



CITY OF VINCENT

AGENDA

Ordinary Council Meeting 2 April 2019

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

David MacLennan
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

Nil

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 APPLICATIONS FOR LEAVE OF ABSENCE

Mayor Emma Cole requests a leave of absence from 3 April 2019 to 6 April 2019 inclusive for personal reasons.

Cr Dan Loden requests a leave of absence from 9 April 2019 to 25 April 2019 inclusive for personal reasons.

Cr Alex Castle requests a leave of absence from 17 April 2019 to 29 April 2019 inclusive for personal reasons.

Cr Joanne Fotakis requests a leave of absence from 19 April 2019 to 29 April 2019 inclusive for personal reasons.

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

6 CONFIRMATION OF MINUTES

Ordinary Meeting - 5 March 2019

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

8 DECLARATIONS OF INTEREST

Financial Interest – Item 5.9 - Cr Josh Topelberg - applicant is a current client of Cr Topelberg's business. Cr Topelberg is not seeking approval to participate in the debate or remain in the Chambers or vote on the matter.

9 DEVELOPMENT SERVICES**9.1 NO. 1/281 (LOT: 1; STR: 73298) AND NO. 2/281 (LOT: 2; STR: 73298) VINCENT STREET, LEEDERVILLE - PROPOSED CHANGE OF USE FROM HOME OFFICE TO OFFICE**

TRIM Ref: D19/32073

Author: Dan McCluggage, Urban Planner

Authoriser: Joslin Colli, A/Manager Development & Design

Ward: South

Attachments:

1. Attachment 1 - Location and Consultation Plan [!\[\]\(e1d6102fe77919492c04879c8450f1f5_img.jpg\)](#) [!\[\]\(f18214e08965a1644d0b2b0878fd365f_img.jpg\)](#)
2. Attachment 2 - Development Plans [!\[\]\(13e6312e8a91f638138e1e4097906993_img.jpg\)](#) [!\[\]\(1dc047d1472e30f6a716de594b729546_img.jpg\)](#)
3. Attachment 3 - Summary of Submissions and Administrations Response
[!\[\]\(47145ae38499b57f6bd50106d5ef1a50_img.jpg\)](#) [!\[\]\(c43e00507cdc4d6c936ab699840198f3_img.jpg\)](#)
4. Attachment 4 - Parking Management Plan [!\[\]\(c6485d50ca6ad0e32f7f79eaa60d5b55_img.jpg\)](#) [!\[\]\(b128d8fdc6a39dbd9d60f478fdfa9d46_img.jpg\)](#)
5. Attachment 5 - Minutes of the Ordinary Meeting of Council held on 18 December 2012 (Previous Council Decision) [!\[\]\(574ed032a9bf756e1f5c45b1f7a7b918_img.jpg\)](#) [!\[\]\(173c6a39d708545efedfe26c795e9429_img.jpg\)](#)
6. Attachment 6 - Determination Advice Notes [!\[\]\(8b3cb50248e1abe00607a3064442dfe1_img.jpg\)](#) [!\[\]\(dee9ffab1c355ac29514e4668fd61fb6_img.jpg\)](#)

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 for development approval for a Change of Use from Home Office to Office at No. 1 (Lot: 1; STR: 73298) and No. 2/281 (Lot: 2; STR: 73298) Vincent Street, Leederville in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. Use of Premises

- 1.1 This approval is for a change of use to 'Office' as shown on the plans dated 6 March 2019. It does not relate to any other development on the site;
- 1.2 The area shown as 'Office' on the approved plans shall be used in accordance with the definition of 'Office' as defined by the City's Local Planning Scheme No. 2;
- 1.3 A maximum of four staff are permitted to be on-site at any given time; and
- 1.4 The Office shall not operate outside of the following times without further approval from the City of Vincent:
 - 8:00am – 6:00pm Monday – Friday;
 - 8:00am – 1:00pm Saturday;
 - CLOSED Sunday and Public Holidays;

2. Interactive Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the use of the development and Vincent 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 Vincent Street are not permitted to be used during the hours of the developments operation;

3. Parking Management Plan

The Parking Management Plan approved as part of this application shall be implemented to the satisfaction of the City prior to the use or occupation of the development;

4. Bicycle Parking

A minimum of one class 3 bicycle facility for the Office shall be provided on-site and be designed and installed in accordance with AS2890.3, to the satisfaction of the City, prior to the occupation or use of the development; and

5. Signage

Any new signage shall be in strict accordance with the requirements of the City's Policy No. 7.5.2 – Signs and Advertising, unless further planning approval is granted by the City.

PURPOSE OF REPORT:

To consider an application for development approval for a Change of Use from Home Office to Office at No. 1/281 Vincent Street and No. 2/281 Vincent Street, Leederville (the subject site).

PROPOSAL:

The application proposes to change the use of the subject site from Home Office to Office. Details of the proposal include:

- Partially removing the internal wall between Unit 1 and Unit 2 to create one larger tenancy of 31.03 square metres;
- Changing the use of Unit 1 and Unit 2 from Home Office to Office. According to the applicant the existing home offices are currently untenanted and changing the use to Office would allow for leasing to a third party;
- A total of four to six persons would be employed by the business, with three to four persons working on-site at any given time. The hours of operation are recommended to be conditioned to limit the operation of the office land use from between 8:00am and 6:00pm Monday to Friday and 8:00am – 1:00pm Saturday (closed on Sundays and Public Holidays); and
- The application does not propose any external works to the existing building.

The proposed development plans are included as **Attachment 2**.

BACKGROUND:

Landowner:	Andrew Young (Unit 1) Peter Taylor (Unit 2)
Applicant:	Peter Taylor
Date of Application:	26 November 2018
Zoning:	MRS: Urban LPS2: Zone: Regional Centre R Code: N/A
Built Form Area:	Town Centre
Existing Land Use:	Home Office
Proposed Use Class:	Office 'D'
Lot Area:	521m ²
Right of Way (ROW):	No
Heritage List:	No

At the Ordinary Council Meeting on 18 December 2012, Council approved a development application for a four storey building on the subject site, consisting of ten multiple dwellings and two home offices.

The subject site is bounded by Vincent Street to the north, a single storey single house to the east at No. 279 Vincent Street, a single storey single house to the south at No. 200 Carr Place and a six storey multiple dwelling development to the west at No. 285 Vincent Street.

The subject site is zoned Regional Centre under Local Planning Scheme No. 2 (LPS2) and the subject site and adjoining properties are within the Town Centre built form area under the City's Policy No. 7.1.1 – Built Form.

The subject site is affected by Clause 32(1) of LPS2, which states that an Office land use is not permitted on the ground floor or at grade level with the street within the Regional Centre zone unless the application has been assessed and advertised to adjoining residents in accordance with Clause 34 of LPS2.

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. 7.7.1 – 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	Requires the Discretion of Council
Land Use		✓
Car Parking		✓
Bicycle Facilities	✓	

Detailed Assessment

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

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2	
Clause 32(1) of LPS2 states that an Office land use is not permitted on the ground floor or at grade level with the street within the Regional Centre zone.	The application proposes an Office land use on the ground floor within the Regional Centre zone.
Car Parking	
Deemed-to-Comply Standard	Proposal
Policy No. 7.7.1	
Office: 1.5 bays per 100sqm NLA	Nil
$1.5 \times 0.31 = 0.465$ bays	
1 car parking bay	

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 21 days commencing on 9 January 2019 and concluding on 30 January 2019. Community consultation was undertaken by means of a sign on site, a newspaper advert and 69 letters being sent to surrounding owners and occupiers, as shown in **Attachment 1**. The City received four submissions, all objecting to the proposal. A summary of the submissions received and Administration's response is provided in **Attachment 3**.

The objections received predominately raised concerns in relation to the requirement for strata approval under the *Strata Titles Act 1985*. The City is not responsible for the administration of this Act and an advice note is recommended to be included on the determination notice to remind the applicant/owner of their obligations under this Act.

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; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

Should Council refuse the application for development approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

Delegation to Determine Applications:

This matter is being referred to Council for determination as the Applicant has requested that the requirement to pay cash-in-lieu in accordance with the Parking Policy be waived.

RISK MANAGEMENT IMPLICATIONS:

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:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Should the Council waive the cash-in-lieu requirement, the City would not receive the \$2,511 payment that is required under the Parking Policy.

COMMENTS:Land Use

Clause 32(1) of LPS2 states that an Office land use is not permitted on the ground floor or at grade level with the street within the Regional Centre zone. Notwithstanding this, an Office use is capable of being approved in accordance with Clause 34(2) of LPS2 provided that the City is satisfied that the proposal satisfies the following criteria of Clause 34(5):

- approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

With regard to a) above, the proposed Office use is appropriate having regard to the matters to be considered by local government set out in Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deemed provisions for the following reasons:

- The office land use is consistent with the objectives of the Regional Centre zone under LPS2, specifically:
 - Increasing the range of services and uses to cater for the local community; and

- Broadening the range of employment opportunities within the area;
- The existing courtyards between the proposed office tenancy and the street provide adequate opportunity for interaction between the development and the public realm as well as passive street surveillance. A condition is recommended to ensure that an interactive frontage is maintained;
- The proposal provides increased employment opportunities within the Leederville Town Centre, noting that the subject site is currently vacant. This reflects the intent of the planning framework for the locality including the Leederville Masterplan;
- Vincent Street is characterised by single, grouped and multiple dwellings, retail, café and office land uses. The western adjoining lots include multiple dwellings with commercial and office land uses at ground level. The eastern adjoining lots include single dwellings. The northern adjoining lots include public office buildings. Given this, the application is in line with and reflective of the existing character and land uses of the locality;
- The proposal meets the objectives of the City's Parking Policy and is unlikely to generate traffic that exceeds the capacity of the existing road system in the locality, as discussed in further detail below.

With regard to b) above, the consultation process undertaken in relation to the proposal has identified that the office land use would not significantly adversely impact on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

It is unlikely that the proposed low scale office with a NLA of 31.03 square metres would result in a land use with a greater intensity or amenity impact than that of other land uses that are permitted within the Regional Centre zone under LPS2 including shop, restaurant/café, liquor store – small, lunch bar and convenience store.

As outlined in the Consultation/Advertising section of this report, the four objections received during the consultation period raised concerns in relation to the requirement for strata approval under the *Strata Titles Act 1985* as opposed to concerns relating to planning matters. A summary of the submissions received and the Administration's response is provided in **Attachment 3**.

Car Parking

In accordance with the City's Parking Policy, an office at the subject site is required to provide 1.5 spaces per 100 square metres of net leasable area (NLA) on-site. The proposal requires one (rounded up from 0.465) parking space based on 31.03 square metres of NLA.

The existing development on site provides compliant resident parking and a one bay visitor parking shortfall in accordance with the approval granted by Council at its meeting on 18 December 2012. Whilst there are twelve parking spaces within the existing development to service the ten multiple dwellings, there are no parking spaces allocated to the two home offices. This results in a car parking shortfall of one space when considering the current proposal.

In considering the proposed car parking shortfall, the following is relevant:

- The proposed office with a net leasable area of 31.03 square metres is relatively small in comparison to other office space located along Vincent Street and is likely to have minimal visitors and associated vehicle movements during operating hours in comparison to other uses, such as medical centre, consulting rooms, café or retail land uses;
- The development is proposed to be conditioned for a maximum of four staff at any one time;
- The proposal is located within a well-serviced area, in relation to access, public transport and sustainable modes of transport;
 - The subject site is located approximately 580 metres from the Leederville Train Station by constructed footpaths;
 - The subject site is located approximately 200 metres from an existing high frequency bus route, as defined in the Residential Design Codes, running along Oxford Street;
- Ticketed on-street car parking is available directly adjacent to the subject site along Vincent Street. These on-street car bays are subject to a clearway parking restrictions from 7:30am to 9:00am and 4:15pm to 6:00pm Monday to Friday but are otherwise unrestricted. These bays are generally used by residents and visitors to the businesses and dwellings along this section of Vincent Street;
- The existing development on site provides compliant bicycle parking in accordance with the approval granted by Council at its meeting on 18 December 2012. Whilst the proposal does not require any additional bicycle parking facilities to be provided on site in accordance with the City's Parking Policy,

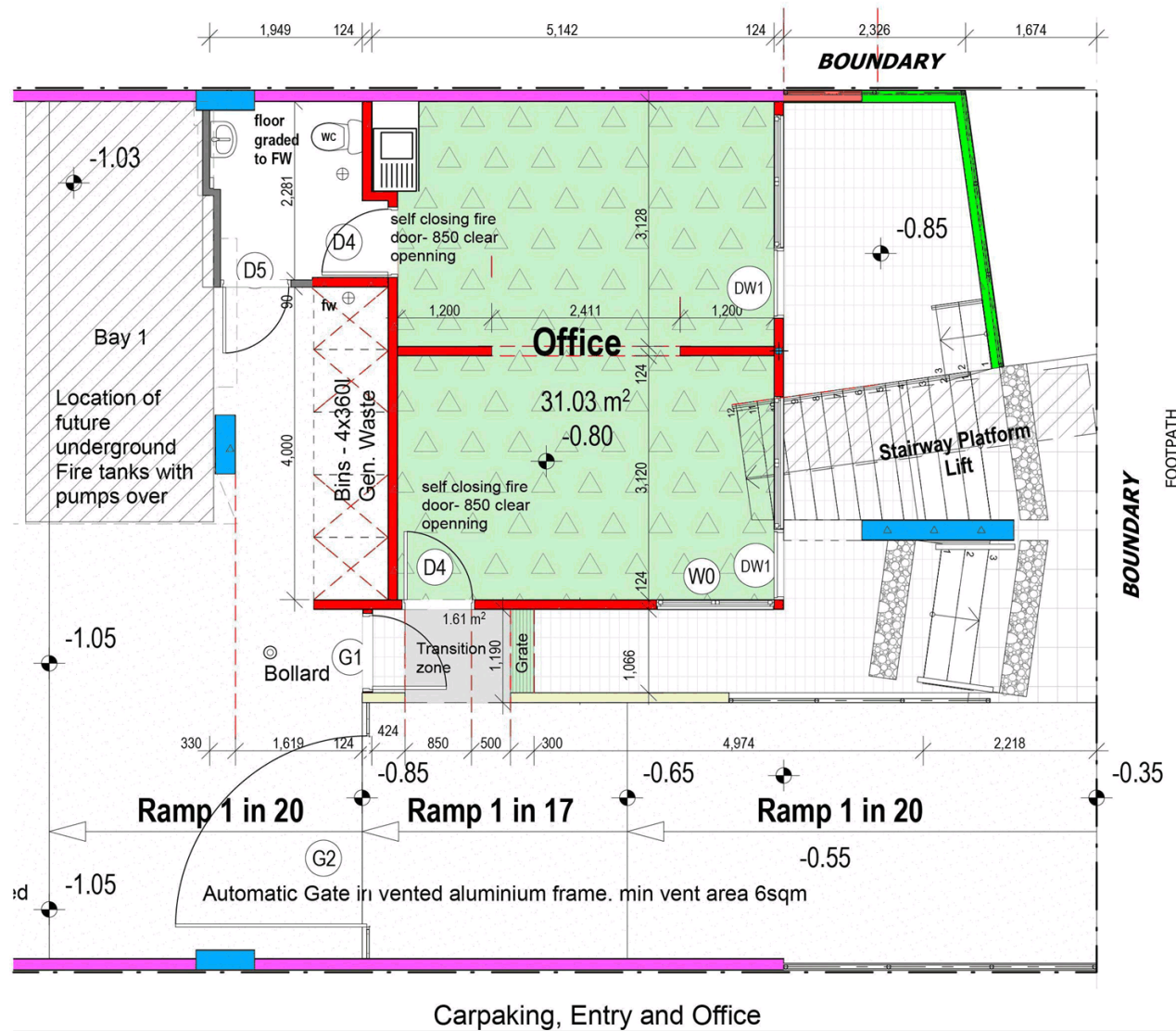
the applicant has agreed to provide one class 3 bicycle facility on-site. A condition of approval is recommended to ensure that this facility is provided accordingly; and

- The car parking provided satisfies the objectives of the City's Parking Policy and is acceptable to service the development without the provision of a cash-in-lieu contribution.

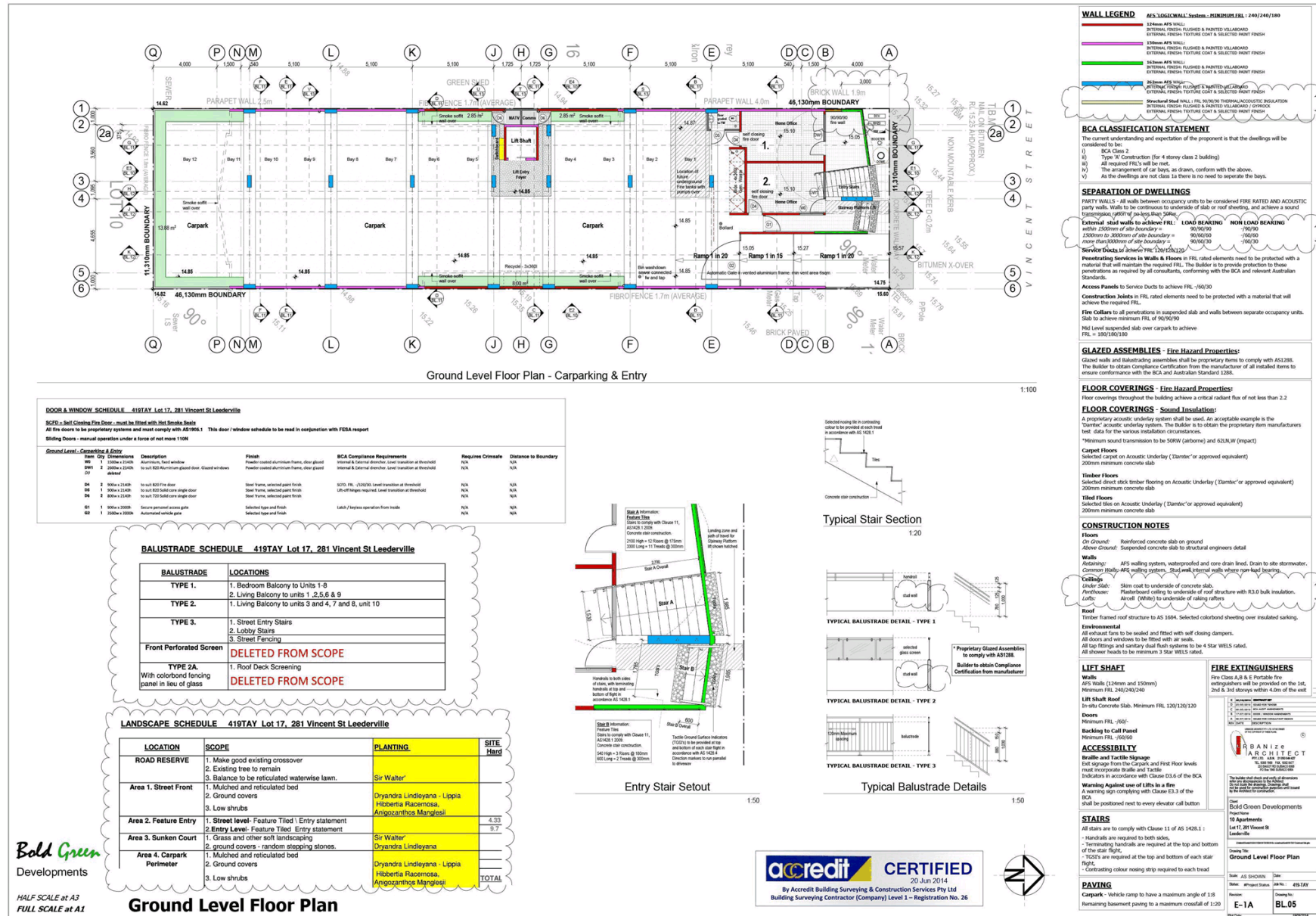




CITY OF VINCENT
RECEIVED
6 Mar 2019



Client: BOLD GREEN DEVELOPMENTS
Project: 281 VINCENT STREET,
LEEDERVILLE
Application: AMALGAMATION AND
REZONING TO OFFICE
Date: 23/5/2017



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 Support:	Officer Technical Comment:
<u>Traffic</u> Concern relating to the traffic and parking as a result of the application.	The traffic generated by the change of use does not exceed the capacity of Vincent Street. The application proposes a car parking shortfall of one bay which is considered to meet the objectives of the Parking Policy and is discussed further in the comment section of the report.
<u>Accessible Toilet</u> Concern relating to the use of the accessible toilet.	The application does not propose the exclusive use of the toilet, this is subject to Strata approval. The use of the accessible toilet facility is acceptable, given any potential tenant are within their right to use facilities accessible through leasing of the tenancy.
<u>Strata</u> The application has not been presented to a Strata Meeting.	This is subject to the <i>Strata Titles Act 1985</i> . The City is not responsible for the administration of the <i>Strata Titles Act 1985</i> and does not have the ability to administer requirements under this Act. It is recommended that an advice note accompanies the determination notice to remind the applicant/owner of their obligations under the <i>Strata Titles Act 1985</i> .

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

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL
POLICY NO: 7.7.1
NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

APPENDIX 2 – PARKING MANAGEMENT PLAN FRAMEWORK

Owner/Applicant Details	
Name:	PETER TAYLOR
Address:	Redacted personal information
Phone:	Redacted personal information
Email:	Redacted personal information
Applicant Signature:	Redacted personal information

Property Details	
Lot Number:	LOT 2
Address:	281 VINCENT STREET WEDDERBURN

Parking Allocation:

The following table should be prepared for inclusion in this Parking Management Plan to outline the parking available for the different users of this development application.

Parking Allocation	
Total Number Car Parking Spaces:	ONE DESIGNATED PLUS ONE SHARED - RESERVED FOR OFFICE DURING OFFICE HOURS
Total Number Short Term Bicycle Parking Spaces:	ONE, FORECOURT.
Total Number Long Term Bicycle Parking Spaces:	THREE FOUR, IN BASEMENT.
Total Number Other Bays:	

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL
POLICY NO: 7.7.1
NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Development Type	Development Users	Parking Allocation			
		Type / Duration	No. Car spaces	No. Bicycle Spaces	No. Other Spaces
E.g. Private Recreation Town Centre	Staff	Employee (> 3 hours)	2	1	-
	Customers	Visitor (< 3 hours)	7	2	-
	Other	Service (15 minute)	-	-	1
	Other	Disabled	-	-	1
NON-RESIDENTIAL CAR BAYS			1	1	1 *

Note: In a mixed use development the parking allocation for residential and non-residential portions must be provided separately in the above table.

Alternative Transport:

The following table should be prepared for inclusion in this Parking Management Plan to outline the alternative transport options available to users of this development application.

Transport Option	Type & Level of Service
Public Transport	
Train	THE PROPERTY HAS TWO (2) TRAIN LINES STATIONS WITHIN 500 M: THE PERTH - JOONDALUP LINE, AND THE PERTH - FREMANTLE LINE.
Bus	BUS RUN FREQUENTLY ALONG LOFTUS ST.

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CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL
POLICY NO: 7.7.1
NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Pedestrian	
Paths	
Facilities	
Cycling	
Paths	
Facilities	
Secure Bicycle Parking	
Lockers	
Showers/Change Room	

Public Parking:

Identify the number of on street and off street public parking in the vicinity in the following table.

	No. Marked Spaces	Location	Parking Restrictions
On Street Parking	1 MAY	VINCENT ST - SOUTH	AM & PM CLEARWAY
		VINCENT ST - NORTH	UNRESTRICTED
Off Street Parking	ONE (SHARED)	BASEMENT VISITOR BAY RESERVED FOR OFFICE CUSTOMER DURING OFFICE HOURS (AFTER HOURS - UNRESTRICTED)	SHARED

Parking Management Strategies

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL
POLICY NO: 7.7.1
NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Parking management strategies providing implementation details must be provided to ensure that the 'Parking Allocation' is used as demonstrated in this Parking Management Plan.

The allocation of bays as specified in the Parking Management Plan shall be included in the development application and planning approval.

The following information shall be provided, where applicable, within the Parking Management Plan:

1. Details of who will be responsible for management, operation and maintenance of parking (inclusive of car stackers);
2. Management of allocation of parking bays as specified in this Parking Management Plan including signage and enforcement;
3. Management of Tandem Parking for staff/tenants;
4. Way finding measures to ensure efficient use of parking facilities; and
5. Promotion of alternative transport modes such as the provision of well-maintained bicycle and end of trip facilities, use of active transport initiatives or public transport promotion.

1. THE OCCUPIER OF THE OFFICE SHALL BE RESPONSIBLE.
2. STRATA PLAN HAS ALREADY DESIGNATED TWO BAYS ONE SPARE, ONE VISITORS BAY RESERVED DURING OFFICE HOURS.
3. NOT APPLICABLE.
4. SECURE PARKING: VISITORS ACCESS BY APPOINTMENT.
5. BICYCLE RACKS PROVIDED. AMPLE PAID OFF-STREET PARKING

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

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9.1.7 No. 281 (Lot 17; D/P 1561) Vincent Street, Leederville – Proposed Demolition of Existing Single House and Construction of Four-Storey Building Comprising Eight (8) Two Bedroom Multiple Dwellings, Two (2) Three Bedroom Multiple Dwellings, Two (2) Home Offices and Associated Parking

Ward:	South	Date:	7 December 2012
Precinct:	Oxford Centre; P4	File Ref:	PRO4724; 5.2012.420.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant's Written Submission dated 20 September 2012 003 – Applicant's Response to Design Advisory Committee Recommendations 004 – 3D Drawing Demonstrating Direct Sun Access 005 – Power Line Section		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Bold Green Developments on behalf of the owner, P Taylor, for Proposed Demolition of Existing Single House and Construction of Four-Storey Building Comprising Eight (8) Two Bedroom Multiple Dwellings, Two (2) Three Bedroom Multiple Dwelling, Two (2) Home Offices and Associated Parking at No. 281 (Lot 17; D/P 1561) Vincent Street, Leederville, and as shown on plans stamp-dated 4 December 2012, subject to the following conditions:

1. a Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
2. the two home offices are limited to a business carried out solely within a dwelling by a resident of units 1 and 2 which does not:
 - 2.1 entail clients or customers travelling to and from the dwelling;
 - 2.2 involve any advertising signs on the premises; or
 - 2.3 require any external change to the appearance of the dwelling;
3. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Vincent Street;
4. any new street/front wall, fence and gate within the Vincent Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Leederville Town Centre Masterplan and Built Form Guidelines;
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;

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6. the owners shall make application to obtain the consent of the owners of Nos. 279 & 283 Vincent Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 279 & 283 Vincent Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork;
7. detailed facade treatments, anti-graffiti coatings and 'unfriendly' shrubbery against walls are to be incorporated to prevent unwanted graffiti;
8. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:
 - 8.1 Western Power

The applicant should gain approval of Western Power in relation to the proposed development;
 - 8.2 Amended Plans

Amended plans are required demonstrating that the details on the keyplan match their respective floor plans;
 - 8.3 Underground Power

In accordance with the City's Policy No. 2.2.2 relating to Undergrounding of Power, the power lines along the Vincent Street frontage of the property are to be undergrounded (with the exception of the high voltage lines), at the Developer's full cost. The developer is required to liaise with both the City of Vincent and Western Power to comply with the respective requirements;
 - 8.4 Construction Management Plan

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

A detailed landscape and reticulation plan in accordance with the requirements of the City's Policy No. 3.4.8 relating to Development Guidelines for Multiple Dwellings in Residential Zones for the development site and adjoining road verge shall be submitted to the City for assessment and approval.

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

 - 8.5.1 a minimum of fifty (50) percent of the street setback area shall be landscaped;
 - 8.5.2 provision of increased soft landscaping of to ten (10) percent of the total site with a view to significantly reduce areas of hardstand and paving;
 - 8.5.3 the location and type of existing and proposed trees and plants;
 - 8.5.4 all vegetation including lawns;

MINUTES OF MEETING HELD ON 18 DECEMBER 2012

(TO BE CONFIRMED ON 12 FEBRUARY 2013)

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- 8.5.5 areas to be irrigated or reticulated and such method;
- 8.5.6 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 8.5.7 separate soft and hard landscaping plants (indicating details of materials to be used).

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

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

8.6 Section 70 A Notification under the Transfer of Land Act

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

- 8.6.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the City, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development; and
- 8.6.2 The use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby entertainment, commercial and non-residential activities.

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

8.7 Schedule of External Finishes

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

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

9.1 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;

9.2 Vehicular Entry Gates

Any proposed vehicular entry gates shall be a minimum 70 per cent visually permeable, and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted;

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9.3 Clothes Drying

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

9.4 Residential Car Bays

A minimum of ten (10) and two (2) car bays shall be provided for the residents and visitors respectively. The twelve (12) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

9.5 Visitor Bays

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

9.6 Bicycle Parking

Three (3) and one (1) bicycle bays for the residents and visitors of the development shall be provided; and

10. 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.

COUNCIL DECISION ITEM 9.1.7

Moved Cr McGrath, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

Cr Harley returned to the Chamber at 7.16pm.

Debate ensued.

Cr Wilcox and Cr Carey departed the Chamber at 7.19pm.

Debate ensued.

Cr Wilcox and Cr Carey returned to the Chamber at 7.21pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

Web Link:

<https://www.vincent.wa.gov.au/council/council-committees/agendas-minutes/minutes-agendas-2012.asp>







Determination Advice Notes:

1. All 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 Building Permit application, being submitted and approved prior to the erection of the signage.
2. 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
3. If the 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
4. 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.
5. The obligation to comply with the requirements of a time limited condition continues whilst the approved development exists.
6. The applicant/owner is reminded of their obligation under the *Strata Titles Act 1985* which may require consent from the adjoining strata owners and/or strata company before commencing any works on site.

9.2 NO. 60 (LOT: 141 D/P: 32175), NO. 62 (LOT: 1 STR: 44480) AND NO. 62A (LOT: 2 STR: 44480) CHERITON STREET, PERTH - CHANGE OF USE TO UNLISTED USE (LODGING HOUSE)

TRIM Ref: D19/16365
Author: Mitchell Hoad, Senior Urban Planner
Authoriser: Joslin Colli, A/Manager Development & Design
Ward: South

Attachments:

1. Attachment 1 - Location and Consultation Plan [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Parking Management Plan [↓](#) 
4. Attachment 4 - Acoustic Report [↓](#) 
5. Attachment 5 - Management Plans [↓](#) 
6. Attachment 6 - 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 a Change of Use from Grouped Dwellings to Caretaker's Dwelling and Unlisted Use (Lodging House) at No. 60 (Lot: 141; D/P: 32175), No. 62 (Lot: 1; STR: 44480) and No. 62A (Lot: 2; STR: 44480) Cheriton Street, Perth, in accordance with the plans shown in Attachment 2 and the determination advice notes at Attachment 6:

1. Use of Premises

- 1.1 This approval relates to a Change of Use from Grouped Dwellings to Caretaker's Dwelling and Unlisted Use (Lodging House) as shown on the plans dated 13 December 2018. It does not relate to any other development on the site;
- 1.2 The use of the 'Caretaker's Unit' as shown on the plans dated 13 December 2018 shall only be used in accordance with the definition of Caretaker's Dwelling as defined in the City of Vincent's Local Planning Scheme No. 2 as follows:

"A dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant.";
- 1.3 The occupant of the Caretaker's Dwelling shall reside permanently on the site;
- 1.4 A minimum of one on-site car parking bay shall be made available for the Caretaker's Dwelling to be used by the occupant, at all times; and
- 1.5 A maximum of 25 people are permitted on the site at any one time, being comprised of one caretaker and 24 guests;

2. Parking and Access

- 2.1 A minimum of seven off-street parking bays shall be provided. The parking bays are not to be used for storage purposes or the like;
- 2.2 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development; and
- 2.3 A minimum of six bicycle facilities shall be provided and designed in accordance with AS2890.3 prior to the occupation of the premises;

3. Management Plan

- 3.1 Prior to occupation, a Management Plan is to be submitted to and approved by the City, that addresses the control of anti-social behaviour (to reasonable levels) associated with the proposed use. The Management Plan is to be approved by the City and thereafter implemented to the City's satisfaction, and is to consider the following:

- A complaints management procedure, detailing how complaints and incidents will be managed should they occur; and
- A code of conduct outlining the expectations of guests during their stay.

The approved Management Plan shall be reviewed after 12 months, with any changes identified during this review or by the City, being incorporated into an updated Management Plan, to be approved by the City and thereafter implemented; and

- 3.2 The code of conduct outlined in the amended Management Plan required by Condition 3.1 shall be provided to guests at the time of check-in and displayed in a prominent location within the premises;

4. Stormwater

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

5. Acoustic Report

- 5.1 A revised Acoustic Report shall be lodged with and approved by the City, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation prior to the commencement of the development; and

- 5.2 All of the recommended measures included in the approved revised Acoustic Report shall be implemented prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

6. Landscaping Plan

- 6.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall 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;
- The provision of 14.3 per cent of the site area as deep soil zones; and
- The appropriate selection of tree species (consistent with the City's Tree Selection Tool) to be located within the deep soil areas to maximise the provision of canopy coverage; and

- 6.2 All works shown in the plans identified in Condition 6.1 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.

PURPOSE OF REPORT:

To consider an application for development approval for a Change of Use to a Caretaker's Dwelling and Unlisted Use (Lodging House) at Nos. 60, 62 and 62A Cheriton Street, Perth (subject site).

PROPOSAL:

The application proposes a Change of Use from Grouped Dwelling to a Caretaker's Dwelling and Unlisted Use (Lodging House) at the subject site to provide accommodation for students, staff and guest lecturers of community organisation Youth With A Mission (YWAM).

BACKGROUND:

Landowner:	Eshwar Holdings Pty Ltd
Applicant:	Meyer Shircore Architects
Date of Application:	7 August 2018
Zoning:	MRS: Urban LPS2: Zone: Mixed Use R Code: R100
Built Form Area:	Mixed Use
Existing Land Use:	Grouped Dwelling
Proposed Use Class:	Caretakers Dwelling and Unlisted Use (Lodging House)
Lot Area:	1,013 square metres
Right of Way (ROW):	No
Heritage List:	No

The subject site is zoned Mixed Use R100 under the City of Vincent Local Planning Scheme No. 2 (LPS2) and currently consists of two Grouped Dwellings.

The subject site is bound by Cheriton Street to the south, No 64 Cheriton Street to the west, No. 54 Cheriton Street to the east, and No. 121 and 125 Summers Street to the north. The sites to the east, west and south are also zoned Mixed Use R100 while the properties to the north are zoned Residential R80.

A location plan is included as **Attachment 1**.

The application was lodged with the City on 7 August 2018 but was incomplete. Following a preliminary assessment Administration requested additional information to be provided to allow a full assessment to be undertaken, including a description of the operation of the lodging house, a management plan, an acoustic report and a Parking Management Plan (PMP). This information was provided to the City on 13 December 2018, after which the application was assessed and progressed.

Recent Approvals

On 1 April 2015, the Metro West JDAP granted development approval for the construction of an eight storey mixed use development on the subject site. This approval was not enacted upon and has since lapsed.

On 4 November 2015, the Western Australian Planning Commission (WAPC) approved an application to amalgamate the three lots which are the subject of this application into one (reference WAPC 152423). The City issued subdivision clearance on 21 June 2018 and at the time of considering the development application the deposited plan had yet to be approved by Landgate.

DETAILS:

The application proposes to change the use of the subject site from Grouped Dwelling to Caretaker's Dwelling and Unlisted Use (Lodging House) to provide accommodation for students, staff and guest lecturers of YWAM. YWAM is a non-profit Christian missionary organisation which provides local ministry and field-focused training for youths within cities.

The details of the application include:

- The lodging house would accommodate a maximum of 24 persons at any one time. The anticipated age of lodgers is 18 to 30 years old. There would be a minimum stay of one week and maximum stay of six months. The accommodation is only for use by those associated with YWAM and would not be made available to anyone outside of the organisation. In addition there would be one caretaker permanently residing on the site to assist with managing and maintaining the premises and dealing with complaints;
- The complete demolition of the existing shed located at the rear of No. 60, and the partial demolition of the existing shed at the rear of No. 62A to be converted into a 17 square metre storeroom;
- The installation of approximately 145 square metres of deep soil landscaping;

- The construction of seven car parking bays including one universal access parking bay. Two bays, including the universal access bay are located at the front adjacent to Cheriton Street and the remaining five bays located at the rear of the subject site. In addition a total of six bicycle parking spaces are proposed;
- External changes to the existing building including the removal of existing door to the rear of the building and the replacement of existing doors with wider doors to accommodate universal access; and
- Internal changes included the replacement of existing doors with wider doors to accommodate universal access as well as the construction of new walls and the conversion of existing rooms into a toilet and shower area.

The development application plans are included as **Attachment 2**. The applicant has also provided a Parking Management Plan (PMP), Acoustic Report and a management plan for the premises, which are included as **Attachments 3, 4 and 5** respectively.

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), and the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Parking Policy) and Policy No. 7.4.5 – Temporary Accommodation (Temporary Accommodation 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	Requires the Discretion of Council
Land Use		✓
Parking and Access		✓
Management Plan		✓
Landscaping		✓
Acoustic Report	✓	

Detailed Assessment

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

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2 "P" use	Unlisted Use (Lodging House)
Parking and Access	
Deemed-to-Comply Standard	Proposal
Policy No. 7.7.1 – Non-Residential Development Parking Requirements Unlisted Uses have no prescribed parking requirement under Table 1 of the Parking Policy, with parking to be determined by the City based on a site specific Parking Management Plan.	The application proposes seven on-site car parking bays and is supported by a Parking Management Plan.
Management Plan	
Deemed-to-Comply Standard	Proposal
Policy No. 7.4.5 – Temporary Accommodation Provision of a management plan which includes control of noise, complaints management procedures, security, control of anti-social behaviour and commitment to advising occupiers of parking instructions.	The application includes a management plan which outlines the provision of a designated caretaker, control of noise, complaints management procedures, guests' security and control of anti- social behaviour.
Landscaping	
Deemed-to-Comply Standard	Proposal

Policy No. 7.4.5 – Temporary Accommodation Appropriate landscaping demonstrating the use of water conservation measures and paving to be provided that meets the needs of guests and enhances security, safety and amenity of the development and adjoining properties.	The application includes a landscaping plan.
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The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 21 days from 23 January 2019 to 13 February 2019. The method of consultation being a sign on site, an advertisement in the local newspaper, and 36 letters mailed to all owners and occupiers surrounding the site (as shown in **Attachment 1**), in accordance with the City's Policy No. 4.1.5 – Community Consultation.

A total of three submissions were received, all of which provided support for the development. One of the submissions noted that a previous break in attempt had occurred to the properties along the rear of the subject site, with access being gained from No. 54 Cheriton Street to get across the subject site and to these properties. As the application proposes a permanent caretaker onsite, this would contribute towards passive surveillance of the area and dissuade anti-social behaviour.

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 No. 7.2.21 - Sound Attenuation;
- Policy No. 7.4.5 – Temporary Accommodation; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

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:

The application is required to be determined by Council as the development proposes a use which is not listed in Table 1 of the City's Parking Policy.

RISK MANAGEMENT IMPLICATIONS:

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:

Innovative and Accountable

We are open and accountable to an engaged community

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Land Use

Within the Mixed Use zone, a Caretaker's Dwelling is a permitted "P" use. The lodging house is not listed within the zoning table and is assessed in accordance with Clause 18(4) of LPS2. In considering the appropriateness of the use, regard is to be given to the objectives of the Mixed Use zone under LPS2.

The proposal is able to limit the impacts on the surrounding area, and is consistent with the objectives of the Mixed Use zone under LPS2 as follows:

- The proposed use is primarily residential in nature. While this use is not an active use it does not restrict or prohibit the ability for active uses to be accommodated in the locality;
- The applicant has provided a management plan with the proposal to demonstrate how the use will be managed so as to minimise any impacts on the adjoining properties. A PMP has also been prepared to demonstrate the adequacy of parking arrangements for the site. Both of these are discussed in more detail later in this report. These indicate that the use is capable of operating from the subject site without generating nuisances detrimental to the amenity of the adjoining properties or the wider locality;
- It could reasonably be considered that the proposal contributes towards sustainability through the adaptive reuse of an existing building. The retention of the existing dwellings will also assist in maintaining a residential scale of development to the adjoining Residential zoned land to the north; and
- The proposal provides an alternative form of residential accommodation which addresses the need for temporary accommodation for the YWAM community.

Parking

The Parking Policy does not specify parking requirements for the proposed use, with parking to be determined based on a PMP. The application proposes seven on-site car parking bays, including one ACROD parking bay, as well as six bicycle parking spaces. The application is supported by a PMP which is included in **Attachment 3**.

The PMP outlines the following:

- Of the seven car parking bays, one will be used by the caretaker, with the remaining six bays, (including the ACROD bay) and the six bicycle parking spaces to be available for use by guests;
- The subject site is within proximity to alternative transport options. The subject site is approximately 600 metres from the East Perth Train Station and approximately 300 metres from a bus stop along Lord Street, providing services which connect to the Elizabeth Quay and Morley Bus Stations, Bayswater, Maylands, and Bassendean;
- End of trip facilities are provided within the premises and the subject site is in proximity to the Principle Shared Path along the Midland Train Line. There are also footpaths provided along both sides of Cheriton Street and the surrounding streets;
- There are 28 on-street parking spaces provided along both sides of Cheriton Street, which is restricted to 2 hour parking between 8:00am to 5:30pm Monday to Friday and 8:00am to 12:00pm Saturday; and
- Management will actively promote the use of public transport by providing train and bus timetables.

The proposed parking provision is suitable for the following reasons:

- Given the nature of the use, with the accommodation being used by students, staff and guest lecturers of YWAM, it is likely that a large proportion of guests would not access the site by car. This would also be assisted by the close proximity to the East Perth Train Station and the bus stop along Lord Street which provide services to a number of areas;

- The premises provide end of trip facilities to support public transport use, as well as cycling given proximity of the subject site to the Principle Shared Path (approximately 200 metres to the east) and the Perth Bicycle Network along Smith/Brisbane Street (approximately 450 metres to the north-west); and
- The on-street bays along Cheriton Street are capable of being used should they be required in line with the existing restrictions.

A review of Nearmaps indicated the following demand for on-street parking on weekdays:

- Wednesday 25 April 2018 – 22 cars parked;
- Monday 12 February 2018 – 18 cars parked;
- Thursday 14 December 2017 – 22 cars parked;
- Friday 20 October 2017 – 22 cars parked; and
- Friday 18 August 2017 – 18 cars parked.

There is generally the ability for between six and ten vehicles to be accommodated, if required at all. The parking demand on the weekend is similar which is due in part to the apartments located at No. 54 Cheriton Street abutting the subject site.

Management Plan

The Temporary Accommodation Policy requires a management plan to be provided to outline how noise and anti-social behaviour will be managed. The applicant has provided a management plan which is included as **Attachment 5**. The management plan outlines the following measures to be implemented:

- The caretaker will reside on site at all times and will be responsible for maintaining order, dealing with complaints and overseeing the upkeep of the lodging house and grounds;
- The caretaker will outline the expectations to guests with respect to keeping noise to a minimum, including evenings;
- The caretaker will provide their details to guests as well as adjacent neighbours in case any issues arise. Should a complaint be received these will be provided back to the leadership of YWAM to be dealt with;
- Guests will be given a key for the length of their stay to restrict access to the premises, and non-guests are not permitted inside. The doors and gates will be locked at night, and should an issue arise the caretaker will assess the situation and how it should be handled;
- A code of conduct will be provided to each guest, as well as kept on site. Should any anti-social issues arise the caretaker will respond in the first instance, with this to be reported to and followed up by YWAM; and
- The caretaker will advise guests with respect to the availability of on-site parking, as well as outlining the parking restrictions for the bays on the street and parking on the verge is not permitted.

Given the low-scale and the nature of the use being associated with YWAM, as well as the lack of community opposition to the proposal as shown with no objections being received to the application, the proposed management measures would ensure that the use does not adversely impact on the adjoining properties. The management plan provides guidance in relation to complaints management and a code of conduct. Further detail could be provided in respect to these and what these involve. Administration recommends the imposition of a condition for more detailed management plan to be submitted to address these details.

Landscaping Plan

The Temporary Accommodation Policy requires applications for lodging houses to provide appropriate landscaping demonstrating the use of water conservation measures and paving to be provided that meets the needs of guests and enhances security, safety and amenity of the development and adjoining properties.

The application includes a landscaping plan which is included in **Attachment 2**. The Temporary Accommodation Policy does not stipulate specific requirements. The Built Form Policy identifies the following requirements for new developments:

- 15 percent deep soil area;
- 80 percent of the side or rear setback as canopy cover;
- Open air carparks are to:
 - Have a minimum of 80 percent canopy coverage at maturity;
 - Be landscaped at a rate of one tree per four car bays; and

- Provide a 1.5 metre wide planting strip around the perimeter of the open-air parking area.

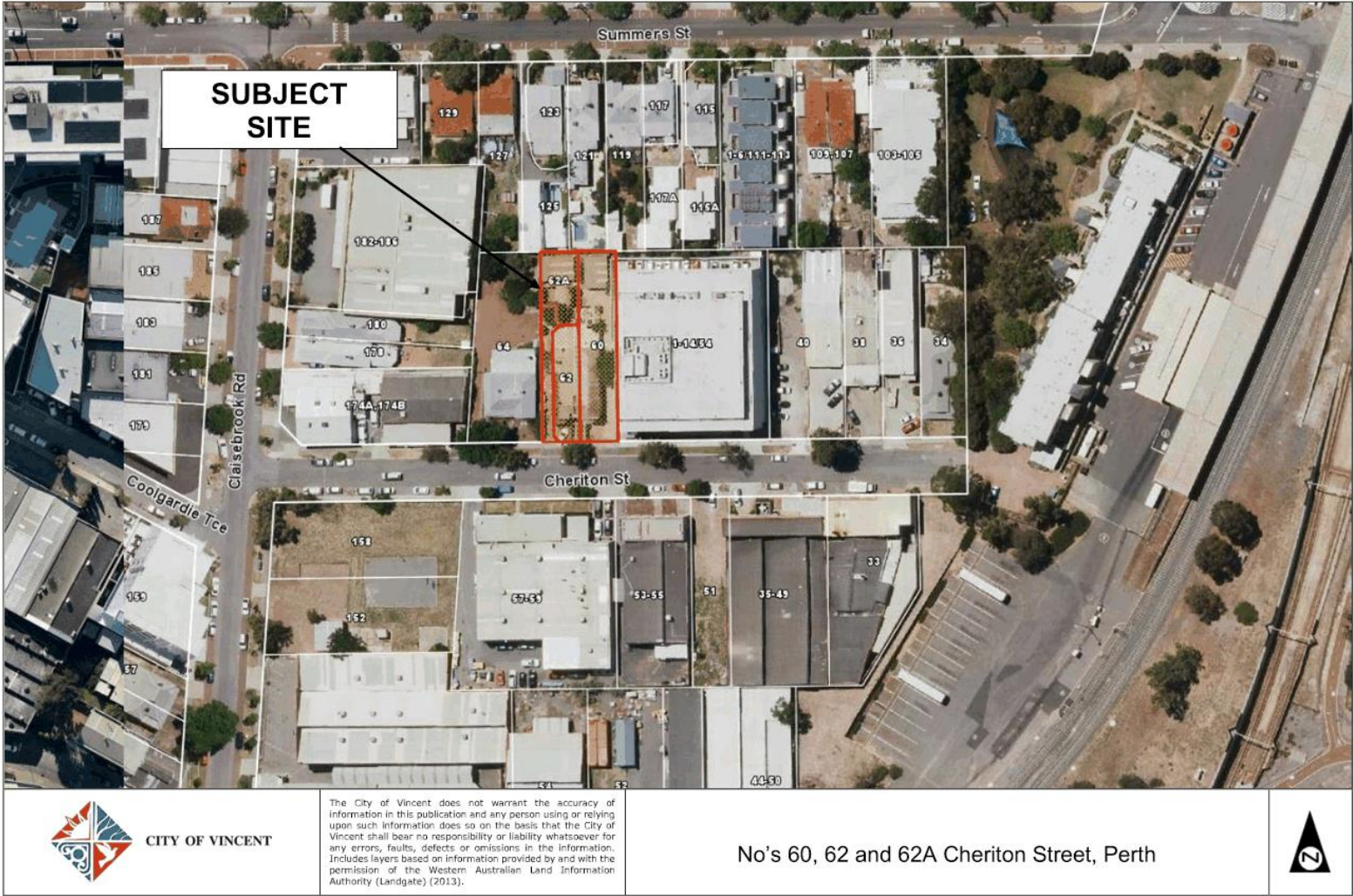
The proposed landscaping is appropriate as:

- Landscaping has been provided around the perimeter of the subject site where possible, noting the retention of the existing driveway access along the eastern boundary of the subject site. This includes the rear of the site around the communal area, including the retention of existing trees. The provision of this landscaping provides enhanced privacy and amenity for guests of the premises as well as adjoining properties;
- Landscaping is provided at the front of the dwelling to reduce the impact of the parking at the front of the property on the streetscape, noting the commercial nature of the streetscape and the general lack of landscaping within the front setback areas of surrounding developments;
- The application is for a change of use and is constrained by the existing footprint and availability of planting areas. The landscaping includes 14.3 percent (145.3 square metres) of deep soil area and 12.4 percent (125.7 square metres) of canopy coverage. Given the amount of deep soil area, it is considered that the canopy coverage can be increased through the selection of tree species with larger canopies at maturity. Administration recommends that a condition be imposed requiring a landscaping plan to be submitted to address this.

Acoustic Report

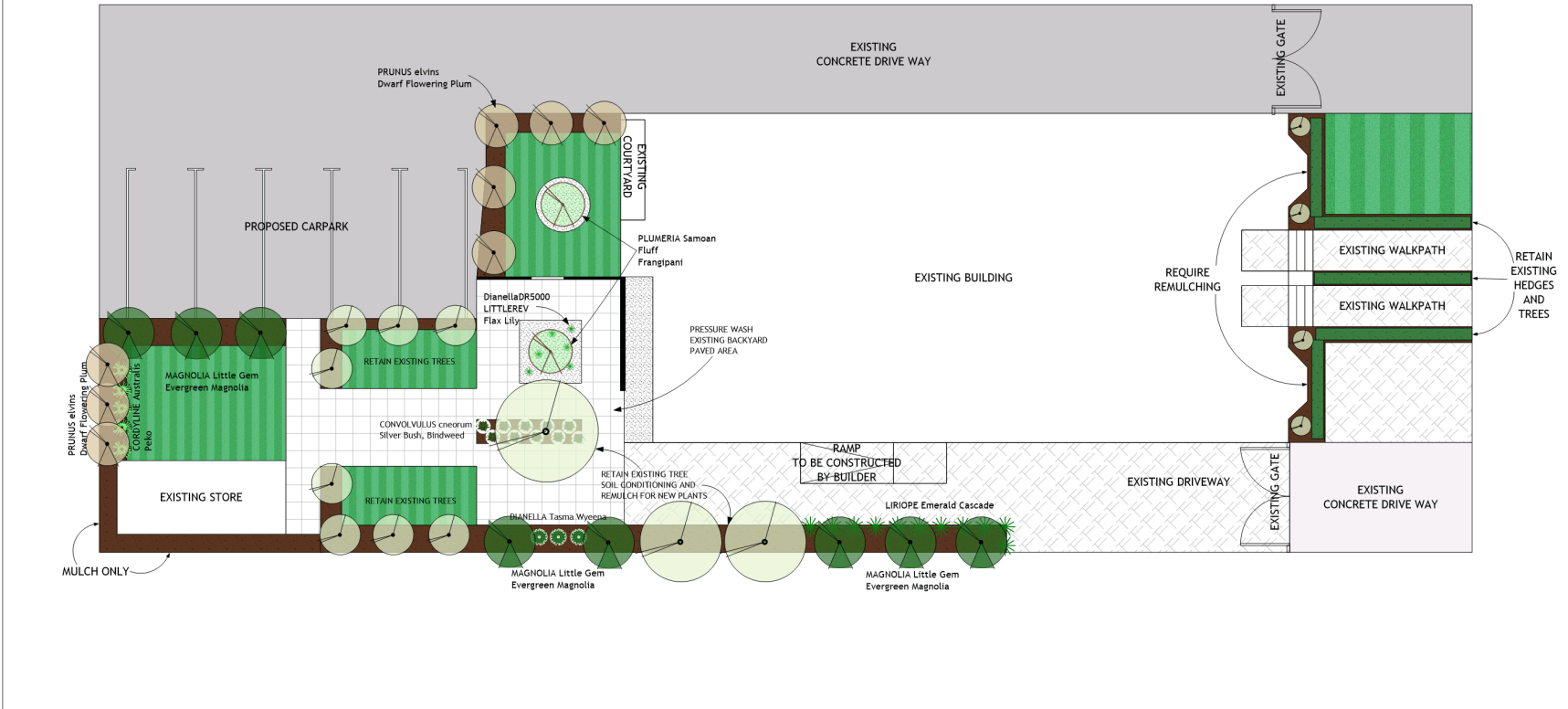
The City's Policy No. 7.5.21 – Sound Attenuation requires applications for lodging houses to be accompanied by an acoustic report. The applicant provided an acoustic report prepared by Lloyd George Acoustics. Following a review of the acoustic report, it was identified that No. 54 Cheriton Street was classified as a commercial premises. This property is a mixed use development comprising a mix of commercial tenancies and residential dwellings. In light of this, a condition is recommended for a revised acoustic report to be provided which correctly classifies the adjoining property to ensure that the proposal achieves compliance with the *Environmental Protection (Noise) Regulations 1997*.





CITY OF VINCENT
RECEIVED
13 December 2018

LEGENDS:											
Plant/Feature Name:	Pot Size:	Qty:		Plant/Feature Name:	Pot Size:	Qty:		Plant/Feature Name:	Pot Size:	Qty:	
MAGNOLIA Little Gem Evergreen Magnolia	30ltr	8x		CORDYLINA Australis Peko	5ltr	5x		Sir Walter Buffalo Turf		94.5 sqm	
PRUNUS elvins Dwarf Flowering Plum	30ltr	8x		LIRIOPE Emerald Cascade Weeping Liriope	5ltr	11x		Mulch		64 sqm	
PLUMERIA Samoan Fluff Frangipani	30ltr	2x		CONVOLVULUS cneorum Silver Bush, Bindweed	17cm	10x		Snow Pebbles		14.5 sqm	
DianellaDR5000 LITTLEREY Flax Lily	14cm	6x		DIANELLA Tasma Wyena Flax Lilly	5ltr	3x		Existing Tree			



Owner(s) Bryan Sanders Address: 60 Cheriton Street PERTH Shire: City of Perth	Estate: N/A Lot Width: 20.84 m Lot Length: 50.00 m Total Area: 1042.00 m ² BAL: N/A Site Class: N/A R Code: N/A	 <p>08 9447 1100 08 9447 1111 08 9447 1112 08 9447 1113 08 9447 1114 08 9447 1115 08 9447 1116 08 9447 1117 08 9447 1118 08 9447 1119 08 9447 1120 08 9447 1121 08 9447 1122 08 9447 1123 08 9447 1124 08 9447 1125 08 9447 1126 08 9447 1127 08 9447 1128 08 9447 1129 08 9447 1130 08 9447 1131 08 9447 1132 08 9447 1133 08 9447 1134 08 9447 1135 08 9447 1136 08 9447 1137 08 9447 1138 08 9447 1139 08 9447 1140 08 9447 1141 08 9447 1142 08 9447 1143 08 9447 1144 08 9447 1145 08 9447 1146 08 9447 1147 08 9447 1148 08 9447 1149 08 9447 1150 08 9447 1151 08 9447 1152 08 9447 1153 08 9447 1154 08 9447 1155 08 9447 1156 08 9447 1157 08 9447 1158 08 9447 1159 08 9447 1160 08 9447 1161 08 9447 1162 08 9447 1163 08 9447 1164 08 9447 1165 08 9447 1166 08 9447 1167 08 9447 1168 08 9447 1169 08 9447 1170 08 9447 1171 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60-62 CHERITON STREET, PERTH

PARKING MANAGEMENT PLAN

Owner Details	
Name:	<div style="background-color: #f0f0f0; padding: 10px; text-align: center;"> REDACTED FOR PRIVACY PURPOSES </div>
Address:	
Phone:	
Email:	
Applicant Signature:	

Property Details	
Lot Number:	Lot 141, Strata Lots 1 & 2
Address:	60, 62 & 62A Cheriton Street Perth WA 6000

Parking Allocation	
Total Number Car Parking Spaces:	6
Total Number Short Term Bicycle Parking Spaces:	2 – in front of building
Total Number Long Term Bicycle Parking Spaces:	4 – at rear of building
Total Number Other Bays:	1 ACROD bay

Development Type	Development Users	Parking Allocation			
		Type/Duration	No. Car Spaces	No. Bike Spaces	No. Other Spaces
Lodging House	Guests	Overnight	5	6	-
	Caretaker	Employee (> 3 hours)	1	-	-
	Other	Disabled	-	-	1

Alternative Transport:

Transport Option	Type & Level of Service
Public Transport	
Train	East Perth Train Station – 600m walk (8 minutes)
Bus	Bus Stops along Lord St – 300m walk (4 minutes) Bus services between Elizabeth Quay Bus Station and Bayswater, Maylands, Morley Bus Station and Bassendean
Pedestrian	
Paths	Both sides of Cheriton St and the surrounding streets
Facilities	There are no changes proposed to pedestrian facilities. The proposal retains the main entrance to the site along the Cheriton St frontage.
Cycling	
Paths	Principle Shared Path (PSP) along the Perth – Midland train line
Facilities	Connections into central Perth and East Perth train station to the site
Secure Bicycle Parking	Provided on site
Lockers	Provided on site in guest rooms
Showers/Change Room	Provided on site

Public Parking (Cheriton Street):

	No Marked Spaces	Location	Parking Restrictions
On Street Parking	28	Both sides of the street	2 hours Mon-Fri 8am – 5:30pm Sat 8am – 12pm
Off Street Parking		East Perth Train Station	

Parking Management Strategies:

Elven Property Pty Ltd will be responsible for the management, operation and maintenance of the on-site parking facilities.

One parking bay will be allocated for the on-site caretaker. All other parking bays will be allocated to guests of the lodging house at the discretion of management.

Bicycle parking rails are provided to encourage alternative transportation.

Management will actively promote the use of public transport by providing train and bus timetables.



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REDACTED FOR PRIVACY PURPOSES

DEVELOPMENT APPLICATION: ACOUSTICS

60-62 Cheriton Street, Perth

Reference: 18074505-01a Development Application
Acoustics.docx

Prepared for:

Elven Property C/- Meyer Shircore



Report: 18074505-01a Development Application Acoustics.docx

Lloyd George Acoustics Pty Ltd ABN: 79 125 812 544			
REDACTED FOR PRIVACY PURPOSES			
REDACTED FOR PRIVACY PURPOSES			

This report has been prepared in accordance with the scope of services described in the contract or agreement between Lloyd George Acoustics Pty Ltd and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client, and Lloyd George Acoustics Pty Ltd accepts no responsibility for its use by other parties.

Date:	Rev	Description	Prepared By	Verified
5-Dec-18	0	REDACTED FOR PRIVACY PURPOSES		
10-Dec-18	A			

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- A Plans
- B Terminology

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1 INTRODUCTION

It is proposed to construct a lodging house in an existing single storey office building at 60-62 Cheriton Street, Perth as shown in *Figure 1-1*. The lodging house will consist of 6 bedrooms, each deemed a separate sole-occupancy-unit, a shared Lounge/Dining area, toilet facilities and a caretaker's unit, noting that the caretakers unit is not deemed a SOU (refer *Appendix A* plans).



Figure 1-1 Site Locality (Source: City of Vincent Intramaps)

This report presents the assessment of the development's acoustic design against the following criteria:

- The *Environmental Protection (Noise) Regulations 1997* in relation to noise emissions from the AC plant at the development ,
- Building Code of Australia Volume One Part F5, and
- The *Environmental Protection (Noise) Regulations 1997* in relation to noise emissions from the AC plant at the development.

Given this report is for DA purposes only, there may be some elements within this report that are refined during detailed design.

Appendix B contains a description of some of the terminology used throughout this report.

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2 CRITERIA

2.1 Environmental Protection (Noise) Regulations 1997

Environmental noise in Western Australia is governed by the *Environmental Protection Act 1986*, through the *Environmental Protection (Noise) Regulations 1997* (EPNR). The regulations that will be applicable to this project are as follows:

- Mechanical plant and the like are to comply with regulations 7 and 8 at neighbouring properties.
- Noise during construction is to comply with regulation 13.

Each of these regulations are explained in detail in *Sections 2.1.1* and *2.1.2*.

2.1.1 Regulations 7 & 8

Regulation 7 defines the prescribed standard for noise emissions as follows:

“7. (1) Noise emitted from any premises or public place when received at other premises –

- (a) Must not cause or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
- (b) Must be free of –
 - i. Tonality;
 - ii. Impulsiveness; and
 - iii. Modulation”.

A “...noise emission is taken to *significantly contribute to* a level of noise if the noise emission exceeds a value which is 5 dB below the assigned level...”

Tonality, impulsiveness and modulation are defined in Regulation 9. Noise is to be taken to be free of these characteristics if:

- (a) The characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of noise emission; and
- (b) The noise emission complies with the standard prescribed under regulation 7 after the adjustments of *Table 2-1* are made to the noise emission as measured at the point of reception.

Table 2-1 EPNR Adjustments Where Characteristics Cannot Be Removed

Where Noise Emission is Not Music			Where Noise Emission is Music	
Tonality	Modulation	Impulsiveness	No Impulsiveness	Impulsiveness
+ 5 dB	+ 5 dB	+ 10 dB	+ 10 dB	+ 15 dB

Note: The above are cumulative to a maximum of 15dB.

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The baseline assigned levels (prescribed standards) are specified in Regulation 8 and are shown in Table 2-2.

Table 2-2 EPNR Baseline Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Commercial	All hours	60	75	80

1. *highly sensitive area* means that area (if any) of noise sensitive premises comprising —
- a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 - any other part of the premises within 15 metres of that building or that part of the building.

A total influencing factor of + 5 dB has been estimated based on the mixed use zoning in the area (assessed as commercial for the purposes of the influencing factor calculation) contributing 3 dB and major roads within 100 metres contributing 2 dB. Table 2-3 shows the assigned noise levels including the + 5 dB influencing factor at surrounding noise sensitive premises.

Table 2-3 EPNR Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	50	60	70
	0900 to 1900 hours Sunday and public holidays (Sunday)	45	55	70
	1900 to 2200 hours all days (Evening)	45	55	60
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	40	50	60
Commercial	All hours	60	75	80

1. *highly sensitive area* means that area (if any) of noise sensitive premises comprising —
- a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 - any other part of the premises within 15 metres of that building or that part of the building.

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2.1.2 Regulation 13

Construction noise must comply with regulation 13, which states the following:

Regulation 7 does not apply to ... construction work carried out between 0700 hours and 1900 hours on any day which is not a Sunday or public holiday if the occupier of the premises ... shows that –

- a) The construction work was carried out in accordance with control of environmental noise practices set out in section 6 of AS 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites;*
- b) The equipment used on the premises was the quietest reasonably available; and*
- c) If the occupier was required to prepare a noise management plan ... in respect of the construction site –*
 - i. The noise management plan was prepared and given in accordance with the requirement, and approved by the Chief Executive Officer; and*
 - ii. The construction work was carried out in accordance with the management plan.*

Regulation 7 does not apply to ... construction work carried out other than between the [above] hours if the occupier of the premises ... shows that –

- a) The construction work was carried out in accordance with control of environmental noise practices set out in section 6 of AS 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites;*
- b) The equipment used on the premises was the quietest reasonably available;*
- c) The construction work was carried out in accordance with a noise management plan in respect of the construction site –*
 - i. Prepared and given to the Chief Executive Officer not later than 7 days before the construction work commenced; and*
 - ii. Approved by the Chief Executive Officer;*
- d) At least 24 hours before the construction work commenced, the occupier of the construction site gave written notice of the proposed construction work to the occupiers of all premises at which noise emissions received were likely to fail to comply with the standard prescribed under regulation 7; and*
- e) It was reasonably necessary for the construction work to be carried out at that time.*

2.2 Building Code of Australia (BCA)

It is a requirement under the *National Construction Code (NCC)* for sound transmission and insulation to be considered. In this case, the relevant volume of the NCC is Volume One of the *Building Code of Australia, Class 2 to Class 9 Buildings (BCA)* and specifically Part F5.

The Objective of Part F5 as stated in *Guide to NCC Volume One* is to:

“...safeguard occupants from illness or loss of amenity as a result of undue sound being transmitted –

- a) Between adjoining sole-occupancy units; and*
- b) From common spaces to sole-occupancy units; and*
- c) From parts of different classifications to sole-occupancy units.”*

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The BCA separates the performance requirements into floors and walls for Class 2 and 3 buildings as follows:

FP5.1

Floors separating –

- a) sole-occupancy units: or*
 - b) a sole occupancy unit from a plant room, lift shaft, stairway, public corridor, public lobby, or the like, or a part of a different classification,*
- must provide insulation against the transmission of airborne and impact generated sound sufficient to prevent illness or loss of amenity to the occupants.*

FP5.2

Walls separating sole-occupancy units or a sole-occupancy unit from a plant room, lift shaft, stairway, public corridor, public lobby, or the like, or parts of a different classification, must provide insulation against the transmission of –

- a) airborne sound; and*
 - b) impact generated sound, if the wall is separating a bathroom, sanitary compartment, laundry or kitchen in one sole-occupancy unit from a habitable room (other than a kitchen) in an adjoining unit,*
- sufficient to prevent illness or loss of amenity to the occupants.*

FP5.3

The required sound insulation of a floor or a wall must not be compromised by -

- a) The incorporation or penetration of a pipe or other service element; or*
- b) A door assembly.*

In order to satisfy FP5.1 to FP5.3, building elements are to satisfy the minimum acoustic performances nominated in *Table 2-4*, being a summary of the Deemed-to-Satisfy Provisions provided in F5.1 to F5.7.

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Table 2-4 BCA Deemed-to-Satisfy Provisions

Partition	Deemed-to-Satisfy Provisions	
	Laboratory	On-Site
Floors (F5.4a) Separating SOU's or SOU from plant room, lift shaft, stairway, public corridor, public lobby or the like, or parts of a different classification.	$R_w + C_{tr} \geq 50$ $L_{n,w} \leq 62$	$D_{nT,w} + C_{tr} \geq 45$ $L_{nT,w} \leq 62$
Walls (F5.5a) Separating SOU's (Habitable to Habitable) Separating SOU's (Habitable to bathroom, sanitary compartment, laundry or kitchen) Separating SOU to Plant room or lift shaft Separating SOU to Stairway, public corridor, public lobby, or parts of a different classification	$R_w + C_{tr} \geq 50$ $R_w + C_{tr} \geq 50$ & D.C. $R_w \geq 50$ & D.C. $R_w \geq 50$	$D_{nT,w} + C_{tr} \geq 45$ $D_{nT,w} + C_{tr} \geq 45$ $D_{nT,w} \geq 45$ $D_{nT,w} \geq 45$
Doors (F5.5b) Separating SOU to Stairway, public corridor, public lobby or the like.	$R_w \geq 30$	$D_{nT,w} \geq 25$
Services (F5.6) SOU (Habitable) to duct, soil, waste, water supply or storm water (not associated with the SOU) SOU (Non-Habitable) to duct, soil, waste, water supply or storm water (not associated with the SOU)	$R_w + C_{tr} \geq 40$ $R_w + C_{tr} \geq 25$	N/A N/A

Notes:

SOU – Sole Occupancy Unit

D.C. Discontinuous Construction

2.3 Sound Attenuation Policy 7.5.21

The objectives of City of Vincent Policy 7.5.21 are to:

1. Provide a clear framework to minimise the adverse impacts of noise for the sustainable co-existence of a mix of land uses within the City.
2. Establish appropriate criteria for measuring and identifying potential noise impacts at the pre-development approval phase through to the building classification stage;
3. Clarify the process and extent of reporting required in certifying noise attenuation measures;
4. Provide a process that assists Planning Consultants, Developers, Builders and Acoustic Consultants/Engineers establish a project's viability based on the potentially cost prohibitive acoustic attenuation needs of a development; and
5. Preserve the amenity of existing and future residential buildings through enhanced building design and construction.

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In relation to the proposed development, it is noted the following sections of the Policy are applicable:

- *Section 4.1 – Traffic Noise*

The proposed development is located approximately 150 metres from the passenger train line and nominally 200 metres from Lord Street, East Parade and Graham Farmer Freeway. Whilst this results in a number of transportation corridors in the vicinity of the site, given the development is only single storey and the height of surrounding buildings, it is relatively shielded from this noise.

- *Section 4.2 – Street Noise*

The development is located in a mixed use area, however the commercial type uses are office/warehouse type activities rather than cafes or restaurants and therefore do not generate street noise as such. Some mechanical plant noise was audible from the neighbouring commercial property at 54 Cheriton Street and was therefore considered.

- *Section 4.4 – Mechanical Plant and Equipment*

All noise emitting external plant from this development has been considered and is included in this assessment.

3 METHODOLOGY

3.1 Site Survey

A survey of the site and local area was carried out on 30 August 2018 and 4 December 2018.

Cheriton Street itself is predominantly commercial buildings, mainly office type in nature and therefore in themselves are not high noise emitting. Cheriton Street carries negligible road traffic with distant traffic noise dominating the acoustic environment. To the rear (north) of the site are residential properties.

Noise levels were recorded on site on both days. The focus of the August noise level measurements were in relation to the site's own air-conditioning (refer *Figure 3-1*), some of which are to be retained and some replaced. Each habitable room will have its own air-conditioning unit. Also measured was noise from the fire pump room exhaust fan of 54 Cheriton Street (refer *Figure 3-2*). The measured noise level from this exhaust fan was 54 dB L_{Aeq} on the east side of subject building with the one-third-octave bands shown in *Figure 3-4*.

On the 4 December 2018, noise level measurements were recorded at the front of the property between 8am and 9am, at 1-metre from the facade (refer *Figure 3-3*). The purpose of these measurements was predominantly to consider transportation noise. The measured noise level at the front of the building was also 54 dB L_{Aeq} with the one-third-octave bands shown in *Figure 3-5*.

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Figure 3-1 Photograph of Typical Existing AC Unit on Subject Site



Figure 3-2 Photograph of Exhaust Fan Grilles at 54 Cheriton Street

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Figure 3-3 Photograph of Sound Level Meter at Front (South) of Property

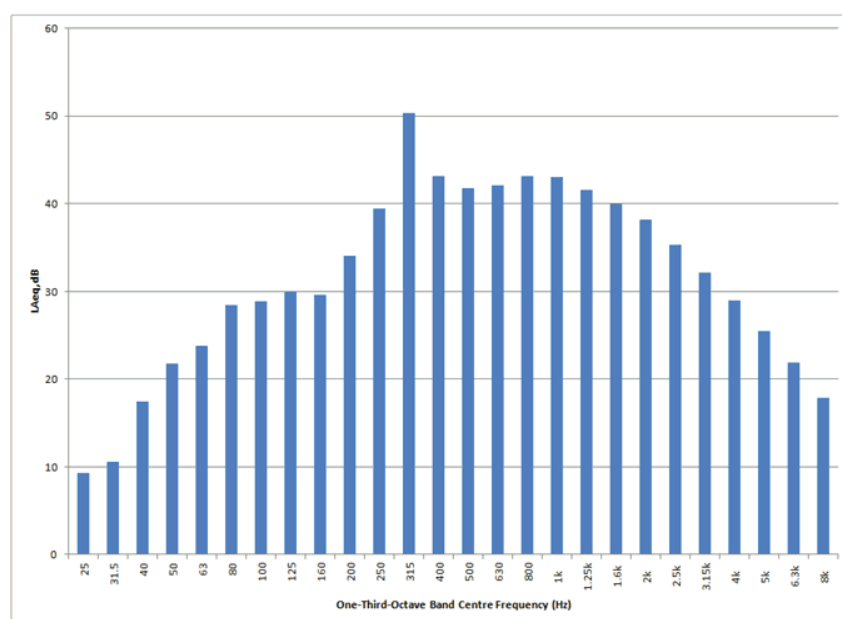


Figure 3-4 Noise Measurement at East Facade from 54 Cheriton Exhaust

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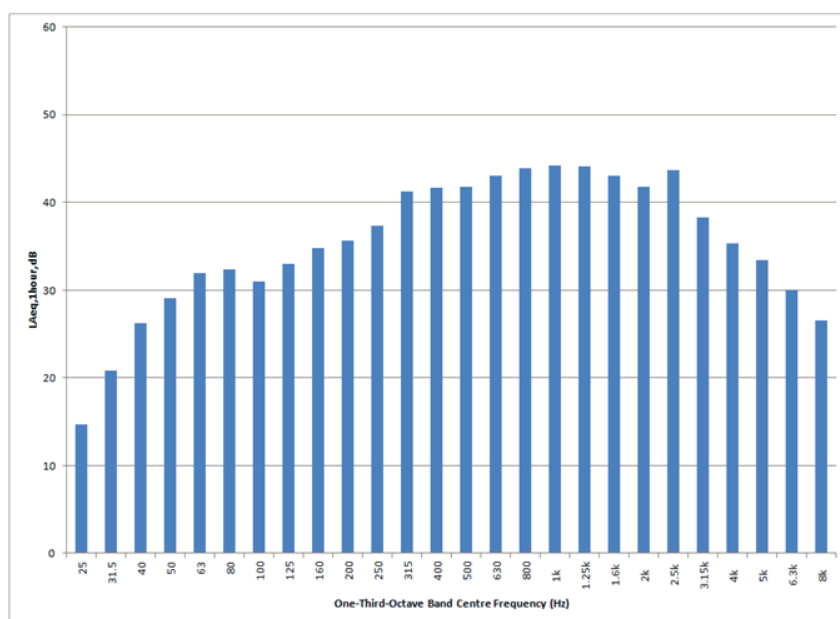


Figure 3-5 Noise Measurement at South Facade of Ambient Noise

The survey also identified the closest noise sensitive receivers potentially impacted by the development being those to the north, with the most critical being the double storey residence at 125 Summers Street.



Figure 3-6 Photograph of Dwelling at 125 Summers Street

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3.2 Environmental Noise Modelling

The software *SoundPLAN 8.1* was used with the ISO 9613 algorithms (ISO 17354 compliant) selected. These algorithms have been selected as they include the influence of wind. Input data required in the model are:

- Meteorological Information;
- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.2.1 Meteorological Information

Meteorological information utilised is provided in *Table 3-1* and is considered to represent worst-case conditions for noise propagation. At wind speeds greater than those shown, sound propagation may be further enhanced, however background noise from the wind itself and from local vegetation is likely to be elevated and dominate the ambient noise levels.

Table 3-1 Modelling Meteorological Conditions

Parameter	Evening and Night (1900-0700)
Temperature (°C)	15
Humidity (%)	50
Wind Speed (m/s)	Up to 5
Wind Direction*	All

* Note that the modelling package used allows for all wind directions to be modelled simultaneously.

It is generally considered that compliance with the assigned noise levels needs to be demonstrated for 98% of the time, during the day and night periods, for the month of the year in which the worst-case weather conditions prevail. In most cases, the above conditions occur for more than 2% of the time and therefore must be satisfied.

3.2.2 Topographical Data

Topographical data was based on that publicly available from *GoogleEarth* in the form of spot heights, noting the topography is relatively flat with the only significant features being buildings and fences between sources and receivers.

3.2.3 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. water or bitumen) and 1 for acoustically absorbent ground (e.g. grass). In this instance, a value of 0.0 has been used as an average across the study area.

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3.2.4 Source Sound Levels

The sound power levels used in the modelling are provided in *Table 3-2* and have been based on measurements undertaken on site.

Table 3-2 Source Sound Power Levels, dB

Description	Octave Band Centre Frequency (Hz)							Overall dB(A)
	63	125	250	500	1k	2k	4k	
Kelvinator KSV53HRB (Used for Common Dining & Caretakers)	68	62	62	62	62	54	47	65
Carrier 38QHC026 (Used for Each Room)	67	62	60	57	57	52	44	61

Note that the units are all assumed to elevated 2m above ground level.

4 PRELIMINARY ANALYSIS

4.1 Noise From Development - Environmental Noise

Noise levels were predicted for all units operating simultaneously and at night-time, with the results summarised in *Table 4-1* and compared against the night-time assigned noise levels.

Table 4-1 Predicted Noise Levels from Air-Conditioning

Location	Worst-Case Predicted Noise Level, dB(A)	Assigned Night-Time Noise Level, dB(A)
54 Cheriton	51	60
64 Cheriton	51	60
125 Summers Street	35	40

The calculations assume all units are operating simultaneously at maximum noise output, which is unlikely in reality and therefore the calculations are considered conservative. Noise from air-conditioning units can be tonal and attract a + 5 dB penalty. If this is the case, compliance is still calculated to be achieved and therefore no further mitigation is required.

4.2 Noise Within Development - Building Code of Australia

Figure 4-1 provides the minimum required acoustic performance for each SOU, whereby red walls require $R_w \geq 50$ and orange walls require $R_w + C_{tr} \geq 50$.

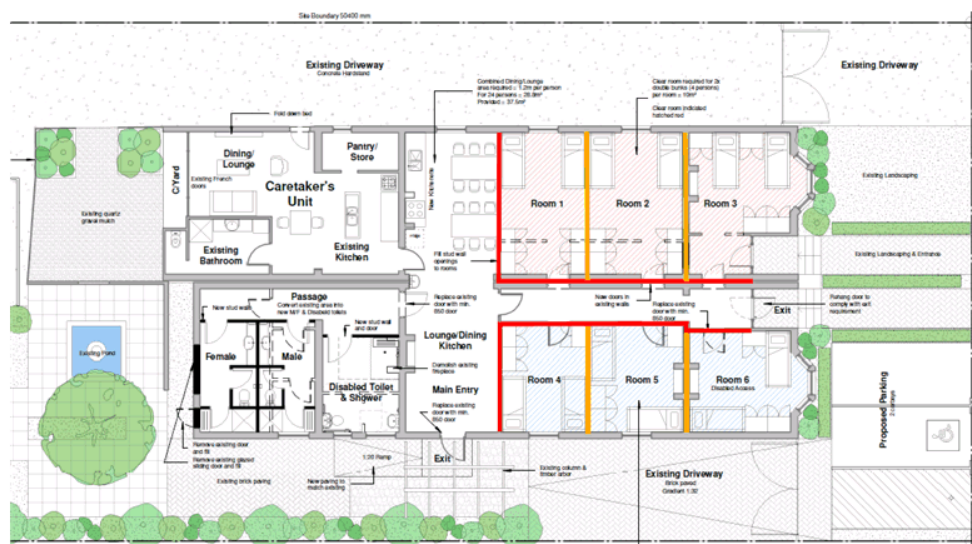


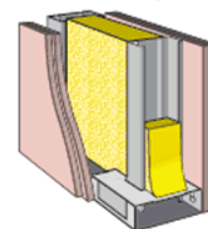
Figure 4-1 Acoustic Mark-up for BCA Compliance

4.2.1 Walls Separating SOU's

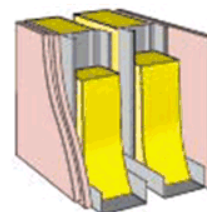
Rooms 1 to 6 are understood to each be deemed a SOU and as such, the separating (orange) wall is to achieve $R_w + C_{tr} \geq 50$ construction.

Assuming the preferred construction for new walls is stud work, an acceptable construction is (CSR 1285):

- 2 x 13mm fire-rated plasterboard
- 92mm steel staggered stud with 75mm thick, 11kg/m^3 glasswool insulation
- 2 x 13mm fire-rated plasterboard.



Where an existing masonry wall exists, it is recommended a separate stud wall be provided on one side of the brick wall. This is to be 13mm plasterboard to minimum 51mm stud, spaced 20mm from the brick wall. Install 75mm thick, 11kg/m^3 glasswool insulation between studs. Where there is part of a brick wall and a new stud wall to be constructed, an option would be to continue the separate stud on one side for the full length. On the opposite side where there is no brick wall, provide another stud, with insulation and 2 sheets of 13mm fire-rated plasterboard equivalent to CSR 1382.



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To maintain the acoustic performance and minimise flanking, the following is recommended, unless approved to be varied during detailed design:

- All joints are to be taped and sealed,
- Plasterboard sheets on each side and opposite sides are to be staggered,
- The existing floor must be cut so as to not be continuous from room to room. Install single leaf of brickwork from the ground to the underside of the new wall,
- The existing ceiling must be cut so as to not be continuous from room to room. The new wall must extend to the underside of the roof and be sealed,
- There must be no hydraulic services in this wall or within the roof space. Where this occurs, Lloyd George Acoustics must be advised, and
- Any electrical outlets must be offset by a minimum of 300mm and use a fire rated box.

4.2.2 Walls Separating SOU to Corridor/Shared Space

For these (red) walls, the minimum acoustic performance requirement is $R_w \geq 50$.

Some existing walls are multiple layers of brickwork and these are therefore considered to achieve $R_w \geq 50$. However construction above the ceiling and below the floor will need to be considered as described in *Section 4.1.1*.

For new walls or wall infill's, assuming the preferred construction is stud work, an acceptable construction is (CSR 1280):

- 1 x 13mm fire-rated plasterboard
- 92mm steel staggered stud with 75mm thick, 11kg/m^3 glasswool insulation
- 1 x 13mm fire-rated plasterboard.

To maintain the acoustic performance and minimise flanking, the same recommendations in *Section 4.1.1* are applicable, unless approved to be varied during detailed design. In addition, Room entry doors to the corridors must be rated to $R_w \geq 30$, which will likely require 35mm solid timber core doors with perimeter acoustic seals such as Raven RP8 & RP10.

Note it is recommended that the wall between Room 1 & Dining and Room 4 & Living be the same as that described in *Section 4.1.1* for improved acoustic amenity.

4.2.3 Other Areas

It is our understanding that other parts of the development (Caretaker's Unit, Lounge/Dining/Kitchen and toilets) are not considered Class 2 or 3 and therefore there are no acoustic requirements. If this is deemed incorrect during detailed design, appropriate recommendations will be made at that time.

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4.3 Noise to Development – City of Vincent 7.5.21

Based on the measured noise levels being below 55 dB L_{Aeq}, satisfactory internal noise levels will be achieved with standard 4mm thick glass and therefore no specific acoustic treatments are required.

If noise from the fire pump exhaust is deemed annoying to occupants (e.g. when windows are open), the responsibility of this noise control should fall on the building owner of 54 Cheriton Street and this can be considered at that time if deemed necessary.

5 CONCLUSION

An acoustic assessment of the proposed lodging house development, to be located at 60-62 Cheriton Street in Perth, has been undertaken.

It is concluded the proposed design for the development will comply with the following Codes, Policies and Regulations:

- *Environmental Protection (Noise) Regulations 1997*,
- Building Code of Australia, and
- City of Vincent Sound Attenuation Policy 7.5.21.

During detailed design, some further input may be required in relation to the Building Code of Australia, however the advice within this report is considered adequate for DA Stage.

Management Plan for the Lodging House

The lodging house at Cheriton St. will be for use of Youth With A Mission Perth students, staff, and guest lecturers. Since rooms / space will not be rented out to people outside our organisation, Youth With A Mission will be able to manage the premises very well.

There will be a designated keeper or overseer of the lodging house from Youth With A Mission who will reside on site at all times and will be responsible for maintaining order, dealing with complaints and overseeing the upkeep of the lodging house and grounds.

Control of Noise and Other Disturbances: The lodging house keeper will clearly lay out our values in keeping noise to a minimum. The keeper will train the lodgers in appropriate times for general community living noise versus times for more quiet interaction with one another (evenings).

Management Procedures for Complaints: The keeper will clearly designate himself / herself to the students as the person on-call for complaints within the property. In addition, the keeper will provide his / her phone number to adjacent neighbours who might need to be in contact. As the keeper will be a staff member of Youth With A Mission Perth, there will be feedback from the keeper to the leadership of the organisation regarding any complaint. As an organisation, they will ensure good neighbourly relations with all those nearby.

Security of Residents and Guest Lecturers: The doors of the property will always be locked. A key will be given to each resident when they arrive and collected when they leave. There will be no one allowed in the building from outside of Youth With A Mission Perth. The keeper will ensure that all doors / gates are locked each night. If there is any suspicious activity, the keeper will be notified immediately and will assess the security situation.

Control of Anti-Social Behaviour: The keeper will discuss with all residents the values / code of conduct that they need to abide by. These values that are written out will be in the possession of each student. The keeper will keep this code of conduct on the premises that can be referred to when needed. In addition, the keeper will be responsible to mediate any situation of potential conflict with neighbours. Any situation of this nature will also be reported to the leadership of Youth With A Mission Perth and followed through at an organisational level.

Management of Car-Parking: The keeper will advise all occupants of the premise regarding the appropriate use of the car parking space on site, as well as the street parking. Occupants will be clearly advised as to the City's guidelines for street parking and no parking on verges. If there would be an abuse of these car parking guidelines, the keeper will get involved and ensure compliance with these policies. In addition, the keeper will manage the disabled

parking bay by ensuring it remains clear of vehicles, except for a vehicle with a disabled access permit.

Determination Advice Notes:

1. The applicant is advised that reasonable measures are to be implemented to educate and encourage all staff and members of alternative means of transport to the site including public transport, cycling and walking.
2. 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.
3. If the 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.
4. 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.
5. With regard to the maximum occupancy, the limit imposed on this approval relates to planning matters only and may otherwise be restricted by separate Health legislation.
6. 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 a residential or visitor car parking permit to any owner or occupier of the residential dwellings. 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.
7. The obligation to comply with the requirements of a time limited condition continues whilst the approved development exists.








9.3 NOS. 194 - 196 (LOTS: 6 & 7; D/P: 1561) CARR PLACE, LEEDERVILLE - PROPOSED CHANGE OF USE TO UNLISTED USE (UNAUTHORISED EXISTING DEVELOPMENT - SITE YARD)

TRIM Ref: D19/22501

Author: Fiona Atkins, Urban Planner

Authoriser: Joslin Colli, A/Manager Development & Design

Ward: South

- Attachments:**
1. Attachment 1 - Consultation and Location Map [↓](#) 
 2. Attachment 2 - Development Plans [↓](#) 
 3. Attachment 3 - Parking Management Plan [↓](#) 
 4. Attachment 4 - Summary of Submissions - Officer's Comments [↓](#) 
 5. Attachment 5 - Progress Photograph of Construction at Nos. 269 - 271 Vincent Street Leederville [↓](#) 
 6. Attachment 6 - Construction Management Plan (approved 21 November 2017) [↓](#) 
 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 application for the proposed temporary Change of Use to Unlisted Use (Site Yard) at Nos. 194- 196 (Lots: 6 & 7; D/P: 1561) Carr Place, Leederville, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 7:

1. Use of Premises

- 1.1 This approval only relates to the Change of Use to Unlisted Use (Site Yard) as shown on the plans dated 28 August 2018. It does not relate to any other development on the site;
- 1.2 This approval is valid for two years from the date of approval. Following expiry of this period, the development shall not continue unless a further development approval is granted by the City; and
- 1.3 The Unlisted Use (Site Yard) shall operate in accordance with the Construction Management Plan dated 21 November 2017 (and all subsequent amendments);

2. Car Parking and Access

- 2.1 The Parking Management Plan shall be updated to include the following:
 - A maximum of 10 on site parking bays shall be provided; all other staff attending the site are required to park in surrounding public parking bays and required to comply with any applicable restrictions;
- 2.2 The approved Parking management Plan shall be implemented to the satisfaction of the City and maintained thereafter during the use of the site; and

3. Signage

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.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use to a temporary unlisted use (site yard) that is currently operating as unauthorised development at Nos. 194 – 196 Carr Place, Leederville.

PROPOSAL:

The application seeks approval for the unauthorised existing use of the subject site as a site yard for the development of multiple dwellings currently underway at Nos. 269 – 271 Vincent Street Leederville. The subject site is located to the south west of Nos. 269 – 271 Vincent Street, as per the location map in **Attachment 1**.

BACKGROUND:

Landowner:	Hanrise Pty Ltd
Applicant:	Welink Construction Pty Ltd
Date of Application:	28 August 2018
Zoning:	MRS: Urban LPS2: Zone: Regional Centre R Code: N/A
Built Form Area:	Town Centre
Existing Land Use:	Vacant Land
Proposed Use Class:	Unlisted Use (Site Yard)
Lot Area:	1042m ²
Right of Way (ROW):	No
Heritage List:	No

The subject sites are located on Carr Place, between Loftus Street and Oxford Street. The sites are bound by residential properties to the east, west and north. Commercial properties are located directly opposite the site, facing Carr Place from the south.

On the 1 April 2015, the Metro West JDAP approved the demolition of existing dwellings and the construction of a six-storey mixed use development at 269-271 Vincent Street. Condition 10.4 of the Development Approval required a Construction Management Plan (CMP) to be submitted to and approved by the City prior to the issue of a Building Permit. The approved CMP is included as **Attachment 6**.

On 21 November 2017 the City granted the Building Permit for the construction of the abovementioned development. The CMP site plan references the 'rear vacant block' at Nos. 194 – 196 Carr Place as being used for deliveries, sheds, storage and car parking with access to the site to be gained through No. 190 Carr Place. This was not noted in the applicable sections of the CMP report.

In December 2017, the City received concerns from two residents regarding development being undertaken at Nos. 194 – 196 Carr Place, as outlined below:

- An e-mail sent to Mayor Cole regarding the implementation of resident only parking in Carr Place. The e-mail mentions a 'development next to No. 190 Carr Place' being undertaken.
- A telephone call from a nearby resident concerned with 'demolition' occurring at the subject lot.

At this time the applicant, Welink Construction, confirmed that the subject lot was intended to be used for site offices, storage and deliveries and that this was included in the CMP that was submitted and approved as part of the Building Permit for the multiple dwelling development at Nos. 269 – 271 Vincent Street. Prior to the issue of the Building Permit, the CMP was referred to Planning Services for review, however potential non-compliance with land uses permitted under the Local Planning Scheme was not identified.

On 16 February 2018 the City issued a Building Permit for sheet piling at Nos. 269 – 271 Vincent Street. This application included the previously approved CMP which refers to the use of Nos. 194 – 196 Carr Place to enable the site construction. The City's Engineering and Ranger services have continued to liaise with the applicant regarding road closures to enable deliveries to be received at Nos. 194 – 196 Carr Place.

Clause 60, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that a person shall not commence or carry out any works or use of any land or building, unless exempted, without first having applied for and obtained Development Approval.

The City's Policy No. 7.5.1 – Minor Nature Development states that Development Approval is not required for:

“temporary offices and sheds (including containers) used by builders or contractors directly associated with the building works occurring on site for the duration of completing those building works and operations”.

As the use of Nos. 194 – 196 Carr Place was not included in the Development Approvals for Nos. 269 – 271 Vincent Street, it is not considered to form part of the 'site' of the development, and under the City's Local Planning Scheme No. 2 (LPS2) the use of the site constitutes an “unlisted use”, requiring Development Approval.

If the City were to require the cessation of the use at Nos. 194 – 196 Carr Place, the applicant would not be complying with Condition 10.4 of the Development Approval (Construction Management Plan). On 26 July 2018, the Acting Director of Development Services directed the City's Administration to request the submission of a retrospective Development Application for the use of Nos. 194 – 196 Carr Place as a site yard the application subject of consideration.

DETAILS:

The site yard supports the multiple dwelling development at Nos. 269 – 271 Vincent Street and is managed by Welink Construction. The site yard would be used for site offices, storage and deliveries, staff parking and dewatering equipment.

The applicant has not specified an exact time frame for the use of the site yard, with the intention of the site yard being that it would be available for use for the duration of the construction occurring at Nos. 269 – 271 Vincent Street. The proposed hours and days the site yard would be in use are:

Monday to Saturday: 7:00am to 7:00pm.

The development plans and applicant's supporting letter are included as **Attachment 2**.

In terms of car parking, as the proposed development is an Unlisted Use, there are no parking requirements outlined in the City's Policy No 7.7.1 – Non Residential Parking Requirements. Parking requirements are to be determined as per the submitted Parking Management Plan, included as **Attachment3**.

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2 and Policy No. 7.7.1 – Non Residential Parking Requirements. 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		✓
Bicycle Facilities		✓

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

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
Permissible Use	Unlisted Use (Site Yard)
Car Parking	
Policy No. 7.7.1 – Non-Residential Development Parking Requirements	

<u>Car Bays</u> Unlisted Uses have no prescribed parking requirement under Table 1 of the Parking Policy, with parking to be determined by the City based on a site specific Parking Management Plan	10 on-site parking bays provided, as per Parking Management Plan.
Bicycle Parking	
Policy No. 7.7.1 – Non-Residential Development Parking Requirements Unlisted Uses have no prescribed bicycle bay requirement under Table 1 of the Parking Policy, with parking to be determined by the City based on a site specific Parking Management Plan.	2 bicycle bays provided on site, as per Parking Management Plan.

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

As per the requirements of Policy No. 4.1.5 – Community Consultation, the application was required to be advertised to the surrounding land owners as it is an Unlisted Use. The application was advertised from the 21 January 2019 to 11 February 2019, with the method of consultation being a sign on site, a notice in the local newspaper and 51 letters mailed to surrounding owners and occupiers, the extent of which is shown in **Attachment 1**.

A total of one submission was received, being an expression of concern. The main concern raised within the submission was construction site workers blocking off available street parking for their own private vehicles for extended periods of time.

The Officer's response to the submission has been included as **Attachment 4**. The applicant was invited to respond to the submission, no response was received.

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; and
- Policy No. 7.7.1 – Non-Residential Parking Requirements.

Delegation to Determine Applications:

The application is required to be determined by Council as the development proposes a use which is not listed in Table 1 of the City's Parking Policy.

RISK MANAGEMENT IMPLICATIONS:

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:

Innovative and Accountable

We are open and accountable to an engaged community

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Land Use

Nos. 194 – 196 Carr Place consists of two abutting lots that are currently being used as an unauthorised construction site yard for the multiple dwelling development in progress at Nos. 296 – 271 Vincent Street. The site yard was approved as part of the Building Permit process, however the site yard was not proposed or approved during the Development Application process.

The site yard is currently being used to accommodate the following purposes:

Construction related activities including:

- Concrete pumping;
- Material deliveries;
- Material lay down area;
- Site personnel car parking;
- Mobile craneage;
- Dewatering Infiltration Pond to collect ground water from the site and filter it back to the ground water table.

Amenities for site workers including:

- Site lunch room;
- Site ablution block;
- Site meeting/office.

Prior to the submission of the retrospective Development Application for this site, the City received two complaints regarding development on the site. Neither of the complainants raised specific concerns regarding the use of the property for the purposes of constructing Nos. 269 – 271 Vincent Street, and that the City has not received any further complaints regarding the use of the property

The use of the subject lots as a site yard is to support the construction of multiple dwellings. If the City refused the Development Application for the unauthorised site yard, the applicant would be breaching the requirements of their Construction Management Plan and would be required to cease development. A photograph taken to highlight the progress achieved on site at Nos. 269 – 271 Vincent Street is included as **Attachment 5**.

The site yard is in keeping with the objectives of the Regional Centre zone, and is appropriate for this context. A time limited two year conditional approval is recommended, to allow the applicant to use the subject lots as site yard until practical completion of the development at Nos. 269 – 271 Vincent Street occurs. It is also recommended that an advice note be added that ties this approval to the development on Nos. 269 – 271 Vincent Street to ensure no subsequent developments in the area seek to use this site for storage purposes.

Car Parking

As the proposal is an Unlisted Use, Policy No. 7.7.1 – Non Residential Parking Requirements does not designate specific requirements for parking. Parking on site is to be determined through the submitted plans and Parking Management Plan. The submitted Parking Management plan is included as **Attachment 3**. In considering the matter, the following is relevant:

- A maximum of 50 workers are proposed to be on site at any time, with an average of 35 workers on site throughout the construction project;

- The existing site yard provides 10 parking bays on site for site vehicles and construction workers parking;
- The subject site is approximately 350 metres walking distance from a paid parking station off Oxford Street and 450 metres walking distance from a paid parking lot on Vincent Street;
- The site is 600 metres walking distance from Leederville train station;
- There is paid parking along Carr Place, however this has a two hour time limit.

Due to the provision of parking on site and the availability of public parking and public transport in the area, the parking available is adequate to cater for the needs of the site, particularly given the temporary nature of the proposed use.

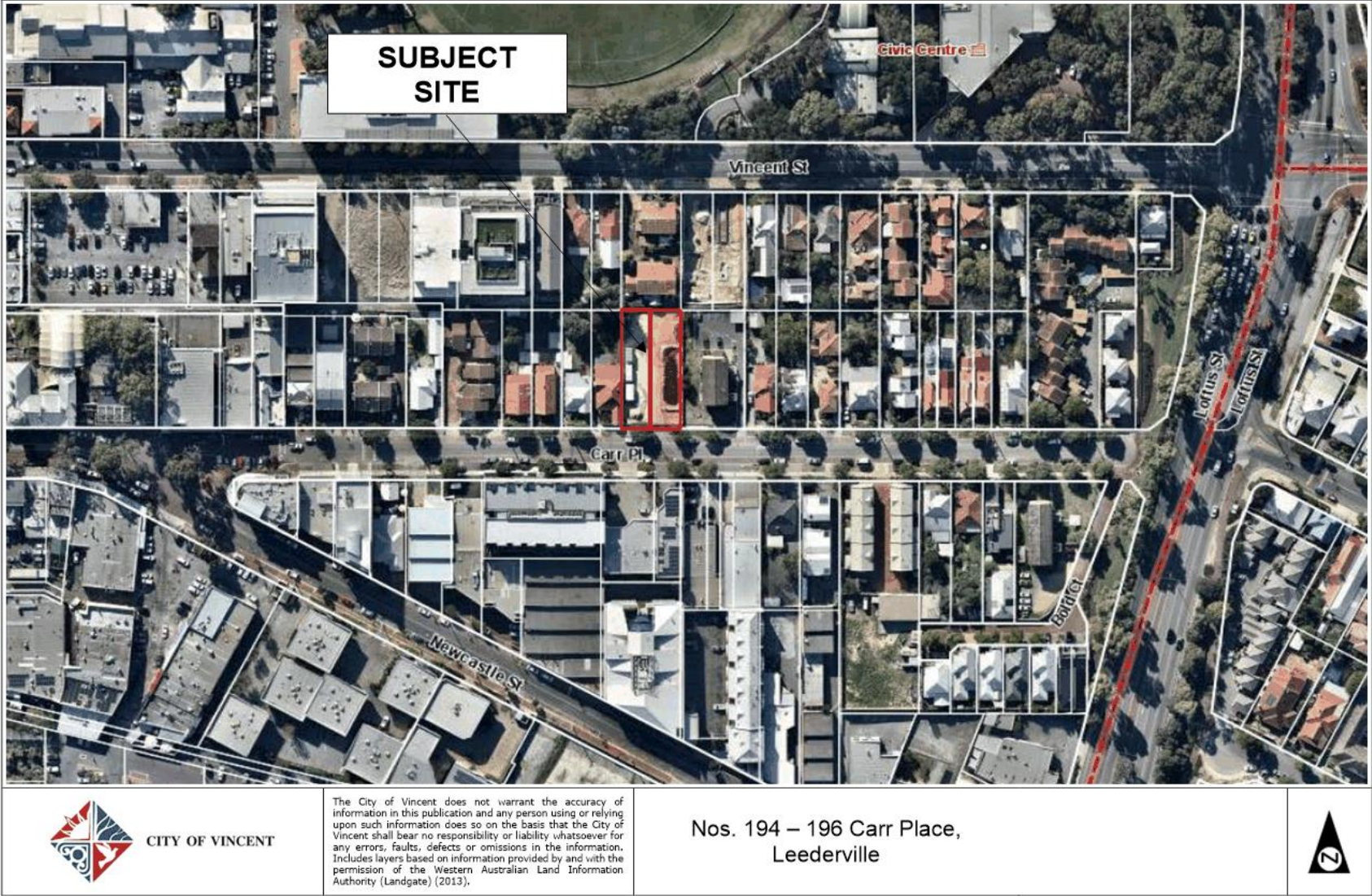
The comments received from surrounding landowners are specifically regarding issues experienced with workers related to the construction site blocking off public car spaces with witches hats so that they can utilise them for their personal parking. This issue has been reported to the Rangers, and would continue to be addressed by the City's Rangers through the City's Local Laws.

Signage

The applicant has installed construction signage on the fence at the subject site facing Carr Place, providing notification of the construction occurring on site, the applicant's contact details and other required safety information. This signage is exempt from requiring Development Approval under the City's Policy No. 7.5.1 – Minor Nature Development, and no further approvals are required for this signage for the duration of the construction.

The proposal requires Council to exercise its discretion in relation to the proposed use of the subject site. The continuation of the Existing Unlisted Use (Site Yard) is appropriate and in accordance with the previously approved Building Permit, and the objectives of the Town Centre Zone of LPS2.







The City of Vincent
244 Vincent Street
Leederville
Western Australia 6007

08th August 2018

Dear James Jago,

RE: 194-196 Carr Place, Leederville - Statement of Proposed Use

Proposed use of site including all activities which will be undertaken:

194-196 Carr Place, Leederville will be used for the following activities;

- Concrete Pumping
- Material deliveries
- Material lay down area
- Site Personnel Carparking
- Mobile Craneage

During the construction of the Skypark Apartments at 269-271 Vincent Street, Leederville the following amenities will be located at 194-196 Carr Place for the use of site personnel;

- Site Lunch Room
- Site Ablution Block
- Site Meeting/ Office

For a short duration during the construction of the Skypark Apartments there will be a Dewatering Infiltration Pond to collect ground water from the construction site and filter it back into the ground water table.

Hours and days of operation:

The use of the site will be limited to Monday to Saturday 7am – 7pm to limit noise for the neighbouring residences in accordance with AS 2436-2010 - Guide to Noise and Vibration control on Construction, Demolition and maintenance sites.

Number of Employees:

Nil.

Type of equipment being used:

Nil.

Carparking:

Vehicles will park in areas as shown on the supplied site plan.

Phone: +61 8 9204 3388. Email: reception@welink.com.au
Address: Suite 9, 41 Walters Drive, Osborne Park, WA 6007



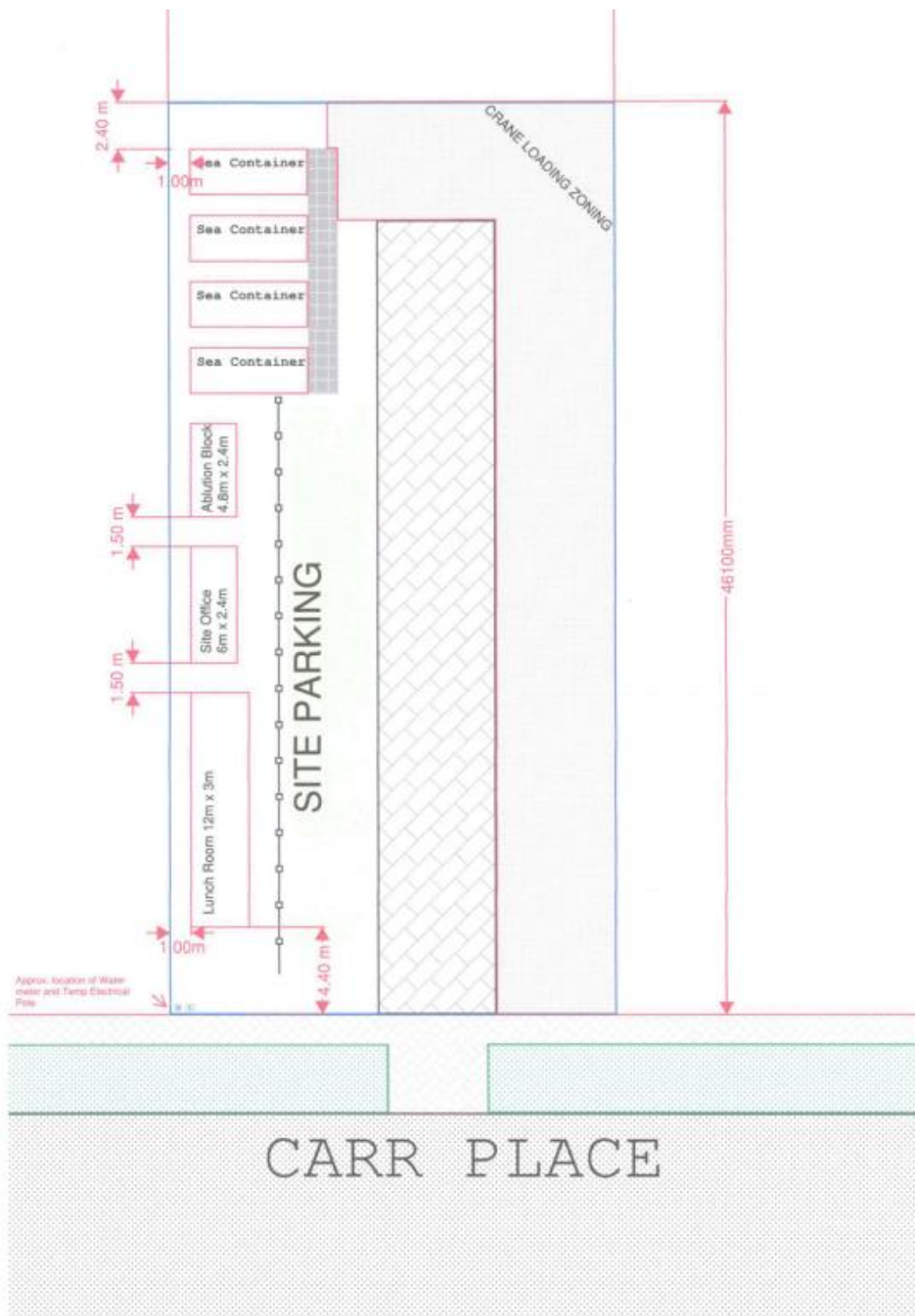


Signage:

The following Builders Signs are installed on the boundary fence and will be removed at the end of construction.

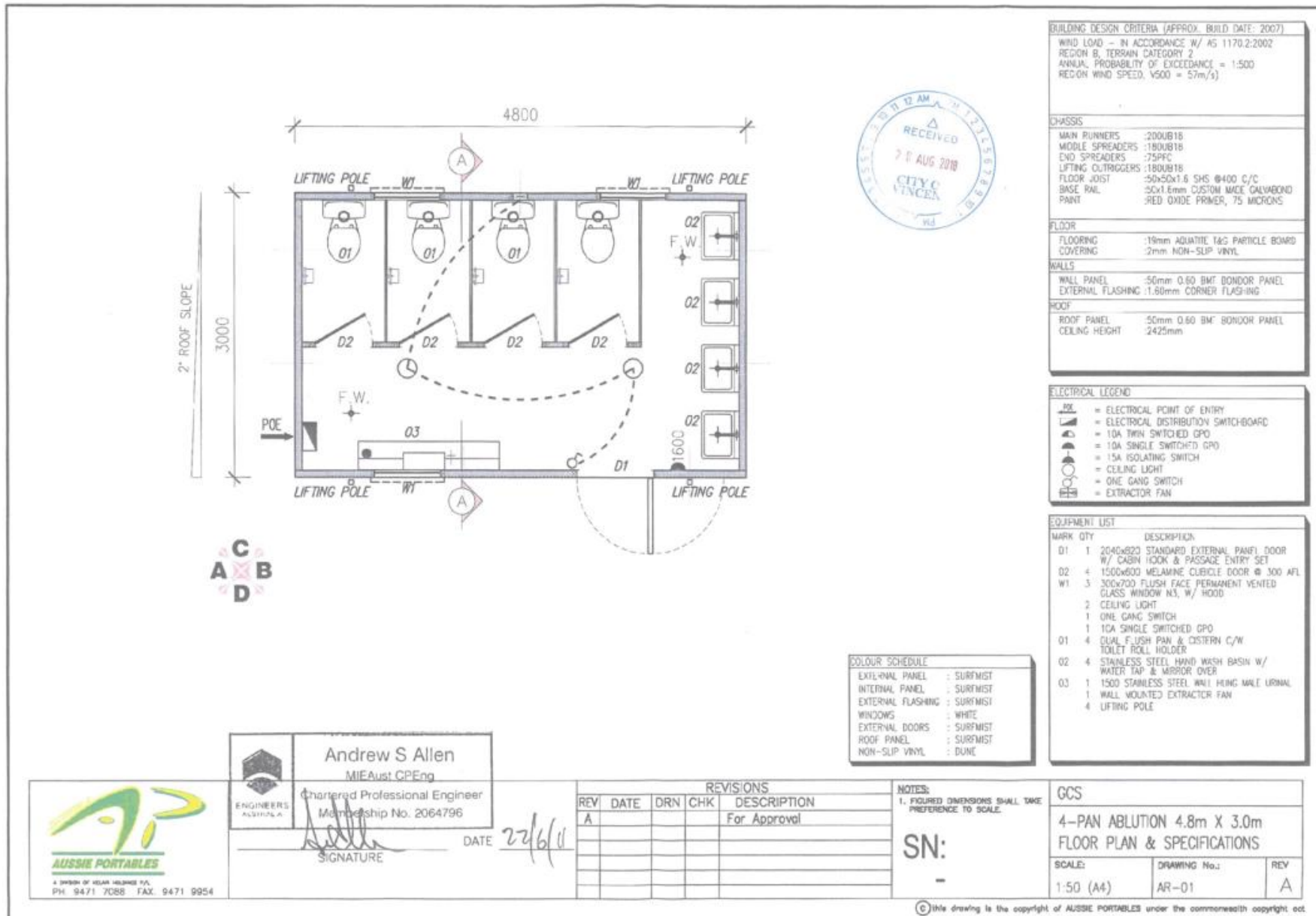


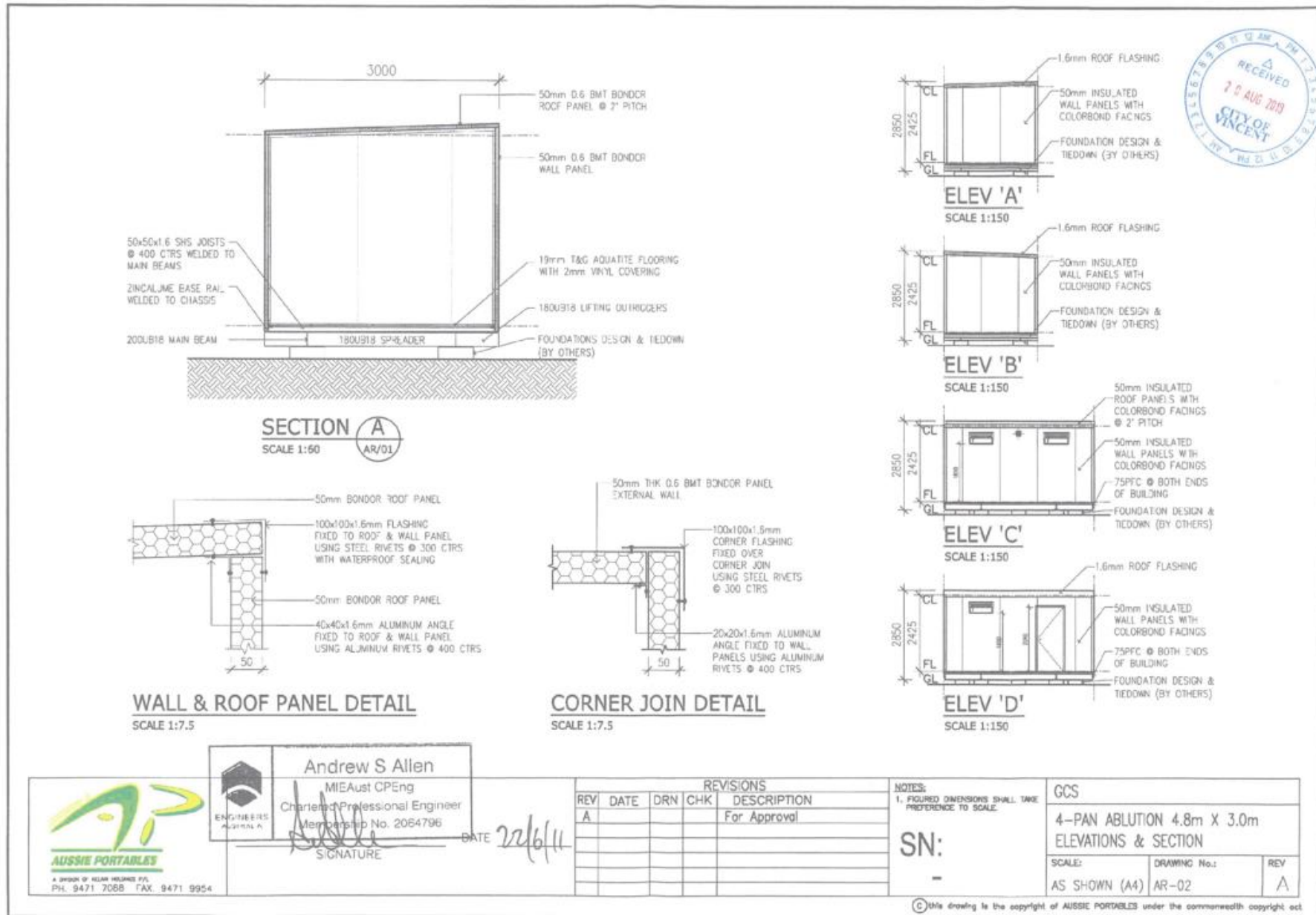
Phone: +61 8 9204 3388. Email: reception@welink.com.au
Address: Suite 9, 41 Walters Drive, Osborne Park, WA 6017



194-196 Carr Place, Leederville
 SITE PLAN
 08/08/2018







PARKING MANAGEMENT PLAN FRAMEWORK

Owner/Applicant Details	
Name:	Applicant's contact details redacted for privacy purposes.
Address:	
Phone:	
Email:	
Applicant Signature:	

Property Details	
Lot Number:	6
Address:	194 CARL PLACE, LEEDERVILLE, 6007

Parking Allocation	
Total Number Car Parking Spaces:	10
Total Number Short Term Bicycle Parking Spaces:	2
Total Number Long Term Bicycle Parking Spaces:	2
Total Number Other Bays:	0

Development Type	Development Users	Parking Allocation			
		Type / Duration MONTHS	No. Car spaces / DURATION	No. Bicycle Spaces	No. Other Spaces
	Staff	Car / 8	10 / 8	2 / 8	—
	Customers	—	—	—	—

Page 1 of 3

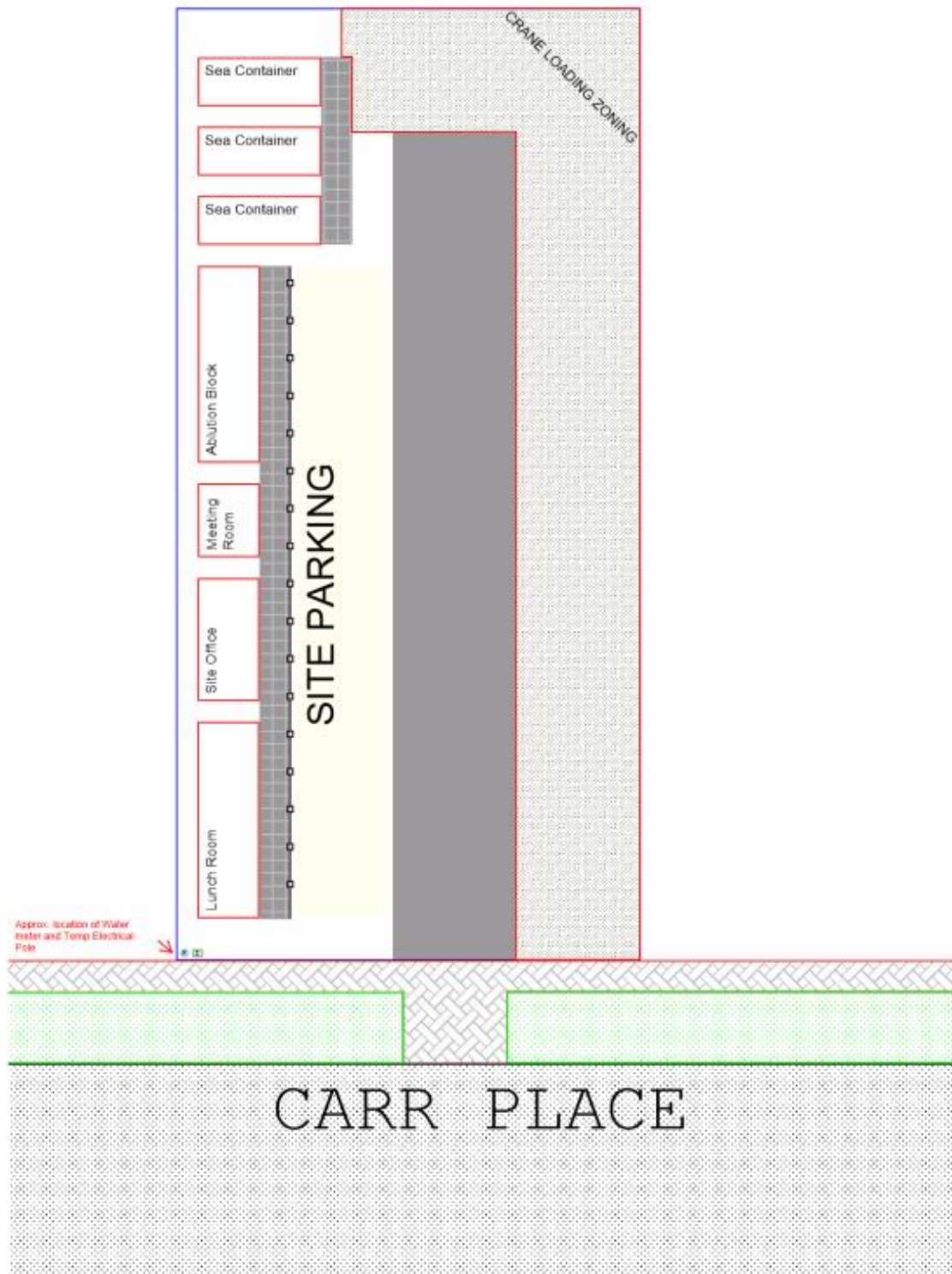
	Other	—	—	—	—

Alternative Transport:

<u>Transport Option</u>	<u>Type & Level of Service</u>
Public Transport	
Train	/
Bus	/
Pedestrian	
Paths	/
Facilities	/
Cycling	
Paths	/
Facilities	/
Secure Bicycle Parking	/
Lockers	/
Showers/Change Room	/

Public Parking:

	No. Marked Spaces	Location	Parking Restrictions
On Street Parking	/	/	/
Off Street Parking	/	/	/



Summary of Submissions:

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

Comments Received in Objection:	Officer's Comments:
<u>Parking</u> Concerns regarding workers blocking off available street parking for their own private vehicles for extended periods of time.	This matter has been referred to the City's Ranger Services, who can address this matter under the City's Local Laws. The Construction Management Plan indicates that there is on-site parking provided for the workers at 194-196 Carr Place. If this on-site parking is full, the applicant and workers are required to use paid public parking, or use other means of transport such as public transport, to reach the site. There is no provision in the Building Permit or the Development Approval for site workers to block off public parking bays for their private use.

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

Photograph (taken 22 February 2019) depicting the progress of construction of the multiple dwelling development at 269-271 Vincent Street Leederville.





CITY OF VINCENT

CITY OF VINCENT CONSTRUCTION MANAGEMENT PLAN - APPLICATION FOR APPROVAL

BUILDERS DETAILS:

Company Name and Address

Welink Construction Pty Ltd

U2/25 Walters Drive,

Osborne Park Postcode: 6017

Site Contact Person

Vince Corica

Telephone:

0419 196 079

After Hours Contact Person

Vince Corica

Telephone:

0419 196 079

OWNER DETAILS:

Name and Contact Details

Infinite Properties Pty Ltd

Telephone:

9204 3388

Address

U7/25 Walters Drive,

Osborne Park

Postcode:

6017

SITE DETAILS:

Address

Lots 22-23, No 269-271 Vincent St,
Leederville

Postcode:

6007

Building Licence Application Number:

6.2017.360.1

PLEASE NOTE - IMPORTANT INFORMATION

The Local Government Act and the City of Vincent Local Laws do not permit obstructions, materials, the erection of any structures or hoardings on footpaths, road reserves, City Parks and Reserves; or any interference with or alteration to any fittings or facilities located thereon; unless the approval of the City is first obtained.

In this regard, applicants seeking the City's approval for any activities in the road reserve, associated with the construction site, are required to submit this completed Construction Management Plan.

Prior to completing this application form please read the City of Vincent Construction Management Plan Guidelines.

Please attach Construction Management Plan.



Construction Management Plan attached.

CITY OF VINCENT
BUILDING APPROVAL

21 NOV 2018

17-563

This Plan is approved subject to compliance with the Building Act 2011, Building Code of Australia, Building Regulations 2012, Council Local Laws and any conditions of approval.

**FINAL CLEARANCE
Office Use ONLY**

OFFICER	SIGNATURE	DATE
Planning		
Tech.Eng.	<i>[Signature]</i>	15/11/17
Env. Health		

Please complete the following information – If more space is required, additional sheets may be attached.

Item 1: Public Safety, Amenity and Site Security.

Contact Details of Essential Site Personnel

(Assessment by Building Surveyor)

To enable noise, and nuisance complaints to be managed onsite in the first instance, signage specifying any security measures and key contact details of essential site personnel must be erected on the perimeter of the building site (i.e. attached to the building, fence or hoarding).

A 24 hour contact name and phone number must be provided. The signage should indicate "Construction work times for this site are 7.00am - 7.00pm Monday to Saturday only". Should problems in relation to building noise occur outside the above permitted hours, or for any other enquiry, complaint or emergency relating to this site at anytime please contact..."

Attach a copy of the sign to the Construction Management Plan.

Office Use Only

☐

Public Safety

(Assessment by Technical Officer)

The applicant is to provide details of public safety provisions, hoardings and gantries.

Depending on the nature of the works, an approved Traffic Management Plan (TMP) for the works being undertaken may need to be in place on the work site at all times and the Contractor's Manager/Site Supervisor will be required to ensure compliance with AS 1742.3 - 2009 and Main Roads Code of Practice 2010.

Office Use Only

☐

Control of Sand and Dust

(Assessment by Environmental Health Officer)

What methods are proposed to control the drift of sand and dust from the site?

Retention of grass/vegetation, shade

cloth, spraying water, weather

conditions and signs

See CMP Item 1.4

Office Use Only

☐

Site Security

(Assessment by Building Surveyor)

What security measures will be in place to prevent unauthorised access to the site.

Steel mesh fence as per attached

CMP Item 1.5 - Site Security

Office Use Only

☐

Noise Management

(Assessment by Environmental Health Officer)

Work out of Hours

Is it anticipated that there will be any requirement to work outside the permitted work hours of 7am to 7pm Monday to Saturday, or on Public Holidays?

Yes

☐

No

☒

If yes, please submit the required *Application for Regulation 13 - Out of Hours Construction Work Permit*. This application must be submitted at least seven (7) days prior to the construction work commencing, and can be obtained from the City's Health Services.

Details of works hours and noise management

See attached CMP Item 1.6 - Noise Management

All staff and sub-contractors shall be advised that construction noise MUST not commence prior to 7.00am, in accordance with the Environmental Protection (Noise) Regulations 1997.

Yes

☒

No

☐

21 NOV 2015

17-363

Office Use Only

☐

This Plan is approved subject to compliance with the Building Act 2011, Building Code of Australia, Building Regulations 2012, Council Local laws and any conditions of approval.

Conditions of Footpath and Road Reserve

(Assessment by Technical Officer)

The applicant **AT ALL TIMES** shall be responsible for the protection of the City's Infrastructure during the works.

Note: This includes ensuring drainage gullies/ inspection chambers/ roads and footpaths remain free from any sand/debris emanating for the construction site.

A works bond fee shall be paid on application of the building licence. The applicant will be responsible for all costs associated with the required maintenance of the City's infrastructure **during the works** and any re-instatement of the City's Infrastructure **during, as requested, and at the conclusion of the works.**

Pre Work Inspection

Please advise, at the time of making the works bond payment, if you consider that a pre works inspection of the existing condition of the City's infrastructure needs to be recorded for future reference at completion of the works.

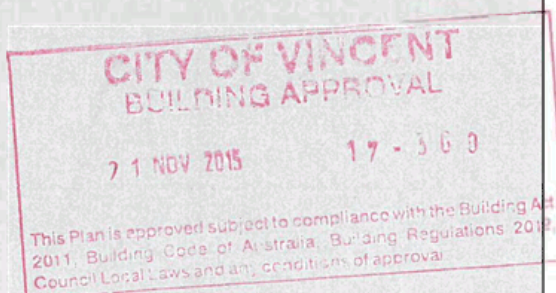
If the City is not notified it will be assumed that the City's Infrastructure is in an acceptable condition for the purposes of refund of works bond.

Date of Inspection

To Be Advised (Refer CMP Item 1.7 & 1.8)

Attending Officer

Office Use Only

**Item 2: Storm Water and Sediment Control****Wash down Areas for Trucks**

(Assessment by Environmental Health Officer)

Will there be a requirement to wash excess concrete or other materials out of trucks, mixers etc and if so has a place been allocated on site?

Yes

☒

No

☐

If "YES" please provide details below. **Please note that it is not permissible to wash down into the City's street drainage system.**

See Attached CMP - Item 2.1

Office Use Only

Dewatering

(Assessment by Technical Officer)

Will de-watering of the site be necessary?

Yes

☐

No

☐

If "YES" please provide details and attach a report from an appropriately qualified consultant outlining the proposal, duration of operation, water quality etc.

See attached CMP Item 2.2.

Monitoring is in progress to see if dewatering will be necessary

Note: Pre approval from the City will be required prior to discharging any ground water from the site into the City's street drainage system during the de watering operations. In addition subject to the findings of the consultants report, approval may also be required from State Agencies e.g. Swan River Trust, Department of Water and Department of Environment and Conservation.

Office Use Only

Item 3: Traffic and Access Management**Road and/or Footpath Obstructions**

(Assessment by Technical Officer)

Is it proposed that the footpath, road, right of way, or verge be obstructed in any manner, for any period during the works? This includes placement of cranes, gantries, skips etc.

Yes ☐ No ☒

If "YES" please provide details below, and attach your completed application for a **Permit for Works/Placement in Road Reserve**

Please see attached CMP Item 1.3 and 3.0

Office Use Only ☐

Adequate measures, to the satisfaction of the City, shall be taken by the applicant to maintain pedestrian and vehicular access to the road reserve and to ensure the City's facilities are safeguarded.

Storage of Materials and Equipment on Site

(Assessment by Technical Officer)

Is it proposed that any materials will be stored off site, i.e. on the verge ?

Yes ☐ No ☒

If "YES" please provide details below, and attach your completed application for a **Permit for Works/Placement in Road Reserve**

See attached CMP Item 3.1 and 3.2

NOTE: Site toilets must be provided onsite and within 2 metres of the property boundary.

Please indicate on the site plan where materials are to be stored and extent of any hoardings, gantries or scaffolding.

Office Use Only ☐**Access to site**

(Assessment by Technical Officer)

Will access to the site be required through any other properties or reserves?

Yes ☒ No ☐

If "YES" please provide details and copies of the written authorization of the property owner, to do so.

See attached CMP Item 3.3

Will a temporary crossover be required?

Yes ☒ No ☐

If "YES" please attach a completed **Application for Vehicular Crossing**.

Office Use Only ☐**Parking for Contractors and Subcontractors**

(Assessment by Technical Officer and Ranger Services)

Parking and traffic controls around building sites must be complied with and accommodated in a manner that minimises disruption to the precinct. It should be noted that parking across a footpath is illegal.

Yes ☒ No ☐

Detail proposed provisions made for contractor/worker vehicles and annotate proposed parking location on the site plan

See attached CMP Item 3.4

CITY OF VINCENT
BUILDING APPROVAL

21 NOV 2015

17-342

This Plan is approved subject to compliance with the Building Act 2011, Building Code of Australia, Building Regulations 2012, and any other applicable laws and any conditions of approval.

Office Use Only ☐

Item 4: Waste Management and Material Re-Use**Storage & Disposal of Rubbish**

(Assessment by Environmental Health Officer)

Detail how rubbish and waste to be contained on site and removed from site and indicate on the site plan where waste will be stored.

See attached CMP Item 4.1

Note: Allowing litter, sand and other materials to spread from the site is an offence.

Office Use Only

Waste Generation

(Assessment by Environmental Health Officer)

Detail how waste generated onsite will be minimized, and disposed of to reduce any impact on the environment (recycling, reuse or landfill):

See attached CMP Item 4.2

Office Use Only

Item 5: Earth Works and Associated Matters**Ground Anchors**

(Assessment by Building Section and Technical Officers)

Will ground anchors be installed beyond the property boundary?

Yes

☐

No

☒

If "YES" please provide details certified by an appropriately **qualified consultant** and **written consent of the affected neighbours** for approval.

Are ground anchors or other measures proposed which may affect the adjacent road reserve, right of way, or other property under the care control and management of the City?

Yes

☐

No

☒

If "YES" please provide details certified by an appropriately **qualified consultant**.

