



**CITY OF VINCENT**

# **AGENDA**

## **Council Briefing 9 October 2018**

**Time: 6pm**  
**Location: Administration and Civic Centre**  
**244 Vincent Street, Leederville**

**Michael Quirk**  
**A/Chief Executive Officer**





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**PROCEDURE FOR PUBLIC SPEAKING TIME**

The City of Vincent Local Law Relating to Meeting Procedures prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

Questions or statements made at an Ordinary Council meeting can relate to matters that affect the City. Questions or statements made at a Special Meeting of the Council must only relate to the purpose for which the meeting has been called.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name and the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located and Agenda Item number (if known).
2. Public speaking time will be strictly limited to three (3) minutes per member of the public.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
6. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, he may ask the person speaking to promptly cease.
7. Questions/statements and any responses will be summarised and included in the Minutes of the Council meeting.
8. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
9. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

**RECORDING AND WEBSTREAMING OF COUNCIL MEETINGS**

- All Ordinary and Special Council Meetings are electronically recorded except when the Council resolves to go behind closed doors;
- All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 – Council Meetings – Recording and Web Streaming.
- Ordinary Meetings of Council and Council Briefings are streamed live on the internet in accordance with the City's Policy – 4.2.4 - Council Meetings Recording and Web Streaming. It is another way the City is striving for transparency and accountability in what we do.
- The live stream can be accessed from <http://webcast.vincent.wa.gov.au/video.php>
- Images of the public gallery are not included in the webcast, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns with the live streaming of meetings, please contact the City's Manager Governance and Risk on 08 9273 6538.

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**1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**

"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging".

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

Mayor Emma Cole on approved leave of absence from 17 September 2018 to 12 October 2018.  
Cr Dan Loden on approved leave of absence from 7 October 2018 to 13 October 2018.

**3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS****4 DECLARATIONS OF INTEREST**

## 5 DEVELOPMENT SERVICES

### 5.1 NO. 14 (LOT 1; SP: 12592) ORANGE AVENUE, PERTH - SECOND STOREY ADDITION AND ALTERATIONS TO GROUPED DWELLING








TRIM Ref: D18/126452

Authors: Stephanie Norgaard, Urban Planner  
Mitchell Hoad, Senior Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: South

Attachments:

1. Attachment 1 - Location and Consultation Map [↓](#) 
2. Attachment 2 - Council Refusal [↓](#) 
3. Attachment 3 - Development Application Plans [↓](#) 
4. Attachment 4 - Applicant's Justification [↓](#) 
5. Attachment 5 - Administration's Response to Summary of Submissions [↓](#) 
6. Attachment 6 - Applicant's Response to Summary of Submissions [↓](#) 
7. Attachment 7 - Determination Advice Notes [↓](#) 

#### RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for a Second Storey Addition to a Grouped Dwelling at No. 14 (Lot: 1; SP: 12592) Orange Avenue, Perth in accordance with the plans shown in Attachment 3, subject to the following conditions, with the associated determination advice notes in Attachment 5:

#### 1. Extent of Approval

This approval only relates to the 'PROPOSED ADDITION' and 'PROPOSED UPPER FLOOR' to Grouped Dwelling shown on the approved plans dated 5 September 2018 and does not relate to the 'PROPOSED SPA', 'TIMBER DECK', 'EXTG STUDIO/SHED' or any other development on the lot, and does not relate to the use of the site for anything other than a Grouped Dwelling;

#### 2. Landscaping

2.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants, with the proposed tree in the front setback area to be based on the City's tree selection tool;
- Areas to be irrigated or reticulated; and
- The provision of a minimum 30 percent Canopy Coverage and the inclusion of an additional tree, within the front setback area, as defined by the City's Policy No. 7.1.1 – Built Form; and

2.2 All works shown in the plans as identified in Condition 2.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

### 3. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and shall be screened from view from the street, and surrounding properties to the satisfaction of the City; and

### 4. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.

## PURPOSE OF REPORT:

To consider an application for development approval for a second storey addition and alterations to an existing Grouped Dwelling at No. 14 Orange Avenue, Perth (subject site).

## PROPOSAL:

The application proposes ground floor alterations and a second storey addition to an existing Grouped Dwelling.

## BACKGROUND:

<b>Landowner:</b>	Derek Bower
<b>Applicant:</b>	Derek Bower
<b>Date of Application:</b>	2 August 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R50
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Grouped Dwelling
<b>Proposed Use Class:</b>	P
<b>Lot Area:</b>	362m <sup>2</sup>
<b>Right of Way (ROW):</b>	Yes – 3m wide, drained and sealed
<b>Heritage List:</b>	No

The subject site is located at No. 14 Orange Avenue, Perth, as shown in the location plan included as **Attachment 1**. The site is bound by Orange Avenue to the west, a right of way to the east and residential properties to the north and south. The subject site comprises of a single storey dwelling, which shares a common wall and roof with No. 16 Orange Avenue.

Orange Avenue has been developed with predominantly 'terrace style' single storey single houses and grouped dwellings. Although there are two storey developments including multiple dwellings and commercial developments within the broader area. There are a number of Heritage Listed dwellings located to the east of the subject site (fronting Lake Street) on the opposite side of the right of way.

The subject site is zoned Residential with a density code of R50 under the City's Local Planning Scheme No. 2 (LPS2). The subject site is located within the 'Residential Area' under the City's Built Form Policy No. 7.1.1 (Built Form Policy) and has been assessed against the applicable standards and requirements of the policy.

A previous development application was presented to Council at its Ordinary Council Meeting on 4 April 2018. The application was deferred by Council to enable the applicant time to address Council's concerns relating to streetscape, setbacks, bulk and scale and visual privacy.

An amended version of the application was presented to Council at its Ordinary Council Meeting on 26 June 2018. The application was refused by Council on the basis that the building height and proposed northern setback was considered to have a detrimental impact on the streetscape. The refused development plans have been included as **Attachment 2**.

The applicant has since lodged new development application which differs from the refused application in the following manner:

- The building height reduced from 7.2 metres to 7.0 metres, which reduced the deem-to-comply northern lot boundary setback by 100 millimetres;
- Additional landscaping is proposed within the front setback area; and
- Modifications to the colours and materials on the upper level addition and the rear addition. The development involves a different combination of cladding and incorporates a lighter colour pallet.

The new application is now compliant with the building height requirements of the City's Built Form Policy. A copy of the applicant's development plans has been included as **Attachment 3** and justification for the proposal is included as **Attachment 4**.

## DETAILS:

### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2, the City's Built Form Policy, Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties and the State Government's Residential Design Codes (R Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use (only where required)	✓	
Street Setback	✓	
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Landscaping	✓	
Privacy	✓	
Parking & Access	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
External Fixtures	✓	
Surveillance	✓	
Impact on Adjacent Heritage Buildings	✓	

### Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
<b>R Codes Clause 5.1.3</b>	
<b>Southern Boundary</b> Ground Level – 4.8m	<b>Southern Boundary</b> Ground Level – 3.8m
<b>Northern Boundary</b> Level One – 1.5m	<b>Northern Boundary</b> Level One – 0.9m

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

### CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, for a period of 14 days commencing on 29 August 2018 and concluding on



11 September 2018. Community consultation was undertaken by means of written notification being sent to surrounding landowners, as shown in **Attachment 1** and a notice on the City's website.

The City received two submissions in objection to the proposal during community consultation. Two submission in objection to the proposal were also received after community consultation had concluded. A summary of submissions received and Administration's response to these is included as **Attachment 5**. The applicant's response to the summary of submission is included as **Attachment 6**.

**Design Review Panel (DRP):**

Referred to DRP: No

**LEGAL/POLICY:**

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *City of Vincent Local Planning Scheme No. 2;*
- *State Planning Policy 3.1 – Residential Design Codes;*
- *Policy No. 4.1.5 – Community Consultation;*
- *Policy No. 7.1.1 – Built Form Policy; and*
- *Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.*

**Delegation to Determine Applications:**

The development application is being referred to Council as the proposal relates to a matter previously determined by Council.

**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*"Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Lot Boundary Setbacks

*Northern Boundary*

The proposal incorporates a 0.9 metre upper floor setback to the northern boundary in lieu of the deemed-to-comply standard of 1.5 metres. The subject site shares a 5.5 metres common boundary wall with the adjoining property to the north. The existing boundary wall will screen the majority of the proposed upper level addition, which will protrude 1.2m higher than the highest point of the boundary wall. The portion of the upper level addition that will be visible above the boundary wall will incorporate cladding to reduce the visual impact. It is noted that the northern façade does not incorporate any major openings and therefore, will not result in a loss of privacy.

The development has setback the upper level addition 10.7 metres from the primary street, which exceeds the deemed-to-comply street setback requirement of 6.0 metres. The increased setback is considered to further reduce the visual impact of the lot boundary setback variation when viewed from the street. The proposal has also incorporated additional landscaping within the front setback area in the form of a proposed palm tree. Additional landscaping in conjunction with the established frangipani tree will provide sufficient screening to the second storey addition from the street.

#### *Southern Boundary*

On the ground level, the proposal incorporates a 3.8 metre setback to the main building in lieu of the deemed-to-comply standard of 4.8 metres. The existing dwelling on the site has a wall length of 25.4 metres and is setback 3.8 metres from the southern boundary. This development proposes to reconfigure the existing rear portion of the dwelling by introducing a new major opening to the southern façade and reducing the length of the building to 22.0 metres. The introduction of the opening results in an increased deemed-to-comply setback requirement from what is presently required, which is the cause for the variation, keeping in mind that the existing setback will not change.

The reduction in the length of the ground floor and introduction of a major opening to a previously solid wall mitigates the impact of building bulk. Although the ground floor southern boundary elevation contains major openings, the finished floor level of the dwelling does not exceed 0.5 metres above natural ground level and therefore, the proposal complies with the visual privacy requirements of Clause 5.4.1 of the R Codes. The proposal is also compliant with the overshadowing requirements of Clause 5.4.2 of the R Codes.

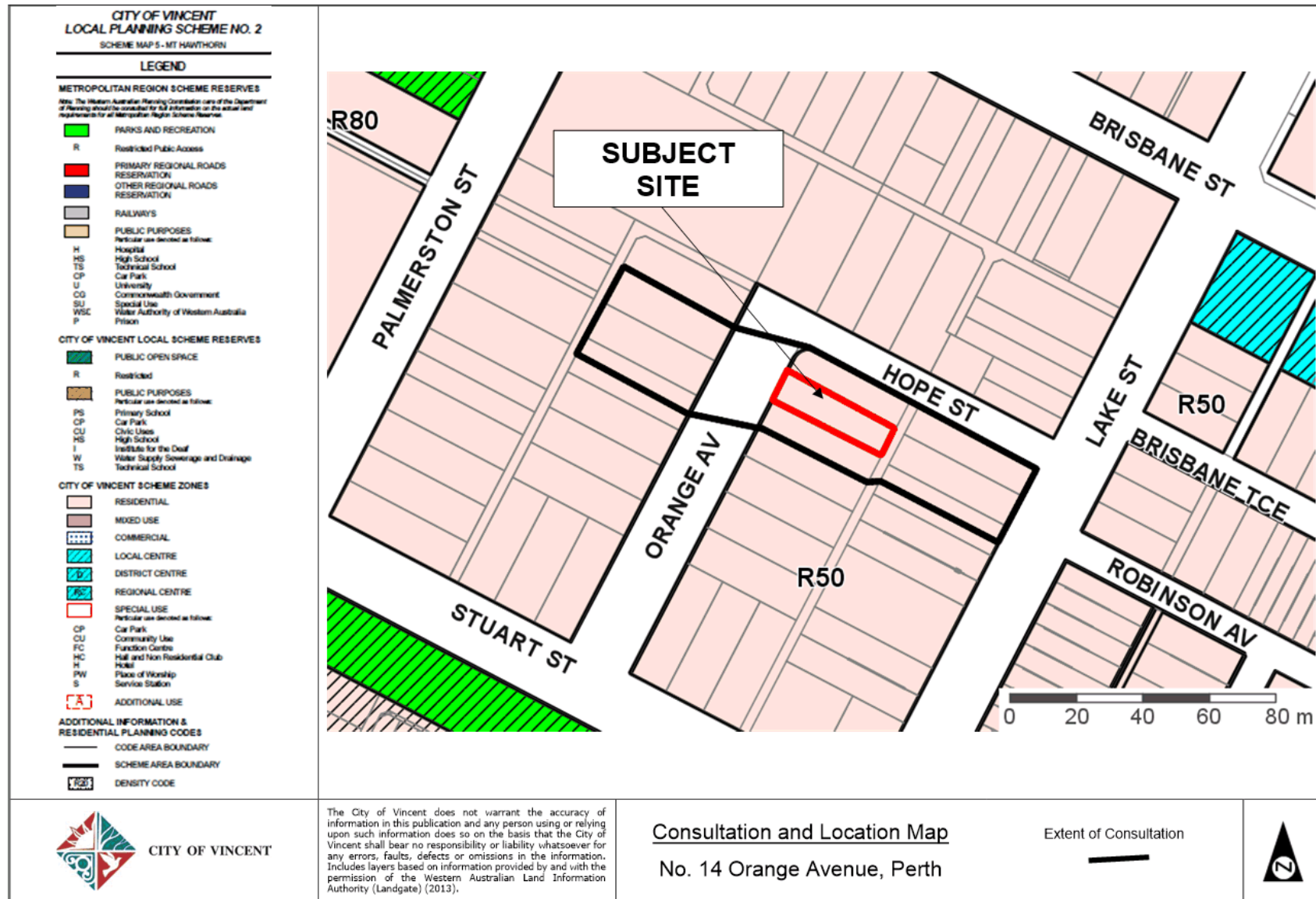
In light of the above, it is considered that the proposal satisfies the design principles and local housing objectives of Clause 5.1.3 and Clause 5.3 of the R Codes and the City's Built Form Policy respectively.

#### Landscaping

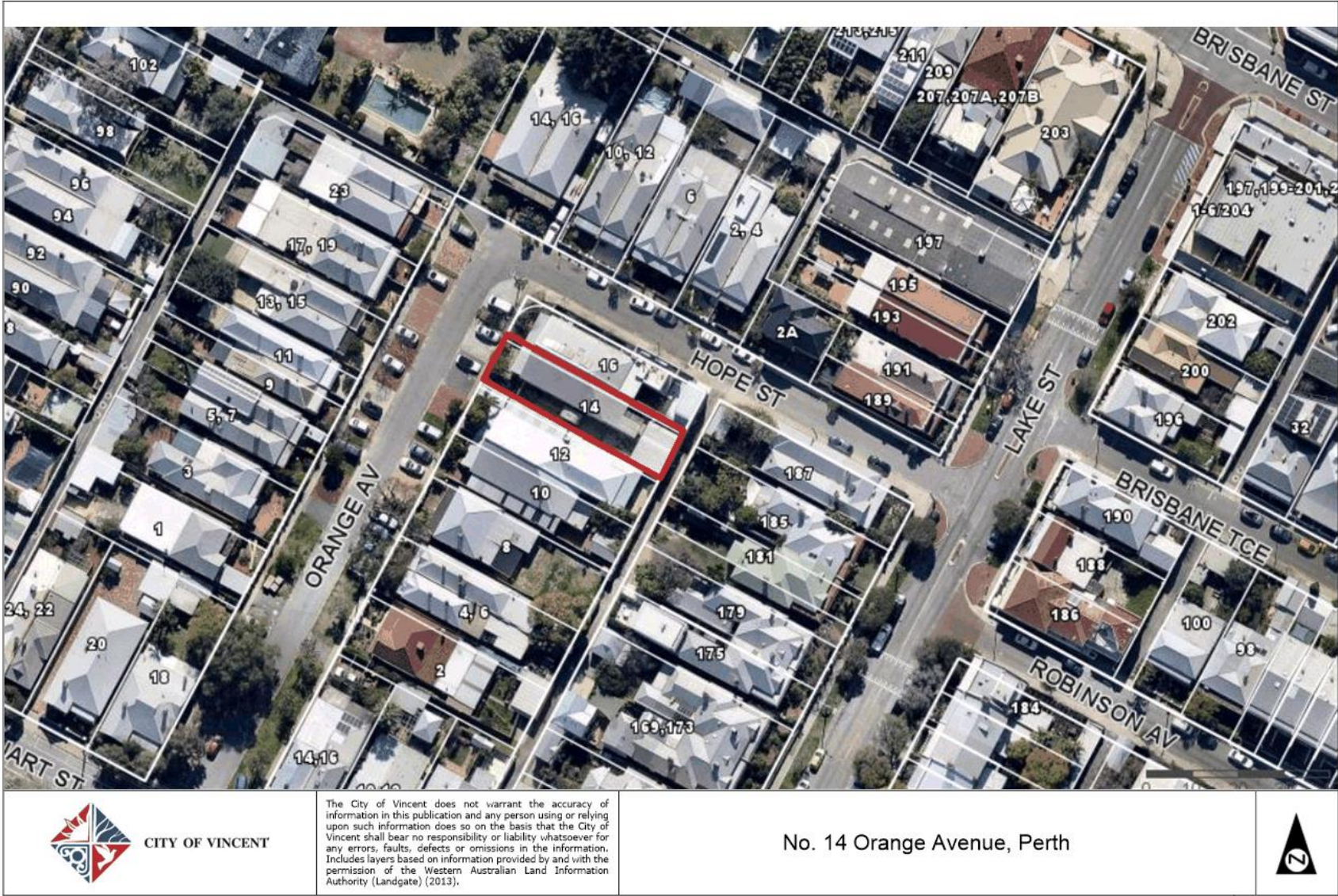
The City's Built Form Policy requires that, for applications that propose additions or alterations to existing buildings, a minimum of 30 percent canopy cover be provided within the front setback area. The subject site has an existing frangipani tree located within the front setback area, which currently provides 27.64 percent canopy cover within the front setback area. It is considered the frangipani tree will be capable of achieving the 30 percent canopy cover at full maturity and the relevant Policy requirement is satisfied. In addition, the application involves the provision of a palm tree in the front setback area. The palm tree is not on the City's recommended species list and the City has concerns as to the ability of the palm tree to grow to a height greater than 2.0 metres. As such, if the application is approved, it will be recommended that a condition be imposed to require an amended landscape plan to be submitted so the tree species can be reconsidered.

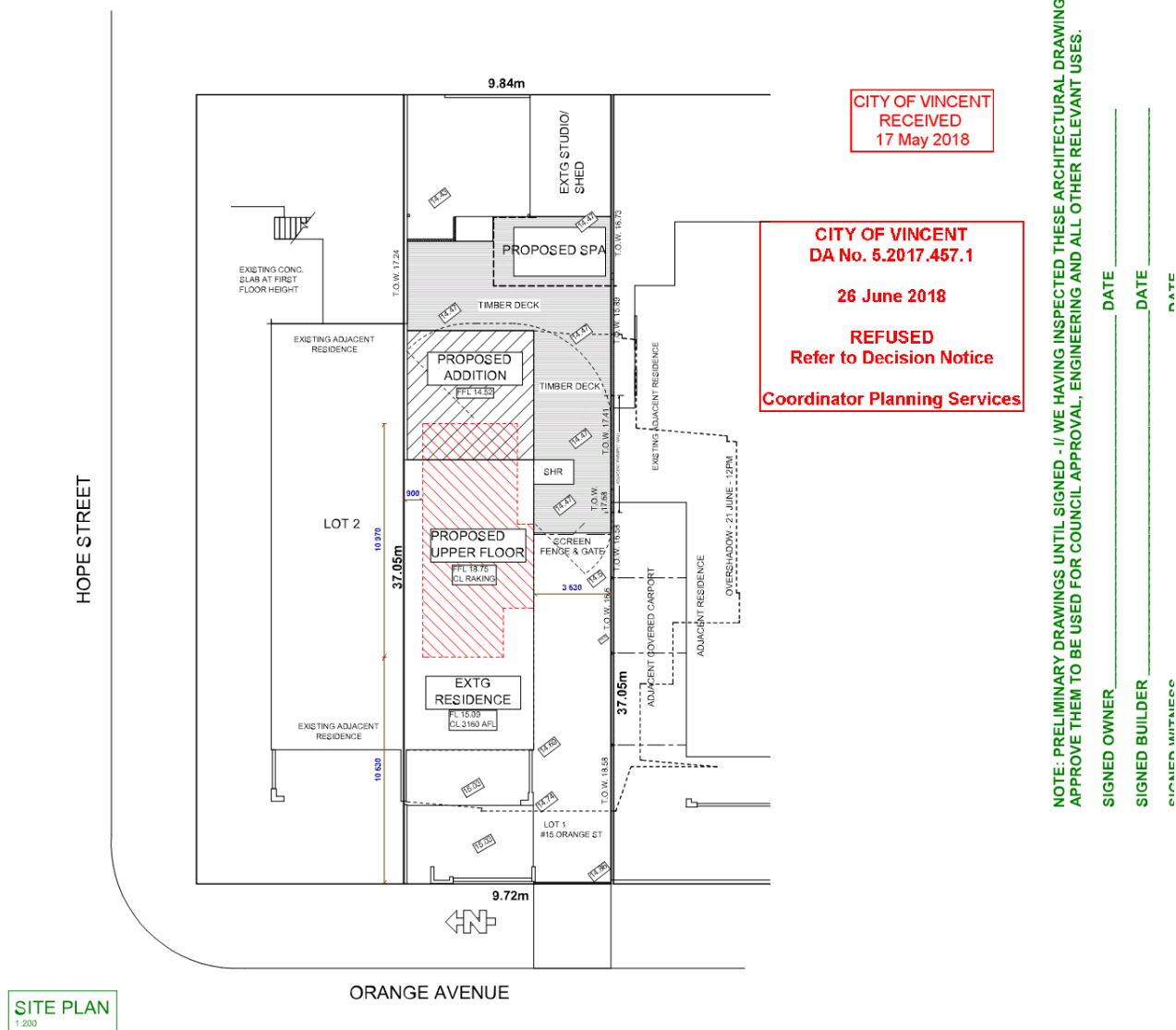
#### Conclusion

The proposal has been modified to address the concerns previously raised by Council and the surrounding landowners. The current proposal requires Council to exercise its discretion in relation to the lot boundary setbacks. Given the context of the subject site, the proposed lot boundary setbacks are considered to have a negligible impact on the surrounding properties. It is recommended that the proposal be approved subject to conditions.









- NOTES**
- 2.1. All dimensions on plan, new & existing, to be checked on site prior to commencement of work or placing of orders.
  - 2.2. Any discrepancies on drawings to be reported to the designer immediately.
  - 2.3. Designer accepts no responsibility for expenses or costs incurred due to failure to comply with Items 1 & 2 above.
  - 2.4. Designer accepts no responsibility for any copyright infringement notice lodged against plan prepared in accordance with owners brief and instructions.
  - 2.5. All work to comply with the BCA, relevant Australian Standards Codes, requirements of Local and Government Authorities and to normal good building practice.
  - 2.6. Use figured dimensions in preference to scaled dimensions.
  - 2.7. All materials, fixtures, fittings and accessories to conform to, & to be supplied and installed in accordance with the manufacturer's specifications & details.
  - 2.8. All work to be carried out by qualified building tradesmen or supervised apprentices under supervision of certified Building Supervisor.
  - 2.9. All work to conform to Occupation Safety & Health Act 1984
  - 2.10. These drawings to be read in conjunction with builder's Specification, Engineer's and Survey drawing.
  - 2.11. These drawings to be signed off by builder, owner and witness before final submission.

NOTE: ALL CARE HAS BEEN TAKEN IN THE PREPARATION OF THESE DRAWINGS. DO NOT SCALE OFF DRAWING



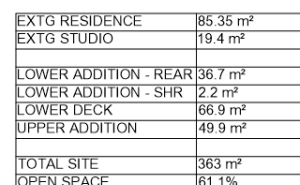
**ADDRESS:** 14 ORANGE AVENUE, PERTH

## SITE PLAN

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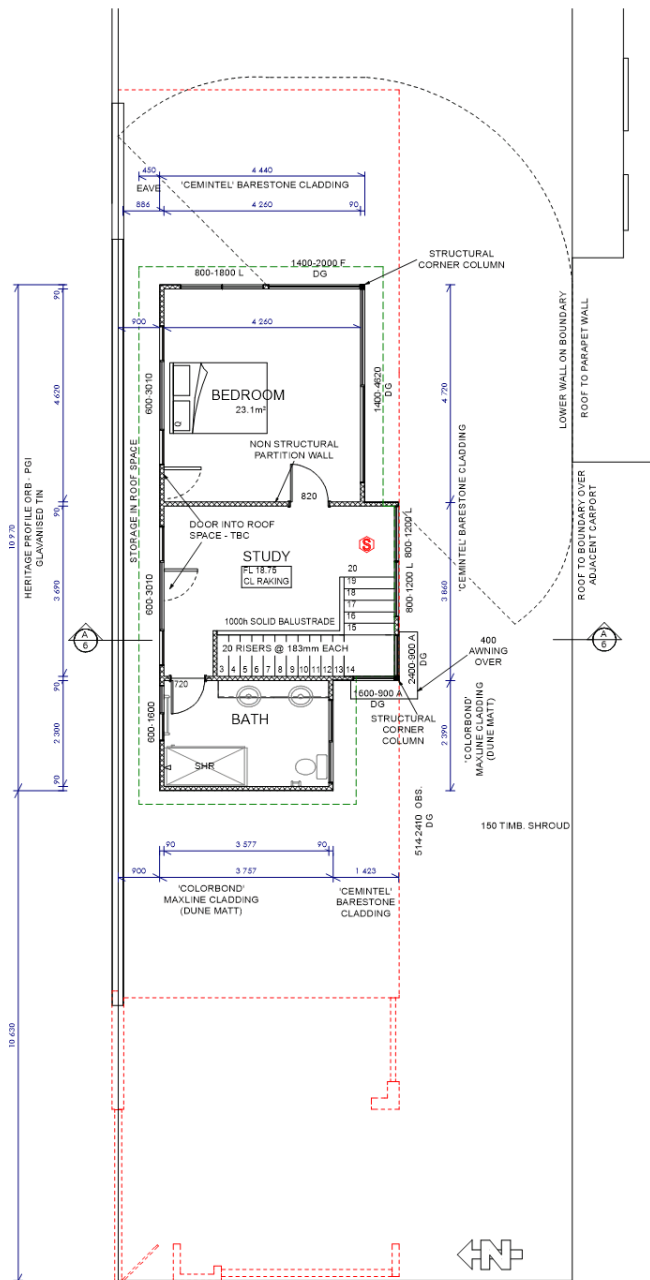
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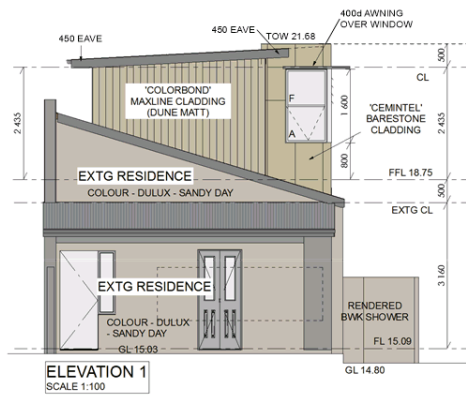
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26 June 2018  
  
REFUSED  
Refer to Decision Notice  
Coordinator Planning Services

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SIGNED BUILDER \_\_\_\_\_ DATE \_\_\_\_\_  
SIGNED WITNESS \_\_\_\_\_ DATE \_\_\_\_\_





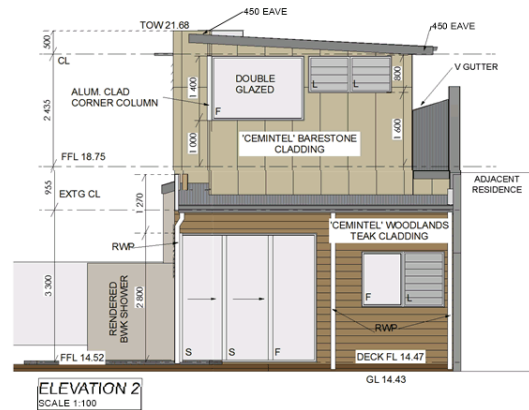


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**26 June 2018**

**REFUSED**  
**Refer to Decision Notice**

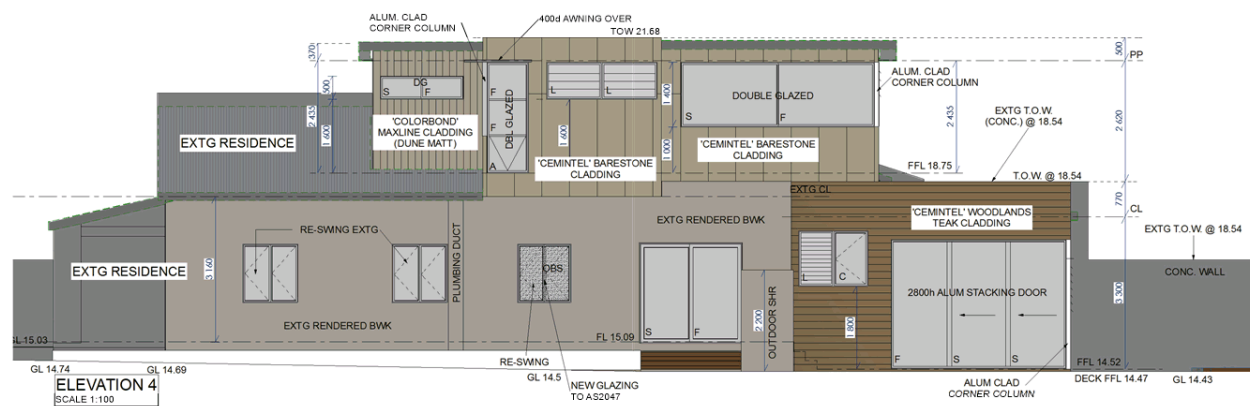
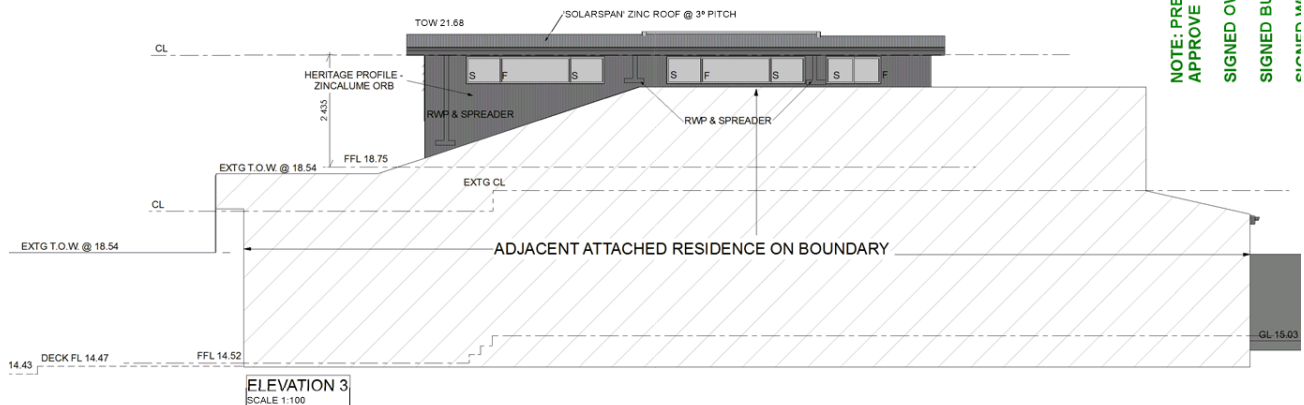
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SIGNED WITNESS \_\_\_\_\_ DATE \_\_\_\_\_



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CLIENT: **DEREK BOWER**

ADDRESS: **14 ORANGE AVENUE, PERTH**

**ELEVATIONS**

DATE: **17/05/2018** BY: **JF**

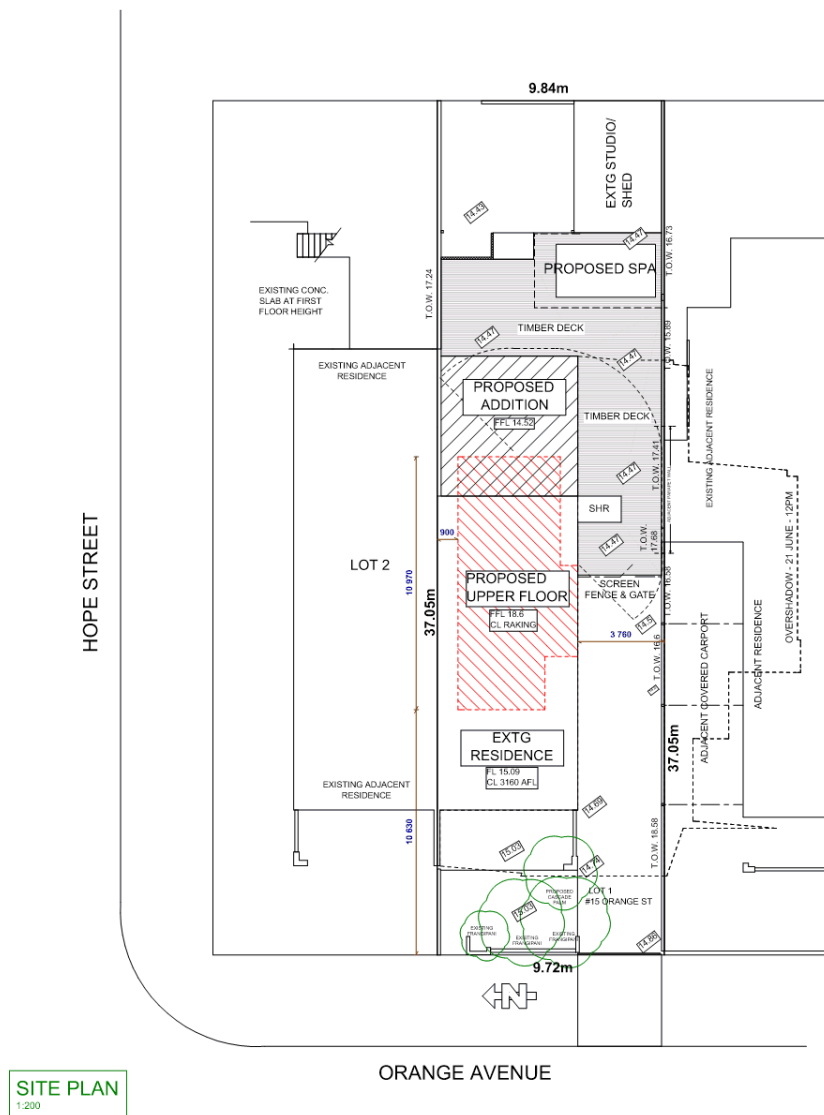
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SIGNER WITNESS \_\_\_\_\_ DATE \_\_\_\_\_



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CLIENT:	DEREK BOWER
ADDRESS:	14 ORANGE AVENUE, PERTH

## SITE PLAN

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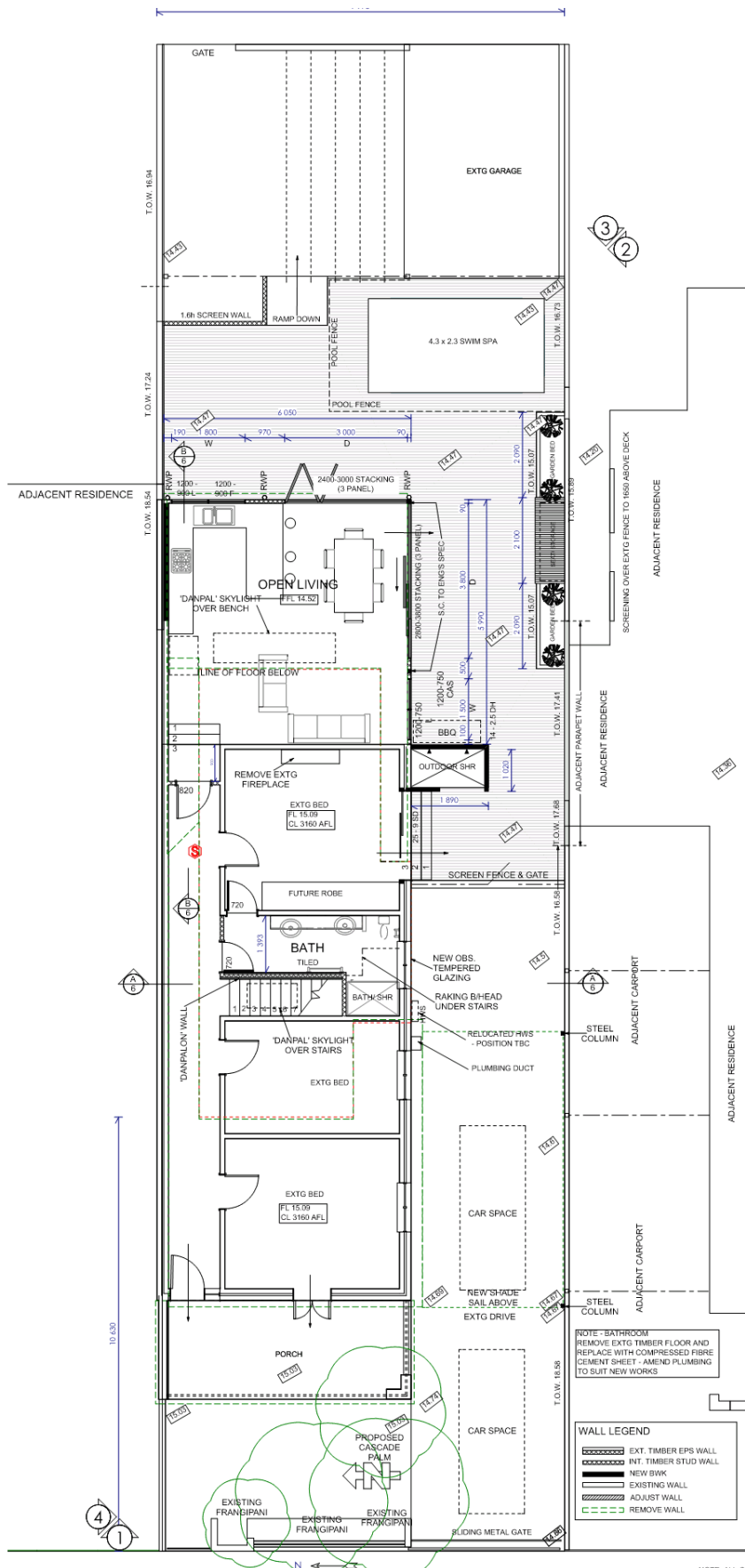
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EXISTING  
FLOOR  
PLAN

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SIGNED BUILDER \_\_\_\_\_ DATE \_\_\_\_\_  
SIGNED WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

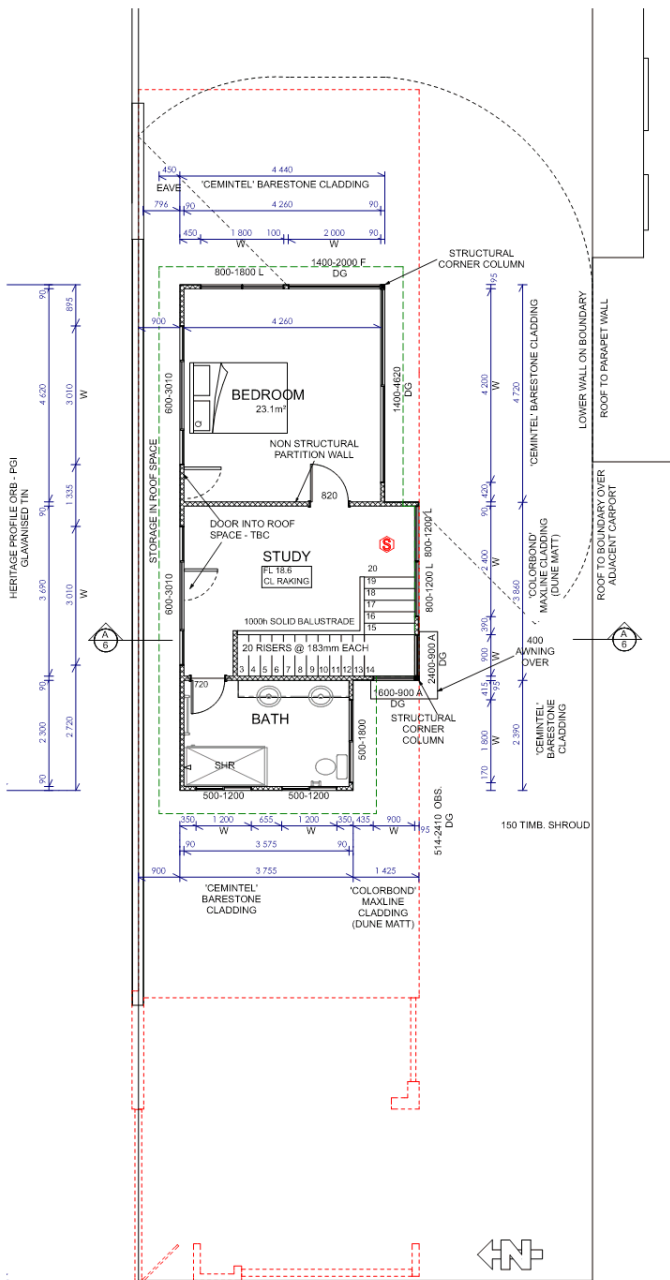


CLIENT: DEREK BOWER  
ADDRESS: 14 ORANGE AVENUE, PERTH

PROPOSED  
LOWER  
FLOOR

DATE: 5/09/2018 BY: JF  
SCALE: 1:100 PAGE: 3 OF 3  
JOB No: 200-10

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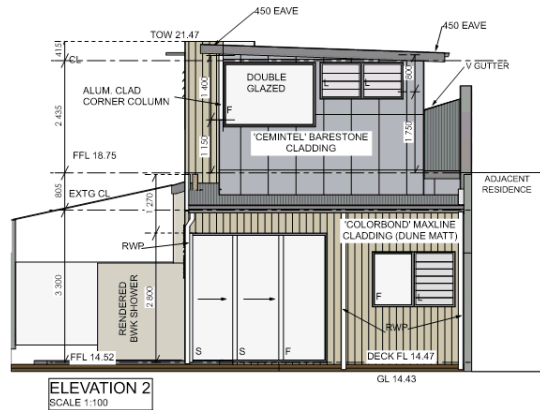
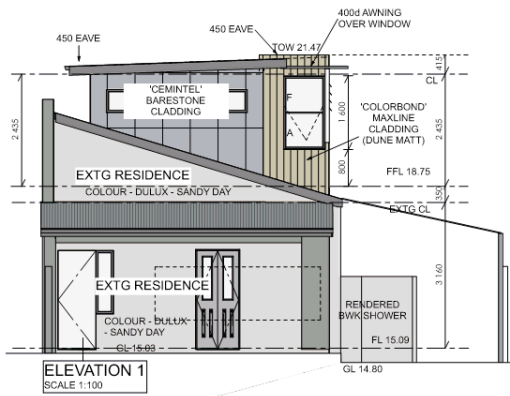


CLIENT: DEREK BOWER

ADDRESS: 14 ORANGE AVENUE, PERTH

PROPOSED  
UPPER  
FLOOR

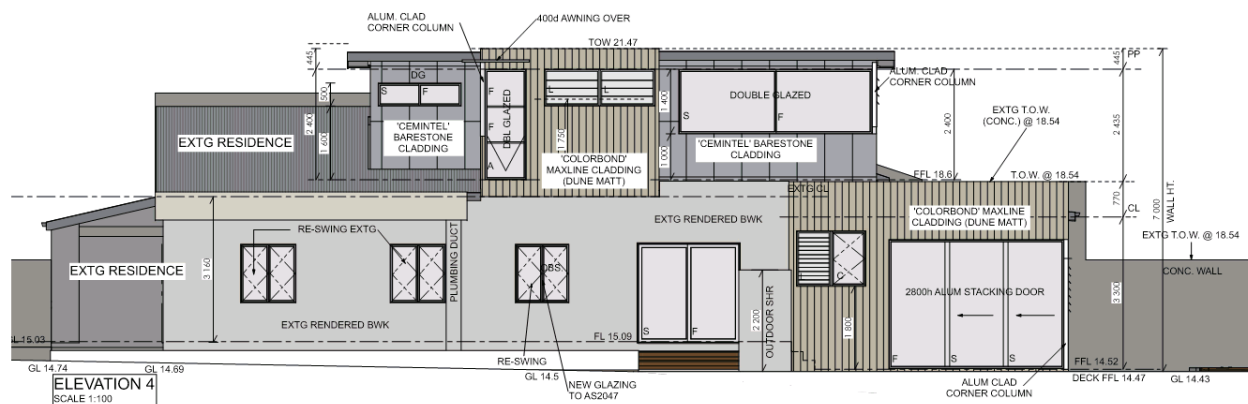
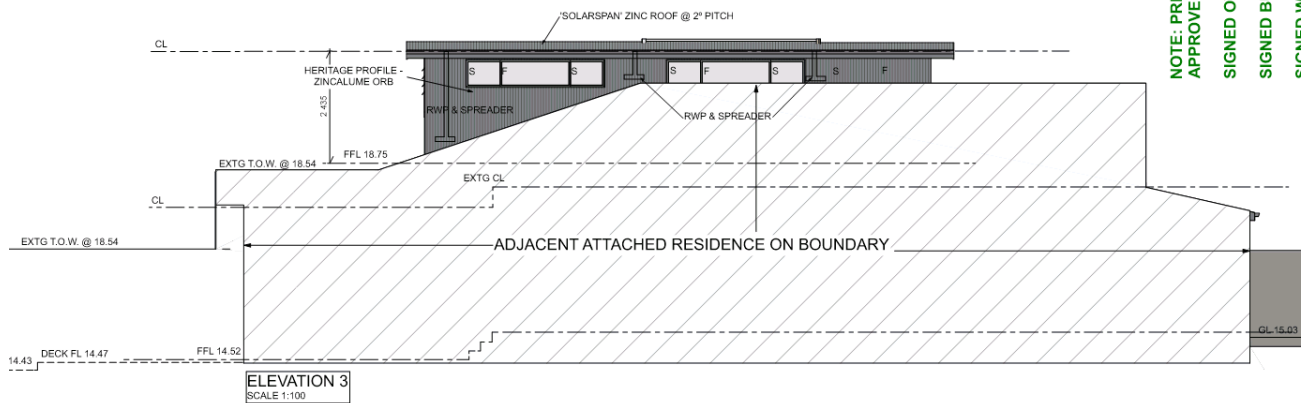
DATE: 5/09/2018 BY: JF  
SCALE: 1:100 PAGE: 4 OF 4  
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SIGNED WITNESS \_\_\_\_\_ DATE \_\_\_\_\_



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CLIENT: DEREK BOWER

ADDRESS: 14 ORANGE AVENUE, PERTH

ELEVATIONS

DATE: 5/09/2018 BY: JF

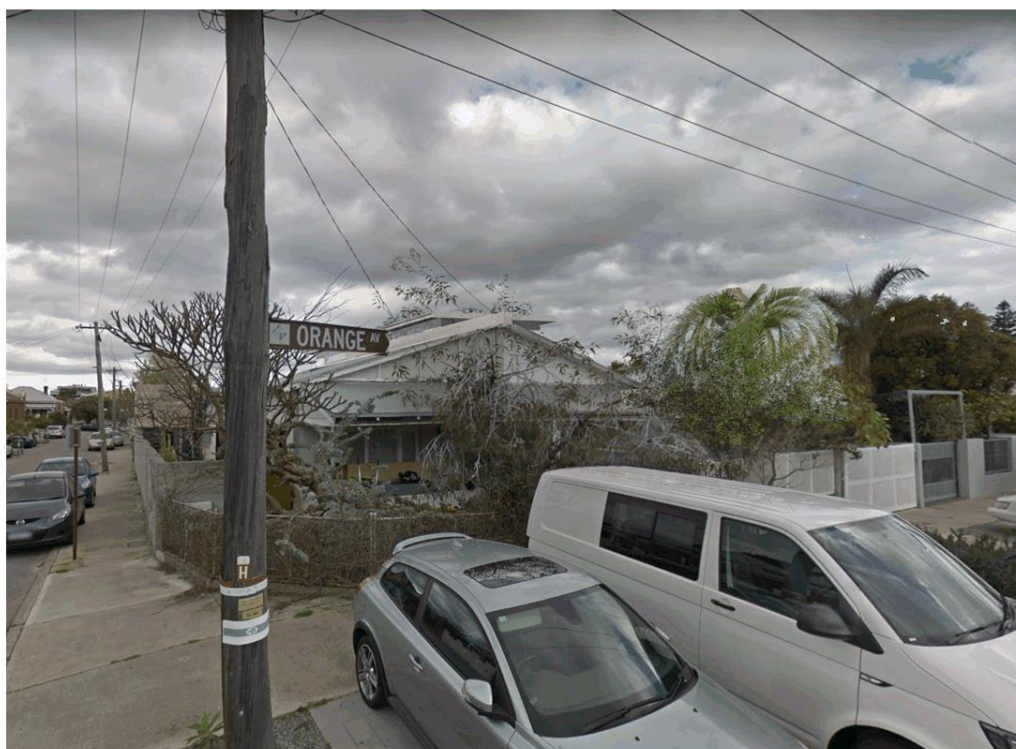
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PERSPECTIVE IMAGE 1



PERSPECTIVE IMAGE 2

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CLIENT: DEREK BOWER

ADDRESS: 14 ORANGE AVENUE, PERTH

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PERSPECTIVE IMAGE 3

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SIGNED BUILDER \_\_\_\_\_ DATE \_\_\_\_\_  
SIGNED WITNESS \_\_\_\_\_ DATE \_\_\_\_\_



CLIENT: DEREK BOWER

ADDRESS: 14 ORANGE AVENUE, PERTH

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DATE: 5/09/2018

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7 OF





**Project:** 14 Orange Avenue, Perth

**Date:** 31/07/2018



31<sup>st</sup> July 2018

Planning Department  
City of Vincent  
244 Vincent Street  
LEEDERVILLE WA 6902

RE: 14 Orange Avenue, Perth

To whom it may concern,

We are requesting the following variations/considerations for the proposed upper floor addition at the existing residence noted above and have outlined issues for your attention.

- A Variation to the setback requirements to the Northern Boundary. We are proposing a setback of 900mm. Due to the narrow lot we feel that the reduced setback is necessary in allowing for a more usable and functional space upstairs. The Northern boundary wall is to include highlight windows only and is to be clad in heritage profile zincalume orb. As such we believe that the proposal will have no significant impact on the neighbouring property and will tie in with the surrounding area.
- We believe that the proposal will not detract from the streetscape and amendments to the proposal have been undertaken with significant consideration to this streetscape.

The proposal has been reduced in height so that the wall height is now at 7m maximum (which will occur to the rear of the property) as per maximum allowances in the R-codes. As the lot slopes down towards the rear this means that the height to the front will actually be approximately 600mm below the 7m maximum allowance.

The cladding has been altered with the cemintel barestone cladding now occurring to the front of the proposal with the colorbond maxline dune cladding being used as a feature to the stairwell. We believe this cladding is sympathetic to the surrounding area, especially considering the natural colours that have been chosen. Windows have been included to the bathroom to the front of the property to break up the façade and reduce the impact of the front wall.



**Project:** 14 Orange Avenue, Perth

**Date:** 31/07/2018

A palm tree will be added to the front garden. The palm tree, in addition to the existing frangipani, will obscure the majority of the upper floor to the street. A shade sail has also been added which will assist in obscuring the upper floor at certain angles.

The setback to the front is 10.63m which is 630mm above the required 10m setback to the street.

Please see the perspective views included in the drawing set for examples of the façade and its impact on the streetscape. We believe the images show that the impact on the street will be in keeping with other extension in the surrounding area and that the proposal will not reduce from the streetscape.

We believe that the proposed design maximises the potential of the lot, with any amendments required only serving to increase functionality and liveability. The proposal has been undertaken with significant consideration to neighbouring properties and the wider community at large and we believe that any amendments will have no adverse effects on these properties or the surrounding area. Indeed there are numerous upper floor extension in the surrounding area and we do not believe that the proposal has any greater impact on the street or the surrounding area than these existing extensions do.

The upper floor extension was positioned with wind to the neighbouring properties. The upper floor extension was located centrally to preserve views to the deck of the neighbouring 16 Orange Avenue and to preserve light into the kitchen windows of 12 Orange Avenue. Every consideration has been made to reduce the impact to these properties.

Yours Sincerely,

Coral Buxey  
*Masters of Architecture*

**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Officer Technical Comment:
<p><u>Streetscape</u></p> <p>Concerns raised in regards to the bulk and scale of the addition. The addition is not considered to preserve or enhance the existing streetscape. Submissions note that the materials used are not <i>'in keeping'</i> with the surrounding houses.</p>	<p>The development has setback the upper level addition 10.7 metres from the primary street, which exceeds the deemed-to-comply street setback requirement of 6.0 metres. The increased setback is considered to further reduce the visual impact of the lot boundary setback variation when viewed from the street. The proposal has also incorporated additional landscaping within the front setback area. The proposed palm tree and the established frangipani tree will provide additional screening to the second storey addition from the street.</p>
<p><u>Setbacks</u></p> <p><b>North</b></p> <p>Concerns raised in regards to the impact of the proposed upper level northern setbacks. Submissions highlight that the proposed setback will create unacceptable bulk to the adjoining property. Submissions note the upper storey is setback 450 millimetres to the eaves and will be raised 2.0 metres from the lowest portion of the parapet wall.</p> <p><b>South</b></p> <p>Submissions note that the southern setback exceeds the deemed-to-comply requirement by approximately 40 percent. The proposed variation is considered to have an undue impact when viewed from the street. Submissions note, that the second storey addition should comply with the required 4.8 metre setback.</p>	<p><b>North</b></p> <p>The existing boundary wall will screen the majority of the proposed upper level addition, which will protrude 1.2m higher than the highest point of the boundary wall. The portion of the upper level addition that will be visible above the boundary wall has incorporated cladding to reduce the visual impact. It is noted that the northern façade does not incorporate any major openings and therefore, will not result in a loss of privacy. It is noted that building setbacks are measured to the wall of the building, not to the edge of the eaves.</p> <p><b>South</b></p> <p>The development meets deemed-to-comply lot boundary setback requirements of the R Codes on the southern façade on the upper level. The proposed variation relates to the ground floor only.</p> <p>The existing dwelling on the site has a wall length of 25.4 metres on the ground level and is setback 3.8 metres from the southern boundary. This development proposes to reconfigure the existing rear portion of the dwelling by introducing a new major opening to the southern façade and reducing the overall length of the building to 22.0 metres.</p> <p>The reduction in the length of the ground floor and introduction of a major opening mitigates the impact of building bulk. Although the ground floor southern boundary elevation contains major openings, the finished floor level of the dwelling does not exceed 0.5 metres above natural ground level and therefore, the proposal complies with the visual privacy requirements of Clause 5.4.1 of the R Codes. The proposal is also compliant with the overshadowing requirements of Clause 5.4.2 of the R Codes.</p>

**Summary of Submissions:**

Comments Received in Objection:	Officer Technical Comment:
<u>Visual Privacy</u>  Concern regarding overlooking from the two double glazed windows located on the upper level of the master bedroom.	The development complies with the Visual Privacy requirements of Clause 5.4.1 C1.1 of the R Codes, which requires a 4.5 metre cone of vision setback to the bedroom windows.
<u>Landscaping</u>  Submissions note the palm tree on the perspectives does not exist.	The palm tree is proposed to be plants, as indicated on the site plan.
<u>Other</u> <ul style="list-style-type: none"> <li>• The windows depicted on the eastern elevations cannot fit below the ceiling heights.</li> <li>• Concerns raised in regards to the intended use of the property as a rental or short-term dwelling. Submissions note that the previous tenants have caused issues with antisocial behaviour.</li> <li>• Concerns raised in regards to the 'existing garage' shown on the site plan and whether this structure was constructed as per the approved plans.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed louvered windows located on the eastern façade are located beneath the ceiling height of the bedroom. The windows are subject to complying with the visual privacy requirements of the R-Codes. Should the window be re-located to be less than 1.6m from the finished floor level, the window would be required to be obscure or an amended development application would be required to assess the overlooking.</li> <li>• Concerns relating to anti-social behaviour cannot be taken into consideration during the development approval process.</li> <li>• The garage structure does not form part of this development application and cannot be considered in the assessment of the proposed addition. The City's Compliance Services is currently investigating the approval history of the garage structure.</li> </ul>

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

**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the Applicant's response to each comment.

Comments Received in Objection:	Applicant's Comment:
<p><u>Streetscape</u></p> <p>Concerns raised in regards to the bulk and scale of the addition. The addition is not considered to preserve or enhance the existing streetscape. Submissions note that the materials used are not <i>'in keeping'</i> with the surrounding houses.</p>	<p>The proposed addition to 14 Orange Avenue Perth is intended to be a contemporary addition to an existing early twentieth century federation cottage.</p> <p>As per the Heritage Act 1990, the best practice for additions and alterations to existing period buildings is to illustrate a clear distinction of eras of building. An exception is made to this recommendation on the northern 2<sup>nd</sup> storey aspect, to assist in preserving streetscape continuity &amp; also due to common duplex wall. It is proposed to be clad &amp; flashed, in corrugated galvanised iron to match &amp; blend with period roof material of 16 Orange Ave and minimise/negate impacts to visual amenity from north/Hope St aspect.</p> <p>In addition, perspectives included with plans show existing &amp; proposed plants in front yard to significantly obscure proposed 2<sup>nd</sup> storey addition from Orange Ave. Notably existing vegetation in front yard at adjacent property 12 Orange Ave, almost fully obscures the house &amp; roof from the street, which is intended to be replicated for the proposed addition, with the use of native trees as prescribed by council policy.</p> <p>Further, the proposed 2<sup>nd</sup> storey addition is setback a further 0.6m from the deemed to comply requirements from Orange Ave, with the bulk of the addition setback 3.3m further than the deemed to comply requirements.</p>
<p><u>Setbacks</u></p> <p>North</p> <p>Concerns raised in regards to the impact of the proposed upper level northern setbacks. Submissions highlight that the proposed setback will create unacceptable bulk to the adjoining property. Submissions note the upper storey is setback 450mm to the eaves and will be raised 2.0 metres from the lowest portion of the parapet wall.</p> <p>South</p> <p>Submissions note that the southern setback exceeds the deemed-to-comply requirement by approximately 40 percent. The proposed variation is considered to have an undue impact when viewed from the street. Submissions note, that the second storey addition should comply with the required 4.8 metre setback.</p>	<p>The proposed 2<sup>nd</sup> storey design, was purposely and considerably located around 12 Orange Ave shared boundary parapet wall (~3.5m height &amp; ~5m length) to minimise shadow impacts to 12 Orange Ave and preserve views for 16 Orange Ave rear deck.</p> <p>With respect to north setback, the use of period corrugated galvanised iron cladding &amp; flashing is intended to blend in with the existing roof of 12 Orange Ave, aiming to appear as continuous roof, with max ~0.5m visible when viewed from Hope St (assuming looking up from street level and recent rear addition of 16 Orange Ave obscuring the eastern end). A request is made for 2<sup>nd</sup> storey north setback of 900 instead of 1500 to fit staircase and corridor configuration to preserve existing period dwelling downstairs and simplify the build. Given the height of north facing windows and the parapet wall between, the requested smaller setback will have negligible impact to overlooking and bulk.</p> <p>With respect to the bulk to adjoining property, the proposed 2<sup>nd</sup> storey addition has been deliberately centrally located to minimise the bulk in the highest section of the duplex parapet wall and preserve views of 16 Orange Ave rear deck. Additionally the overall roof height has been lowered from previous</p>

**Summary of Submissions:**

Comments Received in Objection:	Applicant's Comment:
	<p>submission, further reducing the bulk. By comparison to nearby rear additions of similar nature at 5 &amp; 7 Orange Ave, and at rear of 207B, 211, 219 Brisbane St which are visible and overlook Orange Ave and Hope St, the bulk is less. Note also at 16 Orange Ave, the recently completed (2017) rear shed 2<sup>nd</sup> storey/loft to ~5m height from NGL, has created an equivalent visible bulk to the backyard of the applicant's property and even larger visible bulk to the Hope St streetscape.</p> <p>With respect to the south setback, the proposed lower rear addition has been shortened in length (along existing building line) compared to the current footprint, providing more light for 12 Orange Ave than existing for its north facing kitchen window. Notably the recent (2009) rear addition at 12 Orange Ave is built to within 1m of the shared boundary and roofed to the boundary as well except over kitchen window where additional morning light by proposed addition will benefit them.</p> <p>The proposed 2<sup>nd</sup> storey addition follows the building line and is correctly setback where window sizes require. With existing + additional trees and proposed setbacks, the building will be obscured and have minimal impact on street and adjacent neighbours.</p>
<p><u>Visual Privacy</u></p> <p>Concern regarding overlooking from the two double glazed windows located on the upper level of the master bedroom.</p>	<p>With respect to north facing windows, they are raised to requisite 1800 highlight level combined with north setback and an even higher common parapet wall (~1900 from 2<sup>nd</sup> floor FFL), physically preventing overlooking in common area and significantly minimising any potential for overlooking in the proposed bedroom, considering also the location of the bed.</p>
<p><u>Landscaping</u></p> <p>Submissions note the palm tree on the perspectives does not exist.</p>	<p>Perspective drawings included with plans to show impact of existing and additional trees to significantly minimise impact of proposed addition to streetscape.</p> <p>Further detail regarding tree species to be advised by council policy.</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>The windows depicted on the eastern elevations cannot fit below the ceiling heights.</li> <li>Concerns raised in regards to the intended use of the property as a rental or short-term dwelling. Submissions note that the previous tenants have caused issues with antisocial behaviour.</li> <li>Concerns raised in regards to the 'existing garage' shown on the site plan and whether this structure was constructed as per the approved plans.</li> </ul>	<p>Proposed windows shown on the 2<sup>nd</sup> storey eastern elevations, were added since previous submission to assist in engaging 2<sup>nd</sup> storey addition with streetscape.</p> <p>Given the room is a bathroom, windows will be relatively small, frosted/greyed and adjusted to suit the room layout, further detailed will be known and submitted when undertaking building permit.</p> <p>The intended purpose of renovation is to modernise period dwelling to become owner family occupied.</p>

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

Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
3. An Infrastructure Protection Bond for the sum of \$5,000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
5. The Right of Way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The Right of Way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the Right of Way condition has deteriorated, the applicant/developer shall make good the surface to the full satisfaction of the City.
6. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.
7. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

**5.2 NO. 48 (LOT 5; D/P: 14389) EGINA STREET, MOUNT HAWTHORN - TWO GROUPED DWELLINGS**






**TRIM Ref:** D18/128558

**Authors:** Stephanie Norgaard, Urban Planner  
Kate Miller, Senior Urban Planner

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** North

**Attachments:**

1. Attachment 1 - Location and Consultation Map [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Letter to Council Confirming Construction Timing [↓](#) 
4. Attachment 4 - Administration's Response to Summary of Submissions [↓](#) 
5. Attachment 5 - Determination Advice Notes [↓](#) 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

**1. Boundary Walls**

- 1.1 The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 46 and No. 56 Egina Street in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;
- 1.2 The two dwellings are to be constructed simultaneously, in accordance with the applicant's advice and deemed-to-comply requirements of Clause 5.1.3, C3.2(i) of the Residential Design Codes (Lot Boundary Setback), to the satisfaction of the City:

**2. External Fixtures**

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and shall be screened from view from the street, and surrounding properties to the satisfaction of the City;

**3. Stormwater**

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

**4. Landscaping**

- 4.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated; and



- The provision of a minimum 15 percent Deep Soil Zone and a minimum of 30 percent Canopy Coverage, as defined by the City's Policy No. 7.1.1 – Built Form;

4.2 All works shown in the plans as identified in Condition 4.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

## 5. Schedule of External Finishes

Prior to commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development; and

## 6. General

Where conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

## PURPOSE OF REPORT:

To consider an application for development approval for two grouped dwellings at No. 48 Egina Street, Mount Hawthorn (subject site).

## PROPOSAL:

The application proposes the construction of two grouped dwellings, in a side-by-side configuration. Each dwelling is two storeys and has primary access from Egina Street.

## BACKGROUND:

<b>Landowner:</b>	Colin Roe and Corinne Roe
<b>Applicant:</b>	Integrity Developments
<b>Date of Application:</b>	6 June 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R30
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Vacant Land
<b>Proposed Use Class:</b>	Dwellings (Grouped)
<b>Lot Area:</b>	612m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	No

The subject site is located at No. 48 Egina Street, Mount Hawthorn, as shown on the location plan included as **Attachment 1**. The subject site comprises of a vacant lot which has been cleared in preparation of development. The subject site has subdivision approval for two green title lots and the City has issued the clearance for the subdivision; with the creation of the two green title lots considered likely to occur in the near future.

The subject site is bound by Egina Street to the west and single dwellings to the north, east and south. Egina Street and the broader area surrounding the subject site is characterised by one and two-storey single dwellings.

The subject site is zoned Residential with a density code of R30 under the City's Local Planning Scheme No. 2 (LPS2). The subject site is located within the 'Residential Area' under the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and has been assessed against the applicable standards and requirements of the policy.

Following community consultation, the applicant provided amended development plans incorporating the following modifications:

- Introduction of additional 89 square metres of canopy cover;
- Addition of face brick banding to the buildings front façade;
- Addition of decorative wooden timber detailing on the roof gable;
- Changes to the render colour pallet from grey and green render to light grey renders;
- Setting forward the portico entry by 2.3 metres; and
- Reduction of the northern boundary wall height by 0.2 metres and reduction of the southern boundary wall height by 0.4 metres.

A copy of the applicant's development plans is included as **Attachment 2**.

## DETAILS:

### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2, the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Street Setback		✓
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Landscaping		✓
Privacy	✓	
Parking & Access	✓	
Solar Access	✓	
External Fixtures	✓	
Surveillance	✓	
Utilities and Facilities		✓
Garage Width	✓	
Garage Setback	✓	
Sightlines	✓	

### Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Street Setback	
Deemed-to-Comply Standard	Proposal
<b>Policy No. 7.1.1 – Built Form Clause 5.2</b>  Average setback of five adjoining properties: 7.04m	<u>Northern Dwelling</u> 4.5 metres  <u>Southern Dwelling</u> 4.4 metres
Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
<b>R-Codes Clause 5.1.3</b>  <u>Southern Boundary</u> 1.5m	<u>Southern Boundary</u> 1.2m for section of wall

Walls on Boundaries	
Deemed-to-Comply Standard	Proposal
<b>Policy No. 7.1.1 – Built Form Clause 5.3</b>  Maximum height of 3.5m and average height of 3.0m for up to two-thirds (22.2m) of the length of the lot boundary behind the front setback line.	<u>Northern Boundary</u> Maximum height of 3.3m and average height of 3.15m for 6.0m portion of wall, partly in front of the street setback line.  <u>Southern Boundary</u> Maximum height of 3.3m and average height of 3.15m for 6.3m portion of wall, partly in front of the street setback line.
External Fixtures, Utilities and Facilities	
Deemed-to-Comply Standard	Proposal
<b>R Codes Clause 5.4.4</b>  4m <sup>2</sup> storeroom, with a minimum dimension of 1.0m	4m <sup>2</sup> storeroom with minimum dimension of 1.1m, however the practical use of the storeroom is restricted by the stairs.

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

#### CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, for a period of 14 days commencing on 2 July and concluding on 15 July 2018. Community consultation was undertaken by means of written notification being sent to surrounding landowners, as shown in **Attachment 1** and a notice on the City's website.

In response to community consultation, nine submissions were received, eight in objection and one submission was received expressing concerns for the proposed development. A summary of the submissions received and Administration's response is included as **Attachment 4**.

It is noted that the City advertised variations to the deemed-to-comply requirements of the R Codes and Built Form Policy for lot boundary setbacks, excavation and the garage width. Since community consultation, the City has reviewed its assessment of the proposal and determined the above matters are in accordance with the deemed-to-comply requirements of the R Codes and the Built Form Policy. That being the case, eight submissions raised concerns in relation to the street setback, six submissions relate to the lot boundary setbacks and one submission relates to the landscaping, all of which are non-compliant.

#### Design Review Panel (DRP):

Referred to DRP: No

#### LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

**Delegation to Determine Applications:**

This matter is being referred to Council as the development application received more than five submissions during community consultation, in accordance with the City's Delegated Authority Register 2017 – 2018.

**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*"Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Street Setback

The subject site has a deemed-to-comply primary street setback requirement of 7.04 metres, which is based on the two adjoining properties to the north and the five adjoining properties to the south. The street setback on the adjoining properties varies between from 4.5 metres to 8.5 metres. The development proposes the following street setbacks:

Northern Dwelling

- Ground level – 6.0 metres
- Upper level – 4.5 metres

Southern Dwelling

- Ground level – 5.5 metres
- Upper level – 4.4 metres

A number of submissions received during community consultation objected to the proposed primary street setback. The submissions predominantly raised concerns regarding the visual impact of the development in terms of building bulk and scale. Submissions were also received raising concerns relating to pedestrian safety with the garages being located closer to the footpath. It should be noted however, that the development complies with the deemed-to-comply requirements of the R Codes in terms of vehicle sightlines.

The proposed dwellings provide balconies that overhang the garages of the dwelling, which assists in reducing the prominence of the garages and adds detail and articulation in the façade, which is considered to assist in moderating the impact of the building bulk and scale. The proposal incorporates a range of materials and finishes including face brick banding, timber detailing and elements of render. The incorporation of a face brick element and the timber detailing responds to the existing developments along the Egina Street and within the broader Mount Hawthorn area. The proposed render is considered to add an element of contemporary architecture, which is also seen in the nearby dwellings along Egina Street.

The proposal incorporates landscaping within the street setback which includes a two Chinese Tallow trees and two Magnolia Grandiflora trees. This vegetation softens the appearance of the dwelling and will contribute to the amenity of the street.

It is noted that requiring an increased street setback would result in a longer driveway and a reduced outdoor living area at the rear of the property. As such, the proposed street setback is considered to facilitate a more functional outdoor living area for the development.

Based on the above, the proposed street setback is considered to meet the design principles of the R Codes and local housing objectives of the City's Built Form Policy.

#### Southern Lot Boundary Setback

The development proposes a 1.2 metre setback in lieu of the deemed-to-comply requirement of 1.5 metres for a 5.6 metre portion of wall on the ground level of the southern façade. The City received a number of submissions objecting to the proposed setbacks, relating to the impact on the adjoining lot in terms of visual privacy, overshadowing, ventilation and building bulk. It is noted that the development meets the deemed-to-comply requirements of the R Codes in terms of visual privacy and overshadowing.

The applicant has provided the following justification with respect to the proposed setback variation:

*'This variation is still keeping with the design principles of the R-codes as:*

- *There are no overlooking or privacy issues due to this wall being 300mm closer to the boundary*
- *The extra 300mm will have no significant impact on access to sun and ventilation or the impact of bulk to the neighbouring property especially since the wall in question is a ground floor wall.'*

The variation relates to a 5.6 metre portion of wall with the remaining portion of the ground being setback 1.7 metres, which exceeds the deemed-to-comply requirement of 1.5 metres. As a result, it is considered that the proposal is unlikely to result in an adverse impact on the neighbouring habitable rooms or outdoor living space. It is also considered the articulation of the wall results in a lesser impact than if the entire wall was uniformly setback a compliant 1.5 metres. The proposed lot boundary setback is located on the ground floor and therefore there are no implications in terms of visual privacy. The development is also compliant with the deemed-to-comply criteria for overshadowing. Therefore, the proposal is considered to satisfy the design principles of the R Codes.

#### Boundary Walls

##### *External Boundary Walls*

The deemed-to-comply provisions of the City's Built Form Policy requires boundary walls to be located behind the street setback line and to have an average height of no more than 3.0 metres. The development provides a northern boundary wall that is 0.9 metres in front of the street setback line and a southern boundary wall that is 1.4 metres in front of the street setback line. The boundary walls both have an average wall height of 3.15 metres and are compliant with the maximum length and maximum height.

The northern boundary wall is located adjoining the boundary wall of the garage of No. 50 Egina Street, although it is noted the proposed northern boundary wall protrudes 1.4 metres in front of the adjoining property's garage. The boundary wall on the southern boundary is located adjoining the driveway of No. 46 Egina Street. The proposed boundary walls are not located abutting any habitable areas of the adjoining dwellings or active open spaces, and as such are not considered to pose an adverse impact on the amenity of the adjoining properties.

The proposed garages have incorporated materials such as face brick that positively contributes to the streetscape, which assists in minimising the perception building bulk to the street. The overhanging positioning of the balconies on the upper floor above the garages is considered to further reduce the impact of building bulk through providing articulation within the front setback area.

The articulated design of the proposed dwellings and the incorporation of varying building materials is considered to reduce the overall impact of building bulk and scale of the development when viewed from neighbouring properties and the street. The proposed boundary walls are considered to satisfy the relevant design principles of the R Codes and the local housing objectives of the Built Form Policy and are supported.

*Internal Boundary Walls*

The development proposes internal two-storey boundary walls, which are proposed to be constructed simultaneously in accordance with the deemed-to-comply requirements of the R Codes. The subject site has subdivision approval and subdivision clearance for two green title lots. Given this, the City has concerns that the green title lots may be created and be in separate ownership which may result in one of the dwellings not being constructed or there being staged construction. The applicant has provided a letter from the current landowners verifying that the internal boundary walls will be constructed simultaneously. A condition of approval is recommended to ensure both dwellings are constructed simultaneously.

Utilities and Facilities

The deemed-to-comply provisions of the R Codes requires each grouped dwelling to be provided with storage area of a minimum of 4.0 square metres and a minimum dimension of 1.0 metre. The northern dwelling proposes 4 square metres of storage with a minimum dimension of 1.1 metres, however the use of the storage area will be somewhat restricted by the stairs.

In considering this matter, it is noted that the subject site has subdivision approval and clearance for two green title lots in a configuration consistent with the current development proposal and that an application for titles has been lodged with Landgate. Once the titles are issued the two grouped dwellings will be two single dwellings on separate lots. In that case, the dwellings will not require separate storage facilities at all. As such, the proposed storage area of norther dwelling, albeit restricted, is considered acceptable.

Landscaping

The Built Form Policy requires a minimum of 15 percent deep soil zones and 30 percent canopy cover within the lot boundaries. The development proposes 15 percent deep soil and 20.75 percent canopy cover.

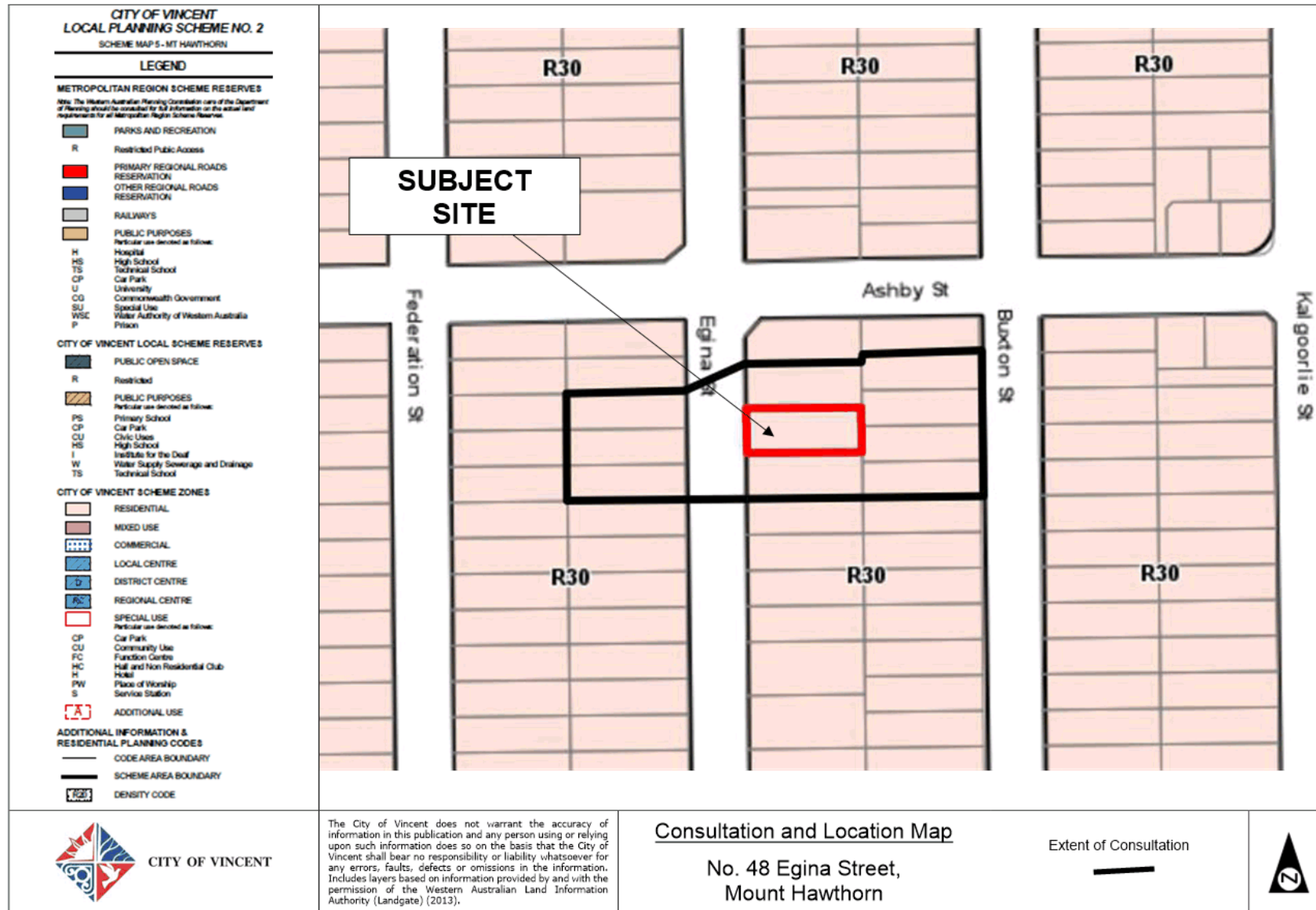
The proposed tree species are consistent with the City's tree selection tool, however the City has concerns that the proposed species will grow to a substantially higher height and canopy than that shown on the development plans. This may impact on the viability of the trees as the trees are proposed to be planted within close proximity to each other.

It is considered that there is an opportunity for the development to provide complaint tree canopy cover, should the applicant review the proposed tree species and number of trees within the deep soil zones. As such, it is recommended that a condition be imposed requiring an amended landscape plan demonstrating the provision of 30 percent canopy cover within the development site. It is considered compliance will provide amenity to the development and its occupants, and would satisfy the local housing objectives and design principles of the City's Built Form Policy.

Conclusion

The proposal incorporates a range of materials and finishes which are considered to be a reinterpretation of the existing streetscape. The departures being sought to the deemed-to-comply requirements for street setbacks, lot boundary setbacks and boundary wall setbacks are considered to meet the design principles of the R Codes and the design principles and local housing objectives of the City's Built Form Policy and are therefore supported. The proposed departures to the deemed-to-comply requirements for landscaping and utilities and facilities can readily be addressed by way of appropriate conditions.

The development is considered to be an appropriate built form outcome and as such, it is recommended the development is approved subject to the recommended conditions.











Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998  
 Email: perth@cottage.com.au Website: www.cottage.com.au  
 J/N: 427619 DATE: 20 Nov 17 SCALE: 1:200 DRAWN: C. Bull

Builder : Integrity Developments (WA) Pty Ltd

CLIENT : Roe

LOT 5 #48 Egina Street, Mt Hawthorn

Diag. 14389

LEGEND	OLD AREA	Power Pole
(1) (2)	(1) (2)	Phone Pole
(1) (2)	(1) (2)	Water Conn.
(1) (2)	(1) (2)	Top Wall
(1) (2)	(1) (2)	Top Retaining
(1) (2)	(1) (2)	Top Fence

#### DISCLAIMER:

Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

Survey does not include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true boundary.

Survey shows visible features only and will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal and mains services should be confirmed prior to finalisation of any design work.

#### DISCLAIMER:

Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from information supplied by Water Corporation.

Due to lack of survey marks/pegs, all building offset dimensions & features are approximate only and positioned from existing pegs/fences and walls which may not be on the correct alignment and are to be verified when repegged. Any design that involves additions to any structures shown or portion of structures remaining after any demolition has taken place requires boundaries to be repegged and exact offsets provided to your designer/architect before any plans are produced and before any work is started on site.

**NOTE:**  
 Approx. Sewer Clearance Line  
 (This line is NOT an easement)  
 Setbacks MUST be confirmed  
 by Water Corp. before any  
 design work is undertaken.  
 This line is NOT definitive.

