanded to include the following:

"5.2 Criteria for Assigning Names to ROW's

5.2.1 The Council will consider all applications to name a ROW on a case by case basis and each application will be assessed and determined on its merit.

5.2.2 All proposals to name a ROW must be based on strong community recognition and support of the proposed name.

5.2.3 All naming recommendations supported by the Council must be consistent with the Geographic Names Committee's Guidelines and their final approval.

5.2.4 Where the Council wishes to name a ROW using a personal name, it should;

- *Only be applied posthumously and not after a living person, unless there are exceptional and/or special circumstances;*
- *Only use names which are easy to pronounce, spell and write;*
and
- *Preferrably only use names which are concise and short.*

3. The Application

The application now requires specified detailed information demonstrating the merits of the name and extent of community support. The Policy also now requires that the Council shall give due to consideration to these matters.

"5.2 Application

5.2.1 An application for the naming of a ROW shall be submitted in writing to the City, and shall include the following:

- (a) a brief history or submission in support of the naming application, which must:*
- *demonstrate a strong relevance and/or connection to the area; and/or*
 - *identify long standing links with the local community and/or City*

- (b) *in the case of a person, detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc) to demonstrate their contribution(s)/relevance to the local community; or*
- (c) *in the case of a place/historical matter, detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc) to demonstrate the relevance/connection/link of the name to the area and/or the local community."*

5.2.2 *The Applicant shall agree to fund the cost of manufacture and installation of street nameplates and poles, estimated to cost \$350 (as at June 2012). Prior to proceeding with the consultation process.*

4. A mechanism to seek community feedback on potential names

The previous Policy has been expanded to include extensive local consultation and also requiring an absolute majority decision of the Council, as shown below. This will ensure that the naming of the rights of way will only occur after considerable consultation and majority support of the Council.

"5.3.5 *The City shall;*

- (a) *advertise the proposal to name a ROW on a local basis and within a 250 metre radius, for a period of twenty-one (21) days seeking written comments and submissions on the proposal;*
- (b) *submit a report to the Council detailing the submissions received, and a recommendation.*

5.3.6 *The Council shall;*

- (a) *in determining the application, give due consideration to any submissions received; and*
- (b) *approve of any application ONLY by an Absolute Majority decision."*

5. Other relevant matters

The Policy now includes the following new/amended clauses:

"5.3.1 *Prior to advertising, the City's Local History Librarian and/or Heritage Officer may conduct further research of the submitted information and provide a report on the suitability of the nomination to the City's Local History and Heritage Advisory Group for consideration and recommendation."*

"5.4.2 *The submitted information of the approved name, including the family history (if applicable) shall be forwarded to, and preserved by, the City's Local History Librarian, to record the details and assist in building a picture of the early Vincent population and its character."*

The Council's Policy Manual contains various policies which provide guidance to the City's Administration for day to day management issues and also to assist Council Members in decision making.

The policies are amended from time to time as the need arises. It is "best practice" to review policies at a regular interval and the City undertakes this every five years. The City's Administration has provided the comments as outlined in this report.

CONSULTATION/ADVERTISING:

The Council has a policy of advertising for a period of twenty one (21) days seeking comments from the public.

LEGAL/POLICY:

Policies are not legally enforceable, however they provide guidance to the City's Administration and Council Members when considering various matters.

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to review Council Policies will not result in any breach of legislation. However, the adoption of policies will improve information to the Council, City's Administration and the community.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Strategic Plan 2011 – 2016 – Key Result Area *"4: Leadership, Governance and Management: 4.1.2 – Manage the Organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The amended Policy includes additional requirements which addresses the Council Notice of Motion relating to naming criteria and mechanisms for community consultation.

9.5.2 City of Vincent Dogs Local Law 2007 – Proposed Amendment to Allow Companion Dogs in Outdoor Eating Areas

Ward:	Both	Date:	6 June 2012
Precinct:	All	File Ref:	LEG0009
Attachments:	001 – Food Act 2008 Regulatory Guideline No. 2 002 – Food Standards Australia – Call for Submissions Proposal 003 – Food Standards Australia – Risk Assessment		
Tabled Items:			
Reporting Officer:	J MacLean, Manager Ranger and Community Safety Services		
Responsible Officers:	R Boardman, Director Community Services – Enforcement; John Giorgi, Chief Executive Officer – Local Law		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY** an amendment to the City of Vincent Dogs Local Law 2007, to allow for companion dogs to be in approved Outdoor Eating Areas, in specific circumstances;
2. under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, **RESOLVES** on 2012 to make the Dogs Amendment Local Law No. 2, 2012, as follows:

**“LOCAL GOVERNMENT ACT 1995 (as amended)
CITY OF VINCENT DOGS LOCAL LAW
AMENDMENT LOCAL LAW NO. 2, 2012**

2.1 Clause 1.6 amended

Clause 1.6 be amended to add the following definitions in alphabetical order –

“assistance animal” means an animal referred to in section 9 of the *Disability Discrimination Act 1992* of the Commonwealth;

“companion dog” means a dog which accompanies a person as a pet;

“enclosed area” means an area that, except for doorways and passageways, is completely closed on a permanent basis, by –

- (a) a ceiling or roof; and
- (b) walls or windows or both walls and windows;

“food premises” shall have the same meaning referred to as a “food business” in section 8 of the *Food Act 2008* and the Australian and New Zealand Food Standard Code, Standard 3.2.2;

“outdoor eating area” means an area that –

- (a) is used for dining, drinking or both drinking and dining; and
- (b) is not used for the preparation of food; and
- (c) is not an enclosed area; and
- (d) can be entered by the public without passing through an enclosed area;

2.2 Clause 5.1 amended

Subclause (1)(c) be deleted and substituted with the follows –

- “(c) (i) all premises classified as a food business, under the *Food Act 2008* and the Australian and New Zealand Food Standard Code, Standard 3.2.2, except within an approved Outdoor Eating Area, where specific approval has been given for companion dogs to be allowed; and
- (ii) all vehicles classified as a food business, under the *Food Act 2008* and the Australian and New Zealand Food Standard Code, Standard 3.2.2.”

2.3 Clause 5.1 amended

New subclauses (3) and (4) be inserted as follows –

- “(3) The Proprietor of a food premises must permit an assistance animal in areas used by customers; and
- (4) The Proprietor of a food premises may permit a companion dog that is not an assistance animal to be present in an outdoor eating area.”