Office Use Only

CITY OF VINCENT
BUILDING APPROVAL

21 NOV 2015

17-363

This Plan is approved subject to compliance with the Building Act 2011, Building Code of Australia, Building Regulations 2012, Council Local Laws and any conditions of approval.

Vibration Management

(Assessment by Building Section & Technical Officer)

Will any building operations or earthworks involve the use of equipment that could possibly cause damage by **vibration** or **settlement** to:

- i) the property of an adjoining owner or the City's?
- ii) the adjacent road reserve, right of way, or other property under the care, control and management of the City or any other public authority?

Yes ☐ No ☒

Provide details of any equipment, which may cause excessive vibrations and attach **management details certified by an appropriately qualified consultant.**

See attached CMP Item 5.3

Excavation Management

(Assessment by Building Section & Technical Officer)

Office Use Only ☐

Are there any **excavation** works proposed that could possibly cause damage to:

- i) the property of an adjoining owner or of the City?
- ii) the adjacent road reserve, right of way, or other property under the care, control and management of the City or any other public authority?

Yes ☐ No ☒

Provide details of how land is to be retained as part of the excavation works to ensure there is no movement of or impact to adjacent properties and attach **management details certified by an appropriately qualified consultant.**

NOTE: The City does not encourage Sheet Piling and encourages less intrusive methods of ground retention.

See attached CMP Item 5.4.

See drawings A1-01, S10 and S13.
See Optimum Engineering Details

of Earthworks and Piling

Office Use Only ☐**Underpinning**

(Assessment by Building Section & Technical Officer)

Will ground stabilisation or underpinning be required at the property boundary or to structures on adjoining properties?

Yes ☐ No ☒

Office Use Only ☐

If yes, will excavations be carried out that extend to a lower level than the foundations of a building or structure belonging to an adjoining owner and within 3.0 metres of that building?

Yes ☐ No ☐

Office Use Only ☐

If yes, please provide evidence in writing that notice has been given to the adjoining property owner pursuant to Section 391 of the Local Government (Miscellaneous Provisions) Act 1960.

Dilapidation Report

(Assessment by Building Section & Technical Officer)

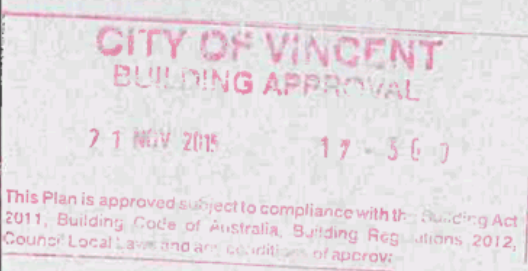
If you answered yes to **any** of the matters, relating to earthworks and associated Matters, the City may require the builder to arrange for a dilapidation survey to be conducted on all adjacent buildings which may be deleteriously affected by the works. This will ensure that any damage arising from the works can be clearly identified.

Dilapidation surveys **attached**

Yes ☐ No ☒

Office Use Only ☐

See attached CMP Item 5.6



Item 6: Site Plan

Please attach a scaled site plan with your application indicating the following:

- Location of all of the City's infrastructure, such as street trees, signage, kerbing, drainage, street lights and power poles
- Where materials will be unloaded
- Where materials will be stored
- Location of waste disposal bins
- Location of materials hoist
- Location of temporary sanitary facilities
- Location of any proposed work zones, if any
- Location of concrete mixer
- Location of any hoardings or gantries
- Location of scaffolding
- Location of crossovers or other access points
- Location of wash down areas for trucks
- Parking arrangements for work site personnel
- Any proposed redirection of pedestrian traffic
- Parking for concrete and delivery trucks
- Perimeter fencing
- Public Safety and Traffic Management

Acceptable scales 1:100 or 1:200

Item 7: Applications for Permits and Other Approvals

The Construction Management Plan is a requirement of Planning and Building approval **BUT DOES NOT NEGATE** the requirement for separate applications and approvals for such items as:

- Road and footpath closures/obstructions;
- Workzones;
- Gantry and hoardings;
- Worksbond inspection request;
- Use of parking bays;
- Disposal of water from dewatering operations;
- Noise Management Plan;
- Signs.


These Permit Applications can be obtained from the City's Ranger Services.

Item 8: Indemnification

Upon submission of the Construction Management Plan, the applicant undertakes to indemnify the City of Vincent against ALL claims which may be made against The City for damages or otherwise, in respect of any loss, damage, death or injury caused by, or in the course of or arising out of the use of the road reserve and the property of the City of Vincent, during all periods when the reserves are in use due to the works associated with the development. The applicant should also provide evidence of Public Liability Insurance.

DECLARATION

I accept responsibility for ensuring compliance with the Local Laws, Statutes and conditions pertaining to use of the Road Reserve and City Property on behalf of the afore named organisation.



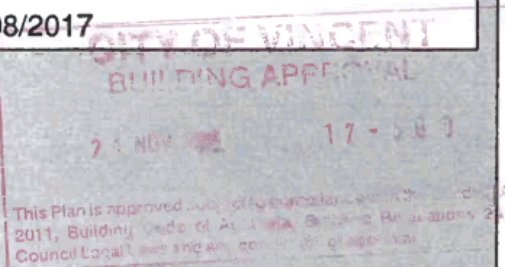
APPLICANT'S SIGNATURE

Jason Howard

APPLICANT'S NAME

18/08/2017

DATE







Welink Construction
Office 7, Level 2, No.25 Walters Drive Osborne Park

SKYPARK

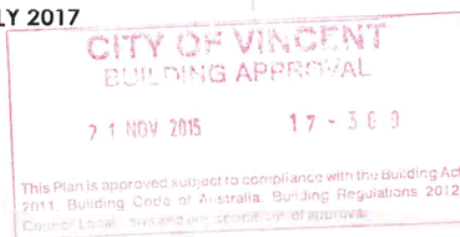
4 OFFICES AND 31 APARTMENTS

LOTS 22 – 23, No. 269 – 27 VINCENT STREET, LEEDERVILLE

CONSTRUCTION MANAGEMENT PLAN

Prepared By Welink Construction

07 JULY 2017



SKYPARK
4 OFFICES AND 31 APARTMENTS
LOTS 22 – 23, No. 269 – 271 VINCENT STREET, LEEDERVILLE

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Construction Management Plan

2

SKYPARK
4 OFFICES AND 31 APARTMENTS
LOTS 22 – 23, No. 269 – 271 VINCENT STREET, LEEDERVILLE

CONSTRUCTION MANAGEMENT PLAN (CMP)

SKYPARK 4 OFFICES AND 31 APARTMENTS
LOTS 22 – 23, No. 269 – 271 VINCENT STREET, LEEDERVILLE



BUILDERS & OWNERS DETAILS, SITE DETAILS, PROJECT OVERVIEW

BUILDER & OWNER DETAILS

Builder:	Welink Construction Pty Ltd	Telephone: 08 9204 3388
Project Manager:	Vince Corica	Telephone: 0419 196 079 Email: vince@welink.com.au
Construction Manager:	Jason Howard	Telephone: 0415 673 388 Email: jason@welink.com.au
After Hours Contact:	Vince Corica Mobile	Telephone: 0419 196 079
Address:	Unit 2, 25 Walters Drive Osborne Park WA 6017	
Builder's Registration No:	101031	
Owner:	Infinite Properties Pty Ltd	Telephone: 9204 3388
Contact:	Nicholas Shao	Telephone: 9204 3388
Address:	Unit 7, 25 Walters Drive Osborne Park WA 6017	

SITE DETAILS & PROJECT OVERVIEW

The Project comprises the construction of 1 below ground basement and 6 above ground levels comprising car parking, 4 offices and 31 apartments at Lots 22 – 23, No. 269 – 271 Vincent Street, Leederville.

The site is located approximately opposite the Leederville football oval.
There is an existing vacant house on Lot 22, No.271.
Lot 23, No. 269 is vacant (the house has been demolished).

The basement permanent egress will be via a Vincent Street ramp down into the basement.

A permanent crossover is to be constructed to allow for this.

The basement will be constructed with concrete retaining walls and concrete slabs.

The above ground levels will be constructed with concrete & AFS external walls, concrete suspended floors with colorbond metal roofing, Aluminium framed windows and Aluminium framed external doors.

Internal walls will be a mixture of concrete, brickwork & framed walls.

External facades will include a mixture of texture finished walls, feature screens and curtain walling.

Building services include hydraulic, electrical, mechanical & lift services.

The basement has enclosed garaging for vehicles including use of car stacker.

SKYPARK
4 OFFICES AND 31 APARTMENTS
LOTS 22 – 23, No. 269 – 271 VINCENT STREET, LEEDERVILLE

Work activities will include:

- a) Site clearance and preparation, general earthworks
- b) Retaining walls (and temporary shoring as required)
- c) External storm water soak wells and mains sewer
- d) In-situ reinforced concrete footings and slabs
- e) Steel roof framing including metal sheet roofing and roof plumbing
- f) Internal brickwork, concrete and framed wall partitions
- g) Aluminium windows and external doors
- h) Internal timber doors, metal frames and hardware
- i) Internal finishes include hard wall plaster, plasterboard ceilings and wall linings
- j) Resilient floor finishes
- k) Fit out includes kitchen and bathroom cabinetwork, engineered stone tops and kitchen appliances
- l) Hydraulic, electrical, mechanical & lift services
- m) Landscaping

Cranes:

A Tower Crane will be used for construction, it will be installed within the confines of the site.

Mobile Cranes will also need to be used during construction and shall operate within the work zone (see below) & site.

1.0 PUBLIC SAFETY, AMENITY & SITE SECURITY

1.1 Contact Details of Essential Site Personnel, Site Operating Hours & Signage

The Site will operate between the hours of 07:00am and 07:00pm Monday to Saturday inclusive. Work on Sunday and/or Public Holidays at this stage are not envisaged, but should this be required approval will be sought from the City of Vincent. An application for Out of Hours Permit will be made (minimum 7 working days) accompanied by a specific Noise Management Plan as required.

Signage showing builder's key contact details including a 24 hour contact name phone number and the following wording: -

"Construction work times for the site are 7.00am - 7.00pm Monday to Saturday only. Should problems in relation to building noise occur outside the above permitted hours, or for any other enquiry, complaint or emergency relating to this site at any time please Vince Corica 0419 196 079" will be attached to the perimeter fencing. See attached sign image.

1.2 Public Safety

Hoardings and Gantries

Should this be required, approval will be sought from the City of Vincent.

1.3 Traffic Management

Occasional lane closure may be required for various aspects of construction (e.g. assembly, installation & removal of tower crane, concrete pumps and trucks, mobile cranes, etc.). All necessary permit applications will be forwarded to the City of Vincent for approval as necessary. Depending on the nature of the works, Traffic Management

Construction Management Plan

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Plans (TMPs) will be prepared, lodged for approval and kept on site. TMPs will be prepared and implemented by certified companies to comply with AS 1742.3 – 2009 and Main Roads Code of Practice 2010.

1.4 Dust Control

Air and dust control will be managed by appropriate measures during construction work. These could include:

- Where possible retain as much grass/vegetation on site (until commencement of basement excavation);
- Installing shade cloth to exposed areas of site fencing and scaffolding;
- Spraying water from hoses and/or temporary reticulation system on excavated surfaces;
- Pre-planning excavation works around prevailing weather conditions, i.e. strong winds, hot dry days etc.
Assess whether work can be carried out in other areas less exposed to weather conditions;

Appropriate signs will be displayed to warn the public and workers of potential hazards and risks.

Any hazards caused by construction works that potentially could impact on the public shall be repaired immediately.

1.5 Site Security (Perimeter Security Fencing)

The site perimeter will be enclosed for security and safety purposes with a temporary steel mesh fence (approximately 1800mm high). The fencing will be an interlocking component style or ring lock chain mesh type or a combination of both and it will cover the perimeter as shown on the attached Site Plan.

Separate approval is requested from the Council for site fencing required beyond the site boundaries, please see attached application form – Placement in road Reserve and attached site plan.

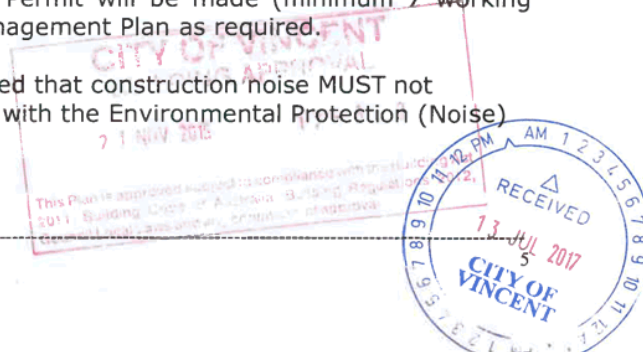
Access and egress for the site will be via gates located along Vincent Street. At the end of each working day, gates shall be shut and fencing checked to ensure all is secure.

1.6 Noise Management

The Site will operate between the hours of 07:00am and 07:00pm Monday to Saturday inclusive. Work on Sunday and/or Public Holidays at this stage are not envisaged, but should this be required approval will be sought from the City of Vincent. An application for Out of Hours Permit will be made (minimum 7 working days) accompanied by a specific Noise Management Plan as required.

All staff and sub-contractors shall be advised that construction noise MUST not commence prior to 7.00am, in accordance with the Environmental Protection (Noise) Regulations 1997.

Construction Management Plan



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1.7 Condition of Footpaths, Road Reserve and adjoining Properties

Welink Construction will where applicable protect the City's Infrastructure during the works.

Protection will include ensuring drainage gullies/inspection chambers/ roads and footpaths remain free from any sand/debris emanating from the construction site. A works bond fee shall be paid on application of the building licence and a pre-works inspection of the existing condition of the City's infrastructure is requested.

1.8 Pre work Inspection

A dilapidation inspection will be carried out on adjoining properties, the site surroundings and external areas of neighbouring buildings. Inspection will include footpaths, roads, kerbing and landscaping. A report will be produced & a copy of this report can be provided upon request.

2.0 STORM WATER AND SEDIMENT CONTROL

2.1 Wash Down Area for Trucks

Excess concrete and other materials will be washed out of trucks, mixers etc. on site in the basement area during earthworks and refuse will be placed into bins for removal from site. Wash out will be off site in suppliers yards/approved refuse areas for occasions when wash out on site is not practicable.

It is noted that wash down into the City's street drainage is not permissible.

2.2 Dewatering

Should dewatering be required, a report from an appropriately qualified consultant outlining the proposal, duration of operation, water quality etc. will be provided in due course.

In those circumstances, an application for approval from the City will be requested prior to discharging any ground water from the site into the City's street drainage system during the de watering operations. In addition and subject to the findings of the consultant's report, approval may also be required from State Agencies e.g. Swan River Trust, Department of Water and Department of Environment and Conservation.

3.0 TRAFFIC AND ACCESS MANAGEMENT

3.1 Road and/or Footpath Obstructions

Permit for Works/Placement in Road Reserve - Work Zone/Verge Area

A work zone is requested in the area of the footpath, verge and parking bays lane adjacent the site on Vincent Street. Please see attached application form and attached site plan.

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3.1 Storage of Materials and Equipment off Site Permit for Works/Placement in Road Reserve - Work Zone/Verge Area

A work zone is requested in the area of the footpath, verge and parking bays lane adjacent the site on Vincent Street. Please see attached application form and attached site plan.

3.2 Site Toilets, Material storage, Hoardings, Gantries and Scaffolding

Site accommodation and amenities

It is proposed to establish the builder's site amenities on the Vincent Street verge. Low loading machinery will be used in order to maintain safe working distance from overhead power lines.

Areas will be provided on site for storage of building materials, small equipment etc. Electricity and water will be connected to service the temporary site accommodation. See attached site plan for indication of site amenities.

3.3 Access & Deliveries to site, Tower Crane, Mobile Cranes

Access & deliveries to site will be via a temporary crossover from Vincent Street into the site.

Off-loading will be within the work zone area.

Loading out of site materials by trucks will occur.

When required, road/traffic management will be implemented by qualified operators and permits will be applied for when applicable.

When practicable, major deliveries will be coordinated to take place during non-peak hours.

When required, spotters or traffic controllers will be used.

See attached site plan for indication of crossover location.

See attached Application for Vehicular Crossing.

3.4 Parking for contractors and Subcontractors

Parking will be in nearby City of Vincent car parks.

Some vehicles will be accommodated within the onsite basement once construction has progressed sufficiently to allow safe access to the basement.

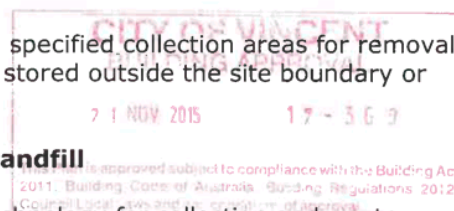
4.0 WASTE MANAGEMENT AND MATERIAL RE-USE

4.1 Storage & Disposal of Rubbish

All site waste will be collected in skips/bins or in specified collection areas for removal off site by trucks. No site waste material will be stored outside the site boundary or outside the work zone.

4.2 Waste Generation, Recycling, Re-use, Landfill

Site waste removal contractors use the latest technology for collection and waste handling. They have policies to maximise the recovery and recycling of resources from waste collection to minimise waste to landfill.



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5.0 EARTHWORKS AND ASSOCIATED MATTERS

5.1 Ground Anchors

Not applicable.

5.2 Ground Anchors to Property under Care, Control and Management of City of Vincent

Not applicable.

5.3 Vibration Management

Earthworks equipment will operate within allowable frequencies so as to not cause property damage. Vibration will be monitored throughout the sheet pile and earthworks process.

5.4 Excavation Management

Excavation will be required in order to construct the basement. Temporary and permanent retaining wall construction works have been designed by qualified consultants so as to not cause damage or adverse effect to adjoining properties.

Retaining walls will be constructed to front and side boundaries. This will involve the installation of a pile shoring system inside the site boundary, as has designed by qualified Engineers to support the verge and footpath and the side neighbouring lots. Construction process will make use of vibration minimising techniques in order to protect adjoining properties.

For the extent of temporary & permanent retaining, see attached architectural and structural drawings, in particular A1-01, S10 & S13

5.5 Underpinning

A retaining wall system will be used as described above.
As such, underpinning is not expected to be required.

5.6 Dilapidation Report

A dilapidation inspection will be carried out on adjoining properties, the site surroundings and external areas of neighbouring buildings. This will include footpaths, roads, kerbing and landscaping. A report will be produced & a copy of this report can be provided upon request.

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6.0 SITE PLAN

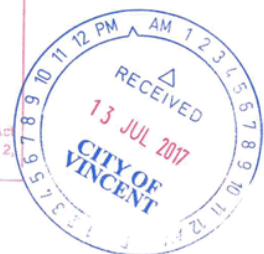
See attached Construction Management Site plan indicating/noting the following:
Location of the City's infrastructure, such as street trees, signage, kerbing, drainage, street lights and power poles
Where materials will be unloaded
Where materials will be stored
Location of waste disposal bins
Location of materials hoist
Location of temporary sanitary facilities
Location of any proposed work zones
Location of concrete mixer
Location of scaffolding
Location of crossover
Location of wash down areas for trucks
Proposed redirection of pedestrian traffic
Parking for concrete and delivery trucks
Perimeter fencing

7.0 APPLICATION FOR PERMITS AND OTHER APPROVALS

It is noted that The Construction Management Plan is a requirement of Planning and Building approval but does not negate the requirement for separate applications and approvals for such items as:

Road and footpath closures/obstructions;
Work zones;
Gantry and hoardings;
Works bond inspection request;
Use of parking bays;
Disposal of water from dewatering operations;
Noise Management Plan;
Signs.

Accordingly, when/if applicable, the required permits will be applied for from the City's Ranger services.



Construction Management Plan

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8.0 INDEMNIFICATION

Upon submission of the Construction Management Plan, the Welink Construction Pty Ltd undertakes to indemnify the City of Vincent against all claims which may be made against The City for damages or otherwise, in respect of any loss, damage, death or injury caused by, or in the course of or arising out of the use of the road reserve and the property of the City of Vincent, during all periods when the reserves are in use due to the works associated with the development.

See attached Certificate of Currency for Public Liability Insurance.

DECLARATION

Welink Construction accepts responsibility for ensuring compliance with the Local Laws, Statutes and conditions pertaining to use of the Road Reserve and City Property on behalf of the afore named organisation.

APPLICANT'S SIGNATURE



APPLICANT'S NAME

JASON HOWARD

DATE

11/07/17

End of document

Construction Management Plan

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Determination Advice Notes:

1. The use of this site as a construction site yard is only valid for the period of construction relating to the multiple dwelling development currently occurring at 269-271 Vincent Street. Upon practical completion of the construction at 269-271 Vincent Street, the site yard at Nos. 194 – 196 Carr Place, Leederville shall be discontinued and shall not be used for any other construction.
2. All 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 Building Permit application, being submitted and approved prior to the erection of the signage.
3. 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.
4. If the 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. 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.
6. The obligation to comply with the requirements of a time limited condition continues whilst the development approval exists.

9.4 NO. 441 (LOT: 11; D/P: 1114) WILLIAM STREET AND NO. 6 (LOT: 10; D/P: 1114) BRISBANE PLACE, PERTH - HOTEL, RESTAURANT AND OFFICE DEVELOPMENT

TRIM Ref: D18/191965

Author: Darius Ardeshirian, Senior Urban Planner

Authoriser: John Corbellini, Executive Director Development Services

Ward: South

- Attachments:**
1. Attachment 1 - Consultation and Location Plan [↓](#) 
 2. Attachment 2 - Development Plans [↓](#) 
 3. Attachment 3 - Applicant's Report [↓](#) 
 4. Attachment 4 - Waste Management Plan [↓](#) 
 5. Attachment 5 - Traffic and Parking Demand Assessment [↓](#) 
 6. Attachment 6 - Acoustic Report [↓](#) 
 7. Attachment 7 - Environmentally Sustainable Design Report [↓](#) 
 8. Attachment 8 - Administration's Response to Summary of Submissions [↓](#) 
 9. Attachment 9 - Applicant's Response to Submissions [↓](#) 
 10. Attachment 10 - Design Review Panel Minutes [↓](#) 
 11. Attachment 11 - Loading Bay Plan [↓](#) 
 12. Attachment 12 - 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 Hotel comprising 30 guest rooms, a Restaurant/Café and an Office at No. 441 William Street (Lot: 11; D/P: 1114) Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 12:

1. This approval is for the Hotel, Restaurant/Café and Office as shown on the approved plans dated 14 December 2018 only and no other development forms part of this approval;
2. Use of the premises:
 - 2.1 The tenancy shown as 'Coffee Shop' on the approved plans dated 14 December 2018 is approved for the use of Restaurant/Café as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
 - 2.2 The proposed restaurant/café is limited to a maximum number of 40 customers and 10 staff members at any one time; and
 - 2.3 The tenancy shown as 'Commercial unit 1' on the approved plans dated 14 December 2018 is approved for the use of Office as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
3. Cash-in-lieu of parking contributions
 - 3.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of car parking bays of \$50,000 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; and
 - 3.2 Prior to the Occupation of the development the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

3.2.1 pay a cash-in-lieu contribution of \$50,000; OR

3.2.2 lodge an appropriate assurance bond/ bank guarantee of a value of \$50,000 to the satisfaction of the City. This assurance bond/bank guarantee would only be released in the following circumstances:

3.2.2.1. to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;

4. Loading Bay

4.1 The two existing on-street car bays adjacent to the subject site on William Street are to be used as the Loading Bay and Drop Off/Pick Up Bay for the proposed development;

4.2 Detailed drawings in compliance with the relevant Australian Standards, including swept path analysis of the largest vehicle expected to use the bay, is to be provided to and approved by the City prior to submission of a Building Permit; and

4.3 All costs associated with the establishment of the bay, including line marking and modifications to the public infrastructure, are the responsibility of the Applicant;

5. Parking Management Plan

5.1 Prior to the occupation of the development a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:

- Detailed management measures for the use and operation of the loading bay/drop off and pick up bay, to ensure access is readily available for service vehicles and guests of the hotel at all times; and
- Detailed management measures for Hotel staff and guests relating to availability of parking within the area; and

5.2 The Parking Management Plan as identified in Condition 5.1 above shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers;

6. Service Management Plan

6.1 A detailed loading bay management plan, to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of development; and

6.2 The approved loading bay management plan shall be implemented and maintained to the satisfaction of the City of Vincent;

7. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

8. Schedule of External Finishes

Prior to the 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;

9. Stormwater

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

10. Waste Management Plan

10.1 A Waste Management Plan must be submitted to and approved by the Local Government prior to lodging an application for a building permit. The plan must include the following details to the satisfaction and specification of the Local Government:

10.1.1 the location of bin storage areas and bin collection areas;

10.1.2 the number, volume and type of bins, and the type of waste to be placed in the bins;

10.1.3 details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and

10.1.4 frequency of bin collections;

10.2 The approved Waste Management Plan must be implemented at all times to the satisfaction of the Local Government unless otherwise approved;

11. Bicycle Parking

11.1 A minimum of 10 bicycle bays are to be provided and installed in accordance with AS2890.3 prior to the occupation or use of the development; and

11.2 Plans demonstrating the provision of two end of trip facilities are to be provided to and approved by the City prior to submission of a building permit;

12. Construction Management Plan

A Construction Management Plan that details how the construction of the development would be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- **Public safety, amenity and site security;**
- **Contact details of essential site personnel;**
- **Construction operating hours;**
- **Noise control and vibration management;**
- **Dilapidation Reports of nearby properties;**
- **Air, sand and dust management;**
- **Stormwater and sediment control;**
- **Soil excavation method;**
- **Waste management and materials re-use;**
- **Traffic and access management;**
- **Parking arrangements for contractors and subcontractors;**
- **Consultation plan with nearby properties; and**
- **Compliance with AS4970-2009 relating to the protection of trees on the development site;**

13. Environmentally Sustainable Design

The building is to be constructed in accordance with the requirements of the ESD report prepared by Cundall dated 13 December 2018 to satisfy the design principles of Clause 1.8 Policy No. 7.1.1 – Built Form Policy;

14. Public Art

- 14.1** Percent for public art contribution of \$45,000 being one percent of the total \$4.5 million value of the development shall be allocated towards public art prior to the commencement of the development;
- 14.2** Confirmation in writing outlining how the proposed development would comply with the City of Vincent Policy No. 7.5.13 – Percent for Art shall be submitted prior to commencement of development; and
- 14.3** Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development; and

15. Landscape and Reticulation Plan

- 15.1** A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit.

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;
 - The provision of a minimum of 9.5 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form; and
 - The provision of trees contributing towards canopy coverage within deep soil areas provided and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list; and
- 15.2** All works shown in the plans as identified in the condition 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.

PURPOSE OF REPORT:

To consider an application for development approval for a Five Storey Mixed Use Development comprising a Hotel with 30 guest rooms, a Restaurant/Café and an Office at No. 441 William Street and No. 6 Brisbane Place, Perth (the subject site).

BACKGROUND:

Landowner:	Xiuyi Guo and Shuya Duan
Applicant:	Architectural Online
Date of Application:	22 August 2018 (amended plans submitted 14/12/18 and 23/1/19)
Zoning:	MRS: Urban LPS2: Zone: District Centre R Code: N/A
Built Form Area:	Town Centre
Existing Land Use:	Vacant Site
Proposed Use Class:	Mixed Use Development (Hotel, Restaurant/Café and Office)
Lot Area:	506m ²
Right of Way (ROW):	N/A
Heritage List:	N/A

The subject site is zoned District Centre under the City's Local Planning Scheme No. 2 (LPS2). No. 6 Brisbane Place is located within the Town Centre Area in Policy No. 7.1.1. – Built Form (Built Form Policy) and No. 441 William Street is located within the Design Guidelines for William Street Design, Between Bulwer and Newcastle Streets, Perth (William Street Design Guidelines).

The site is currently vacant and is bound by William Street to the east, Brisbane Place to the west, grouped dwellings and a commercial premises to the north and grouped dwellings and a place of worship to the south. The opposite side of William Street comprises commercial development. This area is zoned District Centre under the City's LPS2 and forms part of the Town Centre Built Form area. The opposite side of Brisbane Place comprises grouped and multiple dwellings, is zoned Residential R50 under the City's LPS2 and forms part of the Residential Built Form area. A location plan is included as **Attachment 1**.

DETAILS:

The application proposes a Five Storey Mixed Use Development comprising a Hotel with 30 guest rooms, a Restaurant/Café and a bicycle rental shop, which is ancillary to the Hotel. An Office is also proposed which is separate to the Hotel. No vehicle parking is proposed on site.

The Restaurant/Café is located adjacent to William Street and the Office is located adjacent to Brisbane Place. The reception area for the hotel is located in the centre of the building on the ground level and is accessed via a private pedestrian access way which is be accessed via both street entrances. The access way is intended to accommodate an additional outdoor seating area for the Hotel and the Restaurant/Café and proposes gates that would be closed at night time for security purposes.

The Hotel proposes to accommodate a maximum of 60 guests, who would be serviced 24 hours a day, 7 days a week by a maximum of 15 staff at any one time. The Office is proposed to operate from 9:00am to 5:00pm, Monday to Friday and would accommodate a maximum of three staff at any one time.

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, the William Street Design Guidelines and the City's Policy No. 7.7.1 – Non-Residential Parking. 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		✓
Street Setback	✓	
Building Setbacks/Boundary Wall		✓
Building Height/Storeys		✓
Landscaping		✓
Parking & Access		✓
Bicycle Facilities	✓	
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	
Outbuildings	✓	
Ground Floor Design	✓	
Awnings, Verandahs and Collonades		✓
Building Design	✓	
Environmentally Sustainable Design	✓	

Detailed Assessment

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

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2	
'P' use	Hotel: 'A' Office: 'D'

Clause 32(1) of LPS2 states that an Office land use is not permitted on the ground floor or at grade level with the street within the Regional Centre zone.	
Building Height	
Deemed-to-Comply Standard	Proposal
William Street Design Guidelines – Height and Massing Three storeys adjacent to the Primary Street Built Form Policy Clause 1.1 – Building Height Maximum six storeys	The proposed development is five storeys.
Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
William Street Design Guidelines – Height and Massing Buildings are to have nil setbacks to the front, side and rear boundaries, with interfaces and facades to William Street being interconnected with the streetscape. Built Form Policy Clause 1.2 – Setbacks Minimum side boundary setbacks for the first two storeys is nil. The Third storey and above requires a minimum setback of 4 metres.	<u>Northern Boundary</u> First storey: Nil to 3.1 metres Second storey: Nil to 3.1 metres Third storey: Nil to 1.5 metres Fourth storey: Nil to 1.5 metres Fifth storey: 1.5 metres <u>Southern Boundary</u> Third storey: Nil to 1.9 metres Fourth storey: 1.9 metres Fifth storey: 1.8 metres
Awnings	
Deemed-to-Comply Standard	Proposal
William Street Design Guidelines – Awnings Awnings are to be provided over the footpath for the entire length of William Street to provide pedestrians with weather protection.	An awning is provided for 83 percent of the lot frontage.
Tenancy Size	
Deemed-to-Comply Standard	Proposal
Built Form Policy Clause 1.4 Tenancy Size Ground floor spaces with a width between 7.5m to 9m	Restaurant/Café: 6.5 metres Office: 4.9 metres
Vehicle Parking	
Deemed-to-Comply Standard	Proposal
Non-Residential Development Parking Requirements Policy Hotel: 24 vehicle bays Restaurant/ Café: 7.5 vehicle bays Office: 0.54 vehicle bays Total vehicle bays required: 32 Motorcycle /Scooter Bays: 1.6 bays (rounds to 2)	Nil vehicle bays would be provided on site Nil motorcycle/scooter bays would be provided on site
Landscaping	

Deemed-to-Comply Standard	Proposal
Built Form Policy Clause 1.7 Landscaping	
15 percent of the site is to be provided as deep soil zones, being a minimum space of 1 metre.	9.5 percent of the site area is provided as deep soil zones
80 percent of the rear or side setback area is to be provided as canopy coverage at maturity	Nil percent of the rear or side setback area is provided as canopy coverage at maturity

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

CONSULTATION/ADVERTISING:

Public Consultation

Community consultation was undertaken for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 7 November 2018 to 27 November 2018. The method of advertising included 453 letters being mailed to all owners and occupiers within 150 metres of the site, a sign being erected on-site, a newspaper advertisement and a notice on the City's website in accordance with the City's Policy No. 4.1.5 – Community Consultation.

During the consultation period, a total of 12 submissions were received, being three supporting the proposal, three objecting to the proposal and six neither supporting nor objecting to the proposal. The main concern raised within the submissions received related to the following matters:

- Lack of parking;
- Congestion caused by service vehicles;
- Noise;
- Lack of landscaping; and
- Waste.

A summary of the submissions with Administration's and the applicant's response is provided within **Attachment 8** and **Attachment 9**, respectively.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposed development was presented to the DRP on 17 January 2018, 7 March 2018, and 14 November 2018. The comments made by the DRP is summarised as follows:

- The DRP supported the concept of the laneway and suggested amendments to ensure activation is achieved and landscaping and lighting is incorporated to create the appropriate ambiance (atmosphere) as well as providing a safe environment (night light);
- Consider activation by protruding the bar/café into the laneway to provide surveillance of the spaces, or locate the café/bar fronting William Street and the Reception in the middle of the plan;
- Consider planting significant trees within the laneway and landscaping on the Juliet balconies;
- Levels 3, 4 and 5 setback needs more consideration. Look into additional landscaping and openings to break up the mass and built form on these levels or possibly a roof top deck. This would provide greater light and cross-ventilation through the site;
- Look at the possibility of a service lift as the traffic may be too great. Obtaining advice and input from a boutique hotel operator would help in this regard;
- Functional aspects need to be worked on and finalised (i.e. bins, patron drop off, laundry); and
- The project has significant potential but requires further development. An integrated and considered combination of high quality soft landscaping, public art, lighting and streetscape activation strategies need to be applied to the laneway area to ensure the success of this area.

The DRP's comments on the proposal is included within **Attachment 10**.

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;
- Policy No. 7.5.13 – Percent for Public Art;
- Policy No. 7.5.21 – Sound Attenuation;
- Policy No. 7.5.23 – Construction Management Plans;
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements; and
- Appendix No. 18 – Design Guidelines for William Street, Between Bulwer and Newcastle Streets, Perth.

RISK MANAGEMENT IMPLICATIONS:

There is minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

"Innovative and Accountable

We are open and accountable to an engaged community".

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Local Planning Scheme No. 2

Clause 32(1) of LPS2 states that an Office land use is not permitted on the ground floor or at grade level with the street within the District Centre zone. Notwithstanding this, an Office use is capable of being approved in accordance with Clause 34(2) of LPS2 provided that the City is satisfied that the proposal satisfies the following criteria of Clause 34(5):

- (a) *approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- (b) *the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

With regard to a) above, the proposed Office use is appropriate having regard to the matters to be considered by local government set out in Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deemed provisions for the following reasons:

- The subject site and surrounding properties along William Street are zoned District Centre under the City's LPS2 and comprise commercial development. The proposed development satisfies the objectives of the District Centre Zone as the land uses would be compatible and consistent with the surrounding context. The land uses add an additional service to the locality and provide additional opportunities for employment. The surrounding businesses may also benefit from the increase in density created by the hotel occupants.

- The Office proposes its primary access from Brisbane Place and pedestrian access via William Street. Office land uses are less intensive than other land uses capable of consideration in this location and the office is appropriately located opposite the residential development on the opposite side of Brisbane Place.
- The proposal meets the objectives of the City's Parking Policy and is unlikely to generate traffic that exceeds the capacity of the existing road system in the locality, as discussed in further detail below.

Land Use

The applicant seeks approval for a Hotel which is an 'A' use, a Restaurant/Café which is a 'P' use and an Office which is a 'D' use within the District Centre Zone, as prescribed by LPS2.

The objectives of the District Centre zone are as follows:

- *To provide a community focus point for people, services, employment and leisure that are highly accessible and do not expand into or adversely impact on adjoining residential areas;*
- *To encourage high quality, pedestrian-friendly, street-orientated development that responds to and enhances the key elements of each District Centre, and to develop areas for public interaction.*
- *To ensure levels of activity, accessibility and diversity of uses and density is sufficient to sustain public transport and enable casual surveillance of public spaces;*
- *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, high density residential and tourist accommodation, to meet the diverse needs of the community;*
- *To provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre;*
- *To encourage the retention and promotion of uses including but not limited to specialty shopping, restaurants, cafes and entertainment; and*
- *To ensure that the City's District Centres are developed with due regard to State Planning Policy 4.2 – Activity Centres for Perth and Peel.*

The application proposes a boutique sized hotel, which adds diversity to the existing land uses within the locality. The hotel would be compatible with the existing food and beverage premises along William Street. The area benefits from close proximity to public transport, food and beverage options and late night bars and restaurants. The added inclusion of bikes for hotel guests would increase the accessibility to these offerings.

The Restaurant/Café located adjacent to William Street could service the Hotel guests whilst also benefiting the wider community. The design of the development also incorporates a pedestrian access way and additional seating area, which may provide opportunity for further activation of the street.

The land uses would satisfy the objectives of the zone and is acceptable.

Building Height

The William Street Design Guidelines prescribes a maximum building height of three storeys when development is adjacent to the primary street and up to four storeys within the site. The Built Form Policy permits a maximum of six storeys.

The application proposes a maximum of five storeys over both sites. The first three storeys propose a nil setback to the William Street boundary. The fourth and the fifth storey propose a 7.5 metre setback from the William Street boundary.

The William Street Design Guidelines stipulate the fourth storey of all development is to be setback a minimum of 5 metres from the William Street boundary. The William Street Design Guidelines require consideration of the maximum building height along William Street in view of the unique topography and uninterrupted vista to the Perth Central Business District (CBD).

In considering the above, the following is relevant:

- The development situated on No. 6 Brisbane Place satisfies the deemed to comply height requirements prescribed by the Built Form Policy;
- The application proposes a large setback from the William Street boundary, which moderates the impacts of building bulk and mass on the streetscape. The setbacks also ensure views along William Street, towards Perth CBD would be maintained;
- The northern property adjacent to No. 441 William Street comprises a two storey building with a large setback from William Street to allow for vehicle access and parking. As this building is not consistent with the intent of the William Street Design Guidelines, redevelopment is encouraged. The subject application proposes the building to be setback from the northern boundary, which would ameliorate impacts of building bulk and mass as viewed from the adjoining property and the street;
- The southern property adjacent to No. 441 William Street comprises a two storey building built up to the boundary. The proposed development would have no impact on the amenity of the adjoining occupants;
- Amendments to the William Street Design Guidelines were recently advertised in accordance with the City's Consultation Policy. The amendments propose to increase the maximum heights from three storeys to four storeys where adjacent to William Street and four storeys to five storeys where the development is setback from the William Street boundary. In accordance with Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this amendment is considered seriously entertained and the decision maker is required to have Due Regards when considering the application. The proposed development is consistent with the proposed amendment, which is to be presented to Council at an upcoming Ordinary Council Meeting.

For the above reasons, the proposed building height is acceptable.

Lot Boundary Setbacks

The William Street Design Guidelines require buildings to have a nil setback to the side lot boundaries. The Built Form Policy permits nil setbacks for the first two storeys. A three metre setback is required thereafter.

The proposed development was advertised to adjoining properties in accordance with the City's Consultation Policy. No submissions raised any concerns in relation to lot boundary setbacks.

Northern boundary

The development proposes 13 evenly spaced beams on the first four levels with a nil setback to the northern lot boundary. The remainder of the building is setback between 1.4 metres to 3.5 metres on all levels.

The proposed setbacks from the northern boundary ensures the pedestrian access way and guest rooms would be provided with access to natural sunlight and ventilation. The beams would not be imposing on the streetscape or adjoining properties or cause impacts of building bulk or mass. The bulk and scale of the building is further moderated by the setback of the first two storeys, which creates a pedestrian access way. This setback provides opportunity for landscaping and activation on the site.

The northern boundary setbacks are acceptable.

Southern boundary

The southern elevation of the development proposes nil setback to the first three storeys, and a 1.9 metre and 1.8 metre setback to the fourth and fifth storeys, respectively.

The adjoining property comprises a place of worship adjacent to William Street and grouped dwellings adjacent to Brisbane Place. The place of worship is a two storey building built up to the shared lot boundary. The grouped dwellings are two storey development which are setback 4.8 metres from the shared lot boundary to allow for vehicle access. A car parking area separates the place of worship from the grouped dwellings.

The application proposes the fourth and fifth storeys of the building to be setback 7.5 metres from William Street and 7 metres from Brisbane Place which would assist in moderating the impacts of building bulk and mass on adjoining properties and the streetscapes. The southern elevation of the fourth and fifth storeys also contain large openings to increase the glazing aspect of the development and reduce portions of blank solid walls. The application incorporates design elements such as contrasting colours and materials and landscaping on the upper floors to assist in further moderating the impact of building bulk. The southern boundary setbacks are acceptable.

Awnings

The William Street Design Guidelines requires continuous awnings for the entire length of William Street to provide pedestrians with weather protection.

The application proposes an awning over the entire frontage of the building, which continues within the pedestrian access way. This does not create a continuous awning along the entire William Street frontage.

Although an awning is not provided over the entire access way, the access way is a design element proposed to increase activation of the site by providing additional seating for the Restaurant/Café and Hotel guests, which is visible from the public realm.

The proposed awning would provide continuous weather protection by connecting with the existing awning on the building to the south. The adjoining property to the north does not provide an awning. The awning length would not be inconsistent with the established streetscape. The awning covers 83 percent of the William Street frontage and would provide weather protection for guest and passers-by. The proposed awning length is acceptable.

Tenancy Size

The Built Form Policy requires tenancy widths to be between 7.5 metres and 9 metres. The application proposes the Restaurant/Café to be 6.5 metres in width and the Office to be 4.9 metres in width.

The subject site is 10 metres wide. The Restaurant/Café is reduced by the pedestrian access way along the northern side of the site, which provides external seating and public amenity. The William Street elevation of the building proposes large openings and a clearly defined entrance to provide greater opportunity for activation of the site.

The Brisbane Place streetscape comprises a mix of residential and commercial development, with large areas of blank and non-active frontages. The Office, albeit a small space, proposes large openings, landscaping and articulation to create a clearly defined entrance. The activation of this space would be visible from other properties and passers-by.

The tenancy width is acceptable.

Car Parking

The City's Policy No. 7.7.1 – Non-Residential Parking Policy (Parking Policy) requires a minimum of 32 vehicle parking bays, being 24 bays for the Hotel, 7.5 bays for the Restaurant/Café and 0.54 bays (rounded to one) for the Office. The application does not propose any parking bays be provided on site but the applicant is agreeable to a condition for cash-in-lieu to be imposed.

The applicant considers the surrounding parking and transport options would be sufficient to serve the site. The applicant also considers that due to the site constraints (narrow width), accommodating vehicle parking on site would have an adverse impact on the public and commercial usage of the site.

The applicant provided a parking survey, detailing the following information:

- There is 53 on-street bays available along William Street (two hour ticketed parking from 8:00am to 6:00pm Monday to Friday and 8:00am to 12:00pm Saturdays);
- There is 18 on-street bays along Forbes Street (two hour ticketed parking from 8:00am to 7:00pm Monday to Friday and 8:00am to 12:00pm Saturday);
- There is 16 on-street bays along Robinson Avenue (one hour parking 8:00am to 5:30pm Monday to Friday);
- There is 68 on-street bays along Brisbane Street (clear way from 7:00am to 9:00am and two hour ticketed parking from 9:00am to 7:00pm Monday to Friday);
- Wilsons Carpark located on William Street comprises 45 parking bays;
- A total of 208 bays is available within the vicinity of the subject site;
- A parking survey was undertaken on Saturday 15 September 2018 from 8:00am to 9:00pm. The maximum occupancy was 63 percent of the parking bays at 5:00pm, whereby 77 spaces remained available. The lowest occupancy of the bays was 25 percent at 9:00pm; and

- A second parking survey was undertaken on Thursday 20 September 2018. The maximum occupancy was 60 percent of the parking bays at 5pm, whereby 83 bays remained available. The lowest occupancy of the bays was 28 percent at 9:00pm.

The applicant's parking survey is provided within **Attachment 5**. The applicant also provided the following justification in support of the proposal:

- There is numerous parking facilities within the vicinity, such as the State Library and Brisbane Street carparks, to accommodate long term parking. Many of the long term parking facilities are open 24 hours and are secure;
- 48 bicycle parking/rental bicycles would be provided on site to service guests of the hotel;
- The site is highly accessible through public transport, with bus routes servicing William Street, Brisbane Street, Beaufort Street and Aberdeen Street (Blue Cat);
- The site is approximately a 15 minute walk from the Perth Bus port and the Perth Train Station;
- The applicant considers many of the hotel guests would be likely to travel from overseas and would not have a vehicle;
- The parking survey demonstrates sufficient on-street and public parking is available to satisfy parking demand of the proposed development;
- The applicant contends numerous other hotel in Perth do not provide on-site parking;
- Guests would be notified of the parking arrangements through the booking websites; and
- Employees of the commercial tenancies would be able to access the site as per the above facilities.

Administration provide the following further comments in relation to the parking arrangement proposed by the applicant:

- The CPP State Library car park contains 605 parking bays, is located approximately 700 metres from the subject site and is open 24 hours a day, seven days a week;
- There are two Wilsons car parks being No. 154 Newcastle Street which contains 58 bays and Nos. 6-8 Errichetti Place which contains 237 bays, located approximately 600 metres from the subject site. These car parks are also open 24 hours a day, seven days a week;
- There are five bus stops within 500 metres of the subject site, noting two of those are high frequency bus routes; and
- The Blue Cat travels along Aberdeen Street, which is approximately 500 metres from the subject site.

The Parking Policy requires the decision maker to consider the objectives of the policy and the following relevant requirements when making a decision with respect to a car parking shortfall.

There is alternative short term and long term public car parking arrangements within close proximity of the site as detailed above. The proposal incorporates 48 bicycle parking bays and a bicycle rental system for Hotel guests. A condition is recommended to ensure an end of trip facility is provided on site.

The alternative transport modes available to the site includes public buses, trains, cycling and walking. Perth's central bus and train station is located 1km from the subject site and operate for the majority of the proposed Hotel's operating hours. A condition of approval is recommended to ensure end of trip facilities would be provided to ensure walking or cycling to the site for staff members is convenient and functional.

The lack of parking on-site is a deterrent for the reliance on cars for transportation, thereby encouraging alternative forms of transportation. This would assist in relieving traffic congestion and reducing greenhouse gas emissions associated with the operation of the development. From a sustainability standpoint, discouraging reliance on motor vehicles for transportation to central locations such as the subject site, that is inherently highly accessible by alternative transport modes, is a positive outcome.

The need for on-site parking should be balanced against the impacts on the aesthetic qualities of the building design and loss of laneway activation. The site has a maximum width of 10 metres and is constrained in terms of the manoeuvring space and the amount of parking that could be practically provided on site. It would be a poor urban design outcome for a vehicle access point and car parking area to consume the Brisbane Place frontage of the site. In considering the development as a whole it would be preferable to avoid having on-site car parking in order to maximise activation of the laneway.

Guests would be made aware through the booking process that the hotel does not provide on-site parking. This would narrow down the Hotel's clientele to those guests who would rely on alternative forms of transportation and do not require on-site parking. There is sufficient public transport and public parking

options available within close proximity of the subject site to service the proposed development. Given the location of the site within walking distance of Perth's central train and bus stations, it is for staff employed at the proposed development to rely upon public transportation to commute to the site.

Cash in lieu

The 32 bay shortfall would require a cash-in-lieu contribution of \$345,600. The applicant has indicated they would be willing to pay a cash-in-lieu contribution up to \$50,000. The Parking Policy states the payment of cash-in-lieu should be used as a mechanism to enable otherwise desirable developments to proceed where it is demonstrated that it is not possible to provide sufficient parking on site. Administration considers the proposed cash-in-lieu contribution acceptable due to the economic benefits the proposed development would bring to the local economy and community. Due to the geometric constraints of the site and the specific nature of the development to accommodate tourists visiting Perth, it is acceptable to support a proposal for cash-in-lieu of car parking for the application.

Taking into account the sites' geometric constraints, the nature of the use for tourist accommodation, the proposed cash-in-lieu of parking contribution, the proximity of the site to public transport and the available public parking in the area, the proposed variation to the parking requirements is acceptable.

Service Vehicles

The proposed hotel requires services relating to waste management, laundry, deliveries and maintenance. The application proposes private waste collection once per week, laundry services twice per week, and deliveries and maintenance as required.

As there is no parking or vehicle access proposed on the site, a loading bay is proposed on the William street frontage of the site to accommodate the above services, refer to **Attachment 11**. The loading bay would occupy the two existing on-street parking bays and would act as a drop off/pick up bay for the Hotel when not in use by service vehicles. The commercial tenancies would be required to book services and/or deliveries within a shared calendar to ensure conflicts associated with the use of the service bay are avoided.

The proposed loading bay would be a public bay and has the potential to be used for loading or deliveries by other properties in the area. Given that many of the other properties in the vicinity of the site have existing on-site vehicle access and have operated without reliance on the proposed loading bay in the past, it is not expected that the proposed loading bay would be frequently used other properties. A 15 minute time limit is proposed and it would be capable of use for drop off and pick up purposes for the Hotel.

Engineering drawings demonstrating compliance with the relevant Australian Standard for the loading bay is to be submitted and approved by the City prior to operation of the development. All costs associated with the use of the on-street bays would be borne by the applicant. A condition to this effect is recommended on the approval.

Landscaping

The Built Form Policy requires 15 percent of the site area to be provided as deep soil zones and 80 percent of the side or rear setback areas to be provided as canopy coverage. The application proposes 9.5 percent of the site to be provided as deep soil zones and nil percent of the Brisbane Place setback area as canopy coverage at maturity. It is noted that the William Street Design Guidelines require a nil side and rear setback and 80 percent canopy coverage cannot practically be achieved.

Given that the subject site is only 10 metres wide, the proposed development has incorporated a reasonable amount of landscaping within the internal pedestrian access way, at the rear laneway interface and on the front and rear rooftop terraces. The landscaping 'softens' the impact of the development on the residential land to the rear and the public domain more generally. The proposed landscaping on the rooftop terraces make a contribution to the City's green canopy to reduce the impact of the urban heat island effect.

The proposed landscaping would assist in improving urban air quality and providing a sense of open space between buildings through the use of landscaping on all five storeys of the building and on balconies.

The landscaping at the rear laneway interface is positioned to avoid the windows of the proposed office to maintain outlook and activation of the rear laneway. Landscaping has been creatively incorporated into the fourth storey rear terrace taking into account the limited space available at ground level.

Sustainable plant species are proposed that would be capable of survival in locations receiving limited natural light such as the pedestrian access way.

As demonstrated above the proposed landscaping is consistent with the relevant Design Principles and Local Housing Objectives of the Built Form Policy.

Public Art

The development is subject to the requirements of the City's Policy No. 7.5.13 – Percent for Public Art (Percent for Public Art Policy). Clause 1.1 of the Percent for Public Art Policy states the following:

Proposals for commercial and mixed residential/commercial developments over the Threshold Value is to set aside a minimum of one per cent (1%) of the Total Project Cost for the development of Public Art which reflects the place, locality or community.

The Threshold Value is \$1,092,000 and the development which is valued at \$4.5 million is required to contribute \$45,000 towards public art, being one percent of the \$4.5 million value of the development. The Percent for Public Art Policy allows two options for this to be provided, being either payment of cash-in-lieu to the City, or the owner/applicant coordinating the public art project, in consultation with the City.

It is recommended that a condition of approval be imposed requiring the development to comply with the City's Percent for Public Art Policy.

Environmentally Sustainable Design

The City's Built Form Policy requires an Environmentally Sustainable Design (ESD) Report to be submitted, demonstrating the following:

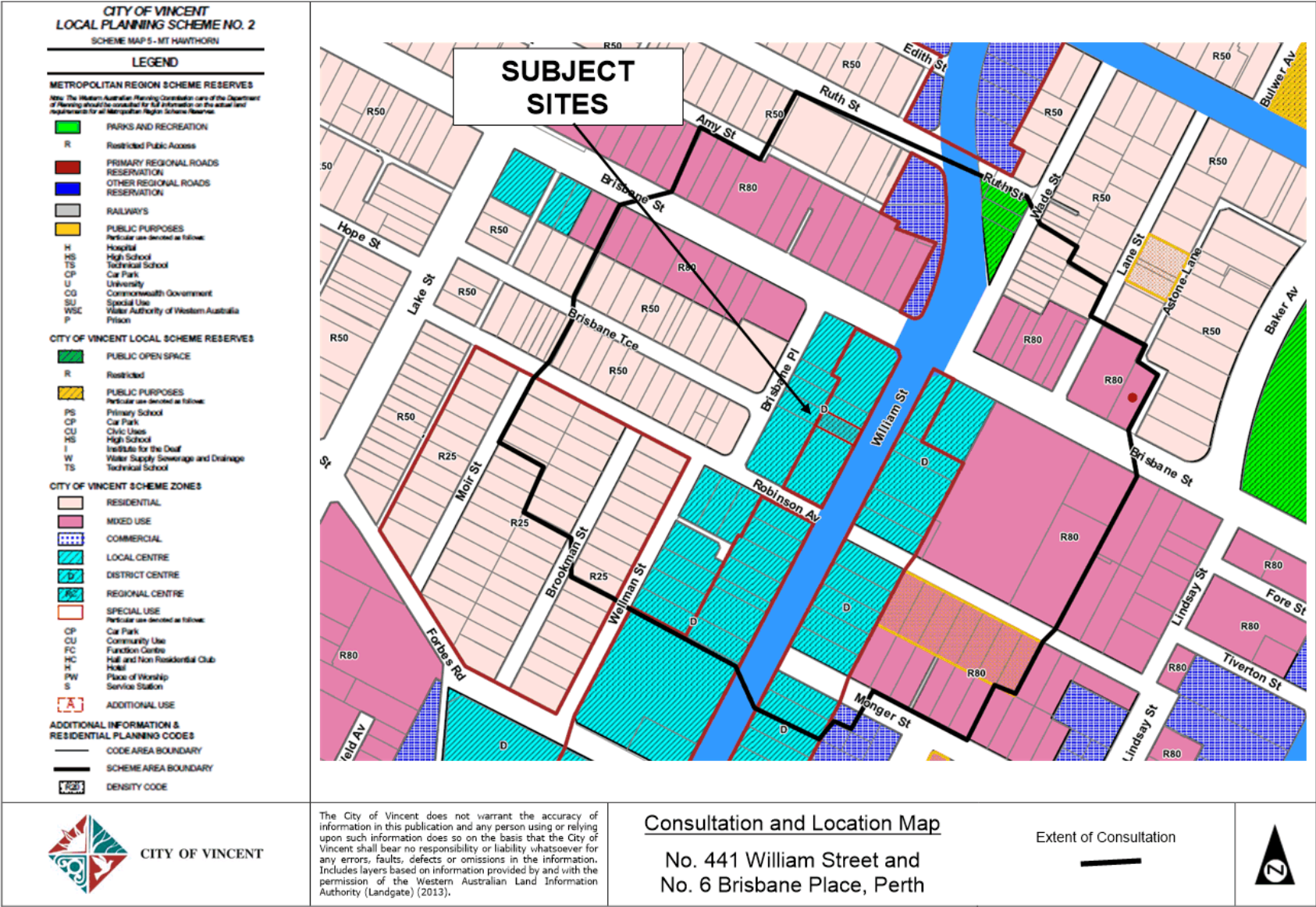
- P1.8.1 It maximises passive solar heating, cooling, natural ventilation and light penetration to reduce energy consumption;
- P1.8.2 It is capable of recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications;
- P1.8.3 Climate moderation devices can be incorporated to reduce passive solar gain in summer and increase passive solar gain in winter; and
- P1.8.4 The development is capable of either achieving (i) a 5 star Green Star rating or (ii) a 50% reduction in global warming potential and a 25% reduction in water use.

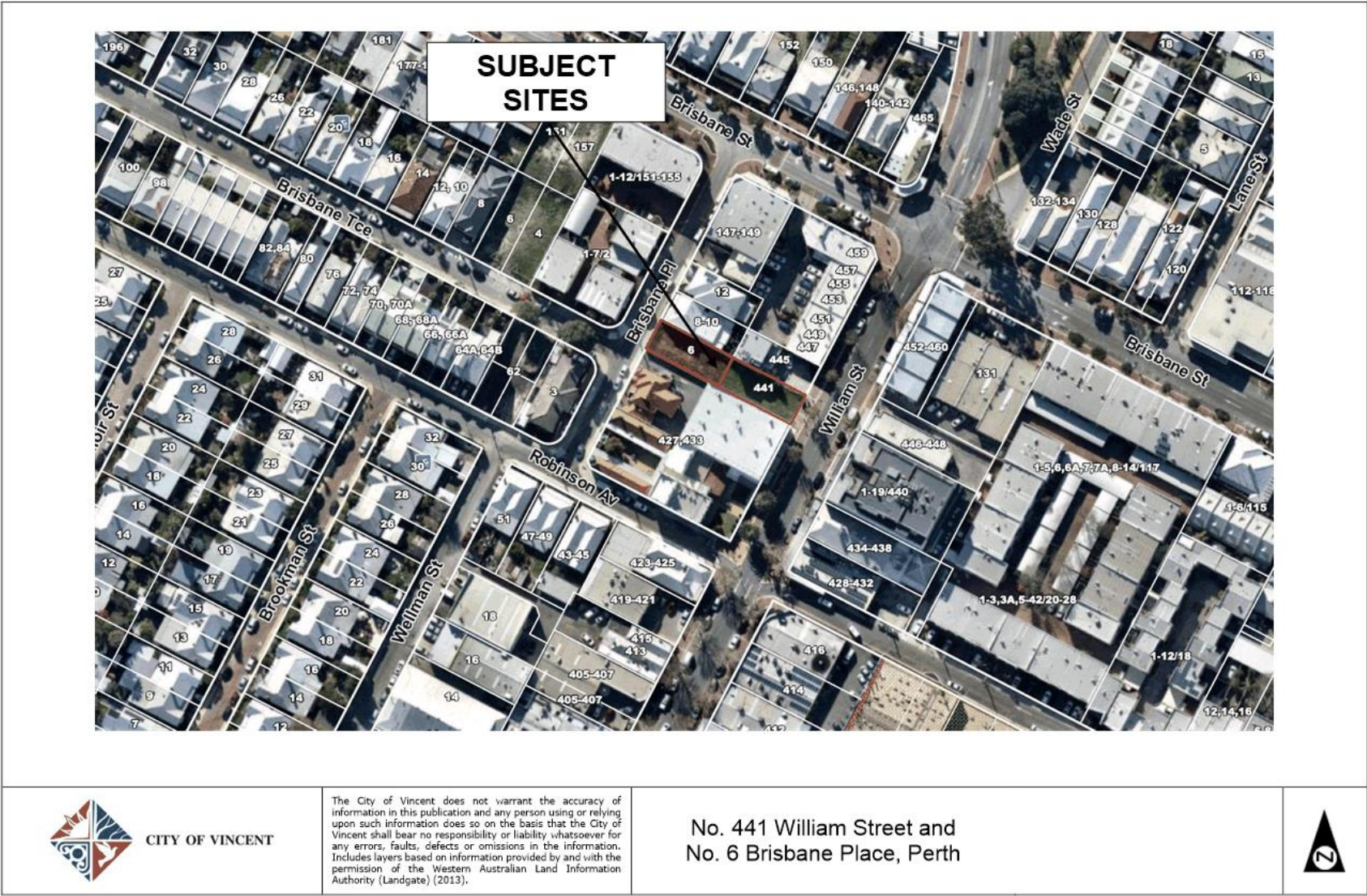
An ESD Report has been prepared and submitted and is included as **Attachment 7**.

The report demonstrates that the development is capable of achieving a 5 star Green Star rating and confirms that all Green Star requirements have been integrated into the project design documentation.

The letter accompanying the ESD Report provides a commitment to carry this 5 star performance through to the working drawing stage even though the development is subject to further review and design development.

The Report satisfies the ESD requirements in the City's Built Form Policy and is supported. Should the application be approved, the City recommends a condition be imposed requiring the design strategies to be implemented so as to achieve a minimum 5 star Green Star rating.

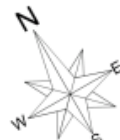




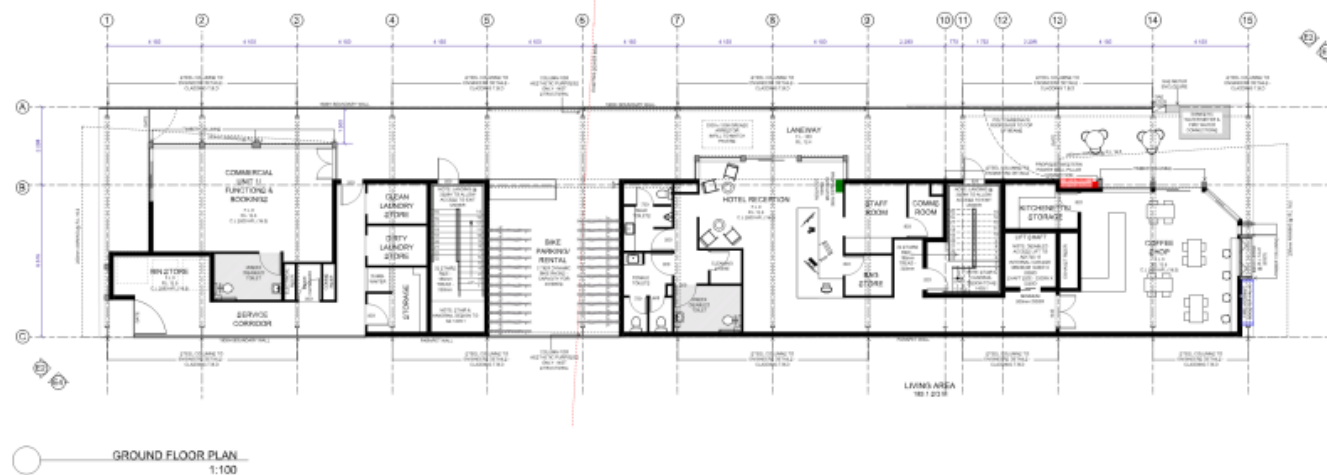




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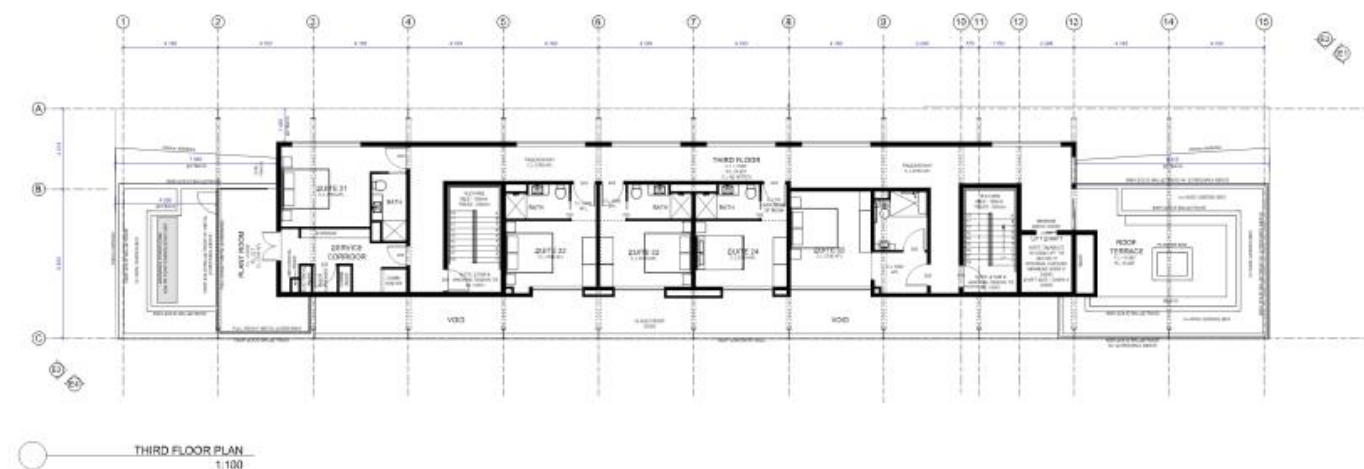
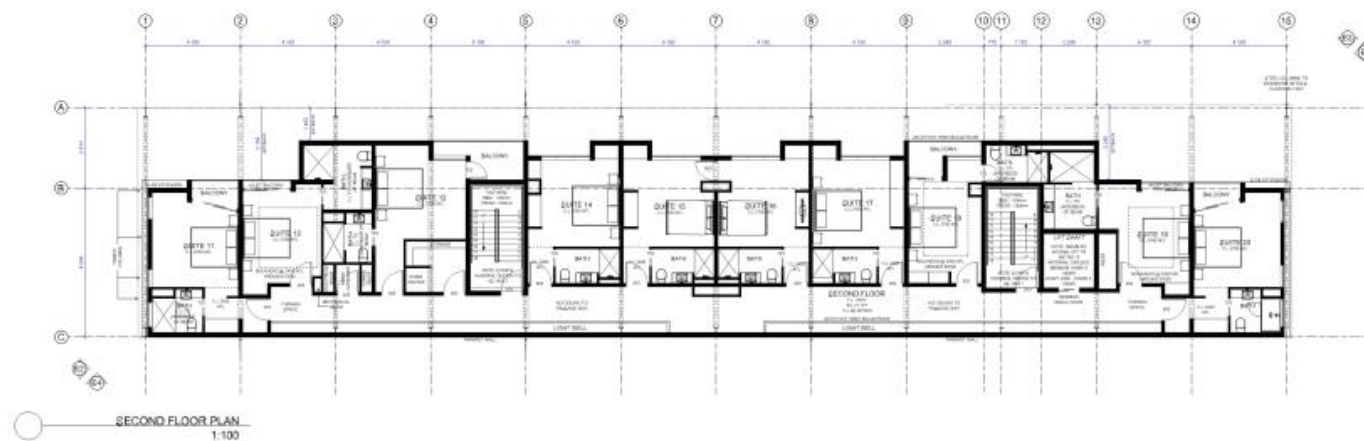


NE	
ZREX	205.70 m ²
LEVEL FLOOR BUILT AREA	208.80 m ²
LEVEL FLOOR OPEN SPACE	780.70 m ²
1. AREA %	80.7%
2. COEFF.	28.2%
11 FLOOR	251.40 m ²
2045 FLOOR	200.80 m ²
15 FLOOR	215.25 m ²
10 FLOOR	206.70 m ²
5 FLOOR	40.40 m ²
BTH FLOOR	213.70 m ²
LEVEL FLOOR AREA	
INTERIOR 1	40.80 m ²
INTERIOR 2	32.70 m ²
1. COEFF.	21.70 m ²
2. COEFF.	0.16 m ²
VOICE	4.30 m ²
2. COEFF.	



[illegible]

NE	
ZONE	205.75 m ²
EXIST FLOOR BUILD AREA	208.00 m ²
EXIST FLOOR OPEN AREA	78.75 m ²
7 AREA %	38.3%
8 AREA %	38.3%
11 FLOOR	201.40 m ²
2025 FLOOR	205.75 m ²
12 FLOOR	203.25 m ²
13 FLOOR	208.75 m ²
14 FLOOR	40.40 m ²
15 FLOOR	203.75 m ²
EXIST FLOOR AREA	
BASE FLOOR	40.40 m ²
BASE FLOOR	203.75 m ²
11 FLOOR	201.40 m ²
12 FLOOR	203.25 m ²
13 FLOOR	208.75 m ²
14 FLOOR	40.40 m ²
15 FLOOR	203.75 m ²





Environmental and climate change. YUSAN LOUJIE (2022) looks for ways that corporations can impact. Sustainability will soon make it a top priority for all companies, and it should not be given the same status as the other three. The company will not be able to check its employees' behavior (which will be to help and be able to measure the benefits).



NE	
ZONE	205.75m ²
EXIST FLOOR BUILT AREA	298.00m ²
EXIST FLOOR OPEN SPACE	78.75m ²
7 AREA %	20.7%
8 AREA %	28.3%
11 FLOOR	251.40m ²
2ND FLOOR	205.60m ²
3RD FLOOR	223.20m ²
4TH FLOOR	205.60m ²
5TH FLOOR	223.20m ²
EXIST FLOOR AREA	
BASEMENT 1	40.80m ²
BASEMENT 2	22.70m ²
1ST FLOOR	298.00m ²
2ND FLOOR	205.60m ²
3RD FLOOR	223.20m ²
4TH FLOOR	205.60m ²
5TH FLOOR	223.20m ²
6TH FLOOR	223.20m ²
7TH FLOOR	223.20m ²
8TH FLOOR	223.20m ²
9TH FLOOR	223.20m ²
10TH FLOOR	223.20m ²
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19TH FLOOR	251.40m ²
20TH FLOOR	251.40m ²
21ST FLOOR	251.40m ²
22ND FLOOR	251.40m ²
23RD FLOOR	251.40m ²
24TH FLOOR	251.40m ²
25TH FLOOR	251.40m ²
26TH FLOOR	251.40m ²
27TH FLOOR	251.40m ²
28TH FLOOR	251.40m ²
29TH FLOOR	251.40m ²
30TH FLOOR	251.40m ²
31ST FLOOR	251.40m ²
32ND FLOOR	251.40m ²
33RD FLOOR	251.40m ²
34TH FLOOR	251.40m ²
35TH FLOOR	251.40m ²
36TH FLOOR	251.40m ²
37TH FLOOR	251.40m ²
38TH FLOOR	251.40m ²
39TH FLOOR	251.40m ²
40TH FLOOR	251.40m ²
41ST FLOOR	251.40m ²
42ND FLOOR	251.40m ²
43RD FLOOR	251.40m ²
44TH FLOOR	251.40m ²
45TH FLOOR	251.40m ²
46TH FLOOR	251.40m ²
47TH FLOOR	251.40m ²
48TH FLOOR	251.40m ²
49TH FLOOR	251.40m ²
50TH FLOOR	251.40m ²
51ST FLOOR	251.40m ²
52ND FLOOR	251.40m ²
53RD FLOOR	251.40m ²
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58TH FLOOR	251.40m ²
59TH FLOOR	251.40m ²
60TH FLOOR	251.40m ²
61ST FLOOR	251.40m ²
62ND FLOOR	251.40m ²
63RD FLOOR	251.40m ²
64TH FLOOR	251.40m ²
65TH FLOOR	251.40m ²
66TH FLOOR	251.40m ²
67TH FLOOR	251.40m ²
68TH FLOOR	251.40m ²
69TH FLOOR	251.40m ²
70TH FLOOR	251.40m ²
71ST FLOOR	251.40m ²
72ND FLOOR	251.40m ²
73RD FLOOR	251.40m ²
74TH FLOOR	251.40m ²
75TH FLOOR	251.40m ²
76TH FLOOR	251.40m ²
77TH FLOOR	251.40m ²
78TH FLOOR	251.40m ²
79TH FLOOR	251.40m ²
80TH FLOOR	251.40m ²
81ST FLOOR	251.40m ²
82ND FLOOR	251.40m ²
83RD FLOOR	251.40m ²
84TH FLOOR	251.40m ²
85TH FLOOR	251.40m ²
86TH FLOOR	251.40m ²
87TH FLOOR	251.40m ²
88TH FLOOR	251.40m ²
89TH FLOOR	251.40m ²
90TH FLOOR	251.40m ²
91ST FLOOR	251.40m ²
92ND FLOOR	251.40m ²
93RD FLOOR	251.40m ²
94TH FLOOR	251.40m ²
95TH FLOOR	251.40m ²
96TH FLOOR	251.40m ²
97TH FLOOR	251.40m ²
98TH FLOOR	251.40m ²
99TH FLOOR	251.40m



AMENDMENTS	JOB No.	DWG TITLE	SCALE	DATE	PAGE
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PLANNING APPROVAL ONLY

Architectural and structural drawings. Technical drawing depicting a building for planning approval. The drawing shows a multi-story building with a modern design. The drawing is a technical drawing and is not a photograph. The drawing is a technical drawing and is not a photograph. The drawing is a technical drawing and is not a photograph.

NOTE: THE INFORMATION ON THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.



ELEVATION 1
1:100



ELEVATION 2
1:100





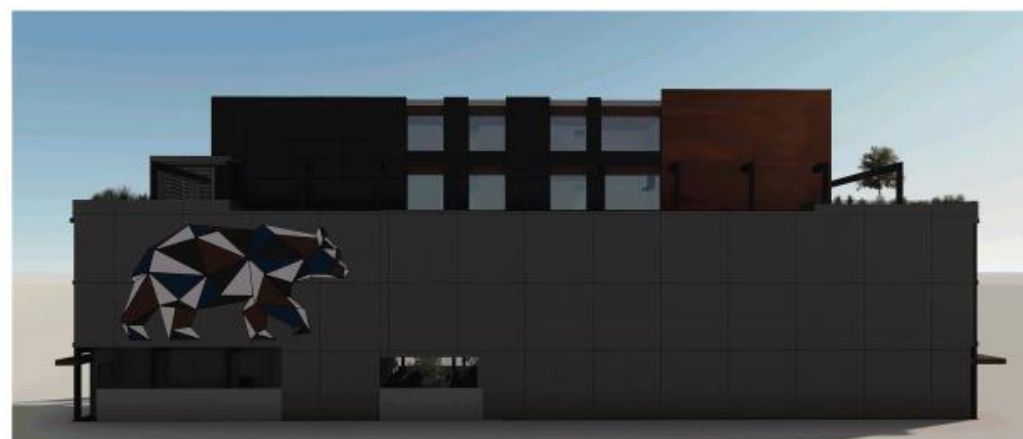
PLANNING APPROVAL ONLY

Architectural and structural drawings. These drawings are for planning approval only. They are not to be used for construction. The drawings are for information only. They are not to be used for construction. The drawings are for information only. They are not to be used for construction.





Editorial and content advisory: YUSAN LINDA DEJONG (editor for aging and geriatrics) has taught African-American history in the preparation of his plan to contribute to the study of the aging human race. The community will look for his work on the aging human race to be a valuable addition to the literature.

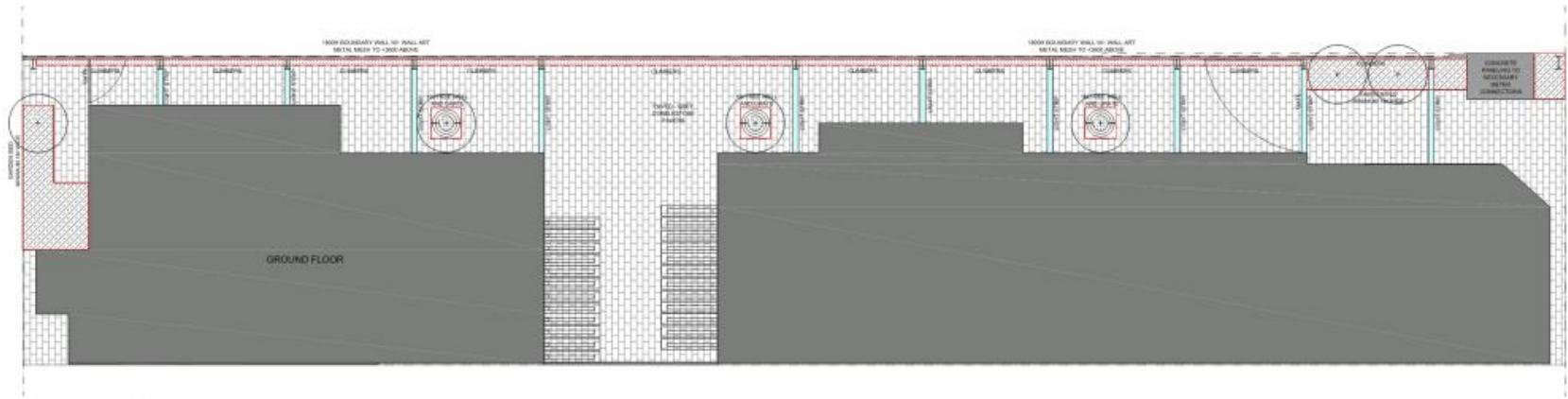




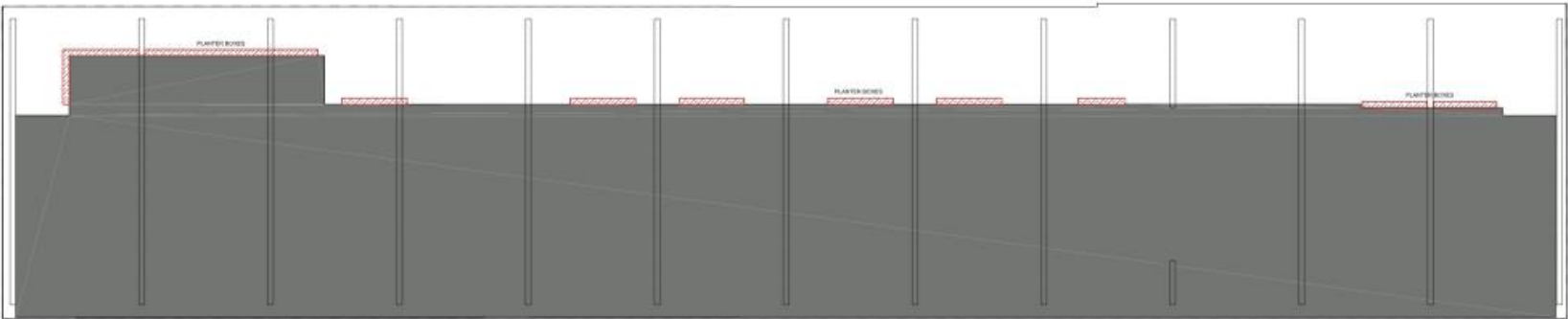
PLANNING APPROVAL ONLY

Extensive and repeated viewing. YOUNG LADIES DESPITE a taste for more subtle seduction has begun. Although every effort is made to make the preparation of the skin as comfortable as possible, the study can be quite uncomfortable for the human skin. The intensity of the light and the duration of the treatment can be adjusted and be adjusted to the individual's needs.







GROUND FLOOR





FIRST FLOOR

LEGEND

 L-VE-01 Stone Mulch_10-20mm

 L-VE-02 Organic Mulch

 RETIC Line denotes areas to be reticulated

 Proposed Trees

T1 Lagerstroemia indica x fauriei 'Zuni' Crepe myrtle

T2 Olea europaea 'Tolly's upright' Olive

GENERAL NOTES

THESE DRAWINGS MUST BE READ IN CONJUNCTION WITH OTHER CONSULTANT DRAWINGS INCLUDING RELEVANT ARCHITECTURAL AND IRRIGATION DRAWINGS, SPECIFICATION AND MATERIALS SCHEDULES.

GARDEN BED PREPARATION
APPLY 150MM (OR DEPTH AS SPECIFIED) OF SOIL CONDITIONER OVER GARDEN BEDS AND CULTIVATE TO A DEPTH OF 300MM. A LIGHT WEIGHT SOIL MIX IS TO BE USED IN ALL PLANTER BEDS ON SLAB ie. 40% HYDROCELL FLAKES, 60% SOIL.

MULCH
ALL GARDEN BED AREAS ARE TO BE MULCHED TO A DEPTH OF 65MM WITH STONE MULCH OR ORGANIC MULCH (AS SPECIFIED).

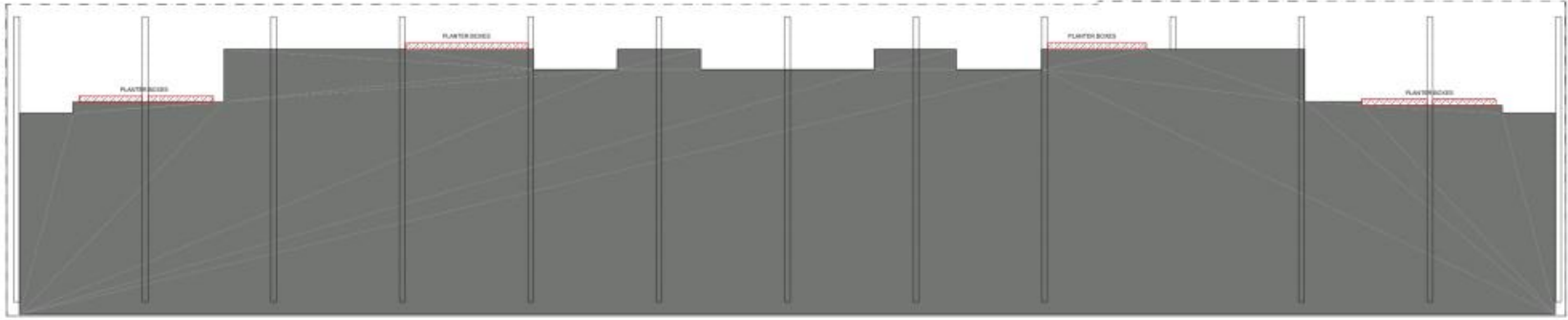
PLANTING
REFER TO TREE AND PLANT SCHEDULES FOR PLANT SPECIES INFORMATION.

GENERAL NOTES (continued)

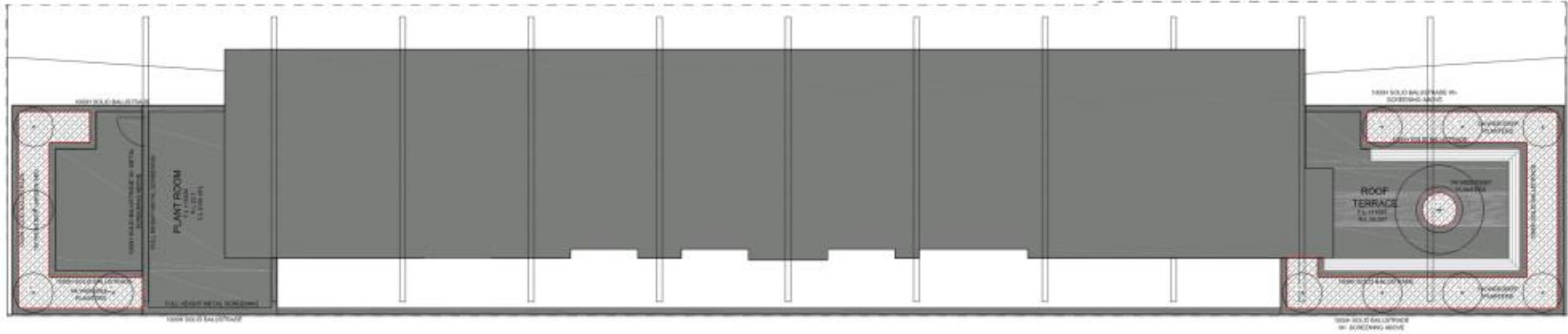
IRRIGATION
DESIGN AND INSTALL AN APPROVED AUTOMATED DRIP IRRIGATION SYSTEM TO GARDEN BEDS AND TREES. THE SYSTEM SHALL BE DESIGNED AND INSTALLED BY A QUALIFIED LICENSED IRRIGATION SPECIALIST TO SUIT THE LANDSCAPE LAYOUT AND THE PLANT SPECIES NOMINATED IN THE DESIGN.

IRRIGATION WILL BE INSTALLED AND OPERATED IN ACCORDANCE TO THE LATEST WATER RESTRICTIONS, REGULATIONS AND WATERING TIMES. THE SYSTEM SHALL INCLUDE A BACKFLOW PREVENTION VALVE AND MOISTURE SENSORS. THE SYSTEM SHALL BE TESTED AND APPROVED UPON COMPLETION, AND MONITORED AND MAINTAINED THROUGHOUT THE CONSOLIDATION PERIOD.

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23/1/19



SECOND FLOOR



THIRD FLOOR ROOF TERRACE

- LEGEND**
- L-VE-01 Stone Mulch, 10–20mm
 - L-VE-02 Organic Mulch
 - RETIC Line denotes areas to be reticulated
 - Proposed Trees:
 - T1 Lagerstroemia indica x fauriei 'Zuni' Crepe myrtle
 - T2 Olea europaea 'Tolly's upright' Olive

GENERAL NOTES

THESE DRAWINGS MUST BE READ IN CONJUNCTION WITH OTHER CONSULTANT DRAWINGS INCLUDING RELEVANT ARCHITECTURAL AND IRRIGATION DRAWINGS, SPECIFICATION AND MATERIALS SCHEDULES.

GARDEN BED PREPARATION
APPLY 150MM (OR DEPTH AS SPECIFIED) OF SOIL CONDITIONER OVER GARDEN BEDS AND CULTIVATE TO A DEPTH OF 300MM. A LIGHT WEIGHT SOIL MIX IS TO BE USED IN ALL PLANTER BEDS ON SLAB w. 40% HYDROCELL FLAKES, 60% SOIL.

MULCH
ALL GARDEN BED AREAS ARE TO BE MULCHED TO A DEPTH OF 65MM WITH STONE MULCH OR ORGANIC MULCH (AS SPECIFIED).

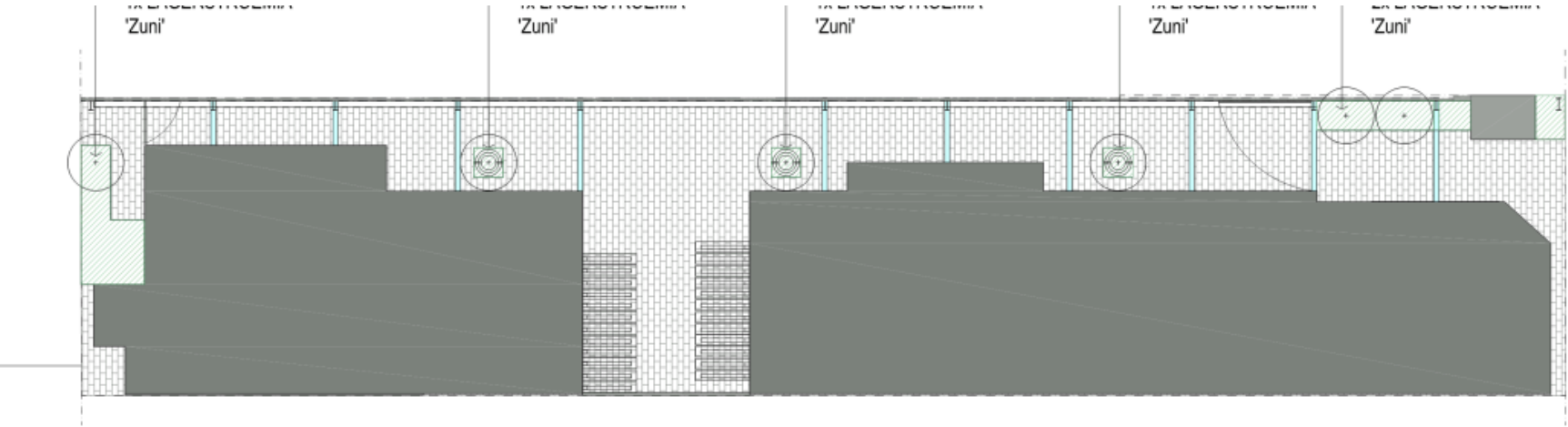
PLANTING
REFER TO TREE AND PLANT SCHEDULES FOR PLANT SPECIES INFORMATION.

GENERAL NOTES (continued)

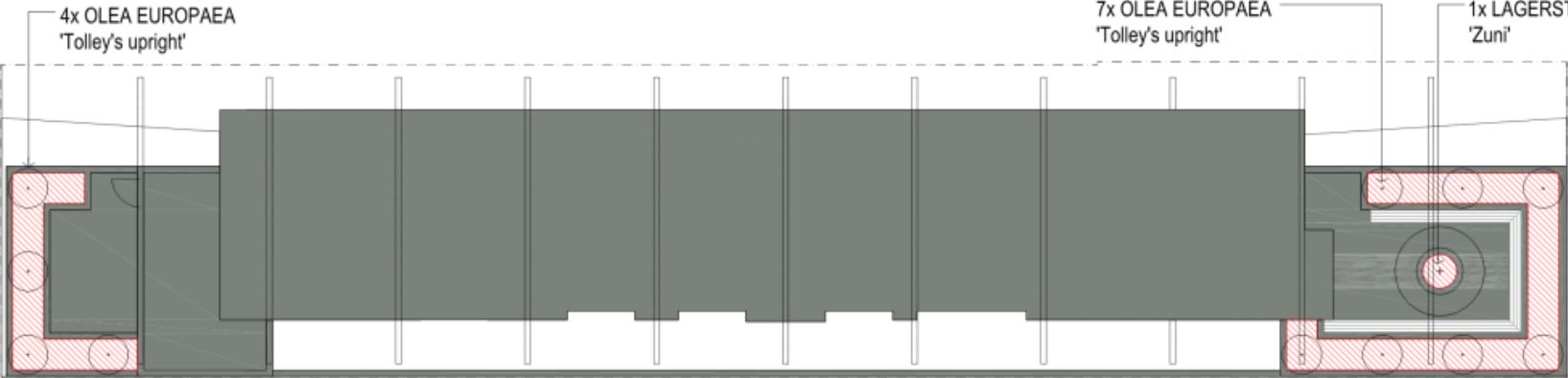
IRRIGATION DESIGN AND INSTALL AN APPROVED AUTOMATED DRIP IRRIGATION SYSTEM TO GARDEN BEDS AND TREES. THE SYSTEM SHALL BE DESIGNED AND INSTALLED BY A QUALIFIED LICENSED IRRIGATION SPECIALIST TO SUIT THE LANDSCAPE LAYOUT AND THE PLANT SPECIES NOMINATED IN THE DESIGN.

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CITY OF V
REC'D
23/1/2



GROUND FLOOR



THIRD FLOOR ROOF TERRACE

- DEEP SOIL ZONE - NATURAL GROUND
- 16.75m²
Minimum 1M wide
- DEEP SOIL ZONE - ON SLAB
- 31.6m²
Minimum 1M wide and 1M deep



PLANT SCHEDULE							
TYPE		SPECIES *native	MATURE HEIGHT	MATURE SPREAD	STOCK SIZE	QTY	
ADVANCED TREE	T1	LAGERSTROEMIA INDICA x FAURIEI 'ZUNI'	4M	3M	200Ltr	7	
	T2	OLEA EUROPAEA 'Tolley's upright' Olive	4M	4M	90Ltr	11	
					TOTAL	18	

CITY OF V
RECEIVED
23/1/2

DATE: 22/01/2019
DRAWING NO: L114
DRAWING TITLE: LANDSCAPE TREE PLANTING A



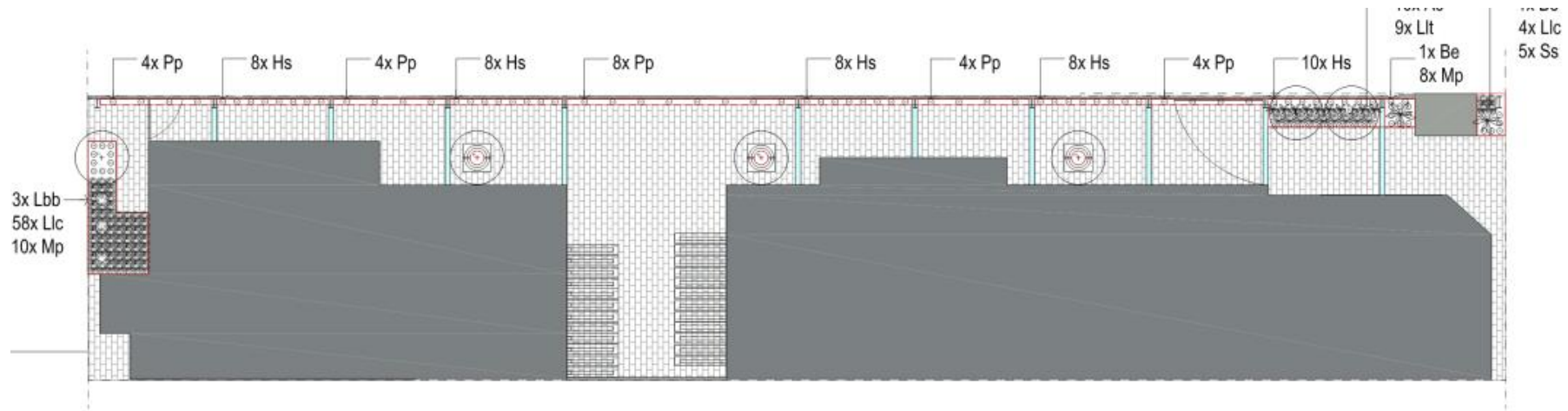
LANDSCAPE ARCHITECT
ALFALFA.

PROJECT
441 WILLIAM STREET

DATE: 22/01/2019
SCALE: 1:100 (S.A.)

DRAWING NO: L114

DRAWING TITLE: LANDSCAPE TREE PLANTING A



GROUND FLOOR

TREES



Lagerstroemia indica x fauriei 'Zuni'
Crispa myrtle

CLIMBERS



Hibiscus scandens 'Snake vine'
Pandorea pandorana 'Wonga wonga vine'

SHRUBS



Agave attenuata 'Century plant'
Buxus sempervirens 'Clipped balls'
Cornus alba 'White cornus'
Crassula ovata 'Blue bird'
Laura nobilis 'Baby bay'
Westringia 'Grey box'

GRASSES



Anthrodium cernuum 'NZ Rock Lily'
Beschorneria yuccoides 'Mexican Lily'
Lomandra longifolia 'Lime tuff'
Lomandra longifolia 'Tanka'

GROUNDCOVERS



Myoporum 'Creeping dooballa'
Senecio serpens 'Blue Chalkdust'
Cassinia glauca 'Cousin it'

PLANT SCHEDULE

TYPE	SPECIES *native	MATURE HEIGHT	MATURE SPREAD	STOCK SIZE	QTY
ADVANCED TREE	T1 LAGERSTROEMIA INDICA x FAURIEI 'ZUNI'	4M	3M	200Ltr	7
	T2 OLEA EUROPAEA 'Toley's upright' Olive	4M	4M	90Ltr	11
TOTAL					18
SHRUB	Ag AGAVE ATTENUATA 'Century plant'	1M	0.8M	5Ltr	5
	Be BUXUS SEMPERVIRENS 'Buxus' Clipped balls	0.5M	0.5M	12Ltr	8
	Co CORREA ALBA * 'White cornus'	0.5-1M	1M	5Ltr	3
	Cb CRASSULA 'Bluebird' succulent	0.5M	0.5M	5Ltr	55
	Lbb LAURUS NOBILIS 'Baby Bay'	2M	0.5M	12Ltr	6
	Wg WESTRINGIA * 'Grey box'	0.3M	0.3M	5Ltr	11
GRASSES	Ac ANTHRODIDIUM CIRRATUM 'NZ Rock Lily'	0.7M	0.7M	5Ltr	10
	Be BESCHORNERIA YUCCOIDES 'Mexican Lily'	1M	2M	12Ltr	2
	Llc LOMANDRA LONGIFOLIA * 'Lime tuff'	0.5M	0.5M	5Ltr	275
	Lt LOMANDRA LONGIFOLIA * 'Tanka'	0.7M	0.6M	5Ltr	44
GROUND COVER	Cg CASUARINA GLAUCA 'Cousin it' Prostrate	GROUNDCOVER		140mm	58
	Mp MYOPORUM PARVIFOLIUM * 'Creeping dooballa'	GROUNDCOVER		140mm	24
CLIMBER	Ss SENECEO SERPENS 'Blue chalkdust' succulent	GROUNDCOVER		140mm	16
	Hs HIBBERTIA SCANDENS * 'Snake vine'	CLIMBER		5Ltr	42
	Pp PANDOREA PANDORANA * 'Wonga wonga vine'	CLIMBER		5Ltr	24
TOTAL					538.3

CITY OF V
RECEIVED
23/1/2

DATE: 01/04/2019
DESIGNER: ALFALFA
DRAWN BY: L.110
CHECKED BY: L.110
DATE: 01/04/2019
DESIGNER: ALFALFA
DRAWN BY: L.110
CHECKED BY: L.110



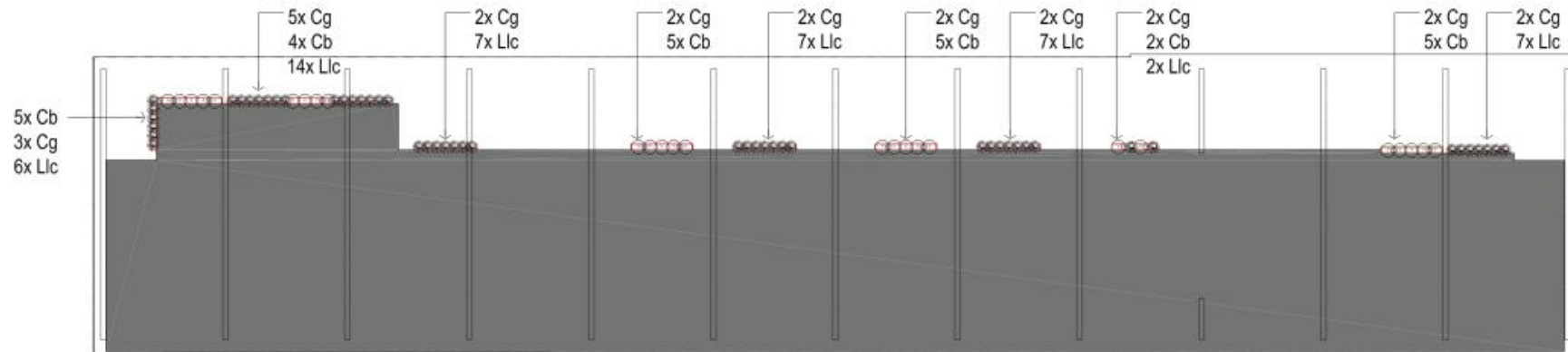
LANDSCAPE ARCHITECT
ALFALFA.

PROJECT
441 WILLIAM STREET

DATE: 01/04/2019
SCALE: 1:100

DRAWING NO.
L.110

DRAWING TITLE
LANDSCAPE PLANTING PLAN 8



FIRST FLOOR

TREES



Lagerstroemia indica x fauriei 'Zuni'
Crepe myrtle

Olea europaea 'Tolley's upright' Olive

CLIMBERS



Hibiscus scandens 'Snake vine'

Pandorea pandorana 'Wonga wonga vine'

SHRUBS



Agave attenuata 'Century plant'

Buxus sempervirens 'Clipped balls'

Cornus alba 'White cornus'

Crassula ovata 'Blue bird'

Laura nobilis 'Baby bay'

Westringia 'Grey box'

GRASSES



Anthrodium cirratum 'NZ Rock Lily'

Beschorneria yuccoides 'Mexican Lily'

Lomandra longifolia 'Lime luff'

Lomandra longifolia 'Tanka'

GROUNDCOVERS



Myoporum 'Creeping boobialla'

Senecio serpens 'Blue Chalksticks'

Cosuma glauca 'Cousin it'

PLANT SCHEDULE

TYPE	SPECIES *native		MATURE HEIGHT	MATURE SPREAD	STOCK SIZE	QTY
*growth will be significantly reduced due to the restricted root area and site conditions.						
ADVANCED TREE	T1	LAGERSTRODIA INDICA x FAURIEI 'ZUNI'	4M	3M	200Ltr	7
	T2	OLEA EUROPAEA 'Tolley's upright' Olive	4M	4M	90Ltr	11
	TOTAL					18
SHRUB	Ag	AGAVE ATTENUATA 'Century plant'	1M	0.8M	5Ltr	5
	Bs	BUXUS SEMPERVIRENS 'Buxus' Clipped balls	0.5M	0.5M	12Ltr	8
	Co	CORREA ALBA * 'White corned'	0.5-1M	1M	5Ltr	3
	Cb	CRASSULA 'Bluebird' succulent	0.5M	0.5M	5Ltr	55
	Lbb	LAURUS NOBILIS 'Baby Bay'	2M	0.5M	12Ltr	6
	Wg	WESTRINGIA * 'Grey box'	0.3M	0.3M	5Ltr	11
	TOTAL					
GRASSES	Ac	ANTHROPODIUM CIRRIATUM 'NZ Rock Lily'	0.7M	0.7M	5Ltr	10
	Be	BESCHORNERIA YUCCOIDES 'Mexican Lily'	1M	2M	12Ltr	2
	Lc	LOMANDRA LONGIFOLIA * 'Lime tuff'	0.5M	0.5M	5Ltr	275
	Lt	LOMANDRA LONGIFOLIA * 'Tonka'	0.7M	0.6M	5Ltr	44
GROUND COVER	Cg	CASUARINA GLAUCA 'Cousin it' Prostrate	GROUND COVER		140mm	58
	Mp	MYOPORUM PARVIFOLIUM * 'Creeping boobialla'	GROUND COVER		140mm	24
CLIMBER	Ss	SENECCIO SERPENS 'Blue chalksticks' succulent	GROUND COVER		140mm	16
	Hs	HIBBERTIA SCANDENS * 'Snake vine'	CLIMBER		5Ltr	42
	Pp	PANDOREA PANDORANA * 'Wonga wonga vine'	CLIMBER		5Ltr	24
TOTAL						533

CITY OF VIN
RECEIVED
23/1/201

DATE: 01/04/2019
BY: LANDSCAPE DESIGNER: [Signature]
See legend for details of all items. Do not scale or measure off drawings. All dimensions are based on the landscape plan and are subject to change. All dimensions are based on the landscape plan and are subject to change.



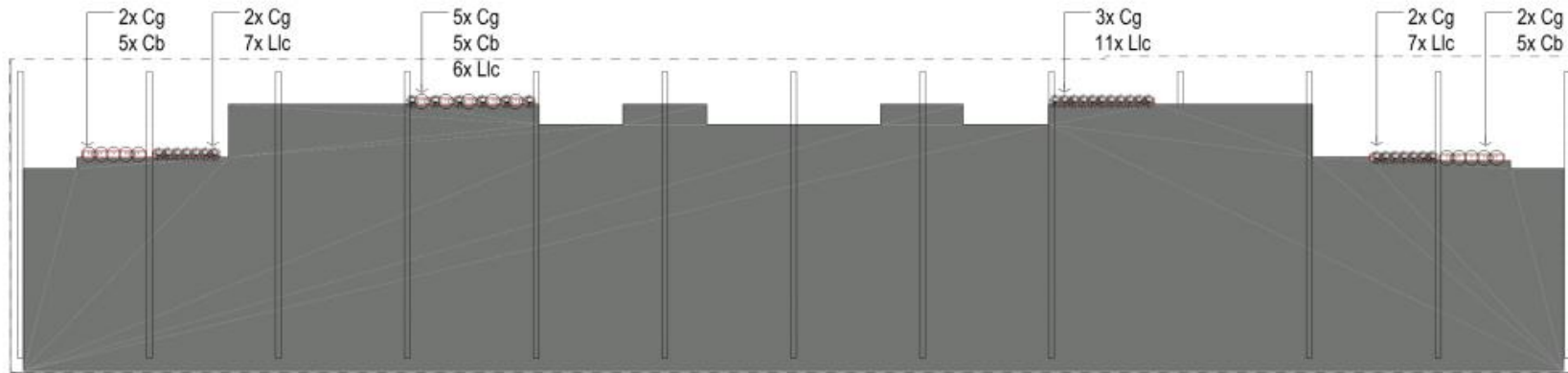
LANDSCAPE ARCHITECT
ALFALFA.

PROJECT
441 WILLIAM STREET

DATE: 22/1/2019
SCALE: 1:100 (PLAN)

DRAWING NO.
L111

DRAWING TITLE
LANDSCAPE PLANTING PLAN 8



SECOND FLOOR

TREES



Lagerstroemia indica x *faurei* 'Zuni'
Crape myrtle

Olea europaea
'Tolley's upright' Olive

CLIMBERS



Hibiscus scandens *
'Snake vine'

Pandorea pandorana *
'Wonga wonga vine'

SHRUBS



Agave attenuata
'Century plant'

Buxus sempervirens
'Clipped balls'

Cornus alba *
'White cornus'

Crassula ovata
'Blue holly'

Laurus nobilis
'Baby bay'

Westringia *
'Grey box'

GRASSES



Anthrodium cirratum
'NZ Rock Lily'

Beschorneria yuccoides
'Mexican Lily'

Lomandra longifolia *
'Lime turf'

Lomandra longifolia *
'Tanka'

GROUNDCOVERS



Myoporum *
'Creeping boabilla'

Senecio serpens
'Blue Chalksticks'

Casuarina glauca *
'Cousin it'

PLANT SCHEDULE

TYPE	SPECIES *native	MATURE HEIGHT	MATURE SPREAD	STOCK SIZE	QTY
*growth will be significantly reduced due to the restricted root area and site conditions.					
ADVANCED TREE	T1 LAGERSTROEMIA INDICA x FAUREI 'ZUNI'	4M	3M	200Ltr	7
	T2 OLEA EUROPAEA 'Tolley's upright' Olive	4M	4M	90Ltr	11
TOTAL					18
SHRUB	Ag AGAVE ATTENUATA 'Century plant'	1M	0.8M	5Ltr	5
	Bs BUXUS SEMPERVIRENS 'Buxus' Clipped balls	0.5M	0.5M	12Ltr	8
	Co CORREA ALBA * 'White cornus'	0.5-1M	1M	5Ltr	3
	Cb CRASSULA 'Bluebird' succulent	0.5M	0.5M	5Ltr	55
	Lbb LAURUS NOBILIS 'Baby Bay'	2M	0.5M	12Ltr	6
	Wg WESTRINGIA * 'Grey box'	0.3M	0.3M	5Ltr	11
GRASSES	Ac ANTHRODIDIUM CIRRATUM 'NZ Rock Lily'	0.7M	0.7M	5Ltr	10
	Be BESCHORNERIA YUCCOIDES 'Mexican Lily'	1M	2M	12Ltr	2
	Llc LOMANDRA LONGIFOLIA * 'Lime turf'	0.5M	0.5M	5Ltr	275
	Lt LOMANDRA LONGIFOLIA * 'Tanka'	0.7M	0.6M	5Ltr	44
GROUND COVER	Cg CASUARINA GLAUCA 'Cousin it' Prostrate	GROUND COVER		140mm	58
	Mp MYOPORUM PARVIFOLIUM * 'Creeping boabilla'	GROUND COVER		140mm	24
CLIMBER	Ss SENECIO SERPENS 'Blue chalksticks' succulent	GROUND COVER		140mm	16
	Hs HIBBERTIA SCANDENS * 'Snake vine'	CLIMBER		5Ltr	42
	Pp PANDOREA PANDORANA * 'Wonga wonga vine'	CLIMBER		5Ltr	24
TOTAL					583

CITY OF VIN
RECEIVED
23/1/201

DATE: 01/04/2019
BY: JESSICA DUFFY, LANDSCAPE ARCHITECT

See legend for details of all items. Do not scale or measure off drawings. All dimensions and levels to be checked on site by the landscape architect prior to planting. If dimensions are found to differ from the landscape architect's plan, the landscape architect shall be responsible for any necessary adjustments.



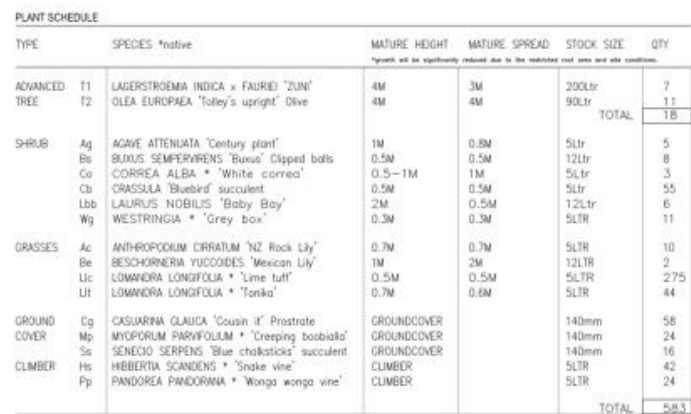
LANDSCAPE ARCHITECT
ALFALFA.

PROJECT
441 WILLIAM STREET

DATE: 01/04/2019
SCALE: 1:100 (PLAN)

DRAWING NO.
L.112

DRAWING TITLE
LANDSCAPE PLANTING PLAN 8



CITY OF VICTORIA
RECEIVED
23/1/2011



28th June 2018

Planning Department
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6902

RE: 441 William Street, Northbridge

To whom it may concern,

We are requesting the following variations for the proposed hotel development noted above and have outlined issues for your attention.

- An amendment to the overall allowed building height. The Design Guidelines note a maximum of 3 storeys adjacent to the streets and 4 storeys setback within the site. We are proposing 3 storeys adjacent to the streets and 5 storeys within the site. Due to the building height of the property directly across from 441 William Street we believe that this is justified. That property also has a height of 3 storeys at the street and 5 storeys setback from the street. We believe the extra storey will allow for the hotel to house an appropriate number of guests that will in turn benefit the community.

We believe that the proposed design maximises the potential of the lot, with any amendments required only serving to increase functionality and profitability. The proposal has been undertaken with significant consideration to neighbouring properties and we believe that any amendments will have no adverse effects on these properties or the surrounding area.

Should you have any issues regarding the above please do not hesitate to contact me on 0437 33 815.

Yours Sincerely,

Coral Buxey
Masters of Architecture
Design Manager
TEGAN LOUISE DESIGNS

E: info@tldesigns.com.au

Mob: 0437 333 815
PO Box 406, JOONDALUP DC 6919

W: www.tldesigns.com.au



Project: William Street Hotel

Project Address: 441 William Street

Client: Davor Nikolic on behalf of Xiayi Guo & Shu YaDuam

Designer: Tegan Louise Designs

Nature of Proposal -

- Hotel (30 suites)
- Commercial Tenancy (proposed café)
- Commercial Tenancy (proposed office)

Operation Hours/Days -

Hotel - 24/7 usage

- 24/7 reception services
- Full office staff 9am-5pm/ 5 days per week (as required)
- Cleaning staff 9am-5pm/ 7 days per week (as required)

Commercial Tenancy (café)- 7am-10pm(maximum)/ 7 days per week

Commercial Tenancy (office)- 9am-5pm(maximum)/ 5 days per week

Maximum Expected Employees -

Hotel - 10-15

Commercial Tenancy (café)- 5-10

Commercial Tenancy (office)- 2-3 (small office)

Maximum Expected Visitors -

Hotel - 60

Commercial Tenancy (café)- 30-40

Commercial Tenancy (office)- 1-2 (small office)

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Project: William Street Hotel

Project Address: 441 William Street

Client: Davor Nikolic on behalf of Xiayi Guo & Shu YaDuam

Designer: Tegan Louise Designs

Sustainability Considerations

The city of Vincent places high value on sustainable design and hence consideration has been given to this in the proposal. Sustainable building materials and claddings such as concrete, timber and copper have been used because of this.

In terms of positioning the major setback from the side boundary occurs to the North boundary for solar passive reasons. The majority of openings occur to this side. There are minimal windows to the East and West elevations with awnings to these elevations acting as shade devices. The building is primarily rectangular, thus the buildings total surface area is kept to a minimum allowing for better performance of the building fabric.

Awnings and cantilever have been utilised at various points throughout the proposal for sun shading purposes. Some windows to the North façade have also been recessed for shading purposes.

Please see attached for sun/shadowing diagrams.

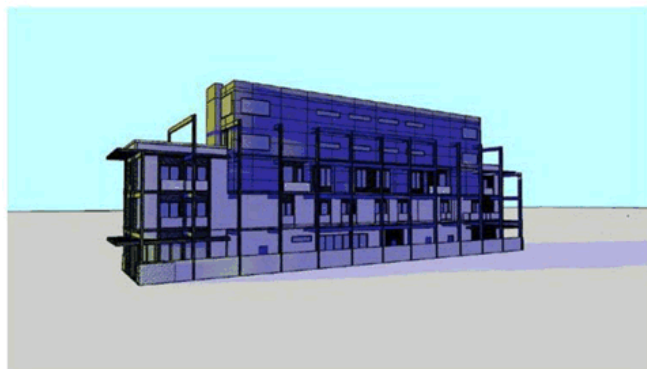
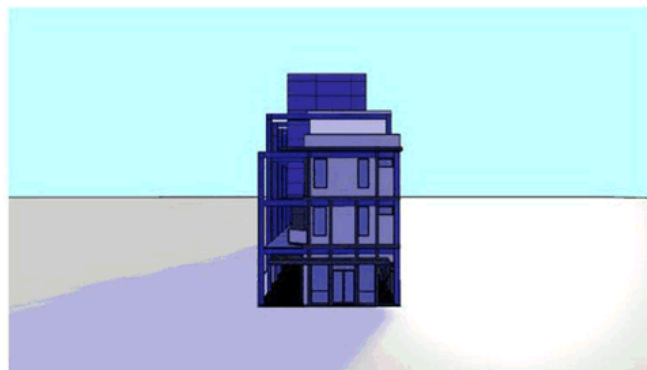
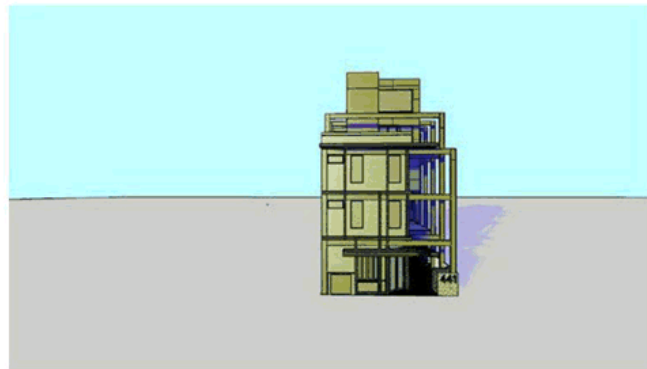
E: info@tldesigns.com.au

Mob: 0437 333 815
PO Box 406, JOONDALUP DC 6919

W: www.tldesigns.com.au



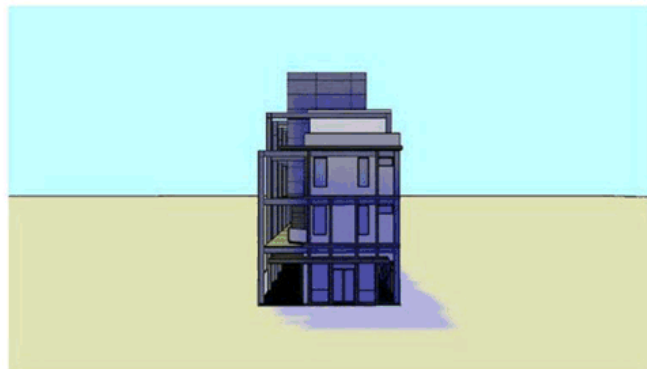
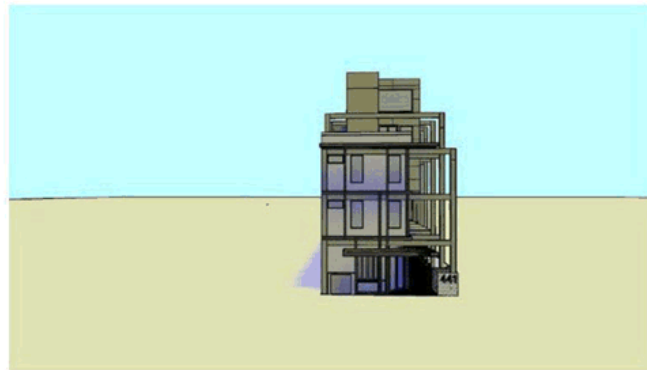
Summer - Morning



E: info@tldesigns.com.au

Mob: 0437 333 815
PO Box 406, JOONDALUP DC 6919

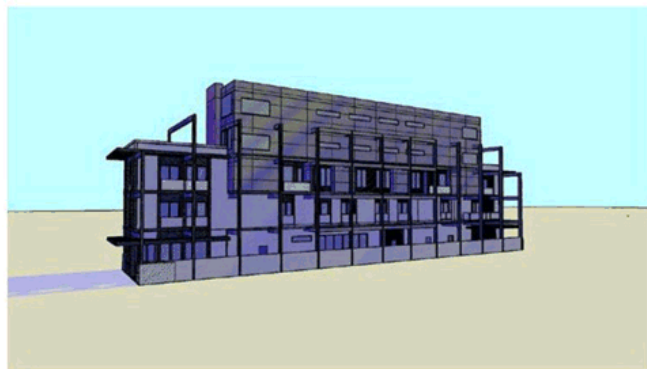
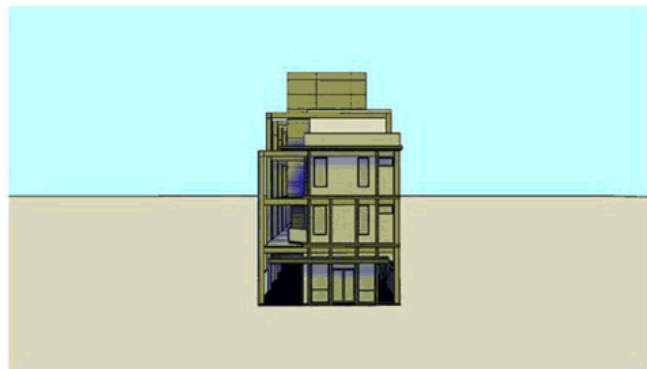
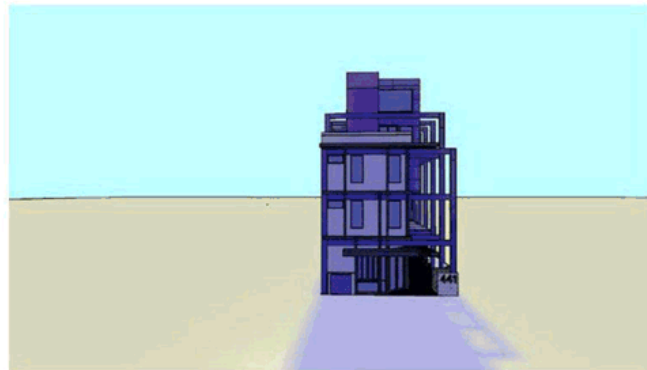
W: www.tldesigns.com.au



E: info@tldesigns.com.au

Mob: 0437 333 815
PO Box 406, JOONDALUP DC 6919

W: www.tldesigns.com.au



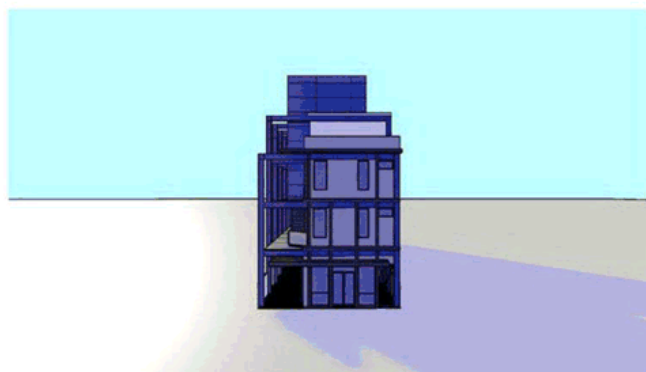
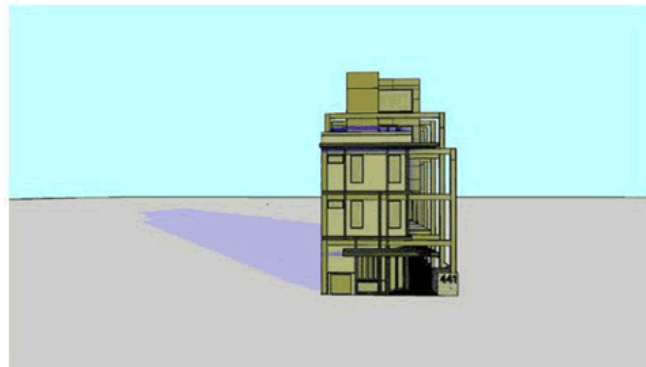
E: info@tldesigns.com.au

Mob: 0437 333 815
PO Box 406, JOONDALUP DC 6919

W: www.tldesigns.com.au



Winter - Morning



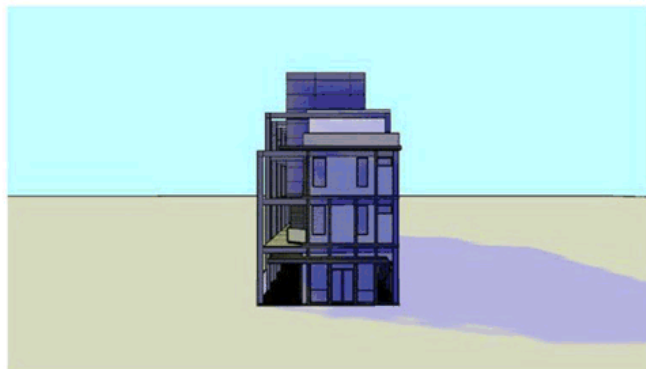
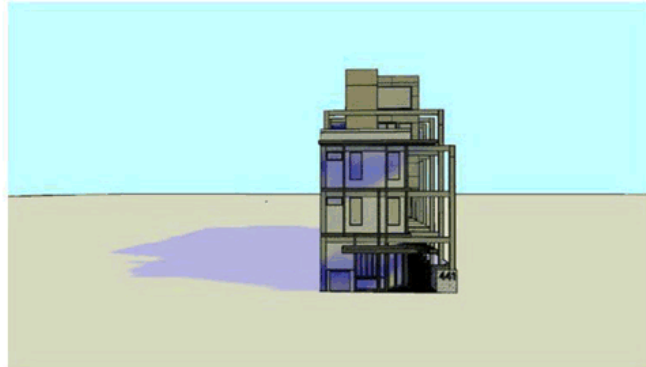
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Winter - Midday



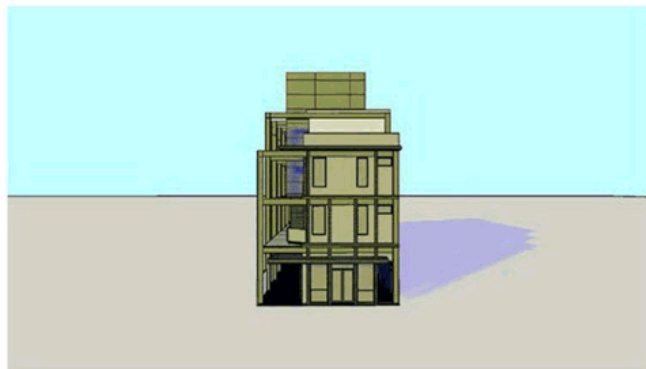
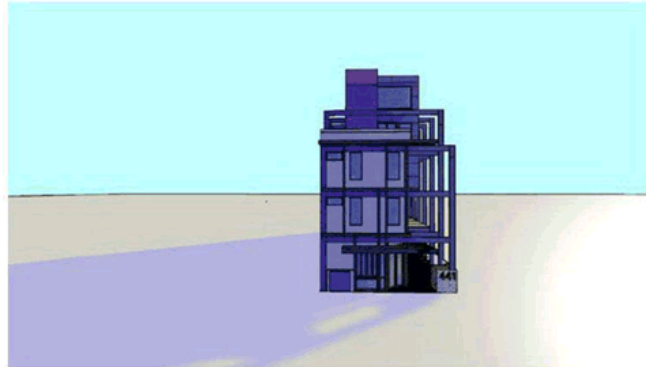
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Winter - Afternoon



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William Street Hotel – 441 William Street



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Materials/Finishes schedule –

Project: William Street Hotel

Project Address: 441 William Street

Client: Davor Nikolic on behalf of Xiayi Guo & Shu Ya Duam

Applicant: Tegan Louise Designs

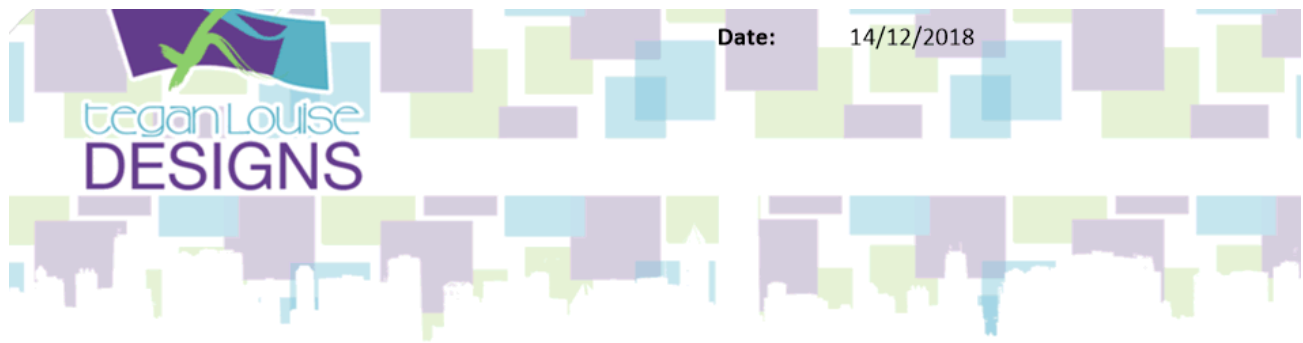
Building Materials	
Exterior Walls	Concrete Panels
Interior walls	Steel Stud
Roof	Colorbond/Trimdeck
Structure	Steel (w/- appropriate Cladding for fire resistance)

Finishes and Cladding	
"Lower Box"	Concrete
"Higher Box"	Alucabond – Nominated colour Anthrazit Grey 105
Recesses	Timber Cladding – Urbanline Euro Selekt Clad – Cedar or White Oak (Or similar Product)
Facade feature columns and awnings	Timber Cladding – Urbanline Euro Selekt Clad – Cedar or White Oak (Or similar Product)
Front Facade Feature	Cor-ten steel
Balcony Balustrades	Metal – Laser Cut – Middle eastern/Arabic Pattern – Colour Black Satin
Screening	Metal – Laser Cut – Middle eastern/Arabic Pattern – Colour Black Satin
Ground Floor Pedestrian Access ways/ Alfresco	Exposed Aggregate – Night Sky – Black Oxide

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14th December 2018

Planning Department
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6902

RE: 441 William Street, Northbridge

To whom it may concern,

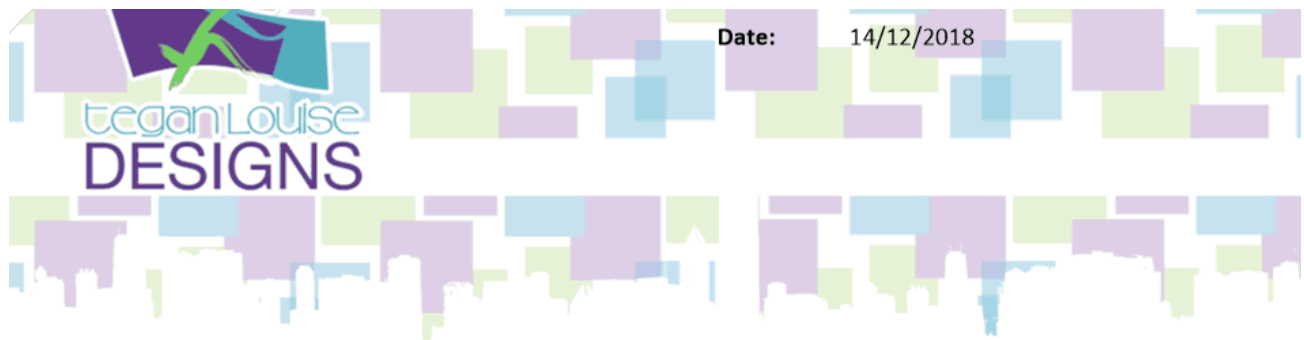
We are proposing that there will be no car parking on site. Instead a payment of cash-in-lieu is to be supplied. We believe that the surround parking and transport options are sufficient to serve the site and that given the size of the site, and in particular its narrowness, having on site parking would limit the potential for public and commercial usage to the ground floor.

The below report will demonstrate the parking and transport options available in the immediate vicinity of the site which sufficiently services the proposal and its employees/visitors.

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Car Parking

Street parking

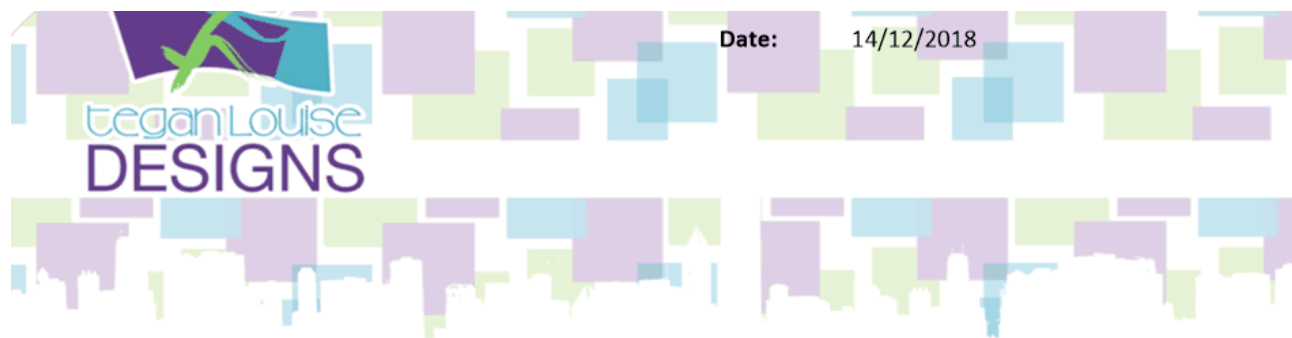
As per the image below there is 2 hour street parking in the vicinity of the site along William street and Brisbane street. There is also 1hr street parking along Robinson Avenue. This street parking will be sufficient to serve short stay visitors to the site such as those looking to utilise the commercial tenancies for a short period of time. It is to be noted that this street parking is sufficient to serve other commercial tenancies in the area.