**BEWARE:**  
 Deep sewer junction.  
 Check With Water Corp  
 BUILDER and PLUMBER  
 check GRADE.

**CITY OF VINCENT  
 RECEIVED  
 28 August 2018**

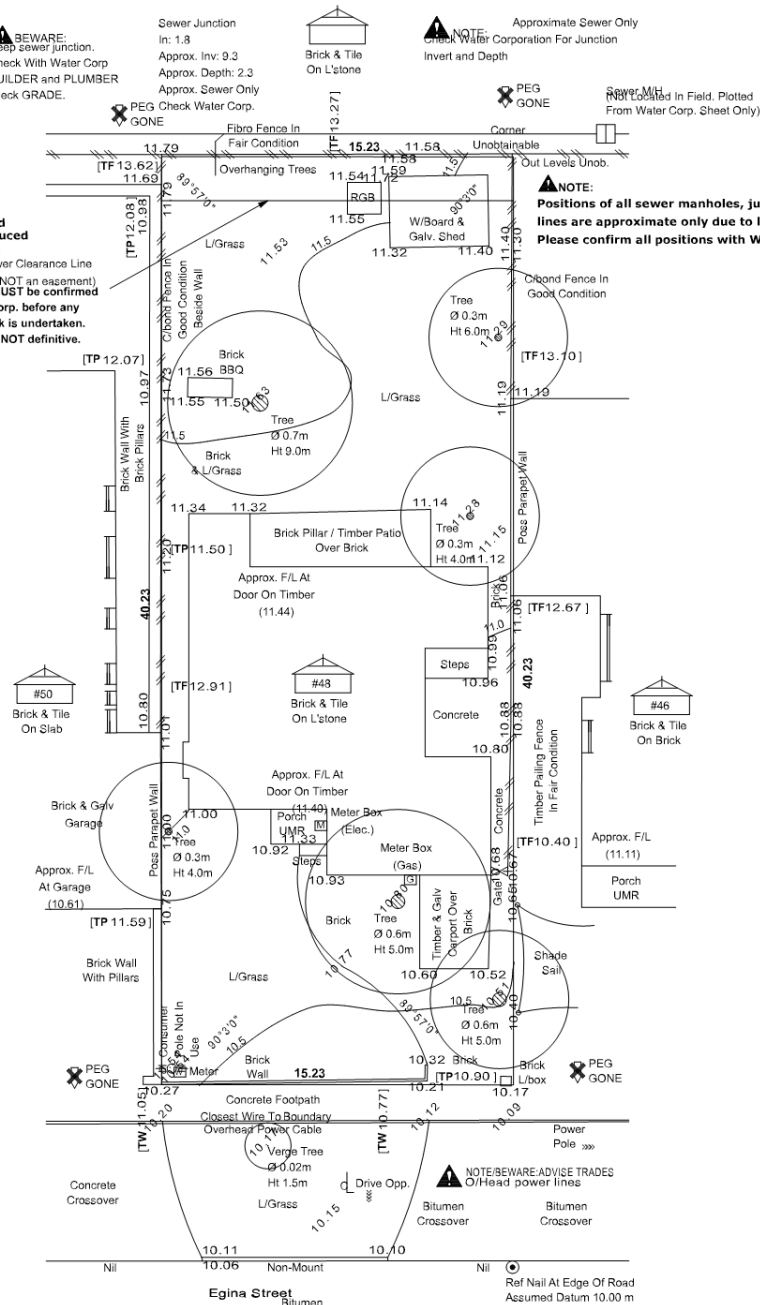
LOT MISCLOSE

0.000 m

SOIL DESCRIPTION

Sand

Light Grass Cover



Scale 1:200



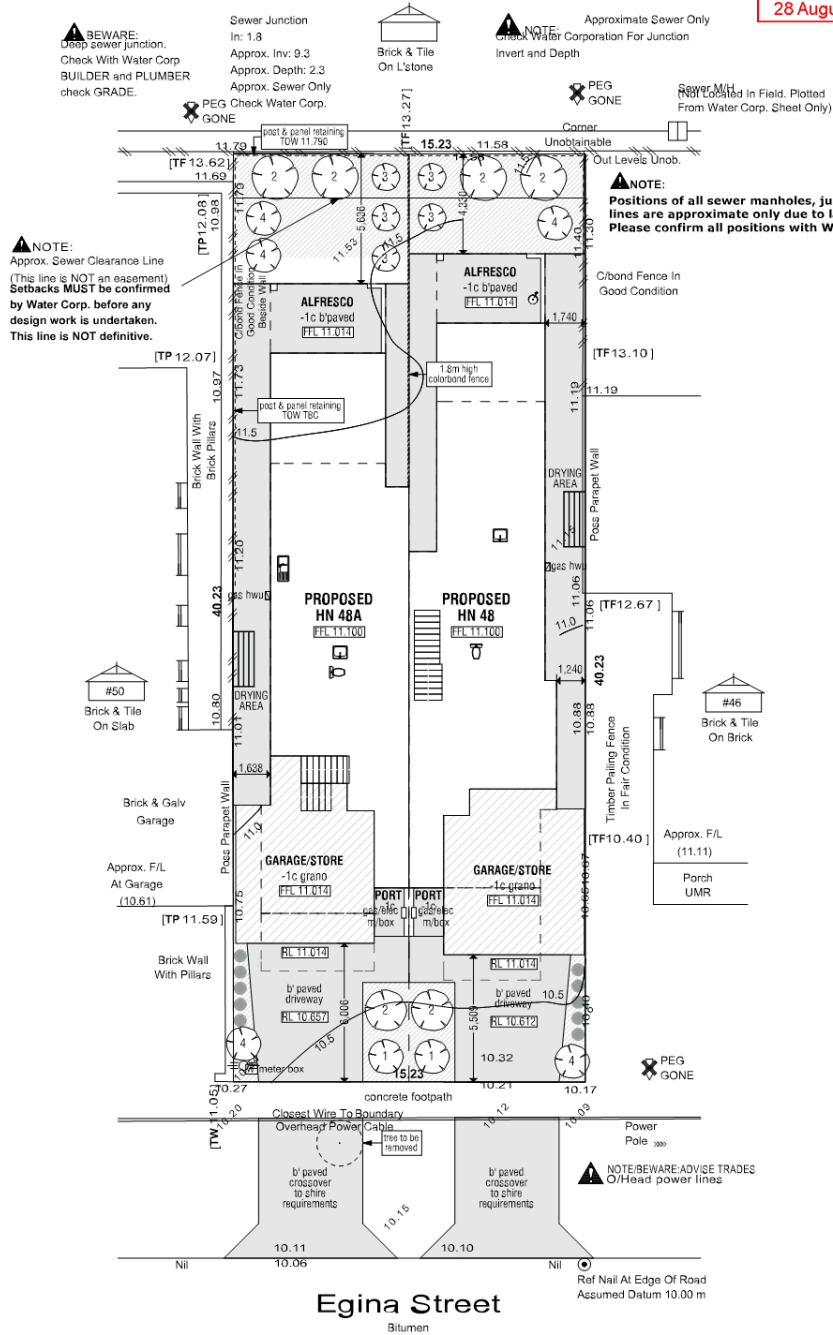


**LOT 5 HN 48 EGINA STREET  
MOUNT HAWTHORN 6016  
TOTAL SITE AREA 613m<sup>2</sup>  
R-30**

**NOTE:** FINAL LEVES AND EXTENT OF RETAINING TO BE CONFIRMED ON SITE AFTER THE COMPLETION OF SITEWORKS.

**NOTE:** ALL DOWNPIPES TO BE CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE.

**NOTE:** NUMBER & LOCATION OF DOWNPIPES TO BE DETERMINED BY PLUMBER.



#### LANDSCAPING

COMMON NAME	QTY	CANOPY	TOTAL CANOPY
1 Chinese Tallow	02	6m	12m
2 Magnolia Grandiflora	06	10m	60m
3 Jacaranda	05	8m	40m
4 Crepe Myrtle	05	3m	15m
			127m

127m<sup>2</sup> canopy cover = 20% of site

Deep soil zone shown hatched  
Minimum 46m<sup>2</sup> per lot (15% of site)



Chinese Tallow



Magnolia Grandiflora



Jacaranda



Crepe Myrtle

## Site Plan



67 howe street, osborne park wa 6017 • po box 1118, osborne park wa 6016  
p: 9202 8888 • f: 9202 8801

#### amendments:

05.06.18 i = submit to council for DA  
28.08.18 b = DA amendments

#### project:

MALCOLM & MAY ROE'S RESIDENCES

#### project address:

LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016

#### scale:

1:200

#### date:

23 APR 2018

#### drawn by:

AVN

#### drawing no.:

1580\_DA 1 of 10

CITY OF VINCENT  
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28 August 2018

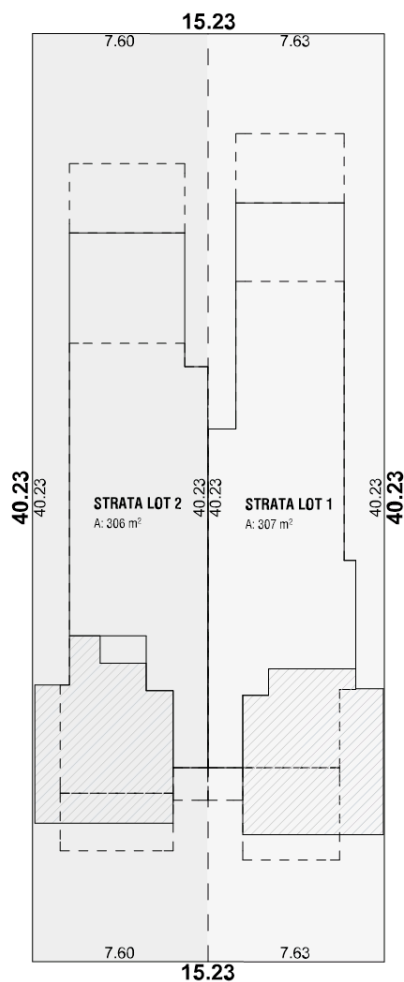
AREAS   STRATA LOTS (m2)	
STRATA LOT 1	307.0
STRATA LOT 2	306.0
	613.0 m <sup>2</sup>

**STRATA LOT 1**  
Area 307m<sup>2</sup>


HN 8A AREAS (m2)	
UPPER LIVING	118.7
GROUND LIVING	117.3
GARAGE/STORE	41.5
BALCONY	16.8
ALFRESCO	14.1
PORTICO	2.1
	310.5 m <sup>2</sup>
SITE COVER	160.9 m <sup>2</sup>
SITE COVER	52%

**STRATA LOT 2**  
Area 306m<sup>2</sup>

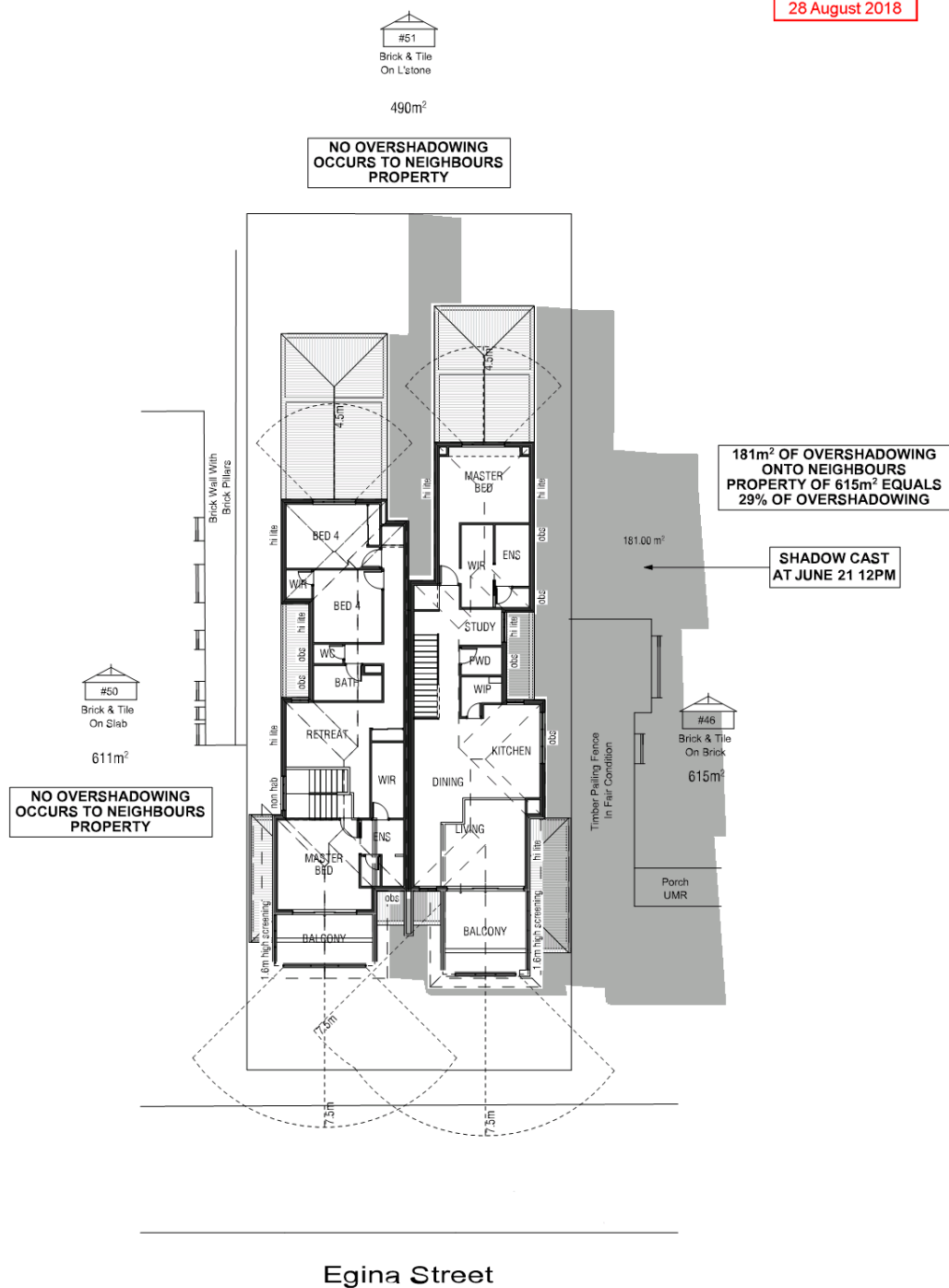
HN 8B AREAS (m2)	
UPPER LIVING	116.0
GROUND LIVING	110.2
GARAGE/STORE	40.3
ALFRESCO	15.0
BALCONY	12.2
PORTICO	2.1
	295.8 m <sup>2</sup>
SITE COVER	152.6 m <sup>2</sup>
SITE COVER	50%




## Strata Plan

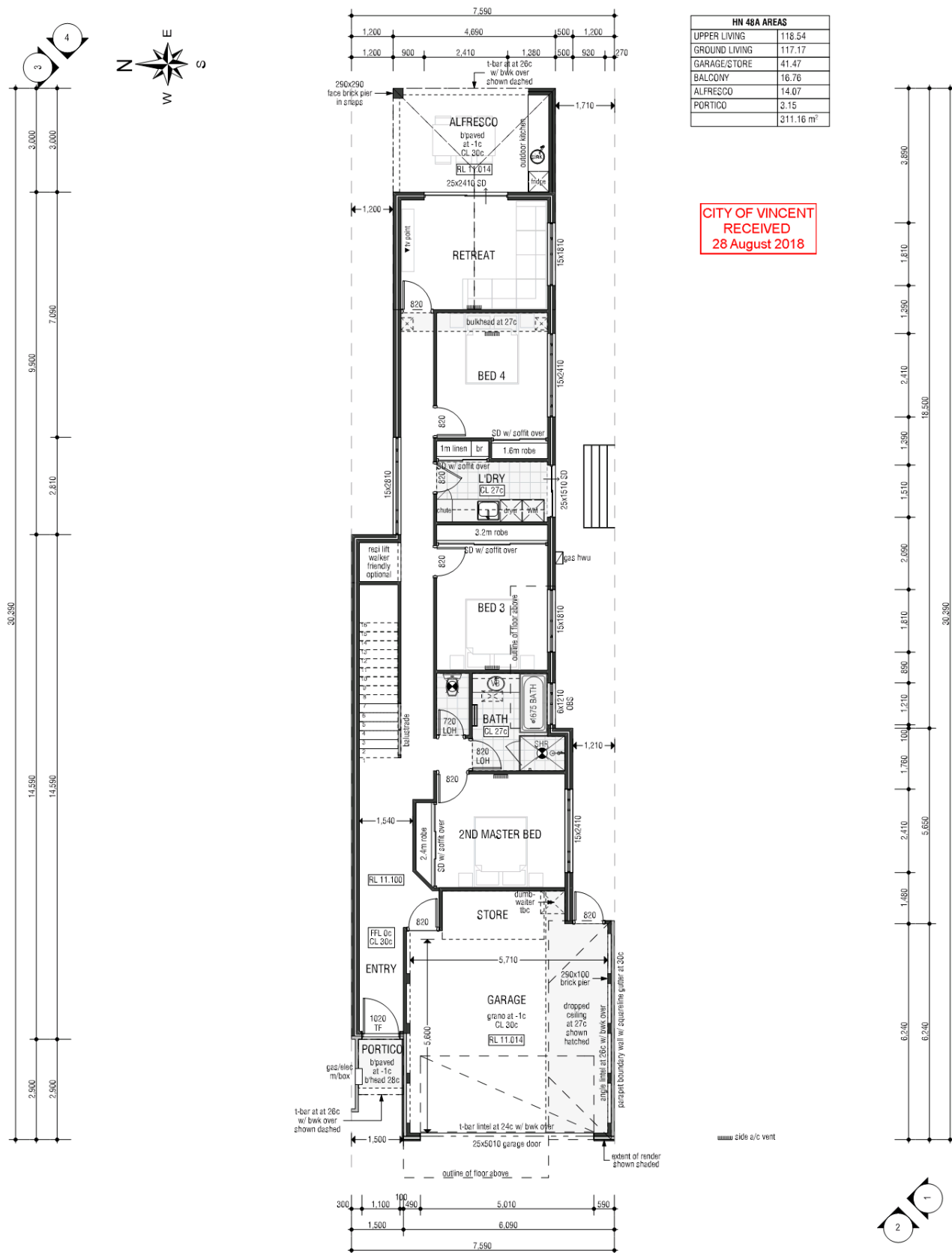
 <p>67 howe street, ozborne park wa 6017 • po box 1118, ozborne park wa 6016 p: 9202 6888 • f: 9202 6801</p>	<b>amendments:</b> 05.06.18 a submit to council for DA 28.08.18 b DA amendments				<b>project:</b> MALCOLM & MAY ROE'S RESIDENCES			
					<b>project address:</b> LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016			
		scale:	date:	drawn by:	drawing no.:			
		1:200	23 APR 2018	AVN	1580_DA 2 of 10			

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## Overshadowing & Privacy

 <p>67 howe street, osborne park wa 6017 • po box 1118, osborne park wa 6016 p: 9202 6888 • f: 9202 6801</p>	<b>amendments:</b> 05.06.18 a submit to council for DA 28.08.18 b DA amendments				<b>project:</b> MALCOLM & MAY ROE'S RESIDENCES			
					<b>project address:</b> LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016			
				scale:	date:	drawn by:	drawing no.:	
				1:200	23 APR 2018	AVN	1580_DA 3 of 10	



## HN 48 Ground Floor Plan



67 howe street, Osborne Park wa 6017 • po box 1118, Osborne Park wa 6016  
p: 9202 8888 • f: 9202 8801

### amendments:

05.06.18 a submit to council for DA  
28.08.18 b DA amendments

### project:

MALCOLM & MAY ROE'S RESIDENCES

### project address:

LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016

### scale:

1:100

### date:

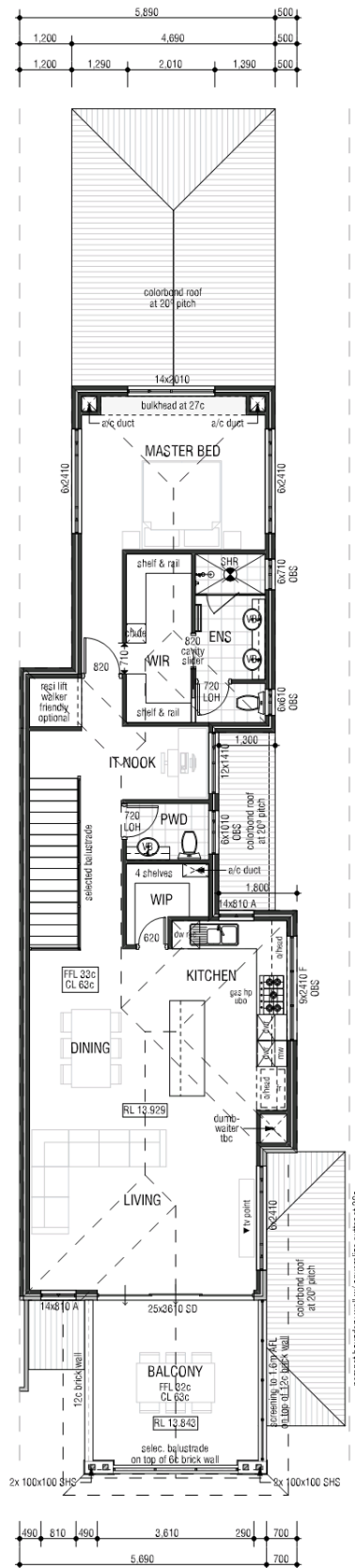
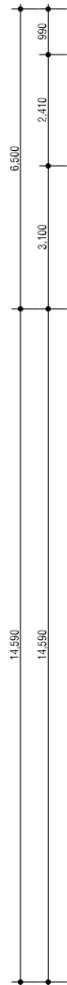
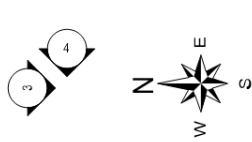
23 APR 2018

### drawn by:

AVN

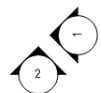
### drawing no.:

1580\_DA 4 of 10



HN 48A AREAS	
UPPER LIVING	118.54
GROUND LIVING	117.17
GARAGE/STORE	41.47
BALCONY	16.76
ALFRESCO	14.07
PORTICO	3.15
	311.16 m <sup>2</sup>

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28 August 2018



## HN 48 Upper Floor Plan



67 howe street, Osborne park wa 6017 • po box 1118, Osborne park wa 6016  
p: 9202 8888 • f: 9202 8801

### amendments:

05.06.18 a submit to council for DA  
28.08.18 b DA amendments

### project:

MALCOLM & MAY ROE'S RESIDENCES

### project address:

LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016

### scale:

1:100

### date:

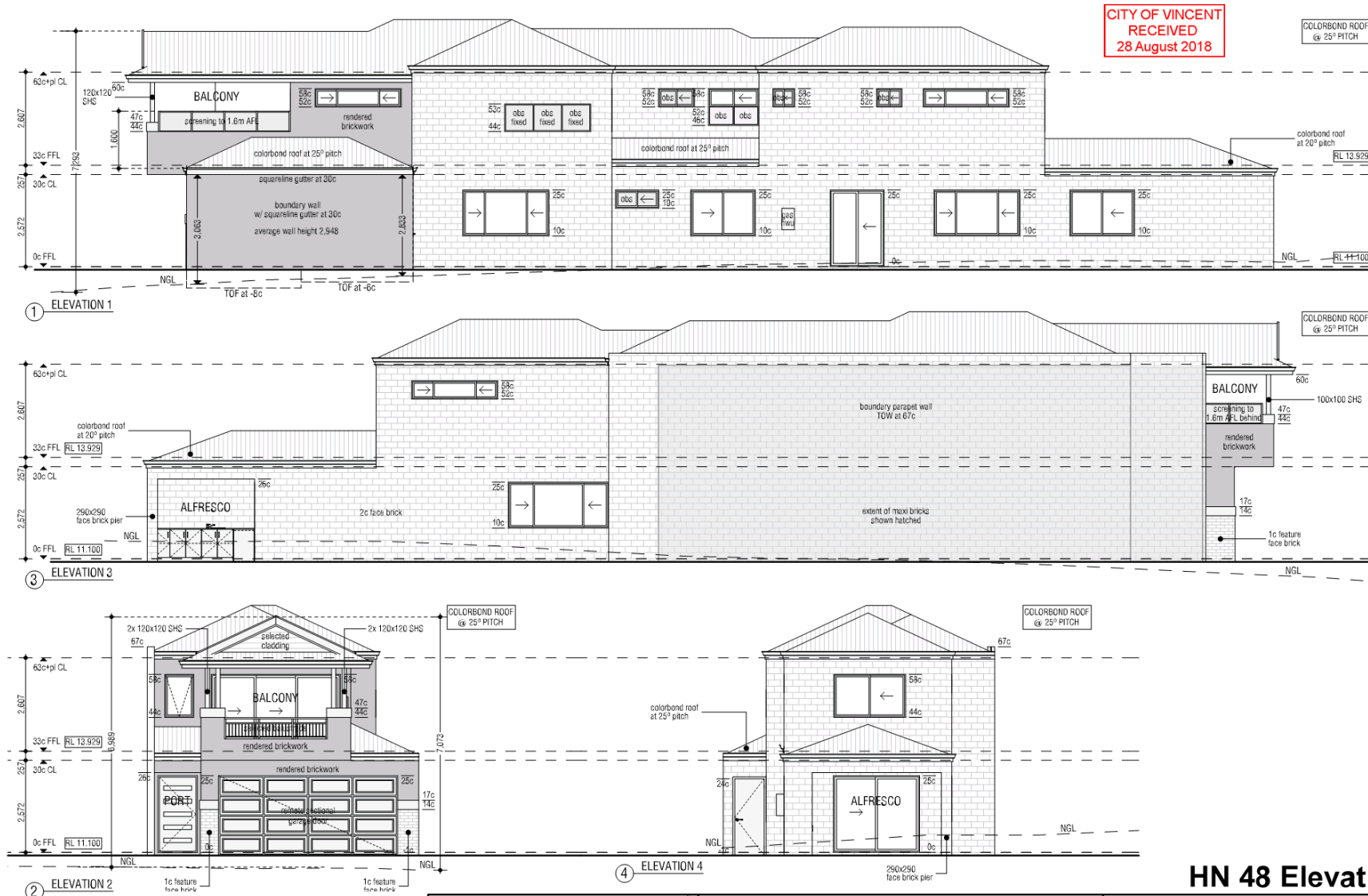
23 APR 2018

### drawn by:

AVN

### drawing no.:

1580\_DA 5 of 10



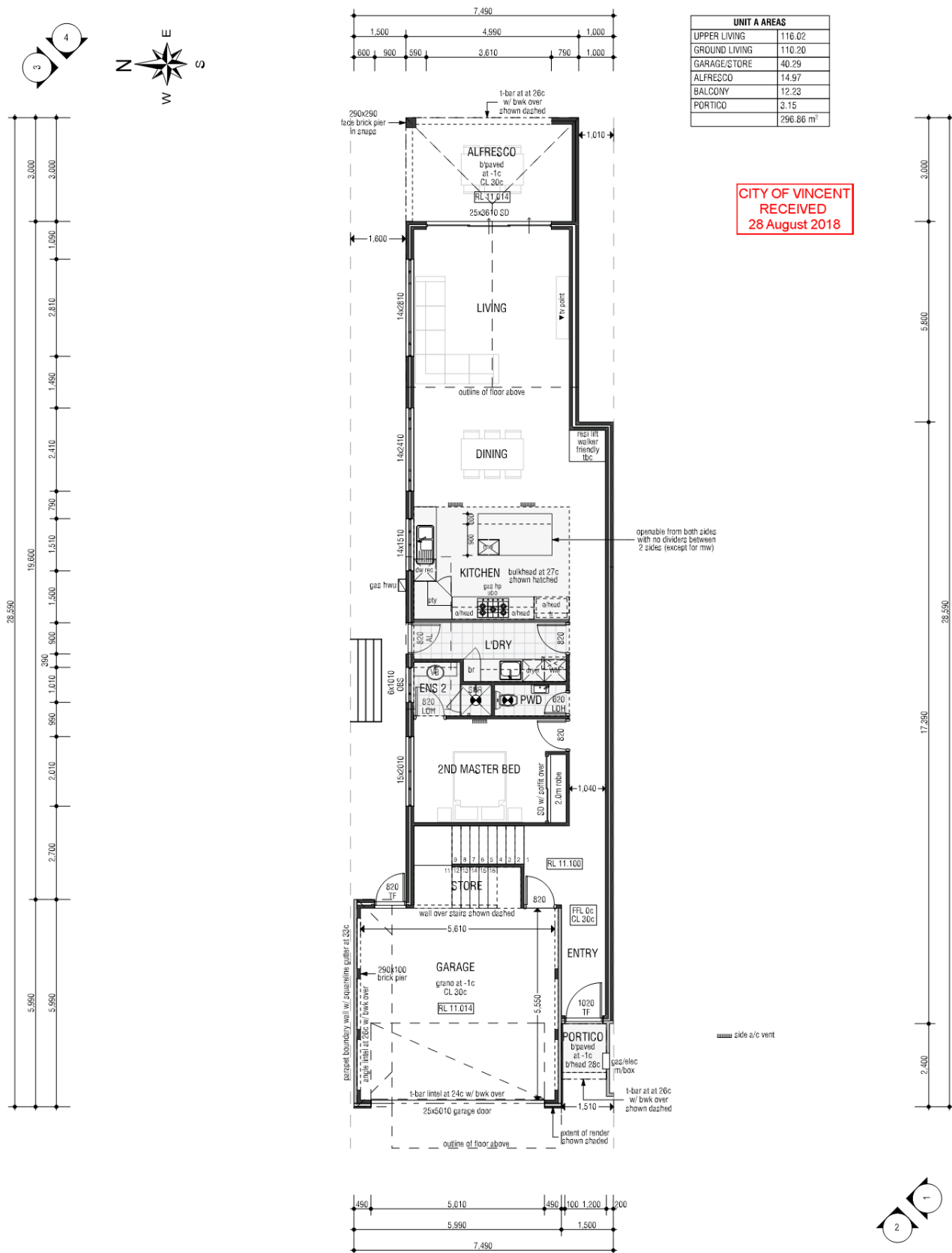
**INTEGRITY**  
developments

67 howe street, osborne park wa 6017 • po box 1118, osborne park wa 6016  
p: 9202 6888 • f: 9202 6801

amendments:			
05.06.18	a	submit to council for DA	
29.06.18	b	DA amendment	

project: MALCOLM & MAY ROE'S RESIDENCES			
project address: LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016			
scale: 1:100	date: 23 APR 2018	drawn by: AVN	drawing no.: 1580_DA 6 of 10





## amendments:

05.06.18 a submit to council for DA  
28.08.18 b DA amendments

## project:

MALCOLM &amp; MAY ROE'S RESIDENCES

## project address:

LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016

## scale:

1:100

## date:

23 APR 2018

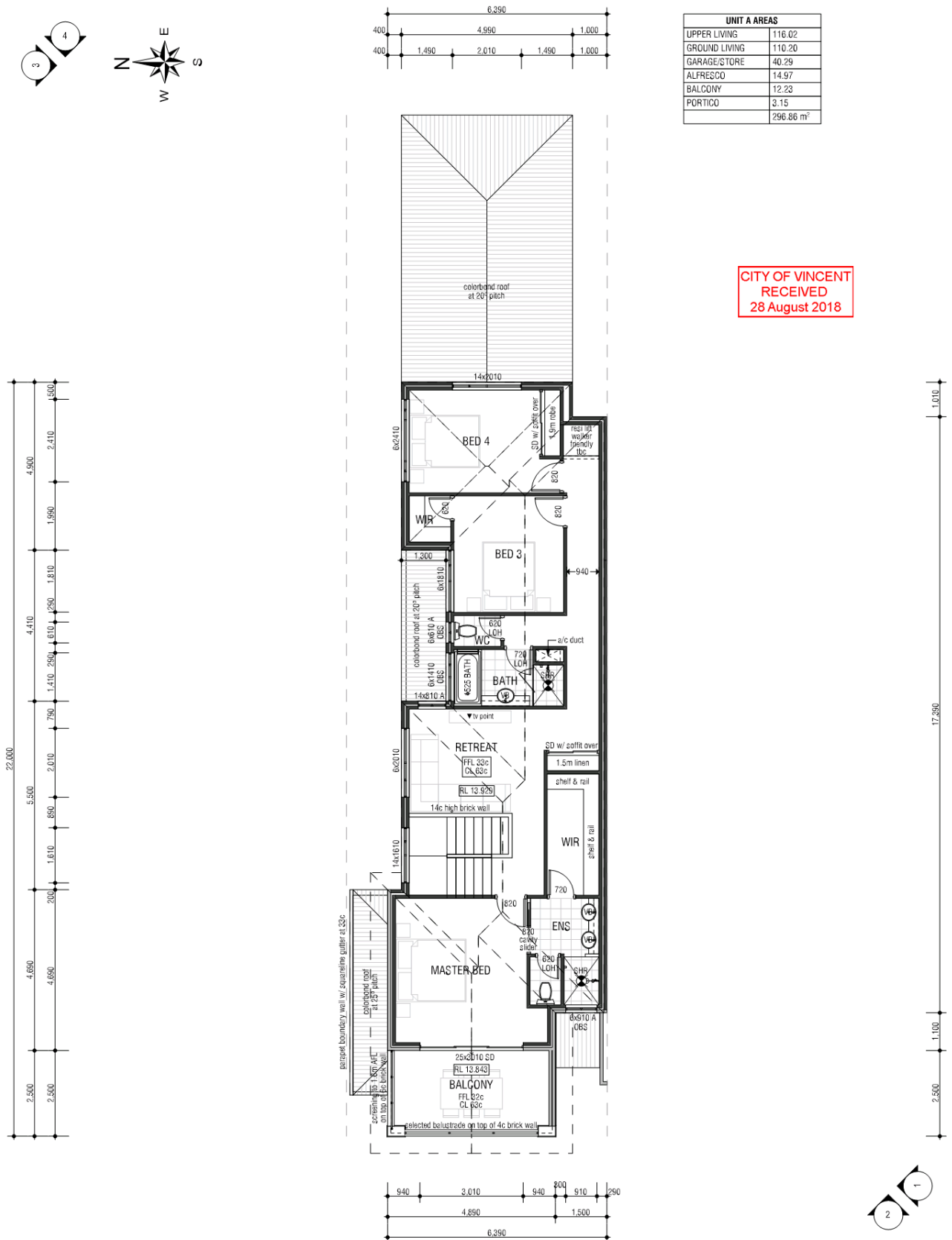
## drawn by:

AVN

## drawing no.:

1580\_DA 7 of 10





67 howe street, osborne park wa 6017 • po box 1118, osborne park wa 6016  
p: 9202 8888 • f: 9202 8801

**amendments:**

05.06.18 a submit to council for DA  
28.08.18 b DA amendments

**project:**

MALCOLM & MAY ROE'S RESIDENCES

**project address:**

LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016

**scale:**

1:100

**date:**

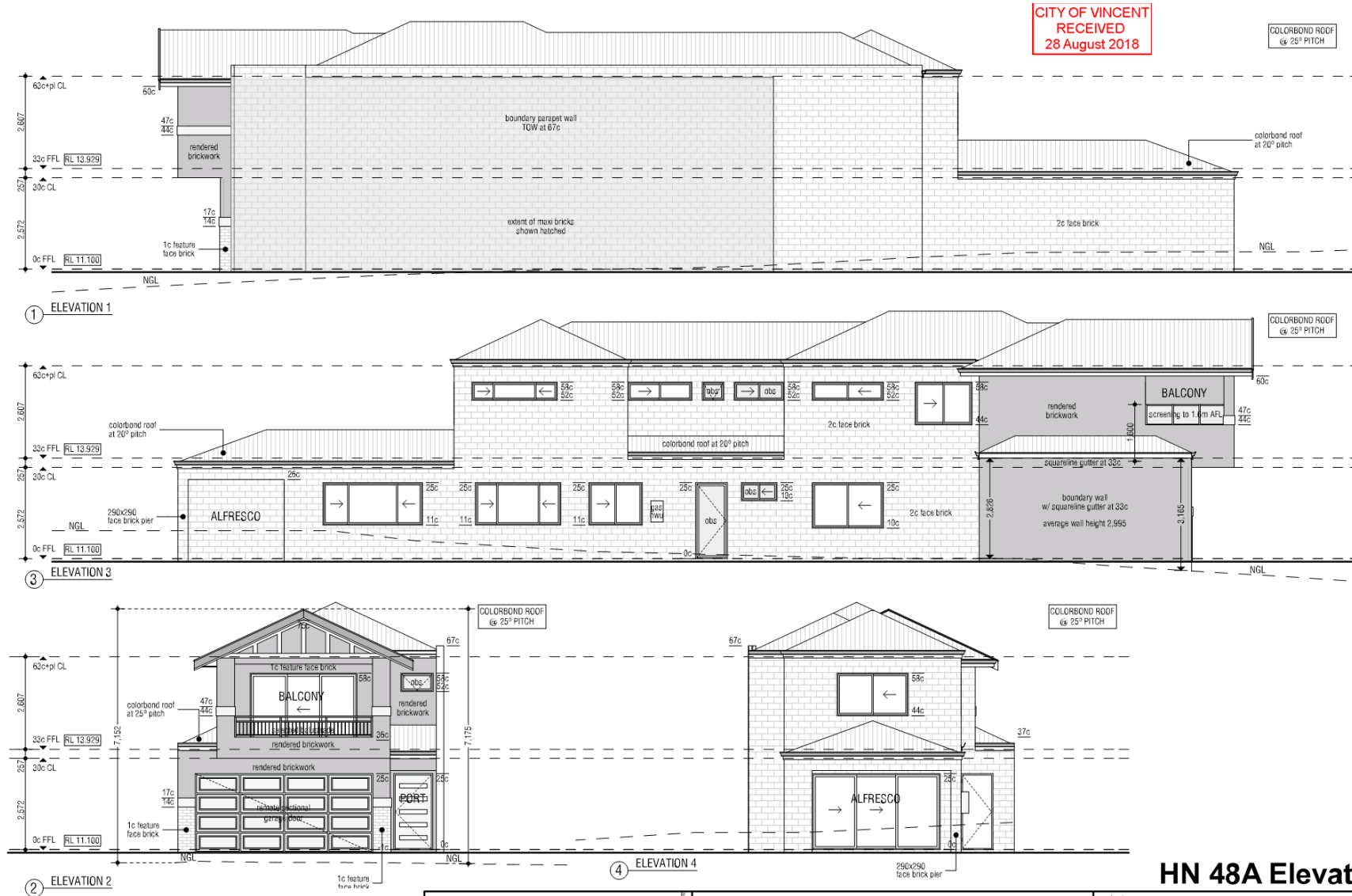
23 APR 2018

**drawn by:**

AVN

**drawing no.:**

1580\_DA 8 of 10



amendments:

05.06.18	a	submit to council for DA
29.08.18	b	DA amendment

project: MALCOLM & MAY ROE'S RESIDENCES			
project address: LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016			
scale: 1:100	date: 23 APR 2018	drawn by: AVN	drawing no.: 1580_DA 9 of 10

## HN 48A MATERIAL SELECTION

LIGHT RENDER COLOUR:  
HIGHGATE OR SIMILAR

MEDIUM RENDER COLOUR:  
DULUX FLOODED GUM OR SIMILAR

WINDOW FRAMES COLOUR:  
WHITE

ROOF COLOUR:  
BASALT

FACE BRICK:  
RED VINTAGE OR SIMILAR



## HN 48 MATERIAL SELECTION

LIGHT RENDER COLOUR:  
HIGHGATE OR SIMILAR

MEDIUM RENDER COLOUR:  
DULUX COLORBOND DUNE OR SIMILAR

WINDOW FRAMES COLOUR:  
WHITE

ROOF COLOUR:  
SURFMIST


FACE BRICK:  
RED VINTAGE OR SIMILAR



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28 August 2018



## 3D Views

 67 howe street, osborne park wa 6017 • po box 1118, osborne park wa 6016 p: 9202 6888 • f: 9202 6801	<b>amendments:</b>				project:				
	28.08.18	a	submit to council for DA			MALCOLM & MAY ROE'S RESIDENCES			
	28.08.18	b	DA amendments			project address:			
						LOT 5 HN 48 EGINA ST MOUNT HAWTHORN WA 6016			
						scale:			
						date:	drawn by:	drawing no.:	
						23 APR 2018	AVN	1580_DA 10 of 10	

City of Vincent  
244 Vincent Street  
Leederville

27<sup>th</sup> August 2018

ATTN: Planning Department

**RE: Proposed Development at Hn 48 Egina Street, Mount Hawthorn**

We, the land owners of 48 Egina Street, Mount Hawthorn, confirm that, upon receiving all relevant approvals, will be building both houses at 48 Egina Street at the same time.

This being the case, the two double storey boundary walls will be simultaneously constructed.

Kind Regards,

Two handwritten signatures in black ink. The first signature on the left is 'C. M. Roe' and the second signature on the right is 'C. H. Roe'.

Colin Malcolm Roe and Corinne May Roe  
Woodvale 6026

**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Officer Technical Comment:
<p><u>Street Setback</u></p> <p>The proposed street setback is considered to be inconsistent with the established street setback of Egina Street. Most specifically, the adjoining dwellings. The development is not considered to meet the Design Principles of the Built Form Policy as the development has not preserved the existing streetscape.</p> <p>The proposal does not enhance the existing visual Streetscape as there are no other side-by-side developments on Egina Street. The existing streetscape comprises of single detached dwelling and does not contain 'terrace style' dwellings or grouped dwellings. Concerns raised on the proposed development creating a precedent for terrace style housing.</p> <p>The reduced street setback is considered to increase the prominence of the garages and provides no visual connectivity between the dwelling at ground level and the streetscape.</p> <p>The proposed street setback does not provide adequate space for landscaping and car parking outside of the garage.</p> <p>The upper level overhang is considered to provide an imposing streetscape presence and bulk within the front setback area.</p>	<p>The applicant has provided amended plans to incorporate a range of materials and finishes including face brick and banding, wooden timber detailing and elements of render. The incorporation of a face brick element and the wooden detailing responds to the existing developments along the Egina Street and within the broader Mount Hawthorn area. This is considered to tie the development into the existing streetscape character.</p> <p>Although the adjoining properties are setback approximately 7.8 metres and 8.2 metres respectfully, there are dwellings located on Egina Street with a street setback of 4.5 metres. Meaning the proposed development is consistent with some of the established street setbacks on Egina Street.</p> <p>The lot configuration of the subject site was established through the subdivision approval issued by Western Australian Planning Commission. The subject site met the minimum and average lot sizes to facilitate subdivision in accordance with the R30 density code.</p> <p>The applicant has provided amended plans that has set the front doors of the dwelling forward by 2.3 metres. The setting forward of the front door combined with the passive surveillance provided by the balconies is considered to provide visual connection to the street.</p> <p>The development provides two on-site car bays for each dwelling, which meets the deemed-to-comply requirement of the Residential Design Codes (R Codes) for the provision of car parking. A condition of approval has been recommended for an amended landscape plan to be provide to achieve the City's 30 percent canopy cover requirement. It is noted the application has provided amended plans demonstrating compliance with the 15 percent deep soil zone requirements.</p> <p>The proposed dwellings provide balconies that overhang the garages of the dwellings. The overhang of the balconies adds detail and articulation in the façade, which is considered to aid in moderating the impact of the building bulk and scale.</p>

**Summary of Submissions:**

Comments Received in Objection:	Officer Technical Comment:
<p><u>Lot Boundary Setback/Boundary Walls</u></p> <p>The proposed lot boundary setbacks do not meet the requirements of the City's Built Form Policy. The proposed lot boundary setback are considered to present significant building bulk to the adjoining properties.</p> <p>The development does not provide adequate ventilation to the adjoining properties. The development will block the adjoining properties access to natural light, which will impact on the usability of the adjoining property's outdoor living area and habitable rooms. There is also the potential for the development to overshadow the adjoining properties solar panels. The cumulative impact of the overshadowing of the development is considered to have significant impact on the adjoining property.</p> <p>The proposed nil setback for the balconies and the proposed screening is considered inadequate to provide privacy to the adjoining properties. Further steps could be taken to reduce the impact on the adjoining properties. For example, a 1.8m privacy screen.</p> <p>The proposed balconies are located too close to the bedrooms of the surrounding dwellings and facilitate overlooking into the adjoining properties front yards. This does not provide adequate privacy for residents or adjacent and opposite neighbours.</p>	<p>The City notes that the upper level setback variations were advertised in error. The only lot boundary setback variation relates to a select 5.6 metre portion of wall on the ground level of the southern façade, which is setback 1.2 metres in lieu of the required 1.7 metres. The remaining portion of the southern façade is setback 1.7 metres, which exceeds the deemed-to-comply requirement. As a result, it is considered that the proposal is unlikely to result in an adverse impact on the neighbouring habitable rooms or outdoor living space.</p> <p>The development provides 30.39 percent overshadowing to the adjoining property located to the south. The Residential Design R Codes permits a maximum of 35 percent overshadowing to the adjoining property under the R30 density coding. The development complies with the deemed-to-comply for overshadowing under the R Codes.</p> <p>The balconies are setback 1.9 metres from the southern lot boundary and 1.2 metres from the northern lot boundary. Both balconies provide a 1.6 metre high visual privacy screen that restricts overlooking to the adjoining properties. The 1.6 metre high privacy screen meets the deemed-to-comply requirements of the R Codes for visual privacy.</p> <p>The visual privacy requirements of the R Codes do not apply to the front setback area (front yard).</p>
<p><u>Garages Setback</u></p> <p>The proposed garage setbacks do not meet the requirements of the City's Built Form Policy. The proposed garages create significant building bulk at the front of the site and are not consistent with the established streetscape. The proposed garages are not considered to preserve or enhance the existing streetscape.</p> <p>The proposed garages are considered to create a safety issue for pedestrians using the footpath. The proposed garages are located closer to the foot path and do not provide clear sightlines may obstruct the neighbouring properties view when reversing.</p>	<p>The development proposes to have the garages set forward 2.4 metres (north) and 3.0 metres (south) in front of the building line of the dwellings on the ground level. The proposed overhang of the upper level balcony and the incorporation of alternative colours and materials is considered to mitigate the perception of building bulk through providing articulation and contributing to the existing streetscape character. It is noted that the garage at Nos. 50 and 52 Egina Street are set forward of the dwelling, meaning the proposed garage is not considered to be inconsistent with the existing streetscape.</p> <p>The development meets the deemed-to-comply requirements of the R Codes for vehicle sightlines.</p>

**Summary of Submissions:**

Comments Received in Objection:	Officer Technical Comment:
<p><u>Garages Width</u></p> <p>The proposed design is considered to be out of character and scale with the existing streetscape. The development's frontage is completely operated by building mass with the dominant garages and overhanging balconies that project building bulk that is inconsistent with the existing streetscape.</p> <p>Two solid garage doors is considered to dominate the frontage. The proposed garages have a significantly greater width than the existing garages located in the area. The visual connectivity between the dwelling and the streetscape is therefore lost.</p> <p><i>'It is inconsistent with Spp 3.1 residential design codes 1. 5.2.2 Garage Width. The application proposes a 28% increase on the deemed to comply provisions, which allow for 50% of the frontage. The application is not eligible to increase the garages to 60% because the upper floors do not extend the full width of the garage. By my calculations, a greater variation is proposed; lot A has a width of 7.590 and Lot B has a width of 7.490m providing a combined frontage of 15.08m. The garages are 6.09m and 5.99 wide, which combined would account for 80% of the frontage. Considering intramaps which shows a frontage of 15.2m this is still 79% of the frontage. The garages dominate the streetscape and compliance can't be demonstrated with the Design Principles.'</i></p>	<p>The variation to the garage width was advertised in error. The deemed-to-comply requirements of the R Codes outlines that the garage width requirements only applies where the garage is located in front of within 1.0 metres of the building. The R Codes definition of a building includes structures that are appurtenant to a dwelling, such as a balcony. As the garages are located 1.2 metres behind the balconies, this provision of the R Codes does not apply.</p>
<p><u>Site Works</u></p> <p>There is no indication or allowance on development drawings for retaining walls within development.</p>	<p>Noted, any future retaining greater than 0.5 metres on the property boundary will be subject to development approval from the City.</p>
<p><u>Other</u></p> <p>Concerns relating to the intensity of the development and appropriateness for higher density development within this area of Mount Hawthorn. Concerns that this style of development will set a precedent for Egina Street. The proposed development frontage are in the order of 7.6 metres each which are significantly smaller than the existing lot frontages on Egina Street and surrounding area.</p>	<p>As above, the lot configuration of the subject site was established through the subdivision approval issued by Western Australian Planning Commission. The subject site met the minimum and average lot sizes to facilitate subdivision in accordance with the R30 density code. The subject site is afforded a two storey building height limit under the City's Built Form Policy, meaning the proposal is compliant with the applicable building height limit. The proposal is considered to be an appropriate density and scale, given the compliance with site area and building height requirements.</p>



**Summary of Submissions:**

Comments Received in Objection:	Officer Technical Comment:
<p>The development does not comply with the landscaping provisions outlined in the City's Built Form Policy with regards to canopy cover and deep soil zones. The proposed development is not considered to meet the design principles for landscaping under the City's Built Form Policy.</p> <p>The development greatly exceeds the 45 percent minimum outdoor requirement and provides little green space.</p> <p>Request for the application to be determined by Council.</p> <p>Submissions note that comment could be made on drawing 1580_DA 2 of 10 as it was not provided.</p> <p><i>'Pre-demolition comment of "Timber pailing fence in fair condition" was accurate prior to demolition, however fence was damaged during demolition and needs replacing as part of any development.'</i></p>	<p>The applicant has provided amended plans bringing the development into compliance with the required 15 percent deep soil zones. A condition of approval has been recommended requiring an updated landscape plan to be provided demonstrating compliance with the 30 percent canopy cover requirement.</p> <p>The proposal provides 46 percent open space which meets the deemed-to-comply requirements of the R Codes for 45 percent open space.</p> <p>Noted.</p> <p>Drawing '1580_DA2' is the proposed Strata Plan. The proposed Strata Plan does not form part of the application for development approval and as such was not advertised. It is noted that the Western Australian Planning Commission has issued approval for two green title lots on the subject site. Meaning the subdivision will no longer be Strata.</p> <p>Boundary fencings are a civil matter and are not subject to development approval from the City.</p>

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

**Determination Advice Notes:**

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
3. In reference to Condition 1.2, simultaneous building permits for the proposed single houses on lots 201 and 202 are required.
4. In reference to Condition 5, the store rooms are to be free of obstructions, including but not limited to stairs or doorways.
5. An Infrastructure Protection Bond for the sum of \$3,000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
7. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications.
8. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
9. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

<b>5.3</b>	<b>NO. 5/216 (LOT: 5; STR: 48057) STIRLING STREET, PERTH - AMENDMENT TO APPROVAL FOR CHANGE OF USE FROM OFFICE TO SHOP</b>
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**TRIM Ref:** D18/126692

**Author:** Clair Morrison, Urban Planner

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** South

**Attachments:**

1. Attachment 1 - Consultation and Location Plans [↓](#) 
2. Attachment 2 - Development Approval Documentation and Plans Dated 13 July 2018 [↓](#) 
3. Attachment 3 - Written Submission and Parking Occupancy Plans [↓](#) 

#### RECOMMENDATION:

That Council, in accordance with the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the amendment to the development approval for change of use from office to shop at No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth in accordance with the plans included in Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2018.180.1 granted on 13 July 2018 and included in Attachment 2 continue to apply to this approval, except as follows:

##### 1.1 Condition 4 is amended to read as follows:

- 4.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of 2.2 parking bays, based on the cost of \$5,400 per bay as set out in the City's 2018/19 Schedule of Fees and Charges, being a contribution of \$11,880 within 60 days of this decision or by entering into a written agreement with the City to pay the cash-in-lieu amount over an agreed period of up to five years.

#### PURPOSE OF REPORT:

To consider an application to amend an existing development approval for a Change of Use from Office to Shop at Unit 5, No. 216 Stirling Street, Perth.

#### PROPOSAL:

The application seeks to remove existing Condition 4 of the approval, which relates to a cash-in-lieu contribution.

#### BACKGROUND:

<b>Landowner:</b>	Nicole Prout
<b>Applicant:</b>	Susan Vigolo
<b>Date of Application:</b>	16 August 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Mixed Use R Code:R80
<b>Built Form Area:</b>	Mixed Use Area
<b>Existing Land Use:</b>	Shop
<b>Proposed Use Class:</b>	Shop
<b>Lot Area:</b>	86m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	No

The subject site abuts Stirling Street to the west and Brewer Street to the north. The subject site and the lots to the north, south, east and west are zoned Mixed Use with a Residential density coding of R80 under the City of Vincent Local Planning Scheme No. 2 (LPS2). The subject site comprises of a two-storey Mixed Use Development, with residential and commercial uses, including Offices and Shops. The Mixed Use Development was approved by Council on 10 February 2004. A location plan is included as **Attachment 1**.

The subject tenancy currently accommodates a hair dressing business, in accordance with the development approval (change of use from Office to Shop) granted on 13 July 2018. The approved development plans are included in **Attachment 2**. That approval included a condition that required a cash-in-lieu contribution of \$13,176 in lieu of the parking shortfall of 2.44 vehicle bays, in accordance with the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Non-Residential Development Parking Requirements Policy). The requirement payment has not been made and therefore, the current use is in breach of the development approval.

Subsequently, an application was lodged with the City seeking approval to remove the cash-in-lieu contribution condition. The submitted written justification, including a Parking Occupancy Survey, is included in **Attachment 3**. It should be noted that the application involves a slight reduction in Net Lettable Area (NLA) from 86 square metres to 80 square metres.

## DETAILS:

### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2 and the City's Policy No. 7.1.1 – Built Form. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Land Use (only where required)		✓	
Parking & Access			✓
Bicycle Facilities		✓	
External Fixtures		✓	
Surveillance		✓	
Ground Floor Design		✓	
Awnings, Verandahs and Collonades		✓	

### Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Parking and Access	
Deemed-to-Comply Standard	Proposal
<b>Policy No. 7.7.1 – Non-Residential Development Parking Requirements</b>	
3.2 car parking bays	1 car parking bay

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

### CONSULTATION/ADVERTISING:

The original application, was subject to public advertising, as in accordance with the City's Policy No. 4.1.5 – Community Consultation, for a period of 14 days between 14 June 2018 and 27 June 2018. The advertising was undertaken in the form of letters being distributed to surrounding residents and tenants, and the development application plans being published on the City's webpage and available for viewing at the City's Administration Building and Public Library. The City received one submission with regard to the land use being within a close proximity of another hair dressing salon but did not receive any submissions based on the identified 2.2 bay shortfall of vehicle parking on-site. As such, the current application was not advertised.

**Design Review Panel (DRP):**

Referred to DRP: No

**LEGAL/POLICY:**

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.1 – Built Form Policy; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

**Delegation to Determine Applications:**

The application is being referred to Council for determination as the applicant is requesting the waiver of cash-in-lieu payment for the entire shortfall of vehicle parking on-site.

**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*"Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Should Council waive the cash-in-lieu contribution for the shortfall of vehicle parking on-site, the City will not receive the amount of \$11,880 that would contribute toward the provision and upgrading of transport infrastructure within the City of Vincent.

**COMMENTS:**

Car Parking

Based on a NLA of 80 square metres, the shop requires a minimum of 3.2 on-site car parking bays. One car parking bay is currently provided for the shop premises, resulting in a shortfall of 2.2 car parking bays. Based on the City's 2018/19 Fees and Charges Schedule, this equates to a cash-in-lieu contribution of \$11,880.

The applicant has provided detailed written justification as to why the cash-in-lieu payment should be waived for the subject site. The reasons are as follows:

- The location being central to Perth;
- Many clients to the business live within the local area and as a result they may not be reliant on private vehicle use;
- The maximum number of persons on site at any given time, which peaks during the summer months, is 13 persons. This is inclusive of ten clients, two full-time staff and one part-time staff member (when required) at any one time;
- The amount of time spent by clients at the subject site may vary from two to four hours, which reflects the parking restrictions for surrounding bays;
- Proximity to high-frequency public transport options;
- The ability for clients to use active transport options (i.e. walking/cycling);

- Being a small business, the ability to pay for this significant amount of cash-in-lieu is unrealistic; and
- Based on the submitted Parking Survey and Parking Occupancy Survey (detailed below), there is a significant amount of public car parking facilities within walking distance of the subject site.

As noted above, the applicant submitted a Parking Occupancy Survey (Survey), which is included in **Attachment 3**. The Survey sets out seven 'Parking Zones' within close proximity of the subject site. The applicant surveyed the occupancy of parking bays within these parking zones at two separate times, being 12:50pm on Friday 20 July 2018 and 1:45pm on Saturday 21 July 2018. The percentage of available bays at these specific times are as follows.

Zone	12:50pm Friday 20 July 2018	1:45pm Saturday 21 July 2018
1 (both sides of Brewer Street between Stirling and Pier Streets)	24 percent	44 percent
2 (eastern side of Stirling Street between Brisbane and Brewer Streets)	14 percent	21 percent
3 (central Stirling Street between Brisbane and Brewer Streets)	84 percent	81 percent
4 (western side of Stirling Street between Brisbane and Brewer Streets)	26 percent	42 percent
5 (western side of Stirling Street between Brewer and Edward Streets)	9 percent	18 percent
6 (central Stirling Street between Brewer and Edward Streets)	83 percent	83 percent
7 (eastern side of Stirling Street between Brewer and Edward Streets)	92 percent	97 percent

Based on the Parking Occupancy Survey and the written submission provided, clients attending the site have access to a number of transport options including private vehicles, public transport and active transport options, such as walking or cycling.

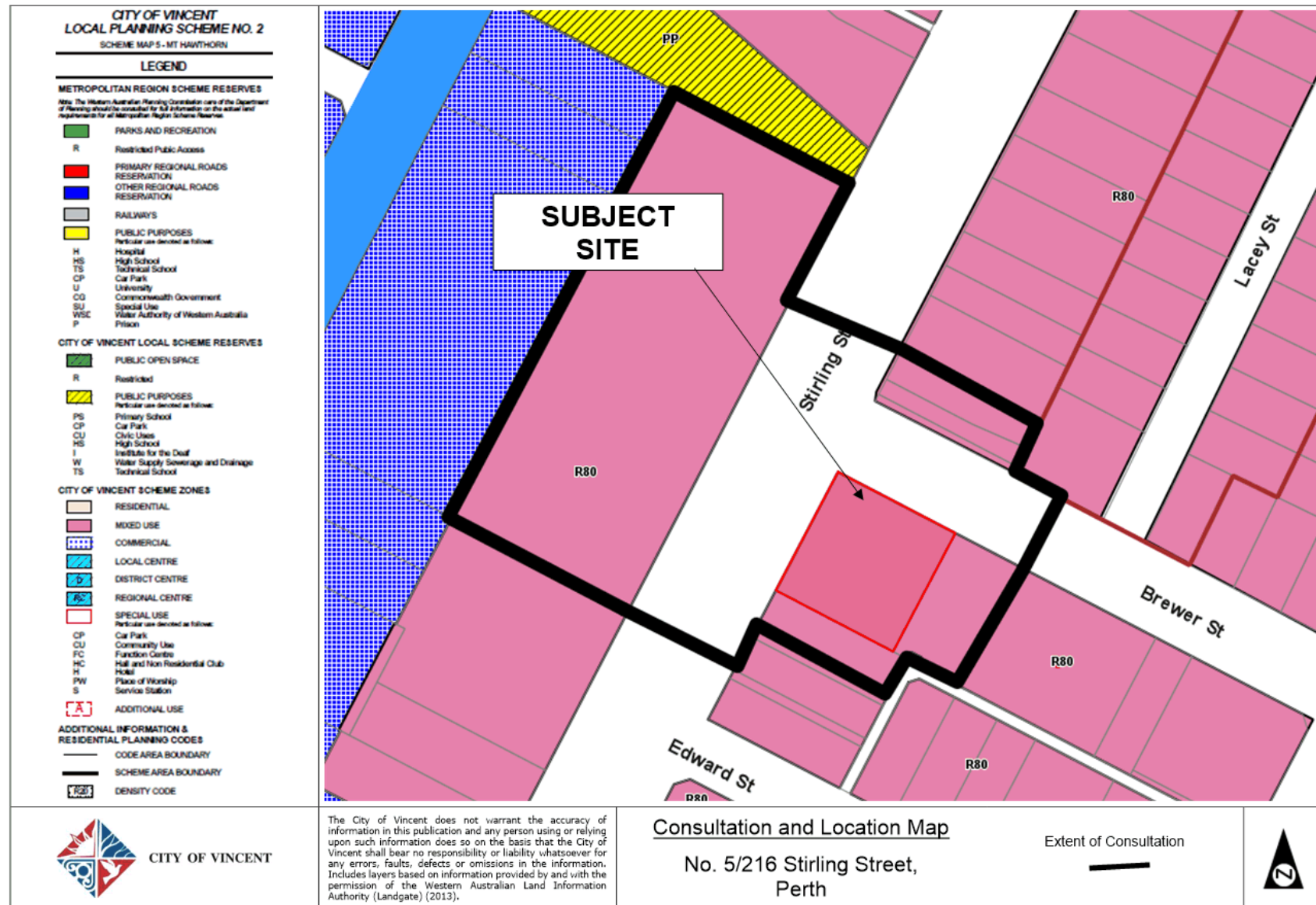
In considering the matter, the following is relevant:

- With regard to staff parking, the applicant has indicated there will be two full-time and potentially one part-time staff at any given time, with a part-time employee only being required as necessary (during peak seasons). Accounting for the car parking bay provided on-site that is intend to be utilised for one of the full time staff, it is considered that at least one public parking bay will be used continuously for the purpose of one full-time and/or one part-time employee to park daily.
- All clients using private vehicles will be solely reliant on the public parking spaces provided by the City surrounding the subject site.
- The applicant has not indicated that any employee will use public or active transport modes as a form of commute.
- In light of the above, all clients using private transport and one full-time employee will be reliant on the available public parking.
- There are no bicycle bays located on-site or within the public realm adjacent to the existing building, which may deter clients from cycling to the subject site.

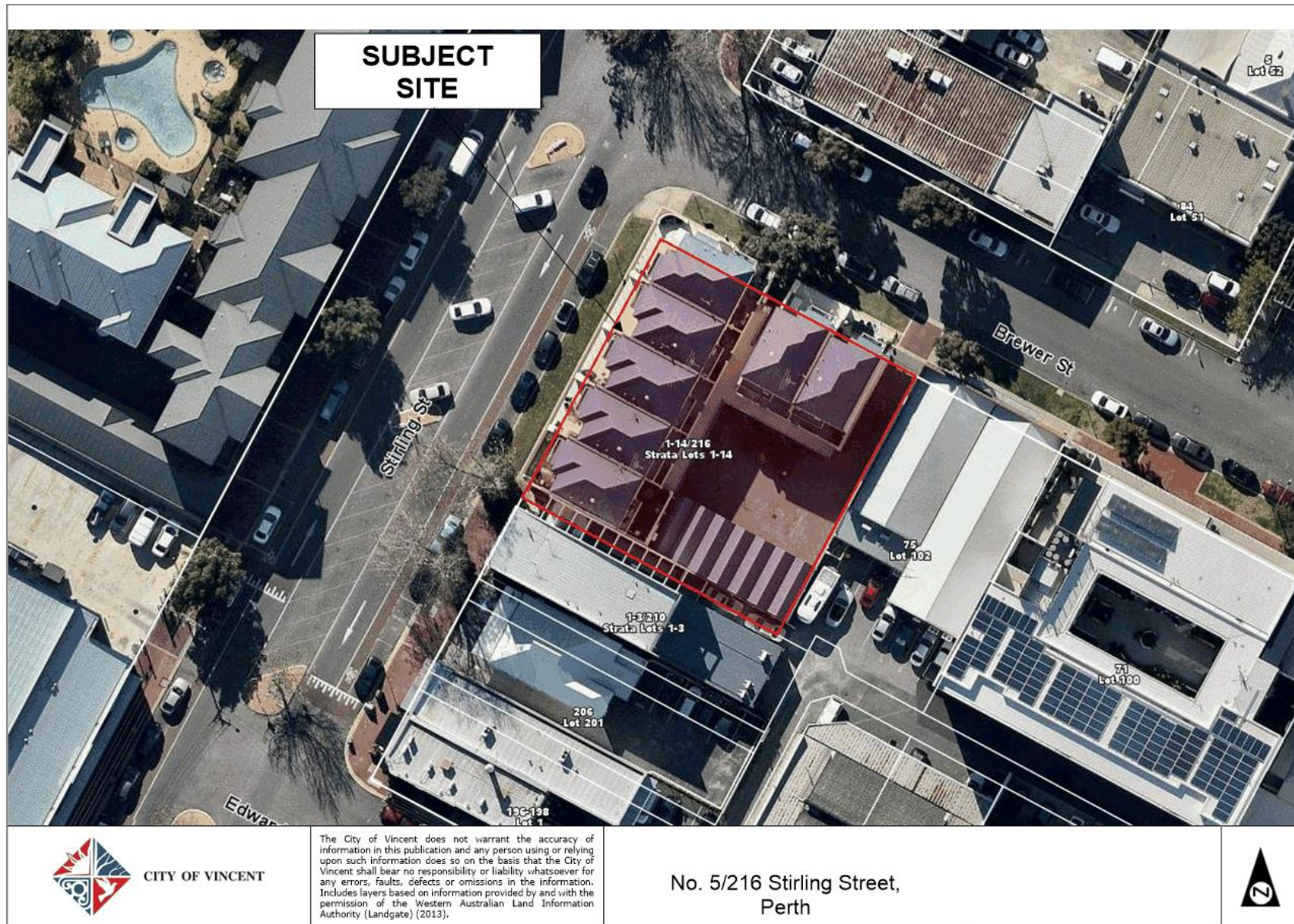
Based on the above, the City considers it reasonable that the applicant pay the cash-in-lieu equivalent of the 2.2 car parking bay shortfall, which equates to \$11,880.

### Conclusion

The land use of Shop was approved under delegated authority on 13 July 2018, with a condition requiring the applicant to make a cash-in-lieu contribution to car parking. The applicant requests the waiver of the total cash-in-lieu amount due to the proximity a number of alternative high-frequency public transport and active transport options, such as walking and cycling and public car parking spaces. There are no bicycle racks adjacent to the existing building, the two full-time staff and one part-time staff will rely on private vehicles with only one car bay on-site, and all clients using private vehicles will utilise public parking provided by the City. As such, Administration recommends that Condition 4 of the approval be amended to provide the cash-in-lieu contribution for the shortfall of car parking facilities, at a total cost of \$11,880.









ENQUIRIES TO: Clair Morrison  
Approval Services, (9273 6537)  
OUR REF: 5.2018.180.1



CITY OF VINCENT

13 July 2018

Personal details removed for confidentiality

Dear Sir/Madam,

**NO. 5/216 STIRLING STREET PERTH (LOT: 5 STR: 48057) – PROPOSED CHANGE OF USE FROM OFFICE TO SHOP**

I refer to your Application for Approval to Commence Development dated 16/05/2018 for the above proposal.

I wish to advise that the proposal was assessed and found to be in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and associated policies. Therefore, the application has been granted conditional approval under delegated authority from the Council subject to the terms and conditions shown on the attached form.

Your attention is drawn to the fact that this consent constitutes development approval only and that a Building Permit must be obtained from the City prior to commencement of any construction works. The nominated builder should be provided with a copy of the Notice of determination on application for development approval. Please ensure that the drawings and information submitted to the City with your Building Permit application are identical to those approved by the City with this development approval to avoid delays in the issue of your Building Permit. Please note that any amendments to the drawings and information approved in this development approval that are proposed in the Building Permit application may result in the requirement for a new development application to be submitted for assessment and determination.

I trust that the information is to your satisfaction, however if you have any enquiries regarding the above matter, please do not hesitate to contact Clair Morrison on 9273 6537.

Yours sincerely

**JOSLIN COLLI**  
**COORDINATOR PLANNING SERVICES**

Personal details removed for confidentiality

Cc. *City of Vincent*  
*Compliance Services*



- 2 -

*Planning and Development Act 2005*

City of Vincent

**Notice of determination on application for development approval**

Location: No. 5/216 Stirling Street PERTH

Lot, Plan/Diagram: LOT: 5 STR: 48057

Vol. No: 2601

Folio No: 50

Application date: 16/05/2018

Received on: 16/05/2018

Serial No: 5.2018.180.1

Description of proposed development: Change of Use from Office to Shop

Plans dated: 05/06/2018

This application for development approval is approved subject to the following conditions:

**Conditions**

1. This approval relates to the Change of Use to Shop for Unit 5 as indicated on the approved plans dated 05 June 2018.
2. The use of the premises shall conform with the City of Vincent's Local Planning Scheme No. 2 definition of Shop which states:

*"means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services."*

3. The operating hours of the Shop shall be limited to the following:

Monday: Closed  
Tuesday: 9am to 5pm  
Wednesday: 9am to 8pm  
Thursday: 9am to 8pm  
Friday: 9am to 6pm  
Saturday: 9am to 5pm  
Sunday: 10am to 4pm

4. A cash-in-lieu contribution shall be paid to the City for the shortfall of 2.44 parking bays, based on the cost of \$5,400 per bay as set out in the City's 2018/19 Schedule of Fees and Charges, being a contribution of \$13, 176 prior to the commencement of development or by entering into a written agreement with the City to pay the cash-in-lieu over an agreed period up to five years.
5. The development shall maintain an active and interactive relationship and uninterrupted views between the use of the development and Stirling Street during the hours of the development's operation to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited. Curtains, blinds and other internal or external treatments that obscure the view of the internal area from Stirling Street are not permitted to be used during the hours of the developments operation.

- 3 -

6. Where conditions have a time limitation for compliance and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

#### ADVICE NOTES

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. Any new signage that does not comply with the City's Policy 7.5.2 – Signs and Advertising shall be subject to a separate Development Application and signage may be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
3. An Occupancy Permit is required prior to the occupation of the building.
4. Health Services to be advised upon alterations during construction being proposed and upon completion of construction so that a preliminary and final inspection can be arranged accordingly.
5. Hairdressing premises to be provided with one (1) wash basin for every three (3) work stations as required by the Hairdressing Establishment Regulations 1972. Each hand/hair wash basin to be provided with hot and cold water supply.
6. Plans of any hairdressing or skin penetration establishments (tattoo parlours, electrolysis and beauty therapy premises, acupuncture clinic etc.), to be submitted to the City's Health Services for approval, prior to any construction or installation work being undertaken.

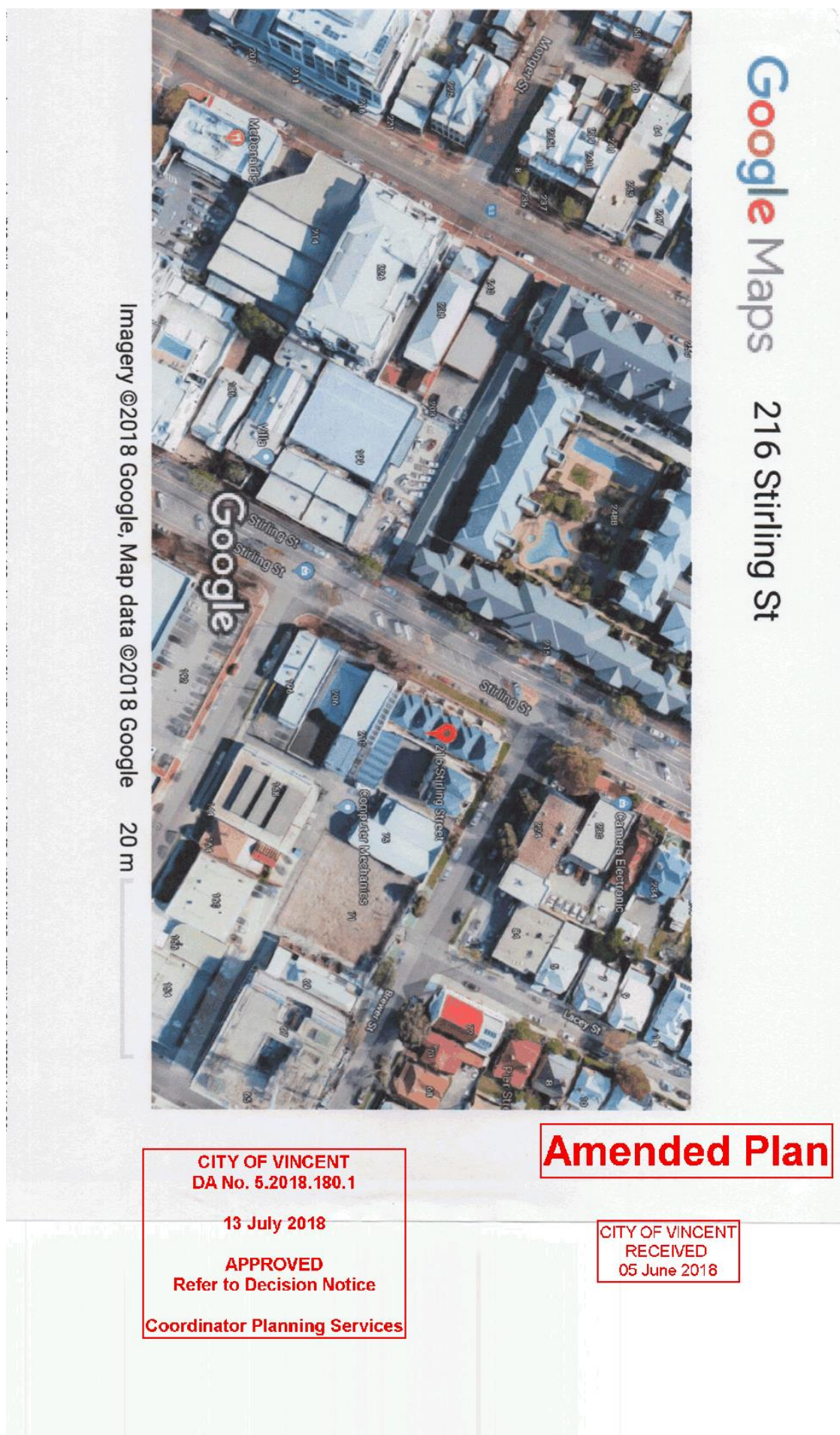
Date of determination: - 13 July 2018

- Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:  Dated: 13 July 2018

**JOSLIN COLLI**  
**COORDINATOR PLANNING SERVICES**  
for and on behalf of the City of Vincent





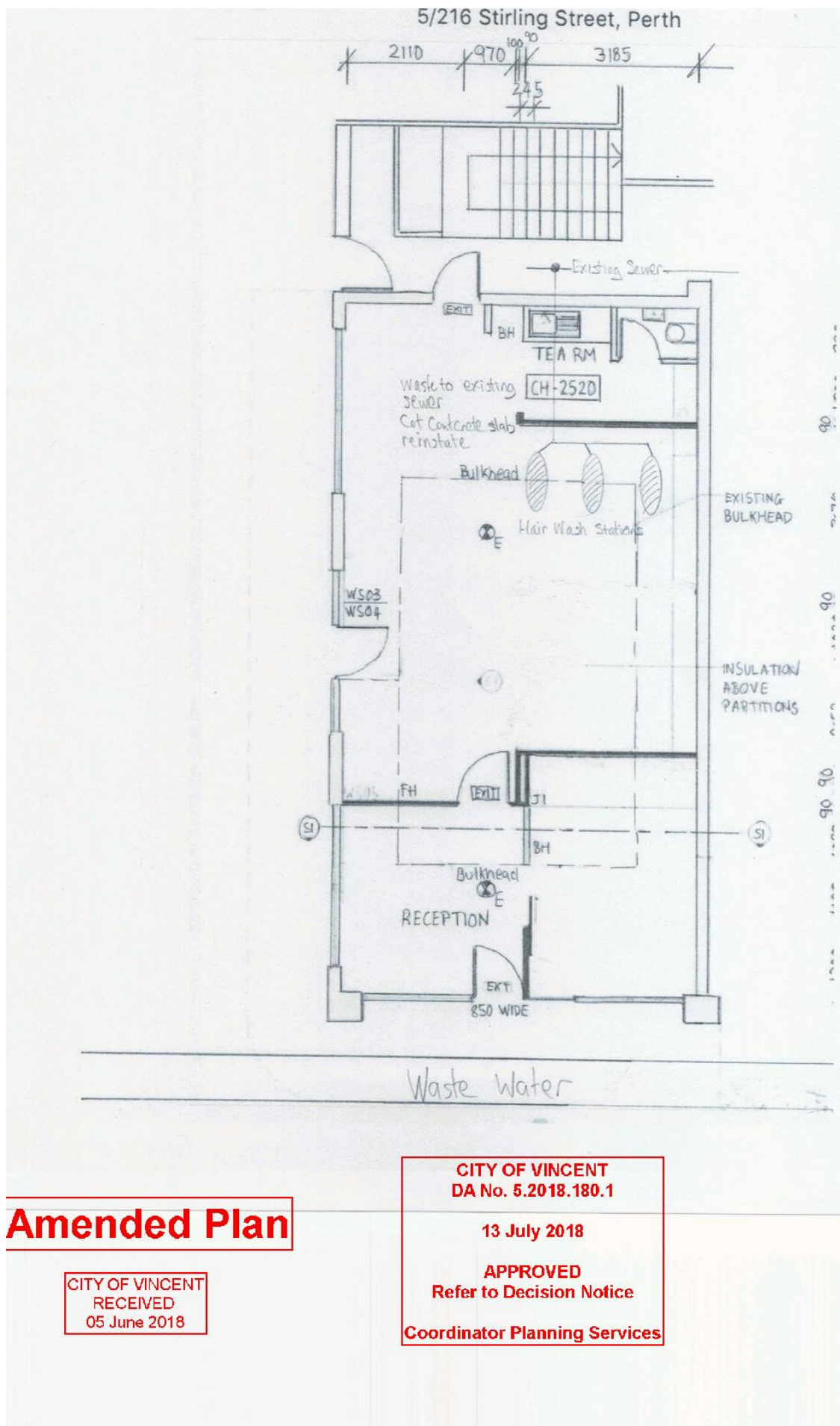


**CITY OF VINCENT**  
**DA No. 5.2018.180.1**

**13 July 2018**

**APPROVED**  
**Refer to Decision Notice**

**Coordinator Planning Services**





8<sup>th</sup> August, 2018

Chief Executive Officer  
City of Vincent  
PO Box 82  
LEEDERVILLE WA 6902



Dear Sir

**APPLICATION TO AMEND A DEVELOPMENT APPROVAL – CONDITION 4 (CAR PARKING) – 5/216 STIRLING STREET, PERTH**

The following application is submitted in relation to a recent approval granted by the City of Vincent for a change of use from office to shop in relation to 5/216 Stirling Street, Perth (ref. no. 5.2018.180.1). The proposal involves amending condition no. 4 to reduce the cash-in-lieu contribution for car parking. Justification for the reduction is provided in the following submission.

The current condition requires a payment of \$13,176 based on a shortfall of 2.44 bays. It is requested that Council amend this condition to require a payment of \$5,400 based on a shortfall of 1 bay. The current condition is considered to be excessive for a small business located in an inner city area close to the Perth CBD, where public transport and active transport (walking/cycling) should be the primary means of transport. Also, there is an abundance of existing on-street public parking already available in the local area.

**Car Parking Requirement as per City of Vincent Policy 7.7.1 – Non-Residential Development Parking Requirements**

Under the Policy, a shop has a parking rate of 4 bays per 100m<sup>2</sup> NLA (net lettable area). In this case, the hair salon has a total floor area of 86m<sup>2</sup>. However, 6m<sup>2</sup> comprises a tea room and toilet, which are able to be excluded from the NLA based on the definition included in the Policy.

Therefore, the total parking requirement is 3.2 bays minus the 1 existing bay for the office, which equals 2.2 bays. According to Council staff no previous variation was given for parking reductions for the office. This requirement is slightly lower than condition no. 4 which specifies a shortfall of 2.44 bays.

Other aspects of the policy, including the overall objectives, grounds for variation of the parking requirements and cash-in-lieu provisions are discussed in a later section of this submission.

**Parking Occupancy Survey**

A parking survey of the local area surrounding the site was undertaken on weekday – Friday, 20<sup>th</sup> July, 2018 and a weekend – Saturday, 21<sup>st</sup> July, 2018. The results are shown below in Table 1. Figure 1 shows the surveyed parking areas surrounding the site.

Figure 1: Local Public Parking Area

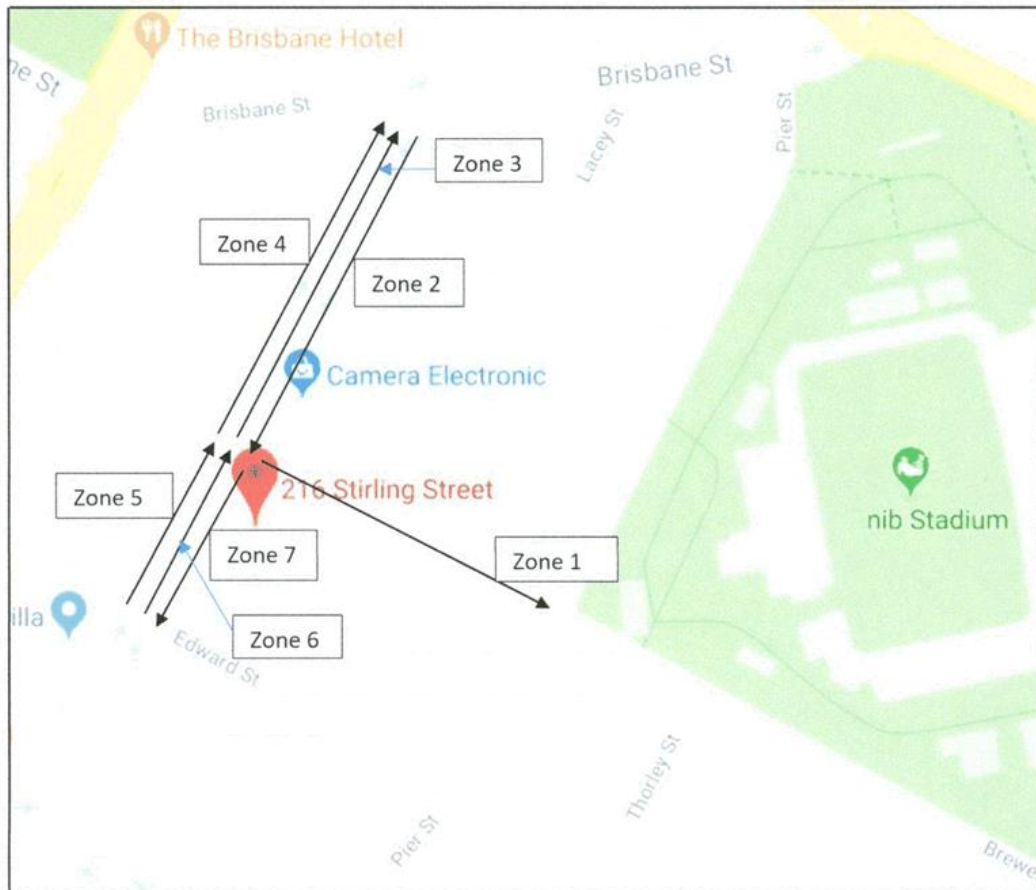




Table 1: Parking Survey Results

Zone	Number of Available Parking Bays	Number of Parked Vehicles Friday (20 <sup>th</sup> July) (12.50pm)	Number of Parked Vehicles Saturday (21 <sup>st</sup> July) (1.45pm)
1 (both sides of Brewer Street between Stirling and Pier Streets)	30	23	17
2 (eastern side of Stirling Street between Brisbane and Brewer Streets)	14	12	11
3 (central Stirling Street between Brisbane and Brewer Streets)	31	5	6
4 (western side of Stirling Street between Brisbane and Brewer Streets)	19	14	11
5 (western side of Stirling Street between Brewer and Edward Streets)	11	10	9
6 (central Stirling Street between Brewer and Edward Streets)	18	3	3
7 (eastern side of Stirling Street between Brewer and Edward Streets)	10	8	3

#### Grounds for Variation of Parking Requirements

Variation of the parking requirements for the hair salon (shop) is justified on the following grounds:

- In accordance with the first objective of Council's Parking Policy (supporting more active and sustainable transport modes), if less parking is provided (but not to the detriment of residents), it will influence travel choice and potentially encourage people to use more active and sustainable transport modes (in particular walking or the bus service along nearby Beaufort Street) and thereby reduce dependence on cars, which will benefit the local area by reducing traffic congestion. Condition no. 4 of the approval should not undermine the walkability and amenity of the area with more parking.
- Approximately 90% of the clients of the hair salon live in the local area (ie. Perth, Highgate and Mt. Lawley) who will most likely walk to the salon. If more parking is provided then this is less likely to occur. At the owner's current hair salon (which is also located in the City of Vincent), approximately 50% of the clients walk to the salon.
- The proposed shop (as defined in the Local Planning Scheme) is a boutique hair salon, which is likely to have a lower client turnover than a normal retail shop and even other hair salons that rely on more trade to remain viable. The peak trading day is Saturday, which only has a maximum of 10 clients and 2 staff during the summer months. The number of clients on a Saturday declines during winter to around 6. Therefore, the demand for parking is likely to be lower than a normal shop. Clients will spend much longer in a hair salon than a shop (eg. a hair colour treatment will take 2-4 hours, which



is longer than customers would usually spend in a shop). In other words, it's more about the experience than simply purchasing services or goods.

- Austroad (Guide to Traffic Management Part 11 - parking) questions the relationship between floorspace and parking demand. Austroads recommends that parking ratios be treated as a guide, which may be varied and applied flexibly based on circumstances. This is considered to be a reasonable approach and applicable in this case.
- In accordance with clause 1.2.2 of the Policy, which allows parking requirements to be varied based on certain criteria, there is an adequate provision of accessible and available public parking. As detailed in the parking survey, there is sufficient available on-street parking in both Stirling Street and Brewer Street, which has already been provided to cater for developments in the area. The on-street parking in the local area is in good condition and there is no obvious need for upgrading and therefore it is difficult to understand where cash-in-lieu contributions would be spent. The current policy provides little guidance, although it is understood that Council is in the process of preparing a policy which will provide guidance for spending cash-in-lieu.
- The use is for a small business with limited funds for the payment of parking. Many hairdressers operate from home (without planning approval) and are therefore not subject to the same costs and requirements. Small businesses should be encouraged to locate in commercial and mixed use areas but this is unlikely to occur if business operators are subject to high cash-in-lieu parking contributions.
- The business will add to the vibrancy and safety of the area. Condition no. 5 requires direct line of sight from the shop to the street, maximising passive surveillance.
- It will be an additional service for local residents.
- In accordance with the objectives of the Policy, the needs of users/clients are already met by existing on-street parking.
- The encouragement of active forms of transport (ie walking) reduces the carbon footprint, which is an objective of the City of Vincent Local Planning Strategy.

Therefore, based on the above grounds, it is requested that Condition no. 4 be amended to state 1 parking bay shortfall, requiring a cash-in-lieu contribution of \$5,400.

Personal details removed for confidentiality

Yours faithfully

Sue Vigolo

Personal details removed for confidentiality



<b>5.4</b>	<b>NO. 33 (LOT: 421 D/P: 301706) CHURCH STREET, PERTH - PROPOSED AMENDMENT TO CONDITIONS OF APPROVAL: OFFICE AND UNLISTED USE (COMMUNITY SERVICE)</b>
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**TRIM Ref:** D18/130306

**Author:** Kate Miller, Senior Urban Planner

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** South

**Attachments:**

1. Attachment 1 - Location and Consultation Map [!\[\]\(de95854c7ee024cfadc48187bbb781b2\_img.jpg\)](#) [!\[\]\(cef08d8c15d8a8acd5e25ab0d65432c3\_img.jpg\)](#)
2. Attachment 2 - Previous Minutes and Approved Plans [!\[\]\(c244836fd67166dc60ebf5279a0f8377\_img.jpg\)](#) [!\[\]\(c9651b690bdf1dda88278b8b3445c7b1\_img.jpg\)](#)
3. Attachment 3 - Applicant Information Provided for Original Submission [!\[\]\(3edfc2ea96443450a4381cfaba839e65\_img.jpg\)](#) [!\[\]\(ec9f09bd184045508108979e6580ef04\_img.jpg\)](#)
4. Attachment 4 - Applicant Submission and Risk Management Plan [!\[\]\(50480a6956ed1b819305e6e32149cd77\_img.jpg\)](#) [!\[\]\(2927e390e9e1abf4b694871787f88df5\_img.jpg\)](#)
5. Attachment 5 - Applicant Response to Residents' Concerns [!\[\]\(950210b7e8ffffc5ebba7a3c311ef891\_img.jpg\)](#) [!\[\]\(2299491d838b854f9d7b5531ff7bdd77\_img.jpg\)](#)
6. Attachment 6 - Administration's Response to Submissions [!\[\]\(656a7b5ac82725a8e78a8363001e3376\_img.jpg\)](#) [!\[\]\(0ae9d510bf818c7441f530a6169b87c8\_img.jpg\)](#)
7. Attachment 7 - Applicant's Response to Submissions [!\[\]\(13f01830de976b96c53beacf8bc83896\_img.jpg\)](#) [!\[\]\(e7e386700782ffbb1419c4a9821ec203\_img.jpg\)](#)

#### RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application to amend the development approval (5.2012.218.3) granted on 18 December 2012 for an Office and Unlisted Use (Community Service) at No. 33 (Lot: 421; D/P: 301706) Church Street, Perth, subject to the following conditions:

1. All conditions and advice notes continue to apply to this approval, with exception of Condition 11 which is to be deleted and Conditions 4 and 10 which are amended to read as follows:
  - "4. The hours of operation for Unlisted Use (Community Service) shall be limited to 9:00pm to 5:00am on Thursdays, Fridays and Saturdays;"
  - "10. The applicant is to submit an updated Management Plan that addresses the control of noise, traffic, car parking and antisocial behaviour (to reasonable levels) associated with the proposed development, prior to occupation of the development. The Management Plan is to be approved by the City and thereafter implemented to the City's satisfaction."

#### PURPOSE OF REPORT:

To consider an application to amend conditions of the development approval for an Office and Unlisted Use (Community Service) at No. 33 Church Street, Perth.

#### PROPOSAL:

The application proposes the amend the conditions of approval so as to extend the term of approval for an additional five years and increase the operating hours by one hour each night.

#### BACKGROUND:

<b>Landowner:</b>	N Miliianku
<b>Applicant:</b>	Professionals Davenport
<b>Date of Application:</b>	12 January 2018 (complete on 24 July 2018)
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Mixed Use R80
<b>Built Form Area:</b>	Mixed Use
<b>Existing Land Use:</b>	Office and Unlisted Use (Community Service)
<b>Proposed Use Class:</b>	Office and Unlisted Use (Community Service)
<b>Lot Area:</b>	916m <sup>2</sup>
<b>Right of Way (ROW):</b>	Not Applicable
<b>Heritage List:</b>	Not Applicable

The subject site is located on the southern side of Church Street and on the corner of Church Street and Palmerston Street. The location of the site is included as **Attachment 1**. The subject site abuts residential dwellings to the south and a shop to the east. The locality predominantly consists of residential dwellings, however the subject site is also in close proximity to commercial uses. The subject site and those immediately adjoining the site along Palmerston Street and Church Street are zoned Mixed Use R80 by the City's Local Planning Scheme No. 2 (LPS2).

At its Ordinary Council meeting on 18 December 2012, Council granted a conditional and time-limited development approval for the subject site to operate as an Office and Unlisted Use (Community Service). A copy of the approval including the approved development plans is included as **Attachment 2**. Condition 11 of the development approval set out that the approval for the Unlisted Use (Community Service) was valid for five years from the date of approval. The time limitation was imposed to enable Council to assess of the impact of the land use on the amenity of the locality, before deciding to allow or not allow the use to continue.

On 12 January 2018, the City received an application to amend two conditions of the existing development approval. As the time of lodgement, the application was incomplete as the applicant did not have written authority to act on behalf of the owner and fees had not been paid. In addition, development plans, confirmation of which conditions were proposed to be amended and a detailed description of the business were not provided. A complete application package (including fees) was received on 24 July 2018. As the development approval lapsed on 18 December 2017, the use has been operating without a valid approval.

#### DETAILS:

The application seeks to amend the previous development approval issued by Council by extending the operating hours detailed in Condition 4 of the approval and amending Condition 11 which relates to the term of approval of the Community Service use. Condition 4 of the approval issued by Council permitted the operating hours to be between 10:00pm and 5:00am Thursdays, Fridays and Saturdays. Condition 11 limited the term of approval for the Community Service use to five years being to 18 December 2017. The approval did not allow for the continuation of the use beyond this date without further approval from the City. All remaining conditions, included as **Attachment 2**, are not proposed to be amended as part of this application.

The application proposes the Community Service use to be able to operate for an additional five years and between the hours of 9:00pm to 5:00am Thursdays, Fridays and Saturdays. The parking on the site is to remain as existing with eight car bays provided on site, six being accessible from Palmerston Street and two from Church Street.

The use is operated by Mission Australia and the Western Australian (WA) Police and seeks to provide a safe environment for at-risk youths. The facility is in support of the Northbridge Curfew and operates three nights per week with an average of 25 youths at any one time. The nature of the use is not proposed to change with the facility accommodating the youths during the operating hours prior to reconnecting them with their families, or in some circumstances finding suitable emergency accommodation.

#### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local Planning Scheme No. 2 (LPS2), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Land Use			✓
Parking & Access		✓	
Bicycle Facilities		✓	
Hours of operation			✓

### Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2	
"P" Use	Unlisted Use (Community Service)

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

### CONSULTATION/ADVERTISING:

Community consultation on the proposal occurred for a period of 21 days from 14 August 2018 to 3 September 2018. Community consultation was undertaken by means of written notification being sent to all adjoining landowners as shown in **Attachment 1** and a notice in the Perth Voice Newspaper. At the conclusion of the community consultation period, three submissions were received, comprising of two in objection and one in support.

The main issues raised as part of the consultation relate to:

- Noise from vehicles parking along Church Street and engines running due to drop off/ pick up nature;
- Visitors to the site generate significant noise and are unhappy; and
- Vehicles park in the middle of the road and do not use the parking facilities on site.

Administration's and the Applicant's response to the submissions are included as **Attachment 6** and **Attachment 7**, respectively.

### Design Review Panel (DRP):

Referred to DRP: No

### LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

The application to amend the aforementioned conditions of development approval are made in accordance with Clause 77(1)(a) and (b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which enables an application to be made requesting a local government to amend the approval so as to extend the period in which any development approval must be substantially commenced and to amend or delete any condition which a development approval is subject to.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and *Part 14 of the Planning and Development Act 2005*, the applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT).

### Delegation to Determine Applications:

The matter is being referred to Council as the application proposes to amend an application previously determined by Council.



**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*"Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Land Use

The Community Service land use is not specifically identified in the land use table in LPS2 and cannot reasonably be determined as falling within the interpretation of a listed use in LPS2. The land use for is therefore considered to be an Unlisted Use under LPS2 and Council is required to consider whether the use is consistent with the objectives of the Mixed Use zone.

LPS2 includes the following objectives for the Mixed Use zone:

- *To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels;*
- *To allow for the development of a mixed of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detriment to the amenity of the district or to the health, welfare and safety of its residents.*
- *To provide for a compatible mix of high density residential and commercial development.*
- *To promote residential use as a vital an integral component of these mixed use zones.*
- *To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including, but not limited, to solar passive design, energy efficiency and water conservation.*
- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

The use is a unique activity which operates in conjunction with WA Police and the Northbridge Curfew so as to provide a safe place for vulnerable youths to relocate to instead of remaining in the entertainment districts of Perth after 10:00pm. As per the information provided as part of the original submission and included as **Attachment 3**, the nature of the use is not proposed to change with the facility accommodating the youths during the operating hours prior to reconnecting them with their families, or in some circumstances finding suitable emergency accommodation.

The use has been in operation for the past five years. During this time, one compliance issue was raised due to the landscaping not being maintained in accordance with the relevant planning and building approvals. The landscaped areas were replanted and reticulated, thereby resolving the compliance issue. The City has not received any complaints in relation to the land use itself however, a complaint was made directly to Mission Australia which relates to the pickup and drop off location and antisocial behaviour. The response provided by Mission Australia is included as **Attachment 5**.

Whilst the nature of the use generates vehicular traffic between 10:00pm and 5:00am and noise from patrons/officers entering the site, the overall use is not considered to have a detrimental impact on the amenity of the area, in particular the health, welfare and safety of the residents. The youths are transported to the site from unsafe areas by WA Police or Mission Australia representatives to be in the care of an adult at the subject site. Although raised as a concern during the consultation period, the safety and wellbeing of surrounding residents is not considered to be compromised, with the facility not catering for young people who are under the influence of drugs or alcohol or have committed a criminal act. Furthermore, as the young persons are brought to the subject site predominantly by WA Police, the safety of residents will be maintained. In response to the concerns raised, a risk management procedure which addresses how incidents are to be dealt with has been provided and is included as **Attachment 4**. The applicant has also provided a written response to the submissions made, which is included as **Attachment 7**. The information provided demonstrates the use will operate in a safe manner which will minimise impacts on surrounding residents.