3. in accordance with the provisions of Section 3.12 of the *Local Government Act 1995* as amended, gives a Statewide advertisement, indicating where and when the proposed amendment may be viewed and seeking public comment on the proposed amendment to the City of Vincent Dogs Local Law 2007;
4. **AUTHORISES** the Chief Executive Officer to lodge a submission to Food Standards Australia and New Zealand reflecting the Council’s support for a change in Legislation to allow companion dogs in approved outdoor eating areas; and
5. **NOTES** that a further report will be submitted to the Council after the expiry of the statutory consultation period.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Carey, Seconded Cr McGrath

That the recommendation be adopted.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (6-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Maier, Cr McGrath,
Cr Topelberg
Against: Cr Pintabona

(Cr Wilcox and Cr Harley on approved leave of absence.)

FURTHER INFORMATION:

This item was deferred at the OMC 12 June 2012, due to the Council Meeting finishing earlier than usual, due to the severe storm conditions.

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval to amend the City's Dogs Local Law 2007, to allow companion dogs to be in an approved Outdoor Eating Area.

This item was deferred at the OMC 12 June 2012, due to the Council meeting finishing earlier than usual, due to the severe storm conditions.

BACKGROUND:

In May 2012, the City recently received information from Food Standards Australia and New Zealand, seeking the City's views to amend Legislation to allow companion dogs in registered outdoor eating areas. Refer to Appendix 9.5.2B and 9.5.2C.

Submissions have been invited and close on 13 June 2012.

DETAILS:

In October 2010, the Western Australian Environmental Health Directorate, Public Health Division, issued *Food Act 2008* Regulatory Guideline No. 2, in which it states that compliance by a food business with Standard 3.2.2, clause 24, paragraphs (a) and (b), in relation to an alfresco dining area, is only to be actively enforced by enforcement agencies when there is evidence of a present risk of unsafe or unsuitable food being sold by a particular food business. A food business that has appropriate procedures in place to effectively manage any risk posed by the presence of live animals in an alfresco eating area, should be considered by the enforcement agency to comply with Standard 3.2.2 clause 24(1), paragraphs (a) and (b), in relation to that alfresco dining area.

While the Code refers to "*Alfresco Dining Areas*", this term is synonymous with the City of Vincent's term "*Outdoor Eating Areas*" and should be read as meaning the same thing.

The Term "Outdoor Eating Area" is prescribed in the City of Vincent Trading in Public Places Local Law 2008.

As a result of considering the *Food Act 2008* Regulatory Guideline No. 2, it is proposed that the City of Vincent supports a liberalisation of the rules and a move toward food premises being permitted to allow companion dogs to be in their registered and approved Outdoor Eating Areas. However, to achieve this, it will be necessary to amend clause 5.1(c) of the City of Vincent Dogs Local Law, 2007. Currently, the City's Dogs Local Law 2007 expressly prohibits dogs from being in or on food premises and this has been the case since the (then) Town of Vincent introduced the Town of Vincent Dogs By-law, which was approved in 1994.

As well as the need to change the legislation, to conditionally approve dogs in Outdoor Eating Areas, there is a need to remove the reference to the superseded *Health (Food Hygiene) Regulations 1993*, since that legislation has been repealed and to refer to the *Food Act 2008* and the Australian and New Zealand Food Standard Code, Standard 3.2.2.

To ensure consistency, there is also a need to separate food businesses, which use premises to serve and sell food and a food business that uses a vehicle to conduct their business, since it is considered to be inappropriate for dogs to be permitted in a vehicular food business.

As indicated at Part 3, clause 3.3 of the *Food Act 2008*, Regulatory Guideline No. 2, it is the owner of a Food Business that should be held responsible for ensuring that appropriate measures are in place to minimise any risk, posed by the presence of live animals in an Outdoor Eating Area. Provided the food business has suitable procedures in place to manage food safety and suitability risks, associated with animals in the food business and these procedures are working, there should be no need for action by an enforcement agency.

CONSULTATION/ADVERTISING:

The process to amend a local law requires a period of not less than 6 weeks, public consultation. This will provide an opportunity to gauge whether there is general support for the proposal. Following the consultation process, a further report will be provided to the Council, including any comments received and the Council can then make an informed decision.

LEGAL/POLICY:

- Food Act 2008;
- Australian and New Zealand Food Standard Code, Standard 3.2.2;
- Dog Act 1976; and
- City of Vincent Dogs Local Law 2007 (as amended).

Section 22 of the *Food Act 2008* (the Act) requires food businesses in Western Australia to comply with any provision imposed on that business by the Food Standards Code, Standard 3.2.2 (the Code).

Section 22(1) of the Act states:

"22. Compliance with Food Standards Code

- (1) *A person must comply with any requirement imposed on the person by a provision of the Food Standards Code in relation to the conduct of a food business or to food intended for sale or food for sale."*

Clause 24 of the Code requires that a food business does not permit live animals in areas in which food is handled with the exception of "assistance animals" in dining and drinking areas.

Clause 24 of the Code states:

"24. Animals and pests

- (1) *A food business must –*
- (a) *subject to paragraph (b), not permit live animals in areas in which food is handled, other than seafood or other fish or shellfish;*
 - (b) *permit an assistance animal only in dining and drinking areas and other areas used by customers;*
 - (c) *take all practicable measures to prevent pests entering the food premises; and*
 - (d) *take all practicable measures to eradicate and prevent the harbourage of pests on the food premises and those parts of vehicles that are used to transport food.*
- (2) *In subclause (1), 'assistance animal' means an animal referred to in section 9 of the Disability Discrimination Act 1992 of the Commonwealth."*

The Disability Discrimination Act 1992 Section 9 prescribes an 'assistance animal' as follows:

- (1) *For the purposes of this Act, an assistance animal is a dog or other animal:*
- (a) *accredited under a law of State or Territory that provides for the accreditation of animals trained to assist a persons with a disability to alleviate the effect of the disability; or*
 - (b) *accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or*
 - (c) *trained:*

- (i) *to assist a person with a disability to alleviate the effect of the disability; and*
- (ii) *to meet standards of hygiene and behaviour that are appropriate for an animal in a public place."*

Note: For exemptions from Part 2 for discrimination in relation to assistance animals, see section 54A

There is no legal impediment to this recommendation being approved.

RISK MANAGEMENT IMPLICATIONS:

There is a requirement for a food premises to put appropriate measures in place to manage food safety and suitability risks that may result from the presence of dogs in the premises.

STRATEGIC IMPLICATIONS:

The above recommendation aligns well with the City of Vincent's Strategic Plan 2011 – 2016, at Objective 2.1.1(b) – *"Capitalise on the City's strategic location, its centres and commercial areas and ensure appropriately located and adaptable centres of economic activity within the City that provide a complimentary range of business opportunities and services for the community"*.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications, associated with this report.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications associated with this recommendation.