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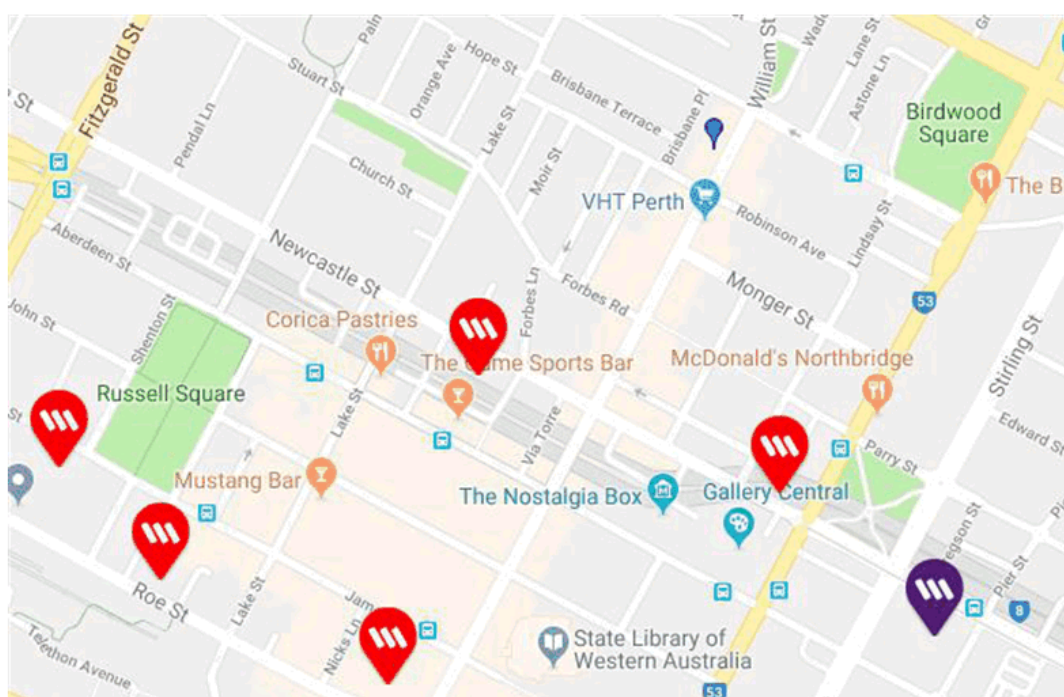
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Longer stay parking

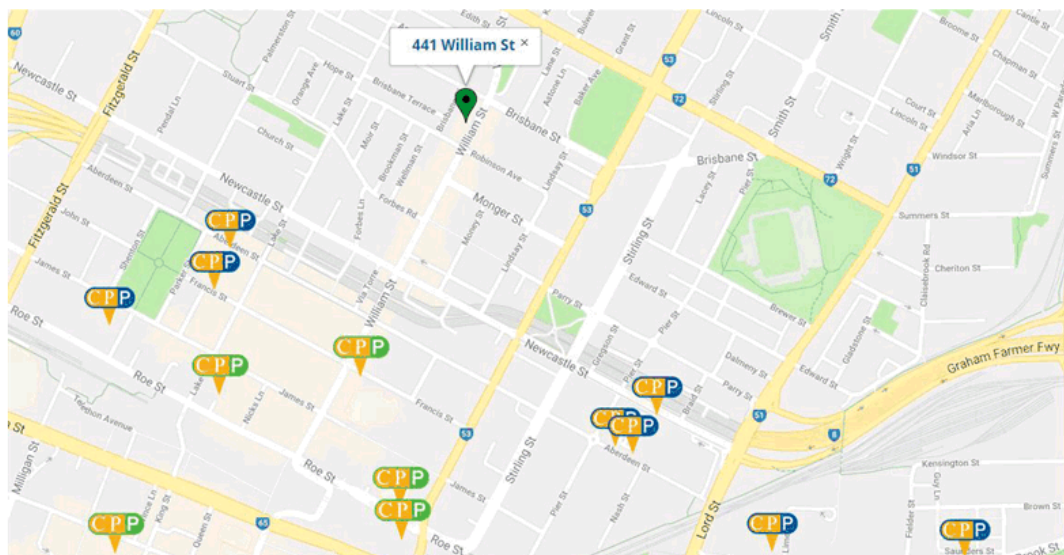
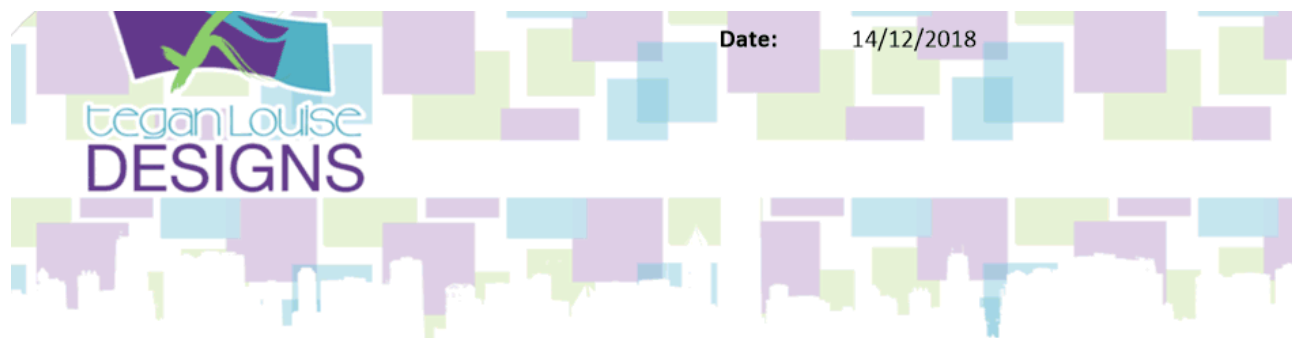
As per the image below there are numerous parking facilities in the vicinity of the site that can accommodate longer stay parking. In addition to these images there is also public parking at the State Library and the Brisbane Street Car Park. Many of these facilities are open 24hrs and are secure. Many of the hotel guests are likely to be short stay business travellers from overseas and hence it is likely that they will not have a car to accommodate however in the event that guests to have cars these can be accommodated in the parking facilities in the area. This is not dissimilar to how numerous other hotels in Perth operate and notification of this can be given to guests via booking websites and emails as per the operation of other hotels. Staff who require car parking can also use these facilities as per the employees of most workplaces in Perth.



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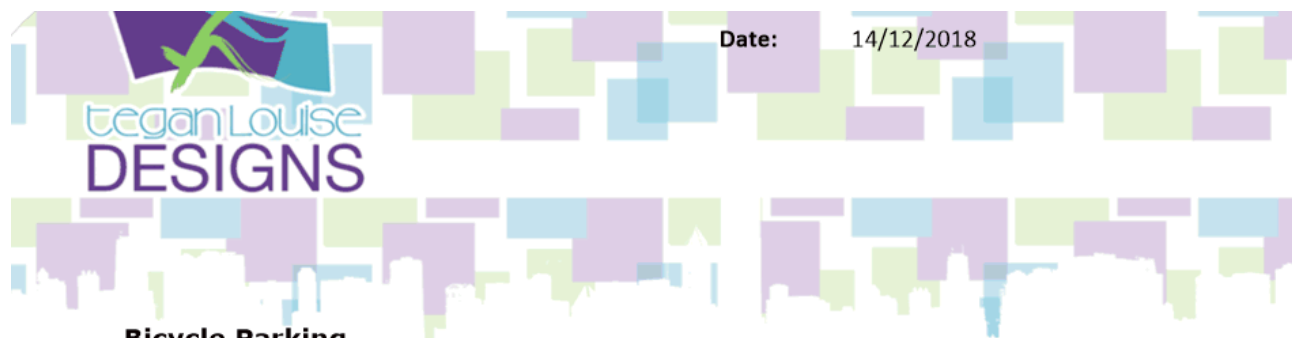


Guests will be informed about the parking situation prior to booking/arriving. There will be information regarding parking on the hotel website as well as all relevant booking sites. Parking information should also be included on confirmation emails and further correspondence to guests.

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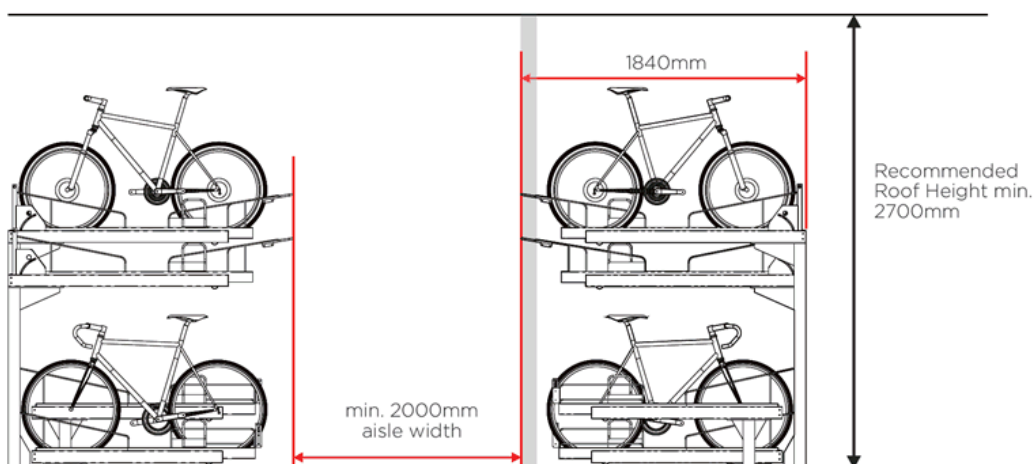
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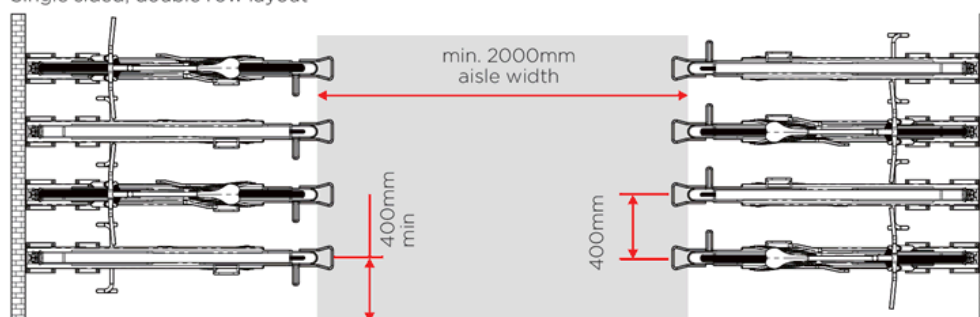
Bicycle Parking

As per the ground floor plan and the image bicycle parking/rental supplied on site that should accommodate up to 48 bicycles. We believe that this amount of parking in addition to the bicycle parking areas supplied in the immediate area (as pictured below) will be enough to service the proposal.

The bicycles will be stored using dynamic 2 tier bike racks that are to Australian standards. Please refer to the images below for further information.



Single sided, double row layout

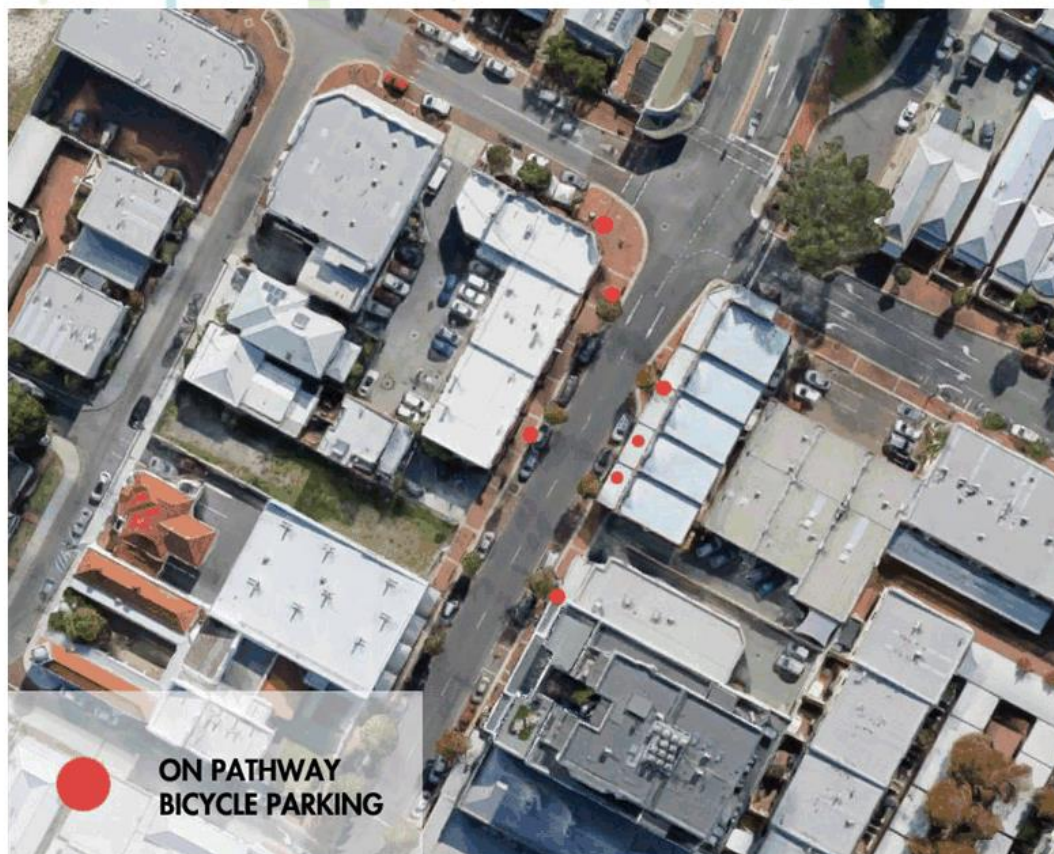
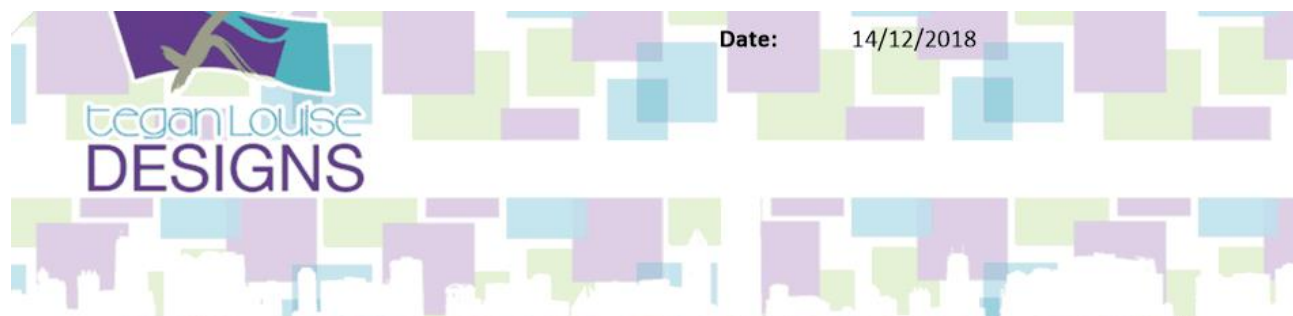


To comply with AS2890.3 (2015) minimum 400mm spacing between post centres and to edge of walls or other obstructions

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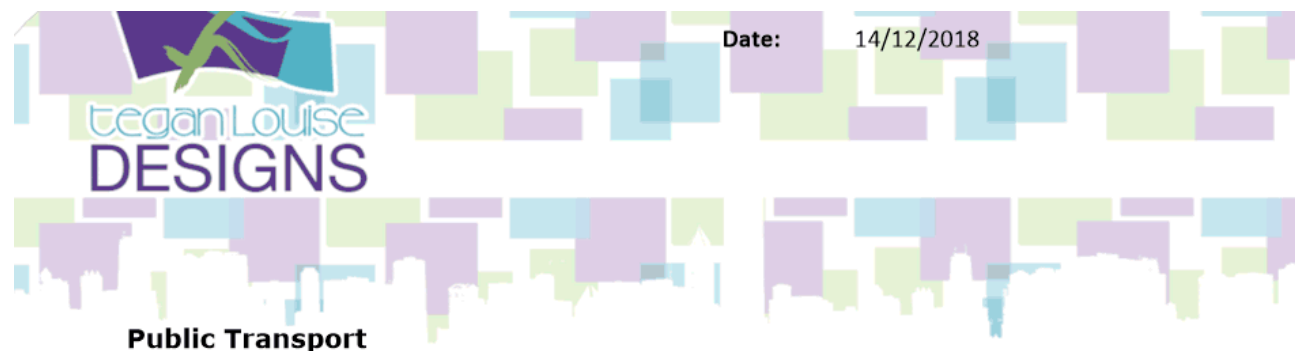
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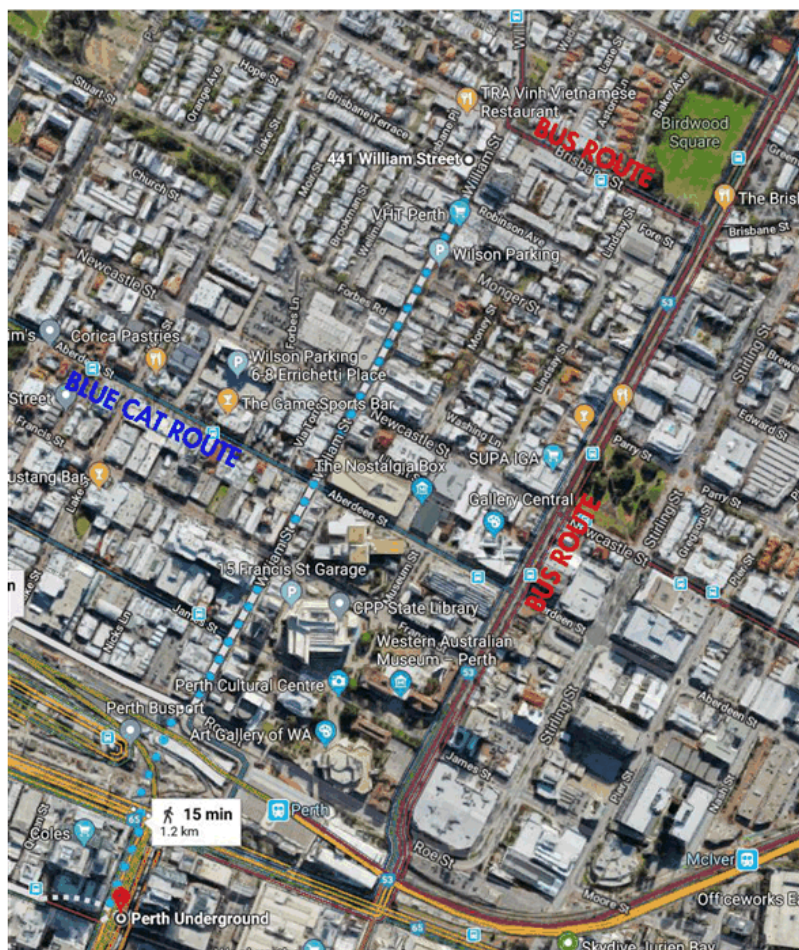
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Being close to Perth CBD means that the site is highly accessible through public transport. As per the image below there are Transperth bus routes that service William street to the North of the Site (stopping at Brisbane Street) as well as Beaufort street which is in the immediate vicinity of the site. There is also the Blue Cat 7 service which runs along Aberdeen street, again in the immediate vicinity of the site.

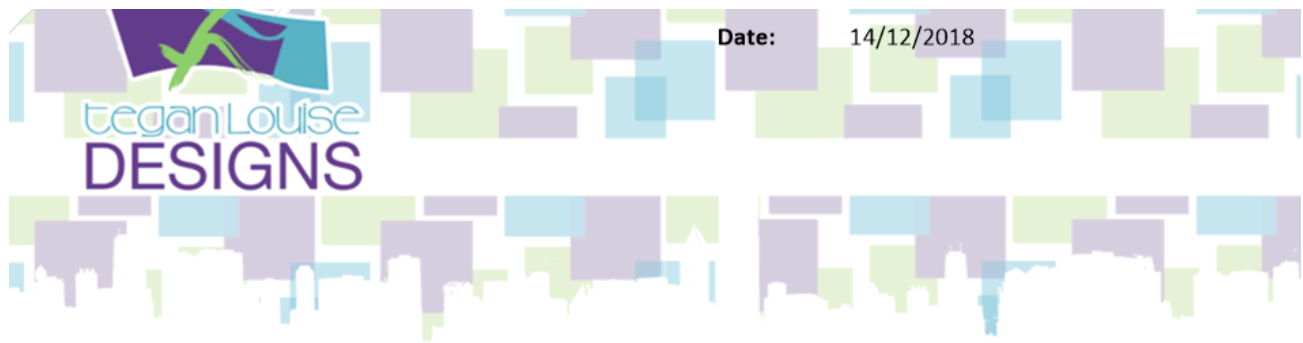
The Perth Bus port, the Perth Train Station and the Perth Underground Station are all within 15 minutes walk of the site hence making it highly accessible for those looking to utilise public transport. As per most commercial building in the city the proposal seeks to utilise the transport options available for employees and visitors alike.



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Owing to the above we believe that the site is very accessible and has significant transport options available to service it. As such we believe that the City should consider a cash in lieu payment to accommodate for the proposed shortfall. We believe that the proposal seeks to utilise the options available in the surrounding area and maximise the potential of more energy efficient transport options such as cycling or using public transport. The cash in lieu payment allows the proposal to maximise the potential of the ground floor space for public and commercial usages and including parking or car accessways to the ground floor would have a detrimental effect on this.

Should you have any issues regarding the above please do not hesitate to contact me on 0437 33 815.

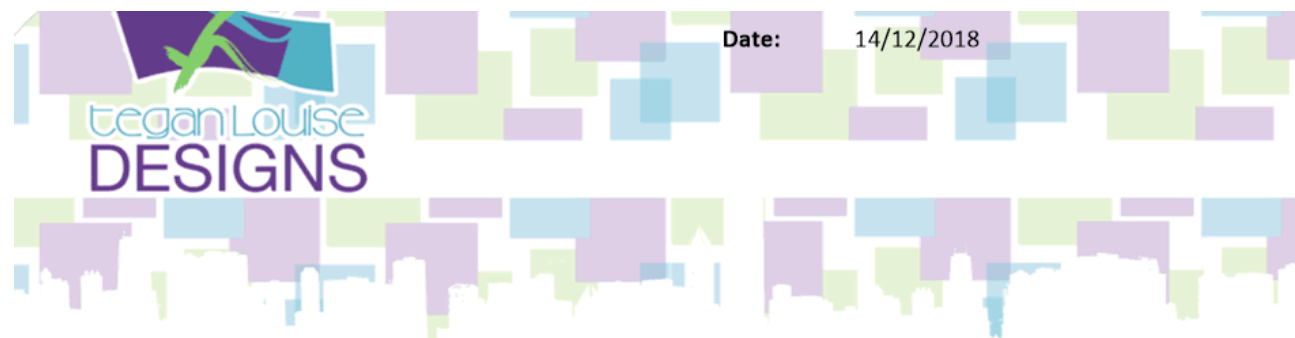
Yours Sincerely,

Coral Buxey
Masters of Architecture
Design Manager
TEGAN LOUISE DESIGNS

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14th December 2018

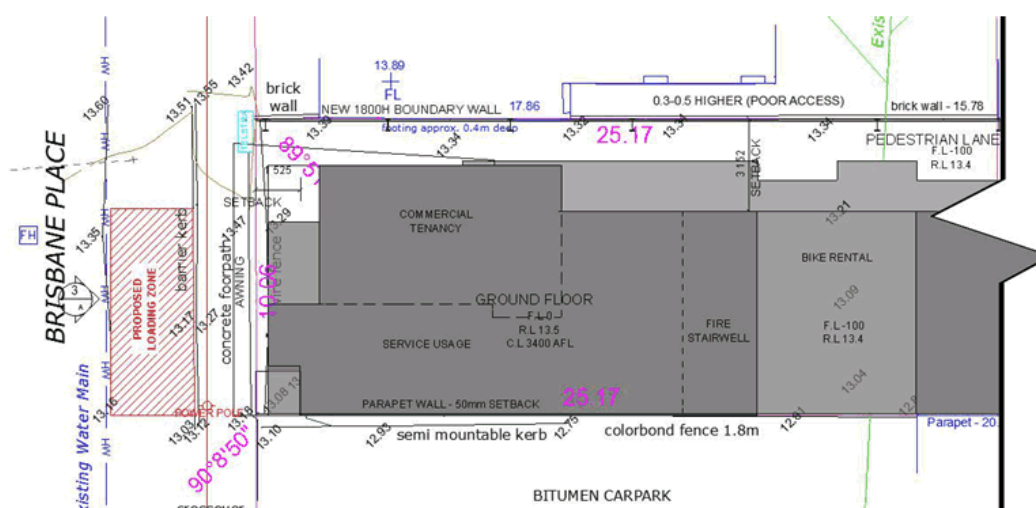
Planning Department
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6902

RE: 441 William Street, Northbridge

Services Management Plan

Vehicle Access

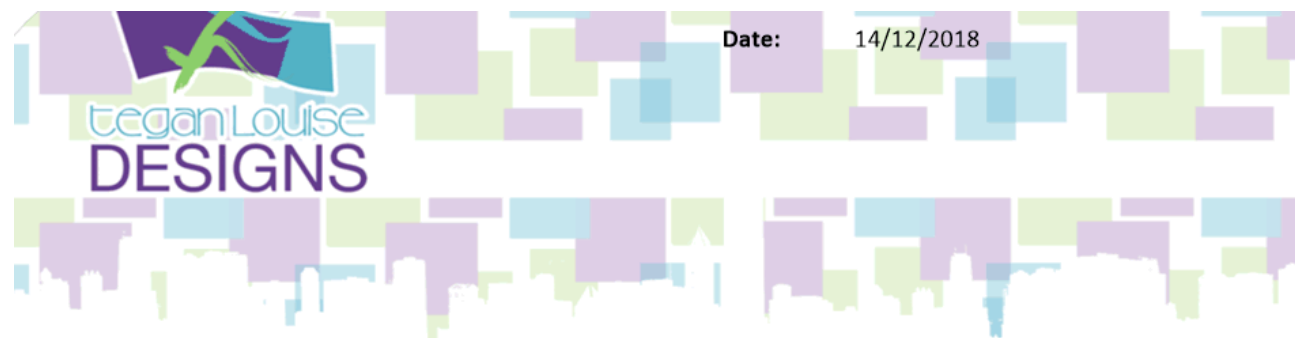
We are proposing all vehicle access to occur from Brisbane Place. We are proposing the designation of 1 loading bay to Brisbane place similar to those already on Robinson Avenue. Service vehicles will occupy this loading bay/zone for short periods of time at different intervals throughout the week. There is direct access from Brisbane place to the service corridor allowing for efficient and easy transportation of goods and services.



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Services to Consider

- Waste Management – Bin Collection
- Laundry Services
- Hotel deliveries (food/beverages, office supplies, cleaning supplies, guest amenities etc..)
- Coffee Shop deliveries (food/beverages, cleaning supplies etc..)
- Commercial Deliveries (office Supplies)
- Maintenance

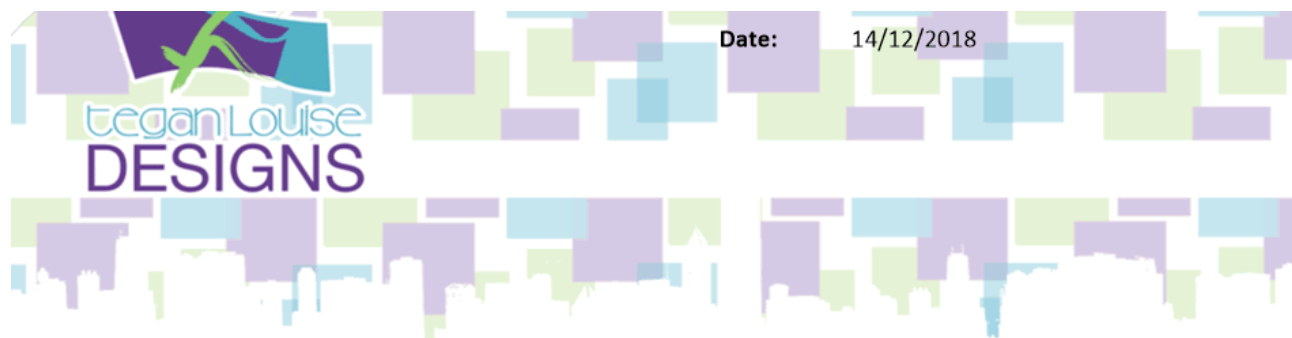
Services Collection Plan

Service	Frequency	Proposed Day/Time
Waste Collection	Once Weekly	Thursday Morning
Laundry Services – delivery of clean laundry and collection of dirty Laundry	Twice Weekly – To be confirmed once hotel is in operation and business can be assessed	Monday Afternoon Thursday Afternoon
Hotel/coffee shop/commercial Deliveries	To be arrange with suppliers as required	Proposed to be Tuesdays, Wednesdays, Fridays or Saturdays as required. Ensure delivery is staggered with other service vehicles
Maintenance	As Required	Day and time to be booked in as required. Ensure no other service vehicles to be using loading zone at this time.

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**Management**

The hotel and all commercial tenancies will have access to a calendar with bookings for the loading zone. A booking is to be confirmed using this calendar to ensure no overlaps occur. This will prevent congestion to Brisbane place.

Once the site is operational the hotel and commercial tenancies can confirm delivery days and frequencies with suppliers using this calendar. The occupation of the loading bay/zone by service vehicles is to be staggered on different days and at different times to avoid congestion.

Service vehicles will have direct access to the service corridor (note: the gate may have pin access with the pin being supplied to services). The waste services will have direct access to the bin store utilising this corridor. The laundry services will have direct access to the laundry store using this corridor. Other suppliers will have direct access to a storage/holding area using this corridor. Once goods have been deposited staff is able to transfer them to locations as needed. The dumbbell waiter will service this area to transfer goods to storage areas on upper levels. Each upper level has it's own storage area to house goods as well as cleaning trolleys etc..

Amenity

It will be the responsibility of the hotel and commercial tenancies staff to ensure the service corridor is clean and unobstructed. This will aid ease of access and use for services.

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ABN 18 162 361 042

WASTE MANAGEMENT PLAN

441 William Street, Perth WA 6000

Proposed Commercial Unit, Café & 30 Suite Hotel Development

Prepared for:	Architectural Online
Date Prepared	December 2018
Revision:	1.3
City of Vincent Council Application #:	TBA



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1. Introduction

AusWide Consulting was commissioned by Architectural Online to prepare a Waste Management Plan (WMP) for approval of a proposed Retail Shop, Café & 30 Suite Hotel Development at 441 William Street, Perth WA.

The proposed development consists of; Retail Shop (41.04m²), Café/Bar (66.09m²) & 30 Suite Hotel with Reception (Approx. 54.90m²).

In the course of preparing this WMP, the subject site and its environs have been inspected, plans of the development examined, and all relevant council requirements and documentation collected and analysed.

This WMP has been prepared based on the following information:

- Architectural Plans provided by Architectural Online (22/09/2018)
- City of Vincent Council Waste Guidelines for Developments.

2. Background and Existing Conditions

The subject site is located at 441 William Street, Perth WA, on Northwest side of William Street, with the property continuing through to Brisbane Lane, and the nearby land uses are all commercial whilst residential to the west.

Figure 1 provides an overview of the area and its surrounding land uses whilst **Figure 2** provides an aerial view of the immediate area surround the subject site.

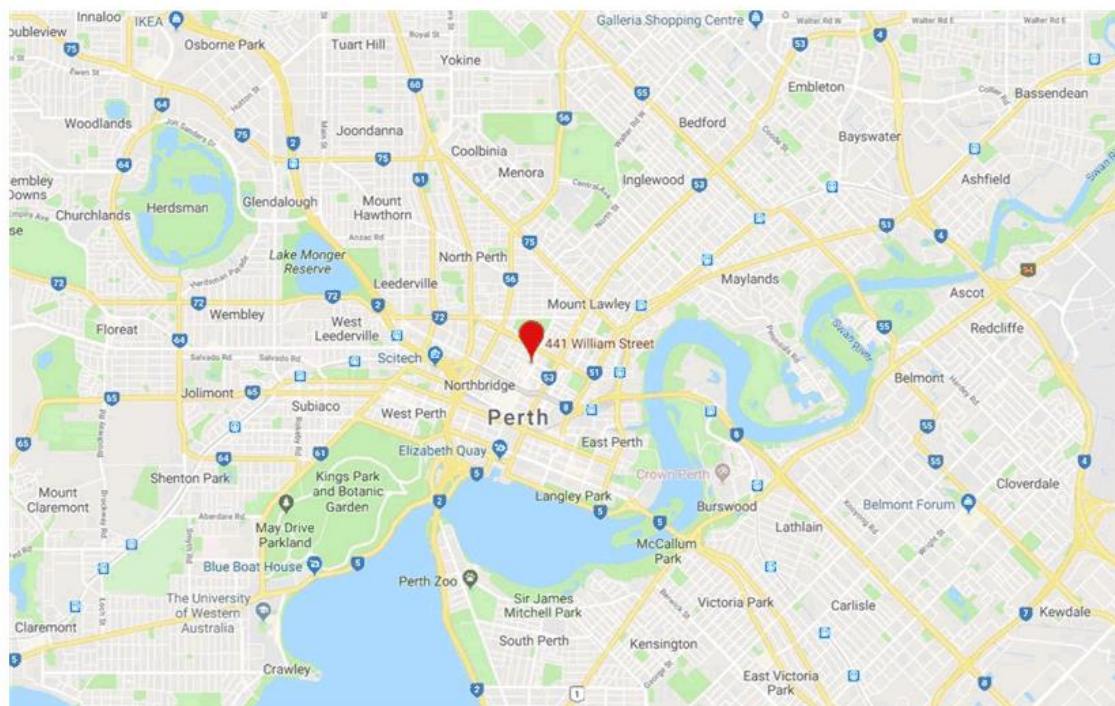


Figure 1: Location of the Subject Site



Figure 2: Aerial View of the Subject Site



3. Proposed Development

The proposed development consists of a Retail Shop, Café & 30 Suite Hotel. Access to the proposed development can be accessed via the paved walkways off William Street and Brisbane Place. The commercial waste area can be accessed via the service corridor on Brisbane Lane and the Café/Bar waste area can be accessed through the Café through to the waste area on the Southwest side of the Café/Bar. **NOTE:** The Retail Shop will use the commercial waste area (**Refer Appendix A**).

4. Anticipated Waste Generation, Storage and Collection

Waste will be collected by a private contractor.

Waste Generation

As per the City of Vincent Council Waste Guidelines for Developments,

The waste entitlement for; (a) Retail under 100m² is 50L/100m² of floor area per day garbage, 50L/100m² of floor area per day recycling. (b) Café is 300L/100m² of floor area per day garbage, 200L/100m² of floor area per day recycling. (c) Hotel/Motel is 5L/bed/day of garbage, 1L/bed/day of recycling, 50L/100m² bar area/day of garbage, 50L/100m² bar and dining area/day of recycling and 667L/100m² dining area/day of garbage. (d) Offices are 10L/100m² of floor area per day garbage, 10L/100m² of floor area per day recycling.

The following table illustrates the typical garbage and recycling generation rates.

Table 1: Typical Garbage and Recycling Generation Rates for Retail, Café, Hotel/Motel & Offices.

Type of Premises	Land Waste Collection	Comingled Recycling Generation
Retail under 100m ²	50L/100m ² floor area/day	25L/100m ² floor area/day
Café (Dine in)	300L/100m ² floor area/day	200L/100m ² floor area/day
Hotel/Motel	5L/bed/day	1L/bed/day
	50L/100m ² bar area/day	50L/100m ² bar and dining area/day
	667L/100m ² dining area/day	
Offices	10L/100m ² floor area/day	10L/100m ² floor area/day



Waste within Overall Development

Using the garbage and recycling generation rates above, the following can be calculated;

Retail (41.04m²)

- 50L/100m² of floor area per day garbage = 143.64L per week (uncompacted)
- 25L/100m² of floor area per day recycling = 71.82L per week (uncompacted)

Café/Bar (66.09m²)

- 300L/100m² of floor area per day garbage = 1,387.89L per week (uncompacted)
- 200L/100m² of floor area per day recycling = 925.26L per week (uncompacted)

Hotel (30 Suite, Double Beds or 2 Single Beds)

- 5L/per/bed/per day garbage = 2,100L per week (uncompacted)
- 1L/per/bed/per day garbage = 420L per week (uncompacted)

Hotel Reception (54.90m²)

- 10L/100m² of floor area per day garbage = 38.43L per week (uncompacted)
- 10L/100m² of floor area per day recycling = 38.43L per week (uncompacted)

Total 3669.96L garbage per week and 1455.51L recycling per week.

Waste Storage Areas

There are 2 Waste Storage Areas;

Commercial Waste Area:

- 2 x 1,100L General Waste MGBs – collected weekly.
- 1 x 1,100L Recycling MGBs – collected fortnightly.

Café/Bar Waste Area:

- 3 x 240L General Waste MGBs – collected 2 times per week.
- 2 x 240L Recycling MGBs – collected 2 times per week.

The following figure illustrates the typical dimensions of 1,100L & 240L MGBs mentioned above.

Table 2: Typical Dimensions of 1,100L & 240L MGBs

Size MGB	Height	Depth	Width
1,100L	1390mm	1090mm	1360mm
240L	1060mm	730mm	550mm



The following figure illustrates a scaled diagram of the MGB's within the waste storage area.

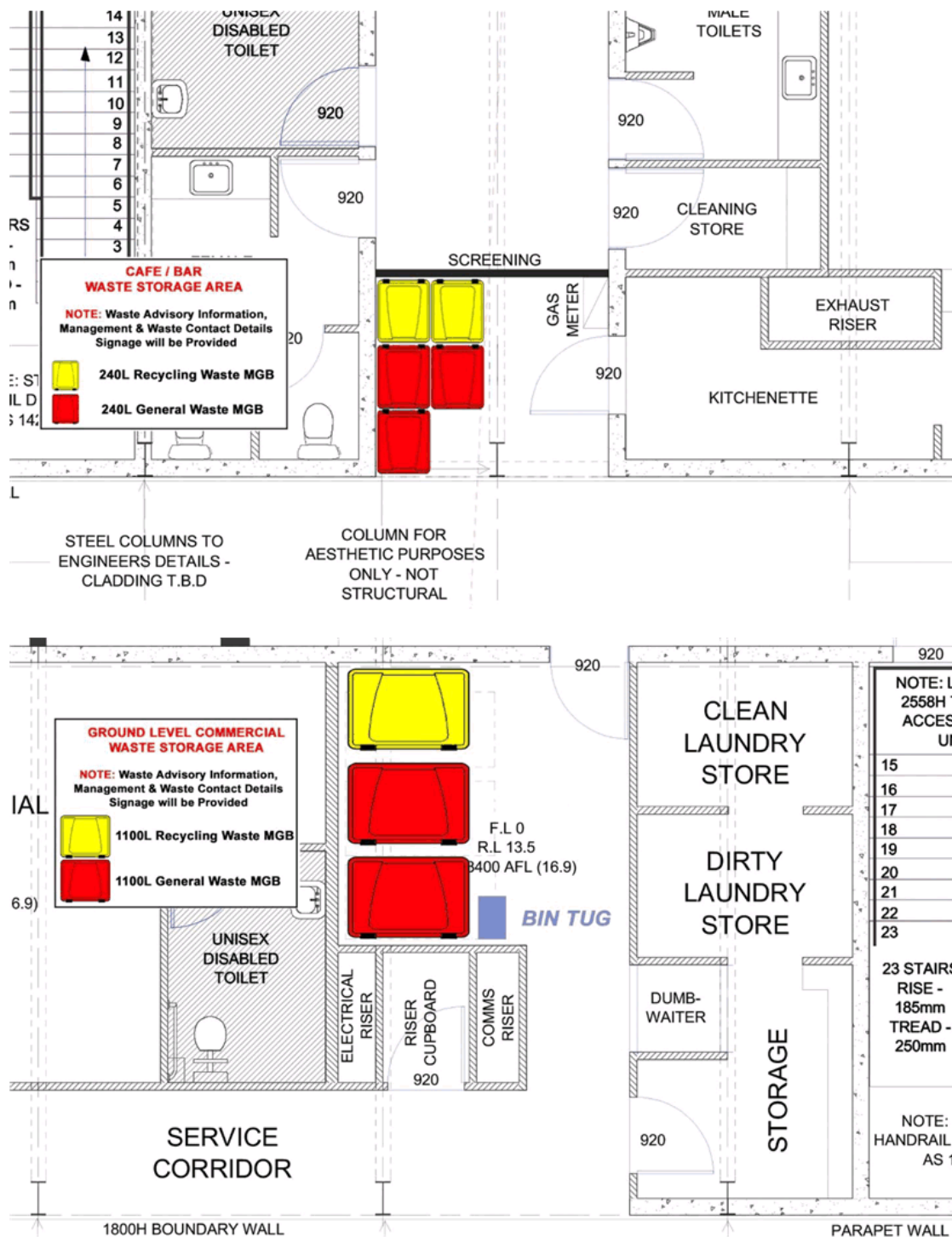


Figure 3: Scaled Diagram of the Waste Storage Areas.



Figure 4: Proposed William Street & Brisbane Place Entrances of the Subject Site



Figure 5: Typical Bin Tug



5. Waste Collection

The waste collection service for the proposed restaurants of the development will be provided by a private contractor.

The waste collection vehicles will park on Brisbane Place.

Commercial Waste Area: Using the Bin Tug, wheel the MGBs to/from the waste vehicle via the service corridor on the Southwest side of the building.

Café/Bar Waste Area: Wheel the MGBs to/from the waste vehicle via the paved walkway on the Northeast side of the building. **NOTE:** On the days of collection, the MGBs will be placed along the boundary wall by café staff at an arranged time with council.

Once the MGB's have been collected and emptied, the waste vehicle will leave in a forward motion.

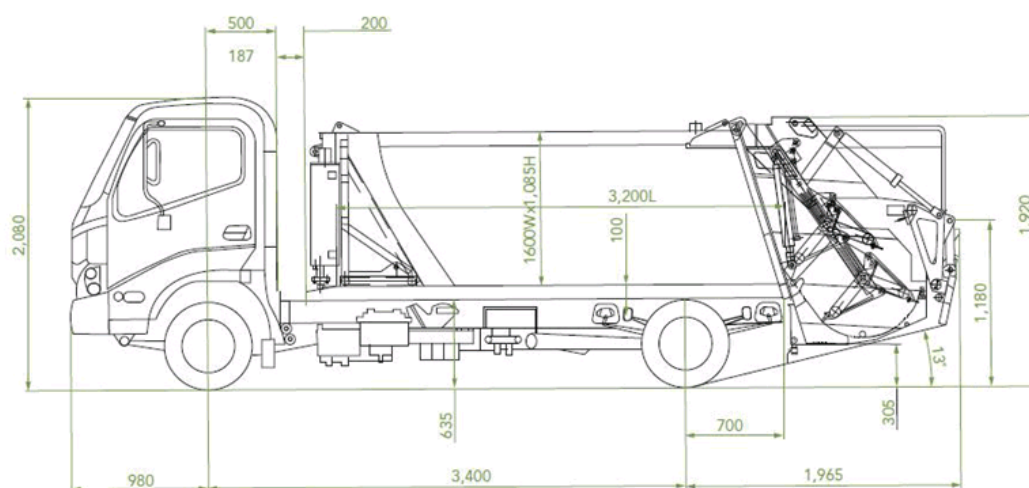


Figure 6: Template of the Waste Collection Vehicle



6. Amenity

Noise

The only noise generated from the waste management at the property will be that of the MGB's being collected by the waste collection truck and emptied. Any other noise related to the waste management will be kept to a minimum.

Ventilation

The garbage waste bin areas should be ventilated.

Cleaning Facilities

Management & Staff will be responsible for keeping the MGB's clean. An MGB wash area with impervious floors, draining to the sewer should be provided.

Prevention of Vermin

Management & Staff will be advised to not overfill the bins so that the lids are closed at all times. The waste area should be constructed to help keep vermin out with lockable gates. Rat traps should be placed in a safe place within the waste area.

Security

All MGB's will be secured in the waste areas behind lockable gates.



7. Miscellaneous

Communal Composting Facility

No consideration has been given to a composting facility.

Green Waste

Green waste won't be needed.

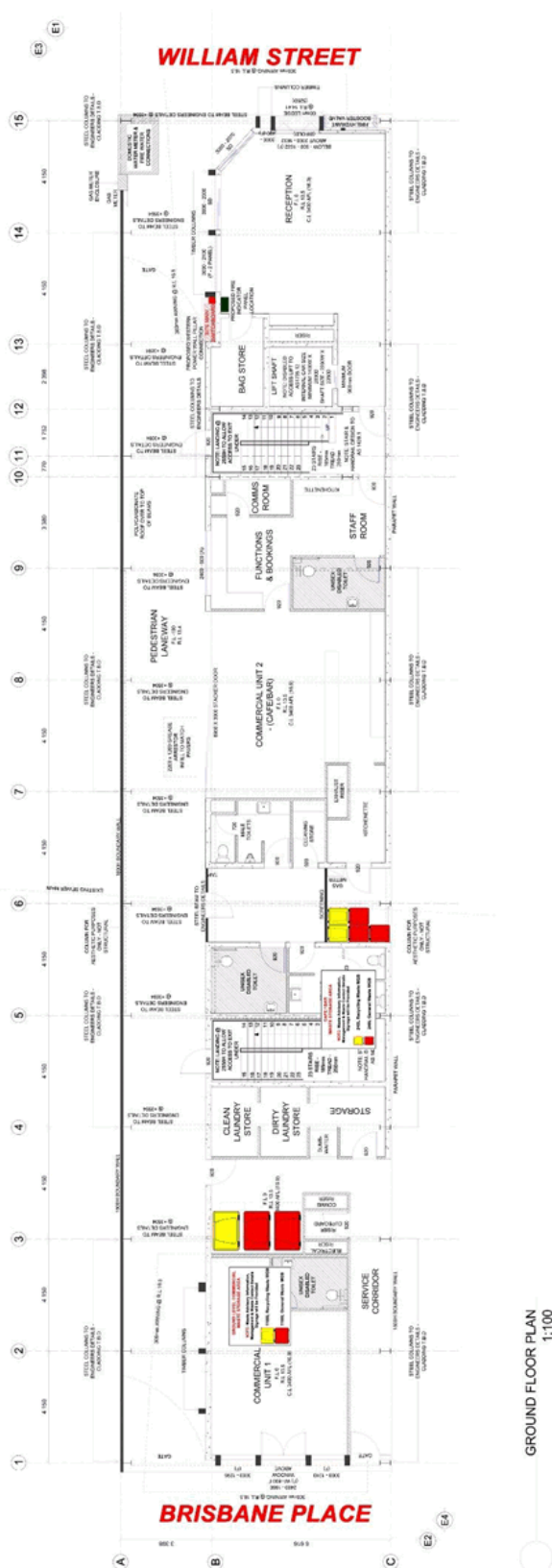
Hard Waste

More information and conditions can be found using;

URL Ref: <https://www.vincent.wa.gov.au/residents/waste-recycling.aspx>



Appendix A – Site Plans



441 William Street, Perth WA 6000

12

by AusWide Consulting



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ABN 18 162 361 042

TRAFFIC & PARKING DEMAND ASSESSMENT

441 William Street, Perth WA 6000

Proposed Commercial Unit, Café & 30 Suite Hotel Development

Prepared for:	Architectural Online
Date Prepared	March 2019
Revision:	1.4
City of Vincent Council Application #:	TBA



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Introduction

AusWide Consulting was commissioned by Architectural Online to prepare a Traffic and Parking Demand Assessment for the proposed Hotel development at 441 William St in Perth, WA 6000.

The subject site is located along the western side of William Street. The proposal includes construction of a five level building for a Hotel with a total gross floor area of 1507.38 m².

There will be 30 Suites in the proposed Hotel.

The two Commercial areas on the ground floor will be occupied by a Café/Bar and a small office commercial space for a Bike Shop.

The estimated number of staff for the whole building is summarised in Table 1 below:

Table 1: Estimate of total staff for the whole development

Part of Building	Gross Floor Area	Estimated Staff Numbers
Hotel	1507.38m ²	10-15
Commercial Unit 1: Bike Shop	41.04m ²	2-3
Commercial Unit 2: Café/Bar	54m ²	10
Lane Way Outdoor Seating	148.7m ²	
TOTAL	1751.5m²	22-28

This report will assess the traffic impacts of this proposed development on the surrounding environment and the compliance of the proposed car parking with the Australian Standards and relevant clauses presented within the City of Perth Planning Scheme. In the course of preparing this assessment, the subject site and its environment have been inspected, plans of the development examined, and all relevant traffic data collected and analysed.



Background and Existing Conditions

Location and Land Use

The subject site is currently vacant. The proposal involves the construction of a new building for a five level new Hotel with 30 Suites and two Commercial Units on the ground floor.

The subject site is located along the western side of William St in Perth. William St is a Main road about 10.5m wide with parking permitted on both sides of the street and a traffic lane in each direction. William Street carries over 10,000 vehicles per day near the subject site. The site is situated within an established Commercial Zone in the Vincent City Council Planning Scheme. The area in the vicinity of the subject site is primarily occupied by Commercial buildings.

There are frequent bus services leaving from a short 4-minute walk from the site to Perth CBD, providing residents and businesses with direct access to Perth CBD and other nearby suburbs near the site.

Figure 1 shows the site from the local road network from a street map perspective.

Figure 2 presents an aerial photograph of the subject site and the surrounding areas.

Figure 3 presents a photo of the site as seen from William St (Before construction of the proposed development).

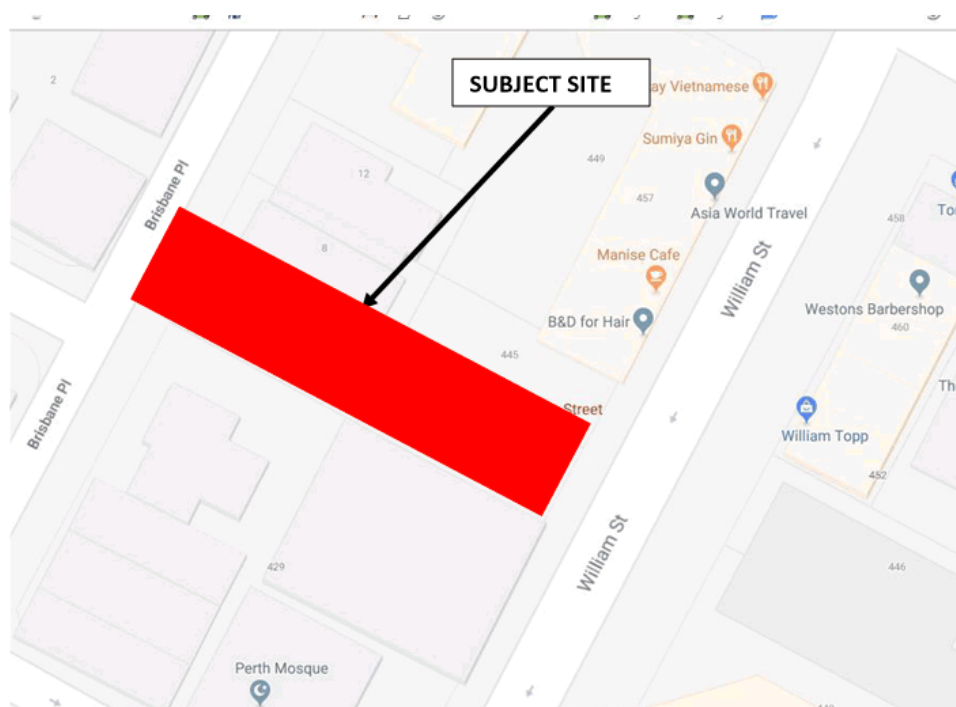


Figure 1: Location of the Subject Site on a Street map



Figure 2: Location of the Subject Site on Aerial View



Figure 3: View of the site frontage from William St (Before construction of the Hotel development)

441 William St, Perth, WA 6000

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Public Transport

Bus Services

The subject site has convenient accessibility to Bus services from Perth City Centre to Morley Bus Station. Figure 4 shows the Bus Route 60 map from Elizabeth Quay Bus Station to a stop at William St/ Edith St within a 331 m walk or 4 minutes to the site.

Table 2 below outlines the details of the Bus Route 80 Services available from the City to Morley Bus Station.

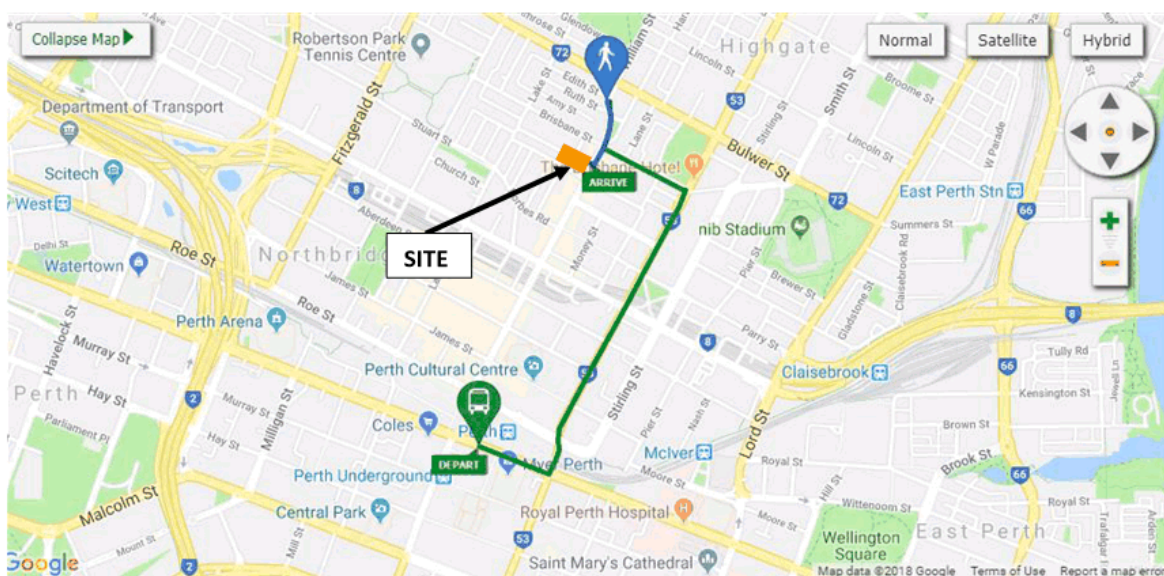


Figure 4: Map of Bus Route 60 from Elizabeth Quay Bus Station to the site.

Table 2: Bus Route 60 Service details

Bus Route	Stop Location	Distance m	Walking Time [mins]	Origin	Destination	Bus Frequency
60 Mon-Fri	William St /Edith St	230	4	Elizabeth Quay	Morley Station	16 mins
60 Sat/Sun	William St /Edith St	230	4	Elizabeth Quay	Morley Station	27-31 mins

Bus Services

Bus Route 60 provides a connecting service from Elizabeth Quay in the City and stops at William St/ Edith St, within a 230 m walk or 4 min. to the site. Table 2 above shows the service details for Bus Route 60.

From the above bus services information, buses run between 1 every 16 minutes during weekdays and during the weekend, buses run between 1 every 27-31 minutes.



Traffic Impacts of the Proposed Development

The proposed development at the subject site includes the construction of a new building for a Hotel with 30 Suites. In addition, the ground floor will have a Cafe/Bar and a Commercial Office Unit.

The NSW RTA Guide to Traffic Generating Development (2002) document does not provide any trip rate for Hotels. The trip rates for Motels under section 3.4.1 have been used instead. The following trip rates have been outlined in this document;

Motel development:

- Daily vehicle trips = 3/Unit.
- Weekday PM peak hour vehicle trips = 0.4 per Unit.

The calculation of peak hour trips and Daily trips for the Hotel development based on the NSW RTA rates for Motels is summarised in Table 3 below.

Table 3: Calculation of Trip Generation from the proposed development

PROPOSED USE	RTA NSW TRIP RATES		No. of Peak Hour Trips	No. of Daily Trips
	Peak Hour Trip Rate	Daily Trip Rate		
Hotel 30 Suites	0.4/Suite	3.0/Suite	12	90
Café/Bar + Laneway 202.7m ²	5/100m ² GFA	60/100m ² GFA	10	122
Commercial/ Office 41m ²	2/100m ² GFA	10/100m ² GFA	1	4
TOTAL			23	216
	Equivalent total trips		1 trip /3 mins	1 trip/ 3 mins

Total peak hour vehicle trips generated by the proposed development= 23 trips.

Total daily vehicle trips generated by the proposed development= 216 trips.

This number of trips during each peak hour is rather insignificant as it represents 1 vehicle every 3 minutes during each peak hour (assuming 100% in during the AM peak hour and 100% out during the PM peak hour).

The daily total traffic generated by this development at 216 trips, which equates to 1 trip every 3 minutes for a 12hour day. As no on-site parking is proposed, the traffic generated by this development is spread around the neighbouring streets rather than on William St only. This would have a less than minor effect on the daily traffic of around 10,000 vehicles per day already present on William St and other nearby roads.

As such, it is clear that the additional development traffic represents a very small fraction of the existing traffic volumes and therefore the additional traffic generated from the proposal is unlikely to generate any material impact on the existing traffic operations in the vicinity.

**Department of Planning, Lands and Heritage (DPLH) Comments**

The comments from the DPLH regarding the impact of transport noise on the proposed development have been considered. Due to the proximity of the proposed Hotel to significant traffic volumes on William St, the applicant shall provide measures for attenuation of traffic noise for Hotel residents under SPP5.4, in the application of a Building Permit for this development.

No vehicle access is proposed from William Street. Any servicing will take place on Brisbane Place.



Car Parking Assessment

No on-site car parking has been proposed, at the subject site because the building will occupy the whole narrow site.

Full scale drawings of the proposed development are provided as part of the Development Application package and hence reference should be made to these drawings.

Vincent Council Planning Scheme - Car Parking Requirements

The car parking requirements for Special Residential developments are contained in Table 1 of the Vincent Council Planning Scheme.

Car parking provisions for Hotel and associated development must be made as follows in Table 4;

Table 4: Vincent Planning Scheme Car Parking Requirements (Table 1)

Type of Development	Number of units	Parking Requirement	Required Number of Spaces
Hotel (30 Suites)	30	0.5/Bedroom	15
Café/ Bar incl. Lane Way (202.7m ²)	Estimated Ave. seating=96	0.2/person	19 reduced to 10 ¹
Commercial Office Unit (41.04m ²)	1	2/100m ² NLA	1
Total Spaces Required			26

Note 1: It is considered that the clients of the Café/Bar will be mainly from the Hotel and the nearby Commercial sites, who would walk rather than drive. A 50% reduction has been applied to the Café/Bar parking requirement.

From the requirements presented in table 4 above, it is evident that a total of 26 car spaces is required for the overall development. The proposed residential development will have a shortfall of only 26 spaces.

Considering the frequent bus services to and from Perth City Centre, stopping within a short walk of the site, some of the visitors would choose public transport instead of driving or park in the available on-street parking on William St and other nearby streets and in the Public Wilson's car Park at 386-388 William St, within a 250m walk from the site.



Parking Demand Surveys

On-Street & Off-Street Parking Surveys

As a part of this study, parking utilization surveys were undertaken on street on both sides of William St, Brisbane St, Robinson Ave and Forbes St plus the William St Car Park on Saturday and Tuesday. The peak days and times surveyed are Saturday 15th September and Friday 14th September (8am to 9pm). Figure 5 shows the extent of the on-street and off-street parking surveys, which covers an area within 250 metres of the site.

The results for the on-street and off-street parking surveys are summarized in Tables 5, 6 and 7. The available parking spaces are shown together with the parking restrictions, which apply to each section of road that was surveyed. The following sections summarize and discuss these results.



Figure 5: Map showing the extent of the On-Street and Off-Street parking surveys



Table 5: On-Street & Off-Street Parking Survey for Saturday 15th September 2018 (8am to 9pm)

Road	Direction	Parking Controls	Available Parking Spaces	Parking Occupancy at times below													9pm
				8 am	9 am	10 am	11 am	12 pm	1 pm	2 pm	3 pm	4 pm	5 pm	6 pm	7 pm	8 pm	
William St	Nthbnd & Sthbnd	2P Ticket (8-6pm, M-F/8-12pm Sat)	53	21	23	24	26	28	25	28	29	31	33	23	21	16	
Forbes St	Eastbnd	2P Ticket (8-7pm, M-F/P 7am-MidNt 8-12pm Sat)	18	7	8	8	9	10	9	9	10	10	11	8	7	5	
Robinson Ave	Eastbnd & Westbnd	1P (8-5.30pm, M-F)	16	6	7	7	8	8	8	8	9	9	10	7	6	5	
Brisbane St	Eastbnd & Westbnd	2P Ticket (8-8pm, M-Sun	68	28	29	31	33	36	32	36	37	40	44	30	28	21	
Brisbane St	Westbnd	CW 7-9am, M-F/2P 9am-7pm	8	3	3	4	4	4	4	4	4	5	5	3	3	2	
William St Car Park	(Wilson's Parking)		45	18	19	22	22	24	22	23	25	26	28	20	18	13	
	TOTAL OCCUPANCY		208	83	89	96	102	110	100	108	114	121	131	91	83	62	5
	%Occupancy			40%	43%	46%	49%	53%	48%	52%	55%	58%	63%	44%	40%	30%	2
	Vacant Spaces			125	119	112	106	98	108	100	94	87	77	117	125	146	1



Table 6: On-Street & Off-Street Parking Survey for Friday 14th September 2018 (8am to 9pm)

Road	Direction	Parking Controls	Available Parking Spaces	Parking Occupancy at times below													
				8 am	9 am	10 am	11 am	12 pm	1 pm	2 pm	3 pm	4 pm	5 pm	6 pm	7 pm	8 pm	9 pm
William St	Nthbnd & Sthbnd	2PTicket (8-6pm, M-F/8-12pm Sat)	53	20	22	23	25	27	24	26	28	30	32	22	20	17	
Forbes St	Eastbnd	2P Ticket (8-7pm, M-F/P 7am-MidNit 8-12pm Sat)	18	7	7	8	9	9	8	9	10	10	11	8	7	6	
Robinson Ave	Eastbnd & Westbnd	1P (8-5.30pm, M-F)	16	6	7	7	7	8	7	8	8	9	10	7	6	5	
Brisbane St	Eastbnd & Westbnd	2P Ticket (8-8pm, M-Sun	68	26	28	30	32	35	31	35	36	37	41	29	26	22	
Brisbane St	Westbnd	CW 7-9am, M-F/2P 9am-7pm	8	3	3	3	4	4	4	4	4	5	5	3	3	3	
William St Car Park			45	17	18	20	21	23	20	22	24	25	26	19	17	15	1
	TOTAL OCCUPANCY		208	79	85	91	98	106	94	104	110	116	125	87	79	69	5
	%Occupancy			38%	41%	44%	47%	51%	45%	50%	53%	56%	60%	42%	38%	33%	2
	Vacant Spaces			129	123	117	110	102	114	104	98	92	83	121	129	139	1

Table 7: Overall summary of on-street & off-street Parking Surveys

Survey	Friday 14th September (8am-9pm)		Saturday 15th September (9am-9pm)	
	Peak Occupancy %	Min. No. Vacant spaces	Peak Occupancy %	Min. No. Vacant spaces
On-Street + Off-Street Capacity=208 Spaces	60 % (125)	83	63 % (131)	77

Survey Results

From Table 7 above, the peak occupancy on-street was 60% to 63% and the corresponding minimum number of vacant spaces was 77 to 83 spaces. This will be more than sufficient to accommodate the parking shortfall of 26 spaces for the proposed Hotel development.

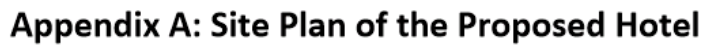


Conclusion

Based on the assessment presented in this report, it is considered that:

- The proposed site is very well located to public transport services with frequent bus services from Perth City Centre, which stops within a short distance from the site. This would encourage patrons to use public transport instead of driving to the site and therefore reducing the parking demand for this development.
- The proposed site will generate additional, but very low levels of trips (1 trip per 3 minutes) in the weekday AM and PM peak hours. The daily trips equate to 1 trip per 3 minutes.
- This would have a less than minor effect on the daily traffic of around 10,000 vehicles per day already present on William St and other nearby roads. These trips can be accommodated at the nearby intersections, without affecting intersection performance or increasing delays and queues.
- The comments from the Department of Planning, Lands and Heritage (DPLH) have been considered and they will be addressed in the Building Permit application.
- The car parking assessment indicates that the proposed Hotel development, including ancillary Commercial spaces has a shortfall of 26 spaces, compared to the parking requirement in the Vincent Council Planning Scheme.
- The on-street and off-street parking surveys show that the minimum vacant spaces at peak times are 77 to 83 spaces, which are more than sufficient to cater for shortfall of 26 spaces for the proposed development.

Based on this study, there are many traffic engineering reasons why a planning permit for the proposed Hotel development at 441 William St, Perth should be granted.





441 William Street Northbridge Planning Stage Acoustic Report

Report Date: Wednesday, 6 June 2018
Reference: P17365RP1, Revision 1

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Document Information

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Client	Nikolic Enterprises Pty Ltd	
Report title	Planning Stage Acoustic Report	
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Reviewed by	Martti Warpenius	

Revision Table

Report revision	Date	Comments
0	30 August 2017	Noise intrusion assessment
1	21 December 2017	NCC/BCA advice
2	6 June 2018	Moved stairwell, delete levels 5-6

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Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of that sound level.
dB(A)	Units of the A-weighted sound level.
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
L ₁₀	Noise level exceeded for 10 % of the measurement time. The L ₁₀ level represents the typical upper noise level and is often used to represent traffic or music noise.
L ₁	Noise level exceeded for 1 % of the measurement time. The L ₁ level represents mostly short duration, high level sound events.
L _{max}	The maximum instantaneous noise level.
D _W	Weighted Level Difference—the noise level difference or reduction between two enclosed spaces. It quantifies the acoustic separation between two spaces. It relates to the R _W rating of the separating building elements (such as walls and doors) and includes all noise flanking paths (such as ceiling voids, joins and seals) and the acoustic absorption in the receiving space. The higher the D _W rating the better the acoustic separation.
L _{n,w}	A measure of the noise impact performance of a floor and ceiling.
L _{nT,w}	Weighted Standardised Impact Sound Pressure Level— A measure of the impact noise performance of a floor and ceiling between two enclosed spaces. It is an on-site measured level that relates to the laboratory L _{n,w} value. The lower the L _{nT,w} rating the better the impact isolation.
R _W	Weighted Sound Reduction Index—A laboratory measured value of the acoustic separation provided by a single building element (such as a partition). The higher the R _W the better the noise isolation provided by a building element.
R _W + C _{tr}	A measure of the sound insulation performance of a building element with a C _{tr} spectrum adaptation term placing greater emphasis on the low frequency performance.

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1 Introduction

Resonate Acoustics has been commissioned by Nikolic Enterprises Pty Ltd to provide acoustic consultancy advice for the proposed hotel development at 441 William Street Northbridge in response to the Development Application requirements in the City of Vincent planning policy No. 7.5.21. The development is to consist of a 33 guest-room, 4-story hotel located over ground floor commercial areas.

Resonate Acoustics has conducted the following activities in accordance with our scope of work:

- Reviewed the proposed development plans (reference Job 17-015, dated 18/07/2017).
- Established applicable acoustic criteria to protect the amenity of guests from noise from adjoining guest-rooms, common areas and building services as required by the National Construction Code (NCC)
- Established applicable acoustic criteria to protect the amenity of guest rooms from traffic noise intrusion and other external noises in the local area such as adjoining commercial activity.
- Assess environmental noise emission from the site - to be controlled to meet the Environment Protection (Noise) Regulations
- Explore in-principal acoustic treatments

This report details the results of our DA phase assessment.

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2 Site and Surrounds

The site is located at 441 William Street consisting of 5 hotel levels above a commercial ground floor.

Lifestyle use/Entertainment venues such as Hotels, nightclubs, restaurants and cafes require assessment under the City of Vincent Planning and Building Policy. The lifestyle uses near the subject site have been identified and are summarised in Table 1 below and the Site Plan, Figure 1.

Table 1 – Nearest Lifestyle Uses and Entertainment Venues to Site

Lifestyle Use	Type	Distance to site	Operation after 10pm (Saturday)
Tetsuo Night Club	Bar / Music Venue	40 m, S	Yes
399 Bar	Bar	110 m, SE	Yes
Dough Pizza	Food	30 m, SE	Yes
Express Kebabs	Food	30 m, NE	Yes
Perth Mosque	Worship	30 m, SW	No
Bankok on William Thai	Food	20 m, SE	No
Manise Café	Café	10 m, NW	No
Okay Vietnamese	Food	40 m, NW	No
Lido	Food	70 m, S	No
Mela Indian Sweets and Eats	Food	40 m, S	No

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Figure 1: Site and surrounds

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3 Council Requirements

3.1 Qualifications of Acoustical Consultant/Engineer

Council requires a summary of the qualifications of the person directing the assessment.

Mr James Leader prepared this assessment. His qualifications are as follows:

- BE (Mech) Hons
- Member of Australian Acoustical Society MAAS

Mr Martti Warpenius reviewed this assessment. His qualifications are as follows:

- BE (Mech) Hons
- M Eng Sc
- Member of Australian Acoustical Society MAAS
- Member of the Institution of Engineers MIEAust
- Former Chairman of the Association of Australian Acoustical Consultants, AAAC 2011 to 2013

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4 Internal sound insulation

4.1 NCC/BCA Requirements

The residential part of the proposed hotel development is classified as Class 3 under the National Construction Code. These buildings must achieve the objectives outlined in Part F5 of the NCC *Sound Transmission and Insulation*.

The acoustic requirements applicable to this development are outlined in Table 1. Refer also to Appendix A for a markup of the required acoustic treatments to meet the NCC for residential apartments.




Additional design advice may be required for non-acoustical requirements such as fire ratings, structural integrity, buildability, etc.

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Table 2: BCA requirements for Class 2 and 3 buildings

Building element	Description	Impact noise requirements	Airborne noise criterion	Minimum proposed Construction	Legend
Walls ²	Separating sole occupancy units	—	$R_w + C_{tr} \geq 50$	Rendered cavity brickwork - 250 mm Midland Acoustic Maxibricks or equivalent OR Minimum 150 mm concrete	
	Separating a habitable room (other than a kitchen) of a sole occupancy unit from a bathroom, sanitary compartment, laundry or kitchen in an adjacent sole occupancy unit	Discontinuous construction	$R_w + C_{tr} \geq 50$	Rendered cavity brickwork - 250 mm Midland Acoustic Maxibricks or equivalent with no ties or resilient ties OR Minimum 150 mm concrete with free-standing stud and plasterboard. ⁷ Gap between stud and concrete is to be no less than 20 mm.	 
	Separating a sole occupancy unit and a stairway, public corridor, public lobby, commercial tenancy, or the like ²	—	$R_w \geq 50$	Minimum 230 mm cavity brickwork OR Minimum 150 mm concrete	

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Building element	Description	Impact noise requirements	Airborne noise criterion	Minimum proposed Construction	Legend
	Separating a sole occupancy unit from a lift shaft	Discontinuous construction	$R_w \geq 50$	Minimum 150 mm concrete with a free standing 10 mm plaster wall. Gap between stud and concrete is to be no less than 20 mm.	
Doors	Access doors to apartments	—	$R_w \geq 30$	Minimum 35 mm solid core with acoustic seals to meet $R_w \geq 30$	Not shown (minimum standard to all)
Floors	Floor over apartments (including rooftop flooring in roof terrace and entertaining area)	$L_{nw} \leq 52-56^6$	$R_w + C_{tr} \geq 50$	Minimum 250 mm concrete AND Carpet on floor or 5 mm Impactamat or 5 mm equivalent 'regupol' isolation layer under timber & tiles	Not shown (minimum standard to all)
Pumps	The point of connection between the service pipes in a building and any circulating or other pump.	A flexible coupling at the connection	—		Not shown
Services Access Doors and Panels	An access door or panel in a sole-occupancy unit - for all services		$R_w + C_{tr} \geq 25$ for all non-habitable rooms	Proprietary product such as from Tyco (no access panels permitted in habitable)	Not shown

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Building element	Description	Impact noise requirements	Airborne noise criterion	Minimum proposed Construction	Legend
			and kitchens	rooms except Kitchens)	
Services	A duct, soil/waste/supply/stormwater pipe located in a wall or floor cavity, which serves or passes through more than one occupancy unit - adjacent room is non-habitable	—	$R_w + C_{tr} \geq 25$	10 mm plaster ceiling/bulkhead/wall/riser ^{3, 5} and 75 mm acoustic insulation blanket. OR Rendered 90 mm brick.	Not shown (minimum standard to all ceilings/risers/bulkheads)
	A duct, soil/waste/supply/stormwater pipe located in a wall or floor cavity, which serves or passes through more than one sole occupancy unit - adjacent room is habitable	—	$R_w + C_{tr} \geq 40$	<u>Wall or Riser</u> 110 mm rendered clay brick with 75 mm acoustic insulation ⁴ behind OR 10 mm plaster ceiling/bulkhead/wall/riser ^{3, 5} and 75 mm acoustic insulation blanket, and services acoustically lagged ¹	
				<u>Ceiling or Bulkhead</u> 10 mm plaster ceiling/bulkhead/wall/riser ^{3, 5} and 75 mm acoustic insulation blanket, and services acoustically lagged ¹	

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Notes to Table above

1. No supply or waste pipes to have direct contact with surrounding elements. All pipes to be acoustically fixed at mounting points/penetrations. Use Bradflex, 6 mm thick neoprene, closed-cell foam or 'unicushion' between all pipes and pipe clamps. Pipes and ducts behind plaster need to be lagged with Pyrotek '4525C', Bradford 'Acoustilag 45', Acoustica 'Greenlag SQ' or equivalent. Alternative 'quiet' pipe constructions such as Rehau Raupiano, which lessen the need for wrapping can be submitted for approval
2. Acoustically rated walls to extend full height to underside of soffit/roof. Where this does not occur, ceilings to be acoustically rated
3. Any additional penetrations for lighting, ventilation grilles, sprinklers etc. to be acoustically treated
4. Unless noted otherwise, all acoustic insulation to be 14 kg/m³ acoustic grade glasswool insulation or equivalent. Nominal thickness 75 mm unless otherwise noted
5. Plaster to be upgraded to 10 mm Sound rated with a 50 mm acoustic insulation blanket where ceilings have more than 2 sealed downlights and a 150 mm exhaust fan
6. Based on the findings of a recent case in the State Administrative Tribunal, regarding impact noise from floors (Friday and Luck [2014] WASAT 109, August 2014), it is our interpretation that a floor system possessing an impact performance compliant with the NCC/BCA requirement not to exceed 62 dB is not necessarily compliant with the Strata Titles Act 1985 – Schedule 2, i.e. *"...treated to an extent sufficient to prevent the transmission of noise likely to disturb the peaceful enjoyment of the proprietor"*. Therefore, we recommend a rating between 52-56 dB, which would be noticeably quieter and would more likely be compliant with the Strata Titles Act, where it applies
7. Walls are not to be chased, and pipes are not to be fixed to the wall leaf on the side adjoining any other sole-occupancy unit and must have a clearance not less than 10 mm to the other wall leaf.

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5 External noise intrusion

Council requires that the ambient noise environment around the subject site is assessed for the potential of noise intrusion into the site. The ambient noise environment is controlled by road traffic on William Street. Council also requires an assessment of the noise generated by nearby Lifestyle Uses and Entertainment Venues. These have been identified and summarised in Table 1. It was found that Lifestyle Uses and Entertainment Venues did not noticeably contribute to the ambient noise environment at the time of measurement.

The section below summarises our findings regarding external noise intrusion.

Criteria

Residential buildings are to be designed so that noise intrusion achieves the Council requirements in Section 3.3.2 (a) (i) of:

- Leq 35 dB(A) in sleeping areas (bedrooms) and
- Leq 40 dB(A) in living/work areas and other habitable rooms

Offices, general retail spaces and Hotels are to be designed according to Section 3.3.2 (a) (iii) to meet the Australian Standard AS/NZS 2107:2016 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.

These criteria are summarised below in Table 3.

Table 3 – Noise intrusion criteria

Type of occupancy/activity	Design Sound Level $L_{Aeq,t}$
Hotels and Motels near major roads - sleeping areas (night-time)	35 – 40 dB
Reception areas	40 – 45 dB
Small retail stores (general)	45 – 50 dB

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Existing Traffic Noise Environment (City of Vincent Outcome 2)

Peak traffic attended measurements were taken on Friday 9 August 2017 between 07:45 and 08:45. The free-field noise level at 7 m from the centre of the road and 1.2 m above ground (Measurement Location A) was recorded to be L_{Aeq} 66 dB.

William Street has one way traffic (leading into the city), and therefore the morning peak has been recorded to have a much higher traffic count than afternoon peak (DMR 2014/15).

Existing Night-time Noise in Area (City of Vincent Outcome 3)

Night-time attended measurements were taken on Friday 9 August 2017 between 22:05 and 22:20 at Measurement Location A. During this time, Tetsuo Night Club was playing music and had gathered 21 people talking loudly outside whilst waiting to enter. 440 William St had a clearly audible beeper on their gate and in addition to mild traffic, there were multiple car start-ups audible along the street. The L_{Aeq} recorded over this time period was 59 dB, is more than 5 dB below the peak traffic noise level and does not have a significant low frequency content compared to the traffic measurement (Table 4).

Table 4 – Measured noise levels (dB) at each octave band (Hz): Measurement Location A

Activity	63	125	250	500	1K	2K	4K	8K
Peak morning traffic	44	50	57	59	62	59	52	43
Night time noise (Tetsu night club)	40	43	46	53	55	52	46	40

The site layout and measurement locations are shown in Figure 2.

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Figure 2: Proposed building layout (ground floor) and noise measurement locations (labelled)

Noise Treatment Solutions – Design Principals (City of Vincent Outcome 7)

The measured noise levels indicated that the dominant noise in the area was from traffic on William Street. On this basis, we recommend the following design principals be adopted for the dwellings:

- Orientation/Layout of units is such that the glazing of the most sensitive areas, i.e. bedrooms face away from the external roads where possible.
- The dwellings are to “step in” where possible so that upper floors are partially shielded from external noise sources where possible.
- Where bedrooms face William Street, sound rated glazing is recommended.
- The size of all glazing facing the roadway to be minimised as far as practicable. This action reduces the acoustic requirements of specific glazing options.

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Noise Insulation Requirements (City of Vincent Sound Attenuation Policy Outcome 9)

The recommended construction methods and materials will be outlined as part of the building permit application as required in the City of Vincent Development and Design Policy 7.5.21 Sound Attenuation, Section 5.2

Glazing requirements:

- Bedrooms with glazing facing William Street require $R_w + C_{tr}$ 34.
- All other Bedrooms require $R_w + C_{tr}$ 30.
- The reception area on the ground floor requires $R_w + C_{tr}$ 32.

Table 5 lists typical minimum glazing required to achieve the specified ratings. Note that this rating strongly depends on the acoustic seals and frame of the glazing system, and thus a laboratory test certificate that demonstrates the required performance must be sought prior to purchasing a glazing system.

Table 5 – Minimum glazing requirements

Glazing requirement	Typical minimum glazing thickness (requires test certificate of system including seals and frame)
$R_w + C_{tr}$ 34	10.38 laminated awning
$R_w + C_{tr}$ 32	10.38 laminated sliding door
$R_w + C_{tr}$ 30	6.38 laminated

Other Façade requirements:

- Balconies are to have solid gap free balustrades
- External walls are to be R_w 50 (150 mm concrete or 230 mm double brick)

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6 Environmental Noise Emission

6.1 Assessment Criteria

The Environmental Protection (Noise) Regulations 1997 provide limits for allowable noise from the proposed development. The allowable noise level (called Assigned Noise Level) when received at a residence is determined by the calculations of an influencing factor added to a base level.

Time of day also affects the assigned levels for noise-sensitive premises, as follows:

- Lowest levels at night (10 pm to 7 am any day or to 9 am Sundays and Public Holidays);
- Higher levels during the evenings (7 pm to 10 pm) and on Sundays and Public Holidays (9 am to 7 pm); and
- Highest levels during the day (7 am to 7 pm Monday to Saturday).

For noise-sensitive premises, assigned levels are calculated by looking at land use zonings within circles of 100 m and 450 m radius from the noise receiver, including:

- The proportion of industrial land use zonings;
- The proportion of commercial zonings; and
- The presence of major roads.

William Street has historically recorded 9,980 vehicles per day (DMR 2014/15) and is therefore classified as a minor road.

Beaufort Street is within a 450 m radius and has historically recorded 14,140 vehicles per day (DMR 2012/13). This level of traffic flow has close to the 15,000 vehicles per day, required to be classified as a Major Road. For the purposes of this assessment though a conservative assumption has been made to classify it as a minor road, leading to a more-stringent noise emission criterion.

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The influencing factor, combined with the assigned levels result in the criteria given in Table 6.

Table 6 Environmental noise emission criteria for 441 William Street

Type of premises receiving noise	Time of day	Assigned level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	49	59	69
	0900 to 1900 hours Sunday and public holidays	44	54	69
	1900 to 2200 hours all days	44	54	59
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	39	49	59
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80
Industrial and utility premises other than those in the Kwinana Industrial Area	All hours	65	80	90

Note that adjustments are applied to the noise sources for a variety of characteristics. In the unlikely event that tonality, impulsiveness or modulation is present in the noise signals then rectification measures are required to remove these characteristics from the noise source.

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6.2 Nearby noise-sensitive premises (City of Vincent Outcome 6)

The nearest and potentially most affected noise-sensitive neighbours are shown in Figure 2. Of these the nearest residence is directly adjacent to the site. Noise emission to all residential and commercial premises must be controlled.

6.3 Noise control measures (City of Vincent Outcome 5)

Noise sources

External mechanical services for the proposed development consists of air conditioning external condenser units and some fans.

Noise associated with the operation of these services must be adequately controlled such that it does not exceed the noise criteria set out in Table 6 above.

Additional sources of noise emission may be developed in the form of ground floor café/restaurant spaces. These areas have been chosen as they are already shielded from the nearest residential areas, at the rear of the site by the bulk of the building.

Other residential areas such as those to the West of the site are also shielded by existing surrounding buildings and are unlikely to receive high noise levels from the site

Treatments

The recommended construction methods and materials will be outlined as part of the building permit application as required in the City of Vincent Development and Design Policy 7.5.21 Sound Attenuation, Section 5.2. The following general principals apply though:

The use of 'quiet' rated plant is recommended, and considerations made about the location of these plant. In addition, the following treatments will be applied where required, after the plant selections have been made:

- solid noise barriers
- secondary barriers/shielding,
- enclosures, and
- acoustic linings

To control noise emission from the restaurants/cafes, minor façade treatments may be required.

If the cafe/bar is restricted to daytime operation and only plays light background music (i.e. 70 dBA / 70 dB linear max, no live music) then extending the awning to join with the adjacent building with no gaps will provide suitable noise control. This awning may have 6 mm laminated glass, perspex, or polycarbonate. Glazing may need to be toughened, or weather treated to withstand the external conditions.

Specific treatments will be developed as the project designs progresses.

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7 Conclusions

Resonate Acoustics has assessed acoustic considerations for the proposed residential development at 441 William Street in response to City of Vincent Planning Policy Requirements for Development Applications.

Based on the measured Life-style external noise levels, and potential traffic noise levels at the site, noise control measures will be developed to control these sources.

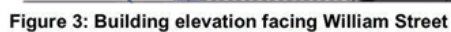
External plant noise will need to be controlled with some of the measures outlined in this report.

Party walls, external walls, floor/ceilings, bulkheads, risers and services constructions will need to be developed to meet the external noise intrusion, and National construction code requirements.

The treatments to the site will be developed to meet State, Council and legislated requirements at the site.

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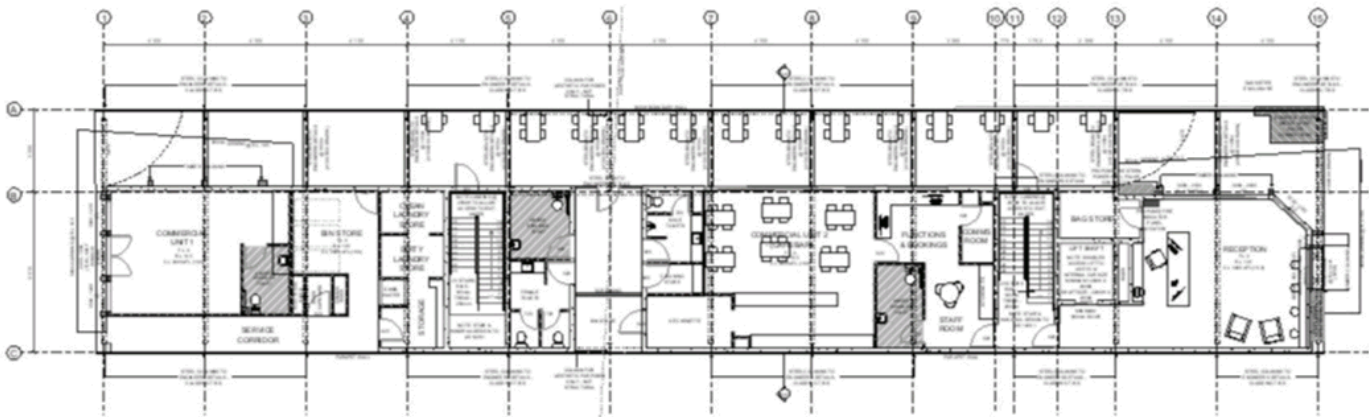
Appendix A: Wall & ceiling markups



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Level 0 (Ground)

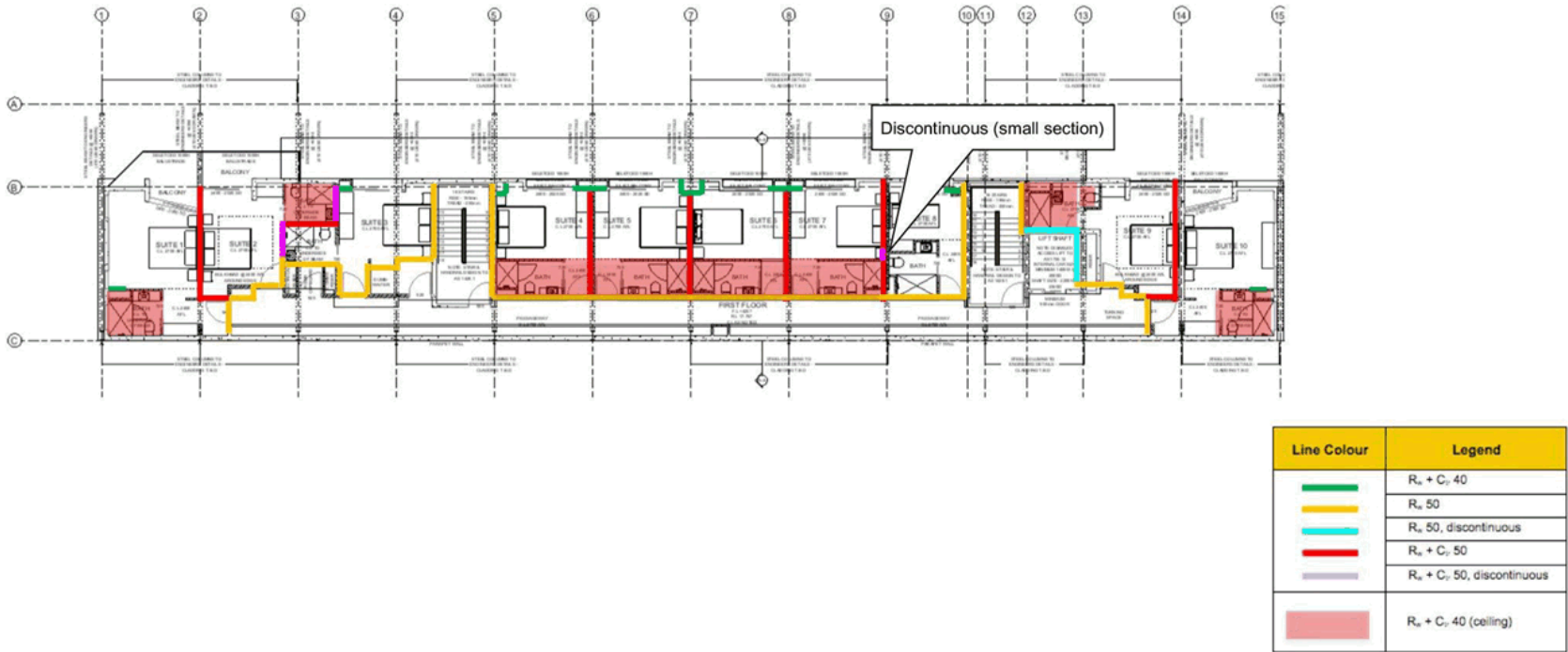


Line Colour	Legend
	R _w + C _v 40
	R _w 50
	R _w 50, discontinuous
	R _w + C _v 50
	R _w + C _v 50, discontinuous
	R _w + C _v 40 (ceiling)

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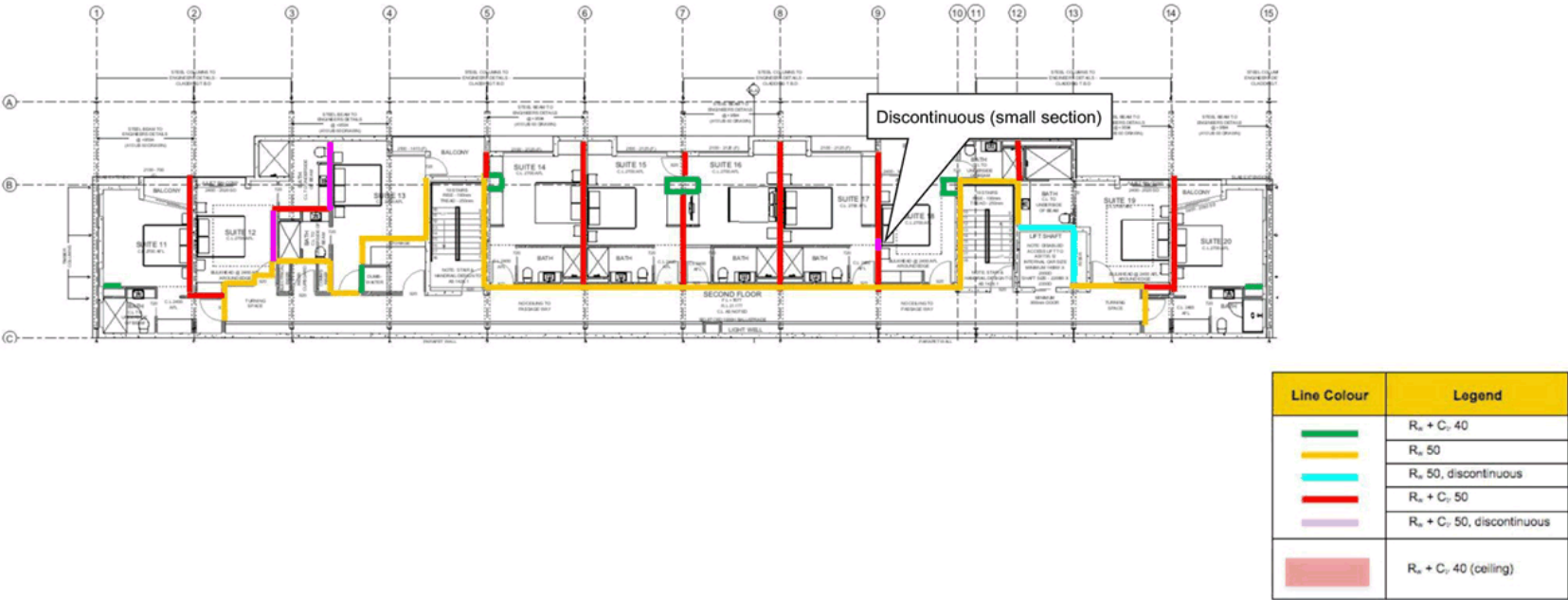
Level 1



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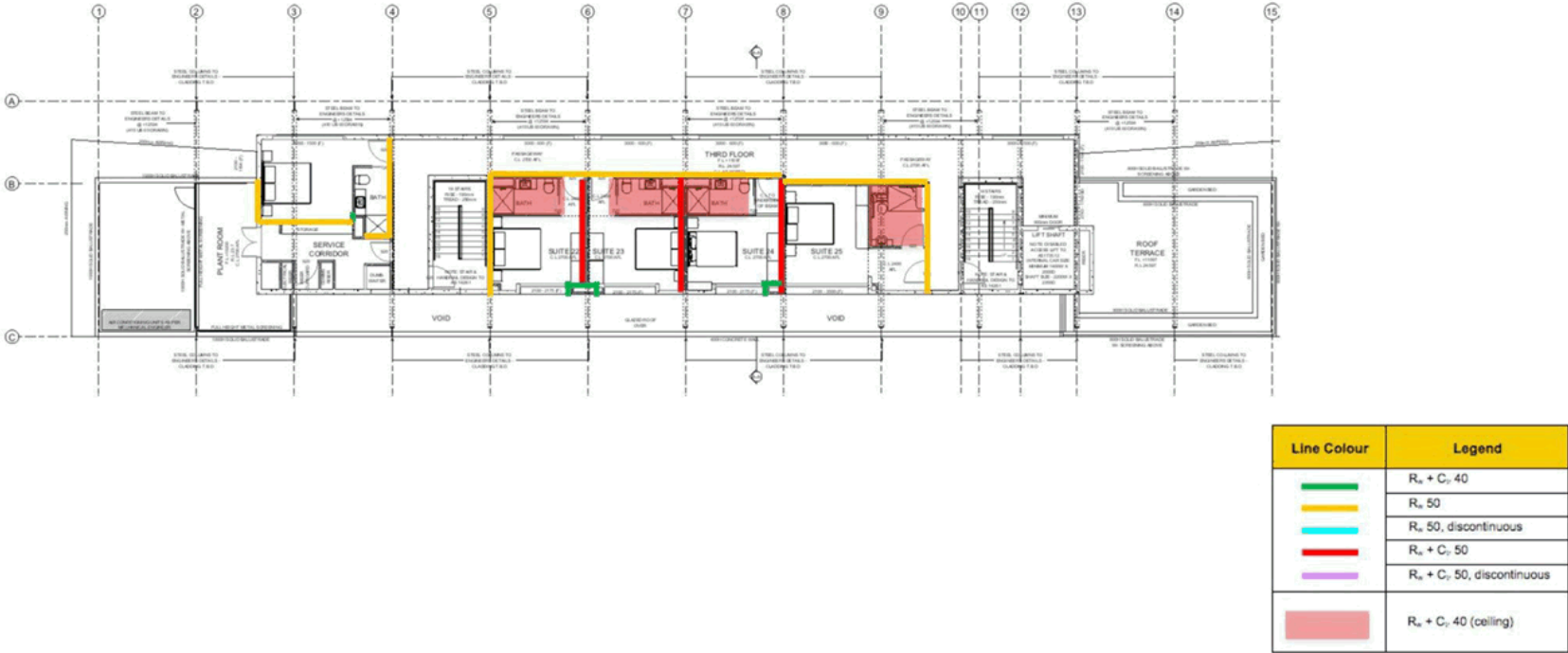
Level 2



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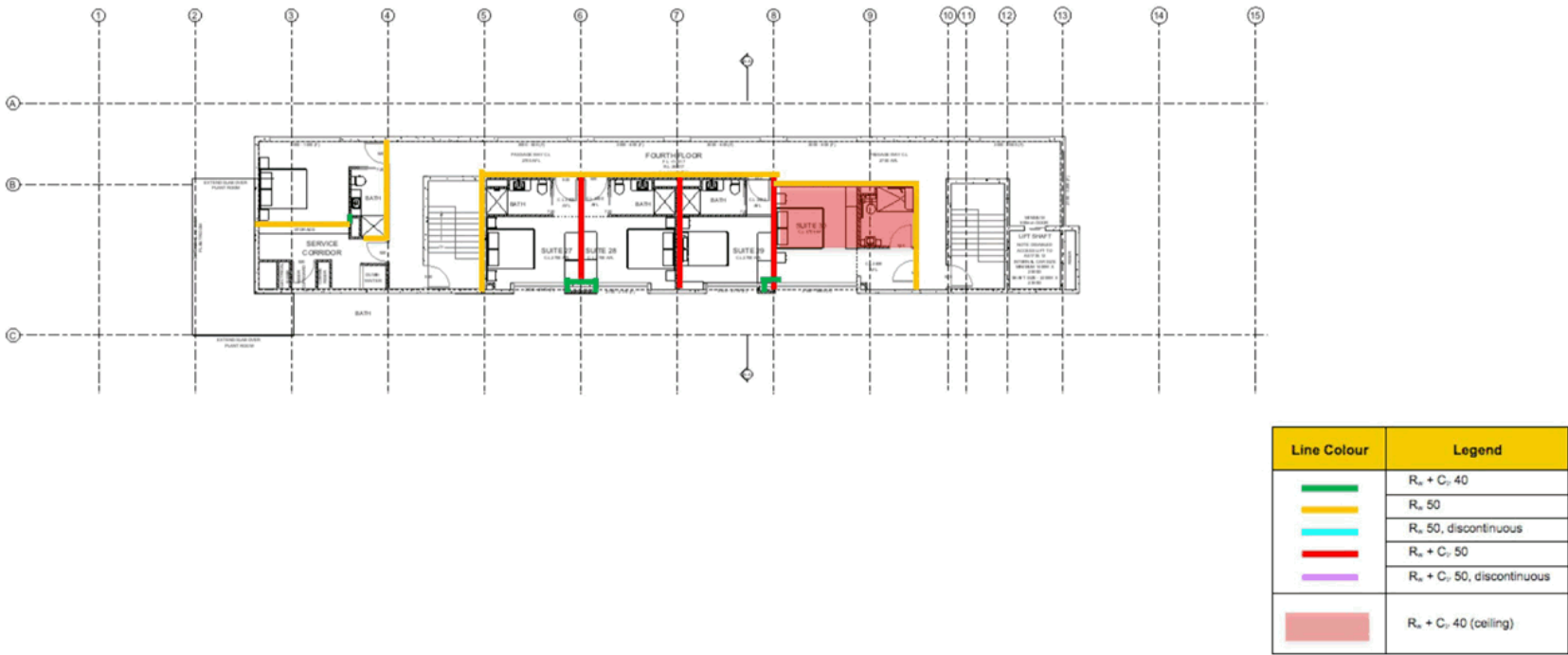
Level 3



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Planning Stage Acoustic Report
P17365RP1 Revision 2



Level 4





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Consultant Advice Notice

Project:	441 William Street, Perth	Project No.	1020186
Subject:	Green Star Strategy	Doc No.	ESD-001
Author:	Mathuran Marianayagam	Date:	13 December 2018
Attention:	Davor Nikolic – Architectural Online	Revision:	-

Dear Davor,

This consultant's advice is prepared to provide a summary review of the Environmental Sustainability Design (ESD) report of the above proposed development dated October 2018 and outline how the development will achieve the equivalent benchmark of a 5 Star Green Star Design & As-Built v1.2 rating.

The proposed development is a 5-storey hotel facility with retail shops, cafes and 30 no. hotel suites. The City of Vincent requires a preliminary sustainable design assessment report prepared for the new non-residential development to include:

- A description of the sustainability strategies and initiatives that will be targeted by the development;
- A Green Star score card showing the number of points that can be achieved by the targeted strategies and initiatives;
- Confirmation that all targeted strategies and initiatives have been integrated into the project design documentation submitted with the DA; and
- A statement confirming the DA applicant's intent to retain sufficient sustainability strategies and initiatives to the working drawing stage to ensure that the final design is capable of achieving a 5 Star Green Star rating.

It is noted that the ESD report prepared and issued for the development is assessed against common Sustainability Design Assessment in the Planning Process principles, primarily developed by the local governments of Victoria. However, as per the City of Vincent requirements, the ESD report is assessed against Green Star Design & As Built v1.2, the latest rating tool available.

Review Summary

The sustainability measures proposed and included in the design documents and ESD report appears to achieve 51 points when assessed against the Green Star Design & As Built v1.2 rating system. We have recommended the following additional measures so that the development can meet a 5 Star Green Star equivalency rating.

- Active involvement of Green Star Accredited Professional (GSAP) in the project;
- BMS system to monitor and record energy and water consumptions;
- Involvement of ISO 14000 accredited builder / head contractor;
- Well-lit spaces that provide high degree of visual comfort via surface illuminance;
- No engineering wood use or low formaldehyde engineering wood;
- Solar hot water system for domestic hot water usage;
- Specifying products with EPDs (Environmental Product Declaration);
- Minimum 90% diversion of construction wastes from landfill; and
- Minimising the light pollution to night sky.

Together with the above additional sustainability initiatives, the proposed development is expected to be capable of achieving 5 Star Green Star rating with a total point of 61. Please refer to the Appendix B of this CAN which provides the Green Star points that are targeted for the development.



We trust the above is succinct and sufficient for your purposes, however should you have any questions please do not hesitate to contact us.

Kind Regards,

For and on behalf of Cundall,

A handwritten signature in black ink, appearing to read "Mathuran".

Mathuran Marianayagam

Principal ESD Consultant / Green Star Accredited Professional (GSAP)

e: m.marianayagam@cundall.com

t: 08 9421 3700



Appendix A – Applicant Statement – Sustainability Strategies

Please see overleaf.



ArchitecturalOnline.com.au

PO Box: 47, Mount Lawley, WA, 6929 * Mob. 0402 856 468 * info@architecturalonline.com.au

Ref: Applicant Statement
Date: 12 December 2018

City of Vincent
244 Vincent Street (cnr Loftus Street)
Leederville, WA 6007

Dear Kate,

RE: 441 William St, Perth WA 6000 – Development Application
Applicant Statement – Sustainability Strategies

This letter confirms that, Architectural Online as the Applicant of the above-mentioned project, I confirm my intent to retain sufficient sustainability strategies / initiatives to the working drawing stage to ensure that the final design is capable of achieving the global warming and water benchmarks set out in the City's Built Form Policy.

I trust the foregoing is adequate for your purposes, but should you have any questions please do not hesitate to contact me.

Yours sincerely
For and on behalf of Architectural Online

Davor Nikolic
Architectural Online
Director
Tel: 0402 856 468
Email: info@architecturalonline.com.au



Appendix B – Green Star Design & As Built Scorecard

Please see overleaf.



Green Star - Design & As Built Scorecard v1.2

Project: 441 William St, Perth
 Targeted rating: 5 Stars
 Date: December-2018

	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED
Points	51	10
Cumulative	51	61
Rating	4 Star	5 Star

CATEGORY / CREDIT	AIM OF THE CREDIT / SELECTION	CODE	CREDIT CRITERIA	COMPLIANCE REQUIREMENTS	POINTS AVAILABLE	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED	RESPONSIBILITY	Review Comments
Management									
Green Star Accredited Professional	To recognise the appointment and active involvement of a Green Star Accredited Professional in order to ensure that the rating tool is applied effectively and as intended.	1.1	Accredited Professional	Engage GSAP through all stages of project from schematic design to certification.	1	0	1	ESD Consultant	Cundall can provide ESD consultancy services for the project.
		2.0	Environmental Performance Targets	Document environmental performance targets for project (through a design intent report or similar).	-	Complies		ESD Consultant	ESD report to include design intent or owner's project requirements.
		2.1	Services and Maintainability Review	Services and maintainability review prior to construction, led by contractor and ICA or owner's rep with input from the design team. Required to: - Include specific commissioning requirements in contracts; - Develop a commissioning plan; and - Demonstrate commissioning was carried out in accordance with the plan and spec requirements. - Air tightness testing	1	0		N/A	Not targeted.
Commissioning and Tuning	To encourage and recognise commissioning, handover and tuning initiatives that ensure all building services operate to their full potential.	2.2	Building Commissioning	Commitment from the building owner to building systems tuning, 12 months post PC tuning, based on BMS data and occupancy surveys, also requires: - Building tuning plan to be prepared in accordance with standards; - Building tuning team to be formed; and - Organisations have been engaged to tune nominated systems.	1	0		N/A	Not targeted.
		2.3	Building Systems Tuning	ICA to be engaged throughout design and construction.	1	0		N/A	Not targeted.
		2.4	Independent Commissioning Agent	Climate adaptation risk assessment to be undertaken and strategies incorporated to mitigate risks.	1	0		N/A	Not targeted.
Adaptation and Resilience	To encourage and recognise projects that are resilient to the impacts of a changing climate and natural disasters.	3.1	Implementation of a Climate Adaptation Plan	Climate adaptation risk assessment to be undertaken and strategies incorporated to mitigate risks.	2	0		N/A	Not targeted.
Building Information	To recognise the development and provision of building information that facilitates understanding of a building's systems, operation and maintenance requirements, and environmental targets to enable the optimised performance.	4.1	Building Operations and Maintenance Information	O&Ms and Building Log Book (reference directory on where to find building information, regularly updated) generated in accordance with standards. Must also include details regarding updating O&Ms.	1	1		Services Consultants	Although the requirements for Building User Guide is included in the ESD report, the requirements for the Building Log Book is not clearly mentioned. Recommended to add additional specification clauses.
		4.2	Building User Information	Building user information to be provided. Must be digital and editable by FM to stay up to date. Available in signage or information kiosks in building foyer. Building owner and tenant jointly agree and commit to targets through formal commitments to each other through a 'Best Practice Lease' Agreement, or similar formal agreement, or a memorandum of understanding. Targets must include at least 2 of: GHG, Water, Waste, IEQ.	1	0		N/A	Not targeted.
Commitment to Performance	To recognise practices that encourage building owners, building occupants and facilities management teams to set targets and monitor environmental performance in a collaborative way.	5.1	Environmental Building Performance	Building owner and tenant demonstrate a commitment to best practice 'make good' clauses in the lease, which must follow industry recognised standards or guidelines.	1	0		N/A	Not targeted.
		5.2	End of Life Waste Performance	Building owner and tenant demonstrate a commitment to best practice 'make good' clauses in the lease, which must follow industry recognised standards or guidelines.	1	0		N/A	Not targeted.
Metering and Monitoring	To recognise the implementation of effective energy and water metering and monitoring systems.	6.0	Metering	Conditional - metering provided for all major uses and sources of water and energy.	-	0	Likely to Comply	Electrical Consultant	The credit requirements can be easily met via appropriate electrical design.
		6.1	Monitoring Systems	System (BMS) present to monitor and record data, with the ability to clearly present to the user. Data integrity to be included.	1	0	1	Electrical Consultant	Credit requirements are relatively easy to meet.
Construction Environmental Management	To reward projects that use best practice formal environmental management procedures during construction.	7.0	Environmental Management Plan	Conditional - Comprehensive EMP in place complying with NSW EMS guidelines.	-	Likely to Comply	Likely to Comply	Builder	Owner to select Builder / Head Contractor who are capable of implementing the EMS guidelines.
		7.1	Formalised Environmental Management System	Contractor has ISO-14001 certification.	1	0	1	Builder	Specifications can include requirements for ISO 14000 accreditation.
Operational Waste	To recognise projects that implement waste management plans that facilitate the re-use, upcycling, or conversion of waste into energy and stewardship of items to reduce the quantity of outgoing waste	8.1	Waste in Operations	Facilities in place to separate waste streams which meets best practice access requirements. Min. Landfill, paper/cardboard, Glass, Plastic, 1 other.	1	1		Owner	The ESD report recommends operational waste management guidelines and adequate facilities to help implement such measures.
Total					13	2	3		
Indoor Environment Quality									
Indoor Air Quality	To recognise projects that provide high air quality to occupants.	9.1	Ventilation System Attributes	Ductwork to be cleaned or kept clean and taped up prior to occupancy - Maintenance access to be provided to both sides of moisture and debris catching components - Intakes located away from pollutants in accordance with ASHRAE Standard 62-2013 Mechanically air conditioned areas: - 1 point for 50% greater outdoor air than AS1668.2:2012 OR CO2 concentrations kept below 800ppm - 2 points for 100% greater outdoor air than AS1668.2:2012 OR CO2 concentrations kept below 700ppm Naturally Ventilated areas: - 2 points where requirements of AS1668.4-2012 are met.	1	0		N/A	Not targeted.
		9.2	Provision of Outside Air	Separate exhaust of kitchen pollutants. All printers to be low emissions	2	0		N/A	Not targeted.
		9.3	Exhaust or Elimination of Pollutants	Appropriate noise levels (outside and building systems) not more than 5dB above satisfactory levels outlined in AS2107:2000 (100dB for not vent buildings). There is no lower limit on sound levels. Measurements required.	1	0		N/A	Not targeted.
		10.1	Internal Noise Levels	Reverberation time in the centre management office and any other occupied spaces must be below the maximum stated in the 'Recommended Reverberation Time' provided in Table 1 of AS/NZ 2107:2000.	1	1		Architect / Acoustician	ESD report calls for appropriate noise levels and noise transfer restrictions
Acoustic Comfort	To reward projects that provide appropriate and comfortable acoustic conditions for occupants.	10.2	Reverberation	Where note 3 of AS/NZ 2107:2000 applies and requires that reverberation times be minimised as far as practical, acoustic absorption should be installed in the noise sensitive space. The amount of acoustic absorption must be equivalent to at least 50% of the area in the space. Tenant areas will be treated by requirements included in the 'tenant fitout guide'.	1	1		Architect / Acoustician	ESD report calls for appropriate noise levels and noise transfer restrictions



Green Star - Design & As Built Scorecard v1.2

Project: 441 William St, Perth
 Targeted rating: 5 Stars
 Date: December-2018

	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED
Points	51	10
Cumulative	51	61
Rating	4 Star	5 Star

CATEGORY / CREDIT	AIM OF THE CREDIT / SELECTION	CODE	CREDIT CRITERIA	COMPLIANCE REQUIREMENTS	POINTS AVAILABLE	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED	RESPONSIBILITY	Review Comments
Lighting Comfort	To encourage and recognise well-lit spaces that provide a high degree of comfort to users.	10.3	Acoustic Separation	Acoustic separation requirements to minimise cross-talk between rooms and between rooms and open areas. The partition between the spaces should be constructed to achieve a weighted sound reduction index (Rw) of at least 45. To be considered between all occupied spaces (tenancies, centre management, parking office).	1	1		Architect / Acoustician	ESD report calls for appropriate noise levels and noise transfer restrictions
		11.0	Minimum Lighting Comfort	High frequency ballasts or LED and minimum colour rendering index of 90.	-	Complies		Electrical Designer	ESD report calls for LED or T5 high frequency ballasts
		11.1	General Illuminance and Glare Reduction	General lighting levels to meet maintained illuminance in AS1680 series (modelling representative areas or measurements, uses area weighted average, not points). Glare from lamps to be reduced through either: >> all lamps having diffusers, baffles etc.; >> Lighting system compliant with luminaire selection system in section 8.3.4 of AS1680.1-2006, OR >> Unified Glare Rating on a representative floor less than Table 8.2 of AS1680.1-2006	1	0		N/A	Not targeted.
		11.2	Surface Illuminance	All regularly occupied spaces including mail, centre management and any other occupied spaces must be modelled to show that: * The average ceiling luminance (excluding light fixtures) does not exceed 0.5 kcd/m² and the maximum luminance at any point on the ceiling does not exceed 1.5 kcd/m². * The ceiling area has an average surface illuminance of at least 30% of the lighting levels on the working plane; and * In rooms less than 100m² (eg centre management, security), or in rooms where more than 20% of workstations are located within 3m of walls, the wall area above the working plane has an average surface illuminance of at least 50% of the lighting levels on the working plane. The illuminance values for ceilings, walls, and floors must be calculated in accordance with Appendix B of AS/NZS 1680.1-2006.	1	0	1	Electrical Designer	The credit requirements can be included in the lighting design.
		11.3	Localised Lighting Control	Tenant areas will be treated by requirements included in the "tenant fitout guide". Occupants have the ability to control the lighting in their immediate environment. This includes turning the lights on and off and adjusting their light levels. Provide task lighting to the centre management and car parking offices to comply. The background lighting could be reduced to a lower lighting level since we have task lighting. Tenant areas will be treated by requirements included in the "tenant fitout guide".	1	1		Electrical Designer	ESD report includes requirements for lighting controls.
Visual Comfort	To recognise the delivery of well-lit spaces that provide high levels of visual comfort to building occupants.	12.0	Glare Reduction	Provide blinds or external shading to control glare.	-	Likely to Comply		Architect	Adequate shading provisions are to be included in the building design
		12.1	Daylight	40% of nominated area received at least 2%DF (80% 2 points)	2	2		Architect	ESD report calls for maximizing natural light provisions via design.
		12.2	Views	60% of nominated area has access to high quality internal or external views (within 6m direct line of sight).	1	1		Architect	The design documents appear to indicate adequate views to outside.
Indoor Pollutants	To recognise projects that safeguard occupant health through the reduction in internal air pollutant levels.	13.1	Paints, Adhesives, Sealants and Carpets	95% of Paints, Adhesives, Sealants, Carpets to be low VOC	1	1		Architect / Builder	ESD report calls for low VOC products to be used.
		13.2	Engineered Wood Products	95% of engineered wood to be low Formaldehyde, or no new engineered wood is installed.	1	0	1	Architect / Builder	Requirements to meet the credit criteria can be included in the specifications.
Thermal Comfort	To encourage and recognise projects that achieve high levels of thermal comfort.	14.1	Thermal Comfort	Mech vent - High levels of thermal comfort (PMV +/-1) achieved for 95% of the nominated area, 98% of the year. Nat Vent - Internal spaces are within 80% of Acceptability Limit of ASHRAE Standard 55-2013 in accordance with 14.1.1	1	1		Architect / Builder	Based on the improved building envelope thermal performance for roof, wall & glazing systems, a point for thermal comfort is anticipated.
		14.2	Advanced Thermal Comfort	High levels of thermal comfort (PMV +/-0.5) achieved for 95% of the nominated area, 98% of the year.	N/A	0		N/A	Not targeted.
Total					16	9	2		
Energy									
Greenhouse Gas Emissions	A, Prescriptive Pathway	15A.0	Conditional Requirement: Prescriptive Pathway	The thermal performance of the development to exceed the DT5 requirements of BCA NCC Parts J1 and J2 by at least 5%.	-	Complies		Architect / Builder	ESD report includes requirements for better thermal performance.
		15A.1	Building Envelope	The thermal performance of the development to exceed the DT5 requirements of BCA NCC Parts J1 and J2 by at least 15%.	1	1		Architect / Builder	ESD report includes requirements for better thermal performance.
		15A.2	Glazing	The total energy used for each orientation and each storey is not greater than 85% of the total allowance of BCA NCC Part J2	1	1		Architect / Builder	ESD report includes requirements for better glazing performance.
		15A.3	Lighting	Illumination power density is 30% less than the maximum illumination power densities defined in Table J5.2a; Automated lighting control systems for 95% of nominated Area;	1	1		Electrical Consultant	ESD report includes requirements for improved lighting power density.
		15A.4	Ventilation and Air-Conditioning	Fan motor power and pump power, is at least 15% less than the maximum fan motor power and pump power defined in Tables J5.2; energy efficiency ratio for packaged air conditioning equipment and refrigerant chillers is at least 15% higher than that specified	1	1		Mechanical Consultant	ESD report includes requirements for higher efficiency air conditioning system.
		15A.5	Domestic Hot Water System	Domestic hot water systems are powered by one of the following heat sources: Renewable Energy (which may include electric/gas boost); Natural Gas; Electric heat pump (minimum COP 3.5 under design conditions); or Waste heat or heat recovered from another process.	1	0	1	Mechanical Consultant	Solar hot water system can be included in the design to meet the credit criteria.
		15A.6	Accredited Green Power		5	0		N/A	Not targeted.
Peak Electricity Demand Reduction	Performance Pathway	16B	Performance Pathway - Reference Building	Achieve a peak demand reduction of 20-30% compared to a reference building model.	2	2		Electrical Consultant	The ESD report recommends the use of photovoltaic (PV) system. In addition, energy efficient appliances are also proposed. Hence, it is anticipated that these measures will help achieve the peak demand reduction of 30%.
Total					12	6	1		



Green Star - Design & As Built Scorecard v1.2

Project: 441 William St, Perth
 Targeted rating: 5 Stars
 Date: December-2018

	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED
Points	51	10
Cumulative	51	61
Rating	4 Star	5 Star

CATEGORY / CREDIT	AIM OF THE CREDIT / SELECTION	CODE	CREDIT CRITERIA	COMPLIANCE REQUIREMENTS	POINTS AVAILABLE	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED	RESPONSIBILITY	Review Comments
Transport									
Sustainable Transport	Performance Pathway	17A.1	Modelled pathway	Points are available where projects provide access to sustainable transport infrastructure which decreases greenhouse gas emissions from transport, decreases mental and social impacts of commuting, and encourages the uptake of healthier transport options by building occupants.	10	10		Architect / ESD Consultant	The project is located in a dense area with a 97 walk score and 92 transit score. In addition, secure bicycle parking facilities are also recommended. Based on these details, the development is expected to achieve 10 points.
Total					10	10	0		
Water									
Potable Water	Performance Pathway	18A.1	Potable Water - Performance Pathway	Up to 12 points awarded for incremental reductions in potable water demand compared to a reference building up to 100% reduction.	12	6		Architect / ESD Consultant	ESD report includes requirements for higher water efficiency measures such as higher WELS rated fittings, rainwater harvesting system etc. Based on these measures, the development is expected to achieve 6 points.
Total					12	6	0		
Materials									
Life Cycle Impacts	Performance Pathway - Life Cycle Assessment	19A.1	Comparative Life Cycle Assessment	Conduct LCA to demonstrate improvement against benchmark building.	6	0		N/A	Not targeted.
		19A.2	Additional Life Cycle Impact Reporting	Report on an additional impact categories.	1	0		N/A	Not targeted.
		19.B.1	Concrete	Portland cement content is reduced by 40%.	3	2		Architect / Structural Designer	ESD report includes requirements of the credit.
		19.B.2	Steel	Reduction in the mass of steel reinforcement used when compared to standard practice.	1	1		Architect / Structural Designer	ESD report includes requirements of the credit.
Responsible Building Materials	To reward projects that include materials that are responsibly sourced or have a sustainable supply chain.	19.B.3	Building Reuse	Not applicable for new projects.	0	0		N/A	Not targeted.
		20.1	Structural and Reinforcing Steel	95% of steel (by mass) is sourced from a responsible steel maker AND at least 60% of the fabricated structural steelwork is supplied by a steel fabricator/steel contractor accredited to the Environmental Sustainability Charter of the ASI.	1	1		Architect / Structural Designer	ESD report includes requirements of the credit.
		20.2	Timber Products	95% (by cost) of timber is FSC, PEFC or reused. If less than 0.1% of total cost credit will be N/A.	1	1		Architect	ESD report includes requirements of the credit.
		20.3	Permanent Formwork, Pipes, Flooring, Blinds and Cables	90% (by cost) of all cables, pipes, floors and blinds meet best practice PVC guidelines OR do not contain PVC (and have EPDs).	1	1		Architect / Services Consultants	ESD report includes requirements of the credit.
Sustainable Products	To encourage sustainability and transparency in product specification.	21.1	Product Transparency and Sustainability	Up to 3 points available for 3%, 6% or 9% of products by cost being sourced as reused or having recycled content, EPDs, third-party certifications or product stewardship programs.	3	0	2	Architect / ESD Consultant / Builder	Specifying products with EPDs are recommended for the project. Project team is expected to identify products that would meet the credit requirement and include them in the design and tender documents.
Construction and Demolition Waste	To reward projects that reduce construction waste going to landfill by reusing or recycling building materials.	22B	Percentage Benchmark	Divert 90% of waste from landfill.	1	0	1	Architect / Builder	ESD report only requires minimum 70% of construction wastes to be diverted from landfill. 90% can be targeted.
Total					10	6	3		
Land Use & Ecology									
Ecological Value	To reward projects that improve the ecological value of their site.	23.0	Endangered, Threatened or Vulnerable Species	Conditional - Demonstrate that no species or ecological communities were present on site which have the status: critically endangered, endangered or vulnerable.	-	Complies		Architect / Builder	ESD report includes requirements of the credit.
		23.1	Ecological Value	Points awarded for improving the site ecology (by site area) e.g. replacing hardscape with native vegetation. Uses GBGA calculator.	3	2		Architect / Builder	ESD report includes requirements of the credit. It is anticipated that 2 points can be achieved with the landscape measures proposed.
Sustainable Sites	To reward projects that choose to develop sites that have limited ecological value, re-use previously developed land and remediate contaminated land.	24.0	Conditional Requirement	Site at purchase must not contain: - Old growth forest; - Prime agricultural land; - Wetland of high importance (unless wetland protection measures in place); - Matters of national significance as per Environmental Protection and Biodiversity Conservation Act (1999).	-	Complies		N/A	The location of the project site meets the credit requirements.
		24.1	Reuse of Land	Over 75% of site previously developed.	1	0		N/A	Not targeted. Undeveloped land.
		24.2	Contamination and Hazardous Materials	Significant contamination exists at time of purchase and is remediated in accordance with a best practice remediation strategy.	1	1		Architect / Builder	ESD report includes requirements of the credit.
Heat Island Effect	To encourage and recognise projects that reduce the contribution of the project site to the heat island effect.	25.0	Heat Island Effect Reduction	75% of site area has building or landscape that reduce the heat island effect e.g.: - Vegetation; - Green roof; - High Surface Reflectance Index (SRI) roof or hardscape; - Hardscape shaded by vegetation, OR - Water bodies.	1	1		Architect	ESD report includes requirements of the credit.
Total					6	4	0		
Emissions									
Stormwater	To reward projects that minimise peak stormwater flows and reduce pollutants entering public sewer infrastructure.	26.1	Reduced Peak Discharge	Post development peak discharge not to exceed pre-development peak discharge based on the Average Recurrence Interval.	1	1		Civil & Structural Consultant	ESD report includes requirements of the credit; measures include re-use of storm water and pollutant reducing drainage systems.
		26.2	Reduced Pollution Targets	Discharge meets pollution reduction targets in column A of GBGA table.	1	1		Civil & Structural Consultant	ESD report includes requirements of the credit.
		27.0	Light Pollution to Neighbouring Bodies	Credit conditional - Site must comply with AS4282 Control of the Obtrusive Effects of Outdoor Lighting.	-	Complies		Electrical Consultant	The credit requirements can be included in the design.
Light Pollution	To reward projects that minimise light pollution.	27.1	Light Pollution to Night Sky	Either: - No luminaire to have an upward light output ratio above 5%; OR - Direct illuminance no greater than 0.5 lux at site boundary and 0.1 lux beyond highest point of building into night sky.	1		1	Electrical Consultant	The credit requirements can be included in the design.



Green Star - Design & As Built Scorecard v1.2

Project: 441 William St, Perth
 Targeted rating: 5 Stars
 Date: December 2018

	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED
Points	51	10
Cumulative	51	61
Rating	4 Star	5 Star

CATEGORY / CREDIT	AIM OF THE CREDIT / SELECTION	CODE	CREDIT CRITERIA	COMPLIANCE REQUIREMENTS	POINTS AVAILABLE	POINTS TARGETED IN ESD REPORT	ADDITIONAL POINTS RECOMMENDED	RESPONSIBILITY	Review Comments
Microbial Control	To recognise projects that implement systems to minimise the impacts associated with harmful microbes in building systems.	28.0	Legionella Impacts from Cooling Systems	Either: - Building is naturally ventilated; - Heat rejection is waterless; OR - Heat rejection is water based but includes measures for Legionella control (System meets AS/NZS 3666.1:2011, no water stagnation, water never between 20 and 50degC while still, no aerosol spray)	1	1		Mechanical Consultant	Waterless heat rejection system.
Refrigerant Impacts	To encourage operational practices that minimise the environmental impacts of refrigeration equipment.	29.0	Refrigerants Impacts	Either: - All refrigerants have ODP of 0 and GWP below 10 - Weighted impact of refrigerants on ODP and GWP has Total system Direct environmental impact below 15 (refer TM for calculation); OR - Weighted impact of refrigerants on ODP and GWP has Total system Direct environmental impact between 15 and 30 AND a leak detection system is in place	1	1		Mechanical Consultant	ESD report includes requirements of the credit.
Total					5	4	1		
Innovation									
Innovative Technology or Process	The project meets the aims of an existing credit using a technology or process that is considered innovative in Australia or the world.	30A	Innovative Technology or Process	Project achieves an existing credit using a technology or process that is considered innovative in Australia or worldwide					
Market Transformation	The project has undertaken a sustainability initiative that substantially contributes to the broader market transformation towards sustainable development in Australia or in the world.	30B	Market Transformation	The project has undertaken a sustainability initiative that substantially contributes to the broader market transformation towards sustainable development in Australia or in the world.					
Improving on Green Star Benchmarks	The project has achieved full points in a Green Star credit and demonstrates a substantial improvement on the benchmark required to achieve full points.	30C	Improving on Green Star Benchmarks	The project has exceeded the benchmark of an existing credit, and demonstrates substantial improvement over the benchmark.	10	4		Architect / Builder / Services Consultants	Passive Design Strategies - The ESD report indicates that passive design strategies such as extensive sun shadings have been used in the design to control solar radiation during summer months. It is anticipated that all living areas are not exposed to sun penetration. Dematerialisation - The ESD report recommends strategies that finishes shall be raw and exposed where possible to reduce the embodied energy of the building. 6 Star energy rating - The ESD report indicates that the development will meet 6-Star energy rating, while it's not clear which rating it refers to, it is anticipated that NABERS energy rating is considered. Clothes drying - Single central facility to service all hotel suites.
Innovation Challenge	Where the project addresses an sustainability issue not included within any of the Credits in the existing Green Star rating tools.	30D	Innovation Challenge	Where the project addresses an sustainability issue not included within any of the Credits in the existing Green Star rating tools.					
Global Sustainability	Project teams may adopt an approved credit from a Global Green Building Rating tool that addresses a sustainability issue that is currently outside the scope of this Green Star rating tools.	30E	Global Sustainability	Project complies with a credit from a different rating tool (LEED, BREAM etc.)					
Total					10	4	0		
TOTAL					POINTS AVAILABLE 110	4-STAR POINTS 51	5-STAR POINTS 61		

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:
<u>Parking and Traffic Congestion</u> <ul style="list-style-type: none"> The provision of nil parking provided on site is not acceptable as parking is extremely limited within the area (i.e. caused by the Mosque and other commercial development within the locality). The nil parking will affect the surrounding businesses and the public parking supply within the locality does not exceed the parking demand. On-street parking in other nearby streets is for residents only whereas Brisbane Place accommodates 2 hour time limited parking, with residential parking only after business hours. Therefore, Brisbane Place cannot accommodate the additional parking demand that will be created by the Hotel. The service vehicles will cause further traffic congestion along Brisbane Place. Brisbane Place and the surrounding local road network cannot accommodate heavy vehicles due to the roads being narrow and being used of on-street parking. Concerns service vehicles cannot be accommodated along Brisbane Place. 	<ul style="list-style-type: none"> There are sufficient public transport and public parking options available within close proximity of the subject site to service the proposed development. Given the location of the site within walking distance of Perth's central train and bus stations, it is not unreasonable for staff and patrons of the proposed development to rely upon public transportation to commute to the site. The Hotel's guests would be made aware through the booking process that there is no parking available on-site which would discourage the use of cars. In the event that long term parking is required, guests would have the option of using a long term public car park. Service vehicles are proposed to utilise William Street and therefore would not adversely affect Brisbane Place in terms of traffic congestion.
<u>Noise</u> <p>The increase in traffic including heavy vehicles for deliveries to the proposed hotel poses a noise and safety issue to residents within the locality.</p>	<p>The development proposes no vehicle activity at the rear of the site and will therefore have not impact on residents at the rear of the site from a noise and safety perspective.</p>
<u>Landscaping</u> <p>Additional vegetation should be provided on site.</p>	<p>Amended plans with additional landscaping on site have been provided (see Attachment 2). Given the physical constraints of the site, a reasonable amount of landscaping at multiple levels is proposed and balances the impacts of the built form.</p>
<u>Waste</u> <p>Rubbish bins left on the verge will cause further congestion along Brisbane Place.</p>	<p>Waste collection is proposed via private contractor using the William Street loading bay. There would be no impact on Brisbane Place.</p>

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 City's response to each comment.