Based on the above, the application is supported subject to the imposition of a condition requiring the submission of an amended management plan which addresses how noise, traffic, car parking and antisocial behaviour will be dealt with. With the imposition of such a condition, Administration is satisfied the use can be appropriately managed so as to mitigate adverse impacts relating to noise, antisocial behaviour and parking management on adjoining residents, and as such, a further time limitation is not considered necessary. It is open to Council, however, to impose a time limitation on any approval.

#### Hours of Operation

The application proposes to increase the operating hours of the Community Service use from 10:00pm to 5:00am to 9:00pm to 5:00am on Thursdays, Fridays and Saturdays. The additional hour is unlikely to have a detrimental impact on the amenity of the neighbouring properties particularly in regards to noise and safety. Any noise from the development will remain intermittent rather than continuous and occur when patrons are dropped to the site and officers are leaving.

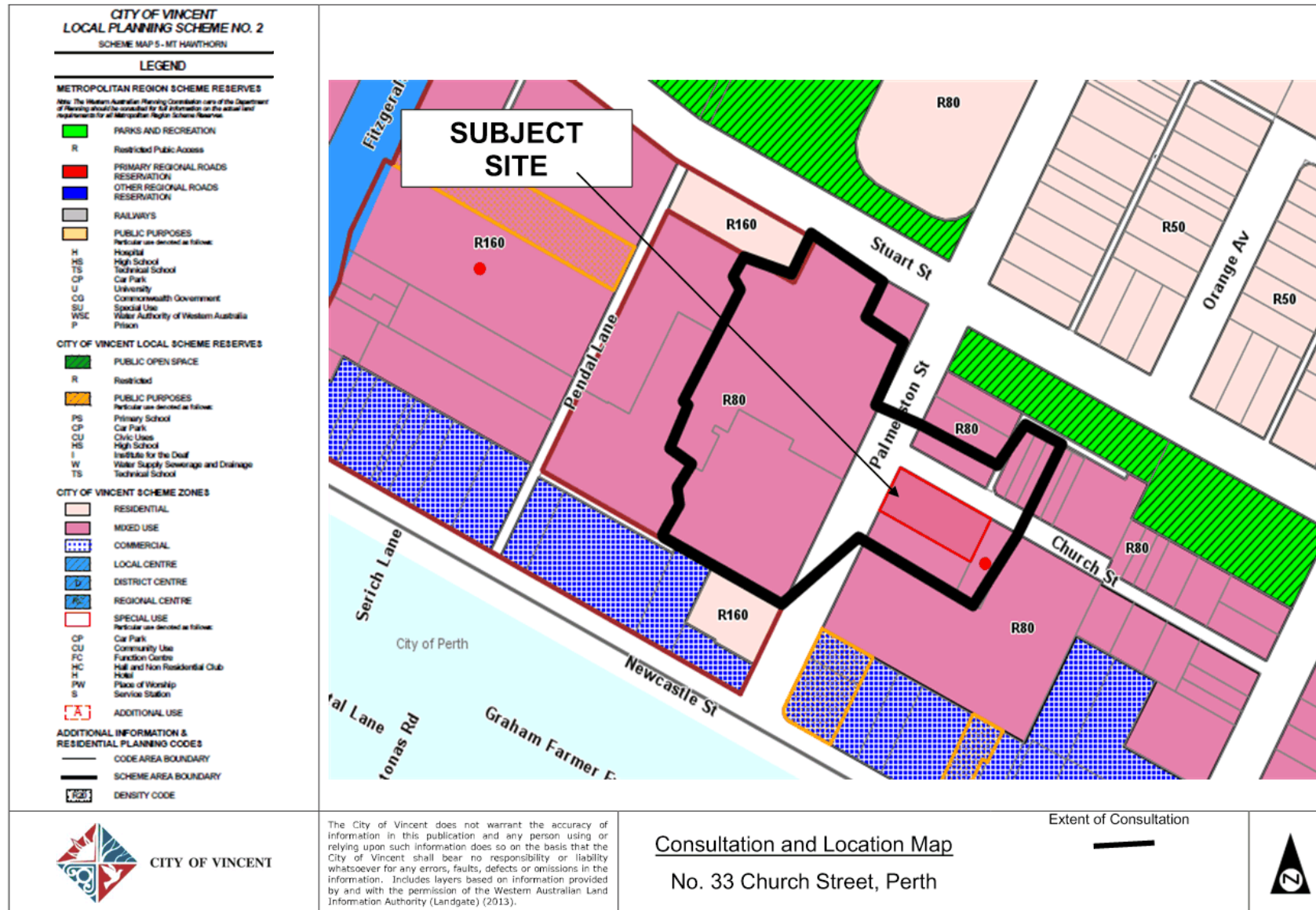
Through the consultation procedure, Administration have been made aware of parking and access issues to and from the site, with many vehicles not utilising the parking provided on site. The subject site provides for six car bays fronting Palmerston Street and two fronting Church Street. The amount of car bays provided on site has previously been considered by Council, and additional parking is not considered to be required as part of this application given the pick-up and drop of nature of the use. Mission Australia, which operates the facility, has responded to the concerns raised regarding parking and advised it would operate the pick-up and drop-offs from the parking area on Palmerston Street. The response to the concerns is included as **Attachment 7**.

Based on the above, the application is supported subject to the imposition of a condition requiring the submission of an amended management plan to ensure parking is managed in accordance with the details provided within the Applicant's submission and response to submissions.

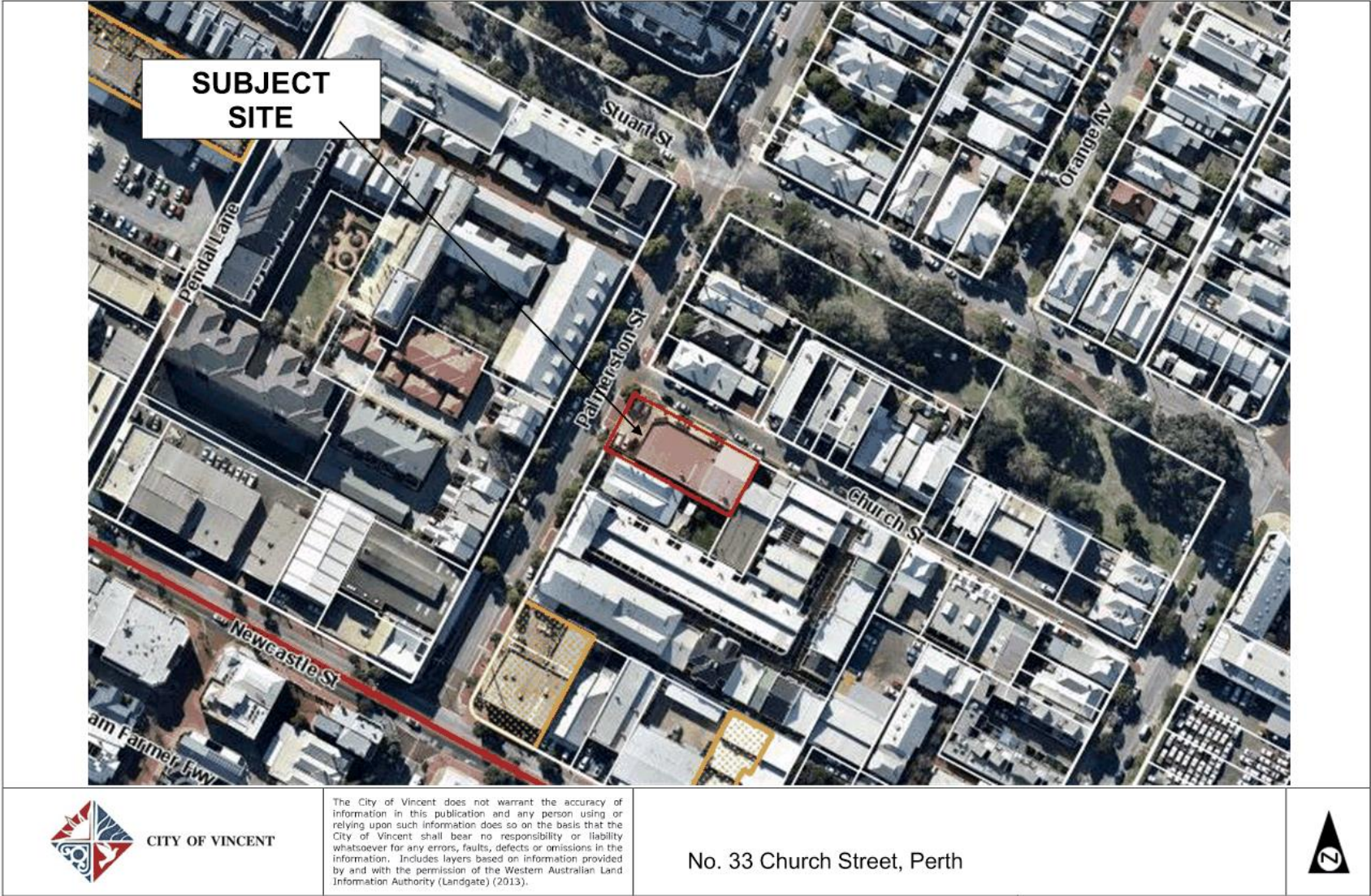
#### Conclusion

The proposal requires Council to exercise its discretion in relation to the proposed development. The continuation of the Unlisted Use (Community Service) and the change in operating hours to commence an hour earlier is considered to be appropriate and be in accordance with the objectives of the Mixed Use zone of LPS2.

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







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**9.1.5 No. 33 (Lot 421; D/P 301706) Church Street, corner Palmerston Street, Perth – Proposed Change of Use from Warehouse to Office and Unlisted Use (Community Service)**

<b>Ward:</b>	South	<b>Date:</b>	7 December 2012
<b>Precinct:</b>	Beaufort; P13	<b>File Ref:</b>	PRO1075; 5.2012.218.3
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicants Additional Information <a href="#">003</a> – Palmerston Street Q&A		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Radosevich, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**CORRECTED 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 Professionals Davenport Commercial on behalf of the owner, N & R Milianku, for Proposed Change of Use from Warehouse to Office and Unlisted Use (Community Service) at No. 33 (Lot 421; D/P 301706) Church Street, corner Palmerston Street, Perth, and as shown on amended plans stamp-dated 23 August 2012, subject to the following conditions:

- 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 Church Street and Palmerston Street;
- the doors, windows and adjacent floor areas fronting Church Street and Palmerston Street shall maintain an active and interactive relationship with these streets;
- the maximum gross floor area of the office shall be limited to 615 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
- the hours of operation for the afterhours YouthBeat service shall be limited to 10pm to 3am Thursdays, Fridays and Saturdays;
- 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;
- all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
- PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

**7.1 Refuse Management**

A Refuse and Recycling Management Plan shall be submitted and approved by the City prior to commencement of any works. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:

**Commercial:**

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;



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

8.1 **Car Parking**

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

8.2 **Bicycle Parking Facilities**

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

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.

10. **Management Plan**

A detailed Management Plan that addresses the control of noise, traffic, car parking and antisocial behaviour (to reasonable levels) associated with the proposed development shall be submitted and approved by the Chief Executive Officer, prior to the first occupation of the development, and thereafter implemented and maintained;

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

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**Moved Cr Topelberg, Seconded Cr Harley**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

**Moved Cr Topelberg, Seconded Cr Harley**

"That a new Clause 11 be inserted to read as follows:

11. this approval is valid for five (5) years from the date of approval for the Unlisted Use (Community Service). Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use."

**AMENDMENT 1 PUT AND CARRIED (7-2)**

**For:** Cr Buckels, Cr Harley, Cr Maier, Cr McGrath, Cr Pintabona, Cr Topelberg, Cr Wilcox

**Against:** Mayor Hon. MacTiernan, Cr Carey

Debate ensued.

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## AMENDMENT 2

Moved Cr Maier, Seconded Cr Carey

“That a new Clause 11 and Advice Note be added to read as follows:

11. this approval is valid for two (2) years from the date of approval for the Unlisted Use (Community Service). Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use.

## ADVICE NOTE

1. The City’s Officers shall review the approved use after a period of eighteen (18) months, with regards to the impact of the land use on the amenity of the locality.”

Debate ensued.

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

“That a new Clause 11 and Advice Note be added to read as follows:

11. this approval is valid for two (2) years from the date of approval commencement of operation for the Unlisted Use (Community Service). Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use.

## ADVICE NOTE

1. The City’s Officers shall review the approved use after a period of eighteen (18) months, with regards to the impact of the land use on the amenity of the locality.”

## AMENDMENT 2 PUT AND LOST (4-5)

For: Mayor Hon. MacTiernan, Cr Carey, Cr Maier, Cr McGrath

Against: Cr Buckels, Cr Harley, Cr Pintabona, Cr Topelberg, Cr Wilcox

Debate ensued.

## AMENDMENT 3

Moved Cr Harley, Seconded Cr Pintabona

“That Clause 4 be amended to read as follows:

4. the hours of operation for the afterhours YouthBeat service shall be limited to 10pm to 3am 5am Thursdays, Fridays and Saturdays;

Debate ensued.

## AMENDMENT 3 PUT AND CARRIED (7-2)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Maier, Cr Pintabona, Cr Wilcox

Against: Cr McGrath, Cr Topelberg

## MOTION AS AMENDED PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Harley, Cr Maier, Cr McGrath, Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Carey

Cr Harley departed the Chamber at 7.15pm.



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**COUNCIL DECISION ITEM 9.1.5**

**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 Professionals Davenport Commercial on behalf of the owner, N & R Milianku, for Proposed Change of Use from Warehouse to Office and Unlisted Use (Community Service) at No. 33 (Lot 421; D/P 301706) Church Street, corner Palmerston Street, Perth, and as shown on amended plans stamp-dated 23 August 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 Church Street and Palmerston Street;
2. the doors, windows and adjacent floor areas fronting Church Street and Palmerston Street shall maintain an active and interactive relationship with these streets;
3. the maximum gross floor area of the office shall be limited to 615 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
4. the hours of operation for the afterhours YouthBeat service shall be limited to 10pm to 5am Thursdays, Fridays and Saturdays;
5. no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;
6. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
7. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

**7.1 Refuse Management**

A Refuse and Recycling Management Plan shall be submitted and approved by the City prior to commencement of any works. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:

**Commercial:**

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;

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

8.1 **Car Parking**

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

8.2 **Bicycle Parking Facilities**

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

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.

10. **Management Plan**

A detailed Management Plan that addresses the control of noise, traffic, car parking and antisocial behaviour (to reasonable levels) associated with the proposed development shall be submitted and approved by the Chief Executive Officer, prior to the first occupation of the development, and thereafter implemented and maintained; and

11. this approval is valid for five (5) years from the date of approval for the Unlisted Use (Community Service). Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use.

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**PURPOSE OF REPORT:**

The application is referred to Council for determination given it is a "SA" use and more than five (5) objections have been received.

**BACKGROUND:**

**History:**

Date	Comment
23 November 1998	The City approved a development application for the proposed change of use to warehouse (vehicle storage) under delegated authority.

**Previous Reports to Council:**

Nil.

**DETAILS:**

The application is for the change of use from warehouse to office and unlisted use (community service) at No. 33 Church Street, Perth. The offices are to be used for the YouthBeat Service, which is run by Mission Australia and the West Australian Police, in partnership with the Department of Child Protection.

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The following additional information was provided, which outlines the YouthBeat Service:

*"It will operate between 10pm and 3am on Thursday, Friday and Saturday nights to re-connect children under the age of 16 who are found unaccompanied by an adult on the streets of Northbridge and the Perth CBD. They will be collected by either a Mission Australia staff operating the YouthBeat outreach bus service, or by police officers, and brought into the Palmerston Street service centre where they will be assessed while a safe place is found for them to be taken. Any young people picked up who have (or are in the midst of) committing a criminal act, or who are misbehaving under the influence of drugs and alcohol will be taken to a police station, NOT the YouthBeat facility.*

*We expect an average of around 25 young people will be brought to YouthBeat over the course of the three nights, usually in groups of 2-6, with minimal traffic movement and very little noise disruption. They are young people deemed at risk, who we are trying to re-connect with family and guardians, not young people being punished. If a safe place cannot be found, the young person will be taken to suitable emergency accommodation and our team will continue to work with them to resolve any issues or conflicts they may face.*

*It's important to note that no young people will be staying in the offices overnight and it is not an accommodation service."*

<b>Landowner:</b>	N & R Milianku
<b>Applicant:</b>	Professionals Davenport Commercial
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential/Commercial R80
<b>Existing Land Use:</b>	Warehouse
<b>Use Class:</b>	Office and Unlisted Use
<b>Use Classification:</b>	"AA" and "SA"
<b>Lot Area:</b>	916 square metres
<b>Right of Way:</b>	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	✓		
Roof Form	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	✓		
Access & Parking	✓		
Privacy	N/A		
Solar Access	N/A		
Site Works	N/A		
Essential Facilities	N/A		
Surveillance	✓		

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

Car Parking	
Car parking requirement (nearest whole number)	= 12 car bays
<ul style="list-style-type: none"> <li>Office</li> <li>1 space per 50 square metres of gross floor area</li> <li>Gross Floor Area = 615 square metres = 12.3 car bays</li> </ul>	
Total car bays required = 12.3 car bays	
Apply the adjustment factors.	(0.65025)
<ul style="list-style-type: none"> <li>0.85 (within 400 metres of a bus stop/station)</li> <li>0.85 (within 400 metres of a public car parking place with in excess of 75 car parking spaces)</li> <li>0.90 (provides 'end-of-trip' facilities for bicycle users, in addition to the facilities required)</li> </ul>	= 7.803 car bays
Minus the car parking provided on-site	8 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant surplus	0.197 car bays

Bicycle Parking
Office (615 square metres):
<ul style="list-style-type: none"> <li>1 space per 200 square metres gross floor area (class 1 or 2) = 3.075 spaces</li> <li>1 space per 750 square metres over 1000 square metres (class 3) = Nil</li> </ul>
<u>Required</u>
3.075 spaces = 3 spaces
<u>Provided</u>
4 spaces

### CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

<b>Comments Period:</b>	30 October 2012 to 19 November 2012
<b>Comments Received:</b>	Five (5) support, three (3) neither support or object and thirty two (32) objections (1 Late)

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Noise</p> <ul style="list-style-type: none"> <li>Families or guardians collecting children in the early hours of the night might make noise.</li> <li>Families from less-privileged backgrounds who have returned to do so won't do so quietly. There is the same risk from children who are brought to the centre.</li> <li>The area consists of hard surfaces, in this environment noise bounces and is amplified.</li> </ul>	<p>Dismiss. Noise levels are governed by the <i>Environmental Protection (Noise) Regulations 1997</i>. Noise complaints are responded to by the City's Health Services.</p> <p>It is also noted children are not collected from the site by families or guardians.</p>

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Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Security</p> <ul style="list-style-type: none"> <li>Children might damage properties around the area.</li> <li>There are enough conflicts in the area and this service will add more conflict to the area.</li> <li>The proposal should discourage young people to be in the area afterhours; however the proposal encourages the area to be seen as a drop-in centre and gives them reason to keep coming back.</li> <li>Likelihood for vandalism to vehicles and property will increase and potential revenge-like incidents from those who return to the area at a later date.</li> </ul>	Dismiss. This is not a valid planning objection.
<p>Issue: Young People</p> <ul style="list-style-type: none"> <li>Young children who roam the streets after hours can be more dangerous than adults roaming the street as they quite often know that the law gives protection to under 16 year olds, and can exploit this.</li> <li>Young people who are detained will see approaching this centre, with its police presence, as a challenge, and may loiter in hiding until they see their friends released.</li> </ul>	Dismiss. This is not a valid planning objection.
<p>Issue: Parking and Traffic</p> <ul style="list-style-type: none"> <li>There will be additional traffic generated by the centre.</li> <li>Direct view of police cars is unwanted.</li> <li>The parking provided on the plan is not sufficient for the needs of staff, volunteers, police and parents picking up children.</li> </ul>	Dismiss. The proposal provides eight (8) parking spaces, therefore complying with the requirements of the City's Policy No. 3.7.1 relating to Parking and Access.
<p>Issue: Proposed use</p> <ul style="list-style-type: none"> <li>The application states that the site will be used as offices during the day, there is no guarantee that the proposed day-time use will not evolve into a welfare service by indirect means.</li> <li>There is the potential for a change of use for the site across all hours.</li> </ul>	Dismiss. It is a condition of approval that any further change of use for the subject land shall require Planning Approval to be applied for and obtained from the City.

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Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Location</p> <ul style="list-style-type: none"> <li>The proposal is not suitable for Palmerston Street.</li> <li>The change of use is incompatible, and conflicts with the current use of the area.</li> <li>The proposal will have a negative impact and deactivate the street.</li> <li>The proposal is highly incompatible with the current uses and zoning of the area.</li> <li>The proposal will take away the character and feel of the locality.</li> <li>The proposal will negatively impact on property values.</li> <li>Changing the facade of the building is not in keeping with the streetscape.</li> </ul>	<p>Dismiss. The proposal complies with the City of Vincent Town Planning Scheme No. 1 and the City's Policies No. 3.1.13 relating to the Beaufort Precinct, No. 3.5.15 relating to Shopfronts and Front Facades to Non-Residential Buildings and No. 3.7.1 relating to Parking and Access.</p>

#### Design Advisory Committee:

Referred to Design Advisory Committee: No

#### LEGAL/POLICY:

The following legislation and policies apply to the proposed office and unlisted use (community service) at No. 33 Church Street:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Beaufort Precinct Policy No. 3.1.13;
- Shopfronts and Front Facades to Non-Residential Buildings Policy No. 3.5.15;
- Sound Attenuation Policy No. 3.5.21; and
- Parking and Access Policy No. 3.7.1.

#### 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."*



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#### **SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

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

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

ENVIRONMENTAL	
Issue	Comment
The proposal uses an existing building for the proposed office and unlisted use (community service). The adaptive re-use of this existing space has a lower environmental impact compared to constructing a new building for this purpose. It is also noted that the development proposes to increase the amount of landscaping on-site.	

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

ECONOMIC	
Issue	Comment
The proposal facilitates business development within the City, whilst also creating job opportunities within the locality.	

#### **FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

#### **COMMENTS & CONCLUSION:**

##### **Safer Vincent**

In liaison with Coordinator Safer Vincent and WA Police it has been confirmed that the proposed facility will be operated by Mission Australia as a secondary service provider for the Department of Child Protection.

The Northbridge Curfew has been operating on Thursday, Friday and Saturday nights for a number of years. It aims to reduce harm to vulnerable youth present in adult entertainment precincts after the hours of darkness.

The Palmerston Street facility will operate in a joint agency mode only during these curfew times of Thursday, Friday and Saturday night. Juveniles who are apprehended in need of care and protection are taken to the joint agency facility where arrangements are made for a responsible adult to take care of them. Under no circumstances are they released to the area without an appropriate guardian. Any juveniles who have committed offences, are wanted for questioning regarding offences or are under arrest (i.e. bench warrant) will not be taken to this facility, as the joint agency operation is aimed at reducing harms to juveniles and not processing offenders and the centre will not be equipped to deal with custodial matters. All such apprehensions will be dealt with through the local Police Station. It is anticipated that the increased visibility of Police vehicles parked and travelling in the street, knowledge of the location and so forth, will actually serve as a deterrent to anti-social behaviour. This may also assist with addressing recent stealing from vehicles and other crime in the area.

##### **Planning Services**

The proposed change of use complies with the City of Vincent Town Planning Scheme No. 1 and the City's Policies No. 3.1.13 relating to the Beaufort Precinct, No. 3.5.15 relating to Shopfronts and Front Facades to Non-Residential Buildings and No. 3.7.1 relating to Parking and Access.

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



**33 CHURCH STREET, PERTH – ADDITIONAL INFORMATION**

The YouthBeat Service facility proposed for Palmerston Street will be operated by Mission Australia and the WA Police, in partnership with the Department of Child Protection, to support the objectives of the Northbridge Curfew.

It will operate between 10pm and 3am on Thursday, Friday and Saturday nights to re-connect children under the age of 16 who are found unaccompanied by an adult on the streets of Northbridge and the Perth CBD. They will be collected by either Mission Australia staff operating the YouthBeat outreach bus service, or by police officers, and brought into the Palmerston Street service centre where they will be assessed while a safe place is found for them to be taken. Any young people picked up who have (or are in the midst of) committing a criminal act, or who are misbehaving under the influence of drugs and alcohol will be taken to a police station, NOT the YouthBeat facility.

We expect an average of around 25 young people will be brought to YouthBeat over the course of the three nights, usually in groups of 2-6, with minimal traffic movement and very little noise disruption. They are young people deemed at risk, who we are trying to re-connect with family and guardians, not young people being punished. If a safe place cannot be found, the young person will be taken to suitable emergency accommodation and our team will continue to work with them to resolve any issues or conflicts they may face.


It's important to note that no young people will be staying in the offices overnight and it is not an accommodation service.

This service has operated successfully in Northbridge for over 10 years, but with the sinking of the Perth railway line we lost our base and are now in need of new premises where our staff can work normal office hours from Monday to Friday and provide this valuable service for vulnerable young people across curfew hours.

We recognise the importance of being a good community neighbour and have a great track record with the other services we operate in residential streets, two of which provide 24 hour accommodation to young people who have experienced drug and alcohol issues. In fact, many of our neighbours take an active interest in our services and are keen to help in whatever way they can, be it dropping off a bag of lemons from their tree, or baking a cake.

To help us connect with the local community we would be proposing to form a reference group, in conjunction with the Town of Vincent, to meet on a regular basis and talk through any initiatives or issues that might come up, make the most of opportunities we can participate in and provide feedback on YouthBeat success stories.


Our first initiative would be enlisting the community to help us with an art project to transform the current brick façade into something that adds new life and freshness to the streetscape. Mission Australia's services are all about transforming young lives and we think that working with the community to revive an ugly duckling industrial building would be a fitting symbolic gesture to begin this new relationship.




18 July 2018

Attention: Emily Andrews  
City of Vincent  
PO Box 82  
LEEDERVILLE WA 6902

**E-MAILED**



**Professionals**  
davenport commercial



City Of Vincent Records  
RECEIVED  
25 JUL 2018

CTN Ref: \_\_\_\_\_  
REC No: \_\_\_\_\_

Dear Emily

RE: 33 CHURCH STREET AKA 48 PALMERSTON STREET, PERTH  
APPLICATION FOR CONTINUATION OF USE (OFFICE AND COMMUNITY SERVICES)

We request that the following amendments in addition to the attached plans and information previously provided, be made available to the Council for their approval of the continuing use of the premises as previously approved Jan 2013.

All items in the original approval are still in place and compliant.

The amendments/updated information to the original approvals:

Item 4. In hours of operation for the afterhours YouthBeat service shall be changed from 10pm to one hour earlier being 9 pm.

Item 6. Addition of a Wall Mural – Already formally approved separately at Council but not on original approval so to be noted.

Item 7.1 Refuse Management, bins collected weekly, 2 garbage bins, 2 recycling.


Item 10 Risk Management and Critical Incidents procedures in place.

Item 11 At this time the tenant has funding only until next year, if that changes they may take up their option for further five years. Ultimately we would like to extend the continuation of use indefinitely until such time as Mission Australia end their tenancy however if it is more favourable for the five years then we will be happy to continue on that basis.


In addition to the above we have attached our authority to manage showing that Professionals Davenport are authorised agents of the owners.

We hope that this satisfies the necessary information for the Council to make their approval of the continuation of use. We are on standby to advertise to the public as required as per your request.

Respectfully



Louise Dorant  
Property Manager



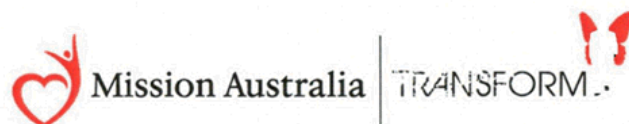
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# Policy document



For internal use only

## Youth Beat: Management of Critical Incidents

Policy owner: Service Manager

Policy date: May 2013

Policy version: 1

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### PREAMBLE

Youth Beat engages with young people who are vulnerable and/or at risk. Many of these young people have behavioural and developmental issues which present in different ways. To ensure the safety of clients and staff all incidents will be strategically and effectively managed to minimise their impact on staff, young people and the Youth Beat Program.

### Definition

A **critical incident** is any event or situation that threatens staff, clients, their family/associates or other members of the community. Critical incidents occur outside normal service requirements and always require swift, decisive actions.

### Emergency Procedures

- In the event of a critical incident, immediately ensure the safety of:
  - Yourself,
  - other staff/ volunteers,
  - clients, and where necessary,
  - the general public.
- Apply first aid where necessary.
- Contact appropriate emergency services including:
  - Police,
  - ambulance,
  - fire brigade.
- Inform them of
  - the type of incident,
  - persons involved,
  - casualties or damage,
  - type of assistance required,
  - any hazards still present,
  - name, site address and telephone number.
- Contact any specialised support services working with, or available to, the client (e.g. Bentley Adolescent Mental Health Clinic Mental Health Emergency Response Line (MHERL)- see *Contacting the Mental Health Emergency Response Line*).
- Inform the Senior Case Manager, Team Leader or Service Manager (if none of the above are available- call the Operations Manager).

Youth Beat: Management of Critical Incidents: May 2013  
Approved by: Service Manager

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**Reporting and recording critical incidents**

- The *Safe at Heart* On line Accident Report should be completed where a critical incident involves:
  - I V use.
  - overdose
  - hospitalisation as a result of an accident or drug use.
  - accidents- motor vehicle and other.
  - violence, serious threats, assaults, extensive intentional property damage.
  - self harm and suicide attempts
  - death of client or staff member while in a Youth Beat service.
  - any situation which places clients or staff at risk or potential risk.
- If the Police have been contacted, the staff member will need to tick the relevant box on *Safe at Heart* and then to insert the name of the officer contacted, his/her Police Officer number and also the job number which the Police officer will have provided.

**Follow up and incident review**

- This is to be provided by the Team Leader or Service Manager within 10 days of the critical incident occurring.
- Where the Employee Assistance Program (EAP) is involved staff will be offered assistance individually if appropriate and requested,
- Follow up review by the Service Manager or Team Leader should occur within 30 days of the critical incident.

\*\*\*\*\*



# Risk Management Procedure

## 1. Purpose

To implement a system to identify, assess and control all foreseeable hazards within Mission Australia operations.

## 2. Scope

This procedure applies to all operations and workers of Mission Australia.

## 3. References

- [Work Health Safety Act 2011](#)

## 4. Definitions

Term	Definition
<b>Activities</b>	Activities include sporting activities, outdoor events, education programs and youth activities.
<b>Hazard</b>	Anything with the potential to cause injury or illness.
<b>PCBU</b>	Person conducting a business or undertaking replaces the term employer.
<b>Risk Management</b>	The process used to identify, assess and control workplace hazards.
<b>Reasonably Practicable</b>	means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including: <ul style="list-style-type: none"><li>a) the likelihood of the hazard or the risk concerned occurring, and</li><li>b) the degree of harm that might result from the hazard or the risk, and</li><li>c) what the person concerned knows, or ought</li></ul>



# Procedure Document **Work Health Safety**

reasonably to know, about:

- I. the hazard or the risk, and
  - II. ways of eliminating or minimising the risk, and
- d) the availability and suitability of ways to eliminate or minimise the risk.

<b>Risk</b>	A description of the likelihood and consequence of a hazard causing injury or illness.
<b>Risk Management Action Plan (RMAP)</b>	Risk Management Action Plan (RMAP)
<b>Safe@Heart</b>	Safe@Heart is the online risk management suite. The features of Safe@Heart include task and activities, audits and inspections and the risk and injury management processes.
<b>Worker</b>	In accordance with Harmonised Work Health and Safety Laws a worker is classed as an employee, volunteer, labour hire staff, apprentice, work experience student, trainee, outworker, sub-contractor or contractor working for a PCBU. 'Worker' will replace the current term 'employee'.

## 5. Responsibilities

### Health and Safety Team

The Health and Safety Team are responsible for:

- ensuring that risk management is incorporated into the WHS management system
- measuring and evaluating the risk management process and reporting to MA management
- ensuring that the risk management process is monitored and reviewed in line with changes to legislation, codes of practice and/or Australian Standards

### Managers

Managers are responsible for:

- ensuring that work hazards are identified and the risk associated with the hazard is either eliminated or reduced to a level that is as low as reasonably practicable.
- measuring, evaluating, monitoring and reviewing the risk management process

Procedure Document **Work Health Safety**

- ensuring adequate resources, information, instruction and training are provided to maintain the risk management process
- maintaining the Risk Management Action Plan (RMAP) as evidence of risk assessments undertaken<sup>1</sup>,
- ensuring where required corrective action is implemented in consultation with employees and volunteers and
- ensuring that the risk management process is recorded in Safe@Heart

**Workers**

All workers are responsible for:

- participating in workplace risk assessments,
- controlling hazards if safe to do so and,
- reporting hazards identified in the workplace.

**6. Procedure****6.1 Risk Management Methodology**

Work Health and Safety legislation requires PCBU's to adopt a risk management approach to managing the health and safety of persons in the workplace. Specifically, the legislation requires Mission Australia to:

- identify all hazards that a person at the workplace may be exposed to
- assess the risk of injury or harm to a person resulting from all hazards,
- consider the means by which the risk may be reduced and implement such mechanisms to eliminate, or if elimination is not reasonably practicable, control that risk, and
- enter risk management information in Safe@Heart.

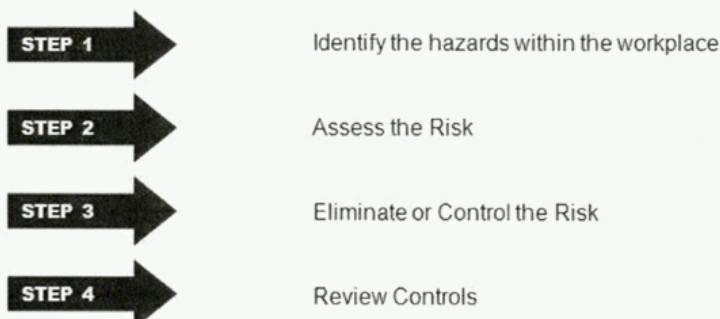
The risk management process to be adopted by Mission Australia to fulfil the above requirements is represented below<sup>2</sup>:

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<sup>1</sup>The RMAP should be updated as a paper based copy then in Safe@Heart

<sup>2</sup> The diagram is a simplified representation of the risk management process given in AS/NZS 4360:1999 Risk Management.

Procedure Document **Work Health Safety**



## 6.2 Step 1 - Identify the Hazards

A hazard is any source of potential harm to people. Hazards are present in our day to day lives and in our workplace. Identifying these hazards is the first step in minimising our personal and organisational risk.

Table 1 below provides a summary of hazard categories and general hazards under each of these categories. This table should be used as a guide when conducting hazard identification and risk assessments.

**Table 1**

Physical	Chemical	Biological	Ergonomic	Miscellaneous
Noise	Vapour	Fungi	Repetition	Stress
Vibration	Gases	Bacteria	Weights	Shift work
Temperature	Dust	Mites	Posture	Drugs
Electricity	Fume	Viruses	Manual Handling	Violence
Ventilation	Corrosives	Enzymes	Heights	Distractions:
Radiation	Solvents	Body fluids	Distance	Attitudes
Pressure		Animals	Workstation Layout	Behaviours
Machinery		Plants		
Housekeeping				
Fire				

A number of information sources are used to identify hazards. These are:

- Task and activities
- Incidents and claims

Procedure Document **Work Health Safety**

- Workplace inspections
- Building inspections
- Fit out processes
- Internal Audits, and
- External Audits

### 6.3 Step 2 – Assessing the Risk

Risk is a combination of the likelihood of a hazard occurring and the consequence if the harm occurs. Risk Assessment is the process of determining the 'level of risk' associated with a hazard.

In determining the 'level of risk' consider the following as a minimum:

- the experience of the person exposed to the hazard
- the frequency of the persons exposure to the hazard
- the duration of the persons exposure to the hazard
- any existing control measures
- contributing environmental conditions, and
- pre-existing hazards.

### 6.4 Using the Matrix

The following steps describe how to use the risk matrix to allocate a level of risk score to each hazard<sup>3</sup>

1. Evaluate the likelihood of a risk occurring according to the ratings in the top row.
2. Evaluate the consequences if the incident occurred according to the ratings in the left hand column.
3. Calculate the level of risk by finding the intersection between the likelihood and the consequences.

---

<sup>3</sup> Tables 3, 4 and 5 provide details of the risk matrix and likelihood and consequence descriptors.



Procedure Document **Work Health Safety**

Table 2

Risk Severity Matrix		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood	Almost Certain	High	High	Extreme	Extreme	Extreme
	Likely	Moderate	High	High	Extreme	Extreme
	Possible	Low	Moderate	High	Extreme	Extreme
	Unlikely	Low	Low	Moderate	High	Extreme
	Rare	Low	Low	Moderate	High	High
Extreme	Immediate action required to actively manage risk and limit exposure					
High	Attention required to ensure risk exposure is managed effectively, disruptions minimised and outcomes monitored					
Moderate	Cost/benefit analysis to assess extent to which risk should be mitigated. Monitor to ensure risk does not increase over time					
Low	Effectively manage through routine procedures and appropriate internal controls					

Table 3

Consequence	Injury	Environmental	Financial
Insignificant	Minor injury	Zero impact to environment	No effect on work schedule (<\$1000)
Minor	Medically treated injury	Minor impact (containment)	Minimal effect (\$1000 to \$10,000)
Moderate	Lost time injury (<2 weeks)	Impact localised	Significant effect (\$10,000 to \$50,000)
Major	Lost time injury (>2 weeks)	Off-site impact	Major effect (\$50,000 to \$100,000)
Catastrophic	Fatality or permanent disability	Major impact (long term)	Project halted (>\$100,000)



Table 4

**Likelihood Descriptors**

<b>Rare</b>	Unlikely ever to occur
<b>Unlikely</b>	Less than once per five years
<b>Possible</b>	Less than once per year but more than once per five years
<b>Likely</b>	Less than once per month but more than once per year
<b>Almost Certain</b>	More than once per month

**6.5 Step 3 - Control the Risk**

Once hazards have been identified and assessed, a control strategy to either eliminate or reduce the risk is to be developed and implemented. The process to identify appropriate hazard control strategies is represented in the Table 6 below. This process is designed to identify control strategies from the most effective to the least effective strategy based on the level of risk, for example, a level of risk score equal to Low may require administrative or PPE controls.

Table 5

<b>Control Strategy</b>	<b>Description</b>	<b>Example</b>
<b>Elimination</b>	Completely remove the hazard	Removal of hazardous substance
<b>Substitution</b>	Replace the components of the environment causing elevated risk with lower risk components	Update equipment to provide safer equipment
<b>Isolation</b>	Contain the source of risk such that it is isolated from the persons executing the Activity	Separate employees and volunteers from plant room by making it accessible to relevant employees and volunteers and specialised contractors.
<b>Engineering</b>	Modify the working environment to reduce the risk	Raise the height of a monitor to improve working posture at a workstation.
<b>Administrative</b>	Policies, procedures and training programmes	Provision of training programmes Safe work method statement
<b>Personal Protective Equipment</b>	Provide appropriate Personal Protective Equipment (PPE) to minimise the risk	Correct Footwear Safety Vests

Procedure Document **Work Health Safety**

Please note, not all strategies, when implemented in isolation, may reduce the risk to a reasonably acceptable level. As a rule, Mission Australia must implement multiple controls to achieve best protection. For example, use of hazardous substances may require additional ventilation (engineering), a review of handling procedures and training (administrative) and the allocation of respirators (PPE).

#### 6.6 Step 4 – Review Controls

Once risk assessments have been developed and implemented, they should be reviewed at regular intervals, in consultation, with workers to ensure they are effective. Three questions to ask when reviewing controls are:

1. Has the risk been reduced to as low as reasonable practicable?
2. Can any other controls be implemented to further reduce the risk?
3. Has the implementation of the control/s created or introduced another hazard?

#### 6.7 Conducting Risk Assessments

When an activity, task or hazard is identified that requires a risk assessment, the Manager or group conducting the risk assessment, can use the following hazard management forms to assist with the risk assessment process (see Table 6).

**Table 6**

Type of Hazard	Hazard Management Form	Procedure
Manual handling	Manual Handling Hazard Management Form and Safe@Heart.	Manual Handling Procedure and Risk Management Procedure
Ergonomics of computer workstation	Workstation Ergonomic Hazard Management Form and Safe@Heart.	Ergonomics Procedure and Risk Management Procedure
Ergonomics of Activity or manual workstation	Risk Management Action Plan and Safe@Heart.	Ergonomics Procedure and Risk Management Procedure
Working at height	Risk Management Action Plan and Safe@Heart.	Risk Management Procedure
Slips, trips and falls	Risk Management Action Plan and Safe@Heart.	Risk Management Procedure
Lighting, noise, temperature	Risk Management Action Plan and Safe@Heart.	Risk Management Procedure
Housekeeping	Workplace Inspection Checklist and	Workplace Inspection

Procedure Document **Work Health Safety**

Type of Hazard	Hazard Management Form	Procedure
	Safe@Heart.	Procedure and Risk Management Procedure
Hazardous Substances and Dangerous Goods	Hazardous Substances and Dangerous Goods Form and Safe@Heart.	Hazardous Substances and Dangerous Goods Procedure and Risk Management Procedure
Other Hazards	Risk Management Action Plan and Safe@Heart.	Risk Management Procedure

### 6.8 Reviewing Controls

Controls must be reviewed immediately after implementation and subsequently at regular intervals to ensure that the level of risk is acceptable and that other hazards have not been introduced as a result of implementing the control. For example: the introduction of a forklift to reduce manual handling injuries introduces plant risks and risk of collision with pedestrians.

Managers must document on the risk assessment, each review of controls in place as a record of the review.

### 6.9 Risk Management Action Plan

The Risk Management Action Plan is a consolidated register of all risks in the workplace. RMAPs should be implemented at all levels of management within Mission Australia.

Managers are to update the Risk Management Action Plan for their area when any hazard is identified; note that hazards and incidents should be logged in Safe@Heart. The site/senior manager or their delegate is to complete all sections of the Risk Management Action Plan.

When completing the Risk Management Action Plan ensure:

- all forms containing hazard management information (i.e.: Manual Handling Hazard Management Form) are consistently referenced, and
- all hazard controls are reviewed for effectiveness prior to signing off.

Associated hazard management forms and procedures are available from the HR and WHS section of the intranet.

### 6.10 Records and Safe@Heart

Managers are to maintain all copies of completed risk assessments. RMAPs, THAs and other aspects of the risk management process should be saved to Safe@Heart.



Procedure Document **Work Health Safety**

## 7. Forms and Records

- [Plant Hazard Management Form](#)
- [Plant and Equipment Management Procedure](#)
- [Manual Task Risk Assessment Form](#)
- [Manual Task Procedure](#)
- [Workstation Ergonomic Hazard Management Form](#)
- [Ergonomics Procedure](#)
- [Workplace Inspection Forms](#)
- [Workplace Inspection Procedure](#)
- [Hazardous Substances and Dangerous Goods Form](#)
- [Hazardous Substances and Dangerous Goods Procedure](#)
- [Risk Management Action Plan](#)
- [Risk Management Guides](#)

## 8. Version Control

Version	Section Amended	Amendment	Date Created	Author
6	All		02/01/2012	J Collins
6	Nil	Document Review	9/4/2015	M Ahluwalia
7	6.10	Removed THA reference	15/06/2015	J Collins



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Sydney, NSW, 2000

t 1800 88 88 68  
e email@missionaustralia.com.au  
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8<sup>th</sup> February 2016

Dear

Thank you for your letter dated the 23<sup>rd</sup> of January 2016 regarding our Youthbeat facility in Palmerston Street Northbridge and the visitation of the Western Australian Police Regional Operational Group bus.

Firstly, I sincerely apologise for any distress and discomfort this has caused you and your family in the last few months and I completely understand and empathise with your complaint.

I have been in contact with the WA Police and we have agreed that as of Friday the 12<sup>th</sup> of February the bus will now service our building from our front entrance at Palmerston Street.

Additionally we are working with staff and the Police to ensure the transition of young people from the bus is more efficient as to reduce any yelling or raised voices.

I would like to thank you for your support of our service as we endeavour to ensure that all young people are safely transported out of the CBD to more stable accommodation and environments.

Please do not hesitate to contact me should you have any further issues or wish to meet to discuss this further. My direct number is

Kind Regards

Suzanne Caren  
Area Manager  
Youth, Mental Health & AOD



**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

<b>Comments Received in Support:</b>	<b>Officer Technical Comment:</b>
YouthBeat service is great service to community.	Noted.
<b>Comments Received in Objection:</b>	<b>Officer Technical Comment:</b>
<u>Noise</u>  The noise from the occupants is unpleasant as shouting, banging and commotion is often heard.	Mission Australia has confirmed youths are transported from unsafe areas to the site by WA Police or Mission Australia representatives. The youths are then directed to immediately enter the building. As the youths are under supervision of a Mission Australia Representative or WA Policy Officer, it is considered behaviour of the youths can be appropriately managed so as to minimise impacts on nearby residents.
<u>Parking</u>  <ul style="list-style-type: none"> <li>The pick up/drop off is occurring within the street and verge areas and not within the parking areas on site.</li> <li>Unable to access property due to cars parked on the road.</li> </ul>	As per Mission Australia's response to complaints that have arisen, they have taken steps in order relocate the vehicles to the Palmerston Street entry and car park. Furthermore, should vehicles be parked or stopped illegally within the verge areas and on the street, the adjoining residents should notify the City's Ranger's.
<u>Safety</u>  The nature of the use is intimidating and confronting.	The youths are transported to the site in the care of the WA Police and Mission Australia workers until they are able to be reconnected with their families or to emergency accommodation. Mission Australia confirms the organisation works closely with WA Police. It is considered WA Police are most suitable to deal with difficult situations, if they arise. Notwithstanding, the management practise is to relocate the youths from the transportation to inside the building as quickly as possible so as to minimise adverse impacts on nearby residents.

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



YOUTHBEAT  
48 Palmerston St,  
Northbridge, WA, 6004

t 08 6212 8700  
f 08 9328 5179  
w missionaustralia.com.au

12<sup>th</sup> September 2018

Dear Sir/Madam,

**Re: No. 33 Church Street**

In response to the concerns raised during the advertising period for 33 Church Street Northbridge, Mission Australia have developed strong relationships with local residence who in the past, have directly approached Mission Australia to discuss their concerns. All concerns have been managed effectively with neighbours reporting they were satisfied with the outcomes. Developing and maintaining good relationships with neighbours and communities is a priority for Mission Australia.

**Distributive noise from the youths (including yelling and shouting) particularly along the Church Street side**

Young people accessing the YouthBeat facility during the hours of operation (9pm – 5am Friday and Saturdays) are accompanied by the WA Police. Young people enter the facility directly from WA Police transport and remain in the facility until a responsible parent/care giver is identified. Once a responsible care giver/carer is identified they are either picked up by this person or transported by Mission Australia to said safe place. It is acknowledged that at times young people may make some unnecessary noise when exiting or entering a vehicle. However, this is minimal given the time it takes both WA Police and the Mission Australia team to walk them directly to and from the facility to the transport. Mission Australia, along with WA Police, will continue to ensure young people are escorted to and from vehicles quickly reducing the noise and impact to neighbours.

**Vehicles continually park/stop and hinder movement of vehicles within the street**

Mission Australia have designated parking bays for all staff and vehicles associated with the Youth at Risk Strategy. At no point are vehicles stopped on the street obstructing traffic movement or residents. The WA Police are the main form of transport to this facility and have a designated drop off bay located at the YouthBeat site.

**Residents feel intimidated and feel confronted by the youths who are attending the site, particularly as they do not move into the premises immediately**

Young people can only access this facility if apprehended by the WA Police, this means that the WA Police are with all young people until they are safely inside the facility. In addition, there are two WA Police officers on site at all times during hours of operation supporting young people and the Youth at Risk program. At no point can young people self-present to the service and no young people loiter outside of this facility given the nature of the service and consistent presence of the WA Police.

If Mission Australia staff witness young people displaying anti-social behaviour in proximity of the facility outside of the Youth at Risk operating hours, they follow Mission Australia policies and procedures to address this, which includes contacting WA Police.

If you require any further information, please do not hesitate to call Area Manager Suzanne Caren on 0477 725 421.

Kind Regards,



**Chenae Doust**

Program Manager

YouthBeat and Youth Accommodation and Support Service (YASS)

Mission Australia










**5.5 NO. 8 (LOT: 38 D/P: 4576) MOIR STREET, PERTH - CHANGE OF USE FROM SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING) (UNAUTHORISED EXISTING DEVELOPMENT)**

**TRIM Ref:** D18/138387

**Author:** Kate Miller, Senior Urban Planner

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** South

- Attachments:**
1. Attachment 1 - Location and Consultation Map [↓](#) 
  2. Attachment 2 - Development Plan [↓](#) 
  3. Attachment 3 - Management Plan [↓](#) 
  4. Attachment 4 - Parking Management Plan [↓](#) 
  5. Attachment 5 - House Rules and Code of Conduct [↓](#) 
  6. Attachment 6 - Letter from Owner to Adjoining Neighbours [↓](#) 
  7. Attachment 7 - Administration's Response to Summary of Submissions [↓](#) 
  8. Attachment 8 - Applicant's Response to Summary of Submissions [↓](#) 
  9. Attachment 9 - Determination Advice Notes [↓](#) 

#### RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for the Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 8 (Lot: 38; D/P: 4576) Moir Street, Perth, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 9:

#### 1. Use of Premises

- 1.1 This approval is for a 'Short Term Dwelling' which, as defined in the City's Policy No. 7.4.5 – Temporary Accommodation:

*"the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period;"*

- 1.2 The Short Term Dwelling shall operate in accordance with the Management Plan and Parking Management Plan dated 27 August 2018. The terms and conditions outlined in the Management Plans shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the dwelling; and
- 1.3 The Code of Conduct contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the dwelling; and

#### 2. Car Parking

The on-site parking bay shall be made available to guests at all times and be maintained to the satisfaction of the City.

#### PURPOSE OF REPORT:

To consider an application for development approval for a change of use from Single House to Unlisted Use (Short Term Dwelling) (Unauthorised Existing Development) at No. 8 Moir Street, Perth (subject site).

**PROPOSAL:**

The application seeks approval to change of use of the existing single house to unlisted use short term dwelling.

**BACKGROUND:**

<b>Landowner:</b>	B Kogon
<b>Applicant:</b>	B Kogon
<b>Date of Application:</b>	31 January 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R25
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Single House
<b>Proposed Use Class:</b>	Unlisted Use (Short Term Dwelling)
<b>Lot Area:</b>	303m <sup>2</sup>
<b>Right of Way (ROW):</b>	Not applicable
<b>Heritage List:</b>	Yes

The subject site accommodates a single storey dwelling and is located within the Moir Street Development Guideline Area. A location plan is included as **Attachment 1**. The properties immediately adjoining the subject site are also zoned Residential R25 and comprise of single storey dwellings.

The subject site and adjoining properties located at No's. 2 - 28 Moir Street and No's. 1 - 32 Brookman Street are on the City's Heritage List and Municipal Heritage Inventory and are listed as Management Category 'A'. This group of dwellings is described as a complete and intact Federation Queen Anne style development.

The subject site has been operating as a Short Term Dwelling without development approval from the City since circa November 2017. The applicant submitted a development application seeking approval for Unlisted Use (Short Term Dwelling) at the request of the City. The applicant paid a fee that is three times that of a standard application fee, which encompasses the processing fee of the development application and a penalty for commencing development without prior approval, as provided by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The City has not received any formal complaints regarding the operations of the Short Term Dwelling prior to the advertising of the development application.

**DETAILS:**

The application proposes to change the use of the Single House to Unlisted Use (Short Term Dwelling), with the entire dwelling being used to accommodate guests on a short term basis. The development plans are included as **Attachment 2**. The application proposes a maximum of six guests from one group be accommodated at the premises at any one time. The application does not propose any structural modifications to the existing dwelling.

The City's Policy No. 7.4.5 – Temporary Accommodation requires a Management Plan and Code of Conduct to be submitted as part of all applications for Short Term Accommodation, which were provided and are included in **Attachment 3** and **Attachment 5**, respectively. The Management Plan confirms a maximum of six guests are permitted at any one time and details procedures including compliant management, parking management, waste management, house rules and code of conduct for guests.

The owner has also provided a letter to adjoining landowners notifying them of the intended use of the property and provided contact details for the landowner and property manager. The letter provided to the adjoining landowners is provided as **Attachment 6**.

**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local Planning Scheme No. 2 (LPS2), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.



Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Parking & Access		✓
Management Plan		✓

### Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
<b>Local Planning Scheme No. 2 (LPS2)</b>	
"P" Use	Unlisted Use (Short Term Dwelling)
Car Parking	
Deemed-to-Comply Standard	Proposal
<b>Residential Design Codes Clause 5.3.3 – Parking</b>	
The site requires two parking bays to be provided on site.	One parking bay is provided on site.  A Parking Management Plan is provided as <b>Attachment 4</b> .
Management Plan	
Deemed-to-Comply Standard	Proposal
<b>Policy No. 7.4.5 – Temporary Accommodation</b>	
A Management Plan detailing how the Short Term Dwelling will be managed.	A Management Plan is provided as <b>Attachment 3</b> .

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

### CONSULTATION/ADVERTISING:

The application was advertised for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 9 April 2018 to 30 April 2018. The method of consultation being a sign on site, a notice in the local newspaper 'The Voice', and 9 letters being mailed to all owners and occupiers as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

A total of 10 submissions were received of which, eight objected to the proposal, one expressed general concerns and one provided a neutral response to the proposal. The concerns raised by the submitters are as follows:

- The use of the property being inconsistent with the amenity and heritage values of the Moir Street Precinct;
- Car parking, specifically due to reliance of on-street car parking;
- Increased noise as a result of the proposal;
- The management of the proposed use; and
- Disposal of waste.

Administration and the applicant have provided responses to the submissions received, which are included as **Attachment 7** and **Attachment 8**, respectively.

### Design Review Panel (DRP):

Referred to DRP: No

**LEGAL/POLICY:**

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *City of Vincent Local Planning Scheme No. 2;*
- *State Planning Policy 3.1 – Residential Design Codes;*
- *Policy No. 4.1.5 – Community Consultation; and*
- *Policy No. 7.1.1 – Built Form Policy;*
- *Policy No. 7.4.5 – Temporary Accommodation;*
- *Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties; and*
- *Appendix No. 6 – Brookman and Moir Streets Development Guidelines.*

**Delegation to Determine Applications:**

This matter is being referred to Council as the application received more than five objections during the advertising period.

**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*"Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Land Use

The proposed land use is not specifically identified in the land use table in LPS2 and cannot reasonably be determined as falling within the interpretation of one of the listed uses in LPS2. As such, the proposal is considered as an Unlisted Use. In accordance with Clause 18(4) where a use class is not specifically referred to in the zoning table, the City is to:

- Determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or*
- Determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
- Determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.*

Council is therefore required to consider if the use is consistent with the objectives and purposes of the Residential zone. LPS2 includes the following objectives for the Residential zone:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*
- *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*
- *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*
- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

The proposal, being for short term accommodation, is for the purpose of human habitation and therefore represents development which operates in a similar manner to a residential dwelling. For this reason, it is considered the development is compatible with the surrounding residential development within the local area and the proposed land use is therefore compatible with its setting.

Through the consultation period concerns were raised relating to impacts on the amenity of the locality. The applicant's management plan for the proposed Short Term Dwelling outlines how incidents and complaints, such as noise and antisocial behaviour, will be managed. The management plan states guests will be advised that noise is to be restricted between 9pm and 8am. However, it is acknowledged that the issue of noise is largely dependent on individual behaviour which may lead to impacts on the surrounding residents. Notwithstanding, the owner and property manager details will be provided to adjoining residents, providing opportunity for incidents to be dealt with appropriately. In the event the proposed Short Term Dwelling is not operating in accordance with the management plan and is found to be causing a nuisance, it would be open to the City to undertake formal compliance action. The management plan is discussed in further detail below.

As detailed above, the subject site is located in the Moir Street Development Guideline Area and is classified as Management Category A on the Municipal Heritage Inventory, which has the highest level of local significance and has strict requirements relating to physical works. No external works are proposed and the façade of the heritage listed property will therefore remain as existing. In addition, no signage is proposed as part of the application, which is typically associated with commercial properties. For these reasons, the development will have no visual impact on the heritage significance of the subject site or the streetscape. The Heritage Management policy has no restrictions in terms of land uses.

In support of the above, the proposal, being for short term accommodation, could reasonably be considered to meet the objectives of the Residential zone as it represents an active use on street level which is potentially compatible with the other uses in the local area. As such, it is considered that the proposed use may be consistent with the objectives of the zone and therefore shall be considered by Council on its individual merits, having regard to any submissions received during the consultation period.

#### Temporary Accommodation Management Plan

The short term accommodation is limited to six guests at any one time. This number of guests is consistent with the number of people that would typically be accommodated within a three-bedroom residential dwelling. As such, the proposal is not considered to increase the intensity of the use of the subject site. Furthermore, the applicant has provided a Management Plan and a set of House Rules for the proposed Short Term Dwelling, which is included as **Attachment 3**. The Management Plan address issues relating to car parking, noise control, waste management, complaints management and security of guests and residents. The Management Plan and House Rules are considered to satisfy the requirements set out in the City's Policy No. 7.4.5 – Temporary Accommodation.

The landowner has written to the adjoining landowners and supplied contact details of the owner and the property manager. This ensures the adjoining properties can have direct contact with the owner or property manager in the event there are any concerns with guests of the property. In addition, the House Rules and Code of Conduct provided as **Attachment 5**, identify the following requirements:

- No parties or events are to be held at the property;
- No pets are permitted at the property;
- Noise levels shall be reduced from 9:00pm to 8:00am;

- Parking is to be contained within the property; and
- The owner has the right to terminate the booking at the owner's discretion.

A condition of approval will be imposed requiring the house rules to be provided to guests and to be displayed within the premises and for the Management Plan to be complied with at all times. If the conditions of approval are not adhered to, it would be open to the City to undertake formal compliance action.

### Parking

A number of submissions were received objecting to the proposal and raising concerns regarding car parking and impact on the availability of on-street parking bays. The subject site contains one existing car parking bay on site which is accessed via Moir Street. Whilst the Single House was approved with one car parking bay on site, the change of use to Short Term Dwelling results in a shortfall of one car parking bay. Therefore, a Parking Management Plan has been provided and is included as **Attachment 4**.

The applicant's Parking Management Plan confirms the one on-site bay will be available to guests of the premises. In the event additional vehicle parking space is required, the owner / property manager will provide suitable parking locations within close proximity to the dwelling, such as the Northbridge Central car park which is located within 250m of the site. Guests will be advised vehicles are not to be parked along Moir Street or within the verge. Notwithstanding, guests will be required to comply with the parking requirements set out by the respective parking signs, which will be monitored by the City's Rangers accordingly.

It is noted the property manager, maintenance workers and cleaners will be required to visit the premises on a semi regular basis. The Parking Management Plan confirms cleaning and maintenance will be scheduled when the premises is vacant and at alternate times so the visits do not coincide. This ensures the on-site parking space will always be available to guests, the cleaner and maintenance workers.

The property manager will often greet the guests, cleaners and maintenance workers. It is expected the duration of the property manager's visit will be no longer than 20 minutes at any one time. Moir Street permits on-street parking for a maximum of one hour. Alternatively, the property manager can utilise the paid parking sites within close proximity to the subject site. As the property manager will visit the site infrequently and for short periods of time, it is considered there will be no adverse impact on the streetscape or amenity of the adjoining properties.

The subject site is also within close proximity to a variety of public transport networks. Specifically, the site is approximately a 10 minute walk from Perth train station, is within 400m (approximately a 5 minute walk) from the Perth City Free Transit Zone (which provides free public transport within the City centre) and is surrounded by bicycle networks which offer alternative means of transport to the property. For these reasons, the property is considered to be well connected to alternative methods of transportation and provides opportunity for guests to be less reliant on motor vehicles.

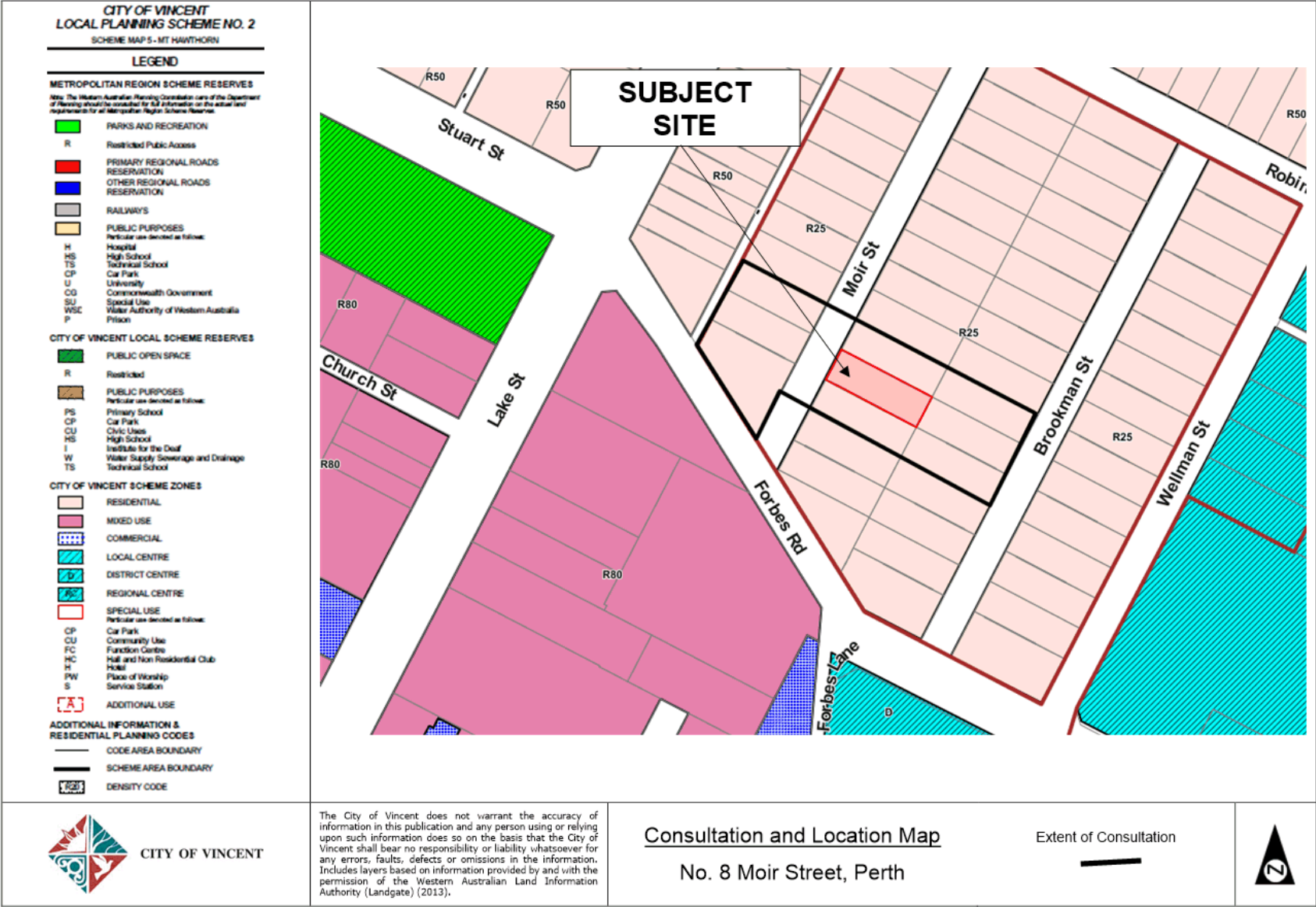
In support of the above, it is considered the alternative methods of transportation in addition to the single car parking bay is sufficient to accommodate parking requirements of the occupants.

### Conclusion

The application for development is seeking approval for the operation of a Short Term Dwelling at the premises located at No. 8 Moir Street, Perth. The application was submitted with a supporting Management Plan, House Rules and Parking Management Plan, in accordance with the City's Policy No. 7.4.5 – Temporary Accommodation.

Council is required to exercise its discretion with respect to the proposed land use, acceptability of the management plan and parking shortfall. For the purpose of this application, the proposed land use of a Short Term Dwelling has been assessed as an unlisted use under the provisions of Clause 18 (4) of LPS2. The land use is considered to be consistent with the objectives of the Residential R25 zone. The supporting Management Plan and House Rules submitted by the applicant are consistent with the expectations and requirements as outlined in the City's Policy No. 7.4.5 whereby appropriate measures are put in place to ensure that impacts on the residential amenity of nearby residents and occupiers are not unduly compromised by the use.

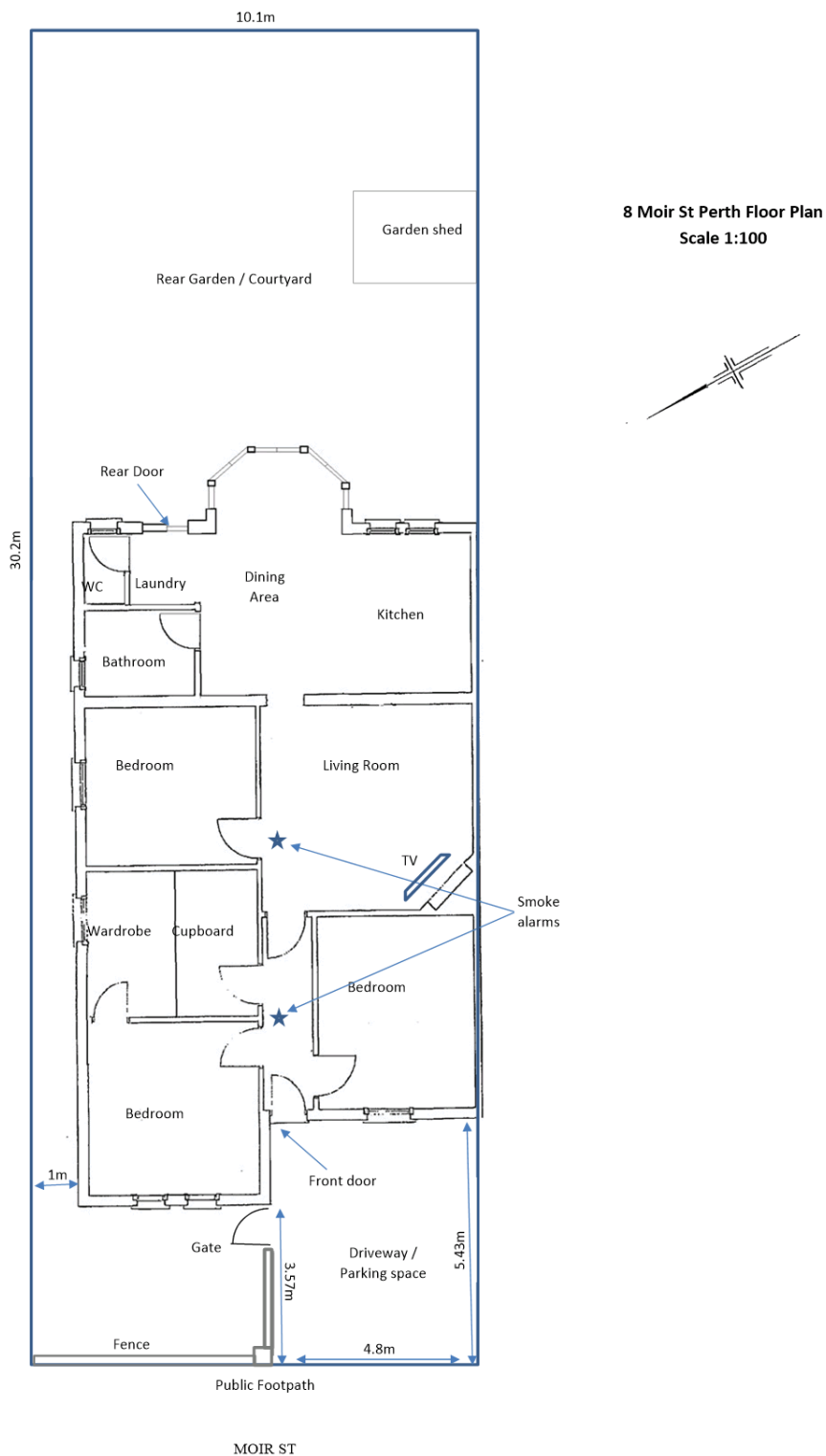
In light of the above, the proposed Short Term Dwelling use is supported, subject to conditions, which would include a requirement to strictly adhere to the submitted Management Plan and House Rules.







RECEIVED  
27/08/2018



RECEIVED  
27/08/2018

## Management Plan for Short Term Dwelling

August 2018

Property: 8 Moir St Perth 6000 (Lot 38 on Plan 4576)

### Contact Details

**Owner:** Boaz Kogon,  
Contact details redeacted for privacy purposes.

**Agent:** Contact details redeacted for privacy purposes.

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## 1 Background and Objective

The current owner of the house purchased the property in February 2002. The house was the owner's principal residence for a number of years until the owner moved overseas, at which point the owner commenced renting out the property.

Until November 2017 the house was rented to long-term tenants, self-managed by the owner remotely with the support of family members who live in Perth. This arrangement worked well initially but in recent years has given increasing problems, including:

- Tenants not keeping up with their rent, and associated difficulties in recovering owing rent
- Tenants not properly cleaning and maintaining the property
- More frequent cycling of tenants (tenants taking shorter leases, requiring more frequent searching for new tenants)
- Tenants keeping unauthorised pets at the property
- Tenants having partners stay over on a semi-permanent basis despite the rooms being leased as single-occupancy
- Tenants with domestic issues such as violent partners (internal doors have been broken, police called, etc.)

Due to the above situations and the difficulty in getting regular access to the house to undertake maintenance, the owner observed that the state of the house was gradually deteriorating year on year and that this in turn was affecting the ability to attract and retain quality tenants.

Furthermore, with the house always rented out, the owner was unable to make personal use of the property when visiting Perth.

The decision was therefore made to trial an alternative method of managing the property; contracting a professional agent to manage short-term letting. The advantages expected are:

- The expected higher gross rental income will enable the owner to pay a professional agent to manage the property and professional cleaners to regularly clean the property, thereby reducing the management burden on the owner's family members and achieving a better result with a cleaner, better-kept property.
- Natural spacings between short-term lettings will provide ample opportunity for regular maintenance to the property.
- The nature of short-term lets and the guarantees provided by the online booking platforms will significantly reduce the financial risk of tenants not paying rent.
- The owner can self-book the property for his personal use when visiting Perth.

The objective is to create a high quality offering that will attract high-end / professional visitors willing to pay a premium price, in particular families with children who would be attracted to staying in a house with a secure rear garden, or tourists wishing to enjoy a residential experience in a Heritage property. It is hoped that this type of clientele will respect the house and its environs, minimising any problems related to noise or rubbish that may disturb the neighbours.



## 2 Safety

The safety of tenants is paramount and is of first priority. The owner has instructed the agent to always take immediate action to correct any problem that may endanger tenants.

### 2.1 Emergency Contacts

Emergency contact numbers are clearly displayed on the refrigerator door, and are provided to all tenants in their Welcome Pack.

### 2.2 First Aid

A first aid kit is located in the laundry area. Emergency contact numbers for ambulance and other services are prominently displayed on the refrigerator door. Locations and contact details of nearby hospitals, clinics and pharmacies are given in the Welcome Pack.

### 2.3 Fire Safety

**Exits.** The house is single storey and has two main exits, front and rear, which are opened with the same key (given to the tenants on check-in). The house also has multiple large windows without security grills, which could be easily broken and used as exits in case of emergency.

**Alarms.** The house is fitted with two wired smoke alarms as per building codes, one in the main hallway and the other in the main living area.

**Fire Extinguisher.** A fire extinguisher and fire blanket are located in the laundry area.

**Prevention.** Smoking is not permitted in the house and tenants are requested not to light candles or any other naked flames in the house. Flammable material in the garden is kept to a minimum - garden litter and weeds are regularly collected by the agent and deposited in the bin for weekly collection. Larger branches are collected at the rear fence, far away from the building, and disposed of in the twice yearly council greens collections.

**Gas appliances:** A gas heater is located in the living room and the kitchen has gas hotplates. Both are in good working order.

**Fireplaces:** The original fireplaces are no longer in use and are decorative only.

### 2.4 Child Safety

The objective is to make the home attractive and safe for families. Whilst it is not practical to fully child-proof the house as might be done when a toddler is full-time resident in a home, basic security measures have been enacted in order to provide a reasonable level of safety.

**Secured Furniture:** All bookcases and chests of drawers are secured by screws to the walls. There are no decorative objects on shelves or tables that could fall and shatter or otherwise injure a child.

**Babies:** A baby high chair is provided for babies and toddlers to sit at the table. A cot is also available on request. The house is all at ground level so there are no stairs or high areas from which a toddler could fall.

**Secure garden area:** The rear garden is surrounded by 6' fence on all sides. The front garden has 6' vertical railing a gate that is kept locked by padlock. There are no water features in the garden. The garden area is therefore a safe area for children to play.

**Chemicals:** All strong cleaning chemicals and insecticide poisons are kept in a high cupboard in the laundry area, well out of the reach of small children. Garden chemicals are kept on a high shelf in the garden shed.

### 3 Code of Conduct

Tenants are advised upon booking, and again in the house code of conduct in the Welcome Pack, that the area is residential and they should respect neighbours' rights to quiet and cleanliness.

Tenants are advised that:

1. No loud music should be played between 9pm and 8am.
2. No loud music or conversations should be held in the garden area after 9pm
3. No rubbish or cigarette butts should be discarded on the street or thrown across a fence into neighbouring property.
4. Tenants should be quiet when returning to the house in the evenings, and avoid loud conversations in the street, as the sound carries into neighbouring houses at night.
5. No additional tenants beyond those detailed in the reservation (maximum of 6) are permitted to stay at the house.
6. No parking on the verge is permitted. One car may be parked in the driveway. Should tenants have a second car they must use one of the nearby public car parks. Northbridge Central Parking is just 3 minutes away, is open 24/7 and has inexpensive day rates.

Failure to abide by these requirements can result in immediate termination of the reservation and the imposition of fines that may be deducted immediately from the tenants' security deposit.

#### 3.1 Noise/Nuisance Control

The advertisements for the house clearly state that the house is in a residential area and that parties or other functions are not permitted. Tenants are requested to be considerate of neighbours and not generate undue noise.

There is no stereo system located at the house. The flat-screen TV has only internal speakers and is located in an internal room with no windows.

Should the license for Short-term Dwelling be approved, the owner will invest in a noise monitoring system, such as Sound Alarm (<https://roomonitor.com/product/sound-alarm/>) which has been especially designed for AirBnB properties. These devices do not record sounds (therefore respecting guests' privacy) but rather keep a log of sound levels, and can be set to send automatic SMS and email alerts when sound levels are exceeded, with different levels set for different times of day. In this manner the property manager and owner will be instantly alerted of any issue, without needing to wait for neighbours to complain.

The owner has also written to all neighbours in January 2019 (see letter annexed) providing them with contact details of both the agent and the owner and advising them that they should notify

immediately of any issue, no matter the time of day or night, so that we may take action to rectify the problem.

### 3.2 Parking

It is expected that the vast majority of tenants will have at maximum only one car, and this may be parked on the property in the driveway. Experience operating from December 2017 to August 2018 (when council requested we cease operating as short-term dwelling) is that in that time period only 5 guests had a second car. i.e. 95% of guests have only one car which can be parked on the property.

In the case where tenants have a second car, the agent will provide tenants with a special information pamphlet that describes the parking rules in the streets around the house and gives recommendations for nearby paid parking options where the car may be parked for longer periods. Northbridge Central Carpark, just two streets away, is open 24/7 and is only 2 minutes drive and 3 minutes easy walk from the house. The rates are very reasonable (\$16/day during the week and \$8.50/day during the weekend) and are minor compared to the costs of renting the car and the house. There is therefore no reason to expect that tenants will hunt for a space on local streets and risk a high fine, when such a simple and affordable solution is just 2 blocks away.

The need for street parking is expected to be significantly reduced compared to when the property was leased long-term and tenants had 2 or 3 cars, and therefore no negative impact on neighbours is foreseen.

See the Parking Management Plan for more details.

### 3.3 Rubbish

Details of the procedures for management of rubbish are given in the section devoted to the issue.

In the Code of Conduct, tenants are clearly advised of how rubbish should be placed in the general bin and the recycling bin. They are requested to be considerate of the house and neighbours and to not generate any undue mess and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street.

Should there be excess rubbish, tenants must place it in the extra bins kept in the shed at the rear of the house, and notify the agent so that he may remove the excess rubbish to avoid undue smells or other problems developing.

Tenants are clearly advised that failure to abide by these requirements can result in a penalty being deducted from the bond.

### 3.4 Violations

The implications of any violations of the Code of Conduct are clearly indicated on the Code itself, and communicated to the tenants at time of booking.

Should any incident occur, upon learning of the violation the agent will immediately contact the tenant and ask them to rectify the situation. If they are found to have been in gross violation of the Code of Conduct then the agent may act to impose a fine and/or terminate the booking with 24 hours notice to the tenant.

## 4 Rubbish Disposal

We acknowledge that there were some issues with rubbish management when the agent first took over the property, but these have been dealt with by improving processes and creating checklists and training for new cleaners. Over the last 3-4 months of operation there were no rubbish issues.

The procedures that are currently in place are as follows:

- Tenants are clearly advised of how rubbish should be placed in the general bin and the recycling bin. They are requested to be considerate of the house and neighbours and to not generate any undue mess and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street. Failure to abide by this requirement can result in a penalty being deducted from the bond.
- Additional bins have been purchased and placed in the shed in the rear courtyard. Should tenants or cleaners fill up the front bins before collection day, the extra rubbish is placed in these bins and the property manager will take it away for disposal.
- Following each tenant's departure, the professional cleaners are responsible for clearing all rubbish both from the various bins inside the house to the external bins. Cleaners are trained in the appropriate rubbish to put in each bin, and have on their task checklist to ensure that the bins, front yard and footpath are clean and tidy.
- Whereas previously it required to make a different arrangement each week to have the bins put out and brought in depending on whether cleaners were scheduled or not for that day, and this sometimes resulted in miscommunications that resulted in the bins not being moved appropriately, the current system is that a cleaner who lives nearby is paid a monthly fee to put the bins out the night before collection and bring them in during the day following collection. If she cannot do it for whatever reason then she notifies the agent who organises someone else to do it. This arrangement has completely solved the problem and now the bins are always moved according to council requirements.

It took some months of operation to understand the different volumes of rubbish that could be generated and to trial different arrangements for putting out and bringing in the bins. But the above described measures worked very well during our final months of operation and there should be no future incidents related to rubbish.

## 5 House Facilities and Services

The objective is to provide a fully-furnished and equipped home, with quality furnishings and amenities in order to attract a high level clientele and extremely positive reviews. Providing a top quality establishment is expected to attract better quality tenants, thereby minimising tenant-related issues including any negative impacts on neighbours.

A long-term plan has been made to renovate and upgrade the various room in the house. An initial investment was made when the previous long-term tenants departed in November 2017:

- The interior of the house was completely repainted,
- Additional furniture was purchased for the bedrooms
- Hotel quality linen was purchased for the bedrooms and bathroom,

- Numerous small repairs were carried out throughout the house, including new shower fittings, replacing torn flyscreens, fixing gutters, new TV antenna, etc.
- New sets of kitchen cutlery and dishware were purchased,
- Light fittings were repaired and upgraded,
- A lockbox for keys was installed by the front door,
- Internet connection and TV were upgraded,
- The garden was pruned and cleared,
- Paintings, books and other decorations were purchased and installed.

Further repairs and upgrades will be effected in the future as access to the house and funds permit, including:

- Repainting of the front fence,
- Renovation of kitchen cabinets,
- Improvements to the garden area,
- Repair work on worn floors,
- Renovation of living room furniture.

Current arrangements for accessing the house using physical keys will be reviewed after several months of operation, and if unsatisfactory then an electronic system will be installed.

### 5.1 Bedrooms

The house has three bedrooms, each equipped with a queen-size bed, bedside drawers, a wardrobe and a tallboy or equivalent. All beds have high quality mattresses, and the bedding includes mattress protector and hotel-quality linen.

Each bedroom has a ceiling fan, individual air-conditioning, exterior window with security grill and sun-block curtains.

### 5.2 Parking

Off-street parking for one car is available in the driveway. As described in the Parking Management Plan, on the rare occasions when guests have more than one vehicle then they are given information on nearby parking facilities, in particular Northbridge Central Parking which is only 3 minutes walk from the house and has very reasonable day rates.

Tenants are clearly informed that parking on the verge is not permitted and that they should not block the footpath.

### 5.3 Security

The aim of security arrangements at the house is to provide a good level of security for both tenants and the house itself, while minimising potential for problems (lost keys, windows left open, etc) and any disturbances to neighbours (false alarms, etc)

The house has two doors, front and back. The front door is deadbolt and requires a key to open. Both the front and back doors also have security screens. Doors and security screens are all operated with the same key.



Tenants are provided with a single copy of the key when checking in and must return the key when checking out. If the agent is not able to be present at checkin or checkout then the key is left in a coded security box which is bolted to the wall next to the front door. Tenants may also use this box to pass the key amongst themselves if they are entering and leaving the house at different times.

The code on the box is changed between each tenant, therefore providing an added level of security.

All windows in the house that open either have a security grill installed and/or have a lockable chain so that the window cannot be forced open further. The keys to the window chains are not generally given to the tenants so they cannot be inadvertently left open.

The house has an alarm system installed however it has been deactivated so as to avoid false alarms that would disturb the neighbours.

The gate to the front garden has a padlock and is kept closed at all times, except when the agent is doing maintenance or gardening. The tenants are not provided with a key to this gate unless they wish to use this access to store bicycles in the yard.

Both the agent and the owner's family have spare keys to the house. Contact numbers are provided to the tenants in case of lost keys or other security issues.

#### **5.4 Internet and Phone**

Broadband wireless via ADSL is available in the house. Tenants are provided with the password upon checkin.

There is no landline phone at the house.

#### **5.5 TV**

A large flatscreen TV is installed in the living room, which is a completely internal room with no external windows. There are no TVs in any of the bedrooms nor are there any stereo music systems in the house.

Tenants can therefore enjoy watching TV or a movie if they desire but the potential for loud noise and disturbance to neighbours is minimised.

#### **5.6 Kitchen**

The kitchen is fully equipped with cutlery, cooking utensils, toaster, microwave, oven, kettle, rice cooker, dishwasher and a large fridge/freezer. The pantry is regularly restocked with basics such as tea, coffee, sugar, spices, etc.

#### **5.7 Laundry**

The laundry has a washing machine, large sink, iron, ironing board and cleaning materials. It is regularly restocked with washing detergent and soaps.

An outside clothes line is available in the back garden, and an internal clothes rack is available for drying indoors when the outside weather is wet.

The fire extinguisher and fire blanket are also kept in the laundry area as it is near the rear door to the house and also close to the kitchen area.

### 5.8 Bathroom

The house has one bathroom with bath and shower, and a separate toilet. The bathroom is regularly restocked with soap and shampoo. Hotel quality towels are provided.

### 5.9 Cleaning

The house is professionally cleaned and all linen changed over following each tenancy. The linen is laundered off-site.

Tenants may also request additional cleans at any time (costs of additional cleans are clearly communicated at the time of booking).

In addition to regular cleaning of floors, kitchen and wet areas, the cleaners have a list of additional items that must be progressively done over a three month period, such that, for example, windows, flyscreens, pantry cupboards, fridge, oven, exhaust fans, hard to reach areas, etc. are kept in good condition.

### 5.10 Gardening

The garden comprises mainly mature evergreen plants and so is relatively low maintenance. The key tasks are to regularly remove fallen leaf litter, keep weeds from growing in the paved areas and prune the plants.

The agent is responsible for maintaining the garden. Occasional support is provided by the owner's family members who enjoy gardening.

Should it be required, professional gardeners may be occasionally employed to tackle bigger jobs.

## 6 Complaints Procedures

### 6.1 For tenants

Tenants are provided with phone and email contacts for the agent, and are advised in the Welcome Pack to notify the agent of any problems or malfunctions at the house immediately.

The agent is authorised by the owner to undertake immediate and urgent action, including calling professional tradesmen for any issues that impact tenant safety and/or the integrity of the house. These include, but are not limited to:

- Faulty locks, doors or windows that prevent the house being secured,
- Faulty electricals that pose a risk to persons and/or a fire hazard,
- Plumbing faults that cause continuous leaks or sanitation problems,
- Gas leaks.

### 6.2 For neighbours

Neighbours were sent a letter in January 2018, requesting them to immediately inform the agent of any excessive noise, rubbish or other issue caused by tenants staying at the house.

Should an incident occur, the agent will directly contact the tenants and attempt to resolve the issue amicably. Where tenants are found to be in violation of the house code of conduct, the agent will

take action as described in the booking conditions, which may include 24 hour eviction of the tenants and/or impositions of fines.

A similar letter will be issued annually to ensure that neighbours always have the correct contact details at hand.

RECEIVED  
27/08/2018

### Parking Management Plan for 8 Moir St Perth

Owner/Applicant Details	
Name:	Boaz Kogon
Address:	Contact details redeacted for privacy purposes
Phone:	Contact details redeacted for privacy purposes
Email:	Contact details redeacted for privacy purposes
Applicant Signature:	

Property Details	
Lot Number:	Lot 38 and 110, Vol 1115, Folio 125
Address:	8 Moir St Perth 6000

### Description of the premises and activity

8 Moir St Perth is a residential home (3 bedrooms, 1 bathroom) that has recently been adapted for short term rental. The three bedrooms are equipped with queen size beds and the property is therefore offered for a maximum of 6 tenants at any one time, although smaller groups (3-4 tenants) are common. The main target profiles are executive families or groups of professionals visiting Perth for work or leisure. The property is booked via reputable portals such as Airbnb or Booking.com with the average length of stay being 3 days.

The property has one off-street car bay. The front courtyard is fenced with a padlock gate, and has a path down the side of the house to the rear courtyard. Any number of bicycles can therefore be securely stored.

Parking Allocation	
Total Number Car Parking Spaces:	1 off-street parking space
Total Number Bicycle Parking Spaces:	5 – Fenced area with a locked gate can easily accommodate 5+ bicycles
Total Number Other Bays:	none

### Persons accessing the property

Asides from tenants, the only other people who access the property are the property manager, the cleaner, and any tradesmen contracted to undertake maintenance (plumber, electrician, painter, etc).

Cleaning and maintenance are always scheduled when the house is empty, and cleaning always after any maintenance is complete. Therefore, cleaners and tradesmen always have the off-street parking bay available. Cleaning occurs after each tenant departs. Maintenance is scheduled as needed, but would typically be no more than once every other month.

The manager will on occasion be at the house to greet tenants, or will coincide with cleaners or tradesmen to inspect their work. These visits are always short (15-20 minutes), and the manager therefore parks on the street, as parking of less than one hour is permitted. The manager would typically visit the house in the order of once a week.

Development Type	Development Users	Parking Allocation			
		Type / Duration	No. Car spaces	No. Bicycle Spaces	No. Other Spaces
Temporary Accommodation (Short Term Dwelling)	Tenants	> 3 hours	1	5	0
	Manager	< 1 hour	1**	0	0
	Cleaners	< 3 hours	1*	0	0
	Maintenance	< 3 hours	1*	0	0

\* Cleaners and maintenance are only scheduled when tenants are not at the property, hence the off-street parking bay is always available for them. Cleaners and maintenance are never scheduled together (cleaners are always scheduled to come once any work has been completed).

\*\* On most occasions the Manager would visit to inspect the house and/or conduct maintenance. The Manager may occasionally coincide with tenants or cleaners, but this is only for very brief periods (e.g. 10-15 minutes) and occurs on average just once a week. In such cases the manager can park on the street nearby as parking of up to 1 hour without permit is permitted.

#### Other transport options

The central location of the house makes getting around without a car very easy. The house is just a short walk from various bus stops which are in the Perth Free Ride Zone, including the CAT line that goes through Northbridge. Perth central train station is only 10 minutes walk away. The entire neighbourhood is quite flat with good quality footpaths on all streets, and cycle paths available on several major roads nearby.

Tenants are informed of all these alternative transport options when they book the property and in their Welcome Pack upon arrival at the property. The property manager also provides tenants with additional details and assistance upon request.

Transport Option	Type & Level of Service
<b>Public Transport</b>	
Train	The property is 10 minutes walk from Perth central train station.
Bus	The property is in easy walking distance (200m) of the Perth City Free Transit Zone, with easy access to buses on William St (leading directly to the city centre and Busport) and the CAT routes that run through Northbridge.  It is therefore very simple to connect through to anywhere in the Metropolitan area via public transport.
<b>Pedestrian</b>	
Paths	The roads around the property have good and secure footpaths, over flat terrain, with easy pedestrian access through Northbridge into the city centre. It takes just 10 minutes to walk to the central train station and 15 minutes to the Hay St Mall.
Facilities	-



Secure bicycle parking	The front courtyard of the property is protected by an iron railing fence accessed by a padlock gate. Tenants can request to use this area to securely store their bicycles (which can be chained to side railings or the tree). If they require further security, the bikes can be easily wheeled around to the back of the house where they are out of public sight. A large number of bicycles can be easily accommodated.
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<b>Public Parking – not applicable as the property is not accessed by the public.</b>			
On Street			
Off Street			

### Parking management

The property manager is responsible for managing all aspects of tenant stays and house upkeep, including parking.