COMMENTS:

As a result of a change in the State Government's approach to Outdoor Eating Areas, it has been necessary to amend the City's Dogs Local Law 2007, which currently prohibits dogs being in a food business. At the same time, it is considered appropriate for a further amendment to be made to the local law, to remove a reference to the repealed "Health (Food Hygiene) Regulations 1993" and to replace it with a reference to the *Food Act 2008* and the Australian and New Zealand *Food Standard Code, Standard 3.2.2*.

It is also recommended that the City lodge a submission to Food Standards Australia and New Zealand reflecting the Council's support for a change in Legislation to allow companion dogs in approved outdoor eating areas.

Approval of the Officer Recommendation is requested.

9.5.3 The 13th International Cities, Town Centres & Communities Society (ICTC) Conference

Ward:	-	Date:	15 June 2012
Precinct:	-	File Ref:	ADM0031
Attachments:	001 – Abstract of Presentation		
Tabled Items:	-		
Reporting Officer:	R Boardman, Director Community Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES the Director Community Services, Robert Boardman and up to one (1) Council Member Pintabona to attend the 13th International Cities, Town Centres and Communities Society Conference – ‘Cities in Transition’ hosted by the Gold Coast City Council to be held at the Outrigger Hotel, Surfers Paradise, Gold Coast, Australia from Tuesday, 16 October to Friday, 19 October 2012, at an estimated total cost of \$2,280 for early bird speaker registration and \$2,580 for non-member early bird registration.

The Presiding Member Hon. Alannah MacTiernan called for nominations to attend the Conference.

Cr Pintabona nominated. No other nominations were received.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted, with Cr Pintabona’s nomination being approved.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 9.5.3

That the Council APPROVES the Director Community Services, Robert Boardman and up to one (1) Council Member Pintabona to attend the 13th International Cities, Town Centres and Communities Society Conference – ‘Cities in Transition’ hosted by the Gold Coast City Council to be held at the Outrigger Hotel, Surfers Paradise, Gold Coast, Australia from Tuesday, 16 October to Friday, 19 October 2012, at an estimated total cost of \$2,280 for early bird speaker registration and \$2,580 for non-member early bird registration.

ADDITIONAL INFORMATION:

The Director Community Services Abstract has been successful in being accepted to present a paper on “*Percent for Art Schemes and their place in creative and cultural cities*” at the 13th International Cities, Town Centres and Communities Society (ICTC) Conference – ‘Cities in Transition’ to be held in Surfers Paradise, Gold Coast, Queensland from 16 to 19 October 2012.

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the Director Community Services, Rob Boardman, and up to one (1) Council Member to attend the 13th International Cities, Town Centres & Communities Society Conference – ‘Cities in Transition’ from Tuesday, 16 October to Friday, 19 October 2012 to be held on the Gold Coast, Australia.

BACKGROUND:

Conference Theme: Cities in Transition

The Gold Coast City, famous for its sun, surf and sand, stretches along 57 kilometres of coastline with world famous beaches and vast rainforest hinterland.

The Gold Coast is currently undergoing a series of significant changes (planned and unplanned), which will permanently change its physical, social and economic attributes:

- Transition from car dependency and domination to other modes of transport;
- Transition from cheap holiday destination to victim of high exchange rate;
- Transition from construction and tourism as the economic drivers to education and cultural hub;
- Transition from above average employment to above average unemployment;
- Transition from fastest growing area in Australia to minimal growth;
- Transition from seaside holiday town to 'boutique metropolitan city';
- Transition from 14 villages to one metropolitan city; and
- Transition their ageing population from their reliance on the past to a vision for the future.

The aims of the Conference are:

- To discuss the latest developments in urban design, planning development, project management and sustainability on an international and national basis;
- Mix with professionals from varying backgrounds in a true cross disciplinary event;
- Provide access to and hands on experience from national and international specialists; and
- Provide national and international case studies for discussion and analysis.

DETAILS:

The highlights of the ICTC 2012 Conference Program will include:

- Renowned invited national and international keynote speakers, as well as plenary and concurrent sessions, master classes, panel and poster sessions, and special interest groups (SIG) meetings;
- Speakers will be offered the opportunity to have their presentations recorded and provided to them at no cost;
- A trade exhibition highlighting the latest products from leading suppliers; and
- Field Trips to projects in and around the Gold Coast and surrounding areas.

The conference itinerary is as follows:

Tuesday, 16 October 2012	Field Trips to Local Projects
Wednesday, 17 October 2012	Plenary and Concurrent Sessions
Thursday, 18 October 2012	Plenary and Concurrent Sessions
Friday, 19 October 2012	Place Making Masterclass

Details of the Conference programme are yet to be provided, although sessions on the following topics have been suggested:

Town Centres and Main Streets	Smart Growth
Place Making	Infill & Redevelopment
Place Management	Transit Oriented Development
Place Marketing	Landscape Oriented Development
Community Engagement and Consultation	Heritage Conservation & Adaptive Reuse
Creating Liveable Neighbourhoods	Transport & Active Transport
Housing Affordability	Urban Revitalisation
Sustainable EcoCities	Crime Prevention through Environmental Design
Projects in Partnership	Disaster Management
Creative & Cultural Cities	Digital Cities & Communities
Master Planned Communities	Public Realm
Infrastructure Planning and Development	Climate Responsive Cities
Development Challenges	Economic Resilient Cities
Regional Strategic Planning	Futuristic Cities & Communities

Population and Demographic Shifts Other Topics

The Director Community Services has submitted an Abstract as shown in Appendix 9.5.3 to the Conference Secretariat for the opportunity to present an Oral Presentation on *"Percent for Art Schemes and their place in creative and cultural cities"*. This presentation has been submitted under the suggested stream topics (listed above) of 'Place Making', 'Creative & Cultural Cities', and 'Public Realm'. The presentation will highlight how a Percent for Art Scheme can play a significant role in the encouragement and promotion of creative and cultural cities. Presenters are soon to be advised of acceptance to the Program.

Successful Presenters to the ICTC2012 Conference will be notified on 18 June 2012 and the Presenter agrees to register for the full conference and submit payment of the subsidised speaker registration fee of \$695 by the early bird date of 17 August 2012. The formal presentation paper is required by 10 October 2012, for inclusion on the conference website for ICTC2012 delegates only.