Comments Received in Objection:	Response:
<p><u>Issue: Parking and Traffic Congestion</u></p> <ul style="list-style-type: none"> The provision of nil parking provided on site is not acceptable as parking is extremely limited within the area (i.e. caused by the Mosque and other commercial development within the locality). The nil parking will affect the surrounding businesses and the public parking supply within the locality does not exceed the parking demand. On-street parking in other nearby streets is for residents only whereas Brisbane Place accommodates 2 hour time limited parking, with residential parking only after business hours. Therefore, Brisbane Place cannot accommodate the additional parking demand that will be created by the Hotel. The service vehicles will cause further traffic congestion along Brisbane Place. Brisbane Place and the surrounding local road network cannot accommodate heavy vehicles due to the roads being narrow and being used of on-street parking. Concerns service vehicles cannot be accommodated along Brisbane Place. 	<ul style="list-style-type: none"> Please refer to the parking management plan provided for justifications regarding parking In summary:- hotel usage is different to residential usage in that only a small amount of occupants are likely to have vehicles (the proposal will be marketed towards overseas business travellers meaning the use of vehicles is less likely) As per numerous other hotel in Perth and Northbridge guests can use all day and night paid parking if required. There will be on-site bike parking/rental to serve the surrounding community and to aid commutes within the area Guests and workers can utilise numerous public transport options Street parking is available for short-stay guests to the site only. Please refer to the services management plan for information regarding service vehicles In Summary:- We are proposing a designated loading bay/zone to Brisbane place Service vehicles are to be staggered at different days and times using a management calendar to prevent congestion
<p><u>Issue: Noise</u></p> <ul style="list-style-type: none"> The increase in traffic including heavy vehicles for deliveries to the proposed hotel poses a noise and safety issue to residents within the locality. 	<ul style="list-style-type: none"> The service vehicles will be managed to prevent congestion and traffic. Service vehicles should only need to access the site for small period at appropriate times during daylight hours The service vehicles will be no different to those already accessing the street for waste collection, deliveries etc..
<p><u>Issue: Landscaping</u></p> <ul style="list-style-type: none"> Additional vegetation should be provided on site. 	<ul style="list-style-type: none"> See updated landscape plan, additional vegetation has been provided
<p><u>Issue: Waste</u></p> <ul style="list-style-type: none"> Rubbish bins left on the verge will cause further congestion along Brisbane Place. 	<ul style="list-style-type: none"> The bins will be collected once per week and will operate on the same schedule of other waste collection in the area. Waste collection is unavoidable and the management plan will ensure as little disruption as possible.

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



CITY OF VINCENT

DESIGN ADVISORY COMMITTEE**Wednesday 17 January 2018 at 3.15pm****Venue: Committee 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)	Joslin Colli (Coordinator Statutory Planning)
Munira Mackay (Member)	Rob Sklarski (Special Project Officer)
Adrian Iredale (Member)	Stephanie Norgaard (Urban Planner)
Joe Chindarsi (Member)	Emily Andrews (Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1**REDACTED FOR PRIVACY PURPOSES**Applicant-Item 3.2

Coral Buxey Tegan Louise Designs

Applicant-Item 3.3**REDACTED FOR PRIVACY PURPOSES**Applicant-Item 3.4**REDACTED FOR PRIVACY PURPOSES**

3.15pm**Member Discussion****4.00pm****1. Welcome / Declaration of Opening**

The Chairperson, Sasha Ivanovich declared the meeting open at 4.00pm.

2. Apologies**3. Business****4.00pm–4.40pm – Applicant Presentation – No DA Lodged****REDACTED FOR PRIVACY PURPOSES**

REDACTED FOR PRIVACY PURPOSES

4.45pm–5.25pm – Applicant's Presentation – No DA Lodged

3.2 **Address:** No. 441 William Street, Perth

Proposal: Five Storey Mixed Use Development (Hotel and commercial uses at ground floor level)

Applicant: Tegan Louise Designs

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • The roof dominates the scheme. The angled top is mismatched and the provision of a boxed shape outline may be better. • More consideration is needed at ground level in terms of façade articulation. • Provide further detail of façade treatment including alfresco area. • Consider introducing texture, cobbles etc. in the laneway, including the provision of a detailed schedule of finishes and materials. • Consider referencing the adjoining heritage building (mosque), in terms of identifying any strong features that could be reinterpreted into the façade. • Consider further activation of the rear and front façades. • Take into account the final outlook and durability of public art. Consider wrapping around the corner.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Provide more detail on landscaping to demonstrate compliance with City's landscaping requirements including calculations of hard and soft landscaping areas. The ground level and laneway provides great opportunities. Develop this space further, articulate further and provide more detail.
Principle 3 –	

Page 4 of 9

Built form and scale	
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • The provision of more natural light and ventilation to the internal passage way is encouraged. • Consider an active land use as an alternative to the provision of car parking bays at the rear (Brisbane Place), particularly as there are some publicly accessible front entrances to buildings along the streetscape noting the dual frontage nature of the site. • A management plan in lieu of the provision of car parking could be considered to address drop off/pick up areas for guests etc. • Consider adding windows into the foyer to the corridors on the upper levels facing north rather than relying on the end of the corridor for light. • Allow for openable windows in the corridors or other solutions to address the issue of light and ventilation access. • Consider natural light and ventilation to ensuites rather than having these located next to parapet walls. • Consider flipping the layout of Rooms 1 and 10 in terms of bed arrangement to free up the facades. • Details on sun control will need to be demonstrated. • The swing of the escape doors will need to be reversed to ensure building code compliance.
Principle 5 – Sustainability	
Principle 6 – Amenity	<ul style="list-style-type: none"> • Consider windows on the front façade to facilitate outlook for the residents and improving occupant amenity and sense of place. • Reconsider the layout of the ground floors in terms of occupant amenity, providing a good relationship between foyer and alfresco area. • Examine whether the ground floor layout is functional. Allow for storage areas to be adequate, accessible and functional. • Examine screening options for the fire services panel at the front of the development to reduce the negative impact on the building façade. • Show proposed air-conditioner locations on plans.
Principle 7 – Legibility	
Principle 8 – Safety	<ul style="list-style-type: none"> • Check building code setback requirements for fire separation to boundaries. This may impact on the 'heritage like' reference with the steel structures.
Principle 9 – Community	
Principle 10 – Aesthetics	
Comments	<ul style="list-style-type: none"> • Provide more detail of finishes and materials including colour schemes. • Any design changes should allow for air conditioning units to be screened from view of the street and adjoining properties. • The size of the bin store areas will need further consideration including resizing to facilitate fewer or greater frequency of bin collection.

	<ul style="list-style-type: none">• Consider the City's guidelines in the Built Form Policy for ground floor design standards.• Demonstrate sun shading by submitting a cross section.
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Conclusion: To be returned to DAC.

REDACTED FOR PRIVACY PURPOSES



CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 14 November 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)	Joslin Colli (Coordinator Planning Services)
Munira Mackay	Kate Miller (Senior Urban Planner)
Simon Venturi	Roslyn Hill (Minute Secretary)
Ailsa Blackwood	

Applicant-Item 3.1

Davor Nikolic	Architectural Online
Coral Buxey	Tegan Louise Designs

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's Presentation – DA Lodged 5.2018.320.1****3.1 Address:** 441 William Street and 6 Brisbane Place, Perth**Proposal:** Mixed Use Development (Office, Restaurant/Café and Hotel)**Applicant:** Architectural Online**Reason for Referral:** For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 7 March 2018**Applicant's Presentation:**

The presented a power point presentation

Recommendations & Comments by DRP on 7 March 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Reconsider the size of the windows. Corridor windows may let in too much sun. Reduce the size to hi-lights or introducing awnings. • Create more activation measures to incorporate a more urban approach with sightlines into communal areas. • Reconsider the sight lines of the access way which limits safety aspects for residents and the public. • Consider making the balcony slide out at the back. • Look at incorporating a design element (eg seating) or artwork instead of bollards to the cross site link. • Bring some texture, possibly cobble paving or timber to break down the monotone concrete paving in the accessway – consider using the steel column grid for the pattern of the paving strips.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Select and encourage plants to grow up through the structure. Incorporate lighting to enhance safety and security.
Principle 3 – Built form and scale	N/A
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Demonstrate how the waste removal and laundry will work in a functional manner and not impact on the public domain. • Consider including a laundry and dual waste/rubbish chutes at the western end. • Consider engaging a waste management consultant. Show how many bins will be needed and waste bin arrangements on the plans. A waste management plan may need to be submitted. Examine consolidating one central bin and laundry location. • Consideration will need to be given to safety aspects of the communal area given the minimal activation proposed. Take into account the activation and layout of commercial tenancies to make this more viable. • Consider allowing for vertical exhaust ducts to provide flexibility for the tenancy outlets to be converted to Food and Beverage. • Ground plan and landscaping need more articulation. • Public accessway (corridor) is considered too narrow and long to be sustainable – refer to further notes below. • Explain thoroughfare and public space and how is this controlled? • Consider a service lift as there is only one lift for guests.
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	<ul style="list-style-type: none"> • Provide a link between the front and the rear. • Consider seating arrangements and patron utilisation of the alfresco area into a recessed area so it doesn't block flow through the thoroughfare.
Principle 7 – Legibility	<ul style="list-style-type: none"> • Signage and lighting elements could be hung from steel structure and integrated to the expressed steel space-frame in order to produce a more integrated design approach.
Principle 8 – Safety	<ul style="list-style-type: none"> • Proponent to undertake and report on crime prevention through environmental design (CPTED). • Consider gates at the access way entry points. Possibly look at locking the gates after business hours. Public accessway is considered too narrow and long to sustain being fully open and accessible at night. Look at redesigning or mechanisms to create a more secure area for communal use to minimise opportunity for anti-social behaviour. • Examine reducing potential hiding locations in the front elements. • A good proportion of the boundary wall to the north adjoining car park may need access restrictions.

Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> Consider clearance distances that may be required between the development and power lines. Further consideration is required in relation to the logistics and amenity of the overall development with respect to the running of a CBD hotel (linen, storage, servicing etc.). The Alex Hotel is a comparable example to examine.

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<p>The DRP supports the concept of the laneway, however, the Applicant needs to refine the design to outline.</p> <ul style="list-style-type: none"> How activation will be achieved. To this end the Applicant may explore: Integration of landscaping (hard and soft) the use of lighting to create the appropriate ambiance (atmosphere) as well as providing a safe environment (night light). Consider activation by either protruding the bar, café into the laneway. This will provide additional eyes to the laneway and the facilities can be visually seen from the two streets OR Consider locating the café and bar fronting William Street and the Reception in the middle of the plan to provide greater street activation. The Applicant needs to explore how the Public Art will relate to the context of the site. Reconsider the need for the canopy over the laneway to enable the void to be fully appreciated and for acoustic use double glazing or thicker glazing (Note : impact from Mosque).
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Consider additional landscaping on Juliet balconies. The Applicant needs to explore or implement a tree with a canopy of at least 4 meters within the laneway. Provide a detailed plan showing paving, street furniture and plant selection (including proposed creeper / Note additional soil space for creeper) including lighting to show the feel of the laneway. Consider using soft landscaping as screening for the toilets if they are to stay where they are. Lower courtyard may require more sunlight.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Levels 3, 4 and 5 setback needs more consideration. Look into additional landscaping and openings to break up the mass and built form on these levels or possibly a roof top deck. This will provide greater light and cross-ventilation through the site.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> The laneway appears very long (approximately 50m x 3m) Consider an intermediate recess to provide some focal / visual relief and diversity in the space (i.e. a space for a tree). The upper level rooms look tight show the furniture within the rooms to show the functionality of the spaces.

	<ul style="list-style-type: none"> Look at the possibility of a service lift as the traffic may be too great. Obtaining advice and input from a boutique hotel operator will help in this regard. Functional aspects need to be worked on and finalised (i.e. bins, patron drop off, laundry).
Principle 5 – Sustainability	<ul style="list-style-type: none"> Size of the Beams and landscaping may block natural light into the courtyard.
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider re-design of the central M and F toilet area connect directly to the café / bar to release space for intermediate landscape.
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> The project has significant potential but requires further development. An integrated and considered combination of high quality soft landscaping, public art, lighting and streetscape activation strategies need to be applied to the laneway area to ensure the success of this area. Consider engaging a hotel operator to assist with the function / design of the hotel (i.e. services, room sizes, etc). The floorplans are quite faint and hard to read. More legible plans with the adjoining context shown on them as well as the elevations and perspectives needs to be submitted.

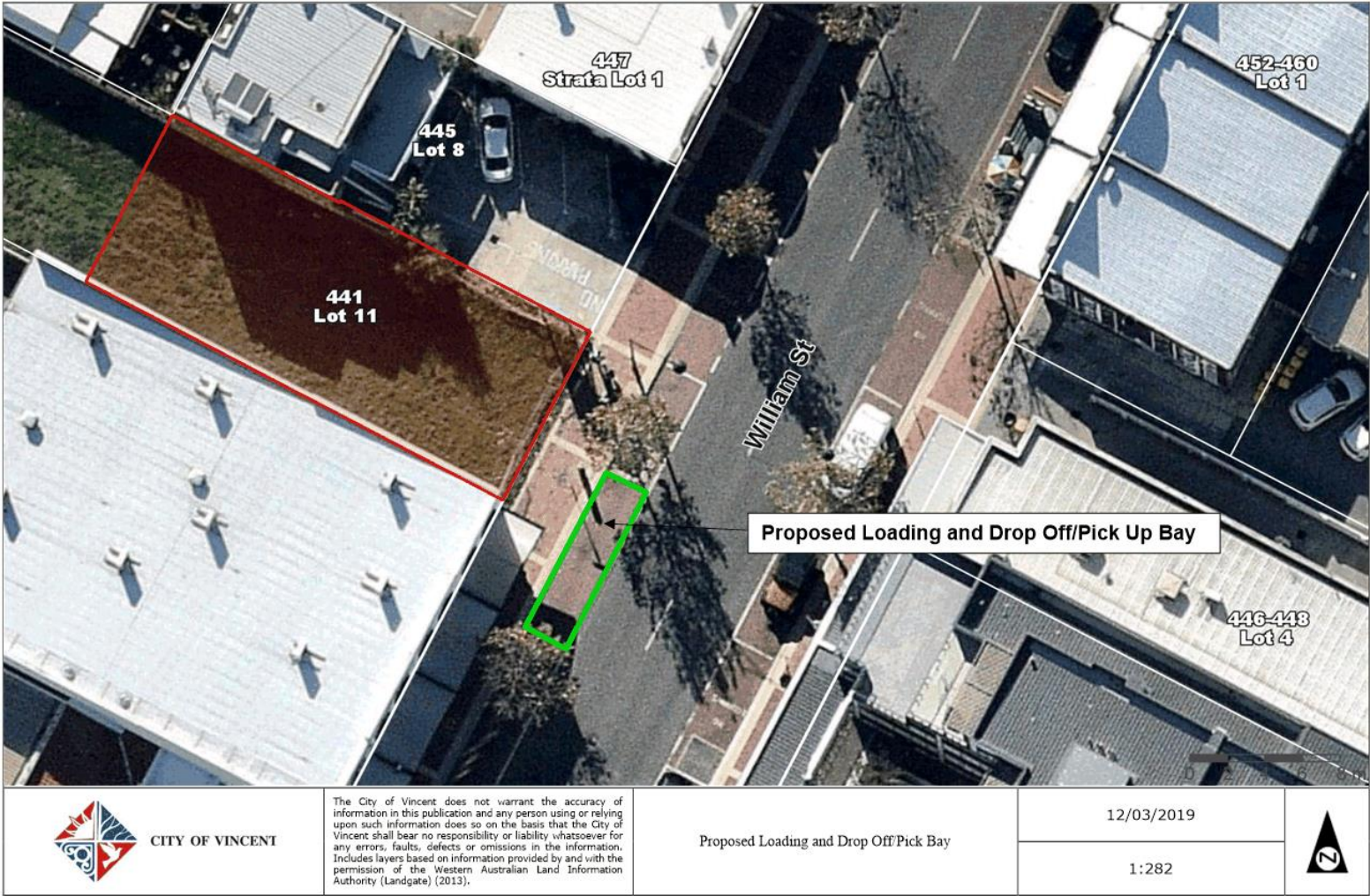
Conclusion:

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 4.45pm.

The next meeting will be held on 28 November 2018.



Determination Advice Notes:

1. All 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 Building Permit application, being submitted and approved prior to the erection of the signage.
2. 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.
3. A security bond shall be lodged with the City by the applicant, prior to the issue of a building permit. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along William Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security 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. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.
5. With reference to Condition 5, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
6. If the 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.
7. 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.
8. The obligation to comply with the requirements of a time limited condition continues whilst the approved development exists.
9. The applicant/owner is reminded of their obligation under the *Strata Titles Act 1985* which may require consent from the adjoining strata owners and/or strata company before commencing any works on site.

9.5 NO. 351 (LOT: 353, D/P: 32221) STIRLING STREET, HIGHGATE - SIX MULTIPLE DWELLINGS









TRIM Ref: D19/28109

Author: Karsen Reynolds, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Supporting Information [↓](#) 
4. Attachment 4 - Design Review Panel Meeting Minutes [↓](#) 
5. Attachment 5 - Applicant's Response to Summary of Submissions [↓](#) 
6. Attachment 6 - Administration's Response to Summary of Submissions [↓](#) 
7. Attachment 7 - Sight Lines Traffic Safety Report [↓](#) 
8. Attachment 8 - 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 six Multiple Dwellings at No. 351 (Lot: 353; D/P: 32221) Stirling Street, Highgate in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 7:

1. Development Plans

The development shall comply with the modifications marked in red as shown on the approved plan requiring:

- 1.1 The privacy screens adjoining the landing of 'APT 4' to be 1.6 metres above the finished floor level of 'APT 4' in the dimensions and locations marked in red on the approved plan, to the satisfaction of the City; and
- 1.2 The vehicle entry gate to be relocated to the location marked in red on the approved plans to allow for sufficient reversing from the visitor bay, to the satisfaction of the City;

2. Landscaping

- 2.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction shall 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 31.5 percent Canopy Coverage, 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 occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

3. Arborist Report

An Arborist Report detailing the retention and movement requirements of the trees retained on site to the City's satisfaction shall to be lodged with and approved by the City prior to the

commencement of the development. The development shall be undertaken in accordance with the retention and movement requirements set out in the approved Arborist Report thereafter to the satisfaction of the City;

4. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

5. Schedule of External Finishes

Prior to the 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;

6. Stormwater

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

7. Clothes Drying Facility

All external clothes drying areas shall be adequately screened in accordance with State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development to the satisfaction of the City;

8. Waste Management Plan

8.1 A waste management plan to the satisfaction of the City shall be submitted to, and approved by the City prior to the commencement of development;

8.2 The bin storage area shall be modified as required by the waste management plan; and

8.3 Waste Management for the development shall be undertaken in accordance with the approved waste management plan for the duration of the development;

9. Car Parking and Access

9.1 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and the requirements of AS2890.1 to the satisfaction of the City prior to occupation or use of the development;

9.2 Vehicle and pedestrian access points shall match into existing footpath levels to the satisfaction of the City; and

9.3 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications to the satisfaction of the City;

10. Bicycle Parking

A minimum of four bicycle bays shall be provided and installed in accordance with AS2890.3 to the satisfaction of the City prior to the occupation or use of the development;

11. Sightlines

All of the recommended measures included in the Traffic Safety Report provided by BG&E Pty Limited dated 1 February 2019 shall be implemented to the satisfaction of the City prior to the occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

12. Privacy Screens

Prior to the occupation or use of the development, all privacy screening and louvres shall comply with the deemed-to-comply standards of Clause 6.4.1 of the State Planning Policy 3.1: Residential Design Codes (Visual Privacy), to the satisfaction of the City;

13. Construction Management Plan

A Construction Management Plan that details how the construction of the development would be managed to minimise the impact on the surrounding area, to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans and shall include traffic and parking management requirements during construction. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan; and

14. Environmentally Sustainable Design

An Environmentally Sustainable Design Report shall be prepared in accordance with Policy No. 7.1.1 – Built Form, to the satisfaction of the City, and shall be submitted to and approved by the City prior to the issue of a building permit. The development shall be undertaken in accordance with the recommendations set out in the approved Environmentally Sustainable Report thereafter, to the satisfaction of the City.

PURPOSE OF REPORT:

To consider an application for development approval for six Multiple Dwellings at No. 351 Stirling Street, Highgate (subject site).

PROPOSAL:

The application proposes a three storey development comprising of six two-bedroom Multiple Dwellings on the subject site.

BACKGROUND:

Landowner:	Monica Epiro and Robert Epiro
Applicant:	Robert Epiro
Date of Application:	17 September 2019
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R80
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Multiple Dwelling
Lot Area:	620m ²
Right of Way (ROW):	Not applicable
Heritage List:	No

The subject site is located at No. 351 Stirling Street, Highgate, as shown on the location plan included as **Attachment 1**. There is an existing Single House on the subject site.

The site adjoins a mix of Single Houses and Grouped Dwellings to the north of the site that have frontages to Broome Street. The site adjoins a grouped dwelling development to the south that fronts Stirling Street. The broader area is generally characterised by single storey, two storey and three storey Single Dwelling, Grouped Dwelling and Multiple Dwelling developments.

The subject site is zoned Residential with a density coding of R80 under the City's Local Planning Scheme No. 2 (LPS2). The subject site and adjoining properties along Stirling Street are within the Residential built form area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and also have a density coding of R80 under the City's LPS 2.

The City received a development application seeking the approval for the construction of seven multiple dwellings on the subject site on 17 September 2018. The City received amended plans reducing the number of multiple dwellings to six on 21 February 2019. The amended development plans subject of this report are included as **Attachment 2**. The applicant's supporting information is included as **Attachment 3**. The applicant agreed in writing to extend the statutory timeframe in which to determine the application to 2 April 2019 in order for the applicant to address the matter raised during the community consultation and assessment process.

DETAILS:

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 elements are discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Density/Plot Ratio	✓	
Street Setback		✓
Street Walls and Fences	✓	
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Outdoor Living Areas		✓
Landscaping	✓	
Privacy		✓
Parking & Access		✓
Bicycle Facilities	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	
Outbuildings	✓	

Detailed Assessment

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

Street Setback	
Deemed-to-Comply Standard	Proposal
Policy No. 7.1.1 – Built Form Clause 5.2 Primary street setback 10.1m	Ground floor primary street setback 8.7m First floor primary street setback 6.0m Second floor primary street setback 6.0m
Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
Policy No. 7.1.1 – Built Form Clause 5.3 <i>Lot boundary setbacks –</i> Minimum side boundary setback for all levels 3.0m	Northern boundary: Ground Floor – 1.5m First Storey – 1.5m Second Storey – 1.5m

<p><i>Lot boundary walls –</i></p> <p>Walls may be built up to the lot boundary for two-thirds the length of the balance of the lot boundary behind the front setback or in this case for 33.5 metres</p>	<p>Southern boundary: Ground Floor – 1.5m Second Storey – 1.5m</p> <p>Western boundary: Ground Floor – 2.0m</p> <p>Walls built up to the southern lot boundary propose a total length of 36.1 metres.</p>
Outdoor Living Areas	
Deemed-to-Comply Standard	Proposal
<p>R Codes - Clause 6.3.1</p> <p>Each apartment to be provided with one balcony or the equivalent with a minimum area of 10 square metres and minimum dimension of 2.4 metres.</p>	<p>Apartment 2, 3, 5 and 6 provides a minimum dimension of 2.2 metres.</p>
Sightlines	
Deemed-to-Comply Standard	Proposal
<p>R Codes – Clause 6.2.3</p> <p>Walls, fences and other structures to be no higher than 0.75m within 1.5m of where walls adjoin a driveway.</p>	<p>Structure higher than 0.75m within 1.5m of the proposed driveway.</p>
Parking	
Deemed-to-Comply Standard	Proposal
<p>R Codes – Clause 6.3.3</p> <p>1.5 on-site car parking spaces provided for visitors</p>	<p>1 on-site car parking space provided for visitors.</p>
Visual Privacy	
Deemed-to-Comply Standard	Proposal
<p>R Codes – Clause 6.4.1</p> <p>Unenclosed outdoor active habitable spaces that have a floor level of more than 0.5m above natural ground level with a 6.0m cone of vision setback to any part of any other residential property</p>	<p>Apartment 3 balcony provides a 3.0m cone of vision setback to the southern lot boundary.</p> <p>Apartment 4 balcony provides a 4.4m cone of vision setback to the southern lot boundary.</p> <p>Apartment 6 balcony provides a 3.0m cone of vision setback to the southern lot boundary.</p>

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 21 days commencing on 24 October 2018 and concluding on 14 November 2018. Community consultation was undertaken by way of written notification being sent to surrounding landowners, as shown in **Attachment 1** and a notice on the City's website in accordance with the City's Policy No. 4.1.5 – Community Consultation.

The City received 15 submissions; nine objecting to the proposal, four supporting the proposal, and two submissions not stating whether they objected or supported the proposal. A summary of the submissions received and the Applicant's response is provided in **Attachment 5**.

Following the first consultation period, the applicant sought to respond to the objections by amending their proposal, which involved the following modifications:

- The amount of dwellings was reduced from seven to six;
- The rear building was reduced in height from three storeys to two storeys;
- Increased upper floor street setback;
- Removal of all boundary walls proposed to the northern boundary;
- Reduction in boundary wall heights and lengths to the southern boundary;
- Re-design to the southern walls to provide greater articulation and design detail;
- Increased canopy cover;
- Change in windows to increase privacy to adjoining properties; and
- Provision of privacy screens to balconies.

Administration advertised the application a second time to allow the community to provide feedback on the revised proposal. The application was advertised for a period of 14 days between 18 February 2019 and 4 March 2019, by way of written notification being sent to immediately adjoining properties and to those who provided comment on the application during the first round of community consultation and a notice on the City's website.

Following the second advertising period the City received a total of six submissions; all of which objected to the proposal.

A summary of all of the submissions received along with Administration's comments on each are provided in **Attachment 7**.

The concerns raised in the submissions, which reiterated previous concerns received are as follows:

- Development results in building bulk to the street and adjoining properties;
- Adverse amenity impacts to adjoining properties;
- Overlooking provided to adjoining properties;
- Development is not consistent with the established streetscape and surrounding locality;
- Concerns relating to existing parking difficulties within the area and the further impact the development would have on the availability of on-street parking;
- Concerns relating to safety issues as a result of the sightlines proposed;
- Overshadowing provided to adjoining properties; and
- Lack of deep soil zones and canopy cover and the impact this would have on local amenity.

Design Review Panel (DRP):

Referred to DRP: Yes

The development has been referred to DRP on five occasions, twice prior to lodgement on 6 June 2018 and 8 August 2018, and three times following receipt of the application by Administration on 17 October 2018, 13 December 2018, and 20 February 2019. Refer to **Attachment 4** for an extract of the minutes from each meeting following lodgement of the development application.

Following the receipt of the DRP comments, the applicant, in February 2019, submitted amended plans for the City's assessment. The amended plans received have sufficiently addressed the comments received by the DRP regarding the rear southern boundary wall, landscaping, shared space, and outbuilding proposed.

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;
- State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (Design WA);
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

City of Vincent Policy No. 7.1.1 – Built Form

The City has undertaken community consultation for amendments to the existing Built Form Policy. The community consultation period concluded on 11 December 2018.

The development has not been assessed against the proposed amendments to the Built Form Policy. The amendments to the Built Form Policy are in draft form and do not reflect the outcome of any changes stemming from the community consultation period and are not reflective of Design WA. The amendments to the Built Form Policy are not considered to be 'seriously entertained' as they have not received approval from Council following community consultation and they are not certain or imminent in coming into effect in the form they were advertised in.

The amendments to the Built Form Policy are expected to be presented to Council in the first half of 2019 to consider its acceptability following community consultation.

WAPC's State Planning Policy 7.3 Residential Design Codes – Volume 2 Apartments

On 18 February 2019, the WAPC released the documentation for Design WA, which includes State Planning Policy 7.3 Residential Design Codes – Volume 2 Apartments and Design Review Guide. The Minister for Planning has announced this would become operational on 24 May 2019. An objective assessment has been completed against the policy.

Delegation to Determine Applications:

This matter has been referred to Council in accordance with the City's Delegated Authority Register as the proposed development incorporates more than three dwellings that are three storeys in height and has received more than five objections.

RISK MANAGEMENT IMPLICATIONS:

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:

This would be in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Street Setback

The development proposes a ground floor setback of 8.7 metres. The first and second floor propose a minimum street setback of 6.0 metres. The subject site has a deemed-to-comply primary street setback standard of 10.1 metres, which is based on the five adjoining properties to the south of the subject site. The street setback standards of Design WA have been modified by the Built Form Policy and approved by the WAPC. The Built Form Policy street setback standards apply in this instance. The street setback proposed satisfies the relevant design principles and local housing objectives of the R Codes and Built Form Policy and is acceptable for the following reasons:

- The proposed street setback for the development is greater than the Stirling Street setback of the developments either side of subject site. The setbacks provided are consistent with the immediately abutting development to the south of the subject site. The proposed development sits in line with the southern property's porch and building line, reducing the dominance of the building when viewed from the street;
- The proposed street setback increases from north to south due to the angled front façade, reflecting the increase in setback from the adjoining property to the north to the adjoining property to the south;
- The street setback of the five adjoining properties to the south varies between from 5.5 metres to 20.5 metres. The property with a street setback of 20.5 metres substantially increases the average street setback. The average setback of the adjoining properties would be 7.45 metres if the property with a 20.5 metre setback was excluded from the calculation. The established streetscape provides inconsistent setbacks due to a mix in typology of developments along the street;
- The development provides balconies and large windows facing Stirling Street that assist in reducing the prominence of the solid blank walls and adds detail and articulation in the façade, assisting in moderating the impact of the building bulk and scale. The proposal incorporates a range of materials and finishes including rendered brickwork, timber batten screening, and elements of contrasting cladding. The contrasting materials and colours respond to the existing developments along Stirling Street and within the broader Highgate area. Comments received by the DRP confirm that the development responds to the local context well and that the Architectural language is strong;
- The proposal incorporates landscaping within the street setback which includes mature trees. This vegetation softens the appearance of the development and contributes to the amenity of the street; and
- Requiring an increased street setback would result in reduced articulation to the front façade, through the removal of the angled façade design, or reduced internal living areas to the front units. The proposed street setbacks facilitate a more functional development that do not detract from the streetscape character.

Lot Boundary Setbacks and Boundary Walls

The City received submissions which raised concerns with the aesthetic impact and bulky appearance of the building as a result of the setbacks, and impacts relating to amenity, overlooking and overshadowing. The applicant modified their proposal in response to the concerns raised and now proposes the setbacks provided below.

The Acceptable Standards of Design WA Clause 2.4 Side and rear setbacks require the same side and rear setbacks (3m) as the current framework deemed-to-comply standard of R Codes Clause 6.1.4 Lot boundary setbacks (Tables 2a/2b).

Northern Boundary

The development proposes 1.5 metre setbacks to the northern boundary in lieu of the 3.0 metre deemed-to-comply standard set in the R Codes. The northern lot boundary setbacks proposed satisfy the relevant design principles and local housing objectives of the R Codes and Built Form Policy and are acceptable for the following reasons:

- The development abuts seven dwellings to the north that have frontages to Broome Street. The properties to the north of the site are single dwelling and grouped dwelling developments. The proposed 1.5 metre setbacks are adjacent to the southern outdoor living areas of these Broome Street dwellings to the north, meaning that the development would have no impact on these properties in terms of overshadowing;
- The northern elevation provides an articulated façade with a range of openings to mitigate building bulk. The façade incorporates a number of contrasting materials such as cladding, rendered brick and perforated aluminium screens, which break up the appearance of the walls when viewed from the adjoining properties and the street. Details of the proposed materials and colours schedule are included in the proposed plans in **Attachment 2**;
- The portions of the walls that are setback 1.5 metres from the boundary are small in length, articulating out from the main building line that is setback 3.0 metres from the northern boundary;
- The building has been stepped back to allow for ventilation to flow;
- The northern façade proposes no major openings. The reduced setback does not result in any adverse overlooking and subsequent loss of privacy to the northern adjoining properties; and
- The application proposes landscaping on portions of the northern boundary that would assist in alleviating impacts of building bulk and mass. The northern elevation also incorporates a vertical garden

trellis to the rear building that softens the building edge when viewed from the northern property and adds interest to the façade; and

- The setbacks provided meet the Element Objectives of Design WA Clause 2.4 Side and rear setbacks for the reasons provided above.

Southern Boundary

The development proposes 1.5 metre setbacks to the southern boundary in lieu of the 3.0 metre deemed-to-comply standard set in the R Codes. The development also proposes boundary walls with a total length of 33.5 metres along the southern boundary in lieu of the 33.5 metre deemed-to-comply standard set for this property. The southern lot boundary setbacks and boundary walls proposed satisfy the relevant design principles and local housing objectives of the R Codes and Built Form Policy and are acceptable for the following reasons:

- The adjoining southern site includes two grouped dwellings. The boundary wall of the rear building proposed mostly abuts the most western grouped dwelling's boundary wall of a similar height and length, which alleviates adverse impacts of the wall length and subsequent building bulk. Only a portion of the rear boundary wall abuts the southern properties courtyard. The remainder of the boundary wall and walls with reduced setbacks are adjacent to the southern property's driveway. The driveway provides a visual buffer between the property to the south and the subject site, alleviating adverse impacts of building bulk;
- There are no major openings in the adjoining property that face the proposed development. Windows from the southern property at No. 349 Stirling Street Highgate that face the subject site are all minor openings (highlight windows);
- The boundary walls proposed meet the permitted heights as prescribed under Table 5 of the R Codes, and are moderate in size;
- The southern elevation provides an articulated façade with a range of openings to mitigate building bulk. The low side of the skillion has been provided to the southern boundary to further soften the building edge and reduce overshadowing to the south. The façade incorporates a number of contrasting materials such as cladding, rendered face brick, louvres, and perforated aluminium screens. The materials provided break up the appearance of the walls when viewed from the adjoining properties and the street. Details of the proposed materials and colours are included in the proposed plans in **Attachment 2**;
- The shadow from walls with reduced lot boundary setbacks fall across the southern adjoining property at No. 349 Stirling Street Highgate. The shadow does not fall across major openings or the rear outdoor living area of the southern property. The shadow diagrams, included in **Attachment 2**, demonstrate that the solar panels on the southern property are largely unaffected by the proposed development, and receive direct sunlight for the majority of the year. The shadow from the front building proposed on the subject site does not shadow the southern property at No. 349a Stirling Street Highgate;
- There are no major openings proposed in the southern façade and the reduced setback and boundary walls do not result in any adverse overlooking and subsequent loss of privacy to the southern adjoining properties;
- The building has been stepped back and allows for ventilation;
- The application proposes landscaping on portions of the southern boundary that would assist in alleviating impacts of building bulk and mass; and
- The setbacks provided meet the Element Objectives of Design WA Clause 2.4 Side and rear setbacks for the reasons provided above.

Western Boundary

Store No.6 is proposed to be setback 2.0 metres from the western boundary in lieu of the 3.0 metre deemed-to-comply standard set in the R Codes. The western lot boundary setbacks proposed satisfy the relevant design principles and local housing objectives of the R Codes and Built Form Policy and are acceptable for the following reasons:

- The store provides a maximum height of 1.8 metres from the proposed finished floor level, similar height to a standard dividing fence. Due to the excavation of the sunken communal garden area, the store appears 1.4 metres in height when viewed from the western adjoining property. The low height of the store reduces any visibility of the structure when viewed from the adjoining western property, subsequently reducing all adverse visual and building bulk impacts;

- The favourable location and orientation of the development results in no overshadowing and subsequent loss of direct sunlight to the adjoining western property. The building has been stepped back and allows for adequate ventilation;
- The store is a non-habitable structure with no openings. The reduced setback does not result in any adverse overlooking and subsequent loss of privacy to the western adjoining property;
- The application proposes landscaping on portions of the northern boundary that would assist in alleviating impacts of building bulk and mass; and
- The setbacks provided meet the Element Objectives of Design WA Clause 2.4 Side and rear setbacks for the reasons provided above.

Outdoor Living Areas

Apartments 2, 3, 5 and 6 propose a minimum balcony dimension of 2.2 metres in lieu of the deemed-to-comply standard of 2.4 metres. The Acceptable Standards of Design WA Clause 4.4 Private open space and balconies require the same balcony dimensions and areas as the current framework deemed-to-comply standard of R Codes Clause 6.3.1 Outdoor living areas. The outdoor living areas proposed satisfy the relevant design principles of the R Codes and are acceptable for the following reasons:

- The minimum dimension of the subject balconies is angled and increases to a maximum width of 2.6 metres. The design and dimensions of balconies enable the spaces to be functional as private open space, such as accommodating room for a table setting;
- The total area of all balconies exceeds the deemed-to-comply standard of 10 square metres. The balconies are large enough to be functional and useable spaces that are directly accessible from habitable rooms of the respective apartment;
- The balconies provided are all open to one side allowing for outlook, sunlight and ventilation to and from the balcony; and
- The balconies provided meet the Element Objectives of Design WA Clause 4.4 Private open space and balconies for the reasons provided above.

Sight lines

The development proposes the driveway within 1.5 metres of an existing 1.8m high fence along the northern boundary of the site. The Acceptable Standards of Design WA Clause 3.8 Vehicle Access require the same sight lines as the current planning framework deemed-to-comply standard of R Codes Clause 6.2.3 Sight lines. The sightlines proposed satisfy the relevant design principles of the R Codes and are acceptable for the following reasons:

- The applicant has submitted a Traffic Safety Report, included in **Attachment 7**, which has reviewed and provided recommendations for the access arrangement proposed. The Traffic Safety Report concludes that the driveway would maintain sufficient sightlines where it intersects with the adjacent footpath to ensure visibility and safety, subject to the driveway being set off the boundary 0.5 metres and a watch for pedestrians sign being provided on-site. The application has incorporated these recommendations into the proposed plans. Administration also recommends a condition of approval that requires the recommendations of the report to be implemented;
- The City's technical officers have reviewed proposal and traffic report submitted by the applicant and confirm that access has been provided in a manner that enables a safe view of the pedestrian and vehicular traffic for vehicles leaving the property boundary;
- The proposal does not involve any new walls higher than 750 millimetres within 1.5 metres of the driveway and street boundary so as to ensure that vehicles could account for on-coming pedestrians and vehicles at the contact point; and
- The proposal meets the Element Objectives of Design WA Clause 3.8 Vehicle Access for the reasons provided above.

Landscaping

The landscaping areas meet the deemed-to-comply standards of the R Codes. The proposed deemed-to-comply landscaping standards in the City's Built Form Policy set 12 percent deep soil zone and 30 percent canopy coverage where mature trees are being retained on site. The development proposed to retain three mature trees on site and has proposed 11 percent of the site as deep soil and 31.5 percent canopy coverage. The Acceptable Outcomes of Design WA Clause 3.3 Tree canopy and deep soil areas requires 10 percent minimum deep soil area, or 7 percent if existing trees are retained on-site. One medium tree and one small tree shall also be provided to suit the area.

The City received objections during community consultation with concerns relating to reduced deep soil zones and the subsequent adverse impacts this would provide to the locality such as reduced vegetation cover. The proposal satisfies the local housing objective of the Built Form Policy and is acceptable for the following reasons:

- The reduced deep soil area does not impact on the ability of the development to deliver the 30 percent canopy coverage requirement, with the application proposing to exceed this and provide 31.5 percent;
- The application proposes additional landscaping and canopy coverage in the street setback area, which would reduce the overall impact of the proposal on the public street;
- The development proposes functional landscaping with a large range of plant species and vegetation. The proposal has incorporated a variety of species to the front setback area and rear setback area that creates interest and softens the building when viewed from the street and adjoining residential properties. The choice of species on site sufficiently address the DRP landscape architect's comments received;
- The development provides additional landscaping areas on site that do not technically contribute to deep soil zones, but contribute to the overall landscaping on site. The design incorporates a vertical trellis to the northern elevation as well as over a portion of the parking area. The proposal also provides landscaping strips less than 1 metre in width around the side for planting of shrubs and small plants. The provision of pockets of landscaping around the site provides a soft edge to the building form and creates a sense of open space between buildings and the street;
- The application has been designed to retain the existing verge tree to Stirling Street. The existing mature verge tree provides a good level of landscaping amenity for residents and the community;
- The development proposes to retain existing trees on site. The trees retained on site contribute to approximately one third (31.1 percent) of the proposed canopy cover. The canopy cover proposed provides great landscaping amenity for the residents and the community and further reduces the impact of the development on adjoining residential lots, creating a sense of open space between dwellings; and
- The proposal meets the Element Objectives of Design WA Clause 3.3 Tree canopy and deep soil areas for the reasons provided above. The proposal has provided sufficient measures to improve long term canopy cover. The deep soil zones would sustain healthy plant and tree growth that would increase shade on-site, and to the verge.

Car Parking

The application proposes 1 visitor parking bay in lieu of the 1.5 bays set as a deemed-to-comply standard in the R Codes. The City received submissions which raised concerns over the number of bays being inadequate and the potential impact on existing on-street parking as a result. The Acceptable Standards of Design WA Clause 3.9 Car and bicycle parking require the same amount of car parking for residents and visitors as the current planning framework deemed-to-comply standard of R Codes Clause 6.3.3 Parking. The car parking proposed satisfies the relevant design principles of the R Codes and is acceptable for the following reasons:

- The application proposes a one bay shortfall for visitor parking. The application meets the deemed-to-comply standards for resident parking;
- The development provides for a greater number of bicycle parking spaces than the deemed-to-comply standard under the R Codes. While there are no dedicated cycle lane along Stirling Street, there are shared paths available along Stirling Street, as well as to the surrounding street network;
- There are a number of on-street parking options for visitors in close proximity to the subject site, which are time restricted including:
 - 45 bays along Stirling Street between Broome Street and Lincoln Street. These bays are only time restricted for special events associated with the nearby Perth Oval (HBF Park);
 - 50 bays along Broome Street between Beaufort Street and Smith Street. These bays are only time restricted for special events associated with the nearby Perth Oval (HBF Park);
- The subject site is well serviced by public transport, with the site being approximately 60 metres from high frequency bus routes along Beaufort Street, and 500 metres from high frequency bus routes along Lord Street;
- The subject sites highly accessible by pedestrians due to accessible pedestrian networks in the area; and
- The proposal meets the Element Objectives of Design WA Clause 3.9 Car and bicycle parking for the reasons provided above.

Visual Privacy*Apartments 3 and 6 Balconies to southern boundary*

The balconies to Apartments 3 and 6 provide a 3.0 metre cone of vision setback to the southern lot boundary in lieu of the deemed-to-comply standard of 6 metres. The Acceptable Standards of Design WA Clause 3.5 Visual privacy require the same privacy setbacks as the current planning framework deemed-to-comply standard of R Codes Clause 6.4.1 Visual Privacy. The City received submissions from the adjoining properties directly to the south that raised concerns relating to loss of privacy. The visual privacy proposed satisfies the relevant design principles of the R Codes and are acceptable for the following reasons:

- The cone of vision from the Apartment 3 balcony and the Apartment 6 balcony fall onto the driveway area of the southern property at No. 349a Stirling Street Highgate;
- The balconies do have views towards the southern properties garage door, front entrance, and upper floor bedroom windows. These areas fall well outside of the cone of vision;
- The balconies have provided privacy screens to the sides and to portions of the front of the balcony. The provision of screening to the sides and front of the balcony reduce direct overlooking to the southern property; and
- The proposal meets the Element Objectives of Design WA Clause 3.5 Visual privacy for the reasons provided above.

Apartment 4 Balcony to southern lot boundary

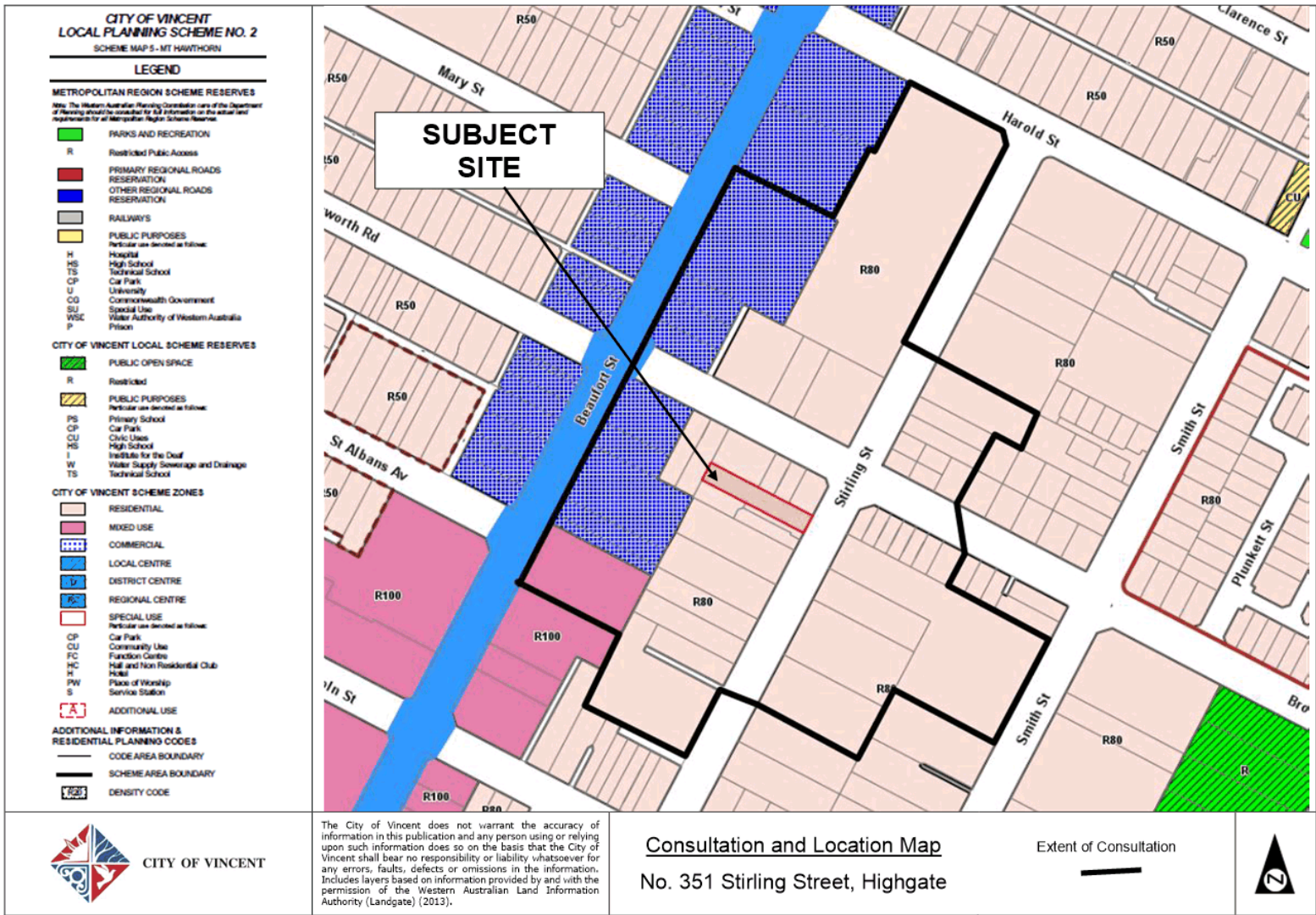
The balcony to Apartments 4 provide a 4.4 metre cone of vision setback to the southern lot boundary in lieu of the deemed-to-comply standard of 6.0 metres. The City received submissions from the adjoining properties directly to the south that raised concerns relating to loss of privacy. The City received submissions from the adjoining properties directly to the south that raised concerns relating to loss of privacy. The visual privacy proposed satisfies the relevant design principles of the R Codes and are acceptable for the following reasons:

- The cone of vision from the Apartment Four balcony falls onto the northern side setback area of the southern property at No. 349a Stirling Street Highgate. The side setback area affected by the overlooking does not contain any windows and so the cone of vision falls onto blank walls only;
- The balcony provides privacy screens to the side and a portion of the front of the balcony to reduce direct overlooking to habitable spaces of the southern property, reducing all overlooking to sensitive areas;
- There would be no adverse impact on any habitable rooms with major openings or active open spaces to the southern adjoining property at No.349a Stirling Street Highgate; and
- The proposal meets the Element Objectives of Design WA Clause 3.5 Visual privacy for the reasons provided above.

Environmentally Sustainable Design

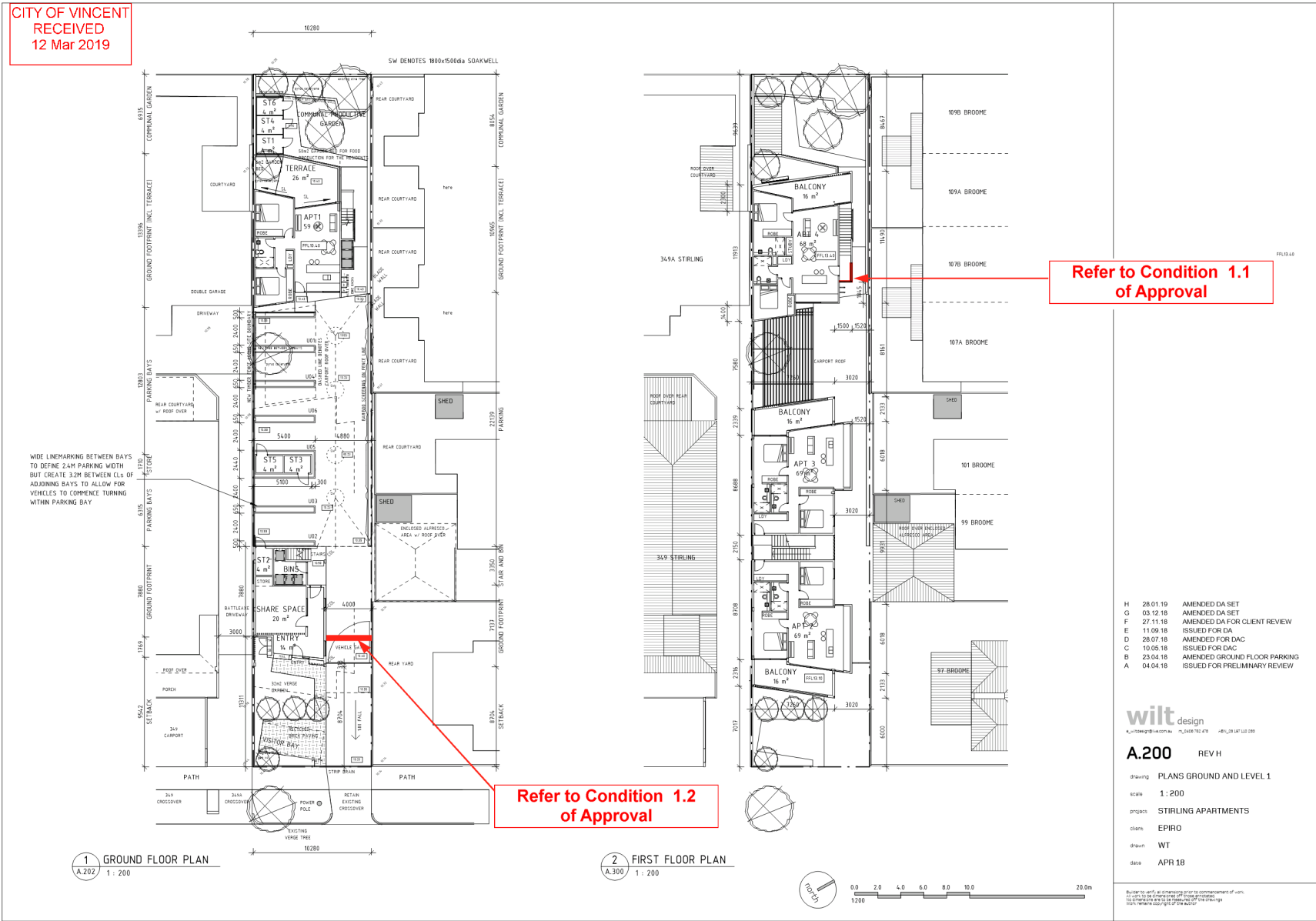
The Built Form Policy sets out that multiple dwelling development should demonstrate how they can deliver environmentally sustainable outcomes within the development. The application does not contain any information regarding environmental performance and does not meet the local housing objectives of the Built Form Policy. This element could be satisfied through the imposition of an appropriate condition of planning approval. Administration has liaised with the applicant in this regard and the applicant has agreed to the imposition of a condition to this effect. The applicant has provided written consent to the providing an ESD report to be provided at the building permit stage of the application, and for the recommendations of the report to be implemented thereafter.

The ESD report would achieve both the Acceptable Outcomes and Element Objectives of Design WA Clause 4.1, Clause 4.2, Clause 4.15 and Clause 4.16 as the report is required to list the design strategies that demonstrates the development is capable of achieving the greenhouse gas and water reduction benchmarks, and includes considerations for elements including but not limited to, lighting efficiency, natural ventilation, access to sunlight, water usage and solar systems.



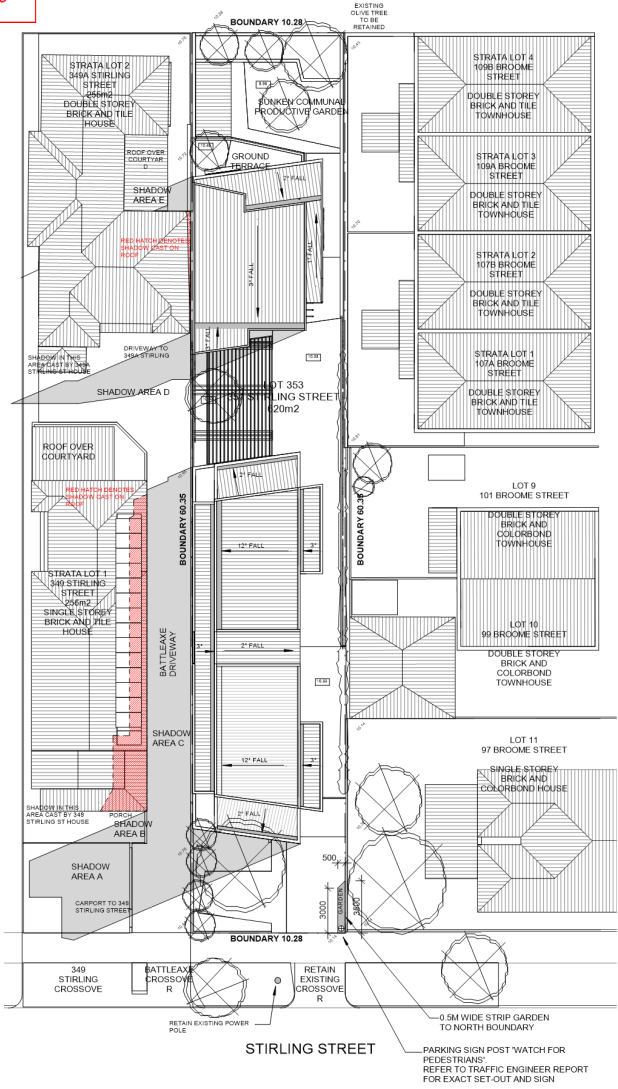








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10.44

PROPOSED LEVELS

10.44

EXISTING SITE LEVELS

SITE AREA	620m2
MAXIMUM PLOT RATIO 1.0	620m2
GROUND FLOOR	102m2
FIRST FLOOR	220m2
SECOND FLOOR	122m2
TOTAL	444m2
PLOT RATIO 444/620	0.72

<div> <div>REZD OPEN SPACE 50% = 186m2</div> <div>ACTUAL OPEN SPACE 339m2</div> <div>CONFORM OPEN SPACE 65m2</div> </div>
<div> <div>OUTDOOR LIVING AREA</div> <div>REZD 10m2x1m2x6 UNITS</div> <div>60m2</div> <div>PROVIDED</div> </div>

UNIT SCHEDULE				
No	TYPE	NET AREA	GROSS AREA	BALCONY AREA
01	2x1	61m2	69m2	27m2
02	2x2	69m2	74m2	10m2
03	2x2	69m2	74m2	10m2
04	2x2	69m2	74m2	10m2
05	2x1	56m2	61m2	13m2
06	2x1	57m2	61m2	13m2
ENTR	N/A	34m2	37m2	N/A
TOTAL		414m2	444m2	102m2

SOAKWELL CALCULATIONS	
ROOF AREA	208m2
HARD-STAND AREA	346m2
TOTAL SURFACE AREA	554m2
1m3 DRAINAGE PER 65m2	8.5m3
TOTAL SOAKWELLS REQ'D	4x1800x1500

OVERSHADOWING AREAS TO ADJOINING RESIDENCES

NOTE - 351 AND 349 AND 349A STIRLING STREET ARE ALL ZONED R80 SO THERE IS NO REQUIREMENT TO COMPLY w/ MINIMUM OVERSHADOWING AREAS PROVIDED FOR IN THE R-CODES. WE HAVE PROVIDED THIS OVERSHADOWING INFORMATION FOR RELATIVE COMPARISON BASED ON R80 DEVELOPMENT PROVISIONS OF <50% OF SITE AREA TO ILLUSTRATE THAT THE PROPOSED DEVELOPMENT DOES NOT IMPACT ON THE AMENITY/OUTDOOR LIVING AREAS TO THE ADJOINING RESIDENCES AT 349 AND 349A STIRLING STREET

SHADOW CAST MIDDAY 21 JUNE

349 STIRLING STREET
LOT AREA = 250m²
TOTAL AREA OF SHADOW CAST BY DEVELOPMENT 37.5m²
% OF SITE OVERSHADOWED BY DEVELOPMENT = 14.6%
NOTE
SHADOW AREA A (TO THE ADJOINING CARPORT) = 32m²
SHADOW AREA B (TO THE ADJOINING PORCH) = 5.5m²
THEREFORE SHADOW AREA B IS THE ONLY SHADOW ONTO OUTDOOR AMENITY AREA (CARPORT NOT DEEMED TO BE OF OUTDOOR AMENITY)
THIS EQUATES TO OVERSHADOWING ONTO 2% OF SITE AMENITY/AREA

349A STIRLING STREET
LOT AREA = 250m²
TOTAL AREA OF SHADOW CAST BY DEVELOPMENT 24.5m²
% OF SITE OVERSHADOWED BY DEVELOPMENT = 9.6%
NOTE
SHADOW AREA D (TO THE ADJOINING DRIVEWAY) = 21m²
SHADOW AREA E (TO THE ADJOINING COURTYARD) = 3.5m²
THEREFORE SHADOW AREA E IS THE ONLY SHADOW ONTO OUTDOOR AMENITY AREA (DRIVEWAY NOT DEEMED TO BE OF OUTDOOR AMENITY)
THIS EQUATES TO OVERSHADOWING ONTO 1.3% OF SITE AMENITY/AREA

BATTLEAXE DRIVEWAY
SHADOW AREA C IS TO THE BATTLEAXE DRIVEWAY AND IS NEITHER PART OF 349 OR 349A STIRLING STREET SITE AREA

- H 26.02.19 AMENDED SITE PLAN DRIVEWAY CHANGES
- G 28.01.19 AMENDED DA SET
- F 03.12.18 AMENDED DA SET
- E 27.11.18 AMENDED DA FOR CLIENT REVIEW
- D 11.09.18 ISSUED FOR DA
- C 28.07.18 AMENDED FOR DAC
- B 10.05.18 ISSUED FOR DAC
- A 04.04.18 ISSUED FOR PRELIMINARY REVIEW

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wilt@wilt.com.au m_0405 182 478 APR 26 19 11:28

A.100 REV H

drawing SITE PLAN
scale As indicated
project STIRLING APARTMENTS
client EPIRO
drawn WT
date APR 18

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EASTERN ELEVATION (STIRLING STREET)
1 : 200

WESTERN ELEVATION
1 : 200

FRONT APARTMENT WEST ELEVATION
1 : 200

FRONT APARTMENT EAST ELEVATION
1 : 200

SOUTHERN ELEVATION
1 : 200

NORTHERN ELEVATION
1 : 200

Section: 1.6 metres

LEGEND

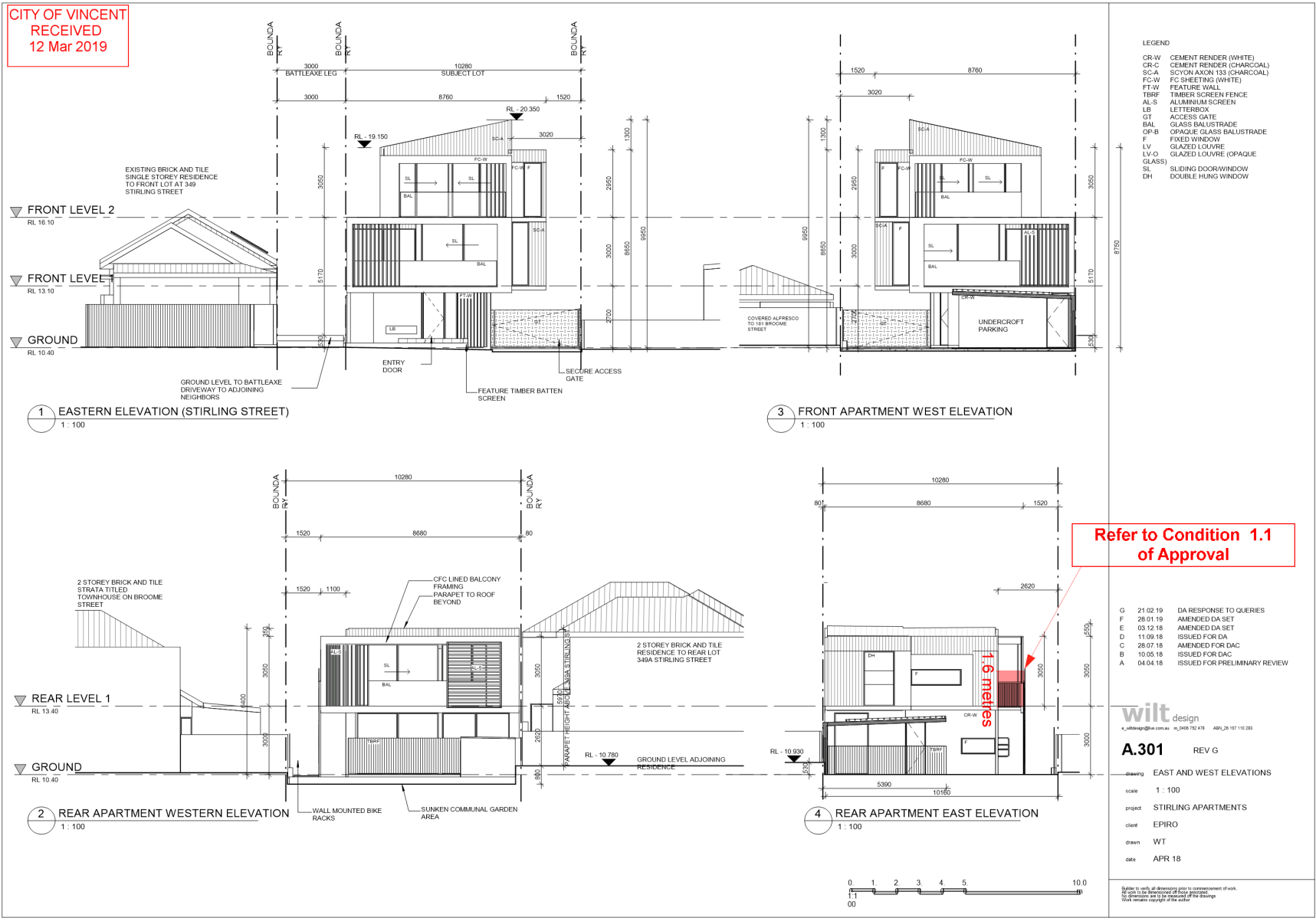
- CR-W CEMENT RENDER (WHITE)
- CR-C CEMENT RENDER (CHARCOAL)
- SC-A SCYON AXON 133 (CHARCOAL)
- FT-W FC SHEETING (WHITE)
- TBFP TIMBER SCREEN FENCE
- AL-S ALUMINUM SCREEN
- LB LETTERBOX
- QT ACCESS GATE
- BAL GLASS BALUSTRADE
- OP-B OPAQUE GLASS BALUSTRADE
- F FIXED WINDOW
- LV GLAZED LOUVRE
- LVO OPAQUE GLAZED LOUVRE
- SL SLIDING DOOR/WINDOW
- DH DOUBLE HUNG WINDOW

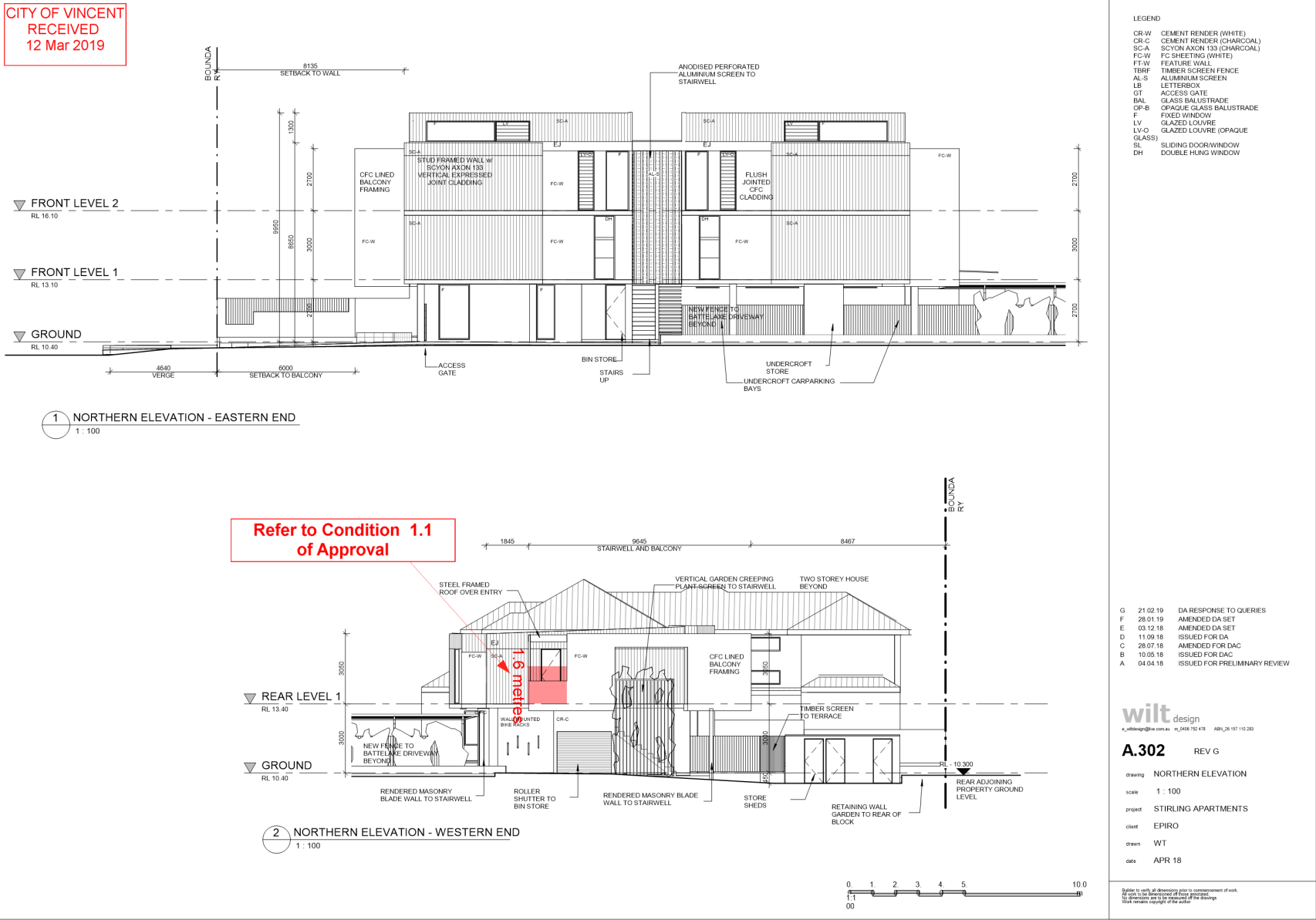
A.300 REV G

drawing OVERALL ELEVATIONS
project 1 : 200
scale STIRLING APARTMENTS
client EPIRO
drawn WT
date APR 18

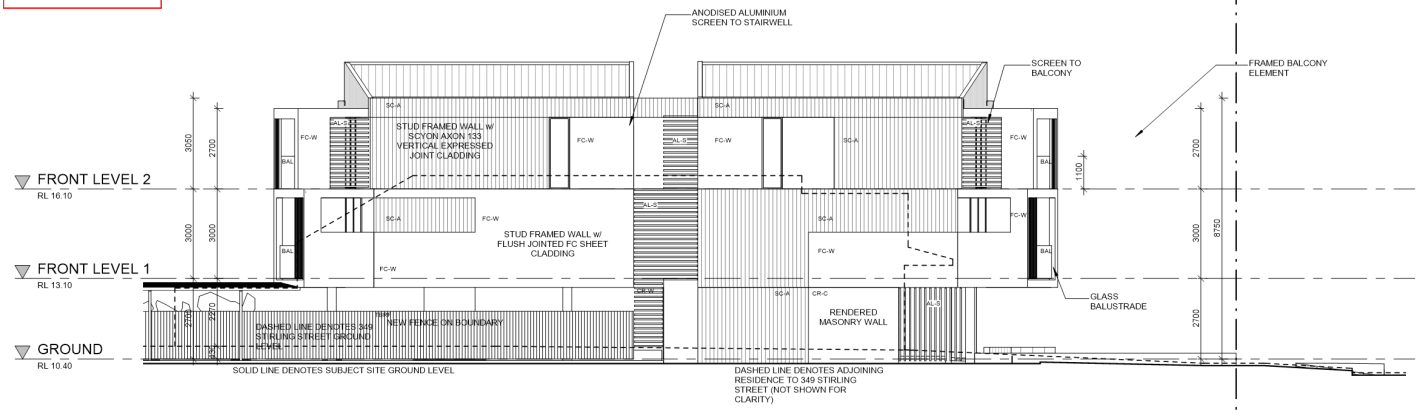
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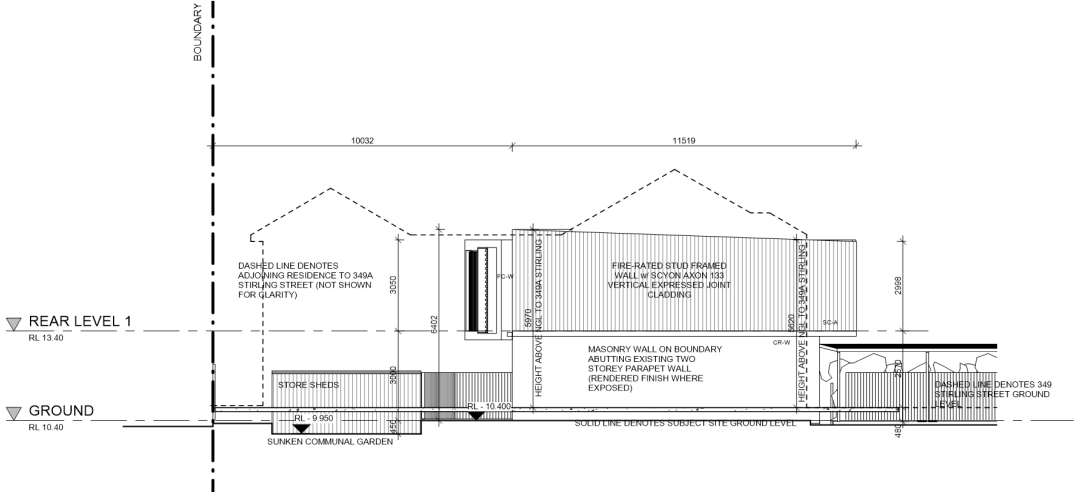




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1 SOUTHERN ELEVATION - EASTERN END
1 : 100



2 SOUTHERN ELEVATION - WESTERN END
1 : 100

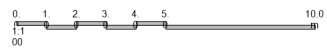
- LEGEND
- CR-W CEMENT RENDER (WHITE)
 - CR-C CEMENT RENDER (CHARCOAL)
 - SC-A SCYON AXON 133 (CHARCOAL)
 - FC-W FC SHEETING (WHITE)
 - FT-W FEATURE WALL
 - TBWF TIMBER SCREEN FENCE
 - AL-S ALUMINIUM SCREEN
 - LB LETTERBOX
 - GT ACCESS GATE
 - BAL GLASS BALUSTRADE
 - OP-B OPAQUE GLASS BALUSTRADE
 - F FIXED WINDOW
 - LV GLAZED LOUVRE (OPAQUE GLASS)
 - LV-O GLAZED LOUVRE (OPAQUE GLASS)
 - SL SLIDING DOOR/WINDOW
 - DH DOUBLE HUNG WINDOW

- G 21.02.19 DA RESPONSE TO QUERIES
F 28.01.19 AMENDED DA SET
E 03.12.18 AMENDED DA SET
D 11.09.18 ISSUED FOR DA
C 28.07.18 AMENDED FOR DAC
B 10.05.18 ISSUED FOR DAC
A 04.04.18 ISSUED FOR PRELIMINARY REVIEW

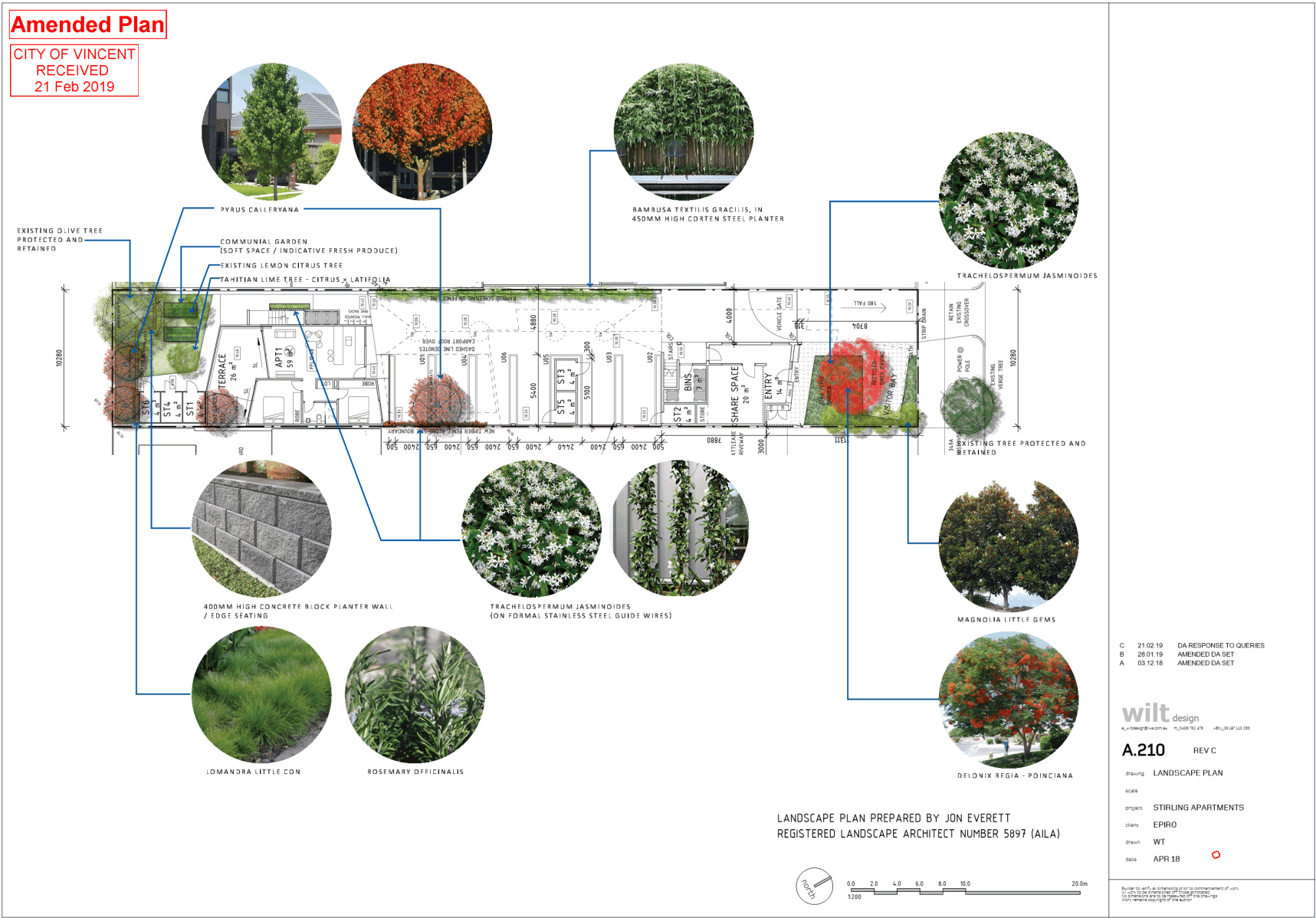
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wilt@wilt.com.au m_0451 152 478 APR 26 157 110 281

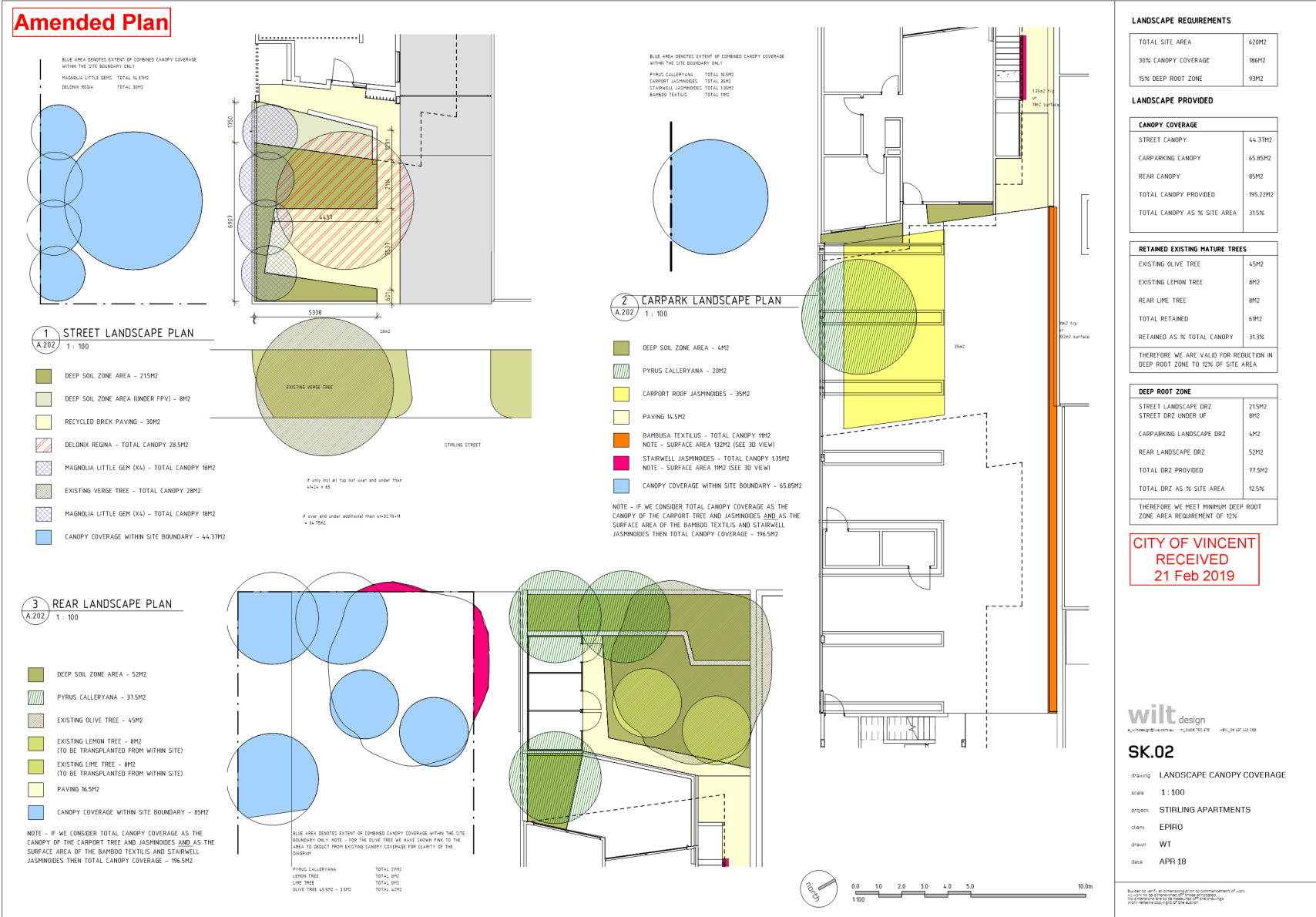
A.303 REV G

drawing SOUTHERN ELEVATION
scale 1 : 100
project STIRLING APARTMENTS
client EPIRO
drawn WT
date APR 18



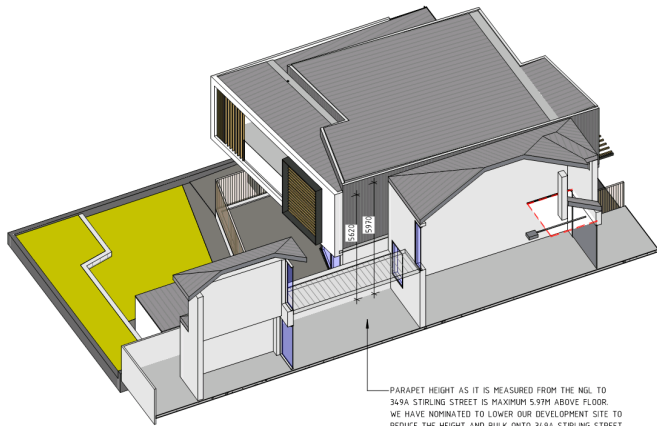
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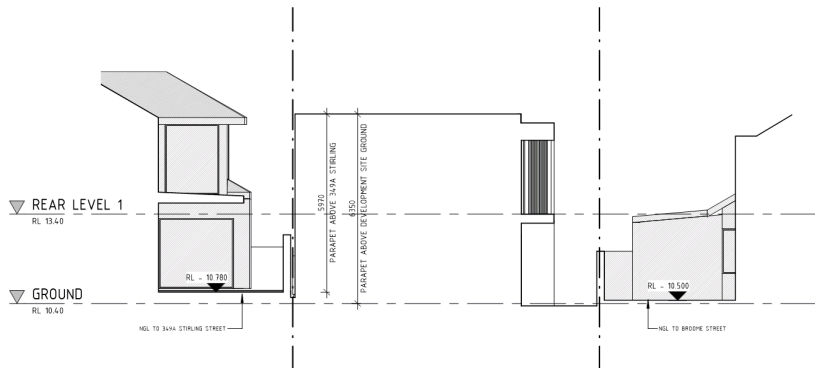
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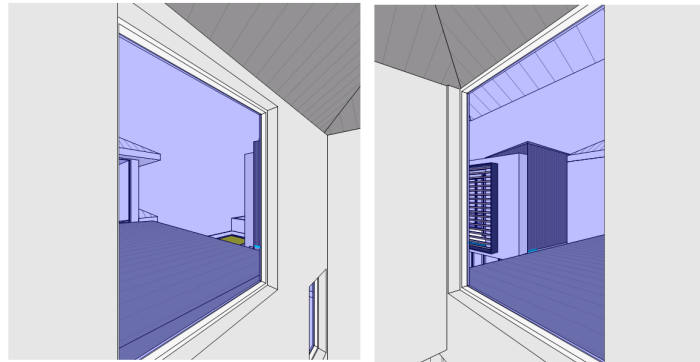


PARAPET HEIGHT AS IT IS MEASURED FROM THE NGL TO 349A STIRLING STREET IS MAXIMUM 5.97M ABOVE FLOOR. WE HAVE NOMINATED TO LOWER OUR DEVELOPMENT SITE TO REDUCE THE HEIGHT AND BULK ONTO 349A STIRLING STREET. AS WE ARE SHOWING A PARAPET HEIGHT OF ~6.0M ABOVE 349A STIRLING NGL WE PROPOSE THAT WE ARE COMPLIANT w/ THE MAXIMUM PARAPET HEIGHTS OF THE BUILT FORM POLICY

1 PARAPET HEIGHT RELATIVE TO 349A STIRLING ST



2 SECTION THRU PARAPET HEIGHTS TO 349A STIRLING STREET
A.200 1 : 100



3 VIEW FROM 349A LEVEL 1 WINDOW - SE

4 VIEW FROM 349A LEVEL 1 WINDOW - SW

INDICATIVE CAMERA VIEWS FROM THE (ASSUMED) BEDROOM WINDOWS OVERLOOKING THE COURTYARD AT LEVEL 1 ON 349A STIRLING STREET SHOW THAT THE EXTENT OF THE DEVELOPMENT, PARAPET HEIGHT, MASS AND SCALE AND SYMPATHETIC TO THE EXISTING SCALE OF 349A STIRLING STREET AND DO NOT HAVE ANY ADVERSE IMPACT ON OUTLOOK OR AMENITY FROM THE WINDOWS.

FROM THE S-E CORNER WINDOW, THE PROPOSED DEVELOPMENT CAN BARELY BE SEEN WITH A VERY TIGHT CAMERA ANGLE JUST PICKING UP THE LEFTERN MOST EXTENT OF THE BALCONY.

FROM THE S-W CORNER WINDOW, THE PROPOSED DEVELOPMENT IS VISIBLE, BUT THE BALCONY SCREENING PROVES EFFECTIVE AT PROVIDING NO DIRECT OVERLOOKING INTO EITHER THE UNIT OR THE HOUSE AT 349A STIRLING ST.

A 21 02 19 DA RESPONSE TO QUERIES

wilt design
wilt@wilt.com.au 08 9438 782 470 -481/28 107 110 200

SK.01 REV A

drawing REAR BUILDING PARAPET HEIGHT

scale 1 : 100

project STIRLING APARTMENTS

client EPIRO

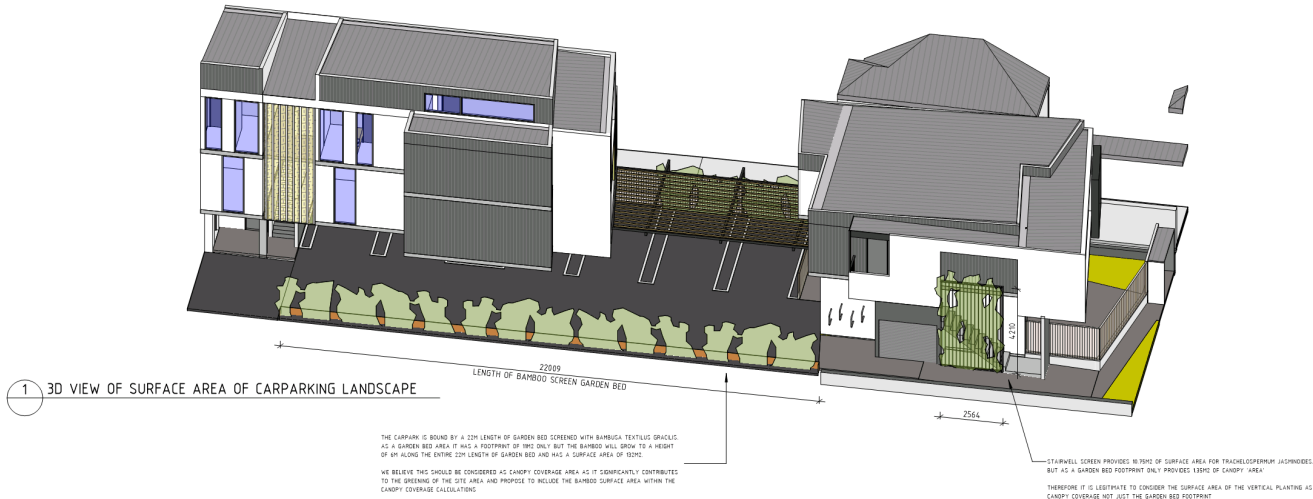
drawn Author

date APR 18

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AMENDED CANOPY AREA TO CARPARK LANDSCAPE WHEN CONSIDERING THE VERTICAL SURFACE AREA OF THE PLANTING SELECTED

- DEEP SOIL ZONE AREA - 4M²
- PYRUS CALLERYANA - 20M²
- CARPARK ROOF JASMINODES - 35M²
- BAMBUA TEXTILUS - TOTAL CANOPY 11M²
NOTE - SURFACE AREA 132M² (SEE 3D VIEW)
- STAIRWELL JASMINODES - TOTAL CANOPY 135M²
NOTE - SURFACE AREA 11M² (SEE 3D VIEW)
- CANOPY COVERAGE WITHIN SITE BOUNDARY - 196.5M²

LANDSCAPE REQUIREMENTS

TOTAL SITE AREA	620M ²
30% CANOPY COVERAGE	186M ²
15% DEEP ROOT ZONE	93M ²

LANDSCAPE PROVIDED

CANOPY COVERAGE	
STREET CANOPY	44.37M ²
CARPARKING CANOPY	65.85M ²
REAR CANOPY	85M ²
TOTAL CANOPY PROVIDED	195.22M ²
TOTAL CANOPY AS % SITE AREA	31.5%

SURFACE AREA CANOPY COVERAGE

STREET CANOPY	44.37M ²
CARPARKING CANOPY	196.5M ²
REAR CANOPY	85M ²
TOTAL CANOPY PROVIDED	325.87M ²
TOTAL CANOPY AS % SITE AREA	52.5%

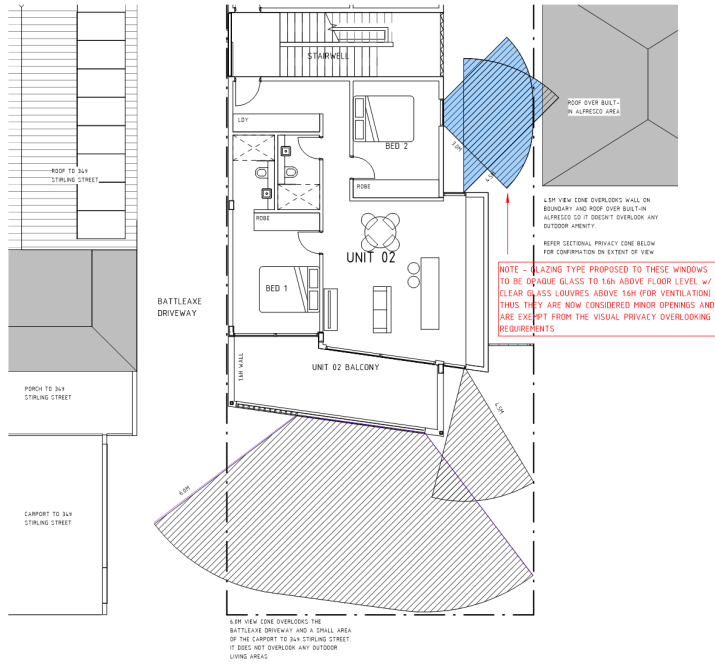
wilt design
w@wilt.com.au m 0845 181 470 f 0845 181 100

SK.03

drawing LANDSCAPE CANOPY SURFACE AREA
scale 1:100
project STIRLING APARTMENTS
client EPIRO
drawn WT
date APR 18

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No responsibility is accepted for the use of these drawings.
These drawings are the property of WILT DESIGN.

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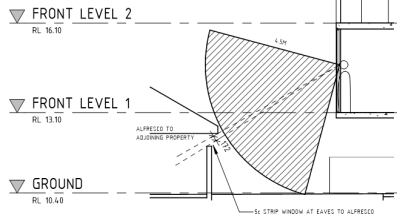
UNIT 02 CONE OF PRIVACY

VISUAL PRIVACY CONES ILLUSTRATE THAT NONE OF THE LIVING AREAS OR BALCONIES OVERLOOK THE OUTDOOR LIVING AREAS OF ANY ADJOINING RESIDENCES.

THE WINDOW FROM THE KITCHEN AREA DOES EXTEND OVER THE BOUNDARY BY 0.5M BUT LOOKS ONTO A PARAPET WALL ON BOUNDARY AND ALSO THE ROOF OF THE ALFRESCO AREA. THE VIEW FROM THIS WINDOW WILL NOT OVERLOOK ANY AMENITY ONTO THIS BROOME STREET TOWNHOUSE.

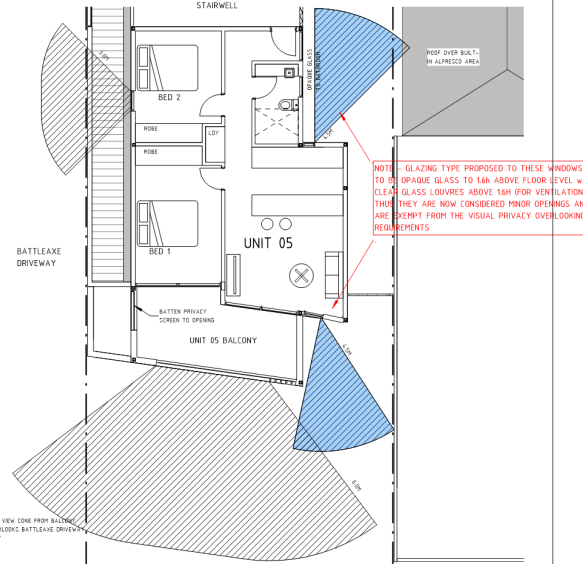
AS PER THE SECTIONAL PRIVACY CONE BELOW, THE PHYSICAL DISTANCE FROM THE WINDOW TO THE ALFRESCO EXCEEDS 4.5M AS PER THE VIEW CONE AND ADDITIONALLY, DUE TO THE ANGLE OF OVERLOOKING, ONLY A SECTION OF WINDOW 172MM HIGH IS VISIBLE FROM THE APARTMENT WHICH IS NEGLIGIBLE

THE BALCONY DOES OVERLOOK 349 STIRLING HOWEVER THE AREA IT OVERLOOKS IS A SECTION OF THE CARPORT AND THE BATTLEAXE DRIVEWAY. IT DOES NOT EXTEND TO ANY WINDOW OR DOOR AND THIS AREA IS NOT OUTDOOR LIVING AREA SO THE BALCONY DOES NOT OVERLOOK 349 AMENITY



3 SECTIONAL PRIVACY CONE

1 : 100



UNIT 05 CONE OF PRIVACY

VISUAL PRIVACY CONES ILLUSTRATE THAT NONE OF THE LIVING AREAS OR BALCONIES OVERLOOK THE OUTDOOR LIVING AREAS OF ANY ADJOINING RESIDENCES.

THE 3.0M CONE OF VIEW FROM BED 2 OVERLOOKS THE BATTLEAXE DRIVEWAY ADJOINING ONLY

THE WINDOWS TO THE BATHROOM ARE OPAQUE GLAZING SO ARE NOT CONSIDERED AS PART OF THE OVERLOOKING

THE BALCONY DOES OVERLOOK 349 STIRLING HOWEVER THE AREA IT OVERLOOKS IS ONLY THE BATTELAXE DRIVEWAY ADJACENT OF THE CARPORT. IT DOES NOT EXTEND TO ANY WINDOW OR DOOR AND THIS AREA IS NOT OUTDOOR LIVING AREA SO THE BALCONY DOES NOT OVERLOOK 349 AMENITY

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NOTE - GLAZING TYPE PROPOSED TO THESE WINDOWS TO BE OPAQUE GLASS TO 1.6M ABOVE FLOOR LEVEL w/ CLEAR GLASS LOUVRES ABOVE 1.6M (FOR VENTILATION) THUS THEY ARE NOW CONSIDERED MINOR OPENINGS AND ARE EXEMPT FROM THE VISUAL PRIVACY OVERLOOKING REQUIREMENTS

F	28.01.19	AMENDED DA SET
E	03.12.18	AMENDED DA SET
D	11.09.18	ISSUED FOR DA
C	28.07.18	AMENDED FOR DAC
B	10.05.18	ISSUED FOR DAC
A	04.04.18	ISSUED FOR PRELIMINARY REVIEW

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e_wiltdesign@live.com.au m_0400 782 478 ABN_29 197 112 280

A.202 REV F

drawing VISUAL PRIVACY - FRONT APARTMENTS

scale 1:100

project STIRLING APARTMENTS

diene EPIRC

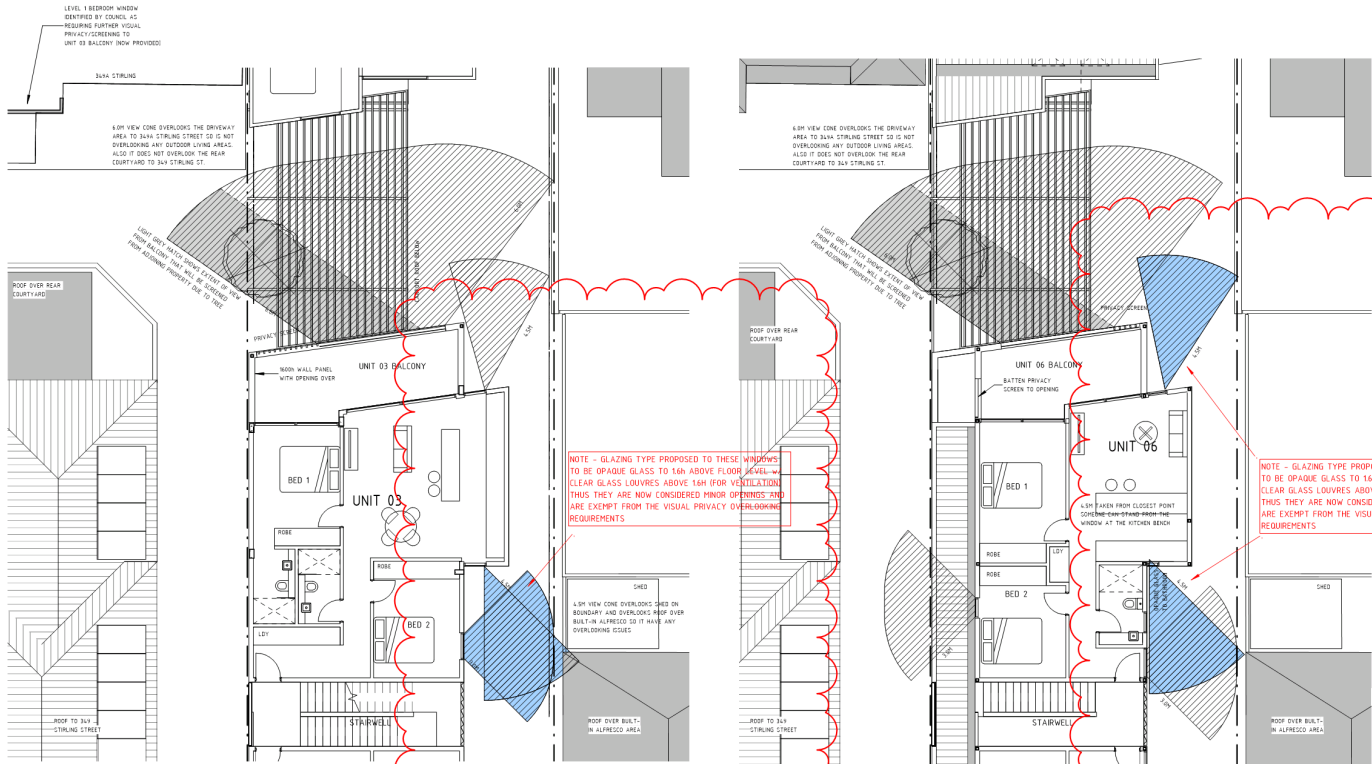
drawn WT

date APR 18

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UNIT 03 CONE OF PRIVACY

VISUAL PRIVACY CONES ILLUSTRATE THAT NONE OF THE LIVING AREAS OR BALCONIES OVERLOOK THE OUTDOOR LIVING AREAS OF ANY ADJOINING RESIDENCES.

THE WINDOW FROM THE KITCHEN AREA DOES EXTEND OVER THE BOUNDARY BY 0.5M BUT LOOKS ONTO THE ROOF OF A SHED AND ALSO ONTO THE ROOF OF THE ALFRESCO AREA. THE VIEW FROM THIS WINDOW WILL NOT OVERLOOK ANY ADJACENT ONTO THIS BROOME STREET TOWNHOUSE.

THE BALCONY DOES OVERLOOK 34/9A STIRLING HOWEVER THE AREA IT OVERLOOKS IS ONLY A DRIVEWAY AND VEHICLE TURNING AREA TO THE BATTLEAXE DRIVEWAY OUTSIDE OF THE GARAGE TO 34/9A. IT DOES NOT EXTEND TO ANY WINDOW OR DOOR AND THIS AREA IS NOT OUTDOOR LIVING AREA SO THE BALCONY DOES NOT OVERLOOK 34/9A ADJACENT.

A PRIVACY SCREEN IS PROPOSED TO REDUCE EXTENT OF VISUAL OVERLOOKING TOWARDS HABITABLE ROOM THAT HAS BEEN IDENTIFIED BY COUNCIL AS LEVEL 1 BEDROOM.

UNIT 06 CONE OF PRIVACY

VISUAL PRIVACY CONES ILLUSTRATE THAT NONE OF THE LIVING AREAS OR BALCONIES OVERLOOK THE OUTDOOR LIVING AREAS OF ANY ADJOINING RESIDENCES.

THE 3.0M CONE OF VIEW FROM BED 2 OVERLOOKS THE BATTLEAXE DRIVEWAY ADJOINING ONLY THE WINDOWS TO THE BATHROOM ARE OPAQUE GLAZING SO ARE NOT CONSIDERED AS PART OF THE OVERLOOKING.

THE BALCONY DOES OVERLOOK 34/9A STIRLING HOWEVER THE AREA IT OVERLOOKS IS ONLY A DRIVEWAY AND VEHICLE TURNING AREA TO THE BATTLEAXE DRIVEWAY OUTSIDE OF THE GARAGE TO 34/9A. IT DOES NOT EXTEND TO ANY WINDOW OR DOOR AND THIS AREA IS NOT OUTDOOR LIVING AREA SO THE BALCONY DOES NOT OVERLOOK 34/9A ADJACENT.

A RETURN WALL TO THE BALCONY HAS BEEN PROVIDED TO CREATE THE SAME SEPARATION/PRIVACY AS PER UNIT 03 BELOW TO ENSURE VISUAL PRIVACY TO LEVEL 1 HABITABLE SPACE WINDOW IS NOT OVERLOOKED.

G	21.02.19	DA RESPONSE TO QUERIES
F	28.01.19	AMENDED DA SET
E	03.12.18	AMENDED DA SET
D	1.09.18	SUBMITTED FOR DA
C	20.02.18	AMENDED FOR DAC
B	10.05.18	ISSUED FOR DAC
A	04.04.18	ISSUED FOR PRELIMINARY REVIEW

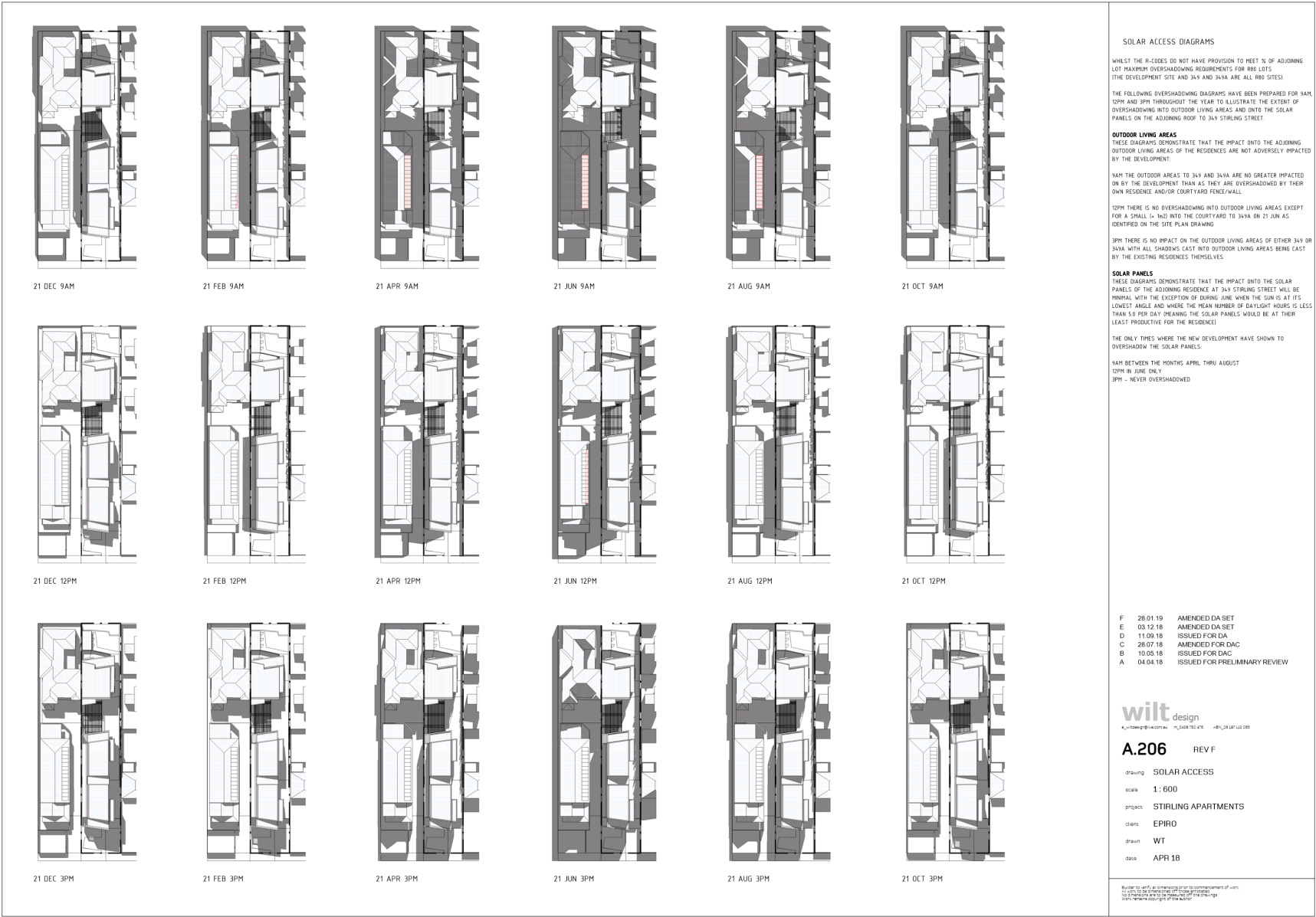
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wilt@wilt.com.au 08 9458 182 470 - 481, 28 LYT LUT 000

A.203 REV G

drawing VISUAL PRIVACY - MIDDLE APARTMENTS
scale 1:100
project STIRLING APARTMENTS
client EPIRO
drawn WT
date APR 18

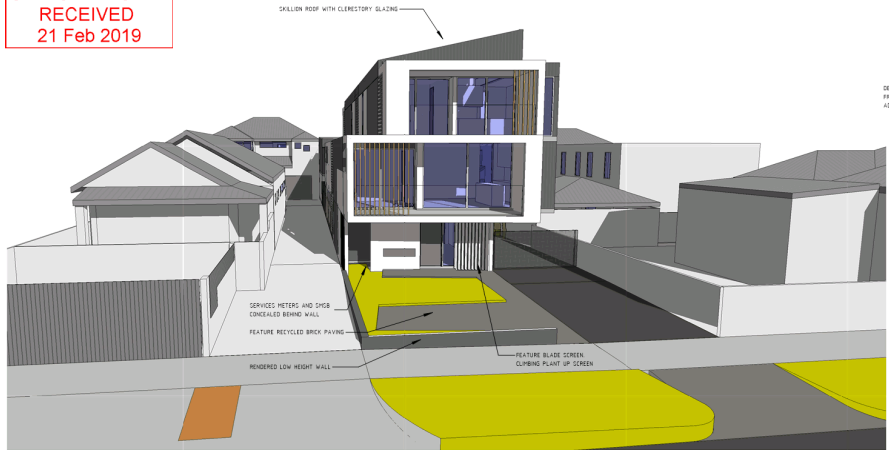


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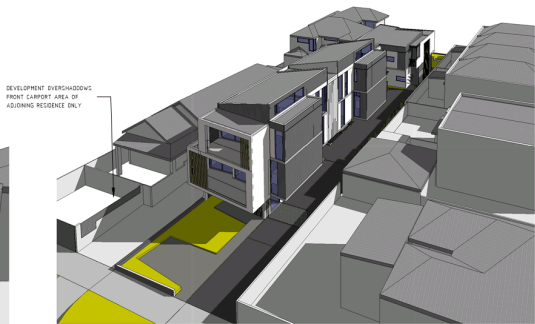
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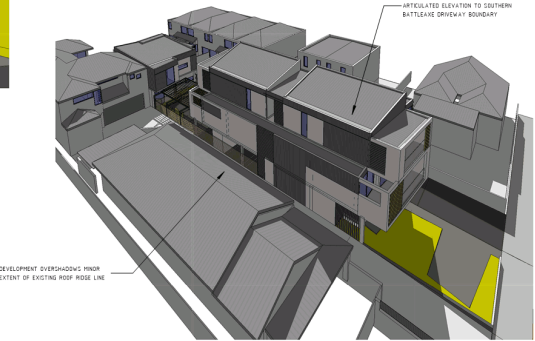
VIEW FROM STIRLING STREET AT BATTLEAXE DRIVEWAY



VIEW FROM STIRLING STREET



12PM 21JUN IMPACT FROM NORTH



12PM 21JUN IMPACT ON SOUTHERN SITE



12PM 21JUN FROM REAR OF DEVELOPMENT

F	28.01.19	AMENDED DA SET
E	03.12.18	AMENDED DA SET
D	11.09.18	ISSUED FOR DA
C	28.07.18	AMENDED FOR DAC
B	10.05.18	ISSUED FOR DAC
A	04.04.18	ISSUED FOR PRELIMINARY REVIEW

wilt design
wilt@wilt.com.au 08 9438 182 478 -481/28 071 132 080

A.1000 REV F

drawing PERSPECTIVES

scale

project STIRLING APARTMENTS

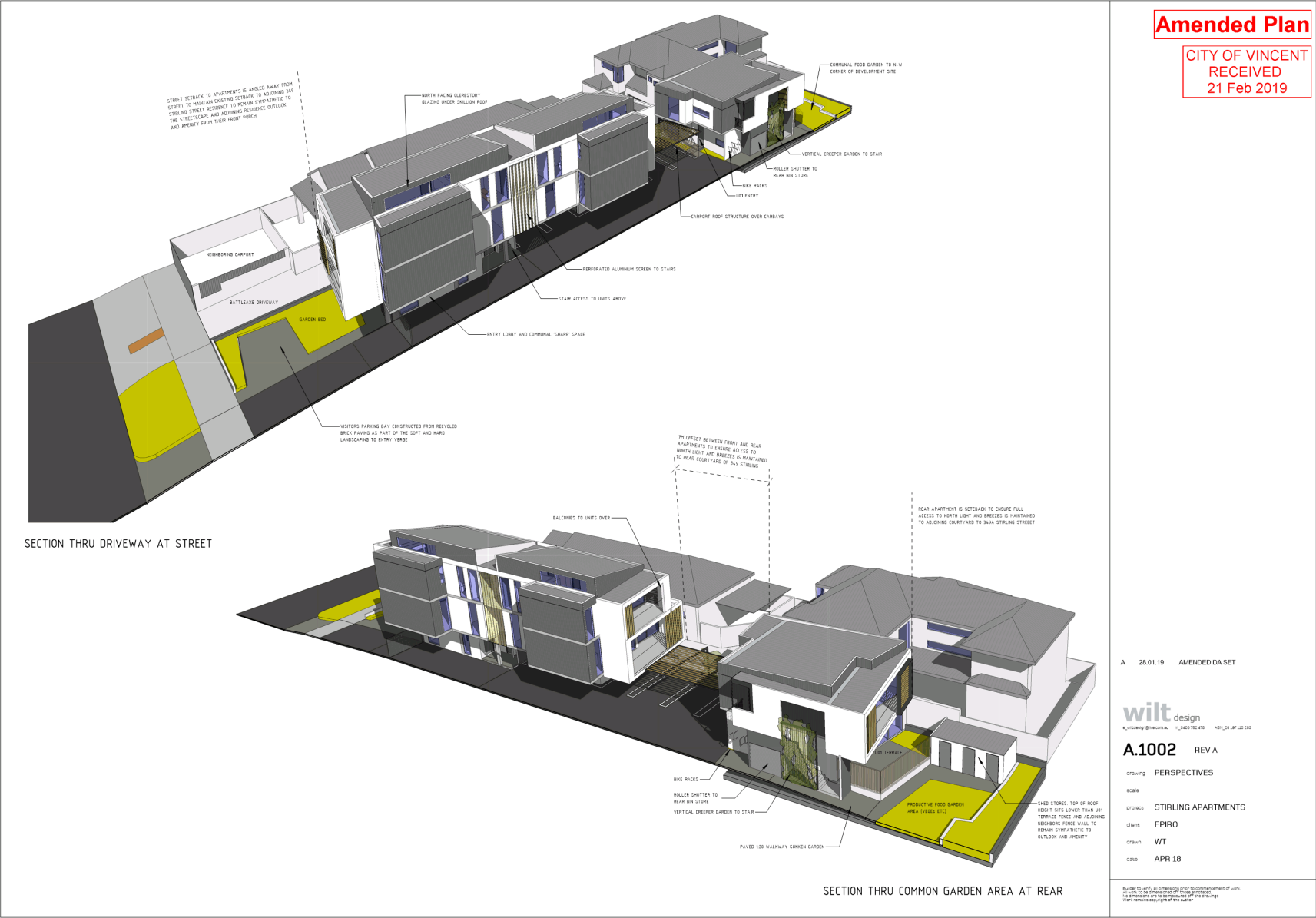
client EPIRO

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date APR 18

Not to be used as a basis for construction of any kind.
This drawing is to be used for information only.
The client is responsible for the accuracy of the drawings.
The client is responsible for the accuracy of the drawings.







CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 17 October 2018 at 3.15pm****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)	Joslin Colli (Coordinator Planning Services)
Anthony Duckworth-Smith	Mitch Hoad (Senior Urban Planner)
Sid Thoo	Fiona Atkins (Urban Planner)
Stephen Carrick	

Applicant-Item 3.1Applicant-Item 3.2**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.3**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.4**REDACTED FOR PRIVACY REASONS****4.00pm–4.30pm – Applicant Presentation – DA Lodged - 5.2018. 358.1****3.1 Address: 351 Stirling Street, Highgate**

Proposal: Seven Multiple Dwellings

Applicant: Robert Epiro

Reason for Referral: For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 8 August 2018

Applicant's Presentation:

Applicants did not attend

Recommendations & Comments by DRP on 8 August 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none"> The Committee does not support the current design location of the car bay and ground floor entry. Reconsider the position and location of the Lobby, bins, stores and visitor bay to front. This impacts on the level of streetscape activation. Stores to the front does not allow for street activation. Positive internal apartment planning as well as external materials and colour selections. Height of boundary walls to the south relies on 'borrowing' setback from neighbour's ROW to reduce impact. Consider the bulk impact of viewing large boundary walls from the adjoining property plus overshadowing impacts. Boundary walls on south to rear block are also not of a similar scale to existing parapet wall and require additional height which will impact on rear neighbour. Concern for the lack of ground level activation streetscape level.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Landscaping to be increased to meet the City's requirements and be of benefit to all residents. Rear communal space is isolated from the majority of residents. Consider relocating part or all of the communal space to the middle or front of the site. This will soften the experience of the development as viewed from the street and when residents are moving through the site
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Limited north light to front apartments.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Consider placing an apartment at the front of the site on ground. Can deliver a good apartment within a 6m width. A front fence can provide a level of screening and privacy for residents of this unit whilst also achieving a level streetscape activation and passive surveillance. Location of stores visible to front of development, not active use/function of development. Potential to move stores to below ground.
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	<ul style="list-style-type: none"> Common space to the rear is not in an ideal location. Isolated communal area in back will likely not be used by all residents. Though it is noted that this could be good outcome for the adjoining block it also contributes to generating a poor outcome for resident amenity on this block. Consider relocating the communal space to the front or middle of the block rather

	than rear or alternatively part front and part rear.
Principle 10 – Aesthetics	N/A
Comments	N/A

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Skillion roof may allow good access but does not consider the impact of shading to neighbouring dwellings.
Principle 2 – Landscape quality	N/A
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Reduced setbacks and height concessions are being sought, this is in a transition area and will impact on the neighbouring property significantly, if not supported by neighbouring property concessions will not be appropriate
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • The DRP and the City generally do not support visitor car parking located at the front of the development • Reconsider the layout of the upper floor apartments to create a side setback.
Principle 5 – Sustainability	<ul style="list-style-type: none"> • A207 shows solar access and ventilation which have shown the sun coming from the west which is not ideal • Cross ventilation relies on main entry door being open which may not work with fire requirements • Proposed exposed concrete soffits are unlikely to work as thermal mass and also satisfy sound transmission and insulation requirements between sole occupancy units. • Consider flipping the colours so that majority of external walls are lighter in colour ie. low solar absorptance. • Solar PV on adjoining site will be overshadowed completely; suggest applicant provide specific details regarding relocation of panels and/or strategy proposed for mitigating impact on affected neighbour.
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	N/A

Conclusion:

Amendments to be considered.



CITY OF VINCENT

DESIGN REVIEW PANEL

Thursday 13 December 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)	Joslin Colli (Coordinator Planning Services)
Ailsa Blackwood	Kate Miller (Senior Urban Planner)
Anthony Duckworth-Smith	Karsen Reynolds (Urban Planner)
Joe Chindarsi	Stephanie Norgaard (Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.2**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.3**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.4

Robert Eprio Owner

3.30pm**Member Discussion****4.00pm****1. Welcome / Declaration of Opening**

The Chairperson, Sasha Ivanovich declared the meeting open at 4.05pm.

2. Apologies**3. Business**

REDACTED FOR PRIVACY REASONS

6.05pm–6.45pm – Applicant’s Presentation – DA Lodged 5.2018.358

3.4 **Address:** 351 Stirling Street, Highgate

Proposal: Seven Multiple Dwellings

Applicant: Robert Epiro

Reason for Referral: For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 17 October 2018

Applicant’s Presentation:

The applicant presented a power point presentation

Recommendations & Comments by DRP on 17 October 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none">• Skillion roof may allow good access but does not consider the impact of shading to neighbouring dwellings.
Principle 2 – Landscape quality	N/A
Principle 3 – Built form and scale	<ul style="list-style-type: none">• Reduced setbacks and height concessions are being sought, this is in a transition area and will impact on the neighbouring

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	property significantly, if not supported by neighbouring property concessions will not be appropriate
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> The DRP and the City generally do not support visitor car parking located at the front of the development Reconsider the layout of the upper floor apartments to create a side setback.
Principle 5 – Sustainability	<ul style="list-style-type: none"> A207 shows solar access and ventilation which have shown the sun coming from the west which is not ideal Cross ventilation relies on main entry door being open which may not work with fire requirements Proposed exposed concrete soffits are unlikely to work as thermal mass and also satisfy sound transmission and insulation requirements between sole occupancy units. Consider flipping the colours so that majority of external walls are lighter in colour ie. low solar absorptance. Solar PV on adjoining site will be overshadowed completely; suggest applicant provide specific details regarding relocation of panels and/or strategy proposed for mitigating impact on affected neighbour.
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	N/A

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> Consider more activation on the ground floor. Look at moving the visitor bay closer to the street (Australian Standard is a 1m off the boundary for reversing), and moving the stores to the balconies or in the apartments. An internal stair could be introduced from Apartment 2 above to the ground floor to create a habitable room (home office or studio room) forming part of the unit over. A corridor/lobby for pedestrian access separate from the driveway to still be provided Over-height boundary walls are still a concern, especially to the rear overlooking the neighbouring outdoor living area
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Moving the visitor car bay to the street would create more landscaping opportunities at the front Hibbertia Scandens is not strong enough vine to grow for three levels of screening. Will need additional planter beds at higher levels or a hardier vine species Consider more edible species around the Olive tree in the communal area
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Rear units flares running opposite ways to what they should. If bedroom wall flares into the lot instead of out, this would reduce the parapet wall, and suggest treating the top level as a loft to reduce building bulk Replan the rear units perhaps longer but pulled away from the boundary and change materials to make more

	like a roof form. Pulling top level away from the boundaries on both sides will improved amenity for adjoining properties – access to light and air
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Consider opportunities to reconfigure bin store. Moving stores to the balconies or internal would create space for the bin store. Potential to stacking the bin stores with roller doors. Consideration needed for the seal on the bin stores to prevent smells from escaping. The lobby is considered long and tight – width to be reviewed
Principle 5 – Sustainability	<ul style="list-style-type: none"> Increasing setback off the boundary will allow more northern light access via additional windows. Consider clerestory/high-level windows to top level apartments to scoop high-level light and air down
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider a full length window to the north on the 1st apartment
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none">

Conclusion:

To be returned to the DRP.

4. General Business**5. Close / Next Meeting**

There being no further business, the Chairperson, Sasha Ivanovich declared the meeting closed 6.45pm.

The next meeting will be held on 16 January 2019



CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 20 February 2019 at 3.30pm****Venue: Function Room
City of Vincent Administration and Civic Centre****MINUTES - UNCONFIRMED****Attendees:**

<u>Design Advisory Committee Members:</u>	<u>City of Vincent Officers</u>
Sasha Ivanovich (Chairperson)	Joslin Colli (A/Manager Development & Design)
Stephen Carrick	Kate Miller (A/Coordinator Planning Services)
Ailsa Blackwood	Dan McCluggage (Urban Planner)
Joe Chindarsi	Mitch Hoad (Senior Urban Planner)
	Karsen Reynolds (Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.2**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.3

Will Thomson	Wilt Design
Robert Epiro	Land Owner

REDACTED FOR PRIVACY REASONS

REDACTED FOR PRIVACY REASONS

5.40pm–6.15pm – Applicant's Presentation – DA Lodged 5.2018.358.1

3.3 **Address:** 351 Stirling Street, Highgate

Proposal: Seven Multiple Dwellings

Applicant: Robert Epiro

Reason for Referral: For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 17 October 2018

Applicant's Presentation:

The presented a power point presentation

Recommendations & Comments by DRP on 13 December 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none"> Consider more activation on the ground floor. Look at moving the visitor bay closer to the street (Australian Standard is a 1m off the boundary for reversing), and moving the stores to the balconies or in the apartments. An internal stair could be introduced from Apartment 2 above to the ground floor to create a habitable room (home office or studio room) forming part of the unit over. A corridor/lobby for pedestrian access separate from the driveway to still be provided Over-height boundary walls are still a concern, especially to the rear overlooking the neighbouring outdoor living area
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Moving the visitor car bay to the street would create more landscaping opportunities at the front Hibbertia Scandens is not strong enough vine to grow for three levels of screening. Will need additional planter beds at higher levels or a hardier vine species Consider more edible species around the Olive tree in the communal area
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Rear units flares running opposite ways to what they should. If bedroom wall flares into the lot instead of out, this would reduce the parapet wall, and suggest treating the top level as a loft to reduce building bulk Replan the rear units perhaps longer but pulled away from the boundary and change materials to make more like a roof form. Pulling top level away from the boundaries on both sides will improved amenity for adjoining properties – access to light and air

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Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Consider opportunities to reconfigure bin store. Moving stores to the balconies or internal would create space for the bin store. Potential to stacking the bin stores with roller doors. Consideration needed for the seal on the bin stores to prevent smells from escaping. The lobby is considered long and tight – width to be reviewed
Principle 5 – Sustainability	<ul style="list-style-type: none"> Increasing setback off the boundary will allow more northern light access via additional windows. Consider clerestory/high-level windows to top level apartments to scoop high-level light and air down
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider a full length window to the north on the 1st apartment
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none">

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> Stores look like they have just been tacked on. Look at sloping the roof of the stores so it fits into the rest of the development Responding to the local context well. Architectural language is great for this site Reducing the rear building to two storey works well Potential to create an outside/inside feel with retainer walls and sitting areas in the front.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Look at landscaping between parking bays. Look at possibly connecting up to the trellis Landscaping has been integrated well both vertically and horizontally Consider more edible species to the rear of the site. This will increase the canopy cover Magnolia little gem is heavy foliage and may restrict sunlight into the front of the building. Look at replacing the tree closest to the driveway with a deciduous tree such as a Poinciana. Consider using part of the space between the bays closest to the fence for additional landscaping areas. Fine tuning turning circles may free up some space.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Shadow diagrams show that the boundary wall will not have an adverse impact on the courtyard. Look at the boundary wall height – could either reduce the height to comply or a reshuffle of the rooms (moving the bathroom) could assist with the wall length/height Look at visual privacy and reduce overlooking to northern properties outdoor space

Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Taking the visitor bay off and increasing landscaping is a better outcome and it will soften the outlook from the communal space
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	<ul style="list-style-type: none"> Shared space – look at adding a kitchenette so that it is a flexible space. The ability to use the space needs to be followed through. This creates sense of arrival and connects well to the front setback
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> The City appreciates the applicant working with the DRP and the Council to achieve a positive design outcome

Conclusion:

Does not need to be returned to DRP.

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.

Total number of submissions received: 15

Total number of objections received: 9

Total number of support submissions received: 4

Total number of submissions that neither objected nor supported: 2

Neighbour comments received summary:	Applicant Response:
<p>Building Height:</p> <ul style="list-style-type: none"> Development is too high and should be reduced to a maximum of two storeys. 	<ul style="list-style-type: none"> The Highgate area east of Beaufort Street has been an R80 zoning since the property was purchased by the applicant in 2014. In accordance with the R-Codes this zoning allows developments to be constructed up to three stories. In the last couple of years the City of Vincent has increased the height limit in this area from two stories to three stories as part of the new Built Form Policy, bringing it in line with the R-Codes. The development is therefore compliant with the allowable building height. The applicant has noted several existing three storey developments already in the area (as listed in the second last response under the general comments) and expects future developments in the direct vicinity to also be constructed to three stories or greater, particularly as it is an older area. In addition the Stirling Towers proposed development directly across the street is understood to comprise of buildings to a minimum of three stories and much greater. Further, although the development is 3 stories, the applicant has taken considerable steps to minimise the height of the development to retain heights along similar lines to the adjoining properties. These steps include removing 0.4m from the current finished ground level of the existing site to lower the overall height of the development. The highest point of the development to the rear of the site is only 1.2m higher than the adjoining neighbours 2 storey detached house roof line.

Summary of Submissions:

<p><u>Street setbacks:</u></p> <ul style="list-style-type: none"> Proposed street setbacks do not fit into the existing streetscape – do not look right Development protrudes too far forward of adjoining properties. 	<ul style="list-style-type: none"> This comment has been taken into consideration and the front setback from the street will be increased uniformly by 3.0m to better fit into the existing streetscape. The development now provides a minimum setback of 6.0m to the closest balcony corner which rakes back to 7.5m at the Southern Edge. The balcony now sits back behind the adjoining neighbour's carport at 349 Stirling Street. In addition to the previous bullet point, the taper on the balconies will be maintained to allow a visual transition from the corner property to the north of the development (97 Broome Street, which has a side wall built close to Stirling Street boundary) to the existing house on south of the development (349 Stirling Street).
<p><u>Lot boundary setbacks and lot boundary walls:</u></p> <ul style="list-style-type: none"> Reduced lot boundary setbacks and boundary wall heights decrease local amenity Boundary walls are over length and over height Setbacks result in overlooking to habitable rooms and outdoor living areas of adjoining properties. Direct overlooking proposed. Buildings are too close to adjoining properties, results in a feeling of claustrophobia to adjoining properties that face onto the walls. 	<ul style="list-style-type: none"> Amendments have been made to the lot boundary setbacks and boundary wall heights to reduce the impact on the local amenity. The boundary wall lengths have been reduced in length and in height far under the allowable provisions of an R80 development site to better accommodate adjacent amenity. Refer to the response provided for visual privacy which addresses this concern. Overlooking has been addressed appropriately and in accord with the provisions of the planning codes. The apartments have been set-back 3m from adjoining houses (to the south by way of the battle-axe driveway) with the exception of two small wings to the North of the development with are 1.5m from the boundary. These reduced setback elements are located such that no windows will provide any overlooking into adjoining rear outdoor living areas. For the rear apartment building, one length of wall is to be built alongside an existing two storey parapet to the South and has been located such that the solid elements (bedroom and balcony store) are located adjoining existing store rooms on ground to Broome Street townhouses, with the significant

Summary of Submissions:

<ul style="list-style-type: none"> • Setbacks encroach onto safety of adjoining properties. • Development is too high and should be reduced to a maximum of two storeys. • Setbacks and boundary walls result in a loss of direct sunlight to adjoining properties. • Setbacks and boundary walls provide visual pollution and building bulk to adjoining properties, particularly to habitable rooms and outdoor living areas of adjoining properties. • Concerns relating to the proposed height of the boundary walls. Will provide adverse visual impacts to adjoining properties courtyard and bedroom windows due to the excessive height and length proposed. • Design will affect the enjoyment / lifestyle of living within a residential area. Walls provide a claustrophobia appeal to the adjoining courtyards. Significant adverse effect to adjoining properties. 	<p>extent of visual outlook from both affected Broome Street townhouses overlooking our proposed stairwell screen which is to be planted with a flowering creeping plant which will provide 2 storeys of flowering greenery as the new outlook for these residents. Additionally we are significantly vegetating the rear communal garden and the carparking area with Bamboo screening and large trees as well as retaining the existing 50 year old Olive Tree at the N-W corner of the site. The overall impact of the development will provide greater landscaped outlook than currently exists on site.</p> <ul style="list-style-type: none"> • The safety of the adjoining properties will not be compromised by the setbacks of the development. The development will comply with the relevant Australian Standards and Building Code of Australia ensuring safety is provided. • Refer to the response provided for buildings height which addresses this matter. • Overshadowing diagrams have been provided illustrating that there is zero overshadowing impact on the properties along Broome Street, and that the only shadow onto 349/349A occurs to the battle-axe driveway, a small 1m2 area to the rear courtyard of 349A and to less than 50% of the area of solar panels to the roof of 349 Stirling. Further, this shadow impact only occurs on the 21st of June. All other times of the year have a net effect nil overshadowing. No outdoor amenity has been compromised to the adjoining properties. • The development has been separated into two separate buildings (which costs more to construct than a single building of the same total size) to maintain outlook, cross ventilation due to breezes, and solar access between the apartment buildings and for the benefit/consideration of all adjoining residents. Further, splitting the apartment buildings has allowed for the significant planting around the development which will maintain outlook for residents from their outdoor habitable areas, and bedrooms.
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Summary of Submissions:

	<ul style="list-style-type: none"> The plans for the upper levels have been modified to reduce the impact and building bulk of the development. This visual impact has been reduced by these amendments. In addition windows will be made opaque to prevent overlooking in both directions. An effort has been made by the applicant to articulate the walls to provide variations of material and also a plant wall on the northern stairs of the rear building. This has been done to reduce the impact on the adjoining properties and courtyards.
<u>Parking and Traffic:</u> <ul style="list-style-type: none"> Stirling Street and Broome Street are already congested and overcrowded streets and already have limited parking already from visitors. Development will further congest these streets and worsen parking within the area. Development will increase demand for on-street parking Street parking arrangements (similar to Mary St) should be introduced 	<ul style="list-style-type: none"> This comment is noted and as a resident of the area the applicant has endeavoured that the development does not result in a loss of street parking. This has been achieved by maintaining the same driveway and cross over so the existing street bay in front of 351 Stirling Street is not compromised. This differs from the neighbouring property at 349 Stirling Street which has used the entire frontage as a crossover to create a rear battle-axe development with 2 car bays side by side at the front of their property. Due to the location of the development being in a high walk score location (94 out of 100) and comprising of a combination of 1 and 2 bedroom small to medium size apartments, it is not expected that demand for on street parking would increase as residents only need to own one vehicle and/or a bicycle and visitors can catch public transport, cycle or walk. This would be for the City of Vincent to consider, but the applicant is not supportive of this approach as the northern end of Stirling Street (close to where the development is located) has a dead end at Harold Street and therefore this section of road has lower traffic volumes and is not used as a thoroughfare unlike Mary Street which is between the busy Beaufort and William Streets.