The experience to date is that the **vast majority of tenants have only one car**, and this may be parked on the property in the off-street parking bay. From January to August 2018 only 5 tenants requested information about parking a second car.

In the case where tenants have a second car, the agent provides a special information pamphlet that describes the parking rules in the streets around the house and gives recommendations for nearby paid parking options where the car may be parked for longer periods.

**Tenants are very clearly informed that the second car may not be parked on Moir St, and in particular that parking on the verge is not permitted.**

Tenants are informed of the parking limitations when making their booking, and are particularly asked if they plan to have more than one car. If they do, they are provided with the neighbourhood parking information and asked if this is acceptable. If not, they are offered the option to cancel their booking free of charge.

This policy therefore effectively filters for tenants who either have just one car, or in the case of tenants that have an additional car, that they understand and are happy to comply with local parking restrictions.

Experience has shown that tenants are very happy with local parking options. For example, Northbridge Central Carpark, just two streets away, is open 24/7 and is only 2 minutes drive and 3 minutes easy walk from the house. The rates are very reasonable (\$16/day during the week and \$8.50/day during the weekend) and are minor compared to the costs of renting the car and the house. There is therefore no reason to expect that tenants will hunt for a space on local streets and risk a high fine, when such a simple and affordable solution is just 2 blocks away.

The manager schedules all visits by cleaners or tradesmen, and these by their nature do not coincide with tenants being present, hence they always use the off-street parking bay.

### Impact on neighbours

The parking impact on neighbours of the change of use of the property to short term dwelling is expected to be minimal. Prior to the change, when the property was rented out to long-term tenants, there were three individuals living at the house, with two cars permanently at the property and then additional cars needing parking when partners or friends visited, which occurred very regularly.

The change to short term dwelling has therefore **resulted in a significant reduction in parking pressure in the street**, reduced from 2+ cars at the property to 1 car, with only the occasional second car which must be parked in a nearby paid parking zone.

In case of any incident creating a negative impact on neighbours, all neighbours have been provided with a contact number for the property manager and requested to contact the manager immediately so that he may take appropriate action to resolve the issue.

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27/08/2018

## CHARMING CENTRAL HOME – CODE OF CONDUCT and HOUSE RULES

Council regulations require that all short-term rentals have a Code of Conduct and House Rules in place in order to ensure that guests, neighbours and property owners all co-exist in harmony.

**By booking this property you agree to abide by, and be bound by the following rules. Failure to do so may result in fines or immediate termination of your booking with no refund.**

### Safety

**Safety of our guests is our number 1 priority.** If you notice anything unsafe in the house, please notify ABODE immediately.

A list of emergency contact numbers is at the end of this document and a copy is also posted on the fridge door.

**Fire:** The house is fitted with two smoke alarms. If an alarm sounds (a very loud continuous high-pitched sound), please ensure that everyone in the house is safe and then try to deal with the source of the smoke/fire.

**A fire extinguisher and fire blanket are located in the laundry area.** If you cannot extinguish the fire, please evacuate the house and call the fire department. Try to close as many doors as possible to slow the spread of the fire. Do not risk injury trying to save belongings.

If the smoke alarms start beeping it means they need maintenance, please notify ABODE immediately.

**It is strictly prohibited to light candles or any other naked flames in the house,** except for the gas-rings on the stove.

**Medical emergency:** A first aid kit is located in the laundry area. A list of local hospitals and pharmacies is included in the emergency contact list. Call 000 for Ambulance.

**Child safety:** Measures have been taken to make the house reasonably child-safe:

- Bookcases and tallboy drawers have been attached to the walls to prevent them falling over.
- Chemicals and sharp kitchen utensils are stored in higher cupboards and drawers.
- The rear garden is completely enclosed so children cannot get out.
- A high chair and cot are available on request.

Nevertheless, parents are requested to be extra careful and take responsibility for keeping children safe. **Please ensure that children:**

- Do not climb on the furniture,
- Do not play in the kitchen area,



- Do not take baths unattended,
- Do not dig in the garden and nor play in the garden shed, as they may disturb spiders or other fauna. **Redback spiders are poisonous and can prove fatal to children!** Please take your child to hospital immediately if you see an adverse reaction to any insect bite.

#### Number of Guests and Use

No more than **6 guests** may sleep at the property. The property must be **used for residential purposes only**. No parties, events, or commercial activities of any form may be held at the property. **No pets** of any kind are permitted on the property.

#### Check-in, Check-out and Security

Whenever possible, an ABODE representative will personally greet you on arrival and/or departure. When this is not possible, you will be provided with a code to access the key box by the front door.

Neither the code to the key box, nor the key, may be shared with any persons not part of the booking.

The single key gives access to both front and rear doors and associated flyscreens. **ALL DOORS and FLYSCREENS must be locked when the house is empty**. It is the guest's responsibility to ensure that the house is secured at all times during their stay, and that all doors and flyscreens are locked and the key secured in the key box upon departure.

Some windows in the house have keyed chains that enable them to be closed but not opened. Also, the gate to the front yard is locked by a padlock. Your ABODE agent has the keys to these locks and can provide you with access upon request.

**Check-out is by 10am**. Please ensure that the house is locked, all air conditioning, heaters, exhaust fans, lights and other devices are off and that the key is left in the lock box.

#### Parking

One car may be parked on the property in the driveway. Should you require parking for a second car, your ABODE agent will provide details of nearby car parks. Northbridge Central Carpark is just 3 minutes walk, is open 24/7 and has very reasonable day rates.

Parking rules in the neighbourhood are very strict and heavily policed. Please:

- Do not park on footpaths or verges,
- Do not park in front of driveways or any place where you may block an exit,
- Park only in areas clearly marked for parking and follow the instructions on any parking signs.
- Check for time limits on street parking, these are very strict.



### **Rubbish and Cleaning**

A professional clean of the house is included in your booking. Nevertheless, it is not permitted to leave rubbish lying loose in the garden or the front of the house, and any excessive dirt or rubbish that requires extra cleaning will be charged to you.

You will find two large council bins at the front of the house. The **GREEN** lid bin is for general waste and the **YELLOW** lid bin for recycling.

The **Yellow** bin accepts:

- glass jars and bottles (clean, no lids)
- aluminium and steel cans
- plastics - codes/types 1,2,3, 4,5, 6 and 7 (check the bottom of container/bottle)
- all types cardboard and paper; including office paper (no shredded paper)
- liquid paper board (milk and juice cartons), coffee cups (all empty/free from liquid)
- plastic shopping bags

The **Green** bin accepts all other general household waste, except glass! Please put all glass in the Yellow bin.

**Are the front bins full?** If the front bins are full, there are extra bins in the shed in the rear garden. Please put any excess rubbish in these bins and inform the ABODE agent that you have done so, and the agent will organise for the rubbish to be removed.

**Are you at the house on a Wednesday night?** Bins are collected on Thursday morning, and must be on the street by 6am. A cleaner will come by sometime Wednesday afternoon to put the bins out, and will return on Thursday to bring the bins in. Please try and put your rubbish in the outside bins by Wednesday morning so it can be taken away.

Under no circumstance should any rubbish or other objects be thrown over the fence to a neighbour's property. Any such action will result in an immediate \$50 fine charged against your deposit.

### **Noise**

The house is located in a very quiet residential street and the neighbours request that you respect this. In particular:

- No loud music or other loud sounds between 9pm and 8am.
- No loud music or conversations should be held in the garden area after 9pm.
- Please be quiet when returning to the house in the evenings, and avoid loud conversations in the street, as the sound carries into neighbouring houses at night.

Should you fail to adhere to these guidelines and a neighbour complains, then depending on the situation a fine may be imposed or your booking terminated immediately, and you will be liable for all associated charges or liabilities that may result.

### **Smoking**

Smoking is not permitted inside the house, but you may smoke in the rear garden. Please do not leave cigarette stubs in the garden. Ash trays are provided for this purpose.





If you are found to have smoked inside the house then a \$400 cleaning charge will be applied to cover steam cleaning of curtains and furniture.

#### **Problem or Malfunction**

ABODE endeavours to ensure that all appliances and services at the house are in good working order. **If anything is not working properly** or you notice a problem such as a leak or unusual noise, **please report it to ABODE immediately**.

We will make all attempts to remedy the problem as soon as possible, or organise an alternative service as per your needs. If we are unable to resolve the problem satisfactorily then we will offer you a partial refund of your booking fee in compensation.

#### **Damage**

Whilst at the house, you are responsible for any damage to the house, its furnishings and contents, except for ordinary wear and tear. The house and its contents are insured but there are excess amounts payable on most incidences. **It is your obligation to immediately report any damage to ABODE**, whereby an agreement will be sought as to how to repair or replace the damaged item. Failure to comply will result in the charging of any repairs or replacements to your credit card without further notice.

#### **Personal Property**

ABODE and the property owner assume no responsibility for any personal property you bring to the house or leave behind on your departure. It is your responsibility to ensure that your belongings are kept secure at all times.

**Should a break-in or other theft occur, please report it immediately to both the Police and ABODE.** We will work with you to try to recover the items and/or claim any applicable insurance.

#### **Disclaimer**

The Property Owner and ABODE will not be held responsible nor liable for:

- Any injury or loss suffered by the occupants, their invitees or guests howsoever caused whilst occupying the accommodation due to failure of the occupants to comply with the Term and Conditions or House Rules;
- Any injury or loss suffered by the occupants, their invitees or guests whatsoever or howsoever caused due to negligence;
- Any injury or loss suffered by the occupants, their invitees or guests whatsoever or howsoever caused as a result of insects or wildlife in or around the house;
- Any noise, disturbance or inconvenience caused as a result of renovation/building/road works being carried out in or near the vicinity of the accommodation.



## Emergency & Other Contact Numbers

8 Moir St Perth WA 6000

### General Emergency (Fire, Ambulance, Police) – 000

**Nearest Police Station – (+61) 131 444**

**Emergency Services (SES) – (+61) 132 500**

#### Utilities:

**Western Power (electrical emergencies) - (+61) 13 13 51**

**Gas (leaks, faults and emergencies) - (+61) 13 13 52**

**Water Corporation (burst pipes or leaks) - (+61) 13 13 75**

#### Nearby hospitals:

**Royal Perth Hospital – (+618) 9224 2244**

197 Wellington St, Perth WA 6000

**Sir Charles Gairdner Hospital – (+618) 9346 3333**

Hospital Ave, Nedlands WA 6009, Australia

**Perth Childrens Hospital – (+618) 6456 2222**

15 Hospital Ave, Nedlands WA 6009

#### Nearby late night pharmacies:

**Busy Bee Chemist and Newsagency – (+618) 9328 7885**

201-205 William St & St James St, Northbridge; open till midnight

**Beaufort Street 24Hour Chemist – (+618) 9328 7775**

647 Beaufort St, Mount Lawley, open 24 hours

#### Taxis:

**Maxi Taxi - (+61) 406 553 313, Black & White Taxis - (+618) 131 008,  
Swan Taxis - (+618) 13 13 30, Disabled Taxi Service - (+618) 9422 2240**

#### Owner/Manager:

**Property Manager:** Contact details redacted for privacy purposes.

**Owners:** Contact details redacted for privacy purposes.

RECEIVED  
27/08/2018

26 January 2018

Dear neighbour,

I am the **owner of 8 Moir St** and I am writing to advise you of a recent change to the type of tenant in the property.

For a number of years now I have been living overseas and the house was rented out long term, with tenants typically staying 2-3 years. Family members who still live in Perth have helped me manage the tenants.

However, in recent years we have experienced various problems; tenants not paying rent, the house and garden not being properly cared for, unauthorised pets kept at the house, even some violence leading to damage in the house. It has become increasingly difficult to manage the situation and furthermore, having the house rented long term means my family and I can't use it on our visits to Perth.

I have therefore decided to try converting to a **short-term rental** arrangement so that for a portion of the year I may live in the home, and the other portion it is rented on a daily/weekly/monthly basis. I have engaged a professional agent, ABODEBNB ([www.abodebnb.com.au](http://www.abodebnb.com.au)) who will manage the bookings and guests, ensure the house is professionally cleaned after each visit, and conduct regular maintenance on the house and garden.

The aim is to attract a high level of clientele. The advertisements will ***specifically prohibit party groups, pets and extra visitors***, and will target professionals on business visits or families with children on holidays. In order to minimise any anti-social or other behaviours that may inconvenience our neighbours, we are developing systems and processes, including a code of conduct, information sheets and penalties for non-compliance, that guests will need to adhere to.

We commenced the process of upgrading the house for short term rental before Christmas and will be gradually refining things over the coming months.

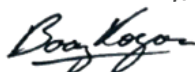
We hope that this will work well, but **in case that any incidence occurs that disturbs you**, whether it be high levels of noise, anti-social behaviour, rubbish, parking, etc, I would ask you to ***inform both the agent and myself immediately*** so that we can take appropriate action. Our contact details are:

**Agent:** Contact details redeacted for privacy purposes.

**Owner:** Contact details redeacted for privacy purposes.

Your understanding of the situation and patience with any teething problems is much appreciated.

Yours sincerely,



Boaz Kogon

**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received	Officer Technical Comment:
<p><u>Submitter one</u></p> <p>No. 8 Moir Street has been operating a short term residence for a period of time.</p>	<p>Noted. The subject application has been lodged accordingly and is assessed against the relevant planning framework.</p> <p>It is noted no concerns or comments were raised prior to the application being formally advertised in accordance with the City's Consultation Policy.</p>
<p><u>Submitter two</u></p> <ul style="list-style-type: none"> <li>• It is a heritage area and we feel the short term applications will destroy our community overtime;</li> <li>• The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct;</li> <li>• The short stay use will erode the unique cultural heritage significance of the precinct by allowing the existing single house to be used for commercial purposes/commercial gain;</li> <li>• Allowing commercial uses such as short term dwelling within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique;</li> <li>• We object to the short term dwelling because it does not reflect the dynamic of community feel;</li> <li>• This short term dwelling is likely to set a precedent for others to contemplate doing the same and at the same time dilute the street feel of residential and the sense of community that has developed over the past 5-10 years;</li> <li>• The Moir and Brookman Street precinct is a closely knit community and it would be extremely unfortunate to have the positive community tenor compromised by continuation of the short term dwelling arrangement;</li> <li>• Owners and residents choose this area because of the history with heritage. Everyone tries to upkeep and uphold the heritage feel of the precinct and going to short term dwelling will prevent this ongoing upkeep.</li> </ul>	<p>The subject site falls within the Brockman and Moir Streets Development Guidelines and has been assessed against those requirements accordingly. It is noted the application proposes no structural changes to the existing building.</p> <p>The proposed development has also been assessed against the objectives of the Residential zone as defined by the City's Local Planning Scheme No. 2 (LPS2) and Policy No. 7.4.5 – Temporary Accommodation.</p> <p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The requirements of the management plans are to be strictly adhered to.</p> <p>For the reasons provided within the report, the application is deemed to satisfy those requirements and is therefore recommended for approval.</p>

**Summary of Submissions:**

Comments Received	Officer Technical Comment:
<p><u>Submitter three</u></p> <ul style="list-style-type: none"> <li>• The area is fully residential. The concept of a short term dwelling changes the area to be semi commercial as a holiday house or short stay accommodation which will provide a completely different feel to the whole street;</li> <li>• We are concerned as to whether this type of dwelling is suitable for this neighbourhood;</li> <li>• If the proposal is approved, then it creates a precedence and more people may want to do this in the Brookman-Moir Precinct and this is not in keeping with the heritage character of the area; and</li> <li>• One of the aims of the heritage listing of the precinct is to encourage people to purchase properties and restore them to the original as much as possible. Converting houses to short-term stay dwellings is not in keeping with that character.</li> </ul>	
<p><u>Submitter four</u></p> <ul style="list-style-type: none"> <li>• Parking is an issue on the street and having 6 people stay at any one time may create further parking issues. Vehicles may be parked on verges and over the footpath;</li> <li>• Reliance for on-street car parking for guests of the short term dwelling would have an adverse impact on the amenity of the locality and access to on street parking by the residents;</li> <li>• The guests may park illegally within Moir Street. It will provide pressure on the already limited amount of on-street parking, thereby penalising those residents who have removed on-site parking for heritage reasons;</li> <li>• The property is advertised online with free parking with no mention of the streets parking restrictions or that it only has 1 car parking bay onsite. With accommodation of 6 guests, it's conceivable some will have more than 1 car and it doesn't seem that parking permits are being used; and</li> <li>• Parking has become an issue as often there are 5 cars per booking.</li> </ul>	<p>In accordance with the Parking Management Plan, one off-street parking bay is available to guests of the dwelling. The owner / property manager will provide suitable parking locations to guests if they require an additional parking space, noting on-street parking along Moir Street will be listed as an unsuitable location.</p> <p>In addition to the above, the subject site is within close proximity to the public transport network thereby providing other options of transportation.</p> <p>It is considered the parking management plan adequately addresses the City's concerns relating to parking of vehicles associated with the site and is therefore recommended for approval.</p>



**Summary of Submissions:**

Comments Received	Officer Technical Comment:
<p><u>Submitter five</u></p> <ul style="list-style-type: none"> <li>The proposed use has the potential to adversely affect the amenity of the area as a result of excessive noise, caused by guests at the premises or going to and from the premises;</li> <li>The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area;</li> <li>As a short term dwelling, the increase in late night noise as well as uber and taxi drop-offs can be heard by the surrounding property owners;</li> <li>The street is very quiet and the short term dwelling may accommodate several different groups over a week that may invite parties. We have encountered several occasions where party noise has continued until 3.30am;</li> <li>The driveway cannot accommodate a large vehicle and blocks up the footpath;</li> <li>Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night;</li> <li>The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers;</li> <li>Cracks are appearing in the driveways and kerbside nearing No. 8 Moir Street as vehicles coming in are sometimes vans/mini bus/ 4wd's to accommodate the people staying at the site. These cracks have impact on the heritage values of the street that everyone in the street has worked so hard to maintain to ensure we continue to be award winning internationally;</li> <li>There has been an excessive amount of noise as many people use it as a party house. We live on a residential street and would like to be respected to have that comfort of our own house to use without having to worry about noise levels from parties all the time;</li> </ul>	<p>The subject site falls within the Brockman and Moir Streets Development Guidelines and has been assessed against those requirements accordingly. It is noted the application proposes no structural changes to the existing building. Notwithstanding, it is the owners responsibility to ensure the property is maintained. Notwithstanding, the Holiday House will operate similarly to the use of a dwelling (i.e. for the purpose of human habitation) and will therefore have no adverse impact on the heritage values or appearance of the streetscape.</p> <p>The proposed development has also been assessed against the objectives of the Residential zone as defined by the City's Local Planning Scheme No. 2 (LPS2) and Policy No. 7.4.5 – Temporary Accommodation.</p> <p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The requirements of the management plans are to be strictly adhered to.</p> <p>In addition to the above, owner is required to provide contact details of the owner and property manager to adjoining neighbours to ensure they can be contacted if necessary.</p> <p>The on-site parking bays complies with the relevant Australian Standards and is therefore sufficient to accommodate vehicle parking.</p> <p>With regards to vehicle movements within the street, all vehicles are required to comply with the road rules. Any issues relating to non-compliance with the road rules should be directed to WA Police.</p> <p>For the reasons provided within the report, the application is deemed to satisfy those requirements and is therefore recommended for approval.</p>

**Summary of Submissions:**

Comments Received	Officer Technical Comment:
<ul style="list-style-type: none"> <li>• With a residential street, you are able to recognise neighbours and the coming and going of residents. However with short term stay, it is difficult to see if someone is breaking and entering the house as you can not recognise them. Northbridge already has a high crime rate and often the residents are on the lookout for each other to ensure that homeless and other strangers do not trespass into the properties;</li> <li>• There are many young children on the street and we have seen the short term stay people drive down the one-way street in an incorrect direction and many speed because they do not realise it is a residential street; and</li> <li>• Short term tenancies are well known for their unneighbourly behaviour and already before this proposal has been considered for approval, there have been incidents. We feel that it is unfair for people in the street to have to put up with this anti-social behaviour.</li> </ul>	
<p><u>Submitter six</u></p> <ul style="list-style-type: none"> <li>• How does the online agent know that there are no more than 6 occupants or have the ability to control noise and other disturbances when the occupants are there for one night;</li> <li>• Information is required to detail how the managing agent will ensure there will not be an undue impact on long term residents due to a continuing revolving door of occupants;</li> <li>• Does the short term accommodation have emergency plans in place in case of a fire;</li> <li>• The proposal will cause ongoing issues that Council will not be able to effectively monitor. These are related to noise, rubbish collection and parking; and</li> <li>• We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas.</li> </ul>	<p>As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The management plan also details emergency procedures for guests of the premises. The requirements of the management plans are to be strictly adhered to.</p> <p>The owner has contracted a property manager to manage the property and guests. In addition, owner is required to provide contact details of the owner and property manager to adjoining neighbours to ensure they can be contacted at any time if necessary.</p>

**Summary of Submissions:**

Comments Received	Officer Technical Comment:
<p data-bbox="324 260 504 287"><u>Submitter seven</u></p> <ul data-bbox="324 311 1104 729" style="list-style-type: none"><li data-bbox="324 311 1104 375">• The short stay may result in issues with rubbish and bins left on the street;</li><li data-bbox="324 391 1104 502">• There is an issue with rubbish disposal. The weekly and fortnightly collections do not appear to meet the requirements of multiple occupancies during the relevant bin collection periods. It's been observed that bins can be left on the footpath for days before collection;</li><li data-bbox="324 518 1104 582">• Rubbish bins do not get emptied on the correct days and tend to overflow; and</li><li data-bbox="324 598 1104 729">• Due to the large number of people staying and going in the house already, there is a constant overflow to the bins. The recycle bin is used as a normal waste bin. The overflow of the waste spills onto the pedestrian footpath and roadside which disrespects the cleanliness of the heritage precinct that we all wish to upkeep.</li></ul>	<p data-bbox="1104 311 1892 518">As part of the application, a Management Plan, Code of Conduct and Parking Management Plan is required for the City's assessment. These documents outline how the short term dwelling will be managed. It is considered the requirements of the management plans will minimise adverse impacts on the amenity of adjoining properties, specifically in relation to noise, guest behaviour, waste management and parking management. The management plan also details emergency procedures for guests of the premises. The requirements of the management plans are to be strictly adhered to.</p> <p data-bbox="1104 542 1892 598">Should waste become an issue, the applicant can contact the City to discuss waste options.</p>

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

RECEIVED  
27/08/2018

Comments Received:	Comment:
<ul style="list-style-type: none"><li>No. 8 Moir Street has been operating a short term residence for a period of time.</li></ul>	<p>We commenced short term rental operations in November 2017. In January 2018 we received notice from Town of Vincent that we needed to apply for a license, but that the policy of the city was to work with owners to facilitate this.</p> <p>At all times since then we have complied with city's instructions and have been diligently working on the license. When notified at the end of July that we needed to cease operations until the license was approved, we did so, at considerable cost and inconvenience due to the very short notice given (two weeks) which resulted in us having to cancel some 5 weeks worth of bookings.</p> <p>It should be noted that throughout 2018 we have been in regular contact with different staff at Vincent resolving many issues relating to the license which the staff themselves were not sure how to handle. This included Building and Planning, who initially informed that the change of use would imply a change of classification of the property and associated need to provide disability access. After many months of consultations and finally an opinion from the WA State authorities, this opinion was reversed and in August 2018 Vincent informed us that NO change of classification would be required.</p> <p>Similarly, it took months to resolve the issue of parking permits and what would happen once the change of use license was approved.</p> <p>Therefore, the delay in getting the license has been due to the inexperience on both sides in terms of what is required and how best to meet those requirements. The ability to keep operating whilst resolving these issues has been instrumental in allowing us to better understand the parameters of operating as a short term dwelling and to develop a much more comprehensive and viable management plan.</p>

<ul style="list-style-type: none"> <li>• It is a heritage area and we feel the short term applications will destroy our community overtime;</li> <li>• The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct;</li> <li>• The short stay use will erode the unique cultural heritage significance of the precinct by allowing the existing single house to be used for commercial purposes/commercial gain;</li> <li>• Allowing commercial uses such as short term dwelling within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique;</li> <li>• We object to the short term dwelling because it does not reflect the dynamic of community feel;</li> <li>• This short term dwelling is likely to set a precedent for others to contemplate doing the same and at the same time dilute the street feel of residential and the sense of community that has developed over the past 5-10 years;</li> <li>• The Moir and Brookman Street precinct is a closely knit community and it would be extremely unfortunate to have the positive community tenor compromised by continuation of the short term dwelling arrangement;</li> <li>• Owners and residents choose this area because of the history with heritage. Everyone tries to upkeep and uphold the heritage feel of the precinct and going to short term dwelling will prevent this ongoing upkeep;</li> <li>• The area is fully residential. The concept of a short term dwelling changes the area to be semi commercial as a holiday house or short stay accommodation which will provide a completely different feel to the whole street;</li> </ul>	<p>In response, I would like to highlight that:</p> <ol style="list-style-type: none"> <li>1. Heritage does not imply no change, merely that the change is managed and respectful of the history of the place.</li> <li>2. The Moir and Brookman precinct has, for the vast majority of time since its construction, had a high percentage of rental properties, in particular to new immigrants. Therefore, offering the opportunity to foreigners to experience living in a house in Moir St is completely in keeping with its heritage.</li> <li>3. The owners of houses in the precinct have benefited from public funding to renovate their houses, and have benefited in higher property values due to the huge public investments in tourist and public amenities in the vicinity. It is therefore unethical to seek to restrict access to the precinct only to owner-occupiers, as these investments were meant to provide benefit to the entire public.</li> <li>4. The Heritage Council of WA has a published strategy for Heritage Tourism that specifically promotes making heritage buildings accessible to tourists, as these are of higher quality and spend more money than the average tourist.</li> <li>5. Some of the received comments are xenophobic in nature, implying that all the residents of the street are perfect citizens in a perfect community, while short-term tenants would have only negative impacts. In fact, most tenants have been either Australians or foreigners, mainly families with kids, visiting friends or family in Perth. If the street community were truly reflective of the heritage of the area, they would be welcoming to such visitors and seek to benefit from interacting with them, instead of rejecting them as unwanted intrusions.</li> <li>6. Operating as short-term dwelling is completely compatible with restoring and maintaining the house in accordance with its heritage quality. Evidence for this is abundant in Northbridge with heritage properties used for many different purposes.</li> </ol> <p>I provide more detailed comments on these points below:</p> <p>Heritage in and of itself does not preclude the change of use of the property or a change in character of the street over time. In fact, it is this very evolution over time that defines the character of the street and its heritage value.</p> <p>The listing of Moir and Brookman streets in the Heritage Register reflect this:</p>
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<ul style="list-style-type: none"> <li>• We are concerned as to whether this type of dwelling is suitable for this neighbourhood;</li> <li>• If the proposal is approved, then it creates a precedence and more people may want to do this in the brookman-Moir Precinct and this is not in keeping with the heritage character of the area; and</li> <li>• One of the aims of the heritage listing of the precinct is to encourage people to purchase properties and restore them to the original as much as possible. Converting houses to short-term stay dwellings is not in keeping with that character.</li> </ul>	<p><i>the properties were originally constructed in 1987 for blue collar workers. By 1921, however, owner occupancy was only 70% (ie 30% were rented out) and the owner occupancy dropped much lower in WWI, only rising to 70% again in the 1990s! Surnames indicate that many of the residents were often migrant families, initially from Europe but later from Asia.</i></p> <p>Media reports following the heritage awards given to the precinct in recent years give more detail: The properties were originally built as a real estate project and let to blue collar workers who needed to live close to the city to save on transport costs during the heyday of the gold rush. But once the economic situation changed, the properties began to be sold off individually in the 1920s. The middle class residents moved out to the new suburbs and the precinct fell into disrepute and disrepair, providing cheap accommodation for poor migrants. This lasted through to the 1980s, when the redevelopment of Northbridge and the revitalisation of the city centre to the mining boom and increased tourism, combined with ever increasing commute times to outer suburbs, made inner city living attractive once again. Rising rents and real estate prices provided owners with the financial incentives to restore the houses and the City supported these efforts with Heritage grants in order to complement the other developments in adjacent zones, including the Northbridge entertainment district.</p> <p>The heritage value of the street therefore comes from all these historic <i>changes</i> in society, economic cycles, and city planning. Trying to “freeze” the situation of the street at a moment in time that suits some owners (but not others) is not consistent with the perspective of Cultural Heritage as a continuously evolving combination of tangible assets and intangible social and cultural aspects. In any case, for the vast majority of time since the properties were erected a significant percentage were rented out – the current dominance of owner-occupiers is NOT consistent with the historical use.</p> <p>Furthermore, one of the main objectives of Heritage Listing and Preservation is to make the heritage accessible to the general public and to tourists. This is reflected in WA’s heritage tourism strategy:  <a href="http://www.stateheritage.wa.gov.au/about-us/education-research-events/heritage-tourism">http://www.stateheritage.wa.gov.au/about-us/education-research-events/heritage-tourism</a></p> <p>Restricting access to Moir and Brookman Street properties only to owner-occupiers would run directly contrary to this strategy. Making a number of</p>
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	<p>properties in the street available for short-term let to tourists would directly support the WA strategy! As stated by the WA Council Heritage website <i>"It is the desire to understand what makes a place special and unique that has fueled the growth in heritage tourism. Heritage tourists tend to stay longer, spend more, and seek out experiences in museums and art galleries, historical and heritage buildings, sites and monuments."</i></p> <p>The assertions in the received comments that short-term let is inconsistent with the heritage of the street or that heritage implies that the only use of properties in the street should be for long-term residents or owner-occupiers are therefore not valid.</p> <p>Also, it is inconsistent that owners who have directly benefited from the rise in local real estate values due to the tourism developments in the immediate vicinity, and have availed themselves of public funding for Heritage preservation that should be of benefit for the wider public, wish to shut themselves off from that public and those tourists and have exclusive enjoyment of the heritage character of the street. Rather than reject the short-term tenants as interlopers and unwelcome outsiders, the "community of the street" should be welcoming – Perth is not a party destination and the property is not marketed as a party house: most tenants are either Australian or foreign friends or relatives of Perth residents who are in the city visiting locals, or newly arrived immigrants who need to a short-let stay when they first arrive while they get settled. An example of the type of tenant we host is that the house was rented out for the whole month of February to an international acrobatic troupe brought in by the City to participate in the Perth Festival. One would think that a "community minded" street would welcome such tenants, displaying the heritage of the street and the community values they espouse, whilst enriching themselves in the process by interacting with the myriad cultures and perspectives of people from all corners of the world.</p> <p>Some neighbours have expressed this sentiment to us: our next door neighbour at number 10 has told us that she's met some very interesting people who have stayed at the house, and also was interested to be able to rent the house herself when her relatives from China come to visit, as it would be so handy to have them right next door. This embodies the cultural heritage of the street as a historical landing place for migrants.</p>

Comments Received:	Comment:
<ul style="list-style-type: none"> <li>• Parking is an issue on the street and having 6 people stay at any one time may create further parking issues. Vehicles may be parked on verges and over the footpath;</li> <li>• Reliance for on-street car parking for guests of the short term dwelling would have an adverse impact on the amenity of the locality and access to on street parking by the residents;</li> <li>• The guests may park illegally within Moir Street. It will provide pressure on the already limited amount of on-street parking, thereby penalising those residents who have removed on-site parking for heritage reasons;</li> <li>• The property is advertised online with free parking with no mention of the streets parking restrictions or that it only has 1 car parking bay onsite. With accommodation of 6 guests, it's conceivable some will have more than 1 car and it doesn't seem that parking permits are being used; and</li> <li>• Parking has become an issue as often there are 5 cars per booking.</li> </ul>	<p>The fears on parking issues are unfounded and not substantiated by actual experience.</p> <p>8 Moir St has one off-street parking bay and we have until recently advised tenants on booking that they should let us know if they needed any extra parking, as we could provide them with a visitors permit to allow an additional car to park on-street. From January to August 2018, when we ceased AirBnB operations, only 5 tenants requested the permit to park a second car.</p> <p>We were recently advised by Vincent parking that we should not use the street parking permits in this way and once the change of use is approved they will in any case no longer be valid. So once we receive the license and are able to operate as AirBnB again, we will no longer offer the additional parking permit option. Instead, we will advise any tenants with an additional car that paid parking is available at Northbridge Central Parking, just 3 minutes walk from the house and at very affordable day rates. This is all detailed in the Parking Management Plan.</p> <p>The vast majority of tenants are families or groups of friends (numbering 4-6 people, often including young children) who rent a standard 6-seater SUV which can be readily parked on the property's off-street parking bay.</p> <p>In regards to the assertion that sometimes there are 5 cars per booking, this allegation is completely unsubstantiated. To our knowledge, no tenants have ever had more than two cars, and the vast majority (95%) have just one.</p> <p>It should be noted that when the property was rented out long-term and there were three independent adults living in the house, there were ALWAYS at least two cars belonging to the house and often additional cars from visiting partners/friends. The move to short term rental has therefore significantly reduced the parking pressure on the street associated with the property.</p> <p>Our position is therefore that operating as a short-term dwelling actually IMPROVES the parking situation and this is proven by the experience in the</p>

Comments Received:	Comment:
	first half of 2018. The comments received from neighbours are not substantiated and speculate negatively with no basis.
<ul style="list-style-type: none"> <li>• The proposed use has the potential to adversely affect the amenity of the area as a result of excessive noise, caused by guests at the premises or going to and from the premises;</li> <li>• The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area;</li> <li>• As a short term dwelling, the increase in late night noise as well as uber and taxi drop-offs can be heard by the surrounding property owners;</li> <li>• The street is very quiet and the short term dwelling may accommodate several different groups over a week that may invite parties. We have encountered several occasions where party noise has continued until 3.30am;</li> <li>• The driveway cannot accommodate a large vehicle and blocks up the footpath;</li> <li>• Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night;</li> <li>• The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers;</li> <li>• Cracks are appearing in the driveways and kerbside nearing No. 8 Moir Street as vehicles coming in are sometimes vans/mini bus/ 4wd's to accommodate the people staying at the site. These cracks have impact on the heritage values of the street that</li> </ul>	<p>We acknowledge that it is not possible for us to fully control tenants and that some undesirable behaviours, noise in particular, may occur from time to time. However, we have progressively implemented management processes to mitigate these issues and deal with incidences rapidly on the rare occasions when they do occur.</p> <p>It should also be noted that noise and other anti-social behaviours are not limited to short-term tenants. Owner-occupiers and long-term rental tenants can also engage in anti-social behaviour, and unlike the case with short-term tenants who can be evicted and fined in very short timeframes, there is very little that can be done about a problematic long-term neighbour. The received comments imply that the street is currently a utopia with all neighbours living together in peaceful harmony...this is very much NOT the case and as a long-term owner of the property who resided there myself for many years during the 2000s, I can attest to incidents of vandalism between antagonistic neighbours, neighbouring tenants that played loud music at all hours of the night, and police being called for incidents of domestic violence. Neighbours often come home themselves late at night or have friends leave after dinner and movie and stand in the street talking, well past midnight. The onus on us as managers of a short-term dwelling is therefore to <i>manage</i> and <i>minimise</i> antisocial incidents, but not to guarantee a utopian perfection that doesn't currently exist in the long-term dwellings.</p> <p>The Management Plan provides full detail of the measures we will take to minimise disturbance to neighbours. These include:</p> <ol style="list-style-type: none"> <li>1. Clear messaging on all publicity for the property, and further reinforced when bookings are made, that partying and late night noise are <b>strictly prohibited</b>. And that only registered tenants, up to a limit of 6, may stay at the house.</li> <li>2. Tenants have a bond deposited, and are informed that any violation of the noise and other house rules will result in an immediate fine being</li> </ol>

Comments Received:	Comment:
<p>everyone in the street has worked so hard to maintain to ensure we continue to be award winning internationally;</p> <ul style="list-style-type: none"> <li>• There has been an excessive amount of noise as many people use it as a party house. We live on a residential street and would like to be respected to have that comfort of our own house to use without having to worry about noise levels from parties all the time;</li> <li>• With a residential street, you are able to recognise neighbours and the coming and going of residents. However with short term stay, it is difficult to see if someone is breaking and entering the house as you can not recognise them. Northbridge already has a high crime rate and often the residents are on the lookout for each other to ensure that homeless and other strangers do not trespass into the properties;</li> <li>• There are many young children on the street and we have seen the short term stay people drive down the one-way street in an incorrect direction and many speed because they do not realise it is a residential street; and</li> <li>• Short term tenancies are well known for their unneighbourly behaviour and already before this proposal has been considered for approval, there have been incidents. We feel that it is unfair for people in the street to have to put up with this anti-social behaviour.</li> </ul>	<p>imposed, and if the issue is severe, their stay will be terminated with 24 hours notice.</p> <ol style="list-style-type: none"> <li>3. These rules are communicated at time of booking, and are also displayed in printed form inside the house.</li> <li>4. All the neighbours have received a letter from us with contact details of the property agent, who may be contacted at any time of the day or night should any incident occur, so that he may react and deal with it immediately.</li> <li>5. Once our license is approved, we will install a noise detection system, such as those provided by NoiseAware (<a href="https://noiseaware.io/features">https://noiseaware.io/features</a>) or Roomonitor (<a href="https://roomonitor.com/product/sound-alarm/">https://roomonitor.com/product/sound-alarm/</a>) that provide instant alerts to us when noise levels exceed pre-set limits. This will enable us to react to most issues even before being alerted by neighbours.</li> <li>6. The experience operating for 8 months has shown that the majority of tenants are families with children, or professionals visiting/arriving in the city for work, and not party goers as claimed by the comments.</li> <li>7. There have been only a very few incidents that were communicated to us by neighbours and these were dealt with immediately upon notification. It is incorrect to imply that noise/party incidents have been a regular occurrence.</li> </ol> <p>In response to some of the other comments:</p> <ul style="list-style-type: none"> <li>• Driving wrong-way down the street - this is a spurious comment. There is no proof that tenants are regularly driving the wrong way down the street. Most tenants use GPS which directs them appropriately. Furthermore, Perth residents frequently drive through the street looking for parking and the occasional person turning into the street the wrong way has ALWAYS occurred. I would observe it on occasion when I lived in the house in the 2000s.</li> <li>• Not recognising people / anti-social behaviour / community spirit compromised - I find these comments to be xenophobic, unfounded and unacceptable. The VAST MAJORITY of tenants are families, professionals or otherwise well-behaved, law-abiding citizens who have family, work or holiday reasons for visiting Perth. Neither Perth as a city, nor the character of the house, are typified by tourism of the "bachelor-party group of drunk hooligans" that these comments imply.</li> </ul>



Comments Received:	Comment:
	<p>The description, fitout and pricing of the house is very much aimed at the family/professional segment of the market. Furthermore, this total rejection of anyone not living in the street as not part of the community is totally contrary to the ethos of Northbridge and its history as a migrant landing place and current status as tourism and entertainment district. I challenge the residents of the street to be welcoming and inclusive of visitors, rather than hostile, and see how their lives may be enriched by the interactions.</p> <ul style="list-style-type: none"> <li>Cracks in the paving and kerb. This has nothing to do with the cars parking in the car bay, which are no larger than the cars historically at the house or in other similar bays in the street. The cracks that can be seen are due to subsidence - both neighbours (numbers 6 and 10) have had extensive work done recently to deal with subsidence, and I also have had to repaint to cover large cracks in interior walls, and have a plumber reconnect drainpipes that had disconnected due to movement. Once can see the significant subsidence in the paving stones of my driveway.</li> </ul>
<ul style="list-style-type: none"> <li>How does the online agent know that there are no more than 6 occupants or have the ability to control noise and other disturbances when the occupants are there for one night;</li> <li>Information is required to detail how the managing agent will ensure there will not be an undue impact on long term residents due to a continuing revolving door of occupants;</li> <li>Does the short term accommodation have emergency plans in place in case of a fire;</li> <li>The proposal will cause ongoing issues that Council will not be able to effectively monitor. These are related to noise, rubbish collection and parking; and</li> <li>We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas.</li> </ul>	<p>A fully detailed management plan is provided with this license application.</p> <p>The "online agent" is a real person, who lives in Perth and manages around 20 properties. He visits the property at least once a week, and his cleaners come at least immediately following each checkout and sometimes to do additional cleans when people stay more than a few days. If more than 6 tenants were to stay at the property, then a neighbour could notify the agent who could come round immediately to verify, and also the cleaners would see evidence based on the bedding used and rubbish produced.</p> <p>Tenants pay a bond upon booking and are clearly informed that any violation of rules, including excessive noise, number of tenants, damage to the property, undue mess and rubbish, etc will result in immediate fines being deducted from the bond.</p> <p>Should an incident occur and the agent, for whatever reason not be available, the owner's parents and brother all live in Perth within a 20-minute drive of the</p>

Comments Received:	Comment:
	<p>property and have historically dealt with any issues that arose when the house was rented long-term.</p> <p>As detailed above, if the short-term dwelling license is granted, we will invest in a noise detection device specifically designed for AirBnB properties that will send immediately email and sms alerts to the property manager and owner should noise exceed pre-set limits. The device also records a permanent log of noise levels, so can be used to identify the exact times that tenants check-in and checkout, go to sleep, etc.</p> <p>The house is wired with two smoke alarms (even though regulations only require one) and has a fire extinguisher and fire blanket. Evacuation instructions are included in the tenant welcome kit, as are emergency contact numbers for fire, police, ambulance, etc. These numbers are also posted on the refrigerator door. The house is a very simple structure, all on ground level with a clear exit at each end, so evacuation is straightforward and obvious. Furthermore, candles, smoking and other naked flames are prohibited and this is clearly notified in the house rules and when booking is confirmed.</p>
<ul style="list-style-type: none"> <li>• The short stay may result in issues with rubbish and bins left on the street;</li> <li>• There is an issue with rubbish disposal. The weekly and fortnightly collections do not appear to meet the requirements of multiple occupancies during the relevant bin collection periods. It's been observed that bins can be left on the footpath for days before collection;</li> <li>• Rubbish bins do not get emptied on the correct days and tend to overflow; and</li> <li>• Due to the large number of people staying and going in the house already, there is a constant overflow to the bins. The recycle bin is used as a normal waste bin. The overflow of the waste spills onto the pedestrian footpath and roadside which disrespects the cleanliness of the heritage precinct that we all wish to upkeep.</li> </ul>	<p>We acknowledge that there were some issues with rubbish management when the agent first took over the property, but these have been dealt with by improving processes and creating checklists and training for new cleaners. Over the last 3-4 months of operation there were no rubbish issues.</p> <p>The procedures that are currently in place are as follows:</p> <ul style="list-style-type: none"> <li>• Tenants are provided with clear instructions on how to dispose of rubbish, and that under no conditions should the outside bins be overfilled or rubbish left in the front yard or on the street. Failure to abide by this requirement can result in a penalty being deducted from the bond.</li> <li>• Additional bins have been purchased and placed in the shed in the rear courtyard. Should tenants or cleaners fill up the front bins before collection day, the extra rubbish is placed in these bins and the property manager will take it away for disposal.</li> <li>• Cleaners are trained in the appropriate rubbish to put in each bin, and have on their task checklist to ensure that the bins, front yard and footpath are clean and tidy.</li> </ul>

Comments Received:	Comment:
	<ul style="list-style-type: none"><li>Whereas previously it required to make a different arrangement each week to have the bins put out and brought in depending on whether cleaners were scheduled for that day, and this sometimes resulted in miscommunications that resulted in the bins not being moved appropriately, the current system is that a cleaner who lives nearby is paid a monthly fee to put the bins out the night before collection and bring them in during the day following collection. If she cannot do it for whatever reason then she notifies the agent who organises someone else to do it. This arrangement has completely solved the problem and now the bins are always moved according to council requirements.</li></ul> <p>It took some months of operation to understand the different volumes of rubbish that could be generated and to trial different arrangements for putting out and bringing in the bins. But the above described measures worked very well during our final months of operation and there should be no future incidents related to rubbish.</p>

**Determination Advice Notes:**

1. This approval relates to a change of use from Single House to Unlisted Use (Holiday House) and shall operate in accordance with the definition of Short Term Dwelling as defined in the City's Policy No. 7.4.5 as the following:  
  
*'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'*
2. The owner/applicant is recommended to contact the City's Waste Services business unit to discuss waste options available to the premises.
3. A separate application for approval will be required for any proposed change or addition of a different category of Temporary Accommodation under the City's Policy No. 7.4.5 to that approved under this approval.
4. This is a development approval issued under the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
5. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
6. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
7. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue an additional residential or visitor car parking permit to any owner or occupier of the Short Term Dwelling under Policy No. 3.9.3 – Parking Permits. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

<b>5.6</b>	<b>NO. 162 (LOT: 4; D/P: 62324) OXFORD STREET, LEEDERVILLE - AMENDMENT TO APPROVAL FOR HOURS OF OPERATION AND PATRON NUMBERS FOR SMALL BAR</b>
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**TRIM Ref:** D18/129714

**Author:** Mitchell Hoad, Senior Urban Planner

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** South

**Attachments:**

1. Attachment 1 - Location and Consultation Plan [↓](#) 
2. Attachment 2 - Extract of Ordinary Meeting of Council Minutes 10 April 2012  
[↓](#) 
3. Attachment 3 - Extract of Ordinary Meeting of Council Minutes 9 July 2013  
[↓](#) 
4. Attachment 4 - Justification and Supporting Information [↓](#) 

#### RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application to amend Conditions 1 and 3 and remove Condition 2 for development approval 5.2011.638.1 for a Change of Use to Shop, Office and Small Bar at No. 162 (Lot: 4, D/P: 62324) Oxford Street, Leederville, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2011.638.1 granted on 10 April 2012 continue to apply to this approval, with the exception of Conditions 1, 2 and 3 which are amended as follows:

##### 1.1 Condition 1 is amended to read as follows:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	07:00am to Midnight
Friday and Saturday	07:00am to 01:00am (the following day)
Sunday	07:00am to 10:00pm

- 1.2 Condition 2 is removed and subsequent conditions are renumbered accordingly; and

- 1.3 Condition 3 is renumbered to Condition 2 and amended to read as follows:

2. The maximum number of patrons to occupy the small bar at any one time shall be 95 persons.

#### PURPOSE OF REPORT:

To consider an application to amend the existing development approval (in relation to hours of operation and patron numbers) for a Small Bar at No. 162 Oxford Street, Leederville. The premises is currently operating as Amani Wine Bar and Restaurant.

#### PROPOSAL:

The application proposes to amend the operating hours and maximum number of patrons, and remove the condition restricting the hours in which alcohol can be served/sold.



**BACKGROUND:**

<b>Landowner:</b>	Bayking Holdings Pty Ltd & Others
<b>Applicant:</b>	J Guilbert
<b>Date of Application:</b>	30 May 2017
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Regional Centre R Code: R-AC
<b>Built Form Area:</b>	Town Centre
<b>Existing Land Use:</b>	Shop, Office and Small Bar
<b>Proposed Use Class:</b>	Shop, Office and Small Bar
<b>Lot Area:</b>	778m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	No

The subject site is bound by Oxford Street to the west, the School of Isolated and Distance Education to the north and east, and Dome Café to the south. The subject site and site to the south are zoned Regional Centre under the City of Vincent's Local Planning Scheme No. 2 (LPS2). The site to the north and east is a Local Reserve for Public Purposes (Primary School/High School). A location plan is included in **Attachment 1**.

2012 Approval

Council at its meeting on 10 April 2012 approved an application for a Change of Use from Shop and Office to Shop, Office and Small Bar (reference 5.2011.638.1). Conditions 1 and 2 restricted the operating hours to:

1. Hours of operation of the small bar:
  - Monday to Thursday – 07:00am to 11:00pm;
  - Friday and Saturday – 07:00am to 12:00 midnight;
  - Sunday – 07:00am to 10:00pm;
2. Hours of operation of the small bar where alcohol can be sold and/or served:
  - Monday to Thursday – 11:00am to 10:30pm;
  - Friday and Saturday – 11:00am to 12:00 midnight; and
  - Sunday – 11:00am to 10:00pm.

Condition 3 of this approval limited patrons to a maximum of 94 at any one time. In terms of car parking, this approval required a cash-in-lieu contribution of \$22,127 (equivalent to 7.138 bays), which has been paid. An extract of the Council Meeting minutes for the item is included as **Attachment 2**.

2013 Approval

Subsequently, the applicant lodged an application (reference 5.2013.152.1) to extend the operating hours and hours where alcohol can be served to be to 12:00 midnight on Monday to Thursday, and to 01:00am on Friday and Saturday evenings. On 9 July 2013, Council resolved to approve the following hours:

1. Hours of operation of the small bar:
  - Monday to Thursday – 07:00am to 12:00 midnight;
  - Friday and Saturday – 07:00am to 12:00 midnight;
  - Sunday – 07:00am to 10:00pm;
2. Hours of operation of the small bar where alcohol can be sold and/or served:
  - Monday to Thursday – 11:00am to 12:00 midnight;
  - Friday and Saturday – 11:00am to 12:00 midnight; and
  - Sunday – 11:00am to 10:00pm.

An extract of the Council Meeting minutes for the item is included as **Attachment 3**.

The extended hours on Monday to Thursday were supported on the basis that these were consistent with the *Liquor Control Act 1988*. The extended hours on Friday and Saturday evening were not supported, on the

basis that these were not consistent with the *Liquor Control Act 1988*. There was no change to the maximum number of patrons. Following this, the applicant was advised that if they wish to pursue the extended hours, and to serve alcohol during these extend hours, they should commence the process of obtaining an Extended Trading Permit from the Department of Racing, Gaming and Liquor (DRGL).

#### Approval of Extended Trading Permit

The subject application was lodged with the City on the 30 May 2017. Following the submission of the application, the DRGL issued an Extended Trading Permit to allow the premises to operate until 01:00am on Friday and Saturday evenings. This Extended Trading Permit was issued on 26 June 2017 and is valid until 25 June 2022. It is noted that in accordance with the *Liquor Control Act 1988*, five years is the maximum length that an Extended Trading Permit may be issued for. As a result of the Extended Trading Permit being issued, it was unclear as to whether the subject development application was required, given the approval for extended hours had been issued by the DRGL. Following a review of the matter and discussions with the DRGL, it was determined that the development application was still required, as although the Extended Trading Permit issued by the DRGL enables the service of alcohol during this extended period, this does not obviate the need for the proposal to comply with development approval issued by the City. To bring the existing development approval into line with the Extended Trading Permit, it is required to be amended.

#### Number of Patrons

The *Liquor Control Act 1988* restricts the maximum number of patrons within a small bar to 120 at any one time. However, the practical maximum figure is often impacted by various planning, building and health requirements.

Council at its meeting 10 April 2012 granted development approval for a maximum of 94 patrons, but the City issued a Maximum Accommodation Certificate restricting occupancy to a maximum of 84 patrons. On 7 September 2017, the City issued a renewed Certificate restricting a maximum of 95 patrons, largely as a result of the removal of an internal stage, which made available more space to accommodate additional patrons.

The current application to amend the maximum patron numbers seeks to bring the development approval into line with the existing Maximum Accommodation Certificate. The impact of this change on the car parking requirements of the site is discussed in the report.

#### History of Complaints Received

Since the commencement of the operation of the Amani Wine Bar, the following complaints have been received by the City in relation to the operation of the premises:

- In 2016, concerns were raised about the outdoor dining area and signage impacting on pedestrian movements along the footpath;
- In January 2017, the City was advised of three occasions in December 2016 where music from the Amani Wine Bar was disturbing patrons at the Luna Cinema during their outdoor cinema season; and
- In March 2017, another concern was raised from the Luna Cinema in regards to disturbance from music being played at the premises.

The applicant has advised that the Armani Wine Bar has been operating with these extender hours since the Extended Trading Permit was issued by the DRGL on 26 June 2017. The City has not received any further complaints regarding the management or operation of the premises, or noise emanating from the premises after midnight.

The applicant's justification submitted with the application, including the Public Interest Assessment, and a management plan submitted to the DRGL as part of the Extended Trading Permit application is included in **Attachment 4**.

#### **DETAILS:**

The application proposes to amend Conditions 1 and 3, and remove Condition 2, as follows:

1. Extend the operating hours on Fridays and Saturdays by one hour (1:00am in lieu of 12:00 midnight);
2. Remove the condition restricting hours where alcohol can be sold and/or served;

3. Increase the maximum number of patrons to from 94 to 95.

All other conditions are proposed to remain unchanged as part of this application, with the exception of being renumbered to account for the removal of Condition 2.

The applicant's justification submitted with the application, including the management plan and Public Interest Assessment submitted to the DRGL as part of the Extended Trading Permit application is included in **Attachment 4**.

### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of LPS2, the City's Policy No. 7.5.7 – Licensed Premises (Licenced Premises Policy), and the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Parking Policy) In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Land Use		✓	
Operating Hours			✓
Car Parking			✓

### Detailed Assessment

The deemed-to-comply assessment of the elements that requires the discretion of Council are as follows:

Licenced Premises Policy – Operating Hours	
Deemed-to-Comply Standard	Proposal
There is no deemed-to-comply as Policy No. 7.5.7 does not stipulate operating hours.	The application seeks to amend Condition 1 to permit the small bar to operate until 01:00am on Friday and Saturday evenings, and remove Condition 2 which restricts the hours in which alcohol can be served/sold.
Parking Policy	
Deemed-to-Comply Standard	Proposal
Small Bar – 0.15 bays per person accommodated.  95 persons accommodated = 14.25 bays required.	There are three on-site bays currently available for the premises, and the owner has previously paid a cash-in-lieu contribution for a shortfall of parking based on 94 persons. The additional patron results in a further shortfall of 0.15 bays.

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the Comments section below.

### CONSULTATION/ADVERTISING:

Community consultation occurred for a period of 14 days from 13 September 2018 to 28 September 2018. The method of consultation involved 390 letters being mailed out to all landowners and occupiers within a 150 metre radius of the site, as shown in **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

During this consultation, two submissions were received; both of which were in support of the proposal. One of the submissions of support commented that the extended operating hours were reasonable for a venue on the entertainment strip. The other submission did not provide any comments.

### Design Review Panel (DRP):

Referred to DRP: No

**LEGAL/POLICY:**

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Policy No. 3.8.7 – Alcohol Management;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.5.7 – Licensed Premises;
- Policy No. 7.5.21 – Sound Attenuation;
- Policy No. 7.6.1 – Heritage Management - Development Guidelines; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

Clause 77(1)(b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* enables an application to be made requesting a local government to amend or delete any condition to which a development approval is subject.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

**Delegation to Determine Applications:**

This matter is being referred to Council as the application proposes to amend an application previously determined by Council.

**RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Hours of Operation

The Licenced Premises Policy provides a guide for appropriate operating hours in various zones, however it does not give any indication for the appropriate hours for Small Bars within the Regional Centre zone as the Policy was adopted in 2014, prior to the gazettal of LPS2. Notwithstanding that the Licenced Premises Policy has not been revised to account of the changes in zones as part of LPS2, the subject site was previously zoned Commercial under the former Town Planning Scheme No. 1 (TPS1). For premises within the Commercial zone under TPS1, the Licenced Premises Policy provides the following:

Day(s)	Trading Hours	
	Indoor Areas	Outdoor Areas
Monday – Saturday	07:00am – Midnight	07:00am – Midnight
Sunday	07:00am – 10:00pm	07:00am – 10:00pm

The *Liquor Control Act 1988* does restrict the times in which liquor may be sold/served, however this can be varied by the Director of Liquor Licensing as part of an Extended Trading Permit in accordance with Section 60(5)(g) of the *Liquor Control Act 1988* issued by the DRGL. Where an Extended Trading Permit is sought, the Licensed Premises Policy requires development approval to vary the extension of hours, along with the submission of a management plan. Additionally, a copy of the Public Interest Assessment submitted to the DRGL as part of the Extended Trading Permit application is also required to be provided.

In considering the proposed extended operating hours, the following is relevant:

- As required by Policy No. 7.5.7, the applicant has provided a management plan and Public Interest Assessment, which were also submitted to the DRGL, and are included as **Attachment 4**. The management plan outlines how staff will be trained in the responsible service of alcohol to minimise the potential for harm, as well as how noise complaints will be addressed. Administration considers the management plan to be acceptable. The Public Interest Assessment, submitted for information purposes, outlines the premises which are in close proximity to the venue, as well as 74 signatories who are in support of the proposed hours;
- The DRGL has issued an Extended Trading Permit for the premises for the additional hours. As part of this process, the DRGL consults with the WA Police, as well as the Department of Health to determine whether the Extended Trading Permit would be appropriate, and in the public interest. The DRGL determined that in this instance, the extended hours sought were appropriate, and issued the Extended Trading Permit for a period of five years;
- The proposal is consistent with the objectives of the Regional Centre zone under LPS2, as the hours are complementary with the hours of surrounding businesses and will contribute towards activity and support existing entertainment uses within the Regional Centre; and
- As noted in the Background section of this report, the City does not have any recorded complaints regarding the Amani Wine Bar and Restaurant since the Extended Trading Permit was issued by the DRGL. The applicant has advised that since operating under the Extended Trading Permit, the management measures have been implemented. This indicates that the management measures are appropriate to minimise any impacts as a result of the extended operating hours.

In light of this, the proposed extended operating hours are supported.

In regards to the removal of Condition 2, which currently restricts the hours in which alcohol can be sold/served, the DRGL has already issued the Extended Trading Permit to 01:00am on Friday and Saturday evenings. It is the responsibility of the DRGL to administer the *Liquor Control Act 1988*, which includes ensuring that venues are appropriately licenced, and any conditions of any licence are complied with. Given the service of alcohol is governed by a separate body, it is not considered necessary for the City to impose a separate condition regarding the restricting of the serving/sale of alcohol. In light of this, the removal of Condition 2 is supported.

#### Car Parking

The current Parking Policy contains a requirement for a Small Bar of 0.15 bays per patron. Based on the 95 patrons, this would result in a requirement of 14.25 bays. There are currently three bays allocated to the premises, which results in a shortfall of 11.25 bays. It must be acknowledged however that the applicant previously made cash-in-lieu contribution to satisfy the parking obligation for 94 patrons. Therefore in considering the current application, it is considered reasonable to only consider the parking requirements of the additional patron being proposed, which would require an additional 0.15 bay to be provided under the current Parking Policy.

As part of the application, the applicant provided the following information in regards to transport options to and from the premises:

- Many of their patrons have often had a meal in the locality or attended the Luna Cinemas, or work in the restaurant industry and visit the premises after their shift, and attended the Amani Wine Bar and Restaurant before heading home;
- There are numerous transport options available, including taxi's and ride-sharing options (like Uber and Shofer), bus services, and the Leederville train station; and

- There are three public car parks available within 200 metres of the site, as well as on-street parking along Oxford Street and Vincent Street.

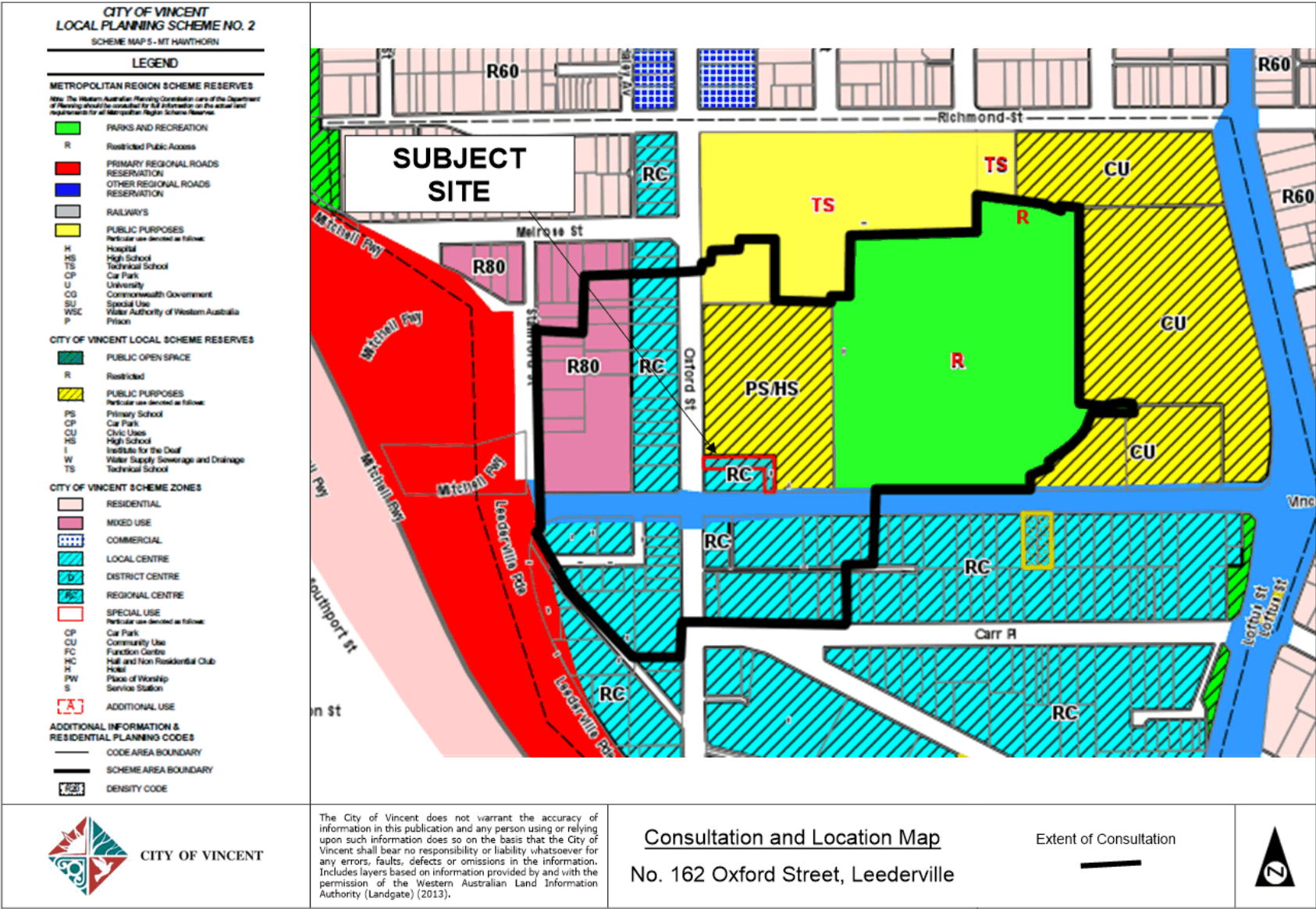
In providing this, Administration considers that the application has satisfactorily demonstrated that there is a variety of transport options and public parking available to manage the parking requirements of the use, given that the shortfall equates to 0.15 bays based on the additional patron, which represents a 1.06 percent increase in capacity. It is also acknowledged that the use promotes alternative modes of transport, which is consistent with the objectives of Policy No. 7.7.1. There is an adequate provision of parking available to meet the needs of the premises, and therefore it is considered acceptable from a car parking perspective.

#### Conclusion

On 30 May 2017, the City received an application to amend the conditions of the previous planning approval to extend the permitted operating hours and increase the number of patrons for the Amani Wine Bar and Restaurant at No. 162 Oxford Street, Leederville.

Council is required to use its discretion with respect to the proposed operating hours and car parking requirements. The operating hours being sought are consistent with the Extended Trading Permit approved by the DRGL, and will contribute towards activity and support existing entertainment uses within the Regional Centre as envisaged by LPS2. The increased number of patrons is consistent with the Maximum Accommodation Certificate issued by the City, and there is sufficient alternative transport options and public parking available, without requiring the need for further parking facilities or a cash-in-lieu contribution. In light of this the application is supported subject to conditions.









CITY OF VINCENT

The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).

No. 162 Oxford Street, Leederville





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<b>9.1.1 No. 1/162 (Lot 4; D/P: 62324) Oxford Street, Leederville – Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use)</b>
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<b>Ward:</b>	South	<b>Date:</b>	30 March 2012
<b>Precinct:</b>	Oxford Centre; P 4 Leederville Town Centre Masterplan	<b>File Ref:</b>	PRO0784; 5.2011.638.1
<b>Attachments:</b>	001 – Property Information Report and Development Application Plans 002 – Applicant's submission		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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 Canford Hospitality Consultants Pty Ltd on behalf of the owner, Tricast Development Pty Ltd and Bayking Holdings Pty Ltd for Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use) at No. 1/162 (Lot 4; D/P: 62324) Oxford Street, Leederville, as shown on plans stamped 23 December 2011 and amended plans dated 26 March 2012, subject to the following conditions:

- the hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	7:00am to 11:00pm
Friday and Saturday	7:00am to 12:00 midnight
Sunday	7:00am to 10:00pm

- the hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 10:30pm
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

- the maximum number of patrons to occupy the small bar at any one time shall be ninety four (94) persons;
- packaged liquor shall not be sold at the premises;
- the windows, doors and adjacent floor area facing Oxford Street shall maintain an active and interactive frontage to Oxford Street;
- a detailed Management Plan that addresses the control of noise, patron and anti-social behaviour, traffic, car parking, the collection and disposal of rubbish 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;

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7. 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 Oxford Street;
8. 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 and approved prior to the erection of the signage;
9. bin numbers and collection shall comply with the City's minimum service provision; and
- ~~10. the Car Parking area shall be available to the patrons of the small bar; and~~
- ~~11~~ 10. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:

11 10.1 Cash-in-lieu

~~11 10.1.1~~ pay a cash-in-lieu contribution of \$5,462 \$22,127 for the equivalent value of ~~1,762~~ 7,138 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

~~11 10.1.2~~ lodge an appropriate assurance bond/bank guarantee of a value of \$5,462 \$22,127 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- (a) to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or
- (b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- (c) 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

11 10.2 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 approved 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;

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

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COUNCIL DECISION ITEM 9.1.1

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Carey departed the Chamber at 7.22pm.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Topelberg, Seconded Cr Maier

That the item be DEFERRED for further consideration.

Cr Carey returned to the Chamber at 7.24pm.

PROCEDURAL MOTION PUT AND LOST (3-6)

For:

Against:

MOTION PUT AND CARRIED (6-3)

For:

Against:

ADDITIONAL INFORMATION:

Amended Car Parking Table

Car Parking	
<ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>	
<ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>	
Minus the car parking provided on-site	
Minus the most recently approved on-site car parking shortfall	
Resultant shortfall	

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Five bays on site are allocated to the office and shop (as per above table -  $8 \times 0.578 = 4.624 = 5$  car bays), the remaining ten bays are allocated to the small bar. Given the parking will only be allocated to staff and not visitors, it is considered only five bays are reasonably allocated to the small bar. This creates a shortfall for visitor bays for which cash-in-lieu is proposed. The new calculation is as follows:

Car parking requirement (nearest whole number):	
<ul style="list-style-type: none"> <li>Small Bar – 1 space 4.5 persons of maximum number of persons approved for the site-94 persons = 20.89 car bays</li> </ul>	21 car bays
Total=20.89 car bays= 21 car bays	
Apply the adjustment factors.	(0.578)
<ul style="list-style-type: none"> <li>0.85 (The proposed development is within 400 metres of a bus stop/station)</li> <li>0.85 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 75 car parking spaces)</li> <li>0.80 (The proposed development is within 400 metres of a rail station)</li> </ul>	= 12.138 car bays
	5 car bays
	N/A
	7.138 car bays

This proposal requires referral to the Council for determination given that the proposal relates to an unlisted use, being a small bar.

The subject site is located within Precinct 1 - Oxford Street North of the Leederville Town Centre Masterplan and Built Form Guidelines. The building was being used as a shop and now it is vacant.

10 April 2001	The Council at its Ordinary Meeting approved an application for change of use from vacant building to shop and office building and associated alterations and additions.
23 December 2011	Application submitted.
26 March 2012	Amended Plans submitted.

	Tricast Developments Pty Ltd and Bayking Holdings Pty Ltd
	Canford Hospitality Consultants Pty Ltd
	Metropolitan Region Scheme: Urban
	Town Planning Scheme No. 1 (TPS 1): Commercial
	Shop
	Small Bar (Unlisted Use)
	"SA"
	778 square metres
	N/A

The application is for change of use from shop and office building to shop, office building and small bar (unlisted use). The small bar will be used as a wine bar and proposes no changes to the building structure.

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The proposed operating hours in the application (as shown in Appendix 9.1.1) are:

Monday to Saturday: 6:00am to 12:00 midnight; and  
Sunday: 10:00am to 10:00pm.

The operating hours discussed in the detailed proposal (as shown in Appendix 9.1.1) of the small bar are:

Monday to Thursday: 10:00am to 11:00am;  
Friday and Saturday: 10:00am to 12:00 midnight; and  
Sunday: 10:00am to 10:00pm.

#### 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		N/A
Streetscape	N/A		N/A
Front Fence	N/A		N/A
Front Setback	N/A		N/A
Building Setbacks	N/A		N/A
Building Height	N/A		N/A
Building Storeys	N/A		N/A
Open Space	N/A		N/A
Bicycle Parking	N/A		N/A
Car Parking			✓
Privacy	N/A		N/A
Solar Access	N/A		N/A

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

Issue/Design Element: Parking	
Requirement:	Clause 7(iii) of Parking and Access Policy No. 3.7.1
Applicants Proposal:	The proposal is for a change of use from shop to small bar.
Performance Criteria:	Clause 7 (iii): Where the number of bays proposed for a development is less than the number required, the City of Vincent may approve this parking situation in terms of the provisions in this Policy relating to Reciprocal Parking, Combined Parking, Shortfall Parking and/or Cash-in-lieu.
Applicant justification summary:	Not submitted.
Officer technical comment:	The proposed development is considered to comply with the performance criteria as the calculated shortfall is 1.762 and a condition is proposed for cash in lieu for the shortfall. Refer to "Comments" below for car parking discussion.

#### CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
Consultation Type:	Twenty-one days advertising with sign on site and newspaper advertising.		
Comments Period:	19 January 2012 to 9 February 2012.		

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<b>Comments Received:</b>	Three submissions were received, two supports and one objection.
<b>Support</b>	It is considered that the Leederville Entertainment Precinct is missing a quality wine bar. This proposed small bar/wine bar will bring a new element of sophistication to the Leederville strip.
<b>Objection</b>	The Department of Education provided the following comments: <i>"The Department has a serious objection to the proposal to include a small bar within the development. The school has an accommodation village right next to the proposed development where many students stay throughout the year. There is no objection regarding the proposal for continued use as a shop and office."</i>
<b>Comment</b>	Department of Planning (DOP) - The subject site is affected by the Other Regional Road (ORR) reservation for Vincent Street. Therefore the proposal was referred to DOP for comments. The DOP has no objection to the proposal.

<b>Summary of Comments Received:</b>	<b>Officers Technical Comment:</b>
Issue: Impact on the accommodation village next to the subject site.	Dismiss. The subject site is located within a commercial zone and in the Leederville centre. Therefore uses like small bars are expected to be able to operate in this area.

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

#### LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

#### RISK MANAGEMENT IMPLICATIONS:

If this application is refused the applicant has a right of appeal to the State Administrative Tribunal.

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

<b>ENVIRONMENTAL</b>	
<b>Issue: Adaptive Reuse</b>	<b>Comment:</b>
The proposal uses an existing building for the proposed small bar. The adaptive use of this existing space has a lower environmental impact than constructing a new building for this purpose.	
<b>SOCIAL</b>	
<b>Issue: Small Bar – local community facility</b>	<b>Comment:</b>
The small bar has the potential to provide an additional entertainment option within the Leederville Town Centre. The proposal outlines that the venue is designed to cater for the local community in as a "local, community minded venue that aims to give the public more choice in their licensed premises selection and creating environments that are safe, friendly and designed with integrity."	

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ECONOMIC	
Issue Small Bar – Active Use	Comment:
The proposed small bar has significant potential to provide a venue for the local community and for tourists that will build upon the existing economic development for example cinemas and restaurants. The proponent also outlines their intention to hire local people "with good local knowledge, who are able to engage with local customers, as well as tourists". The use provides for additional employment opportunities as an economic benefit.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:****Health Services**

Following a preliminary assessment of the plans (submitted 17 January 2012) by the City's Health Services in accordance with the *Health (Public Building) Regulations 1992*, it has been estimated that the proposed toilet facilities, available floor area and aggregate exits widths may accommodate a maximum of ninety four (94) persons. Prior to commencement of trade at the premises, the City will undertake a final assessment of the Public Building, to calculate the Maximum Accommodation Number and it is advised that the final number may vary from the preliminary estimate of ninety four (94) patrons.

**Planning Services**Hours of Operation

As described the application is for hours in accordance with the maximum permitted trading hours as stipulated in the Liquor Control Act 1988. The detailed outline of the proposed wine bar for this location shows shorter hours with start times at 10:00am and ending at 11:00pm Monday to Thursday inclusive.

The applicant is requesting the City to consider maximum permitted trading hours as stipulated in the Liquor Control Act 1988 so that functions/events at the proposed small bar may be properly catered for. The maximum permitted trading hours are as follows:

- "(a) on a day other than a Sunday – from 6 a.m. to midnight;
- (b) on a Sunday – from 10 a.m. to 10 p.m.;
- (c) on a Sunday that is New Year's Eve – from 10 p.m. to 12 midnight;
- (d) on New Year's Day – from immediately after 12 midnight on New Year's Eve to 2 a.m.;
- (e) on Good Friday or Christmas Day – from 12 noon to 10 p.m., but only for liquor sold ancillary to a meal supplied by the licensee;
- (f) on ANZAC Day – from 12 noon to 12 midnight."

The proposed hours are considered to raise two issues relating to the hours of and the sale of alcohol times.

The first issue relates to the general operation in regards to the impact on amenity between 6:00am and 7:00am. It is considered opening at 6:00am in the morning will impact on the amenity of the area in terms of noise and traffic (deliveries). Opening at 7:00am can be considered, given the site is centrally located, adjacent to a cafe that opens at 7:00am, and the noise regulations change at 7:00am to higher allowable noise limits.

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The second issue relates to service of alcohol. The proposal is to serve alcohol within all of the proposed hours from 6:00am in the morning to 12 midnight. This is not supported as it is assessed to have a high potential to affect the amenity of the local area given it is not located within the Entertainment Precinct, is adjacent to an educational establishment and in close proximity to residential dwellings. It is proposed that the business be allowed to operate from 7:00am but alcohol not be allowed to be served until 11:00am. This allows for alcohol to be served with lunch. It is noted that venues like Fibber McGee's and The Garden which serve alcohol open at 11:30am and Kitsch Bar although it has an approval from 8:30am only opens the bar at 5:00pm. In regards to closing times it is recommended that the closing times Monday to Thursday are to be 11:00pm which is earlier than the proposed 12:00 midnight to reflect the location of the proposal in the Leederville North Precinct and that there are residential uses nearby. The other small bar Kitsch bar in this precinct has a closing time of 10:30pm Monday to Thursday and this has not caused an undue amenity impact to date.

The recommended operating hours are:

Monday to Thursday	7:00am to 11:00pm;
Friday and Saturday	7:00am to 12:00 midnight; and
Sunday	7:00am to 10:00pm

With the further proposed control of alcohol only being able to be served from 11:00am.

#### Parking

The City's Policy No. 3.7.1 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 bay to provide and/or upgrade parking in other car parking areas.

Clause 22 (i) of the City's Parking and Access Policy states the following:

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

The subject site is located within a commercial zone and therefore reasonable to expect such type of uses such a small bar to be located in this area. The small bar will complement the existing commercial uses in the area and will provide increased activity on the street, which is one of the visions of the Leederville Town Centre Masterplan.

The proposed shortfall in car parking (1.762 car bays) is considered acceptable in this instance, as it is within close proximity of the train station, free parking public car parks and other forms of public transport (such as buses and taxis). It is also conditioned that the available onsite parking is available for patrons.

In light of the above, given the site is located within a commercial zone and the shortfall in parking will not having any impact on the amenity of the area, the proposal is recommended for approval.

It is considered that the proposed change of use from shop to small bar is supportable with the proposed conditions restricting both operating times and sale of alcohol times to reflect the location of the small bar. Accordingly, the application is recommended for approval, subject to standard and appropriate conditions.

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**9.1.5 No. 1/162 Oxford Street, Leederville – Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Reconsideration of Hours of Operation Condition)**

<b>Ward:</b>	South	<b>Date:</b>	2 July 2013
<b>Precinct:</b>	Oxford Centre; P4 Leederville Town Centre Masterplan	<b>File Ref:</b>	PRO0784; 5.2013.152.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant Justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, A/Director Planning Services		

**CORRECTED 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 Canford Hospitality Consultants Pty Ltd on behalf of the owner, Tricast Development Pty Ltd and Bayking Holdings Pty Ltd for Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use) (Reconsideration of Hours of Operation Condition) at No. 1/162 (Lot 4; D/P: 62324) Oxford Street, Leederville, as shown on plans stamp-dated 23 April 2013, subject to the following conditions:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	7:00am to 12:00 midnight
Friday and Saturday	7:00am to 12:00 midnight
Sunday	7:00am to 10:00pm

2. The hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 12:00 midnight
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

3. The maximum number of patrons to occupy the small bar at any one time shall be ninety four (94) persons;
4. Packaged liquor shall not be sold at the premises;
5. The windows, doors and adjacent floor area facing Oxford Street shall maintain an active and interactive frontage to Oxford Street;
6. A detailed Management Plan that addresses the control of noise, patron and anti-social behaviour, traffic, car parking, the collection and disposal of rubbish 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;

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7. 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 Oxford Street;
8. 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 and approved prior to the erection of the signage;
9. Bin numbers and collection shall comply with the City's minimum service provision; and
- ~~"10. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:~~

~~10.1 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 approved 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."~~

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

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**COUNCIL DECISION ITEM 9.1.5**

**Moved Cr Harley, Seconded Cr Topelberg**

That the recommendation be adopted.

Debate ensued.

Cr Carey departed the Chamber at 6.37pm.

Debate ensued.

Cr Carey returned to the Chamber at 6.38pm.

Debate ensued.

**CORRECTED MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Buckels was on approved leave of absence.)

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**PURPOSE OF REPORT:**

The application was previously referred to a meeting of the Council and given the proposed application is for a reconsideration of the condition it is once again referred.



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# **BACKGROUND:**

## **History:**

Date	Comment
10 April 2001	The Council at its Ordinary Meeting approved an application for change of use from vacant building to shop and office building and associated alterations and additions.
23 December 2011	Application submitted.
26 March 2012	Amended Plans submitted.
10 April 2012	The Council at its Ordinary Meeting conditionally approved a change of use from shop and office building to shop, office building and small bar (unlisted use).
8 May 2012	The Council at its Ordinary Meeting approved a reconsideration of a condition previously imposed relating to car parking for the Small Bar Use

## **DETAILS:**

<b>Landowner:</b>	Tricast Developments Pty Ltd and Bayking Holdings Pty Ltd
<b>Applicant:</b>	Canford Hospitality Consultants Pty Ltd
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Shop
<b>Use Class:</b>	Small Bar (Unlisted Use)
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	778 square metres
<b>Right of Way:</b>	N/A

The application is for a reconsideration of operating hours of the premises/serving of alcohol times with the following hours of operation/serving of alcohol times proposed.

Acceptable Development Standard	Proposed
Previous Approval – 10 April 2012 (Ordinary Meeting of Council)	
<u>Hours of Operation</u> Monday to Thursday – 7am – 11pm Friday and Saturday – 7am to 12am Sunday – 7am to 10pm	<u>Hours of Operation</u> Monday to Thursday – 7am- 12am Friday – No Change Saturday – 12.00am – 1am Sunday – 7am- 10pm
<u>Hours where Alcohol can be sold and/or served</u> Monday to Thursday – 11am – 10.30pm Friday and Saturday – 11am – 12am Sunday – 11am – 10pm	<u>Hours where Alcohol can be sold and/or served</u> Monday to Thursday – 11am – 12am Friday – No Change Saturday – 12.00am to 1.00am Sunday – 11am -10pm

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#### 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		N/A
Streetscape	N/A		N/A
Front Fence	N/A		N/A
Front Setback	N/A		N/A
Building Setbacks	N/A		N/A
Building Height	N/A		N/A
Building Storeys	N/A		N/A
Open Space	N/A		N/A
Bicycle Parking	N/A		N/A
Car Parking	N/A		N/A
Privacy	N/A		N/A
Solar Access	N/A		N/A

#### CONSULTATION/ADVERTISING:

Required by Legislation:	Yes	Required by City of Vincent Policy:	Yes
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<b>Comments Period:</b>	13 June 2013 – 27 June 2013
<b>Comments Received:</b>	One (1) comment was received, with one (1) objecting to the proposal.

Summary of Comments Received:	Officers Technical Comment:
Issue: <u>Small Bar Use</u>  Concern in relation to the use of the premises as a Small Bar abutting student accommodation.	Noted. The Small Bar use was approved at the Meeting of Council of 10 April 2012.

#### LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

City of Vincent Local Law Relating to Standing Orders - Clause 2.11.

#### RISK MANAGEMENT IMPLICATIONS:

In the event the application is refused the applicant has a right of appeal to the State Administrative Tribunal.

~~The Chief Executive Officer is of the opinion that this Item should be considered as Urgent Business, as it may have legal and/or financial implications for the City.~~

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

#### 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."*

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#### SUSTAINABILITY IMPLICATIONS:

The City's *Sustainable Environment Strategy 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
The proposal uses an existing building for the proposed small bar. The adaptive use of this existing space has a lower environmental impact than constructing a new building for this purpose.
SOCIAL
The small bar provides an additional entertainment option within the Leederville Town Centre. The small bar use is designed to cater for the local community in as a "local, community minded venue that aims to give the public more choice in their licensed premises selection and creating environments that are safe, friendly and designed with integrity."
ECONOMIC
The proposed small bar provide a venue for the local community and for tourists that will build upon the existing economic development for example cinemas and restaurants.

#### FINANCIAL/BUDGET IMPLICATIONS:

Nil.

#### COMMENTS:

##### Planning

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).

##### Hours of Operation

As described in the Liquor Control Act 1988. The maximum permitted trading hours are as follows:

- “(a) on a day other than a Sunday – from 6 a.m. to midnight;
- (b) On a Sunday – from 10 a.m. to 10 p.m.;
- (c) On a Sunday that is New Year's Eve – from 10 p.m. to 12 midnight;
- (d) on New Year's Day – from immediately after 12 midnight on New Year's Eve to 2 a.m.;
- (e) On Good Friday or Christmas Day – from 12 noon to 10 p.m., but only for liquor sold ancillary to a meal supplied by the licensee;
- (f) On ANZAC Day – from 12 noon to 12 midnight.”

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#### **"Hours of Operation**

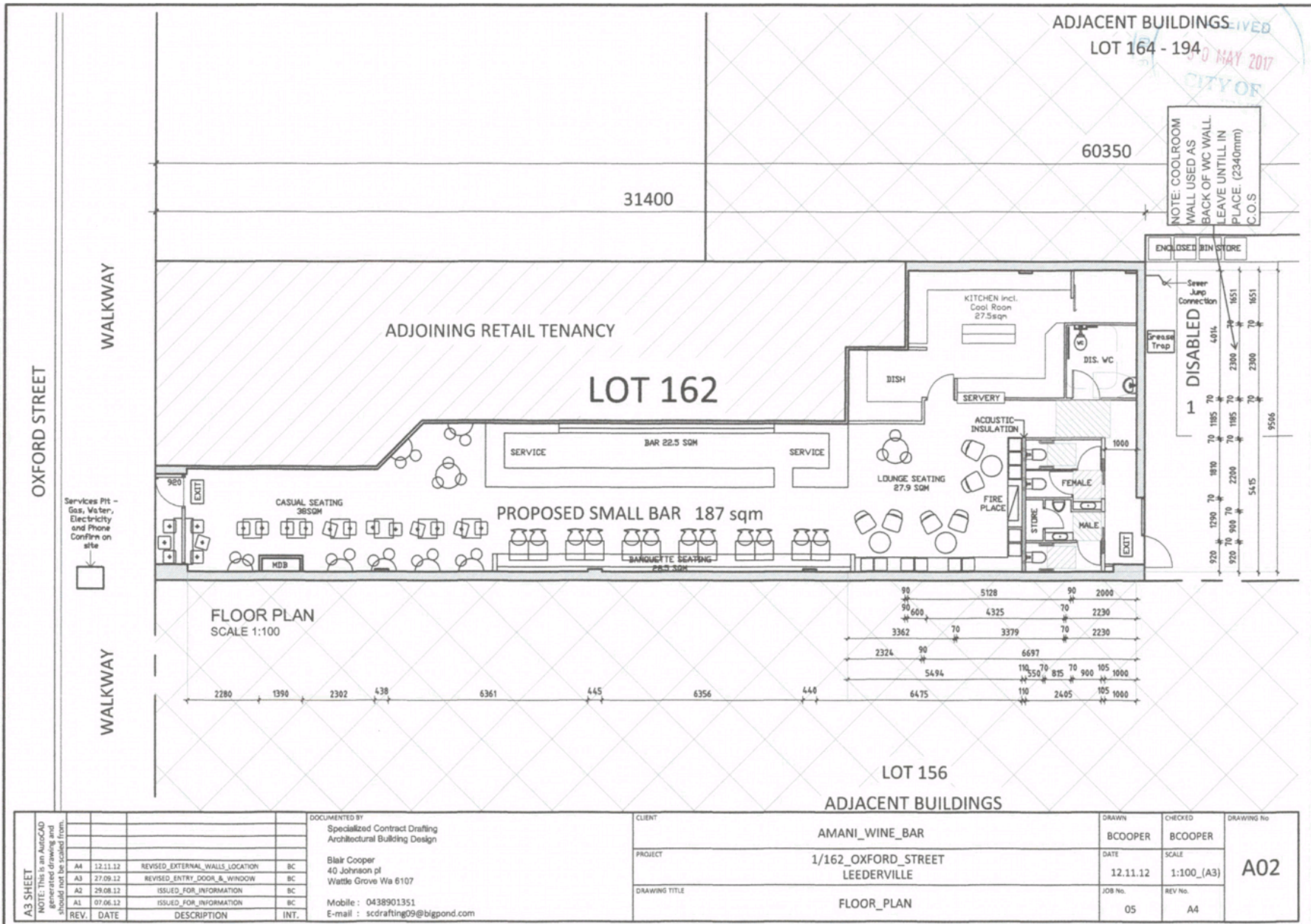
The premises are located within an existing Leederville Town Centre which is surrounded by compatible commercial and entertainment uses. Therefore it is supported for additional hours of operation for the Small Bar to close at 12 midnight ~~am~~ on Monday to Saturday. It is however noted in line with the Liquor Control Act, the latest time liquor can be served is 12 midnight ~~am~~. Therefore a condition is included in the recommendation to reflect this."

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

#### **Conclusion**

It is therefore considered that the addition of operating hours of 11pm-12pm Monday to Thursday and to 12am on Saturday evenings for alcohol to be served during this time will not provide a significant detriment to the area.

In light of the above, it is recommended the proposal for additional operating hours and when alcohol can be served is supported.







Please be advised that Amani Bar and Kitchen is applying to Racing Gaming and Liquor for an extended closing time.

We will be submitting our application shortly.

Amani Bar and Kitchen is situated at 1/162 Oxford Street, Leederville. We are a long, neat, chic and sophisticated bar which provides food and beverages. At present our opening hours are as follows:-

Tuesday – Thursday 3.00 p.m. – 12.00

Friday – Saturday 12.00 p.m. – 12.00

Sunday 12.00 p.m. - 10.00

We seek approval from the City of Vincent and the R G & L to allow Amani Bar to open for an extra hour between 12.00 (Midnight) and 1.00 a.m.

As you will be aware Amani Bar attracts the more mature person who enjoys a sophisticated environment. It is our customers who have requested this and many of them of locals of Leederville. Many are cinema goers from the Luna Cinema.

We do not envisage that any problems of any sort will become an issue due to Amani Bar being open for one extra hour on Friday and Saturday night.

If you have any concerns regarding this application, please contact [REDACTED] or contact City of Vincent or RG&L directly.





## Public Interest Assessment

Where a Public Interest Assessment is required this form can be completed and lodged with the licensing authority. Applicants should ensure they read the Director of Liquor Licensing's policy - *Public Interest Assessment* prior to completing this form.

### PART 1 - Application details

1.1 Applicant name: Jacqueline Guilbert

1.2 Application for:

<input type="checkbox"/> Hotel (inc Hotel Restricted)	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Tavern (inc Tavern Restricted)	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Small Bar	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Nightclub	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Special Facility	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Restaurant	<input type="checkbox"/> New licence	<input type="checkbox"/> Removal of licence
<input type="checkbox"/> Club	<input type="checkbox"/> New licence	
<input type="checkbox"/> Club Restricted	<input type="checkbox"/> New licence	
<input checked="" type="checkbox"/> Extended Trading Permit	<input type="checkbox"/> Ongoing Hours	<input type="checkbox"/> Liquor Without a Meal (more than 120 persons)
<input type="checkbox"/> Other _____		

1.3 Premises name: Amani Bar and Kitchen

1.4 Address of proposed premises:  
1/162 Oxford Street, Leederville 6007



## Introduction

The public interest test is based on the principle that licensed premises must operate within the interests of the local community. The Butterworth's Australian Legal Dictionary defines the term "public interest" as:

*"an interest in common to the public at large or a significant portion of the public and which may, or may not involve the personal or propriety rights of individual people"*

The public interest provisions enable the licensing authority to consider a broad range of issues specific to each licence or permit application, and flexibility exists to assess each individual application on its merits.