Previous Attendance:

Previous ICTC Conferences attended by the Director Community Services are as follows:

- 2007 *"Cities on the Edge"* held in Auckland, New Zealand.
- 2008 *"Creating a Gold Medal Community"* held at Sydney Olympic Park, Sydney.
- 2010 *"Interdependence – Web of Relationships, Internationally and Locally"* held at Coffs Harbour, New South Wales.
- 2011 *"Cities with People in Mind"* held in Hobart, Tasmania.

The Director Community Services has presented the following papers at previous ICTC Conferences:

ICTC2008 – *"Leederville Masterplan"* under the topic of 'Master Planned Communities'.

ICTC2010 – *"Vincent Liquor Accord – A Community Approach to Socialising with Safety in Bars, Pubs and Clubs"* under the topic of 'Urban Lifestyles/Revitalisation/Creative Cities'.

ICTC2011 – *"Car Parking Management: A Paradigm Shift Away from Supply and Demand"* under the topic of 'Collaborative Design Processes/Infrastructure Planning & Development'.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Policy No. 4.1.15 – *"Conferences"* – Clause 1.1(i) states:

- "(i) When it is considered desirable that the City of Vincent be represented at an interstate conference, up to a maximum of one Council Member and one Employee may normally attend, unless otherwise approved by the Council;"*

The Director Community Services' Contract of Employment entitles him to attend one interstate conference per annum.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 4.2 states:

"Provide a safe, positive and desirable workplace"

4.2.1 *Promote employee performance, recognition, reward, satisfaction and wellbeing, and provide a safe and positive workplace:*

- 4.2.1(b) *Ensure the organisation enhances and promotes Employee satisfaction, health, safety and wellbeing and promotes strategies to attract and retain employees and encourage career development."*

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Cost per person	Director	Council Member
Full Conference Registration Fee	\$ 695 (* subsidised)	\$ 995 (* non-member)
Economy Airfare (approx)	\$ 600	\$ 600
Accommodation 5 nights @ \$197	<u>\$ 985</u>	<u>\$ 985</u>
Total:	\$ 2,280	\$ 2,580

* Presentation of a paper at the conference reduces the registration fee for a member from \$895 to \$695 if paid before 17 August 2012. Full registration non-member early rate is \$995.

COMMENTS:

It is recommended that approval be granted for the Director Community Services to attend the conference being held by the International Cities, Town Centres and Communities Society (ICTC) Conference Committee from Tuesday, 16 October to Friday, 19 October 2012 to be held in Surfers Paradise, Gold Coast and to present a paper on "*Percent for Art Schemes and their place in creative and cultural cities*".

9.5.4 Information Bulletin

Ward:	-	Date:	15 June 2012
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 26 June 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.4

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

DETAILS:

The items included in the Information Bulletin dated 26 June 2012 are as follows:

ITEM	DESCRIPTION	
IB01	Letter from the Minister for Local Government; Heritage; Citizenship and Multicultural Interests regarding Interest Rate Changes – <i>Local Government (Financial Management) Regulations 1996</i>	1
IB02	Beatty Park Swim School – Vietnam Tour 2012	3
IB03	Unconfirmed Minutes of the Integrated Transport Advisory Group (ITAG) Meeting held on 14 May 2012	10
IB04	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 2 May 2012	15
IB05	Minutes of the Tamala Park Regional Council Special Meeting held on 17 May 2012	19
IB06	Minutes of the Parks People Project Working Group (PPPWG) Meeting held on 29 February 2012	25
IB07	Register of Petitions – Progress Report – June 2012	28
IB08	Register of Notices of Motion – Progress Report – June 2012	29
IB09	Register of Reports to be Actioned – Progress Report – June 2012	31
IB10	Register of Legal Action (Confidential – Council Members Only) – Monthly Report (June 2012)	39
IB11	Register of State Administrative Tribunal Appeals – Progress Report – June 2012	40

IB12	Register of Applications Referred to the Design Advisory Committee – May 2012	42
IB13	Register of Applications Referred to the MetroWest Development Assessment Panel – May 2012	45
IB14	Forum Notes – 29 May 2012	46
IB15	Notice of Forum – 19 June 2012	49
IB16	Ministerial for Local Government; Heritage; Citizenship and Multicultural Interests – Circular 03-2012 relating to "Funding Available for the Implementation of Cat Legislation"	50
IB17	Minutes of the Safer Vincent Crime Prevention Partnership (SVCPP) Meeting held on 4 April 2012	51
IB18	Minutes of the Tamala Park Regional Council Special Meeting held on 6 June 2012	54

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Notice of Motion – Cr Dudley Maier – Proposed Amendment to Delegation No. 7.4 – Building Act 2011 – Issue of Building Orders

That the Council:

1. **APPROVES BY AN ABSOLUTE MAJORITY** pursuant to Section 127 of the *Building Act 2011* and Section 5.42 of the *Local Government Act 1995*, to amend Delegation 7.4 as follows:

“No: 7.4 Issue of Building Orders

Function to be performed	A Permit Authority may make an Order (a Building Order) in respect of one or more of the following – (a) particular building work; (b) particular demolition work; (c) a particular building or incidental structure, whether completed before or after commencement day.
Legislative power or duty delegated	<i>Building Act 2011</i> , Sections 110, 111 and 112.
Delegation to	Chief Executive Officer
Delegation	The Chief Executive Officer is delegated the power to issue Building Orders for works in contravention of the Act, pursuant to the <i>Building Act 2011</i> , Sections 110, 111 and 112.
Chief Executive Officer delegates to	Not applicable.
Conditions and Reporting Requirements	<ol style="list-style-type: none"> 1. Chief Executive Officer to sign the Building Order. 2. <u>Subject to Sub-Section 112(2)(b) being conditional as follows: “The Order to demolish, dismantle or remove a building or incidental structure that has been, or is being, built or occupied in suspected contravention of a provision of the Building Act 2011, SHALL only be issued where the building is assessed to be in a state that is dangerous and which cannot be easily rectified”.</u> 3. Copies of all Building Orders issued are to be retained on the appropriate file or record.

”

2. **NOTES** that owners of buildings issued with a **Building Order** under Section 112(2)(b) of the *Building Act 2011* will still have the option of applying for Planning Approval to demolish.
-

COUNCIL DECISION ITEM 10.1

Moved Cr Maier Seconded Cr Topelberg

That the motion be adopted.

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

10.2 Notice of Motion – Cr John Carey – Request to Investigate the City’s Seniors Outings Program

That the Council REQUESTS:

1. the Chief Executive Officer to investigate and devise a new Seniors Outings Program for 2012/2013 financial year, which includes the use of external buses (one or more) to cater for the current high level of demand and drastically reduces or eliminates waiting lists. This investigation will include but not limited to:
 - 1.1 increase the frequency of the program visits if the budget allows; and
 - 1.2 cost implications;
2. that a report be submitted to the Council for consideration and determination, no later than 26 June 2012; and
3. that subject to approval of the Clause 2, in order to increase the Senior’s overall awareness of the City’s new program/schedule, that it be advertised to existing members of the seniors database, as well as through newsletters, website, social media and local newspapers.