Summary of Submissions:

<p><u>Visual Privacy:</u></p> <ul style="list-style-type: none"> Concerns relating to direct overlooking to backyards and habitable room windows from proposed balcony and windows. Development results in loss of privacy to adjoining properties. Provision of privacy screens to all balconies result in the development being uninhabitable for future residents. 	<ul style="list-style-type: none"> Amendments have been made to the plans to address all overlooking issues which will maintain the privacy of the adjoining properties and the future residents of the development. Privacy screens are only used on the sides of the balconies where required for overlooking, each balcony contains at least one open unscreened section resulting in a beneficial outdoor space.
<p><u>Design:</u></p> <ul style="list-style-type: none"> Development should better deflect the character homes and existing character in the Highgate locality Design results in a loss of character within Highgate 	<ul style="list-style-type: none"> The Highgate locality contains a mixture of character homes, new developments and older unit developments devoid of character. The extent of genuine character period homes on the eastern side of Beaufort Street are less than the Western side of Beaufort Street. This is best reflected by a recent rule introduced by the City of Vincent that smaller R80 lots have been rezoned down to R60 to prevent development of these character homes, this is certainly not the case on the Eastern side of Beaufort Street where height limits have increased encouraging development. Highgate is an eclectic area due to its close proximity to the city. The development reflects the demands of affordable inner city living with a modern feel which in the applicant's opinions compliments the character homes and the diversity in the area.
<p><u>Noise:</u></p> <ul style="list-style-type: none"> Noise from air-conditioning units will provide adverse impacts to adjoining properties. Will be a nuisance for surrounding residents. 	<ul style="list-style-type: none"> The apartment living spaces are small to medium in size and have been orientated to take advantage of passive solar design. It is not expected that the demand for air-conditioning will be high. The location and position of the air-conditioning units per apartment will be considered in the next stage of design and noise impacts to adjoining properties will be a design input at this stage.
<p><u>Overall development and general comments:</u></p> <ul style="list-style-type: none"> Development decreases liability for local residents Development is not consistent with R80 provisions. Variations are excessive, particularly the wall height and cone of vision. 	<ul style="list-style-type: none"> Disagree. The development will not have an impact on the liability of local residents. Disagree. The development is consistent with the R80 provisions. The development is under the maximum height allowed for R80 (10m which is less than 12m), the

Summary of Submissions:

<p>Variations will detrimentally impact the visual amenity of the area. Not the right type of density for the area.</p> <ul style="list-style-type: none"> • Lots should be amalgamated in order to achieve the intended development. • Development appears to be an attempt to maximise financial return for the applicant rather than have any ongoing interest for the community. 	<p>development is less than the maximum plot ratio allowed for R80 (0.79 instead of 1.0), the development contains a greater street setback than allowed in R80 (now 6.0m minimum instead of 2m). In regards to side boundary setbacks and wall heights, these have been reduced and in regards to the visual amenity and the impact of bulking has been reduced by the amendments to the plans outlined. This is the type of density that this area requires, else it would not be R80. The block is long and not suited to anything else other than a battle-axe development which would create undesirable houses that feel separated from the streetscape and dominated by long driveways with concrete hardscaping with very little vegetation and amenity.</p> <ul style="list-style-type: none"> • This is a valid point, but unfortunately the owner of 349 Stirling Street chose to develop a similar narrow lot with a rear battle-axe development. In essence if this adjacent site was not developed than a 1240m² amalgamated lot could have been created. However the opposite argument is that being an R80 site this would have allowed a development to include a far great number of apartments (up to 20) and the developer may have pushed for a greater number of stories as a result which would be undesirable. Other owners surrounding the site, including the Broome Street townhouses have already developed as well ruling out any possibility of amalgamation. • Solely attempting to maximise financial return is untrue. The development has to be viable enough for the project to be economical else funding will not be able to be sought which is necessary for the next stage (i.e. building licence and construction). The applicant has a direct interest in the community having lived at the existing house for a number of years since purchasing the property and the applicant is also planning on retaining an apartment dwelling to live in after the project is complete. Although the applicant is the property owner the construction of the development is planned to be
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Summary of Submissions:

<ul style="list-style-type: none"> • Development will set an undesirable precedent for further similar development. • Development is the wrong type of density. 	<p>undertaken as a syndicate with four to five people who live locally, all with a skill to offer the development (engineering, architecture and accountant etc.) and all looking to retain an apartment. The existing house was originally purchased by the applicant to live in, however it is in poor condition and has undergone several distasteful renovations making not viable to retain.</p> <ul style="list-style-type: none"> • This is not the first type of development in the direct vicinity, so it will be not setting a precedent as there are other developments the same size on similar size lots. Examples of similar developments are as follows: <ul style="list-style-type: none"> - <i>110 Broome Street, Highgate (9 no. 2 bedroom by 1 bathroom apartments on a similar 630m2 site, 3 storey building, maxing out the plot ratio at 1:1 for R80, constructed less than 10 years ago).</i> - <i>124 Wright Street, Highgate (6 no. 1 bedroom by 1 bathroom townhouses on 552m2 site, 2 storey building, recently constructed).</i> • The article below was written in the West Australian just over a week ago encouraging this exact type of density. If Perth is to grow as a viable city and maintain its liveability then the CBD and inner suburbs need to increase their population rather than a continuation of the urban sprawl. Please take the time to read this article. The applicant is of the view along with others in the area (at least the 4 out of the 15 who responded) who showed support of this development also agree with this type of density being beneficial to the local businesses and community. It is likely that some of the 9 who did not show support plus the 2 who neither supported nor objected are also of the same opinion that medium density developments are crucial in Perth. However they are concerned about the direct impact of this development to their property which governed their design to not support. This is understandable and has been a conscious design intent to
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Summary of Submissions:

	<p>reduce the impact on these neighbouring properties from the outset of the design and we hope to better this outcome with the amended plans and consideration of their comments with these responses.</p> <p>https://thewest.com.au/business/commercial-property/resistance-site-size-hurdles-for-medium-density-uptake-ng-b881016356z</p>
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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:
<u>Building Height</u> <ul style="list-style-type: none"> Development is too high and should be reduced to a maximum of two storeys; The height would have adverse impacts on the adjoining properties in terms of building bulk and overshadowing; and The height is not consistent with the street. 	<ul style="list-style-type: none"> The proposed building height meets the deemed-to-comply standards of the Built Form Policy Clause 5.6 Building Height; and The compliant building height alleviates impacts of building bulk, overshadowing and subsequent amenity impacts to the street and adjoining properties.
<u>Street Setbacks</u> <ul style="list-style-type: none"> Proposed street setbacks do not fit into the existing streetscape. The development appears out of character; Adverse impacts to the amenity of the streetscape; The reduced street setback results in overshadowing to the adjoining properties; and Development protrudes too far forward of adjoining properties, appearing dominant in the street. 	<ul style="list-style-type: none"> The street setback of the adjoining properties varies between from 5.5 metres to 20.5 metres. The property with a street setback of 20.5 metres is an anomaly and substantially increases the average street setback. The average setback of the adjoining properties would be 7.45 metres if the property with a 20.5 metre setback was excluded from the calculation. The established streetscape provides inconsistent setbacks due to a mix in typology of developments along the street; The setback provided is consistent with the immediately abutting development to the south of the subject site. The proposed development sits in line with the southern properties porch and building line, reducing the dominance of the building when viewed from the street; The development provides balconies and large windows facing Stirling Street that assist in reducing the prominence of the solid blank walls and adds detail and articulation in the façade, assisting in moderating the impact of the building bulk and scale. The contrasting materials and colours respond to the existing developments along Stirling Street and within the broader Highgate area. Comments received by the DRP confirm that the development responds to the local context well and that the Architectural language is strong.
<u>Lot boundary setbacks and lot boundary walls</u> <ul style="list-style-type: none"> The reduced lot boundary setbacks and boundary wall heights decrease local amenity; Boundary walls are over length and over height; Setbacks result in overlooking to habitable rooms and outdoor living areas of adjoining properties; The building is too close to adjoining properties, results in a feeling of claustrophobia to adjoining properties; Setbacks encroach onto safety of adjoining properties; Development is too high and should be reduced to a maximum of two 	<ul style="list-style-type: none"> Following neighbour consultation the applicant submitted amended plans reducing the lengths and heights of walls on the boundary. The amended plans also provided greater setbacks to adjoining properties as well as additional design detail to walls in effort to alleviate any adverse impacts to adjoining properties; The northern and southern elevations provide articulation to wall lengths, wall heights and provide openings that breaks up solid portions of blank wall and subsequently reduces building bulk when viewed from the southern adjoining property. The elevations also provide a range of

Page 1 of 4

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p>storeys;</p> <ul style="list-style-type: none"> Setbacks and boundary walls result in a loss of direct sunlight to adjoining properties; and Setbacks and boundary walls provide adverse visual impacts and building bulk to adjoining properties, particularly to habitable rooms and outdoor living areas of adjoining properties. 	<p>colours and materials that add design detail and subsequently reducing building bulk impacts to the adjoining properties;</p> <ul style="list-style-type: none"> The walls with reduced setback meets the deemed-to-comply standards of the R Codes Clause 5.4.1 Visual Privacy, ensuring no adverse overlooking and subsequent loss of privacy to the adjoining properties; The development does not result in a reduction of solar access to the adjoining northern and western properties; The shadow projection to the southern adjoining property does not fall across major openings or the rear outdoor living area of the property. The shadow diagrams, included in Attachment 2, demonstrate that the solar panels on the southern property are largely unaffected by the proposed development, and receive direct sunlight for the majority of the year. The building has been stepped back to allow for ventilation to flow; and The reduction in boundary wall heights and lengths is considered to largely alleviate impacts of building bulk to the adjoining properties. All boundary walls now meet the deemed-to-comply standards in terms of height.
<p><u>Parking and Traffic</u></p> <ul style="list-style-type: none"> Stirling Street and Broome Street are already congested and overcrowded streets and already have limited parking already from visitors. Development would further congest these streets and worsen parking within the area; Development would increase demand for on-street parking; Parking reductions will reduce the amenity and liveability for local residents; and Street parking arrangements (similar to Mary St) should be introduced. 	<ul style="list-style-type: none"> The development provides one on-site resident bay per apartment which meets the deemed-to-comply standards of Clause 6.3.3 Parking. The site also provides one bay for the use of visitors to the site. The parking provided on site for residents and visitors is suitable; The car parking provision is appropriate to this location given the site is within an area that's highly walkable and has good public transport and cycle networks. The site is also within close proximity to employment centres including Mount Lawley, Northbridge, Perth, East Perth and Leederville and within an area that accommodates on-street parking options; and The design and location of car parking provided minimises negative visual and environmental impacts on the developments amenity and the streetscape; and Car parking has been designed to be safe and accessible.
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> The development should comply with the deep soil and canopy cover requirements; The development does not positively contribute to vegetation cover within Highgate; Lack of canopy cover is not consistent with the locality and affects the amenity of surrounding properties. 	<ul style="list-style-type: none"> Following neighbour consultation the applicant submitted amended plans with increased deep soil zones. The amended proposal included 11% deep soil zones, as well as additional landscaping areas on site that does not contribute to deep soil. The provision of landscaping within the front setback, rear setback and along all lot boundaries is considered to reduce the overall impact of the development to the street and adjoining

Page 2 of 4

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
	<p>properties. The retention of existing trees as well as the range of species proposed would soften the building edge and provide sufficient shading and greenery on site. The landscaping provided as part of this application is consistent with the Highgate locality; and</p> <ul style="list-style-type: none"> • The development provides 31.5 percent canopy cover within the deep soil zones provided on site. Trees retained on site contribute to approximately one third (31.1 percent) of the proposed canopy cover. The canopy cover proposed provides great landscaping amenity for the residents and the community and further reduces the impact of the development on adjoining residential lots, creating a sense of open space between dwellings.
<p><u>Sightlines</u></p> <p>Safety issues resulting from the reduced sightlines provided.</p>	<p>The applicant has submitted a Traffic Safety Report with the application, included in Attachment 7, which has reviewed and provided recommendations for the access arrangement proposed. The Traffic Safety Report concludes that the driveway would maintain sufficient sightlines where it intersects with the adjacent footpath to ensure visibility and safety, subject to the driveway being set off the boundary 0.5 metres and a watch for pedestrians sign being provided on-site. The application has incorporated these recommendations into the proposed plans. The City's Technical Officers have reviewed the Safety Report and support the proposal.</p>
<p><u>Visual Privacy</u></p> <ul style="list-style-type: none"> • Concerns relating to direct overlooking to backyards and habitable room windows from proposed balcony and major openings. The development results in loss of privacy to adjoining properties; and • Provision of privacy screens to all balconies result in the development being uninhabitable for future residents. 	<ul style="list-style-type: none"> • Following neighbour consultation the applicant submitted amended plans reducing overlooking to adjoining properties. • The development meets the deemed-to-comply standards in regards to overlooking to the adjoining northern properties; • The development does not adversely impacts the adjoining southern properties in terms of loss of privacy as the orientation and design of buildings, windows and balconies have been designed to minimise direct overlooking of habitable rooms and private outdoor living areas to the southern adjoining properties; and • The balconies provided have not been entirely screened, and maintain daylight, solar access and ventilation to the dwellings. The balconies are useable and enhance residential amenity.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Solar Access</u></p> <ul style="list-style-type: none"> The additional height and reduced lot boundary setbacks of the development results in a loss of natural sunlight to the adjoining properties; and Shadows would adversely impact the southern properties habitable rooms, outdoor spaces and solar panels; and Wall heights, lengths, setbacks and roof design should be modified to reduce overshadowing to the south. 	<ul style="list-style-type: none"> The deemed-to-comply standards of R Codes Clause 6.4.2 Solar access for adjoining sites do not apply to sites with R80 coding; Following neighbour consultation the applicant submitted amended plans reducing boundary wall heights and lengths, and increasing lot boundary setbacks. The changes reduced the amount of shadowing to the southern adjoining properties; and The shadow diagrams, included in Attachment 2, demonstrate that the solar panels and outdoor living areas on the southern properties are largely unaffected by the proposed development, and receive direct sunlight for the majority of the year. The building has been articulated and stepped back to allow for ventilation to flow.
<p><u>Noise</u></p> <p>Noise from air-conditioning units would provide adverse impacts to adjoining properties. This would be a nuisance for surrounding residents.</p>	<p>The development would be subject to compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
<p><u>Overall development and general comments</u></p> <ul style="list-style-type: none"> Development decreases liveability for local residents; Development is not consistent with R80 provisions. Variations are excessive, particularly the wall height and cone of vision; The development would detrimentally impact the visual amenity of the area; Lots should be amalgamated in order to achieve the intended development. Development appears to be an attempt to maximise financial return for the applicant rather than have any ongoing interest for the community; Development would set an undesirable precedent for further similar development; Development should better deflect the character homes and existing character in the Highgate locality; and Design results in a loss of character within Highgate. 	<ul style="list-style-type: none"> Following neighbour consultation the applicant submitted amended plans that reduced the amount of deemed-to-comply variations on site. Subsequently, the amended plans have reduced any adverse impacts to the adjoining properties and the street; The development is of a high quality and the style of the development is compatible with the streetscape and Highgate locality; Comments received by the DRP confirm that the development responds to the local context well and that the Architectural language is strong; The design of the development is be consistent with the locality, and the proposal would contribute to and enhance the established streetscape; and The site is not located within a Heritage or Character Retention Area.

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



01 February 2019

City of Vincent
244 Vincent Street
Leederville WA 6007
mail@vincent.wa.gov.au

Attention: Karsen Reynolds

Dear Karsen

351 STIRLING STREET, HIGHGATE WA 6003
APPLICATION NO: 5.2018.260

TRAFFIC SAFETY REPORT – SIGHT LINES FOR PROPOSED DEVELOPMENT

1 INTRODUCTION

BG&E have been requested to provide a Traffic Safety Report addressing the driveway and crossover sightlines for the proposed development of No. 351 Stirling Street, Highgate in the City of Vincent. This report has been prepared in accordance with the R-Codes, City of Vincent Built Form Policy and any applicable Australian Standards, in particular the relevant clause below:

R-Codes

6.2.3 Sight lines

- Design Principle P3: Unobstructed sight lines provided at vehicle access points to ensure safety and visibility along vehicle access ways, streets, rights-of-way, communal streets, crossovers, and footpaths.
- Deemed-to-comply C3: Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer to Figure Series 9).

2 SITE DESCRIPTION

The existing site has a 10.28m wide frontage containing a single driveway along its northern boundary servicing a 3 car tandem driveway to an older style dwelling. A minimum 1.5m wide pedestrian footpath exists along the front boundary. This footpath is offset 300mm away from the boundary along the adjacent northern property at 97 Broome Street, Highgate and widens to 1.8m on the southern side of the driveway where it is directly against the front boundary along 351 Stirling Street. A 1.6m high existing brick and iron fence existing along the front and northern boundaries of the subject site and a solid timber fence of the same height existing along the Stirling Street

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boundary of 97 Broome Street, Highgate. Between the footpath and the street exists a 3m average width verge. This verge contains an existing sewer manhole concrete cover on the northern side of the crossover and an existing power pole and verge tree on the southern side of the crossover. The power pole is 4.3m clear from the northern boundary of the subject site. Stirling Street is approximately 10m wide at this location. There is an on-street parking bay in front of 351 Stirling Street between the existing cross over and the cross over to the developed battle-axe property at 349 and 349A Stirling Street to the south.

Figure 1 below is an extract from the Cottage Contour and Feature Survey of the site completed on 11 December 2015, which was submitted as part of the Development Application.

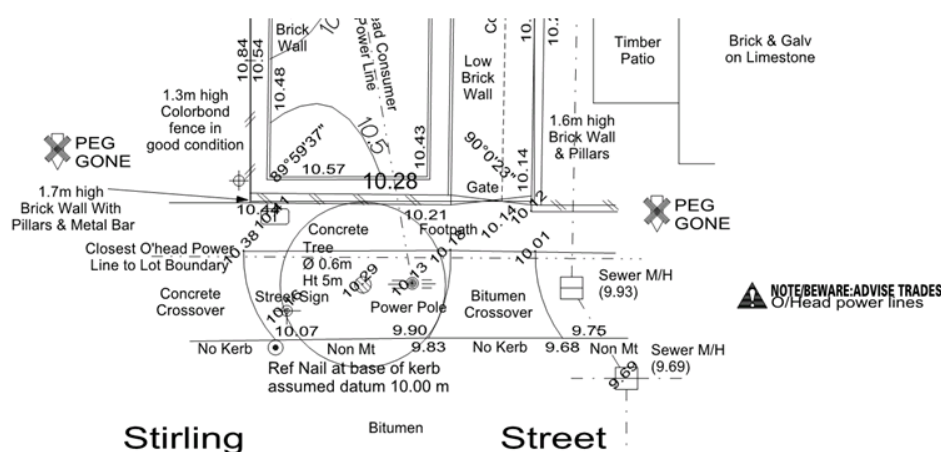


Figure 1: Cottage contour and feature survey extract

3 PROPOSED DEVELOPMENT

The proposed development comprises of 6 dwellings requiring one car bay each, plus a single visitor bay. In total there are 7 car parking spaces provided. The development provides a 4m wide driveway along the northern boundary in the same location as the existing driveway and attempts to utilise the existing crossover. It is understood this has been done in an effort to avoid any impact on the existing power pole and verge tree in front of the property during construction and to retain the existing street car parking bay, which has been seen as beneficial to the development.

During the recent review period of the development application the City of Vincent has responded to the applicant advising that the solid fence to the north of the proposed driveway interferes with the sightlines. The City of Vincent proposed the following solutions:

- Set back the driveway 1.5m from the northern boundary;
- Contact homeowners of the northern property (97 Broome Street, Highgate) to request a modification to the fence; or
- Provide a Traffic Safety Report advising that the sightlines meet the design principle of Clause 6.2.3.

Regarding the first option, it is understood from the applicant that setting the driveway back 1.5m would result in a driveway that impacts on the existing power pole (approaches closer than 0.5m as allowed in the R-Codes) and the proposed visitor parking bay on the opposite side of the driveway.



Regarding the second option, the applicant has advised that the owner of northern property at 97 Broome Street has been contacted and is willing to work with the applicant on a modification to their fence. However the owner is not comfortable with a reduction in the fence height to 0.75m within 1.5m from each corner for privacy and security concerns as it is the backyard of the property (as the property faces Broome Street). The owner was open to a permeable see through fence above 0.75m height within 1.5m from the corner however we understand that this modification cannot be provided as a condition to approval and that it would need to be constructed prior to the Development Application being approved. Considering that the entire 15m length northern boundary fence is in poor condition, this means that the full fence would require replacement prior to the Development Application approval. The applicant has advised that this is not feasible at this stage of the project.

Therefore BG&E has been requested to assess the proposed arrangement and make recommendations if required to meet the design principles of Clause 6.2.3 of the R-Codes. This report details the recommendations.

4 RECOMMENDATIONS

4.1 Deemed-to-comply arrangement

BG&E has reviewed the requirements of Clause 6.2.3 of the R-Codes and in particular requirement C3 in the Deemed-to-comply provision. This requirement refers to Figure Series 9 (reproduced in Figure 2 below) in which a 1.5m x 1.5m truncation in a fence will provide adequate sight lines with zero offset between the fence and the driveway. Note that R-Codes do not make reference to the size of the truncation being dependent on which side of the driveway it is located. Therefore it is considered that the required truncation size is the same regardless of the side of the driveway that it is located.

Figure 9a – Locations of truncations or reduced fence height

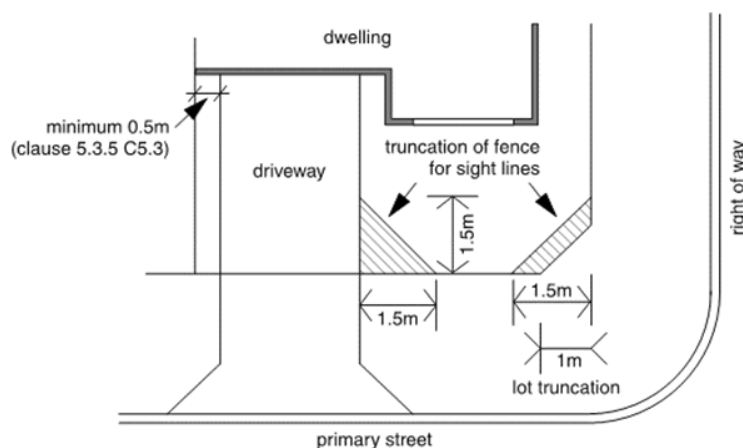


Figure 2: R-Codes Figure Series 9

BG&E has investigated what sight distance is available in the deemed-to-comply arrangement considering a vehicle exiting forwards, with the truncation on the right side of the driveway. This is shown in Figure 3 below. This figure represents the minimum sight distance that would be compliant, based on a 1.8m width footpath and minimum allowable 3.0m width driveway. The vehicle is assumed



to be located centrally on the driveway with the driver eye location 1.0m from the right edge of the driveway. As shown the resulting sight distance is 3.1m. It is noted that the sight distance would be reduced if a narrower 1.5m wide footpath was used, which would be in accordance with the City of Vincent continuous path of travels minimum width requirements.

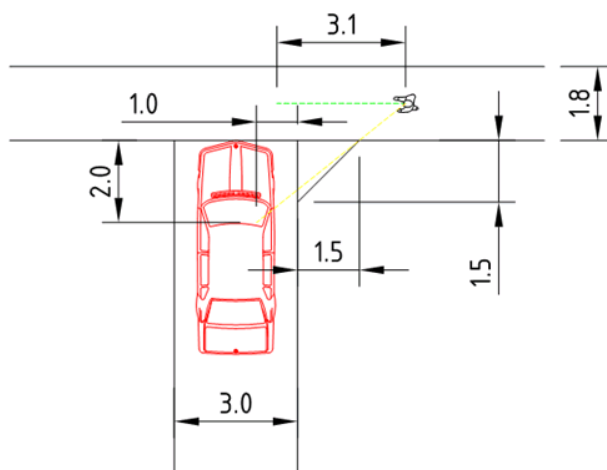


Figure 3: Deemed-to-comply arrangement with vehicle exiting forwards and truncation on right side of driveway

4.2 Proposed arrangement

In the proposed arrangement it is recommended that the driveway be setback from the northern boundary a minimum of 0.5m (for the first 3m from the front boundary) to meet the intent of Clause 5.3.5 C5.3 and to provide general good practice in driveway design. This was used as the starting point to compare sight distances with the deemed-to-comply arrangement discussed in section 4.1.

The proposed arrangement is shown in Figure 4 below. The footpath width and 0.3m offset between the property boundary of 97 Broome St (to the left of the driveway) and the footpath is as per the existing arrangement. The proposed driveway width is 3.5m.

As shown due to the additional width of the driveway, the 0.3m offset between the footpath and the property boundary and fence being on the left side of the driveway, the resulting sight distance to pedestrians on the footpath is 3.1m. This matches the sight distance in the deemed-to-comply arrangement.

It is acknowledged that the sight distance calculation is based on the driver eye location being 1.0m offset from the right side of the driveway meaning the vehicle is not central to the 3.5m wide driveway. Based on this BG&E additionally recommends that a sign within the property is required. This sign should be positioned within the 0.5m setback a distance of 1.0m from front boundary facing existing vehicles, as to not interfere with the sight lines to pedestrians. The sign must state "Watch for Pedestrians" and will encourage drivers to exit at slow speeds and utilise the full driveway width to maximise the sight line to oncoming pedestrians.

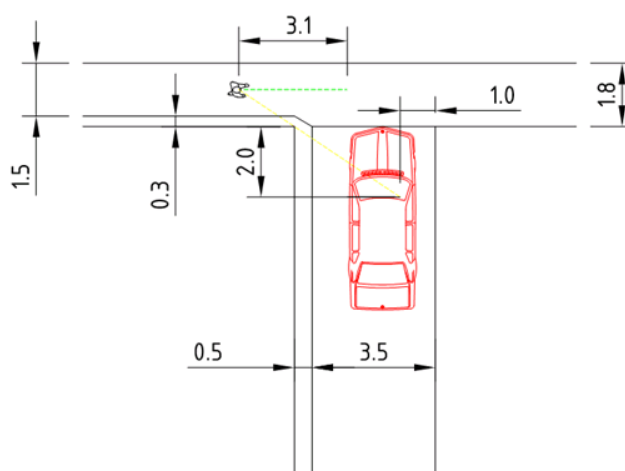


Figure 4: 351 Stirling Street proposed arrangement sight distances

Additional measures including the use of convex mirrors and realignment of the footpath were considered. However this is not considered to be required to meet sight distance requirements.

4.3 Other considerations

4.3.1 Sight distance to on-road vehicles

The sight distances to on-road vehicles has not been considered as part of this investigation. However based on the relatively wide road (approximately 10m) and the width of the verge, it is considered unlikely that there would be any issues.

5 CONCLUSION

BG&E demonstrated that provided the recommendations in this report are adhered to, i.e. a 0.5m lateral shift of the driveway away from the boundary and the inclusion of a traffic sign stating "Watch for Pedestrians" in the location stated in this report, then the equivalent pedestrian stopping distance is achieved equal to the scenario from the Deemed-to-comply provision in Clause 6.2.3. This report confirms that with the two previously stated additional requirements to the current design that no modifications to the fence is required to meet the design Principle of Clause 6.2.3. which requires unobstructed sight lines provided at vehicle access points to ensure safety and visibility of the footpath.

Yours faithfully
for BG&E Pty Limited

Alan Madigan
Senior Civil Engineer CPEng

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. With reference to Condition 2, the City encourages landscaping methods and species selection which do not rely on reticulation.
3. With reference to Condition 4, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those proper ties in order to make good the boundary walls
4. A security bond shall be lodged with the City by the applicant, prior to the issue of a building permit. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Bulwer Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
5. 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. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.
6. With reference to Condition 6, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
7. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process.
8. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.
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.
10. 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.

9.6 NO. 8 (LOT: 38 D/P: 4576) MOIR STREET, PERTH - CHANGE OF USE FROM SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING) - STATE ADMINISTRATIVE TRIBUNAL S.31 RECONSIDERATION

TRIM Ref: D19/27179

Author: Darius Ardeshirian, Senior Urban Planner

Authoriser: John Corbellini, Executive Director Development Services

- Attachments:
1. Attachment 1 - Consultation and Location Map [↓](#) 
 2. Attachment 2 - Development Plans [↓](#) 
 3. Attachment 3 - Revised Management Plan 
 4. Attachment 4 - House Rules and Code of Conduct [↓](#) 
 5. Attachment 5 - Additional Information Letter from Applicant [↓](#) 
 6. Attachment 6 - Car Parking Management Plan [↓](#) 
 7. Attachment 7 - Applicant's letter to adjoining landowners [↓](#) 
 8. Attachment 8 - Administration's Response to Submissions Received During Initial Round of Consultation [↓](#) 
 9. Attachment 9 - Applicant's Response to Submissions Received During Initial Round of Consultation [↓](#) 
 10. Attachment 10 - Sound Detection Device Product Information [↓](#) 
 11. Attachment 11 - Administration's Response to Submissions March 2019 [↓](#) 
 12. Attachment 12 - Applicant's Response to Submissions March 2019 [↓](#) 
 13. Attachment 13 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council, in accordance with Section 31 of the State Administrative Tribunal Act 2004, the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, SETS ASIDE its decision of 9 October 2018 and APPROVES the application for the Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 8 (Lot: 38; D/P: 42377) Moir Street, Perth, in accordance with the plan provided in Attachment 2, subject to the following conditions, with the associated determination advice notices in Attachment 13:

1. Use of Premises

- 1.1 The premises shall be used for the purposes of a 'Short Term Dwelling', in accordance with the definition set out in the City's Policy No. 7.4.5 – Temporary Accommodation:

"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";

- 1.2 The Short Term Dwelling shall accommodate a maximum of six guests at any one time;
- 1.3 The Short Term Dwelling shall operate in accordance with the Management Plan for Short Term Dwelling dated January 2019 and the Parking Management Plan stamp dated received 27 August 2018; and
- 1.4 The Charming Central Home Code of Conduct and House Rules stamp dated received 27 August 2018 shall be updated in accordance with the Management Plan for Short Term Dwelling dated January 2019 and the Parking Management Plan stamp dated received 27 August 2018, to the satisfaction of the City. The updated Code of Conduct and House Rules 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;

2. Car Parking

A minimum of one on-site parking bay shall be made available to guests at all times and be maintained to the satisfaction of the City; and

3. Time Limited Approval

This approval is granted for a term of 12 months from the date the use commences.

PURPOSE OF REPORT:

To reconsider Council's decision of 16 October 2018 to refuse an application for development approval for a Change of Use from Single House to an Unlisted Use (Short Term Dwelling) at No. 8 Moir Street Perth as requested by the State Administrative Tribunal (SAT).

PROPOSAL:

The application proposes to use the three bedroom dwelling for short term dwelling. At the request of SAT, the applicant has provided further information and proposed additional management measures to address Council's reasons for refusal.

BACKGROUND:

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

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

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 was operating as an unauthorised Short Term Dwelling from November 2017. Following an enquiry made to the City regarding the use of the site, the City carried out an inspection and advised the owner of the property that they needed development approval for the use. On 31 January 2018, the applicant submitted a development application seeking approval for an Unlisted Use (Short Term Dwelling). 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 Regulations 2009*.

The City has not received any formal complaints regarding amenity impacts associated with the Short Term Dwelling prior to the initial advertising of the development application. The only complaint received related to issues of commercial competition.

At its Ordinary Council Meeting on 16 October 2018, Council resolved to refuse the application for a Change of Use from a Single House to Unlisted Use (Short Term Dwelling) at the subject site for the following reasons:

"Having due consideration of sub-clauses 67(m) and (n) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed use is not considered compatible with its setting

on the basis of the likely noise, parking and traffic impacts associated with the proposal, with those impacts likely to have a detrimental impact on the existing residential amenity of the immediate area.”

Following Council's refusal, the applicant submitted an application for review with the State Administrative Tribunal (SAT). At a Directions Hearing held on 30 November 2018, the SAT ordered the applicant to provide further information and a revised management plan, and invited Council to reconsider its determination of the application at the 2 April 2018 Ordinary Council Meeting.

DETAILS:

The application proposes to change the use of the existing Single House on the subject site to an Unlisted Use (Short Term Dwelling). A site and floor plan is provided as **Attachment 2**. The application does not propose any structural modifications to the existing dwelling. A maximum of six guests is proposed to be accommodated at the dwelling at any one time.

The *City's Policy No. 7.4.5 – Temporary Accommodation* requires a Management Plan and Code of Conduct to be submitted with all development applications for Short Term Dwelling. The applicant provided a Management Plan and Code of Conduct as part of the original application. The SAT has ordered the applicant to provide further information and a revised management plan. The revised Management Plan and Code of Conduct is provided as **Attachment 3** and **Attachment 4**, respectively. A further information letter is provided by the applicant as **Attachment 5** and the car parking management plan is provided as **Attachment 6**.

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 7**.

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 *State Planning Policy 3.1 - Residential Design Codes* and the *City's Policy No. 7.4.5 – Temporary Accommodation*. 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
Local Planning Scheme No. 2 (LPS2) “P” Use	Unlisted Use (Short Term Dwelling)
Car Parking	
Deemed-to-Comply Standard	Proposal
Residential Design Codes Clause 5.3.3 – Parking 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 Attachment 6 .
Management Plan	
Deemed-to-Comply Standard	Proposal
Policy No. 7.4.5 – Temporary Accommodation	

A Management Plan detailing how the Short Term Dwelling would be managed.	A Management Plan is provided as Attachment 3 .
---	--

The above elements of the proposal do not meet the specified deemed-to-comply standards and are 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.

The applicant has provided responses to the submissions received, which is included as **Attachment 8**. The City's comments on each of the matters raised through the community consultation period is included in **Attachment 9**.

The application was re-advertised by way of letters to the owners and occupiers of the properties shown on the map in **Attachment 1** between 19 February and 5 March 2019.

At the conclusion of the consultation period a total of 8 submissions were received, all of which were objections to the proposal. The objections reiterated the concerns raised in the initial consultation. A number of new concerns were raised in relation to the additional information and revised management plan, as outlined below:

- Effectiveness of noise mitigation provisions and controls;
- Inability to effectively control guests once checked-in;
- Uncertainty about the effectiveness of the guest screening process;
- Minimum 3 night stay on weekends would not prevent parties during the week;
- Uncertainty over the responsiveness of owner and management late at night/overseas;
- Uncertainty that bond deductions would deter tenant noise;
- Uncertainty that the provisions would actually be implemented; and
- Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.

Administration's comments on each of the issues raised during the second round of consultation is provided as **Attachment 12**. The Applicant's response to the above submissions is provided as **Attachment 13**.

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.

The proposed land use is not specifically identified in the land use table in LPS2 and could not reasonably be determined as falling within the interpretation of one of the listed uses in LPS2. 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:

- (a) *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*
- (b) *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*
- (c) *Determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.*

Council is 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.*

DELEGATION TO DETERMINE APPLICATIONS

This matter has been referred to Council in accordance with the City's Delegated Authority Register as the proposed development received more than five objections and the matter was previously considered by the Council.

RISK MANAGEMENT IMPLICATIONS:

There is minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This would be in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Should the matter proceed to a full SAT hearing, the City may need to engage a consultant to assist. Such engagement would incur a cost for the City.

COMMENTS:Land Use

The proposal, being for short term dwelling, is for the purpose of human habitation and represents development which operates in a similar manner to a residential dwelling. The proposed short term dwelling would be limited to six guests at any one time. This number of guests would be consistent with the number of people that could be accommodated within a three-bedroom residential dwelling. As such, the proposal would not increase the intensity of the use of the subject site. The development would be compatible with the surrounding residential development within the local area and residential zone.

The objectives of the Residential zone require development to be compatible with the established areas. The compatibility of the short term dwelling with the existing residences in the locality is largely based on the likely amenity impacts arising from the use. Through the consultation period concerns were raised relating to impacts on the amenity of the locality with respect to noise, car parking and traffic.

Following refusal of the original application by Council and direction from the SAT, the applicant has provided a more comprehensive management plan to address the potential amenity concerns. The Management Plan for the proposed Short Term Dwelling outlines how incidents and complaints, such as noise and antisocial behaviour, would be managed. The management plan states guests are to be advised that noise would be restricted between 9:00pm and 8:00am. Guests are also required to pay bond and advised that fines would immediately be deducted from the bond should any noise or other disturbance occur. A sound level monitoring system would be installed in the property to determine the level of noise, with automatic alerts sent to the property manager when certain noise levels are exceeded. The management plan also states that the owner and property manager details would be provided to adjoining residents so that any complaints can be dealt with immediately by contacting the tenant. 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, the management plan states that the agent may impose a fine and/or terminate the booking within 24 hours, depending on the breach.

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 would remain as existing. No signage is proposed as part of the application, which is typically associated with commercial properties. The development would 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.

The proposed Short Term Dwelling would be an appropriate use for the Residential zone, which under an appropriate management would be compatible with the other uses in the local area. The proposed use would be consistent with the objectives of the zone and may be permitted in the zone.

Temporary Accommodation Management Plan

In accordance with the Policy No. 7.4.5, the applicant submitted a Management Plan, House Rules and Code of Conduct that outlines measures that would be taken to manage guests and protect the amenity of the area. These documents are included as **Attachment 3** and **Attachment 4**, respectively.

The management plan confirms the landowner would provide the adjoining landowners with the contact details of the property owner and the property manager. This ensures the adjoining properties could have direct contact with the property owner or property manager in the event there are any concerns with guests of the property.

The House Rules and Code of Conduct provided as **Attachment 4**, identify the following requirements:

- No parties or events to be held at the property;
- No pets 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.

Following a direction hearing with the SAT, the applicant was ordered to provide a more comprehensive management plan to outline additional measures that would be taken to protect the amenity of the locality and manage guests. A summary of the key updates to the Management Plan is outlined below:

- Sound Detection Device and Video communicator – sound level monitoring to alert the property manager of noise limit breaches. Details of the product is provided within **Attachment 10**.
- Video communicator – located at the front door and rear courtyard for the owner/manager to interact with guests.
- Noise/nuisance control – Screening of guests, minimum of 3 nights stay on the weekend, bond deductions for noise breaches and other noise control measures.
- Parking – Information relating to the use of the car parking bay available on site and a restriction preventing guests from parking vehicles on Moir Street.
- Rubbish – information relating to waste management to ensure all waste is contained in the bins on-site and does not impact adjoining properties.
- Code of Conduct – a more comprehensive Code of Conduct including specific noise management rules, waste management rules, limitations on visitors, car parking rules, cleanliness and a prohibition on pets.
- Violations – the implications of any violations to the Code of Conduct.
- Complaints procedures – neighbour complaints and actions to deal with issues.
- Safety – emergency contacts, first aid information, fire safety and child safety.

The updated Management Plan provides sufficient detail to ensure that the premises and associated guests are effectively managed so as to not adversely impact the amenity of neighbouring residents or the locality.

The key potential amenity impact arising from the proposed use relates to noise. The applicant has explored a broad range of measures to ensure that noise generated by guests at the proposed Short Term Dwelling would be minimised and do not adversely impact nearby residents.

A condition is recommended on any approval requiring the short term dwelling to operate in accordance with the updated management plan. It is also recommended that a condition be imposed requiring the House Rules and Code of Conduct to be updated in accordance with the updated management plan and for this to be provided to guests and displayed within the premises.

The applicant has also expressed a willingness to initially operate under a time limited approval in order to demonstrate that the property can be managed successfully. It is recommended that an initial approval be limited to a 12 month period, as agreed by the applicant. The applicant would be required then re-apply for the Short Term Dwelling if they wished to continue operating after the expiration of the 12 month period. This application would be advertised to the surrounding neighbours before being determined.

Parking

A number of submissions were received objecting to the proposal and raising concerns regarding car parking and the 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 would result in a shortfall of one car parking bay. A Parking Management Plan has been provided by the applicant justifying this shortfall and is included as **Attachment 6**.

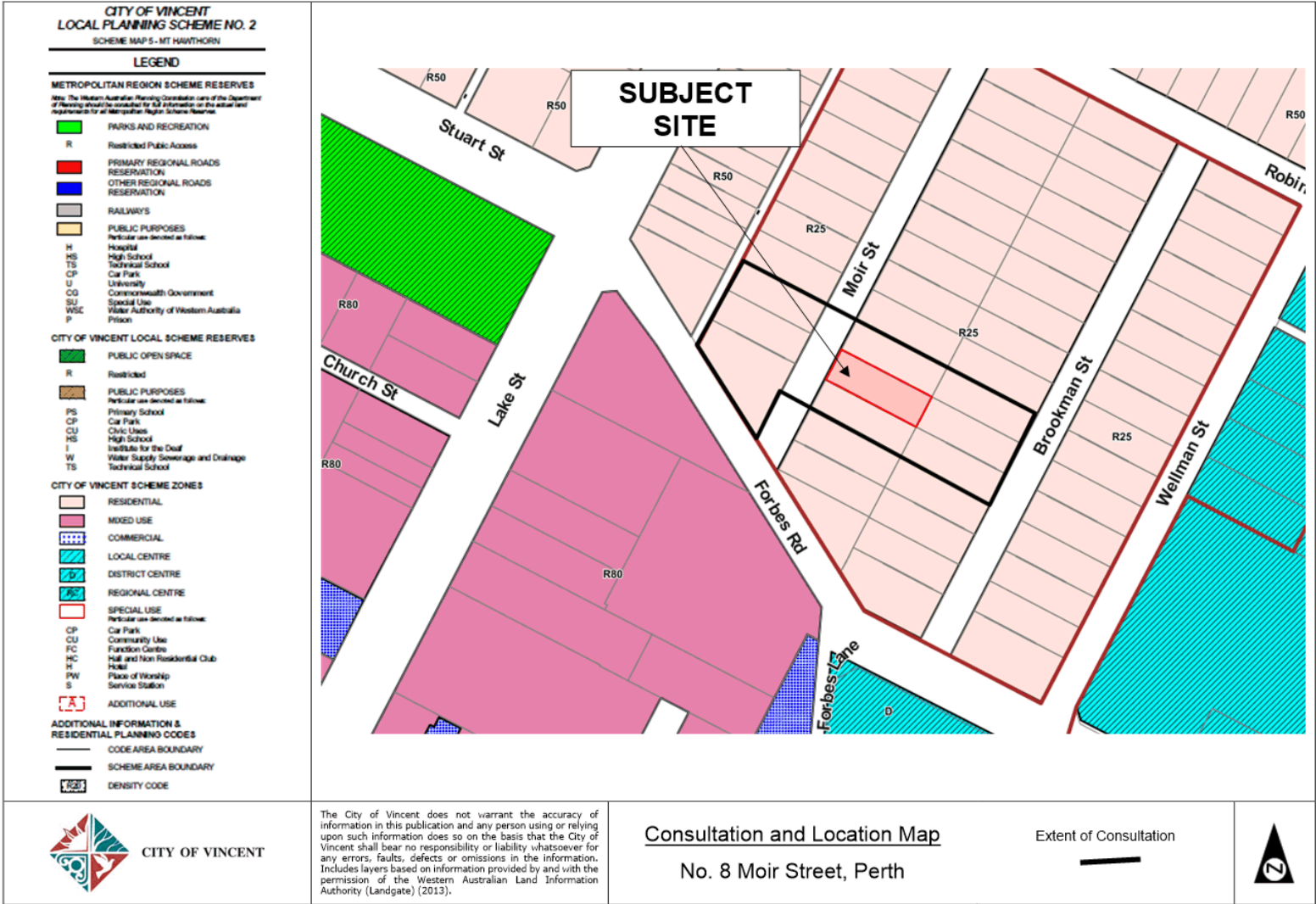
The applicant's Parking Management Plan confirms the one on-site bay would be available to guests of the premises. In the event that additional vehicle parking space is required, the owner / property manager would provide suitable parking locations within close proximity to the dwelling, such as at the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

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

The property manager would often greet the guests, cleaners and maintenance workers. It is expected the duration of the property manager's visit would 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 could utilise the paid parking sites within close proximity to the subject site. As the property manager would visit the site infrequently and for short periods of time, there would be no adverse impact on the streetscape or amenity of the adjoining properties.

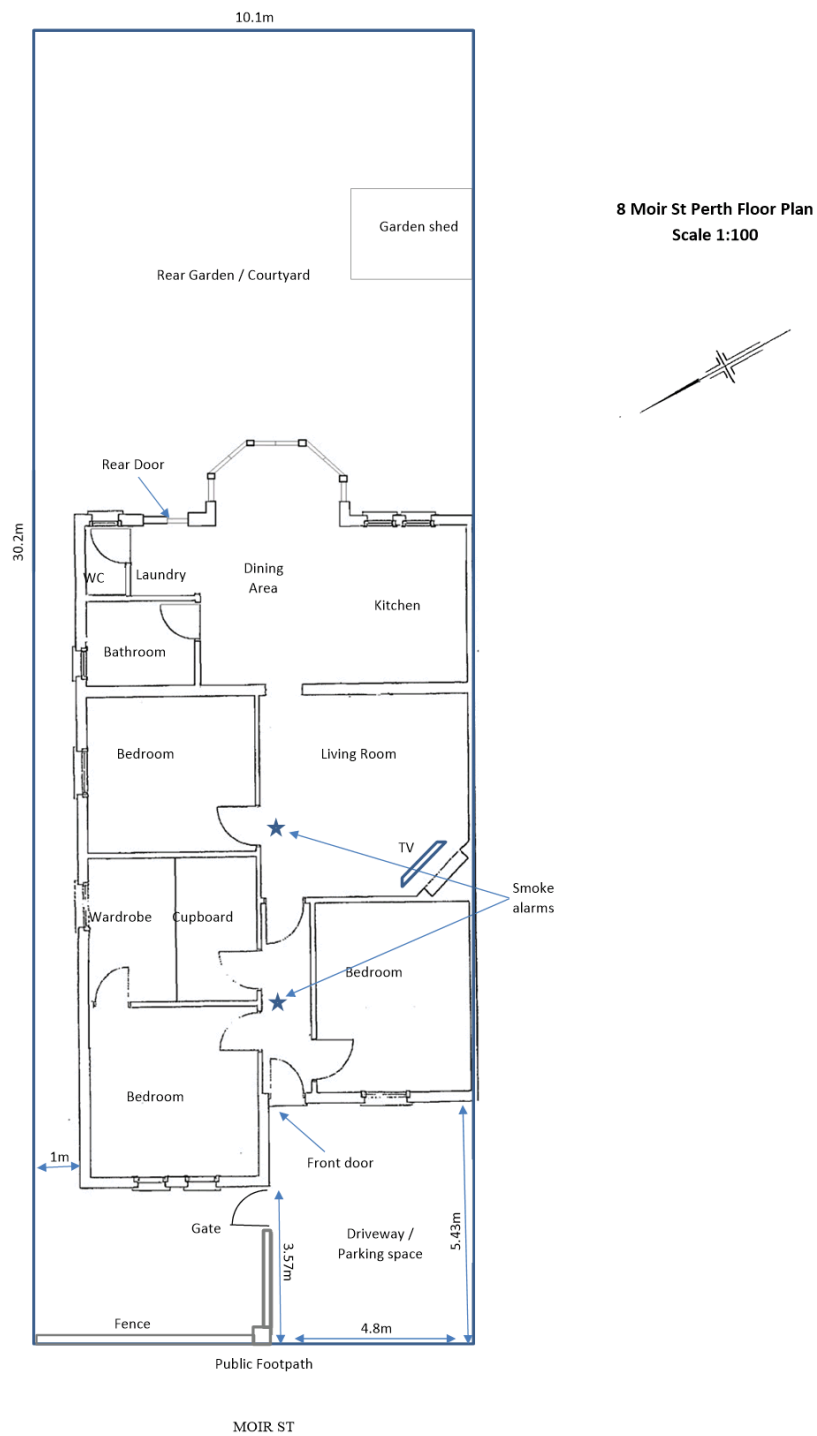
The subject site is also within close proximity to a variety of public transport networks. Specifically, the site is approximately a 10 minute walk from Perth train station, which is within 400m (approximately a 5 minute walk) from the Perth City Free Transit Zone (which provides free public transport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

The alternative methods of transportation in addition to the single car parking bay is sufficient to accommodate parking requirements of the occupants.





CITY OF VINCENT
RECEIVED
27/08/2018



Management Plan for Short Term Dwelling

January 2019

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

Contact Details

Owner: REDACTED FOR PRIVACY PURPOSES

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1 Message to Councillors

I would ask the councillors to review this management plan in detail, but I provide here a summary of key points:

1. My understanding from viewing the recording of the council session where my initial application was refused is that the refusal was based around three major concerns:
 - A. The potential negative effects on amenity of neighbours, in particular noise, parking and security;
 - B. The potential negative effects on the cultural and social heritage of the street;
 - C. A quite negative perception of myself as landlord and manager– that my motivation was primarily profit with little concern for neighbours and that I was blatantly non-compliant with council regulations and orders.
2. In respect of **(i) impact on amenity**, although it is impossible to eliminate all risk of incidents (I receive noise complaints also on my long-term tenants), I believe my management plan will result in very little negative impact on neighbours, and in the case of parking even an improvement –
 - A. **Noise** - Yes, there were some (just 3) reported noise incidents during the 8-month period I operated. It was my first time running a short-term rental and the agency I hired to manage the property turned out not to be as experienced or as professional as I had hoped. Nevertheless, a lot of lessons were learned and quite a number of changes were implemented which already significantly improved management towards the end of the 8 months. Additional measures are proposed in this plan, which aim to:
 1. Avoid problem guests in the first place,
 2. Deal with any incidents swiftly and effectively.

These include:

- **Actively filtering** guests by requiring them to upload scanned ID and fill in a short questionnaire before confirming the booking. ***This was not done previously.***
- **Increasing the bond amount**, and increasing the severity of warnings of fines/eviction for infractions in house rules and other communications.
- **Installing sound level monitoring devices** with active alerts. Knowing that sound levels are being monitored will dissuade guests from making noise in the first place, as well as alerting myself and the manager instantly of any breach.
- **Installing bi-directional video camera systems on front and rear doors.** This will enable us to interact, view and converse directly with guests as they arrive and leave, and when they are in the back courtyard area. This will facilitate controlling noise level at the front of the house in case of late night arrival and also enable us to ensure that the guests checking in match the descriptions given when making the booking.

- **Installing a landline phone in the house**, via which we can directly communicate with guests should an incident arise, and not be reliant solely on contacting them via their mobile phones.
 - **Minimum night stays over weekends** – there is a suggestion that a minimum night stay of 3 nights over weekends will help avoid party guests. Experience during the 8 months of operation showed that only 30% of weekend bookings were less than 3 nights and only one of those resulted in a noise incident. Therefore, it is not clear that such a policy would make any difference. Rather, a more intensive screening of weekend guests and their reasons for visiting Perth would potentially be more effective. The proposal is to have a minimum 3-night weekend booking advertised but allow exceptions where the guest can clearly demonstrate that they will not cause a problem (e.g. they are a repeat guest, or have an excellent track record on their AirBnB profile). This can be monitored and then more strictly enforced or relaxed as experience is gained on the effectiveness of the measure.
 - **A clear protocol of action** – to follow should we receive an alert from the sound monitors or a complaint from a neighbour:
 - Immediately contact the guest verbally, via their mobile phone, the house landline or the two-way video doorlock. (Messaging alone is insufficient).
 - Verify the cause of the noise and request the guest to cease immediately.
 - If the guest cannot be contacted or the noise persists, have someone physically visit the house to resolve the issue.
 - Should there be no-one suitable immediately available to visit the house and the noise is persisting, then the police should be called immediately.
 - **Broad team of responders** – in addition to the property manager and their team, the owner's family members in Perth and the owner in Spain will all be copied on alerts. Spain is 6-7 hours behind Perth and the owner typically goes to bed around midnight, which is 6am in Perth, giving virtually 24-hour coverage by persons able to implement the protocol.
- B. **Security** – in the public consultation a few responses indicated that neighbour's sense of security was compromised by having unfamiliar faces in the street. Although I believe this to be somewhat spurious as there were zero security incidents caused by my guests, and there are ALWAYS unfamiliar faces walking through Moir St, nevertheless the guest filtering, ID and bond processes described above should reassure neighbours that guests will be of at least equal calibre to residents.
- C. **Parking** – despite claims to the contrary in the public consultation, which are all unfounded, there were no parking violations nor excess cars parked due to my guests. The parking management plan meets all council requirements and will result in NO cars being parked on the street, in contrast to the current situation with long-term tenants where TWO cars are regularly parked on the street.
3. In respect of *(ii) impact on cultural and social heritage*, I address these two issues separately:

- A. **Cultural Heritage** – I expect a **strong positive impact** on cultural heritage as defined by the WA Heritage Office. A detailed discussion of this is presented in my plan. In summary:
- **Physical aspects of the property will be better maintained and enhanced** with more Federation-era furnishings and decorations acquired over time.
 - **The use of the house will remain residential** – the Heritage Office doesn't distinguish between short-term or long term residents, the important aspect is that the property will still be used as a home and the occupants will be engaged in typical residential activities (cooking, sleeping, family time, etc).
 - **The story will be shared** – as per Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved. This will be promoted to guests staying at the home via:
 - **Marketing of the home as a cultural heritage experience** – guests will be aware that the home is heritage listed and will be invited to learn more. An online blog dedicated to the heritage of the house will be established and incorporate links to other WA Heritage sites, thereby becoming a part of, and promoting WA's heritage tourism.
 - **Visuals - framed photographs** of the street and the area from its history will be hung on the walls.
 - **Related books and printed materials** will be placed on the coffee-table and bedside tables, including a history of the street and anecdotes from the period. Work on collating all this material has already begun.
- B. **Social Heritage** – this issue is very difficult to address as the "social heritage" of Moir St is not defined anywhere, nor have Councillors responded to my requests to more accurately define the aspects of social heritage that they believe will be impacted. It is not very clear what the social heritage of the street is - I have done a quick analysis on just the properties at my end of Moir, and in the last 15 years, 13 of the first 22 properties have changed ownership. That means at least half the properties around me are all relative newcomers, and this doesn't include those properties that are rented and not owner-occupied and therefore have a fairly regular turnover of tenants. The street is NOT one where most residents have been living there for generations. Nor is there any homogeneity of socio-economic class, profession, ethnicity, age band, family status or any other social characteristic.

Nevertheless, although it is hard to see what social heritage exists to be impacted, I believe that councillors feel there is a sense of community in the street that will be disrupted by having short-term guests. I strongly believe that this is a matter of openness of community spirit – there are many small communities all around the world who have been very welcoming of visitors and have embraced some short term rental activity, and others much less so. The impact can be negative or positive depending on how the neighbours decide to view it. The most I can do in this regard is try highlight and focus on the positive aspects to help neighbours see the benefits.

My relationship with my immediate neighbours is quite good, and I hope to build on that with more regular and open communication with the other neighbours. This includes:

- Advising all neighbours of the measures I've put in place to reduce impact on their amenity (screening of guests, bond, sound monitors, etc) and providing contact details of myself and the agent to report any issues.
- Inviting neighbours to contribute to the Moir St heritage blog that I will establish, for the benefit of the whole street. This blog will hopefully also include testimonials by guests and stories of their stay in Moir St, which will help to establish connections between neighbours and guests. I already received comments from my immediate neighbour that some of my short-term guests were very friendly and interesting.
- Each year when I visit Perth I will hold a neighbourhood BBQ at the house, in order to facilitate neighbours getting to know me better, be able to air any issues in a more informal way, and to discuss additional ways in which I could contribute in a positive way to the cultural and social fabric of the street.
- Offer all residents a 50% discount on the listed rate should they wish to book the house for friends or family visiting Perth.

The intention is to be an active member and participant of the street community, as much as is possible given that I live overseas.

4. In respect of **(iii) negative perception** – I feel that I have been significantly disadvantaged by not being able to be present at any of the council meetings and thereby unable to convey in person my motivations and commitment to try do the right thing for all concerned. I tried to get in touch with councillors individually but most did not respond – I was only able to meet with one councillor and speak to the Mayor briefly on the phone.

I used to live in the property for many years and I plan to one day move back there with my family. I therefore care very much about the good maintenance of the house, the quality of life in the street and my relationships with neighbours and council. This is not a situation of an investor wishing to maximise revenue from a property – I am a conscientious home-owner who wants to try a new method of managing the rental of his home in Perth and if it doesn't work, then it doesn't work but I believe I should be given the opportunity to try.

Councillors seem to have formed the view that I blatantly started short term rental without any concern for compliance with Council requirements. This is not true – although I started without council approval, this was not an intentional non-compliance. I was informed of the need to apply for change of use just one month after commencing operations. I immediately asked if I needed to cease operation and was told by council officers that I could keep operating while processing my application. At all times I was in regular contact with council officers and followed their instructions, including ceasing operations when requested to do so following the change in policy by Council.

Professional property management - There are difficulties in managing the property from abroad, but these difficulties exist for both long-term and short-term tenants. Having good local management is key, and the initial agency I was with, ABODE, proved to have some short-

comings although in some areas they did perform well. I am currently in discussions with ABODE as well as two other alternative agencies to see which of them can best implement all the management processes detailed in this plan. I will only finalise selection of the agency once I have council approval for the short term rental, as then I can install the sound monitoring and video hardware and run tests with the different agencies to see how they integrate the technology into their processes.

In summary, I believe the additional measures proposed in this updated management plan go a significant way to addressing the key concerns expressed by councillors and I hope they look favourably on my request to be given an opportunity to try to make this work.

I would ideally request an unencumbered approval to operate a short term rental, but if this not acceptable at this stage then I would agree to a one-year trial period, subject to a number of conditions:

1. That the period commences at a date of my choosing, to give me time to install the sound monitors, video doorbell, etc; give ample notice to my long-term tenants to vacate; setup the marketing of the property as a heritage destination; setup the management protocols with the local agent; and otherwise prepare all the elements described in this management plan.
2. That any neighbour complaints in regards to impact on amenity be verifiable and documented. It would be unfair to have my operation negatively judged by blaming my tenants for every negative parking or antisocial incident that happens on the street when there is no evidence linking them to the incident.
3. That the bar of acceptable performance be comparable to the level of amenity expected with traditional long-term tenants. I cannot promise zero incidents, but I can undertake to ensure that the negative impact on amenity be comparable to the level the neighbours currently experience with the sorts of tenants I have had in recent years.

Finally, I wish to express that I am open to further suggestions to modify this management plan or restrict certain aspects of operation, as long as they are not too onerous such as to make the management unworkable or incur too much expense or risk on my part.

I trust that Council views this application positively and I look forward to collaborating with Council officers and developing the relationship with my neighbours to prove that this model can work and provide a positive outcome for everyone.

Yours sincerely,

Boaz Kogon

2 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 were:

- 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.

The ultimate aim is to qualify for **AirBnB Plus status**, once this classification system is opened in the Perth market. **AirBnB Plus** (<https://www.airbnb.com/plus>) is a quality certification that imposes very high standards of operation but also works to guarantee excellent quality clientele.

The property was managed as a short term dwelling from Dec 2017 to early August 2018, when the council requested that the operation cease until the application for change of use was approved. An agency (ABODE) was contracted to manage the house. As it was the first time the owner had run a property for short term rental, there were teething problems, including:

- **Rubbish management** – the variability in rubbish produced between stays meant that sometimes the council bins were insufficient. This was further compounded by cleaners sometimes not taking them out in time to be collected on rubbish days. A number of different solutions were trialled until a satisfactory one was achieved – spare bins were purchased that are kept in the rear shed, and any overflow from the council bins is stored there. A person who lives nearby was engaged solely to take the bins out and bring them in on a weekly basis, thus removing the variability caused by cleaners forgetting.
- **Problematic guests** – although the advertisements for the property, booking confirmation email and house rules made the prohibition on noise and parties very clear, the management agency (ABODE) did not have pro-active filter mechanisms in place and a few guests caused problems (we received three complaints of noise from neighbours during the 8 months of operation). Additional measures to filter potential noisy guests were being discussed when the council changed policy and required the operation to cease whilst the application was being processed.

The initial application for change of use to short term rental was refused by council on 16 October 2018. The owner appealed to the State Administrative Tribunal and the Tribunal recommended mediation and instructed the owner to resubmit documentation by 31 January 2019 for consideration by Council at the April 2019 council meeting.

Council refused to hold a mediation session. The owner attempted to arrange in-person meetings or phone conversations with various councillors, but only one councillor and the Mayor responded.

3 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.

3.1 Emergency Contacts

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

3.2 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.

3.3 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.

3.4 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.

4 Code of Conduct / House Rules

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.

They are further informed that infringements of the House Rules, in particular those that impact on amenity of neighbours, will result in the immediate imposition of fines deducted from the bond and can result in their eviction from the property.

Tenants are advised that:

1. If they are checking in after 8pm or prior to 8am, to be considerate of neighbours and keep noise that the front of the house to a minimum.
2. No noise should be discernible from outside the house between 9pm and 8am. This includes no playing of loud music, loud conversations or other types of noise inside the house that may carry through open windows, etc. Sound monitors at the front and rear of the house will send alerts to the agent should levels be exceeded and will provide documentary evidence for the immediate imposition of fines.
3. No conversations should be held in the rear garden area after 9pm as the sound carries very easily and there are families with young children in neighbouring houses. Groups of two or more people should not be in the rear garden after 9pm. Individuals who are quietly reading, smoking, etc are allowed. A video security camera is installed overlooking the rear courtyard, and should the sound alarm be triggered the agent will check the video camera remotely to ensure that this rule is being respected.
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 smoking, candles or other naked flames are permitted in the house, except for the gas burners on the stove. Smoking is permitted in the rear courtyard, but tenants are requested to use the provided ashtrays and not discard butts in the garden.
6. No rubbish or cigarette butts should be discarded on the street or thrown across a fence into neighbouring property.
7. Rubbish from within the house may be placed in the council bins in the front courtyard. Tenants are requested to respect the recycling rules. Under no condition should any rubbish be placed next to the bins or anywhere else at the front of the house. Should the council bins be full then tenants may place additional rubbish in the spare bins provided in the rear garden shed and inform the agent who will arrange appropriate disposal.
8. No additional tenants or visitors beyond those detailed in the reservation (maximum of 6) are permitted to stay at the house overnight. A maximum of 2-3 known visitors (e.g. family) are permitted to visit for short periods during the day but these should leave the house by 8pm. NO parties are permitted under any circumstance.
9. 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. Further parking options are detailed in the Welcome pack.
10. Tenants are requested to be respectful of the house and its furnishings, and to immediately advise the agent of any item that is not in perfect working order, or if any damage has been accidentally caused. Normal wear and tear or typical accidents like broken cutlery will not be charged to the tenant, however if damage such as spills on furniture or appliances broken through misuse are not reported immediately and minimised then repairs and associated management fee will be deducted from the bond.
11. Tenants do not have to clean the house prior to leaving, but they are requested to not generate undue mess. Should there be excessive cleaning required, e.g. scraping burnt food scraps off the stove-top, shower drains clogged with hair and debris, smells of smoke in the rooms, stains from spills on furniture, etc then the extra cleaning charges will be deducted from the bond.

12. Pets are strictly prohibited.
13. Illegal activities such as drugs are strictly prohibited and will result in immediate eviction.
14. All keys must be returned at the end of a stay. Missing keys will be charged.

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.

4.1 Noise/Nuisance Control

The following measures will be implemented to avoid problematic guests, and deal with any incidents promptly and effectively:

1. **Advertising** - The advertisements for the house will clearly state that the house is in a residential area and that parties or other functions are not permitted. Tenants will be firmly instructed to be considerate of neighbours and not generate undue noise. They will also be informed of the following measures in advance, so potential tenants who intend to undertake noisy activities will be deterred from booking in the first place.
2. **Screening** - All potential tenants will be required to complete a short questionnaire and submit scanned photo ID before confirmation of booking. The questionnaire will aim to understand the motivation for visiting Perth and the activities they will undertake at the house. Responses that indicate the tenants may be noisy or cause other disturbances will result in the booking being rejected.
3. **Minimum weekend stay** - As an additional measure, a general policy of 3 night minimum stays over the weekend will be applied in order to avoid tenants just looking for a weekend party pad. This policy will only be relaxed for repeat guests who have previously proven to be good tenants or tenants who have very solid references/ratings and can justify that they are visiting for a purpose unlikely to result in unsocial incidents (funeral, etc)
4. **Sound Level Monitoring** - Tenants will be advised that the house is fitted with 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.
5. **Bond** - Tenants will be required to pay a bond, and will be advised that fines will be immediately deducted from the bond should any noise or other disturbance occur. The sound alarm will provide documented proof that the noise level was exceeded.
6. **Front door video communicator** - The front door will be fitted with a two-way video camera electronic lock. Newly arriving tenants will need to ring this doorbell and be connected to the agent or owner in order to enter the property for the first time. This will enable verification that the tenants match the booking profile (i.e. no additional guests, or guests of a different profile than those that have booked will be admitted). If it is night-time, the agent can also immediately

request that the arriving tenants keep their voices low and monitor that they are quiet as they enter the house.

7. **Rear courtyard video communicator** - The rear door area will be fitted with a similar video communication system, overlooking the rear courtyard. The rear courtyard is the area most likely to generate noise issues, as guests sitting outside can talk loudly and disturb surrounding neighbours. Should a sound level alert be generated, the video camera system will enable immediate verification of the noisy activity and enable the agent to speak directly with the people present in the courtyard.
8. **Team of responders** - Both the sound alarm system and the front and rear video cameras will be linked via mobile phone apps to a broad team of responders – in addition to the property manager and their team, the owner's family members in Perth and the owner in Spain will all be copied on alerts. Spain is 6-7 hours behind Perth and the owner typically goes to bed around midnight, which is 6am in Perth, giving virtually 24-hour coverage by persons able to implement the response protocol:
 - i. Immediately contact the guest verbally, via their mobile phone, the house landline or the two-way video system. (Messaging alone is insufficient).
 - ii. Verify the cause of the noise and request the guest to cease immediately.
 - iii. If the guest cannot be contacted or the noise persists, have someone physically visit the house to resolve the issue.
 - iv. Should there be no-one suitable immediately available to visit the house and the noise is persisting, then the police should be called immediately.
9. **No stereo system** - Noise generated from within the house has not typically been a problem. 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.
10. **Neighbour communications** - Prior to commencing operations, the owner will write to all neighbours 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 action may be taken immediately to rectify the problem.

4.2 Parking

Parking amenity of the street should **improve** with the implementation of short term dwelling. Current long-term tenants park one car in the driveway and **two cars on the street** using council parking permits.

With the change of use to short term dwelling, the parking permits will no longer be valid. Tenants will be able to park just one car in the driveway and any additional cars will need to be parked in nearby public carparks. **No cars will be parked on the street.**

It is expected that the vast majority of tenants will have at maximum only one car. Experience operating from December 2017 to August 2018, 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.

4.3 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.

4.4 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.

5 Heritage Destination

The objective is to develop the property as a unique cultural heritage experience that will attract heritage tourists and give any visitor a feeling of having experienced something unique and special, a glimpse of what life in the 1890s would have been like, and what it is like to live in a restored heritage house just a stone's throw from Northbridge and the city centre with all its modern conveniences and attractions. All visitors should leave knowing a bit more about the story of the Moir and Brookman precinct and appreciate the quality of life that is available in Perth.

As per WA State Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved.

As described on the Tourism Council of WA website:

CULTURAL TOURISM

Cultural tourism gives visitors the opportunity to understand and appreciate the essential character of a place and its culture as a whole, including:

- *History*
- *People and their lifestyle*
- *Cultural diversity*
- *Arts and architecture*
- *Food, wine and other local produce*

The Creative Nation document from the Commonwealth Cultural Policy of 1994 describes cultural tourism as: "embracing the full range of experiences visitors can undertake to learn what makes a destination distinctive - its lifestyle, its heritage, its arts, its people - and the business of providing and interpreting that culture to visitors"

HERITAGE TOURISM

Heritage tourism aims to take advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes such as gold, maritime, rail, military, convict and religious heritage.

By presenting 8 Moir St as a unique experience of 1890s residential life at the time of the Gold Rush, and making available to visitors the history and stories of the precinct from then until the present day, the cultural heritage of the precinct will be communicated, disseminated and preserved.

Achieving this objective will take time. The initial actions that will be implemented prior to commencing short term rental will include:

5.1 Display materials

A collection of photographs, prints, books, newspaper articles and other items relating to the Moir and Brookman Street precinct and the Gold Rush era will be curated and displayed throughout the house.

5.2 Moir St Heritage Blog

A provisional domain name <http://moirstreet.home.blog> has been registered and will be curated with relevant content about the house and the precinct. It will also include links to other Heritage locations in WA and suggest local community and heritage activities that may be of interest to guests.

Guests will be invited to produce testimonials and photographs of their stay and local experiences to be featured on the blog. Over time this may lead to a community of people with a feeling of connection to the Moir and Brookman precinct.

Neighbours will also be invited to contribute their stories, histories and other relevant content such as community activities, so that the blog becomes a common resource that can be of benefit to the entire street community.

Once the blog has a critical mass of content, dissemination will be expanded via social media such as Instagram, Pinterest and Facebook.

5.3 Heritage Advertising

All listings of the property in online booking platforms will highlight the cultural heritage aspects of the property, as well as the quiet residential nature of the setting. The adverts will, wherever possible, provide links to the Moir St Heritage Blog so potential visitors can better understand the cultural heritage of the area prior to deciding to book.

As far as possible, the property will also be listed on the various websites that promote WA heritage and culture.

6 Neighbour Relations

The objective is to develop and strengthen amicable relations with neighbours, and encourage them to see the benefits that can be derived by the street community and the dissemination of the cultural heritage of the precinct that can be achieved, and not just focus on the negative impacts that may arise from time to time.

This will not be easy to achieve, but it is hoped that good management of the property and continued efforts will lead over time to improved acceptance by neighbours of the short term rental.

Actions that will be implemented include:

6.1 Communication

All neighbours will be advised in writing of the measures put in place to reduce impact on their amenity (screening of guests, bond, sound monitors, etc) and providing contact details of myself and the agent to report any issues.

Immediate neighbours will also be consulted several times a year to see if they've experienced any issues or if they have any suggestions for management improvement.

Each year, during my annual visit to Perth, I will hold a neighbourhood BBQ at the house, in order to facilitate neighbours getting to know me better, be able to air any issues in a more informal way, and to discuss additional ways in which I could contribute in a positive way to the cultural and social fabric of the street.

6.2 Making the Moir St Heritage Blog a shared resource

As described above, neighbours will be invited to contribute to the Moir St Heritage blog for the benefit of the whole street. This blog will hopefully also include testimonials by guests and stories of their stay in Moir St, which will help to establish connections between neighbours and guests.

6.3 Special rates for neighbours

All Moir and Brookman residents will be offered a 50% discount on the listed rate should they wish to book the house for friends or family visiting Perth.

6.4 Recompense for inconveniences

As had already been implemented during the previous period of operation, in the event of any incident reported by a neighbour that results in a fine being imposed on a guest, the monies collected are passed on to the neighbour affected by way of recompense for the inconvenience suffered.

7 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.

Prior to commencing operations following council approval, investments will also be made to install:

- a digital video lock on the front door,
- a video communication system for the rear courtyard,
- and front and rear sound level monitors.

In keeping with the marketing of the home as a Heritage house:

- Framed photographs and prints of the history of the precinct will be hung on various walls,
- Books and other printed materials will be displayed describing the history of the precinct, the house and way of life in Perth from the Gold Rush through to the modern era,
- Furniture, linen, and other house decorations will be gradually upgraded, in styles typical of the Federation era or otherwise relevant to the history of the precinct.
- Testimonials and experiences of tenants will be invited and displayed.

7.1 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.

7.2 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.

7.3 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. Both the front and back doors also have security screens. The front door will be fitted with a digital video camera door lock with passcode access. First entry by a tenant will require ringing the doorbell which will connect the tenant with the agent, who will be able to see and communicate with the tenant to verify they match the profile submitted upon booking, and then open the door. The tenants will then be given their personal code to use for future entries.

A physical key will be stored onsite in a lockbox in case of power failure.

The code for the doorbell 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 forgotten codes, lost keys or other security issues.

7.4 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 currently at the house but one will be installed prior to commencing operation. This will facilitate easy communication between the agent and tenants, as well as providing a benefit to tenants with free local calls.

7.5 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.

7.6 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.

7.7 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.

7.8 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.

7.9 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.

7.10 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.

8 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.

9 Complaints Procedures

9.1 For tenants

Tenants will be provided with phone and email contacts for the agent and the owner, and are advised in the Welcome Pack to notify the agent of any problems or malfunctions at the house immediately. Should the agent not respond, the tenants are instructed to contact the owner.

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.

9.2 For neighbours

Neighbours will be sent a letter prior to commencement of short-term rentals, requesting them to immediately inform the agent and/or the owner 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.

The agent/owner will then contact to neighbour to inform them of the action taken and ensure that any inconvenience has ceased, and apologise appropriately.

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



CITY OF VINCENT
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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.

**Additional information to support my application for change of use
to short term rental at 8 Moir St Perth
Boaz Kogon – January 2019**

The main concerns expressed by Vincent Council in rejecting my initial application were centred around:

1. Potential negative effect on neighbour's amenity
2. Potential negative effect on the street's cultural values and heritage
3. Potential negative effect on the street's social values heritage

I present here some additional information relevant to all these points as background and support of the revised management plan submitted to Council in January 2019

1. Potential negative effect on neighbour's amenity

Key comments by councillors related to this issue included:

- i. *"The short term accommodation is more appropriately located within local and district centre areas, not low density residential areas"*
- ii. *"The development will impact the amenity of the existing residents. Specifically, the summary of submissions identifies that the short term accommodation has resulted in noise, parties and additional traffic. For these reasons it is considered the commercial use is not compatible with the low density residential area"*

Responding to (i) *"The short term accommodation is more appropriately located within local and district centre areas, not low density residential areas"*

While I understand some of the sentiment that lies behind this statement, I don't believe it holds true for several reasons:

Firstly, most cities around the world that are regulating restrictions on Airbnb are doing so in high density central areas, restricting operations in blocks of flats but **permitting Airbnb in lower density areas with independent homes with direct street access**.

The acute problems arise not when there are one or two AirBnB flats in a building of twenty residential flats, but when 50% or more of the flats are AirBnB, and the same is true of all buildings on the block. This is when residents feel overwhelmed and the sheer volume of and concentration of tourists has a significant negative impact.

Comparing the situations in Perth and Barcelona (where I live): Both cities have approximately 2 million people, but almost everyone in Barcelona lives in apartment buildings, while most people in Perth live in detached houses. Barcelona receives 32 million visitors a year (and growing) and Perth receives just 5.5 million (and shrinking). Barcelona has stopped issuing short term rental licences in the centre of the city, but surrounding urban areas are still registering new licenses.

Similarly, Madrid has implemented new regulations that allow licences in the central district only if the apartment has its own separate entrance to the street. But this restriction is not placed on licenses outside the central district.

The measures being taken by Barcelona, Madrid and many other cities with intense short term rental activity is to try to move the short term rentals away from the centre, with ideal properties being those with individual access to the street and no common areas with adjoining properties, thereby reducing the concentration of short term rentals and minimising the potential for negative impacts on neighbour amenity due to reduced direct interaction.

By the measures being implemented here in Spain, my property in Moir St and its setting would be considered ideal for short term letting. Perth is not likely to ever see tourism of the scale of Barcelona or Madrid, nevertheless the lessons learned in these cities could serve as a useful guide for how Perth could develop its short term rental policies.

Secondly, there are advantages to having an Airbnb in low density compared to high density settings - lower density means that each house is independent, with independent street access, has its own outdoor space, good distance between neighbouring residences and no/few common walls and no neighbours above/below. **This therefore reduces impacts on neighbours compared to an Airbnb operated in a high density block of residential flats.**

Thirdly, the premise of Airbnb style accommodation is that it offers an alternative to traditional short-term accommodation (hotels and similar) by offering guests the opportunity to stay in a typical local residence and experience a home-style feeling. **The ideal Airbnb from a guest perspective for many visitors is therefore a residential home in a residential street, not a small unit in a rental block located above a shopping street.**

Finally, although it is true that Moir/Brookman is zoned R25 due to the block size being around 400m², it is a very small island surrounded by R50 and R80. It is just adjacent to a commercial centre, restaurants, car dealership, free bus zone, café strip, nightclubs, etc, etc all in the surrounding streets it is by no measure a "quiet residential area" separated from busy activity. Many non-resident pedestrians pass through the street and many friends and visitors of residents park in the street using resident's parking permits to take advantage of the central location.

In my view there is no substantial difference in density/amenity between Moir/Brookman and similar streets nearby zoned R50, such as Robinson Ave, Hope St, Stuart St, Orange Ave, Dangan St, Amy St, Ruth St, etc. Most of these streets are further away from the commercial areas than Moir/Brookman. **Most of these streets have currently active short term accommodation, a few of them even with Council approval.**

For example, just on Stuart St which has houses and amenity virtually identical to Moir St, there are currently at least three active AirBnBs:

- 6 Stuart St - <https://www.airbnb.com/rooms/19461627>
- 16 Stuart St - <https://www.airbnb.com/rooms/16654504>
- 20 Stuart St - <https://www.airbnb.com/rooms/28270661>

Responding to (ii) "The development will impact the amenity of the existing residents. Specifically, the summary of submissions identifies that the short term accommodation has resulted in noise, parties and additional traffic. For these reasons it is considered the commercial use is not compatible with the low density residential area"

The concern about impact on amenity is a very valid one, which I believe that I have comprehensively addressed with a variety of measures detailed in my updated management plan.

However, the statements by councillors seemed to indicate that they have been quite misinformed. As I was not present at the meeting I was unable to refute such false claims and it is clear the Councillors have not been made cognizant of the facts. For example:

- There are repeated references to negative impact on parking and traffic. **But there have been NO parking or traffic incidents caused by my guests and there will be fewer cars at the property than when I have long term tenants.**
- Assertions in the public consultation that 5 cars were often parked at the property are unfounded and false.
- Assertions in the public consultation that cracks in the sidewalk are caused by guests parking cars on the verge are unfounded and false. **The cracks existed long before I started short term rental and are due to subsidence**, which has caused significant structural damage to my property and neighbouring houses.
- Assertions in the public consultation that guests frequently park large vans in the driveway blocking the footpath are unfounded and false. The overwhelming majority of guests rent SUVs, which adequately fit in the **parking space which complies with Council size requirements.**
- Assertions in the public consultation that my guests frequently drive the wrong way up the street are unfounded and false. I lived in the house for many years and there are often people driving the wrong way up the street. These are usually Perth residents lost in the back streets trying to find parking, or residents themselves who can't be bothered to drive around the block so take a shortcut to their driveway.
- My original parking management plan was endorsed by Council officers and will result in **NO on street parking of cars**, whereas **currently TWO cars are parked on street by my long term tenants.**

In regards to noise and parties: although there were a number of noise incidents (very few, we were notified of only 3 in 8 months of operation), I learned from each one and was progressively implementing improvements to the management system to prevent them recurring.

- Assertions in the public consultation that the house was regularly used by parties, or that the house was advertised for parties, is simply not true. **The house rules and email confirmations of bookings clearly stated that parties were strictly prohibited.** As far as was reported by neighbours, there were only two party incidents in the 8 months.

Nevertheless, **I do accept that guest screening was insufficient and this has been addressed in the revised management plan.**

- The majority of noise disturbance was caused by guests talking and drinking in the rear garden. This affects at most three neighbouring properties. The most affected, the next door neighbours at Number 10, are a family with young child and I have had extended conversations with them. I myself have young children and am very sympathetic to their concerns. For this reason, the revised management plan includes the installation of a sound detector and a video camera with 2-way voice in the rear garden area to provide myself and the managing agent with 24/7 monitoring. **This should both deter guests from infringing on the no outdoor noise after 9pm rule and provide fast and effective intervention should an infraction occur.**
- The other main potential point for noise impact is when guests are checking in late at night and may cause noise in the street. Although they are requested to be quiet, it is predictable that some will not comply. Therefore, my revised management plan includes installing a video doorbell that guests will need to ring when checking in. This will connect directly to myself or the agent, **allowing us to see and speak to the guests.** This will serve the dual purpose of **enabling us to validate that the group of persons checking in matches the profile of the people who made the booking** (i.e. no group of young party-goers could masquerade as a quiet family) and will allow us to directly see if the guests are being noisy and request them to immediately quieten down. In addition to the video doorbell there will also be a sound monitor at the front, which will **trigger an alert should sounds exceed predetermined levels during nighttime hours.** We can then activate the video and determine the cause of the noise, and if the guests are at fault we can take immediate action.

I provide links here to examples of the systems I intend to install:

- **RING Video Doorbells with smartphone integration** - eu.ring.com

See, Hear and Speak to Visitors

With Ring, you can monitor your home from your smartphone, tablet or PC. Every Ring device features a wide-angle lens and a built-in microphone and speaker, so you can see, hear and speak to anyone on your property from anywhere.

Answer the Door From Anywhere

Get instant alerts when visitors press your doorbell or trigger the built-in motion sensors, and see, hear and speak to anyone at your door from your smartphone, tablet or PC.

- **ROOMONITOR real time sound monitoring** - roomonitor.com/product/sound-alarm

Real time monitoring. Our exclusive software allows you to see the noise levels in your accommodation in real time, 24/7. In this way, you will be the first to know when a problem may be occurring and can solve it before it results in conflict.

Alerts of possible incidents. Thanks to the algorithms developed by Roomonitor, our Sound Alarm can detect when a noise may be excessive or annoying. When noise occurs, a designated person is alerted by a telephone call or SMS so he or she can take steps to avoid possible municipal infractions or annoyances to neighbors.

Customize noise levels. We understand that the sensitivity to noise varies from country to country, from culture to culture, and with the type of accommodation. That's why our device allows you to select the sensitivity threshold for each of your locations.

Receive daily reports. Every day we will send you a record of everything that has occurred in your accommodation to help you make management decisions. These reports provide evidence of what is happening inside your apartment. Many property managers use reports both to prove that guests have held a party, or that they have not.

In summary, it is true that short term rental has the potential to significantly impact neighbour's amenity. However, long-term tenants can also be problematic and in many cases are more difficult to control (they cannot be easily evicted or have strict restrictions placed on their noise and outdoor activity). **I believe that my revised management plan will deliver a level of impact on amenity that is not worse than, and potentially better, than neighbours have had in the past with the various long-term tenants that have resided at the house.**

My longer-term objective is to qualify for AirBnB Plus and AirBnB Work. These programmes will ensure a very high quality clientele that will absolutely minimise negative impact on neighbours. However, these programmes are not yet available in Perth and one must be an established operator to qualify, so I first must commence operating and build up to the required level. I give below summary information on these programmes:

- **AirBnB Plus** - <https://www.airbnb.com/plus>
Beautiful homes. Exceptional hosts. Verified for quality.

Airbnb Plus is a new selection of only the highest quality homes with hosts known for great reviews and attention to detail. Every home is visited in person for a 100+ point quality inspection to ensure your comfort.

Airbnb Plus hosts offer Superhost-level hospitality. They're highly rated (4.8+), reliable (0 cancellations), and committed to creating the perfect stay.

- **AirBnB for Work - <https://www.airbnb.com/work>**

A new way to relocate for work - Today's workforce is global and on the move.

According to BDO, nearly 20% of employees around the world are eager to relocate. We can all agree moving is stressful – friendships are tested, a partner's career may be disrupted, and in a new place hardly anything can feel familiar. Acclimating to a new community can be one of the most challenging parts of a move. So much so that according to a Right Management survey, more than 40% of international assignments are judged to be failures by senior executives, with cultural adjustment issues being a top reason. We also know most people want to test out neighborhoods or be near new schools for their children (since 35% of corporate moves involve children). People want to feel grounded the instant they move to a new place.

So, we're expanding our work in relocations to help more professionals instantly feel like they belong in their new communities. Imagine starting your first job out of college while living in a spacious modern condo in a trendy area, moving with your family into a spacious ranch home with a backyard in the perfect school district, or beginning a new chapter of your life by living in a Victorian classic near the office. Finding a temporary home that actually feels like a home (access to a kitchen, washer/dryer, etc.) provides a much-needed sense of familiarity that can help people cope with the chaos of a relocation.

2. Potential negative effect on the street's cultural values and heritage

Key comments by councillors related to this issue included:

- "The proposal will have an adverse impact on the cultural heritage significance of the area in which the development is located"*
- "The proposal is not considered to be complementary or compatible with this area which hold strong cultural values."*

Responding to (i) *"The proposal will have an adverse impact on the cultural heritage significance of the area in which the development is located"*

This statement was made by councillors, but I would ask them to provide a basis for this statement, as I cannot find any.

The Council's Brookman and Moir St Development Guidelines state that the place has cultural heritage significance for 12 reasons. Eleven of these reasons are purely structural and/or visual. Given that my change of use request will have no impact on the structure or appearance of the house, none of these eleven reasons are impacted.

Reason 1.9 states "It is valued by the local community as an area which retains the characteristics of a late nineteenth century streetscape, as an extant example of late nineteenth century residential accommodation and through the continued use of the individual residences as residential accommodation throughout the twentieth century"

The only part of reason 1.9 that my short term accommodation may impact is the very last phrase being "the continued use of the individual residences as residential accommodation throughout the twentieth century". However, this could only be impacted if my use of the house for short term rental accommodation was considered significantly different to residential accommodation.

I have consulted with the WA State Heritage Office on this point. I don't have a reference in writing, but I was informed verbally that they do not consider length of stay to be a determinant factor in considering whether a use is residential or not. For a use to be classed as residential, the occupants must engage in typical activities of permanent residents and must NOT engage in commercial, religious or other activities generally considered non-residential. The State Heritage Office confirmed that they consider boarding houses, bed and breakfasts and the like to be residential use and that such use is perfectly compatible with places whose heritage has been primarily that of primary owner-occupied residency. There are many examples of heritage listed residential buildings that conserve their residential use status even though they are used for short term rent.

As per WA State Heritage Office guidelines, one of the most important aspects of preserving cultural heritage is to share the story of the place (history, traditions, etc). The more people who experience a place and feel a connection to it, the better the culture is preserved.

As described on the Tourism Council of WA website
(<https://www.tourismcouncilwa.com.au/cultural-arts-and-heritage>):

CULTURAL TOURISM

Cultural tourism gives visitors the opportunity to understand and appreciate the essential character of a place and its culture as a whole, including:

- *History*
- *People and their lifestyle*
- *Cultural diversity*
- *Arts and architecture*
- *Food, wine and other local produce*

The Creative Nation document from the Commonwealth Cultural Policy of 1994 describes cultural tourism as: "embracing the full range of experiences visitors can undertake to learn what makes a destination distinctive - its lifestyle, its heritage, its arts, its people - and the business of providing and interpreting that culture to visitors"

HERITAGE TOURISM

Heritage tourism aims to take advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes such as gold, maritime, rail, military, convict and religious heritage.

In 2006, Western Australia developed a **Heritage Tourism Strategy**. The aim of the strategy is to increase heritage tourism experiences across WA, to raise awareness of the importance of our heritage, and to encourage the ongoing conservation of WA's heritage places.

<http://www.stateheritage.wa.gov.au/about-us/acts-policies/heritage-tourism-strategy>

In the opening dedication, the WA Minister for Heritage writes:

The Government of Western Australia is pleased to release its Heritage Tourism Strategy. Jointly developed by the Heritage Council and Tourism Western Australia, it identifies the means for turning heritage places and historic themes into sought after tourist attractions.

Heritage tourism takes advantage of the State's unique history and built heritage by generating local, national and international awareness of key historical sites and themes that have been, or continue to be, important to the State's development and sense of place.

Although heritage tourism already exists in precincts, places, sites and destinations throughout the State, it is clear that a coordinated approach to promoting Western Australia's historical assets will be highly beneficial. Heritage tourism offers increased diversity of visitor experiences and improved sustainability for heritage places through higher public profile and educational awareness.

We hope that more Western Australians and visitors to our State can share the rewarding and enormously varied opportunities for exploring the individual stories, communities, places and ideas that have shaped our social and physical environment.

Europe has declared 2018 Year of Cultural Heritage. Their guidelines (https://europa.eu/cultural-heritage/sites/eych/files/sustainable-cultural-tourism-recommendations_en.pdf?token=PsePI9T4) define Sustainable Cultural Tourism as:

Sustainable cultural tourism is the integrated management of cultural heritage and tourism activities in conjunction with the local community creating social, environmental and economic benefits for all stakeholders, to achieve tangible and intangible cultural heritage conservation and sustainable tourism development.

There is nothing in any of the above that indicates that short term rental would be detrimental to the cultural heritage of Moir St. Quite the opposite, if done properly it can significantly enhance it and thereby be well aligned with WA Heritage Tourism Strategy.

In my revised management plan I have put special emphasis on marketing and presenting 8 Moir St as a unique experience of 1890s residential life at the time of the Gold Rush, and making available to visitors the history and stories of the precinct from then until the present day.

In this manner, the cultural heritage of the precinct will be communicated, disseminated and preserved.

I give below some relevant examples of cities collaborating with AirBnB to promote cultural tourism:

- **London Borough of Culture 2019/2020 A Community Tourism Programme**

https://www.airbnb citizen.com/wp-content/uploads/2018/10/AirbnbUKInsightsReport_2018.pdf

In May 2018 Airbnb allocated funding to support the Mayor of London's London Borough of Culture programme, an initiative inspired by the European Capital and UK City of Culture programmes. It aims to capture the creative energy of an entire city and highlight how culture can bring communities together.

Airbnb's funding will help support Listen Local, to place writers in the winning boroughs to work with local creative talent and their communities to uncover hidden stories about local people and places. These stories will be told through music, theatre, art and more, taking place in unexpected neighbourhood locations allowing travellers to unearth a variety of cultural gems. 'Listen Local' will create compelling opportunities to explore and discover hidden London allowing visitors to experience the city through the stories of those who know it best.

- **Airbnb Launches "Small Villages Project" in Italy**

<https://www.airbnb citizen.com/airbnb-launches-small-villages-project-in-italy/>
<https://www.airbnb citizen.com/small-villages-mayor-bigiotti-civita-di-bagnoregio-joins-airbnb-host-community/>

Airbnb is supporting this project to help promote tourism in small villages in Italy, a model that will be replicable in other villages, towns and cities in Italy. The Ministry of Culture declared 2017 the year of "Small Villages" in Italy and Airbnb is doing its part to support this campaign.

"This project is an incredible extension of our commitment to supporting rural villages around the world," said Joe Gebbia, co-founder and Chief Product Officer of Airbnb. "Our aim is to celebrate the heritage of these areas through art and design, while providing concrete ways for the towns to sustain their cultures and traditions."

Responding to (ii) *"The proposal is not considered to be complementary or compatible with this area which hold strong cultural values."*

This statement was made by councillors, but I would ask them to provide a basis for this statement, as I do not understand WHICH are the "cultural values" that will be negatively impacted? Neither the Brookman and Moir St Development Guidelines nor the State Heritage Register make any mention of cultural values.

The State register only says about the Brookman and Moir precinct that *“It demonstrates the social mores and way of life in the developing area north of Perth, at the commencement of the Gold Boom period”*

It is clear that the current cultural and social values of the residents of Moir St are NOT the same as those at the commencement of the Gold Boom, and so without a more precise definition of the cultural values to be protected it is impossible to judge whether my proposal will have any positive or adverse effects.

There were some assertions by neighbours as to the long entrenched and unified community in the street, but this also does not hold up to inspection. I have done a quick analysis on just the properties at my end of Moir St, and in the last 15 years, 13 of the first 22 properties have changed ownership (numbers 6, 7, 8, 9, 10, 11, 13, 14, 17, 18, 18L, 19 and 21). If one looks just at the last 5 years there were still 5 changes of ownership. That means at least half the properties around me are all relative newcomers, and this doesn't include those properties that are rented and not owner-occupied and therefore have a fairly regular turnover of tenants.

There is therefore no established cohort of multi-generational families who have grown up and lived in the street for decades. There is no uniformity in the profiles of the residents of the street – they come from all ethnicities, professional backgrounds, religions and ages. Residents turn over on a fairly regular basis and whilst some in the street may have formed individual connections and friendships with some neighbours, this is hardly unique to Moir St – many of the surrounding streets have identical profiles and Council has approved short term rentals without any reference to cultural values.

So it is hard to understand why interstate or international guests who respect the residential nature of the street and do not cause any anti-social incidents would be considered to be incompatible with the “cultural values” of Moir street, but would be compatible with cultural values of surrounding areas?

3. Potential negative effect on the street's social values and heritage

Key comments by councillors related to this issue included:

- i. *“The short term accommodation within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique”*

Responding to (i) *“The short term accommodation within the Brookman and Moir Street precinct areas will erode the residential character, social values and heritage fabric that makes the precinct so unique”*

Firstly, I ask Council to clarify the specific aspects which they feel will be eroded? As discussed earlier in this document, the Council's **Brookman and Moir St Development Guidelines** speak almost exclusively of structural feature conservation and say virtually

nothing about social values and cultural heritage. Similarly for the State Heritage Registry for the Brookman/Moir precinct.

Whilst uncontrolled short-term letting may result in erosion of the social and residential characteristics of the precinct, I don't believe this is true for a well-planned and managed short term rental, for the following reasons:

1. My plan for short-term rental **does not involve any structural modifications to the house**, nor will it affect any streetscape view. Quite the opposite, my plan involves stressing the heritage character of the house, keeping the house very well maintained and clean, and decorating the house with Federation-style furniture, photographs and stories of the era. This therefore has no negative impact on the main issues involved in conserving the heritage of the street as defined in the Brookman and Moir St Development Guidelines, which are structural.

2. My proposal **does not involve having more people staying at the house than would normally stay**. For example, the house is currently rented long-term to a group of 5 tenants. The majority of bookings during the time I operated the short-term rental were for 4-5 guests, and the maximum allowed is 6. Therefore, there will be no negative impact on residential density, foot traffic or cars.

3. My proposal involves a **reduction** in the number of cars at the property. Whereas currently the tenants park at least 2 cars at the house (one off-street and 1-2 on-street), under the parking plan submitted to council only one guest car will be permitted at the property to be parked off-street, with other cars parked at nearby public car parks. This therefore improves the amenity for neighbours.

4. **Sense of security of residents** – I understand that this was one of the concerns raised by a neighbour. Although I believe it is completely unfounded as there were no security incidents reported at all - either to myself, the property manager or the police – during the entire 8 month period I operated short term rental, nevertheless my improved management plan addresses this – all guests will have to respond to a short questionnaire and submit a scan of their photo ID prior to having their booking confirmed. The chances of such a guest committing a criminal act on one of my neighbours is very remote.

I know that some neighbours described the presence of unknown people in the street as generating security concern, but this statement is also without much merit as the location of the street means there are always unknown people there – people taking a shortcut to walk to Northbridge, visitors parking in the street, etc. I lived in the house for many years and there were always strange people walking through the street.

Although short term rental of my property will marginally increase the number of unfamiliar faces in the street, this is not significant enough to warrant consideration as an impact on sense of security by neighbouring residents. Especially considering as my house is very close

to the city end of Moir St so guests walking in and out of the house will not be traversing the whole street, but only the first six houses. The impact on the rest of the street will be negligible.

5. Compatibility with residential activities – I will not be operating a hostel or boarding house, which are other categories of short term accommodation – the property will be used as a normal residence and always rented out in its entirety. The main reason for guests to rent my property will be that they are visiting Perth on holiday or for business. Their daily routine will therefore be very similar to that of permanent residents in the street – they will be out and about for most of the day and will return home to eat dinner and relax in the living spaces of the house. Guests will not be performing activities that are any different to those going on in the neighbouring houses.

It is unfair to assume that all visitors are party animals that will just get drunk and make noise all night. The vast majority of the guests that I hosted during the 8 months I operated were very well behaved and caused no incidents. In any case, I am including significant new measures in my management plan to filter out and deter party guests.

6. International and interstate guests are in keeping with the heritage fabric of the precinct - As described in the Brookman and Moir St Development Guidelines, *“the buildings ... are representative of working class rental accommodation from the late 19th Century”*. According to the State Heritage Register, *“Owner occupancy was, in fact 70 per cent in 1921. It dropped much lower during World War II but was well on the increase by 1980 and continued to climb back to 70 per cent in the 1990's..... The surnames on the WA Electoral Rolls indicate that many of the residents at the time were from migrant families.”*

The street has therefore always played host to recent arrivals, with a significant percentage of houses rented and not owner-occupied. My plan will market the property as a quality, family-friendly, heritage house with homely comforts in a residential street, with a higher-than-average price point for the area. Therefore, the target guests are expected to be of social class, values and characteristics that are completely compatible with the existing profile of residents in the street and in keeping with the historic profile of new arrivals to Perth that rented their first home in Moir St.

Final statement

I hope that the above information helps refine the debate around my application for change of use. As a final statement, I wish to say that I do understand the difficulty Council faces in balancing my application against neighbour concerns, heritage and social issues. However, I do not believe the situation in Moir St is so different to surrounding streets as to warrant a complete ban on short term rental, and that my proposal goes much further than a standard management plan in an effort to provide an adequate response to all the issues raised.



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
Public Transport	
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.
Pedestrian	
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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Public Parking – <i>not applicable as the property is not accessed by the public.</i>			
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.



Dear neighbour,

I am the _____ 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 _____ - _____ 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) 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 _____, 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:

Contact details redeacted for privacy purposes.

Contact details redeacted for privacy purposes.

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

Yours sincerely,

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"> • It is a heritage area and we feel the short term applications will destroy our community overtime; • The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct; • 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; • 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; • We object to the short term dwelling because it does not reflect the dynamic of community feel; • 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; • 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; • 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. 	<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>

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Summary of Submissions:

Comments Received	Officer Technical Comment:
<p><u>Submitter three</u></p> <ul style="list-style-type: none"> • 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; • We are concerned as to whether this type of dwelling is suitable for this neighbourhood; • 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 • 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. 	
<p><u>Submitter four</u></p> <ul style="list-style-type: none"> • 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; • 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; • 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; • 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 • Parking has become an issue as often there are 5 cars per booking. 	<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"> 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; The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area; 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; 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; The driveway cannot accommodate a large vehicle and blocks up the footpath; Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night; The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers; 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; 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; 	<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"> • 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; • 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 • 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. 	
<p><u>Submitter six</u></p> <ul style="list-style-type: none"> • 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; • 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; • Does the short term accommodation have emergency plans in place in case of a fire; • 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 • We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas. 	<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="387 306 544 327"><u>Submitter seven</u></p> <ul data-bbox="387 352 1104 732" style="list-style-type: none"><li data-bbox="387 352 1104 406">• The short stay may result in issues with rubbish and bins left on the street;<li data-bbox="387 424 1104 523">• 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 data-bbox="387 541 1104 595">• Rubbish bins do not get emptied on the correct days and tend to overflow; and<li data-bbox="387 612 1104 732">• 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.	<p data-bbox="1104 352 1841 539">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 564 1841 608">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.

CITY OF VINCENT
RECEIVED
27/08/2018

Comments Received:	Comment:
<ul style="list-style-type: none">No. 8 Moir Street has been operating a short term residence for a period of time.	<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"> • It is a heritage area and we feel the short term applications will destroy our community overtime; • The use of the property as a short term dwelling is inconsistent with the amenity and heritage values of the precinct; • 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; • 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; • We object to the short term dwelling because it does not reflect the dynamic of community feel; • 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; • 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; • 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; • 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; 	<p>In response, I would like to highlight that:</p> <ol style="list-style-type: none"> 1. Heritage does not imply no change, merely that the change is managed and respectful of the history of the place. 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. 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. 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. 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. 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. <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"> • We are concerned as to whether this type of dwelling is suitable for this neighbourhood; • 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 • 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. 	<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: http://www.stateheritage.wa.gov.au/about-us/education-research-events/heritage-tourism</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"> • 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; • 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; • 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; • 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 • Parking has become an issue as often there are 5 cars per booking. 	<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"> • 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; • The existing short term dwelling is having a negative impact on the community of Moir and Brookman Streets which is a quiet residential area; • 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; • 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; • The driveway cannot accommodate a large vehicle and blocks up the footpath; • Check in time is 2pm-midnight and there is no one present to hand over keys which creates disturbance and noise during the night; • The community spirit will be compromised and the sense of community will be disrupted by short term dwelling occupiers; • 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 	<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 <i>guarantee</i> 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"> 1. Clear messaging on all publicity for the property, and further reinforced when bookings are made, that partying and late night noise are strictly prohibited. And that only registered tenants, up to a limit of 6, may stay at the house. 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

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"> • 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; • 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; • 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 • 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. 	<p>imposed, and if the issue is severe, their stay will be terminated with 24 hours notice.</p> <ol style="list-style-type: none"> 3. These rules are communicated at time of booking, and are also displayed in printed form inside the house. 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. 5. Once our license is approved, we will install a noise detection system, such as those provided by NoiseAware (https://noiseaware.io/features) or Roomonitor (https://roomonitor.com/product/sound-alarm/) 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. 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. 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. <p>In response to some of the other comments:</p> <ul style="list-style-type: none"> • 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. • 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.

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"> 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.
<ul style="list-style-type: none"> 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; 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; Does the short term accommodation have emergency plans in place in case of a fire; 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 We feel that there is very little the owner can do to ensure anti-social behaviour does not occur especially living overseas. 	<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"> • The short stay may result in issues with rubbish and bins left on the street; • 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; • Rubbish bins do not get emptied on the correct days and tend to overflow; and • 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. 	<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"> • 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. • 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. • 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.

Comments Received:	Comment:
	<ul style="list-style-type: none">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. <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>

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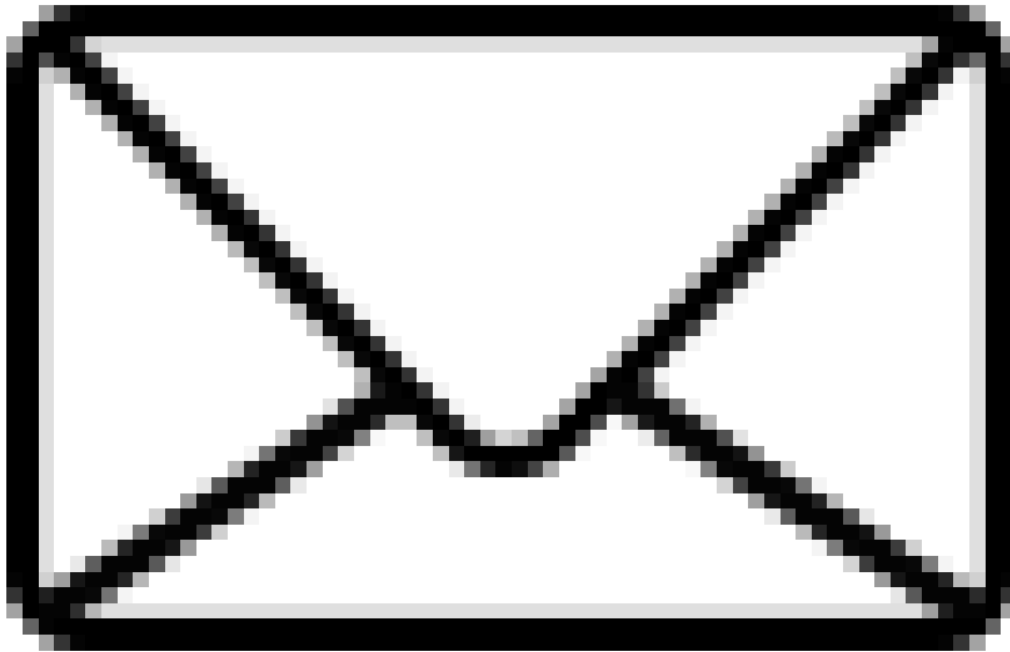
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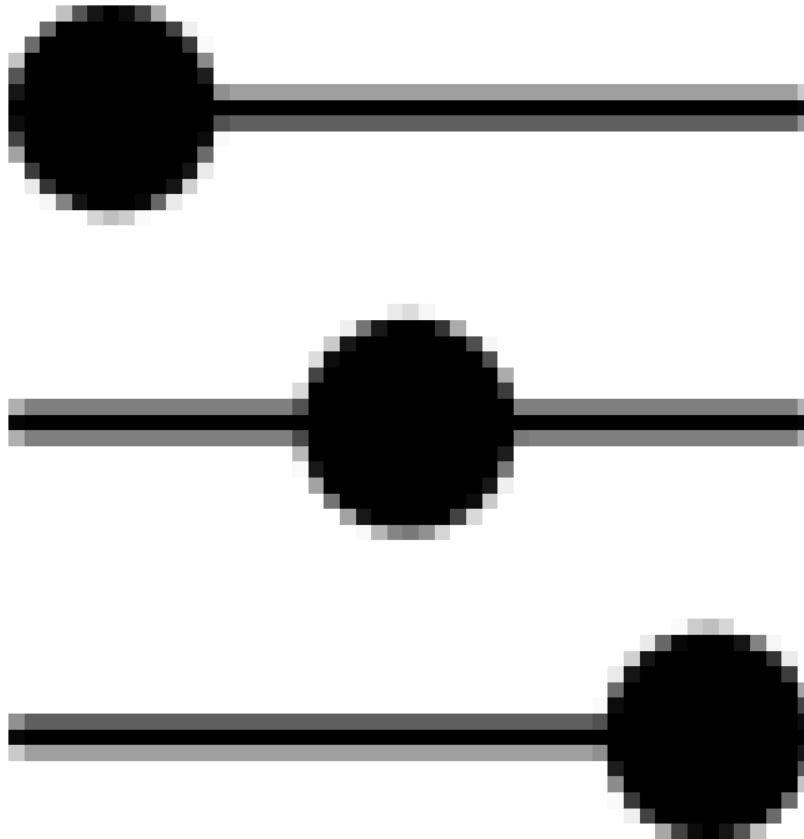
Alerts of possible incidents. Thanks to the algorithms developed by Roomonitor, our Sound Alarm can detect when a noise may be excessive or annoying. When noise occurs, a designated person is alerted by a telephone call or SMS so he or she can take steps to avoid possible municipal infractions or annoyances to neighbors.

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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:
Effectiveness of noise mitigation provisions and controls.	The applicant has proposed to install a noise detection device that provides alerts when noise levels are breached. The owner/property manager would then contact the tenant and order them to reduce noise.
Uncertainty about the effectiveness of the guest screening process.	The applicant has proposed to screen guests based on the information provided in response to the questionnaire. Guests can also be screened based on their reviews from previous stays at other Airbnb properties. It should be acknowledged that it is in the owner's best interest to engage tenants that would be respectful to the house and the property.
Inability to effectively control guests once checked-in.	The owner/property manager can communicate with the tenants via telephone or video communicator in order to attempt to control their behaviour that may be adversely impacting the amenity of the locality. This would be in response to noise breaches via the sound detector or complaints from neighbours.
Minimum 3 night stay on weekends does not prevent parties during the week.	It is acknowledged that the minimum 3 night stay would not prevent parties. The Code of Conduct prohibits parties from taking place at the premises. The owner has the opportunity to infringe tenants that breach the Code of Conduct and House Rules with bond deductions or eviction. This would deter guests from partying at the premises.
Uncertainty over the responsiveness of owner and management late at night/overseas.	The applicant advised that the owner and property manager would respond to complaints via telephone communication with the guests which is a reasonable method of communication. A video communicator is also proposed to be installed at the front door and in the rear courtyard to communicate with guests.
Uncertainty that bond deductions would deter tenant noise.	Provided the penalty is high enough, bond deductions are a reasonable method of infringing guests who breach the noise limits and deterring noisy behaviour from occurring in the first place.
Uncertainty that the provisions would actually be implemented.	The guests would be required to comply with the provisions of the Management Plan and Code of Conduct. Breaches of the provisions would have repercussions including bond deductions, eviction or negative Airbnb reviews which would tarnish their reputation.
Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.	It is acknowledged that offences and noise breaches would adversely affect the amenity of the locality at the time they occur. As outlined above, the proposed penalties are intended to deter tenants from breaching the provisions of the Management Plan and Code of Conduct and prevent disturbance to neighbours before it occurs. Similar to any ordinary residential dwelling, there is always a chance of noise from its occupants but in this instance there are repercussions for disruptive behaviour which are intended to prevent this behaviour from occurring in the first place and protect the amenity of the neighbourhood.

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:
<u>Effectiveness of noise mitigation provisions and controls.</u>	The noise mitigation measures are more comprehensive and extensive than those employed by any other short term dwelling application already approved by Vincent. If other short term dwellings in the area are operating satisfactorily then there is no reason to expect that the measures in this proposal will not be at least as effective.
<u>Uncertainty about the effectiveness of the guest screening process.</u>	<p>There is far more control over short-term guests than over long-term tenants. Short-term guests can be evicted within 24 hours, and their bond can be claimed for a much wider range of infractions (for instance, noise). A problematic long-term tenant takes many months to evict and meanwhile nothing can be done about their behaviour.</p> <p>During the last 13 years, the owner has had to deal with at least 5 very problematic tenants, one of which required court proceedings to resolve.</p> <p>The move to short-term dwelling does not, therefore, increase the potential for anti-social behaviour from tenants at the property. The screening process should keep out problem guests and then the control measures exist to deal with the very few that slip through the screening.</p>
<u>Inability to effectively control guests once checked-in.</u>	<p>During the 8 months that the property operated as short-term rental there was no comprehensive screening in place. Upon booking, guests were informed of house rules, including no parties, but no pro-active screening was performed. Despite this, there were only 3 reported problems during the 8 month period.</p> <p>There is therefore no basis for assuming that the property will attract a large number of party or otherwise anti-social guests.</p> <p>The new screening process requires prospective guests to upload photo IDs, fill a short questionnaire and then potentially answer</p>

Page 1 of 4

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
	<p>further questions before being manually approved/rejected for booking confirmation. This is in addition to being able to check the potential guest's ratings on the booking platform and their social media profiles. Requiring these extra steps will firstly deter party guests from even going through the process and will give the owner/manager a lot more information upon which to screen.</p> <p>No process can provide a 100% guarantee, but the measures proposed are best practise as described by many articles on the web from professional AirBnB managers.</p>
<p><u>Minimum 3 night stay on weekends does not prevent parties during the week.</u></p>	<p>The screening process should in itself deter most party-seekers, and additionally it is very rare for any partying to occur mid-week (especially in Perth). But implementing a 3-night minimum during the week would exclude legitimate travellers, such as business people visiting for just 1-2 days of meetings, or country people coming to Perth for business or medical appointments, of which there are many. There is no evidence to suggest that a minimum 3-night stay during the week will have any effect except to make it more difficult to achieve midweek occupancy.</p> <p>Nevertheless, if council feels that this would be a necessary measure I am willing to implement it during the trial year.</p>
<p><u>Uncertainty over the responsiveness of owner and management late at night/overseas.</u></p>	<p>It is not possible to provide a 100% guarantee, nevertheless the coverage will be much greater and more effective than is currently in place with the long-term tenants (if current tenants throw a late-night party, the neighbours currently only have the option to call the police, who are limited in what they can do). Furthermore, the coverage will be as good as (if not better) than if the owner resided locally.</p> <p>The owner resides in Spain, and usually goes to bed at midnight, which is 6am Perth time, thereby giving coverage overnight. The owner is contactable by email and WhatsApp, as well as receiving the automatic alerts from the noise detection system.</p>

Page 2 of 4

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
	<p>The manager is based locally and can give coverage during the day and into the evening.</p> <p>On receiving an alert or a complaint from a neighbour, both the owner and the manager can remotely activate the security cameras at the property to verify what is occurring and can contact the tenants via their registered contact number and via the house landline to resolve the issue.</p> <p>The cameras and noise detection system enable the owner/manager to immediately verify if a noise problem has been addressed. Other problems (parking, rubbish, etc) are very rare and in most cases not urgent and can be assessed by a physical visit that same day, or the day following if the hour is already late.</p> <p>Locally in Perth, the owner's brother and parents (retired) all live within 15 minutes drive of the property. If the manager is unable to act for whatever reason, then a member of the family can be called upon to go to the property.</p> <p>Should a noise/party incident occur late at night and there is no-one locally available to go to the property immediately, the management protocol requires that the police be called by the owner/manager. This will be the default action should it not be possible to quickly resolve the issue by directly contacting the tenants.</p> <p>It should be noted that the owner has been managing the property remotely for 13 years. During that period there have been multiple times when tenants have called with an emergency at night-time (Perth time), whether for locking themselves out of the house, a burst water pipe, no electricity, faulty alarm going off, etc. In all those situations the owner has had to contact local family members or 24-hour professionals to physically go to the property and resolve the issue.</p>

Page 3 of 4

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
<u>Uncertainty that bond deductions would deter tenant noise.</u>	Bond is generally an effective deterrent, that is why it is used so universally. Someone looking for a "cheap party house" will be deterred by the relatively high rental and the high bond.
<u>Uncertainty that the provisions would actually be implemented.</u>	The idea of the 1-year trial period is to demonstrate that the measures have been implemented and that they are effective.
<u>Uncertainty that offences would be prevented from occurring and that the amenity of the locality would be protected.</u>	Furthermore, the owner requests that the start of the trial period be flexible to ensure that he has sufficient time to install all systems and put all management processes in place before commencing operation.

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

Determination Advice Notes:

1. This approval relates to a change of use from Single House to Unlisted Use (Short Term Dwelling) 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. 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.
3. This is a development approval issued under the City of Vincent Town 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.
4. 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. 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.
6. The applicant and owner are advised that the existing residential parking permits are invalid and that the City of Vincent will not issue any 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. Further information please contact the City's Rangers and Community Safety team.

9.7 NO. 131 (LOT: 131; S/P: 62106) HAROLD STREET, HIGHGATE - PROPOSED CHANGE OF USE FROM EDUCATIONAL ESTABLISHMENT TO MEDICAL CENTRE









TRIM Ref: D19/9725

Author: Fiona Atkins, Urban Planner

Authoriser: Joslin Colli, A/Manager Development & Design

Ward: South

Attachments:

1. Attachment 1 - Consultation and Location Plans [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Summary of Submissions - Applicant's Response and Parking Management Justifications [↓](#) 
4. Attachment 4 - Summary of Submissions - Officer's Comments [↓](#) 
5. Attachment 5 - Heritage Report provided by Applicant [↓](#) 
6. Attachment 6 - Car Parking Survey provided by Applicant [↓](#) 
7. Attachment 7 - Vehicle Gate Management Plan [↓](#) 
8. Attachment 8 - Determination Advice Notes [↓](#) 

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, APPROVES the application for a change of use from Educational Establishment to Medical Centre at No. 131 (Lot: 131; S/P: 62106) Harold Street, Highgate, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 7:

1. Use of Premises

- 1.1 The area shown as 'Medical Centre' on the ground floor of the approved plans dated 20 August 2018 shall be used in accordance with the definition of 'Medical Centre' as defined by the City's Local Planning Scheme No. 2;
- 1.2 The maximum number of consulting rooms operating at any time within the 'Medical Centre' shall be six, with a maximum of six associated treatment rooms; and
- 1.3 The proposed Medical Centre shall be limited to the following hours of operation:
 - 8:00am – 5:00pm Monday to Friday;
 - 8:00am – 10:30am Saturdays; and
 - Closed Sundays and Public Holidays;

2. Educational Establishment

- 2.1 The first floor shall continue to be used as 'Educational Establishment' in accordance with the definition of 'Educational Establishment' as defined by the City's Local Planning Scheme No. 2; and
- 2.2 The maximum number of people permitted in the 'Educational Establishment' at any time is 12 people;

3. Car Parking and Access

A minimum of 24 onsite parking bays shall be available for use at the premises at any time;

4. Cash-in-Lieu of Parking Contributions

- 4.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of one (1) car parking bay, 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 \$5,400 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; and

4.2 Prior to the Occupation of the development the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

4.2.1 pay a cash-in-lieu contribution of \$5,400; OR

4.2.2 lodge an appropriate assurance bond/ bank guarantee of a value of \$5,400 to the satisfaction of the City. This assurance bond/bank guarantee would only be released in the following circumstances:

4.2.2.1. to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;

5. Signage

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; and

6. Parking Management Plan

Prior to the occupation of the development, a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:

6.1 Detailed management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors to the Medical Centre and Educational Establishment; and

6.2 The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City and at the expense of the owners/occupiers.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use from an Educational Establishment to a Medical Centre and incidental shop at No. 131 Harold Street, Highgate (subject site).

PROPOSAL:

The application proposes the use of both floors of the heritage building on site, for the use as a Medical Centre, including consulting rooms, radiology rooms and a pharmacy. The applicant proposes that the Medical Centre be developed over two stages and, at maximum capacity, accommodate approximately 28 staff members. The floor plan indicates that the ground floor and second floor accommodates approximately 102 customers in consulting rooms and waiting areas. A total capacity of 130 people is proposed.

The change of use is proposed to occur over two stages. Stage one would involve the ground floor being used as a Medical Centre and incidental Shop (pharmacy). During stage one, the upper floor would continue to be used as office space for the existing Educational Establishment, as it switches to an online learning format. It is expected that 10 educational staff would remain on site during this period, with a maximum of two students attending site sporadically to meet one on one with a staff member.

Stage two would involve the Educational Establishment on the upper floor being replaced with a Medical Centre. The Medical Centre and Shop (pharmacy) on the ground floor would continue to operate.

The application proposes some minor external works, being the addition of a lift to the rear of the property, and the realignment of the existing fence at the front of the property to make room for 21 embayed parking spaces along Stirling Street.

The proposed hours of operation for the Medical Centre, Shop (pharmacy) and Educational Establishment are 8:00am to 5:00pm Monday to Friday and 8:00am to 10:30am Saturdays.

BACKGROUND:

Landowner:	Kingston Commercial Group Pty Ltd
Applicant:	Erwin Biemel & Associates
Date of Application:	20 August 2018
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R80
Built Form Area:	Residential
Existing Land Use:	Educational Establishment 'D'
Proposed Use Class:	Medical Centre 'A'
Lot Area:	8798m ²
Right of Way (ROW):	No
Heritage List:	Management Category A

The subject site is located at the corner of Harold Street and Stirling Street, approximately 70 metres east of Beaufort Street, as detailed in **Attachment 1**. In 2011 approval was granted for the partial demolition of, and alterations and additions to, an existing heritage building, construction of a six storey mixed use development comprising 83 multiple dwellings, 47 single bed multiple dwellings, 1 office and associated basement parking.

The subject site contains three modern apartment buildings, and one heritage building which is located closest to the corner of Harold and Stirling Streets. The heritage building (the subject tenancy) is listed as a Management Category A property on the City's Municipal Register. The property is the former Christian Brother's College, and is considered to be of some historical value to the City. The three modern apartment buildings surrounding the heritage building on the subject site are not part of this application.

In 2013 approval was granted for alterations and additions to the site and change of use from Office to Educational Establishment in the subject building. The Kingston International College continues to operate at the site. The subject site has 24 bays for the exclusive use of the commercial portion of the site provided in underground parking, and shares 26 visitor bays with the 130 residential units also on the subject site.

DETAILS:

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 Policy No. 7.7.1 - Non Residential Development Parking Requirements. 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		✓
Car Parking		✓
Bicycle Facilities		✓

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		Medical Centre “A” use
Car Parking		
Deemed-to-Comply Standard		Proposal
Stage 1 – Medical Centre GF; Educational Establishment UF	Required	
7 x Consulting Rooms (4 bays per consulting room)	28 bays	24 bays
Educational Establishment (upper floor existing) Maximum two students on site Maximum 10 staff on site	0.5 bays, rounded to 1 bay	
Total for stage 1	29 bays required	
Stage 2 – Medical Centre GF and UF	Required	
12 x Consulting Rooms (4 bays per consulting room)	48 bays	24 bays
Total for stage 2 (upper floor and ground floor as Medical Centre)	48 bays	24 staff bays, resulting in a 24 bay shortfall.
Bicycle Facilities		
Deemed-to-Comply Standard		Proposal
Stage 1 – Medical Centre GF; Educational Establishment UF	Required	
7 x Consulting Rooms	Short term bays – 4.9 bays Long term bays – 2.1 bays	13 bays
Educational Establishment	Short term bays – 1	
Total	7 bays	13 bays
Stage 2 – Medical Centre GF and UF	Required	
12 x Consulting Rooms	Short term bays – 8.4 bays Long term bays – 3.6 bays	13 bays
Total	12 bays total, including upper floor and ground floor requirements.	13 bays

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 21 days from 23 November 2018 to 10 December 2018. The method of consultation being a sign on site, an advertisement in the local newspaper, and 313 letters mailed to all owners and occupiers surrounding the site (as shown in **Attachment 1**), in accordance with the City's Policy No. 4.1.5 – Community Consultation.

A total of 16 submission were received being one support, one expressing concerns and 14 objections. The submissions received during the community consultation are summarised as follows:

- Lack of parking available at the site, and its potential impact on the surrounding locality;
- The visitors to the Medical Centre dominating the visitor parking that is intended to be shared with the residential properties;
- Street parking already an issue at the site, and may lead to further traffic congestion in the area;

- The use is not appropriate in a residential area;
- The use would increase the number of visitors to the site every day, increasing traffic and pedestrian foot traffic in the area, and impacting the area in terms of noise and security;
- Security concerns with regards to a pharmacy being located in a residential area;
- The use may attract individuals with drug and alcohol addictions to the area.

The applicant provided a response to these submissions in a report, included as **Attachment 3**. The officer's response to comments are included as **Attachment 4**.

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; and
- Policy No. 7.7.1 – Non-Residential Parking Requirements.

Delegation to Determine Applications:

The application is required to be determined by Council as the development proposes a use which is not listed in Table 1 of the City's Policy No. 7.7.1 – Non Residential Parking Requirements.

RISK MANAGEMENT IMPLICATIONS:

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:

Innovative and Accountable

We are open and accountable to an engaged community

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Land Use

The application proposes a change of use from an existing Educational Establishment to a Medical Centre and an incidental Shop (pharmacy). A Medical Centre is an 'A' use within the City's Residential Zone as per LPS2, meaning that the use is not permitted unless the local government exercises its discretion by granting approval after community consultation has been undertaken. The Shop (pharmacy) is considered to be an incidental use to the predominant use of the Medical Centre.

The application proposes the change in use of the site to be completed over two stages. The applicant has not provided a definitive timeline for the implementation of these stages, but the proposal for the staged approach is:

Stage 1

Stage 1 includes the establishment of the medical centre and shop (pharmacy) on the ground floor and the existing educational establishment to remain on the upper floor. It is noted that the educational establishment is moving to an online learning model, which involves approximately 10 staff remaining on site for the duration of Stage 1, with a maximum of two students on site at any time, attending one on one meetings with the staff. All other learning associated with the educational establishment is to be undertaken off site. Stage 1 consists of:

Ground Floor – Medical Centre

7 Consulting Rooms

8 Treatment rooms

Shop (pharmacy, intended as ancillary to the use)

Upper Floor – Educational Establishment

7 Class Rooms (to remain fitted out as classrooms, but not be utilised for classroom activities)

4 Offices

1 Administration Area

1 Reception Area

Stage 2

In Stage 2 the Educational Establishment is no longer proposed to be on site, with the Medical Centre and associated uses occupying the tenancy throughout the ground and upper floor. Stage 2 results in the additional development of the medical centre, including:

Ground Floor and Upper Floor – Medical Centre

An additional 3 Consulting Rooms on the upper floor, equating to a total of 10 Consulting Rooms.

An additional 5 Treatment Rooms on the upper floor, equating to a total of 13 Treatment Rooms.

The Shop (pharmacy, intended as ancillary to the use) established on the ground floor Stage 1 is to remain.

The use of a medical centre on the subject site is considered to be compatible with the surrounding residential and commercial areas. The proposed use is in keeping with the objectives of the Residential Zone of LPS2 as it provides a non-residential use which is compatible with, and complementary to, residential development. The shop (pharmacy) on site is intended to be used by customers of the medical centre and residents from the surrounding area, and providing further amenity to the area.

Although the proposal for a Medical Centre at the subject site is considered an acceptable use, the proposed scale and intensity of the use of the site when Stage 2 has completed is not considered to be acceptable, given its potential impact upon the surrounding residential area. The full scale proposal would have a negative impact on the amenity of the surrounding area, and is inconsistent with the objectives of the Residential zone under LPS2 as follows:

- The application proposes a medical centre across two levels comprising 12 consulting rooms and 13 treatments rooms. The subject site and land to the east and south is zoned Residential R80 and characterised by grouped and multiple dwellings, the land to the north located on Harold street is zoned Residential R50 and is characterised by single storey single dwellings. The zoning of this area is reflective of the City's intent for these areas to provide medium to high density residential uses within a highly accessible location (adjacent to Beaufort Street). The scale of the development is not compatible or complementary to the surrounding residential development.
- The land adjoining the rear western boundary is zoned Commercial, it is acknowledged that the amenity of the residents of the subject lot and the immediately adjoining Residential zoned properties would be impacted by land uses within the commercial zone and the result of impacts including traffic, parking, deliveries and noise. Residents adjoining a commercial site could expect a diminished level of amenity. The intensity of the proposed medical centre post Stage 2 could result in unreasonable amenity impacts as a result of the scale of the development.

- Post Stage 2, the proposed use is more intensive than the existing Educational Establishment where classes are scheduled for longer periods of time throughout the day.

The use of the ground floor as a Medical Centre and the upper floor remaining a base for the currently operating Educational Establishment, or Stage 1 of the proposal, is considered a more acceptable use of the site. The scale and intensity of Stage 1 is of a more appropriate scale for the subject site, located at the interface between the Residential and Commercial zones. The intensity of Stage 1 is considered to have a more manageable impact on the amenity of the surrounding residential area as such it is recommended that the approval be limited to stage 1 only with approval for the ground floor as Medical Centre only and the upper floor to be retained as Educational Establishment at a smaller scale than the current approval permits.

Car and Bicycle Parking

Car parking requirements for a Medical Centre are determined by Policy No. 7.7.1 – Non Residential Parking Requirements. As the Shop (pharmacy) is considered an incidental use there are no parking requirements for this use.

At the completion of Stage Two, a shortfall of 24 bays is proposed. The applicant was required to submit a Parking Management Plan which is included as **Attachment 3**.

The following is relevant in determining the acceptability of the Parking Management Plan:

- The applicant has confirmed that medical appointments are to run for 15 minutes, skin cancer and specialist appointments to run for 30 minutes and radiology appointments to run for 30 to 60 minutes. This would result in a greater turnover of visitors to the site, and a greater number of vehicles visiting the site every hour.
- The applicant submitted a parking survey, which includes observations about the parking in the shared visitor parking bays on a two hourly basis for a week. This parking survey is included as **Attachment 6**, and seeks to provide recommendations to the City about how parking on site may be better managed, so that the proposed use would not have an undue impact on the adjoining sites.
- To address the car parking variation, the applicant has proposed the development of 21 embayed parking spaces within the verge at Stirling Street, adjoining the subject site. These 21 bays would replace the existing 13 street parking bays. Administration has determined that these proposed parking spaces are acceptable in terms of safety and design. The proposed parking bays would be installed at the full cost of the applicant, with the City to provide appropriate ticketing machines and determine the appropriate length of stay for the proposed parking spaces.
- Although the proposed embayed parking would not be provided on site, the applicant has proposed that this parking is an option to alleviate the 24 bay parking variation identified for the proposed change of use. The provision of 21 bays adjacent to the subject site in lieu of the existing 13 bays, would result in an additional eight parking bays being provided for the locality. The embayed parking would not be for the sole use of the Medical Centre, as it would be public parking managed by the City, and available for use by all visitors to the locality. The parking adjoining the site may not be available for customers to the site and they may be forced to park elsewhere along adjoining streets. This would in turn result in negative traffic impacts for the residents of Harold and Stirling streets and residents and customers compete for on-street car parking.
- The proposed Medical Centre would attract a higher number of visitors to the site in comparison to the existing Educational Establishment, with medical appointments generally being shorter and more frequent than a class schedule. The increase of visitors to the site would be exacerbated when stage two has been completed and 12 consulting rooms and 13 treatment rooms would be operating, with multiple appointments likely to be booked for each room every hour. The increased visits to the site would result in a higher number of vehicle movements and greater demand for parking in the surrounding area.
- **Attachment 7** of this report contains the current approved Vehicle Gate Management Plan submitted to satisfy condition (ix)(d) of the original development approval granted in 2011 for the redevelopment of this site. This includes a requirement for the vehicular access gate on Harold Street to be open during working hours to allow free access to the gate. A condition of development approval is recommended requiring an amended Parking Management Plan that specifies the vehicle entry gate requirements and will need to capture the requirement for the gate to be open during the recommended hours of operation. It is noted that the management of this plan is the responsibility of the Strata Company and will require approval of the Strata prior to submission and approval by the City.