Each community is different and has individual characteristics. Similarly, each licensee's business or proposed manner of trade is unique to the particular premises. A Public Interest Assessment (PIA) outlines how the premises/proposed premises will impact the community and provide an outline of how the applicant will manage any impact.

Section 31 of the *Liquor Control Act 1988* ('the Act') provides the licensing authority with the discretion to grant licences.

Under section 33(1) *'the licensing authority has an absolute discretion to grant or refuse an application on any grounds, or for any reason, that the licensing authority considers in the public interest.'*

In considering the public interest, the licensing authority will take into account the objects of the Act as provided in section 5 and the matters set out in section 38(4).

In this regard, applicants will be required to lodge a PIA with the application.

### Legislative Provisions

The primary objects of the Act as set out in section 5 are:

- a) to regulate the sale, supply and consumption of liquor;
- b) to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor; and
- c) to cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.

The secondary objects of the Act are:

- a) to facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State;
- b) to provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and
- c) to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act.

Section 38(4) of the Act provides that the matters the licensing authority may have regard to in determining whether the granting of an application is in the public interest include:

- a) the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor;
- b) the impact on the amenity of the locality in which the licensed premises, or proposed licensed premises are, or are to be, situated;
- c) whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises; and
- d) any other prescribed matter. (Please note: there are no prescribed requirements at this time).

The licensing authority has discretion to impose conditions on the licence or permit that has regard to the public interest, the objects of the Act and the information provided in the applicant's PIA submission. Conditions may also be imposed based on the content of the PIA submission.

In considering the public interest, applicants should demonstrate the positive aspects of their application including the social, economic and health impacts. It is not sufficient for applicants to merely demonstrate that the grant of the application will not have any negative impact.

#### Locality

As part of a PIA submission, applicants must provide details regarding the community in the vicinity of the licensed premises (or proposed licensed premises) and any amenity issues in the locality.

The term 'locality' in this instance refers to the area surrounding the proposed licensed premises. This locality will be the area most likely to be affected by the granting of an application in relation to amenity issues.

However, in terms of potential harm or ill-health impacts on the community an applicant may need to consider a wider geographic area depending on the intended nature of the business.

In this regard, in terms of addressing objects 5(1)(b) and 5(1)(c) of the Act, an applicant may need to consider an area which is much broader than the 'locality' used for consideration of amenity issues. For example, an application for a destination liquor store, which may draw its clientele from a large geographic area, would need to address 5(1)(b) and 5(1)(c) of the Act in a much broader context. The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the public interest and provide relevant evidence and submissions to discharge this onus. An applicant should address all relevant considerations under the Act, bearing in mind all the circumstances and unique features of its particular application.

#### Licensing Authority's Expectations for a PIA

Completing the PIA should be part of an applicant's business planning. A PIA assists the licensing authority in assessing the impact of the application, if granted, on the community, including existing services and amenity. It is also a valuable document for informing the community about the proposed manner of trade. It is important to note that there is no requirement in the Act for PIAs to be prepared by legal counsel or industry consultants. Applicants can complete their own PIA by taking a common-sense approach after liaising with the relevant key stakeholders and interest groups in the community.

Evidence to support an application being in the public interest should include, but is not limited to petitions; survey results; and letters of support and statements of consumers having a requirement for the type of liquor to be sold and supplied under the licence sought.

It is important to note, however, that because each community is different, the level of detail required in a PIA will be different for individual applications. The required level of detail is subject to the complexity of the application and the impact the premises/proposed premises will have on the surrounding community.

*The following questions have been developed to guide applicants through the PIA process and highlight the areas which should be considered.*

*The information provided should not be limited to the space provided on the form. If you need to attach additional information, please refer to the relevant attachment in the space provided.*



**PART 2 – Manner of trade**

*Description of the proposed business, manner of proposed trade and target client base. This information should be consistent with your business plan/model.*

**2.1 What facilities and services will be provided by the proposed premises?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. At present Amani Bar has seated areas for patrons to have food and drinks. Amani Bar wishes to extend the closing time by one hour to enable patrons to remain in a nice environment until 1.00 a.m. on Friday and Saturday only.
2. Food is available in the form of either meals, tapas, bar snacks whilst the bar is open at all times
3. Beverages available include water, soft drinks, hot and cold beverages, wine, beer, spirits and cocktails. Water is available free of charge at all times.
4. Music is played for patrons to enjoy

**2.2 What is the proposed manner of trade?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. To continue to provide beverages and food for our patrons beyond the present closing time of 12.00 to 1.00 a.m. only.
2. Patrons enjoy our venue as they can relax in an environment which is conducive to a well-run and enjoyable venue.
3. Our patrons are of average age 28-55 years old who enjoy sitting back and enjoying the music without loud, young and offensive people around them, causing problems and generally behaving like the young people do in nightclubs.
4. Our patrons enjoy the venue as it is not crowded and seating and food is available
5. Our staff will continue to serve our patrons under the strict guideline, rules and policies of the liquor license. Responsible service of alcohol will continue to ensure all patrons are drinking responsibly and food and water will continue to be provided.
6. On some occasions we have private functions in which the whole venue is hired, for example a 50th birthday, and our customers want Amani to continue to provide music, food and drinks until 1.00 a.m. We would like the opportunity to be able to offer this to our customers who are mature adults who want to be able to provide their invited guests the opportunity to enjoy themselves until a suitable hour. Midnight closing is just too early for mature adults to have to stop enjoying the night.

**2.3 What is the target client base?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number). Include objective, accurate and relevant evidence such as a petition, customer survey results and letters of support and statements from potential/existing customers.

1. Petition with statements from our loyal and regular patrons is attached.
2. Present customers are of higher socio-economic groups, working couples of the general age group 28 years to 65 years, average age being 36 years

**2.4 Will the premises be distinguished by any particular theme or decor?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

The environment will remain as it is with plenty of seating, warm environment of a classy chic atmosphere is which our patrons enjoy a drink, some food and some good music.

### Part 3 – Public Interest – section 38(2)

#### 3.1 Why is the grant of a licence in the public interest and how will it benefit the community?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number).

The grant of the extended hours to our licence will benefit our patrons and community in the following way :

1. At present our patrons leave the bar at 12.00 at our closing time with no-where else to go in the area which provides our high standard of service, atmosphere and quality drinks and food.
2. Our patrons do not enjoy the likes of "The Blue Flamingo", "The Gardem", "The Hipp-eClub" "The Good Shepherd", "Niche Bar" in Leederville as they are more like nightclubs that attract the younger, louder crowds which our patrons do not like to be around. We would be the only venue in Leederville that is providing a venue for the older crowd to enjoy until 1.00 a.m.
3. Our patrons often come in after a movie at the Luna at 10.30 p.m. and find that an hour and a half is not enough time for them to relax and have drinks and food, they feel rushed when asked to leave at midnight.
4. Our patrons have often had a meal either in Leederville or elsewhere and just want to have a drink before they venture home, especially our Locals . Again, they come in around 11.00 a.m. and are then told to leave an hour later, last drinks orders being taken at 11.40 p.m., then have to leave their half-full bottle of wine behind - we do not encourage skulling it, but this closing time makes patrons feel they are not getting their moneys worth when they cannot even finish their wine.
5. Many of our patrons work in the restaurant industry in Leederville who like to come in to Amani to have a relaxing drink after their shift, mostly arriving around 11.30 p.m.
6. Our patrons do not leave the venue in a noisy state, they mostly feel lost at having to leave so early and they would enjoy staying for another hour and leaving when they are ready to leave instead of all having to leave at the same time creating more people outside the venue, with not enough taxis/ubers. to pick them up. They often tell us they wander down to the Leederville precinct area to get a taxi at the rank there and are horrified at what is going on down by Carr and Newcastle street. They do feel uncomfortable and would prefer to stay in our venue and order a taxi on the phone to pick them up from the venue. This extra hour would give them the opportunity to stay somewhere safe whilst getting their transport organised.

**PART 4 - Harm or Ill Health - section 38(4)(a)**

*Risk assessment with respect to the harm or ill health that might be caused to people, or groups of people within the locality, due to the use of liquor.*

**4.1 List any 'at risk' groups or sub-communities within the locality, travelling through the locality or resorting to the locality?<sup>1</sup>**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Tafe Students including migrants and non-english speaking students
2. Distant Education Students
3. Students from Aranmore College
4. People from Regional, remote and rural areas
5. Aboriginal people and their communities
6. Young children and their families, both Australian citizens and migrants, English speaking and non-english speaking
7. Low socio-economic groups
8. Tourists

These groups should not be affected by Amani Bar remaining open for one extra hour. At present they are not affected,; all schools and colleges are closed, the area is not a residential area. No evidence is available to suggest that people from rural, regional or remote areas, Aboriginal people and their communities or tourists will be adversely affected by staying open one extra hour.

(see attached 2.1a)

**4.2 What are the social health indicators for the locality?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Consumption of Alcohol - misuse and abuse leading to crime, hospital admissions/presentations
2. Noise, offence disturbance
3. inconvenience
4. cleanliness and maintenance

(see attached 2.2b)

**4.3 What are the proposed strategies the applicant will implement to minimise harm or ill health?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Comply with rules and regulations

**Part 5 - Impact on Amenity - section 38(4)(b)**

*Descriptive report on the impact on the amenity of the locality of the proposed premises to people who reside or work in the vicinity of the proposed licensed premises.*

The key consideration for the licensing authority is the impact of the facilities and services of the proposed premises on the nature and character of the local communities.

When designing licensed premises, consideration should be given to the principles of *Crime Prevention through Environmental Design* (CPTED). Information on CPTED can be obtained from the WA Planning Commission, The WA Office of Crime Prevention, and the Australian Institute of Criminology.

When considering the nature and character of a community, applicants need to address the community's social profile in terms of:

- its identity;
- the quality of life;
- the type of people who live and work in the community;
- the average age, income, and employment status of people living in the community;

<sup>1</sup> In regard to 'at risk' groups and sub-communities, these have been identified under the *Drug and Alcohol Interagency Framework for Western Australia 2011-2015* and may include: children and young people; aboriginal people and communities; people from regional, rural and remote communities; families; migrant groups from non-English speaking countries; people in low socio-economic areas; mining communities or communities with a high number of itinerant workers; and/or communities that experience high tourist numbers.



- the total population numbers and population projections; and
- whether there are any plans for community change/development (information may be obtained from the Australian Bureau of Statistics (ABS) and the relevant local government authority).

In addition to answering the questions below, applicants will also need to provide:

- a map depicting the locality of the proposed premises; and
- a floor plan which highlights the unique aspects of the proposed facility.

**5.1 What is the nature and character of the local community?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Residences are not close, see map for details
2. Local businesses include the Luna Cinema, food and drink outlets (including alcohol) and a few retail shops
3. Demographics include medium to high socio-economic groups
4. Tourist groups, walking groups, foodies and photographic groups
5. Towards the end of Oxford Street is a skate park surrounded by restaurants, bars and cafes

**5.2 How will the proposed premises integrate with the amenity of the locality (both positively and negatively)?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Local area is a well known entertainment precinct with many eating and drinking venues
2. Economic - positive to the area with visitors and tourists enjoying an extra hour in a nice venue
3. Wanted according to locals and regular customers of the venue and area.

**5.3 What will be the positive recreational, cultural, employment or tourism benefits for the community?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Recreational - enjoyment of listening to music with a beverage of either non-alcoholic or alcoholic without being rushed off to all leave at midnight
2. Cultural - Australians are well known for their enjoyment of the night life that Perth and it's suburbs offer but in particular to a venue which avoids all the young hooligans and intoxicated people
3. Employment - on busy nights an extra staff member will remain and on very busy nights a security staff member may be employed.
4. Tourists enjoy the Leederville precinct and Australian culture and this will add to the economic benefits.

(See attached 3.4)

**5.4 What consultation with local government regarding the proposed premises has been taken into account in establishing a business plan?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Local government have been advised of the proposed ETP and we have sought approval.

**Existing licensed premises within the locality of the premises, including the diversity of the current services.****5.5 If you intend to sell packaged liquor, provide the name and address of all existing licensed premises within the locality?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

n/a

**5.6 If you do not intend to sell packaged liquor, provide the name and address of all existing licensed premises within 500 metres of your premises?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Thirsty Camel
2. Leederville Bottleshop

**Positive and negative amenity issues in respect to the locality of the premises/proposed premises****5.7 What are the public transport facilities (including taxi services) that would be available to patrons, or any other transport facilities proposed to be provided by the applicant for patrons?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Taxi's available from rank just down the road, also patrons can use Bar phone to call Taxi's, Shofer and Uber
2. Train Station at end of Oxford Street
3. Buses running with bus stop opp. venue

see map

**5.8 What publicly available parking facilities exist in the locality?**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Parking is available on Oxford Street
2. Parking is Vincent Street
3. Car park on Vincent Street opp. Post Office
4. Car park at rear of IGA

#### 5.9 What is the contribution of the proposed premises to the streetscape and atmosphere of the area?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Amani Bar has a small entrance with a small cheery alfresco area outside the front
2. Lights of the soft type light up the front area
3. Venue is one of its kind in Leederville, providing a chic, casual but classy environment
4. See photos of venue attached.

#### 5.10 What is the potential impact of the proposed premises on the level of noise and anti-social activities in the locality, and the management strategies to minimise this impact?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. The potential negative impact may be a little more noise on the street as patrons leave the venue between 12.00 and 1.00 a.m. however with the extra hour they won't all be leaving at the same time like they do at present when we ask everyone to leave at midnight. There are no residences very close to the venue.
2. Staff will be vigilant in making sure people are not disturbing the surrounding area as they leave the venue, a notice reminding our patrons is posted on the wall to encourage patrons to be aware of the noise levels.
3. Staff will be vigilant as they are now in ensuring all rules, guidelines, policies and regulations are strictly adhered to, with all responsible service of alcohol is practiced and no patrons leaves the venue because of intoxication caused by consuming alcohol in our venue.
4. No anti-social behaviour will be tolerated and should it ever occur, the police will be called immediately.

#### 5.11 What is the potential impact of the proposed premises on vandalism, litter, criminal acts? (especially violent crimes including domestic violence). This may include improvements in the passive and active security of the area.

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. The potential impact of the extra hour will be minimalistic as staff will continue to be vigilant in ensuring any persons who is intoxicated will not be served alcohol, water and food will be available and any disorderly behaviour will be dealt with immediately.
2. The venue has a max. capacity of 84 patrons to which it is very rarely ever at, however security staff will be employed if it is at capacity or nearing that. We envisage customers will be slowly finishing off their drinks and food and leaving between the hours of Midnight and 1.00 a.m. and therefore we will not be at max. capacity.
3. Amani Bar does not attract the sort of patron that is disorderly and to date has had no incidences.
4. The kitchen is open till 10.00 p.m. and bar snacks are available at all times.
5. RSA is followed by staff at all times
6. Staff continually ensure no litter is outside the premises. Patrons cannot leave the venue with glasses or bottles of any kind. Smoking is discouraged around the venue.
7. Vandalism, criminal acts (including domestic violence etc.) will not change as a result of Amani Bar being open for one extra hour as no person will be served alcohol if already intoxicated. The numbers of patrons will not increase and in fact our patrons will leave during the last hour of opening instead of all being asked to leave disgruntled at the same time. Our patrons are not the sort of people who engage in vandalism or violence.

### Part 6 - Offence, annoyance, disturbance or inconvenience – section 38(4)(c)

When addressing the level of offence, annoyance, disturbance or inconvenience in a community, applicants need to consider the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises.

Some strategies that could be implemented to ameliorate offence, disturbance or inconvenience include:

- the use of licensed crowd controllers and installation of a CCTV camera system;
- the provision of food;
- liquor to be provided by table service only;
- limitation on the types of liquor and containers available for sale;
- restricted advertising or liquor promotions;
- installation of noise limiters on all amplification equipment;
- types of entertainment being provided;
- furniture and premises layout design;
- lighting in and around the proposed premises;



- noise attenuation of the building; and
- maximum accommodation numbers.

**6.1 Identify the strategies you intend to implement to address potential offence, disturbance or inconvenience to local residents or business operators:**

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

1. Continue to serve beverages and food according to all rules, laws, regulations and policies of both the Liquor Licensing, City of Vincent and company.
2. CCTV cameras are in use inside the venue at all times
3. Noise level will be kept to a minimum
4. Furniture inside the venue allows for a lot of seating - see map
5. lighting is available outside the venue and in the alleyways to ensure patrons safety
6. Maximum numbers will be adhered to
7. Advertising of liquor will be restricted and no promotions will encourage the drinking of alcohol excessively
8. Crowd controllers will be used as and when necessary
9. Food is available at all times
- 10 Water is available at all times.

### Part 7 – Community consultation

**7.1 Are any of the following community buildings or facilities located in the locality of the proposed licensed premises?** (tick all boxes that apply)

#### Schools and Educational institutions

YES ☒ NO ☐ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Tafe, Distant school of Education, Aranmore - all on Oxford Street, Leederville. All closed during the extended hour of trade that is being sought.

#### Hospitals, Hospices, Aged Care facilities

YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

#### Churches/Places of worship (of any faith)

YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

#### Drug and alcohol treatment centres

YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

#### Short term accommodation or refuges for young people

YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)



**Child Care Centres**YES ☒ NO ☐ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Loftus Street (it will be closed during the extra hour sought)

**Local Government Authority**YES ☒ NO ☐ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

City of Vincent council offices - Vincent Street

**Police stations**YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

**Regional Office of the Department of Indigenous Affairs**YES ☐ NO ☒ If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

**Who will be consulted****7.2 Identify the stakeholders who will be served with a Notice advising of the application**

(tick all boxes that apply)

x ☐ The occupier of neighbouring premises and businesses within 200 metres of the premises.☐ Stakeholders listed in item 5.1 within the locality of the premises. If not, please explain why:

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Because we are asking for one extra hour of opening from midnight to 1.00 a.m. - it will not affect them any differently. we have had no complaints since opening the venue in 2013 from any stakeholders within the locality.

☐ Special interest groups or individuals within the locality of the premises. These include children and young people; Aboriginal people and communities; people from regional, rural and remote communities; families; migrant groups from non-English speaking countries; people in low socio-economic areas; mining communities or communities with a high number of itinerant workers; and communities that experience high tourist numbers.

Write the name of the relevant groups below:

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Again, one extra hour is not going to affect any of the special interest groups or individuals and to day we have had no incidences or complaints since opening in 2013

**PART 8 – Declaration**

I declare that the contents of this document and attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required.

I acknowledge that under section 159 of the *Liquor Control Act 1988* and it is an offence to provide false, misleading or incomplete information in this document.



15/4/17

Signature of applicant/s

Date

Signature of applicant/s

Date

Signature of applicant/s

Date

2.1 a At Risk groups – Tafe - This facility of up Oxford Street and is closed at night time.

Distant Education – This facility is next door to the venue, is closed at night time.

Aranmore College – Right up the other end of Oxford St, near Mt Hawthorn – Closed at night time

Children's Day care/Kindergarten Loftus St – closed at night time

[http://stat.abs.gov.au/itt/r.jsp?RegionSummary&region=503021038&dataset=ABS\\_REGIONAL\\_ASGS&geoconcept=REGION&datasetASGS=ABS\\_REGIONAL\\_ASGS&datasetLGA=ABS\\_NRP9\\_LGA&regionLGA=REGION&regionASGS=REGION](http://stat.abs.gov.au/itt/r.jsp?RegionSummary&region=503021038&dataset=ABS_REGIONAL_ASGS&geoconcept=REGION&datasetASGS=ABS_REGIONAL_ASGS&datasetLGA=ABS_NRP9_LGA&regionLGA=REGION&regionASGS=REGION)

According to data from the above link the following applies to Leederville/Mt. Hawthorn area.

1. 2016 Population Density of Mt. Hawthorn/Leederville	36000
2. Median age of population	33 years
3. Indigenous/Aboriginal community	nil (2011 census)
4. Overseas migrants	nil 2(011 census)
5. Families within the population	2545
6. Median income	\$63250 (2013)

This demonstrates the following:

1. The suburb median age of 11,745 people is 33 years old. This is the demographic of the majority of patrons we have at Amani Bar.
2. Indigenous and Aboriginal community is not shown to be within the Leederville suburb and therefore would not be affected either positively or negatively by our extension of one hour of business.
3. Overseas Migrants is not shown to be within the Leederville suburb and therefore would not be affected positively or negatively by our extension of one hour of business.
4. Families appear to be less than a quarter of the population and therefore would not be affected by our extension of one hour of business.
5. The median income of the suburb is shown to be \$63250 which demonstrates a mid to higher socio-economic group of people.

## 2.2b

Social Indicators – Alcohol consumption, Noise, Inconvenience, Cleanliness and Maintenance.

Alcohol consumption can cause problems in society when too much is consumed. It can cause social and domestic violence, bad decision are made such as driving under the influence, burglary, graffiti, noise levels go up, people are inconvenienced and people drop rubbish and break things.

<https://www.police.wa.gov.au/Crime/Crime-Statistics->

Portal/Statistics?locality=leederville&startYear=2017&startMonth=1&endYear=2017&endMonth=12

Year	Month	Assault	Burglary (Dwelling)	Burglary (Other)	Graffiti	Robbery	Steal Motor Vehicle
2017	Feb	4	2	0	0	0	2
2017	Jan	9	1	0	0	0	1
Totals		13	3	0	0	0	3

The statistics for January and February 2017 from the Police crime demonstrates that Leederville has few assault, graffiti and robbery, this is probably due to the population of Leederville being of mid to higher socio-economic and also due to the large amount of CCTV cameras in the area.

According to the "Report of independent Review Committee" reviewing WA's liquor Licencing published in 2005, one of a number of initiatives being recommended was towards a restaurant style culture, giving people, including tourists, greater flexibility in where and how they drink. "The committee strongly supports strategies that will modify the drinking culture of Western Australians... tourist... by providing flexibility and choice for patrons in low-risk drinking environments" Amani Bar is considered a low-risk drinking environment because of the type of bar it is and the type of patrons visiting the bar. Pictures of the bar are below to demonstrate the "type of bar" and ambiance of the bar.



#### 3.4 Positive Recreational, cultural, employment and tourism affects.

Leederville is an entertainment precinct which employs many people in the retail shops and it has cultural entertainment vibe, people like to sit outside on the pavement and eat/drink, watch the world go by, go to the Luna movies, and wander the streets. Many tourists catch the train from the City of Perth to visit the well known and vibrant suburb for dinner, drinks, cafes and the Luna cinema. Overseas tourists in particular enjoy late night café, restaurant and bar visiting, it would be a positive move to have Amani Bar open for an extra hour for the tourists to enjoy the "Leederville Vibe". By staying open for one extra hour, we would be employing 2-3 extra staff for one more hour as well, therefore assisting them with their income.



#### 4.1 Social Health Indicators and At Risk Groups

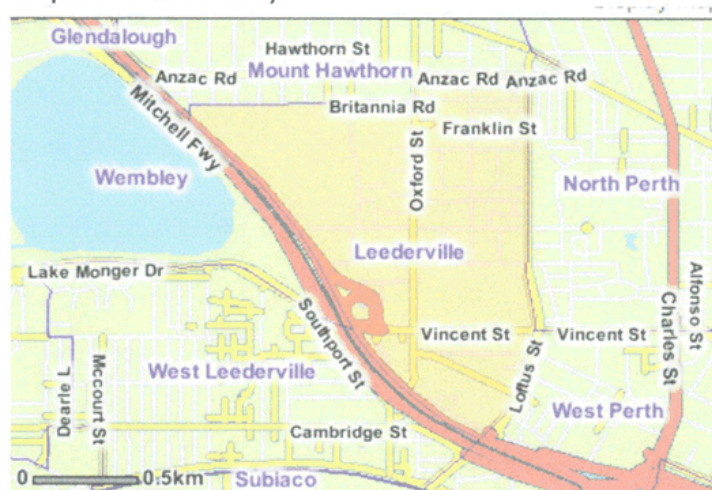
According to the website “Look at WA – Perth’s Online Portal (<http://www.lookatwa.com.au/TravellersInfo/leederville.html>)

Leederville is described as follows;

“This popular spot is located just minutes from Perth city. In the space of one block you will find an array of tastes. The influence in Leederville is Italian and Greek, but you will also find Mongolian and Chinese. Leederville is also the place to slowly sip coffee on one of the hundreds of outside tables and watch the cosmopolitan world of Perth go by.”

In defining the “locality” affected by the application guidance has been provided by “Specification of Locality – A Policy of the Director of Liquor Licensing”.

The applicant compared selected topics from the 2006 ABS Census data obtained from the ABS Census website (<http://www.abs.gov.au/>) for the Leederville suburb with the same information for the Perth Major Statistical Region (Perth MSR) to build up a demographic snapshot of the locality.



#### DEMOGRAPHICS

Leederville

Perth

MSR

PERSON CHARACTERISTICS -Total Persons 2,741 1,445,078

PERSON CHARACTERISTICS - Indigenous Persons 0.2% 1.5%

AGE - Persons 15-24 Years 15.0% 14.8%

SELECTED CHARACTERISTICS -

Persons Born Overseas 33.9% 31.3%

LANGUAGE SPOKEN AT HOME -

English Only Spoken at Home 74.1% 79.9%

LABOUR FORCE - Employed Full Time 69.3% 61.0%

Unemployment rate 2.4% 3.6%

Occupation Professionals and Managers 54.5% 31.8%

INCOME - Median Individual Income \$733.00 \$513.00

FAMILY CHARACTERISTICS - One Parent Families 12.6% 15.2%  
 DWELLING CHARACTERISTICS – Average Household Size 2.0 2.5  
 DWELLING CHARACTERISTICS - Median Rent (\$/Week) \$350 - \$450  
 DWELLING CHARACTERISTICS - Median Housing Loan Repayment (\$/Month) \$1,500 \$1,300  
 TENURE TYPE - Rented Dwelling 36.3% 24.7%  
 LANDLORD TYPE - State or Territory Housing 3.7% 13.6%

The purpose of considering the demographic data for the locality is to establish whether the following priority groups are over or under represented there; children and young people; Aboriginal people and communities; people from regional, rural and remote communities; families; migrant groups from non-English speaking countries; people in low socio-economic areas; mining communities or communities with a high number of itinerant workers; and/or communities that experience high tourist numbers.

Children and young people Leederville is an established and important entertainment precinct, and the proposed small bar is to be located in the heart of the commercial area of Leederville.

**Conclusion** The proposed small bar extra extended hour will have no immediate effect on the residences of the area located near the bar.

#### Students

Amani Bar is located fairly close to the Central Institute of Technology – Leederville Campus and Distant School of Education.

However, Amani Bar and Kitchen is not be attractive to the student population. It does not serve discounted liquor, shots, mixers etc. Students will continue to frequent other licensed venues in the area which cater more closely to their needs.

Otherwise the locality recorded an average number of young adults in 2006.

#### Aboriginal people and communities:

The table above indicates that the percentage of indigenous Australians in the Leederville suburb was much lower at 0.2%, against the Perth MSR figure of 1.5%.

Conclusion – there are very small number of Aboriginal and Torres Strait Islander people in the locality.

#### People from regional, rural and remote communities

Leederville is not a rural or regional community, it is located within the Perth metro area.

#### Migrant groups from non-English speaking countries

In 2006 the number of persons born overseas in the Leederville suburb was slightly higher at 33.9%, compared to Perth MSR figure of 31.3%.

There was a lower figure for “English only spoken at home” in the Leederville suburb at 74.1%, compared to Perth MSR figure of 79.9%. This suggests that the locality may have a relatively high incidence of recent non-English speaking migrants. These figures are only slightly above average. Amani Bar is targeted at a discerning and responsible clientele, no matter their cultural background and will not in anyway affect the migrant and non-English speaking groups by staying open for one extra hour.

#### People in low socio-economic areas

69.3% of the inhabitants of the Leederville suburb were listed as being in full time employment, against 61.0% for Perth MSR. The unemployment rate in the Leederville suburb was lower at 2.4%, compared to the Perth MSR figure at 3.6% The percentage of persons employed as professionals and managers in the Leederville suburb was much higher at 54.5%, against the Perth MSR figure of 31.8%. The Leederville suburb’s median individual

income in 2006 was much higher at \$733.00 per week. Whilst, the Perth MSR was at \$513.00 per week. In 2006 the percentage of average household size in the Leederville suburb was slightly lower at 2.0, compared to the Perth MSR figure of 2.5. Perth MSR's median rent in 2006 was \$180.00 per week. Whilst the Leederville suburb was notably higher at \$225.00. In 2006 the figure for median housing loan repayment in the Leederville suburb was much higher at \$1,500 per month, compared to the Perth MSR figure of \$1,300. There were very few persons in the locality living in state and territory housing. The Perth MSR figure was more than 3 times higher.

**Conclusion** – The economic environment in the Leederville suburb is strong, affluent and stable.

**Mining communities or communities with a high number of itinerant workers**

According to the Occupation data from the ABS website for the Leederville suburb "In the 2006 Census, the most common responses for occupation for employed persons usually resident in Leederville (suburb) were Professionals 42.0%, Manager 12.5%, Clerical and Administrative Workers 12.4%, Technicians and Trade Workers 10.2% and Community and Personal Service Workers 7.7%"

Further, below is the Industry of Employment for the residents in the Leederville suburb in 2006 as recorded by the ABS website; "In the 2006 Census, the most common industries of employment for persons aged 15 years and over usually resident in Leederville (Suburb) were Hospitals 5.4%, Cafes, Restaurants and Takeaway Food Services 4.8%, Tertiary Education 4.7%, School Education 4.2% and Architectural, Engineering and Technical Services 4.2%.

**Conclusion** – the locality has a very low incidence of itinerant workers, and is not a mining community.

**Communities that experience high tourist numbers**

Being one of Perth's entertainment precincts Leederville certainly is attractive to tourists, Amani does attract a number of discerning tourists and in particular from Melbourne, Sydney and International. International tourists in particular are shocked when we close up at 12.00 Midnight.

**Conclusion** – Although the Leederville suburb may have more than the average number of a couple of the priority groups, the other figures point to a stable, wealthy, affluent and low risk population with strong commercial and leisure activities which attract many locals and visitors. Stable, wealthy and affluent customers who wish to go out for a night and enjoy themselves in a safe and comfortable environment and can relax with a drink until 1.00 a.m. like most adults in the world.

**2.1a**



4.2 Proposed Closing of Amani Bar at 1.00 a.m. Friday and Saturday Night (Saturday and Sunday morning) Social and Health indicators

To ensure safety:

Customers can remain in safe environment until 1.00 a.m.

Customers can finish off their drinks leisurely.

Customers can order drinks or bar snacks until last drinks call at 12.40 a.m.

Customers who have pre-booked the venue for a function can ensure all their guests are well looked after and leave at a suitable time to end a function.

Customers will have access for food, water and hot beverages.

Customers will have access to telephones to order taxis etc.

Customers will not be served alcohol if they appear to be intoxicated.

Customers will not be subjected to any inappropriate behaviour from any other customer.

Customers will be asked to leave the venue quietly and respect any neighbouring residences

Customers will be provided with ample seating, good lighting and nice environment

People are not encouraged to enter the bar if they are under the age of 21, appear to behave immaturely, are underage including 18 – 21 years (after 8.00 p.m.), dress code is not adhered to.

All RG&L, RSA, Company and Council policies, guidelines, regulations and rules are strictly adhered to.

The internal and external areas of the bar will be kept clean, maintained at all times.

No persons will be intentionally inconvenienced and all times staff will be on duty to ensure customers in Amani Bar and other persons in the vicinity of Amani Bar will be safe and at no risk of ill harm.

Amani Bar and Kitchen is the only small bar of this sophisticated type in the locality.

A sophisticated menu catering for a variety of different tastes with an eclectic national and international wine list. The wine list consists of a variety of speciality wines that cannot be purchased at general retail outlets and a wide selection being produced in Western Australia. Spirits and Beers are of premium craft type and not sold in "pints" or "jugs". Cocktails use premium spirits and are therefore expensive and not desirable for the young immature person.

The premises are located in close vicinity to an alternative indoor and outdoor cinema (Luna Palace Cinemas), a variety of retail shops, a cafe strip and other restaurants, and offices.

Nightclubs, some pubs and bars are located closer to the other end of Oxford Street/Newcastle St/Carr St providing a venue for the younger generation, whereas Amani Bar provides a unique bar, attracting the more mature clientele who prefer a small intimate environment.

Amani Bar is situated close to transport facilities such as a train station, bus stops and taxi rank as well as ample parking facilities with three public car parking areas.

2.2b

### 5.3 Positive Recreational, cultural, employment or Tourism Benefits.

Business news 23/11/2015 quotes “the recent arrival of small bars has invigorated the nightlife of Perth... adding flavour that was commercially unsustainable” .... “This investment is making Perth far more liveable, giving consumers choice... “

“The New regulations have provided for an experience more akin to Europe or Asia where the drinking culture is typically less brutal”

The small bar scene has made a positive impact on the drinking culture that was of the past – to go to pubs and drink copious amounts of cheap beer and wine. The above quotes demonstrate this. By Amani Bar staying open for an extra hour this will continue the positive impact on the drinking scene, encouraging people to drinks responsibly, enjoying their beverage for taste and environment of area rather than just getting drunk. European and Asian tourists who already frequent the bar will be able to stay an extra hour putting Perth in line with the rest of the world.

Photos below show what type of bar Amani Bar is and the average age group that enjoys coming to Amani to drink, eat, listen to music and this is giving them an opportunity to drink in a safe environment away from the other venues that encourage heavy drinking, young hooligans which is against the cultural, recreational values of our clients.



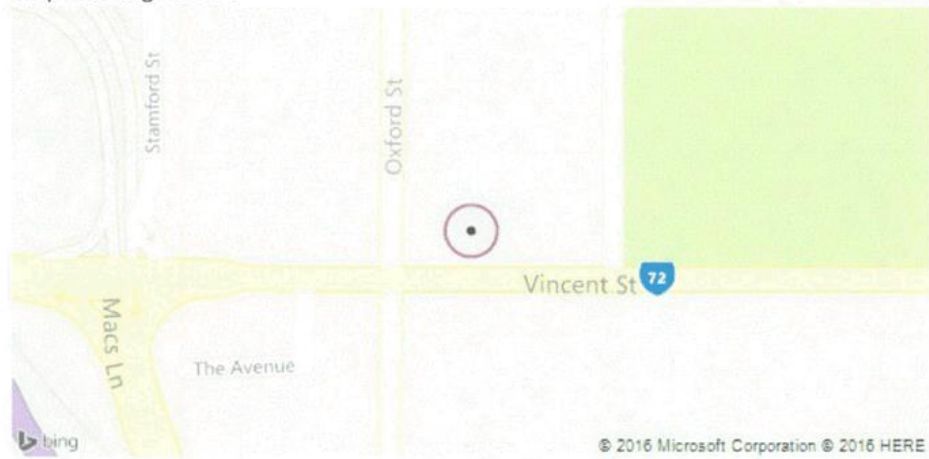




Employment – An extra hour means 3 people will be working for an extra hour.

5.7

Map showing venue .



Facilities near venue – Luna Cinema opposite

Vietnamese Restaurant

Dome Coffee House

Rohan Jewellery

Oxford Bridal Shop

**WE NEED YOUR HELP**

Amani Bar is applying to R G & L and to the City of Vincent for an Extended Trading Permit allowing us to extend our closing time from 12.00 a.m. to 1.00 a.m. on Friday and Saturday Night only. We need your help to get this through and would appreciate if you could fill in the form below:

DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETP
April 11/16			Want like to be able to have a drink after the late movies.
12/4			Somewhere to relax and have a drink after work
12/4/17			a beautiful, safe atmosphere to relax a little into the night.
12/14/17			Amani Bar brings life to the local area. A safe and happy environment.



DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETP
15/4			A relaxed and sociable guy where I feel safe with friends
15/4			would love to be able to stay a little longer
15/4			It's awesome! + necessary!
15/9			It's do ALLAH!
15/9			What he said ↑.
15/9			Armani my fav place to come to
15/9			Great atmosphere, great place
15/9			lets get this <del>environment</del>
15/4			Armani
18/9			wonderful atmosphere would be a good bonus to the vibrancy of the suburb.

DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETC
13/4			Great vibes
13/4			"
14/4			Awesome bar, great staff & good times. An extra hour would go a long way.
14/4			always try and stop in after work, an extra hour would help
21/4			Awsome local venue for locals
21/4			CHOICE! (OURS)
21/4			COS IT'S 2017!!
21/4			& I'M FROM SCOTLAND & THIS IS RIDICULOUS.
27/4			Sick of nanny state trading hours!
27/4			With loss of waged penny rates still need to work longer, to even the game!



DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETP
19/4			Somewhere to go after late movie
20/4			Good! Drinks! ♥
21/4			Good Company
21/4			AS midnight is too early!!
21/04			Relaxing atmosphere to enjoy company & a drink!
21/04			Quality Establishment!!
21/4			Excellent Food & Atmosphere. Need the hte cbse.
25/4			URAQT. P.S. I love this job!
25/4			There needs to be a place to have a drink after work.
25/04			Who wouldn't want a guy from the city bartender/booze/classy environment/yumo

BBQ wings. The company overall with the incredibly talented + knowledgeable bartender. HAS ME! ~ ~~THANKS~~

DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETC
13/4/17			Bangin' Margarita.
13/4/17			ONLY OPTION FOR ANIGHTCAP
11			A SOPHISTICATED AGE GROUP - FINE FOOD + WINE. NEEDED
13/6/17			We love the vibe, great service, food + drink here + would love to see it open later
13/4/17			As above ☺ xxx Love Sam + Thom ☺
✓			L'EDOUILLE NIGHTLIFE
13/4/17			This venue is very well run and has a respected clientel
13/4/17			Great Venue Great Atmosphere
13/4/17			Casual, mature bar, needs to be here.
13/4/17			Because we are adults and can drink till 1pm,

DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETP
12/4			A wonderful place to enjoy a night with friends such a shame the only option
13/4			Best place for good time with friends.
13/4			Wicked place to have a great time. Chilled atmosphere
13/4			Great venue Good vibes. YAS
13/4			Best people you'll ever meet.
13/4			Leedy needs this! ☺
13/4			Friendliest Best place in Leedy
13/4			Because you're great.
13/4			Because they make you feel welcome & at home. I'd rather stay here than go anywhere else.
13/4			Great atmosphere keep Leedemill scene growing.

DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETP
28/4			Agreed bar. 12-20 is too early.
28/4			its our local. and i should be able to drink after 12 if i want to
29/4			Great bar Great spot why not?
29/4			Leederville needs this for the older native person
30/4			Great bar - needs to stay open for longer
30/4			Add to the leederville atmosphere
2nd/5			to grow the leederville nightlife culture
2/5			SAFE PLACE FOR DRINKING AFTER IF NOT CLUB ORIENTATED



DATE	NAME	CONTACT DETAILS	WHY AMANI SHOULD GET THE ETC
27/4			contributes to Leederville's vibrant night life
27/4			TO ENSURE THE CLUBS ENJOY AN EXTRA HOUR OF AMANI GOODNESS!! PERTH NEEDS THIS EXTRA HOUR OF CHILLNESS
27/04			TO ENSURE PERTH AND ITS SISTER DISTRICTS JOIN THE 21ST CENTURY AND OFFER WORLD CLASS ENTERTAINMENT AND HOSPITALITY
27/4			as above!!! !!!
27/4			ALL THE OTHER CLUBS STAY OPEN THIS ONE IS THE MOST RESPECTED
27/11			" "
28/04			Because An
28/04			As above
28/04			<u>why not</u>
28/4			Let's only be adults



Health Services  
PO Box 82, LEEDERVILLE, 6902  
Telephone: (08) 9273-6533  
Facsimile: (08) 9273-6099

Amani Bar and Kitchen

The owners of the premises 1/162 Oxford Street, Leederville 6007, namely [REDACTED]  
[REDACTED] approve and agree to the following:-

Amani Bar and Kitchen Extended trading hours on a Friday and Saturday night (Saturday and Sunday early morning) from the current closing time of 12.00 (Midnight) to 1.00 a.m. if approved by City of Vincent and Racing, Gaming and Liquor.

Signed [REDACTED]

Name [REDACTED]

Position Director

Date 8 May 2017

Signed \_\_\_\_\_

Name \_\_\_\_\_

Position \_\_\_\_\_

Date \_\_\_\_\_



City of Vincent  
P.O. Box 42  
Leederville 6902

2<sup>nd</sup> May 2017

Dear Sirs/Madams,

We are writing to you in regards to an Extended Trading Permit for Amani Bar and Kitchen to extend the closing time from 12 Midnight to 1.00 a.m. on Friday and Saturday Nights Only. I have sent an email already asking which form to complete but as yet have not heard. Please email this to me so that we may complete the application process.

My email address is jacquie@amanibarandkitchen.com

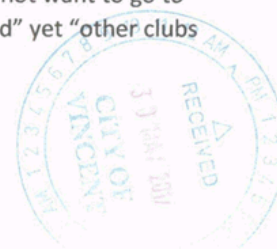
As you are probably aware Leederville has become somewhat of a ghost town during the weekdays and consequently hospitality businesses such as ours are struggling. We are, however, still relatively busy on our weekend nights Friday and Saturday because Leederville is well known as an entertainment precinct. On these two nights we have mature adults who wish to avoid the nightclub type venues such as The Garden, The Blue Flamingo, Niche, Hipp-e Club and The good Shepherd as they are frequented by the younger drinking crowd. Our customers wish to attend a more mature bar where both food and drinks are available until late. We believe that the other venues are open until the early hours of the morning with The Blue Flamingo extending their licence until 3.00 a.m.

Whilst our clientele would not want to be visiting venues until 3.00 a.m., they are disgruntled at being asked to leave our venue as early as Midnight. Our customers are mature and socially well behaved adults who are happy sitting in a nice venue enjoying a drink, food and listening to good music after the movies, dinner or on their way home (majority of our clients are locals), yet the young immature drinkers who cause havoc with graffiti, vomit, urination are able to continue to drink until 2.00 a.m./3.00 a.m. on Friday, Saturday and now Sunday nights.

We have asked some of our loyal customers to sign a form if they would like to have the hours extended.

In relation to the bar being safe and a nice venue, not night club orientated and for the mature person:

Mr. Mike Fry writes "a beautiful, safe atmosphere to relax a little into the night"; Marcus says this is the "only option for a nightcap"; Mr. Black wants a "safe place for drinking after 12, not club orientated"; Mrs. O'Toole wants a place for the mature person "needs for more mature person"; Mr. Duca says Amani is already "A sophisticated Age group..fine food and wine" and that it is "needed"; Mr. Greenham "...shame the only option is a club" implying he does not want to go to clubs, but stay at Amani and Mr. Craig Schick says Amani is the "most respected" yet "other clubs stay open"; Mrs. Edwards "...I'd rather stay here than go somewhere else";



In relation to Leederville needing a venue of this kind at this time to keep the atmosphere and vibrancy alive, and a place to go after movies and work (those that work till late):

Ms. Sijead Dufly "bonus to the vibrancy of suburb", Ms. Hinniccliffe "Leedy needs this"; Ms. Cattania "...keep Leederville scene growing"; Mrs. June Taylor "add to Leederville atmosphere"; Andrew Macphail "grow the Leederville nightlife culture"; Susanna Barry "contributes to Leedervilles vibrant night life"; Mr. Thom Brock "would like to be able to have a drink after the late movies" and Mr. Verne "somewhere to go after late movies"; Ms. Samantha Guilbert "somewhere to relax after work", Mr. Mitchell "need a place to have a drink after work", Mr. Eades "always try and stop in after work, an extra hour would help";

In relation to getting a venue licenced and in particularly ours Mr. Moore writes "To ensure Perth and its sister districts join the 21<sup>st</sup> Century... offering world class entertainment and hospitality" Mr. Jonathan Murray "... love to see it open later"; Mrs. Calder "needs to stay open for longer"; Mrs. Rachel Brown "...Midnight is too early", Ms. Shandhu "12.00 is too early"; Mr. Shumack ".....Need the late close ; Mr Robson "...an extra hour would go a long way"; Mr. Irvine "because we are adults"; Ms. Anderson "Choice is Ours", Mr. Caton "Cos its 2017", Ms. Hardie "...rediculous", Mr. Mounsey "sick of Nanny state trading hours".

Please consider our venue opening for one extra hour on Friday and Saturday night as this will make our clientele happy to be able to drink in a hassle free, non-violent and safe environment where food and drinks are available until 12.45 a.m., instead of all being asked to leave at 12.00 and trying to all catch taxis at the same time. They would be able to leave at their leisure during 12.00 to 1.00 a.m.

We have to date not had incidences of any kind in the four and half years we have been open, our clientele are respectful of the community and are not the type of persons to cause any damage, cause any social problems such as violent encounters or high noise levels. Amani Bar is not situated very close to any residences.

This would also mean that our staff that we have had to cut hours down during the week due to the slowness of business, can now have an extra hours pay a week. They would be extremely grateful for this extra hours work. Mr. McDonald "with loss of penalty rates... need to work longer to earn same"

Our customers would be drinking responsibly, they would have more time to finish off their bottle of wine they bought after the movies for example. Whilst Amani Bar follows all rules in regards to Drinking Responsibly and staff are excellent at ensuring they are following the RSA guidelines, this extra hour may assist us in earning a little more money to help cover the downfall we have experienced during the weekdays as well as ensure our mature customers and Leederville locals are happy, safe and catered for.

Please do not hesitate to call me in regards to any questions you have in regards to this application.

Yours sincerely



Director





## AMANI BAR AND KITCHEN POLICIES

### **House Management Policy**

"Our policy is to provide a safe and comfortable venue for our patrons at all times. This will be achieved through ongoing training and development of our staff and through regular maintenance of the building and facilities."

### **Code of Conduct**

This small bar and its staff are committed to the principles of responsible service of alcohol and to taking all reasonable steps to minimise the harm caused by the abuse of alcohol. We expect the same commitment from our patrons.

- As is required under the Liquor Control Act:
  - We will not allow you to enter the licensed area, get service at the bars or otherwise remain on the licensed area if you are visibly intoxicated.
  - We will not allow you to enter or remain on the licensed area if you are under the age of 18 years unless you are under the supervision of a responsible adult or on the licensed area for the purpose of obtaining a meal (or as may otherwise be authorised under the Liquor Control Act).
- We will not serve alcohol to anyone under the age of 18 years. If you are asked to show proof of age, please do not be offended. We have to be very cautious as the penalties under the law for serving juveniles are very severe. We will not serve you if you do not produce the required form of identification.
- You may like to be aware that it is an offence for a juvenile to attempt to buy alcohol, and it is also an offence for any adult to procure alcohol for a juvenile.
- We will not tolerate any disorderly, disruptive or offensive behaviour on the licensed area. If you have been offended by the behaviour of any of our patrons please bring it to the attention of the approved manager.
- If you are driving please do not drink, we would like to see you more than once! We have food available and also provide a range of non and low alcoholic beverages. We are more than happy to call a taxi on request.

If you have enjoyed yourselves at Amani Bar today, please tell your friends, but NOT OUR NEIGHBOURS!! Please keep the noise down when you are leaving. Thank you.

We will make ourselves available at all times to respond to the concerns of our patrons and our neighbours. If you have any concerns over the way in which Amani Wine Bar operates please call 9444 7761 and ask to speak to the approved manager.

### **Harm Minimisation**

#### **Management Plan**

*"We will make ourselves available at all times to respond to the concerns of our patrons and our neighbours."*

- **Staff Training and Responsible Service of Alcohol**
  - ❖ All our service staff are trained in responsible server practices
  - ❖ Our management team has also been trained in responsible service practices, and will support the service staff at all times in their duties, and responsibilities under the Liquor Control Act with regard to harm minimisation.
  - ❖ Each staff member will be given a copy of the Director's Guidelines on the responsible promotion of liquor.





- ❖ Staff members are to be encouraged to be alert for the signs of intoxication of patrons.
- ❖ We will discourage any activity that could lead to or result in excessive consumption of alcohol (such as drinking competitions) or the promotion of alcohol involving excessive or rapid consumption of alcohol.
- ❖ We will ensure that contact telephone numbers for local police are readily available to staff at all times.

➤ **Juveniles**

- ❖ We will not serve alcohol to persons under the age of 18 years.
- ❖ If a staff member is in any doubt as to whether a person is aged 18 years or more, the staff member must require that the person provide proof of age.
- ❖ The only acceptable proof of age will be:
  - A current Australian driver's licence with a photograph;
  - A current passport with a photograph;
  - A current Australian learner driver permit with a photograph; or
  - A proof of age card.
- ❖ Signage is to be displayed in the bars informing patrons that it is an offence to obtain alcohol for a juvenile, and that the person so doing commits an offence.

➤ **Intoxicated Patrons**

- ❖ We will not serve alcohol to intoxicated patrons. If someone is displaying signs of intoxication our staff must, in a calm, courteous and non-judgmental way, inform the patron that they will not be served any alcohol and the reason why service is being refused.
- ❖ The patron will be offered coffee or other non-alcoholic beverage. Where appropriate, our staff will inquire as to how the patron is getting home and offer to call them a taxi.

➤ **Noise Complaints and Neighbours**

- ❖ We will maintain a log book for any complaints regarding noise and disturbance in the area. Any complaint received is entered into the book - with the date and time of the complaint, the staff member who received the complaint and the action taken. The approved manager will then contact the complainant to ascertain whether the action is taken sufficient to answer the concern expressed. The manager will then thank the complainant for bringing the complaint to our attention.
- Any concerns over the way in which Amani Bar operates should be directed to the approved manager.**





<b>5.7</b>	<b>NO. 559 (LOT: 4 D/P 1477) BEAUFORT STREET, MOUNT LAWLEY - CHANGE OF USE FROM SHOP TO UNLISTED USE (SMALL BAR) - AMENDMENT TO APPROVED CONDITIONS</b>
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**TRIM Ref:** D18/135012

**Author:** Joslin Colli, Coordinator Planning Services

**Authoriser:** Luke Gibson, A/Director Development Services

**Ward:** South

**Attachments:**

1. Attachment 1 - Consultation and Location Map [!\[\]\(003082e50e3009141f59bd5df831749f\_img.jpg\)](#) [!\[\]\(f439ede8735757e3190eab35e168f1de\_img.jpg\)](#)
2. Attachment 2 - Development approval granted on 21 August 2018 [!\[\]\(f5c165e0bd35116675db6686a30b1fea\_img.jpg\)](#) [!\[\]\(8eeb5cc52b4d0f9a4ccc73b2d771855c\_img.jpg\)](#)

#### RECOMMENDATION:

That Council in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* APPROVES the application to amend the existing development approval for a change of use from Shop to Small Bar at No. 559 (Lot: 4; D/P: 1477) Beaufort Street, Mount Lawley, granted by Council on 21 August 2018, as follows:

1. All conditions of approval continue to apply with the exception of condition 1.3 which is deleted and replaced as follows:

1.1 The hours of operation for the proposed bar are limited to:

- Monday to Saturday and Sundays prior to public holidays: 10:00am to midnight; and;
- Ordinary Sundays and Public Holidays: 10:00am to 10:00pm.

#### PURPOSE OF REPORT:

To consider request to amend Condition 1.3 of development approval issued by Council 21 August 2018, which relates to operating hours.

#### PROPOSAL:

The application proposes to amend Condition 1.3 of the existing approval to allow the Small Bar to operate on Mondays.

#### BACKGROUND:

<b>Landowner:</b>	D Antoniazzi, W Antoniazzi, J Antoniazzi and K Debijl
<b>Applicant:</b>	AJCD
<b>Date of Application:</b>	7 September 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Commercial
<b>Built Form Area:</b>	Activity Corridor
<b>Existing Land Use:</b>	Shop
<b>Proposed Use Class:</b>	Shop – “P” Use Small Bar – “A” Use
<b>Lot Area:</b>	310m <sup>2</sup>
<b>Right of Way (ROW):</b>	Yes
<b>Heritage List:</b>	No

On 21 August 2018, Council approved an application for development approval for a Change of Use from Shop to Small Bar for one of the two tenancies at No. 559 Beaufort Street, Mount Lawley. The development involves internal alterations and additions to the rear of the tenancy for use as the small bar. The front portion of the tenancy building, which has a floor area of 19 square metres, will be retained as a Shop and will be used as a Barber Shop, comprising of four seats. The entire premises is proposed to be licensed for up to 100 people, although the licensing is subject to a separate process.

The previous approval issued by Council included the following condition:

*“1.3 The hours of operation for the proposed bar are limited to:*

- Tuesday to Saturday and Sundays prior to public holidays: 10:00am to midnight; and*
- Ordinary Sundays and Public Holidays: 10:00am to 10:00pm;”*

The applicant now seeks to amend condition 1.3 of the approval to include Mondays, as follows:

*“1.3 The hours of operation for the proposed bar are limited to:*

- Monday to Saturday and Sundays prior to public holidays: 10:00am to midnight; and*
- Ordinary Sundays and Public Holidays: 10:00am to 10:00pm;”.*

#### **DETAILS:**

The application seeks approval to amend the operating hours condition so as to include Mondays. It should be noted that the original application sought approval to operate every day of the week and the imposed condition was incorrectly drafted at the time of approval. This application seeks to correct that previous error.

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

The original application was advertised for public comment on the basis that the Small Bar would operate every day of the week. As the hours of operation being sought are consistent with that previously advertised, it is not considered necessary to re-advertise the proposal.

#### **Design Review Panel (DRP):**

Referred to DRP: No

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

- Planning and Development Act 2005;*
- Planning and Development (Local Planning Schemes) Regulations 2015;*
- City of Vincent Local Planning Scheme No. 2; and*
- Policy No. 4.1.5 – Community Consultation.*

The application to delete the aforementioned condition of development approval is made in accordance with Clause 77(1)(b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which enables an application to be made requesting the local government to amend or delete any condition to which a development approval is subject to.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

#### **Delegation to Determine Applications:**

This matter is being referred to Council as the application proposes to amend a decision previously determined by Council.

#### **RISK MANAGEMENT IMPLICATIONS:**

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

#### **STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2023 states:

*“Natural and Built Environment*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

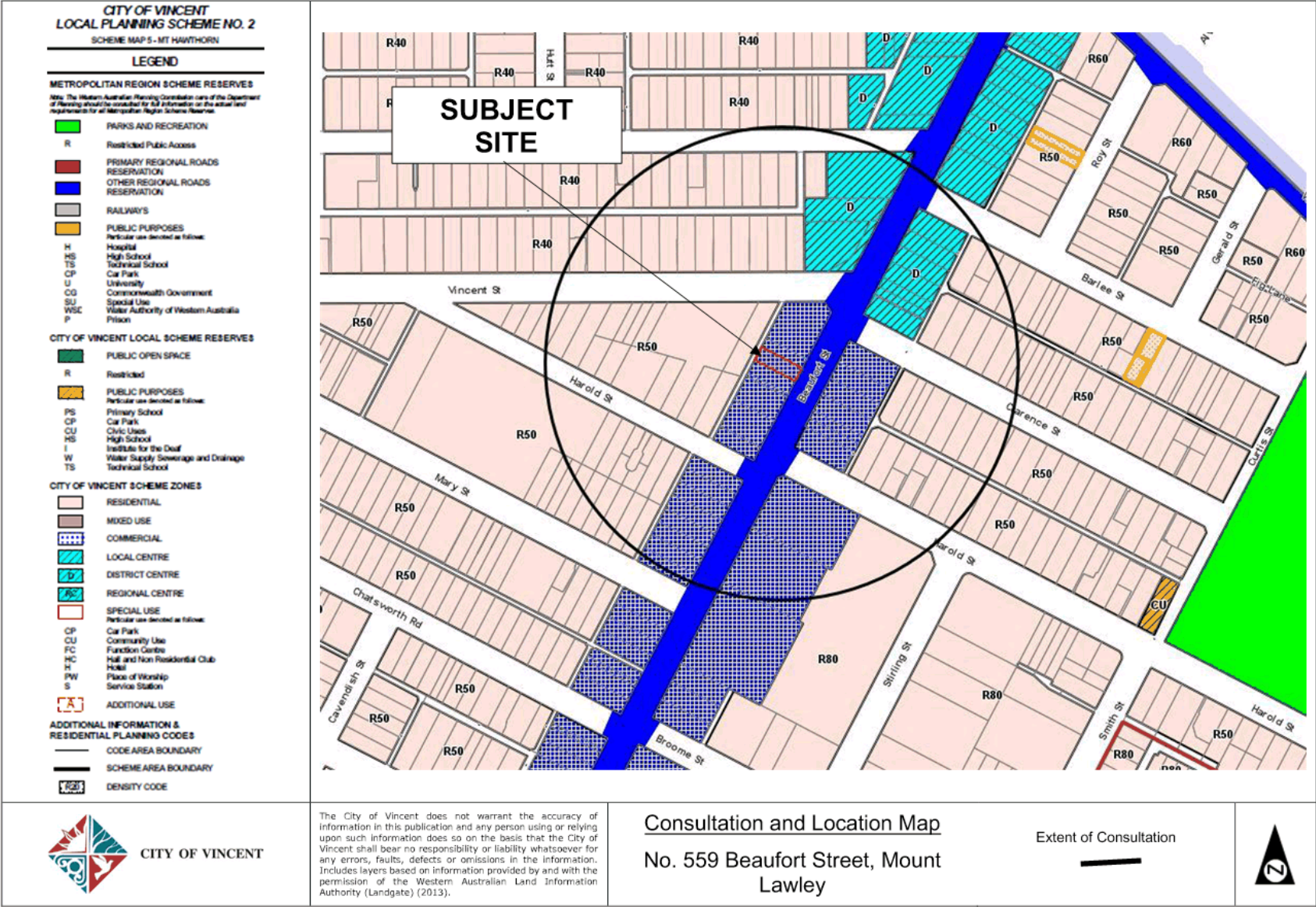
Nil.

**COMMENTS:**


In considering the application, the following is relevant:

- The application seeks to correct a previous error within the relevant condition.
- The proposed operating hours for Mondays is consistent with the approved operating hours for Tuesdays to Saturdays and Sundays prior to public holidays.
- Allowing the Small Bar to operate on Mondays will provide not have a detrimental impact on the amenity of the local area.
- Allowing the Small Bar to operate on Mondays will enhance the activity and vibrancy of the local area.

It is therefore recommended Council amend the condition of approval to allow the Small Bar to operate Mondays.








CITY OF VINCENT

The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).

No. 559 Beaufort Street, Mount Lawley












## ORDINARY COUNCIL MEETING MINUTES

21 AUGUST 2018

**9.6 NO. 559 (LOT: 4; D/P: 1477) BEAUFORT STREET, MOUNT LAWLEY - CHANGE OF USE FROM SHOP TO SMALL BAR****TRIM Ref:** D18/93286**Author:** Joslin Colli, Coordinator Planning Services**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South

**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Application Plans 
3. Attachment 3 - Summary of Submissions and Administration Response 
4. Attachment 4 - Summary of Submissions and Applicants Response 
5. Attachment 5 - Parking Management Plan & Supporting Justification 
6. Attachment 6 - Management Plan (Revised) 
7. Attachment 7 - Applicant's Submission and Technical Documents 

**RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent's Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for a change of use from Shop to Small Bar at No. 559 (Lot: 4; D/P: 1477) Beaufort Street, Mount Lawley, for the following reason:

1. The proposal does not comply with the car parking requirements of the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements, and the proposed variation is not considered to meet the objectives of the Policy as appropriate parking will not be provided to meet the needs of users.

**Moved:** Cr Gontaszewski, **Seconded:** Cr Hallett

That the recommendation be adopted.

At 6:31 pm, Cr Joshua Topelberg left the meeting

**LOST (0-8)**

**For:** Nil

**Against:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg

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

## ORDINARY COUNCIL MEETING MINUTES

21 AUGUST 2018

COUNCIL DECISION ITEM 9.6

## ALTERNATIVE MOTION

Moved: Cr Gontaszewski, Seconded: Cr Harley

That Council in accordance with the provisions of the City of Vincent's Local Planning Scheme No. 2, the Metropolitan Region Scheme and Clause 1.2 of Policy 7.7.1 – Non-Residential Development Parking Requirements, APPROVES the application for a change of use from Shop to Small Bar at No. 559 (Lot: 4; D/P: 1477) Beaufort Street, Mount Lawley, subject to the following conditions:

**1. Use of Premises**

- 1.1 This approval is for 'Small Bar' as defined by the City's Local Planning Scheme No.2 as shown on the approved plans dated 15 August 2018;
- 1.2 The Small Bar shall accommodate a maximum of 100 people at any given time;
- 1.3 The hours of operation for the proposed bar are limited to:
  - Tuesday to Saturday and Sundays prior to public holidays: 10:00am to midnight; and
  - Ordinary Sundays and Public Holidays: 10:00am to 10:00pm;

**2. External Fixtures**

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and be screened from view from the street, and surrounding properties to the satisfaction of the City;

**3. Acoustic report**

All of the recommended measures included in the approved Acoustic Report (Herring Storer Acoustics, March 2018) shall be implemented as part of the development, to the satisfaction of the City prior to the use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**4. Management Plan**

- 4.1. An updated Management Plan in accordance with the City's Policy No. 7.5.7 - Licenced Premises shall be submitted to, and approved by the City prior to the development commencing. The updated Management Plan shall address the following matters and shall be in accordance with all conditions of this approval:
  - Any recommendations detailed in the Acoustic Report (as per Condition 5 above);
  - Floor plans of the premises;
  - The maximum number of patrons;
  - Hours of operation;
  - Noise Management Plan;
  - Patron and anti-social behaviour;
  - Entertainment and Music; and
  - Time and frequency of waste collection and deliveries at the premises;
- 4.2 Use of the premises shall be carried out in accordance with the approved Management Plan or any Plan approved by the City thereafter and all requirements of the Management Plan shall be implemented to the satisfaction of the City; and

## ORDINARY COUNCIL MEETING MINUTES

21 AUGUST 2018

- 4.3 The Management Plan shall be reviewed every 12 months, with any changes identified during this review or by the City, being incorporated into an updated Management Plan approved by the City as part of the review;

5. Cash-in-Lieu

A cash-in-lieu contribution shall be paid to the City for the shortfall of 8 car bays, based on the cost of \$5,400 per bay as set out in the City's 2017/2018 Schedule of Fees and Charges being a contribution of \$43,200 prior to the commencement of development or by entering into a written agreement to the City to pay the cash-in-lieu over an agreed period up to five years.

6. Parking

- 6.1 An updated Parking Management Plan in accordance with the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements shall be submitted to, and approved by the City prior to the development commencing. The updated Parking Management Plan shall address the provision of on-site and off-site bicycle parking, as provided for by the approved plans.
- 6.2 Prior to occupancy or use of the development a minimum of two additional Class 3 bicycle parking facilities shall be provided in the Beaufort Street verge, in a location to the City's satisfaction. The bicycle facilities shall be designed in accordance with AS2890.3 and all works shall be undertaken to the City's specification and satisfaction.

ADVICE NOTES:

1. The development approval is for a Change of Use to 'Small Bar', which is defined under the City's Local Planning Scheme No. 2 as:  
*"Small Bar means premises the subject of a small bar license granted under the Liquor Control Act 1988"*
2. With reference to Conditions 1.2 any increase in the maximum occupancy will require further development approval;
3. With reference to Condition 1.3, trading hours for New Year's Eve on a Sunday, New Year's Day, Good Friday, Christmas Day and ANZAC Day shall be in accordance with the provisions of the *Liquor Control Act 1988*;
4. With reference to Condition 5:
- 4.1 The cash-in-lieu amount may be reduced if additional car bays are provided onsite or in conjunction with any other arrangement acceptable to the City;
- 4.2 Alternatively the lodgement of an appropriate assurance bond/bank guarantee of the above value to the satisfaction of the City can be undertaken. 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/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- 4.2.3 To the owner/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired; and
- 4.3 The applicant may request the City to approve a payment plan up to five years;

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ORDINARY COUNCIL MEETING MINUTES21 AUGUST 2018

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5. Any new signage that does not comply with the City's Policy No. 7.5.2 - Signs and Advertising shall be subject to a separate Development Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage;
6. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect;
7. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained; and
8. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

**ALTERNATIVE MOTION CARRIED UNANIMOUSLY (8-0)**

**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg

**Against:** Nil

**(Cr Topelberg was absent from the Council Chamber and did not vote.)**

**REASON:**

Council was satisfied with the parking variation on the basis of the nature and location of the proposed use, subject to the payment of cash-in-lieu of parking for the 8 bay shortfall.

At 6:46 pm, Cr Joshua Topelberg returned to the meeting.

<b>5.8</b>	<b>INTEGRATED TRANSPORT PLAN - APPOINTMENT OF A SUCCESSFUL TENDERER</b>
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**TRIM Ref:** D18/121289

**Author:** Stephen Schreck, Strategic Planning Officer

**Authoriser:** Luke Gibson, A/Director Development Services

**Attachments:**

1. Attachment 1 - Tender Evaluation Summary - Confidential
2. Attachment 2 - Price Summary - Confidential

**RECOMMENDATION:**

That Council **ACCEPTS** the tender submitted by Cardno (WA) Pty Ltd for Tender No. 558/18 for the Preparation of an Integrated Transport Plan and the general conditions of tendering.

**PURPOSE OF REPORT:**

To consider the awarding of Tender No. 558/18 – Appointment of a Consultant to Prepare an Integrated Transport Plan for the City of Vincent.

**BACKGROUND:**

The City's Corporate Business Plan 2018/19 – 2021/22 identifies a requirement for the City to review the Car Parking Strategy and prepare an Integrated Transport Plan for the district. As the population of the City of Vincent continues to grow, it is vital to plan for the integration of all transport modes for the overall transport network to function effectively and efficiently. The Integrated Transport Plan will guide the City's strategic transport vision and provide an implementation plan for the future.

**DETAILS:**

Tender Advertising

The allocated budget for the project is \$310,000. As the budget exceeds \$250,000, Policy No. 1.2.3 – Purchasing requires an open public tender process.

Under CEO Delegation 1.19, the Acting Director Development Services approved the Procurement Plan, which included the following Evaluation Criteria:

Qualitative Criteria	Weighting
1. Methodology, Key issues and risks <ul style="list-style-type: none"> <li>• Understanding of the intent and ambition for the Integrated Transport Plan to be an industry-leading plan, focussed on achieving the Strategic Community Plan vision.</li> <li>• Methodology to undertake consultation with key stakeholders including government agencies, working groups and the community; continuing the theme of the recent Strategic Community Plan process.</li> <li>• Understanding of the required service by identifying the key issues and risks associated with delivering the project and how these will be addressed.</li> <li>• Understanding of the context of the City of Vincent.</li> <li>• Understanding of the existing and future key transport issues across each transport mode, as they relate to the City.</li> <li>• Understanding of further studies and expert analysis that may be required to complete the Integrated Transport Plan.</li> </ul>	50%



Qualitative Criteria	Weighting
2. Relevant experience, expertise, project team and capacity to deliver: <ul style="list-style-type: none"> <li>• Ability to provide high quality:               <ul style="list-style-type: none"> <li>○ Consultation with Administration, Government Stakeholders, Council Members and the local Community;</li> <li>○ Technical Studies and Analysis;</li> <li>○ Written Reporting; and</li> <li>○ Implementation planning.</li> </ul> </li> <li>• Experience in a wide range of multi-modal transport planning projects relevant to the City's context.</li> <li>• Roles, credentials and responsibilities of key personnel in the delivery of this project.</li> <li>• Ability to provide ongoing availability of sufficiently skilled persons capable of performing the tasks to the required standards through the project.</li> <li>• Capacity and depth to effectively address the range of requirements of the City.</li> <li>• Referees and relevant comments/testimonials.</li> </ul>	50%

The Request for Tender 558/18 was publicly advertised from 8 August 2018 and invited submissions until 28 August 2018.

At the close of the advertising period, eight tender responses were received from the following companies:

- Arup Australia Pty Ltd;
- Cardno (WA) Pty Ltd;
- Flyt Pty Ltd;
- GTA Consultants (WA) Pty Ltd;
- Jacobs Engineering Group INC;
- KCTT Traffic and Transport Pty Ltd;
- Shawmac Pty Ltd; and
- SMEC Australia Pty Ltd.

#### Tender Assessment

The tenders were assessed by members of the Tender Evaluation Panel (below) and each tender was assessed using the above Evaluation Criteria, with a scoring system being used as part of the assessment process.

Title	Role
Director Engineering	Voting
Strategic Planning Officer	Voting
Administration Officer Corporate Services	Voting
Active Transport Officer	Technical Advice
Manager Policy & Place	Technical Advice

A summary table for each compliant Tenderer is provided below. A full outline of the Qualitative Evaluation Criteria for each tenderer is contained within **Confidential Attachment 1**.

Company	Methodology, key issues and risks (50%)	Relevant experience, expertise, project team and capacity to deliver (50%)	Total Score (100%)	Ranking
Cardno (WA) Pty Ltd	45	40	85	1
Flyt Pty Ltd	40	40	80	2
Arup Australia Pty Ltd	37.5	37.5	75	3
SMEC Australia Pty Ltd	35	37.5	72.5	4
GTA Consultants (WA) Pty Ltd	25	30	55	5
Jacobs Engineering Group INC	25	30	55	6
KCTT Traffic and Transport Pty Ltd	25	25	50	7
Shawmac Pty Ltd	25	25	50	8

Based on the evaluation panel discussion, the submission from Cardno (WA) Pty Ltd was the highest ranked submission against the Qualitative Evaluation Criteria.

Once the tenders were ranked on the Qualitative Evaluation Criteria, the evaluation panel made a value judgement as to the cost affordability, qualitative ranking and risk of each Tender, in order to determine which Tender which is most advantageous to the City. The tendered price was considered along with related factors affecting the total cost to the City (e.g. the lifetime operating costs of goods or the City's contract management costs). The price summary for the Tender is included as **Confidential Attachment 2**.

#### CONSULTATION/ADVERTISING:

The Request for Tender No. 558/18 was advertised in the West Australian on Wednesday 8 August 2018 and Saturday 11 August 2018 and on both the City's website and Tenderlink portal between 8 August 2018 and 28 August 2018.

#### LEGAL/POLICY:

- Section 3.57 of the *Local Government Act 1995*;
- Part 4 of the *Local Government (Functions and General) Regulations 1996*; and
- City of Vincent Policy No. 1.2.3 – Purchasing.

#### RISK MANAGEMENT IMPLICATIONS:

**Low:** It is considered low risk for Council to appoint a consultant to undertake works.

#### STRATEGIC IMPLICATIONS:

The City of Vincent Corporate Business Plan 2018/19 – 2021/22 states:

“2 Accessible city:

2.2 Car Parking Strategy and Integrated Transport Plan”

The City of Vincent Local Planning Strategy states:

“1.4.4 Traffic and Transport:

Strategy No. 1:

*To promote better use of public transport and apply the principles of Transit Oriented Development in appropriate locations within the City;*

Strategy No. 2:

*Provide for a more efficient use of existing transportation infrastructure within the City to ensure the vitality of the businesses and activity centres in the City and protection of residential amenity;*

Strategy No. 3:

*Provide for a safe and efficient network of local and arterial roads facilitating access and the distribution of traffic throughout the City; and*

Strategy No.4:

*Increase opportunities for residents, businesses and visitors to use cycling and walking as their preferred mode of transport.”*

The City of Vincent Draft Strategic Community Plan 2018 – 2028 states:

“Accessible City:

*Develop and progress an integrated transport plan that considers increased and better connected pedestrian, cyclists and public transport.”*

**SUSTAINABILITY IMPLICATIONS:**

The City's Sustainable Environment Strategy 2011 – 2016 states:

- “1.10 Advocate for improved public transport links within and to the City;*
- 1.11 Promote public transport within and to the City, through community education and incentive initiatives;*
- 1.12 Promote the use of electric vehicles, particularly scooters, rather than conventionally-fuelled vehicles; and*
- 1.13 Employ a demand management approach to car parking within the City to encourage the use of alternative transport methods.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

The costs associated with this contract will be met from the City's 2018/2019 Annual Budget, which has an allocation of \$310,000 to complete the project.

**COMMENTS:**

The submission from Cardno (WA) Pty Ltd complies with all the tender requirements, including demonstrated understanding of methodology, key issues and risks as well as demonstrating relevant experience, expertise, project team and capacity to deliver the works outlined in the specification.

Reference checks were conducted for Cardno (WA) Pty Ltd by contacting the City of Bayswater in relation to its Morley Activity Centre Transport Assessment and the City of Swan in relation to its City-wide Integrated Transport Strategy. Both referees were satisfied with Cardno's previous performance on their respective projects. The comments given by the referees were that Cardno maintained high quality communication throughout the project, provided high level strategic thinking and innovation, met deliverable timeframes and ensured that the project remained within scope.

The Evaluation Panel recommends that Cardno (WA) Pty Ltd be accepted for Tender No. 558/18 as having presented the most advantageous offer and best value for money to the City.

**6 ENGINEERING**

<b>6.1 LATE REPORT: PROPOSED 40KM/H AREA WIDE SPEED ZONE TRIAL - RESULTS OF CONSULTATION</b>
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REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING – 9 OCTOBER 2018

<b>6.2</b>	<b>LATE REPORT: MONTHLY MINOR PARKING IMPROVEMENTS/AMENDMENTS FOR CONSIDERATION</b>
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REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING – 9 OCTOBER 2018





**7 CORPORATE SERVICES**

<b>7.1 LATE REPORT: INVESTMENT REPORT AS AT 30 SEPTEMBER 2018</b>
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REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING 9 OCTOBER 2018

**7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 22 AUGUST 2018 TO 18 SEPTEMBER 2018**

TRIM Ref: D18/138174  
 Author: Nikki Hirrill, Accounts Payable Officer  
 Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Payments by EFT and BPAY September 18 [↓](#)   
 2. Payments by Cheque September 18 [↓](#)   
 3. Payments by Credit Card September 18 [↓](#) 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 22 August 2018 to 18 September 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 82416 - 82423	\$1,764.25
Cancelled cheques 82422	-\$513.20
EFT and BPAY Documents 2292 - 2304	\$3,255,423.10
Payroll	\$1,217,610.58
<b>Direct Debits</b>	
• Lease Fees	\$385.00
• Loan Repayments	\$148,537.79
• Bank Fees and Charges	\$67,146.22
• Credit Cards	\$3,821.62
<b>Total Direct Debit</b>	<b>\$219,890.63</b>
<b>Total Accounts Paid</b>	<b>\$4,694,175.36</b>

**PURPOSE OF REPORT:**

To present to Council the expenditure and list of accounts paid for the period 22 August 2018 to 18 September 2018.

**BACKGROUND:**

Council has delegated to the Chief Executive Officer (Delegation No. 1.14) the exercise of its power to make payments from the City's Municipal and Trust funds. 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 to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

**DETAILS:**

The Schedule of Accounts paid for the period 22 August 2018 to 18 September 2018, covers the following:

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account (Attachment 1, 2 and 3)</b>		
Cheques	<b>82416 - 82423</b>	\$1,764.25
Cancelled Cheques	<b>82422</b>	-\$513.20
EFT and BPAY Payments	<b>2292 - 2304</b>	\$3,255,423.10
<b>Sub Total</b>		<b>\$3,256,674.15</b>
<b>Transfer of Payroll by EFT</b>	<b>04/09/18</b>	\$610,554.26
	<b>18/09/18</b>	\$607,056.32
	<b>September 2018</b>	<b>\$1,217,610.58</b>
<b>Bank Charges and Other Direct Debits</b>		
Lease Fees		\$385.00
Loan Repayments		\$148,537.79
Bank Charges – CBA		\$67,146.22
Credit Cards		\$3,821.62
<b>Total Bank Charges and Other Direct Debits (Sub Total)</b>		<b>\$219,890.63</b>
<b>Total Payments</b>		<b>\$4,694,175.36</b>

**CONSULTING/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996* refers, i.e. -

12. *Payments from municipal fund or trust fund, restrictions on making*
- (1) *A payment may only be made from the municipal fund or the trust fund —*
    - *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
    - *otherwise, if the payment is authorised in advance by a resolution of Council.*
  - (2) *Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.*

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996* refers, i.e. -

13. *Lists of Accounts*
- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*
    - *the payee's name;*
    - *the amount of the payment;*
    - *the date of the payment; and*
    - *sufficient information to identify the transaction.*

- (3) *A list prepared under sub regulation (1) is to be —*
- *presented to Council at the next ordinary meeting of Council after the list is prepared; and*
  - *recorded in the minutes of that meeting.*

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Management systems are in place which establish satisfactory controls, supported by the internal and external audit functions.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2013-2023:

*“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:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

All Municipal Fund expenditure included in the list of payments is in accordance with Council's Annual Budget.

**COMMENTS:**

If Councillors require further information on any of the payments, please contact the Manager Financial Services.