Moved Cr Carey Seconded Cr Mcgrath

That the motion be adopted.

Debate ensued.

AMENDMENT

Moved Cr Carey Seconded Cr Mcgrath

“That Clause 1.2 be deleted and Clause 2 be amended as follows:

- 1.2 ~~cost implications;~~
2. that a report be submitted to the Council for consideration and determination, no later than ~~26 June~~ 30 August 2012; and

Debate ensued.

AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 10.2

That the Council REQUESTS:

1. the Chief Executive Officer to investigate and devise a new Seniors Outings Program for 2012/2013 financial year, which includes the use of external buses (one or more) to cater for the current high level of demand and drastically reduces or eliminates waiting lists. This investigation will include but not limited to:
 - 1.1 increase the frequency of the program visits if the budget allows; and
 2. that a report be submitted to the Council for consideration and determination, no later than 30 August 2012; and
 3. that subject to approval of the Clause 2, in order to increase the Senior's overall awareness of the City's new program/schedule, that it be advertised to existing members of the seniors database, as well as through newsletters, website, social media and local newspapers.
-

10.3 Notice of Motion – Cr Dudley Maier – Investigation into Alternative Rights of Ways Treatments

That the Council REQUESTS:

1. the Chief Executive Officer to investigate the use of water permeable, vegetated treatments for upgrading unsealed rights of ways. The investigation should include but not be limited to:
 - 1.1 the potential benefits including environmental and aesthetic benefits;
 - 1.2 any potential advantages and disadvantages;
 - 1.3 engineering implications;
 - 1.4 financial and “*whole of life*” costs implications;
 - 1.5 the effect the above would have on the duration of the ROW upgrade program;
 - 1.6 the potential of trialing the alternative treatment to get real world feedback; and
 - 1.7 any other relevant matters; and
2. that a report be submitted to the Council no later than September 2012.

Moved Cr Maier Seconded Cr Buckels

That the motion be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath Seconded Cr Maier

“That a new Clause 1.7 be inserted and the current Clause 1.7 be renumbered to 1.8 as follows:

- 1.7 How such measures would fit into best practice water sense of urban design (including swales);
- ~~1.7~~ 1.8 any other relevant matters; and

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 10.3

That the Council REQUESTS:

1. the Chief Executive Officer to investigate the use of water permeable, vegetated treatments for upgrading unsealed rights of ways. The investigation should include but not be limited to:
 - 1.1 the potential benefits including environmental and aesthetic benefits;
 - 1.2 any potential advantages and disadvantages;
 - 1.3 engineering implications;
 - 1.4 financial and “*whole of life*” costs implications;
 - 1.5 the effect the above would have on the duration of the ROW upgrade program;
 - 1.6 the potential of trialing the alternative treatment to get real world feedback; and
 - 1.7 How such measures would fit into best practice water sense of urban design (including swales);
 - 1.8 any other relevant matters; and
 2. that a report be submitted to the Council no later than September 2012.
-

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 8.00pm **Moved Cr Pintabona Seconded Cr McGrath**

That the Council proceed “behind closed doors” to consider confidential item 14.1, and 14.2 as these matters contain information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

There were no members of the public present.

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

PRESENT:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

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

14.1 CONFIDENTIAL REPORT: Approval of a new position to be responsible for the City’s Art Programme and Co-ordination of Festivals

Ward:	-	Date:	11 May 2012
Precinct:	-	File Ref:	ADM0061
Attachments:	Confidential: Community Development – Current Structure Confidential: Proposed Community Development Structure-Option A Confidential: Proposed Library and Community Development Services – Option B Confidential: Proposed Community Development and Separate Arts and Culture – Option C		
Tabled Items:	-		
Reporting Officer:	R Boardman, Director Community Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the report concerning the investigation of the establishment of a new position to be responsible for the coordination of the City’s Arts Programme and Festivals;
2. **APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE** the Chief Executive Officer to:
 - 2.1 create an additional position of Coordinator – Arts and Creativity, to be responsible for the coordination of the City’s Arts Programme and Festivals, at an estimated cost of \$90,850 and for this to be operational, effective from 1 July 2012;
 - 2.2 purchase a vehicle at an estimated cost of \$19,500, to be funded from the Light Fleet Reserve Fund; and
 - 2.3 advertise and fill the new position and purchase a computer and a mobile telephone, at an estimated cost of \$1,700, to be funded from the Electronic Equipment Reserve Fund; and
3. **NOTES** that the Chief Executive Officer will review the structure of the Community Development Section after a period of twelve (12) months and a report will be submitted to the Council.

Moved Cr Topelberg Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Buckels Seconded Cr Pintabona

“That Clause 2.2 be deleted

Debate ensued.

The mover Cr Buckels agreed to withdraw his amendment to delete Clause 2.2 and reword his amendment as follows;

- 2.2 purchase a vehicle at an estimated cost of \$19,500, to be funded from the Light Fleet Reserve Fund, or alternatively offer the value of the vehicle as part of the salary package for the position."

AMENDMENT NO 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

Debate ensued.

AMENDMENT NO 2

Moved Cr Topelberg **Seconded** Cr Pintabona

"That a new Clause 2.4 be added as follows;

"obtain a quotation for a "vinyl wrap" custom design decal for the proposed vehicle to be used by the Coordinator – Arts and Creativity."

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 14.1

That the Council;

1. RECEIVES the report concerning the investigation of the establishment of a new position to be responsible for the coordination of the City's Arts Programme and Festivals;
2. APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE the Chief Executive Officer to:
 - 2.1 create an additional position of Coordinator – Arts and Creativity, to be responsible for the coordination of the City's Arts Programme and Festivals, at an estimated cost of \$90,850 and for this to be operational, effective from 1 July 2012;
 - 2.2 purchase a vehicle at an estimated cost of \$19,500, to be funded from the Light Fleet Reserve Fund, or alternatively offer the value of the vehicle as part of the salary package for the position;
 - 2.3 advertise and fill the new position and purchase a computer and a mobile telephone, at an estimated cost of \$1,700, to be funded from the Electronic Equipment Reserve Fund; and
 - 2.4 obtain a quotation for a "vinyl wrap" custom design decal for the proposed vehicle to be used by the Coordinator – Arts and Creativity; and;

3. **NOTES that the Chief Executive Officer will review the structure of the Community Development Section after a period of twelve (12) months and a report will be submitted to the Council.**

NOTE: The Chief Executive Officer has released this report for the Public information other than confidential information relating to City Employees.