Administration is not satisfied that the location of a Medical Centre on this site and the convenience that may be provided for any local residents outweighs the amenity impacts on the immediate neighbours from the increase in traffic movements. The parking shortfall would have an adverse impact on the amenity of the residents on Harold and Stirling Streets and is not supported.

At the completion of Stage 1, a parking shortfall of five bays is proposed. This is not considered to be an appropriate parking variation given the Residential nature of the surrounding properties.

It is considered that stage 1 of the development being the ground floor Medical Centre and upper floor Educational Establishment if operated at a reduced scale outlined above would be capable of satisfying the car parking requirements available on site.

The parking outcomes for a reduced scale development would be:

Car Parking		
Deemed-to-Comply Standard		Proposal
Stage 1 – Medical Centre GF; Educational Establishment UF	Required	
6 x Consulting Rooms (4 bays per consulting room)	24 bays	24 bays
Educational Establishment (upper floor existing)		
Maximum two students on site Maximum 10 staff on site	0.5 bays, rounded to 1 bay	
Total for stage 1	25 bays required	24 bays

It is recommended that, should Stage 1 of the development be approved, a condition of approval be applied limiting the number of consulting rooms to six. Six consulting rooms results in a one bay shortfall, which is considered a more manageable and acceptable parking variation given the residential nature of the area surrounding the subject site. The applicant has indicated if the full proposal was approved then they would accept a condition to construct 21 embayed parking bays within the Stirling Street road reserve. An approval for the Medical Centre at a reduced scale, where the parking requirements result in a one bay shortfall, is not considered to be a need for the construction of the embayment parking which would come at a substantial cost to the applicant for a significantly reduced development proposal.

If Council resolve to approve the application at the reduced scale, a cash-in-lieu contribution for the one bay shortfall equating to \$5,400 is conditioned. The collection of these funds would contribute to a review and upgrade of the existing parking infrastructure which may mitigate potential on street parking issues as a result of this development.

Heritage

The subject site is a Management Category a site on the City's municipal register. The site is not listed on the State Heritage Register.

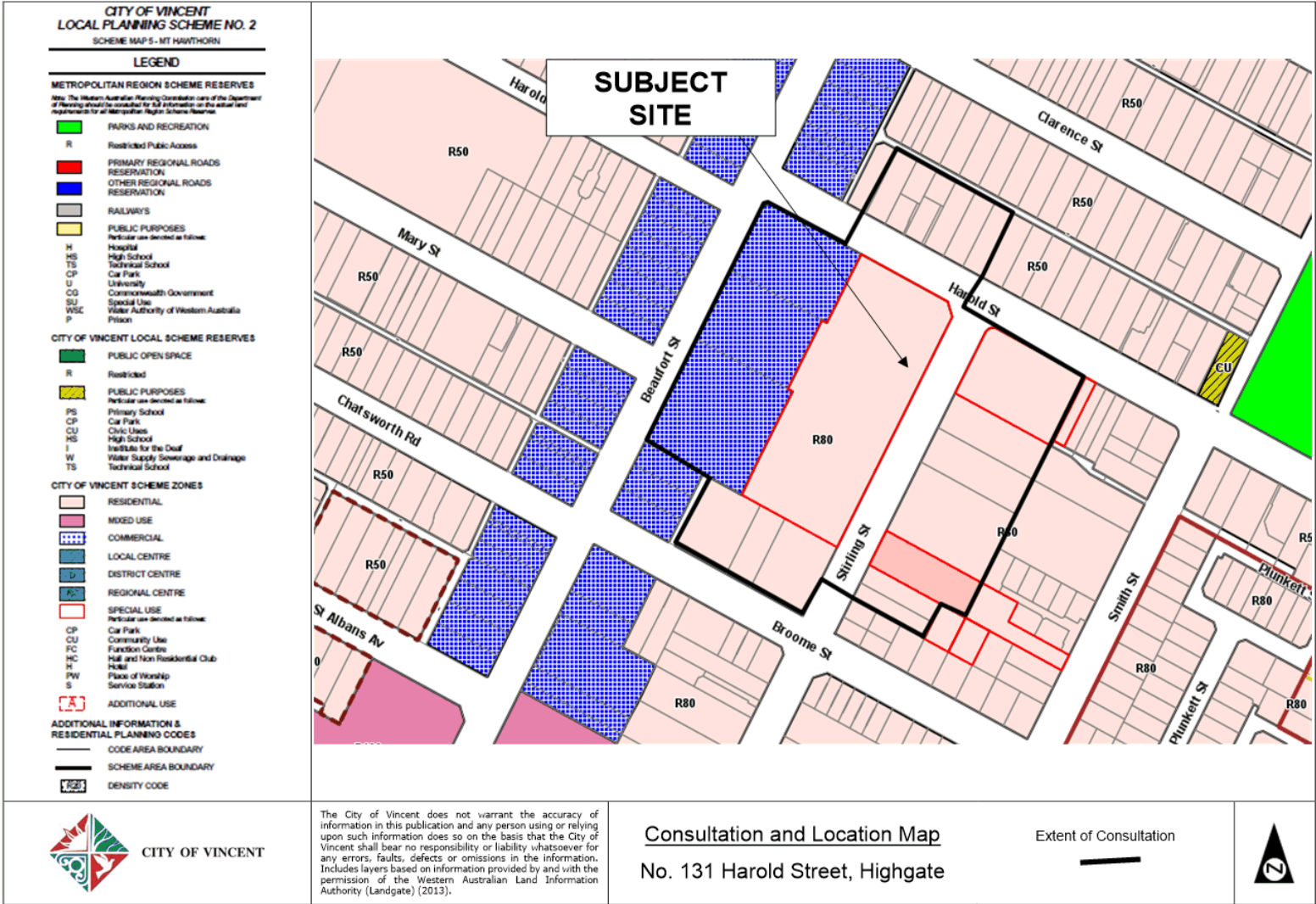
The City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties requires a Heritage Impact Statement to be submitted with Development Applications. The development proposes external works in the form of a lift at the rear of property, and embayed parking on Stirling Street which would require the demolition and rebuilding of the front fence further in on the lot than its current location.

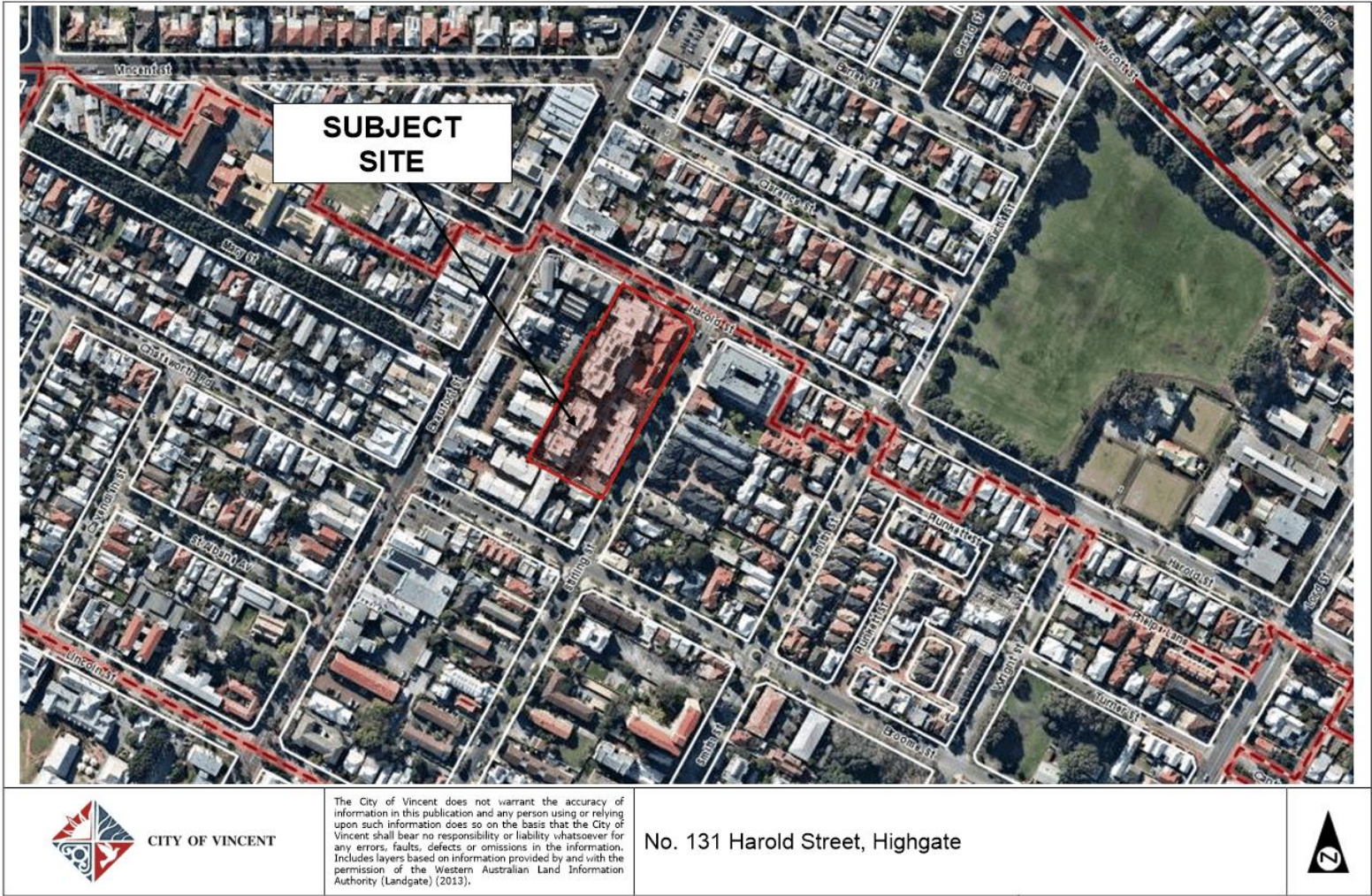
The Heritage Impact Statement and plans for the proposal were referred to the State Heritage Office for comment. The State Heritage Office provided comments on the 28 February 2018, stating that:

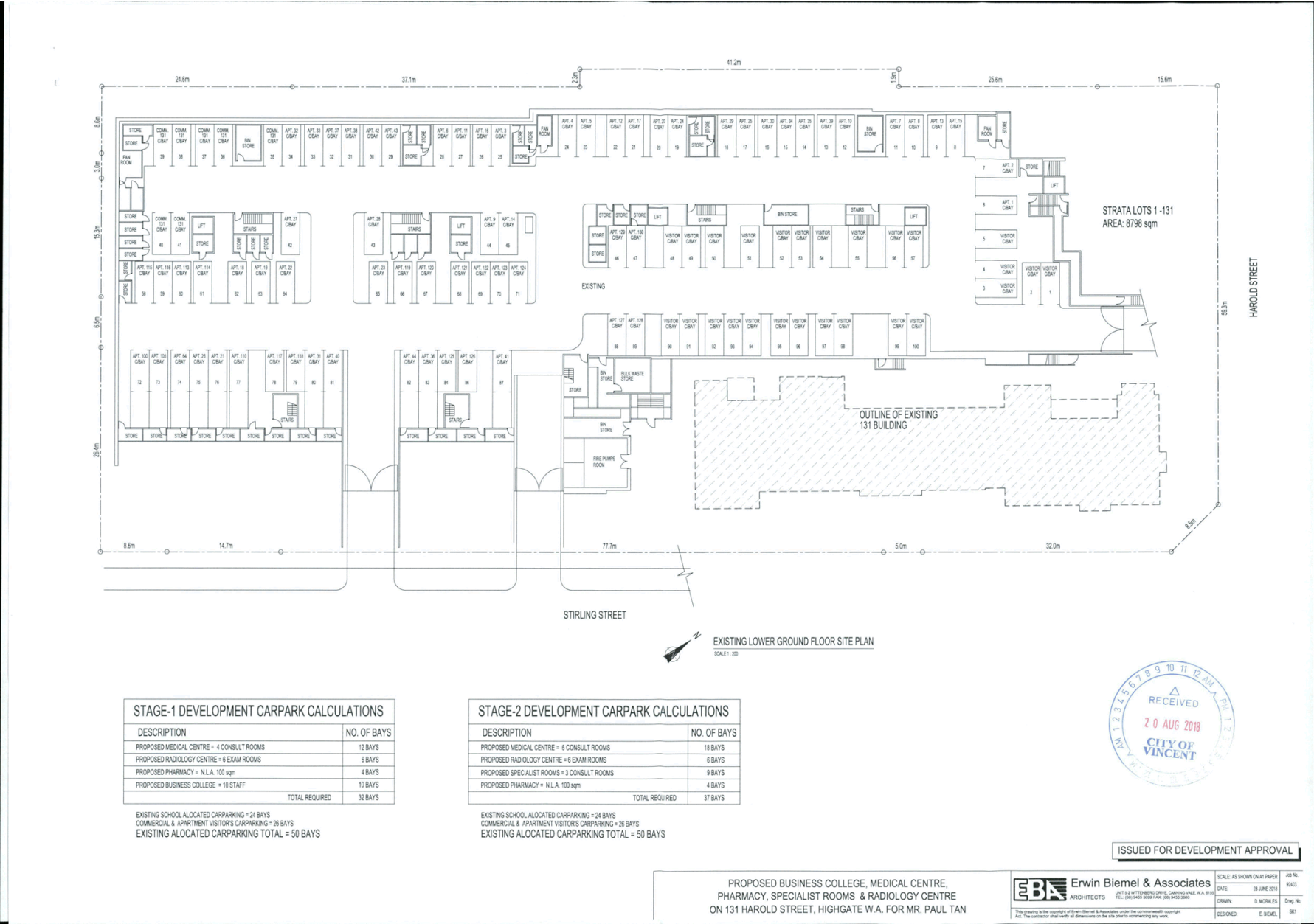
Best heritage practice would suggest the lift be designed to read as new and not mimic the existing buildings. This could be done in brick, detailed to read as new.

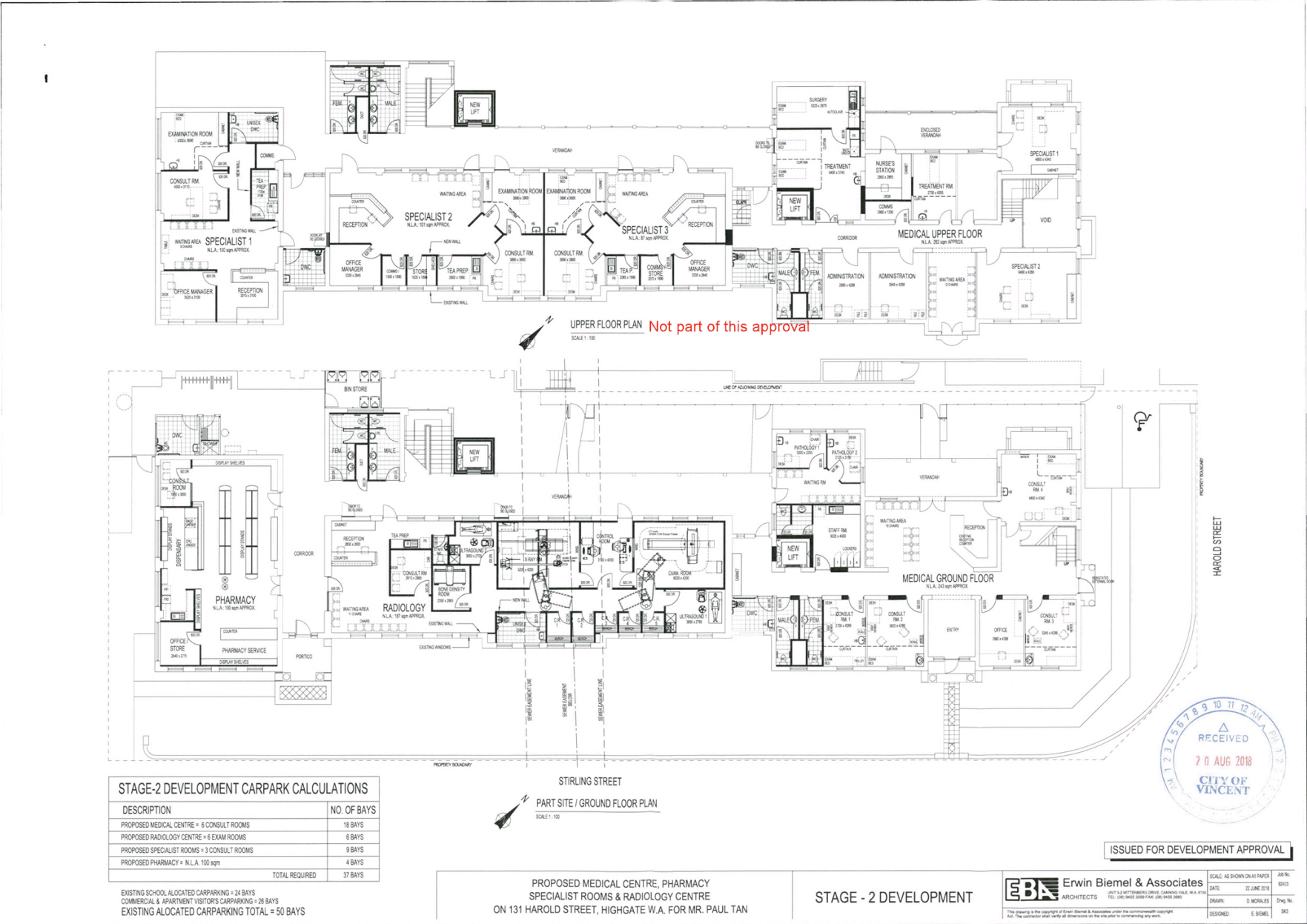
As the property is not listed on the State Heritage Register these comments are in an advisory capacity only.

If the City were to approve the development of Stage 1 of the application only, the lift and embayed parking would not be considered necessary changes to the development. The approval of Stage 1 only would result in no impact on the external built form of the existing development.











CITY OF VINCENT
RECEIVED
20/02/2019

ISSUED FOR DEVELOPMENT APPROVAL

PROPOSED BUSINESS COLLEGE, MEDICAL CENTRE,
SPECIALIST ROOMS, PHARMACY & RADIOLOGY CENTRE
ON 131 HAROLD STREET, HIGHGATE W.A. FOR MR. PAUL TAN

EBA Erwin Biemel & Associates
ARCHITECTS
10/12 WATKINS DRIVE, GARDING VALLEY, W.A. 6103
TEL: (08) 9450 3000 FAX: (08) 9450 3000
DATE: 5 FEBRUARY 2019
DRAWN: D. MORRIS
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SCALE: AS SHOWN ON A1 PAPER
JOB NO: 0403
DATE: 5 FEBRUARY 2019
DRAWN: D. MORRIS
DESIGNED: E. BIEMEL
SHEET NO: 004

proposed highgate medical centre

131 harold street highgate



submission to city of vincent

further details in response to comments from neighbours during advertising period and traffic movement information.



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introduction

This submission addresses the complaints & comments made during the advertising period by neighbours and its intention is to better inform the Shire of Vincent regarding the issues raised and other matters raised during correspondence with Shire Planning Staff.

kingston college

Kingston College has operated from the site since 2003.

The college runs a number of English & Vocational Diploma courses for enrolled students. Class sizes are typically small up to 15 students.

Each course offered has 20 hours per week of tuition with several including work place vocational training.

Courses are staged throughout the week typically up to 4 hours a day per course

Refer to appendix C for the current course structure

Education is always evolving and Kingston College is transitioning to E Learning from home with onsite one on one support as required and periodic reviews.

In the near future only a small number of students meeting with lecturers will be onsite at any one time.

The building approved for 1200m² of office space will become largely surplus to requirements unless a viable alternative use is approved.

Kingston College intends to relocate to a much smaller office environment as soon as stage 1 of the medical centre is completed and stage 2 approved to start.

The current trading hours are 8.00am to 5.00pm Monday to Friday except public holidays and school holidays. Staff are often on premises past these hours for administrative reasons.

historical buildings

An imperative exists to find viable commercial uses for historical buildings that are sympathetic to the built form if we wish to avoid these structures falling into disrepair.

During the advertising period a number of ill-informed submissions were made regarding drug addicts being attracted to medical & pharmacy businesses.

What is absolutely certain is an abandoned building in the inner city will attract all types of homeless persons amongst who will be the worst kind of violent drug addicts.

If too much credibility is given to these complaints the outcome could be exactly what the complainants wish to avoid.

proposed medical centre

The proposed medical centre will provide a necessary service to the elderly, frail and sick in the locality.

The owners and prospective anchor tenant have done extensive research to ensure the proposal is viable.

In private enterprise you do not spend a few million dollars to build and fit-out a medical centre unless the proposal will provide the required financial returns.

The anchor tenant for the medical centre is Dr Ritthy Sovann who owns and operates the Riverton Medical Centre a family practice centre specializing in skin cancers and their removal. In our climate skin cancers are an ever increasing issue.

Please refer to Appendix B for an outline of the Skin Cancer Specialization of the practice.

Their trading hours at Highgate will be 8.00am to 5.00pm Monday to Friday and 8.00am to 10.30am Saturday.

They do not open on Sundays and public holidays.

Typically not all consult rooms are active at once with one room allocated to each doctor. About 50% to 75% of doctors are on duty at any one time or 2 to 3 doctors during stage one.

The car-parking review has been based upon all consultation rooms being active at the same time representing a worst case scenario not a typical scenario.

pharmacy

No tenant is known for the retail pharmacy currently but the proposed shop is of small to medium size and will provide prescription services to locals and medical centre patients and essentials like nappies to locals.

Given the location of the Pharmacy and its size it is not anticipated it will pull customers from a wider area. Customers will be from the medical centre and from locals typically walking to the pharmacy.

The trading hours are anticipated to be 8.00am to 6.00pm seven days a week.

radiology clinic

The tenant for the radiology centre is still being negotiated.

Expected trading hours are 8.30am to 5.00pm Monday to Friday excluding weekends and public holidays. Medical Specialist Rooms.

Specialists typically only have patient followup consultations on one to two days a week at their rooms. The remainder of the time they are conducting operations or visiting patients in hospital.

Hours of operation are typically 8.30am to 5.00pm

safety

Pharmacies and Medical Centres operate under a strict legislative framework.

The current regulations are so tight that poor behaviour at medical centres & pharmacies has decreased significantly. Opioid based drugs and drugs to treat AHAD are highly addictive and are by law stored in a drug safe and monitored by security cameras in pharmacies. Pharmacies must keep an accurate register of these drugs and any discrepancies will lead to significant fines from the regulatory authority or lose of licence.

Drugs containing Pseudoephedrine & codeine (cold & flu) are now prescription only.

Typically before these regulations came into force pharmacies could order 600-1000 packets of cold & flu at a time and store them on the shelves. Home Bake artists would then break into pharmacies after hours to steal these drugs and convert them to addictive substances typically in home laboratories.

Commencing a few years ago pharmacies stopped storing these drugs to avoid breakings and the significant escalating cost of insurance

Today with the subscription only legislative requirements the number of packets stored on shelves is around two.

The attraction to break into pharmacies for illicit drugs is gone and the risks due to full monitoring and security camera to great for the small reward. Please consider that to obtain 600 packets as was achievable a few years ago from one break-in today would require up to 300 break-ins . Clearly the move to restrict access to these drugs was intended to remove and control drug addiction both legal and illegal.

Medical centres must store any drugs onsite in a drug safe and typically medical centres have full security including alarm buttons and video cameras.

Any person addicted to painkillers must be able to present well, have a plausible argument to convince the doctor and not appear on any register of drug addicts to be able to secure a prescription. When seeking a pharmacy to fulfil the prescription they must also present well. Addicts of this kind do not seek to attract attention to themselves so as to avoid losing access to the doctor. They cause no issues and cannot easily be seen as different from the typical patient.

Doctors and pharmacists are trained to spot drug addicts.

The comments contained in safety and security comments section on drug addicts are inappropriate given today's regulatory frame work for pharmacies and medical centres.

Today pharmacies and medical practices do not attract drug addicts indeed actively discourage them through active monitoring. Stiff regulatory penalties apply for issuing unwarranted prescriptions to any patient in particular the doctor shopping kind of drug addict.

Illicit drug use has largely moved to the black market and importation a matter for federal and state law enforcement agencies. I understand Highgate has a Drug issue amongst its residents but this issue is not related to the proximity of a pharmacy or medical centre but due to other social issues.

security

The medical uses proposed will be secured by high quality monitored security systems and high resolution recording video systems. Each business monitors its own premises and works with its selected security provider.

The video surveillance systems will cover external approaches to the building.

The visitor carpark can be monitored by security camera if required by the local authority as part of the medical practice.

Staff and tenant carpark is behind security gates currently. The visitor bays are open to all visitors. Having effective external video surveillance incorporated into the Medical Centre will discourage loitering in the locality and provide an enhanced security to those living in the immediate locality.

The video recordings are also a useful asset available to law enforcement to assist them solve crimes in the locality by identifying vehicles and persons passing the locality

Medical Use are commercial uses. Please refer to current City of Vincent planning approval contained in the appendix A for the conditions applying to the current approved commercial use.

I refer you also to the section on historical buildings in this submission and the imperative to have viable uses for buildings to avoid them falling into disuse

Medical centres are licenced and consultation rooms must meet privacy requirements. Noise emitting from a medical centre is effectively nil.

Security has been discussed in the security section of this submission.

My clients have through market research determined the need for the medical uses and pharmacy as proposed in this development application

As stated earlier the proposed medical centre will provide a necessary service to the elderly, frail and sick in the locality.

traffic movements

Currently the international college runs several diploma courses at 20 hours a week or typically 4 hours a day. Student numbers vary up on each enrolment and are up to 15 per class . With an educational facility students arrive and depart in mass at the start and end of the course/ lecture for the day. Typically two courses could finish at similar times discharging up to 30 students all of whom normally depart the premises in a short period of time. Each Course has a changing dynamic every time enrolments occur

Students arrive by car , public transport etc and the number by car is about 50% or 15 cars departing at the same time.

Refer to appendix C for the current course structure

A medical centre trades for similar hours to the educational facility

Patient movements are even and spread out not grouped like the educational facility

Consultation periods are typically

Medical – every 15 minutes

Medical Skin Cancers – minimum 30 minutes

Radiology – Min 30 minutes up to 60 minutes. If a consultation is required this timeframes will lengthen

Specialist Rooms – Typically 30 minutes per consultation. As stated earlier specialist only conduct consultations in their rooms once or twice a week.

The number of patients onsite every hour for stage 1 is anticipated to be 12 , 8 for the medical practise and 4 for radiology

The pharmacy will attract the same customers as the medical practice plus locals who are expected to walk to the pharmacy

From this analysis 12 cars per hour will be arriving & departing from the visitors carpark at even regular intervals for stage one of the development but when we take into consideration the appointment times for medical uses the number of patients onsite at any one time reduces to 9.

The Educational facility has groups of about 15 cars at a time arriving and departing the visitor's carpark.

The visitors carpark will be fuller with the educational facility than the medical centre and noise levels from groups of people is higher than individuals

Overall the proposed medical centre represents a reduction in congestion due to regular intervals between individual cars compared with the educational facility which has groups of students departing at the same time.

Staging 2 of the development will only proceed when the medical practice is established and patient numbers require it. Stage 2 represents in part an expansion of the medical centre.

Until stage 2 is viable the international college will operate its E learning educational models from the upper floor office space.

With stage 2 completed the number of patients is expected to be 18 per hour (excluding the pharmacy) or a maximum of 15 at any one time. The maximum number includes allowances for all 3 specialist rooms which operate only 1 or 2 days a week only.

The fitout of the buildings to create a medical centre is largely lightweight construction and is able to be constructed quickly limiting the time frame that contractors are onsite

The majority of walls and ceilings will be installed by one team

Contractors visiting the site is to be expected during the construction period but given that the college will be operating its E Learning modules from that time student numbers onsite will reduce to only a few at any one time.

parking

The current approved office space and home to Kinston International College is approved with 24 bays and 26 visitor bays.

The original development approval states

Car Parking and Access ways

the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;

The car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and

(d) the car park shall be used only by employees, tenants, and visitors directly associated with the development;

The intent of the original approval was for the visitors bays to be available to the commercial approved use. The condition that commercial bays be made available to residents after business trading hours is consistent with the reality that residential visitors to the complex are typically after hours once the working residential occupants return home.

The required minimum number of car bays for stage 1 as advised from Fiona Atkins Urban Planner for City of Vincent in her email dated 21 December 2018 is 24. In addition allowances must be made for the educational establishment with a maximum of 10 staff.

As advised in my email dated 8th November staff and patient numbers for stage 1 are seen as a maximum of 13 staff

15 customers/patients including 3 for pharmacy and 4 for radiology.

Educational establishment = 10 staff

Total

23 staff

15 customers per hour.

The 15 customers include 3 for the pharmacy which is overlapped with the medical centre as they are common customers and includes local customers who will walk to the business.

Customer numbers are per hour with the assumption of 100 per cent of the consultation rooms being used at once which is unlikely. Excluding the pharmacy patients the number reduces to 12 (without overlap of 3 pharmacy customers) or about 9 onsite at any one time for stage 1.

The number of visitor bays being used during business hours for stage one is a maximum of 9 at any one time.

This leaves 17 visitor bays free and one commercial bay free for visitors to the residential units during business hours.

The required minimum number of car bays as advised from Fiona Atkins Urban Planner for City of Vincent in her email dated 21 December 2018 for stage 2 is 36 bays.

As advised in my email dated 8th November staff and patient numbers for stage 1 and 2 combined are seen as a maximum of

21 staff

21 customers per hour.

This comprises

Medical Centre 10 Staff, 10 patients

Specialist Rooms 5 staff, 4 patients

Radiology , 4 staff, 4 patients

Pharmacy 2 staff, 3 patients

The number of visitor bays being used during business hours for stage one & two is a maximum of 12 at any one time.

This leaves 14 visitor bays free and 5 commercial bay free for visitors to the residential units during business hours.

The complaints lodged during the advertising period make reference to inadequate visitor parking bays onsite.

As discussed in this submission more than 50% of visitor bays will be available during business hours for visitors to the complex. The majority of residents will be working during business hours and will not attract visitors during this time.

Comment on street parking has also been made in the lodged complaints. Street parking is a matter for the local authority to manage but an option to increase street parking by 10 bays in Stirling street is shown on the attached plan . If the city of Vincent concludes that street parking is an issue then short term maximum 1 hour during business hours additional parking can be provided as shown on our plan.

conclusion

The impact of the proposed medical centre compared to the current international college has been compared in this submission.

The impact on the existing car parking is similar during business hours for both business models, education facility and medical centre.

Additional street metered parking is possible in Stirling Street as shown on the attached plan to provide short term car parking.

The management of street car parking is a matter for the City of Vincent and the appropriateness of allowed length of parking may need review given the public comments.

Visitor bays for the development are available for the use of visitors to the commercial centre as determined by the original planning approval for the existing development.

Comments during the advertising period fall into three categories

1. Parking
2. Use
3. Safety and Security

This submission has reviewed each area in detail and addressed all concerns that are relevant to the development proposal.

appendix a



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

10 MAY 2011

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

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9.1.5 Nos. 369-375 (Lot 33 ; D/P: 15303, Lot 123 ; D/P: 2642, Lot 35; D/P: 65374/1) Stirling Street, corner of Harold Street, Highgate - Proposed Partial Demolition of Existing Buildings, Additions and Alterations to Existing Building and the Construction of a Six Storey Mixed Use Development comprising Eighty-Three (83) Multiple Dwellings, Forty-Seven (47) Single Bedroom Multiple Dwellings, One (1) Office and Associated Basement Car Parking- State Administrative Tribunal (SAT) Review Matter No. 26 of 2011

Ward:	South	Date:	2 May 2011
Precinct:	Forrest – P14	File Ref:	PRO0688; 5.2010.326.2
Attachments:	001 – Revised Plans		
Tabled Items:	-		
Reporting Officer:	B Doyle, Associate Director Planning Solutions (appointed consultant)		
Responsible Officer:	R Boardman, Director Development Services		

This report has been prepared by Planning Solutions – Urban and Regional Planning – Consultants for the Council, in respect to reconsideration of this matter currently at the State Administrative Tribunal.

CONSULTANT RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by SS Chang Architects on behalf of the owner Finbar Funds Management Ltd for proposed Partial Demolition of Existing Buildings, Additions and Alterations to Existing Building and the Construction of a Five- Storey Mixed Use Development comprising Eighty-Seven (87) Multiple Dwellings, Forty-Six (46) Single Bedroom Dwellings, One (1) Office and Associated Basement Car Parking, at Nos. 369-375 (Lot 33 ; D/P: 15303, Lot 123; D/P: 2642, Lot 35; D/P: 65374/1) Stirling Street, corner of Harold Street, Highgate and as shown on amended plans stamp-dated 28 April 2011, subject to the following conditions:

(i) **Building**

- (a) *all new 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 Stirling and Harold Streets;*
- (b) *if entry to neighbouring land is required, first obtaining the consent of the owners of Nos. 512-522, No. 500 Beaufort Street, and No. 153 Harold Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 512-522, No. 500 Beaufort Street and No. 153 Harold Street in a good and clean condition;*
- (c) *doors, windows and adjacent floor areas of the office fronting Stirling and Harold Streets shall maintain an active and interactive relationship with these streets;*

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- (d) *the maximum gross floor area of the office component shall be limited to 1200 square metres. Any increase in floor space or change of use of the offices shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Parking and Access Policy No. 3.7.1; and*
- (e) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) **Car Parking and Accessways**
 - (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
 - (b) *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 Town;*
 - (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*
 - (d) *the car park shall be used only by employees, tenants, and visitors directly associated with the development;*
- (iii) **Public Art**

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

 - (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$280,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$28,000,000); and*
 - (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*
 - (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

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(iv) Signage

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(v) Fencing

Any new street/front wall, fence and gate within the Stirling Street and Harold Street setback areas, including along the side boundaries within these street setback areas, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(vi) Verge Tree

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

(vii) Retention of Trees

The retention of and the protection at all times during construction and other works the existing trees identified on plan SK-02, with the exception of the Cape Lilac (Melia azederach) located alongside the northern elevation of the Inter-war Georgian building.

The applicant is to engage a qualified arboricultural consultant to assess the trees required to be retained, and provide a report to address their future care control and management;

(viii) **PRIOR TO THE ISSUE OF A BUILDING LICENCE**, the following shall be submitted to and approved by the Town:

(a) Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

- 1. public safety, amenity and site security;*
- 2. contact details of essential site personnel;*
- 3. construction operating hours;*
- 4. noise control and vibration management;*
- 5. Dilapidation Reports of nearby properties;*
- 6. air and dust management;*
- 7. stormwater and sediment control;*
- 8. soil excavation method (if applicable);*
- 9. waste management and materials re-use;*
- 10. traffic and access management;*
- 11. parking arrangements for contractors and subcontractors;*
- 12. Consultation Plan with nearby properties; and*
- 13. any other matters deemed appropriate by the Town;*

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(b) Landscape and Reticulation Plan

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

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

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

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

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

(d) Schedule of External Finishes

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

(e) Acoustic Report

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

(f) Refuse and Recycling Management

Separate Bin Compounds for the residential and commercial components of the development are required, and must include wash down facilities and floor waste.

The Bin store as proposed is to accommodate the full number of bins for the minimum Town of Vincent service.

As per the Waste Management Consultant's report, a caretaker is to be responsible for the management, storage and verge placement and collection of bins.

A detailed Waste Management Plan is to be submitted prior to the issue of a Building Licence;

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(g) Privacy

Revised plans shall be submitted to and approved by the Town demonstrating the following the balconies to Units 22, 27, 32, 37 and 42 on the north-eastern elevation, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2010; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 153 Harold Street, stating no objection to the respective proposed privacy encroachment;

(h) Amalgamation

Prior to the issue of a Building Licence, the subject Lots 136, 137 and 138 shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate and subdivide the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);

(i) Footpath Upgrading

In keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments, the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$40,000 shall be lodged and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services. An application to the Town for the refund of the upgrading bond must be made in writing;

(j) Vehicular Gate

Any proposed vehicular gate for the car park visible from Stirling Street and Harold Street shall be a minimum 50 percent visually permeable when viewed from Stirling Street and Harold Street;

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(k) Heritage

- (a) *an interpretative plaque or another appropriate form of interpretation that provides an understanding of heritage development of the site and its cultural heritage value shall be installed prior to the first occupation of the approved addition on site. The design and wording of the interpretative plaque or other interpretative medium shall be undertaken in accordance with the Town's Heritage Management Policy No. 3.6.4 relating to Interpretive Signage and be submitted to and approved by the Town prior to the issue of a Building Licence;*
- (b) *the red brick and iron fence, which features a geometric pattern and surrounds the Interwar Georgian Revival building, shall be retained in situ and conserved to aid in the conservation of the setting of the place; and*
- (c) *details of proposed works at the heritage listed Interwar Georgian Revival building including internal structural changes, interior fixtures and signage, etc. should be submitted prior to the issue of a Building Licence; and*

(l) Underground Power

In keeping with the Town's Policy 2.2.2, the power lines along both the Harold Street and Stirling Street frontages of the development shall be undergrounded at the Developer's full cost. The Developer is required to liaise with both the Town and Western Power to comply with their respective requirements, prior to the issue of the Building Licence; and

(ix) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Residential Car Bays

The 163 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

(b) Clothes Drying Facility

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

(c) Bicycle Parking

Six (6) class one or two bicycle and one (1) class three parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities; and

(d) Management Plan-Vehicular Entry Gate

In the event a vehicular entry gate is provided, a plan detailing management measures for the operation of the vehicular entry gate to Harold Street and Stirling Street, to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town.

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Cr Buckels and Cr Burns departed the Chamber at 9.09pm.

Moved Cr McGrath, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

Cr Buckels returned to the Chamber at 9.10pm.

Debate ensued.

Cr Burns returned to the Chamber at 9.11pm.

Debate ensued.

Cr Farrell departed the Chamber at 9.21pm.

Debate ensued.

Cr Farrell returned to the Chamber at 9.23pm.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr McGrath

That new clause (viii)(m) be added as follows:

“(m) Section 70 A Notification under the Transfer of Land Act

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

- (1) the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
- (2) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

Debate ensued.

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Cr Burns asked if the Council's Planning Consultant, Mr Ben Doyle would answer questions about the State Administrative Tribunal (SAT) process, which involved legal advice. She requested that the Council proceed "behind closed doors", so that the advice could be confidential and not prejudice the Council's position.

PROCEDURAL MOTION

At 9.38pm Moved Cr Burns, Seconded Cr McGrath

That Council proceed "behind closed doors" to enter into confidential discussions with the Consultant, Mr Ben Doyle on item 9.1.5.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

There were 18 members of the public present. There were also two (2) journalists present, who departed the Chamber at 9.38pm.

Cr Lake departed the Chamber at 9.38pm.

PRESENT:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Ben Doyle	Associate Director, Planning Solutions (for Item 9.1.5) (until approximately 10.30pm)

PROCEDURAL MOTION

Moved Cr Burns, Seconded Cr Farrell

That Standing Orders be suspended to enable the Town's Consultant to address the meeting and answer questions.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

Debate ensued behind closed doors. Mr Ben Doyle responded to questions about the SAT process.

Cr Lake returned to the Chamber at 9.40pm.

Debate ensued.

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PROCEDURAL MOTION

At 9.55pm **Moved Cr Burns, Seconded Cr Buckels**

That Standing Orders be resumed and that Council resume an "open meeting".

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

PRESENT:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Ben Doyle	Associate Director, Planning Solutions (for Item 9.1.5) (until approximately 10.30pm)

There were 18 members of the public present. There was one (1) journalist present, who returned to the Chamber at 9.55pm.

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-1)

For: Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Against: Cr Harvey

COUNCIL DECISION ITEM 9.1.5

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by SS Chang Architects on behalf of the owner Finbar Funds Management Ltd for proposed Partial Demolition of Existing Buildings, Additions and Alterations to Existing Building and the Construction of a Five- Storey Mixed Use Development comprising Eighty-Seven (87) Multiple Dwellings, Forty-Six (46) Single Bedroom Dwellings, One (1) Office and Associated Basement Car Parking, at Nos. 369-375 (Lot 33 ; D/P: 15303, Lot 123; D/P: 2642, Lot 35; D/P: 65374/1) Stirling Street, corner of Harold Street, Highgate and as shown on amended plans stamp-dated 28 April 2011, subject to the following conditions:

(i) Building

- (a)** *all new 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 Stirling and Harold Streets;*

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- (b) *if entry to neighbouring land is required, first obtaining the consent of the owners of Nos. 512-522, No. 500 Beaufort Street, and No. 153 Harold Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 512-522, No. 500 Beaufort Street and No. 153 Harold Street in a good and clean condition;*
- (c) *doors, windows and adjacent floor areas of the office fronting Stirling and Harold Streets shall maintain an active and interactive relationship with these streets;*
- (d) *the maximum gross floor area of the office component shall be limited to 1200 square metres. Any increase in floor space or change of use of the offices shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Parking and Access Policy No. 3.7.1; and*
- (e) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) Car Parking and Accessways
 - (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
 - (b) *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 Town;*
 - (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*
 - (d) *the car park shall be used only by employees, tenants, and visitors directly associated with the development;*
- (iii) Public Art

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

 - (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$280,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$28,000,000); and*
 - (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 –*
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and
prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR

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- (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for
the development or prior to the due date specified in the invoice
issued by the Town for the payment (whichever occurs first), pay the
above cash-in-lieu contribution amount;*

(iv) Signage

All signage that does not comply with the Town'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 Town prior to the erection of the signage;

(v) Fencing

Any new street/front wall, fence and gate within the Stirling Street and Harold Street setback areas, including along the side boundaries within these street setback areas, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(vi) Verge Tree

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

(vii) Retention of Trees

The retention of and the protection at all times during construction and other works the existing trees identified on plan SK-02, with the exception of the Cape Lilac (Metia azederach) located alongside the northern elevation of the Inter-war Georgian building.

The applicant is to engage a qualified arboricultural consultant to assess the trees required to be retained, and provide a report to address their future care control and management;

(viii) *PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:*

(a) Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

- 1. public safety, amenity and site security;*
- 2. contact details of essential site personnel;*
- 3. construction operating hours;*
- 4. noise control and vibration management;*
- 5. Dilapidation Reports of nearby properties;*
- 6. air and dust management;*
- 7. stormwater and sediment control;*
- 8. soil excavation method (if applicable);*
- 9. waste management and materials re-use;*
- 10. traffic and access management;*
- 11. parking arrangements for contractors and subcontractors;*
- 12. Consultation Plan with nearby properties; and*
- 13. any other matters deemed appropriate by the Town;*

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(b) Landscape and Reticulation Plan

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

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

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

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

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

(d) Schedule of External Finishes

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

(e) Acoustic Report

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

(f) Refuse and Recycling Management

Separate Bin Compounds for the residential and commercial components of the development are required, and must include wash down facilities and floor waste.

The Bin store as proposed is to accommodate the full number of bins for the minimum Town of Vincent service.

As per the Waste Management Consultant's report, a caretaker is to be responsible for the management, storage and verge placement and collection of bins.

A detailed Waste Management Plan is to be submitted prior to the issue of a Building Licence;

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(g) Privacy

Revised plans shall be submitted to and approved by the Town demonstrating the following the balconies to Units 22, 27, 32, 37 and 42 on the north-eastern elevation, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2010; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 153 Harold Street, stating no objection to the respective proposed privacy encroachment;

(h) Amalgamation

Prior to the issue of a Building Licence, the subject Lots 136, 137 and 138 shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate and subdivide the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);

(i) Footpath Upgrading

In keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments, the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$40,000 shall be lodged and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services. An application to the Town for the refund of the upgrading bond must be made in writing;

(j) Vehicular Gate

Any proposed vehicular gate for the car park visible from Stirling Street and Harold Street shall be a minimum 50 percent visually permeable when viewed from Stirling Street and Harold Street;

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(k) Heritage

- (a) *an interpretative plaque or another appropriate form of interpretation that provides an understanding of heritage development of the site and its cultural heritage value shall be installed prior to the first occupation of the approved addition on site. The design and wording of the interpretative plaque or other interpretative medium shall be undertaken in accordance with the Town's Heritage Management Policy No. 3.6.4 relating to Interpretive Signage and be submitted to and approved by the Town prior to the issue of a Building Licence;*
- (b) *the red brick and iron fence, which features a geometric pattern and surrounds the Interwar Georgian Revival building, shall be retained in situ and conserved to aid in the conservation of the setting of the place; and*
- (c) *details of proposed works at the heritage listed Interwar Georgian Revival building including internal structural changes, interior fixtures and signage, etc. should be submitted prior to the issue of a Building Licence;*

(l) Underground Power

In keeping with the Town's Policy 2.2.2, the power lines along both the Harold Street and Stirling Street frontages of the development shall be undergrounded at the Developer's full cost. The Developer is required to liaise with both the Town and Western Power to comply with their respective requirements, prior to the issue of the Building Licence; and

(m) Section 70 A Notification under the Transfer of Land Act

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

- (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

(ix) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Residential Car Bays

The 163 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

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

(c) Bicycle Parking

Six (6) class one or two bicycle and one (1) class three parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities; and

(d) Management Plan-Vehicular Entry Gate

In the event a vehicular entry gate is provided, a plan detailing management measures for the operation of the vehicular entry gate to Harold Street and Stirling Street, to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town.

Landowner:	Finbar Funds Management Ltd
Applicant:	SS Chang Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Residential R80
Existing Land Use:	Educational Establishment
Use Class:	Multiple Dwelling and Office
Use Classification:	"P" and "SA"
Lot Area:	8794 square metres
Access to Right of Way	Not applicable

PURPOSE OF REPORT:

To update the Council on the above review application and to comply with the requirements of the Town's Policy/Procedure for the State Administrative Tribunal (SAT).

To allow the Council to reconsider an application for a revised development under Section 26 of the State Administrative Tribunal Act.

In re-considering the proposal the Council may:

- (a) affirm its decision;
- (b) vary its decision; or
- (c) Set aside the decision and substitute a new decision.

Note – in accordance with Section 26 of the State Administrative Tribunal Act, the amended plans are presented to Council for reconsideration by consent. Should Council resolve to affirm its decision to refuse the application, or vary its decision to approve the application subject to conditions not acceptable to the applicant, the applicant may opt proceed to proceed to a Final Hearing based on either the original plans previously refused by Council, or the amended plans the subject of this report.

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BACKGROUND:

10 December 2010 The Council at its Ordinary Meeting refused the application for proposed Partial Demolition of Existing Buildings, Additions and Alterations to Existing Building and the Construction of a Five- Storey Mixed Use Development comprising Eighty-Seven (87) Multiple Dwellings, Forty-Six (46) Single Bedroom Dwellings, One (1) Office and Associated Basement Car Parking for the following reasons:

1. *The development is not consistent with the orderly and proper planning and preservation of amenities of the locality;*
2. *The bulk, scale, height, density and plot ratio is considered too excessive;*
3. *Non-compliance with setbacks;*
4. *Non-compliance with the Town's car parking requirements; and*
5. *Consideration of objections received."*

4 February 2011 Directions hearing held at SAT.

15 February 2011 Proposed development discussed at Council Forum, attended by Ben Doyle of Planning Solutions (Council's nominated consultant).

17 February 2011 On-site inspection and discussion attended by Ben Doyle, Scott Cameron (landowner), Peter Simpson (applicant) and representatives of St Mark's College/CBC Redevelopment Pro-Action Group.

11 March 2011 Mediation Session No. 1 held at SAT.

5 April 2011 Mediation Session No. 2 held at SAT.

13 May 2011 Further mediation/directions scheduled to be held at SAT.

Appointed Consultant for the SAT Mediation Process

As prescribed by the Town's SAT Policy, the Town appointed a consultant to mediate the matter on its behalf. Accordingly, Planning Solutions – Urban and Regional Planners were appointed. Mr Ben Doyle, an Associate Director of the practice (located within the Town of Vincent) is a highly qualified Town Planner, with extensive experience with the Town's planning requirements, complex developments and SAT matters, has been responsible for the matter on behalf of the Town.

No Town of Vincent Planning Officers have been involved in the SAT Mediation or in the preparation of the consultant's report.

The Town was represented at the two SAT Mediation Sessions by:

- Mr Ben Doyle – Associate Director – Appointed Consultant;
- Mayor Nick Catania and Cr Warren McGrath; and
- Chief Executive Officer, John Giorgi.

After each SAT Mediation session, the Town's Chief Executive Officer sent an email to Ms A. Chin, convenor of the local Action Group to inform them of the outcome.

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Confidential Report or Not?

The Town's consultant has advised that it is his preference for the report to be submitted to the Council on a confidential basis. He advises that his capacity to act as an expert witness to the SAT may be compromised, if the matter proceeds to a Final Hearing. In addition, the discussions from the SAT Mediation Sessions are "without prejudice" and are not admissible in a Final Hearing.

Notwithstanding the above, given the considerable community interest in the development, the Chief Executive Officer has determined that the report not be confidential. Furthermore, the revised plans will be made available for reviewing to the public from 4 May 2011. This decision is in accordance of an undertaking given by the Chief Executive Officer to the SAT on 5 April 2011.

DETAILS:

Comparison of Plans

The changes to the new plans submitted (Attachment 001) as compared to the plans refused by the Council at its Ordinary Meeting held on 10 December 2010 are as follows:

- Reduction in building height of the south-western portion of the southern rear building from 8.73 - 14.29 metres to 6.33 – 10.83 metres, to reduce the overshadowing to the adjoining neighbour's outdoor living area;
- Increasing the setback of the building fronting Harold Street from 2.449 metres to 7.0 metres, the retention of the mature trees and the reduction in the building height by a storey;
- Closure of the southern Stirling Street basement ramp (to be provided as an "at-grade" visitor car park) and the inclusion of an additional ramp along Stirling Street to access the basement;
- An increase in the number of visitor car parking bays from 14 to 33, which are located outside of the secure basement car parking areas;
- Amendment to the design of the buildings to add colour and texture;
- Additional (sixth) storey on the rear central building;
- The maximum overall height of the development has been increased from 17.2 metres to 20.06 metres;
- The plot ratio has been reduced from 1.19 to 1.10 (excluding Office); and

The applicant's letter is shown as an Attachment.

COMPLIANCE:

The proposed development has been re-assessed under the provisions of the Residential Design Codes as amended 22 November 2010, which introduced new assessment criteria for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres.

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NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Plot Ratio	1.0	1.10
<i>Officer Comments:</i>		
<p>Supported - The plot ratio has been reduced from 1.19 to 1.10 which further reduces any undue impact on the amenity of the area. In the context of surrounding development close to and along Beaufort Street, and the anticipated redevelopment of the Pacific Motel site, the proposed plot ratio is recommended for approval. Moreover, it is considered that the amended design mitigates the bulk and scale as viewed from the street and surrounding properties, and provides for vertical and horizontal articulation elements.</p>		
Front Setbacks: Front-South-East-Stirling Street		
Lower Ground Floor and Ground Floor	4.3 metres	3.565 metres to 4 metres
First Floor	6.3 metres	3.5625 metres
Front Setbacks: Front-North-East-Harold Street		
Lower Ground Floor	6.65 metres	6.0 metres (entry portico) to 9.6 metres (building)
Ground Floor	6.65 metres	7.0 metres (balcony) to 9.6 metres (building)
First and Second Floors	8.65 metres	7.0 metres (balcony) to 9.6 metres (building)
<i>Officer Comments:</i>		
<p>Supported - The existing adjoining houses (south-east) have setback to Stirling Street of 3 metres and the existing St Marks building is setback 5.2 metres from Stirling Street. Therefore, the proposed street setback of 3.565 metres to 4 metres, providing a staggered setback between the existing houses and the St Marks Building, is not considered to have a detrimental impact on the streetscape.</p> <p>The existing adjoining multiple dwelling development on Harold Street has a front setback of approximately 6.0 metres, and the St Marks building is setback approximately 7.4 metres. The main building is setback a greater distance than the prevailing average setback, with only the balconies and entry portico being setback a lesser distance. It is considered the proposed setback maintains sightlines to the heritage building and facilitates the retention of mature trees within the setback area, and will make a positive contribution to the streetscape.</p>		
Building Setbacks: North-West Elevation		
<u>First Building to Harold Street</u>		
Lower Ground Floor	4 metres	Nil* (staircase) to 2.2 metres
Ground Floor	4 metres	Nil* (staircase) to 2.2 metres
First Floor	4 metres	2.2 metres
Second Floor	4 metres	2.2 metres

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NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<u>Second Building-Middle</u>		
Ground Floor-Deck	4 metres	Nil
First Floor	4 metres	3.5 metres (northern balcony corner), 5.7 metres (building) to 6.5 metres (balcony)
Second Floor	4 metres	3.5 metres (northern balcony corner), 5.7 metres (building) to 6.5 metres (balcony)
Third Floor	4 metres	3.5 metres (northern balcony corner), 5.7 metres (building) to 6.5 metres (balcony)
Fourth Floor	4 metres	3.5 metres (northern balcony corner), 5.7 metres (building) to 6.5 metres (balcony)
Fifth Floor	4 metres	3.5 metres (northern balcony corner), 5.7 metres (building) to 6.5 metres (balcony)
<u>Third Building</u>		
Ground Floor	4 metres	6.9 metres
First Floor	4 metres	4.7 metres (balcony) to 6.9 metres (building)
Second Floor	4 metres	4.7 metres to 6.9 metres
Third Floor	4 metres	4.7 metres to 6.9 metres
Fourth Floor	4 metres	4.7 metres to 6.9 metres
Building Setbacks:		
South-West Elevation		
Ground Floor	4 metres	3.2 metres (carpark exhaust) to 4.0 metres (building)
First Floor	4 metres	4.0 metres (building)
Second Floor	4 metres	11.0 metres (building)
Third Floor	4 metres	11.0 metres (roof terrace)
Officer Comments:		
<p>Supported - The adjoining existing residential buildings along the north-west boundary have setbacks of 0.5 metre to 3.2 metres to the subject property. The proposed setbacks will <u>not</u> have an undue impact on ventilation to the proposed buildings and the adjoining existing buildings along the north west boundary. Moreover, there will be <u>no overshadowing</u> of the adjoining buildings to the north-west.</p> <p>The setback variation to the south-west boundary relates only to the carpark exhaust structure, which has a length of 1.8 metres and a height of approximately 2.5 metres above natural ground level. The building will overshadow approximately 25% of the outdoor living area of the lot abutting to the south-west, representing approximately 7% of the total lot area.</p>		

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NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Number of Storeys and Building Height	Height= 7 metres	Height= 20.06 metres
	2 storeys	6 storeys
Officer Comments:		
<p>Supported - As per the Town's Multiple Dwellings Policy, the adjoining commercial sites along Beaufort Street are permitted five storeys within the site. The Council at its Ordinary Meeting held on 8 September 2009 conditionally approved a four storey development at No. 103 Harold Street (Pacific Motel) which is located opposite the subject site.</p> <p>Although the proposed 'middle building' height represents an increase on the building height previously refused by Council, it is considered the amended proposal, by incorporating a variety of building heights and a range of materials and colours, reduces the 'monolithic' bulk of the original proposal. In addition, the increased height of the middle building has provided for increased building setbacks to Harold Street, reduction of the total plot ratio, and a reduction in the height of the 'third building' adjacent to the south-western boundary, without significantly reducing the total number of dwellings proposed. The six storey building is located at the rear of the site, predominantly adjacent to the existing Queens Hotel carpark, and therefore is not considered to impact on the amenity of the area.</p> <p>Accordingly, it is considered the development is consistent with the height and scale of development existing and approved in the surrounding area.</p>		
Privacy Setbacks	Balcony/deck= 7.5 metres to boundary Bedroom= 4.5 metres to boundary	Balcony- Units 22, 27, 32, 37 and 42 setback 3.5 metres to the north-western boundary.
Officer Comments:		
<p>Not supported - In the event the application is supported, the balconies and bedrooms will be required to be screened. A condition (viii)(g) has been applied.</p> <p>The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1</p>		
Consultation Submissions		
Not applicable.		
Car Parking - Residential		
Small dwelling (<75sqm or 1 bedroom)		35 car bays
0.75 car bays per dwelling (proposed 47 dwellings) = 35 car bays		
Medium dwelling (75-110sqm)		83 car bays
1 car bay per dwelling (proposed 83 dwellings) = 83 car bays		
Visitors		33 car bays
0.25 car bays per dwelling (130 dwellings proposed) = 33 car bays		
Minus the car parking provided on-site		163 car bays (including 33 visitor bays)
Surplus		12 car bays

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MINUTES

Bicycle Parking – Residential		
REQUIREMENTS	REQUIRED	PROPOSED
	1 space per 3 dwellings for residents (proposed 130 dwellings) = 43 bicycle spaces	43 bicycle spaces
	1 space per 10 dwellings for visitors (proposed 130 dwellings) = 13 bicycle spaces	15 bicycle spaces 15 scooter/motorcycle parking bays are also proposed.

Car Parking – Non-residential	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office floor area (proposed 1200 square metres)= 24 car bays	24 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> 0.80 (mix of uses with greater than 45 percent of the gross floor area residential) 0.85 (within 400 metres of a bus stop) 0.85 (within 800 metres of a rail station) 0.85 (within 400 metres of public car parks in excess of 75 car parking spaces) 	(0.4913) 11.79 car bays
Minus the car parking provided on-site	24 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Surplus	12 car bays

Bicycle Parking – Non-residential		
REQUIREMENTS	REQUIRED	PROPOSED
Bicycle Parking	Offices- 1 space per 200 (proposed 1200) square metres (class 1 or 2)= 6 spaces 1 space per 750 square metres over 1000 square metres (class 3)= 1 space	Non-residential bicycle spaces have not been designated. In the event the application is supported, additional non-residential bicycle facilities will be required to be provided.

Subject to the incorporation of additional bicycle parking facilities to service the non-residential component, the vehicle parking arrangements comply with the requirements of the Residential Design Codes and Council policy. It is considered additional bicycle parking spaces may readily be provided without substantially modifying the proposed development.

MINUTES OF MEETING HELD ON 10 MAY 2011 TO BE CONFIRMED ON 24 MAY 2011

ORDINARY MEETING OF COUNCIL
10 MAY 2011

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TOWN OF VINCENT
MINUTES

Other Implications	
Legal/Policy	<p>Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No. 4.1.23-State Administrative Tribunal Policies and Procedures.</p> <p>Section 26 of the State Administrative Tribunal 2004 states as follows:</p> <p><i>"26. Restriction on powers of decision-maker after review commenced</i></p> <p><i>After the commencement of a proceeding for the review of a decision the decision-maker cannot –</i></p> <p><i>(a) vary the decision; or</i></p> <p><i>(b) set aside the decision and substitute its new decision,</i></p> <p><i>Unless –</i></p> <p><i>(c) that is permitted by the enabling Act;</i></p> <p><i>(d) the parties to the proceeding consent; or</i></p> <p><i>(e) the decision-maker is invited under section 31 to reconsider the decision.</i></p> <p>Under Section 26 of the SAT Act 2004, the Town has consented to consider the amended plans; that is, to (a) affirm the decision; (b) vary the decision; or (c) set aside the decision and substitute its new decision.</p> <p>Absolute Majority Decision</p> <p>Given the variation is no longer to density but to 'plot ratio', clause 40(3)(b) is no longer applicable, an absolute majority decision therefore is not required.</p>
Strategic	Draft Local Planning Strategy.
Sustainability	Nil.
Financial/Budget	Potential cost of employing a private consultant to represent the Town in a Final Hearing.

Waste Management

With regard to waste collection, the applicant has indicated a waste management plan will be prepared which will provide for multiple pickups per week. This will be agreed with the Town and addressed at the Building Licence stage. A condition (viii)(f) has been included. The waste management plan will provide for bins to be stored within the complex until collection, at which time the caretaker will transfer any bins containing rubbish to the verge, and then return the bins to the internal bin storage areas once they are emptied. This is considered to be an appropriate arrangement, which satisfactorily addresses the concerns raised with regard to the kerbside waste collection arrangements. In the event the proposed development is approved, it is recommended appropriate conditions be imposed to address this issue.

MINUTES OF MEETING HELD ON 10 MAY 2011 TO BE CONFIRMED ON 24 MAY 2011

ORDINARY MEETING OF COUNCIL
10 MAY 2011

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TOWN OF VINCENT
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COMMENTS:

The new plans are considered to be a significant improvement on the proposal refused by Council at its meeting held on 10 December 2010.

Although the maximum building height has been increased, the redesign of the development is considered to have reduced the perceived 'monolithic bulk' of the previous proposal, by introducing variation in building heights, and reducing the bulk to the north-east (Harold Street) and south-west elevations, as well as a reduction in the plot ratio over the site. The six storey building is located to the rear of the site, predominantly adjacent to The Queens hotel carpark, and is substantially screened by the existing and proposed buildings along the Stirling and Harold Street frontages. Further, the increased setback to Harold Street facilitates the retention of mature trees in that area, improving the streetscape impacts of the development.

In addition, the 'monotonous' appearance of the original proposal is considered to have been improved by the incorporation of a wider range of materials, finishes and colours in the amended proposal.

The setback variations proposed are minor, and are not considered likely to detrimentally impact on the amenity of surrounding residents or the locality.

Accordingly, the proposed development, as amended, is supported. Approval of the Consultant's Recommendation is requested.

MINUTES OF MEETING HELD ON 10 MAY 2011 TO BE CONFIRMED ON 24 MAY 2011

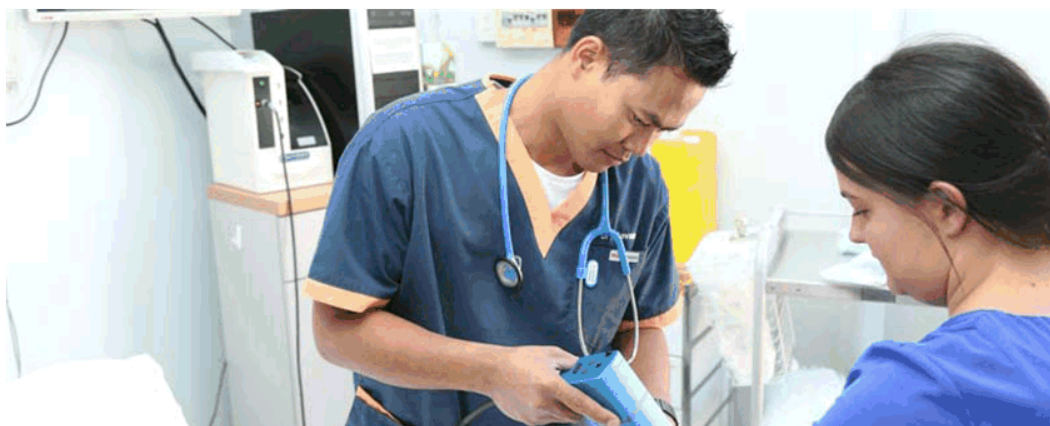
appendix b

1/28/2019

Skin Clinic | Riverton Medical Centre

[Book Appointment
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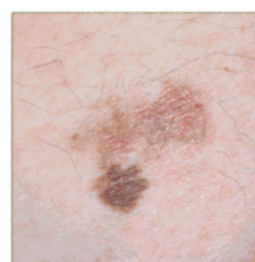
SKIN CLINIC



Squamous Cell Cancer



Basal Cell Cancer



Malignant Melanoma

Did You Know?

- Australia has the highest skin cancer rate in the world.
- Western Australia has the second highest rate of skin cancer in Australia.

<http://rivertonmedicalcentre.com.au/riverton-skin-clinic/>

1/3

1/28/2019

Skin Clinic | Riverton Medical Centre

- Skin cancer will affect two in three Australians. It is recommended that all adult patients should have an annual skin check.
- Over 95% of skin cancer can be treated if found early.
- Skin cancers may not be painful and are commonly seen rather than felt.
- Skin check is simple and non invasive.

Risk Factors Includes:

- Fair skin that burns easily and does not tan
- Blue or green eyes/fair skin/red hair
- Suffered sunburn as a child
- Spent your childhood in Australia
- A large number of freckles or moles
- A family history or personal history of skin cancer
- Used a solarium and/or
- Worked or spent a lot of leisure time in the sun

We Provide:

- Thorough Skin Checks
- Skin Cancer Treatment
- Skin Cancer Surgeries on
 - Squamous Cell Cancer
 - Basal Cell Cancer
 - Malignant Melanoma
 - Non Malignant Skin Tumour including Subaceous cysts and Lipoma (size up to 5cm)

Address

Unit 1, 288 High Rd
Riverton WA 6148

Telephone

9457 1999

Fax

6150 8962

Clinic Hours

Monday, Wednesday &
Friday
8:00am-5:00pm

Tuesday & Thursday
8:00am-9:00pm

<http://rivertonmedicalcentre.com.au/riverton-skin-clinic/>

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appendix c



Course Details 2019

131/131 Harold St, Highgate
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<http://www.kingstoncollege.wa.edu.au>
marketing@kingstoncollege.wa.edu.au

VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
CHC30113 Certificate III in Early Childhood Education and Care CRICOS Code 083375D	<ul style="list-style-type: none"> Australian Year 10 (or equivalent) IELTS 5.0 overall (or equivalent) 	Total: 48 weeks (42 study weeks +6 weeks break) Two Semesters	\$6,500	\$450	4 Instalments <i>Every 10 weeks</i>	14/01/19-15/12/19 08/04/19-08/03/20 08/07/19-07/06/20 07/10/19-06/09/20	13/01/20 – 13/12/20 06/04/20 – 07/03/21 06/07/20 – 06/06/21 05/10/20 – 05/09/21	20 hours/week <i>Specific days will be advised during orientation</i> Inclusive of 120 hours at a Child Care Centre
CHC50113 Diploma of Early Childhood Education and Care CRICOS Code 083376C	<ul style="list-style-type: none"> Completion of Certificate III in Early Childhood Education and Care (or equivalent) or obtain RPL or credit transfer for required units 	Total: 54 weeks (46 study weeks +8 week break) Two Semesters	\$10,000	\$500	4 Instalments <i>Every 10 weeks</i>	21/01/19-02/02/20 15/04/19-26/04/20 15/07/19-26/07/20 14/10/19-25/10/20	20/01/20 – 31/01/21 13/04/20 – 25/04/21 13/07/20 – 25/07/21 12/10/20 – 24/10/21	20 hours/week <i>Specific days will be advised during orientation</i> Inclusive of 240 hours at a Child Care Centre
SIT30816 Certificate III in Commercial Cookery CRICOS Code 093447K	<ul style="list-style-type: none"> Australian Year 10 (or equivalent) IELTS 4.5 overall (or equivalent) 	Total: 48 weeks (40 weeks study +8 weeks break) Two Semesters	\$10,300	\$1,500 (Including Uniform, Tool Kit and other resources) ¹	4 Instalments <i>Every 10 weeks</i>	14/01/19-15/12/19 15/04/19-15/03/20 15/07/19-14/06/20 16/09/19-16/08/20	13/01/20 – 13/12/20 13/04/20 – 14/03/21 13/07/20 – 13/06/21 14/09/20 – 15/08/21	20 hours/week <i>Specific days will be advised during orientation</i> Inclusive of 8 weeks of 48 service periods during work-based training
SIT40516 Certificate IV in Commercial Cookery CRICOS Code 093448J	<ul style="list-style-type: none"> Australian Year 11 (or equivalent) IELTS 5.0 overall (or equivalent) Completion of Cert III in Commercial Cookery or obtain RPL or credit transfer for required units. 	Total: 26 weeks (22 weeks study +4 weeks break) One Semester	\$4,950	\$400	2 Instalments <i>Every 10 weeks</i>	14/01/19-14/07/19 15/04/19-13/10/19 15/07/19-12/01/20 16/09/19-15/03/20	13/01/20 – 12/07/20 13/04/20 – 11/10/20 13/07/20 – 10/01/21 14/09/20 – 14/03/21	20 hours/week <i>Specific days will be advised during orientation</i>
SIT50416 Diploma of Hospitality Management CRICOS Code 091010M	<ul style="list-style-type: none"> Australian Year 12 (or equivalent) IELTS 5.5 overall (or equivalent) Completion of Cert IV in Commercial Cookery or obtain RPL or credit transfer for required units 	Total: 30 weeks (24 weeks study +6 weeks break) One Semester	\$5,600	\$500	2 Instalments <i>Every 10 weeks</i>	14/01/19-11/08/19 15/04/19-08/11/19 15/07/19-09/02/20 21/10/19-17/05/20	13/01/20 – 09/08/20 13/04/20 – 08/11/20 13/07/20 – 07/02/21 19/10/20 – 16/05/21	20 hours/week <i>Specific days will be advised during orientation</i>

¹ All practical lessons for Cert III in Commercial Cookery will be conducted at our Beaufort Street Campus. Students must have approved toolkit and wear approved uniform when working in the kitchen.

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)



Course Details 2019

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
BSB42415 Certificate IV in Marketing and Communication CRICOS Code 093445A	<ul style="list-style-type: none"> Australian Year 11 (or equivalent) IELTS 5.0 overall (or equivalent) 	Total: 36 weeks (30 study week +6 weeks break) One Semester	\$5,500	\$400	5 Instalments <i>Every 6 weeks</i>	14/01/19 – 22/09/19 15/04/19 – 22/12/19 01/07/19 – 08/03/20 30/09/19 – 07/06/20	13/01/20 – 20/09/20 06/04/20 – 13/12/20 06/07/20 – 14/03/21 05/10/20 – 13/06/21	20 hours/week <i>Specific days will be advised during orientation</i>
BSB52415 Diploma of Marketing and Communication CRICOS Code 093446M	<ul style="list-style-type: none"> Australian Year 12 (or equivalent) IELTS 5.5 overall (or equivalent) Completion of Cert IV in Marketing and Communication or obtain RPL or credit transfer for required units 	Total: 42 weeks (36 study week +6 weeks break) One Semester Not inclusive of unstructured training activities	\$6,000	\$400	5 Instalments <i>Every 6 weeks</i>	14/01/19 – 03/11/19 08/04/19 – 26/01/20 08/07/19 – 26/04/20 07/10/19 – 26/07/20	27/01/20 – 15/11/20 20/04/20 – 07/02/21 13/07/20 – 02/05/21 12/10/20 – 01/08/21	20 hours/week <i>Specific days will be advised during orientation</i> Training volume varies between 400-800 hours depending on the training requirements of trainees

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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CRICOS Code: 02543G
National Provider Code: 51259
ABN 85105745695



Course Details 2019

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
BSB41115 Certificate IV in International Trade CRICOS Code 087074G	<ul style="list-style-type: none"> Australian Year 11 (or equivalent) IELTS 5.0 overall (or equivalent) 	Total: 24 weeks (20 study week +4 weeks break) One Semester	\$4,000	\$400	2 Instalments <i>Every 10 weeks</i>	14/01/19- 30/06/19 01/04/19-15/09/19 01/07/19-15/12/19 07/10/19-22/03/20	13/01/20 – 28/06/20 06/04/20 – 19/09/20 29/06/20 – 13/12/20 05/10/20 – 19/03/21	20 hours/week <i>Specific days will be advised during orientation</i>

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
BSB50815 Diploma of International Business CRICOS Code 087347J	<ul style="list-style-type: none"> Australian Year 12 (or equivalents) IELTS 5.5 overall (or equivalent) Any Cert IV (or higher) business qualification OR 2 years experience in a commercial situation at a senior support or technical role CV submission is required prior to commencement and issuance of CoE 	Total: 64 weeks (60 study week +4 weeks break) Two Semesters Not inclusive of unstructured training activities	\$7,000	\$500	4 Instalments <i>Every 10 weeks</i>	14/01/19-05/04/20 06/05/19-26/07/20 22/07/19-11/10/20 30/09/19-20/12/20	13/01/20 – 04/04/21 06/04/20 – 27/06/21 27/07/20 – 17/10/21 12/10/20 – 02/01/22	20 hours/week <i>Specific days will be advised during orientation</i> Required training may be up to 1200 hours
BSB51918 Diploma of Leadership and Management CRICOS Code 099341E	<ul style="list-style-type: none"> Australian Year 12 (or equivalents) IELTS 5.5 overall (or equivalent) Any Cert IV (or higher) business qualification OR 2 years experience in a commercial situation at a senior support or technical role CV submission is required prior to commencement and issuance of CoE 	Total: 68 weeks (60 study week +8 weeks break) Two Semesters Not inclusive of unstructured training activities	\$7,000	\$500	4 Instalments <i>Every 10 weeks</i>	14/01/19-03/05/20 13/05/19-30/08/20 29/07/19-15/11/20 14/10/19-31/01/21	13/01/20 – 02/05/21 04/05/20 – 22/08/21 24/08/20 – 12/12/21 09/11/20 – 27/02/22	20 hours/week <i>Specific days will be advised during orientation</i> Required training may be up to 1200 hours

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
BSB61015 Advanced Diploma of Leadership and Management CRICOS Code 088683G	<ul style="list-style-type: none"> IELTS 6.0 overall (or equivalent) Any Diploma (or higher) business qualification OR 3 years of experience in a commercial situation at a senior support or technical role CV submission is required prior to commencement and issuance of CoE 	Total: 98 weeks (90 study week +8 weeks break) Four Semesters Not inclusive of unstructured training activities	\$10,300	\$550	8 Instalments <i>Every 10 weeks</i>	14/01/19-29/11/20 06/05/19-14/03/21 26/08/19-04/07/21 21/10/19-05/09/21	13/01/20 – 21/11/21 11/05/20 – 27/03/22 10/08/20 – 19/06/22 05/10/20 – 14/08/22	20 hours/week <i>Specific days will be advised during orientation</i> Required training may be up to 1200 hours
BSB50215 Diploma of Business CRICOS Code 087812M	<ul style="list-style-type: none"> Australian Year 12 (or equivalent) IELTS 5.5 overall (or equivalent) Any Cert IV (or higher) business qualification OR 2 years experience in a commercial situation at a senior support or technical role CV submission is required prior to commencement and issuance of CoE 	Total: 66 weeks (60 study week +6 weeks break) Two Semesters Not inclusive of unstructured training activities	\$7,000	\$400	4 Instalments <i>Every 10 weeks</i>	14/01/19 – 19/04/20 22/04/19 – 26/07/20 29/07/19 – 01/11/20 04/11/19 – 07/02/21	13/01/20 – 18/04/21 13/04/20 – 18/07/21 20/07/20 – 24/10/21 28/09/20 – 02/01/22	20 hours/week <i>Specific days will be advised during orientation</i> Required training may be up to 1200 hours

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
BSB60215 Advanced Diploma of Business CRICOS Code 087813K	<ul style="list-style-type: none"> IELTS 6.0 overall (or equivalent) Any Diploma (or higher) business qualification OR 3 years of experience in a commercial situation at a senior support or technical role CV submission is required prior to commencement and issuance of CoE 	Total: 96 weeks (90 study week +6 weeks break) Four Semesters Not inclusive of unstructured training activities	\$10,300	\$400	8 Instalments <i>Every 10 weeks</i>	14/01/19 – 15/11/20 08/04/19 – 07/02/21 01/07/19 – 02/05/21 23/09/19 – 25/07/21	13/01/20 – 14/11/21 06/04/20 – 06/02/22 08/06/20 – 10/04/22 21/09/20 – 24/07/22	20 hours/week <i>Specific days will be advised during orientation</i> Required training may be up to 1200 hours
10433NAT Certificate IV in Christian Ministry and Theology (English) CRICOS Code 084830M	<ul style="list-style-type: none"> Australian Year 11 (or equivalent) IELTS 5.0 overall (or equivalent) 	Total: 52 weeks (41 study weeks +11 weeks break) Two Semesters	\$6,900	\$400	5 Instalments <i>Every 10 weeks</i>	To be advised later	To be advised later	20 hours/week <i>Specific days will be advised during orientation</i> Inclusive of 150 hours of supervised fieldwork

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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VET Courses	Kingston Entry Requirements	Duration	Tuition Fees	Resource Fees	Instalment Plan	Intake Dates 2019	Intake Dates 2020	Timing / Loading*
10434NAT Diploma of Christian Ministry and Theology (English) CRICOS Code 084831K	<ul style="list-style-type: none"> ▪ Australian Year 12 (or equivalent) ▪ IELTS 5.5 overall (or equivalent) ▪ A Reference Letter from a recognised religious institution (or a pre-arranged interview) is required prior to commencement and issuance of CoE 	Total: 83 weeks (67 study weeks +16 weeks break) Three Semesters	\$11,850	\$400	7 Instalments <i>Every 10 weeks</i>	To be advised later	To be advised later	20 hours/week Inclusive of 410 hours of supervised fieldwork

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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ELICOS Courses	Kingston Entry Requirements	Duration	Tuition Fees	Other Fees	Instalment Plan	Intakes	Timetable	
General English (Full Time) <i>Minimum of 20 scheduled contact hours per week of face-to-face classes</i>	N/A	2-60 weeks	Day Classes \$240/week	Resource Fees: \$10/week <i>Capped at \$300 within the same enrolment</i> Book Fees: \$60/level	13-19 weeks 2 instalments	Every Monday	Day Classes Monday-Thursday 08:30am-02:30pm	Session 1: 08:30am-10:00am -----15 minutes break----- Session 2: 10:15am-12:00pm -----45 minutes break----- Session 3: 12:45pm-02:30pm
			Evening Classes \$220/week		20-35 weeks 3 instalments >35 weeks 4 instalments		Evening Classes Monday-Thursday 04:15pm-09:30pm	Session 1: 04:15pm-05:15pm Session 2: 05:15pm-06:45pm -----15 minutes break----- Session 3: 07:00pm-08:30pm Session 4: 08:30pm-09:30pm
General English (Part Time) <i>Not suitable for Student Visa holders</i>	N/A	2-60 weeks	\$180/week	Resource Fees: \$8/week <i>Capped at \$240 within the same enrolment</i> Book Fees: \$60/level	13-19 weeks 2 instalments	Every Monday	Day Classes Monday-Thursday 08:30am-12:00pm	Session 1: 08:30am-10:00am -----15 minutes break----- Session 2: 10:15am-12:00pm
					20-35 weeks 3 instalments >35 weeks 4 instalments		Evening Classes Monday-Thursday	Option 1: 04:15pm-06:45pm Option 2: 07:00pm-09:30pm <i>Swapping options may attract processing fees</i>

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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ELICOS Courses	Kingston Entry Requirements	Duration	Tuition Fees	Other Fees	Instalment Plan	Intakes	Timetable	
IELTS Intensive Preparation (Full Time) <i>Minimum of 20 scheduled contact hours per week of face-to-face classes</i>	IELTS 4.0 overall (or equivalent)	2-12 weeks	Evening Classes \$220/week	Resource Fees: \$10/week <i>Capped at \$300 within the same enrolment</i> Book Fees: \$60	12 weeks 2 instalments	Every Monday	Evening Classes Monday-Thursday 04:15pm-09:30pm	Session 1: 04:15pm-05:15pm Session 2: 05:15pm-06:45pm -----15 minutes break----- Session 3: 07:00pm-08:30pm Session 4: 08:30pm-09:30pm
IELTS Intensive Preparation (Part Time) <i>Not suitable for Student Visa holders</i>	IELTS 4.0 overall (or equivalent)	2-12 weeks	\$180/week	Resource Fees: \$8/week <i>Capped at \$240 within the same enrolment</i> Book Fees: \$60	12 weeks 2 instalments	Every Monday	Evening class Monday - Thursday	Option 1: 04:15pm-06:45pm Option 2: 07:00pm-09:30pm <i>Swapping options may attract processing fees</i>

Note: Applies to all courses: students who enrol in packaged courses such as Diploma and Advanced Diploma of Business, must successfully complete the lower level course (Diploma) before commencing the higher level (Adv Diploma)

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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:	Officers Comments:
<p><u>Parking</u></p> <ul style="list-style-type: none"> Limited parking at the complex. While the educational establishment has 24 dedicated parking bays, there are only 26 visitor parking bays for 130 apartments and the commercial building. The proposed use will have a negative impact on the surrounding area through traffic, noise and security. The proposed use does not have any bays for their exclusive use and will rely on strained visitor parking within the residential complex. The street parking is largely occupied by people parking there from early in the morning during the week. The proposed use does not have any bays for their exclusive use and will rely on strained visitor parking within the residential complex. The street parking is largely occupied by people parking there from early in the morning during the week. Street parking is already an issue for this site. Typically the international students who study at Kingston College do not drive to the site, but people visiting a medical centre are very likely to drive. This will have a massive impact on the parking and traffic related issues in the area. Traffic management and congestion during construction. 	<p>The applicant has proposed to develop 21 embayed parking spaces along the Stirling Street verge abutting the subject site, in order to alleviate the parking shortfall. This is in place of the 13 street parking bays currently existing in this location. The proposed embayed parking will not impact upon the street trees along Stirling Street, and will provide more public parking for the locality. The City would manage this proposed street parking to ensure that it is appropriately time restricted and metered to avoid workers from the local area using it as all day parking. This parking will not be for the exclusive use of the subject site, and therefore does not cancel out the proposed parking variation.</p> <p>If the application were approved the applicant will be required to submit an application for a Building Permit for external works and internal fit out, which would include a Construction Management Plan and plans for traffic management.</p>
<p><u>Use</u></p> <ul style="list-style-type: none"> There are already a number of medical centres and pharmacies on Beaufort Street. A leisure style use such as a library would be a much better use. This is a residential area, not a business area, and this use is not appropriate. The proposed use will have a negative impact on the surrounding area through traffic, noise and security. How will the staging of this development occur? Will it be 15 patients every day or 15 patients every hour? 	<p>The subject locality is a high density residential area abutting a commercial precinct along Beaufort Street. The site is considered to be at the interface between the residential and commercial zones, however it is zoned Residential, and this is taken into account when considering the intensity and scale of the proposed commercial use.</p> <p>Market forces would determine the viability of a medical centre in the area – the proliferation of a use within an area is not a relevant planning consideration.</p> <p>If a development approval were issued, Stage 1 of the medical development is proposed to begin imminently. During Stage 1, 10 Educational Establishment staff will remain in the upper floor level, with the medical practice operating from the ground floor level. The implementation of Stage 2 does not have a designated start date and its implementation will be dependent upon customer demand. Stage 2 is essentially an expansion of the medical centre.</p>

Summary of Submissions:

Comments Received in Objection:	Officers Comments:
<u>Safety and Security</u> <ul style="list-style-type: none">• Security concerns with regards to a pharmacy being embedded in a residential area.• There are no details provided on who will monitor the security of the parking, with the parking provided behind security gates.• The use of the apartment visitor bays is to the detriment of all residents of the apartments in terms of safety and security.• Don't want to attract people with drug related health issues to the site.• The medical centre and pharmacy are likely to attract individuals with substance abuse issues. I would no longer feel safe leaving my apartment alone. There are already significant problems in the area with drug affected individuals.• The medical centre would attract people with drug addictions, which would in turn lead to a decrease in property values.• The use will attract junkies and thieves, and having a pharmacy nearby will compound this problem.	<p>The potential for a pharmacy to attract people with substance abuse issues is not a relevant planning consideration in determining this application. The intensity and scale of the proposed commercial use on a site zoned Residential, and the potential for this use to attract a high number of visitors, is taken into account in terms of the impact on the amenity of the site.</p>

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

proposed highgate medical centre

131 harold street highgate



Heritage Assessment Report

Reinstated Front Fence & New Lift Installation.

15 February 2019



Erwin Biemel & Associates
ARCHITECTS

ABN 76 698 542 919

SUITE 5.2 WITTENBERG DRIVE,
CANNING VALE, W.A. 6155
TEL: (08) 9455 3099 FAX: (08) 9455 3680
P.O. BOX 1126, CANNING VALE, W.A. 6155

Statement of Significance - extract from state heritage wa

St Marks International College (former Christian Brothers High School) is a fine example of a private school in the Interwar Georgian Revival style. The site has been used for church and educational purposes for over a century. It has associations with the Sacred Heart of Jesus, St Margaret Mary Alacoque, the Christian Brothers and Bishop Gibney.

Physical Description - extract from state heritage wa

A large two storey school building with many features of the Inter War Georgian Revival style. The red brick building has a strongly rectangular shape. The vertically proportioned sash windows are multi-paned and have a heavy stucco sill and lintel. The main roof is hipped, and there are two projecting gable roofed sections facing Stirling Street - one over the main entrance portico and the other at the southern, slightly set back end of the building. The porticos have Tuscan columns and rendered surrounds. A heavily stuccoed arched opening (with semi circular fanlight), leading to a small balcony with metal balustrade, sits above the main entrance portico. The portico facing Harold Street has a classical balustraded balcony above it. Minimal setbacks from both streets where the low perimeter fence is brick topped with decorative metal railings.

History - part extract from state heritage wa

The main building of the school was completed in 1935 in Stirling Street on the corner of Harold Street on a large block. In February 1936 the Christian Brother's Intermediate School was opened to provide upper primary and secondary education for boys from Sacred Heart Primary School and surrounding areas. The building comprised classrooms and a residence for the Brothers

In 1939, two classrooms and an Assembly Hall were added. By this time it was known as Christian Brother's High School and Brother Kenyon was the headmaster and also the form master for the Junior year

In 1988 the school was closed down and sold by the Christian Brothers.

St Marks International College operated an English language school on the Highgate site from 1989 until January 2010.

In 2011 the site was sold , and a new Residential Apartment development was built on the site.

Kingston International College commenced operation from the original buildings in 2012.

Proposed Medical Centre

The changing face of education from traditional learning in a classroom to online learning mandates that a new commercial purpose be found for the former Christian Brother's Intermediate School

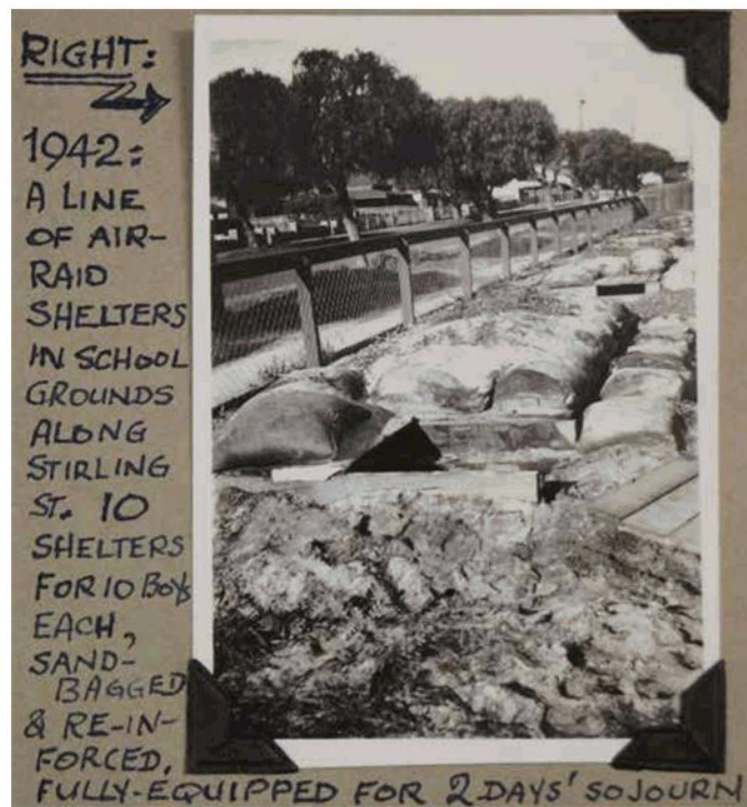
The proposed medical centre does not require any changes to the external appearance of the historical buildings other than as required by AS 1468 Design for Access & Mobility

No changes to the elevations to Harold or Stirling Street are required



Original Stage One prior to 1939.

Photo from Brother Keenan Photo Album published by Highgate Old Boys Association (HOBA)



1942 after new south wing added showing timber post & rail fence

Photo from Brother Keenan Photo Album published by Highgate Old Boys Association (HOBA)



1936 Original Courtyard - Balustrade detailing has subsequently been altered. Date unknown.

Photo from Brother Keenan Photo Album published by Highgate Old Boys Association (HOBA)



Courtyard prior to 2011 - Current Balustrade detailing shown

Photo from Highgate Old Boys Association (HOBA)

Proposed External Lift

To comply with AS1468 it is proposed to install an external lift to the rear courtyard to the former Christian Brother's Intermediate School.

The lift is separate from the existing structure and requires only changes to the first floor balustrade to provide access to the verandah to comply with AS1468.

This new structure will be built in matching red brick and cream mortar in a complementary architectural style.

The new lift structure is not visible from Stirling Street or Harold Street.

Details of the proposed structure are shown on the attached plans

Proposed New Front Fence

The current brick and iron boundary fence was built around 1955 - 1965 in this firm's opinion.

The original Christian Brother's Intermediate School was built from 1936. The south wing was added in 1939 comprising two classrooms and a gymnasium.

Early photos dated from 1942 show that the front fence to Stirling & Harold Streets was a timber post & rail structure.

The current brick fence is constructed of red brick with grey cement mortar capped by a wrought iron railing typical of the 1955 - 1965 era.

The current brick & iron fence / part retaining wall is in poor condition. A full depth structural crack exists on the Harold Street elevation close to where the circular brickwork finishes. The wall west of the structural crack has rotated out towards Harold Street and will eventually topple.

The current brickwork is very heavily stained with bore water to a brown colour and no longer matches the red brick historical buildings.

The wrought iron is heavily rusted and only has minute evidence of a former paint coat in heritage green colour.

To restore the brick & wrought iron fence it is proposed to rebuild the brickwork & iron fence in its entirety in matching red brick & cream mortar and reuse the wrought iron component.

The wrought iron will be cleaned of rust and repainted in a heritage green colour. The RHS posts supporting the iron will likely require replacement due to rust damage.

The fence is to be relocated 850mm westwards from Stirling street to accommodate the new street parking layout. The 850mm is exactly one wrought iron panel to ensure the architectural outcomes match the original fence.

The new brickwork will be sealed to minimise future staining from bore water.

Details of the proposed new fence / retaining wall are shown on the attached plans



Photos showing current condition of brickwork & wrought iron fence
heavy iron staining and rusting of iron is evident

Conclusion

Rebuilding entirely the existing retaining wall & iron fence will restore the fence to its original installed condition with the exception of grey mortar being replaced with cream mortar.

A new fence will complement the existing structure as the original builders of the fence intended .

The outcome will enhance the heritage value of the existing buildings.

The new lift structure has only a very minimal impact on the existing balustrade and is clear of the existing structure.

It is to be built in a complementary architectural style.

The lift structure is not visible from Stirling or Harold Streets and will therefore have no visual impact on the historical nature of the existing buildings as seen from the street..

The lift structure will not typically be viewed from the west but only from under the verandah.

Typically given the approach path of visitors to the building the new lift structure cannot be seen in context with the entirety of the western elevation of the building .

2/14/2019

Heritage Council of WA - Places Database



Christian Brothers High School (fmr)

AUTHOR City of Vincent**PLACE NUMBER** 02179**LOCATION**

131 Harold St Highgate

LOCATION DETAILS**OTHER NAME(S)**

St Mark's International College

LOCAL GOVERNMENT Vincent**REGION** Metropolitan**CONSTRUCTION DATE**

Constructed from 1936 to 1949

DEMOLITION YEAR N/A**Statutory Heritage Listings**

TYPE	STATUS	DATE	DOCUMENTS
Heritage List	Adopted		

Other Heritage Listings and Surveys

TYPE	STATUS	DATE	GRADING/MANAGEMENT CATEGORY
Municipal Inventory	Adopted	13 Nov 1995	Category A
RHP - To be assessed	Current	25 Nov 2011	

Statement of Significance

St Marks International College (former Christian Brothers High School) is a fine example of a private school in the Interwar Georgian Revival style. The site has been used for church and educational purposes for over a century. It has associations with the Sacred Heart of Jesus, St Margaret Mary Alacoque, the Christian Brothers and Bishop Gibney.

Physical Description

A large two storey school building with many features of the Inter War Georgian Revival style. The red brick building has a strongly rectangular shape. The vertically proportioned sash windows are multi-paned and have a heavy stucco sill and lintel. The main roof is hipped, and there are two projecting gable roofed sections facing Stirling Street - one over the main entrance portico and the other at the southern, slightly set back end of the building. The porticos have Tuscan columns and rendered surrounds. A heavily stuccoed arched opening (with semi circular fanlight), leading to a small balcony with metal balustrade, sits above the main entrance portico. The portico facing Harold Street has a classical balustraded balcony above it. Minimal setbacks from both streets where the low perimeter fence is brick topped with decorative metal railings. None apparent

History

In 1892, land in Highgate Hill was acquired by Catholic Bishop Matthew Gibney for a very moderate sum, considering its market value and it has been suggested that he and developer Alexander Forrest had a prior arrangement. By 1896 the majority of the lots in this estate, known as the Mount Heart Estate, had been sold to prominent Perth families. A two acre site for church and school, known as Alacoque Square, after the Sacred Heart of Jesus, St Margaret May Alacoque, was set aside in the centre of the subdivision. The Sacred Heart Monastery, Primary School and Church were developed on the site by the Roman Catholic Diocese. The

<http://inherit.stateheritage.wa.gov.au/Public/Inventory/PrintSingleRecord/544c33bf-cdd7-410f-b827-62d403d69811>

1/2

2/14/2019

Heritage Council of WA - Places Database

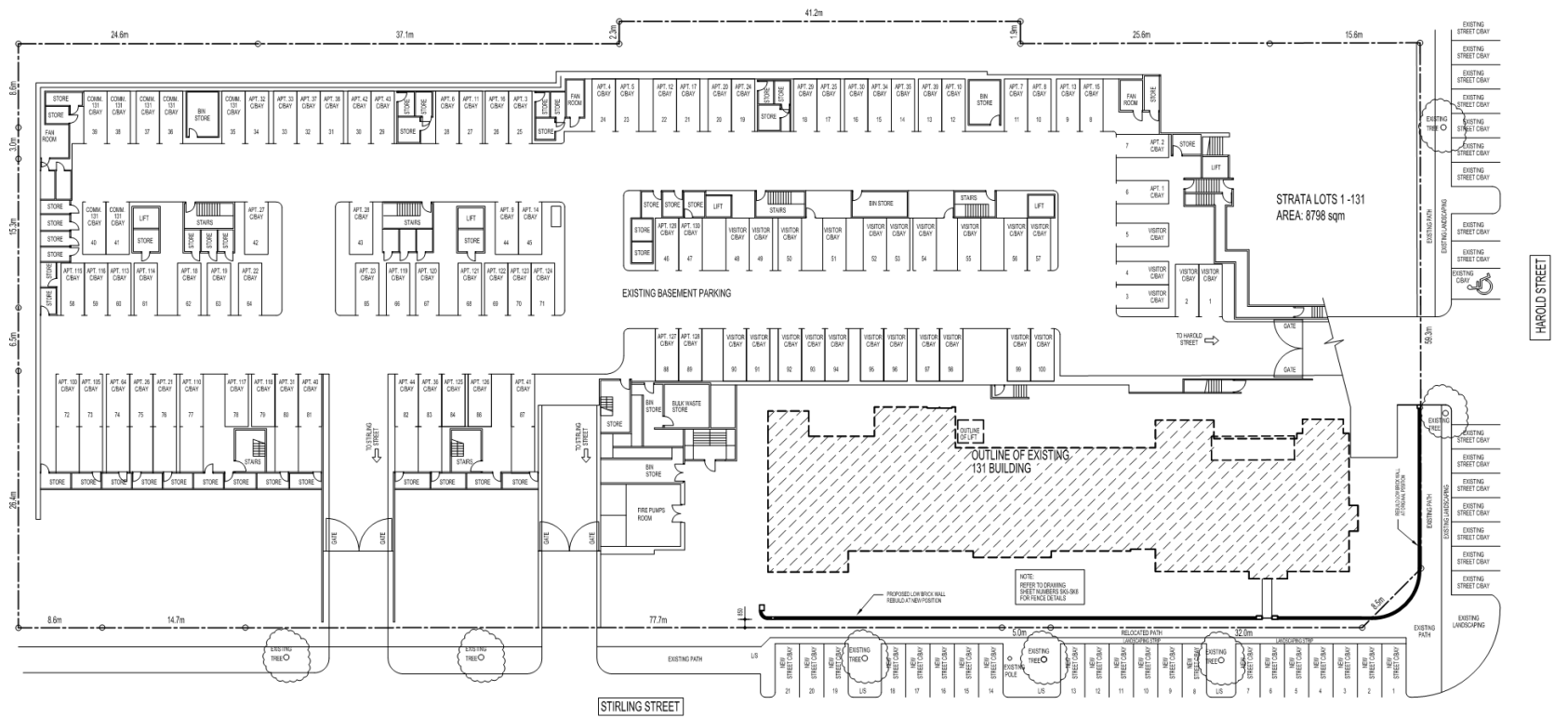
Christian Brothers was founded by Edmund Rice (1762-1844) in Waterford, Ireland in 1802. They are a Roman Catholic religious congregation of lay men which operate in 26 countries around the world, with their headquarters in Rome. In 2008 the brothers numbered circa 1,850. The PWD City & Suburbs plans circa 1897 show a narrow, rectangular building fronting Harold Street which may have been erected originally on this block. The main building of the school was completed in 1935 in Stirling Street on the corner of Harold Street on a large block. In February 1936 the Christian Brother's Intermediate School was opened to provide upper primary and secondary education for boys from Sacred Heart Primary School and surrounding areas. The building comprised classrooms and a residence for the Brothers. The parish financed the construction of the school section and the Christian Brothers financed the residential section on the corner of Harold and Stirling streets. The first enrolment was 160 pupils, most of them from Highgate, Maylands, Leederville and West Perth areas. Within a year the numbers had increased to over 200. In 1939, two classrooms and an Assembly Hall were added, at a cost of \$356,360.13.9. By this time it was known as Christian Brother's High School and Brother Kenyon was the headmaster and also the form master for the Junior year (Year 10). There was some gymnasium equipment (parallel bars, horse, etc.) and one tennis court in the school grounds. The rest of their sport was played across the road at Forrest Park, where the boys also spent most of their lunchtimes playing cricket or football. Theo Symons who was a foundation student said, 'the brothers were a bit tough in those days. They were trying to create a name for the school and they were a bit severe on the students.' (Theo Symons, OH0173). His summer uniform included a pith helmet; this was replaced with a cap in winter. Further building work has been carried out in more recent times and a swimming pool was installed by Sunny West Pools in 2000. Other recent alterations have included a modern cafeteria for the staff and students. The former College has been occupied as a private tutorial college, known as St Mark's International College for some years. This college provides courses for improving English speaking, reading, listening and writing skills for all levels of ability. It has a very strong reputation in this area and in 2004 the school won the West Australian Industry & Export Award for its work with overseas students.

Integrity/Authenticity

High

Creation Date 28 Apr 1989**Last Update** 03 Jan 2018 **Publish place record online (inHerit):** Approved**Disclaimer**

This information is provided voluntarily as a public service. The information provided is made available in good faith and is derived from sources believed to be reliable and accurate. However, the information is provided solely on the basis that readers will be responsible for making their own assessment of the matters discussed herein and are advised to verify all relevant representations, statements and information.



EXISTING BASEMENT PARKING / PART STREET PARKING PLAN
SCALE: 1:50

STAGE-1 DEVELOPMENT CARPARK CALCULATIONS	
DESCRIPTION	NO. OF BAYS
PROPOSED MEDICAL CENTRE = 4 CONSULT ROOMS	12 BAYS
PROPOSED RADIOLOGY CENTRE = 6 EXAM ROOMS	6 BAYS
PROPOSED PHARMACY = N.I.A. 100 sqm	4 BAYS
PROPOSED BUSINESS COLLEGE = 10 STAFF	10 BAYS
TOTAL REQUIRED	32 BAYS

EXISTING SCHOOL ALLOCATED CARPARKING = 34 BAYS
COMMERCIAL & APARTMENT VISITOR'S CARPARKING = 26 BAYS
PROPOSED NEW STREET PARKING = 21 BAYS
EXISTING ALLOCATED CARPARKING TOTAL = 71 BAYS

STAGE-2 DEVELOPMENT CARPARK CALCULATIONS	
DESCRIPTION	NO. OF BAYS
PROPOSED MEDICAL CENTRE = 6 CONSULT ROOMS	18 BAYS
PROPOSED RADIOLOGY CENTRE = 6 EXAM ROOMS	6 BAYS
PROPOSED SPECIALIST ROOMS = 3 CONSULT ROOMS	9 BAYS
PROPOSED PHARMACY = N.I.A. 100 sqm	4 BAYS
TOTAL REQUIRED	37 BAYS

EXISTING SCHOOL ALLOCATED CARPARKING = 24 BAYS
COMMERCIAL & APARTMENT VISITOR'S CARPARKING = 26 BAYS
PROPOSED NEW STREET PARKING = 21 BAYS
EXISTING ALLOCATED CARPARKING TOTAL = 71 BAYS

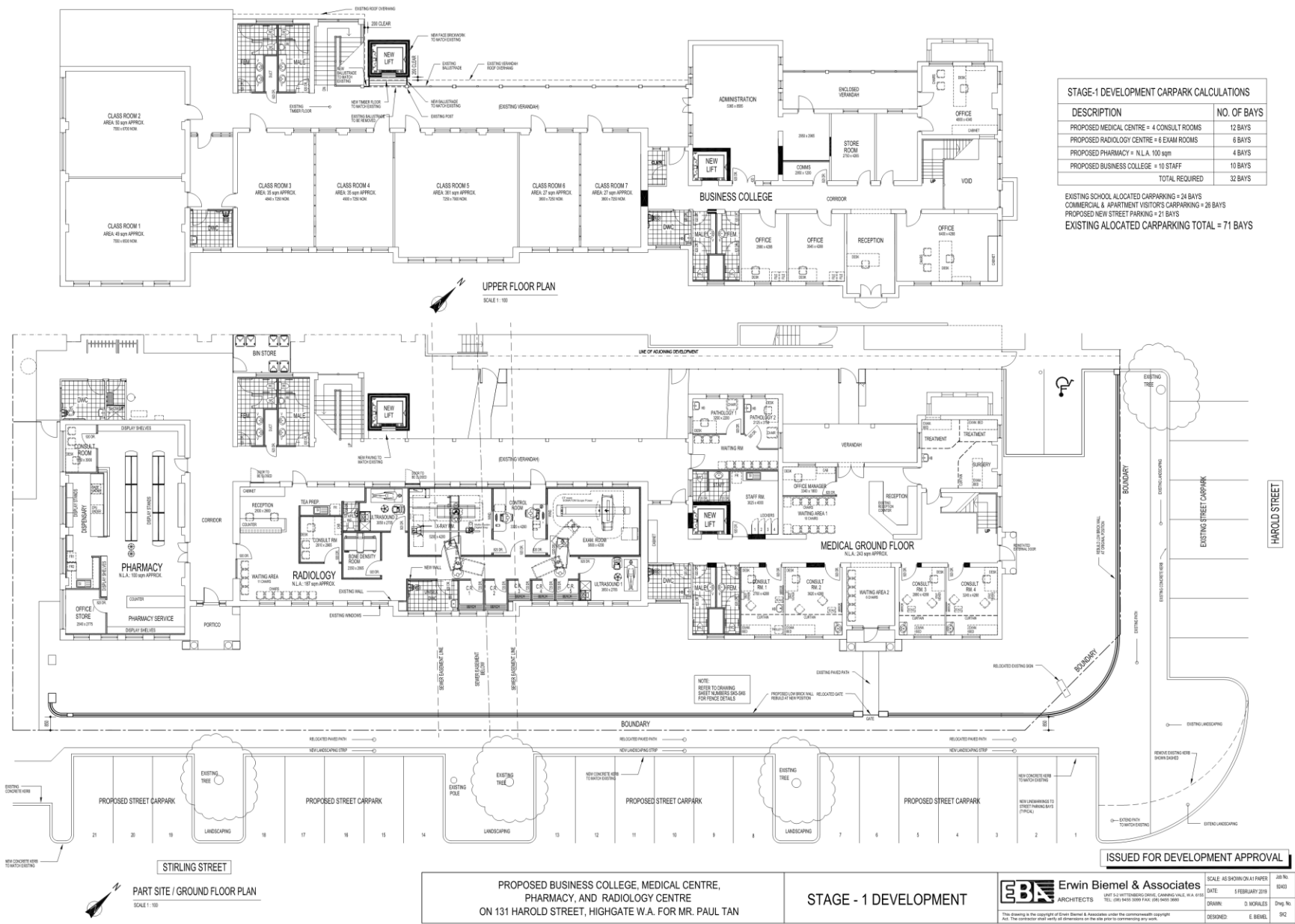
ISSUED FOR DEVELOPMENT APPROVAL

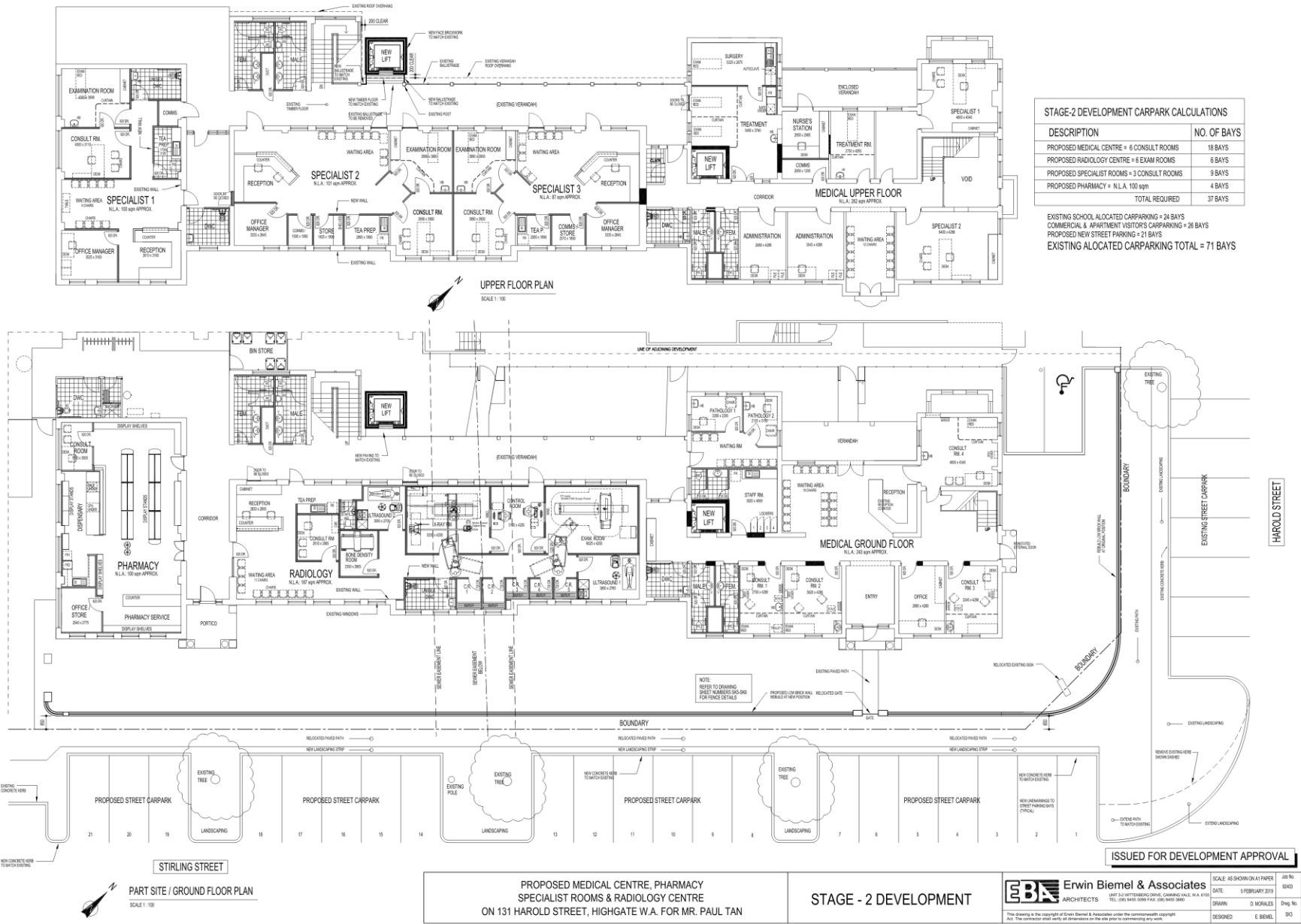
PROPOSED BUSINESS COLLEGE, MEDICAL CENTRE,
PHARMACY, SPECIALIST ROOMS & RADIOLOGY CENTRE
ON 131 HAROLD STREET, HIGHGATE W.A. FOR MR. PAUL TAN

Erwin Biemel & Associates
ARCHITECTS
UNIT 12 HINTERBURG DRIVE, CANNING VALLEY W.A. 6105
TEL: 080 000 0000 FAX: 0800 000 000

SCALE: AS SHOWN ON A1 PAPER
DATE: 15 FEBRUARY 2019
DRAWN: D. MORRIS
DESIGNED: E. BIEMEL

200 NLS
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Dwg No.
3/1



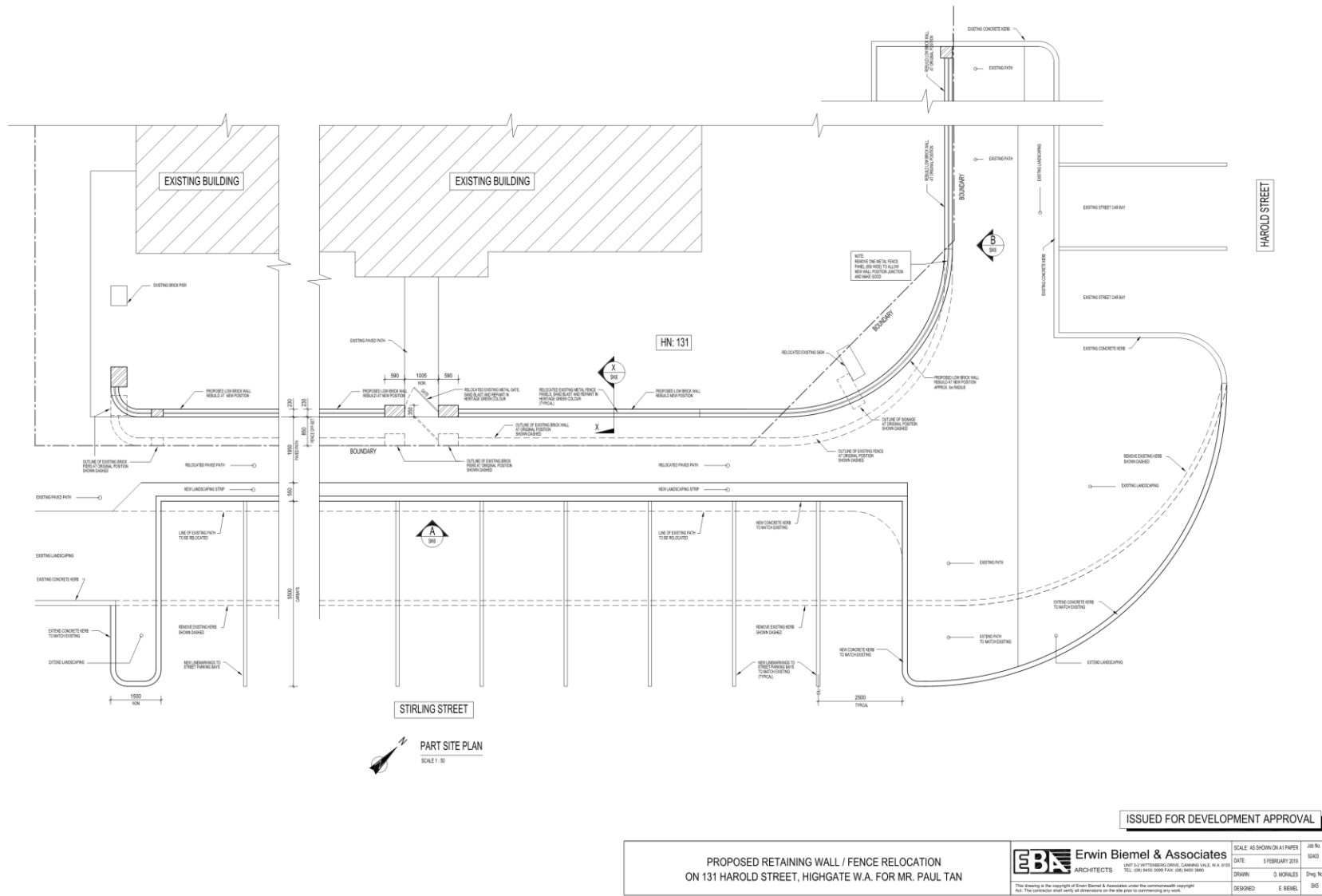


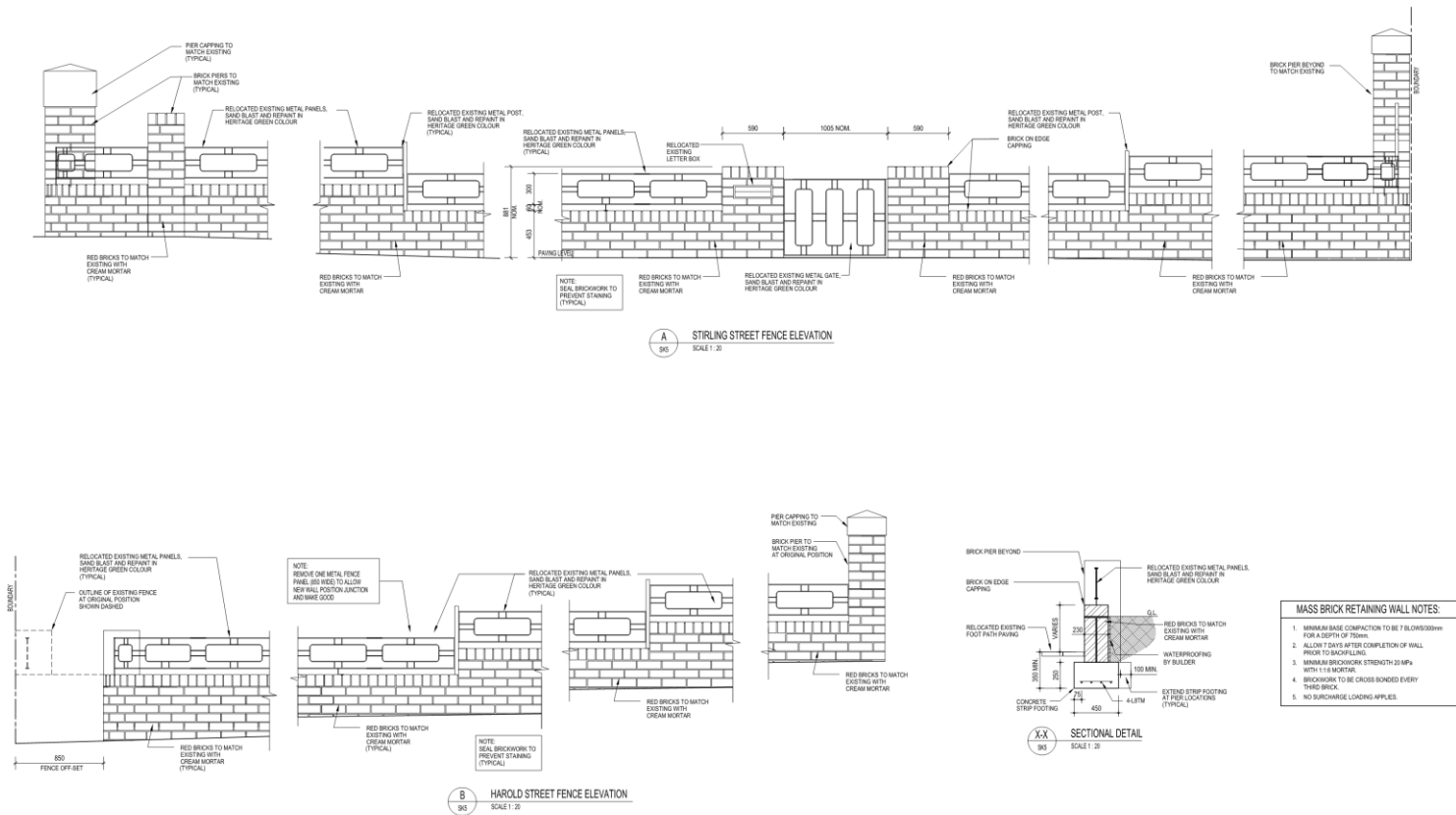


ISSUED FOR DEVELOPMENT APPROVAL

PROPOSED BUSINESS COLLEGE, MEDICAL CENTRE,
SPECIALIST ROOMS, PHARMACY & RADIOLOGY CENTRE
ON 131 HAROLD STREET, HIGHGATE W.A. FOR MR. PAUL TAN

 Erwin Biemel & Associates ARCHITECTS UNIT 5-2 WITTENBERG DRIVE, CANNING VALE, W.A. 6155 TEL: (95) 9455 3699 FAX: (95) 9455 3660	SCALE: AS SHOWN ON A1 PAPER	Job No: 83-043
	DATE: 5 FEBRUARY 2010	
	DRAWN: D. MORALES	Drawn by: S. K.
This drawing is the copyright of Erwin Biemel & Associates under the commonwealth copyright		





ISSUED FOR DEVELOPMENT APPROVAL

PROPOSED RETAINING WALL / FENCE RELOCATION
ON 131 HAROLD STREET, HIGHGATE W.A. FOR MR. PAUL TAN

Erwin Biemel & Associates
ARCHITECTS
UNIT 2/2 WITTENBERG DRIVE, CARINGALE VIC 3018
TEL: (03) 9430 3000 FAX: (03) 9430 3000

SCALE: AS SHOWN ON A1 PAPER
DATE: 5 FEBRUARY 2019
DRAWN: D. MORALE
DESIGNED: E. BIEMEL
JOB No: 0143
Sheq No: 015

proposed highgate medical centre

131 harold street highgate



submission to city of vincent

Report on Visitor Carparking Bay Utilization.

14 February 2019



Erwin Biemel & Associates
ARCHITECTS

ABN 76 698 542 919

SUITE 5,2 WITTENBERG DRIVE,
CANNING VALE, W.A. 6155
TEL: (08) 9455 3099 FAX: (08) 9455 3680
P.O. BOX 1126, CANNING VALE, W.A. 6155

introduction

This report on the availability of Visitor Car parking Bays to the Proposed Medical Centre is based upon a car parking survey of car bays occupied during business hours Monday to Friday inclusive

methodology

To gather information on the current utilization of the existing visitor bays onsite a physical survey of every visitor car bay was conducted 5 times a day for a full week. Survey times were 8.30am, 10.30am 12.00noon, 2.00pm and 4.00pm. The registration detail of every vehicle was recorded and is shown on the attached spreadsheet.

planning Conditions

The original Planning conditions for the development states

Car Parking and Access ways

the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;

The car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and

(d) the car park shall be used only by employees, tenants, and visitors directly associated with the development;

The planning conditions make the car parking available to visitors only during business hours.

survey results

From the survey it is clear that residents or unauthorised persons are using the visitor's carbays in contravention of the original planning approval.

The attached spreadsheet shows all residents cars or cars that part in the visitors bays on a regular basis in red.

Visitors are shown in black, cars which have infrequent visits to the site.

Car bays shown in green are visitors on a semi regular basis which cannot be reasonably determined as residents due to the frequency of use. The green bays are included in the survey results as visitors.

Some cars may belong to students but during the survey it was noted that students with cars parked in the street in the vicinity and not in the designated visitor bays.

Once construction of the medical centre starts Kingston college will revert to online learning and not onsite traditional education thereby minimising the car parking required for students.

The average number of available visitor parking bays between 8.30am and 4.00pm is 10.2

The average number of available visitor bays including 8.30am and 4.30pm timeslots is 8.5

The average number of visitors visiting the site is 3.12 with a maximum of 8 at any one time

The average number of car bays occupied by residents or unauthorised persons is 14.36

unauthorised car parking

The survey has identified that an issue exists with unauthorised use of the existing visitor car bays on the site

A review of registration numbers shows that 4 vehicles have never moved or only for very short periods of time during the full week that the survey was conducted.

The possibility exists that vehicle registration 1CAY464 may be abandoned.

The survey has shown that a further four vehicles have moved occasionally but occupied bays almost full time.

The remainder of identified vehicles shown in red on the attached spreadsheet occupy visitor car bays for extensive periods of time over the week .

Recommendations

A policy of enforcement of the existing planning conditions needs to be implemented

The recommendations are :

1. Create a visitors car parking policy to conform with the current planning approval for the site . Obtain strata approval for the policy. Its recommended to limit the pereiod of parking to 1 hour and seek enforcement of policy after 2 hours of a carbay being occupied.
2. Register the visitor's carpark with the city of Vincent. Annual Fee \$200.00 (signage 35.00 each)
3. The visitors bays are to be registered as exempt from permits with the City of Vincent to avoid residents seeking to use the car bays by avoiding the original planning conditions.
4. Install electronic monitored video surveillance able to view every visitor bay.
5. Authorise up to 3 persons to control the visitor bays usage through monitoring of the surveillance video
6. Report any contraventions of the site visitor car parking policy to the Shire of Vincent for them to issue infringement notices.

A copy of the application forms for a registered private carpark are included in this report.

available visitor bays

Once enforcement of the existing planning conditions occurs and the carpark is registered as a private carpark with the City of Vincent the current unauthorised use of visitor car bays will cease.

The survey indicates that only an average of 3.12 visitor car bays are occupied at any one time with a maximum number of 8 on two occasions at 4.30pm only.

The available number of visitor car bays for the commercial development will increase to about 23 on average and to a minimum of 18 on occasions once the car parking compliance policy is enforced.



CITY OF VINCENT

Ranger and Community Safety Services
 P.O Box 82 LEEDERVILLE, 6902
 Telephone: (08) 9273-6000
 Facsimile: (08) 9273-6099
 E-mail: mail@vincent.wa.gov.au

APPLICATION FORM

AUTHORITY FOR THE CITY OF VINCENT RANGER SERVICES AND COMMUNITY SAFETY SECTION TO ISSUE INFRINGEMENT NOTICE/S ON PRIVATE PROPERTY LAND UNDER THE CITY OF VINCENT PARKING AND PARKING FACILITIES LOCAL LAW.

PROPERTY TO BE POLICED:

Address: _____

Name of Building: _____

Postal Address: _____

PLEASE COMPLETE OVERLEAF IF STRATA PROPERTY

LAND OWNER DETAILS:

Name: _____

Address: _____

Contact No: _____

AUTHORISED COMPLAINANTS (Maximum 3 persons only)
(Please Print Clearly)

1. Name: Title: Company:

Phone: Signature:

1. Name: Title: Company:

Phone: Signature:

1. Name: Title: Company:

Phone: Signature:

Please indicate if property is leased: YES () NO ()

AUTHORITY TO ENTER PROPERTY

I hereby authorise the Council to act on behalf of the complainant/s whose name/s appear/s above and lawfully confer an authorised Officer of the Council rights of entry at all reasonable times to enter the aforementioned building and/or land as the case may be for the purpose of issuing infringement notices on private property land under the City of Vincent Parking and Parking Facilities Local Law.

Signed: (Owner/Agent) Date:

- 2 -

ANY CHANGE TO NAME OF AUTHORISED COMPLAINANT/S TO BE ADVISED IN WRITING TO:

RANGER AND COMMUNITY SAFETY SERVICES
CITY OF VINCENT
PO BOX 82
LEEDERVILLE WA 6902

STRATA TITLED PROPERTIES

Title No.: Volume: Folio:

Residential () Commercial ()
(Please tick)

RESIDENTIAL ONLY:

Number of Units:

Are all units managed by the same Agent? YES () NO ()
(Please tick)

NOTE: If property is managed by more than one agent, the authorised complainants must be nominated by all agents and any individual lessees of the property.

PAYMENTS – PRIVATE CAR PARK ANNUAL REGISTRATION FEE

PLEASE COMPLETE THIS SECTION IF PAYING BY CREDIT CARD

Name shown on card

Card holder address

Telephone number _____ Signature

Amount \$ _____ Expiry date ____/____ Card type (Visa etc)

Card number ____/____/____/____

- 3 -

CONDITIONS

A COPY OF THESE CONDITIONS TO BE RETAINED BY ALL NOMINATED COMPLAINANT/S AND OWNER/S

1. Eligibility

Subsequent to a Council resolution on 4 November 2014, all registered private car parks within the City of Vincent will now be subject to an annual registration fee of \$200 effective as from 1 January 2015.

As the owner/managing agent of a registered private car park, you will now be required to pay the approved annual registration fee of \$200 to ensure the private car park remains registered with the City.

Where the owner/occupier of a commercial property invites the public to park vehicles on that property, the property cannot be registered as a private property and, therefore, will not be policed by the Council. The City will undertake spot-checks to ensure that this Policy is being adhered to and may cancel the registration for properties found to be encouraging customer/client/visitor etc parking.

2. Sketch Plan of Area/Certificate of Title

The Owner or their Agent will supply to the City of Vincent a sketch plan (A4 size) indicating in detail the location of the area to be policed and detailing the numbers of bays affected.

The Owner or their Agency will also supply a copy of the current Certificate of Title to the City of Vincent. If the Title consists of more than one page, then copies of all pages are to be supplied.

3. Display of Signs

The Owner or their Agent will for the duration of this registration display and maintain a sign provided by the City of Vincent indicating that the area is private property and advising that unauthorised parking is subject to a penalty of up to \$5000.00 under the City of Vincent Parking and Parking Facilities Local Laws.

4. Change of Ownership

Should the ownership of the property change, the new owner must notify the City of Vincent forthwith and complete a registration form. A copy of the new Certificate of Title must be forwarded with the application.

5. Change of Managing Agents and/or Complainant/s

Providing this does not affect the ownership of the property, notification in writing must be received within seven days.

- 4 -

6. Issuing of Infringement Notices

The City of Vincent Ranger Services will only issue infringement notices to vehicles parked on the property that have not received prior permission from any person associated with the said property. This information must be ascertained prior to calling the City of Vincent.

It should be stressed that in cases where staff, tenants or any authorised persons use parking bays other than those allocated to them, the problem is considered to be of a "domestic" nature and must be dealt with accordingly.

Each property will be given a registration number and the City of Vincent will only act on the complaint after the registration number has been quoted by the authorised complainant to Ranger Services.

The person/s nominated as the complainant will be required to meet the Ranger on site and indicate the offending vehicle/s. If the nominee fails to comply with the above within five minutes of the nominated time, the Ranger will vacate the premises and no action will be taken.

The nominee will be required to complete the necessary Witness Complaint form in the presence of the Ranger.

No action will be taken if the offending vehicle/s is/are not given the opportunity to leave the premises within a reasonable time and/or are obstructed from leaving the premises in any way.

No action will be taken if the attending Officer deems it unnecessary.

Infringement Notices will only be issued between the hours of 8am to 5pm Monday to Friday. All other times are at the discretion of the Ranger Services Section and subject to the availability of staff.

7. Cancellation of Infringement Notices

Should the Owner or their Agent request an Infringement Notice to be withdrawn, they must;

- (a) request in writing to the City of Vincent to withdraw the Notice and the letter must be signed by an Authorised Complainant or the Owner or their Agent;
- (b) submit an administration fee of \$50.00 (per notice) which must accompany the correspondence;
- (c) any request to withdraw a Notice must comply with the above and be received by the City of Vincent within seven days of the issuing date of the Notice; and
- (d) any request received after the said time may not be cancelled.

8. Witness at Court

Should an infringement notice result in action being taken to the *Magistrates Court* for the recovery of the penalty, the complainant (who witnessed the alleged offence) agrees to attend Court as a witness.

Record of Visitor Bays being occupied during business hours.

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ST MARKS
131 Harold St, Highgate



VEHICLE GATE MANAGEMENT PLAN

PURPOSE

To allow visitors to the residential apartments and commercial building at St Marks to access the visitor carparking, whilst maintaining security on the site.

LOCATION

Visitor parking is available in 2 locations at the site. These are marked on attached plan.

1. On Stirling St bays are available in open air and are accessible and freely available to visitors at all times, as there is no gate.
2. Parking is also available in the lower ground floor underneath the site, accessible via Harold St. There is a vehicular gate at this entrance.