Creditors Report - Payments by EFT and BPAY 22/08/2018 to 18/09/2018				
<i>Creditor</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
2292.7955-01	24/08/2018	Synergy	Electricity and gas charges - various locations	\$ 17,889.85
2293.9567-01	24/08/2018	Westnet Pty Ltd	Council chambers WiFi	\$ 39.95
2294.98000-01	28/08/2018	Australian Taxation Office	Payroll deduction	\$ 183,667.50
2295.2020-01	28/08/2018	Australian Services Union	Payroll deduction	\$ 284.90
2295.2045-01	28/08/2018	Child Support Agency	Payroll deduction	\$ 933.94
2295.2153-01	28/08/2018	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2295.2213-01	28/08/2018	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 865.33
2295.2216-01	28/08/2018	City of Vincent Staff Social Club	Payroll deduction	\$ 472.00
2295.3133-01	28/08/2018	Depot Social Club	Payroll deduction	\$ 76.00
2295.6156-01	28/08/2018	Health Insurance Fund of WA	Payroll deduction	\$ 289.45
2295.8120-01	28/08/2018	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 2,412.32
2296.9209-01	24/08/2018	Mercer Spectrum	Superannuation - July	\$ 12,016.16
2296.9437-01	24/08/2018	SuperChoice Services Pty Ltd	Superannuation - July and August	\$ 409,765.75
2297.4231-01	31/08/2018	City Of Wanneroo	COV 2018/19 share of rates for Tamala Park	\$ 26,267.76
2298.2008-01	04/09/2018	Alinta Energy	Electricity and gas charges - various locations	\$ 24,555.02
2298.2029-01	04/09/2018	Bunnings Building Supplies	Hardware supplies - various departments	\$ 501.32
2298.2029-01	04/09/2018	Bunnings Building Supplies	Purchase of indoor composting bins	\$ 4,578.00
2298.2030-01	04/09/2018	Benara Nurseries	Supply of plants	\$ 1,634.19
2298.2049-01	04/09/2018	City Of Perth	BA/DA archive retrievals	\$ 484.51
2298.2049-01	04/09/2018	City Of Perth	Collection of food waste bins - Admin	\$ 36.70
2298.2053-01	04/09/2018	Coca-Cola Amatil (Aust) Pty Limited	Beatty Park Café supplies	\$ 1,195.30
2298.2072-01	04/09/2018	Landgate	Gross rental valuations for interims	\$ 818.57
2298.2106-01	04/09/2018	Programmed Integrated Workforce Ltd	Temporary staff - Waste	\$ 3,351.10
2298.2119-01	04/09/2018	Line Marking Specialists	Line marking services - various locations	\$ 9,828.00
2298.2120-01	04/09/2018	LO-GO Appointments	Temporary staff - Waste	\$ 1,732.34
2298.2122-01	04/09/2018	Bucher Municipal Pty Ltd	Plant repairs and maintenance - various	\$ 4,028.81
2298.2136-01	04/09/2018	Mindarie Regional Council	Processable and non processable waste	\$ 141,729.08
2298.2192-01	04/09/2018	Sigma Chemicals	Pool chemicals	\$ 2,880.85
2298.2192-01	04/09/2018	Sigma Chemicals	Supply of hazard signs - BPLC	\$ 942.89
2298.2199-01	04/09/2018	Speedo Australia Pty Ltd	Merchandise - BPLC	\$ 14,977.60
2298.2200-01	04/09/2018	Sportsworld Of WA	Merchandise - BPLC	\$ 8,958.40
2298.2204-01	04/09/2018	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 845.11
2298.2221-01	04/09/2018	Turfmaster Facility Management	Mowing & brushcutting - various locations	\$ 6,655.00
2298.2232-01	04/09/2018	Walshy All Round Tradesman	Laying pavers - BPLC	\$ 528.00
2298.2234-01	04/09/2018	Water Corporation	Water and hydrant standpipe charges - various locations	\$ 1,917.83



<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2298.3001-01	04/09/2018	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff - Building	\$ 1,739.12
2298.3013-01	04/09/2018	Bollinger & Co Pty Ltd	Repair automatic gate - Depot	\$ 259.01
2298.3057-01	04/09/2018	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 748.84
2298.3066-01	04/09/2018	Royal Life Saving Society	Watch around water wristbands - BPLC	\$ 660.00
2298.3091-01	04/09/2018	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 242.00
2298.3110-01	04/09/2018	Depiazzi	Supply of mulch	\$ 3,185.60
2298.3129-01	04/09/2018	Margaret River Agencies	Soft beverage supplies for Council meetings	\$ 316.80
2298.3137-01	04/09/2018	WALGA	Staff training - 2018 Transport and Roads forum	\$ 50.00
2298.3146-01	04/09/2018	K.S. Black (WA) Pty Ltd	Bore & pump maintenance & development - various locations	\$ 29,118.76
2298.3170-01	04/09/2018	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 244.51
2298.3195-01	04/09/2018	Initial Hygiene	Sharps disposal service	\$ 1,031.81
2298.3213-01	04/09/2018	Domus Nursery	Supply of plants	\$ 4,439.05
2298.3239-01	04/09/2018	Award Contracting Pty Ltd	Locating services - various locations	\$ 2,194.50
2298.3246-01	04/09/2018	Ellenby Tree Farm Pty Ltd	Supply of plants and trees	\$ 7,920.00
2298.3315-01	04/09/2018	RPG Auto Electrics	Plant repairs and maintenance - various	\$ 4,283.53
2298.3444-01	04/09/2018	Raeco	Library supplies	\$ 594.22
2298.3474-01	04/09/2018	CSP Group	Plant repairs and maintenance	\$ 13.10
2298.3492-01	04/09/2018	The West Australian Newspaper Ltd	Newspapers for resale	\$ 114.06
2298.3498-01	04/09/2018	Di Lena Metal Sales	Supply of roof brackets	\$ 70.00
2298.3511-01	04/09/2018	City of Stirling	Green waste tipping fees	\$ 915.90
2298.3663-01	04/09/2018	DFES Direct Brigade Alarm Monitoring	Annual fire alarm monitoring - BPLC	\$ 1,821.06
2298.3744-01	04/09/2018	Woodlands Distributors & Agencies Pty Ltd	Supply of metal dog waste bag dispensers	\$ 14,074.50
2298.3814-01	04/09/2018	Western Power Corporation	Isolation of network for meter upgrade - Farmer Street	\$ 5,454.77
2298.3835-01	04/09/2018	ATI-Mirage Pty Ltd	Staff training - Professional administration skills	\$ 420.75
2298.3913-01	04/09/2018	Kennards Hire	Equipment hire - various	\$ 1,323.00
2298.4017-01	04/09/2018	Trisley's Hydraulic Services Pty Ltd	Pool equipment maintenance	\$ 1,830.95
2298.4103-01	04/09/2018	Asphalttech Pty Ltd	Asphalt supplies - various locations	\$ 126,617.31
2298.4156-01	04/09/2018	Wanneroo Plant Farm	Supply of plants	\$ 1,650.00
2298.4210-01	04/09/2018	Beaver Tree Services	Street trees & parks pruning/removal - various locations	\$ 2,437.60
2298.4221-01	04/09/2018	Suez Recycling & Recovery Pty Ltd	Waste collection services - BPLC	\$ 809.62
2298.4367-01	04/09/2018	Academy Services WA Pty Ltd	Cleaning services - various locations; washroom consumables	\$ 34,506.11
2298.4418-01	04/09/2018	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 3,544.70
2298.4493-01	04/09/2018	Tom Lawton - Bobcat Hire	Bobcat hire - various locations	\$ 6,109.40
2298.4627-01	04/09/2018	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 8,287.49
2298.4749-01	04/09/2018	Picton Press	Printing services - various departments	\$ 291.24
2298.4768-01	04/09/2018	Optus Billing Services Pty Ltd	Telephone and internet charges - various locations	\$ 2,435.32
2298.4957-01	04/09/2018	WA Profiling	Profiling services - various locations	\$ 12,638.45
2298.4971-01	04/09/2018	Totally Workwear	Uniform supplies - various departments	\$ 5,058.13
2298.5073-01	04/09/2018	WA AIDS Council Inc	Sponsorship - Perth International Queer Film Festival	\$ 550.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2298.5080-01	04/09/2018	Repco Auto Parts	Auto parts supplies - various	\$ 167.62
2298.5120-01	04/09/2018	Highgate Primary School	Student citizenship donation	\$ 294.00
2298.5193-01	04/09/2018	Protector Fire Services Pty Ltd	Fire equipment maintenance - BPLC	\$ 2,318.25
2298.5294-01	04/09/2018	A Team Printing	Printing services - BPLC	\$ 344.30
2298.5301-01	04/09/2018	Kott Gunning	Legal services - Counsel and prosecution fees	\$ 6,212.25
2298.5316-01	04/09/2018	McLeods Barristers & Solicitors	Legal services - 2017/18 audit confirmation	\$ 176.00
2298.5482-01	04/09/2018	Erections WA	Repair damaged guardrail - corner Loftus/Bourke Street	\$ 638.00
2298.5500-01	04/09/2018	Workwear Group Pty Ltd	Uniform supplies - Customer services	\$ 876.35
2298.5598-01	04/09/2018	Total Eden Pty Ltd	Purchase of octave meters and accessories - BPLC	\$ 3,510.82
2298.5598-01	04/09/2018	Total Eden Pty Ltd	Geothermal pump repairs & maintenance - BPLC	\$ 53,705.30
2298.5674-01	04/09/2018	PowerVac Pty Ltd	Cleaning equipment repairs - BPLC	\$ 2,422.79
2298.5737-01	04/09/2018	Massey's Herd Milk Supply	Milk supplies	\$ 642.60
2298.5836-01	04/09/2018	Manheim Pty Ltd	Towing services	\$ 1,048.30
2298.6072-01	04/09/2018	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 2,324.70
2298.6081-01	04/09/2018	Boral Construction Materials Group	Concrete supplies - Shakespeare Street	\$ 260.67
2298.6218-01	04/09/2018	Devco Builders	Maintenance and repairs - various locations	\$ 60,339.84
2298.6248-01	04/09/2018	Local Government Compliance Inc	Staff training - Local government compliance	\$ 250.00
2298.6251-01	04/09/2018	City of South Perth	Long service liability	\$ 7,131.00
2298.6259-01	04/09/2018	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 7,548.20
2298.6455-01	04/09/2018	The BBQ Man	BBQ cleaning services - various locations	\$ 5,706.68
2298.6513-01	04/09/2018	K-Line Fencing Group	Supply and install fencing - BPLC	\$ 9,900.00
2298.6586-01	04/09/2018	McIntosh & Son WA	Plant repairs and maintenance	\$ 891.86
2298.6733-01	04/09/2018	1905 Coffee on Newcastle	Catering services - Council & business advisory meetings	\$ 690.00
2298.6853-01	04/09/2018	A M Baraiolo	Reimbursement of expenses-library competition judges gifts	\$ 135.65
2298.6872-01	04/09/2018	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$ 138.38
2298.6881-01	04/09/2018	Bridgestone Australia LTD	Tyre services	\$ 400.60
2298.6903-01	04/09/2018	APARC Pty Ltd	Parking meter tariff upgrade & program change	\$ 5,564.00
2298.7009-01	04/09/2018	JBA Survey	Surveying services - View Street	\$ 2,640.00
2298.7118-01	04/09/2018	C Wood Distributors	Beatty Park Café supplies	\$ 1,004.30
2298.7168-01	04/09/2018	Christou Nominees Pty Ltd	Design advisory fee	\$ 1,650.00
2298.7388-01	04/09/2018	Vorgee Pty Ltd	Merchandise - BPLC	\$ 1,605.67
2298.7399-01	04/09/2018	Briskleen Supplies Pty Ltd	Toiletry and cleaning products	\$ 2,128.42
2298.7431-01	04/09/2018	BM Perich	Street tree services - various locations	\$ 5,853.10
2298.7438-01	04/09/2018	Leda Security Products Pty Ltd	Repairs to bicycle repair station	\$ 637.36
2298.7477-01	04/09/2018	Expo Group	Printing services - various departments	\$ 118.80
2298.7480-01	04/09/2018	F Sauzier	Reimbursement of expenses - Urban mobility catering	\$ 70.00
2298.7481-01	04/09/2018	Regents Commercial	Rent and variable outgoings - Barlee Street car park	\$ 11,956.67
2298.7510-01	04/09/2018	Northsands Resources	Construction waste disposal services	\$ 7,296.30
2298.7560-01	04/09/2018	Star-Mites Gym Sports	Kidsport vouchers	\$ 330.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2298.7593-01	04/09/2018	Yoshino Sushi	Beatty Park Café supplies	\$ 255.86
2298.7596-01	04/09/2018	BCF (SRG Leisure Retail Pty Ltd)	Purchase of gazebos and awnings	\$ 747.56
2298.7605-01	04/09/2018	Centropak	Beatty Park Café supplies	\$ 722.12
2298.7777-01	04/09/2018	Daniela Toffali	Fitness instructor fees	\$ 195.00
2298.7799-01	04/09/2018	Bent Logic	RFID card supplies	\$ 1,210.00
2298.7816-01	04/09/2018	Beilby Corporation	Advertising services - CEO recruitment	\$ 7,920.00
2298.7878-01	04/09/2018	Uptempo Design	CoV t-shirts - Australian Management Challenge	\$ 462.00
2298.7944-01	04/09/2018	Unicare Health	Disability hoist repairs - BPLC	\$ 644.00
2298.7950-01	04/09/2018	Rawlicious Delights	Beatty Park Café supplies	\$ 296.45
2298.7955-01	04/09/2018	Synergy	Electricity and gas charges - various locations	\$ 9,374.70
2298.7967-01	04/09/2018	CS Legal	Debt recovery services	\$ 247.63
2298.7978-01	04/09/2018	A Frazer & A.D Frazer	Artist fee - Mount Hawthorn exterior mural	\$ 2,750.00
2298.8009-01	04/09/2018	Marketforce Pty Ltd	Advertising services - various departments	\$ 7,427.53
2298.8108-01	04/09/2018	Leo Heaney Pty Ltd	Street tree services - various locations	\$ 35,524.52
2298.8270-01	04/09/2018	Skateboarding WA	Skateboarding WA annual program 2018/19	\$ 6,352.50
2298.8435-01	04/09/2018	Cr D Loden	Reimbursement of expenses - child care	\$ 250.00
2298.8449-01	04/09/2018	Cr J Murphy	Reimbursement of expenses - child care	\$ 781.25
2298.8468-01	04/09/2018	Innovations Catering	Catering services - Council meeting	\$ 490.00
2298.8490-01	04/09/2018	Subthermal	Engineering consultancy - BPLC	\$ 12,180.66
2298.8498-01	04/09/2018	Wheelers Books	Library books	\$ 417.48
2298.8547-01	04/09/2018	AWB Building Co.	Plumbing services - various locations	\$ 1,982.06
2298.8572-01	04/09/2018	Civic Legal	Staff training - Local Government lunch & learn workshop	\$ 192.50
2298.8586-01	04/09/2018	Tree Amigos	Street trees & parks pruning/removal - various locations	\$ 6,554.63
2298.8593-01	04/09/2018	Colleagues Nagels	Integrated transferable parking permits	\$ 397.43
2298.8620-01	04/09/2018	Boyan Electrical Services	Electrical services - various locations	\$ 13,345.20
2298.8645-01	04/09/2018	Domain Catering Pty Ltd	Catering services - EAG meeting	\$ 215.00
2298.8646-01	04/09/2018	Apollo Plumbing and Gas Pty Ltd	Plumbing services - various locations	\$ 61,051.36
2298.8672-01	04/09/2018	Brownes Food Operations Pty Ltd	Beatty Park Café supplies	\$ 1,092.91
2298.8684-01	04/09/2018	Ip Khalsa Pty Ltd	Mail delivery service	\$ 173.32
2298.8737-01	04/09/2018	Unilever Australia Ltd	Beatty Park Café supplies	\$ 1,289.96
2298.8743-01	04/09/2018	Konica Minolta Business Solutions	Copy costs - various departments	\$ 735.37
2298.8752-01	04/09/2018	Jackie Barron	Fitness instructor fees	\$ 56.84
2298.8757-01	04/09/2018	Suez Recycling & Recovery (Perth) Pty Ltd	Waste collection services - Jugan Street	\$ 3,686.38
2298.8765-01	04/09/2018	Bowden Tree Consultancy	Arboricultural services - Egina Street	\$ 858.00
2298.8793-01	04/09/2018	Nightlife Music Pty Ltd	Crowd DJ - BPLC	\$ 560.43
2298.8833-01	04/09/2018	Noma Pty Ltd	Design advisory fee	\$ 440.00
2298.8854-01	04/09/2018	Tyres 4U Pty Ltd	Tyre replacements and maintenance	\$ 2,868.65
2298.8878-01	04/09/2018	Cirrus Networks	Supply of power cords	\$ 258.90
2298.8938-01	04/09/2018	Atmos Foods Pty Ltd	Beatty Park Café supplies	\$ 237.60

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2298.8947-01	04/09/2018	SPP Group WA Pty Ltd	Mechanical consultancy - North Perth Town Hall	\$ 5,500.00
2298.8949-01	04/09/2018	WA Library Supplies	Supply of magazine trolleys - library	\$ 2,505.00
2298.8970-01	04/09/2018	Gay and Lesbian Singers of Western Australia	Citizenship ceremony vocal performance	\$ 400.00
2298.9165-01	04/09/2018	Vigilant Traffic Management Group Pty Ltd	Traffic management services - various locations	\$ 30,823.93
2298.9168-01	04/09/2018	Outdoor Furniture Northside Pty Ltd	Supply of sun lounges - BPLC	\$ 3,332.00
2298.9169-01	04/09/2018	Signbiz WA	Sign supplies - various locations	\$ 363.00
2298.9172-01	04/09/2018	Traffic Systems West (Ennis Traffic Safety Solutions Pty Ltd)	Supply & install separation kerbing - Bulwer Street	\$ 937.20
2298.9263-01	04/09/2018	Zimbulis Foods	Beatty Park Café supplies	\$ 631.05
2298.9299-01	04/09/2018	SpacetoCo Pty Ltd	Consultancy fee - Facilities reporting & financial handling	\$ 330.00
2298.9323-01	04/09/2018	Sid Thoo	Design advisory fee	\$ 880.00
2298.9387-01	04/09/2018	Foundry Consulting Pty Ltd	Consultancy - Water sensitive cities index benchmarking	\$ 4,065.60
2298.9420-01	04/09/2018	North City Holden	Vehicle service & repairs	\$ 235.00
2298.9573-01	04/09/2018	Randstad Pty Limited	Temporary employment - Corporate Services	\$ 2,380.84
2298.9624-01	04/09/2018	Greenarrow Holdings Pty Ltd	Rates refund	\$ 369.14
2298.9626-01	04/09/2018	Event & Conference Co	Staff training - Waste & Recycling Conference 2018	\$ 3,200.00
2298.9629-01	04/09/2018	Moodjar Consultancy	Consultancy - meeting to discuss future projects	\$ 1,815.00
2298.9630-01	04/09/2018	Sia Sasha Ivanovich Architects	Design advisory fees	\$ 1,100.00
2298.9631-01	04/09/2018	Granolithic Coating Systems	Clean and seal concrete verandah - Braithwaite Park	\$ 1,402.50
2298.9632-01	04/09/2018	M Bourke	Part refund of Beatty Park Leisure Centre fees	\$ 416.61
2298.9633-01	04/09/2018	L Lam	Part refund of Beatty Park Leisure Centre fees	\$ 240.66
2298.9634-01	04/09/2018	P Shi	Part refund of Beatty Park Leisure Centre fees	\$ 240.66
2298.9635-01	04/09/2018	B & J Gadsdon	Part refund of Beatty Park Leisure Centre fees	\$ 556.00
2298.9636-01	04/09/2018	K Cai	Part refund of Beatty Park Leisure Centre fees	\$ 84.15
2298.9637-01	04/09/2018	M O'Connor	Part refund of Beatty Park Leisure Centre fees	\$ 543.32
2298.9638-01	04/09/2018	A J Stevens	Part refund of Beatty Park Leisure Centre fees	\$ 59.40
2298.9639-01	04/09/2018	D Delpizzo	Part refund of Beatty Park Leisure Centre fees	\$ 158.08
2298.9640-01	04/09/2018	K Dowton	Fitness instructor fees	\$ 176.52
2298.9641-01	04/09/2018	Australian Labor Party (WA Branch)	Refund of hall bond	\$ 1,000.00
2298.9645-01	04/09/2018	M & D Uctuk	Crossover subsidy	\$ 390.00
2298.9650-01	04/09/2018	J Law	Part refund of Beatty Park Leisure Centre fees	\$ 66.08
2298.9651-01	04/09/2018	Curtin Stadium	Kidsport vouchers	\$ 330.00
2298.9653-01	04/09/2018	N Gajda	Refund of parking permit	\$ 173.20
2298.9654-01	04/09/2018	C Tognini	Part refund of Beatty Park Leisure Centre fees	\$ 28.80
2298.9656-01	04/09/2018	L Howard	Planning application fee refund	\$ 5,555.00
2298.9659-01	04/09/2018	E Flanagan	Rates refund	\$ 326.50
2298.9661-01	04/09/2018	Brolga Developments & Construction Pty Ltd	Refund of infrastructure bond	\$ 2,000.00
2298.9662-01	04/09/2018	I Blair	Refund of infrastructure bond	\$ 1,000.00
2298.9663-01	04/09/2018	B Weinberg	Refund of infrastructure bond	\$ 1,000.00
2298.9664-01	04/09/2018	EJ & NV Griffiths	Refund of infrastructure bond	\$ 2,000.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2298.9665-01	04/09/2018	M J Monaghan	Refund of infrastructure bond	\$ 1,000.00
2298.9666-01	04/09/2018	Central Building Company	Refund of infrastructure bond	\$ 3,500.00
2298.9667-01	04/09/2018	K Mann	Refund of infrastructure bond	\$ 3,000.00
2298.9668-01	04/09/2018	Nexus Home Improvements	Refund of infrastructure bond	\$ 3,000.00
2298.9669-01	04/09/2018	Psaros Realty Pty Ltd	Rates refund	\$ 1,237.01
2298.9670-01	04/09/2018	Gow Property	Rates refund	\$ 395.24
2298.9671-01	04/09/2018	A Jachmann	Part refund of Beatty Park Leisure Centre fees	\$ 93.15
2298.9672-01	04/09/2018	P M Desai	Refund of hall bond	\$ 2,500.00
2299.7955-01	04/09/2018	Synergy	Electricity and gas charges - various locations	\$ 25,228.25
2300.2020-01	10/09/2018	Australian Services Union	Payroll deduction	\$ 284.90
2300.2045-01	10/09/2018	Child Support Agency	Payroll deduction	\$ 940.96
2300.2153-01	10/09/2018	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2300.2213-01	10/09/2018	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 830.72
2300.2216-01	10/09/2018	City of Vincent Staff Social Club	Payroll deduction	\$ 466.00
2300.3133-01	10/09/2018	Depot Social Club	Payroll deduction	\$ 80.00
2300.6156-01	10/09/2018	Health Insurance Fund of WA	Payroll deduction	\$ 289.45
2300.8120-01	10/09/2018	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 2,240.56
2301.98000-01	10/09/2018	Australian Taxation Office	Payroll deduction	\$ 185,211.00
2302.6524-01	14/09/2018	Cr J Topelberg	Council meeting fee	\$ 1,916.66
2302.7143-01	14/09/2018	Cr R Harley	Council meeting fee	\$ 1,916.66
2302.7862-01	14/09/2018	Mayor E Cole	Council meeting fee	\$ 7,797.33
2302.8435-01	14/09/2018	Cr D Loden	Council meeting fee	\$ 1,916.66
2302.8438-01	14/09/2018	Cr S Gontaszewski	Council meeting fee	\$ 3,223.49
2302.8449-01	14/09/2018	Cr J Murphy	Council meeting fee	\$ 1,916.66
2302.8808-01	14/09/2018	Cr J Hallett	Council meeting fee	\$ 1,916.66
2302.9018-01	14/09/2018	Cr A Castle	Council meeting fee	\$ 1,916.66
2302.9019-01	14/09/2018	Cr J Fotakis	Council meeting fee	\$ 1,916.66
2303.2008-01	11/09/2018	Alinta Energy	Electricity and gas charges - various locations	\$ 49.80
2303.2204-01	11/09/2018	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 960.45
2303.2234-01	11/09/2018	Water Corporation	Water charges - BPLC	\$ 15,206.97
2303.2234-01	11/09/2018	Water Corporation	Raise sewer manhole cover - Randell Street	\$ 5,743.40
2303.3359-01	11/09/2018	Department of Mines, Industry Regulation and Safety	Building services levy collection	\$ 11,827.92
2303.7955-01	11/09/2018	Synergy	Electricity and gas charges - various locations	\$ 9,592.10
2304.2007-01	18/09/2018	Aline Brick Paving	Brick paving services - Newcastle Street	\$ 2,882.00
2304.2019-01	18/09/2018	Australia Post (Agency Commission)	Commission charges	\$ 4,651.32
2304.2029-01	18/09/2018	Bunnings Building Supplies	Hardware supplies - Depot	\$ 88.71
2304.2030-01	18/09/2018	Benara Nurseries	Supply of plants	\$ 4,097.50
2304.2033-01	18/09/2018	BOC Gases Australia Limited	Oxygen supplies	\$ 114.44
2304.2052-01	18/09/2018	Cobblestone Concrete	Concrete path repairs - Walcott Street	\$ 7,051.00



<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.2053-01	18/09/2018	Coca-Cola Amatil (Aust) Pty Limited	Beatty Park Café supplies	\$ 938.40
2304.2072-01	18/09/2018	Landgate	Gross rental valuations for interims and land enquiries	\$ 882.46
2304.2085-01	18/09/2018	Farinosi & Sons Pty Ltd	Hardware supplies	\$ 198.84
2304.2106-01	18/09/2018	Programmed Integrated Workforce Ltd	Temporary staff - Waste	\$ 5,368.95
2304.2113-01	18/09/2018	Kleenheat Gas	Forklift gas supplies	\$ 130.24
2304.2119-01	18/09/2018	Line Marking Specialists	Line marking services - various locations	\$ 7,590.00
2304.2120-01	18/09/2018	LO-GO Appointments	Temporary staff - Waste	\$ 4,521.15
2304.2122-01	18/09/2018	Bucher Municipal Pty Ltd	Plant repairs and maintenance - various	\$ 1,667.55
2304.2126-01	18/09/2018	Mayday Earthmoving	Bobcat, truck and mini excavator hire - various locations	\$ 10,140.35
2304.2136-01	18/09/2018	Mindarie Regional Council	Non processable waste	\$ 13,430.80
2304.2188-01	18/09/2018	Running Bare Australia Pty Ltd	Merchandise - BPLC	\$ 7,576.25
2304.2189-01	18/09/2018	SAS Locksmiths	Key cutting & lock maintenance service - various locations	\$ 3,716.24
2304.2192-01	18/09/2018	Sigma Chemicals	Pool chemicals	\$ 2,941.68
2304.2204-01	18/09/2018	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 328.66
2304.2221-01	18/09/2018	Turfmaster Facility Management	Turf maintenance - Leederville Oval	\$ 4,914.25
2304.2234-01	18/09/2018	Water Corporation	Water and industrial waste charges - various locations	\$ 5,803.69
2304.3001-01	18/09/2018	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff - Building	\$ 2,873.33
2304.3038-01	18/09/2018	St John Ambulance Australia	First aid kit supplies - Library	\$ 209.88
2304.3040-01	18/09/2018	Shenton Enterprises Pty Ltd	Service of AIDS memorial fountain	\$ 935.32
2304.3057-01	18/09/2018	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 1,425.65
2304.3091-01	18/09/2018	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 2,915.00
2304.3092-01	18/09/2018	Flick Anticimex Pty Ltd T/As The Pest Guys (WA)	Pest control services - North Perth Bowling Club	\$ 225.63
2304.3110-01	18/09/2018	Depiazzi	Supply of mulch	\$ 3,185.60
2304.3137-01	18/09/2018	WALGA	Staff training - Sustainable transport & emerging technologies	\$ 95.00
2304.3137-01	18/09/2018	WALGA	Staff training - Policy development & procedure writing	\$ 1,012.00
2304.3137-01	18/09/2018	WALGA	Staff training - Local Government Act 1995	\$ 1,012.00
2304.3137-01	18/09/2018	WALGA	Council connect website - multi site seasonal events	\$ 5,500.00
2304.3146-01	18/09/2018	K.S. Black (WA) Pty Ltd	Bore & pump maintenance & development - various locations	\$ 35,133.45
2304.3170-01	18/09/2018	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 224.91
2304.3187-01	18/09/2018	Local Government Professionals Australia WA	Staff training - Digital elevation	\$ 126.00
2304.3213-01	18/09/2018	Domus Nursery	Supply of plants	\$ 2,131.80
2304.3315-01	18/09/2018	RPG Auto Electrics	Plant repairs and maintenance - various	\$ 1,286.67
2304.3337-01	18/09/2018	E Bentley	Reimbursement of expenses - seminar	\$ 25.00
2304.3355-01	18/09/2018	Local Health Authorities Analytical Committee	Food sampling & environmental analytical services - 2018/19	\$ 8,979.38
2304.3474-01	18/09/2018	CSP Group	Plant repairs and maintenance - various	\$ 737.20
2304.3492-01	18/09/2018	The West Australian Newspaper Ltd	Newspapers for resale	\$ 475.31
2304.3555-01	18/09/2018	AAA Headsets	Supply of headset	\$ 328.00
2304.3560-01	18/09/2018	Winc Australia Pty Ltd	Office supplies and consumables	\$ 4,067.85
2304.3584-01	18/09/2018	KMart Australia Ltd	Toys for crèche - BPLC	\$ 148.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.3613-01	18/09/2018	Donegan Enterprises Pty Ltd	Playground inspections and maintenance - various locations	\$ 5,930.10
2304.3662-01	18/09/2018	Western Resource Recovery Pty Ltd	Grease trap maintenance - various locations	\$ 738.76
2304.3663-01	18/09/2018	DFES Direct Brigade Alarm Monitoring	Annual fire alarm monitoring - various locations	\$ 5,463.18
2304.3711-01	18/09/2018	Rawlinsons (WA)	Addition and alteration work - Mount Hawthorn Lesser Hall	\$ 3,300.00
2304.3757-01	18/09/2018	J & K Hopkins	Office furniture supplies - Admin	\$ 468.00
2304.3790-01	18/09/2018	McSkips	Skip bin hire - Swimming Lane	\$ 625.00
2304.3880-01	18/09/2018	Institute of Public Works Engineering Australasia (WA)	Staff training - Safe Active Streets lunch forum	\$ 150.00
2304.3913-01	18/09/2018	Kennards Hire	Equipment hire - various	\$ 1,114.50
2304.3929-01	18/09/2018	Chittering Valley Worm Farm	Worms and castings	\$ 880.00
2304.3940-01	18/09/2018	Harvey Norman	Purchase of steamer and vacuum cleaners- BPLC	\$ 1,993.00
2304.3951-01	18/09/2018	NVMS Pty Ltd	Purchase and calibration of sound level meter	\$ 10,854.09
2304.3956-01	18/09/2018	Heat Exchangers WA Pty Ltd	Service pool geothermal heat exchanger	\$ 1,697.15
2304.3957-01	18/09/2018	Elite Pool Covers Pty Ltd	Repairs to automatic pool cover roller	\$ 369.00
2304.3994-01	18/09/2018	Lasso E & P Pty Ltd	Advertising services - BPLC	\$ 770.00
2304.4017-01	18/09/2018	Trisley's Hydraulic Services Pty Ltd	Pool equipment maintenance	\$ 198.00
2304.4085-01	18/09/2018	Parks and Leisure Australia	Staff training - PLA WA State Conference 2018	\$ 1,595.00
2304.4103-01	18/09/2018	Asphalttech Pty Ltd	Asphalt supplies - various locations	\$ 3,687.32
2304.4210-01	18/09/2018	Beaver Tree Services	Street trees & parks pruning/removal - various locations	\$ 359,217.10
2304.4214-01	18/09/2018	Kerbing West	Kerbing services - various locations	\$ 26,781.39
2304.4221-01	18/09/2018	Suez Recycling & Recovery Pty Ltd	Waste collection services - BPLC	\$ 1,549.65
2304.4277-01	18/09/2018	Downer EDI Engineering Power Pty Ltd	Security system audit - various locations	\$ 5,049.00
2304.4367-01	18/09/2018	Academy Services WA Pty Ltd	Cleaning services - various locations; washroom consumables	\$ 49,080.73
2304.4418-01	18/09/2018	West-Sure Group Pty Ltd	Cash collection services - Admin	\$ 721.05
2304.4447-01	18/09/2018	Blackwoods Atkins	Personal protective equipment & hardware supplies - Depot	\$ 2,312.29
2304.4469-01	18/09/2018	Hisco Pty Ltd	Paper tablecloth rolls	\$ 135.43
2304.4493-01	18/09/2018	Tom Lawton - Bobcat Hire	Bobcat hire - various locations	\$ 10,538.00
2304.4627-01	18/09/2018	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 29,505.77
2304.4637-01	18/09/2018	Multi Mix Concrete Pty Ltd	Concrete supplies - various locations	\$ 4,847.26
2304.4642-01	18/09/2018	Meter Australia Pty Ltd	Library supplies - slide binders	\$ 110.00
2304.4674-01	18/09/2018	Fulton Hogan (Pioneer Road Services)	Asphalt supplies	\$ 290.40
2304.4727-01	18/09/2018	Professional Tree Surgeons	Tree pruning and removal services - various locations	\$ 4,460.50
2304.4749-01	18/09/2018	Picton Press	Printing services - various departments	\$ 409.20
2304.4768-01	18/09/2018	Optus Billing Services Pty Ltd	Purchase of City handsets - various departments	\$ 1,039.50
2304.4889-01	18/09/2018	Officeworks Ltd	Paper supplies	\$ 499.00
2304.4923-01	18/09/2018	Caterlink	Supply of hot water urns - various locations	\$ 1,034.00
2304.4957-01	18/09/2018	WA Profiling	Profiling services - Marian Street	\$ 1,952.50
2304.4971-01	18/09/2018	Totally Workwear	Uniform supplies - various departments	\$ 5,391.71
2304.5041-01	18/09/2018	Alsco Pty Ltd	Air freshener supplies	\$ 51.94
2304.5080-01	18/09/2018	Repco Auto Parts	Auto parts supplies - various	\$ 132.95

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.5084-01	18/09/2018	ATF Services Pty Ltd	Security fence - various locations	\$ 1,111.61
2304.5121-01	18/09/2018	Kyilla Primary School	Active transport grant - Bike education	\$ 1,000.00
2304.5193-01	18/09/2018	Protector Fire Services Pty Ltd	Fire equipment maintenance - BPLC	\$ 2,236.08
2304.5294-01	18/09/2018	A Team Printing	Printing services - BPLC and Admin	\$ 1,091.20
2304.5301-01	18/09/2018	Kott Gunning	Legal services - employment advice	\$ 47,760.50
2304.5368-01	18/09/2018	Tamala Park Regional Council	Account for GST for sale of land	\$ 950.15
2304.5398-01	18/09/2018	Subaru Osborne Park	Vehicle service and repairs	\$ 1,662.95
2304.5424-01	18/09/2018	T-Quip	Plant repairs and maintenance	\$ 2,401.50
2304.5500-01	18/09/2018	Workwear Group Pty Ltd	Uniform supplies - Customer services	\$ 84.15
2304.5506-01	18/09/2018	Mount Hawthorn Primary School	Active transport grant - Bike education	\$ 1,000.00
2304.5553-01	18/09/2018	Structerre Consulting Engineers	Pavement profile testing - various locations	\$ 1,628.00
2304.5683-01	18/09/2018	Tourism Brochure Exchange	Distribution services - BPLC	\$ 165.00
2304.5836-01	18/09/2018	Manheim Pty Ltd	Towing services	\$ 1,182.50
2304.5973-01	18/09/2018	Guardian Tactile Systems Pty Ltd	Supply and install tactile paving - various locations	\$ 4,963.57
2304.5989-01	18/09/2018	Lion Dairy and Drinks (LD&D) Australia Pty Ltd	Milk supplies	\$ 440.24
2304.6041-01	18/09/2018	Battery World Osborne Park	Supply of batteries	\$ 132.22
2304.6072-01	18/09/2018	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 3,050.90
2304.6081-01	18/09/2018	Boral Construction Materials Group	Concrete supplies - Bourke Street	\$ 260.67
2304.6092-01	18/09/2018	The Poster Girls	Distribution services	\$ 128.04
2304.6218-01	18/09/2018	Devco Builders	Maintenance and repairs - various locations	\$ 11,636.48
2304.6259-01	18/09/2018	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 3,794.22
2304.6451-01	18/09/2018	MizCo	Bi annual plant maintenance check - DSR	\$ 6,446.00
2304.6455-01	18/09/2018	The BBQ Man	Bin and pressure cleaning services - various locations	\$ 1,364.00
2304.6486-01	18/09/2018	Blue Heeler Trading	Embroidery services - BPLC	\$ 1,100.00
2304.6501-01	18/09/2018	Shop for Shops	Tag supplies - BPLC	\$ 82.50
2304.6513-01	18/09/2018	K-Line Fencing Group	Supply and install fencing - BPLC	\$ 26,243.80
2304.6640-01	18/09/2018	Vertical Telecoms Pty Ltd	Two way radio repairs	\$ 263.51
2304.6733-01	18/09/2018	1905 Coffee on Newcastle	Catering services - Council meeting	\$ 55.00
2304.6753-01	18/09/2018	S Hansen	Reimbursement of expenses - parking & provisions	\$ 20.51
2304.6787-01	18/09/2018	Optima Press	Printing services - infringement final demand notices	\$ 634.70
2304.6881-01	18/09/2018	Bridgestone Australia LTD	Tyre services - various vehicles	\$ 445.00
2304.6903-01	18/09/2018	APARC Pty Ltd	Central management system licensing; meter maintenance	\$ 11,205.42
2304.6933-01	18/09/2018	Mackay Urbandesign	Design advisory fee	\$ 440.00
2304.7009-01	18/09/2018	JBA Survey	Surveying services - Loftus Street	\$ 1,650.00
2304.7073-01	18/09/2018	Atom Supply	Hardware supplies - shovels	\$ 1,006.32
2304.7118-01	18/09/2018	C Wood Distributors	Beatty Park Café supplies	\$ 1,368.95
2304.7132-01	18/09/2018	Catek Equipment Repairs	Dishwasher repairs - BPLC	\$ 247.50
2304.7156-01	18/09/2018	FE Technologies Pty Ltd	Annual maintenance - RFID Secure Chute	\$ 148.50
2304.7189-01	18/09/2018	Steann Pty Ltd	Collect and dispose of illegally dumped goods	\$ 660.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.7282-01	18/09/2018	Rubek Automatic Doors	Repair automatic door - Library	\$ 308.00
2304.7359-01	18/09/2018	Leederville Cameras	Purchase of camera - Marketing	\$ 2,331.85
2304.7382-01	18/09/2018	Turf Developments (WA) Pty Ltd	Turf maintenance - Braithwaite Park	\$ 7,310.60
2304.7399-01	18/09/2018	Briskleen Supplies Pty Ltd	Toiletry and cleaning products; sanipod service	\$ 2,567.67
2304.7477-01	18/09/2018	Expo Group	Printing services - various departments	\$ 962.50
2304.7510-01	18/09/2018	Northsands Resources	Construction waste disposal services & sand supplies	\$ 7,870.80
2304.7561-01	18/09/2018	Allcare Monitoring Services	After hour calls service	\$ 1,444.00
2304.7572-01	18/09/2018	Compu-Stor	Records digitisation and off-site storage	\$ 1,501.82
2304.7574-01	18/09/2018	Dolcetto Patisserie and Café	Catering services - Local History Awards	\$ 329.00
2304.7575-01	18/09/2018	Natural Area Holdings Pty Ltd	Weed control - Britannia Road Reserve	\$ 1,435.50
2304.7593-01	18/09/2018	Yoshino Sushi	Beatty Park Café supplies	\$ 349.25
2304.7595-01	18/09/2018	Allpet Products	Purchase of dog water bowls	\$ 254.65
2304.7605-01	18/09/2018	Centropak	Beatty Park Café supplies	\$ 1,410.78
2304.7648-01	18/09/2018	Revelation Perth International Film Festival Inc.	Sponsorship - Revelation Perth International Film Festival	\$ 7,040.00
2304.7657-01	18/09/2018	Shape Design	Graphic design services	\$ 1,771.00
2304.7664-01	18/09/2018	Raymond Sleeman	Fitness instructor fees	\$ 625.24
2304.7669-01	18/09/2018	Studio Papa	Graphic design services	\$ 1,859.00
2304.7862-01	18/09/2018	Mayor E Cole	Reimbursement of expenses - child care	\$ 150.00
2304.7878-01	18/09/2018	Uptempo Design	CoV t-shirts - Ride to work	\$ 1,353.00
2304.7938-01	18/09/2018	Talis Consultants Pty Ltd - ATF Talis Unit Trust	Consultancy - Waste strategy implementation	\$ 6,528.50
2304.7950-01	18/09/2018	Rawlicious Delights	Beatty Park Café supplies	\$ 169.40
2304.7955-01	18/09/2018	Synergy	Electricity and gas charges - various locations	\$ 77,274.35
2304.7967-01	18/09/2018	CS Legal	Debt recovery services	\$ 102.45
2304.7993-01	18/09/2018	ARM Security	Security monitoring services - various locations	\$ 7,051.04
2304.7995-01	18/09/2018	Superfins WA Inc	Refund of hall bond	\$ 1,500.00
2304.8009-01	18/09/2018	Marketforce Pty Ltd	Advertising services - various departments	\$ 10,981.55
2304.8040-01	18/09/2018	Wilson Security	Security services - various locations	\$ 6,060.96
2304.8108-01	18/09/2018	Leo Heaney Pty Ltd	Street tree services - various locations	\$ 39,514.10
2304.8119-01	18/09/2018	MESA Australia	Plant room maintenance - BPLC	\$ 2,224.20
2304.8120-01	18/09/2018	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 482.60
2304.8161-01	18/09/2018	North Perth Business & Community Association Inc.	Sponsorship - Halloween on Angove 2018	\$ 8,250.00
2304.8241-01	18/09/2018	Instant Toilets & Showers Pty Ltd t/as Instant Products Hire	Portaloo hire - Braithwaite Park upgrade	\$ 2,472.89
2304.8283-01	18/09/2018	Lakeside Mowers & Motorcycles	Mower parts	\$ 200.00
2304.8307-01	18/09/2018	MessageMedia	SMS integrating for Phoenix	\$ 557.00
2304.8340-01	18/09/2018	Place Laboratory	Landscape architecture service - Axford Park	\$ 880.00
2304.8388-01	18/09/2018	Clever Patch	Library supplies	\$ 60.47
2304.8398-01	18/09/2018	Jean-Paul Barbier	Fitness instructor fees	\$ 238.00
2304.8420-01	18/09/2018	Corsign WA Pty Ltd	Sign supplies - various locations	\$ 953.84
2304.8468-01	18/09/2018	Innovations Catering	Catering services - Council meetings	\$ 1,120.00

<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.8472-01	18/09/2018	Exceed Consulting (WA) Pty Ltd	Light pole inspection - Britannia Reserve	\$ 1,089.00
2304.8498-01	18/09/2018	Wheelers Books	Library books	\$ 720.36
2304.8523-01	18/09/2018	Stephen Carrick Architects Pty Ltd	Design advisory fee	\$ 880.00
2304.8540-01	18/09/2018	Friends of Anzac Cottage	Donation - Connecting with the community	\$ 3,680.00
2304.8547-01	18/09/2018	AWB Building Co.	Plumbing services - various locations	\$ 2,956.09
2304.8574-01	18/09/2018	Solo Resource Recover	Pressure cleaning services	\$ 12,598.30
2304.8586-01	18/09/2018	Tree Amigos	Street trees & parks pruning/removal - various locations	\$ 1,909.05
2304.8593-01	18/09/2018	Colleagues Nagels	Integrated transferable parking permits	\$ 184.36
2304.8595-01	18/09/2018	Bang The Table	Cost of consultation website - project licence 2018/19	\$ 12,375.00
2304.8609-01	18/09/2018	Minter Ellison	Legal services - General employment matters	\$ 3,910.50
2304.8620-01	18/09/2018	Boyan Electrical Services	Electrical services - various locations	\$ 28,824.98
2304.8628-01	18/09/2018	AV Truck Services Pty Ltd	Plant repairs and maintenance	\$ 1,922.03
2304.8631-01	18/09/2018	West Perth Glass	Bus shelter repair - Oxford/Tennyson Street	\$ 1,144.00
2304.8645-01	18/09/2018	Domain Catering Pty Ltd	Catering services - Urban mobility meeting	\$ 200.00
2304.8665-01	18/09/2018	Zumba Fitness Patricia Rojo	Fitness instructor fees	\$ 434.00
2304.8672-01	18/09/2018	Brownes Food Operations Pty Ltd	Beatty Park Café supplies	\$ 1,289.18
2304.8694-01	18/09/2018	Nordic Fitness Equipment	Cleaning wipes for gym	\$ 975.00
2304.8737-01	18/09/2018	Unilever Australia Ltd	Beatty Park Café supplies	\$ 237.51
2304.8743-01	18/09/2018	Konica Minolta Business Solutions	Copy costs - various departments	\$ 65.71
2304.8745-01	18/09/2018	RAMM Software Pty Ltd	Software support and maintenance 2018/19	\$ 10,091.70
2304.8746-01	18/09/2018	Shape Urban Pty Ltd	Strategic community plan delivery - part payment	\$ 7,177.50
2304.8752-01	18/09/2018	Jackie Barron	Fitness instructor fees	\$ 113.68
2304.8757-01	18/09/2018	Suez Recycling & Recovery (Perth) Pty Ltd	Waste collection services - Jugan Street	\$ 3,570.95
2304.8763-01	18/09/2018	StrataGreen	Garden equipment supplies - various	\$ 1,586.53
2304.8770-01	18/09/2018	Perth City Glass	Glass repair services - Loftus Community Centre	\$ 517.00
2304.8784-01	18/09/2018	Boya Equipment	Purchase of spray unit - Depot	\$ 985.39
2304.8807-01	18/09/2018	Studio Elementa	Graphic design services	\$ 420.00
2304.8810-01	18/09/2018	Australia Post	Postage charges	\$ 17,853.57
2304.8815-01	18/09/2018	Double Line Sports	Merchandise - BPLC	\$ 2,871.25
2304.8829-01	18/09/2018	InterStream Pty Ltd	Webcast and hosting service	\$ 1,386.00
2304.8833-01	18/09/2018	Noma Pty Ltd	Design advisory fee	\$ 440.00
2304.8842-01	18/09/2018	Emerge Associates	Tree selection tool development	\$ 726.00
2304.8854-01	18/09/2018	Tyres 4U Pty Ltd	Tyre replacements and maintenance	\$ 1,421.75
2304.8911-01	18/09/2018	Quayclean Australia Pty Ltd	Cleaning services - BPLC	\$ 704.79
2304.8915-01	18/09/2018	Metal Artwork Creations	Supply of staff name badges - BPLC	\$ 287.10
2304.8937-01	18/09/2018	People Sense	Counselling services	\$ 2,090.00
2304.8940-01	18/09/2018	Global Industrial	Purchase of tool chest - Depot	\$ 677.42
2304.8946-01	18/09/2018	Market Creations	Intranet and Councillor portal development	\$ 3,967.90
2304.8947-01	18/09/2018	SPP Group WA Pty Ltd	Mechanical consultancy - Depot staff mess	\$ 4,950.00



<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
2304.8959-01	18/09/2018	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 8,987.53
2304.8976-01	18/09/2018	Stott Hoare	Purchase of laptop	\$ 1,389.30
2304.8991-01	18/09/2018	Securus	Security services - Library	\$ 1,200.72
2304.9008-01	18/09/2018	Greenpac	Merchandise - BPLC	\$ 1,188.00
2304.9018-01	18/09/2018	Cr A Castle	Reimbursement of expenses - child care	\$ 290.00
2304.9056-01	18/09/2018	Dalin Electrical Controls	Geothermal bore pump repairs - BPLC	\$ 330.00
2304.9165-01	18/09/2018	Vigilant Traffic Management Group Pty Ltd	Traffic management services - various locations	\$ 24,944.75
2304.9222-01	18/09/2018	Leederville Tennis Club	Reimbursement for cost of bore motor replacement	\$ 3,947.24
2304.9263-01	18/09/2018	Zimbulis Foods	Beatty Park Café supplies	\$ 596.73
2304.9265-01	18/09/2018	Simba Australia	Merchandise - BPLC	\$ 610.23
2304.9299-01	18/09/2018	SpacetoCo Pty Ltd	Consultancy fee - Facilities reporting & financial handling	\$ 330.00
2304.9314-01	18/09/2018	Mental Health First Aid	Supply of first aid training handbooks	\$ 740.80
2304.9395-01	18/09/2018	Green Planet Grass	Outdoor soccer pitch artificial turf - Loftus Belgravia Centre	\$ 42,306.00
2304.9417-01	18/09/2018	A Duckworth-Smith	Design advisory fee	\$ 400.00
2304.9573-01	18/09/2018	Randstad Pty Limited	Temporary employment - Corporate Services	\$ 5,268.47
2304.9586-01	18/09/2018	EN. YOGA	Fitness instructor fees	\$ 240.00
2304.9601-01	18/09/2018	Enzed Welshpool	Plant repairs and maintenance	\$ 414.29
2304.9620-01	18/09/2018	Mint Civil Pty Ltd t/a Acme Demolition	Refund of infrastructure bond	\$ 2,500.00
2304.9642-01	18/09/2018	P Stokes	Fitness instructor fees	\$ 180.00
2304.9646-01	18/09/2018	Dorcy Pacific Pty Ltd	Purchase of rechargeable spotlights	\$ 360.01
2304.9648-01	18/09/2018	D Cusworth	Donation - Bugler for Anzac Day ceremony	\$ 150.00
2304.9649-01	18/09/2018	Eric Preston Pty Ltd T/as Specialist Mail Services	Print and mail out of Well and Wise Seniors Calendars	\$ 3,811.50
2304.9652-01	18/09/2018	Perth Auto Alliance Pty Ltd	Vehicle service and repairs	\$ 2,668.15
2304.9655-01	18/09/2018	TenderLink.com	Public tender advertising	\$ 172.70
2304.9674-01	18/09/2018	Museums Australia	Annual membership fee	\$ 220.00
2304.9675-01	18/09/2018	M C Morgan	Rates refund	\$ 132.58
2304.9676-01	18/09/2018	N Campbell	Rates refund	\$ 799.11
2304.9678-01	18/09/2018	359 Oxford Pty Ltd	Rates refund	\$ 5,251.75
2304.9679-01	18/09/2018	K Lee	Part refund of dog registration	\$ 77.50
2304.9680-01	18/09/2018	Grants Empire	Grant application - Leederville Oval upgrade	\$ 4,224.00
2304.9681-01	18/09/2018	Realestate 88	Rates refund	\$ 452.54
2304.9682-01	18/09/2018	QSY Medical & Aesthetic Centre Australia Pty Ltd	Planning application refund	\$ 265.50
2304.9683-01	18/09/2018	Irving & Keenan Real Estate Pty Ltd	Rates refund	\$ 362.60
2304.9684-01	18/09/2018	Growth Realty	Rates refund	\$ 1,689.31
2304.9685-01	18/09/2018	Mark Hay Realty Group	Rates refund	\$ 514.67
2304.9686-01	18/09/2018	E Stephenson	Community funding cultural kickstart grant	\$ 1,531.00
2304.9687-01	18/09/2018	J Webb	Part refund of parking permit	\$ 338.20
2304.9688-01	18/09/2018	J Quackenbush	Rates refund	\$ 603.28
2304.9689-01	18/09/2018	M Stevens	Rates refund	\$ 355.80

<b><i>Creditor</i></b>	<b><i>Date</i></b>	<b><i>Payee</i></b>	<b><i>Description</i></b>	<b><i>Amount</i></b>
2304.9691-01	18/09/2018	Adept Property Management Pty Ltd	Rates refund	\$ 489.01
2304.9692-01	18/09/2018	C J Oakley	Rates refund	\$ 161.72
				<b>\$ 3,255,423.10</b>
<b>Direct Debit</b>				
Credit Card		Commonwealth Bank	Full listing in Attachment 3	<b>\$ 3,821.62</b>
Lease Fees	03/09/2018	Neopost 1659932	Franking machine	<b>\$ 385.00</b>
Loan Repayments		Treasury Corporation	Department Sport and Recreation Building, Loftus Centre, Loftus Underground Carpark, Beatty Park Leisure Centre	<b>\$ 148,537.79</b>
Bank Fees and Charges		Commonwealth Bank	Bank fees	<b>\$ 67,146.22</b>
<b>Total Direct Debit</b>				<b>\$ 219,890.63</b>

<b>Creditors Report - Payments by Cheque</b>				
<b>22/08/2018 to 18/09/2018</b>				
<b>Creditor</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
00082416	29/08/2018	Petty Cash - Finance	Petty cash recoup	\$ 187.75
00082417	29/08/2018	Petty Cash - Library	Petty cash recoup	\$ 196.35
00082418	29/08/2018	A Paiano	Part refund of dog registration	\$ 150.00
00082419	03/09/2018	W & D Meredith Holdings Pty Ltd	Rates refund	\$ 452.00
00082420	12/09/2018	Infinite Properties Pty Ltd	Rates refund	\$ 111.62
00082421	12/09/2018	R De Domenico	Rates refund	\$ 114.33
00082422	12/09/2018	Magistrates Court Perth WA	Payment of parking prosecution hearing notices	\$ 513.20
00082423	12/09/2018	S E Tower	Refund - Well & Wise seniors event	\$ 39.00
				<b>\$ 1,764.25</b>
<b>Total Cancelled Cheques</b>				
00082422	12/09/2018	Magistrates Court Perth WA	Cancelled, reissued cheque 82424	-\$ 513.20
<b>Total Nett Cheque Payments</b>				<b>\$ 1,251.05</b>

Credit Card Transactions for the Period 07 August 2018 - 06 September 2018				
Card Holder	Date	Payee	Description	Amount
Chief Executive Officer	09/08/2018	Curtin University	Councillor training - Curtin University ignition program	\$ 379.00
	05/09/2018	WA Local Government	Staff training-Grenfell Tower, cladding & the WA impact	\$ 150.00
				<b>\$ 529.00</b>
Director Corporate Services	21/08/2018	Foam Coffee Bar	Refreshments - meeting with DCS Nedlands	\$ 9.40
	04/09/2018	ASIC	Company search fee	\$ 9.00
				<b>\$ 18.40</b>
Director Community Engagement	23/08/2018	Perth Magistrates Court	Court transcript processing fee	20.50
	04/09/2018	Local Government Professionals Aus WA	Staff training - Project management essentials (BPLC)	780.00
	04/09/2018	Perth Magistrates Court	Court transcript fee - full	140.50
				<b>\$ 941.00</b>
Manager Marketing and Communications	10/08/2018	Mailchimp.com	Email campaign	\$ 267.75
	10/08/2018	International transaction fee	Email campaign	\$ 6.69
	10/08/2018	3D Inspirations Pty Ltd	Supply of anti graffiti paint	\$ 471.45
	13/08/2018	Cranked Coffee	Refreshments - Leederville retailers safety meeting	\$ 70.20
	13/08/2018	The Chamber of Arts	Staff training - WA cultural infrastructure strategy	\$ 55.00
	17/08/2018	ISSUU	Subscription- electronic publishing platform	\$ 731.03
	17/08/2018	International transaction fee	Subscription	\$ 18.28
	21/08/2018	Leederville Camera	Anzac Day photo print	\$ 5.70
	25/08/2018	STK Shutterstock	Subscription	\$ 108.90
	28/08/2018	Leederville Camera	Purchase of SD memory card for Marketing camera	\$ 19.95
	31/08/2018	Facebook	Advertising	\$ 117.22
	31/08/2018	Facebook	Advertising	\$ 27.45
	31/08/2018	International transaction fee	Advertising	\$ 0.69
	01/09/2018	Createsend.com	Email campaign	\$ 32.26
				<b>\$ 1,932.57</b>
Manager Human Resources	17/08/2018	ASIC	Company search fee	\$ 9.00
	27/08/2018	Australia Post Leederville	Gift vouchers - Management team recognition	\$ 391.65
				<b>\$ 400.65</b>
<b>Total Corporate Credit Cards</b>				<b>\$ 3,821.62</b>

**7.3 LATE REPORT: FINANCIAL STATEMENTS AS AT 31 AUGUST 2018**

REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING 9 OCTOBER 2018



<b>7.4</b>	<b>LATE REPORT: FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2018</b>
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REPORT TO BE ISSUED PRIOR TO COUNCIL MEETING 16 OCTOBER 2018

<b>7.5</b>	<b>LATE REPORT: VARIATION OF LEEDERVILLE TENNIS CLUB AND NORTH PERTH TENNIS CLUB LEASES TO ENABLE RETURN OF FUNDS HELD IN CITY'S RESERVE ACCOUNTS TO CLUBS</b>
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REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING 9 OCTOBER 2018

**7.6 CITY OF VINCENT STATUTORY REVIEW OF WARDS AND REPRESENTATION**

**TRIM Ref:** D18/137301

**Authors:** Meluka Bancroft, A/Manager Governance and Risk  
Emma Simmons, Governance and Council Support Officer

**Authoriser:** Kerryn Batten, Director Corporate Services

**Attachments:** 1. Discussion Paper - Review of the City's wards and representation [↓](#)   
2. Map of ward boundary and suburbs [↓](#) 

**RECOMMENDATION:**

**That Council:**

1. **NOTES** that eight years has elapsed since the City of Vincent last undertook a review of its ward boundaries and ward representation, and therefore in accordance with clause 6.1 of Schedule 2.2 of the *Local Government Act 1995* the City is required to undertake a review this calendar year.
2. **Authorises** the Chief Executive Officer pursuant to clause 7 of schedule 2.2 of the *Local Government Act 1995* to provide local public notice advising that:
  - (a) a review is being carried out; and
  - (b) that submissions may be received up to six weeks after the notice is first given;prior to undertaking the review as set out in 1. above.
3. **ENDORSES** the Discussion Paper titled 'Review of The City's Wards and Representation' (Attachment 1), for the purposes of providing local public notice in accordance with 2. above; and
4. **NOTES** that the Chief Executive Officer will present the outcomes of the review at the Ordinary Meeting of Council on 11 December 2018 for endorsement.

**PURPOSE OF REPORT:**

To advise Council that a statutory review of the City's wards and representation will be undertaken in accordance with schedule 2.2 of the *Local Government Act 1995* (Act).

**BACKGROUND:**

A local government's ward and representation requirements are set out in the Act. The key requirements are:

- a council must comprise of no fewer than six and no more than 15 elected members including a Mayor elected at large (section 2.17 of the Act); and
- a district (local government area) can be divided into wards (section 2.2 of the Act).

Clause 6(1) of Schedule 2.2 to the Act provides that a local government that has a ward system is required to carry out reviews of:

- (a) its ward boundaries; and
- (b) the number of offices of council members for each ward,

from time to time so that not more than eight years elapse between successive reviews.

The last review of the City of Vincent's wards and representation was conducted between October and December 2010. Therefore the City is required to conduct a review of its wards and representation this year.

The outcome of the 2010 review was (as approved by Council by an absolute majority at the Ordinary Meeting of Council held on 21 December 2010):

- that the Town (now City) retain the two current wards (North and South); and
- Councillor representation remain unchanged as four Councillors for the North and South wards each.

The City's current ward and representation structure is set out in the table below, which includes the deviation from the median number of electors for each ward.

Ward	Number of Electors	No. Councillors	Electors to Councillor Ratio	% deviation from district average
North	11,143	4	2,786	-5.77%
South	12,507	4	3,127	5.76%
<b>TOTAL</b>	<b>23,650</b>	<b>8</b>	<b>2, 956</b>	

A plan showing the ward boundary in relation to the suburbs is attached at **Attachment 2**.

The statutory ward and representation review is listed as item 6.10 in the City's Corporate Business Plan 2018/19 – 2021/22. The City has allocated \$20,000 in the 2018/19 financial year for the review.

#### DETAILS:

The City has engaged Conway Highbury, a local government consultant, to conduct the statutory ward and representation review and to recommend ward and representation changes (if any), which subject to Council approval (absolute majority required), will be presented to the Local Government Advisory Board (LGAB) for adoption. The LGAB has requested that it is advised of the outcomes of the review by 31 January 2019, so that any changes can be implemented prior to the October 2019 elections.

The review process and associated deadlines are as follows:

Date	Action
16 October 2018	Council meeting – <i>advise Council that City will conduct the review following the provision of local public notice as required by the Act</i>
18 October – 3 December	Community consultation period – <i>City provides six weeks local public notice of review, and invites submissions</i>
3 December 2018	Review conducted by consultant - <i>consultant reviews statutory requirements and submissions / public comments and provides a discussion paper recommending ward and representation changes (if any)</i>
11 December 2018	Council meeting – <i>Council considers recommendations and may, by absolute majority, propose changes to the LGAB in writing</i>
January 2019	Notify LGAB of outcome of review – <i>if changes recommended the LGAB makes recommendation to Minister</i>

Conway Highbury in consultation with the City has prepared a discussion paper, attached at **Attachment 1**, detailing the review process, current ward and representation system and options for change. The options for change are provided only as suggestions to provoke discussion and are not intended to be all encompassing or to restrict other options. In providing public notice of the review the public will be invited to consider the appropriateness and effectiveness of the current ward and representation structure, and suggest any options for change.

#### CONSULTATION/ADVERTISING:

Clause 7 of schedule 2.2 to the Act requires that the City provides local public notice of the review. This local public notice is to be:

- published in a newspaper circulating generally throughout the district;
- exhibited to the public on a notice board at the local government's offices; and
- exhibited to the public on a notice board at every local government library in the district.

The City's Community Consultation Policy No. 4.1.5 Appendix 1 provides that in addition to the statutory local public notice requirement, notice must be provided on the City's website and via letters to businesses and community groups. Administration confirms that notice will be provided on the City's website and social media platforms and email notices will be sent to all people registered for [imagine.vincent.wa.gov.au](http://imagine.vincent.wa.gov.au) and via the City's e-newsletter.

Local public notice of the review will be provided on 18 October 2018, with submissions being invited for a period in excess of six weeks, closing at 9am on 3 December 2018.

Local public notice will be provided by the following methods:

- Public notice advertisements in the 18 October edition of the *West Australian*, 20 October edition of *The Perth Voice*, the 23 October edition of the *Guardian Express Newspaper*;
- Public notice on the digital screen located at the City of Vincent Administration building and the public notice board at the City of Vincent library between 18 October and 2 December 2018;
- Public notice advertisement on the City's website and social media platforms between 18 October and 2 December 2018;
- Submission / comment forum on the City's EHQ webpage from 18 October to 2 December 2018;
- Email notices to all people registered for [imagine.vincent.wa.gov.au](http://imagine.vincent.wa.gov.au) and / or the City's e-newsletter;
- Email notices to relevant special interest groups, including the Town Teams; and
- Public notice advertisement included in the October and November City e-newsletter.

#### LEGAL/POLICY:

Section 2.2 and schedule 2.2 of the Act set out the requirements for local government wards and representation and the review process. The City's Community Consultation Policy No. 4.1.5 Appendix 1 includes additional consultation requirements for a ward review. Administration will comply with the statutory and policy requirements by providing public notice as detailed above.

#### RISK MANAGEMENT IMPLICATIONS:

Medium Risk      The City is required by statute to complete this review in 2018 and to provide notice of the outcome of the review to the LGAB in 2019 (prior to 31 January 2019 in order for any changes to be implemented prior to the 2019 elections).

#### STRATEGIC IMPLICATIONS:

The review aligns with the City's Corporate Business Plan 2018/19 – 2021/22 as follows:

##### "6.10 Ward Review

*Carry out a Ward Review as required by the Local Government Act 1996 (Schedule 2.2, Clause 6)."*

#### SUSTAINABILITY IMPLICATIONS:

N/A

#### FINANCIAL/BUDGET IMPLICATIONS:

The City has allocated \$20,000 towards this review. The City has engaged Conway Highbury to conduct the review on the City's behalf for a fee of \$4,125 incl GST. The City will also incur costs through the community consultation period. It is predicted that the cost of the review will be within the allocated \$20,000.

#### COMMENTS:

The City is required by the Act to conduct the review this year, and in order for any changes to be included prior to the 2019 local government elections, the LGAB must be notified in writing of the outcome of the review by 31 January 2019. In order for Council to consider the recommendations of the review prior to the LGAB's deadline it is necessary for local public notice to be provided immediately following this Ordinary Meeting of Council.





## DISCUSSION PAPER

# REVIEW OF CITY'S WARDS AND REPRESENTATION

*Prepared by City of Vincent & Conway Highbury*

*27 September 2018*



Unit 6

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## **1. Summary of statutory requirements and review process**

A local government's ward and representation requirements are set out in the *Local Government Act 1995 (Act)*. The key requirements are:

- a council must comprise of no fewer than six and no more than 15 elected members including a Mayor elected at large (section 2.17); and
- a district (local government area) can be divided into wards (section 2.2).

Clause 6 of Schedule 2.2 to the Act provides that a local government that has a ward system is required to carry out reviews of:

- (a) its ward boundaries; and
- (b) the number of offices of council members for each ward,

from time to time so that not more than eight years elapse between successive reviews.

The last review of the City of Vincent's wards and representation was conducted in 2010. Therefore the City is required to conduct a review of its wards and representation this year.

It is necessary for Council to initiate the review process and for the City to provide at least six weeks local public notice that a review will be carried out. The purpose of the local public notice is to inform the community of the proposed review and invite comments and submissions which will inform the review process. The public is also encouraged to provide options for ward and representation change, and the local government can facilitate this by providing some options as suggestions. Options could include:

- Creating new wards in a district already divided into wards;
- Changing the boundaries of a ward;
- Abolishing any or all of the wards into which a district is divided;
- Changing the name of a district or a ward;
- Changing the number of offices of council member on a council; and
- Specifying or changing the number of offices of council members for a ward.

The local government cannot constrain the public to certain options, and must consider all options put forward by the public. Upon receiving the public comments, the City will conduct a review, taking into account the public comments and with regard to the factors set out below:

- |  |  |
|--|--|
| <i>Community Interest</i>                  | <ul style="list-style-type: none"> <li>• Sense of community identity and belonging, similarities in the characteristics of the residents of a community and similarities in the economic activities</li> <li>• Dependence on the shared facilities in an area as reflected in catchment areas of local schools and sporting teams, or the circulation areas of local newspapers</li> <li>• Neighborhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging</li> </ul> |
| <i>Physical and topographical features</i> | <ul style="list-style-type: none"> <li>• These may be natural or man-made features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations</li> <li>• Coastal plain and foothills regions, parks and reserves may be relevant as may other man made features such as railway lines and freeways</li> </ul>   |

- Demographic trends*
  - Characteristics of human populations, such as population size, and its distribution by age, sex, occupation and location provide important demographic information
  - Current and projected population characteristics will be relevant as well as similarities and differences between areas within the local government
- Economic factors*
  - Any factor that reflects the character of economic activities and resources in the area
  - This includes the industries that occur in a local government area (or the release of land for these) and the distribution of community assets and infrastructure such as road networks
- Ratio of council members to electors*
  - The ratio of council members to electors is particularly significant - it is expected that each local government will have similar ratios of electors to council members across its wards
  - The Local Government Advisory Board (LGAB) will not support deviations of more than plus or minus 10% of the average ratio of council members to electors between wards

After completing the review, the local government must make a recommendation to the LGAB. The LGAB's role is to determine if the local government properly considered all relevant factors, and make a recommendation to the Minister for Local Government; Heritage; Culture and the Arts (**Minister**) to this effect. If the LGAB believes that the local government has not completed a proper review it will advise the Minister of this. The Minister may accept or reject the LGAB's recommendation. If the local government has requested changes to its ward and representation and the Minister approves the request, these changes will come into effect at the next council elections. The next council elections are scheduled for October 2019.

## **2. Analysis of current wards & representation**

The City has two wards, North and South. Each ward is represented by 4 council members who serve a four year term each. The City is also represented by a Mayor who is elected by the electors (at large). Two council members are elected for each ward at each local government election, with elections occurring every second year. The City currently has 23,650 electors (WA Electoral Commission September 2018 data), with an average ratio of 2,956 electors per council member.

The City's current wards and representation model has been analysed in reference to the five factors discussed above.

### ***Community of interest***

As the City is only 11.3 square kilometres in size, there are few (if any) ways in which the criteria to delineate boundaries based on communities of interest could be applied.

The localities of Leederville and North Perth are split between the North and South wards at present. Suburb boundaries do not generally follow any particular pattern and tend to simply be a reflection of the pace of development at the time of their creation.

### ***Physical and topographic features***

Other than transport thoroughfares such as Charles St, Vincent St, the Perth-Midland rail line, and Fitzgerald St, the Town has few physical or topographic features that could realistically be used to determine where ward boundaries could be.

**Demographic trends**

Population growth is forecast in localities in both of the current wards of the City. The City's population (which tends to also drive changes in elector numbers) to the year 2036 (see <https://forecast.id.com.au/vincent/population-summary>) is forecast to be 51,726 broken down as follows:

Population summary							
City of Vincent		Forecast year				Change between 2016 and 2036	
Area	2016	2021	2026	2031	2036	Total change	Avg. annual % change
City of Vincent	35,592	40,487	44,443	48,244	51,726	+16,134	+1.89
East Perth - Claisebrook	1,225	1,649	2,366	3,031	3,441	+2,216	+5.30
Highgate	2,543	2,665	2,801	2,926	3,033	+490	+0.88
Leederville	3,281	3,812	4,434	4,968	5,539	+2,258	+2.65
Mount Hawthorn	7,876	8,203	8,545	8,910	9,322	+1,446	+0.85
Mount Lawley	3,343	3,681	3,872	4,048	4,238	+895	+1.19
North Perth	9,187	10,459	11,202	11,968	12,709	+3,522	+1.64
Perth	5,764	6,858	7,588	8,283	8,951	+3,187	+2.22
West Perth	2,373	3,160	3,635	4,111	4,493	+2,120	+3.24

Growth in the City is expected in a number of areas, but higher rates forecast for localities in the present South ward for the period to 2026 (the period by when the City will need to undertake another review). If this occurs, the present South ward may be under represented and the present North ward over represented. The reliability of the forecasts can be considered closer to the next ward boundary review.

**Economic factors**

The current ward boundaries do not reflect economic activities. Aligning ward boundaries and representation with economic activities is not considered relevant to the City due to the homogenous nature of economic activities across wards.

**Ratio of council members to electors**

As at September 2018 the ratio of electors per council member are:

Ward	Electors	Council members	Ratio	Percentage deviation from average
North	11,143	4	2,786	-5.77%
South	12,507	4	3,127	5.76%
Totals or average	23,650	8	2,956	

This indicates that the North ward is slightly over represented, although both ward ratios are within the upper and lower limits considered appropriate by the LGAB.

**3. Options for change to wards and representation**

Based on the analysis conducted above, the options for change as set out below are recommended as possibilities and proposed to be presented to the public as suggestions for change to provoke discussion and encourage submissions and comments. Please note that

these options are for discussion purposes only and are not intended to be all encompassing. The public will be encouraged to provide alternative options and all options will be considered.

**Option 1 – no change**

Ward boundaries remain as they are. Ratios of electors to council members currently comply with the requirements of the Act, and therefore it is not necessary for any changes to the wards or representation.

**Option 2 – move the part of Leederville presently in the South ward to the North ward**

As noted above, although within allowable tolerances, the current ratio of council members to electors shows a slight over representation of the North ward and slight under representation of the South ward.

This could be improved by moving the part of Leederville presently in the South ward to the North ward. This would result in the following ratios of council members to electors:

Ward	Electors	Council members	Ratio	% deviation from average
North	12,004	4	3,001	1.51%
South	11,646	4	2,912	-1.52%
Totals	23,650	8	2,956	

None of the other criteria under the Act is considered relevant to this option. Furthermore the present ward boundaries are substantially preserved.

**Option 3 – increase the number of South ward council members to five**

Under this option current ward boundaries are maintained. The slight under representation of the South ward could be improved by adding a council member, which results in the following ratios of council members to electors:

Ward	Electors	Council members	Ratio	% deviation from average
North	11,143	4	2,786	6.01%
South	12,507	5	2,501	-4.81%
Totals	23,650	9	2,628	

This option has the further advantage of potentially dealing with the forecast growth in the City. Using the forecast increases in population by Forecast i.d from above, and applying the current City wide percentage of locality populations who are also electors of 66%, if there is no change in the number of council members there may be an imbalance between the North and South wards by 2026, as shown in the table below:

Ward	Electors	Council members	Ratio	% deviation from average
North	13,035	4	3,259	-10.16%
South	15,984	4	3,996	10.16%
Totals	29,018	8	3,627	

If a council member is added to the South ward the ratios fall within allowable tolerances:

Ward	Electors	Council members	Ratio	% deviation from average
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North	13,035	4	3,259	1.07%
South	15,984	5	3,197	-0.85%
Totals	29,018	9	3,224	

Please note that the population and elector projection to 2026 is a forecast only, and the data is based on suburbs, which do not always align with district and ward boundaries.

#### **Option 4 – no wards**

Under this option, wards are dispensed with altogether. As council members do not vote along ward lines this option may have minimal impact. The only variable would be the number of council members, which can range from six to 14.

Based on the current elector number, the possible number of electors per council member is set out below:

No. council members	Electors per council member
6	3,942
7	3,379
8	2,956
9	2,628
10	2,365
11	2,150
12	1,971
13	1,819
14	1,689

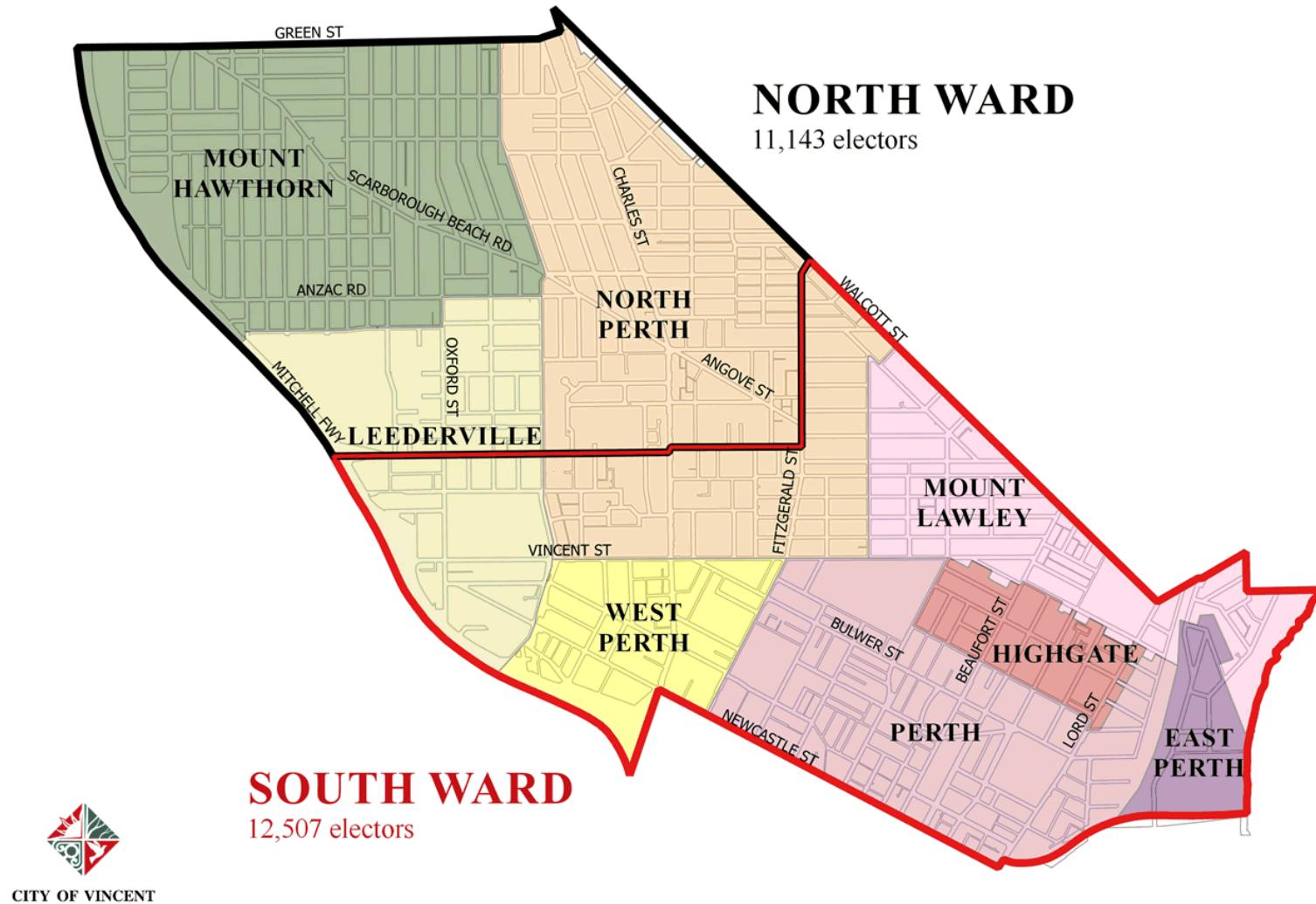
If implemented, there is no requirement for future ward boundary reviews.

There are 85 local governments in WA that have no wards. Using WAEC figures as at 2 July 2018, a number that may be comparable to the City are:

Local Government	Number of electors	No of council members	Electors per council member	Comments
City of Gosnells	70,368	11	6,397	Plus Mayor elected at large
City of Busselton	26,817	9	2,980	
City of Kwinana	23,627	9	2,625	Plus Mayor elected at large
City of Bunbury	22,562	11	2,051	Plus Mayor elected at large
Shire of Harvey	18,269	13	1,405	
City of Kalgoorlie Boulder	16,634	7	2,376	Plus Mayor elected at large
Shire of Murray	12,172	9	1,352	
City of Perth	11,560	9	1,284	Under commissioners at present
Shire of Capel	11,227	9	1,247	
Town of Bassendean	10,582	7	1,512	

The table below summarises the advantages and disadvantages of this option:

Advantages of 'no wards'	Disadvantages of 'no wards'
<ul style="list-style-type: none"> <li>• Elected members are elected by the whole community not just a section of it.</li> <li>• Knowledge and interest in all areas of the Council's affairs would result broadening the views beyond the immediate concerns of those in a ward.</li> <li>• The smaller town sites and rural areas have the whole Council working for them.</li> <li>• Members of the community who want to approach an elected member can speak to any elected member.</li> <li>• Social networks and communities of interest are often spread across a local government and elected members can have an overview of these.</li> <li>• Elected members can use their specialty skills and knowledge for the benefit of the whole local government.</li> <li>• There is balanced representation with each elected member representing the whole community.</li> <li>• The election process is much simpler for the community to understand and administer.</li> <li>• Promotes the concept of a whole-of-City focus, with Council members being elected by and concerned for the local government as a whole, rather than parochial interests.</li> <li>• Gives residents and ratepayers a choice of Council members to approach with their concerns.</li> <li>• Each voter has the opportunity to express a preference for every candidate for the council election.</li> <li>• Council members can use their specialty skills and knowledge for the benefit of the whole community.</li> <li>• Removes the need to (re)define internal ward boundaries.</li> </ul>	<ul style="list-style-type: none"> <li>• Electors may feel that they are not adequately represented if they don't have an affinity with any of the elected members.</li> <li>• Elected members living in a certain area may have a greater affinity and understanding of the issues specific to that area.</li> <li>• There is potential for an interest group to dominate the Council.</li> <li>• Elected members may feel overwhelmed by having to represent all electors and may not have the time or opportunity to understand and represent all the issues.</li> <li>• It may be more difficult and costly for candidates to be elected if they need to canvass the whole local government area.</li> <li>• May lead to significant communities of interest and points of view being unrepresented or for others to dominate.</li> <li>• May lead to confusion of responsibilities and duplication of effort on the part of Council members.</li> <li>• Large numbers of candidates might be confusing for voters.</li> <li>• May lead to Council members being relatively inaccessible for residents of parts of the local government area.</li> <li>• May be difficult for voters to assess the performance of individual Council members.</li> <li>• In some LGs it may be appropriate to have wards, for example where you might have 2 or more "large" population centres (eg the Shire of Coolgardie has Coolgardie and Kambalda which are roughly equal in size).</li> </ul>



**7.7 LATE REPORT: REALLOCATION OF CAPITAL BUDGET FUNDS – LEEDERVILLE SHARED SPACE**

REPORT TO BE ISSUED PRIOR TO COUNCIL BRIEFING 9 OCTOBER 2018

**8 COMMUNITY ENGAGEMENT****8.1 MANAGEMENT OF SERVICES AT WELD SQUARE FOR PEOPLE EXPERIENCING HOMELESSNESS**

TRIM Ref: D18/102165

Author: Kate Allen, Community Partner

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Homeless Support Services Map - Proximity to Weld Square [↓](#) 

**RECOMMENDATION:**

That Council:

1. **APPROVES** the use of Weld Square by Manna Inc. to deliver a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of 12 months concluding 30 November 2019, subject to the following conditions:
  - 1.1 Hours of operation shall be between 1.30pm and 2.15pm on Mondays, Wednesdays, Thursdays and Fridays, and between 12.30pm and 1.15pm on Tuesdays;
  - 1.2 Manna Inc. shall ensure that service provision practices minimise impacts and disturbance to nearby amenities, businesses and residences;
  - 1.3 Relevant Manna Inc. staff and volunteers are required to attend a minimum of two (2) Information Sessions throughout the approval period with City of Vincent, Nyoongar Outreach Services and WA Police representatives to reaffirm expectations and protocols;
  - 1.4 Manna Inc. shall ensure that actions identified by City of Vincent, Nyoongar Outreach Services and WA Police to deter anti-social behaviour are implemented in a timely manner;
  - 1.5 Manna Inc. shall provide the City of Vincent, Nyoongar Outreach Services and WA Police with the details of a representative who is contactable during both office hours and after hours;
  - 1.6 No more than two (2) Manna Inc. vehicles are authorised to access Weld Square during the meal service;
  - 1.7 Manna Inc. vehicles shall enter Weld Square via the Newcastle Street crossover and provide the meal service at the southern side of the park in Winter and the northern side of the park in Summer, with these specific seasonal dates to be determined by the City of Vincent;
  - 1.8 Manna Inc. staff and volunteers shall pick up all rubbish and litter associated with the meal service prior to leaving Weld Square;
  - 1.9 Manna Inc. shall maintain Public Liability Insurance coverage for a minimum of \$20 million and indemnify the City of Vincent against any accident, injury or damage resulting from their use of Weld Square;
  - 1.10 A two (2) hour free meal service and Christmas Party may be held on one (1) day during December instead of the regular service with this specific date to be determined by the City of Vincent; and
  - 1.11 The City of Vincent may withdraw approval for the Manna Inc. meal service to operate from Weld Square at its sole discretion.



2. **APPROVES** a waiver of reserve hire fees totalling \$7,065 for Manna Inc. to deliver a free meal service at Weld Square for people who are experiencing homelessness or at risk of homelessness for a period of 12 months;
3. **SUPPORTS** Administration participating in the City of Perth Homelessness Framework Committee focussing on the coordination of unsolicited goods/services and development of a consolidated approach to homelessness services in the inner city which upon completion will be presented to Council for endorsement; and
4. **NOTES** that Administration will not consider any applications for additional goods/services for people who are experiencing homelessness or at risk of homelessness at Weld Square until Council has considered the findings of the City of Perth Homelessness Framework Committee.

#### **PURPOSE OF REPORT:**

To consider the ongoing use of Weld Square by Manna Inc. for the purposes of providing a free meal service for people who are experiencing homelessness or at risk of homelessness, and the other actions being undertaken by Administration to better manage the delivery of such support services within the inner City area.

#### **BACKGROUND:**

Homelessness is one of the most severe examples of disadvantage experienced by people living in Australia today. Primary homelessness or 'sleeping rough' is the most visible form of homelessness where people live on the streets, in cars, tents and makeshift shelters. The 2016 Census data identified that around 9,000 people are experiencing homelessness in Western Australia with approximately 1,083 sleeping rough and 1,054 sleeping within supported accommodation for the homeless. While the specific number of people experiencing homelessness within the Perth inner-city area fluctuates, a survey conducted by RUAH for Perth Registry Week 2016 identified 28 people in the City of Vincent and 319 in the City of Perth who were sleeping rough. These individuals rely on support services for food, self-care, medical, accommodation, and legal assistance that are mainly available within the inner-city or outer metropolitan hubs. As a result, the inner-city area attracts higher rates of people sleeping rough who wish to remain close to such services.

Manna Inc. is a not for profit organisation focussed on providing assistance to people experiencing homelessness and other vulnerable individuals within the community. Manna Inc. has been providing services to the community for over 20 years and their Hot 'n' Healthy Meals program is now one of the largest meal services in Perth for people experiencing homelessness or hardship. Manna Inc. moved their free meal service to Weld Square in August 2008 when Council approved temporary use from 4.30pm-6.30pm each day (excluding Saturdays) until permanent premises were secured. In October 2013, the City and Manna Inc. agreed to work together to try and find such permanent premises with Council simply providing 12 month approval for use of Weld Square in the interim. Given that permanent premises were not secured subsequent 12 month approvals, with a range of associated conditions, were granted between 2013 and 2018. These conditions attempted to respond to concerns raised by nearby residents and businesses regarding the Manna Inc. meal service or homelessness more broadly.

Manna Inc. are currently the only service authorised by the City to operate from Weld Square as per Council's resolution on 14 November 2017:

*"That Council:*

1. *APPROVES the waiving of fees of \$4,320.00 for Manna Inc. to utilise Weld Square to carry out a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of 12 months, concluding 30 November 2018 subject to the following conditions:*
  - 1.1 *Hours of operation shall be between 1.30pm and 2.30pm; five days a week Monday to Friday;*
  - 1.2 *An afterhours contact number for Manna Inc. shall be provided to the City of Vincent;*
  - 1.3 *Manna Inc. shall ensure that the service provision will have minimal impact and disturbance to the nearby amenities and environment, and comply with all relevant legislation;*

- 1.4 *Manna Inc. will work with the City of Vincent, WA Police and Nyoongar Outreach Services to implement solutions that deter anti-social behaviour;*
- 1.5 *No more than two vehicles shall be allowed access on Weld Square at any time;*
- 1.6 *Manna Inc. will enter Weld Square via the Newcastle Street crossover and provide it's meal service at the Southern side of the park in Winter and the northern side of the park in Summer, with specific dates to be determined by Administration;*
- 1.7 *Manna Inc. staff shall strictly pick up all rubbish and litter pertaining to its client group before leaving Weld Square and minimise the amount of disposable items being handed out;*
- 1.8 *Permission to operate within Weld Square may be withdrawn by Administration at its discretion;*
- 1.9 *Manna Inc. must maintain public liability and endorse to indemnify the City against any accident, injury and damage resulting from or incidents arising from their use of Weld Square as per Policy No. 2.1.7 – Parks, Reserves and Facilities; and*
- 1.10 *All Manna Inc. volunteers are required to attend an information session with relevant City of Vincent Officers, Nyoongar Outreach Services and WA Police to reaffirm expectations and protocols;*
2. *NOTES that Administration will meet with key service delivery organisations, including but not limited to Manna Inc. and Salvation Army, to determine a consolidated approach to service delivery at Weld Square that balances a response to homelessness with reasonable park amenity for local residents; and*
3. *SUPPORTS Administration respectfully preventing any unauthorised organisations, groups or businesses from providing services for people experiencing homelessness or at risk of homelessness at Weld Square without the City's prior approval."*

With approval for Manna Inc. to operate their free meal service at Weld Square concluding on 30 November 2018 it is now necessary for Council to consider approval for a further 12 month period.

#### **DETAILS:**

Administration has monitored and reviewed the free meal service at Weld Square over the last 12 months to enable well-informed decision making by Council regarding any subsequent approval given that Manna Inc. has expressed their desire to continue the service. Administration has also progressed a range of other actions to work towards better management of support services for the homeless.

#### **Manna Inc. Free Meal Service**

The free meal service was delivered five days a week Monday to Friday over the last 12 months, and Manna Inc. has provided the following statistics regarding average meal service provision:

<b>Service Provision</b>	<b>Average Per Service (Per Day)</b>
Meals cooked	150
Clients accessing service	85
Seconds provided	35
Surplus meals	30

#### Food Management & Preparation

In July 2018, Manna Inc. entered into a partnership with People Who Care who now provide a Supervisor to coordinate the Manna Inc. kitchen including meal service preparation. People Who Care also operate a Work for the Dole Program with participants working alongside Manna Inc. volunteers to cook meals. The service of meals at Weld Square remains solely through Manna Inc. volunteers only.

During the approval period, Manna Inc. advised Administration that they had negotiated an extension of the lease for their kitchen premises, however under new arrangements they are now required to vacate the premises after 11.00am each Tuesday. Given that meals need to be served within two hours of being packed for food safety reasons Manna Inc. requested that the meal service be changed to between 12.30pm and 1.15pm on Tuesdays rather than between 1.30pm and 2.15pm.

### Litter Management

Manna Inc. opted to move to biodegradable packaging and cease providing plastic bags. Meals were previously provided in three plastic containers and one soup cup within a plastic bag but they are now provided within one biodegradable container and one soup cup within a paper bag. Manna Inc. received a large donation of soup cups of which they still have stock, however once this has been exhausted they will be switching to a biodegradable style soup cup.

A key approval condition is for Manna Inc. volunteers to clean-up any litter associated with the meal service prior to leaving Weld Square. While the volunteers have generally undertaken this task throughout the approval period it has been evident on some days that either volunteers have not been vigilant enough or clients have remained onsite after Manna Inc. have departed for the day and not placed rubbish within the bins provided. Manna Inc. volunteers have been instructed to advise clients to dispose of litter responsibly in the park bins provided. Given the ongoing nature of this issue, and associated complaints from local residents, the City's Parks & Urban Green Team have recently adjusted their daily schedule to enable attendance at Weld Square around 2.30pm each day.

### Client Incidents Management

Manna Inc. implemented a number of changes during the approval period based upon advice from the City of Vincent and Nyoongar Outreach Services to better manage any incidents with clients. These changes included:

- Reduced the actual meal service time from 1 hour to 45 minutes
- Discontinued the provision of multiple meals during the first 30 minutes of service to ensure all clients have equitable access to food
- Reduced the number meals served to avoid excess food and food containers being handed out
- All meal services being conducted either from inside the van or from behind tables with no food to be kept on tables in front of staff
- Meal services being immediately ceased in response to incidents or on the advice of Nyoongar Outreach Services staff

1.

Administration noted that some Manna Inc. volunteers were reluctant to adhere to the abovementioned changes also raised concerns with Manna Inc. regarding the apparent refusal of some volunteers to adhere to procedures and follow instructions, as has been mentioned above. Manna Inc. have advised that since introducing their new policies and procedures, providing further training and the new arrangement of People Who Care supervising the kitchen, that there has been significant improvement in this area.

It is evident that a small proportion of Manna Inc. clients do engage in anti-social behaviour at Weld Square during, before or after the meal service with many of these behaviours likely caused or exacerbated by substance abuse, mental health and social issues experienced by clients. While this leads to a wide range of interactions between Manna Inc. volunteers and clients the majority of these interactions are simply managed by Manna Inc. either with or without support from Nyoongar Outreach Services. Although two more serious incidents did occur during the approval period with a Nyoongar Outreach Services worker assaulted on one occasion and client-on-client assault on one occasion.

### **Weld Square – Incidents & Complaints**

The City of Vincent in collaboration with Nyoongar Outreach Services and WA Police have endeavoured to maintain a presence at Weld Square over the last 12-month period. Nyoongar Outreach Services are onsite during each meal service to specifically work with Aboriginal clients and provide support, diffuse non-violent conflicts and minimise anti-social behaviours. Rangers patrol and attend Weld Square as much as possible, particularly during meal service times, subject to other priorities throughout Vincent. WA Police generally respond upon incidents being reported although they have also proactively patrolled and attended Weld Square when possible.

### City of Vincent Community Safety

The City's Rangers have monitored their attendance throughout the 2018 calendar year, including litter and anti-social behaviour issues that were observed during the Manna Inc. meal service:

Month	No. Ranger Patrols	No. Litter Issues	No. Anti-Social Issues
January	9	0	0
February	12	2	0
March	0	0	0
April	5	0	0
May	15	2	1
June	10	2	2
July	26	0	1
August	24	0	2
September	16	0	1

In addition, the Rangers conducted regular patrols in response to community concerns that unauthorised food services were operating from Weld Square. Four organisations – So Change Australia, HD Streetwise, Majlis Ansarullah Australia, and Salvation Army were observed providing services and formally advised that such activity was not permissible without Council approval.

#### City of Vincent Community Partnerships

The City's Community Partnerships Team received 22 complaints during the approval period with 15 attributable to an individual resident/business owner and the remaining 7 from unique or anonymous sources. The nature of these complaints is summarised below:

Month	Community Complaints
Nov-18	Anti-social behaviour
	Anti-social behaviour
Jan-18	Tents/illegal camping and anti-social behaviour
Feb-18	Unauthorised service provider
	Lack of toilet amenities and anti-social behaviour
	Tents/illegal camping
Mar-18	Litter
Apr-18	Anti-social behaviour and litter
	Anti-social behaviour and unauthorised service provider
May-18	Litter
	Anti-social behaviour and litter
	Unauthorised service provider
Jun-18	Unauthorised service provider
	Tents/illegal camping
	Anti-social behaviour at nearby business
	Tents/illegal camping
	Anti-social behaviour
Jul-18	Tents/illegal camping, anti-social behaviour, alcohol and drug abuse
	Unauthorised service provider
Aug-18	Anti-social behaviour and unauthorised access at nearby business
	Anti-social behaviour and unauthorised access at nearby apartments
Sept-18	Nil

It is acknowledged that this is a significant increase from the two complaints received in the previous year although Administration has actively encouraged local residents and businesses to report all incidents to either the City of Vincent or WA Police.

### WA Police

WA Police has confirmed that Weld Square, and the surrounding area, is a common location for anti-social behaviour and other incidents that are likely attributable to its proximity to licenced premises within the Perth CBD and the prevalence of homelessness within the inner-city area. While specific attendance and crime statistics for Weld Square are not available from WA Police they have advised that there has been a 10% increase in reported incidents over the last 12 month period. Notably, the McDonalds premises opposite Weld Square is reported as a hotspot for these incidents some of which are linked with the homeless or people experiencing disadvantage.

### **Prevalence of the Homelessness at Weld Square**

Many of the incidents and complaints received during the approval period are related to the activities of people who are experiencing homelessness. While some of these incidents and complaints do indeed coincide with the Manna Inc. free meal service it must be noted that many of these incidents and complaints are simply linked with the prevalence of people who are experiencing homelessness within the inner-city area.

A large number of support services for people who are experiencing homelessness or at risk of homelessness are provided within close proximity to Weld Square. **Attachment 1** identifies that approximately 25 support services are located in the area including the Homeless Accommodation Support Service, Tom Fisher House, Derbarl Yerrigan Health Service and Shelter WA. Evidence suggests that people experiencing homelessness rely on such support services and therefore chose to remain in close proximity. Other nearby public open spaces such as Robertson Park and Forrest Park also experience issues associated with people experiencing disadvantage such as anti-social behaviour, camping, and public consumption of drugs and alcohol. There are no food or other services provided from these parks however they are also in relatively close proximity to these support services.

In addition, the history of Weld Square and its significance to the Aboriginal community must be acknowledged. Under abhorrent decision making by the State Government at the time Perth was declared a prohibited area for Aboriginal people between 1927 and 1954. Weld Square is located where that prohibited area finished on Newcastle Street, and consequently became a necessary meeting place and location for refuge. Weld Square is also a Registered Aboriginal Site (No. 17848) and has traditionally been used as a camping ground and meeting place, and is therefore of great importance to the Whadjuk Noongar people.

Any decision to discontinue or relocate the Manna Inc. free meal service from Weld Square is unlikely to reduce the number of people who are experiencing homelessness in the local area and will not stop many of these people from accessing the park. Given the history and significance of Weld Square to the Aboriginal people the discontinuation or relocation of the free meal service is also unlikely to impact their use of the park.

### **Unauthorised Services at Weld Square**

Administration has received numerous complaints during the approval period regarding unauthorised services being delivered at Weld Square. The City's Rangers identified three organisations (So Change Inc., Majlis Ansarullah Australia, and HD Streetwise) and advised that the provision of services was not permissible without prior Council approval. The Salvation Army was operating an evening soup kitchen until February 2018 however ceased the service upon advice from Administration. Anecdotal reports have been received regarding other individuals and organisations providing services at Weld Square on an ad-hoc basis.

A number of other service providers such as the Footpath Library, Hair Aid, Youth Sikh WA, Homeless Bleed Too, and So Change Inc. have expressed interest in operating either alongside or in addition to Manna Inc. or in addition to Manna Inc. However, to limit the impact on residences and businesses surrounding Weld Square these service providers have been encouraged to partner with nearby day centres or outreach services.

The social services and homelessness sector has provided varying feedback on the effectiveness, suitability and location of many current service providers. Food, hygiene and other 'relief' services that are provided in isolation (especially those being provided by people without training in social services) may in some cases act as a barrier to people engaging with support services that may help them obtain accommodation and address other issues being experienced. Outreach, mental health and housing support organisations often use relief services as a means of building trust with people experiencing homelessness.



**City Homelessness Framework Committee**

In February 2018, the City of Perth released their Homeless Sector Review that included mapping of key support services. That Review identified that on any weekday a person experiencing homelessness would have access to at least three options for breakfast, lunch and dinner within the inner-city area from services operating at set locations. Weekend services are more limited with Saturday having at least one option for breakfast, lunch and dinner while on Sunday there is no lunch service available from a funded or formal service provider. Although the mapping did not include the many roaming and ad-hoc food services that are provided by individuals and community groups within the city.

The review also identified that the current lack of coordination and ad-hoc nature of many of the relief services being provided contributes to a lack of certainty around when and where food will be available. There appears to be an excess of food relief in the inner-city area with much of it going to waste. There is also a vast range in the quality of food being provided. Service providers also report that while there is a focus on provision of food within the inner City, many people experiencing disadvantage and homelessness in outer suburbs are unable to access food relief.

The City of Vincent was invited to join the City Homelessness Framework Reference Committee that has been formed to gain a greater understanding and consensus from the homelessness sector as to the needs, gaps and duplications in current services. Three working groups were subsequently formed to develop a plan of action for the following areas:

- Unsolicited Distribution of Food and Services in the Inner City;
- Coordination of Services into Housing Plus Model; and
- Coordination of Services in the Inner City.

Administration is an active member of the 'Unsolicited Distribution of Food and Services in the Inner City' working group given its relevance to Weld Square. That Working Group is currently progressing actions that will be incorporated into an overarching Inner-City Homelessness Framework relating to:

1. Coordination of services within the inner city, including services offered from buildings, mobile vehicles, parks and other outdoor locations to remove duplication, use available resources more effectively and with greater collective impact, be client-centred and aimed at the primary objective of connecting people to a pathway out of homelessness;
2. Development of a scope, project plan and timeline to guide development and implementation of proposed actions;
3. Identify quick wins, medium and long-term actions;
4. Consideration of any issues relating to the successful implementation of the actions contained within the plan through consultation and collaboration with relevant stakeholders; and
5. The establishment of a collaborative/consultative process for engaging community members and groups identified as currently providing unsolicited goods and/or services to people who are homeless.

It is expected that the Inner-City Homelessness Framework will be completed by the end of the 2018 calendar year, and Administration proposes that this will then be formally presented to Council for consideration as it may directly inform future decision making at Weld Square.

**CONSULTATION/ADVERTISING:**

Administration has reviewed and discussed the Manna Inc. free meal service with a range of key stakeholders including WA Police, Nyoongar Outreach Services, and the City Homelessness Framework Reference Committee.

**LEGAL/POLICY:**

The following Local Laws and Policies are relevant to the Manna Inc. free meal service approval:

- City of Vincent Local Government Property Local Law; and
- Council Policy No. 2.1.7 – Parks Reserve and Hall Facilities – Conditions of Hire and Use;

**RISK MANAGEMENT IMPLICATIONS:****Negative Community Perception**

Medium: There is divided opinion amongst the local community regarding provision of services for the homeless at Weld Square with some residents and businesses opposed to the services and others in support. Continued approval of the Manna Inc. free meal service will inevitably lead to criticism particularly given the incident and complaints received during the previous 12 month period.