FURTHER REPORT:

At the Ordinary Meeting of Council held on 22 May 2012, this Item was considered by the Council and deferred for further information and consideration.

On 29 May 2012, the Chief Executive Officer sent an email to Council Members asking if they could submit any questions or requests for further information by no later than Friday 8 June 2012. Two (2) responses were received on the same day as follows:

Cr Buckels: Queried the need for a provision of a Council vehicle as part of the salary package; and

Cr Topelberg: Responded to Cr Buckels' query and indicated that the he has a preference for the vehicle to be a "shared electric vehicle".

Chief Executive Officer's Comment:

Allocation and Use

The provision of a vehicle with this position would be allocated on the following basis:

- 1. the vehicle will be available for the Arts Co-ordinator for business purposes and commuting purposes within the City e.g. routine and after hours meetings, site visits etc;*
- 2. the vehicle would be available for use by other City Officers including the Community Development Section; and*
- 3. there is no obligation on the individual to accept the commuter use of the vehicle.*

Vehicle Type

If approved, the vehicle will be provided in accordance with Clause 5 of the City's Policy No. 4.1.16 - Vehicle Management, prescribes that a small sedan not exceeding 4 cylinders.

Electronic Vehicle or Standard Type

The City can purchase a small sedan for approximately \$19,500. A small electric vehicle was recently trailed by the City and found to be very suitable. The purchase cost of an electric vehicle is approximately \$38,000. Taking into consideration vehicle purchase price, fuel vs electricity depreciation and scheduled maintenance, the electric vehicle would cost approximately \$9,900 over three years whereas the conventional vehicle would cost approximately \$6,700 over three (3) years. Therefore the Electric vehicle would cost approximately \$3,200 per annum more than the electric vehicle. In addition the electric vehicle only has a range of 100 to 120 (max) kms between charges) whereas the conventional vehicle has a range of 600kms per tank.

It is considered however that the City should consider purchasing one or more electric vehicles in the near future, however they would be more suitable to Parking Enforcement Officers, as they would be predominantly be used in and around the City, due to their limited range of travel.

This will be further investigated/pursued in the 2012/2013 financial year.

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the creation of a new employee position to be responsible for the coordination of the City's Arts Programme and Festivals, as a result of the Notice of Motion approved at the Ordinary Meeting of Council held on 24 April 2012.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 April 2012, the Council considered the Notice of Motion, Item 13.3 from Mayor Hon. Alannah MacTiernan and resolved as follows:

"That the Council REQUESTS:

1. *as a priority, the Chief Executive Officer to review the City's Organisational Structure to create a new position to be responsible for the City's Arts Programme, Festivals and Cultural Events, reporting directly to the Director Community Services. The report is to include, but not limited to the following information:*
 - 1.1 *duties and responsibilities;*
 - 1.2 *financial/cost implications;*
 - 1.3 *timeline for implementation; and*
 - 1.4 *any other relevant matters; and*
2. *a report be submitted to the Ordinary Meeting of Council to be held on 8 May 2012, in order for this matter be considered by the Council prior to the adoption of the Budget 2012/2013."*

The election of the Council in October 2011 has resulted in a stronger focus on the City's Arts programme and festivals.

DETAILS:

As a result of the Notice of Motion, a number of options have been explored and are detailed in the report below.

Current Community Development Section Structure

The Community Development Section has been operating since early 1999. The growth of this service area by the number and quality of programmes and projects reflects the community development needs in the City. Over the years, there has been a consistent increase in demand for services by Council, ratepayers, residents and stakeholders, with the growing demographic and changing community trends.

The social value of services and activities provided by the service area is difficult and complex to measure, especially in the case of Community Development as it is not always quantifiable. Participant numbers are an acceptable measure but do not always reflect the value of the services. A number of various tools has been utilised over the years to obtain appropriate feedback on the quality of service that is delivered. These tools may include evaluation forms, online surveys and face to face interviews.

Current Structure

The Community Development Section currently consists of:

- Manager;
- Senior Community Development Officer;
- two (2) full-time Community Development Officers;
- two (2) part-time (3 days a week) Community Development Officers; and
- one part-time (3 day week) Arts Officer.

The current projects and tasks of the Section are as follows:

- Arts
 - Arts Plan
 - Percent for Art projects
 - Cash in Lieu projects
 - Beaufort Street Enhancement Working Group – Public Art
 - Town Centre Public Art project (e.g. \$100,000)
 - Short Film Project
 - Creative Conversations
 - Mural/Wall Art
 - Spirit of Christmas Banners
 - Vincent Art Award
 - Artist in Residence
 - School Visual Arts Scholarships
 - Visions of Vincent Workshops
 - Spirit of Christmas Banners
 - Banners project (e.g. LG /Naidoc Week)
 - Wetlands Heritage Trail – website, signage, public art

- Festivals
 - William Street Festival
 - Angove Street Festival
 - Beaufort Street Festival
 - Leederville Street Festival
 - Rotary Fair

- Events
 - Summer Concerts (4)
 - Mayor's Christmas BBQ
 - External Events
 - Risk Management Plans - Events
 - Anzac Day
 - Internal Working Group convenor for External Events (e.g. RTR event at Hyde Park)
 - Cultural Development Seeding Grants

- Recreation
 - Physical Activity Plan
 - Sports Clubs development
 - Dogs Training Programme
 - Walking Groups
 - Step Out Programme
 - CSRFF grants
 - Britannia Reserve Master Plan project

- Seniors
 - Seniors Outings
 - Seniors Strategy
 - Transport Assistance/Taxi Vouchers
 - Welfare Assistance
 - Seniors Programmes
 - Volunteer Plan/Strategy

- Youth
 - National Youth Week Event
 - School Holiday Programme
 - Kidsport Grants (DSR)
 - Youth Grants
 - Youth Projects/Youth Needs Study
 - Youth Advisory Council

- Disability
 - Disability Access & Inclusion Plan
 - Carer's Project
 - Clients with Disability assistance and support
 - Vincent Improved Access Awards

- Culture
 - Reconciliation Action Plan
 - Multicultural Plan
 - Reconciliation Week
 - Banks Reserve Reconciliation Project
 - Dardy Design/Solid Futures project

- Leederville Gardens Retirement Village
 - Management
 - Leederville Gardens Master Plan
 - LG Accreditation, Regulatory Compliance and Operations

- Community Engagement and Projects
 - Highgate Toy Library
 - Community Garden Project
 - Men's Shed Project
 - No. 81 Angove Street (Former North Perth Police Station) project
 - No. 34 Cheriton Street Project – community building project
 - Community and Welfare Grants and Individual Donations

Advisory and Working Groups

The Manager and various Officers also are involved in the following Advisory and Working Groups;

- Aboriginal Liaison and Reconciliation Advisory Group;
- Arts Advisory Group;
- Beaufort Street Enhancement Working Group
- Britannia Reserve Master Plan Working Group
- Healthy Vincent, Sport and Recreation Advisory Group
- Loftus Recreation Centre Management Working Group
- North Metropolitan Regional Recreation Advisory Committee (NMRAC)
- Seniors' Advisory Group
- Universal Access Advisory Group

Festivals

The Festival programme incorporating City-run events and festivals, plus externally run events, supported through funding and in-kind support, has been very successful with the local community. This is testament to the skills and knowledge of the Section.