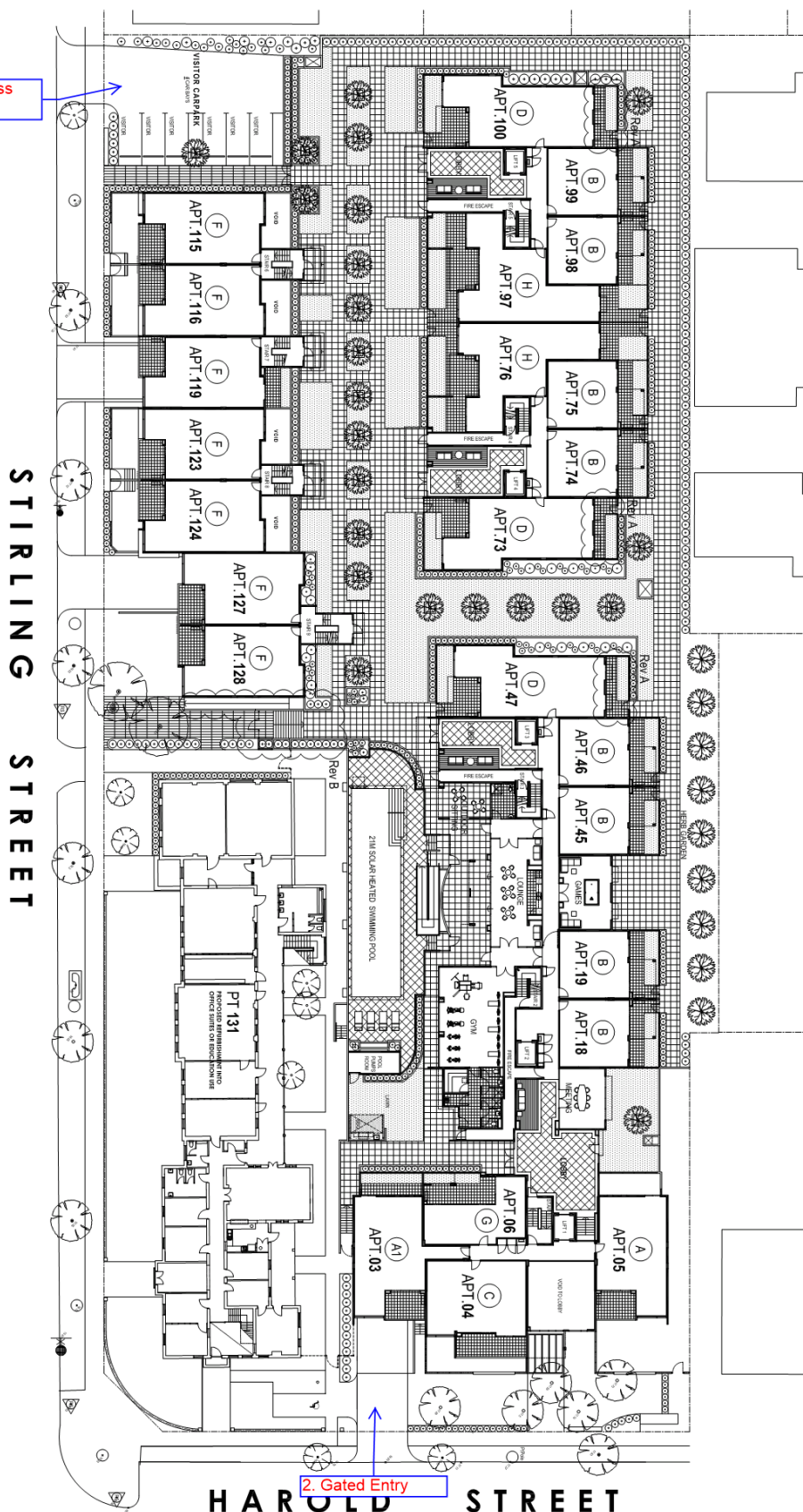
During working hours the gate will be open, allowing free access. The gate will be closed outside of working hours and on weekends, as 24 hour free parking will potentially present a problem to the development as visitors to nearby businesses may use the parking area at those times.

When the gate is closed an intercom panel is available outside the gate so visitors can contact the apartment they are visiting and be let in.

MANAGEMENT

The Strata Company will be responsible for managing this Plan. Compliance with the plan will be the responsibility of all owners and their tenants and guests.

SIMPLIFIED PLANS



GENERAL NOTES

1. THE APARTMENT AREAS SHOWN HERE ARE APPROXIMATE AND ARE MEASURED TO THE FACE OF EXTERNAL WALLS. THE OUTLINE OF WALLS BETWEEN APARTMENT & LOBBY, THE MIDDLE OF PARTY WALLS.
2. THESE AREA MEASUREMENTS ARE ARCHITECTURAL MEASUREMENTS AS DEFINED IN THE CONTRACT CONDITIONS AND ARE DIFFERENT FROM SURVEY DIMENSIONS ALSO DEFINED IN THE CONTRACT CONDITIONS.
3. SHAPE AND CONFIGURATION OF BALCONIES, DOORS, WINDOWS, DUCTS AND COLUMNS MAY DIFFER FROM THOSE ILLUSTRATED.

STIRLING STREET

HAROLD STREET

22-11-11 Rev B STIRLING STREET ENTRY REVISED.
 23-08-11 Rev A APARTMENT AREA INCREASED,
 COURTYARD AREA REDUCED.

GROUND FLOOR PLAN



ST. MARK'S APARTMENTS
 131, HAROLD STREET, HIGHGATE

130 APARTMENTS &
 BOUTIQUE OFFICE SUITES

S S CHANG
 ARCHITECTS

DATE: 22 NOV 2011
 DRAWN BY: S S CHANG
 CHECKED BY: S S CHANG
 APPROVED BY: S S CHANG

SP 04
 22 Nov 2011

Determination Advice Notes:

1. A 'medical centre' means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human ailments and for general outpatient care.
2. All 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 Building Permit application, being submitted and approved prior to the erection of the signage.
3. 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.
4. If the 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. 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.
6. The obligation to comply with the requirements of a time limited condition continues whilst the approved development exists.
7. The applicant/owner is reminded of their obligation under the Strata Titles Act which may require consent from the adjoining strata owners and/or strata company before commencing any works on site.











9.8 NO. 58 (LOT: 301 & 302; D/P: 34680) KALGOORLIE STREET, MOUNT HAWTHORN - SINGLE HOUSE

TRIM Ref: D19/40426

Author: Karsen Reynolds, Urban Planner

Authoriser: John Corbellini, Executive Director Development Services

Ward: North

- Attachments:**
1. Attachment 1 - Consultation and Location Map [↓](#) 
 2. Attachment 2 - Development Plans Deferral [↓](#) 
 3. Attachment 3 - Development Plans [↓](#) 
 4. Attachment 4 - Applicant Justification and Supporting Information [↓](#) 
 5. Attachment 5 - Design Review Panel Comments [↓](#) 
 6. Attachment 6 - Applicant Response to First Community Consultation Submissions [↓](#) 
 7. Attachment 7 - Applicant Response to Second Community Consultation Submissions [↓](#) 
 8. Attachment 8 - Administration's Response to Summary of Submissions [↓](#) 
 9. Attachment 9 - Photos of Site and Surrounding Context [↓](#) 
 10. Attachment 10 - Streetscape Analysis [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for a proposed Single House at No. 58 (Lot: 301 & 302; D/P: 34680) Kalgoorlie Street, Mount Hawthorn, in accordance with the plans provided in Attachment 2, for the following reason:

1. As a consequence of the large blank walls to the front façade the proposal:
 - 1.1 results in a bulk, scale and dominating appearance that is not compatible with and complementary to the established residential area in which it is located (Clause 67(m) of the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*) and is inconsistent with an objective of the Residential zone under the Scheme;
 - 1.2 would detract from the amenity and character of the residential neighbourhood (Clause 67(n) of the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*) and is inconsistent with an objective of the Residential zone under the Scheme; and
 - 1.3 is not an appropriate design for the context of place and is inconsistent with Objective 1.3.1(a) of State Planning Policy 3.1: Residential Design Codes.

PURPOSE OF REPORT:

To consider an application for development approval for a Single House at No. 58 Kalgoorlie Street, Mount Hawthorn (subject site).

PROPOSAL:

The application proposes a two-storey single house at No. 58 Kalgoorlie Street, Mount Hawthorn.

BACKGROUND:

Landowner:	Caitlin Kyron
Applicant:	Konstantine Dean Kyron
Date of Application:	3 October 2018
Zoning:	MRS: Urban LPS2 Zone: Residential R Code: R30
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Single House
Lot Area:	Lot 301: 374 square metres Lot 302: 250 square metres Total Lot Area: 624 square metres
Right of Way (ROW):	No
Heritage List:	No

The subject site is bound by Kalgoorlie Street to the west, and developed residential lots to the north, east and south. The site is currently accommodates a double-storey detached dwelling, which is proposed to be demolished. The surrounding residential developments are single-storey and two-storey single houses. On the opposite side of Kalgoorlie Street are single-storey and two-storey single houses and grouped dwelling developments (refer to the location plan included in **Attachment 1**). The subject site and adjoining properties are zoned Residential R30 under the City's Local Planning Scheme No. 2 (LPS2) and have been identified as a Residential Built Form Area as prescribed under the City's Local Planning Policy No. 7.1.1 – Built Form (Built Form Policy).

An application to amalgamate Lot 301 and Lot 302 into a single lot on a Certificate of Title has been lodged with the Western Australian Planning Commission (WAPC). Administration provided a recommendation for approval for the proposed amalgamation. The WAPC granted conditional approval subject to conditions for the proposed amalgamation on 7 February 2018.

The development was presented to Council at its Ordinary Council Meeting on 5 March 2019. The application was deferred by Council to enable the applicant time to address Council's reasons for deferral relating to the front façade, engagement to the streetscape and the overall bulk of the development. The development plans presented to Council on 5 March 2019 that resulted in the deferral are included as **Attachment 2**.

The applicant provided amended development plans that involve the following changes:

- Ground floor and upper floor setback from the dwelling to the eastern boundary increased from 2.77 metres to 4.1 metres;
- Bedroom 3 and the external stairs have been removed and replaced with an unroofed terrace on the first floor;
- The rooftop terrace has been reduced in size and the setback from the eastern lot boundary to the roof terrace has increased from 7.5 to 9 metres;
- The spa has been removed;
- The master bedroom window facing the primary street has increased in size and now meets the definition of 'major opening' within the R Codes;
- Additional landscaping and planter boxes provided on terraces;
- Bench seats included within the front setback area; and
- Additional information regarding the materials proposed to be used in the façade to a texture style render.

A copy of the amended development plans have been included as **Attachment 3** and applicant justification and supporting information for the proposal is included as **Attachment 4**.

The applicant submitted an application for review to the State Administrative Tribunal (SAT) for a deemed refusal on 7 March 2019. The matter has been listed for a Directions Hearing on 9 April 2019. On 22 March 2019 the applicant provided the City and the SAT with written consent to proceed with the determination of the application at the April 2 Ordinary Meeting of Council. Pursuant to Clause 26(d) of the *State Administrative Tribunal Act 2004* the City can proceed with the determination of the application.

DETAILS:**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
Street Setback	✓	
Front Fence		✓
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Landscaping	✓	
Privacy	✓	
Sightlines		✓
Parking and Access	✓	
Solar Access		✓
Setback of Garages and Carports	✓	
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	
Outbuildings	✓	

Detailed Assessment

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

Building Setbacks/Boundary Wall	
Deemed-to-Comply Standard	Proposal
Clause 5.1.3 of the R Codes	
<u>Northern Boundary</u>	
Upper floor terrace privacy screens require a 3.1 metre setback from the northern boundary	Upper floor terrace privacy screens provide a 1.5 metre setback from the northern boundary
<u>Southern Boundary</u>	
Upper floor rumpus room and spiral stairs requires a 3.3 metre setback from the southern boundary	Upper floor rumpus room and spiral stairs provides a 2.1 metre setback from the southern boundary
Upper floor passageway requires a 1.8 metre setback from the southern boundary	Upper floor passageway provides a 1.6 metre setback from the southern boundary
Front Fence	
Deemed-to-Comply Standard	Proposal
Clause 5.10 of the Built Form Policy	
Piers to have a maximum width of 400 millimetres	Piers propose a maximum width of 1.0 metre
The distance between piers should not be less than the height of the piers	The distance between piers is less than the height of the piers
Sightlines	

Deemed-to-Comply Standard	Proposal
Clause 5.2.5 of the R Codes Walls, fences and other structures to be no higher than 0.75 metres within 1.5 metres of whether walls, fences and other structures adjoin a driveway	North of the proposed driveway: One pier and fence infill with a height of 1.2 metres is within 1.5 metres of the driveway South of the proposed driveway: One pier and fence infill with a height of 1.2 metres is within 1.5 metres of the driveway
Solar Access	
Deemed-to-Comply Standard	Proposal
Clause 5.4.2 of the R Codes Shadowing on adjoining properties coded R30 is to be a maximum of 35 percent of the site area	Shadowing proposed to Lot 303 and Lot 23 to the south of the subject site Shadow projection to Lot 303: 70.8 percent Shadow projection to Lot 23: 7 percent

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

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 14 days commencing on 9 November 2018 and concluding on 22 November 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 40 submissions; all objecting to the proposal. A summary of the submissions received and the Applicant's response is provided in **Attachment 6**.

Following the first consultation period, the applicant sought to respond to the objections through the submission of amended plans, which involved the following modifications:

- Increased upper floor street setback from 4.9 metres to 7.5 metres and additional detail provided to the façade design;
- Reduction in boundary wall heights;
- Re-design to the southern walls to provide greater articulation and design detail;
- Reduction in the building height from 8.52 metres to 7.6 metres;
- Modifications to the front fence including the reduction of pier widths within vehicle sightline areas;
- Increased deep soil areas from 9.9 percent to 12.6 percent;
- Provision of privacy screens to raised terraces; and
- Increased setback from the rooftop terrace to the northern boundary.

Administration advertised the application for a second time to allow the community to provide feedback on the amended plans. The application was advertised for a period of 16 days between 16 January 2019 and 1 February 2019, to adjoining properties. The standard 14 days for neighbour consultation was extended by two business days due to technical problems on the City's website.

Following the second advertising period the City received a total of 75 submissions; 34 in support; and 41 objecting to the proposal. A summary of the submissions received and the Applicant's response is provided in **Attachment 7**.

A summary of all of the submissions received along with Administration's comments on each is provided in **Attachment 8**.

The submissions received during the second advertising period are summarised with their relative locations in the table below.

Submissions received during the second advertising period	Within 100 metres of subject site	More than 100 metres from subject site	All submissions
SUPPORT	0%	100%	36.6%
OBJECT	58.5%	41.5%	63.4%
OTHER (not stated/no opinion)	N/A	N/A	N/A

The concerns raised in the submissions, which reiterated previous concerns received are as follows:

- Development results in building bulk to the street and adjoining properties;
- Adverse amenity impacts to adjoining properties;
- Overlooking provided to adjoining properties;
- Overshadowing provided to adjoining properties;
- Lack of deep soil zones and canopy cover;
- Development is not respectful of the local context;
- Development is not consistent with and does not contribute to the established built form and character of the streetscape and suburb; and
- Overdevelopment of the site.

Design Review Panel (DRP):

Referred to DRP: Yes

The development has been referred to DRP on one occasion following receipt of the application by Administration. **Attachment 5** contains the development plans presented to the DRP and an extract of the minutes from the meeting.

The proposal was presented to the DRP on 6 February 2019, with comments raised by the DRP summarised as follows:

- Passive surveillance is important. Mt Hawthorn has a friendly and engaging community. House appears gated and is turning its back on the street;
- Glazing of the study is so far from the right that it is not visible. Look at increasing glazing on the ground floor such as to the study or the mudroom;
- A big window on upper level and flipping the master suite layout would be a good outcome for surveillance and softening the upper floor façade;
- Suggest putting a side window to the front door or could make front door glass to have better interaction between the street and house;
- Consider a perforated garage door. This would provide privacy but also create more transparency;
- No concerns with the contemporary nature. Architectural intent is very bold and strong, however the design does not seem to fit into the area;
- 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;
- Look at adding in additional materials to the front façade such as brickwork to relate to the local context.
- Review and amend building height to comply; and
- Look at planting choices within the front setback area, such as fruit trees, to provide greater depth and to draw the eye into the site.

The applicant submitted amended plans to on the 7 February 2018 in response to DRP comments, which involved the following modifications:

- Increased deep soil zones provided on site;
- Garage door amended from a solid door to perforated mesh;
- Front door to the dwelling amended from obscured glass to visually permeable glass;
- Additional circle window provided to the ground floor study;
- Building height reduced to meet relevant deemed-to-comply standards;
- Front fence materiality amended to white brickwork with rendered piers;
- Upper floor master suite floor plan amended to allow for increased surveillance to the street from the openings on the front facade; and
- Tree species to the front setback area amended to reflect DRP recommendations.

Comments received from the DRP have been discussed in the Comments section of this report.

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *State Administrative Tribunal Act 2004*
- *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 City is to have due regard to the matters contained under Clause 67 of the *Planning and Development (Local Planning Scheme) Regulations 2015* and the objectives of the R Codes and relevant zone when exercising its discretion. An assessment of the matters and objectives relevant to this proposal is provided within the comments section of this report.

Matters to be considered

The following matters set out in Schedule 2, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* are relevant matter Council is to have due regard to as part of determining this application:

- m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- n) *the amenity of the locality including the following –*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality; and*
 - (iii) *social impacts of the development.*

The following objective of the Residential zone under City's LPS2 is a relevant consideration for Council to have due regard to when determining this application:

- *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.*

The following objectives of the R Codes matter are relevant matters that Council is to have due regard to when determining this application:

- *To provide residential development of an appropriate design for the intended residential purpose, density, context of place and scheme objectives;*
- *To encourage design consideration of the social environmental and economic opportunities possible from new housing and appropriate response to local amenity and place; and*
- *To encourage design which considered and respects heritage and local culture.*

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 would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

The deemed-to-comply rear lot boundary standards set out in the Built Form Policy have not been approved by the Western Australian Planning Commission (WAPC). As a result, the assessment would only have 'due regard' to those deemed-to-comply rear setbacks approved by Council in the Built Form Policy.

The deemed-to-comply landscaping standards set out in the Built Form Policy have not been approved by the Western Australian Planning Commission (WAPC), which have instead issued approval for a modified set of deemed-to-comply landscaping standards that are similar to those set out in Design WA but which

have not been approved by Council. As a result, the assessment would only have 'due regard' to those deemed-to-comply landscaping approved by Council in the Built Form Policy.

Delegation to Determine Applications:

This matter is being referred to Council for determination as the proposal has received more than five objections during the City's community consultation period.

RISK MANAGEMENT IMPLICATIONS:

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:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

We are open and accountable to an engaged community

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

As detailed within the table above, discretion is required for various elements. The proposed development has been considered against the relevant objectives and design principles below.

Lot Boundary Setbacks*North*

The application involves an upper floor setback of 1.5 metres from the terrace (located to the front of the property) to the northern lot boundary. The terrace requires a 3.1 metre setback.

In considering the acceptability of the lot boundary setback proposed, the following is noted:

- The City received neighbour concerns in relation to overlooking from the terrace; over development of the site; and building bulk impacts;
- The upper floor terrace screens are adjacent the adjoining northern adjoining properties open space area. The portion of open space that the screens abut is not the primary outdoor living area of the northern property, to which is located to the rear of their property. The favourable location of the upper floor terrace reduces any adverse amenity impacts to the northern property;
- While the minimum setback from the terrace privacy screens is 1.5 metres, the structure is curved, and pulls away from the northern boundary to a maximum setback of 5.4 metres. The increasing setback from the screens to the northern boundary assists in the reduction of building bulk when viewed from the northern adjoining property;
- The proposal involves a mature tree forward of the privacy screens as well as climbers to grow over the solid walls. Landscaping in this location would soften the appearance of the solid screens when viewed from the adjoining northern property and would assist in the reduction of solid blank walls and subsequent adverse visual impacts;
- There would be no overshadowing and subsequent loss of sunlight to the northern adjoining property due to the favourable location and orientation of the terrace. Buildings have been setback sufficiently so as to allow ventilation to flow between properties. The reduced setback contributes to a more effective use of building space in an area where there would be no adverse impact on the adjoining property, particularly in relation to access to sunlight or ventilation; and

- The terrace meets the deemed-to-comply standards for Clause 5.4.1 Visual Privacy of the R Codes. The terrace does not result in any overlooking and resultant loss of privacy to the northern adjoining property.

South

The technical assessment of the rooftop terrace to the southern lot boundary has been amended from the previous report for this application. The report presented to the 5 March Council meeting had incorrectly assessed the roof terrace as a major opening. In accordance with the R Codes Clause 5.1.3 Lot Boundary Setbacks, the rooftop terrace should not be assessed as a major opening. Following reassessment of the roof top terrace, the wall meets the deemed-to-comply standards of Clause 5.1.3 Lot boundary setbacks and is deemed acceptable under the R Codes.

The applicant has modified the proposal in response to concerns raised during community consultation and now proposes the setbacks provided below.

- The application provides an upper floor setback of 2.1 metres from the rumpus room / spiral stairs from the southern lot boundary in lieu of the 3.3 metre required setback; and
- The upper floor passageway provides a setback of 1.6 metres from the southern lot boundary in lieu of the 1.8 metre required setback.

In considering the acceptability of the southern lot boundary setback proposed, the following is noted:

- The City received submissions that raised concerns with the aesthetic impact and bulky appearance of the building as a result of the reduced setbacks, and adverse impacts relating to amenity, overlooking and overshadowing;
- The southern elevation provides an articulated façade with a range of openings and minor projections that assists in mitigating building bulk. The building has also incorporated landscaping around the perimeter of the site to further soften the building edge. The southern façade does not provide any large solid blank walls. The design detail proposed break up the appearance of solid blank walls when viewed from the adjoining southern property;
- The majority of the shadow from the development falls to the southern adjoining properties driveway, northern setback area that contains major openings, rear open space area, and roof space. The affected major openings on the southern adjoining property would remain shadowed if the setback were to comply and the reduced setback does not further reduce sunlight to these openings. The shadow that falls to the open space area to the rear of the southern property does not fall to the primary outdoor living area, to which is situated to south of the adjoining property. The patio located to the southern property is not shadowed from the proposed development. The southern adjoining properties outdoor living area would continue to receive adequate direct sunlight to the building and open space areas; and
- The upper floor facing south provides minor openings only. The subject walls meet the deemed-to-comply standards for Clause 5.4.1 Visual Privacy of the R Codes and do not result in any overlooking and resultant loss of privacy to the southern adjoining property.

East

The application has been assessed against the lot boundary setback provisions of the City's Built Form Policy that establishes deemed-to-comply requirements. The deemed-to-comply boundary wall and lot boundary setback standards set out in the Built Form Policy have not been approved by the WAPC. These provisions are given due regard in the assessment of this application.

The Built Form Policy requires 6.5 metre lot boundary setbacks to the rear boundary.

The application provides a minimum setback of 1.1 metres from the ground floor to the rear boundary, and a minimum setback of 4.15 metres from the upper floor to the rear boundary.

In considering the acceptability of the rear lot boundary setbacks proposed, the following is noted:

- The City received submissions that raised concerns with the aesthetic impact and bulky appearance of the building as a result of the reduced setbacks, and adverse impacts relating to amenity, overlooking and overshadowing;
- The development meets the deemed-to-comply standards for lot boundary setbacks under Clause 5.1.3 of the R Codes (tables 2a/2b) and is acceptable in terms of building bulk and mass;

- The eastern elevation provides an articulated façade, due to the external stairs stepping back from the eastern boundary. The design has incorporated permeable brickwork to the rear façade as well as curved design detail and landscaping that further soften the building edge. The adjoining eastern properties that have views to the eastern walls also have mature plantings along their rear boundary that would restrict visibility of the proposed development. Photos of the development as viewed from the adjoining eastern properties (No. 55 The Boulevard and No. 57 The Boulevard) is included in **Attachment 9**;
- The roof terrace sits entirely within the upper floor roof space, moderating any perceived impacts of building bulk when viewed from the eastern property;
- The development complies with deemed-to-comply standards for Clause 5.4.1 Visual Privacy of the R Codes and does not result in any overlooking and resultant loss of privacy to the eastern adjoining properties. The external stairs do not fall under the R Code definitions of 'major openings' and 'active habitable spaces' and is not required to be screened in accordance with Clause 5.4.1 Visual Privacy and
- The articulation, design detail and required privacy screening provided to the rear elevation, as well as the landscaping incorporated into the rear setback area removes all adverse amenity impacts to adjoining properties. For the above reasons, the development meets the objectives of the R Codes and the Residential zone of LPS2 and having regard to the matters set out in Clause 67(m) and (n) of the Deemed Provisions, is acceptable development.

The lot boundary setbacks proposed satisfy the relevant design principles and local housing objectives of the R Codes and Built Form Policy, and are acceptable.

Street Walls and Fences

The development proposes front fencing to the primary street that contains maximum pier widths of 1.0 metre in lieu of 400 millimetres. The distance between piers is also less than the height of the piers.

In considering the acceptability of the street walls and fences, the following is noted:

- The reduced distance between piers and increased width of piers is attributed to the provision of a letter box and metre box within the front fence as well as the fence providing curved design details. The fence remains to be open in style and compliant in height;
- The fence is visually permeable along the entire primary street frontage, ensuring active street surveillance and maintaining relationships between the public and private domain;
- The fence is predominantly setback 1.5 metres from the street boundary and provides 700 millimetre high planter boxes in front of the fencing which would accommodate landscaping. The application proposes soft landscaping to be provided within the 1.5 metre setback and planter boxes, including one tree, which would soften the appearance of the fence when viewed from the street and would significantly contribute to the streetscape; and
- The front fence is compatible with the proposed single dwelling and existing fences within the established streetscape in terms of style and materials, incorporating rendered brickwork and wrought iron infill. The design and style of the fence would positively contribute to existing fences within the street.

The front fence proposed satisfies the relevant design principles and local housing objectives of the R Codes and Built Form Policy, and is acceptable.

Sightlines

The development proposes structures higher than 750 millimetres within 1.5 metres of the proposed driveway.

In considering the acceptability of the sightlines, the following is noted:

- The development proposes piers with a 350 millimetre diameter and visually permeable fencing within northern and southern driveway sightline areas. The reduced width of the piers proposed and visually permeable infill ensures that the driveway would maintain sufficient sightlines where it intersects with the adjacent footpath to ensure visibility and safety;
- The City's technical officers have reviewed proposal and confirm that fencing has been provided in a manner that enables a safe view of the pedestrian and vehicular traffic for vehicles leaving the property boundary;

- Solid portions of wall higher than 750 millimetres have been setback 1.5 metres from the driveway and street boundary so as to ensure that vehicles could account for on-coming pedestrians and vehicles at the contact point; and
- The fence infill and gate that falls within the truncation area would be conditioned to provide a 1:4 infill ratio to further ensure sufficient sightlines.

The sightlines proposed satisfy the relevant design principles of the R Codes, and are acceptable.

Landscaping

The Built Form Policy sets a deemed-to-comply standard of 15 percent of the site to be set aside for deep soil zones (areas of soil that allows for mature plants and tree growth) and 30 percent canopy coverage at maturity.

The development provides 14.6 percent of the site to be set aside as deep soil zones. The applicant has not provided a Landscape Plan that sufficiently demonstrates whether the canopy cover standard has been satisfied.

In considering the acceptability of the landscaping proposed, the following is noted:

- The City received objections during community consultation with concerns relating to reduced deep soil zones and canopy cover and the subsequent adverse impacts this would provide to the locality such as reduced vegetation cover and increased urban heat island effect;
- The proposed landscaping within the street setback reduces the overall impact of the proposal on the public street;
- The development proposes functional landscaping with a large range of plant species and vegetation. The proposal has incorporated a variety of species to the front setback area, such as fruit trees to create interest and soften the building when viewed from the street. The choice of species within the front setback sufficiently address DRP comments received;
- The landscaping is provided to the front setback area, side setback areas, rear setback area, and on the rooftop terrace. The provision of pockets of landscaping around the site provides a soft edge to the building form and creates a sense of open space between buildings and the street;
- The application proposes the remove and replace the existing verge tree to Kalgoorlie Street. Administration recommends a condition be imposed for the replacement of the verge tree. The provision of a replacement verge tree would provide a good level of landscaping amenity for residents/occupants and the community; and
- Administration's technical officers confirm that the 30 percent canopy cover could be achieved in the deep soil zones provided on site. Compliant canopy cover would provide for greater landscaping amenity for the residents and the community, further reduce the impact of the development on adjoining residential lots and create a sense of open space between dwellings. It is recommended that Council impose a condition on any approval requiring a landscaping plan to be submitted prior to commencement of development to achieve a compliant canopy coverage in accordance with Clause 5.14 of the Built Form Policy. The applicant has provided their written consent to this condition.

The landscaping area provided satisfies the relevant design principles of the Built Form Policy, and is acceptable subject to a condition requiring 30 percent canopy coverage be delivered for the site.

Solar Access

The R Codes permit 35 percent shadowing to adjoining properties coded R30. The development involves 70.8 percent shadowing to Lot 303 and 7 percent to Lot 23, both of which are to the south of the subject site.

In considering the acceptability of the solar access proposed, the following is noted:

- The City received objections during community consultation with concerns relating to the amount of shadowing proposed to adjoining properties and subsequent loss of direct sunlight;
- While the shadow projection falls across two lots to the south of the subject site, there is only one single house (No. 56 Kalgoorlie Street Mount Hawthorn) constructed across the two lots affected. The two lots have not been recently subdivided, and have existed in their current form for a number of decades. The immediately affected lot (Lot: 303) is 248 square metres and does not meet current site area requirements for a R30 coded site. It is also likely that this lot would be largely overshadowed from a compliant development due to its unfavourable location, dimensions and orientation. If Lot 303 and Lot 23 were to be amalgamated to a total site area of 751 square metres, the proposed development would

shadow 28 percent of the site and would meet the deemed-to-comply requirements for Clause 5.4.2 Solar Access of the R Codes. The development provides a sufficient shadow projection to the adjoining southern site.

The solar access provided satisfies the relevant design principles R Codes, and is acceptable.

Interaction with the Street

A number of the submissions received during the consultation period raised concerns regarding the built form outcome and the development not being consistent with the existing and desired streetscape.

The development proposes a high quality and contemporary design and meets either the deemed-to-comply standards or design principles of the R Codes and Built Form Policy.

The applicant has submitted amended plans that increases the size of the master bedroom window facing the primary street and has opened the brickwork detailing. The window now meets the definition of 'major opening' within the R Codes.

The amended plans have demonstrated additional passive surveillance from the upper floor, however the opening does not reduce the solid blank walls and associated dominance of the upper floor when viewed from the street. The bulk, mass and scale of the proposal appears obtrusive to the streetscape and is not in keeping with the scale and character of the established streetscape or locality.

The development does not meet the objectives of the R Codes or the Residential zone of LPS2 and having regard to the matters set out in Clause 67(m) and (n) of the Deemed Provision, is not acceptable development.



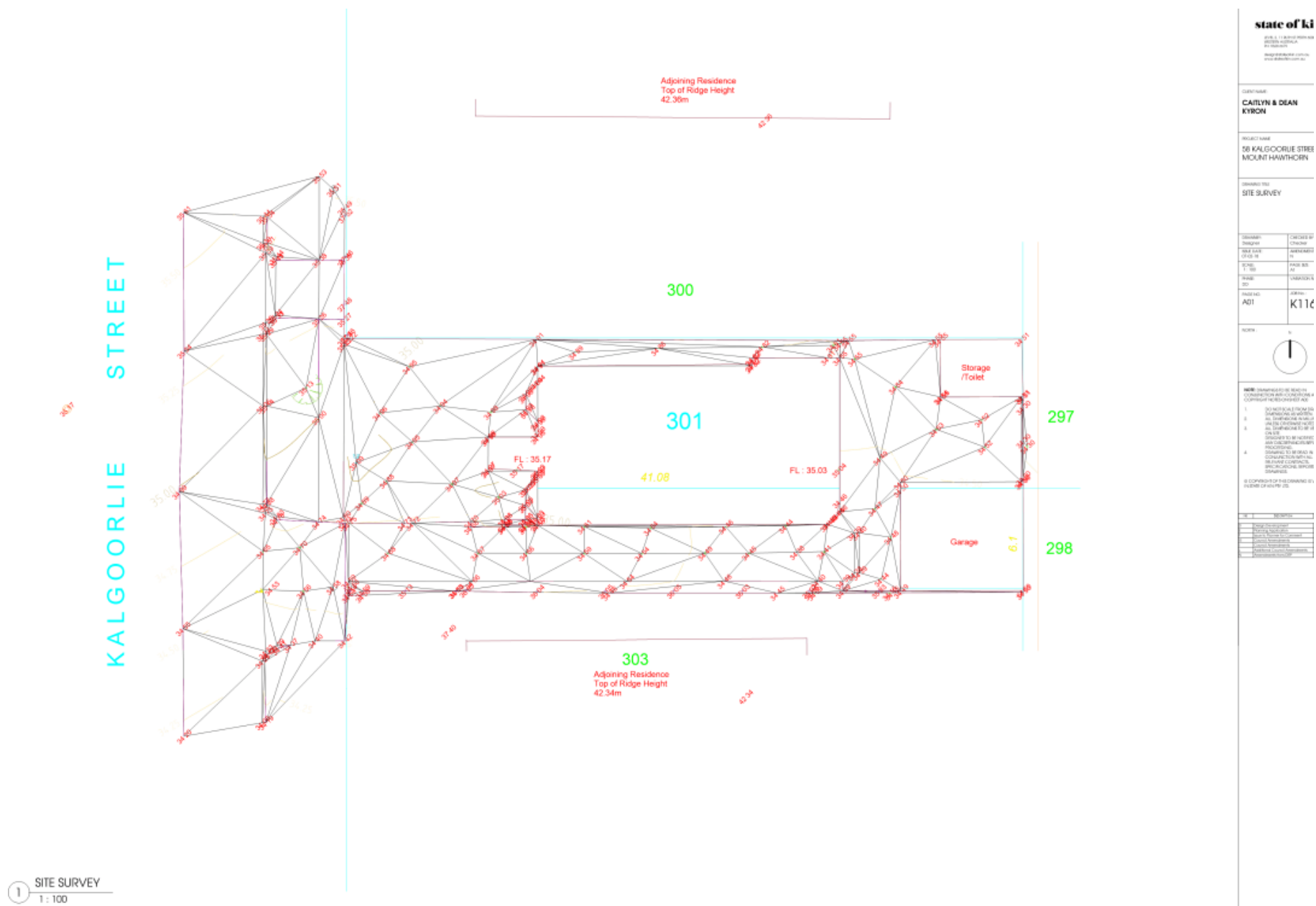


DEVELOPMENT APPLICATION - CITY OF VINCENT

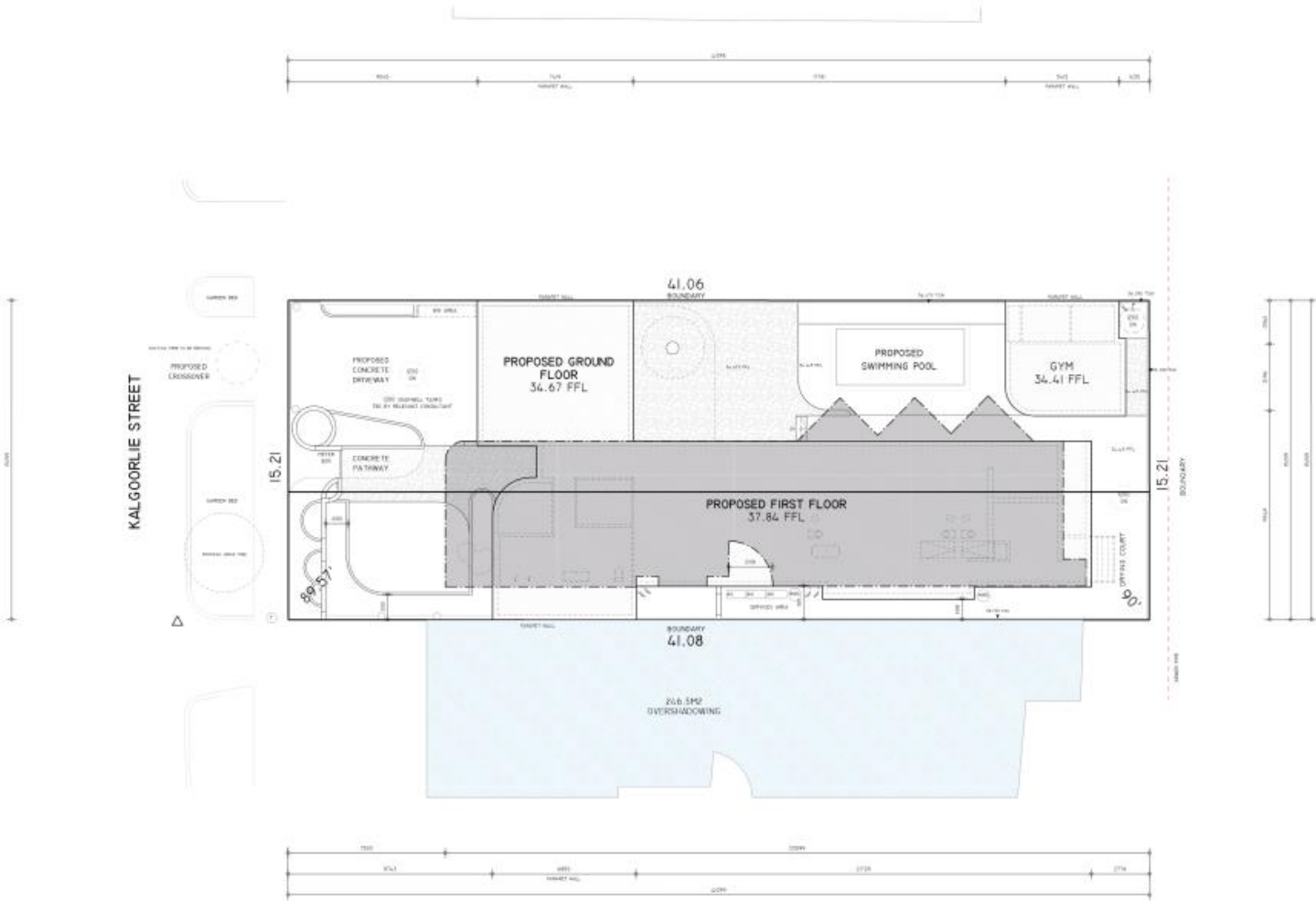


Direct Ltd				
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002	SWIRL BURNER	IN	IN	30/03/2016
003	200 OHMS CARBON COMPOS	IN	IN	30/03/2016
004	UNIVERSITY PLAY	IN	IN	30/03/2016
005	SHOONER DOOR	IN	IN	30/03/2016
006	WIRE FENCE	IN	IN	30/03/2016
007	ROOF BRACKET	IN	IN	30/03/2016
008	WIRE FENCE	IN	IN	30/03/2016
009	WIRE FENCE	IN	IN	30/03/2016
010	WIRE FENCE	IN	IN	30/03/2016

[illegible]



1 SITE PLAN
1:100



LAND AREA	624 M2
BUILDING FOOTPRINT	332.715 M2
OPEN SPACE AREA	321.277 M2
% OPEN SPACE AREA	51.49%

state of ki
STATE OF KENT
KENT COUNTY COUNCIL
KENT COUNTY COUNCIL
KENT COUNTY COUNCIL

CLAYTON & DEAN
KENT COUNTY COUNCIL

50 KALGOORLIE STREET
MOUNT HAWTHORNE

SITE PLAN & OVERSHADOWING

PROJECT NO: K1110

SCALE: 1:100

DATE: 10/04/2019

DESIGNED BY: KENT COUNTY COUNCIL

DRAWN BY: KENT COUNTY COUNCIL

CHECKED BY: KENT COUNTY COUNCIL

APPROVED BY: KENT COUNTY COUNCIL

DATE: 10/04/2019

PROJECT NO: K1110

SCALE: 1:100

DATE: 10/04/2019

DESIGNED BY: KENT COUNTY COUNCIL

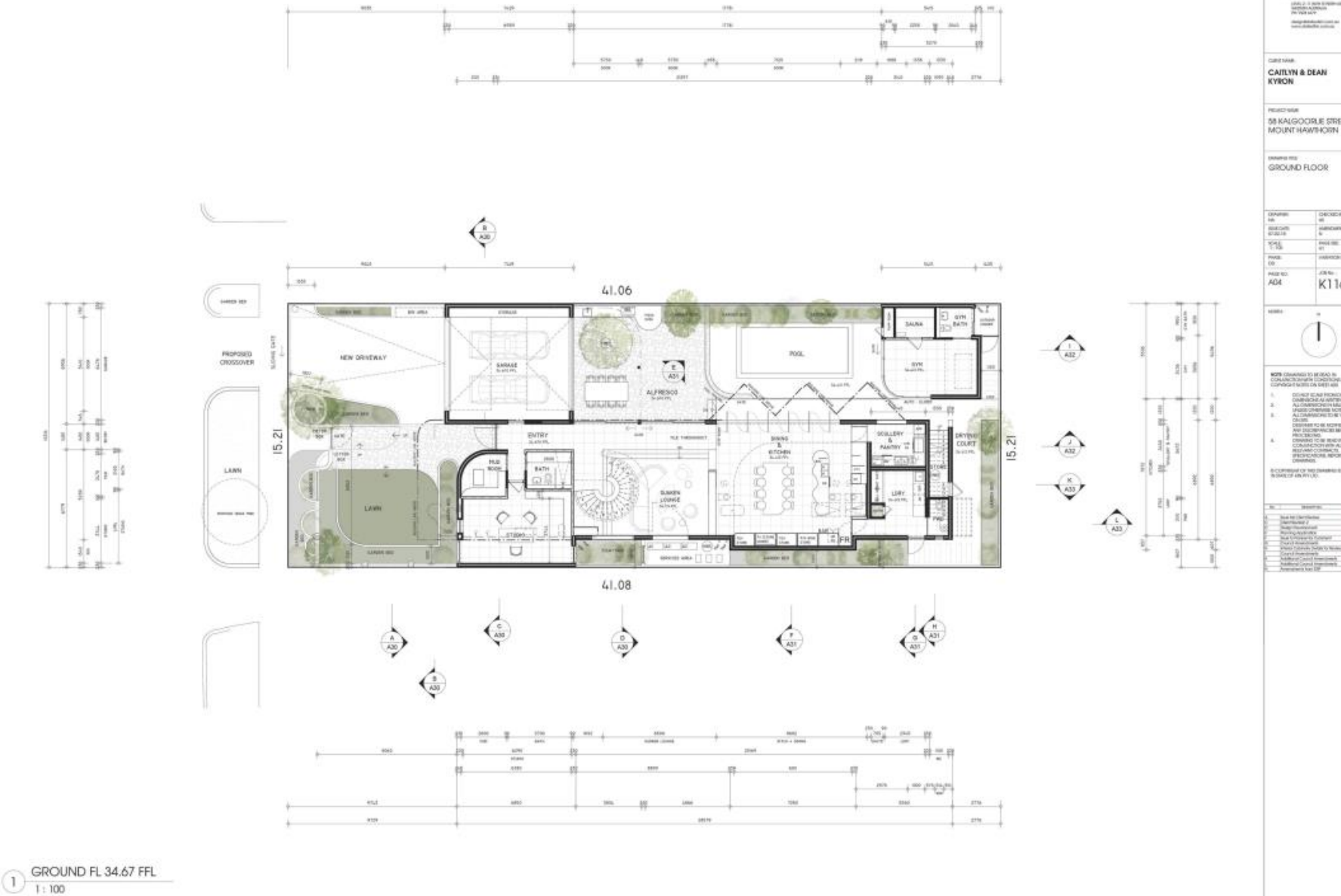
DRAWN BY: KENT COUNTY COUNCIL

CHECKED BY: KENT COUNTY COUNCIL

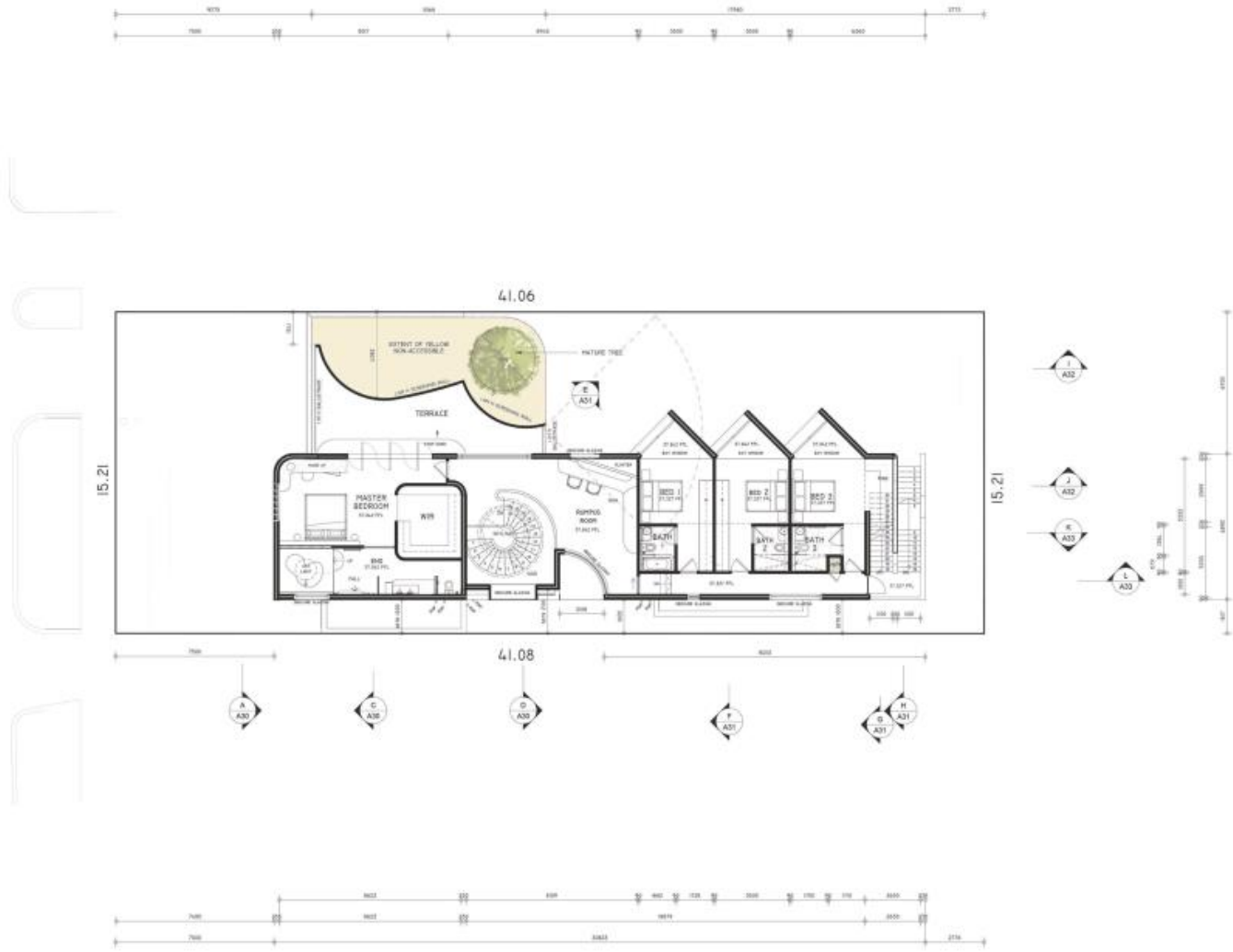
APPROVED BY: KENT COUNTY COUNCIL

DATE: 10/04/2019





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state of ki

LAND & CITY SERVICES
CITY OF KILGORE
100 KILGORE STREET
KILGORE, TEXAS 75142
940.835.4600
www.kilgoretx.gov

CITY CLERK

CARLYN & DEAN
KILGORE

PROJECT NAME

38 KILGORE STREET
MOUNT HAWTHORN

DESIGNED BY

ADG

DATE

10/1/18

SCALE

1/8" = 1'-0"

PROJECT NO.

18-001

PHASE NO.

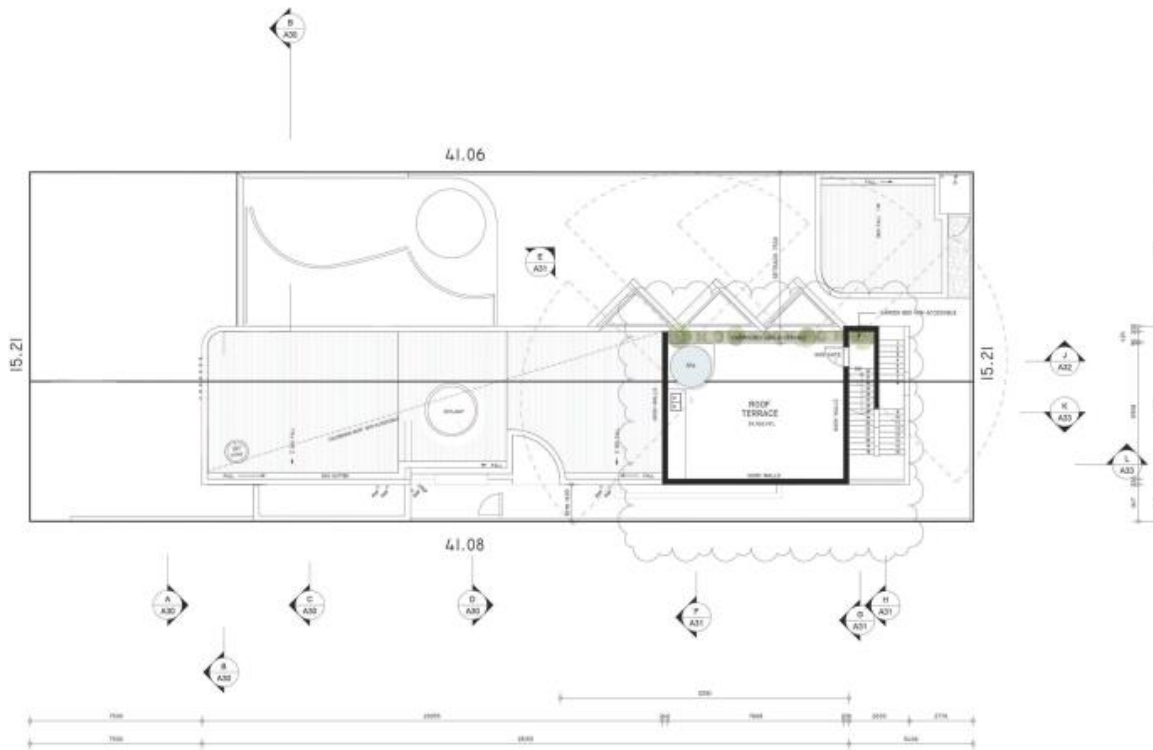
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DATE

10/1/18

REVISIONS

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2. 10/1/18
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1 ROOF TERRACE 39.900 FFL
1:1/200

state of ki

1. Name of the business
 2. Business address
 3. Business phone
 4. Business fax
 5. Business email
 6. Business website

7. Contact name
CATHY & DEAN KYRON

8. Product/service
**58 KAIGOODIE STR
 MOUNT MAWHORIN**

9. Company size
ROOF TERRACE

10. Estimated value
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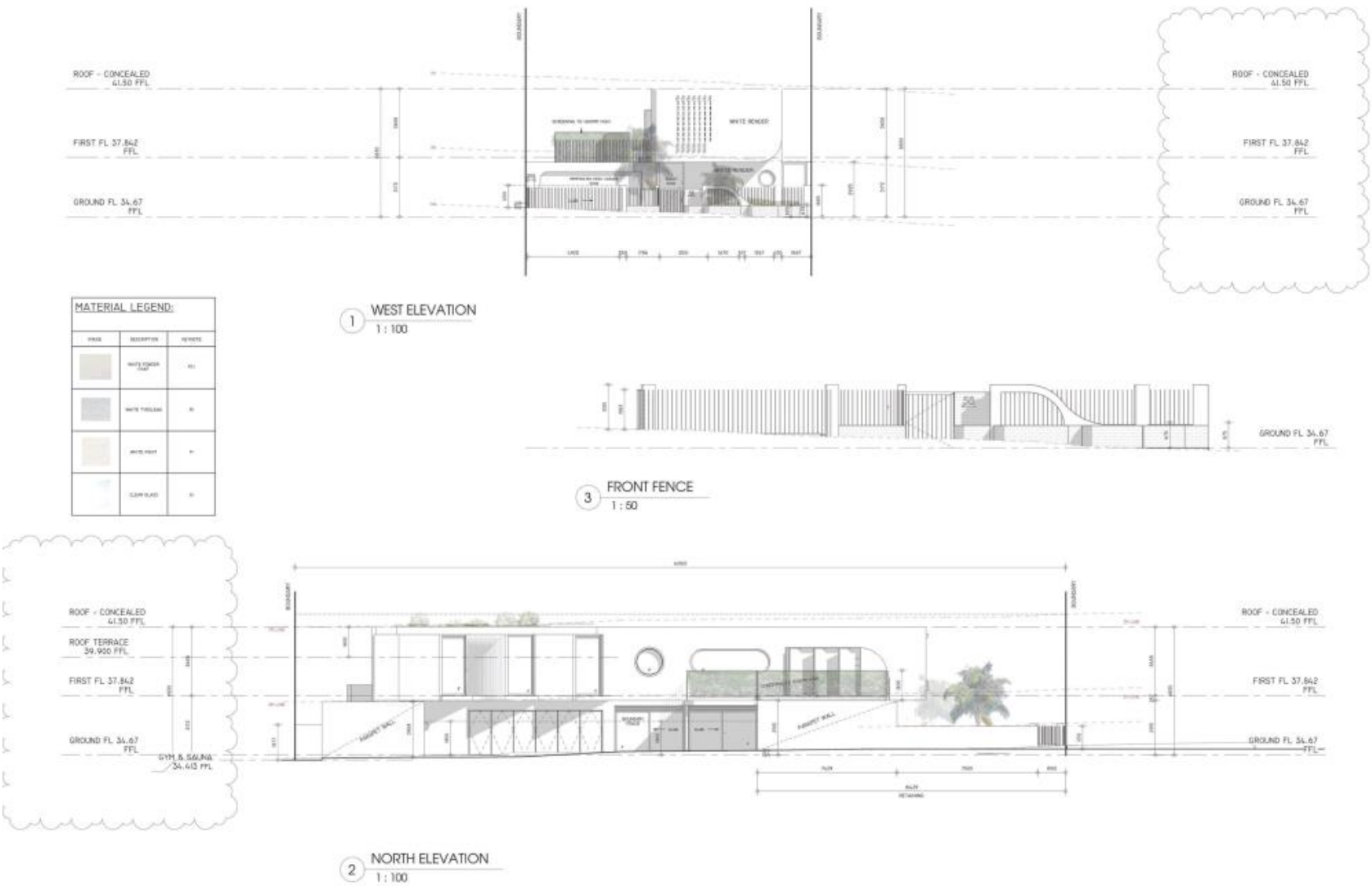
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state of ki
LAND & CITY SERVICES
CITY OF KILGORE
100 KILGORE STREET
MOUNT HAWTHORN
VIC 3048
PH: 03 9490 1000
WWW.STATEOFKILGORE.VIC.GOV.AU

CLIENT NAME:
CARTLIN & DEAN
KILGORE

PROJECT NAME:
38 KILGORE STREET
MOUNT HAWTHORN

DRAWING NO:
ELEVATIONS

DATE:
2019

SCALE:
AS SHOWN

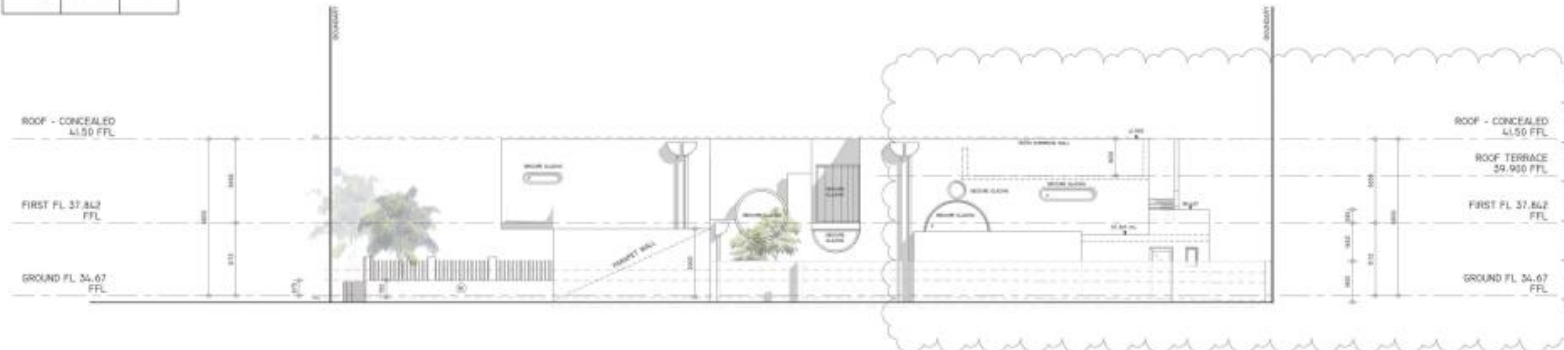
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K114

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1 EAST ELEVATION
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MATERIAL LEGEND:		
IMAGE	DESCRIPTION	REFERENCE
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	WHITE TROUSLER	PL
	WHITE PLANK	PL
	CEMENT BOARD	PL



2 SOUTH ELEVATION
1 : 100

state of ki

LAND & CITY SERVICES
CITY OF KILGORE
100 KILGORE STREET
KILGORE, NSW 2213

CITY NAME
KILGORE

PROJECT NAME
**38 KILGORE STREET
MOUNT HAWTHORN**

DRAWING TYPE
ELEVATIONS

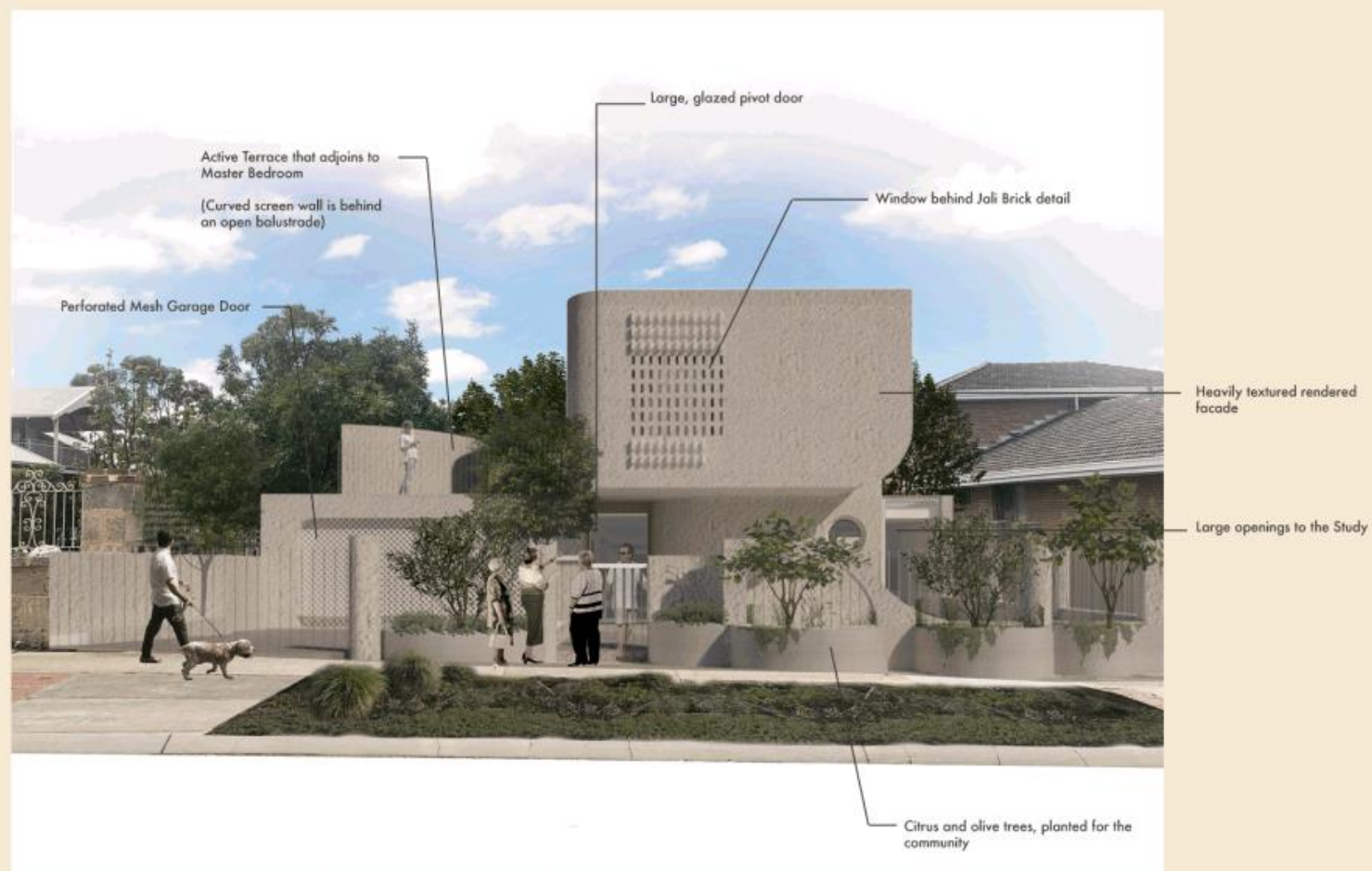
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SCALE: 1:100	REVISED BY: KILGORE
PROJ. NO: A21	JOB NO: K118

NOTES:

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REVISIONS:

NO.	REVISION
1	Initial Design
2	Revised Design
3	Final Design
4	Final Design
5	Final Design
6	Final Design
7	Final Design
8	Final Design
9	Final Design
10	Final Design



View from Street

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



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58 Kalgoorlie Street, Mount Hawthorn | Council Briefing

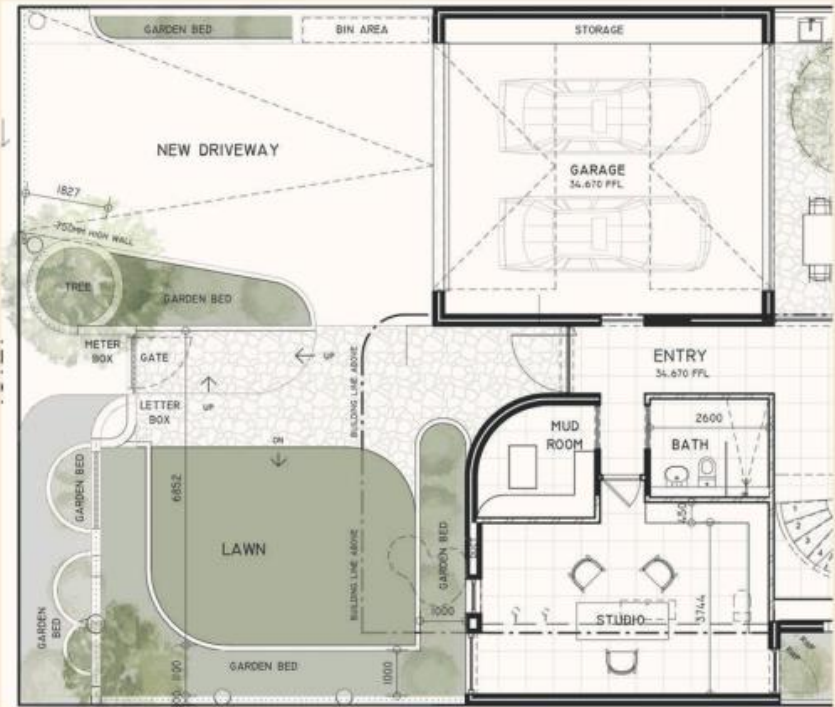


View to terrace from Master Bedroom



state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



View of of Front

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



Articulated Southern Wall, to allieviate bulk and scale to Southern neighbour

View of Southern Boundary

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



state of kin

3458_KYRON

DEVELOPMENT APPLICATION - CITY OF VINCENT



Sheet List				
Sheet Number	Sheet Name	Variation No	Current Revision	Current Revision Date
000	COVER PAGE	00	Issue 01	
001	SITE SURVEY	00	01/03/18	
002	SITE PLAN & FOOTPATHING	00	Issue 01	
003	LANDSCAPE PLAN	00	Issue 01	
004	GROUND FLOOR	00	Issue 01	
005	FIRST FLOOR	00	Issue 01	
006	ROOF FLOOR	00	Issue 01	
007	ALL WINDOWS DETAILS	00	Issue 01	
008	ELEVATIONS	00	Issue 01	
009	ELEVATIONS	00	Issue 01	

state of kin

LEVEL 1, 11 BURNETT STREET
MOUNT HAWTHORN
VIC 3122 AUSTRALIA
08 9439 0000
www.stateofkin.com.au

CLIENT NAME:
CAITLYN & DEAN
KYRON

PROJECT NAME:
58 KALGOORIE STREET,
MOUNT HAWTHORN

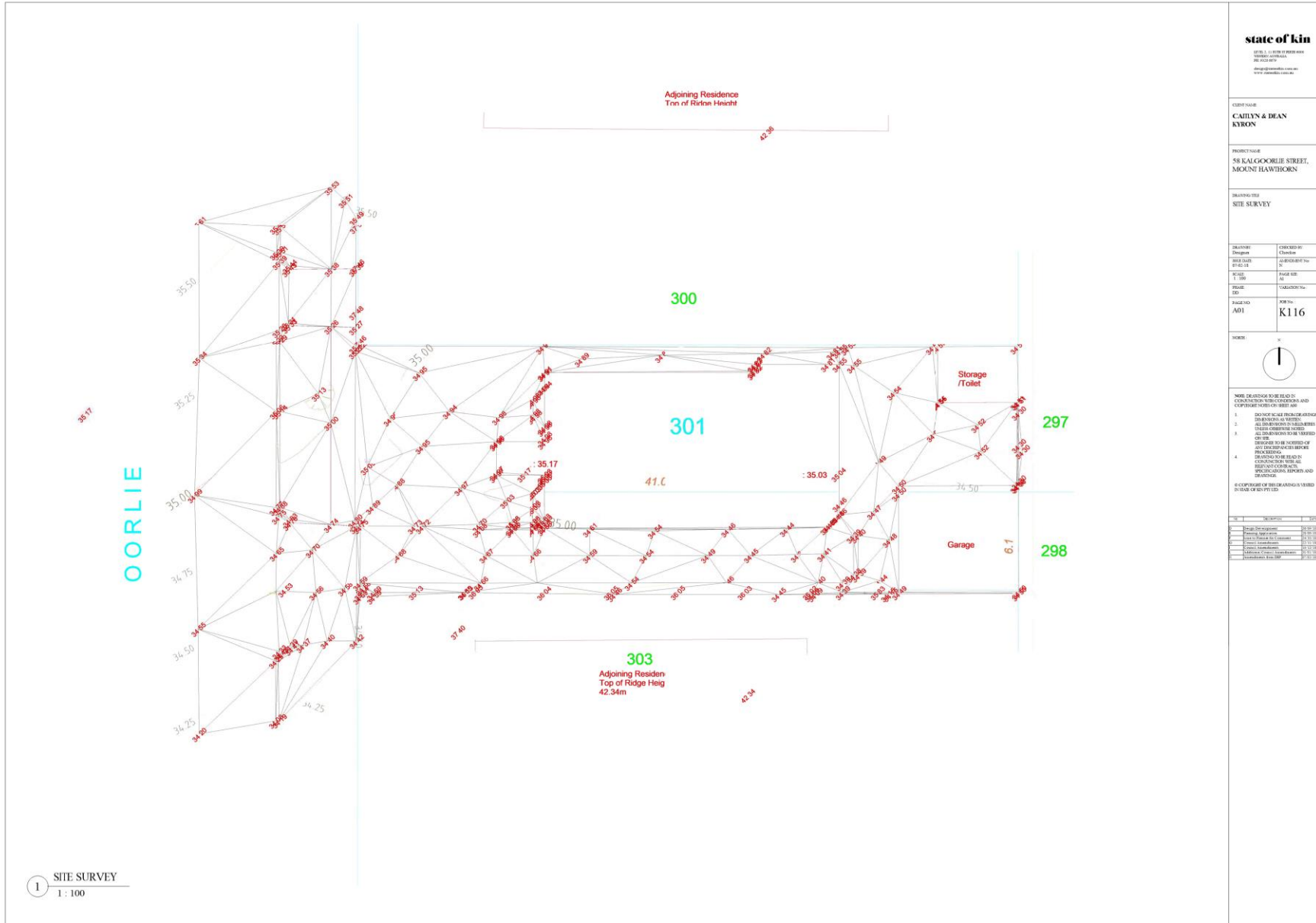
DRAWING TITLE:
COVER PAGE

DRAWN BY: JK	CHECKED BY: AM
DATE DATED: 07/03/18	APPROVED BY: DP
SCALE: AS SHOWN	PAGE NO: 01
PROJECT: ED	DATE DATED: 07/03/18
PAGE NO: 001	NO. OF SHEETS: K116



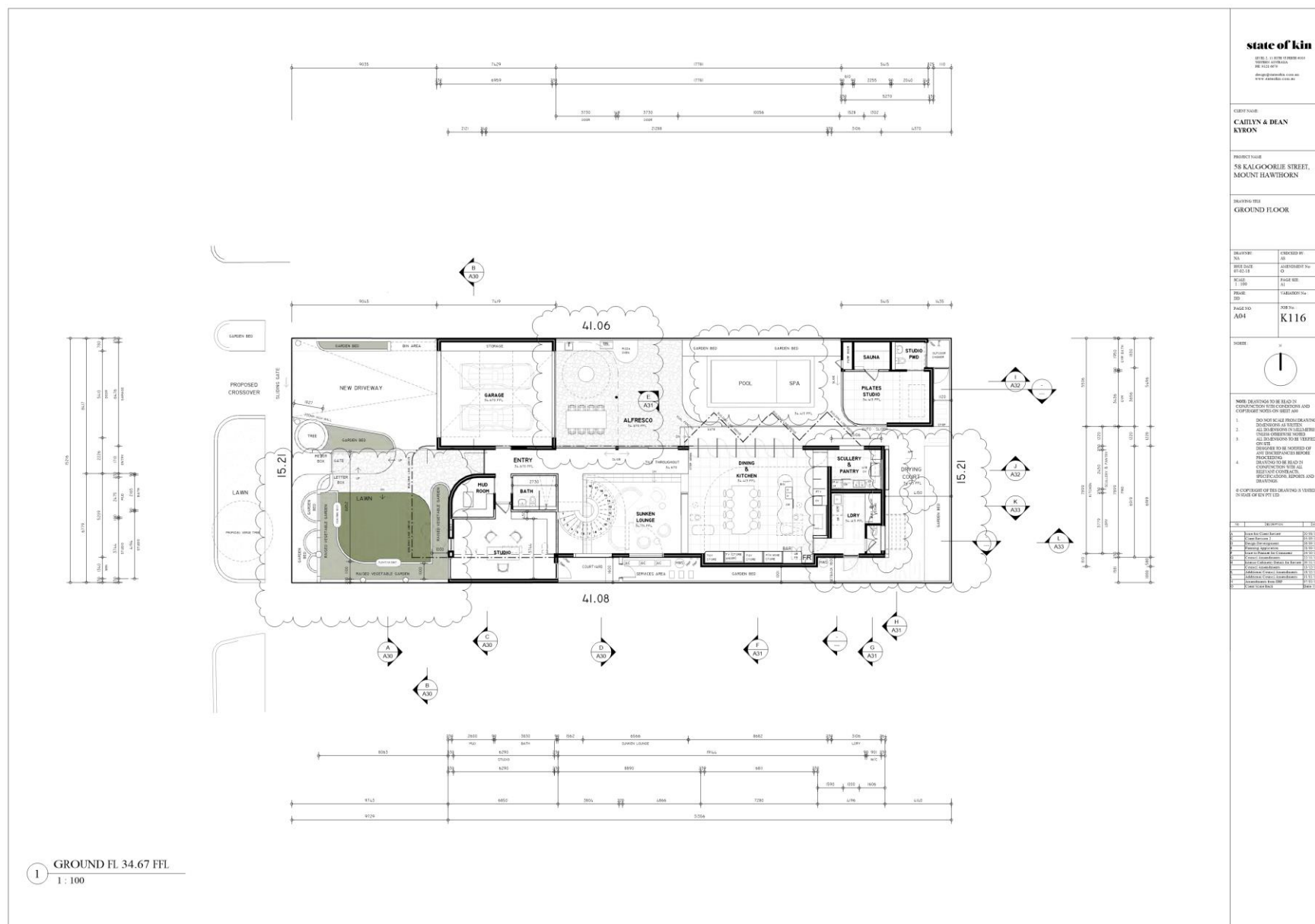
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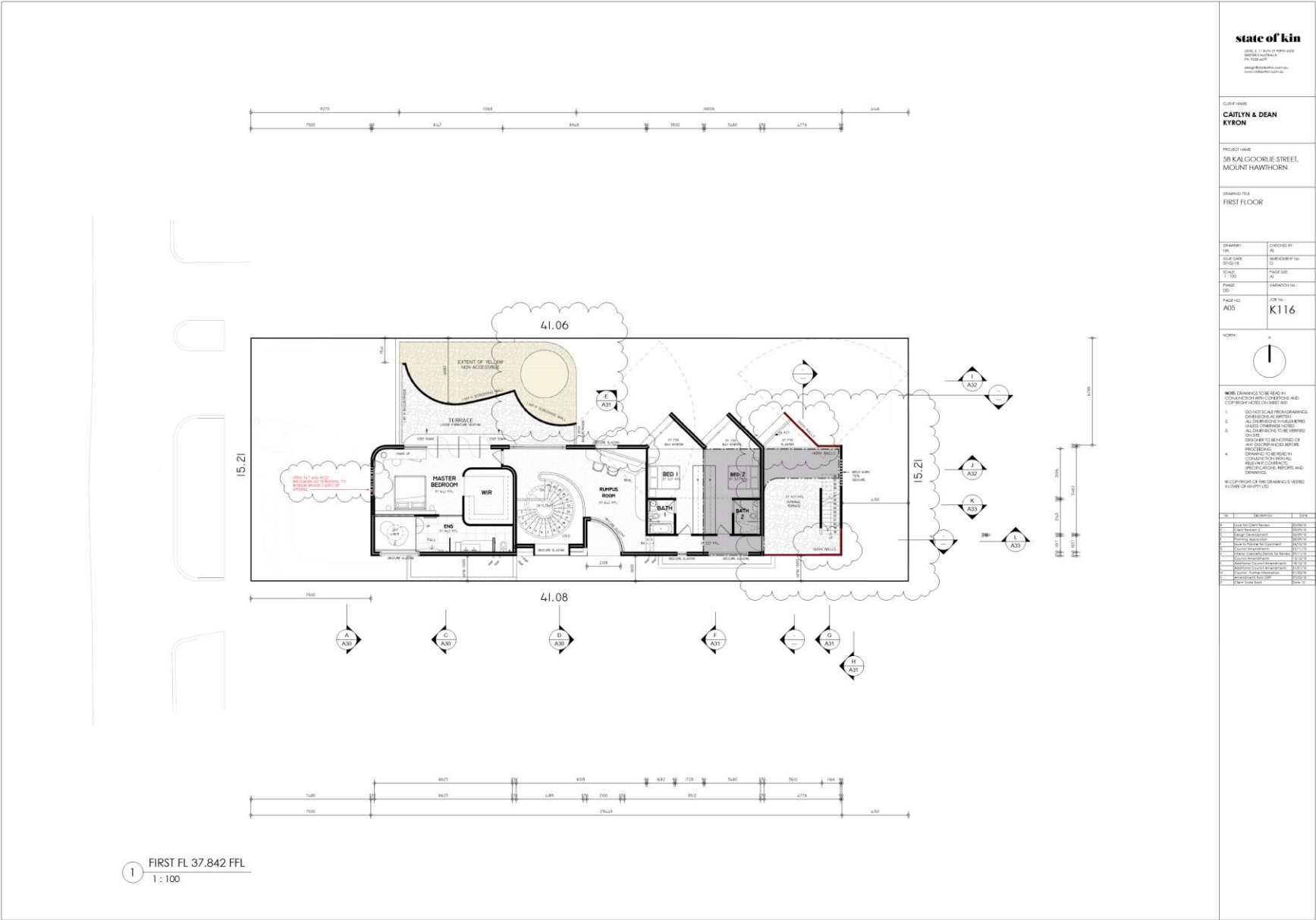
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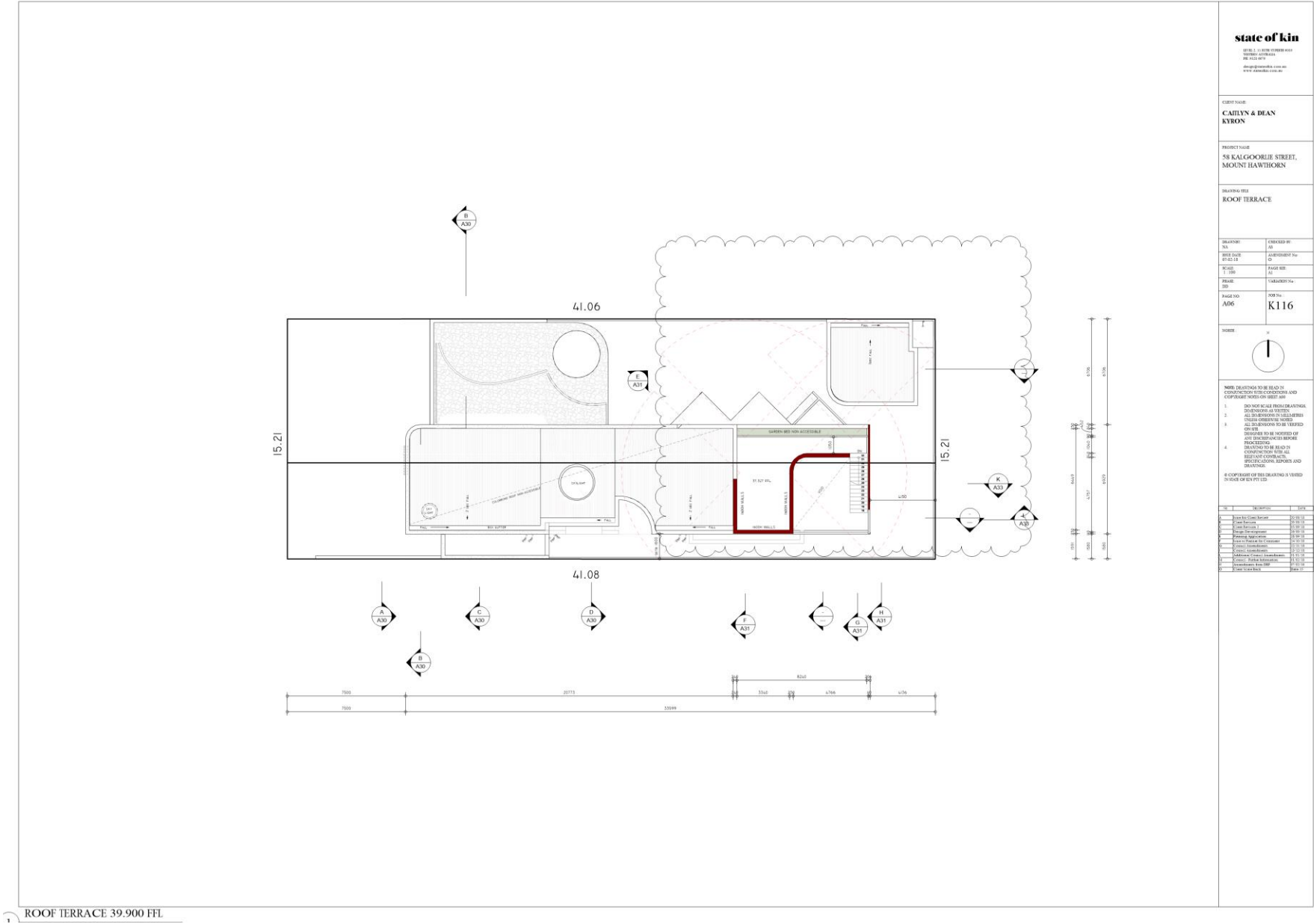




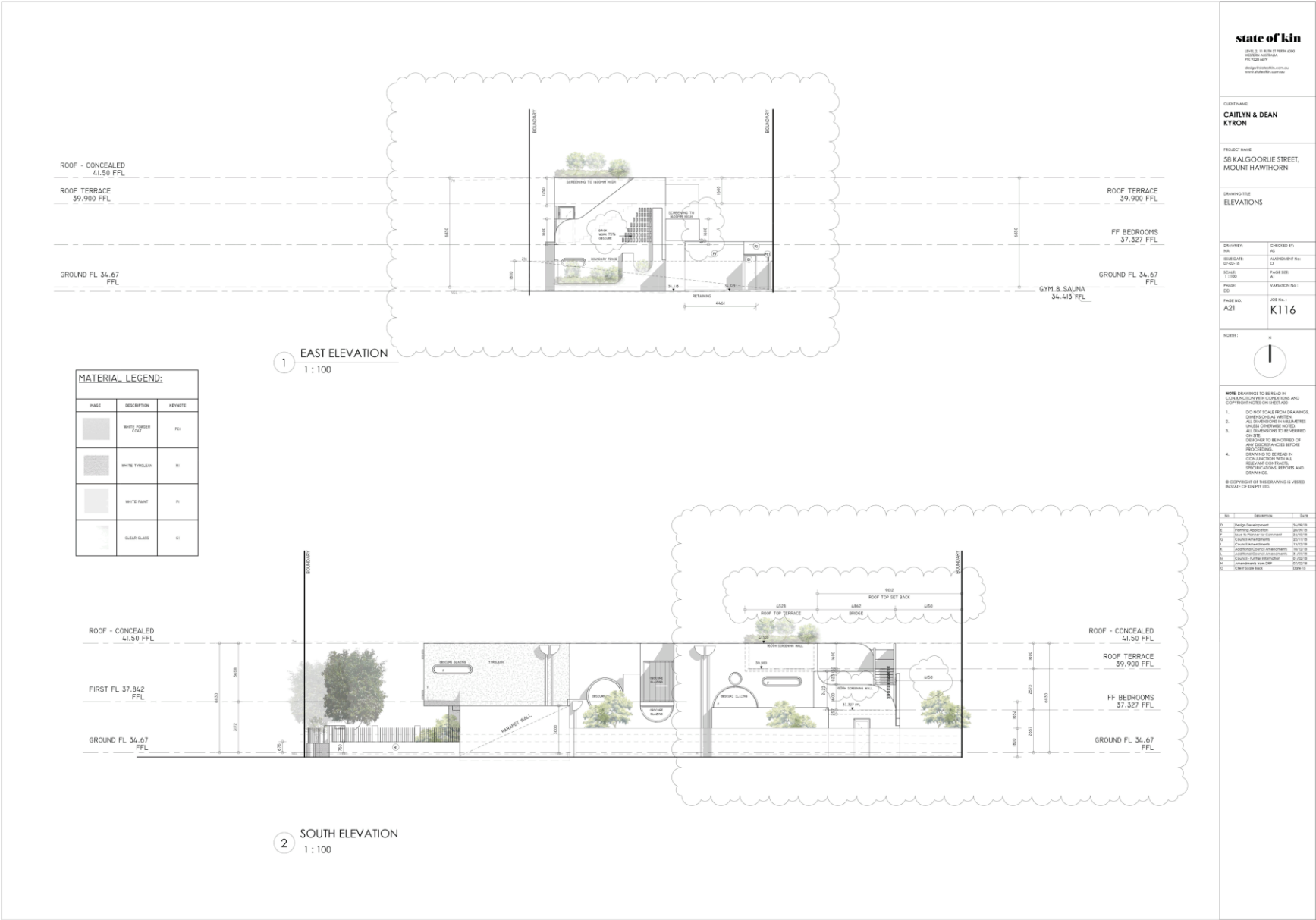


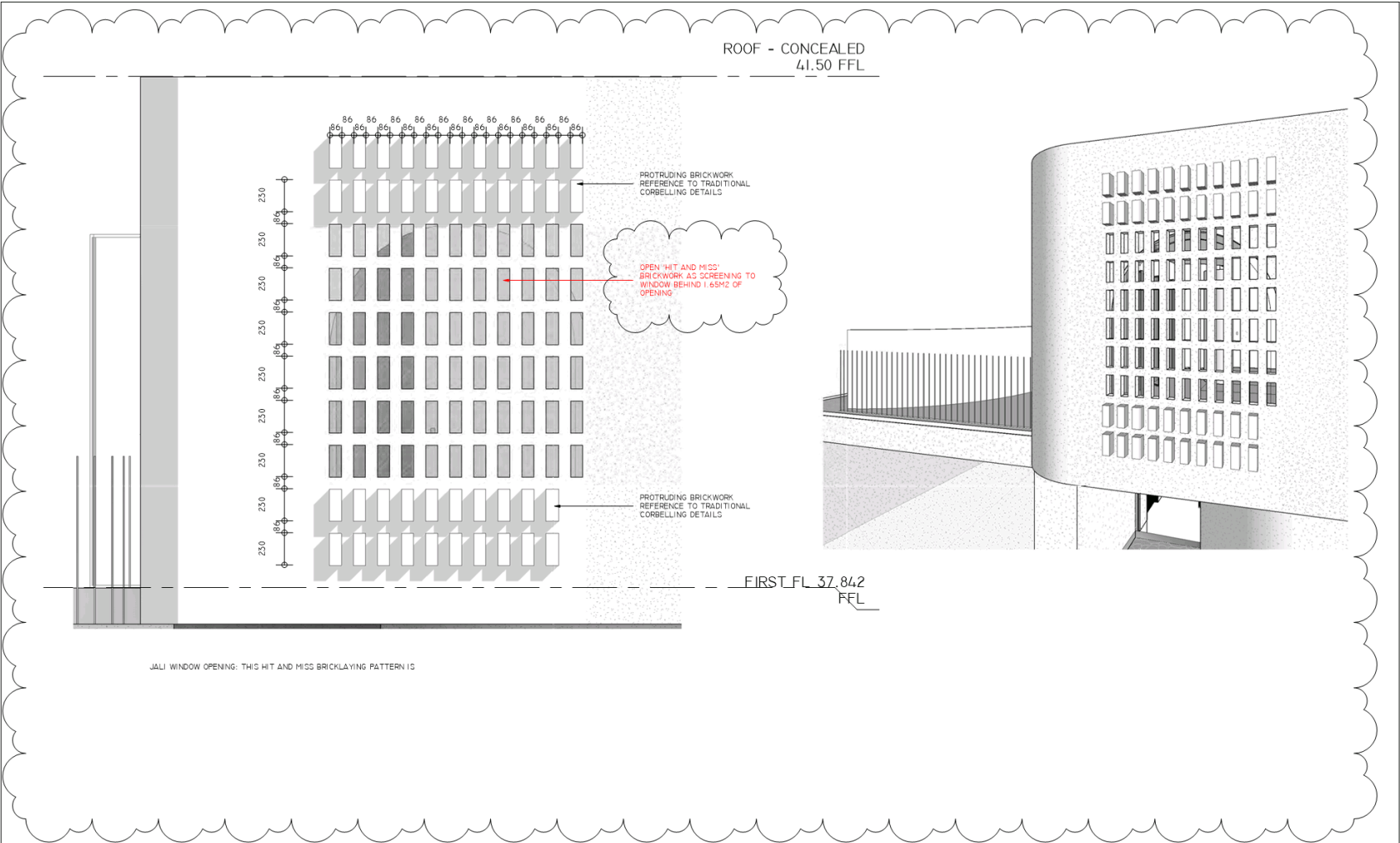




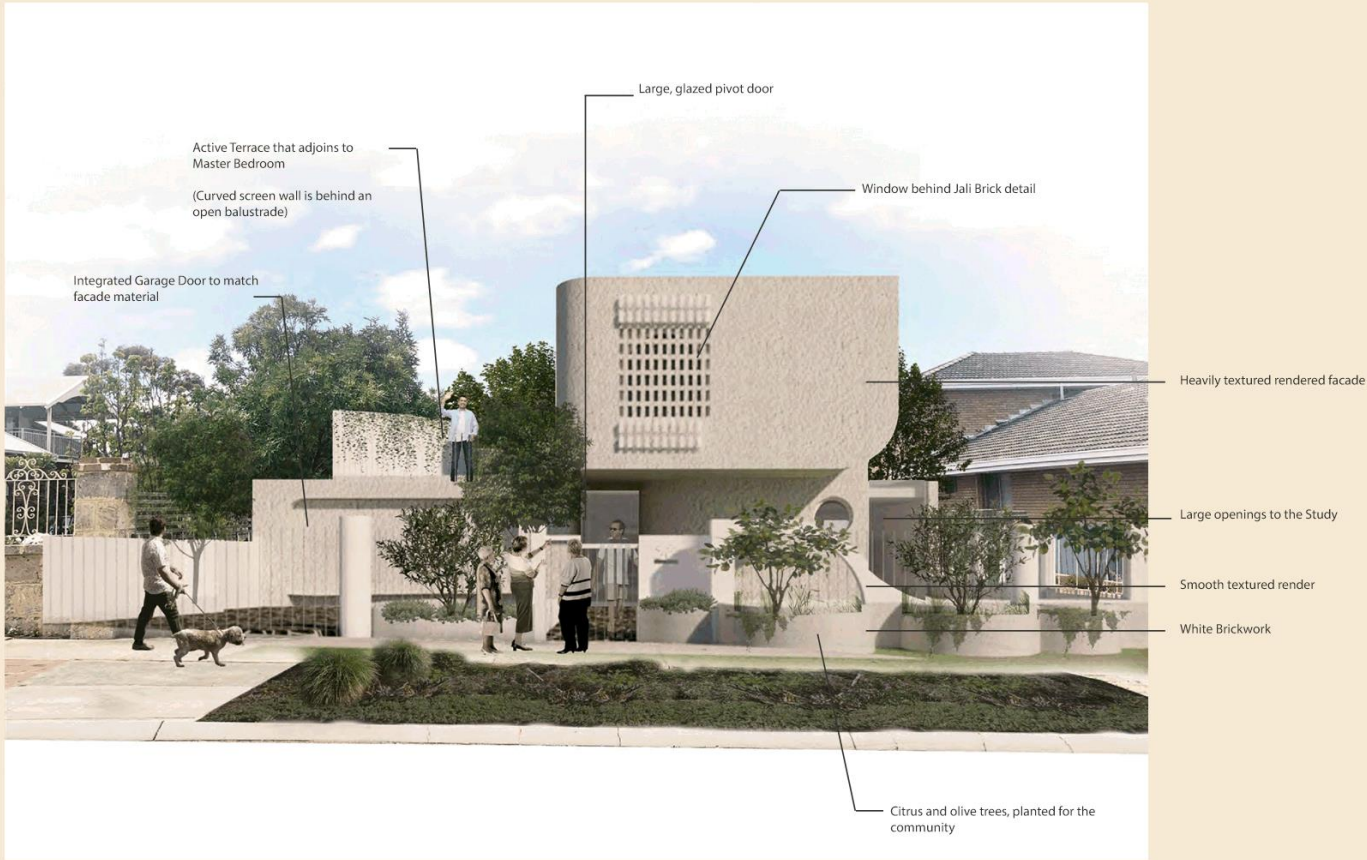








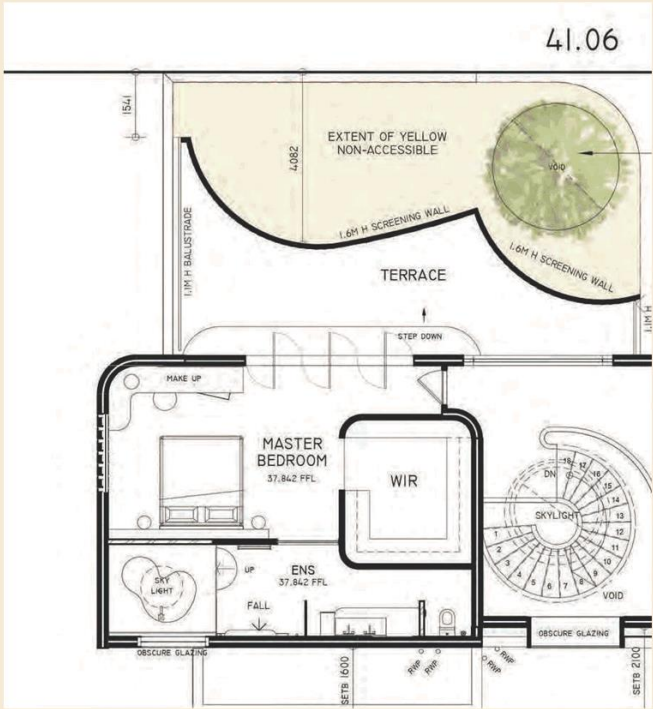
state of kin <small>LEVEL 2, 11 RUTH ST PERTH 6000 WESTERN AUSTRALIA PH: 9328 6679 design@stateofkin.com.au www.stateofkin.com.au</small>	<small>CLIENT NAME:</small> CAITLYN & DEAN KYRON	<small>PROJECT NAME</small> 58 KALGOORLIE STREET, MOUNT HAWTHORN	<small>DRAWING TITLE</small> JALI WINDOW DETAILS	<small>ISSUE DATE:</small> 07-02-18	<small>AMENDMENT No:</small> 0
				<small>PAGE NO.</small> A10	<small>JOB No.:</small> K116



View from Street

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing

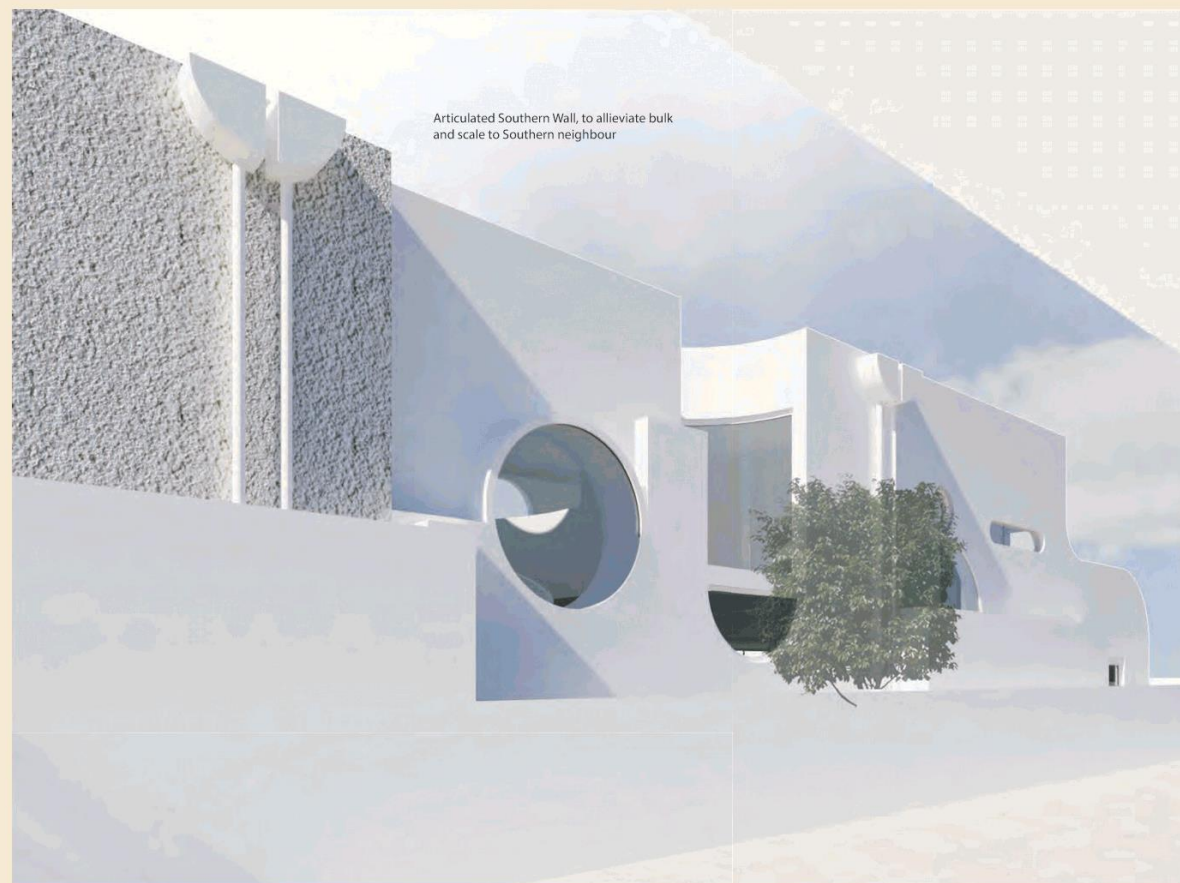


View to terrace from Master Bedroom



state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



Articulated Southern Wall, to alleviate bulk and scale to Southern neighbour

View of Southern Boundary

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



19 March 2019

Karsen Reynolds
City of Vincent
244 Vincent Street
Leederville WA 6007

Dear Karsen

**NO. 58 (LOTS 301 & 302) KALGOORLIE STREET, MOUNT HAWTHORN
PROPOSED SINGLE HOUSE – PROPOSED AMENDED PLANS**

The subject application was presented to Council at its Ordinary Meeting held on 5 March 2019. From what I understood of the discussions held at the Council Meeting on 5 March 2019, was that the main concerns of Council related to the 'bulk and scale' of the development on the streetscape and the neighbouring properties and the amenity impacts of the roof terrace. Based on this, the proposal was deferred as follows:

"That the motion be DEFERRED to a future Council Meeting to allow the applicant to consider the commentary of Council in relation to;

- *The front façade;*
- *Engagement to the streetscape; and*
- *The overall bulk of the development."*

In response to the concerns raised by the Council, the following amendments have been made to the plans:

- Increasing the rear setback on the ground and upper floor from 2.77m to 4.1m
- Removing bedroom 3 and the external stairs and replacing with a unroofed terrace on the first floor.
- Reducing the area of the roof terrace and removing the spa.
- Increasing the rear setback of the roof terrace to 9m.
- Increasing the 'openess' of the Jali window from the master bedroom on the front elevation – refer to specifications on plans.

231 Bulwer Street, Perth WA 6000
| admin@urbanistaplanning.com.au | www.urbanistaplanning.com.au |

1



- Additional landscaping, planter boxes, herb garden and bench seating provided on the terraces and within the street setback area.
- Change in the materials of the façade to a texture style render.

In terms of the “bulk and scale” impacts on the streetscape and the “lack of interaction”, I provide the following comments:

The front facade includes several elements which provide interaction with the streetscape. These include:

- Two separate windows in the studio that front the street;
- A clear glass front door;
- A sizeable balcony/terrace with open balustrading fronting the street; and
- A ‘Jali’ brickwork style window from the master bedroom – which has seen an increase in the openness in the amended plans.

Whilst I acknowledge that this window is not a traditional style window, this window still provides the ability for residents to look out onto the street for the purposes of surveillance whilst maintaining privacy into the master bedroom.

In addition, I note that the proposal complies with the deemed-to-comply requirements of building height, street setbacks, landscaping in the front setback area, garage width and all other design elements that form part of a dwelling’s ‘bulkiness’ on the street.

In regards to the overall built form not being consistent with the existing and desired streetscape, I would like to note that this portion of Kalgoorlie Street has no established or particular streetscape character, which is evident in the presentation to the Design Review Panel. Furthermore, the City has not developed a streetscape/character or precinct style policy which demonstrates that development should be of a particular style.

In terms of the roof terrace, this has now been significantly reduced in size and setback much further than previously proposed. Also, the roof terrace is now only accessible from an additional rear terrace provided on the first floor, which is only accessible from the first floor bedroom hallway. Previously the roof terrace was



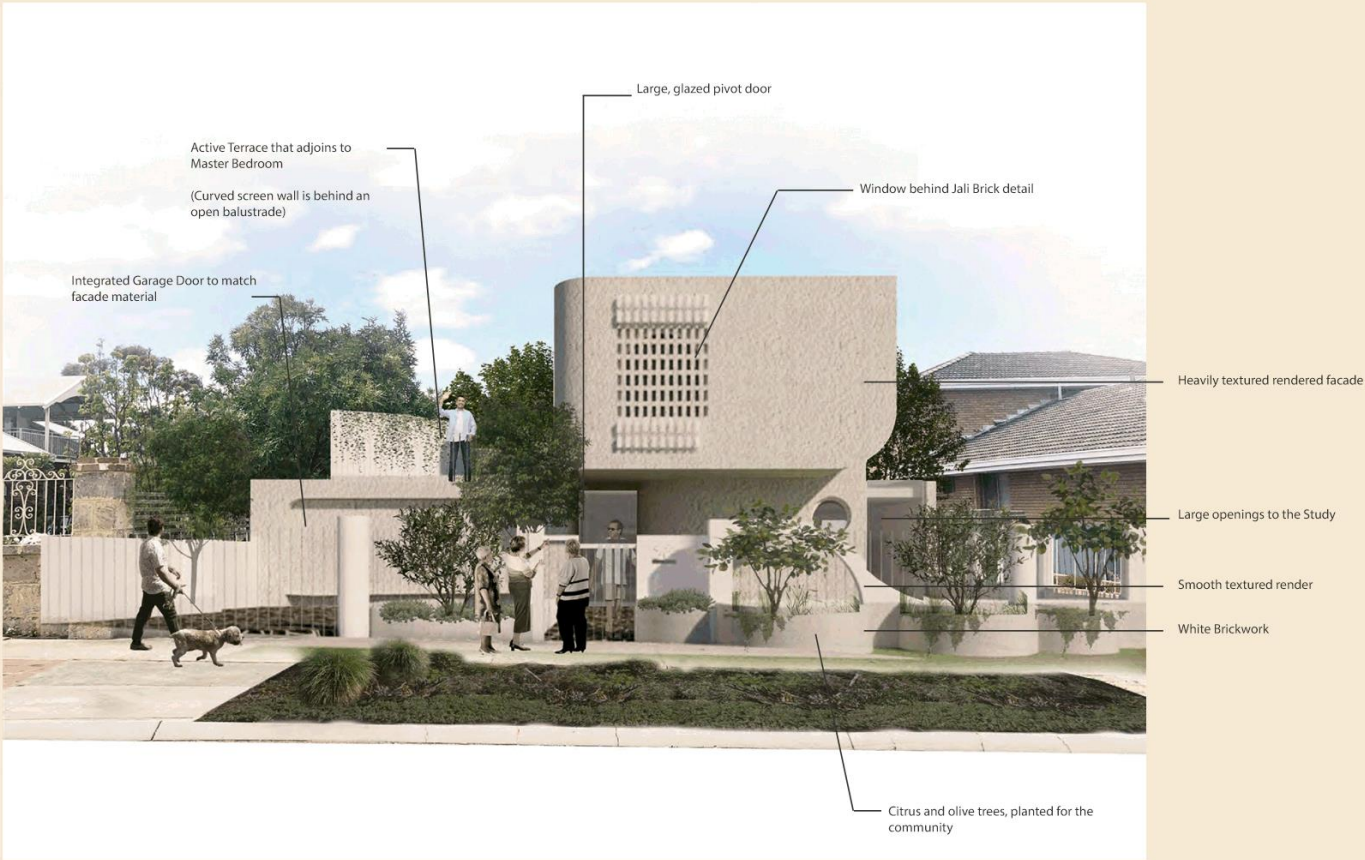
much larger and accessible from the outdoor space on the ground floor, making it much more useable and accessible for the residents.

In light of the above as well as the fact that proposal satisfies all the deemed-to-comply requirements and design principles of the R-Codes, as established in the officer's report, we seek the officers recommendation for approval.

Should you have any question in relation to the details provided in this submission, please contact Daniella Mrdja on 6441 9171 or daniella@urbanistaplanning.com.au.

Daniella Mrdja, Director
Urbanista Town Planning

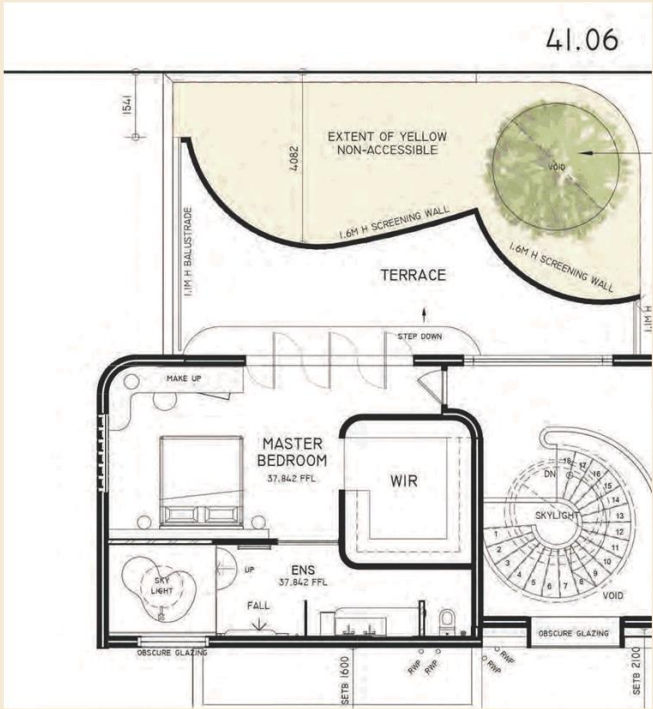
231 Bulwer Street, Perth WA 6000
| admin@urbanistaplanning.com.au | www.urbanistaplanning.com.au |



View from Street

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing

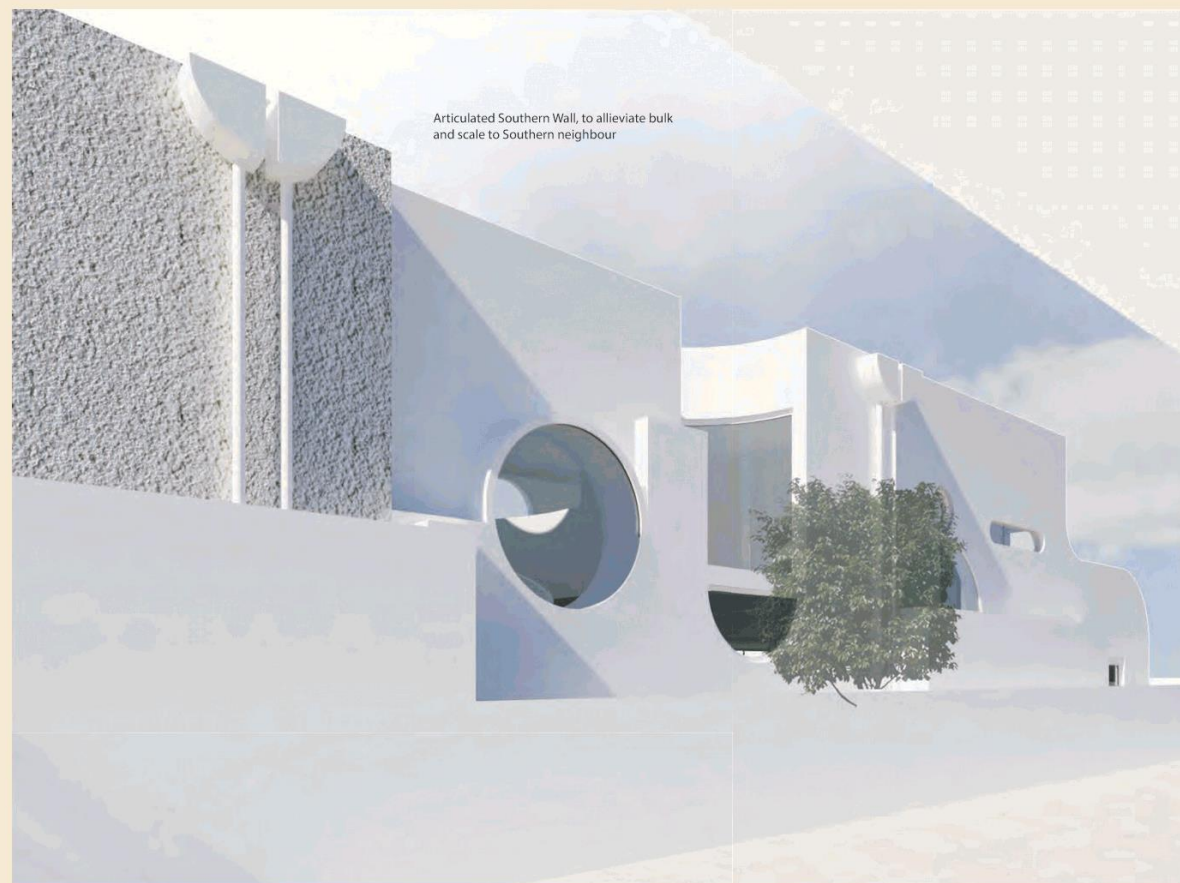


View to terrace from Master Bedroom



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58 Kalgoorlie Street, Mount Hawthorn | Council Briefing



Articulated Southern Wall, to alleviate bulk and scale to Southern neighbour

View of Southern Boundary

state of kin

58 Kalgoorlie Street, Mount Hawthorn | Council Briefing







CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 6 February 2019 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)	John Corbellini (Director Development Services)
Simon Venturi	Jay Naidoo (Manager Development & Design)
Ailsa Blackwood	Joslin Colli (Coordinator Planning Services)
Joe Chindarsi	Mitch Hoad (Senior Urban Planner)
	Karsen Reynolds (Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1**REDACTED FOR PRIVACY REASONS**Applicant-Item 3.2

Ara Salomone	State of Kin
Jessie Nguyen	State of Kin
Dean Kyron	Client
Arthur Kyron	Client

Applicant-Item 3.3**REDACTED FOR PRIVACY REASONS**

**3.15pm
4.10pm****Member Discussion****1. Welcome / Declaration of Opening**

The Chairperson, James Christou declared the meeting open at 4.10pm.

2. Apologies**3. Business**

REDACTED FOR PRIVACY REASONS

4.50pm–5.25pm – Applicant’s Presentation – DA Lodged 5.2018.372.1

3.3 Address: 58 Kalgoorlie Street, Mount Hawthorn

Proposal: Single House

Applicant: Caitlin Kyron / Konstantine Dean Kyron

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 a power point presentation

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

**Principle 1 –
Context and Character**

- Passive surveillance is important Mt Hawthorn has a friendly community and engaging community this looks

Page 3 of 6

	<p>like it is gated and turning its back on the street</p> <ul style="list-style-type: none"> • Look at possibility flipping the wardrobe and bedroom. This would assist with the blankness of the upper floor. Glazing of the study is so far from the right that it is not visible • See opportunities to soften the approach to the surveillance. A big window on upper level by flipping the layout and a discreet entry is quite a good outcome • No concern with contemporary nature. Aesthetic is bold. Can understand why it might be considered out of context • There is insufficient information provided on surrounding context as shown on floorplans, elevations and perspectives. Show the adjoining buildings including Cleaver Court to illustrate how the proposal responds to the surrounding context • Suggest putting a side window to the front door or could make front door glass to have better interaction between the street and house • Line up with really strong front fence with the solid building behind • Consider a perforated garage door. This will provide privacy but also create more transparency • Outcome is reliant on detailing. Consideration is needed to ensure the intention is achieved. • Look at adding in additional materials to the front façade such as brickwork to relate to the local context • Think about elements that can be brought in that can enhance the streetscape and community feel
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Missing the invitation of the eye into the site. Planting could assist with this and increase with making it seem 'friendly' • Recommend getting a landscape architect in before getting approval • Imagine some pruned short planting within the grassed area – fruit trees etc –will draw you in a bit help provide some depth
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Slightly over height , look at way to push down a little • Study area could open up a little more – look at increasing glazing • Potential highlight window around the mudroom
Principle 4 – Functionality and build quality	N/A
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	<ul style="list-style-type: none"> • Terrace will provide some good opportunities for surveillance
Principle 9 – Community	<ul style="list-style-type: none"> • Suggest providing bench seats to the front fence to create better interaction to the street
Principle 10 –	N/A

Aesthetics	
Comments	N/A

Conclusion:

To be returned to DRP

REDACTED FOR PRIVACY REASONS

3458_KYRON
DEVELOPMENT APPLICATION - CITY OF VINCENT



Sheet List				
Sheet Number	Sheet Name	Volume/No	Current Revision	Current Revision Date
001	COVER PAGE			20/01/18
002	DEVELOPMENT			20/01/18
003	ENVIRONMENTAL IMPACT STATEMENT			20/01/18
004	LANDSCAPE PLAN			20/01/18
005	CONSTRUCTION PLAN			20/01/18
006	ASBESTOS			20/01/18
007	WATER SERVICES			20/01/18
008	SOILWORK			20/01/18
009	DEMOLITION			20/01/18

Amended Plan
CITY OF VINCENT
RECEIVED
31 Jan 2018

state of ki

DATE: 11 JANUARY 2018
OFFICE: 11 JANUARY 2018
BY: 11 JANUARY 2018
RECEIVED: 11 JANUARY 2018

CLIENT NAME
CATLYN & DEAN
KYRON

PROJECT NAME
56 KALGOORUE STREET
MOUNT HAWTHORN

DRAWING TITLE
COVER PAGE

DESIGNED BY	11 JANUARY 2018
DATE SUBMITTED	11 JANUARY 2018
DATE RECEIVED	11 JANUARY 2018
DATE OF REVIEW	11 JANUARY 2018
DATE OF APPROVAL	11 JANUARY 2018

PROJECT NO
ADD

OFFICE NO
K116

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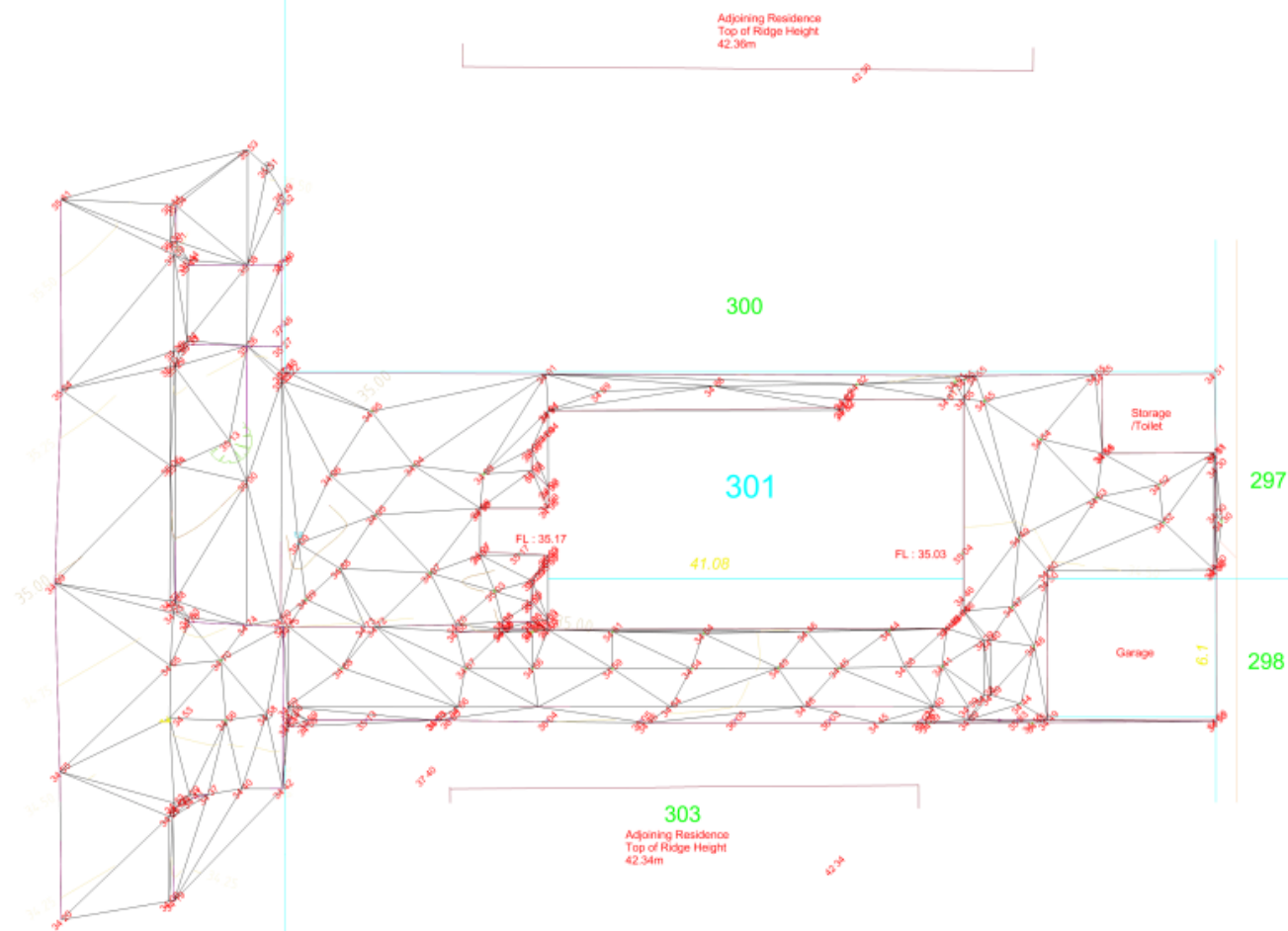
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10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

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10	REVISION

KALGOORLIE STREET

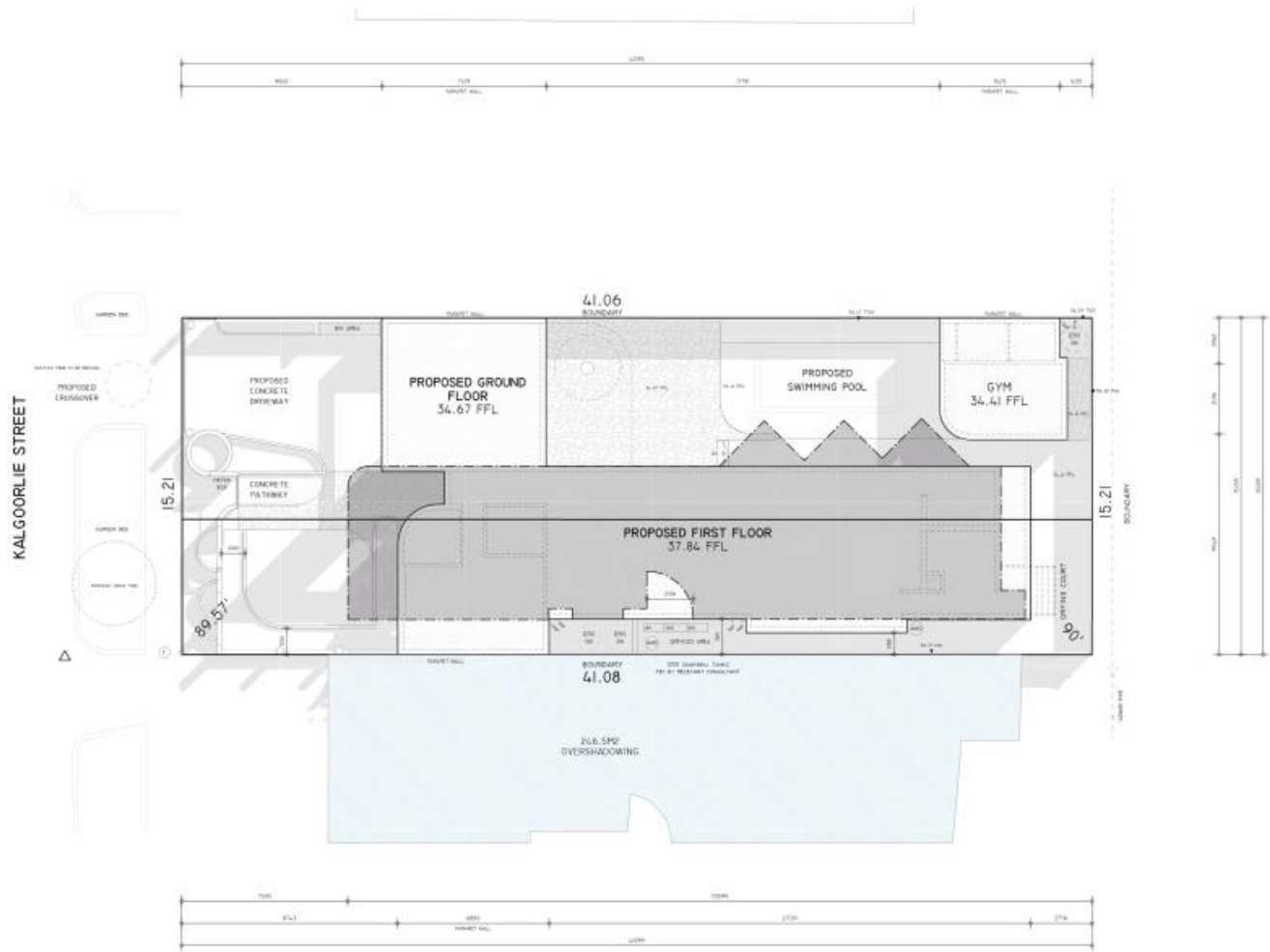


1 SITE SURVEY
1 : 100

[illegible]

Amended Plan
CITY OF VINCENT
RECEIVED
31 Jan 2018

1 SITE PLAN
1 : 100



LAND AREA	624 M2
BUILDING FOOTPRINT	507.715 M2
OPEN SPACE AREA	321.277 M2
% OPEN SPACE AREA	51.49%

state of ki

STATE OF KENT
KENT COUNTY COUNCIL
KENT COUNTY COUNCIL

CLIENT NAME
CATHY & DEAN
KYRON

PROJECT NAME
56 KALGOORLIE STREET
MOUNT HAWTHORN

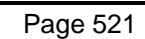
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SITE PLAN &
OVERSHADOWING

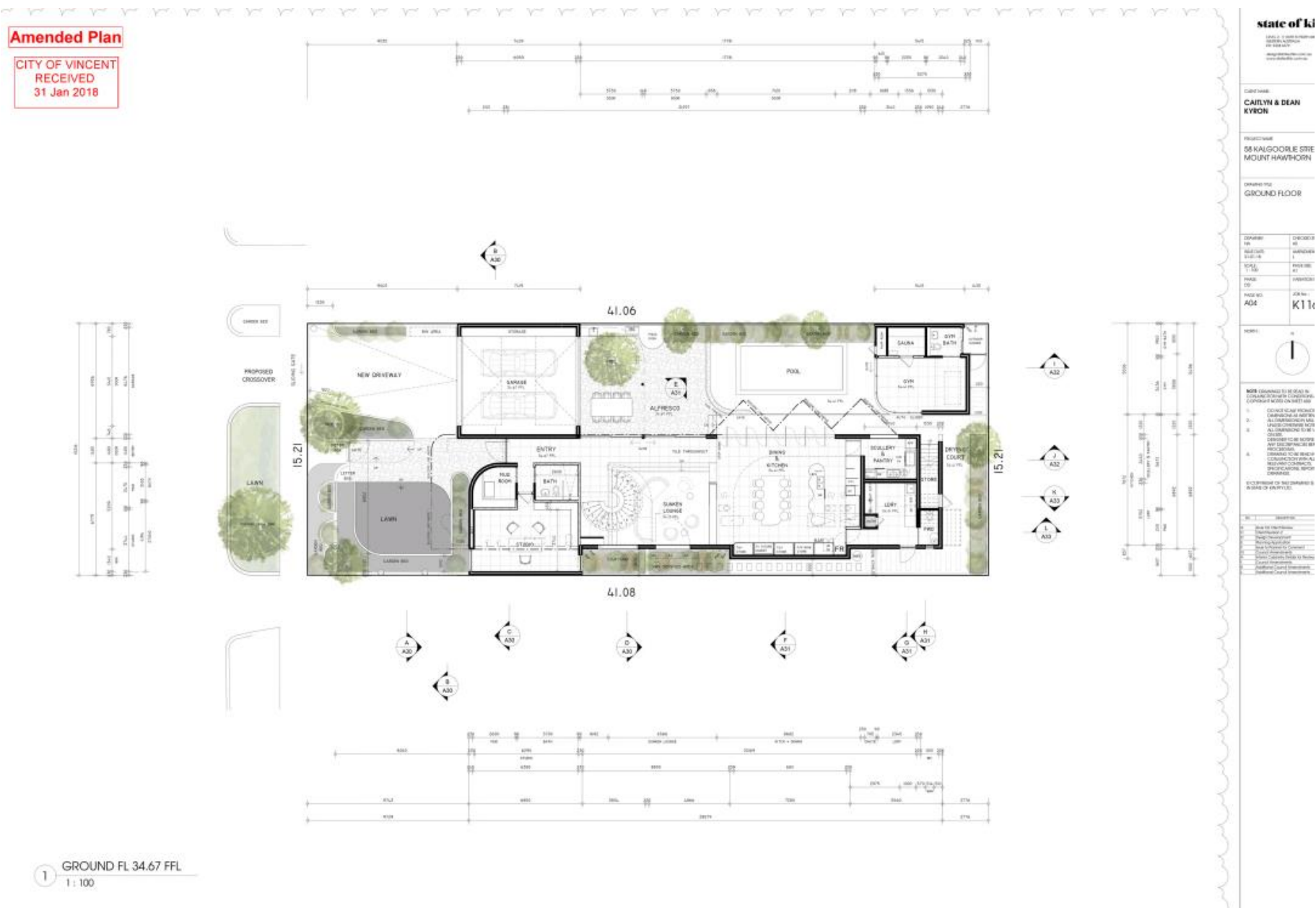
DATE	10/11/18
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BY	AMENDMENT
DATE	10/11/18
BY	AMENDMENT



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NO.	REVISION
1	ISSUED FOR TENDERS
2	ISSUED FOR TENDERS
3	ISSUED FOR TENDERS
4	ISSUED FOR TENDERS
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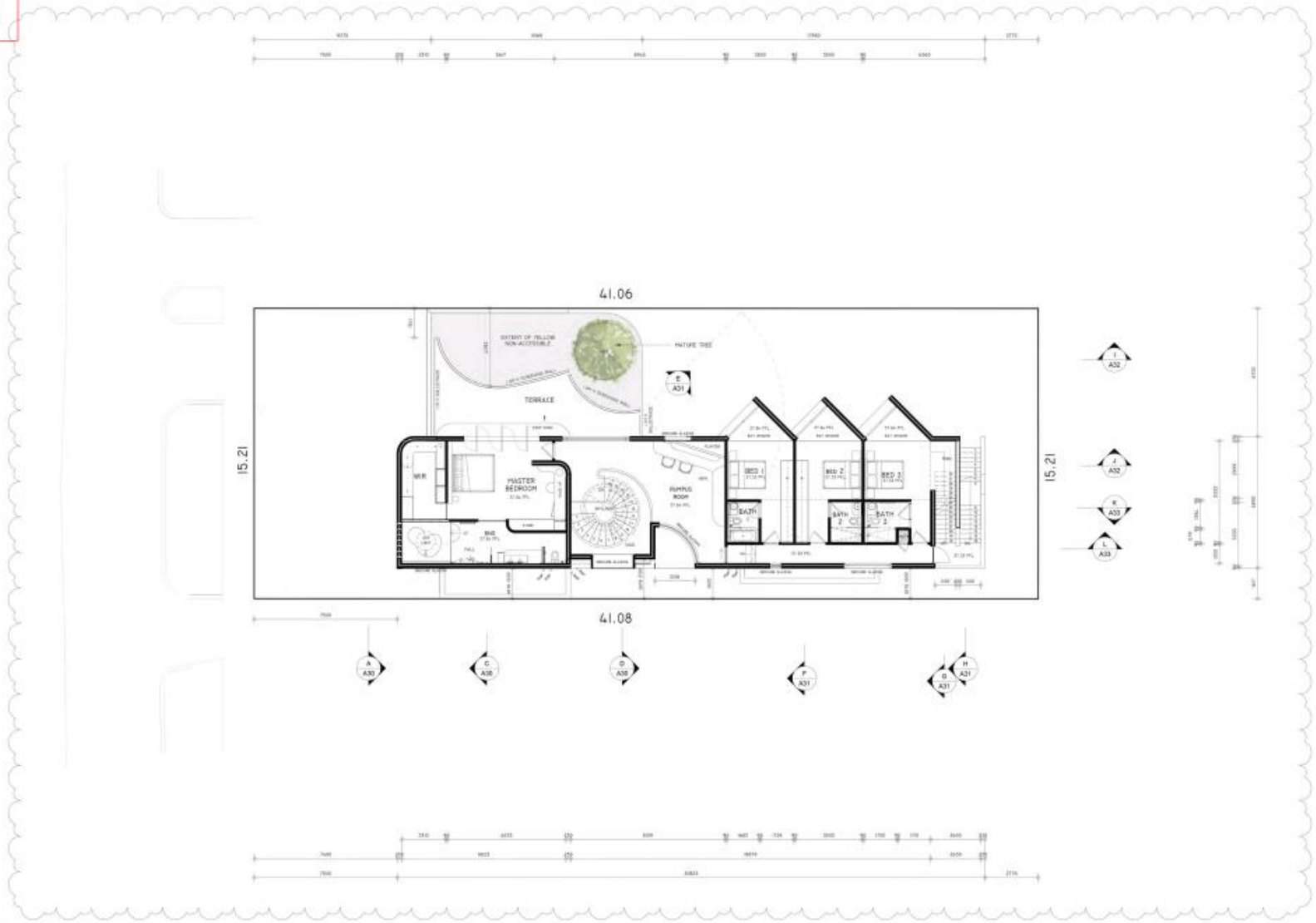




amended plan

CITY OF VINCENT
RECEIVED
31 Jan 2018

1 FIRST FL 37.842 FFL
1:100



state of ki

LAND & CITY DEVELOPMENT
PLANNING & DESIGN
100 RIVER STREET
MELBOURNE VIC 3000

CLIENT NAME
CARLYN & DEAN
KYRON

PROJECT NAME
36 KALGOORLE STREET
MOUNT HAWTHORN

DRAWING NO
RST FLOOR

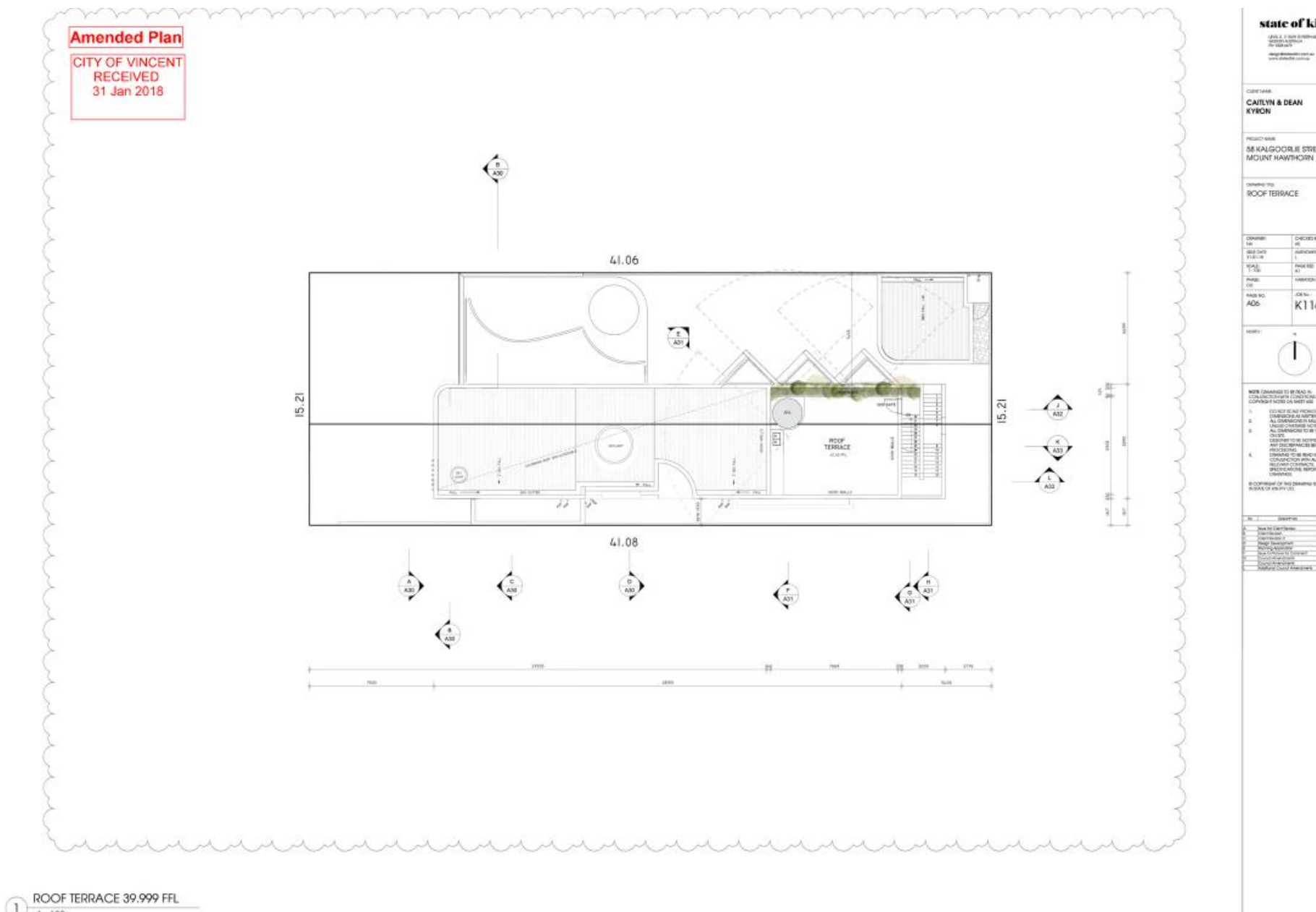
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REV:	1	SCALE:	1:100
PROJ:	01	PROJ NO:	1000000000
PROJ NO:	001	PROJ NO:	001

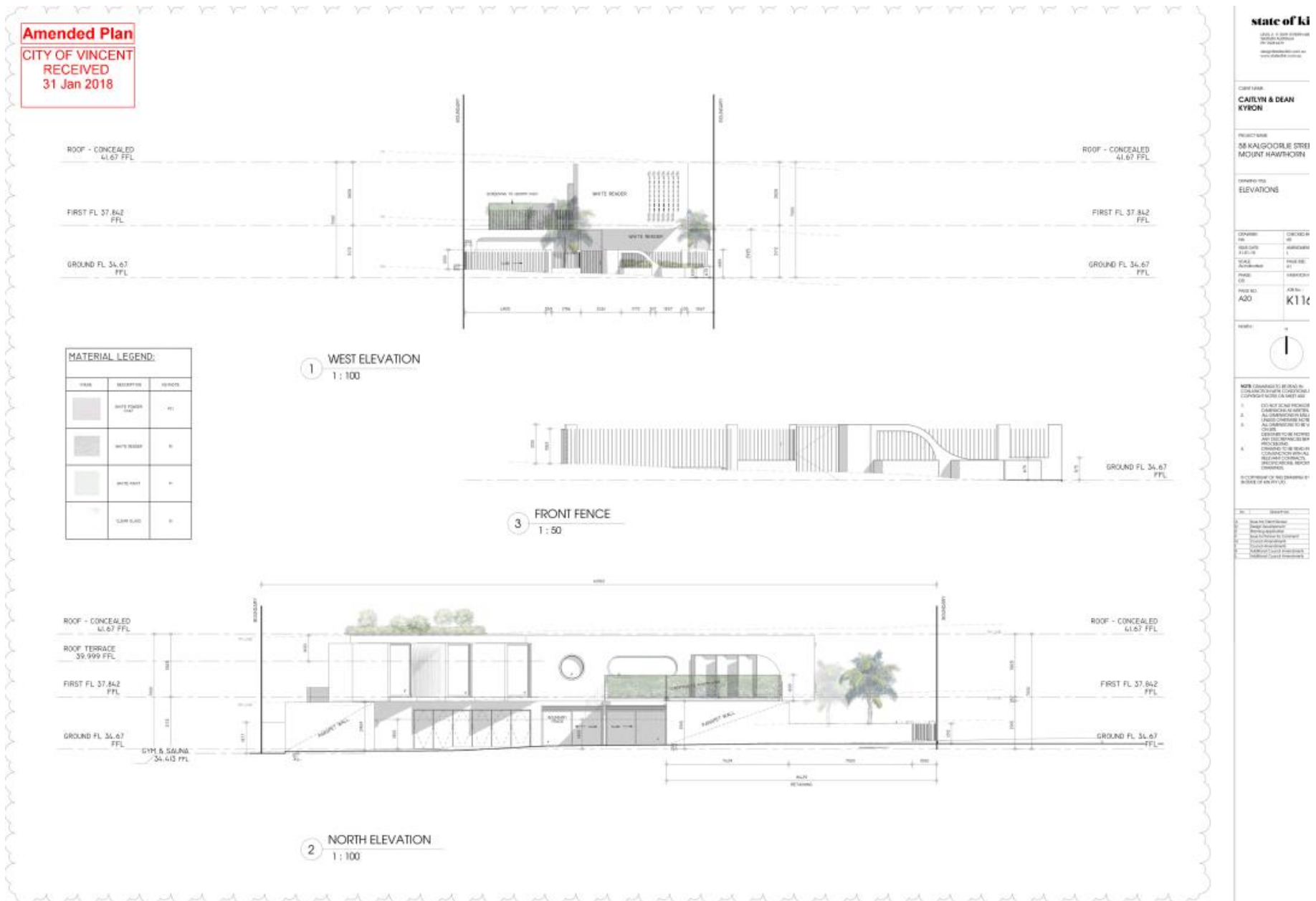


NOTES: (DRAWING TO BE USED IN CONJUNCTION WITH THE DEVELOPMENT APPLICATION)

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE DEVELOPMENT APPLICATION.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE DEVELOPMENT APPLICATION.
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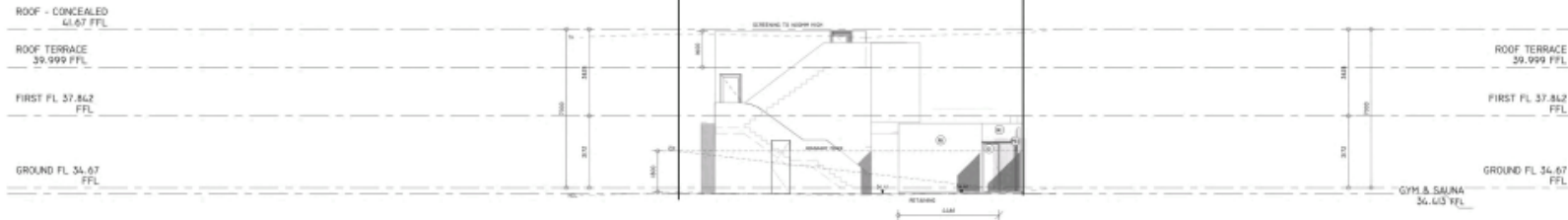
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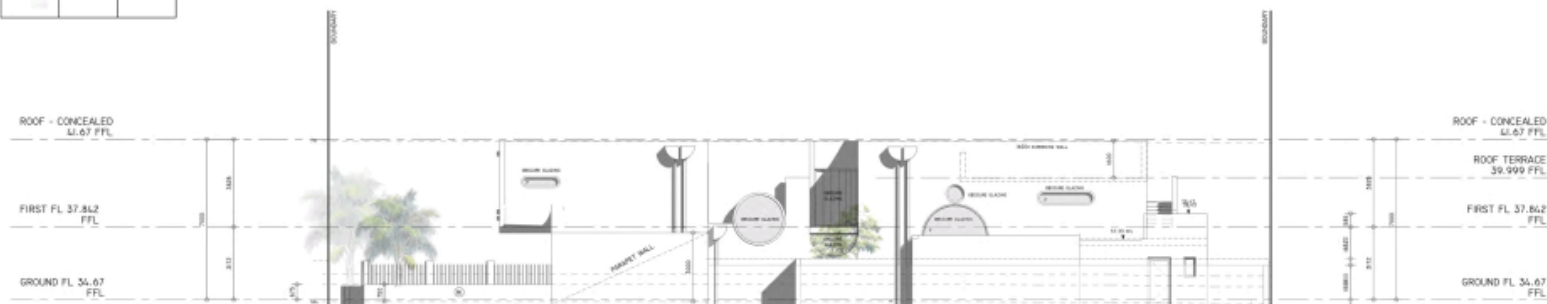
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**1 EAST ELEVATION
1:100**

MATERIAL LEGEND:		
IMAGE	DESCRIPTION	REFERENCE
	WHITE POWDER COAT	10
	WHITE RENDER	11
	WHITE PAINT	12
	CLEAR GLASS	13



**2 SOUTH ELEVATION
1:100**

state of ki

LAND & CITY SERVICES
CITY OF VINCENT
100 KINGS ROAD
VINCENT, VIC 3047

CLIENT NAME:

CARLYN & DEAN
KYRON

PROJECT NAME:

56 KALGOORLE STREET
MOUNT HAWTHORN

DRAWING TITLE:

ELEVATIONS

DESIGNED BY:	CHECKED BY:
DATE:	DATE:
SCALE:	SCALE:
PROJECT NO.:	PROJECT NO.:
DATE:	DATE:
BY:	BY:
DATE:	DATE:



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BEFORE CONSTRUCTION

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TO VERIFY ALL DIMENSIONS
BEFORE CONSTRUCTION
CONTRACTOR/CLIENT/OWNER
TO VERIFY ALL DIMENSIONS
BEFORE CONSTRUCTION

NO.	REVISION
1	Issue for Tender
2	Issue for Construction
3	Issue for Construction
4	Issue for Construction
5	Issue for Construction

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LEVEL 2, 11 RUTH ST PERTH 6000
WESTERN AUSTRALIA
PH: 9328 6679
design@stateofkin.com.au
www.stateofkin.com.au

CLIENT NAME:

**CAITLYN & DEAN
KYRON**

PROJECT NAME:

**58 KALGOORLIE STREET,
MOUNT HAWTHORN**

DRAWING TITLE:

VISUALS - STREET VIEW

ISSUE DATE:

31-01-18

AMENDMENT No.:

PAGE NO.
V1

JOB No.:

K116

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www.stateofkin.com.au

CLIENT NAME:
**CAITLYN & DEAN
KYRON**

PROJECT NAME
**58 KALGOORLIE STREET,
MOUNT HAWTHORN**

DRAWING TITLE
VISUALS - NEIGHBOURING VIEW

ISSUE DATE:
31-01-18

AMENDMENT No:

PAGE NO.
V3

JOB No.:
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CLIENT NAME:

**CAITLYN & DEAN
KYRON**

PROJECT NAME:

**58 KALGOORLIE STREET,
MOUNT HAWTHORN**

DRAWING TITLE:

VISUALS - FRONT HOUSE 2

ISSUE DATE:

31-01-18

AMENDMENT No.:

PAGE NO.
V2

JOB No.:

K116

First Community Consultation - Summary of Submissions:

Total number of submissions received: 40

Total number of objections received: 40

Total number of support submissions received: 0

Total number of submissions that neither objected nor supported: 0

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

Community Comments Received in Objection:	Applicant Response:
<p><u>Building Height:</u></p> <ul style="list-style-type: none"> Concerns relating to rooftop terrace - too high and provides visual intrusion into neighbouring properties Significant amenity impacts to the adjoining properties Increases overlooking to adjoining properties Mass and scale of the building impacts the neighbouring properties Sets negative precedence for future development Noise from the rooftop will adversely impact the amenity of the area Building height has adverse amenity impacts on the adjoining properties. Results in visual privacy issues, dominating visual bulk and mass Rooftop is not consistent with other dwellings in the area – no roof tops found in this locality. It will be out of character Development does not consider neighbour amenity Heights should comply and reduced to two storeys only. Height and boundary walls result in large imposing and overshadowing building. 	<p><u>Building Height:</u></p> <ul style="list-style-type: none"> Heights and overlooking issues have been amended on the current plans. Impact has been reduced with the change to eastern elevation aesthetics. Eastern Elevation (56 Kalgoorlie Street) is the only neighbour potentially impacted by amenity prior to the elevation changes. Overlooking issues have been rectified in the current submission. Plans have been amended to reduce impact The current house adds no additional value or streetscape to the area. The applicant is not willing to create a fake post-war era house. Measures have been taken on the current plans by changing the elevation to increase its integration with the streetscape. Noise from a rooftop is not a planning consideration. It should be determined under the Health Act in the event of a noise complaint. Heights have been amended on the current plans. The rooftop has no implications on character. Character component in question is the elevation. Character cannot be maintained due to the existing structure not being inter-war of Californian bungalow. Impact has been reduced with the change to eastern elevation aesthetics which was mainly impacted by neighbour amenity. Eastern Elevation (56 Kalgoorlie Street) is the only neighbour impacted by amenity. The structure is two storeys. Heights have been amended on the current plans. Overshadowing component is compliant as per the overshadowing plan submitted.
<p><u>Street setbacks:</u></p> <ul style="list-style-type: none"> Contemporary design, form and scale of the development is not compatible with the established streetscape Street setback will disturb continuity of the streetscape Development does not align with the existing street. 	<p><u>Street setbacks:</u></p> <ul style="list-style-type: none"> The current house is not compatible with the streetscape. Setbacks have been amended to comply. The developments orientation is parallel with the blocks boundaries, similar to the majority of the blocks on the street.