**Community Safety Risks**

Medium: It is evident that Weld Square and the surrounding area experiences anti-social behaviour associated with both proximity to licenced premises and prevalence of people experiencing homelessness. It remains necessary for the City of Vincent to work collaboratively with WA Police, Nyoongar Outreach Services and Manna Inc. to manage these community safety risks.

**STRATEGIC IMPLICATIONS:**

The Manna Inc. free meal service aligns with the following objectives in the City's *Strategic Community Plan 2013 – 2023*:

*"Community Development and Wellbeing*

3.1 *Enhance and Promote Community Development and Wellbeing:*

3.1.2 *Promote and foster community safety and security;*

3.1.4 *Promote health and wellbeing in the community;*

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The proposed waiver of reserve hire fees for the manna Inc. free meal service totals \$7,065 for the period up to 30 November 2019. This has been calculated based upon the meal service operating five days a week for 52 weeks a year excluding Christmas Day as well as a two hour Christmas Party in December.

**COMMENTS:**

Homelessness remains a complex issue for both Local Government and the community, and balancing the needs of people experiencing homelessness with the amenity of local residents and businesses remains a significant challenge. Manna Inc. is a well-established and recognised provider of quality food relief services within the social services sector, and has adhered to the conditions related their approval to operate from Weld Square.

Administration recognises that there are issues associated with the behaviours of a minority of people who access Manna Inc.'s free meal service and that there are broader anti-social behaviour issues associated with the prevalence of people experiencing homelessness within the inner-city area. Given the large number of support services located within close proximity to Weld Square and its long history as a meeting place for Aboriginal people any decision to discontinue or relocate the free meal service will not resolve these issues.

A further 12-month approval for Manna Inc. to operate from Weld Square is regarded as an important for those experiencing homelessness and forms a key component of the emergency relief network within the inner city area. However, the addition of any further relief services at Weld Square is not recommended with any future decision making remaining subject to the outcomes of the City Homelessness Framework Reference Committee. It is recommended that Manna Inc. receive a further 12-month approval to operate from Weld Square subject to the conditions listed.



**8.2 KYILLA COMMUNITY FARMERS MARKET - PERMIT APPROVAL AND WAIVER OF FEES**

**TRIM Ref:** D18/81464

**Author:** Kate Allen, Community Partner

**Authoriser:** Michael Quirk, Director Community Engagement

**Attachments:**

1. Farmers Market Application - Kyilla Primary and Pre Primary Parents and Citizens Association Inc. [↓](#) 
2. Kyilla Community Farmers Market Site Usage Plan [↓](#) 

**RECOMMENDATION:**

That Council:

2. **ACKNOWLEDGES** the success of the Kyilla Community Farmers Market, and the efforts of the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to deliver the Market over the last five year period;
3. **APPROVES** pursuant to Part 3 of the City of Vincent Local Government Property Local Law 2008 a Permit for the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to operate the Kyilla Community Farmers Market at Kyilla Park for a five (5) year period commencing 1 December 2018 subject to the following conditions:
  - 2.1 The hours of operation of the Farmers Market shall be limited to 8.00am to 11.30am on Saturdays, with set-up not earlier than 7:00am and pack-down not later than 1:00pm;
  - 2.2 The number of stallholders shall be limited to a total of forty (40) and cover an area of no more than seventy-five (75) per cent of Kyilla Park, as shown in (Attachment 2);
  - 2.3 The type of stalls shall be limited to those within the following categories - food stalls, community non-profit organisations, community promotional activity outlets, and arts and crafts;
  - 2.4 Full compliance with any relevant City of Vincent environmental health and reserve hire conditions;
  - 2.5 The Farmers Market shall be covered by Public Liability and Products Liability Insurance to the amount of \$20 million through the WA Council of State School Organisations Inc.;
  - 2.6 A Kyilla Primary and Pre Primary Parents and Citizens Association representative to be on-site at all times during the operation of the market;
  - 2.7 A telephone number for a Kyilla Primary and Pre Primary Parents and Citizens Association representative shall be made available to the public and displayed at the markets, to enable local residents to lodge complaints; and
  - 2.8 Acknowledge Council's ongoing support of the Farmers Market through inclusion of the City of Vincent logo on all promotional materials, and the provision of stallholder opportunities for the City of Vincent to communicate projects and services to the community.
3. **AUTHORISES** up to four (4) Extraordinary Markets per calendar year that fall outside the Saturday morning approved timeframe subject to approval from the Chief Executive Officer at least one (1) month prior; and
4. **APPROVES BY ABSOLUTE MAJORITY** a waiver of the following fees and charges:
  - 4.1 Reserve hire fees of \$11,232 per annum totalling \$56,160 over the five (5) year period; and
  - 4.2 Waste services fees of \$1,780 per annum totalling \$8,900 over the five (5) year period.

**PURPOSE OF REPORT:**

To obtain Council approval for the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. (Kyilla P&C) to operate the Kyilla Community Farmers Market (Farmers Market) at Kyilla Park, North Perth and to approve the waiver of associated fees and charges.

**BACKGROUND:**

The Kyilla P&C is a not for profit organisation aimed at engaging and supporting the local community and providing numerous benefits to the school and its students, and they have operated the Farmers Market for the last five years following the decision at the Ordinary Meeting of Council on 26 March 2013:

*"That the Council;*

1. *RECEIVES the Application from Kyilla Primary School Parents and Citizens Association (P&C) dated November 2013, as shown in Appendix 9.4.2A to renew the permit for the Kyilla Community Farmers' Market on Kyilla Park;*
2. *APPROVES Pursuant to Part 3 of the City of Vincent Local Government Property Local Law 2008, the Chief Executive Officer to issue a Permit, renewable for a five (5) year period to the Kyilla Primary School Parents and Citizens Association to hold the Kyilla Community Farmers' Market on Kyilla Park, as outlined in their application dated November 2013 and subject to full compliance with the following conditions:*
  - 2.1 *The hours of operation of the Farmers' Market shall be limited to 8.00am to 11.30am on Saturdays, with set-up not to occur prior to 7:00am and pack-down to be complete by 1:00pm;*
  - 2.2 *The use of Kyilla Park on Saturday mornings from 7:00am to 1:00pm;*
  - 2.3 *The number of stallholders shall be limited to a total of forty (40) and cover an area of no more than seventy five (75) per cent of Kyilla Park, as shown in Appendix 9.4.2B;*
  - 2.4 *The type of stalls shall be limited to those within the following categories: food stalls, community non-profit organisations, community promotional activity outlets, and art and crafts;*
  - 2.5 *Kyilla Primary School Parents and Citizens Association shall use the City of Vincent's waste management services for the prescribed fee (or a commercial service) to ensure Kyilla Park remains clean and clear of rubbish;*
  - 2.6 *Full compliance with Environmental Health conditions;*
  - 2.7 *Kyilla Community Farmers' Market shall be covered by public liability insurance under the Department of Education for the amount of \$20,000,000;*
  - 2.8 *A responsible adult shall be present on-site during the operation of the market (7:00am to 1:00pm) to respond to any complaints; and*
  - 2.9 *A Complaints "Hot-line" telephone number shall be made available to the public and displayed at the markets, to enable local residents to lodge complaints;*

*to the satisfaction of the Chief Executive Officer;*
3. *AUTHORISES;*
  - 3.1 *Up to four (4) Extraordinary Markets per calendar year that fall outside the Saturday morning approved timeframe, with proposed details of each Extraordinary Market to be provided in an application to the Chief Executive Officer at least one (1) month prior; and*
  - 3.2 *the Chief Executive Officer to approve any such applications under delegated authority; and*
4. *RESERVES its right to revoke the approval at any time during the twelve (12) month period if Kyilla Primary School P&C fail to reasonably comply with the approved conditions;*

5. *NOTES that the Council previously supported the “in-kind” use of Kyilla Park on Saturday mornings from 7.00am to 12.00noon and waiving of hire fees of \$159 per half day (\$8,268 per annum);*
6. *DOES NOT SUPPORT the request from Kyilla Primary School P&C to waive the hire fees for banner poles on Scarborough Beach Road and Fitzgerald Street (\$1,800), plus the production and promotion of banners (average \$2,420), as there are no budgeted funds for this purpose;*
7. *APPROVES BY AN ABSOLUTE MAJORITY: the waiving of buskers fees of \$100 per market day (\$5,200); and*
  - 7.1 *The waiving of buskers fees of \$100 per market day (\$5,200 per annum); and*
  - 7.2 *The “in-kind” use of Kyilla Park and waiving of hire fees of \$159 per half day (\$8,268 per annum); and*
  - 7.3 *The waiving of fees will be considered by the Council on an annual basis; and*
8. *NOTES that the City’s Rangers and Officers will be available to assist in resolving of any issues which may arise, to minimise any impact on the amenity of the area or the local community.”*

The Kyilla P&C established a dedicated Farmers Market Committee to oversee and regulate market operations, and with the initial five-year Permit approval expiring in November 2018 they are now seeking continued use of Kyilla Park subject to the same conditions.

#### **DETAILS:**

The Farmers Market operates on Saturday’s between 8.00am and 11.30am with approximately 500 visitors each week although some themed or special events attract between 1,000 and 2,000 visitors. Over the last five years the Farmers Market has provided a way for the local community to engage and connect with each other, and consistent feedback from attendees has demonstrated that people enjoy the family friendly environment and access to quality food and fresh produce.

#### **Stallholders**

Stallholders pay a fee to the Kyilla P&C to be able to operate their stall and the stallholder maintains any profit. Commercial stallholders are charged \$55.00 per market for a 3 metre x 3 metre space with a powered site incurring an extra \$20.00. Not-for-profit and community stallholders do not pay a fee. The funds raised from stallholder fees enables the Kyilla P&C to meet costs associated with Farmers Market operations including a Market Manager, equipment and infrastructure. Local businesses are also provided with stalls free of charge so they can promote themselves within their community. The funds raised also enable to Kyilla P&C to contribute to the educational resources and learning resources for students at Kyilla Primary School.

The existing Permit conditions enable the Farmers Market to accommodate up to 40 stallholders although there is generally between 25 and 30 stalls each week including fruit and vegetables, bakery and baked goods, coffee and juice vans, groceries including meats/cheeses/preserves, craft and homewares, plants, food vans and community/children’s activities.

#### **Community Initiatives**

Local entertainers including school choirs, musicians and dance troupes regularly perform at the Farmers Market which provides opportunities for them to gain performance experience while adding to the atmosphere. Through the assistance from the City of Vincent, Transition Town Vincent and Kyilla Primary School the Farmers Market has implemented a range of waste reduction initiatives to minimise environmental impact. This includes reducing plastic use by stallholders, composting with two organic waste bins at each market, and participating in the Boomerang Bags initiative with bags available for loan to customers.



Themed markets are held to enable collaboration with other community events and organisations. A 'Book Fest Market' was held during Book Week 2018 which featured reading tents with older children reading to younger children. A second hand book sale was also held with all proceeds donated to the Indigenous Literacy Foundation. The City of Vincent Library provided children's activities and Transition Town Vincent attended to highlight the Little Free Libraries initiative. During Bike Week visitors were encouraged to ride to the Farmers Market with the first 50 people receiving a free coffee or juice. A bike repair specialist was available for repairs and adjustments, and a bike track is set up for children to practice riding.

### Community Feedback

The Kyilla P&C regularly receives positive feedback from Farmers Market attendees and the broader North Perth community. Surveying was undertaken over several weeks throughout 2017 with consistent, positive comments received from 142 respondents regarding the community feel and atmosphere of the Farmers Market as well as the variety of food and fresh produce available. The Kyilla P&C has not received any written complaints from the public although the City has received one complaint regarding food labelling standards and several complaints regarding people parking on resident verges. No verge parking complaints were received in 2017/18 or 2018/19 year to date.

The Kyilla P&C has established a contact phone for any complaints to be reported and the Farmers Market Manager deals with these issues immediately.

### Farmers Market Operating Budget

The Farmers Market generates revenue from stallholder fees as well as sales from the Kyilla P&C stall. In the 2017/18 financial year, the Farmers Market delivered an operating profit of \$31,203 that was reinvested back into the Kyilla P&C general operating budget to fund projects and purchases for Kyilla Primary School. At the end of the 2017/18 financial year the Kyilla P&C net position was a \$7,266.

As per Council's March 2013 resolution, the reserve hire fees associated with Kyilla Park were waived for the Kyilla P&C although upon review it has been identified that Administration did not present a report to Council on an annual basis. Reserve hire fees were simply waived throughout the five-year period rather than being considered by Council each year throughout that period. In addition, it has been identified that waste management services were also waived throughout the five-year period despite Council's March 2013 resolution not specifically dealing with such costs. The applicable reserve hire and waste management fees waived were as follows:

Year	Waste Management	Kyilla Park Hire Fee
2013/14	\$1,480	\$8,268
2014/15	\$1,520	\$10,712
2015/16	\$1,780	\$11,024
2016/17	\$1,780	\$11,024
2017/18	\$1,780	\$11,232
<b>TOTAL</b>	<b>\$8,340</b>	<b>\$52,260</b>

The waiver of these costs has proven essential for the Kyilla P&C to deliver the Farmers Market in a financially sustainable manner, and they have acknowledged the invaluable support and assistance provided by the City of Vincent.

### Future Farmers Market Operations

The Kyilla P&C has requested approval to operate the market with no specified end date in order to provide certainty to stallholders and the community. Administration acknowledges that the Kyilla P&C has complied with all requirements as set out by Council and the Farmers Market has been well supported by the community, however a further five-year approval is considered sufficient to provide such continuity and certainty.

Administration has reviewed the previous Council resolution, and associated approval conditions, to ensure that any further approvals include all necessary fee waivers and reduce administrative red tape. As such, it is recommended that a Permit be approved for a five-year period from December 2018 to December 2023 without the need for Council to consider approval and fee waivers on an annual basis. The total reserve hire and waste management fees to be waived throughout that entire period have also been included within the proposed recommendations.

**CONSULTATION/ADVERTISING:**

The City has held discussions with Kyilla P&C who indicated their desire to continue operating the Farmers Market under the same conditions as were previously approved by Council. There are no significant changes forecast to the existing approval conditions and Administration is not aware of any significant concerns or issues associated with the continued operation of the Farmers Market. Further community consultation is not required.

**LEGAL/POLICY:**

The following Local Laws and Policies are relevant to the Farmers Market approval:

- City of Vincent Local Government Property Local Law;
- Council Policy No. 2.1.7 – Parks Reserve and Hall Facilities – Conditions of Hire and Use;
- Council Policy No. 3.8.3 – Concerts and Events;
- Council Policy No. 3.10.11 – Community Funding; and
- Council Delegated Authority Register 2018 – 2019.

Specifically, while Council Policy No. 3.10.11 – Community Funding enables the waiving or reduction of fees for community groups, organisations and individuals this is limited to an amount up to \$1,000 as per Council's Delegated Authority Register. Given that the proposed waiver for the Kyilla P&C totals \$13,012 per annum and \$65,060 over the five-year period Council decision making is required.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The Farmers Market has been in operation for five years and demonstrated robust management processes during that time. The Kyilla P&C is required to hold adequate Public Liability Insurance and adhere to all relevant environmental health and reserve hire conditions.

**STRATEGIC IMPLICATIONS:**

The Farmers Market aligns with the following objectives in the City's *Strategic Community Plan 2013 – 2023*:

*"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;*
- 3.1.3 *Promote health and wellbeing in the community;*
- 3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life; and*
- 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community."*

**SUSTAINABILITY IMPLICATIONS:**

The Kyilla P&C aims to promote environmental, economic and social sustainability through the Farmers Market by providing local businesses with the opportunity to generate revenue and awareness, by providing fresh food and produce to local residents, by introducing organic waste bins and composting of market waste, and by connecting the community through a locally focussed event.

**FINANCIAL/BUDGET IMPLICATIONS:**

The proposed waiver of reserve hire and waste management fees for the Farmers Market totals \$13,012 per annum and \$65,060 over the five-year period.

**COMMENTS:**

Over the past five years the Farmers Market has proven to be a successful and popular community event for the North Perth and broader Vincent community. The Farmers Market has enjoyed good attendances and received positive feedback, and ongoing engagement with local community groups and businesses has delivered important benefits to the local community.

The Kyilla P&C has met all approval conditions and operated the Farmers Market in a responsible and sustainable manner, and any profits have been directed back to market operations and projects/resources for Kyilla Primary School.

It is recommended that Council approve a Permit for the Kyilla P&C to operate the Farmers Market for a further five-year period subject to a number of conditions, including a waiver of reserve hire and waste management fees associated with use of Kyilla Park to ensure the market remains financially sustainable.

Application for Approval to Continue Development

## Kyilla Community Farmers' Market



### SUMMARY

- The Kyilla Primary and Pre-primary Parents and Citizens Association Inc (**P&C**) is a not for profit organisation.
- The P&C has been operating Kyilla Community Farmers' Market (KCFM) for 5 years and is seeking approval for the continued use of Kyilla Park to run the market on Saturday mornings on an ongoing basis, subject to the same conditions as the existing approval.
- The P&C continues to be motivated by the opportunity to engage and support the local community whilst providing significant benefit to the School and its students.
- A dedicated KCFM Committee has been established by the P&C and reports regularly to its Executive.
- The KCFM continues to be regulated by a charter of prescribed rules for its operation. The KCFM Committee and P&C review these rules and charter periodically to ensure they are current and relevant.
- The KCFM is an asset to the local community, serving as a family friendly place for community members to meet, have coffee or breakfast and shop for their groceries every Saturday.
- The P&C acknowledges the support and assistance provided by the City of Vincent in operating the KCFM.

### 1.0 KYILLA PRIMARY AND PREPRIMARY PARENTS AND CITIZENS ASSOCIATION

Relevant legislation

*Associations Incorporations Act 2015*

*School Education Act 1999*

Kyilla Primary School Pre-primary Parents and Citizens Association (The P&C) is a not for profit incorporated Association which is formed and framed as a legal entity in the following manner:

- Incorporation Associations Registration: A0821858X
- Australian Business Number (ABN): 26 193 427 855
- Charitable Institution: From 1 July 2000
- Trading Name: Kyilla Primary and Pre Primary Parents and Citizens Association

The P&C is legally formed under the umbrella of s142 of the *School Education Act 1999 (WA)* to promote the interests of Kyilla Primary School and its students in *assisting in the provision of resources, facilities and amenities for the School*. S143 of the *School Education Act 1999*, mandates the way in which funds raised are spent by the P&C and in this regard, all funds raised at the KCFM are required to be used for the benefit of the students at a government school.

### 2.0 ONGOING APPROVAL

The P&C, in operating the KCFM, has provided a way for the local community to engage and connect with each other.

Application for Approval to Continue Development

## Kyilla Community Farmers' Market



Stallholders pay a fee to the P&C to be able to operate their stall and any profit made by the stallholder belongs to the stallholder. The funds raised from stall fees are paid directly to the P&C and used to continue the operation of the KCFM (for example to pay a Market Manager and to buy necessary equipment and infrastructure) and contribute to the educational resources and learning programs for students at Kyilla Primary School.

To provide certainty for stallholders and the community, we request that the City of Vincent approve the ongoing operation of the KCFM without the need for further approvals. We have enjoyed an excellent relationship with City of Vincent staff and Councillors and aim for this to continue. We request that the approval be ongoing, subject to satisfactory periodic review by the City and adherence to the conditions of approval.

### 3.0 FREE STALLS

The operation of the KCFM and the mix of stallholders is carefully managed to ensure the sustainability of the market and its ongoing success.

In addition to providing fresh produce for the community, the KCFM provides opportunities for other stalls compatible with the community vision of the KCFM:

1. **P&C** – Run by the P&C for the benefit of Kyilla Primary School (currently a bi-weekly bacon and egg roll stall);
2. **Not for profit organisations** – Available free of charge for local, not for profit organisations such as schools and sporting clubs. This has been utilised by North Primary School, Coolbinia Primary School, North Perth Community Garden, Greyhound adoptions and Phantoms Water Polo Club.
3. **Local Business** – Available free of charge for local businesses to promote themselves within their community.

We have also been pleased that the City of Vincent has attended the market on several occasions, with stalls for the Imagine Vincent community engagement process, Mobile Library, waste and recycling information and collaborations around Bike Week.

### 4.0 MARKET LOCATION

We are grateful that the City of Vincent approved the “in-kind” use of Kyilla Park for the KCFM and request that the City extend this support of the market and continue to allow the P&C’s “in-kind” use of Kyilla Park for this purpose.

The location of KCFM at Kyilla Park is crucial to the market’s success. It is situated in a quiet, yet readily accessible location between two major roads. The surrounding area is going through regeneration and houses many young families, reflected in the continued increase in enrolments at Kyilla Primary School.

It is this immediate proximity to a thriving community that helps to sustain the vibrant atmosphere and provide the patronage to sustain the KCFM.

Application for Approval to Continue Development

## Kyilla Community Farmers' Market



Consistent feedback from customers (via surveys and to the Market Manager and KCFM Committee) is that people enjoy the atmosphere of the market and appreciate that it is on a grass surface. People feel like staying to enjoy the atmosphere rather than simply rushing in and out. This is likely a key reason why KCFM has become such a fixture for community engagement and place-making.

### 5.0 ENTERTAINMENT

The KCFM provides an opportunity for local groups and entertainers to perform. This has included local school choirs, dance troops and other performers. The KCFM has appreciated the support of the City of Vincent to maintain the viability of entertainment at the market and believes it contributes to the vibrant atmosphere.

### 6.0 MARKET OPERATION

The KCFM continues to be regulated by a charter of prescribed rules to regulate the way in which the market will operate. The charter is managed by the P&C and provides clear governance procedures. It has been adopted to preserve and uphold the original intent, direction and philosophy of the KCFM.

### 7.0 COMMUNITY ENGAGEMENT AND FEEDBACK

The KCFM receives excellent feedback from the community and patrons. We surveyed people attending the market over several weeks in 2017. A consistent comment was that people love the community feel and atmosphere of the market. People also love the food and fresh produce, the variety and that it is a good place to bring kids.

Through regular themed events, the KCFM seeks to engage the community, support other relevant initiatives and minimise its impact on the environment.

No written complaints from the public have been made to the P&C to our knowledge regarding traffic, noise, amenity etc. The Market Manager is on site during the market, and contact details for the Market Manager are displayed. If any concerns are raised with the Market Manager, these are dealt with promptly at the time.

KCFM has implemented waste reduction, composting and recycling initiatives with the assistance of the City of Vincent, Kyilla Primary School staff and Transition Towns Mt Hawthorn. Further, the KCFM Committee continues to work with stallholders to reduce plastic waste. We have joined Boomerang Bags and screen-printed, canvas bags available for loan to customers. This was an initiative to assist with the plastic bag ban which commenced on 1 July 2018.

A recent market was themed to celebrate book week. Local book clubs participated by meeting at the market and an initiative was provided to connect members of the community that were interested in forming book clubs. Donated, second-hand books were made available for sale and the funds raised from this were donated to the Indigenous Literacy Foundation.



Application for Approval to Continue Development

## Kyilla Community Farmers' Market



Other themed markets have included Bike to Market for bike week (which is also aimed at encouraging kids to ride to school), our 5<sup>th</sup> Birthday market in June, and smaller activities for Mothers Day and Easter.

The P&C will continue to request ideas and feedback from the community, invite community organisations to attend and fundraise, collaborate and grow our relationship with City of Vincent and believe that the continued success of the market requires ongoing community engagement.

Plan of Kyilla Farmers Market (Area: 75%) of Kyilla Park



**9 CHIEF EXECUTIVE OFFICER****9.1 ADOPTION OF THE STRATEGIC COMMUNITY PLAN 2018 - 2028****TRIM Ref:** D18/138173**Author:** Rosslind Ellis, Manager Marketing and Communications**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:** 1. Strategic Community Plan as advertised **RECOMMENDATION:****That Council:**

1. **ADOPTS** the City of Vincent Strategic Community Plan 2018 – 2028;
2. **GIVES** public notice pursuant to Regulation 19D of the *Local Government (Administration) Regulations 1996* that the City of Vincent Strategic Community Plan 2018 – 2028 has been adopted; and
3. **NOTES** that the City of Vincent Strategic Community Plan 2018 – 2028 will be subject to further formatting and styling, as determined by the Chief Executive Officer, prior to publication.

**PURPOSE OF REPORT:**

To adopt the City's Strategic Community Plan 2018 – 2028 that links the community's aspirations with Council's strategic priorities, outcomes and actions.

**BACKGROUND:**

The *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* provide the statutory basis for a local government planning for the future, and the State Government Integrated Planning and Reporting Framework and Guidelines (September 2016) provide a clear process for the preparation of an integrated Strategic Community Plan.

The City of Vincent Strategic Community Plan 2013 – 2023 was adopted in 2013 and through the required four-year review it was identified that a new Strategic Community Plan was required to better reflect the aspirations and priorities of our local community. The Imagine Vincent community engagement campaign commenced in June 2017 with 90 people from throughout the community asked to frame the questions that would get the right answers from our community. During the period June to September 2017 the community was engaged through diverse initiatives including focussed meetings, social and traditional media, quick polls, surveys, pop-ups at community events, and meetings with community organisations and local businesses. Over 4,204 thoughts and views were obtained from 1,041 people. Following the general consultation period a Community Engagement Panel comprising 40 residents representing all demographics within our community was convened to review and discuss the ideas collected through Imagine Vincent.

The new City of Vincent Strategic Community Plan 2018 – 2028 (draft) was subsequently prepared by Council and Administration with a concerted focus on responding to the feedback drawn from our community. What Council heard was that the community wants us to be an organisation that is clever, creative courageous; that is in tune with community appetites and expectations; open-minded and willing to push the boundaries and willing to think and act as an enabler rather than a traditional local government regulator. That vision will be achieved through six key priority areas each with associated outcomes and actions:

- Enhanced Environment – the natural environment contributes greatly to our inner-city community. We want to protect it, making best use of our natural resources for the benefit of current and future generations.
- Accessible City – we want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.
- Connected Community – we are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.
- Thriving Places – our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.
- Sensitive Design – design that ‘fits in’ to our neighbourhoods is important to us. We want to see unique, high quality developments that respect our character and identify and respond to specific local circumstances.
- Innovative & Accountable – the City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.

At the Ordinary Meeting of Council on 24 July 2018 it was resolved:

*“That Council:*

1. *AUTHORISES the Chief Executive Officer to advertise the Draft Strategic Community Plan as shown in Attachment 1 for public comment for a period of 30 days inviting written submissions.*
2. *NOTES that:*
  - 2.1 *The Mayor and CEO’s columns will be included following endorsement by the Council;*
  - 2.2 *The document will be developed into a designed document for the public consultation process;*
  - 2.3 *Notification of the draft launch will be sent to the database of residents who participated in the Imagine Vincent consultation;*
  - 2.4 *The video of the Imagine Vincent consultation process will be released via the City’s website and social media channels; and*
  - 2.5 *The draft Strategic Community Plan document will be made available on the City’s Imagine Vincent consultation website.”*

#### DETAILS:

Advertising of the draft City of Vincent Strategic Community Plan 2018 – 2028 (**Attachment 1**) for public comment was undertaken between 17 August and 17 September 2018. A total of 16 responses were received with a summary and Administration response provided below:

Priority Area	Topic Identified	Administration Response
Enhanced Environment	There should be a stronger focus on sustainability.	Outcomes and actions related to sustainability have been included within the Plan across both the ‘Enhanced Environment’ and ‘Sensitive Design’ priority areas
	Sustainability is a theme throughout the Plan but not a specific priority area.	Noted. The Plan includes the broader ‘Enhanced Environment’ priority area.

<b>Accessible City</b>	The general principle of accessibility and sustainable transport options is supported	Noted.
<b>Connected Community</b>	Concern relating to street parties and activations within the community as they contribute to noise.	The Plan includes an action within the 'Connected Community' priority area to support and streamline community-led opportunities in public spaces such as street parties, community gardens and verge parks. This was in direct response to community feedback received.
	There is no mention of supporting volunteer organisations to provide services to the community.	While specific references are not made in the Plan the City will continue to partner with community and volunteer organisations. It is considered that such support aligns with the outcome within the 'Connected Community' priority area to have enhanced opportunities for our community to build relationships and connections with each other and the City.
	No specific mention of Seniors within the Plan.	The Plan includes an action within the 'Connected Community' priority area to integrate accessibility, diversity and inclusion into our operations and service delivery to meet the needs of everyone in or community.
<b>Thriving Places</b>	Further support required for local businesses though incentives, activation of streets and cutting red tape.	The Plan includes such actions within the 'Thriving Places' priority area – that we are recognised as a City that supports local and small business, and streamline systems and policies to reduce red tape barriers for businesses.
	Economic development and local employment with thriving businesses is the key to having a 24 hour city.	The Plan includes such actions within the 'Thriving Places' priority area – encourage business growth and community interaction in smaller neighbourhood centres across the City, through inclusion in business support initiatives.
<b>Sensitive Design</b>	There is not protection for the historic elements of the area and this part of the appeal of the area.  Conserve the heritage buildings we have left.	The Plan includes an outcome within the 'Sensitive Design' priority area that our built form character and heritage is protected and enhanced.
	Quality design is important but this must merge with the historic elements of the area.	The Plan includes an outcome within the 'Sensitive Design' priority area that our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

	Improved development approval processes are required.	<p>The Plan includes an action within the 'Sensitive Design' priority area that we will improve design outcomes for all types of developments in the City with the support of the Design Review Panel.</p> <p>In addition, the City's Corporate Business Plan includes a specific action to implement electronic lodgement and assessment of development applications.</p>
<b>Innovative &amp; Accountable</b>	There was mention of accountability but no mention or focus on reducing rates.	The Plan does not specifically mention a reduction to rates, however an outcome within the 'Innovative and Accountable' priority area is to manage resources and assets in an efficient and sustainable manner. This will directly influence financial planning including rate setting.
	The Plan needs some specificity around how the actions will be implemented and by when to demonstrate progress	The City's Annual Report is the key formal reporting mechanism to outline progress towards achievement of the four-year Corporate Business Plan and progress towards the achievement of outcomes within the Strategic Community Plan.
	Political allegiances and aspirations should be highlighted amongst Council members as this influences decision making.	The Plan includes an action within the Innovation and Accountable' priority area that the City will advocate on issues of importance to our community, and support two-way dialogue and provide clear pathways for community members to find information and interact.
	Broader feedback is required from the community not just a selected few	The Plan includes actions within the 'Innovative and Accountable' priority area to involve the community in setting our strategic directions through ongoing participation, and continuously improving the City's website and communication channels.
	Safe, honest and responsible governance is paramount.	The Plan includes an outcome within the 'Innovative and Accountable' priority area that we are open and accountable to an engaged community.



General Comments	
Very disappointed with the outcome as it is neither strategic or a Plan, and has converted community feedback into abstracts.	The Plan has been prepared based on extensive community feedback, adheres to statutory requirements, and includes specific outcomes and actions.
Concerns that flyers were not distributed to mailboxes during the Imagine Vincent campaign.	During the Imagine Vincent campaign a wide range of consultation techniques were used including postcards to all residents. Some of techniques used are summarised within 'Background' and 'Consultation/Advertising' sections of this Report.
Good community engagement and good to have a limited number of actions to they are achievable.	Noted.
Concerns that saying 'yes' in the vision statement is too risky	The Plan includes the vision created by the Community Engagement Panel which was their interpretation of what our community wants for the future of Vincent. Although the Plan also includes Council's interpretation of the ideas and feedback received from our community, and the Panel's resulting vision statement.

No amendments to Strategic Community Plan are proposed based on the submissions received during the public comment period.

Some of the comments received related specifically to the concerns regarding Council's revised Street Trees Policy and the proposed 40kph Area Wide Speed Zone Trial, and were not deemed relevant to the Strategic Community Plan. These comments will be addressed separately with the submitter noting that community feedback has recently been sought in regards to Council Policy No. 2.1.2 – Street Trees and the proposed 40kph Area Wide Speed Zone Trial.

#### CONSULTATION/ADVERTISING:

Consultation on the City of Vincent Strategic Community Plan 2018 – 2028 (draft) was undertaken between 17 August and 17 September 2018. The community was notified of the public comment period through the following:

- News item on the City of Vincent website on 22 August 2018
- Public notices in local community newspapers on 28 August 2018
- Emails to all residents that registered on the Imagine Vincent EHQ site
- Information within the City of Vincent e-newsletter in August 2018
- Information within the City of Vincent Budget News sent to all residents and businesses their with Rates Notice (prior to the public comment period)
- 16 x posts on the City's social media channels throughout August and September 2018
- Distribution of 2,000 postcards and posters throughout the Vincent Library & Local History Centre, Beatty Park Leisure Centre, and Administration & Civic Centre as well as several local businesses

Given the extensive consultation methods used during the public comment period, and limited number of submissions received, it is considered that the Strategic Plan effectively responds to the community feedback and inputs received during the Imagine Vincent community engagement campaign.

**LEGAL/POLICY:**

Section 5.56 of the *Local Government Act 1995* requires a local government to plan for the future of the district and Regulation 19C of the *Local Government (Administration) Regulations 1996* sets out a number of requirements for a Strategic Community Plan. Preparation and adoption of the City of Vincent Strategic Community Plan 2018 – 2028 adheres to these statutory requirements.

Regulation 19D of the *Local Government (Administration) Regulations 1996* requires a local government to give public notice after adoption of a Strategic Community Plan notifying the community that the Plan has been adopted and providing details of where and when the Plan may be inspected.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** The City of Vincent Strategic Community Plan 2018 – 2028 has been prepared based upon information gathered through the comprehensive Imagine Vincent community engagement campaign. Preparation and adoption of the Plan adheres to the statutory requirements as identified within the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

**STRATEGIC IMPLICATIONS:**

The City of Vincent Strategic Community Plan 2018 – 2028 includes six key priorities with associated outcomes and actions, and will now provide the basis for Council's overall strategic direction. This Plan supersedes the City of Vincent Strategic Community Plan 2013 – 2017.

**SUSTAINABILITY IMPLICATIONS:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

Upon adoption the City of Vincent Strategic Community Plan 2018 – 2028 will be established as Council's principal strategy and planning document which will guide the Corporate Business Plan, Long Term Financial Plan, Annual Budget, and Specific Supporting Strategies. This Integrated Planning and Reporting Framework will ensure that financial commitments are both strategically aligned and affordable.

**COMMENTS:**

The City of Vincent Strategic Community Plan 2018 – 2028 has been prepared by Council and Administration based upon the comprehensive, meaningful feedback obtained from the local community through Imagine Vincent. The Plan establishes a vision for Vincent's future and will drive our planning, budgeting, resource allocation and service delivery over the next decade. It is recommended that the Strategic Community Plan now be adopted as the principal strategy and planning document within the City's Integrated Planning and Reporting Framework.



## ACKNOWLEDGEMENT OF COUNTRY

The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging.

We recognise the unique and incomparable contribution the Whadjuk people have made and continue to make to our culture and in our community. We will continue to seek the input of the Traditional Owners.

The land on which we live, meet and thrive as a community always was and always will be Noongar land.

Artwork by Jade Dolman









## ACKNOWLEDGEMENT OF COMMUNITY PARTICIPATION

This document has been prepared with the support of many people from our wonderfully diverse community. We wish to acknowledge the following people for their support in preparing this document:

- Through our engagement campaign, the 1041 people that provided their time; answering our questions, providing their input and participating in discussions about the direction of Vincent
- Our Town Teams and Advisory Group members for participating in Imagine Vincent
- The businesses who shared our information through posters and postcards
- And last, but not least, our very hard working and passionate Community Engagement Panel; Naomi, Susan, Sarah, Anne, Jannah, Brayden, Ashley, Lay, Ghassan, Maria, Owen, Alec, Patricia, Jim, David, John, Dylan, Jade, Philip, Andrew, Joy, Amanda, Andy, Timothy, Diane, Robert, Alison, Joe, Alen, Anita, Kym, Takeshi, Anne, Nigel, Abbas, Paula, Jolene, Kat, Clint, Jimmy, Elsbeth, Alex, David and Christine.

This map went everywhere throughout the campaign. These dots represent the many people who gave their time to help us prepare this document. We thank you all!



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## MAYOR'S MESSAGE



**Thank you to the Vincent community for helping us shape this exciting plan for our future.**

The City of Vincent Strategic Community Plan is important because it guides the next decade of decision making for our Council, leading us closer to our community's vision and priorities.

Together, we embarked on the biggest community engagement initiative in Vincent's history – a conversation that spanned over 10 weeks and put us in contact with people from all walks of Vincent life.

At the heart of this conversation was an important question – *What do you see when you Imagine Vincent over the next ten years?* Our aim was to get to the bottom of this question in the most collaborative, open and inviting ways possible.

A critical part of this was involving our community every step of the way. We started with a town hall meeting, where we brought community members together and asked them to decide the key questions that would underpin the entire engagement process. We then took these questions out into our community, ensuring that our contact was as deep and diverse as possible.

We roved all over Vincent – including visits to all of our schools, dropping into community groups, chatting at retirement homes, meeting up in local bars, shops and cafes, talking to people in our town centres, having a big day out at the WAFL, and more. And we extended this reach with online communications, surveys and quick polls. As a result, we were fortunate to receive 4,204 thoughts, ideas and aspirations from you.

Your ideas were then given to the Community Panel, a diverse group of residents and business owners who were independently selected to represent a cross section of Vincent. We asked them to take on the big and exciting responsibility of making good and fair recommendations on behalf of our community.

This dedicated group spent two days sorting through all of the feedback received and ultimately arrived at this dynamic vision statement:

**"In 2028, the City of Vincent is a leafy and vibrant 24 hour city which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a Council that says YES!"**

We are inspired to strive for this.

Throughout this community-driven initiative, some clear themes emerged. These themes are the things that I believe make Vincent a very special place to be: a desire for a sustainable future, a passion for coming together to celebrate who we are, and a progressive approach to new ideas and innovation.

This significant body of work was a team effort - a collaboration between community and Council – and it has ultimately resulted in this Strategic Community Plan.

I hope that when you read the City of Vincent Strategic Community Plan, you will hear your voices in the words on the pages and see your aspirations for our community's future reflected in the priorities and actions.

Together, we can achieve this common vision for a stronger, sustainable and innovative future.



**Emma Cole**  
Mayor



City of Vincent Strategic Community Plan 2018 - 2028

## 1.

## INTRODUCTION

The Strategic Community Plan 2018-2028 (SCP) is the City's most significant guiding document and establishes the community's vision for Vincent's future. The Plan will drive our planning, budgeting, resource allocation and service delivery over the next decade, in order to focus our efforts and align our activities to achieve the community's vision.

This SCP is the result of the largest community engagement initiative ever undertaken by the City of Vincent – Imagine Vincent, described in more detail in Section 5.

Through that engagement, we received an abundance of rich feedback from all areas of our community, which together have helped paint a picture of how our community wants to experience life in Vincent in the decade ahead.

That in turn has enabled us to think about the contribution and commitment that we can make to help achieve the community's vision for the future.

In developing this SCP we also acknowledge the previous Vincent Vision community engagement campaign that underpinned the City's immediate past SCP and laid the foundations upon which the Imagine Vincent engagement initiative was built. This reflects the City's ongoing commitment to engaging with our community to understand, define and deliver on our shared vision for the future.







2.

PLANNING AND REPORTING FRAMEWORK

Under the Local Government Act 1995, every local government in Western Australia must develop a Strategic Community Plan, as part of an Integrated Planning and Reporting (IPR) Framework.

Relevant Regulations and Guidelines require that the Plan clearly define the Council’s strategic priorities, actions and initiatives for the coming decade – clearly linked to the community’s aspirations for the future. The IPR framework is illustrated in Figure 1 below.

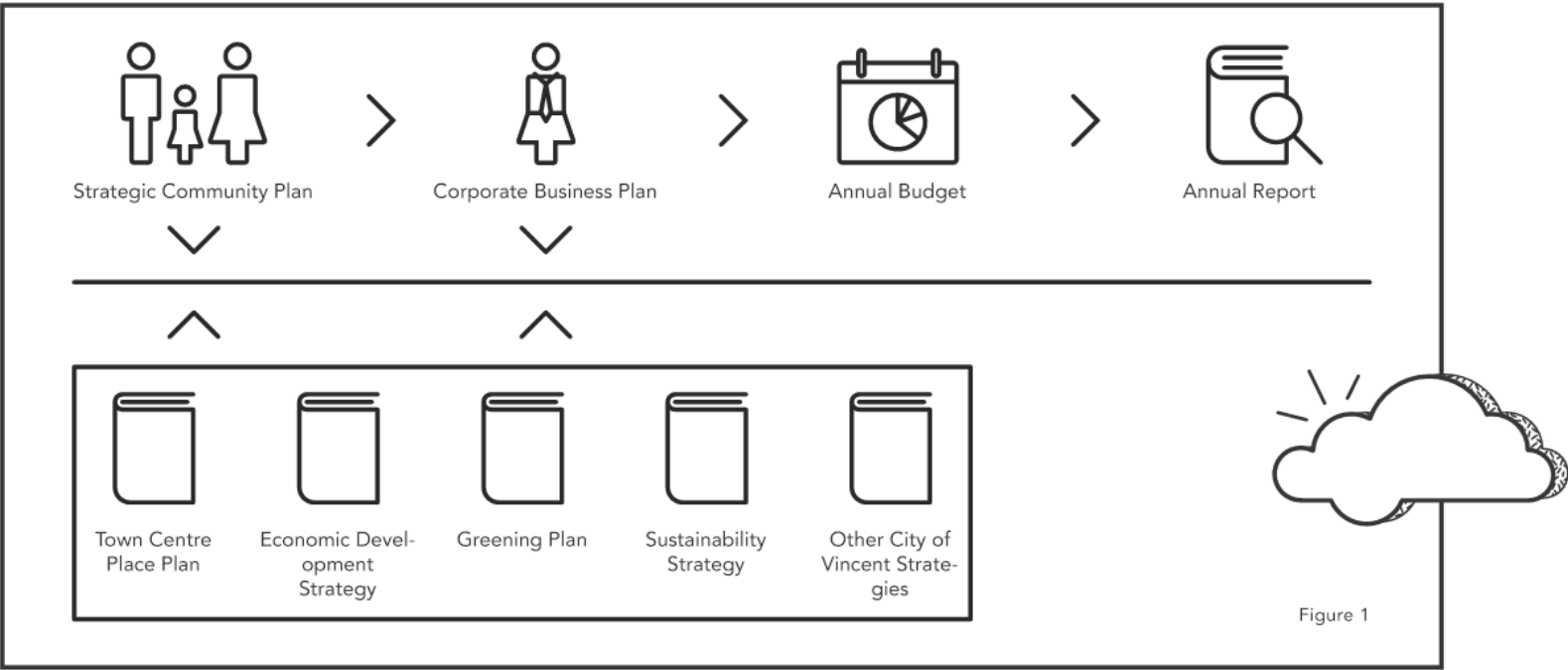


Figure 1

### 3. CONTEXT

#### State Direction

The State Government's Perth and Peel @ 3.5 million strategy, describes the future direction for the region as its population approaches 3.5 million in the 2030s. In addition to promoting increased infill development, the strategy identifies the following principles as key to maintaining the health of the region:

- Liveable
- Prosperous
- Connected
- Sustainable
- Collaborative

Feedback received from our community through Imagine Vincent has illustrated a strong alignment to these principles, which have been incorporated into this document.

#### Strategic Considerations

Research, trends and technology of various kinds are always dynamic. They provide new insights into strategic issues we ought to consider for the future.

For the City of Vincent, these issues include:

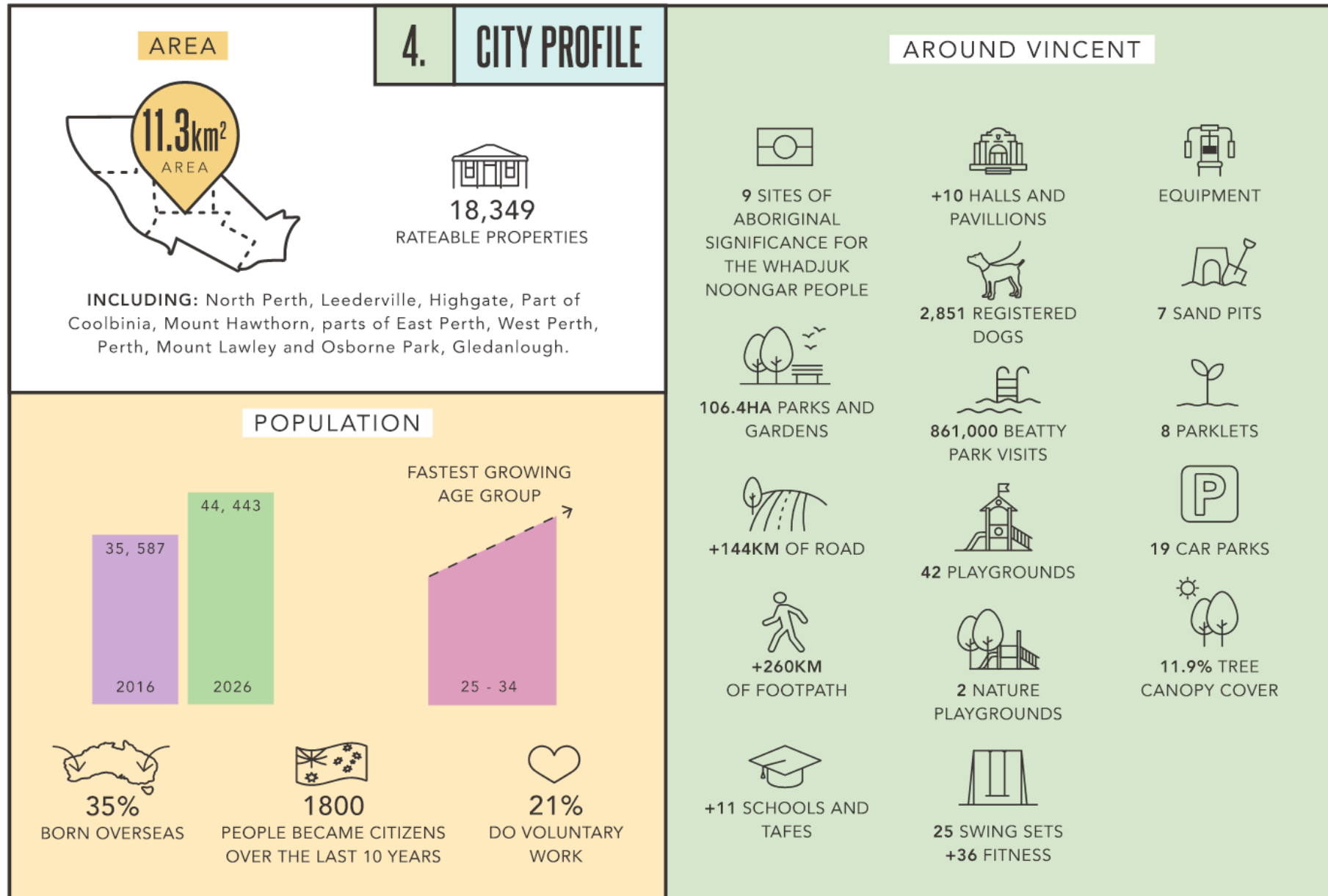
- Ensuring a healthy, functional and equitable city to cater for our growing population;
- The need for diverse housing, both in affordability and in building types to accommodate changing lifestyles and needs;
- Shifting global economies, changing local job markets and the need for a resilient and diverse local economy;

- Climate change and the effect it could have on our flora, fauna and the physical environment;
- Technological disruptions, including digitally facilitated sharing economies and autonomous vehicles;
- Evolutions in transport and the infrastructure to support them;
- Public health issues and ways to support a healthier community; and
- Addressing social isolation among the aged, at-risk and disadvantaged in our community.

Such considerations were frequently raised throughout the Imagine Vincent engagement process and are reflected in the direction and outcomes of this document.

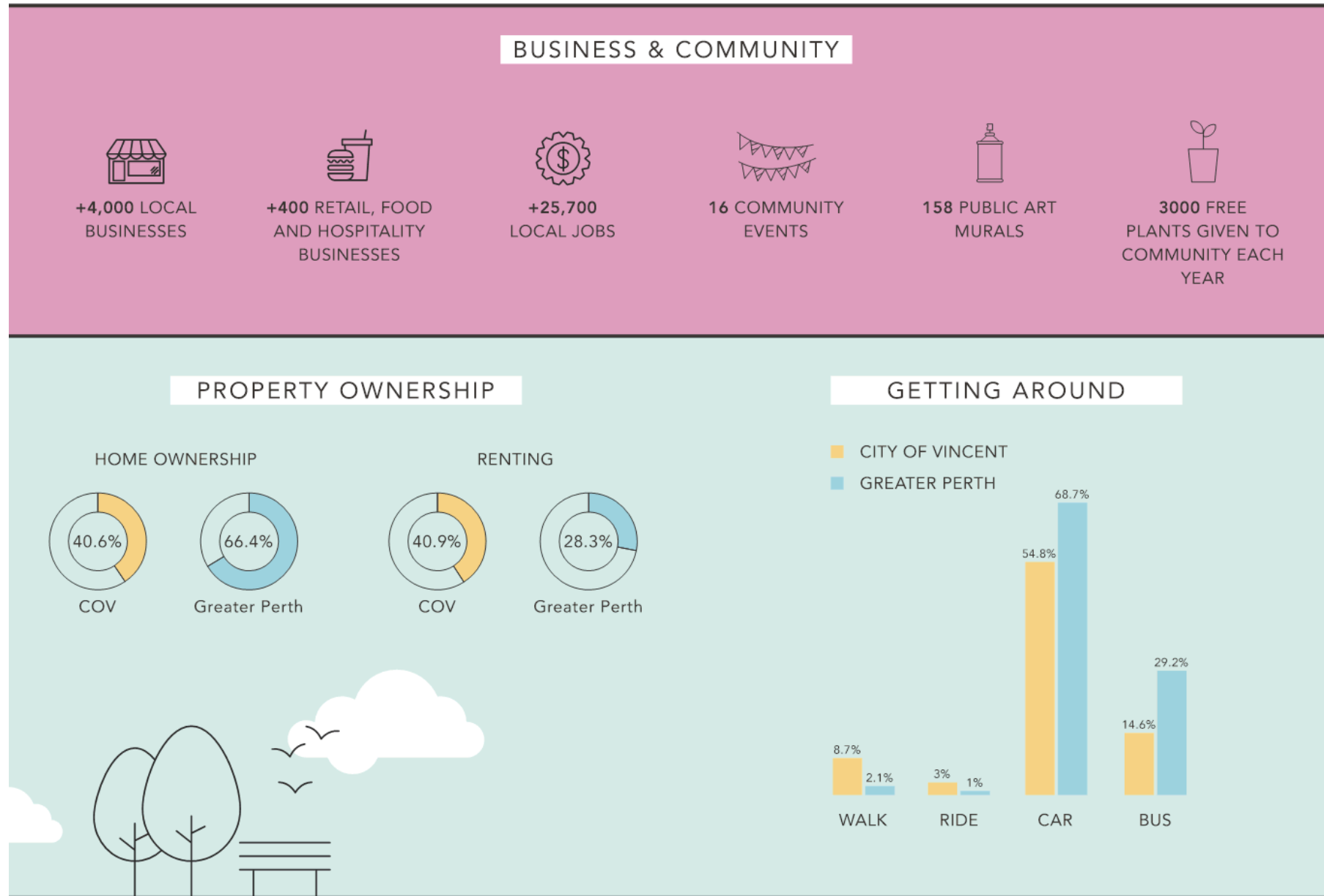


City of Vincent Strategic Plan 2018 - 2028



CITY OF VINCENT





## 5. THE PROCESS

**The Strategic Community Plan represents our community's long term vision, values, aspirations and priorities and what we'll do to help achieve them. The SCP defines our strategic priorities and will inform our resource allocations, intentions for asset stewardship and service delivery over the coming decade – clearly linked to the community's aspirations.**

With this in mind, we embarked on the most significant community engagement exercise ever undertaken by the City of Vincent – Imagine Vincent.

Through this engagement campaign we wanted to reach far and deep into our community to understand our community's dreams and desires for the future, so that we could then define the role we can play in making the community's vision a reality.

Above all else, we wanted Imagine Vincent to be engaging, inclusive, transparent and collaborative, with two key goals in mind:

- To provide every person living, working in or visiting Vincent with every possible opportunity to shape our future; and
- To ensure the feedback results were honest, independent and representative of our community at large, including age composition, gender, ethnicity, language, religion and ability.

The process undertaken through Imagine Vincent is documented in more detail in the Imagine Vincent Engagement Summary, which is an important reference source for the detail in this SCP. A simple flowchart of the engagement process is shown in Figure 2, while a snapshot of some key numbers from our 'imagining' are shown in Figure 3.

### Reviews

It is also important to note that the SCP, while being incredibly important in guiding us over the next ten years, will not remain static.

As we continue to deliver on the outcomes and actions of this SCP we will maintain an open and transparent dialogue with the community, to stay in step with community expectations.

We will undertake a desktop review of this Plan every two years to ensure the outcomes and actions remain relevant and assess how well we have delivered on our commitments. This review will involve key stakeholder groups and analysis by the City.

A complete review of this Plan will be undertaken every four years, involving further engagement with the broader community. Our two-yearly desktop reviews will help us track our progress and refine our focus to ensure the size and scope of the four-yearly review appropriately responds to any changes in community aspiration or expectation.

This in turn will support us in continuing to be an agile Local Government that is alert and responsive to our community's needs.



**8 June - early September 2017**

Community Workshop Launch - 8 June

Focused meetings, community conversations, social and traditional media, quick polls, surveys, pop-up meetings and direct contacts

**August - mid September 2017**

Ongoing pop-up meetings, social and traditional meetings, quick polls and Community Engagement Panel Review emerging

**October 2017 - June 2018**

Review of community engagement outcomes, consolidation of Community Engagement Panel outcomes

Development of Strategic Community Plan

Figure 2. The Imagine Vincent Process

Source: Community Plan 2018 - 2028



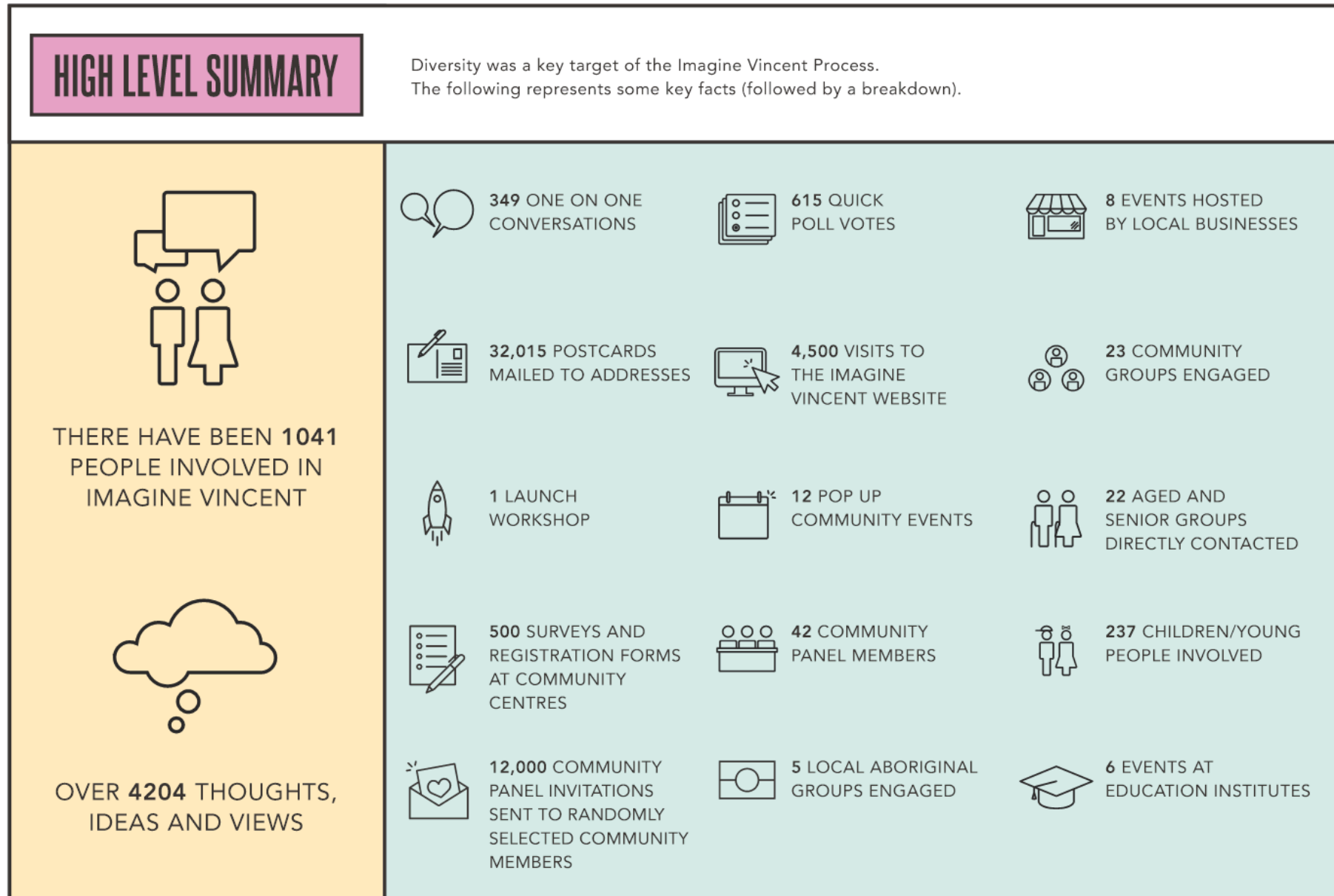
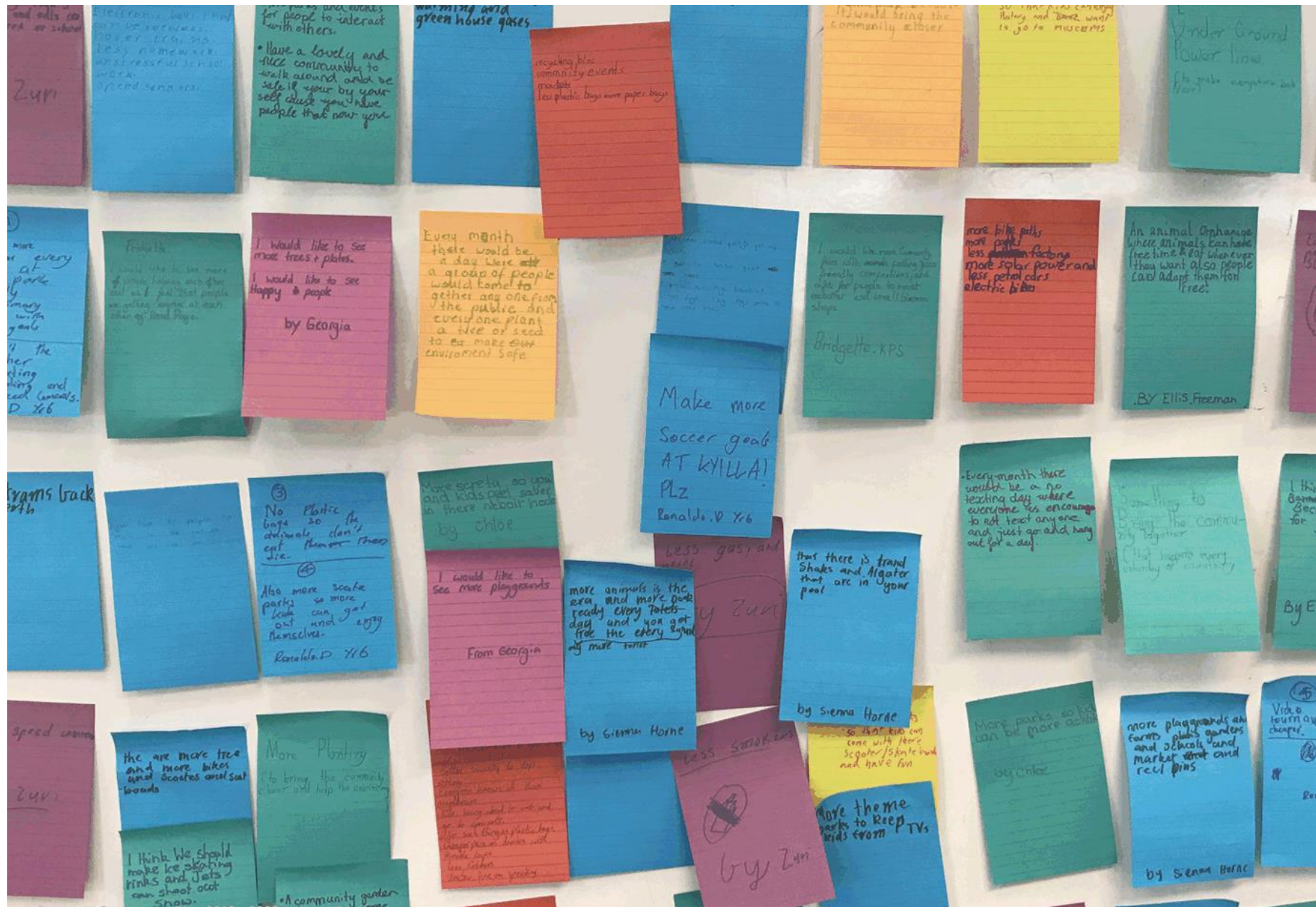
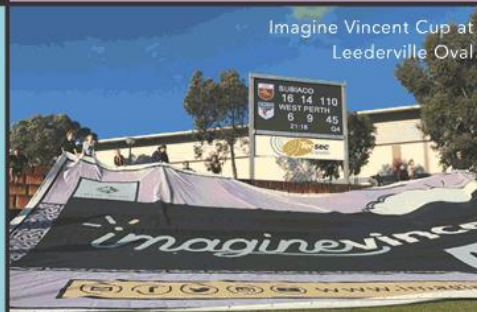


Figure 3. Imagine Vincent Key Numbers

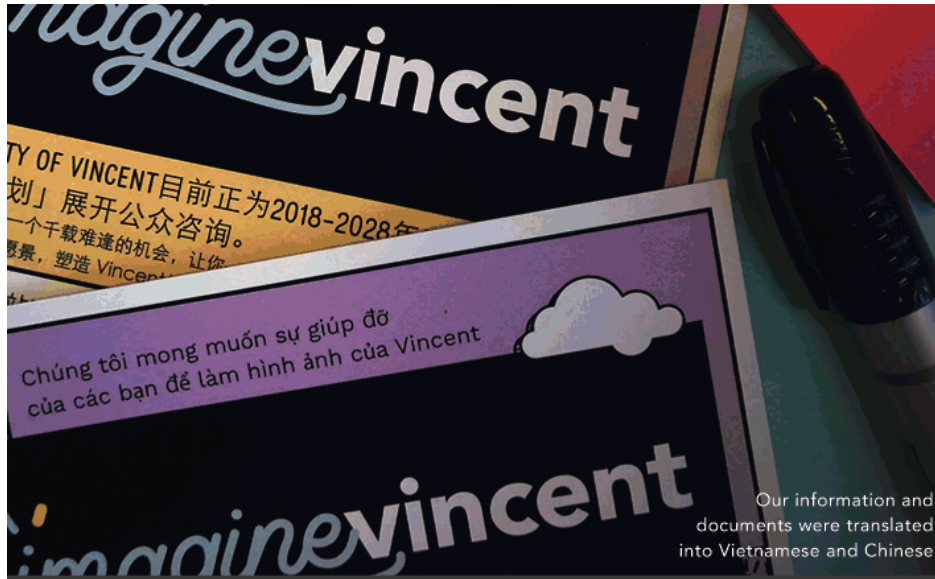
CITY OF VINCENT











Our information and documents were translated into Vietnamese and Chinese



Pop up at the  
Leederville skatepark

**Noongar Radio**  
tea and catch up







Pop Ups in our Parklets  
(with free coffee!)

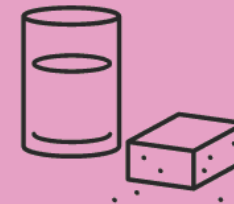
William Street event at  
Bar 399 with Chinese  
language translators



Budburst Bar  
Night for Dads  
of Vincent



Supper with residents of  
Foyer Oxford (thanks for  
the milo and brownies)



Skateboarding clinics  
in Leederville with our  
brainstorm clouds





Department of Sport and Recreation morning tea



Evening hang out with Vincent Mums at Ilka

Classroom discussions with Vincent students about how they see the future



North Perth Local meet the Neighbour night at the Old Laundry





## 6.

## VISION

**In concluding the community engagement campaign, our independently and randomly selected Community Engagement Panel was asked to create a vision statement that best reflected the ideas and feedback received from our community throughout the Imagine Vincent engagement campaign.**

The Panel's resulting vision statement is below:

---

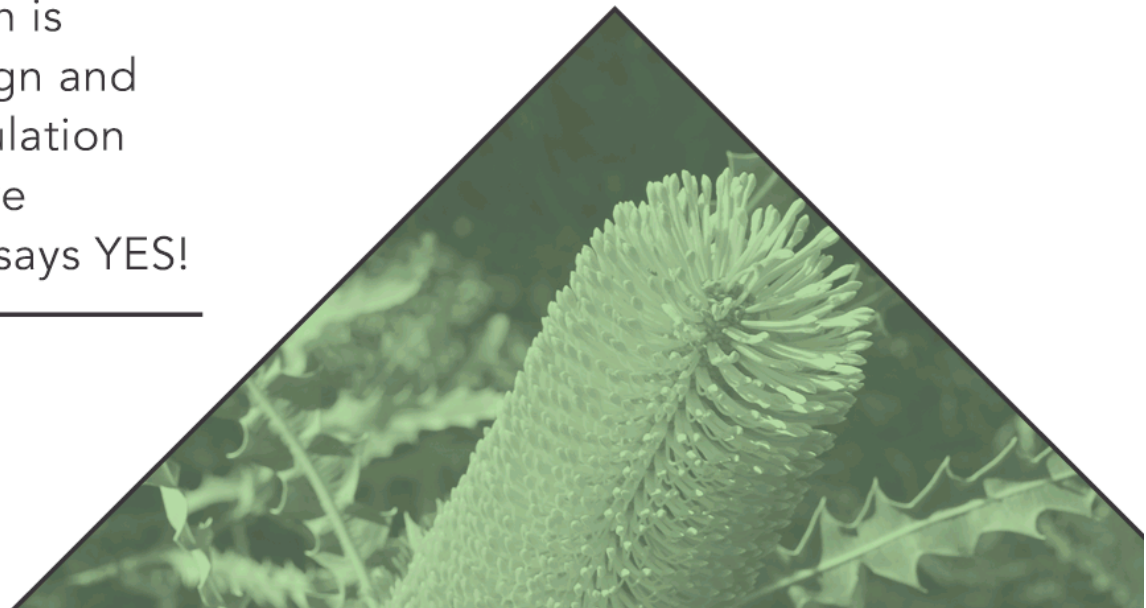
In 2028, the City of Vincent is a leafy and vibrant 24 hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a council that says YES!

---

This statement represents the Panel's interpretation of what our community wants for the future of Vincent.

What we hear is that the community wants us to be a Council and an organisation that is clever, creative and courageous; that is in tune with community appetites and expectations; open-minded and willing to push the boundaries and willing to think and act as an enabler rather than a traditional local government regulator.

We are delighted to accept the challenge!



## 7.

## PRIORITIES

Our priorities to 2028 are defined below. They have been drawn from the feedback received from our community, and reflect our past, present and future.

No one priority is more substantial than another; each works in concert with the others to deliver on our community's overall vision.



### Enhanced Environment

The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.



### Accessible City

We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.



### Connected Community

We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.



### Thriving Places

Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.



### Sensitive Design

Design that 'fits in' to our neighbourhoods is important to us. We want to see unique, high quality developments that respect our character and identity and respond to specific local circumstances.



### Innovative & Accountable

The City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.

## 8. OUTCOMES AND ACTIONS

Using the results of the Imagine Vincent community engagement campaign, we have defined the following for each of the six Priority Areas

Outcomes – The aspiration that the community expects us to achieve. These are the Outcomes we will work towards and will be achieved by focusing on a number of Actions.

Action – Our commitment to what we will do to achieve or contribute to the community's Outcomes. These Actions will be delivered through specific tasks and activities stated in our Corporate Business Plan.





## ENHANCED ENVIRONMENT



The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• Our parks and reserves are maintained, enhanced and well utilised</li> <li>• Our urban forest/canopy is maintained and increased</li> <li>• We have improved resource efficiency and waste management</li> <li>• We have minimised our impact on the environment</li> </ul>	Invest in our parks and reserves which may include increased planting, improving or establishing playgrounds or skate parks and providing improved infrastructure such as water fountains and seats.
	Increase access to green space in high priority areas.
	Increase native planting and urban canopy in the public realm including tree planting in road reserves, verge gardens and strategic greening of City assets.
	Provide information and support the community to increase greening and tree preservation on private property (such as developing a planting guide).
	Deliver a contemporary and sustainable waste service that minimises waste generation and increases recovery, reuse and recycling.
	Invest in alternative energy and water efficiency initiatives, including consideration of emerging technologies.
	Support education programs and initiatives that assist the community to live sustainably.

### Comments from the Community

Create edible landscapes in laneways

Verges should have a functional use for residents

More awareness of adopt-a-verge, adopt-a-tree and tree planting programs

Continue to review household and city assets according to green credentials

Keep renewing building policy to increase renewable energy targets

Encourage innovative ways to have non-traditional gardens (e.g. rooftop, verge, wall)

Source: Community Plan 2018 - 2022

## ACCESSIBLE CITY



We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use</li> <li>• We have better integrated all modes of transport and increased services through the City</li> <li>• We have embraced emerging transport technologies</li> </ul>	Deliver alternative streetscapes that encourage increased pedestrian and cyclist activity.
	Develop and progress an integrated transport plan that considers increased and better connected pedestrian, cyclist and public transport.
	Improve and enhance pedestrian and bicycle support infrastructure.
	Prioritise pedestrians through safe streets, slower speed zones and shared spaces.
	Partner with others, including Local Governments and the State Government, to advocate for improved transport networks.

### Comments from the Community



## CONNECTED COMMUNITY



We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• An arts culture flourishes and is celebrated in the City of Vincent</li> <li>• We have enhanced opportunities for our community to build relationships and connections with each other and the City</li> <li>• Our many cultures are celebrated</li> <li>• We recognise, engage and partner with the Whadjuk Noongar people and culture</li> <li>• Our community facilities and spaces are well known and well used</li> <li>• We are an inclusive, accessible and equitable City for all</li> </ul>	Integrate accessibility, diversity and inclusion into our operations and service delivery to meet the needs of everyone in our community.
	Develop a clear vision for creative arts in the City and continue to deliver public art, inclusion of art in built form, opportunities for local artists and creative spaces.
	Acknowledge and celebrate the history of the Whadjuk Noongar people and develop partnerships with local Whadjuk Noongar organisations and community members.
	Improve access to information on all that we offer our community, including comprehensive neighbourhood maps.
	Lead by example through decision making and communications to support the diversity and culture of our community.
	Develop and deliver a community engagement charter that clearly identifies how and when we will engage with the community and provide a single location for all information sharing.
	Support and streamline community-led opportunities in public spaces such as 'street parties', community gardens and verge parks.
	Partner with support services and surrounding local governments to proactively address homelessness, social isolation and disadvantage and facilitate opportunities for members of the community to be involved.

### Comments from the Community



## THRIVING PLACES



Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• We are recognised as a City that supports local and small business</li> <li>• Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority</li> <li>• We encourage innovation in business, social enterprise and imaginative uses of space, both public and private</li> <li>• Our physical assets are efficiently and effectively managed and maintained</li> </ul>	Increase our role and influence in attracting, retaining and growing independent businesses in the City through economic development initiatives and support for town teams.
	Increase safety in our town centres and public places through good design, investment in infrastructure and partnerships with WA Police and community organisations.
	Prioritise investment in maintenance, repair and improvement programs to deliver high quality public places and facilities.
	Streamline systems and policies to reduce red tape and barriers for business.
	Review opportunities and advocate to better connect the City through support for the digital economy, investigating options for enhanced telecommunications infrastructure and services such as free public wi-fi.
	Take a place-based approach to investment in our town centres and gathering places to increase activation, improve wayfinding and create destinations for all members of the community.
	Encourage business growth and community interaction in smaller neighbourhood centres across the City, through inclusion in business support initiatives.

### Comments from the Community



## SENSITIVE DESIGN



Design that 'fits in' to our neighbourhoods is important to us. We want to see unique, high quality developments that respect our character and identity and respond to specific local circumstances.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• Our built form is attractive and diverse, in line with our growing and changing community</li> <li>• Our built form character and heritage is protected and enhanced</li> <li>• Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context</li> </ul>	Improve design outcomes for all types of development in the City with the support of our Design Review Panel.
	Encourage increased diversity of housing for our growing community through planning policy.
	Support high quality density development in town centres and high frequency corridors that responds to the local context.
	Reward sustainable design innovations including improved waste management, alternative energy, improved air quality and noise attenuation and more useable green space.
	Champion our community's aspirations and the importance of local context within planning frameworks and decision making.

### Comments from the Community



Copyright: Community Plan 2018 - 2022



## INNOVATIVE AND ACCOUNTABLE



We have a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.

THE OUTCOMES WE WILL WORK TOWARDS	WHAT WE'LL DO
<ul style="list-style-type: none"> <li>• Our resources and assets are planned and managed in an efficient and sustainable manner</li> <li>• Our community is aware of what we are doing and how we are meeting our goals</li> <li>• Our community is satisfied with the service we provide</li> <li>• We are open and accountable to an engaged community</li> </ul>	Review and consolidate assets to ensure all buildings and facilities are well utilised and meet community needs.
	Continuously improve the City's website and other communication channels to ensure information is easy to find and services are effectively communicated.
	Support two-way dialogue and provide clear pathways for community members to find information and interact with us through on and off-line options.
	Involve the community in setting our strategic directions through ongoing participation.
	Advocate on issues of importance to our community.
	Measure and respond to the level of community satisfaction with the City.

### Comments from the Community



CITY OF VINCENT



## 9.

## COMMUNITY DECISION MAKING CRITERIA

**In recognising the enormous contribution of our Vincent community to this process we also recognise that decisions will need to be made in the future about what actions to prioritise, or about necessary actions that may not have been apparent at the time we undertook our engagement process.**

To ensure our future decision making is robust and follows the values of the work undertaken throughout the engagement campaign, we also took the opportunity to discuss what decision making criteria was most important to the community in making ongoing decisions.

Our Community Engagement Panel considered a variety of key decision making criteria which reflect the values and expectations they

believe the community would like to see applied to the City's decision-making framework.

Using these criteria, we will be able to determine the best course of action and budget allocation for key decisions that affect our future direction.

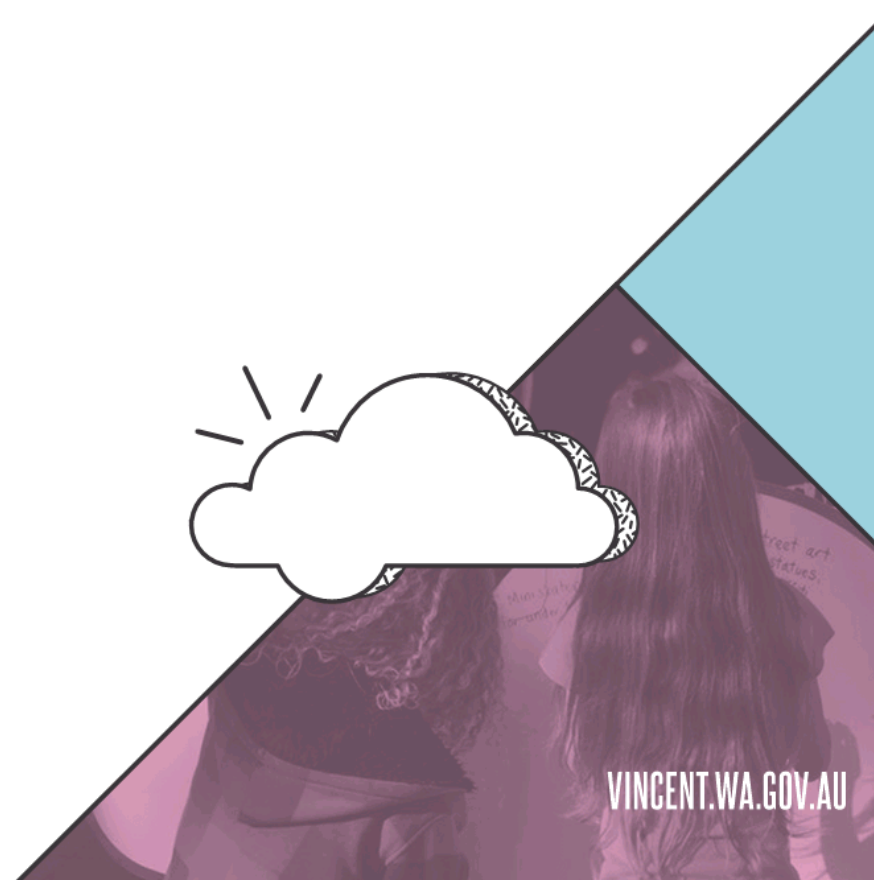
Alongside our specific Priorities, Outcomes and Actions, these criteria will assist us to ensure decisions are made in alignment with community expectations and preferences. In all, there are six criteria, ranked by the Panel in order of priority where 1 has the greatest importance, as follows:

RANK	CRITERIA	DESCRIPTION
1	Liveability	<b>Liveability is about social wealth.</b> Improved access to community services and good public transport will increase liveability, as will the ability to observe our history and culture through the preservation of important buildings and precincts that ground our sense of place.
2	Sustainability	<b>Sustainability is about long term return on investment.</b> Sustainability will be achieved through projects and activities that deliver benefits for future generations without negatively impacting on the current community, that reduce pollution and result in better public health outcomes. These projects and activities should be forward thinking; identifying and allowing for adaptation to new trends if required. Projects and activities will be long term, have agreed measurement and results will be reported.
3	Efficiency	<b>Efficiency is about more responsible use of our assets.</b> Efficiency will be achieved through projects and activities that use strong data and evidence for decision making to maximise the use and enjoyment of our existing spaces and encourage multiple and shared use of resources. Partnering with other Local Governments and State Government agencies, reducing red tape, and providing greater access to knowledge and information about living and working in the City will increase efficiency.
4	Equity	<b>Equity is about servicing the whole community.</b> Equity will be achieved through projects and activities that benefit the majority of our community; across all cultures, ethnicity, ages, genders, ability and financial status. These projects and activities will result in balanced delivery of service for all. Projects and activities that recognise both long term and short term community members and include strategies to encourage participation across different demographics will increase equity.
5	Helping Connect People	<b>Helping Connect People is about creating an environment for sharing and solution finding.</b> Connecting people will be achieved through projects and activities that identify and consider the relationships between stakeholders when making decisions, that encourage greater relationships between our business, social, recreation and residential communities, and support sharing and solving problems together. Shared spaces, shared resources and access to knowledge and information about our community will help connect people.
6	Respecting the many cultures of Vincent	<b>Respecting the many cultures of Vincent is about recognising our history and celebrating our diversity.</b> This will be achieved by projects and activities that openly support our many and varied community members; through locally relevant signage and communications tools, through events, festivals and food, and through expressing shared values whilst fully respecting our differences. Projects and activities that encourage tolerance, understanding, pride of place and the unification of our community will help all of our many cultures feel respected.





This document is available in  
other formats and languages  
upon request.





**9.2 INFORMATION BULLETIN****TRIM Ref:** D17/177331**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. Minutes of the Design Review Panel Meeting held on 5 September 2018  [↓](#)
  2. Minutes of the Mindarie Regional Council Meeting held on 6 September 2018  [↓](#)
  3. Minutes of the Arts Advisory Group Meeting held on 6 September 2018  [↓](#)
  4. Minutes of the Design Review Panel Meeting held on 19 September 2018  [↓](#)
  5. Monthly Street Tree Removal Information  [↓](#)
  6. Statistics for Development Applications as at end of September 2018  [↓](#)
  7. Register of Legal Action and Prosecutions Register Monthly - Confidential
  8. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 20 September 2018  [↓](#)
  9. Register of Applications Referred to the MetroWest Development Assessment Panel – Current  [↓](#)
  10. Register of Applications Referred to the Design Review Panel – Current  [↓](#)
  11. Register of Petitions - Progress Report - October 2018  [↓](#)
  12. Register of Notices of Motion - Progress Report - October 2018  [↓](#)
  13. Register of Reports to be Actioned - Progress Report - October 2018  [↓](#)

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated October 2018.



CITY OF VINCENT

**DESIGN REVIEW PANEL****Wednesday 5 September 2018 at 3.30pm****Venue: Function Room  
City of Vincent Administration and Civic Centre****MINUTES****Attendees:**

<u>Design Advisory Committee Members:</u>	<u>City of Vincent Officers</u>
Sasha Ivanovich (Chairperson)	Jay Naidoo (Manager Development & Design)
Tom Griffiths	Joslin Colli (Coordinator Planning Services)
Sid Thoo	Kate Miller (Senior Urban Planner)
Dr Anthony Duckworth-Smith	Mitch Hoad (Senior Urban Planner)
	Roslyn Hill (Minute Secretary)

\*\*\*\*\*

Applicant-Item 3.1

Petar Mrdja	Urbanista Town Planning
Anderson Toh	Toh Construction

Applicant-Item 3.2

Kris Mainstone	
Trent Durward	Megara

Applicant-Item 3.3

Andrea Basini	ANB Design
---------------	------------

Applicant-Item 3.4

Alan Stewart	
Rita Brooks	

\*\*\*\*\*

3.30pm	<b>Member Discussion</b>
4.00pm	

**1. Welcome / Declaration of Opening**

The Chairperson, Sasha Ivanovich declared the meeting open at 4.10pm.

**2. Apologies****3. Business****4.10pm–4.35pm – Applicant Presentation – 5.2018.273.1 – on hold**3.1 **Address:** 160-166 Palmerston Street, Perth**Proposal:** Change of Use to Hotel, Office and Restaurant/Cafe

**Applicant:** Anderson Toh on behalf of Starlily Nominees Pty Ltd

**Reason for Referral:** The proposal will likely benefit from the referral to the DRP in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1)

**Applicant's Presentation:**  
The presented the plans

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>• There is concern for the lack of ground level activation in the streetscape. Activity at streetscape should be relatable (at human scale) to a person on street. Pursue a continuously active ground plane to optimise street activation and passive surveillance. Further articulation and design development of the façades should be considered.</li> <li>• Consider the neighbouring streetscape and local context, in relation to the development of the street facades. Identify some of the strong features and materials used in the streetscape as a reference in developing the architectural language of the facades. These can be reinterpreted, without necessarily mimicking them. The surrounding streetscape shows quite a lot of articulation in contrast to the current flat façade of the proposed development.</li> <li>• Ground floor glazing is quite flat. Consider how to create more character by observing the scale and placement of openings in buildings typical of this use in the local context.</li> <li>• Further address upper floor street activation positively add to the streetscape, to provide passive surveillance and to enhance visual contact and interaction between the street and the building interior. Consider providing larger windows and introducing Juliette balconies</li> <li>• More articulation is needed in breaking up the long horizontal appearance of the building. Consider introducing vertical elements to the facades.</li> <li>• There is only limited information provided about surrounding context as shown on floorplans, elevations and perspectives. Show the adjoining buildings to illustrate how the proposal responds to the surrounding context</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>• Look into the landscaping opportunities surrounding the pool to enhance the residence experience and create separation from the building. Examine whether there will be overshadowing.</li> <li>• Consideration needed for the interface with the canopy of the existing trees and the awning.</li> <li>• Examine landscaping opportunities on the balconies and upper levels</li> </ul>
<b>Principle 3 – Built form and scale</b>	N/A
<b>Principle 4 – Functionality and</b>	<ul style="list-style-type: none"> <li>• Car parking provisions/numbers are non-compliant. A parking management plan may be required and if there</li> </ul>

build quality	<p>is a shortfall, to include a report showing justification for the shortfall and outlining the expected residents' target group that the development is addressing. Consider car sharing, electronics cars and supplying bicycles.</p> <ul style="list-style-type: none"> <li>• More information is required on the treatment and articulation of glazing</li> </ul>
Principle 5 – Sustainability	<ul style="list-style-type: none"> <li>• Dark colours have high solar absorbance and will increase cooling loads. Examine the use of lighter colour palette and/or greater variety of colours</li> <li>• Ensure operable windows (other than awning) and/or ceiling fans to hotel rooms to maximise opportunities for cross ventilation, and minimise dependence on mechanical air conditioning</li> <li>• Recommend light coloured roof (SA 0.4 or less) to reduce solar heat gains in summer</li> <li>• Consider providing alternative modes of transport for guests eg. EV car share, bicycles and helmets for guests in lieu of reduced parking</li> </ul>
Principle 6 – Amenity	<ul style="list-style-type: none"> <li>• In the built form there is only doors and passages facing the pool. Consider providing better natural ventilation to the pool area and better visual access and connectivity to other patron facilities adjoining the pool area.</li> <li>• Also consider the noise that will be generated from use of the pool, its impact on residents and how this issue can be addressed.</li> </ul>
Principle 7 – Legibility	<ul style="list-style-type: none"> <li>• Entry into building/café is tucked away to the side. Improve articulation/identification of the main entry. Consider making the entry it a prominent architectural statement</li> </ul>
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	<ul style="list-style-type: none"> <li>• Blank walls are not helpful in terms of aesthetics, particularly in this street context. Consider a break in the current continual blank wall to the pool</li> <li>• Provide more details about materials and intended finishes.</li> </ul>
Comments	N/A

**Conclusion:**

To be returned to DRP.

**4.35pm–5.10pm – Applicant's Presentation – No DA Lodged**

3.2 **Address:** Nos. 636 – 640 Newcastle Street, Leederville,

**Proposal:** Mixed Use Development

**Applicant:** Megara on behalf of Alan Marsh Nominees Pty Ltd

**Reason for Referral:** The proposal will likely benefit from the referral to the DRP in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

**Applicant's Presentation:**

Applicant presented a power point presentation.

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>• Durable materials and a high standard of lasting finish on the street wall will be important. Consideration is needed for a suitable maintenance plan of the facades to ensure enduring and continuing high standard of finish of the facades.</li> <li>• Ground floor interface (to the public realm) to be further articulated and refined. Consider interchanging the café and retail locations so the retail component is in the more prominent area</li> <li>• Mid-levels of building may require further design work as these will be visible the whole way around. Consider extending elements from front façade to side/rear</li> <li>• Vertical panels at front, to be considered as semi-transparent/screens rather than as solid elements - to break up appearance.</li> <li>• 9 storeys can be considered, but will stand out due to existing neighbouring built form / context. Consider setting back two top floors storeys (currently one is setback) to reduce impact on the street</li> <li>• Street façade well articulated and well considered. Same attention needs to be given to the side elevations as has been given for the front</li> <li>• Part of car park wall is facing street, Consider providing a more detailed treatment than rather than just a blank wall</li> <li>• There is insufficient information provided on surrounding context as shown on floorplans, elevations and perspectives. Show the adjoining buildings to illustrate how the proposal responds to the surrounding context</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>• Demonstrate how the vertical landscaping will work. Vertical planting will need a reasonable planting area to achieve its intended outcome</li> <li>• Look at landscaping opportunities to soften the amount the aluminium screening (ensure that the vertical landscaping will work)</li> <li>• Consider further deep soil on ground floor where possible</li> <li>• Take into account the maintenance needed for the current planting areas to ensure that the desired outcome is achieved and maintained</li> <li>• Large balconies with limited planting at upper levels. Consider further planting and landscaping in these locations.</li> <li>• Project would benefit from input by landscape architect.</li> </ul>
<b>Principle 3 – Built form and scale</b>	<ul style="list-style-type: none"> <li>• Consideration needed on the rear elevation and the proximity of the upper storeys to the neighbouring building behind and whether the straight wall will be appropriate.</li> <li>• Reiterating that the vertical landscaping which is relied on in the renders to ameliorate bulk will need sufficient detailing and maintenance to achieve this outcome.</li> </ul>



<b>Principle 4 – Functionality build quality</b>	<b>and</b>	<ul style="list-style-type: none"> <li>• Improve resident amenity, achieve more solar access to apartments, cross ventilation to south facing apartments</li> <li>• Reconsideration is needed for studio apartments with bedroom located in the middle to give these bedrooms access to external windows</li> <li>• Further consideration needs to be given to car parking requirements. A car parking management report may need to be prepared outlining requirements for each type of apartment provided. Note that car stackers will need to be continually maintained.</li> </ul>
<b>Principle 5 – Sustainability</b>		<ul style="list-style-type: none"> <li>• Dark colours have high solar absorbance and will increase cooling loads. Consider use of lighter colours to reduce solar heat gains.</li> <li>• For south facing deep apartments and lobby areas – suitable ventilation and light penetration need to be demonstrated. Look into colours and surfacing/texture of walls/balconies to allow in light, make use of reflection. Consider where further openings can be created to achieve good light penetration and ventilation.</li> <li>• Consider inclusion of battery storage to complement solar PV if there is limited roof space due to building footprint and setbacks</li> <li>• Conduct preliminary NatHERS ratings prior to lodgement of development application to validate expected star ratings and construction/material specifications required to achieve the rating</li> <li>• Also consider ceiling fans and operable windows (other than awning) to increase natural ventilation and airflow to individual apartments</li> <li>• Studio apartments where bedrooms with no external windows not ideal for natural and cross ventilation-reconsider layout of these apartments</li> </ul>
<b>Principle 6 – Amenity</b>		N/A
<b>Principle 7 – Legibility</b>		N/A
<b>Principle 8 – Safety</b>		N/A
<b>Principle 9 – Community</b>		N/A
<b>Principle 10 – Aesthetics</b>		N/A
<b>Comments</b>		N/A

**Conclusion:**

Amendments to be further referred to DRP.