Additional Projects without Additional Resources

Over a period of time, a significant number of projects have been added to the Section's tasks without additional staff resources. These include:

- Angove Street Festival
- William Street Festival
- Beaufort Street Festival
- Men's Shed project
- Community Garden project
- Beaufort Street Enhancement Working Group
- Britannia Reserve Master Plan
- Former North Perth Police Station project
- No. 34 Cheriton Street property project
- Leederville Carnivale (2012-2013)

Leederville Gardens Retirement Village

Leederville Gardens Retirement Village continues to be managed by the City of Vincent. Whilst the Administration Officer continues to occupy the role of Board Secretary providing secretarial and administrative support, the Manager of Community Development has been responsible for the overall management of the village since July 2002. The village has undergone re-accreditation with a long complex process of developing policies and procedures from scratch.

❖ Information confidential
❖ Option A is the CEO's recommended model.

Option B: Coordinator Arts & Creativity (Reporting to the Director Community Services)

❖ Information confidential
❖ Option B is not recommended as it has more disadvantages than advantages.

**Option C: Coordinator Arts and Creativity (Reporting to the Director Community Services)
Library and Local History Centre to be incorporated into the Community Development Section**

❖ Information Confidential
❖ Tthis Option is the least preferred.

Additional Equipment and Technology

The following equipment and technology will be required for the new position;

- Mobile phone;
- Work station; and
- Computer and telephone.

The Community Development Section has been allocated a ute which is used extensively for work related travel; that is, client visits, agency meetings, events preparations, etc. The ute is allocated to the Senior Community Development Officer for commuter use only which forms part of the employment benefits of the position.

CONSULTATION/ADVERTISING:

There is a requirement to advertise all vacant positions in accordance with the City's Equal Employment Opportunity Plan.

Due to budget constraints and administrative requirements, it is suggested that the following is a reasonable indicative timeline for implementation, if approved by the Council.

ITEM	INDICATIVE TIMELINE
Council Decision	22 May 2012
Preparation of Position Description	23-25 May 2012
Advertise Vacancies	2-18 June 2012
Recruitment	19 June – 13 July 2012
New position commencement	16-31 July 2012*

*Depending upon extent of notice.

ITEM	REVISED INDICATIVE TIMELINE
Council Decision	26 June 2012
Preparation of Position Description	27 June - 2 July 2012
Advertise Vacancies	7 – 23 July 2012
Recruitment	24 July – 13 August 2012
New position commencement	13 August – 10 September 2012*

*Depending upon extent of notice.

LEGAL/POLICY:

In accordance with Section 5.41(e) of the *Local Government Act 1995*, the Chief Executive Officer is responsible for employment, management, supervision, direction and dismissal of employees. The Chief Executive Officer is also responsible for the day-to-day management of the organisation.

As the Council is aware, the Chief Executive Officer is responsible for the determination of the organisational structure below the position of Director and it is not a jurisdiction of the Council or a matter for the Council to become involved in.

The Council Policy 4.1.7 – Organisational Structure and Designation of Senior Employees prescribes:

“1.1 Determination of Organisational Sub-Structure

In order to ensure the efficient, effective and orderly administration of the City, the CEO shall determine:

- (a) the operational responsibilities of each of the Directorates and the subsequent sub-structure sections within the respective Directorates to fulfil these responsibilities; and*
- (b) the sub-structure of each Section including the number of full-time equivalent positions required to ensure the efficient and effective delivery of operational outcomes.”*

RISK MANAGEMENT IMPLICATIONS:

Moderate: The creation of an additional position will ensure that more staff time can be allocated to the Arts workload. Creating a split from the existing team may have a risk resulting in a lack of team support and dissonant synergies, if Arts and Festival is made distinct from the remainder of the Community Development Section.

STRATEGIC IMPLICATIONS:

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

- “3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity.*
- 2.1.3 Develop business strategies that reduce reliance on rates revenue.*
- 4.1.2 Manage the organisation in a responsible, efficient and accountable manner.*
- 4.2.1 Promote employee performance, recognition, reward, satisfaction and wellbeing, and provide a safe and positive workplace.”*

SUSTAINABILITY IMPLICATIONS:

The options to enhance existing Section Structure with additional resources to be able to adequately meet the needs of the community would lend itself to sustainable community development practices.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$90,000 has been listed in the Draft Budget 2012/2013 for a position to undertake tasks pertaining to the Arts.

An additional \$19,500 will be required for a vehicle to be provided for the new Coordinator position.

COMMENTS:

The Community Development Section is committed to working in partnership with the various stakeholders, including the local community, other service providers and agencies to achieve the best solutions to meet identified needs. With the development of short term and long term planning and strategies plus the support of the Council, the Section is confident of its ability to continually improve current practices and achieve standards which will highlight the high standard of outcomes expected of the service area as a whole.

The appointment of a new position – Coordinator Arts and Creativity will go a long way to achieving the Council's request for a stronger focus on the City's Arts Program and coordination of its festivals.

The CEO has reviewed a number of reporting structures where the new employee could be placed and considers that the placement in the existing Community Development Section, reporting to the Manager Community Development (as outlined in Option A) is the most appropriate for the following reasons:

- Encourages diversity of duties for the positions thereby creating interest and ongoing motivation;
- Provides for extra resourcing to the existing Section to allow team members more scope and time to focus on existing projects;
- Allows for a Senior Officer who will focus on Arts and provide coordination support for the part-time Arts Officer, as well as allow the Manager to balance her focus on the rest of the areas of the Section;
- Encourage the well being of staff by providing realistic resourcing for the increase in expected outcomes of the Council;
- Utilises existing 'expert' staff who have experience and knowledge in Arts and Creativity co-ordination;
- Cohesive model of service delivery; and
- Most cost effective option.

Notwithstanding the above, the CEO is cognisant that there are some varying views as to the reporting structure for the position. Accordingly, it is appropriate that the CEO monitor the situation and carryout a review after a period of twelve (12) months. A report will also be submitted to Council.

Approval of the Officer Recommendation is therefore requested.

14.2 CONFIDENTIAL REPORT: Cash in Lieu – Debtors Progress Report – 566-570 (Lot 6) Beaufort Street, Mount Lawley and 10-18 (Lot 2) View Street, North Perth

Ward:	Both	Date:	15 June 2012
Precinct:	Mt Lawley Centre (11); North Perth Centre (9)	File Ref:	PRO0816
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council:

1. **NOTES** the current position in regard to the outstanding cash in lieu amounts at the following properties:

- Nos. 566–570 (Lot 6) Beaufort Street, Mount Lawley; and
- Nos. 10–18 (Lot 2) View Street, North Perth;

2. **APPROVES BY AN ABSOLUTE MAJORITY** to “write-off” the following monies, due to the length of time which has lapsed and for the reasons detailed in the confidential legal advice:

Amount	Address
\$27,000	Nos. 566-570 (Lot 6) Beaufort Street, Mt Lawley
\$10,800	Nos. 10–18 View Street, North Perth

3. **REGISTERS** on its property enquiry system for prospective purchasers of that land as to any outstanding orders or notices, that there has been non compliance with a condition of a development approval as follows:

3.1 Nos. 566-570 Beaufort Street, Mt Lawley

Development approval dated 28 December 1995 approving an additional use of local shop to an existing pizza bar shop in that the cash-in-lieu of parking contribution of \$27,000 has not been paid; and

3.2 Nos. 10-18 View Street, North Perth

Development approval 96/33/0173 issued on 28 November 1996 for consulting rooms in that the cash-in-lieu of parking contribution of \$10,800 has not been paid.

Moved Cr Maier Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath Seconded Cr Maier

“That a new Clause 4 be added as follows;

4. **DIRECTS** that applications at 566-570 Beaufort Street, Mount Lawley and 10-18 View Street, North Perth, not be granted credit for the parking, for which cash-in-lieu has not been paid.”

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

Debate ensued.

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

(Cr Wilcox and Cr Harley on approved leave of absence.)

COUNCIL DECISION ITEM 14.2

That the Council;

1. NOTES the current position in regard to the outstanding cash in lieu amounts at the following properties:

- Nos. 566–570 (Lot 6) Beaufort Street, Mount Lawley; and
- Nos. 10–18 (Lot 2) View Street, North Perth;

2. APPROVES BY AN ABSOLUTE MAJORITY to “write-off” the following monies, due to the length of time which has lapsed and for the reasons detailed in the confidential legal advice:

Amount	Address
\$27,000	Nos. 566-570 (Lot 6) Beaufort Street, Mt Lawley
\$10,800	Nos. 10–18 View Street, North Perth

3. REGISTERS on its property enquiry system for prospective purchasers of that land as to any outstanding orders or notices, that there has been non compliance with a condition of a development approval as follows:

3.1 **Nos. 566-570 Beaufort Street, Mt Lawley**

Development approval dated 28 December 1995 approving an additional use of local shop to an existing pizza bar shop in that the cash-in-lieu of parking contribution of \$27,000 has not been paid; and

3.2 **Nos. 10-18 View Street, North Perth**

Development approval 96/33/0173 issued on 28 November 1996 for consulting rooms in that the cash-in-lieu of parking contribution of \$10,800 has not been paid; and

4. DIRECTS that applications at 566-570 Beaufort Street, Mount Lawley and 10-18 View Street, North Perth, not be granted credit for the parking, for which cash - in-lieu has not been paid.

NOTE: The Chief Executive Officer has released this report for Public information other than; confidential information relating to;

- **Legal Advice; and**
 - **Other details relating to action taken by the City; and**
 - **The land owners/applicants details.**
-

PURPOSE OF REPORT:

To inform the Council of the current position regarding the outstanding cash in lieu amounts for 566-570 (Lot 6) Beaufort Street, Mount Lawley and 10-18 (Lot 2) View Street, North Perth.

This item was deferred at the Ordinary Meeting of Council held on 12 June 2012, due to the Council Meeting finishing earlier than usual, due to the severe storm conditions.

BACKGROUND:

Nos. 566-570 (Lot 6) Beaufort Street, Mount Lawley

Approval to Commence Development (No. 95/33/0649) was issued on 28 December 1995 for Additional Use of a Local Shop to an Existing Pizza Bar Shop and included the following condition:

“(iii) in accordance with the Town of Vincent Cash-In-Lieu Contribution for Car Parking Policy, the shortfall of 5 car parking bays shall be provided by way of cash-in-lieu contribution of \$27,000 and is calculated as follows:-...”

❖ Information and Legal Advice is Confidential

NOS. 10-18 (LOT 2) VIEW STREET, NORTH PERTH

Approval to Commence Development (No. 96/33/0173) was issued on 28 November 1996 for Consulting Rooms and included the following condition:

“(iii) in accordance with the Town of Vincent Cash-In-Lieu Contribution for Car Parking Policy, the shortfall of 1.8 car parking bays shall be provided by way of cash-in-lieu contribution of \$10,800 and is calculated as follows:- ...”

❖ Information and Legal Advice is Confidential

DETAILS:

The City engaged the appropriate legal advice to recover the outstanding monies.

The City has continued in its efforts to recover these outstanding monies.

CONSULTATION/ADVERTISING:

Not Applicable.

LEGAL/POLICY:

Policy No. 1.2.13 – Recovery of Debts, Rates and Services Charges.

RISK MANAGEMENT IMPLICATIONS:

High: There is a high risk that the monies will not be recovered from the property owners.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the City's Strategic Plan 2011-2016:

“Objective No. 4.1: provide good strategic decision-making, governance, leadership and professional management.

4.1.2 Manage the organisation in a responsible, efficient and accountable manner.”

SUSTAINABILITY IMPLICATIONS:

Not Applicable

FINANCIAL/BUDGET IMPLICATIONS:

The amount of \$27,000 and \$10,800 remain outstanding in the Cash in Lieu Monies.

❖ Information Confidential

COMMENTS:

❖ Information Confidential

PROCEDURAL MOTION

At 8.45pm **Moved Cr Topelberg Seconded Cr Mcgrath**

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Wilcox and Cr Harley on approved leave of absence.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 8.46pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

No members of the Public or media were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 26 June 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012