**5.15pm–5.50pm – Applicant’s Presentation – No DA Lodged**

**3.3 Address:** No. 6 London Street, corner Haynes Street, North Perth

**Proposal:** Demolition of Existing Buildings and Proposed Construction of Four Storey Mixed Use Development Comprising of Ten (10) Single Bedroom Multiple Dwellings, Ten (10) Two Bedroom Multiple Dwellings, Two (2) Three Bedroom Multiple Dwellings, Four (4)

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Offices, Two (2) Shops, One (1) Restaurant, Associated Basement Car Parking and Car Stacker Parking

**Applicant:** Cuborosso Design and Development

**Reason for Referral:** For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 19 July 2017.

**Applicant's Presentation:**

Applicant presented a power point presentation.

**Recommendations & Comments by DRP on 19 July 2017:**

<p><b>Principle 1 – Context and Character</b></p>	<ul style="list-style-type: none"> <li>• Consider ways to incorporate the Midland Brick/heritage materials into the facade.</li> <li>• Shading will help articulate the facades and provide a language that will tie in with both to help break up the façade. Consider orientation and aspect as a mechanism to vary response to solar aspect.</li> <li>• The impact of bulk and scale needs to be reduced, given that the planning policy is for a 4 storey height limit (the snorkel may not work and consider whether the design should explore the bedrooms would be more effectively located to the side of living with direct access to balcony rather than backed in behind. Effectively the unit plans would be wider and more square-shaped and then consider replanning to a doughnut shape, C shape or L shape with aspect to light/air court that can also then be stepped down toward the adjacent lower zoning/ends.</li> <li>• This more linear rather than radial arrangement may mean the introduction of an additional core/fire escape. This may be offset in achieving increased amenity and reducing costs whilst the snorkel design generates cost inefficiencies in relation to additional external walls for example.</li> <li>• The DAC notes that a 5 storey may not be approved. It may be considered if the applicant can demonstrate a design that doesn't have a detrimental impact on either the streetscape or the amenity to adjoining properties. Generally 4 storey height limit is a key planning requirement for this site. Considerable design merit will be need to be demonstrated to support a 5 storeys design.</li> <li>• Consider the interface with Haynes St and enhancing the plaza space. Sophistication and resolution is required in this area. The idea of a café restaurant that can spill out and create a community space in that end of the street would be a great outcome. Liaise with city staff on development of an integrated design.</li> <li>• Relationship to the streetscape to be considered, especially to London Street where there is an opportunity to improve pedestrian amenity (and perceived safety). Consider inclusion of a planter bed to back of kerb (as opposed to defining lot boundary) to achieve an integrated overall urban design across lot boundary.</li> </ul>
<p><b>Principle 2 – Landscape quality</b></p>	<ul style="list-style-type: none"> <li>• Use planter to screen from northern boundary from communal area.</li> <li>• Consider extending green space into the verge.</li> <li>• More detailed plans are needed for calculating and assessing required landscaping (canopy cover, deep soil zone etc.)</li> <li>• More consideration will be needed for the roof landscaping. It would be good to see that further developed in terms of how the space would be used. Overlooking to the northern</li> </ul>

	neighbours is going to be an issue - to be designed out.
<b>Principle 3 – Built form and scale</b>	<ul style="list-style-type: none"> <li>Proposed built form and scale is excessive and wouldn't be supported as currently proposed. Applicant is to refer back to the previous design proposed for the site, which had then received support from the DAC for its design cues, more appropriate massing concentrated to corner and stepping height down to the side/ends/lower adjacent zonings.</li> </ul>
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>Setback from north and east boundary by 6.5 and 12.5 metres is required under the planning policy.</li> <li>Arrival experience for residence and for visitors - consideration needs to be given to the articulation of the corner as this is the focus and signature of the building.</li> <li>Open stairs/integrate glazing to get more light/air through.</li> <li>Consider visitor bay(s) on the ground floor.</li> <li>Parking management plan may be required to work out how many people will be parking there balancing commercial and residents requirements.</li> <li>The setbacks and storage area need to be reconfigured.</li> </ul>
<b>Principle 5 – Sustainability</b>	<ul style="list-style-type: none"> <li>Given the proposed dwelling yield is significant, the majority of the units will not receive any northern sun. There is a problem with the density and number of units in relation to solar access. The proportion of units with northern aspect needs to be improved when considering the site planning.</li> </ul>
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>Consider pulling the ramp back to make it less convoluted in its way of getting up into the development. The ramp may not need to be so close to the boundary.</li> <li>Reconfigure parking on the ground floor. Provide visitor parking for residents and visitors for commercial that is accessible/visible from point of entry.</li> </ul>
<b>Principle 7 – Legibility</b>	N/A
<b>Principle 8 – Safety</b>	N/A
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	N/A

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>Requires public art consideration</li> <li>If non-compliant set back are proposed, look at stepping the form back at the upper levels and create a podium level. The podium element can relate to the height/scale of the neighbouring developments and reduce the impact of bulk/mass of the building. Also consider the interface to the neighbouring residential buildings and creating a transitional appearance.</li> <li>Limited surrounding context shown on floorplans, elevations and perspectives. Show the adjoining buildings to illustrate how the proposal responds to the surrounding context</li> <li>Further consider the form and treatment of the corner façade that it will be highly prominent from both streetscapes Consider providing an awning for the commercial tenancy.</li> </ul>
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	<ul style="list-style-type: none"> <li>The reference to the former Midland Brick building is poor. Further consideration should be given to how to reference the sites former use and unique architectural language.</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>Atrium planting may have challenges with light levels and species. Have regard to landscaping maintenance when considering landscaping. Demonstrate the viability of the landscaping given its solar orientation</li> <li>Proposed verge treatments should be further developed to create a place rather than an alignment of benches.</li> </ul>
<b>Principle 3 – Built form and scale</b>	<ul style="list-style-type: none"> <li>Bulk needs to be further reduced, specifically in relation to adjoining residential properties. <ul style="list-style-type: none"> <li>Consider setting protruding apartments further into the building and</li> <li>Pulling stair wells into the building</li> </ul> </li> <li>Consider reducing the size of the rooms that protrude to reduce the bulk/size and of the development on the neighbouring properties</li> </ul>
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>Car parking requirements are non-compliant. A report may need to be submitted that shows justification of the shortfall. Consider adopting into car sharing facilities and providing amenity for electronics bikes to facilitate residents</li> <li>The site appears overdeveloped which is causing non-compliance in some areas and loss of amenity. Consider removing some apartments to give room for better outcomes and address other deficiencies such as currently too high plot ratio. The plot ratio is significantly over and needs to be reduced. In addressing the plot ratio consider changing the ratio of 1x, 2x and 3x bedrooms apartments.</li> <li>Consider further recessing the stairwells and have them open to the exterior of the building and glazing the stairwell wall to the internal passage to open up the passages</li> <li>Consider screening on the corner to create a semi transparent interface and provide some privacy for residents at this very busy and periodically high traffic corner. Current windows provided are likely to have their blinds drawn most of the time. Consider introducing some façade /screen art to this corner. The proposal may be eligible for public art percentage</li> </ul>
<b>Principle 5 – Sustainability</b>	<ul style="list-style-type: none"> <li>Conduct preliminary NatHERS ratings prior to lodgement of development application to validate expected star ratings and construction/material specifications required to achieve the rating</li> <li>Use of dark colours will contribute to solar absorption. Consideration of colours proposed is recommended. Consider screening or vertical shading to east and west facing windows to reduce solar heat gain during summer</li> <li>Consider using a polycarbonate roof to the central atrium to improve light penetration to the central section of the building. Further demonstrate that the proposed light-wells are adequate to effectively deliver light to the central circulation spaces</li> <li>On the south side of the building, the apartments are</li> </ul>

	<p>14m deep. There are concerns for these apartments have sufficient access to natural sunlight and ventilation. Deep apartment floor plates and building bulk with small voids/light-wells will mean 'internal' rooms will suffer from low levels of natural light and ventilation particularly on lower levels. The levels of natural light need to be tested in the access area.</p> <ul style="list-style-type: none"> <li>• Use colours and materials to assist reflecting light down. Consider replacing polycarbonate panels with glass to allow for more light or removing the bridge that crosses the main sky-light</li> <li>• A report on the water catchment may need to be submitted</li> </ul>
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>• Interior lobby area – consider how you can enhance efficient use of space</li> <li>• The reorganisation of the ground floor has affected the amenity of the public space and landscaping. The layout of the ground floor should be reconsidered to improve functionality and amenity.</li> </ul>
<b>Principle 7 – Legibility</b>	<ul style="list-style-type: none"> <li>• Ground level entrances need to be more legible</li> </ul>
<b>Principle 8 – Safety</b>	<ul style="list-style-type: none"> <li>• Security at ground floor to be further considered. Access to rear of the building should be restricted further up the laneway. Consider security for the gymnasium if it is to proceed</li> </ul>
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	N/A

**Conclusion:**

Amendments to be further referred to DRP.

**5.55pm–6.15pm – Applicant's Presentation – 5.2018.282.1**

**3.4 Address:** Nos. 150, 152 and 158 Claisebrook Road, Perth

**Proposal:** Mixed Use Development

**Applicant:** Baracus Pty Ltfd Stewart Urban Planning

**Reason for Referral:** The proposal has previously been referred to the former DRP and will benefit from referral in the context of the Built Form Policy requirements.

**Applicant's Presentation:**

Applicant presented a power point presentation.

**Recommendation & Comments from DRP on 3 September 2014****Mandatory:**

- Improve the amenity offered to occupants. Improve;
    - Northern solar access to living areas and balconies of most apartments.
    - Cross ventilation to apartments.
    - The number of dual aspect apartments.
- As previous recommended, reconfigure the end treatments and/or layout of the



- lower elements to improve the number of apartments that are dual aspect, and receive improved northern solar access, cross ventilation.
  - The number of bathrooms with daylight/access to ventilation. For those bathrooms that cannot be relocated, provide an area of frosted glass to the door to provide borrowed light.
- Minimise the amount of street frontage given over to blank or inactive uses, carparking access, and services.

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>• Consider staggering the buildings rather than both developments being the same height and perfectly parallel to each other.</li> <li>• Consider further design development of elevations to reflect current and future higher market demands and expectations in design and aesthetic value.</li> </ul>
<b>Principle 2 – Landscape quality</b>	N/A
<b>Principle 3 – Built form and scale</b>	N/A
<b>Principle 4 – Functionality and build quality</b>	N/A
<b>Principle 5 – Sustainability</b>	<ul style="list-style-type: none"> <li>• NatHERS ratings may require review since the original design was approved</li> <li>• Dark colours have high solar absorbance and will increase cooling loads especially the roof. Consider lighter colours</li> <li>• An ESD report is required to be submitted</li> <li>• Consider opportunities for the integration of solar PV and/or battery storage</li> </ul>
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>• Consider reducing the size of the terraces on the ground floor of the left building, specifically for 1 bedroom apartments and for the removed areas to be allocated back into the communal/common area thus increasing amenity and to maximise the benefit of the communal area</li> </ul>
<b>Principle 7 – Legibility</b>	N/A
<b>Principle 8 – Safety</b>	N/A
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	N/A

**Conclusion:**

DRP supports the development. A few suggestions are to be considered.

**4. General Business**

**5. Close / Next Meeting**

There being no further business, the Chairperson, Sasha Ivanovich declared the meeting closed 6.15pm.

The next meeting will be held on 19 September 2018.



## MINUTES

### ORDINARY COUNCIL MEETING

TIME: 6.00PM

6 SEPTEMBER 2018

CITY OF PERTH

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*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo  
Towns of Cambridge and Victoria Park*



MINDARIE REGIONAL COUNCIL  
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*Prior to the meeting Cr Karen Vernon made the Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council (MRC) in accordance with the Transitional Provisions of the Local Government Act 1995 (Schedule 9.3) using s702 of the Local Government Act 1960 (repealed)*

## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chair declared the meeting open at 6.00 pm.

## **2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

### **Councillor Attendance**

Cr D Boothman JP (Chairman)	City of Stirling
Cr M Norman (Deputy Chairman)	City of Joondalup
Cr A Hammond	City of Perth
Cr F Cvitan JP	City of Wanneroo
Cr R Driver	City of Wanneroo
Cr A Guilfoyle	City of Stirling
Cr S Proud JP	City of Stirling
Cr K Sargent	City of Stirling
Cr K Shannon	Town of Cambridge
Cr E Cole ( <i>arrived 6.04 pm</i> )	City of Vincent
Cr K Vernon	Town of Victoria Park

### **Apologies**

Cr R Fishwick	City of Joondalup
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### **Leave of Absence**

Nil

### **Absent**

Nil

### **MRC Officers**

Mr G Hoppe (A/Chief Executive Officer)  
Mr A Slater (A/Director Corporate Services)  
Ms D Toward (Executive Support)  
Ms S Cherico (Human Resources Officer)

### **MRC Observers**

Mr G Atkinson  
Mr B Twine  
Mr A Griffiths

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**Member Council Observers**

Mr D Simms, City of Wanneroo  
Mr H Singh, City of Wanneroo  
Mr S Cairns, City of Wanneroo  
Ms D Page, City of Joondalup  
Mr N Claassen, City of Joondalup  
Ms R March, City of Joondalup  
Mr M Littleton, City of Stirling  
Mr R Bryant, City of Stirling  
Mr A Murphy, City of Vincent  
Mr J Wong, Town of Victoria Park  
Mr N Ahern, City of Perth

**Visitors**

Ms R Harding (Jackson McDonald)  
Ms M Hanson (LOGO Appointments)

**Members of the Public**

Nil

**Press**

Nil

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**3 DECLARATION OF INTERESTS**

Interest Type	Financial Interest
Name and Position of Person	Gunther Hoppe, Acting Chief Executive
Report Item No and Topic	14.3 CEO employment contract
Nature of Interest	Item relates to potential employment as the MRC CEO

**4 PUBLIC QUESTION TIME**

Nil

**5 ANNOUNCEMENTS BY THE PRESIDING PERSON**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****8.1 ORDINARY COUNCIL MEETING – 5 July 2018**

The Minutes of the Ordinary Council Meeting held on 5 July 2018 have been printed and circulated to members of the Council.

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting of Council held on 5 July 2018 be confirmed as a true record of the proceedings.

Cr Norman moved, Cr Driver seconded

**RESOLVED**

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 10/0)

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## 9 CHIEF EXECUTIVE OFFICER REPORTS

<b>9.1</b>	<b>FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 JUNE 2018</b>
<b>File No:</b>	<b>FIN/5-07</b>
<b>Appendix(s):</b>	<b>Appendix No. 1 Appendix No. 2</b>
<b>Date:</b>	<b>7 August 2018</b>
<b>Responsible Officer:</b>	<b>Acting Director Corporate Services</b>

### SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

### BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

### DETAIL

The Financial Statements are for the month ended 30 June 2018 and are attached at **Appendix No. 1** to this Item. The Tonnage Report for the 12 months to 30 June 2018 is attached at **Appendix No. 2**. The figures presented are pre-audit approval and are subject to change.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

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Summary of unaudited results for the financial year ended 30 June 2018

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	268,261	263,209	5,052
Tonnes – Others	15,552	16,400	(848)
<b>TOTAL TONNES</b>	<b>283,813</b>	<b>279,609</b>	<b>4,204</b>
<hr/>			
	\$	\$	\$
Revenue – Members	47,271,329	46,389,535	881,794
Revenue – Other	6,577,806	7,008,009	(430,203)
<b>TOTAL REVENUE</b>	<b>53,849,135</b>	<b>53,397,544</b>	<b>451,591</b>
 Expenses	 52,550,266	 55,213,025	 2,662,759
Profit on sale of assets	29,489	18,526	10,963
Loss on sale of assets	-	3,792	3,792
 <b>NET SURPLUS</b>	 <b>1,328,358</b>	 <b>(1,800,747)</b>	 <b>3,129,105</b>

*The results above are unaudited and do not include any adjustments arising from the year end audit process*

Commentary

Member tonnes for the financial year to June 2018 were above budget (2%), mainly due to the extra City of Stirling tonnages. Trade and casuals were 848 tonnes behind budget (5%).

The net variance to budget of \$3,129,105 reflects the ongoing reduction in budgeted tonnage and RRF operating expenditures, offset by tonnage related expenditure (DWER Levy). The net forecast position for the end of the year was forecast to be a deficit of \$1.8m, this has changed significantly by a few late changes;

- City of Stirling extra tonnage in the last quarter (shed maintenance)
- Higher sale of RECs than what was anticipated

The overall reduction in waste to landfill is consistent with the MRC's vision of 'Winning Back Waste' but will over time see the cost per tonne to landfill for the remaining waste increasing proportionally.

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**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Financial Statements set out in Appendix No. 1 for the month ended 30 June 2018 are received.

Moved Cr Cvitan, seconded Cr Driver

**RESOLVED**

That the recommendation be adopted  
(CARRIED UNANIMOUSLY 10/0)



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<b>9.2</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 JUNE 2018</b>
<b>File No:</b>	<b>FIN/5-06</b>
<b>Appendix(s):</b>	<b>Appendix No. 3</b>
<b>Date:</b>	<b>20 August 2018</b>
<b>Responsible Officer:</b>	<b>Acting Director Corporate Services</b>

#### SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

#### COMMENT

The lists of payments for the month ended 30 June 2018 are at **Appendix 3** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 14 September 2017, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

<b>Months Ended</b>	<b>Account</b>	<b>Vouchers</b>	<b>Amount</b>
30 June 2018	General Municipal	Cheques	\$28,741.03
		EFT	\$3,790,006.15
		DP	\$208,465.13
		Inter account transfers	\$1,800,000.00
		<b>Total</b>	<b>\$5,827,212.31</b>

**VOTING REQUIREMENT** Simple Majority

#### RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 30 June 2018, be noted.

Moved Cr Vernon, seconded Cr Hammond

#### RESOLVED

That the recommendation be adopted  
(CARRIED UNANIMOUSLY 10/0)

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9.3 REVIEW OF COUNCIL POLICIES AND DELEGATIONS TO COUNCIL COMMITTEES AND THE CHIEF EXECUTIVE OFFICER	
File No:	GOV/27-08
Appendix(s):	Appendix 4 - Council Policies – with tracked changes Appendix 5 - Council Policies – clean copy
Attachment(s):	Attachment 1 - Register of Delegations
Date:	20 August 2018
Responsible Officer:	A/Chief Executive Officer

#### SUMMARY

The report seeks endorsement of the review undertaken by the A/Chief Executive Officer (A/CEO) on the current Council Policies, Delegations to Committees of the Council and the CEO, and the addition of two new policies.

#### BACKGROUND

Sections 5.18 and 5.46 of the *Local Government Act 1995* (the Act) require that at least once every financial year, delegations are to be reviewed by the Council.

The MRC's Corporate Business plan requires that the Council Policies are relevant and reviewed by Council.

Council are requested to endorse the review of the Delegations Register and the Council Policies to ensure they are operating effectively, providing for efficient and timely administrative decisions and services in relation to discretionary decisions the Council has the ability to make by virtue of the Act and other statutes.

Proposed amendments/additions to the Register of Delegations and Council Policies are submitted in Attachment 1 (Register of Delegations) and Appendices 4 and 5 (Council Policies).

#### DETAIL

The 2018 annual review of the Register of Delegations of Authority and Council Policies and was undertaken to determine the appropriateness of existing delegations and Council Policies.

The A/Chief Executive Officer's review of the Register of Delegation and Council Policies identified a number of changes, as well as proposing the addition of two new Council Policies.

The Register of Delegations of Authority identified only minor changes to text which can be found at Attachment 1.

The review of the Council Policies included introduction of 2 new policies and the deletion of an existing policy, the review of the existing policies also included improvements to the wording. The changes have been included at Appendix 4 which includes a copy of the track changes. A summary of the changes for the Council Policies is as follows:

#### CP01 – Annual Fees, Allowances and Expenses for Councillors

Minor change to text – no material change to policy.

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**CP02 – Affixing of the Common Seal**  
No change

**CP03 – Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference**  
Minor text change – no material change to policy

**CP04 – Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference**  
No change

**CP05 - Environmental Management of Tamala Park**  
The MRC request the Council to consider deleting this policy.

The MRC has previously had its environmental management practices accredited through an ISO14001 audit process. The MRC has elected not to continue with the ISO accreditation process and as a result, the contents of CP05 are now adequately addressed through policy EP01 and CP05 is no longer required.

The decision to discontinue the accreditation was made in light of significant proposed changes to the accreditation system which would have placed an additional financial burden on the MRC for little practical advantage.

The MRC determined that the existing environmental management practices, consistent with the old ISO14001 standards, could be maintained without the need to renew the accreditation. The MRC has robust systems in place which have consistently met the ISO14001 benchmark since 2009 and which will continue to be maintained by the MRC.

The MRC remains committed to best practice environmental approaches to protect the natural environment and to minimise the social and environmental impacts associated with its landfill and recycling operations at Tamala Park.

**CP06 - Purchase of Goods and Services**

- Minor changes to reflect previous increases to the threshold values consistently across the body-text of the policy
- Aligning number of panel members to read '4' at relevant sections
- Addition of an Environmental Consideration

**CP07 - Gratuity Payments**  
This policy was removed – approved at OCM on 20/8/2015

**CP08 - Provision and Use of Council Vehicles**

- Director of Corporate Usage changed from Private Unrestricted to Per Contract to reflect the underlying employment relationship
- Site Supervisor and Plant Supervisor deleted from the table, as these positions no longer require their own vehicle
- The Manager Operations contribution towards private vehicle usage has increased from \$20 to \$25 to reflect market increases
- Use of MRC vehicles off-road is governed by the policy, but wording has been added to govern variations to the policy in this respect to reflect current practice

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**CP09 - Investments**

No change

**CP10 – Donations – Financial Assistance/Support**

Minor grammar changes – no material change to the policy

**CP11 – Use of Corporate Credit Cards**

Sentence added to clarify the requirement of reporting CEO credit card expenditure to the Council, to reflect current practice

**CP12 – Gate Fee Setting**

No change

**CP13 – Budget Variance Reporting Threshold**

No change

**CP14 – Acting Chief Executive Officer Appointment**

New draft policy for Council Consideration

**CP15 – Employee Matching Community Contributions**

New draft policy for Council Consideration

**EP01 – Environmental Policy**

Remove references to ISO14001

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

***Local Government Act 1995***

The following extracts from the Act relate to Council's obligations in the areas of policy development and delegations to the CEO.

*"2.7. Role of Council*

*(1) The Council —*

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

*(2) Without limiting subsection (1), the Council is to —*

- (a) oversee the allocation of the local government's finances and resources;*
- and*
- (b) determine the local government's policies.*

*5.42. Delegation of some powers and duties to CEO*

*(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

- (a) this Act other than those referred to in section 5.43; or*
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

*\* Absolute majority required.*

*(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

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5.43. *Limits on delegations to CEO*

*A local government cannot delegate to a CEO any of the following powers or duties —*

- (a) *any power or duty that requires a decision of an absolute majority or 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed."*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS**

<b>Strategic Community Plan 2018 -2037</b>		
OBJECTIVE 1		Long Term Viability
Sub Objective		Good Corporate Governance
This report is required by legislation to ensure that the Council has the opportunity to review its current policies and the delegations it has provided to the Chief Executive Officer thus maintaining the relevance of the documents.		
<b>Corporate Business Plan 2018 – 2037</b>		
Strategies	Actions	Responsible Officer
1.1.2	Ensure Council Policies are relevant and reviewed by Council	CEO
1.1.3	Review the relevance of the delegations from the Council and report findings to Council	CEO
These actions ensure that an officer within the organisation, in this case the CEO, has a direct responsibility to review the current Council Policies and Instrument of Delegation and report the review findings to Council.		

**COMMENT**

The MRC is to keep a register of the delegations made and review the delegations at least once every financial year.



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#### **VOTING REQUIREMENT**

Simple/Absolute Majority

#### **RESPONSIBLE OFFICER RECOMMENDATION**

That the Council:

1. Approve the addition of policy CP14 Acting Chief Executive Officer Appointment
2. Approve the addition of policy CP15 Employee Matching Community Contributions
3. Approve the deletion of policy CP 05 Environmental Management of Tamala Park
4. Retain the remaining existing Council Policies with changes as contained in Appendix 6 of this agenda.
5. Retains the delegations to the Chief Executive Officer with minor changes as detailed in Attachment 1 of this report;

(Absolute Majority Required)

Moved Cr Norman, seconded Cr Driver

6.04 pm Cr Emma Cole arrived

*Meeting paused to allow Cr Cole time to complete the Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council (MRC) in accordance with the Transitional Provisions of the Local Government Act 1995 (Schedule 9.3) using s702 of the Local Government Act 1960 (repealed).*

#### **RESOLVED**

**That the recommendation be adopted**  
(CARRIED UNANIMOUSLY 11/0)

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### **Attachment 1 - MINDARIE REGIONAL COUNCIL – Delegations of Authority Register**

#### **COUNCIL TO CHIEF EXECUTIVE OFFICER**

<b>1. GOVERNANCE</b>				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
<b>2. FINANCE</b>				
2.1	LG (Functions and General) Regulations 1996 Reg. 11A	Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES
2.3	LG(Financial Management Regulations) 1996 Reg. 11, 12 and 13	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES
2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following Council meeting	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose, which includes writing off, of property (assets)	1. The value of the property (assets) is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material	NO

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9.4 BUDGET APPROVAL FOR ODOUR INVESTIGATION	
<b>File No:</b>	ENV/15-05
<b>Appendix(s):</b>	NIL
<b>Date:</b>	20 August 2018
<b>Responsible Officer:</b>	Operations Manager

#### SUMMARY

The purpose of this item is to seek approval for funds to undertake an odour investigation within the adjoining suburb Kinross to address potential future odour complaints.

#### BACKGROUND

The Mindarie Regional Council (MRC) has seen an increase in odour complaints from Kinross over the past three years. In 2016, four odour complaints were reported. In 2017, six complaints and 2018 thus far, eight odour complaints have been received. The MRC has put a number of odour control/mitigation measures in place which have assisted in maintaining low odour complaint numbers, aided by the fact that landfilling has been below ground level. Landfilling, now occurs above ground level and has the potential to contribute to the increase in odour complaints in Kinross.

During 2017 the MRC engaged Talis Consultants to undertake a site Odour Audit. From this work, odour hotspots were addressed. In early 2018 another Odour Audit was undertaken to determine the effects of the MRC's improvements in odour mitigation. This report showed a 45% decrease in odour impact. Also within this report, known 'odorous loads' were measured and addressed to reduce odours. In May 2018 an internal early morning odour audit identified additional odours and appropriate measures were implemented to help mitigate these.

All odour complaints reported are investigated to seek understanding of odour sources, time, date, type of odour experienced and details of the complainant (where possible). The MRC makes personal contact with complainants (where possible) to assist in understanding the odours they have experienced. Complainants' information can cover a large range of times and days, which can be problematic in pinpointing exact odour information as to the casual sources. The MRC is keen to better understand the odours being experienced by Kinross and their sources - not only the times and dates, but also the strength of the odours.

It is worth noting, that the landfill site is not the only odour source in the area, with possible odours also being generated from the beach to the west and the water treatment plant to the east, as well as various other localised odour sources, such as suburban rainfall sumps, etc.

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#### DETAIL

The MRC is proposing to appoint Talis Consultants to undertake a field survey within, but not limited to, Kinross over a number of weeks when weather patterns are conducive to an odour event being experienced. A number of predetermined hotspots have been provided to Talis, with the expectation that additional hot spots may be identified when undertaking the field survey.

On conclusion of the field survey, a report will be provided to the MRC outlining the survey locations, intensity frequencies and the odour intensities. Finally providing a risk rating of those locations.

The report will also provide objection evidence to either confirm or refute the veracity of odour complaints which may be received.

This field survey and report was not included at the time the budget was prepared as the need for the survey is only subsequently being triggered by odour complaints received. The proposed survey will cost \$30,000, which the MRC is proposing to fund in the mid-year budget review, but which it does not anticipate will result in an increase in the members' gate fee.

#### CONSULTATION

Consultation occurs within every odour complaint raised at the MRC. In a number of recent odour complaints, elected members of Joondalup have been informed that odour complaints have occurred in Kinross. Investigations were undertaken and continual consultation the elected members and the community has occurred and will continue to occur as new information comes to light.

Previous consultation with Talis Consultant has provided a robust Site Odour Audit Report, which has assisted in odour mitigation measures being successfully implemented on site.

#### LEGAL COMPLIANCE

The MRC holds a Department of Water and Environmental Regulations, Part V, conditional licence. Within this licence the MRC is required to prevent, reduce and control of emission and discharges to the environment and charged with the monitoring and reporting of them.

MRC must adhere to:

Environmental Protection Act 1986,

Clause 49: Causing pollution and unreasonable emissions:

*Unreasonable emissions – means an emission or transmission of noise, odour or electromagnetic radiation which unreasonable interferes with the health, welfare, convenience, comfort or amenity of any person.*

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#### **POLICY IMPLICATIONS**

The MRC requires compliance with the council approved Environment Policy (EP01).

*"To show that Mindarie Regional Council (MRC) is committed to pollution prevention strategies and compliance with legal and non-legal requirements. MRC strives to undertake best practice environmental approaches to protect the natural environment and to minimise the social and environmental impacts associated with its landfill and recycling operations at Tamala Park."*

#### **FINANCIAL IMPLICATIONS**

The cost of the proposed odour survey is \$30,000 which has not been included in the 2018/19 budget, but which the administration is proposing to fund through the mid-year budget review. It is not anticipated that this will result in a change to the members' gate fee.

#### **STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS**

The proposed survey supports the MRC's "Strategic Objective 2: Effective Management" through maintaining "Reliable progressive systems and processes", which targets no major non-compliances with the MRC's DWER licencing conditions.

#### **COMMENT**

The proposed survey is expected to demonstrate the MRC's commitment to proactive management of environmental issues and will strengthen the factual information available to the MRC when dealing with odour complaints from the public.

#### **VOTING REQUIREMENT**

Absolute Majority

#### **RESPONSIBLE OFFICER RECOMMENDATION**

That Council:

Approves the funding of the \$30,000 required to undertake the Kinross Odour Survey through the mid-year budget review process.

Moved Cr Cole, seconded Cr Cvitan

#### **RESOLVED**

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)



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**10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 43****RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 43 be received.

Moved Cr Norman, seconded Cr Vernon

**RESOLVED**

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 11/0)

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12 URGENT BUSINESS**

Nil

**13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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**14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

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The Chair moved a procedural motion:

That in accordance with clause 7.9 of the Council Standing Orders Local Law 2010 and s5.23 (2) of the Local Government Act 1995, Council proceed to meet “behind closed doors” to allow the Council to consider items 14.1, 14.2 & 14.3 as these items are of a confidential nature.

*Note: The Acting Chief Executive Officer has not released Reports 14.1, 14.2 for Public information as it relates to Contracts to be entered into. Report 14.3 has not been released as it relates to matters that affect the CEO Employment Contract.*

The Chair advised that Ms Hanson (LOGO Appointments) and Ms Harding (Jackson McDonald) were allowed to remain in the Chambers only for Item 14.3 CEO Contract of Employment.

**Seconded by Cr Cvitan  
(CARRIED UNANIMOUSLY 11/0)**

*People in the Gallery, Ms Cherico (MRC) and invited guests, Ms Hanson (LOGO appointments) and Ms Harding (Jackson McDonald) left the Council Chambers.*

*MRC staff Mr Hoppe, Ms Slater and Ms Toward remained in the Council Chambers.*

Doors closed at 6.18 pm

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Behind Closed Doors:

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

**14.1 TAMALA PARK CARDBOARD BALER**

File No:	WST/47-07
Attachments(s):	
Date:	23 August 2018
Responsible Officer:	A/Chief Executive Officer

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Council:

1. Award the tender for the supply and install of a cardboard baler at Tamala Park (Tender Number 13/138) to MILTEK WASTE SOLUTIONS PTY LTD at a fixed price detailed within the report.
2. Advise the unsuccessful tenderers of the decision to award the tender to MILTEK WASTE SOLUTIONS PTY LTD

Moved Cr Cole, seconded Cr Vernon  
**RESOLVED**  
That the recommendation be adopted.  
(CARRIED UNANIMOUSLY 11/0)

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This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

**14.2 BUDGET APPROVAL FOR COMINGLED RECYCLABLES  
SUMMER WASTE AUDIT**

File No:	WST/216
Attachments(s):	
Date:	23 August 2018
Responsible Officer:	A/Chief Executive Officer

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Council:

Approve the funding of \$145,000 required to undertake the comingled recyclables summer waste audit through the mid-year budget review process.

Moved Cr Cole, seconded Cr Proud

**RESOLVED**

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 11/0)

*At 6.26pm MRC staff Mr Hoppe, Ms Slater and Ms Toward left the Council Chambers.*

*Ms Cherico (MRC) and invited guests, Ms Harding (Jackson McDonald) and Ms Hanson (LOGO appointments) re-entered the Chambers.*

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This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

#### 14.3 CEO CONTRACT OF EMPLOYMENT

File No:	PER/95
Attachments(s):	CEO CONTRACT OF EMPLOYMENT
Date:	6 SEPTEMBER 2018
Responsible Officer:	Human Resource Officer

#### RESPONSIBLE ELECTED MEMBER RECOMMENDATION

That the Council:

1. **ENDORSES** the Chief Executive Officer Employment commencing 6 September 2018.
2. **APPROVES** in accordance with the Salaries and Allowance Tribunal Band 3 for Regional Council CEO's, the total reward package be set at \$252,212.
3. **APPROVES** the Chairman to execute the signing of the Chief Executive Officer Employment Contract.

Moved Cr Proud, seconded Cr Norman

Prior to the item being voted on, Cr Shannon moved a procedural motion:

**That the Contract is amended at 7.2(b)(i) removing the words 'six (6) months' and replacing with the words 'three (3) months'**

**Cr Vernon seconded**

(LOST 4/7)

*For: Cr's Shannon, Cole, Vernon and Guilfoyle*

*Against: Cr's Cvitan, Driver, Norman, Hammond, Sargent, Proud and Boothman*

#### RESOLVED

**That the recommendation be adopted.**

(CARRIED UNANIMOUSLY 11/0)

*Doors were reopened to the public at 6.50 pm, people in the Gallery and MRC staff returned to their seats.*

The Chair announced that the Councillors had met behind closed doors and read out the resolutions, as detailed above, to items 14.1, 14.2 and 14.3.



MINDARIE REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING MINUTES  
6 SEPTEMBER 2018

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**15 NEXT MEETING**

*Next meeting to be held on Thursday 25 October 2018 in the Council Chambers at Town of Victoria Park commencing at 6.00 pm.*

**16 CLOSURE**

The Chairman closed the meeting at 6.52 pm and thanked the City of Perth for their hospitality and use of their meeting rooms.

These minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of Council held on 6 September 2018.

Signed..... Chairman

Dated this ..... day of ..... 2018



CITY OF VINCENT

**ARTS ADVISORY GROUP**

Thursday, 6 September 2018 at 6:00pm

Venue: Committee Room

City of Vincent Administration and Civic Centre  
244 Vincent (corner Loftus) Street, Leederville**MINUTES****Attendees:**City of Vincent Councillors

Cr Jimmy Murphy (Chair)

Cr Joanne Fotakis

Community Representatives

Mr Simon Venturi

Mr Graham Hay

Ms Claire Stokes

Ms Kaye Guthrie Adonis

Ms Jessica Darlow

Ms Sioux Tempestt

City of Vincent Officers

Michael Quirk – Director Community Engagement (MQ)

Tegan Patrucco – Arts and Activation Officer (TP)

Guest Speakers

Luke Davey – Obscure View

Jon Denaro – Obscure View

Apologies

Cr Joanne Fotakis

Ms Julie Rosario

Ms Laura Warren

Dr Sandy Toussaint

Gemma Carter – Acting Manager Marketing and Communications (GC)

\*\*\*\*\*

**1. Welcome / Declaration of Opening – Acknowledgement of Country**

JM opened the meeting at 6.04pm and acknowledged the traditional custodians of the land on which the meeting was held, and paid respect to the elders past, present and emerging.

**2. Apologies**

Cr Fotakis, Julie Rosario, Laura Warren, Sandy Toussaint and Gemma Carter were noted as apologies.

**3. Confirmation of Previous Minutes – 2 August 2018**

The minutes from the previous meeting held 2 August 2018 were confirmed as a true and correct record.

.../3

**4. Business****4.1 Urban Artwalk – Luke Davey and Jon Denaro (Obscure View)**

Luke Davey and Jon Denaro presented their vision for public art spaces between the West End Arts Precinct, Leederville and Northbridge. The following goals were discussed:

- Insertion of footing and plinths in outdoor spaces for artworks to be displayed and frequently changed
- Tying in the Guerrilla Arts project with the Urban Artwalk
- Creating space for public art, rather than the actual art itself
- Addressing the barriers to artists entering the realm of public sculptural works
- Establishing art infrastructure in the area

An Urban Artwalk Working Group was established and it was suggested to include the West End Arts Precinct Town Team, BikeWest, Obscure View, TP and members of the Arts Advisory Group.

**4.2 Action Log**

Discussion was had concerning the need for the Action Log to continue to be included on the minutes. It was decided that the Arts Development Action Plan would be used as an ongoing Action Log with the associated timeline.

**5. Visual Art Projects/Opportunities****5.1 Pride – Expression of Interests and Assessments**

TP reported that while many applications had been received for the Pride month Traffic Control Box opportunities, only one submission had been received for the Lightbox Laneway. Discussion was had concerning extending the submission deadline and utilising the Arts Advisory Group member's artist networks to further promote the opportunity.

**5.2 Murals:***Chatsworth Deli*

TP reported that the submissions to the open EOI mural opportunity were due to close the following day, and that many submissions had been received already.

*Mural Guidelines Review*

It was decided that a Mural Guidelines review Working Group would be established including TP, SV, ST and KG.

**5.3 Co-working Space**

TP reported that the City of Vincent had been approached as a potential partner in running an arts space in the warehouse at 636 Newcastle St, Leederville. The City would have access to some office space and the big warehouse space for exhibitions, performances etc. Discussion was had concerning the merits and drawbacks of this opportunity and whether there is staff capacity to manage the space. It was suggested that the City consider an alternative way to support local artists to access affordable working space that is less hands-on.

**6. Performance Art Projects/Opportunities****6.1 Perth Symphony Orchestra – Halloween**

TP reported that the Perth Symphony Orchestra will be doing a pop-up quartet at the North Perth Halloween event.

**6.2 Jazz Precinct**

JM reported that he and TP had met with Pete Jeavons from Jazz WA to discuss the development of the Jazz Precinct and City of Vincent's possible involvement in the Perth International Jazz Festival in 2019.

**6.3 CoV Film Project**

TP reported that Revelation Perth International Film Festival have been contracted again to run the City of Vincent Film project for 2018/19, and that it will be opened for submissions soon. TP requested that the Arts Advisory Group promote the opportunity to their networks.

**7. Close / Next Meeting**

JM closed the meeting at 7.22pm. The meeting that was due to held on 4 October 2018 was cancelled; therefore, the next meeting scheduled is on Thursday, 1 November 2018.



CITY OF VINCENT

**DESIGN REVIEW PANEL****Wednesday 19 September 2018 at 3.30pm****Venue: Function Room  
City of Vincent Administration and Civic Centre****MINUTES****Attendees:**

<u>Design Advisory Committee Members:</u>	<u>City of Vincent Officers</u>
James Christou (Chairperson)	Jay Naidoo (Manager Development & Design)
Munira Mackay	Kate Miller (Senior Urban Planner)
Simon Venturi	Mitch Hoad (Senior Urban Planner)
	Roslyn Hill (Minute Secretary)

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Applicant-Item 3.1

Adriano Piviali  
Ella Lin  
Kate Whitton  
Alan Stewart  
Steve Postmus

Applicant-Item 3.2

No attendance

\*\*\*\*\*

3.30pm

**Member Discussion**

4.00pm

**1. Welcome / Declaration of Opening**

The Chairperson, James Christou declared the meeting open at 4.00pm.

**2. Apologies****3. Business****4.00pm–4.40pm – Applicant Presentation – DA Lodged - 5.2018.249.1****3.1 Address:** 139 – 141 Lake Street, Perth**Proposal:** Five-Storey Mixed Use Development**Applicant:** Adrian Piviali / Architectura II Pty Ltd ATF Church Lake Trust**Reason for Referral:** For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 6 June 2018

**Applicant's Presentation:**

The presented a power point presentation

**Recommendations & Comments by DRP on 6 June 2018**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>In regards to disabled access, emphasis should be equity for people with disabilities with other building users, creating a legible entry and a continuous streetscape.</li> <li>Consider seating feature to the café as an 'after hours' aspect of the café.</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>Internal landscaping is fragmented</li> <li>Interior climbing/hanging gardens are difficult to create and require careful coordination with landscape architect. The current planting areas are small and should be reconsidered together with the internal core arrangement to ensure that the desired outcome is achieved.</li> <li>Internal landscaping - the dimensions for the vertical landscaping are narrow. Coordinate with landscape architect to create large consolidated planting areas to achieve the desired effect.</li> <li>The vertical landscaping on the southern side under the building cantilever appears difficult to implement – clear glazing may be better to relate to the street.</li> <li>Quality of the atrium space is pivotal to the success of the landscaping and experience for building users.</li> </ul>
<b>Principle 3 – Built form and scale</b>	N/A
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>Disabled lift access needs to be at the main building entry.</li> <li>Quality of the atrium space will guide the success of this area, dependent on ventilation and light access. Need confidence that this will work. Further consideration of the core arrangement is required.</li> <li>Canopy is quite high above the footpath level and narrow width, how much meaningful shelter will this provide for pedestrians? Reconsider this element.</li> <li>Storage areas do not meet the minimum dimensions.</li> </ul>
<b>Principle 5 – Sustainability</b>	<ul style="list-style-type: none"> <li>Third and fourth floor plans include narrow windows. Opportunity to obtain more natural light and ventilation</li> <li>The ventilation of the atrium space – appears to be limited and further information may be required as to how the air will move and circulate within the space - potential for additional modelling or mechanical advice to assure the panel that the dimensions of voids and openings are sufficient to achieve passive ventilation (stack effect)</li> <li>Apartments on the southern side will rely heavily on the ventilation from the atrium. Some wet areas may not be able to achieve an acceptable level of ventilation. Consider screens for the residents if they choose ventilation or privacy.</li> <li>Consider screening on the doors for residents to choose for ventilation in the atrium</li> </ul>
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>The awning is high and slim does not provide adequate shelter for pedestrians - <i>see note on the canopy above for clarity</i></li> <li>Consider rearranging the central ground floor courtyard. Who would sit at the back of the courtyard area? Consider relocating seats to be closer the street and activity at the entrance. Improve the cohesiveness of the landscape in this courtyard area</li> </ul>
<b>Principle 7 – Legibility</b>	<ul style="list-style-type: none"> <li>More consideration needed for the articulation of the entry to make it more legible</li> </ul>
<b>Principle 8 –</b>	N/A



<b>Safety</b>	
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	<ul style="list-style-type: none"> <li>Scheme has improved with modifications and the landscape architect input has improved the ground floor interface.</li> <li>Extension of proposed al fresco in to the park is not supported by the City – the applicant needs to address the interface.</li> </ul>

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>Reconsider the form of the upper 2 levels so they “read” as a roof element.</li> <li>The applicant may consider a slender roof element to reduce the mass and bulk of the upper levels and also the upper level balconies to be opened up to the sky with use of a solar pergola.</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>A landscape architect has been engaged which is supported.</li> <li>All opportunities for increasing soft landscaping, deep soil and canopy coverage should be looked into (especially structurally) to comply with the City’s landscaping requirements, particularly as a height and plot ratio concession is being proposed.</li> </ul>
<b>Principle 3 – Built form and scale</b>	N/A
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>The bathroom doors in apartments 1 and 9 that face directly onto the kitchen need to be reconsidered.</li> <li>Consider windows for bathrooms to Apartments 17, 20 and 22 facing the planter, voids and communal corridors.</li> <li>Apartment 21 has a gap between the island bench and sliding door. Consider relocating the bench near the window and having windows over bench level facing the balcony.</li> </ul>
<b>Principle 5 – Sustainability</b>	N/A
<b>Principle 6 – Amenity</b>	N/A
<b>Principle 7 – Legibility</b>	N/A
<b>Principle 8 – Safety</b>	N/A
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	<ul style="list-style-type: none"> <li>The quality of the architecture is commended. The use of face brick, which is a prominent element of the character of the existing streetscape, re-interpreted in a contemporary manner is supported.</li> <li>The streetscape elevation plan that includes the context and potential height envelopes for surrounding development demonstrates the bulk and scale of the proposed development and the appropriate “fit” in an</li> </ul>

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	<p>inner city context subject to the changes, particularly at the uppermost level as recommended by the DRP.</p> <ul style="list-style-type: none"> <li>• Look at flexibility in the design to take into consideration the neighbouring 'park' and how the development works currently as well as if the park is developed in the future.</li> </ul>
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**Conclusion:**

Amendments can be sent to the DRP.

**4.45pm–4.55pm – Applicant's Presentation – DA Lodged – 5.2018.299.1**

3.2 **Address:** 308 – 310 Oxford Street, Leederville

**Proposal:** Mixed Use Development

**Applicant:** Urbanista Town Planning on behalf of Cape Q Nominees

**Reason for Referral:** For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 31 May 2018

**Applicant's Presentation:**

Applicant did not attend

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	<ul style="list-style-type: none"> <li>• Reinterpret materials rather than mimic these elements into the shop front/facade in a subtle contemporary way</li> <li>• Please ensure you present surrounding context to existing and future context based on the deemed to comply height requirements</li> </ul>
<b>Principle 2 – Landscape quality</b>	<ul style="list-style-type: none"> <li>• Landscape plan needs to be prepared as solar access and plant species selection needs to be considered</li> <li>• 300mm planting areas need to consider as with waterproofing will reduce planting area. Consider what species might be capable of planting in this area</li> <li>• Trees included for screening purposes should be installed at a suitable size to provide screening on completion of the project.</li> </ul>
<b>Principle 3 – Built form and scale</b>	<ul style="list-style-type: none"> <li>• Consideration of the impact on the existing property to the south boundary</li> </ul>
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>• Entrance at ground level in to apartments. Appreciate the split of access. Try to improve the residential access points by more articulation on the legibility of the dwelling access (car/pedestrian access). Consider creating a buffer for the roadside separation. Look at extending materiality across the vehicle and the building access from street perspective seeing a consistent path.</li> <li>• Avoid awning windows</li> <li>• Consider window openings to more than one external wall to improve cross ventilation potential, especially to bedrooms</li> <li>• More information needed on how the second floor internal court yard works and also the impact of visual privacy. Solar access may be minimal with mesh screening for the landscaping Note: Dimension of void between two units is 6.3M on Levels 1 and 2.</li> </ul>

<b>Principle 5 – Sustainability</b>	<ul style="list-style-type: none"> <li>Consider full height laser cut screens to outdoor living areas facing east/west to provide shading from summer morning/afternoon sun.</li> <li>Dark coloured roofs and external walls have high solar absorptance and will increase cooling loads to these apartments. Consider changing to lighter colour, with SA of around 0.5-0.6.</li> <li>Balcony's windows and glazing west facing need to consider some vertical shading elements</li> <li>Proposed shading devices on north elevation upper two floor will help windows, but not overall wall – consider strategy to provide shading to overall wall without compromising winter solar access.</li> </ul>
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>Give regard to the seating areas near bedrooms and the impact on adjoining units</li> </ul>
<b>Principle 7 – Legibility</b>	<ul style="list-style-type: none"> <li>Residential entry sequence is poor as minor entrance adjacent to roadway and requires further consideration to improve legibility.</li> </ul>
<b>Principle 8 – Safety</b>	<ul style="list-style-type: none"> <li>Take into account the security and safety to the basement and how will to control access to these areas</li> <li>Disabled parking bay column in middle of the bay. Will this comply/work?</li> </ul>
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	N/A

**Recommendations & Comments by DRP (using the Built Form Policy Design Principles):**

<b>Principle 1 – Context and Character</b>	N/A
<b>Principle 2 – Landscape quality</b>	N/A
<b>Principle 3 – Built form and scale</b>	N/A
<b>Principle 4 – Functionality and build quality</b>	<ul style="list-style-type: none"> <li>Basement store doors opening onto the vehicle movement areas in the basement parking requires further consideration</li> <li>The car parking is not functional – Very long single access-ways are not supported</li> </ul>
<b>Principle 5 – Sustainability</b>	N/A
<b>Principle 6 – Amenity</b>	<ul style="list-style-type: none"> <li>Robes on walls that that face the front and back elevations should be relocated to allow windows for access to natural light and outlook</li> <li>Top two level balconies between 9 and 10 have a kink between the balcony dividing wall. Look at relocating the additional area from the larger balcony to the smaller balcony</li> <li>Privacy (appropriate height dividing screens) needs to be considered between adjacent balconies to add amenity and ensure the balconies usability.</li> </ul>
<b>Principle 7 – Legibility</b>	N/A

<b>Principle 8 – Safety</b>	N/A
<b>Principle 9 – Community</b>	N/A
<b>Principle 10 – Aesthetics</b>	N/A
<b>Comments</b>	<ul style="list-style-type: none"> <li>• Comments from previous DRP meeting have not been addressed and are still relevant and need to be considered.</li> <li>• If the development is staged, then issues relating to the interface walls and car parking will need to be addressed to show it will be a quality development if one lot is built and the second is not developed</li> <li>• Planning inefficiencies arise from the site being developed in two stages rather than being designed from a single development viewpoint, such as the two circulation cores, two street crossovers and very inefficient parking organisation. Look into designing the building as one development as it will significantly increase the amenity and quality of the development. This will also help with the current inefficiencies where there is duplication</li> </ul>

**Conclusion:**

To be returned to DRP.

**4. General Business****5. Close / Next Meeting**

There being no further business, the Chairperson, James Christou declared the meeting closed 4.55pm.

The next meeting will be held on 3 October 2018.

**INFORMATION BULLETIN**

CITY OF VINCENT

<b>SUBJECT:</b>	Street Tree Removal Requests
<b>DATE:</b>	27 September 2018
<b>AUTHOR:</b>	Tracy Hutson, Executive Secretary John Gourdis – Supervisor Parks Services
<b>AUTHORISER:</b>	Andrew Murphy, Director Engineering

**PURPOSE:**

To present Council with the monthly update on street tree removal requests within the City of Vincent.

**BACKGROUND:**

At the Ordinary Meeting of Council on the 5 December 2017, a Notice of Motion was presented requesting Administration provide a monthly Information Bulletin to Council summarising all requests for street tree removal within the City and the outcome of each.

A report outlining when and how a tree removal request will be considered, as well as the requests for the last quarter of 2017 until the 10 January 2018 was presented to the Ordinary Meeting of Council held on 6 February 2018.

**COMMENTS:**

Please find below listing for the period 24 August 2018 to 27 September 2018.

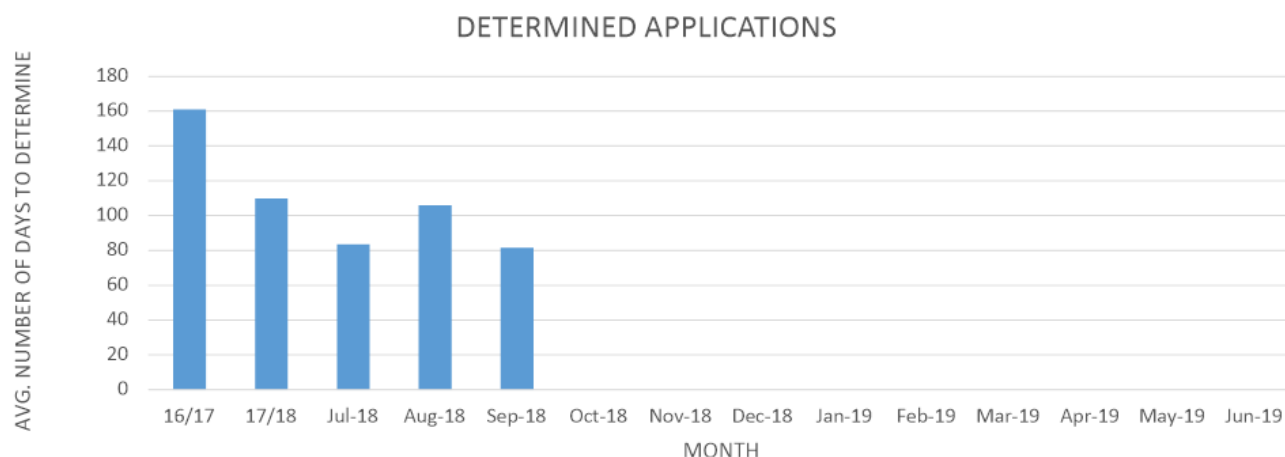


## CITY OF VINCENT - Street Tree Removal Requests to 24 August 2018

Date	Requested By	Location/Address	Reason for Removal	Tree Species	Inspection Comments	Approved for Removal (Y/N)	Replacement Tree (Y/N - species)
11/09/18	Resident	119 Scarborough Beach Road, North Perth	Fruit irritation, spikes embed in feet and skin irritation.	<i>Lagunaria Patersonii</i>	Lagunarias are known for their fruit pulp irritant, glass like needles that can enter the skin and cause major skin irritation. The tree is healthy in its present condition and due to its known mentioned issues, it will be removed and replaced.	Y	Y - <i>Sapium sebiferum</i>
11/09/18	Resident	55 Victoria Street, North Perth	Tree is cracking resident's wall and footpath.	<i>Eucalyptus rudis</i>	Staged removal of trees upon request due to the ongoing issues of the cracking of walls through root invasion.	Y	Y - <i>Melaleuca viridiflora</i>
18/09/18	Resident	55 Sasse Ave, Mount Hawthorn	Tree is large and keeps being hit by trucks associated with renovations. Inconsistent with street tree theme.	<i>Lophostemon confertus</i>	Tree is in good health. Minimal pruning required to clean up broken branches. Removal is not warranted.	N	
25/09/18	Resident	37 Burt Street, Mount Lawley	Tree branches constantly breaking off.	<i>Callistemon 'Kings Park Special'</i>	Tree inspection with the resident, she has let me know that the tree constantly shed branches and it has lost its shape.	Y	Y - <i>Jacaranda mimosaeifolia</i>
25/09/18	Resident	11 Norfolk Street, Mount Lawley (Raglan Road frontage)	Ongoing complaints over time due to allergy issues.	<i>Callistemon viminalis</i>	Tree is in decline. City has received multiple complaints over time due to allergy issues.	TBD	
26/09/18	Resident	106 Richmond Street, Leederville	Tree is dead.	Olive	Tree is confirmed to be dead but will not be replaced due to it being originally planted by the past resident on the edge of a driveway, and being less than 3 metres from an existing healthy tree.	N	
27/09/18	Resident	48 Bourke Street, Leederville	Tree is splitting and showing signs of internal decay.	<i>Agonis flexuosa</i>	Tree inspected and Arborist will be engaged to report on the condition of the tree to see if removal is warranted.	TBD	
27/09/18	Resident	11 Stanley Street, Mount Lawley	Tree is dead.	<i>Agonis flexuosa</i>	Tree is confirmed to be dead	Y	Y - <i>Agonis flexuosa</i>



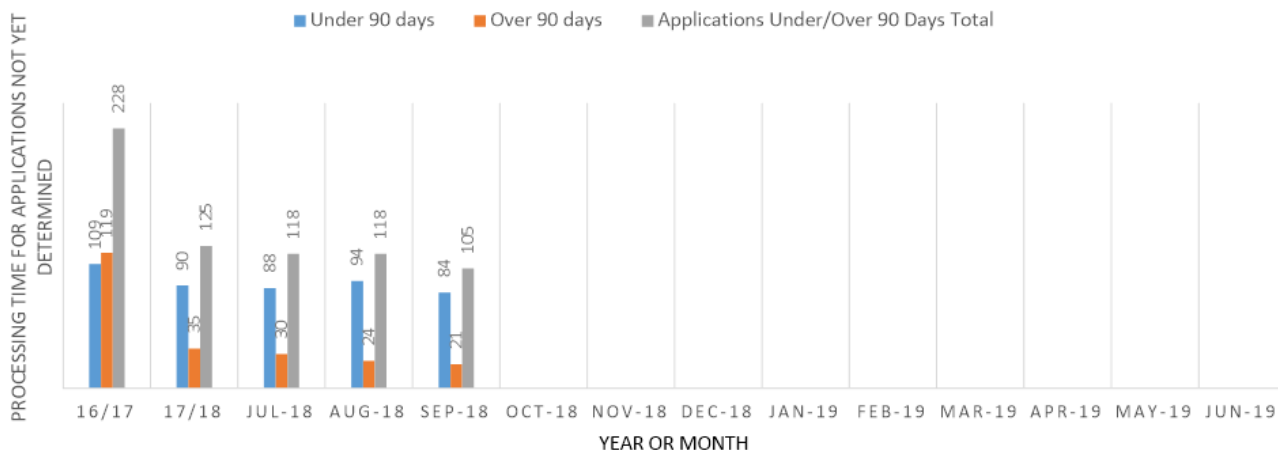
## Statistics for Development Applications As at the end of September 2018



**Table 1:** Minimum, Median, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2018.

Processing Days	16/17	17/18	Jul-18	Aug-18	Sept-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19
Minimum	7	17	1	3	5									
Median	119	79.5	64	68	55									
Average	161	110	83.5	106	81.6									
Maximum	924	647	386	787	494									
Value of Determined DA's (in millions)			-	\$24.41	\$9.67									

## DEVELOPMENT APPLICATIONS YET TO BE DETERMINED



**Table 2:** No. of DA's lodged and determined each month.

	Jul-18	Aug-18	Sept-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19
DA's lodged	53	46	37									
DA's determined	60	46	46									
DA's withdrawn	3	3	2									
Value of DA's to be determined (in millions)	-	\$69.95	\$80.55									

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 20 SEPTEMBER 2018**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	No. 17 Harwood Place, West Perth (DR 396 of 2017)	11 December 2017	Moharich and More on behalf of Boldform Pty Ltd	<p>Review in relation to a condition of approval limiting the minimum night stay and various conditions of the amended approval granted by council 24 July 2018.</p> <p>*****</p> <p>The subject of this review is a decision made by Council at its meeting of 14 November 2017 to approve the amendment of conditions for development approval 5.2015.568.1 granted on 3 May 2016 (Original Approval) for a Change of Use from Multiple Dwellings to Serviced Apartments at Nos. 1-16/17 Harwood Place, West Perth. The review relates to Condition 5 which limits the minimum stay to three nights. The applicant seeks to amend this condition to allow a minimum two night stay in lieu of a three night stay. Following mediation, the applicant provide additional information and sought to a minimum one night stay. The SAT invited the City to consider this additional information and reconsider its decision through Section 31 of the SAT Act at its 4 April 2018 Ordinary Meeting. Prior to 4 April 2018 the applicant sought to amend their application for review to include other conditions not previously discussed. The SAT has amended their orders and removed the invitation for the City to reconsider its decision at this stage. On 23 May 2018, staff attended mediation and agreed to consider a request for amendment to the conditions of approval through a revised management plan. The applicant submitted additional information to the City and the matter was presented to the Ordinary Meeting of Council on 24 July 2018. At that meeting, Council resolved to grant approval subject to additional conditions. The applicant subsequently requested additional time from the SAT to consider the determination and decide whether to proceed to a hearing. The matter has been scheduled for a hearing in November 2018. Awaiting orders confirming specific date.</p> <p><i>Representation by: Castledine Gregory Solicitors</i></p>
2.	Nos. 120-122 Richmond Street, Leederville (CC 49 of 2018)	15 January 2017	Dorn	<p>Review in relation to a Building Order to remove unauthorised buildings and structures associated with single house.</p> <p>*****</p> <p>The subject of this review is a Building Order issued by the City for the removal of unauthorised buildings and structures primarily comprised of outbuildings covering an aggregate area of approximately 540m<sup>2</sup> across both 120 and 122 Richmond Street. This order only relates to 22 Richmond Street. An appeal was lodged with the SAT on 11 January 2018. Mediation held on site on 7 February 2018. A further Mediation was held on 22 February 2018. Following discussions between the applicant and the SAT, it was agreed to adjourn the Mediation to a further Mediation conference to be held on 12 April 2018. The applicant was granted a four week extension to remove the structures from the property and any further action was pending the applicant's progress during that period. Mediation Conferences held on 27 April 2018, 11 May 2018 and 23 May 2018 – further adjourned until 26 July 2018. As part of this</p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 20 SEPTEMBER 2018**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
				and following a review of the applicant's progress in removing unauthorised structures on the sites, on 23 May 2018 the applicant was granted an eight week extension to remove the structures from the property and any further action is pending the applicant's progress during that period. Due to a lack of satisfactory progress to remove the structures, on 26 July 2018, the matter was adjourned for a further directions hearing to be held on 6 August 2018, where the matter was set for final hearing on 13 November 2018. <i>Representation by: City of Vincent Administration</i>
3.	No. 14 Florence Street, West Perth (DR 73 of 2018)	28 March 2018	Megara on behalf of Charber Pty Ltd	Application for a review of the decision of the Metro West Joint Development Assessment Panel to refuse the application on 8 March 2018. ***** The City attended a Mediation session on 8 May 2018. The Mediation was adjourned to a further Mediation session on 5 June 2018 to enable the applicant to confer with their legal representatives. Following mediation the matter was adjourned for a further directions hearing on 27 July 2018. The directions hearing scheduled 27 July 2018 was adjourned for a further directions hearing scheduled 10 August 2018. A further directions hearing has been scheduled for 16 November 2018 to allow the applicant to liaise with DoPLH regarding a subdivision proposal. <i>Representation by: JDAP representation</i>
4.	No. 209 Vincent Street, West Perth (DR 112/2018)	9 May 2018	Avena Homes on behalf of Kenwin Projects Pty Ltd	Application for review of Council's decision to refuse the application on 4 April 2018. ***** On 25 May 2018 staff attended a Directions Hearing and consented to the request to proceed to Mediation. Mediation was held on 11 June 2018 where the applicant was directed to submit amended plans by 14 June 2018 with a report to be prepared for the 24 July 2018 Council Meeting. The applicant requested that the item be withdrawn from the 24 July 2018 agenda to allow amended plans to be submitted. SAT granted an extension to the applicant; allowing the submission of amended plans by the 18 July 2018 and a report to be presented to Council's 21 August 2018 meeting. The application was presented to the 21 August 2018 Council meeting and was approved. The applicant subsequently withdrew the appeal on 27 August 2018. <b>Completed.</b> <i>Representation by: City of Vincent Administration</i>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 20 SEPTEMBER 2018**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	No. 7 Chelmsford Road, Mount Lawley (DR 88 of 2018)	13 April 2018	Macri	<p>Application for review of Council's decision to refuse the application on 6 March 2018. *****</p> <p>On 1 June 2018, Staff participated in a telephone Directions Hearing and consented to the request to proceed to Mediation. An on-site mediation session occurred on 19 June 2018 where the matter was adjourned to a directions hearing on 29 June 2018, where the SAT directed the City and applicant to each prepare a Statement of Issues, Facts and Contentions, so as to enable the matter to proceed to a Hearing on 17 October 2018. <i>Representation by: Altus Planning</i></p>
6.	No. 48 Milton Street, Mount Hawthorn (DR 157 of 2018)	19 July 2018	Urbanista Town Planning on behalf of DND Investments PTY LTD	<p>Application for review of Council's decision to refuse the application on 26 June 2018. *****</p> <p>The City attended directions hearing on 3 August 2018 where the parties indicated mediation was not likely to successfully resolve the issue. SAT subsequently directed each party to prepare a Statement of Issues, Facts and Contentions, so as to enable the matter to proceed to a Hearing on 3 October 2018. Further orders were issued by the SAT for a mediation to be held on 13 August 2018. An on-site mediation was held on 13 August 2018, however, the matter will proceed to a hearing on 3 October 2018. <i>Representation by: Allerding and Associates</i></p>
7.	No. 47 Jugan Street, Mount Hawthorn (DR 207 of 2018)	23 August 2018	Carlo Famiano on behalf of New Country Development Pty Ltd	<p>Application for review of Council's decision to refuse the application for Five Grouped Dwellings on 24 July 2018. *****</p> <p>Mediation has been scheduled at the City on 5 October 2018. <i>Representation by: City of Vincent Administration</i></p>
8.	No. 266 Lord Street, Perth (DR 215 of 2018)	29 August 2018	Urbanista Town Planning	<p>Application for review of Council's decision to refuse the application for two car stackers on 21 August 2018. *****</p> <p>The matter is scheduled for a directions hearing on 28 September 2018. <i>Representation by: City of Vincent Administration</i></p>
9.	No. 6 Burt Street, Mount Lawley (DR 223 of 2018)	5 September 2018	Angela Cardaci and Franceso Cardaci	<p>Application for review of the MWJDAP's decision to refuse the application for two multiple dwellings and 10 serviced apartments on 30 August 2018. *****</p> <p>The matter is scheduled for a mediation on 15 October 2018. <i>Representation by: JDAP representation</i></p>

**METROWEST DEVELOPMENT ASSESSMENT PANEL (MWDAP)  
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT  
AS AT 20 SEPTEMBER 2018**

No.	ADDRESS AND DA SERIAL NO.	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 6 Burt Street, Mount Lawley	<b>Applicant:</b> Mark D'Alessandro	Mixed Use Development Comprising Two Multiple Dwellings, Ten Serviced Apartments and Change of Use from Shop to Restaurant/Café	26 February 2018	30 August 2018	Refused on 30 August 2018 in accordance with the officer recommendation.  The minutes are available <a href="#">here</a> .
2.	No. 189 Charles Street, West Perth	<b>Applicant:</b> Renato Joseph Nardizzi	Form 2 - Mixed use development – extension of the term to commence development	8 June 2018	6 September 2018	Approved on 6 September 2018 in accordance with the officer recommendation.  The minutes are available <a href="#">here</a> .
3.	Nos. 289 – 295 Vincent Street, Leederville	<b>Applicant:</b> PTS Town Planning	Mixed use development	13 June 2018	11 October 2018	Not yet determined
4.	No. 247 Stirling Street, Perth	<b>Applicant:</b> Urbanism	Form 2 - Multiple dwellings – extension of the term to commence development approval	3 July 2018	To be confirmed	Not yet determined
5.	Nos. 139 – 141 Lake Street, Perth	<b>Applicant:</b> Adriano Piviali	Mixed Use Development	11 July 2018	To be confirmed	Not yet determined
6.	No. 125 Richmond Street, Leederville	<b>Applicant:</b> Rainday Pty Ltd	Form 2 - Multiple dwellings – amendment to existing approval	16 July 2018	11 October 2018	Not yet determined
7.	Nos. 308 – 310 Oxford Street, Leederville	<b>Applicant:</b> Urbanista Town Planning	Mixed use development	8 August 2018	To be confirmed	Not yet determined
8.	No. 81 Angove Street, North Perth	<b>Applicant:</b> Tom Godden Architects	Form 2 – Alterations and additions to Child Care Centre (existing unauthorised development)	12 September 2018	To be confirmed	Not yet determined

**CITY OF VINCENT DESIGN REVIEW PANEL (DRP)  
REGISTER OF APPLICATIONS CONSIDERED BY DRP  
AS AT 30 SEPTEMBER 2018**

No.	ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
1.	Nos. 160 – 166 Palmerston Street, Perth	Anderson Toh on behalf of Starlily Nominees Pty Ltd	Change of Use to Hotel, Office and Restaurant/Cafe	5/9/18	The proposal will likely benefit from the referral to the DRP in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). DA lodged.
2.	Nos. 636 – 640 Newcastle Street, Leederville	Megara on behalf of Alan Marsh Nominees Pty Ltd	Mixed Use Development	5/9/18	The proposal will likely benefit from the referral to the DRP in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.
3.	No. 6 London Street, corner Haynes Street, North Perth	Cuborosso Design and Development	Demolition of Existing Buildings and Proposed Construction of Four Storey Mixed Use Development, comprising of 22 dwellings, four Offices, two Shops and a Restaurant	5/9/18	For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 19 July 2017. No DA Lodged.
4.	Nos. 150, 152 and 158 Claisebrook Road, Perth	Baracus Pty Ltd Stewart Urban Planning	Mixed Use Development – Application seeking time extension for existing approval	5/9/18	The proposal has previously been referred to the (then) DAC and will benefit from referral to the DRP in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1).





# INFORMATION BULLETIN



CITY OF VINCENT

## REGISTER OF PETITIONS - PROGRESS REPORT – OCTOBER 2018

**Directorate:** Chief Executive Officer

### Details:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

### Key Index:

CEO: Chief Executive Officer  
 DCE: Director Community Engagement  
 DCorpS: Director Corporate Services  
 DDS: Director Development Services  
 DE: Director Engineering

Date Rcd	Subject	Action Officer	Action Taken
<b>Council Meeting – 1 May 2018</b>			
11/04/18	Petition received from Ms G Box of Alma Road, North Perth, along with 42 signatures, requesting that: <ul style="list-style-type: none"> <li>• Council addresses volume and speed on Alfonso, Alma (west of Leake), Camelia, Claverton, Persimmon, Sekem Place and Vine Streets and engages with residents to develop acceptable measures to make these streets safe and more liveable; and</li> <li>• the measures developed are included in the next Council Budget round</li> </ul>	DE	<b>Completed.</b> Report presented to OMC held on 18 September 2018. Petitioners being advised.



# INFORMATION BULLETIN



CITY OF VINCENT

## REGISTER OF NOTICES OF MOTION - PROGRESS REPORT – OCTOBER 2018

**Directorate:** Chief Executive Officer

**Details:**

A status report is submitted to Council as an Information Bulletin item on a monthly basis.  
The following Notices of Motion still require action or are in the process of being actioned.

**Key Index:**

CEO: Chief Executive Officer  
DCE: Director Community Engagement  
DCorpS: Director Corporate Services  
DDS: Director Development Services  
DE: Director Engineering

Details	Action Officer	Comment
<b>21 August 2018 – Submitted by Cr Loden</b>		
Transparency of rates spend in the Budget	DCorpS	This will be done as part of the upcoming 2019/2020 Budget Workshops, as per the recommendation.
<b>24 July 2018 – Submitted by Mayor Cole</b>		
Request to Investigate Options to Reinstate the Requirement to Obtain Development Approval for Demolition, by November 2018	DDS	A report on the investigation will be presented to Council in November 2018.
<b>4 April 2018 – Submitted by Cr Loden</b>		
Action on Climate Change	DDS	Administration will present the draft Sustainable Environment Strategy to Council for advertising by March 2019 to support decision making in the 2019/20 Budget and Corporate Business Plan. The draft Sustainable Environment Strategy will include the measures identified in Item 4 of Council's resolution. Administration will consider the carbon emissions which result from the management of waste as part of the Waste Management Strategy.
<b>22 August 2017 – Submitted by Cr Gontaszewski</b>		
Strategies to Improve Participation and Accessibility by Women and Girls at City of Vincent Sportsground and Associated Facilities, by February 2019	DCE	Specific strategies endorsed at the Council Meeting held on 24 July 2018. To be reported back to Council in February 2019.
<b>8 March 2016 – Submitted by former Mayor Carey/Cr Cole</b>		
Review of Development Assessment Panels (DAPs)	DDS	<b>Completed.</b> Letter prepared to the Minister (D17/47912). A meeting occurred between the City and Minister for Planning, Hon Rita Saffioti, MLA on 2 May 2017 where this matter was discussed. Council reaffirmed its decision on the DAPs at its meeting of 27 June 2017 (Item 9.5). The City provided to the DoPLH on 25 July 2018 Council's submission in response to the Green Paper which incorporated Council's position on the DAPs that was considered at its meeting on 24 July 2018.
<b>27 October 2015 – Submitted by former Mayor Carey</b>		
Review of Laws, Policies and Practices relating to the impact of construction activity, on the public realm, by May 2016	DE/ DDS	Changes to Property Local Law to facilitate increased penalties discussed at the Council Workshop held on 29 August 2017.



# INFORMATION BULLETIN



CITY OF VINCENT

## REGISTER OF REPORTS TO BE ACTIONED - PROGRESS REPORT – OCTOBER 2018

**Directorate:** Chief Executive Officer

### Details:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

### Key Index:

CEO: Chief Executive Officer  
DCE: Director Community Engagement  
DCorps: Director Corporate Services  
DDS: Director Development Services  
DE: Director Engineering

Item	Report Details	Action Officer	Comments
<b><u>Council Meeting – 18 September 2018</u></b>			
9.5	Amendment to Trees of Significance Inventory - 209 Brisbane Street, Perth	DDS	<b>Completed.</b> Administration has updated the City's Trees of Significance Inventory on the City's website and notified the applicant of the outcome.
9.6	Amendment 1 to Local Planning Policy No. 7.1.1 - Built Form	DDS	Administration will modify Clause C1.5.2 and C1.5.3 in accordance with Council's resolution. Administration will advertise the three policy amendments in accordance with Council's resolution and will give notice of the proposed amendment to the Built Form Policy to the Western Australian Planning Commission.
10.4	Response to Petition – Alma Road and Claverton Streets, North Perth	DE	Will progress with implementation and consultation. Once consultation is complete, a further report to Council will be prepared.
11.1	Transfer and dedication of lots as road - Intersection of Charles, Green and Walcott Streets, North Perth	DCorps	Advise Main Roads of Council's decision and arrange for preparation of transfer of land. Investigate district boundary realignment and discuss with consultant.
12.1	New Draft Policy No. 3.10.3	DCE	Council has specifically requested that the supporting documentation be uploaded to the Imagine Vincent portal with the draft Street Activation Policy during the public comment period.
<b><u>Council Meeting – 21 August 2018</u></b>			
10.2	Axford Park Upgrade - Concept Design & Implementation of Quick Win Works Items	DE	Administration will undertake the following notification of Council's decision. Quick Win progressing well.
10.3	LATE REPORT: Revised Engineering Policies Relating to Verge Treatments and Street Trees	DE	Submitters to be advised of Council's decision.
11.1	License to use Axford Park for Mount Hawthorn Hawkers Markers – Heat Inspired Events	DCorps	Licence drafted and awaiting signature of applicant.
11.2	Report from Audit Committee meeting of 17 July 2018	DCorps	<b>Completed.</b> 23 August 2018.
<b><u>Council Meeting – 24 July 2018</u></b>			
12.1	LATE REPORT: NOTICE OF MOTION - Cr Susan Gontaszewski – Strategies to Improve Participation and Accessibility by Women and Girls at City of Vincent Sportsgrounds and Associated Facilities	DCE	Administration has commenced implementation of the specific strategies. Update to be reported back to Council in February 2019.

Item	Report Details	Action Officer	Comments
<b>Council Meeting – 26 June 2018</b>			
9.7	North Perth Common – Concept Design	DDS	The saving of \$42,350 made from the design, documentation and project management phase of the North Perth Common project was carried forward and included in the 2018/19 budget for the construction phase of the project. The project will now proceed to Stage Two, being Detailed Design and Tender Documentation.
9.8	Business Advisory Group – Key Priorities	DDS	Administration will now use the Business Advisory Group's Key Priorities to inform the review of the City's Economic Development Strategy.
10.1	City of Vincent Greening Plan – Review	DE	<b>Completed.</b> Approved at OMC 18 September 2018 (Item 10.1).
10.3	Draft Waste Strategy 2018 – 2023	DE	<b>Completed.</b> Approved at OMC 18 September 2018 (Item 10.2).
11.1	Variation of Kiddies Learning Hub Pty Ltd's licence to use Banks Reserve Pavilion to include an additional 1 hour on Mondays and extend the licence term to 28 June 2019	DCorpS	<b>Completed.</b> 10 August 2018
11.2	Acquisition of private rights of way as Crown Land and vesting in City – Right of Way between London and Dunedin Streets, Mount Hawthorn (Lot 60) and Colvin Lane, West Perth (Lot 67)	DCorpS	Letter of request with CEO for review. Awaiting Director Corporate Services' signature.
12.1	Review of Community Engagement Policies	DCE	The revised Street Parties Policy was presented to Council on 18 September 2018 and approved for 21 days community consultation, along with the supporting documentation including the Open Streets Guide. The Welcome to Country Policy community consultation has closed and the outcome of submissions received was presented to Council on 18 September 2018 and this Policy has now been approved.
13.3	Corporate Business Plan (CBP) 2018/19-2021/22	DCorpS	CBP design being finalised for CEO approval.
<b>Council Meeting – 29 May 2018</b>			
11.1	Leases to Department of Health to govern Department's current use of the Child Health Clinics within City of Vincent	DCorpS	Lease with Department for review. Signs acknowledging City's support to be installed.
12.1	Seasonal Licences for use of Charles Veryard Pavilion - Modernians Hockey Club Inc., Tuart Hill Cricket Club Inc. and Mt Hawthorn Cardinals Junior Football Club Inc	DCE	Licenses with Clubs for signing.
18.1	CONFIDENTIAL ITEM: Licence to govern encroachment of drainage infrastructure from 152 Joel Terrace, Mount Lawley into Swan River Foreshore Reserve 43459	DCorpS	Owners obtaining approval from Department of Biodiversity, Conservation and Attractions (DBCA). City waiting on approval in order to sign licence.
<b>Council Meeting – 4 April 2018</b>			
11.1	Lease of Leederville Oval by East Perth Football Club Inc & Subiaco Football Club Inc - Request for waiver and write-off of fees and variation of leases	DCorpS	Clubs working with the City's Community Engagement Directorate to resolve some leasing issues.
<b>Council Meeting – 6 March 2018</b>			
11.4	Draft Financial Reserves Policy	DCorpS	Administration to finalise Policy adoption process.
<b>Council Meeting – 14 November 2017</b>			
12.1	Loftus Community Centre – request for Waiver and Write-Off of Fees	DCE	New lease to be negotiated with Loftus Community Centre following the completion of the Leasing Management Framework.
12.2	Manna Inc – Review of the Use of Weld Square for the Provision of Free meal Services for the Homeless	DCE	The City has joined the Homelessness Framework Committee (comprising the City of Perth and key service providers) to address key issues impacting Weld Square and surrounds. Further report to be presented to Council on 16 October 2018.

Item	Report Details	Action Officer	Comments
12.4	Floreat Athena Football Club – Litis Stadium Master Plan	DCE	Working Group including Football West and Department Local Government, Sport and Cultural Industries representatives have met to progress initiatives as per Council resolution.
<b><u>Council Meeting – 17 October 2017</u></b>			
11.4	Lease to Axicom Pty Ltd for telecommunications purposes – Lot 9023 Marmion Venue, Clarkson (Tamala Park)	DCorpS	Leases with City for signing.
<b><u>Council Meeting – 19 September 2017</u></b>			
9.11	Relocation of the Leederville Town Centre Taxi Zone	DDS	<p>The relocation of the existing Taxi Rank, installation of ride-share pick up/set down locations, approval and installation of public alfresco and implementation of parking restriction changes (including signage and line marking) was completed in January 2018.</p> <p>Administration met with ride share operators Uber on 1 February 2018 and has continued discussions with the organisation throughout 2018 to negotiate and enter into an agreement for it to fund and install ride share totems in the designated pick up / set down bays throughout the town centre, in accordance with Council's resolution. Uber has indicated that it is not prepared to fund the ride share totems unless they are for the exclusive use of Uber for at least six months. It is not considered appropriate to install infrastructure on the verge that is for the exclusive use of one individual organisation and therefore Administration has not been able to enter into an agreement with Uber to install ride share totems at the designated pick up / set down locations in the town centre.</p> <p>On 7 September 2018, Administration commenced consultation with Leederville Connect and all residents, landowners and businesses within 500m of the Taxi Zone changes, with that consultation concluding on 21 September 2018. Following this time, a report will be presented to Council in late 2018.</p>
<b><u>Council Meeting – 22 August 2017</u></b>			
12.1	Petition for a Multipurpose Court at Birdwood Square, Perth	DCE	<p><b>Completed.</b></p> <p>The City's Director Community Engagement has met with lead petitioner to discuss Council resolution. Request to be further considered within the context of the Public Open Space Strategy.</p>
<b><u>Council Meeting – 27 June 2017</u></b>			
9.4	Proposed Amended Parking Restrictions – Mount Hawthorn Town Centre	DDS	<p>Administration has now completed the installation of the new parking restrictions including sending letters to affected landowners and businesses, installing parking signage and line marking. The enforcement caution period is now complete and the City's Rangers are issuing fines for any illegal parking.</p> <p>A consultant has undertaken a survey of parking in the Mount Hawthorn area and a report on this review will be presented back to Council in 2018.</p>
9.5	Submission to WALGA – Third Party Appeal Rights in Planning	DDS	Administration has forwarded its submission to WALGA and is drafting letters to be sent to the Minister for Planning and Attorney General advising of the City's position.
12.1	No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 8	DCE	Administration continues to liaise with the Department of Planning, Lands and Heritage regarding exercising of the Norwood Community Garden (agreed in principle). Management of the remainder of the Lot to then be handed back to the Department.
12.3	Public Open Space Strategy	DCE	Community Consultation completed and Draft Strategy Report received. Review of this document currently being finalised and proposed to be presented to a Council Workshop in October 2018.

Item	Report Details	Action Officer	Comments
<b><u>Council Meeting – 30 May 2017</u></b>			
9.3	Response to Notice of Motion (Item 10.2 OMC 20 September 2016) – Request to Investigate the Requirements, Conditions and Associated Compliance for Development Applications Involving Tree Retention on Private Land	DDS	<b>Completed.</b> Administration has implemented changes in relation to development assessment and enforcement procedures in relation to this report. Amendment 1 to the Built Form Policy was presented to Council on 18 September 2018 and included relevant policy provisions.
10.1	Water Corporation – Long Term Water Main Replacement Program within the City of Vincent	DE	Water Corporation have advised there is only one project in their 2018/19 schedule in the City, this is Beaufort Street (Newcastle to Walcott). Details of the project are yet to be provided by Water Corp.
12.5	Perth Parking Levy	DCE	Analysis of parking occupancy being undertaken as the basis for any proposed parking restrictions and/or alternative land uses.
<b><u>Council Meeting – 7 March 2017</u></b>			
9.1.4	Submission on Metropolitan Region Scheme Amendment 1310/41 – Guildford Road from East Parade to Tonkin Highway (SC654)	DDS	The submission was forwarded to the Western Australian Planning Commission on 10 March 2017. A meeting between Main Roads, the Department of Transport and the Department of Planning was held on 4 April 2017. A letter to the Minister for Transport, the Minister for Planning and the Western Australian Planning Commission is currently being prepared.
9.3.5	Review of City of Vincent Local Laws under Section 3.16 of the Local Government Act 1995 (SC2688)	DDS	A report on the Health; Property; and Trading in Public Places Local Laws to be presented to Council in 2018.
<b><u>Council Meeting – 13 December 2016</u></b>			
9.1.11	Outcomes of Advertising – Draft Policy No. 7.1.1 – Built Form (SC2320)	DDS	<b>Completed.</b> Notice of final adoption and revocation published in the Perth Voice on 21 January 2017. Landscaping and setback provisions provided to WAPC at a meeting on 23 January 2017. A follow up meeting with the Department of Planning was held on 2 March 2017 and again on 9 August 2017. The Policy provisions were considered at the Statutory Planning Committee meeting on 12 December 2017 and the City was notified of the WAPC's decision on 8 January 2018. Amendment 1 to the Built Form Policy was presented to Council on 18 September 2018 to address the WAPC's decision. The heights in the Claisebrook area will be reviewed as part of Item 5.2 in the Corporate Business Plan 2018/19 – 2020/21.
<b><u>Council Meeting – 18 October 2016</u></b>			
9.2.1	Proposed Safety Improvement at the Intersection of Walcott and Beaufort Streets, Mount Lawley (SC686, SC986)	DE	Twelve-month trial and traffic data collections now complete. Meeting with Main Roads WA (MRWA) and City of Stirling now to be arranged.
<b><u>Council Meeting – 23 August 2016</u></b>			
9.2.3	Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 2 (SC466)	DE	Report being prepared for OMC on 16 October 2018.
14.1	CONFIDENTIAL REPORT: Belgravia Leisure Option to Renew Loftus Recreation Centre Lease (SC379)	DCorps	Deed of extension with Belgravia for signing.
<b><u>Council Meeting – 28 June 2016</u></b>			
9.3.5	Lease of No. 4 Broome Street, Highgate to Minister for Education – Highgate Pre-Primary (Little Citizens) (SC591)	DCorps	Final wording of lease being negotiated with Department.
<b><u>Council Meeting – 5 April 2016</u></b>			
9.1.6	Review of Licences for Outdoor Eating Areas and Display of Goods on Footpaths	DDS	Policies reviewed and revoked at 23 August 2016 OMC. Administration has prepared the new 'self-assessment' system for Trading in Public Places Local Law permits



Item	Report Details	Action Officer	Comments
			and this system went live on 22 February 2018. The outcomes and results of this system will inform future amendments to the Local Law to identify further efficiencies. The amendment will be presented to Council in 2018.
<b><u>Council Meeting – 8 March 2016</u></b>			
9.3.5	Leederville Gardens Retirement Village Estate (SC313/SC308)	DCorpS	The City has submitted a request to the Board for consideration of a refund and is awaiting a formal response. Board has deferred consideration.
<b><u>Council Meeting – 27 October 2015</u></b>			
9.3.6	Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sub-lease to Vincent Men's Shed (Inc.) (SC351/SC2087)	DCorpS	Negotiating terms with the City's Community Engagement Directorate. This is pending until completion of the draft Community Leasing Framework which is to be presented to future Council Workshop.
<b><u>Council Meeting – 22 September 2015</u></b>			
9.5.3	Review of Advisory and Working Groups and Committees, <i>specifically</i> : • Draft Policy for establishment and operation of a new Community Engagement Panel	DCE	Draft Policy is being finalised as part of the Corporate Business Plan (CBP) item that includes preparation of a new Community Engagement Framework and revised Community Consultation Policy.
<b><u>Council Meeting – 20 January 2015</u></b>			
9.3.4	Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville (SC351/SC589)	DCorpS	Final wording of lease being negotiated with Department of Education.
<b><u>Council Meeting – 18 November 2014</u></b>			
9.1.4	Car Parking Strategy Implementation – Progress Report No. 1 (PRO0084/SC1345)	DDS/ DE/ DCE	The option of having parking benefit districts will be reviewed as part of the review of the Car Parking Strategy and preparation of an Integrated Transport Plan. The City has a policy to guide the issuing of parking permits and has the ability to issue commercial parking permits. Administration issues permits in accordance with this policy. The City takes an approach to parking restrictions where we receive complaints, conduct parking occupancy surveys and report to Council on the results of these surveys. The replacement of the CALE ticket machines throughout the City is currently underway and machines are replaced on a periodic basis. This process will continue until all CALE machines are replaced. Paid parking on William Street was approved by Council on 25 July 2017 (Item 10.2), ticket machines have been modified and signs installed 22 August 2017.
<b><u>Council Meeting – 21 October 2014</u></b>			
9.3.5	Lease for Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc and Cardinals Junior Football Club – Lease of Premises at Charles Veryard Reserve Pavilion and Turf Wickets, Bourke Street, North Perth (SC351)	DCorpS	<i>Superseded by Item 12.1 – OMC 29 May 2018.</i>
<b><u>Council Meeting – 7 October 2014</u></b>			
9.3.2	Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth (SC351/SC621)	DCorpS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.
<b><u>Council Meeting – 23 September 2014</u></b>			
9.3.6	Lease for Leederville Tennis Club – Lease of premises at 150 Richmond Street, Leederville (SC351 & PR25077)	DCorpS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.

Item	Report Details	Action Officer	Comments
<b><u>Council Meeting – 27 May 2014</u></b>			
9.3.4	LATE ITEM: East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	DCorpS	Further discussions ongoing as part of broader discussions with Football Clubs.
<b><u>Council Meeting – 12 February 2013</u></b>			
9.2.12	Request to the Minister for Lands for Acquisition of the Right of Way Bounded By Anzac Road, Oxford, Salisbury and Shakespeare Streets, Leederville as Crown Land	DE	City's Coordinator Land & Development requested further update on 8 January 2018, however has not received a response to date.
9.2.13	Request to the Minister for Lands for the Acquisition and Reversion to 'Crown Land' of the Right of Way Named Luce Lane, North Perth (TES0225)	DE	City's Coordinator Land & Development requested further update on 8 January 2018, however has not received a response to date.

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

Nil

**11      REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

**12      CLOSURE**