First Community Consultation - Summary of Submissions:

<ul style="list-style-type: none"> • Development is overbearing to the street • Not in keeping with architectural styles within the street • Design is not sympathetic to streetscape – not enough streetscape analysis has been undertaken • - True character of the street is interwar and post war - development not in keeping with this • Façade is featureless • Development is unsympathetic and out of character to the street • the frontage is domineering with the cantilevered 2nd storey and no windows • Front of the dwelling does not adequately address the street – turns it back to the street rather than connecting to the street • Design does not attempt to adhere to standards, compliment the heritage nature of the street, or consider the impact such an imposing structure has on neighbours. 	<ul style="list-style-type: none"> • Elevation has been amended to integrate. • Elevation has been amended to integrate. Direct quote City of Vincent Mount Hawthorn Precinct Policy “To encourage the development of a range of housing types within the precinct, offering variety in built form and typology and to facilitate housing affordability, sustainable design, diversity and choice” • Streetscape analysis has been undertaken and submitted with the current revision of the drawings. • Elevation has been amended to integrate. • The owner is unable to create an inter-war or post war development as we are now in the year 2018/2019, and is not willing to put a standard project home on the block therefore has opted to build an architecturally designed home. • Elevation has been amended. • Elevation has been amended to integrate. • Cantilever is reduced and small windows added. • Unable to comment as this does not make sense, the back of the house is at the rear of the block. With revised setbacks it allows a substantial front garden, in conjunction with the front balcony/terrace this will connect the house to the street. • Current house complies excluding the ~500mm height of screening to the roof terrace. Although this additional height is not visible from the street. “Standards” are not an issue as the building will comply with Australian Standards.
<p><u>Lot boundary setbacks and lot boundary walls:</u></p> <ul style="list-style-type: none"> • Concerns relating to noise pollution from the sauna and pool – too close to the boundary • Roof terrace will provide significant noise issues to adjoining properties and the locality – noise will travel from the terrace through the suburb. Disturbance too many residences that have children. • Building is unnecessarily excessive and is an overdevelopment of the narrow site • Boundary walls are too high – adversely impact properties in terms of mass and scale 	<p><u>Lot boundary setbacks and lot boundary walls:</u></p> <ul style="list-style-type: none"> • Pool pump has its own enclosed room. Sauna is internal; saunas do not create noise. Please review the plans correctly. This is an uneducated comment. • Noise from a rooftop is not a planning consideration. It should be determined under the Health act. The Applicant has a child also, this comment is invalid. • Building complies with the block coverage. • Heights have been amended on the current plans. • Setbacks have been amended to comply. • Boundary setbacks and landscaping have been amended to comply including canopy coverage.

First Community Consultation - Summary of Submissions:

<ul style="list-style-type: none"> • Insufficient setbacks proposed – increases overlooking to all adjoining properties • Overdeveloped with little regard to side boundary setbacks and landscaping • All walls are dominating when viewed from adjoining properties and the street • Significant building bulk provided to adjoining properties and the street from the boundary walls and lot boundary setbacks • Reduces direct sunlight to adjoining properties • Affects the amenity of adjoining properties and reduces quality of life 	<ul style="list-style-type: none"> • Eastern boundary elevation has been amended and the aesthetics have been increased to reduce impact on adjoining property. • Boundary setbacks have been changed and are compliant. • Overshadowing is compliant. Comment is invalid as the overshadowing plan was attached and clearly the commented cannot read plans. • Comment does not explain what it impacts. This point has been covered as the only adjoining property impacted has had the elevation amended.
<u>Sightlines:</u> <ul style="list-style-type: none"> • Concerns relating to non-compliant sightlines and pedestrian safety • A lot of children pass by on the pedestrian path and would be at risk due to non-compliant sightlines. • Sightlines pose danger to pedestrians • Significant safety hazard • Safety concerns result from sightlines proposed 	<u>Sightlines:</u> <ul style="list-style-type: none"> • Front fencing has been amended to comply with site lines. • Front fencing has been amended to comply with site lines. Owner agrees as they also have a child. • Front fencing has been amended to comply with site lines. • Front fencing has been amended to comply with site lines. • Front fencing has been amended to comply with site lines.
<u>Landscaping:</u> <ul style="list-style-type: none"> • Full 15% deep soil should be provided – no reason this cannot be achieved • Very limited trees available on site - full canopy cover should be provided • Too much concrete surfaces – trees and landscaping need to be provided to reduce views to the concrete 	<u>Landscaping:</u> <ul style="list-style-type: none"> • Plans have been amended to comply.
<u>Visual Privacy:</u> <ul style="list-style-type: none"> • Development compromises neighbours visual privacy • Rear stairs overlook neighbours • Terrace and stairs to the rear reduce privacy to adjoining properties • Front terrace above the garage is too close to adjoining properties • Concerns relating to overlooking from the front terrace and rear stairs - major overlooking concerns. • Both raised terraces should be entirely screened 	<ul style="list-style-type: none"> • Visual privacy requirements are now compliant. • Stairs are not a habitable room. • Front terrace screening has been amended. • Front terrace screening has been amended. • Visual privacy requirements are now compliant. • This is not a requirement.
<u>Overshadowing:</u> <ul style="list-style-type: none"> • Significant reduction of sunlight to adjoining properties • Rendered image does not accurately represent the winter shadow that the development will cast – image is misleading. 	<ul style="list-style-type: none"> • Overshadowing plan shows that it is compliant.

First Community Consultation - Summary of Submissions:

<ul style="list-style-type: none"> No overshadowing diagram provided. Concerns relating to shadows to the southern property. Southern property will be significantly overshadowed in the winter 	
<u>Surveillance:</u> <ul style="list-style-type: none"> development is not in keeping with the streetscape and does not provide passive surveillance to the street Not consistent with the objectives of Liveable Neighbourhoods which is to increase passive and active surveillance Design will not assist in reducing crime within the area No windows that overlook the street and there is not visual connection to the street or street surveillance 	<ul style="list-style-type: none"> There is a terrace above the garage which allows passive surveillance to the street. There will be Security camera's installed to the front elevation which will assist in reducing crime.
<u>Overall development and general comments:</u> <ul style="list-style-type: none"> Development has no desire to build or identify with the character and evolution of Mt Hawthorn Too many areas of non-compliance proposed – results in cumulative impacts to the adjoining properties and entire locality Development is at odds with the majority of residential buildings of Mt Hawthorn and detracts from the character of the suburb No respect to the streetscape and the amenity of the direct neighbours and neighbourhood. Development is not in keeping with surrounding homes in Mount Hawthorn Development will adversely impact quality of life of neighbours Front facade of house is not in keeping with the style of Mt Hawthorn The Brutalist architecture, scale, bulk and nature of this proposal is not consistent with the character charm of Mt Hawthorn that makes the suburb unique and attractive Overdevelopment of the site results in significantly reduced canopy cover and greenery and increased amounts of concrete Development is a dangerous precedence for future approvals, particularly relating to building heights and visual privacy Development is not consistent with the Mt Hawthorn Precinct Policy which ensures that the prevailing residential character of the area is protected and the form and scale of the development does not adversely impact the street Development will de-value adjoining properties 	<u>Overall development and general comments:</u> <ul style="list-style-type: none"> "Mount Hawthorn" encourages architecturally designed residences. Evolution will imply that it is evolving from the current character (inter-war and californium bungalow), into something new and modern (the current design). Current plans rectify the majority of non-compliances. The current house detracts from the character of the suburb. Previously addressed Previously addressed This is not a planning issue as the impact on neighbours is now compliant. Previously addressed Previously addressed Site is not overdeveloped, as it is compliant with the block coverage. Canopy coverage now compliant. Not a planning issue. Direct quote City of Vincent Mount hawthorn Precinct Policy "To encourage the development of a range of housing types within the precinct, offering variety in built form and typology and to facilitate housing affordability, sustainable design, diversity and choice" This is an uneducated subjective statement. In fact the value of this property will increase the surrounding properties values. Particularly those with re-development potential, which excludes the interwar and Californian bungalow styles of architecture. The development will not "have negative implications on other residents". It is predominantly compliant in the current revision.

First Community Consultation - Summary of Submissions:

<ul style="list-style-type: none"> • Proposal will have negative implications on other residents of Mt Hawthorn and will set an adverse precedence for future proposals • House design does not belong in Mt Hawthorn • Development will destroy the traditional character and feel of the suburb • Totally out of character with adjoining residences • Negative precedence will be set • The ostentatious and brusque attitude that is demonstrated by this proposal is at odds with the relaxed, non-competitive, values-based community for which Mount Hawthorn is envied. • Major overdevelopment of the site • Building does not compliment the heritage feel of the neighbourhood. • Concerns for impacts to Anzac Cottage a few houses away. • Development is detrimental to neighbouring properties and erosion of acceptable precedence 	<ul style="list-style-type: none"> • This is a subjective comment. • The current house is anything but traditional and in character to the suburb. • This is a false statement as the adjoining properties are 2 different styles of design. Both of them being not either inter-ware or Californian bungalow styles of architecture. Additionally those directly across from the site are modern project home style houses. • Not a planning issue. • Not a planning issue. • Previously addressed • Nor does the current house. • Concerns? Comment has no basis for argument. • Previously addressed
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Topic	Count	Planning Issue	Issue Addressed	Comment
Amenity on adjoining property	5	Yes	Yes	<ul style="list-style-type: none"> • Significant amenity impacts to the adjoining properties • Mass and scale of the building impacts the neighbouring properties • Building height has adverse amenity impacts on the adjoining properties. Results in visual privacy issues, dominating visual bulk and mass • Development does not consider neighbour amenity • Affects the amenity of adjoining properties and reduces quality of life
Block Coverage	1	Yes	Yes	<ul style="list-style-type: none"> • Building is unnecessarily excessive and is an overdevelopment of the narrow site
Setbacks and height/Bulk and scale	7	Yes	Partially	<ul style="list-style-type: none"> • Concerns relating to rooftop terrace - too high and provides visual intrusion into neighbouring properties • Street setback will disturb continuity of the streetscape • Boundary walls are too high – adversely impact properties in terms of mass and scale • Insufficient setbacks proposed – increases overlooking to all adjoining properties • Overdeveloped with little regard to side boundary setbacks and landscaping

First Community Consultation - Summary of Submissions:

				<ul style="list-style-type: none"> • All walls are dominating when viewed from adjoining properties and the street • Significant building bulk provided to adjoining properties and the street from the boundary walls and lot boundary setbacks
Elevation/heritage	19	Yes	Yes	<ul style="list-style-type: none"> • Contemporary design, form and scale of the development is not compatible with the established streetscape • Development does not align with the existing street. • Development is overbearing to the street • Not in keeping with architectural styles within the street • Design is not sympathetic to streetscape – not enough streetscape analysis has been undertaken • - True character of the street is interwar and post war - development not in keeping with this • Façade is featureless • Development is unsympathetic and out of character to the street • the frontage is domineering with the cantilevered 2nd storey and no windows • Front of the dwelling does not adequately address the street – turns it back to the street rather than connecting to the street • Design does not attempt to adhere to standards, compliment the heritage nature of the street, or consider the impact such an imposing structure has on neighbours. • development is not in keeping with the streetscape and does not provide passive surveillance to the street • Not consistent with the objectives of Liveable Neighbourhoods which is to increase passive and active surveillance • Design will not assist in reducing crime within the area • No windows that overlook the street and there is not visual connection to the street or street surveillance • development is not in keeping with the streetscape and does not provide passive surveillance to the street • Not consistent with the objectives of Liveable Neighbourhoods which is to increase passive and active surveillance • Design will not assist in reducing crime within the area • No windows that overlook the street and there is not visual connection to the street or street surveillance

First Community Consultation - Summary of Submissions:

Noise	3	No	N/A	<ul style="list-style-type: none"> Noise from the rooftop will adversely impact the amenity of the area Concerns relating to noise pollution from the sauna and pool – too close to the boundary Roof terrace will provide significant noise issues to adjoining properties and the locality – noise will travel from the terrace through the suburb. Disturbance too many residences that have children.
Overshadowing	6	Yes	Yes	<ul style="list-style-type: none"> Heights should comply and reduced to two storeys only. Height and boundary walls result in large imposing and overshadowing building. Reduces direct sunlight to adjoining properties Significant reduction of sunlight to adjoining properties Rendered image does not accurately represent the winter shadow that the development will cast – image is misleading. No overshadowing diagram provided. Concerns relating to shadows to the southern property. Southern property will be significantly overshadowed in the winter
Overlooking	6	Yes	Yes	<ul style="list-style-type: none"> Increases overlooking to adjoining properties Development compromises neighbours visual privacy Rear stairs overlook neighbours Terrace and stairs to the rear reduce privacy to adjoining properties Front terrace above the garage is too close to adjoining properties Concerns relating to overlooking from the front terrace and rear stairs - major overlooking concerns. Both raised terraces should be entirely screened
Precedence for future development	1	No	N/A	<ul style="list-style-type: none"> Sets negative precedence for future development
Front Fencing/Sightlines	4	Yes	Yes	<ul style="list-style-type: none"> A lot of children pass by on the pedestrian path and would be at risk due to non-compliant sightlines. Sightlines pose danger to pedestrians Significant safety hazard Safety concerns result from sightlines proposed
Landscaping	3	Yes	Yes	<ul style="list-style-type: none"> Full 15% deep soil should be provided – no reason this cannot be achieved Very limited trees available on site - full canopy cover should be provided Too much concrete surfaces – trees and landscaping need to be provided to reduce views to the concrete
Other/General Comments	16	No	N/A	<ul style="list-style-type: none"> Rooftop is not consistent with other dwellings in the area – no roof tops found in this locality. It will be out of character

First Community Consultation - Summary of Submissions:

				<ul style="list-style-type: none"> • Development has no desire to build or identify with the character and evolution of Mt Hawthorn • Too many areas of non-compliance proposed – results in cumulative impacts to the adjoining properties and entire locality • Development is at odds with the majority of residential buildings of Mt Hawthorn and detracts from the character of the suburb • No respect to the streetscape and the amenity of the direct neighbours and neighbourhood. • Development is not in keeping with surrounding homes in Mount Hawthorn • Development will adversely impact quality of life of neighbours • Front facade of house is not in keeping with the style of Mt Hawthorn • The Brutalist architecture, scale, bulk and nature of this proposal is not consistent with the character charm of Mt Hawthorn that makes the suburb unique and attractive • Overdevelopment of the site results in significantly reduced canopy cover and greenery and increased amounts of concrete • Development is a dangerous precedence for future approvals, particularly relating to building heights and visual privacy • Development is not consistent with the Mt Hawthorn Precinct Policy which ensures that the prevailing residential character of the area is protected and the form and scale of the development does not adversely impact the street • Development will de-value adjoining properties • Proposal will have negative implications on other residents of Mt Hawthorn and will set an adverse precedence for future proposals • House design does not belong in Mt Hawthorn • Development will destroy the traditional character and feel of the suburb • Totally out of character with adjoining residences • Negative precedence will be set • The ostentatious and brusque attitude that is demonstrated by this proposal is at odds with the relaxed, non-competitive, values-based community for which Mount Hawthorn is envied. • Major overdevelopment of the site • Building does not compliment the heritage feel of the neighbourhood. • Concerns for impacts to Anzac Cottage a few houses away.
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First Community Consultation - Summary of Submissions:

				<ul style="list-style-type: none">• Development is detrimental to neighbouring properties and erosion of acceptable precedence
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Summary of Submissions:

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

Comments Received in Support:	Applicant Comment:
<u>Built Form Outcome</u> <ul style="list-style-type: none"> The development is a true example of forward-thinking design that will contribute to the value and character of the neighbourhood; Architecture like this sculpts the future direction and quality of the built form within the City of Vincent; Beautiful build that will enhance any street; Project adds to the streetscapes of Mount Hawthorn and will make a more beautiful place; Project is very innovative with good use of space, both indoor and outdoor; The development meets the current and future needs of the homeowner; and The design has wonderful design integrity and consideration of the surrounding streetscape. 	<ul style="list-style-type: none"> The applicant welcomes these positive comments from the community.
Comments Received in Objection:	Applicant Comment:
<u>Street Setback</u> <ul style="list-style-type: none"> The City of Vincent Newsletter No.64 Spring 2012 states that the upper floor should be setback at least 2.0m behind the ground floor; and The bulk of the house will still dominate the street with a compliant setback and detract from the Mt Hawthorn character, particularly as there is no other house on the street or in the locality that has the same bulk and mass; 	<ul style="list-style-type: none"> This newsletter was written 7 years ago and since then the planning framework has changed. The street setback is compliant with the City's Built Form Policy.
<u>Height</u> <ul style="list-style-type: none"> The height is not appropriate as it is out of character with the rest of the area and provides significant adverse visual impacts to the streetscape. The development appears too large and overbearing from the street; The rooftop terrace adds an additional storey, resulting in a three storey development. Three storeys is not in keeping with existing developments within the area; The additional height proposed is considered excessive, resulting in significant additional overshadowing, overlooking, and adverse visual impacts to neighbouring properties; 	<ul style="list-style-type: none"> The height of the development is now compliant with the Residential Design Codes and sits lower than those houses with a pitched roof on the street. The stated "overshadowing, overlooking, and adverse visual impacts" is incorrect as the design addresses these items and is compliant in all aspects.

Page 1 of 5

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> Additional height has adverse amenity impacts on surrounding properties, especially as the rooftop will be used as an active space; The additional height results in lot boundary setback variations, particularly from the upper levels. Building this high should be setback further from the boundaries and reduced in size; Trees on the rooftop terrace will further increase the height of the development. Concerns about how high the house will appear with trees on top; Scale of the development is not suited to the land size, streetscape or locality. This size of development would be better suited in coastal suburbs or inner City; and The third storey / additional height of the development will set an undesirable precedence for future developments. 	<ul style="list-style-type: none"> The roof top is compliant with the height and overlooking requirements of the R Codes. The height is now compliant with the R Codes. The vegetation has been removed from the roof top. This is an opinion and is subjective. 'Undesirable precedent' is simply an opinion of a surrounding landowner and should not be considered as a valid planning reason.
<u>Lot Boundary Setbacks to Adjoining Properties</u> <ul style="list-style-type: none"> Setbacks to the rear lot boundary have decreased in the amended plans, resulting in significant overlooking to the adjoining properties, adverse visual impacts and excessive noise; Walls of the development do not engage with surrounding properties, and rather impose on them; Reduced setbacks result from the house being too large for the land size; The design of the development does not relate to the surrounding properties and therefore appears out of character; The proposal does little to mitigate its significant reduction of the rear setback standards, resulting in bulk and mass to the rear properties, reduction in sunlight and increased overlooking. 	<ul style="list-style-type: none"> The rear setbacks and privacy requirements are compliant with the R Codes. Furthermore, any impacts of noise are covered in the Health Legislation. This comment is not clear? The lot boundary setbacks of the are either compliant with the deemed-to-comply requirement or a considered to address the design principles of the R Codes. The existing dwellings in the streetscape are inconsistent in their design and therefore there is no established streetscape in this prtion f Kalgoorlie Street.
<u>Boundary Walls to Adjoining Properties</u> <ul style="list-style-type: none"> Boundary walls are too high and too close to the adjoining properties providing visual bulk to the southern property; Boundary walls are only on the verge of compliance; 	<ul style="list-style-type: none"> The proposed boundary walls comply with the deemed-to-comply requirements of the R Codes and City's Policies.
<u>Street Surveillance</u> <ul style="list-style-type: none"> The house has no windows facing the street, and subsequently makes no effort to relate to the streetscape and Mount Hawthorn community; and The studio window facing the street is covered by trees. 	<ul style="list-style-type: none"> New iterations of the plans show a clear front door of 1.5m wide. A new window to the study has been added and a clear garage door for increased surveillance. Also, the master bedroom has been re-designed and the brick openings with glass backing have been

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p>changed to the master bedroom side to increase surveillance. There is also a roof terrace/balcony to the front which has some surveillance.</p> <ul style="list-style-type: none"> Landscaping has been changed, although when we progress to building application phase we will obtain a full landscaping plan. New designs show different landscaping to increase surveillance.
<u>Street Walls and Fences</u> <ul style="list-style-type: none"> The front gate slides externally, creating potential safety issues for pedestrians walking past. 	<ul style="list-style-type: none"> The proposal is compliant with the deemed-to-comply street walls and fences requirements of the City's Policies.
<u>Garage Setback</u> <ul style="list-style-type: none"> The garage should be 0.5m behind the house to comply with the R Codes. 	<ul style="list-style-type: none"> The setback of the garage complies with the deemed-to-comply requirements of the City's Policies.
<u>Landscaping</u> <ul style="list-style-type: none"> The existing greenery within Mount Hawthorn is what makes the suburb so desirable. The development should achieve the full 15% required landscaping to contribute to vegetation in Mount Hawthorn; The accuracy of the 12.6% calculation is questioned; The development proposes deep soil areas where amenities are located, do these contribute to the calculation? Concerns that deep soil zones may be provided with astro-turf; Trees provided to the south of the lot will be in constant shade; Reduced landscaping will result in an urban heat island effect; Concerns relating to inconsistencies in landscaping between plans, as trees are shown in different locations between plans, and in locations where trees could not be accommodated (e.g the driveway). 	<ul style="list-style-type: none"> It has been consented with the council that at Building Application phase a landscaping plan will be submitted with 30% canopy coverage.
<u>Visual Privacy</u> <ul style="list-style-type: none"> Development provides major visual intrusions to neighbouring properties from the windows and terraces proposed; The rooftop terrace will cause considerable overlooking to all adjoining properties, particularly as it is so high. The overlooking from the rooftop terrace falls onto back gardens of the adjoining properties, resulting in major privacy concerns. 	<ul style="list-style-type: none"> All privacy and overlooking requirements are compliant with the requirements of the R Codes.

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> The rooftop terrace should be setback 7.5m from all lot boundaries so as to reduce all overlooking and subsequent loss of privacy to all properties; Rear external stairs are not screened and are too close to lot boundaries therefore providing considerable overlooking to backyards of the adjoining properties. The rear stairs should be screened; Concerns relating to overlooking from upper floor doorways that are not glazed; The terrace above the garage is not screened to the front, resulting in overlooking to the northern adjoining property; and Overlooking if supported will set an undesirable precedence for future development. 	
<u>Solar Access</u> <ul style="list-style-type: none"> The additional height and reduced lot boundary setbacks of the development results in a loss of natural sunlight to the adjoining properties; If the southern property were subdivided, overshadowing would be a lot more significant; Wall heights, lengths, setbacks and roof design should be modified to reduce overshadowing to the south; and The solar access diagram provided by the applicant does not show the shadow from the rooftop terrace. The solar access diagram as provided from the applicant should be checked as it does not appear to be compliant. 	<ul style="list-style-type: none"> The proposal is compliant with the deemed-to-comply overshadowing requirements of the R Codes.
<u>Access and Parking</u> <ul style="list-style-type: none"> The development may result in additional traffic and subsequent safety issues; and The number of bedrooms proposed will increase occupants and subsequent parking required. 	<ul style="list-style-type: none"> The proposal is compliant with the deemed-to-comply parking requirements of the R Codes.
<u>Heritage</u> <ul style="list-style-type: none"> The development will have an adverse impact the heritage character of the locality. 	<ul style="list-style-type: none"> There is no heritage of the surrounding properties on Kalgoorlie street and the existing house isn't a heritage listed property.
<u>Noise</u> <ul style="list-style-type: none"> Noise will travel from the rooftop terrace through the whole suburb given it is on the top level; Concerns relating to noise generated from people walking up and down the external stairs; and 	<ul style="list-style-type: none"> Noise is a health act issue not a planning issue. This comment is based on assumption to what we will use the roof garden for.

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> The outdoor shower is on the boundary and will create noise issues to the adjoining properties. 	
<u>Built Form Outcome</u> <ul style="list-style-type: none"> The design of the development does not fit into or complement the streetscape. There are no houses along this street or in the surrounding locality that are similar to this design or are of this scale and mass; The development is not in keeping with Mount Hawthorn character homes; The façade of the development does not promote a sense of community and instead turns its back on the street and community. The design is counter to neighbourly interaction; The development has not been designed to engage with surrounding properties; There is too much white concrete, which does not relate to the streetscape and detracts from the character homes in Mount Hawthorn; The development would be better located in another suburb where there are similar residences and streetscapes that it would fit into; Roof top terraces are completely out of character in Mt Hawthorn. The terrace will be damaging to neighbours; and The design will provide an undesirable precedence to future developments within the locality. 	<ul style="list-style-type: none"> These are simply opinions of surrounding landowners and should not be considered as a valid planning reason.
<u>Other</u> <ul style="list-style-type: none"> The development will alienate surrounding properties; The development does not need the amount of amenities it has proposed and should be reduced in size (e.g. number of bedrooms, bathrooms, BBQ areas, gym, sauna etc); Concerns relating to how smells, gasses and steam released from the sauna will be addressed; Concerns relating to how waste water from the outdoor shower will be drained; The plans do not show the rooftop terrace on the front elevation; The development will reduce property values; and Development does not comply with the Mount Hawthorn Precinct Policy. 	<ul style="list-style-type: none"> These are simply opinions of surrounding landowners and should not be considered as a valid planning reason.

Summary of Submissions:

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

Comments Received in Support:	Officer Technical Comment:
<u>Built Form Outcome</u> <ul style="list-style-type: none"> • The development is a true example of forward-thinking design that would contribute to the value and character of the neighbourhood; • Architecture like this sculpts the future direction and quality of the built form within the City of Vincent; • Beautiful build that would enhance any street; • Project adds to the streetscapes of Mount Hawthorn and would make a more beautiful place; • Project is very innovative with good use of space, both indoor and outdoor; • The development meets the current and future needs of the homeowner; and • The design has wonderful design integrity and consideration of the surrounding streetscape. 	<p>Comments in support of the proposal is noted.</p>
Comments Received in Objection:	Officer Technical Comment:
<u>Street Setback</u> <ul style="list-style-type: none"> • The City of Vincent Newsletter No.64 Spring 2012 states that the upper floor should be setback at least 2.0m behind the ground floor; • Street setback proposed disturbs the continuity of the streetscape. The style of the development is not in keeping with architectural styles within the street. The applicant has not undertaken enough streetscape analysis; and • The bulk of the house would still dominate the street with a compliant setback and detract from the Mt Hawthorn character, particularly as there is no other house on the street or in the locality that has the same bulk and mass. 	<ul style="list-style-type: none"> • The street setback as referenced City of Vincent Newsletter is not a current requirement under the City's Local Planning Scheme No.2 (LPS2) or relevant local planning policies. The street setbacks have been assessed in accordance with the Built Form Policy Clause 5.2 Street Setback; • The proposed street setbacks meet the deemed-to-comply standards of the Built Form Policy Clause 5.2 Street Setback; and • The relationship of the proposed development to the street and locality has been considered under Clause 67 of the Planning and Development (Local Planning Scheme) Regulations 2015. The City considers that opposing form, scale and mass of the Single House when compared to existing developments does not contribute to a high quality streetscape.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Height</u></p> <ul style="list-style-type: none"> • The height is not appropriate as it is out of character with the rest of the area and provides significant adverse visual impacts to the streetscape. The development appears too large and overbearing from the street; • The rooftop terrace adds an additional storey, resulting in a three storey development. Three storeys is not in keeping with existing developments within the area. The third storey / additional height of the development would set an undesirable precedence for future developments; • Rooftop is not consistent with other dwellings in the area – no roof tops found in this locality. It would be out of character; • The additional height proposed is considered excessive, resulting in significant additional overshadowing, overlooking, and adverse visual impacts to neighbouring properties; • Additional height has adverse amenity impacts on surrounding properties, especially as the rooftop would be used as an active space; • The additional height results in lot boundary setback variations, particularly from the upper levels. Building this high should be setback further from the boundaries and reduced in size; • Trees on the rooftop terrace would further increase the height of the development. Concerns about how high the house would appear with trees on top; and • Scale of the development is not suited to the land size, streetscape or locality. This size of development would be better suited in coastal suburbs or inner City. 	<ul style="list-style-type: none"> • Following neighbour consultation the applicant submitted amended plans with a reduction in building height. The proposed building height meets the deemed-to-comply standards of the Built Form Policy Clause 5.6 Building Height; • The rooftop terrace sits entirely within the upper floor roof. The dwelling proposed is two storeys only; • Amended plans have removed mature tree planting from the rooftop terrace; • The upper floor terrace has been provided with privacy screening and meets the deemed-to-comply standards of Clause 5.4.1 Visual Privacy; • The rooftop terrace provides privacy screening around its perimeter to reduce all overlooking and subsequent loss of privacy to adjoining properties. The reduction in height of the rooftop terrace mitigates any additional building bulk and subsequent amenity impacts to adjoining properties; • Rooftop terraces is permitted provided they meet relevant planning standards including, but not limited to, building height, lot boundary setbacks, overshadowing, visual privacy; and • The relationship of the proposed development to the street and locality has been considered under Clause 67 of the Planning and Development (Local Planning Scheme) Regulations 2015. Following assessment under these provisions, the City does not consider that the mass, scale and design of the development is consistent or compatible with the established character of the streetscape and surrounding locality.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Lot Boundary Setbacks to Adjoining Properties</u></p> <ul style="list-style-type: none"> • Setbacks to the rear lot boundary have decreased in the amended plans, resulting in significant overlooking to the adjoining properties, adverse visual impacts and excessive noise; • Walls of the development do not engage with surrounding properties, and rather impose on them; • Reduced setbacks result in overlooking to all adjoining properties. Amenity issues would decrease the quality of life for adjoining residents; • Reduced setbacks result from the house being too large for the land size; • The design of the development does not relate to the surrounding properties and therefore appears out of character; • The proposal does little to mitigate its significant reduction of the rear setback standards, resulting in bulk and mass to the rear properties, reduction in sunlight and increased overlooking. 	<ul style="list-style-type: none"> • The application has been assessed against the lot boundary setback provisions of the City's Built Form Policy that establishes deemed-to-comply requirements. The deemed-to-comply lot boundary setback standards set out in the Built Form Policy have not yet been approved by the WAPC. As such, the rear setback provisions is given due regard in the assessment of this application. The development meets the deemed-to-comply standards for lot boundary setbacks under Clause 5.1.3 of the R Codes (tables 2a/2b) and is acceptable in terms of building bulk and mass. The articulated eastern façade and provision of landscaping also assists in softening the building edge when viewed from adjoining properties; • The southern elevation provides articulation to wall lengths, wall heights and large openings that breaks up solid portions of blank wall and subsequently reduces building bulk when viewed from the southern adjoining property; • The development meets the deemed-to-comply standards of the R Codes Clause 5.4.1 Visual Privacy, ensuring no adverse overlooking and subsequent loss of privacy to the adjoining properties. • The development does not result in a reduction of solar access to the adjoining eastern properties; and • The relationship of the proposed development to the character of the locality has been considered under Clause 67 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>. The mass, scale and design of the development is not consistent or compatible with the established character of the streetscape and surrounding locality.
<p><u>Boundary Walls to Adjoining Properties</u></p> <ul style="list-style-type: none"> • Boundary walls is too high and too close to the adjoining properties providing visual bulk to the southern property; • Boundary walls is only on the verge of compliance. 	<ul style="list-style-type: none"> • Following neighbour consultation the applicant submitted amended plans with a reduction in the proposed boundary wall heights. The amended boundary walls proposed comply with the Built Form Policy Clause 5.3 Lot boundary setbacks and is acceptable.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Street Surveillance</u></p> <ul style="list-style-type: none"> The house has no windows facing the street, and subsequently makes no effort to relate to the streetscape and Mount Hawthorn community; The studio window facing the street is covered by trees; Design would not assist in reducing crime in the area; and Development is not consistent with the objectives of Liveable neighbourhoods which is to increase passive and active surveillance. 	<ul style="list-style-type: none"> The development provides a major opening from the ground floor Studio that faces the street and vehicle approach to the dwelling. The development meets the deemed-to-comply standard of the Built Form Policy Clause 5.9 Street Surveillance; If approved, the development would be required to maintain active street surveillance. The acceptability of tree location and species would be considered through a relevant condition of approval; and The relationship of the proposed development to the street and locality has been considered under Clause 67 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>. The development does provide sufficient passive surveillance and subsequent relationship the established street.
<p><u>Street Walls and Fences</u></p> <p>The front gate slides externally, creating potential safety issues for pedestrians walking past.</p>	<ul style="list-style-type: none"> The gate proposed as part of the front fence slides entirely within the subject site, presenting no conflicts to the adjacent footpath. The development has also provided sufficient vehicle sightlines to ensure safety and visibility to the footpath.
<p><u>Sightlines</u></p> <ul style="list-style-type: none"> Concerns relating to non-compliant sightlines and pedestrian safety risks; A lot of children pass by on the pedestrian path and would be at risk due to non-compliant sightlines; and significant safety hazard. 	<ul style="list-style-type: none"> Following neighbour consultation the application provided amended plans addressing sightlines. The front fence now falls within the City's acceptable standard for sightlines, ensuring that vehicles exiting the site would have clear vision of pedestrians located on the footpath or verge areas. The City's Technical Officers have reviewed the front fence plan and have confirmed that the design meets the Design Principles of the R Codes Clause 5.2.5 Sightlines.
<p><u>Garage Setback</u></p> <ul style="list-style-type: none"> The garage should be 0.5m behind the house to comply with the R Codes. 	<ul style="list-style-type: none"> The proposed garage is setback 2.0 metres behind the upper floor façade. The development meets the deemed-to-comply standards for the Built Form Policy Clause 5.7 Setback of garages and carports and the R Codes Clause 5.2.2 Garage width.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> The existing greenery within Mount Hawthorn is what makes the suburb so desirable. The development should achieve the full 15% required landscaping to contribute to vegetation in Mount Hawthorn; The accuracy of the 12.6% calculation is questioned; The development proposes deep soil areas where amenities is located, do these contribute to the calculation? Concerns that deep soil zones may be provided with astro-turf; Trees provided to the south of the lot would be in constant shade; Reduced landscaping would result in an urban heat island effect; Very limited trees available on site. Full canopy cover should be provided; and Concerns relating to inconsistencies in landscaping between plans, as trees is shown in different locations between plans, and in locations where trees could not be accommodated (e.g. the driveway). 	<ul style="list-style-type: none"> Following neighbour consultation the applicant submitted amended plans with increased deep soil zones. The amended proposal included 14.6% deep soil zones, as well as additional landscaping areas on site that does not contribute to deep soil. The provision of landscaping within the front setback and along all lot boundaries is considered to reduce the overall impact of the development to the street and adjoining properties. The range of species proposed would soften the building edge and provide sufficient shading and greenery on site. The landscaping provided as part of this application is consistent with the Mount Hawthorn locality; Locations where amenities is located on site such as soak wells and air conditioning units have not been included in deep soil calculations; If the development were to be approved, a condition requiring 30% canopy cover at maturity would be recommended to be provided on any approval notice. The City's Technical Officers have confirmed that 30% canopy cover could be achieved on site within the deep soil zones proposed. Compliant canopy cover would provide for greater landscaping amenity for the residents and the community, further reduce the impact of the development on adjoining residential lots and create a sense of open space between dwellings; Amended plans received no longer propose mature plantings along the southern boundary; In accordance with the definition of 'deep soil zone' within the Built Form Policy, deep soil zones is not permitted be covered with impervious surfaces. Deep soil zones is required to support mature plant and tree growth; and Amended plans received following neighbour consultation addressed inconsistencies between plans.
<p><u>Visual Privacy</u></p> <ul style="list-style-type: none"> Development provides major visual intrusions to neighbouring properties from the windows and terraces proposed; The rooftop terrace would cause considerable overlooking to all adjoining properties, particularly as it is so high. The overlooking from the rooftop terrace falls onto back gardens of the adjoining properties, resulting in major privacy concerns; Both terraces should be entirely screened as they both provide overlooking to adjoining properties resulting in significant loss of privacy to adjoining properties. Concerns relating to children playing in gardens and noise; 	<ul style="list-style-type: none"> The development meets the deemed-to-comply standards of the R Codes Clause 5.4.1 Visual Privacy; The rooftop terrace and upper floor terrace have been provided permanent screening devices in accordance with R Codes Clause 5.4.1 Visual Privacy that restricts views within the cone of vision to all adjoining properties; The external stairs and upper floor external doors do not fall under the R Code definition of 'major openings' or 'active habitable spaces' and is not required to be screened or glazed in accordance with Clause 5.4.1 Visual Privacy.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<ul style="list-style-type: none"> The rooftop terrace should be setback 7.5m from all lot boundaries so as to reduce all overlooking and subsequent loss of privacy to all properties. Rear external stairs is not screened and is too close to lot boundaries therefore providing considerable overlooking to backyards of the adjoining properties. The rear stairs should be screened; Concerns relating to overlooking from upper floor doorways that is not glazed; The terrace above the garage is not screened to the front, resulting in overlooking to the northern adjoining property; and Overlooking if supported would set an undesirable precedence for future development. 	<ul style="list-style-type: none"> The upper floor terrace meets the deemed-to-comply standards for Clause 5.4.1 Visual Privacy of the R Codes. The front of the terrace is open (1 metre balustrading proposed), noting that overlooking from this portion of the terrace falls forward of the northern adjoining properties street setback line; and Future development within the locality would be subject compliance with the City's LPS2 and the R Codes.
<p><u>Solar Access</u></p> <ul style="list-style-type: none"> The additional height and reduced lot boundary setbacks of the development results in a loss of natural sunlight to the adjoining properties; If the southern property were subdivided, overshadowing would be a lot more significant; The rendered images provided do not accurately represent the winter shadow that would be cast. The image is misleading; Wall heights, lengths, setbacks and roof design should be modified to reduce overshadowing to the south; and The solar access diagram provided by the applicant does not show the shadow from the rooftop terrace. The solar access diagram as provided from the applicant should be checked as it does not appear to be compliant. 	<ul style="list-style-type: none"> The shadow cast from the proposed development falls across two lots to the south of the subject site. There is one single house (No. 56 Kalgoorlie Street Mount Hawthorn) constructed across the two lots affected. The immediately affected lot (Lot 303) is 248 square metres and does not meet current site area requirements for a R30 coded site. It is likely that this lot would be largely overshadowed from a compliant development due to its unfavourable location, dimensions and orientation. If Lot 303 and Lot 23 were to be amalgamated to a total site area of 751 square metres, the proposed development would shadow 33 percent of the site and would meet the deemed-to-comply requirements for Clause 5.4.2 Solar Access of the R Codes. For these reasons, development provides a sufficient shadow projection to the adjoining southern site; Following neighbour consultation the applicant submitted amended plans with a reduction in the overall building height, and a change in the design of the rooftop terrace. The rooftop terrace was modified to sit entirely within the upper floor roof space. These amendments were made to assist in the reduction of overshadowing to the south; The City confirms that the Solar Access Diagram submitted by the applicant has been accurately provided in accordance with the deemed-to-comply standards of the R Codes Clause 5.4.2 Solar Access; and The City does not calculate shadow projection based on rendered images provided.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<u>Access and Parking</u> <ul style="list-style-type: none"> The development may result in additional traffic and subsequent safety issues; and The number of bedrooms proposed would increase occupants and subsequent parking required. 	<p>The development has provided the minimum required on-site car parking spaces in accordance with the deemed-to-comply standards of the R Codes Clause 5.3.3 Parking. Car parking spaces and manoeuvring areas have been designed and provided in accordance with Australian Standard 2890.1 (as amended). Adequate car parking has been provided on-site in accordance with the projected need.</p>
<u>Heritage</u> <p>The development would have an adverse impact the heritage character of the locality.</p>	<p>The subject site is not identified as a Heritage or Character Retention Isa.</p>
<u>Noise</u> <ul style="list-style-type: none"> Noise would travel from the rooftop terrace through the whole suburb given it is on the top level; Rooftop noise would provide disturbance to many residences that have children; Concerns relating to noise generated from people walking up and down the external stairs; and The outdoor shower, sauna and pool is all on the boundary and would create noise issues to the adjoining properties. 	<p>The development would be subject to compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
<u>Built Form Outcome</u> <ul style="list-style-type: none"> The design of the development does not fit into or complement the streetscape. There is no houses along this street or in the surrounding locality that is similar to this design or is of this scale and mass. Development is at odds with the majority of developments within the locality; Brutalist architecture is totally out of character; The development is not in keeping with Mount Hawthorn character homes; The façade of the development does not promote a sense of community and instead turns its back on the street and community. The design is counter to neighbourly interaction and has no desire to identify with the character of Mt Hawthorn; The development has not been designed to engage with surrounding properties; True character of the street is interwar and post war - development not in keeping with this; Design does not attempt to adhere to standards, compliment the 	<ul style="list-style-type: none"> The City is to have due regard to the matters contained under Clause 67 of the Planning and Development (Local Planning Scheme) Regulations 2015 when exercising its discretion. An assessment against matters to which is considered most relevant to this application have been addressed within the Officer report; The application proposes a predominantly compliant development which either meets the deemed-to-comply requirements, or, meets the design principles and local housing objectives of the R Codes and Built Form Policy. The scale, mass and design of the single house is not respectful or in keeping with the scale and character of the established streetscape or locality; While the development is of a high quality, the style of the development is not entirely compatible with the streetscape and locality. The design of the proposed dwelling is not consistent with dwellings within the locality, particularly due to the limited surveillance provided to the street, the provision of solid blank walls to the street, and limited contrasting materials and colours. The opposing form of the Single House proposed

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p>heritage nature of the street, or consider the impact such an imposing structure has on neighbours;</p> <ul style="list-style-type: none"> • Overdevelopment of a small and narrow lot; • There is too much white concrete, which does not relate to the streetscape and detracts from the character homes in Mount Hawthorn; • The development would be better located in another suburb where there is similar residences and streetscapes that it would fit into; • Roof top terraces is completely out of character in Mt Hawthorn. The terrace would be damaging to neighbours; and • The design would provide an undesirable precedence to future developments within the locality. 	<p>when compared to existing developments is not considered to contribute to a high quality streetscape; and</p> <ul style="list-style-type: none"> • Should the development be approved, the City considers the development has the potential to be used as a reference point for other development in the area seeking developments of similar mass and scale, would likely affect the future development of the locality by incrementally eroding the open nature and consistency of the streetscape which form the existing and desired future character of the area.
<p><u>Other</u></p> <ul style="list-style-type: none"> • The development would alienate surrounding properties; • The development does not need the amount of amenities it has proposed and should be reduced in size (e.g. number of bedrooms, bathrooms, BBQ areas, gym, sauna etc.); • Concerns relating to how smells, gasses and steam released from the sauna would be addressed; • Concerns relating to how waste water from the outdoor shower would be drained; • Concerns for impacts to Anzac Cottage a few houses away; • The plans do not show the rooftop terrace on the front elevation; • The development would reduce property values; and • Development does not comply with the Mount Hawthorn Precinct Policy which ensures that the prevailing residential character of the area is protected and the form and scale of the development does not adversely impact the street. 	<ul style="list-style-type: none"> • The relationship of the proposed development to the street and locality has been considered under Clause 67 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>. Following assessment under these provisions, the City considers proposal would have adverse social impacts on the adjoining residential properties; • The development complies with the R Code definitions of 'Single House' and 'Residential Building'. The number of amenities on site is not a relevant planning consideration; • The function of the Outdoor shower and Sauna would be subject to compliance with the City of Vincent Health Local Law 2004; • The rooftop terrace is contained entirely within the upper floor roof space and is not visible from the front elevation; • There is no evidence the development would result in a loss of property values; and • Policy No. 71.1 – Mount Hawthorn Precinct Policy was rescinded at Ordinary Meeting of Council (OMC) on 13 December 2016. The Built Form Policy was adopted at this same OMC, and applies to all development applications in the City of Vincent.

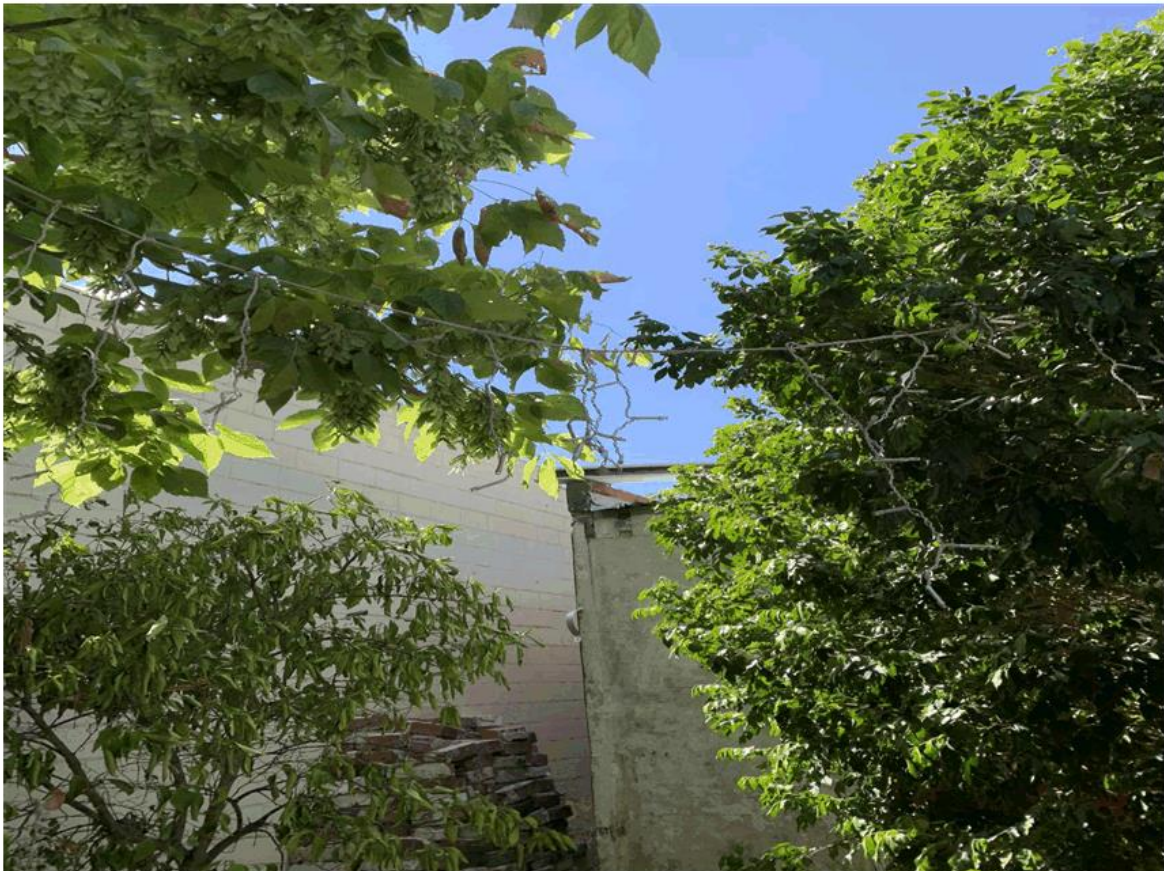
Attachment 8 - Photos of Site and Surrounding Context:













Streetscape Analysis of Kalgoorlie Street, West Perth



LHS - Subject site

RHS - 56 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



LHS - 62 Kalgoorlie Street Mount Hawthorn

RHS – subject site

Streetscape Analysis of Kalgoorlie Street, West Perth



55 Kalgoorlie Street and 57 Kalgoorlie Street Mt Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right - 66 Kalgoorlie Street, 64 Kalgoorlie Street and 62 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



Left to right – 59 Kalgoorlie Street, 61 Kalgoorlie Street and 63 Kalgoorlie Street Mount Hawthorn

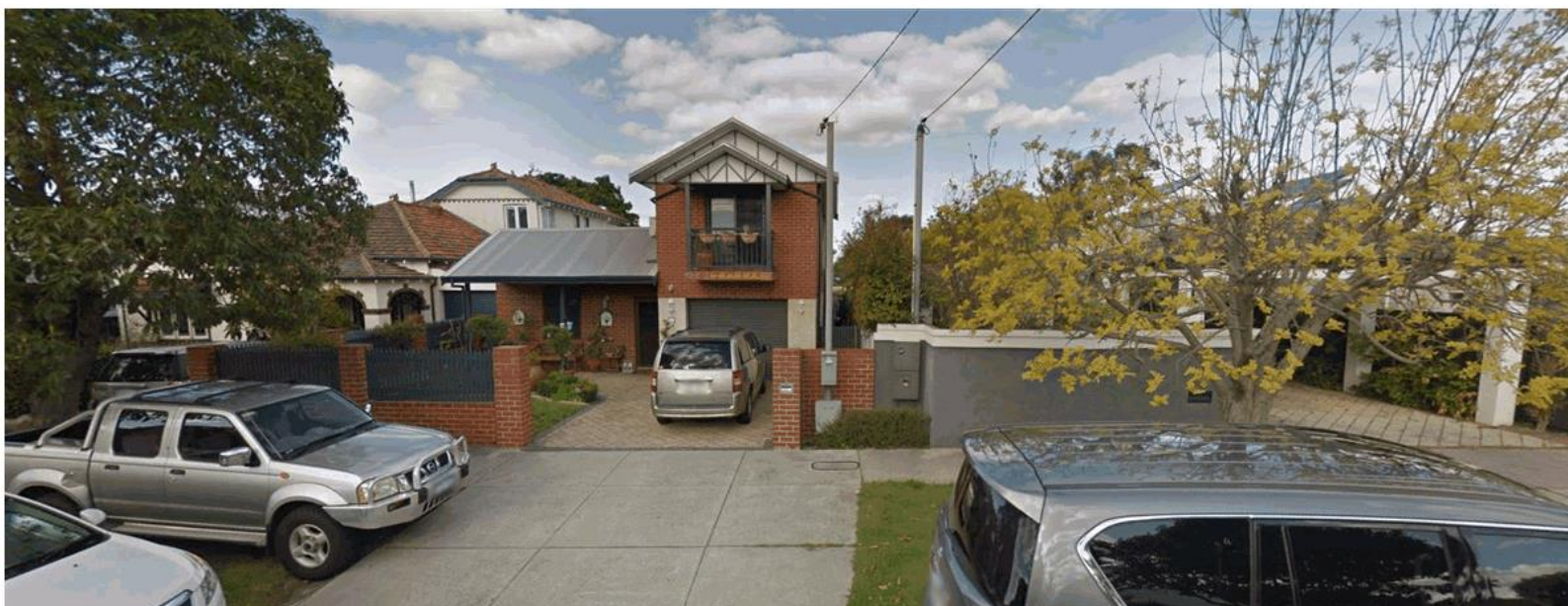
Streetscape Analysis of Kalgoorlie Street, West Perth



LHS – 65 Kalgoorlie Street Mount Hawthorn

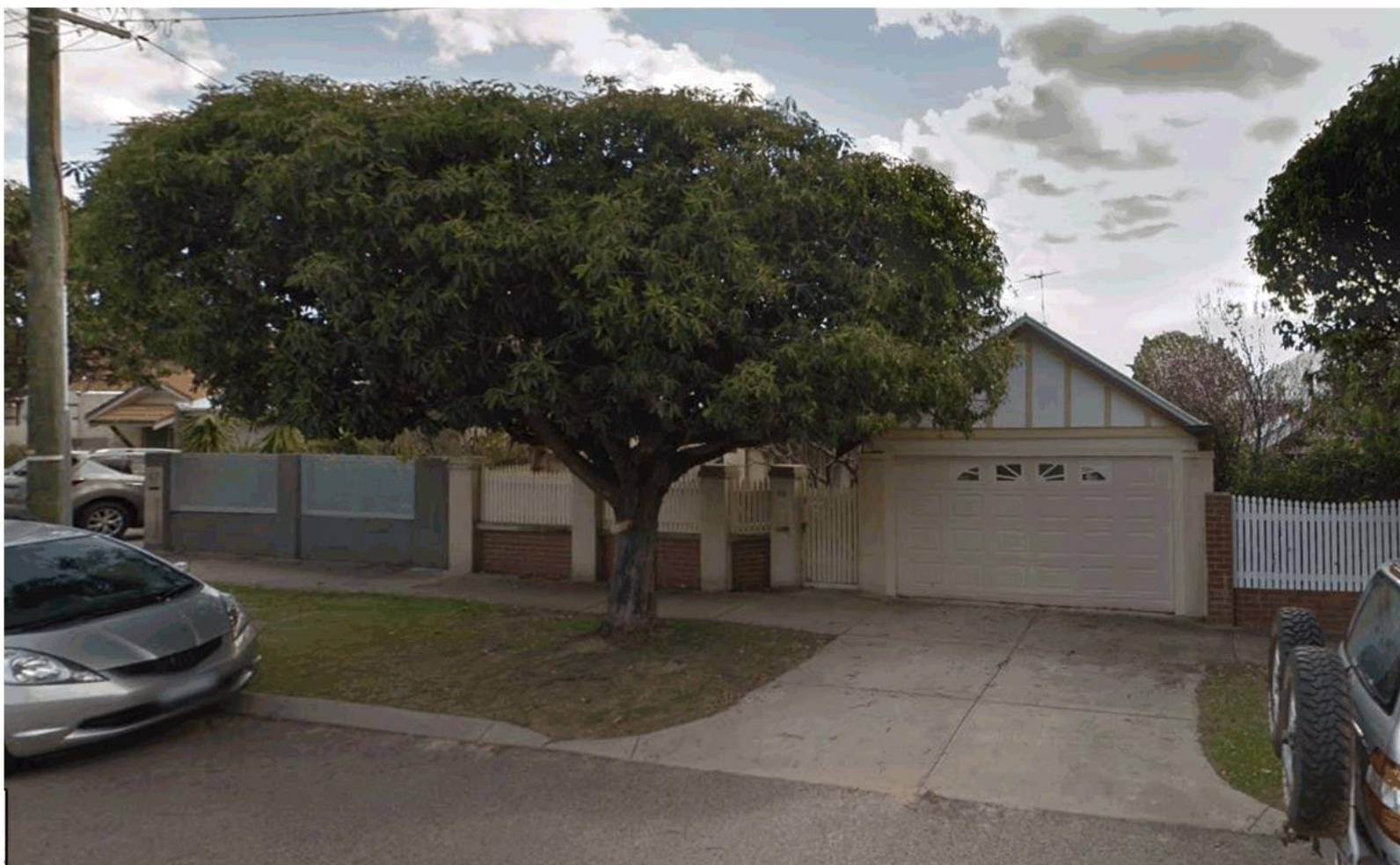
RHS – 67 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right – 72 Kalgoorlie Street, 70 Kalgoorlie Street and 68 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



69 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right - 71 Kalgoorlie Street, 73 Kalgoorlie Street and 75 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right - 74 Kalgoorlie Street and 72 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From LHS to RHS – 52 Kalgoorlie Street, 50 Kalgoorlie Street and 48 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



51 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



LHS – 47 Kalgoorlie Street Mt Hawthorn

RHS – 45 Kalgoorlie Street Mt Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



LHS – 44 Kalgoorlie Street Mt Hawthorn

RHS – 42 Kalgoorlie Street Mt Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right – 43 Kalgoorlie Street, 45 Kalgoorlie Street and 47 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth

Contemporary style homes within the Kalgoorlie Street and Ashby Street streetscapes:



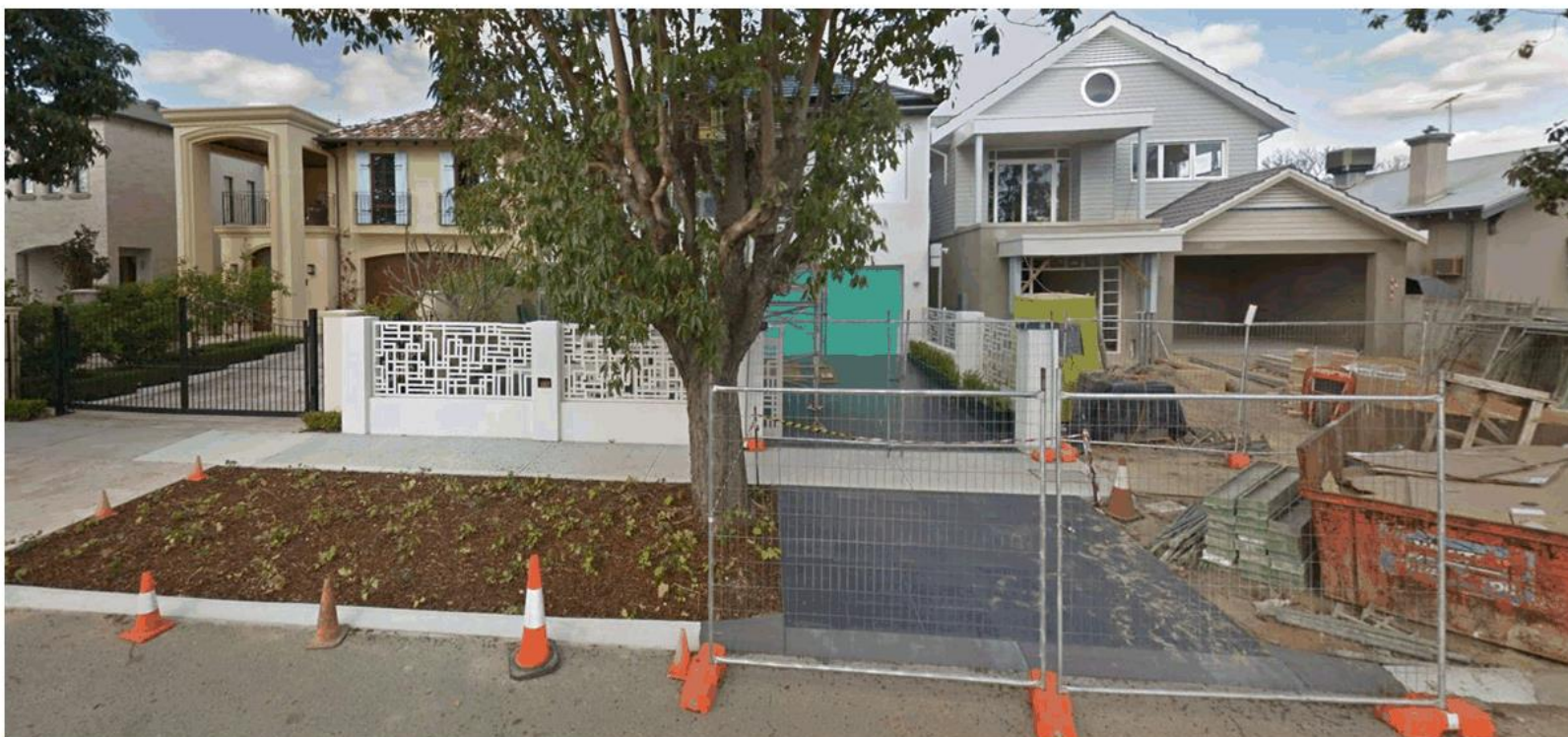
48 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



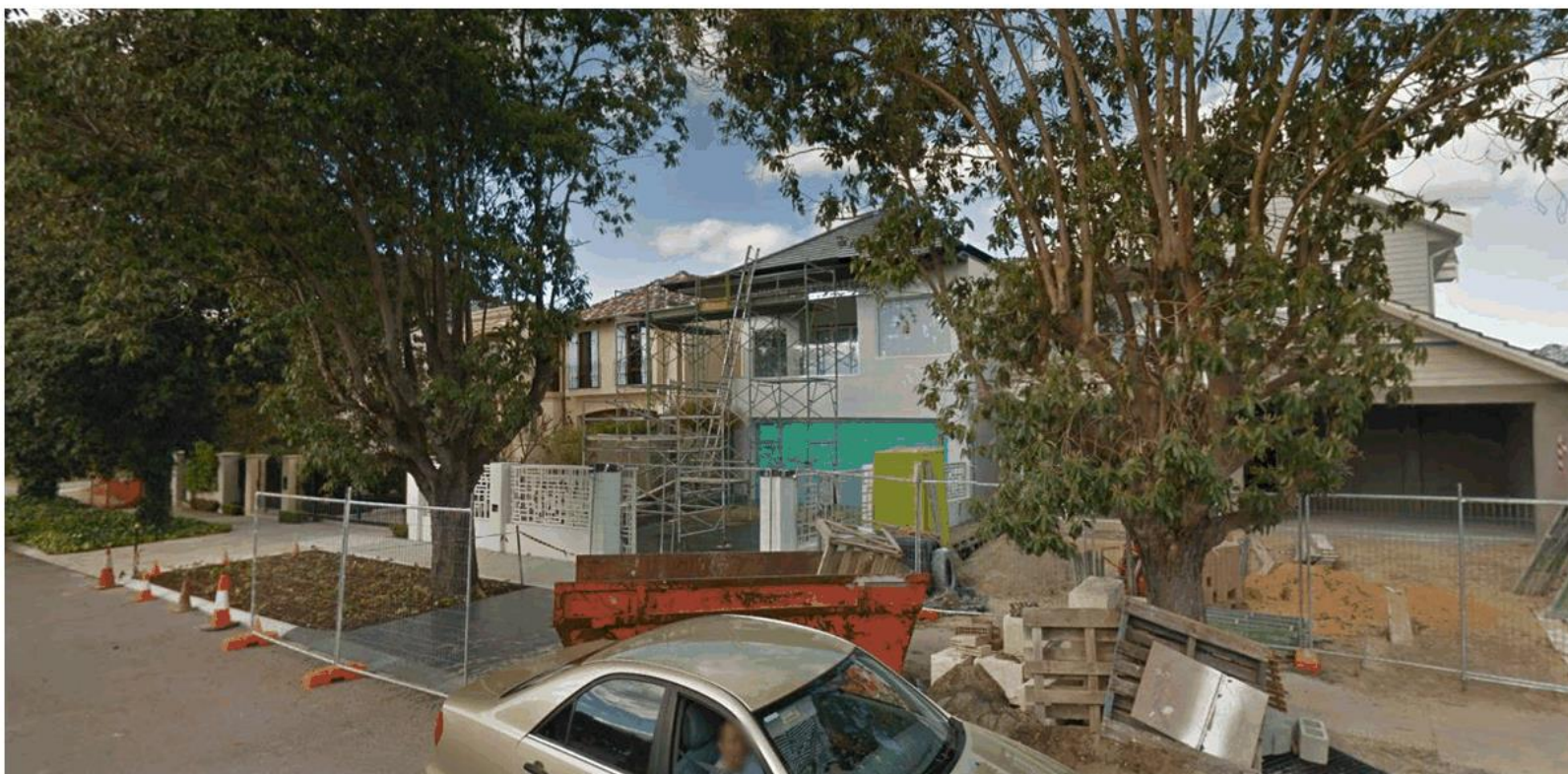
67 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



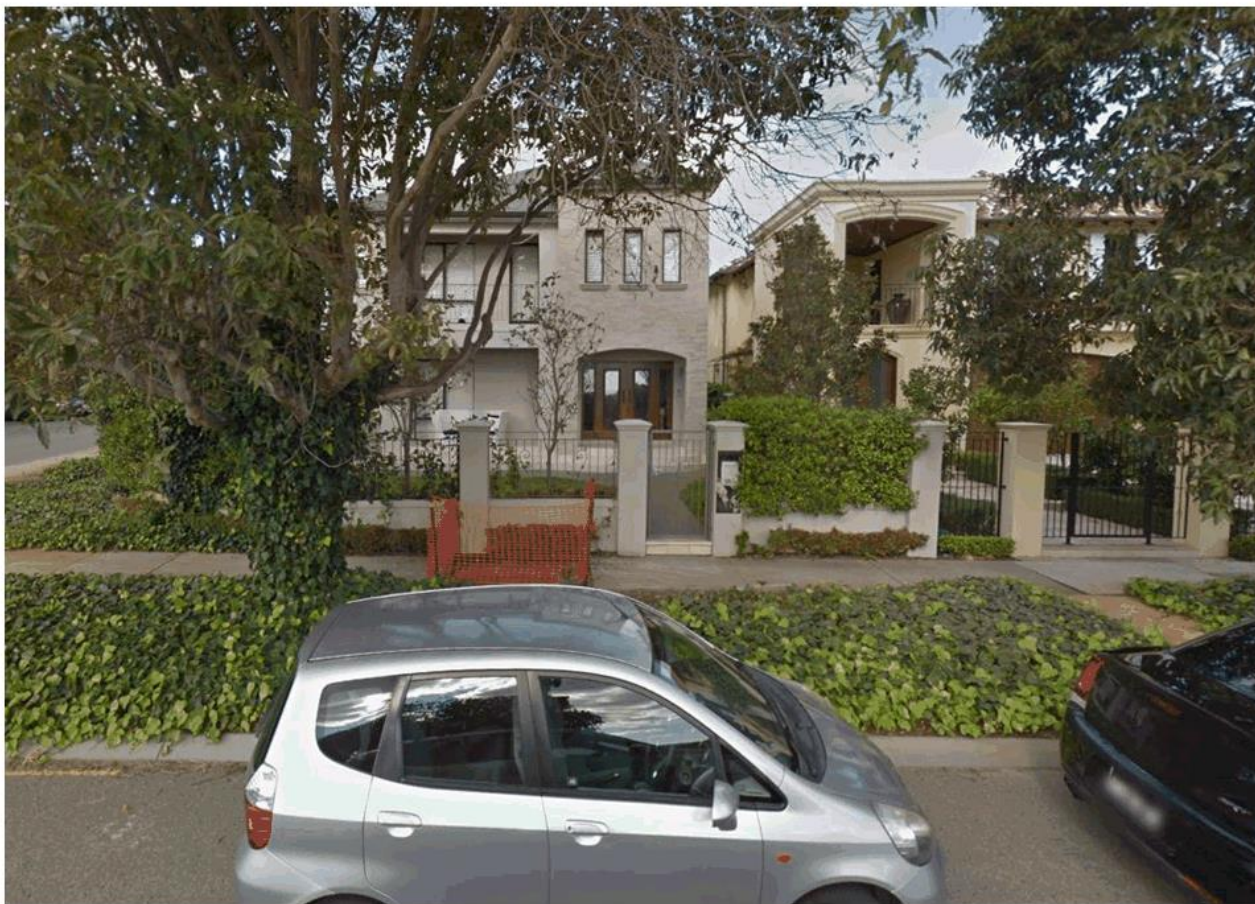
From left to right - 88 Kalgoorlie Street, 86 Kalgoorlie Street and 84 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right - 88 Kalgoorlie Street, 86 Kalgoorlie Street and 84 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



From left to right - 90 Kalgoorlie Street and 88 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



25 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



32 Ashby Street and 55 Kalgoorlie Street Mount Hawthorn.

Streetscape Analysis of Kalgoorlie Street, West Perth



70 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



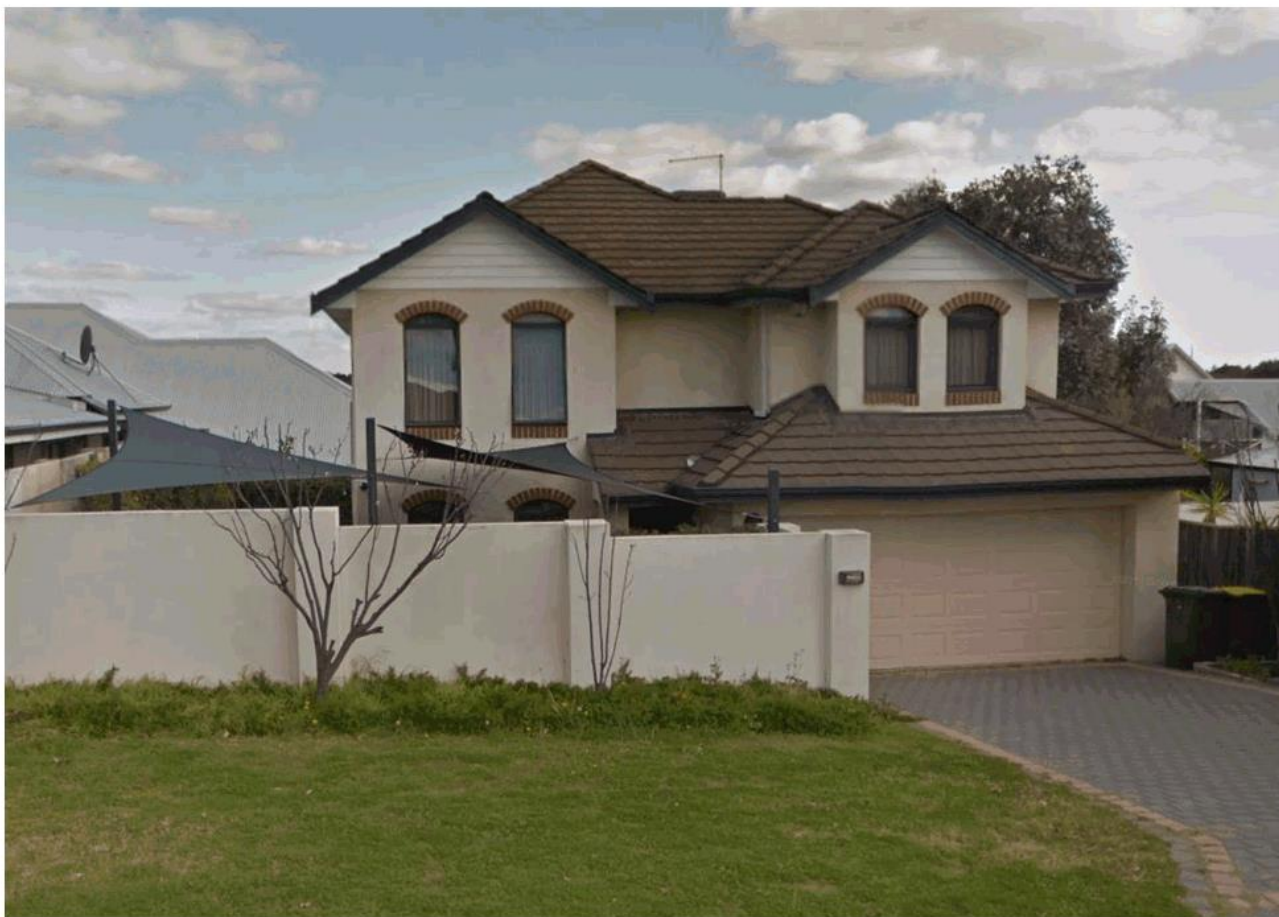
50 Kalgoorlie Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



Contemporary build at 52 Buxton Street Mount Hawthorn (cnr Ashby Street and Buxton Street)

Streetscape Analysis of Kalgoorlie Street, West Perth



35 Ashby Street Mount Hawthorn

Streetscape Analysis of Kalgoorlie Street, West Perth



Immediately adjoining property – 56 Kalgoorlie Street Mount Hawthorn

10 ENGINEERING

Nil

11 CORPORATE SERVICES**11.1 INVESTMENT REPORT AS AT 28 FEBRUARY 2019****TRIM Ref:** D19/33979**Author:** Nirav Shah, Coordinator Financial Services**Authoriser:** Kerryn Batten, Director Corporate Services**Attachments:** 1. Investment Report February 2019  **RECOMMENDATION:**

That Council **NOTES** the Investment Report for the month ended 28 February 2019 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the nature and value of the City's investments as at 28 February 2019 and the interest earned year to date.

BACKGROUND:

Surplus funds from day to day operational requirements are invested in bank term deposits for various terms, to facilitate maximum investment returns in accordance with good governance, legislative requirements and City's Investment Policy No 1.2.4 (Investment Policy).

Details of investments are included in **Attachment 1** and comprise:

- Investment performance and policy compliance charts;
- Investment portfolio data;
- Investment interest earnings; and
- Current investment holdings.

DETAILS:

The City's investment portfolio is diversified across several financial institutions in accordance with the City's Investment Policy.

As at 28 February 2019, the total funds held in the City's operating account (including on call) were \$44,227,308, compared to \$39,217,278 for the period ending 28 February 2018. The increased amount in total funds this month is a result of an increase in rates revenue because the 2018/2019 rates instalment notices were issued a month earlier compared to the prior year. In addition, the year to date capital expenditure items are underspent resulting in an excess of funds in the operating account.

Total term deposit investments for the period ending 28 February 2019 was \$36,178,794 compared to \$35,225,189 in the previous month, and almost on par with total investments at the same time last year at (\$36,665,928). This reflects that the City is maintaining a good balance between its investments and cash backed operating accounts.

The following table shows funds under management for the previous and current year:

Month Ended	2017/18		2018/19	
	Total funds held	Total term deposits	Total funds held	Total term deposits
July	\$23,433,728	\$21,212,649	\$26,826,861	\$23,990,516
August	\$30,161,860	\$27,714,651	\$44,327,708	\$37,499,275
September	\$40,305,364	\$37,944,911	\$44,209,274	\$40,651,147
October	\$41,087,462	\$38,947,823	\$44,463,021	\$41,180,325
November	\$41,716,473	\$39,482,047	\$44,188,761	\$42,678,504

December	\$38,768,084	\$37,065,389	\$40,977,846	\$38,667,039
January	\$39,498,741	\$36,147,499	\$42,109,674	\$35,225,189
February	\$39,217,278	\$36,665,928	\$44,227,308	\$36,178,794
March	\$36,377,700	\$34,622,001	-	-
April	\$33,647,074	\$31,177,278	-	-
May	\$30,338,407	\$28,712,736	-	-
June	\$28,409,157	\$24,687,341	-	-

Total accrued interest earned on investments as at 28 February 2019 is:

	Adopted Budget	YTD Budget	YTD Actual	% of YTD Budget
Municipal	\$420,000	\$342,400	\$390,462	114.04%
Reserve	\$246,060	\$160,700	\$187,241	116.52%
Sub-total	\$666,060	\$503,100	\$577,703	114.83%
Leederville Gardens Inc. Surplus Trust*	\$0	\$0	\$92,726	N/A

*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2018/19 Budget as actual interest earned is held in trust that is restricted.

The City has obtained a weighted average interest rate of 2.39% for current investments including the operating account and 2.75% excluding the operating account. The Reserve Bank 90 days accepted bill rate for February 2019 was 1.96%. As summarised in the table above, year to date actual interest earnings are tracking higher than the year to date budgeted amount.

Sustainable investments

The City's Investment Policy states that preference "is to be given to investments with institutions that have been assessed to have no current record of funding fossil fuels, providing that doing so will secure a rate of return that is at least equal to alternatives offered by other institutions". Administration currently uses Marketforces.org.au to assist in assessing whether a bank promotes non-investments in fossil fuel related entities. As at 28 February 2019, 33.47% of the City's investments were held in financial institutions considered to be investing in non-fossil fuel related activities by marketforces.org.au.

Administration is commencing a review of the investment policy, including sustainable investments, in March 2019 with a view to optimising investment returns while considering factors such as fossil fuel related investments.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The power to invest is governed by the *Local Government Act 1995*.

6.14. Power to invest

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds under the Trustees Act 1962 Part III.*
- (2A) *A local government is to comply with the regulations when investing money referred to in subsection (1).*
- (2) *Regulations in relation to investments by local governments may —*
 - (a) *make provision in respect of the investment of money referred to in subsection (1); and*
 - [(b) deleted]*
 - (c) *prescribe circumstances in which a local government is required to invest money held by it; and*
 - (d) *provide for the application of investment earnings; and*
 - (e) *generally provide for the management of those investments.*

Further controls are established through the following provisions in the Local Government (Financial Management) Regulations 1996:

19. Investments, control procedures for

- (1) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
- (2) *The control procedures are to enable the identification of —*
 - (a) *the nature and location of all investments; and*
 - (b) *the transactions related to each investment.*

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

- (1) *In this regulation —*
authorised institution means —
 - (a) *an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
 - (b) *the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;***foreign currency** means a currency except the currency of Australia.
- (2) *When investing money under section 6.14(1), a local government may not do any of the following —*
 - (a) *deposit with an institution except an authorised institution;*
 - (b) *deposit for a fixed term of more than 3 years;*
 - (c) *invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
 - (d) *invest in bonds with a term to maturity of more than 3 years;*
 - (e) *invest in a foreign currency.*

Council has delegated the authority to invest surplus funds to the Chief Executive Officer or his delegate to facilitate prudent and responsible investment.

Administration has established guidelines for the management of the City's investments, including maximum investment ratios as shown in the following table:

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum % with any one institution		Managed Funds Maximum % with any one institution		Maximum % of Total Portfolio	
	Policy	Actual	Policy	Actual	Policy	Actual
A1+	30%	23.9%	30%	Nil	90%	53.0%
A1	25%	5.7%	30%	Nil	80%	5.7%
A2	20%	15.7%	n/a	Nil	60%	41.4%

RISK MANAGEMENT IMPLICATIONS:

Low: Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

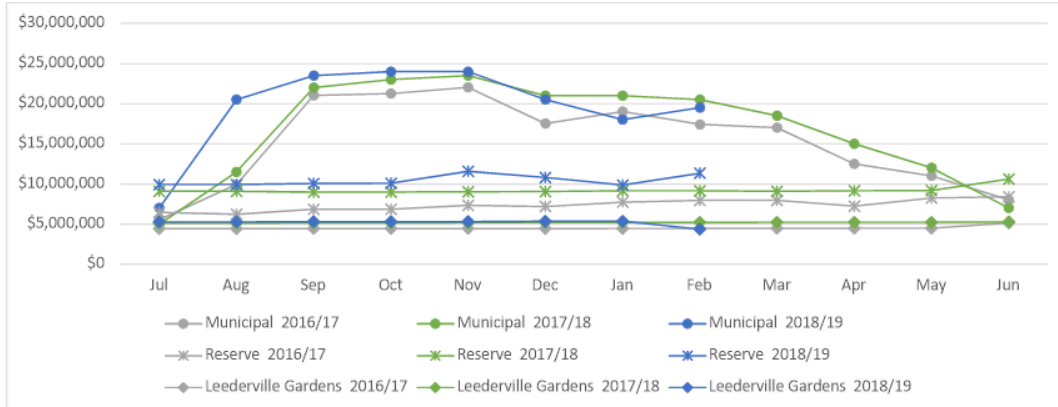
Nil.

FINANCIAL/BUDGET IMPLICATIONS:

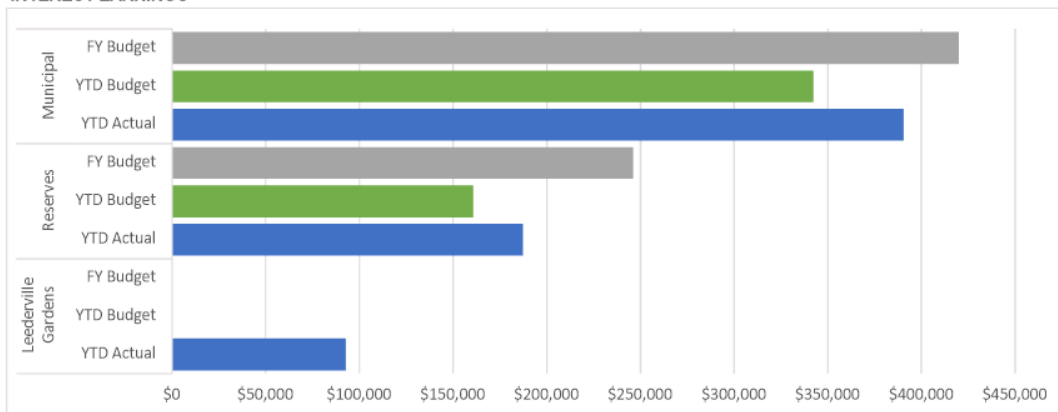
The financial implications of this report are as noted in the Details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

**CITY OF VINCENT
INVESTMENT PERFORMANCE
AS AT 28 FEBRUARY 2019**

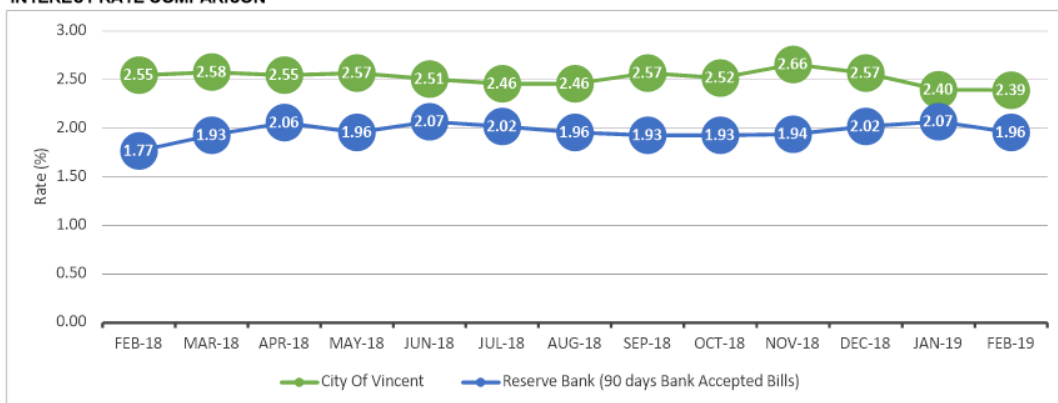
FUNDS INVESTED OVER 3 YEARS



INTEREST EARNINGS

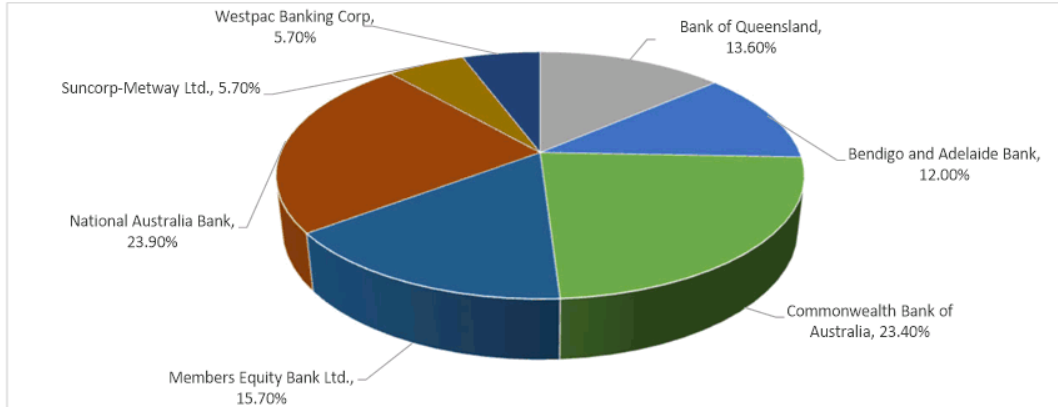


INTEREST RATE COMPARISON

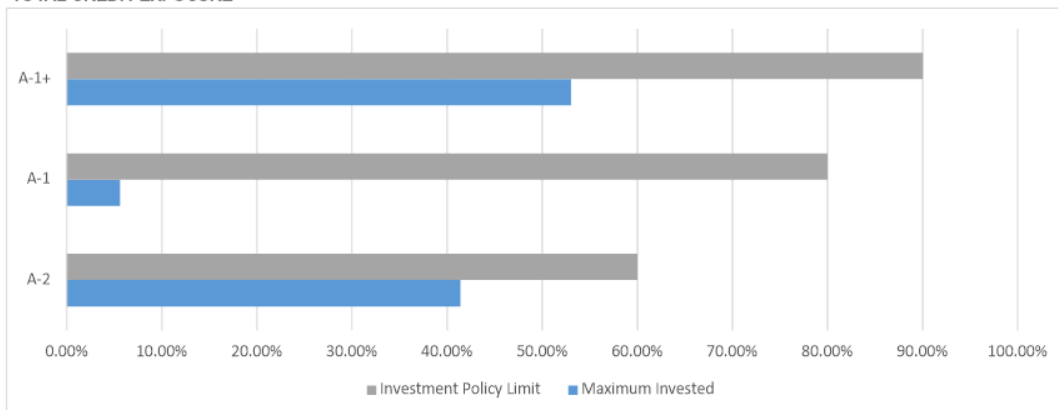


**CITY OF VINCENT
INVESTMENT POLICY COMPLIANCE
AS AT 28 FEBRUARY 2019**

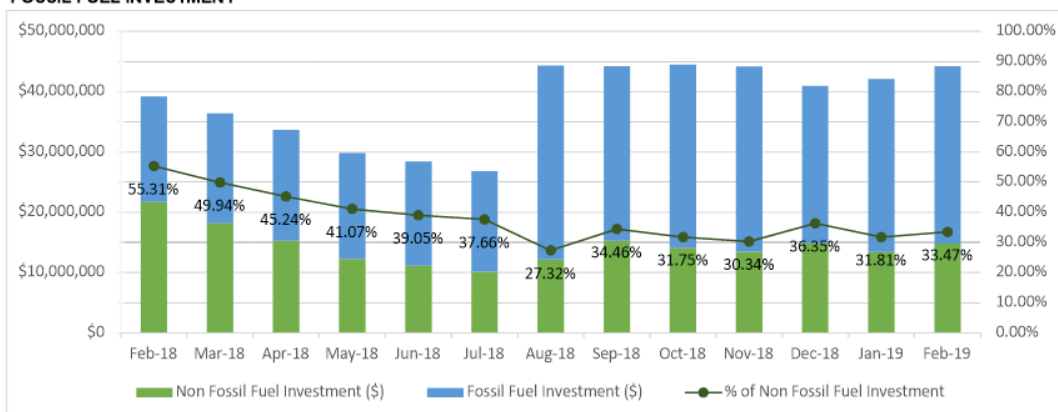
TOTAL PORTFOLIO EXPOSURE



TOTAL CREDIT EXPOSURE



FOSSIL FUEL INVESTMENT



* Selection of non fossil fuel investments is based on information provided by www.marketforces.org.au.

**CITY OF VINCENT
INVESTMENT PORTFOLIO
AS AT 28 FEBRUARY 2019**

	Municipal	Reserve	Trust	Leederville Gardens Inc Surplus Trust	Total	Total
	\$	\$	\$	\$	\$	%
BY INVESTMENT HOLDINGS						
Operating Accounts	4,694,027	989,287	2,354,200	0	8,037,514	18.1%
Term Deposits	19,500,000	11,331,993	0	5,346,801	36,178,794	81.9%
Equity Shares	11,000	0	0	0	11,000	0.0%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%
BY INSTITUTION						
Bank of Queensland	6,000,000	0	0	0	6,000,000	13.6%
Bendigo and Adelaide Bank	2,200,000	3,140,063	0	0	5,340,063	12.0%
Commonwealth Bank of Australia	4,694,027	1,449,243	2,354,200	1,852,139	10,349,609	23.4%
Members Equity Bank Ltd.	500,000	4,376,300	0	2,074,359	6,950,659	15.7%
National Australia Bank	6,300,000	2,855,674	0	1,420,303	10,575,977	23.9%
North Perth Community Bank	11,000	0	0	0	11,000	0.0%
Suncorp-Metway Ltd.	2,000,000	500,000	0	0	2,500,000	5.7%
Westpac Banking Corp	2,500,000	0	0	0	2,500,000	5.7%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%
BY CREDIT RATINGS (SHORT-TERM ISSUE)						
A-1+	13,494,027	4,304,917	2,354,200	3,272,442	23,425,586	53.0%
A-1	2,000,000	500,000	0	0	2,500,000	5.6%
A-2	8,711,000	7,516,363	0	2,074,359	18,301,722	41.4%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%
BY TERMS						
0-30 days	4,694,027	989,287	2,354,200	0	8,037,514	18.2%
31-90 days	0	0	0	0	0	0.0%
91-180 days	7,700,000	2,406,456	0	0	10,106,456	22.8%
181-270 days	10,000,000	0	0	2,074,359	12,074,359	27.3%
270-365 days	1,800,000	8,925,537	0	3,272,442	13,997,979	31.7%
> 1 year	11,000	0	0	0	11,000	0.0%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%
BY MATURITY						
0-30 days	10,694,027	1,949,243	2,354,200	777,485	15,774,955	35.7%
31-90 days	6,500,000	1,330,682	0	0	7,830,682	17.7%
91-180 days	6,000,000	6,185,681	0	3,494,662	15,680,343	35.5%
181-270 days	500,000	2,855,674	0	1,074,654	4,430,328	10.0%
270-365 days	500,000	0	0	0	500,000	1.1%
> 1 year	11,000	0	0	0	11,000	0.0%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%
BY FOSSIL FUEL EXPOSURE (as determined by www.marketforces.org.au)						
Fossil Fuel Lending	19,494,027	4,304,917	2,354,200	3,272,442	29,425,586	66.5%
Non Fossil Fuel Lending	4,711,000	8,016,363	0	2,074,359	14,801,722	33.5%
	24,205,027	12,321,280	2,354,200	5,346,801	44,227,308	100.0%

**CITY OF VINCENT
INVESTMENT INTEREST EARNINGS
AS AT 28 FEBRUARY 2019**

	YTD 28/02/2019 \$	YTD 28/02/2018 \$	FY 2018/19 \$	FY 2017/18 \$
MUNICIPAL FUNDS				
Budget	342,400	306,590	420,000	423,000
Interest Earnings	390,462	349,505	390,462	506,274
% Income to Budget	114.04%	114.00%	92.97%	119.69%
RESERVE FUNDS				
Budget	160,700	161,740	246,060	220,000
Interest Earnings	187,241	159,310	187,241	240,110
% Income to Budget	116.52%	98.50%	76.10%	109.14%
LEEDERVILLE GARDENS INC SURPLUS TRUST				
Budget	0	0	0	0
Interest Earnings	92,726	93,657	92,726	139,939
% Income to Budget	0.00%	0.00%	0.00%	0.00%
TOTAL				
Budget	503,100	468,330	666,060	643,000
Interest Earnings	670,429	602,472	670,429	886,323
% Income to Budget	133.26%	128.64%	100.66%	137.84%
Variance	167,329	134,142	4,369	243,323
% Variance to Budget	33.26%	28.64%	0.66%	37.84%
TOTAL (EXCL. LEEDERVILLE GARDENS INC SURPLUS TRUST)				
Budget	503,100	468,330	666,060	643,000
Interest Earnings	577,703	508,815	577,703	746,384
% Income to Budget	114.83%	108.64%	86.73%	116.08%
Variance	74,603	40,485	(88,357)	103,384
% Variance to Budget	14.83%	8.64%	-13.27%	16.08%

**CITY OF VINCENT
CURRENT INVESTMENT HOLDING
AS AT 28 FEBRUARY 2019**

Funds	Institution	Investment Date	Maturity Date	Term	Interest Rate	Principal \$
OPERATING ACCOUNTS						
Municipal	Commonwealth Bank of Australia					4,694,027
Reserve	Commonwealth Bank of Australia					989,287
Trust	Commonwealth Bank of Australia					2,354,200
Total Operating Funds						8,037,514
EQUITY SHARES						
Municipal	North Perth Community Bank	23/11/2001				11,000
Total Shares						11,000
TERM DEPOSITS						
Municipal	Westpac Banking Corp	22/03/2018	04/03/2019	347	2.69%	500,000
Municipal	Bank of Queensland	04/09/2018	05/03/2019	182	2.75%	500,000
Leederville Gardens Inc	Commonwealth Bank of Australia	12/03/2018	11/03/2019	364	2.66%	777,485
Reserve	Commonwealth Bank of Australia	12/03/2018	11/03/2019	364	2.66%	459,956
Municipal	Bank of Queensland	04/09/2018	11/03/2019	188	2.75%	1,000,000
Reserve	Suncorp-Metway Ltd.	14/06/2018	12/03/2019	271	2.80%	500,000
Municipal	Bank of Queensland	31/08/2018	18/03/2019	199	2.75%	3,000,000
Municipal	Bank of Queensland	04/09/2018	25/03/2019	202	2.75%	1,000,000
Municipal	Bank of Queensland	04/09/2018	01/04/2019	209	2.75%	500,000
Reserve	Members Equity Bank Ltd.	12/04/2018	08/04/2019	361	2.75%	579,938
Municipal	Suncorp-Metway Ltd.	20/09/2018	08/04/2019	200	2.70%	1,000,000
Municipal	National Australia Bank	11/10/2018	15/04/2019	186	2.70%	500,000
Municipal	Suncorp-Metway Ltd.	20/09/2018	23/04/2019	215	2.70%	1,000,000
Municipal	National Australia Bank	11/10/2018	29/04/2019	200	2.71%	500,000
Reserve	Members Equity Bank Ltd.	08/05/2018	06/05/2019	363	2.80%	750,744
Municipal	National Australia Bank	11/10/2018	06/05/2019	207	2.71%	1,000,000
Municipal	National Australia Bank	30/11/2018	13/05/2019	164	2.73%	500,000
Municipal	National Australia Bank	30/11/2018	20/05/2019	171	2.73%	1,000,000
Municipal	Bendigo and Adelaide Bank	19/12/2018	27/05/2019	159	2.75%	500,000
Municipal	Bendigo and Adelaide Bank	19/12/2018	04/06/2019	167	2.75%	1,000,000
Municipal	National Australia Bank	14/06/2018	11/06/2019	362	2.80%	300,000
Leederville Gardens Inc	National Australia Bank	14/06/2018	11/06/2019	362	2.80%	1,420,303
Reserve	Bendigo and Adelaide Bank	29/06/2018	11/06/2019	347	2.85%	2,415,020
Municipal	Bendigo and Adelaide Bank	19/12/2018	11/06/2019	174	2.75%	500,000
Municipal	Bendigo and Adelaide Bank	19/12/2018	11/06/2019	174	2.75%	200,000
Municipal	Westpac Banking Corp	19/12/2018	17/06/2019	180	2.80%	1,500,000
Leederville Gardens Inc	Members Equity Bank Ltd.	19/12/2018	15/07/2019	208	2.80%	2,074,359
Reserve	Bendigo and Adelaide Bank	17/08/2018	29/07/2019	346	2.75%	725,042
Reserve	Members Equity Bank Ltd.	05/09/2018	26/08/2019	355	2.75%	639,162
Municipal	Members Equity Bank Ltd.	05/09/2018	02/09/2019	362	2.75%	500,000
Leederville Gardens Inc	Commonwealth Bank of Australia	19/09/2018	02/09/2019	348	2.72%	1,074,654
Reserve	National Australia Bank	11/10/2018	23/09/2019	347	2.75%	648,681
Reserve	National Australia Bank	08/11/2018	14/10/2019	340	2.72%	727,443
Reserve	National Australia Bank	30/11/2018	25/11/2019	360	2.78%	1,479,550
Municipal	Westpac Banking Corp	19/12/2018	19/12/2019	365	2.80%	500,000
Total Term Deposits						36,178,794
Total Investment Including At Call						44,227,308

CITY OF VINCENT
Investment Report - Agenda
28/02/2019

Total Funds Held	44,227,308
Total Investment	36,189,794

Total Accrued Interest Earned on Investment	Budget Adopted	Budget YTD	Actual YTD	% of FY Budget	Check
Municipal	\$420,000	\$342,400	\$390,462	114.04%	0.00%
Reserve	\$246,060	\$160,700	\$187,241	116.52%	0.00%
Subtotal	\$666,060	\$503,100	\$577,703	114.83%	0.00%
Leederville Gardens Inc Surplus Trust*	\$0	\$0	\$92,726	0.00%	0.00%
Total	\$666,060	\$503,100	\$670,429	133.26%	0.00%

	Maximum % with one Institution		Maximum % of Total Portfolio	
A-1+	30.0%	23.9%	90.0%	53.0%
A-1	25.0%	5.7%	80.0%	5.7%
A-2	20.0%	15.7%	60.0%	41.4%
				100.00%

Weighted Average Interest Rate for the last day of the month			
City of Vincent (incl. operating funds)		2.39%	0.00%
City of Vincent (excl. operating funds)		2.75%	
Reserve Bank of Australia		1.96%	

Investment Earnings - Exceed/(deficit)	\$	%
Total investment earnings variance	167,329.00	33.26%
Interest earned by LGI Investment	92,726.00	
Total investment earnings variance excl. LGI Investment	74,603.00	14.83%

Non-fossil Fuel investment		
Total non-fossil fuel investment	33.47%	0.00%

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 FEBRUARY 2019 TO 28 FEBRUARY 2019

TRIM Ref: D19/34172

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: Kerryn Batten, Executive Director Corporate Services

Attachments:

1. Payments by EFT, BPAY and Payroll February 2019 [↓](#) 
2. Payments by Cheque February 2019 [↓](#) 
3. Payments by Direct Debit February 2019 [↓](#) 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2019 to 28 February 2019 as detailed in attachment 1, 2 and 3 as summarised below:

EFT and BPAY payments, including payroll	\$4,079,719.33
Cheques	\$74,510.57
Direct debits, including credit cards	\$185,184.95
Total payments for February 2019	\$4,339,414.85

PURPOSE OF REPORT:

To present to Council the expenditure and list of accounts paid for the period 1 February 2019 to 28 February 2019.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 1.14) the 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 1 February 2019 to 28 February 2019, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT and BPAY Payments	2366 - 2376	\$2,795,364.26
Payroll by Direct Credit	February 2019	\$1,284,355.07
Sub Total		\$4,079,719.33
Cheques	82484 - 82491	\$75,585.57
Cancelled cheques	81298, 81561 and 81341	-\$1,075.00
Sub Total		\$74,510.57

Bank Charges and Other Direct Debits

Lease Fees	\$385.00
Loan Repayments	\$149,992.13
Bank Charges – CBA	\$28,399.23
Credit Cards	\$6,408.59
Sub Total	\$185,184.95

Total Payments **\$4,339,414.85**

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. Financial Reporting to Council increases transparency and accountability.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

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.

Creditors Report - Payments by EFT, BPAY and Payroll 01/02/19 to 28/02/19				
Creditor	Date	Payee	Description	Amount
2366.10002-01	04/02/2019	Culture Counts (Australia) Pty Ltd	Data collection and reports - Summer Events 2019	\$ 8,107.00
2366.10006-01	04/02/2019	A Di Leva	Part refund of Beatty Park Leisure Centre fees	\$ 71.06
2366.10007-01	04/02/2019	R K Garvey	Part refund of Beatty Park Leisure Centre fees	\$ 52.80
2366.10008-01	04/02/2019	M L Borland	Part refund of Beatty Park Leisure Centre fees	\$ 85.75
2366.10009-01	04/02/2019	H Lim	Part refund of Beatty Park Leisure Centre fees	\$ 58.94
2366.10010-01	04/02/2019	J Leivers	Donation - Next Gen Film Festival	\$ 375.00
2366.10011-01	04/02/2019	A P Kailis	Reimbursement of company incorporation fee - for West End Arts Precinct	\$ 152.25
2366.10014-01	04/02/2019	Reece Beresford t/a Truline Construction	Refund of infrastructure bond	\$ 3,000.00
2366.10015-01	04/02/2019	S D Dacko	Refund of infrastructure bond	\$ 3,000.00
2366.10016-01	04/02/2019	Riviera Homes WA	Refund of infrastructure bond	\$ 6,000.00
2366.10017-01	04/02/2019	T J Sprigg	Refund of infrastructure bond	\$ 3,000.00
2366.10018-01	04/02/2019	T J Cosby	Refund of infrastructure bond	\$ 3,000.00
2366.10019-01	04/02/2019	B Mucjanko	Refund of infrastructure bond	\$ 3,000.00
2366.10020-01	04/02/2019	P Sinton	Refund of parking ticket	\$ 3.00
2366.10022-01	04/02/2019	Next Power (WA) Pty Ltd	Annual PV system safety inspection - BPLC	\$ 715.00
2366.10023-01	04/02/2019	H Hart	Part refund of Beatty Park Leisure Centre fees	\$ 830.00
2366.10024-01	04/02/2019	F Perham	Part refund of Beatty Park Leisure Centre fees	\$ 171.42
2366.10025-01	04/02/2019	C Yeo	Part refund of Beatty Park Leisure Centre fees	\$ 14.00
2366.10026-01	04/02/2019	J M Hyde	Part refund of dog registration	\$ 150.00
2366.10027-01	04/02/2019	M J Boyd	Part refund of dog registration	\$ 150.00
2366.10028-01	04/02/2019	L M Fletcher	Part refund of dog registration	\$ 30.00
2366.10029-01	04/02/2019	E J Green-Armytage	Part refund of dog registration	\$ 150.00
2366.10030-01	04/02/2019	The Naturopath Shop	Fitness instructor fees	\$ 180.87
2366.10032-01	04/02/2019	J Coward	Refund of hall bond	\$ 1,500.00
2366.10033-01	04/02/2019	P Traianou and M C Traianou	Rates refund - overpayment	\$ 561.22
2366.10034-01	04/02/2019	Vividwireless Pty Ltd	Rates refund - interim processing	\$ 420.36
2366.10035-01	04/02/2019	C Evans	Part refund of dog registration	\$ 150.00
2366.10036-01	04/02/2019	U R Murabito	Rates refund - pensioner rebate	\$ 317.56
2366.2029-01	04/02/2019	Bunnings Trade	Hardware supplies - various departments	\$ 702.43
2366.2033-01	04/02/2019	BOC Limited	Oxygen supplies and CO2 for beverage	\$ 480.49
2366.2049-01	04/02/2019	City of Perth	BA archive retrievals; cycle lane cleaning services	\$ 551.28
2366.2053-01	04/02/2019	Coca-Cola Amatil (Aust) Pty Limited	Beatty Park Café supplies	\$ 5,622.18
2366.2106-01	04/02/2019	Programmed Integrated Workforce Ltd	Temporary staff - Waste	\$ 3,728.63
2366.2113-01	04/02/2019	Kleenheat Gas	Forklift gas supplies - Depot	\$ 194.01

Creditor	Date	Payee	Description	Amount
2366.2119-01	04/02/2019	Line Marking Specialists	Line marking services - various locations	\$ 8,111.40
2366.2120-01	04/02/2019	LO-GO Appointments	Temporary staff - Waste	\$ 1,832.68
2366.2122-01	04/02/2019	Bucher Municipal Pty Ltd	Plant repairs and maintenance	\$ 1,307.24
2366.2126-01	04/02/2019	Mayday Earthmoving	Bobcat, truck and mini excavator hire - various locations	\$ 5,359.75
2366.2136-01	04/02/2019	Mindarie Regional Council	Processable and non processable waste	\$ 193,880.59
2366.2175-01	04/02/2019	Pro Turf Services	Plant repairs and maintenance	\$ 206.25
2366.2188-01	04/02/2019	Running Bare Australia Pty Ltd	Merchandise - BPLC	\$ 294.25
2366.2189-01	04/02/2019	SAS Locksmiths	Key cutting & lock maintenance service - various locations	\$ 443.99
2366.2192-01	04/02/2019	Sigma Chemicals	Pool chemicals	\$ 7,586.91
2366.2195-01	04/02/2019	Civica Pty Limited	Staff training - Civica exchange forum	\$ 649.00
2366.2204-01	04/02/2019	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 19.25
2366.2221-01	04/02/2019	Turfmaster Facility Management	Supply & lay jumbo kikuyu - Leederville	\$ 13,310.00
2366.2229-01	04/02/2019	W.A. Hino Sales & Service	Plant repairs and maintenance	\$ 231.07
2366.3013-01	04/02/2019	Bollinger & Co Pty Ltd	Repair automatic gate - Depot	\$ 999.71
2366.3030-01	04/02/2019	Rentokil Initial Pty Ltd	Pest control services - BPLC	\$ 1,893.06
2366.3057-01	04/02/2019	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 1,791.23
2366.3066-01	04/02/2019	The Royal Life Saving Society Western Australia Inc	Water testing - Hyde Park water playground	\$ 7,515.20
2366.3091-01	04/02/2019	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 2,376.00
2366.3099-01	04/02/2019	Total Packaging WA Pty Ltd	Supply of dog litter bags	\$ 5,561.60
2366.3146-01	04/02/2019	KS Black Pty Ltd	Bore development & maintenance - Albert/Angove St Reserve	\$ 5,003.90
2366.3170-01	04/02/2019	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 767.90
2366.3280-01	04/02/2019	Actimed Australia	Gym equipment supplies	\$ 47.58
2366.3315-01	04/02/2019	RPG Auto Electrics	Plant repairs and maintenance	\$ 2,097.10
2366.3336-01	04/02/2019	Ed Art Supplies	Library supplies	\$ 124.63
2366.3337-01	04/02/2019	E Bentley	Reimbursement of expenses - workshop & digital music kit	\$ 191.55
2366.3393-01	04/02/2019	Allstamps	Supply of self inking stamp - Library	\$ 32.60
2366.3397-01	04/02/2019	Fuji Xerox Australia Pty Ltd	Copy costs - various departments	\$ 2,413.05
2366.3474-01	04/02/2019	CSP Group Pty Ltd	Plant repairs and maintenance	\$ 568.25
2366.3492-01	04/02/2019	West Australian Newspapers Limited	Newspaper deliveries - various locations	\$ 228.12
2366.3493-01	04/02/2019	Advanced Spatial Technologies Pty Ltd	Annual subscription - AutoCAD and maps	\$ 5,104.00
2366.3511-01	04/02/2019	City of Stirling	Meals on Wheels	\$ 409.75
2366.3614-01	04/02/2019	Exclusive Trophies	Supply of trophies - Garden competition	\$ 1,418.34
2366.3662-01	04/02/2019	Western Resource Recovery Pty Ltd	Grease trap maintenance - Charles Veryard Reserve	\$ 209.66
2366.3772-01	04/02/2019	Midalia Steel	Hardware supplies - BPLC	\$ 148.50
2366.3913-01	04/02/2019	Kennards Hire	Equipment hire - various departments	\$ 3,880.00
2366.4017-01	04/02/2019	Trisley's Hydraulic Services Pty Ltd	Pool equipment maintenance - BPLC	\$ 349.36
2366.4177-01	04/02/2019	W.A. Limestone Co	Limestone supplies	\$ 1,770.42
2366.4191-01	04/02/2019	G Burgess	Distribution services - What's on in waste flyers	\$ 4,200.00
2366.4199-01	04/02/2019	The Children's Book Council Of Australia (WA Branch)	Annual membership subscription	\$ 60.00

Creditor	Date	Payee	Description	Amount
2366.4367-01	04/02/2019	Academy Services WA Pty Ltd	Cleaning services - various locations	\$ 864.60
2366.4418-01	04/02/2019	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 4,426.79
2366.4481-01	04/02/2019	QuickMail	Printing services - Well & Wise program	\$ 2,370.46
2366.4493-01	04/02/2019	Tom Lawton - Bobcat Hire	Bobcat hire	\$ 5,824.50
2366.4627-01	04/02/2019	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 4,091.24
2366.4637-01	04/02/2019	Multi Mix Concrete Pty Ltd	Concrete supplies - various locations	\$ 2,929.08
2366.4678-01	04/02/2019	Dunbar Services (WA) Pty Ltd	Cleaning exhaust systems - BPLC	\$ 984.50
2366.4768-01	04/02/2019	Optus Billing Services Pty Ltd	Telephone and internet charges - various locations	\$ 2,487.71
2366.4889-01	04/02/2019	Officeworks Ltd	Office consumables	\$ 102.71
2366.4971-01	04/02/2019	Totally Workwear	Uniform supplies - various departments	\$ 2,638.20
2366.5080-01	04/02/2019	Repco	Auto part supplies	\$ 141.72
2366.5084-01	04/02/2019	ATF Services Pty Ltd	Security fence - Cheriton Street	\$ 144.21
2366.5106-01	04/02/2019	Way Funky Company Pty Ltd	Merchandise - BPLC	\$ 7,177.61
2366.5193-01	04/02/2019	Protector Fire Services Pty Ltd	Fire equipment maintenance - various locations	\$ 5,150.09
2366.5199-01	04/02/2019	Rockwater Pty Ltd	Geothermal monitoring review - BPLC	\$ 782.38
2366.5301-01	04/02/2019	Kott Gunning	Legal services - prosecution fees	\$ 4,738.58
2366.5414-01	04/02/2019	Phonographic Performance Company of Australia Ltd	Music licence in fitness classes	\$ 1,600.59
2366.5500-01	04/02/2019	Workwear Group Pty Ltd	Uniform supplies - various departments	\$ 6,504.24
2366.5598-01	04/02/2019	Total Eden Pty Ltd	Reticulation supplies	\$ 520.14
2366.5683-01	04/02/2019	Tourism Brochure Exchange	Distribution services - BPLC	\$ 165.00
2366.5700-01	04/02/2019	Jack Lockers	Locker hire - BPLC	\$ 1,814.09
2366.5773-01	04/02/2019	Dsatco Pty Ltd	Supply of mulch	\$ 199.75
2366.5790-01	04/02/2019	Giant Autos (1997) Pty Ltd	Vehicle service and repairs	\$ 442.40
2366.5836-01	04/02/2019	Manheim Pty Ltd	Towing services	\$ 115.50
2366.6072-01	04/02/2019	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 9,244.20
2366.6081-01	04/02/2019	Boral Construction Materials Group Limited	Concrete supplies - various locations	\$ 569.50
2366.6218-01	04/02/2019	Devco Builders	Maintenance and repairs - various locations	\$ 9,752.31
2366.6259-01	04/02/2019	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 2,124.10
2366.6482-01	04/02/2019	Department of Transport	Vehicle ownership searches	\$ 1,825.80
2366.6486-01	04/02/2019	Blue Heeler Trading	Embroidery services - BPLC	\$ 1,128.60
2366.6501-01	04/02/2019	Shop for Shops	Retail labels - BPLC	\$ 45.05
2366.6551-01	04/02/2019	iSUBSCRIBE Pty Ltd	Library magazine subscriptions	\$ 565.14
2366.6587-01	04/02/2019	A Radici	Expenses reimbursement - Development Services planning	\$ 59.87
2366.6648-01	04/02/2019	Environmental Health Australia (WA) Inc	Staff training - WA Conference	\$ 2,500.00
2366.6783-01	04/02/2019	Action Asbestos Removals	Asbestos removal services	\$ 352.00
2366.6799-01	04/02/2019	Beaufort Street Network Inc.	Festival funding	\$ 6,000.00
2366.6903-01	04/02/2019	APARC	Software licensing and sensors maintenance	\$ 2,305.95
2366.7118-01	04/02/2019	C Wood Distributors	Beatty Park Café supplies	\$ 2,411.75
2366.7189-01	04/02/2019	Steann Pty Ltd	Collect and dispose of illegally dumped goods	\$ 825.00

Creditor	Date	Payee	Description	Amount
2366.7388-01	04/02/2019	Vorgee Pty Ltd	Merchandise - BPLC	\$ 1,174.80
2366.7399-01	04/02/2019	Briskleen Supplies	Toiletry and cleaning products - BPLC; sanipod service	\$ 3,896.44
2366.7420-01	04/02/2019	Leederville Hotel (T/A Pent Pty Ltd)	Parking revenue distribution	\$ 16,675.42
2366.7477-01	04/02/2019	Expo Group	Printing services - various departments	\$ 519.20
2366.7481-01	04/02/2019	Regents Commercial	Variable outgoings - Barlee Street car park	\$ 2,815.81
2366.7510-01	04/02/2019	Northsands Resources	Construction waste disposal services and sand supplies	\$ 2,080.16
2366.7593-01	04/02/2019	Yoshino Sushi	Beatty Park Café supplies	\$ 259.16
2366.7605-01	04/02/2019	Centropak	Beatty Park Café supplies	\$ 1,446.62
2366.7729-01	04/02/2019	Anna Cappelletta	Fitness instructor fees	\$ 602.70
2366.7776-01	04/02/2019	Aqueo Import & Distribution Pty Ltd	Merchandise - BPLC	\$ 3,406.26
2366.7924-01	04/02/2019	Alerton Australia	Building management system contract - BPLC 3 months	\$ 6,395.40
2366.7938-01	04/02/2019	Talis Consultants Pty Ltd - ATF Talis Unit Trust	Consultancy - Asset management plan reviews	\$ 2,200.00
2366.7946-01	04/02/2019	Connect Security Systems	Replace CCTV batteries - BPLC	\$ 203.76
2366.7950-01	04/02/2019	Rawlicious Delights	Beatty Park Café supplies	\$ 169.40
2366.7955-01	04/02/2019	Synergy	Electricity and gas charges - various locations	\$ 2,924.35
2366.7961-01	04/02/2019	Spider Waste Collection Services Pty Ltd	Mattress collection services	\$ 3,908.30
2366.8118-01	04/02/2019	Vendpro	Vending machine hire - BPLC	\$ 235.40
2366.8186-01	04/02/2019	Kestral Computing Pty Ltd	Phoenix annual licence & support fee - venue booking	\$ 10,197.00
2366.8305-01	04/02/2019	Charmaine Amanda Magness	Fitness instructor fees	\$ 227.36
2366.8307-01	04/02/2019	MessageMedia	SMS integrating for Phoenix	\$ 107.37
2366.8327-01	04/02/2019	Courtney Hahipene	Fitness instructor fees	\$ 120.58
2366.8343-01	04/02/2019	Volunteering WA	Annual membership subscription	\$ 290.00
2366.8425-01	04/02/2019	Paceway Mitsubishi	Vehicle service and repairs	\$ 454.10
2366.8480-01	04/02/2019	Perth Electric Bike Centre	Repairs to staff electric bike	\$ 434.80
2366.8498-01	04/02/2019	Wheelers Books	Library books	\$ 602.23
2366.8515-01	04/02/2019	Institute of Public Administration Australia WA	Conference registration - IPAA WA President address	\$ 420.00
2366.8547-01	04/02/2019	AWB Building Co.	Plumbing services - various locations	\$ 1,576.99
2366.8620-01	04/02/2019	Boyan Electrical Services	Electrical services - various locations	\$ 11,696.30
2366.8672-01	04/02/2019	Brownes Foods Operations Pty Ltd	Beatty Park Café supplies	\$ 1,634.68
2366.8677-01	04/02/2019	Six Sigma Phoenix	Seniors computer workshop - Library	\$ 680.00
2366.8684-01	04/02/2019	Ip Khalsa Pty Ltd	Mail delivery service	\$ 173.32
2366.8694-01	04/02/2019	Nordic Fitness Equipment	Cleaning wipes for gym	\$ 711.50
2366.8737-01	04/02/2019	Unilever Australia Ltd	Beatty Park Café supplies	\$ 8,047.44
2366.8743-01	04/02/2019	Konica Minolta Business Solutions Australia Pty Ltd	Copy cost - various departments	\$ 2,113.01
2366.8750-01	04/02/2019	Yolande Gomez	Fitness instructor fees	\$ 444.20
2366.8756-01	04/02/2019	Kevin Baruffi & Associates	Parking revenue distribution - 3 months	\$ 27,306.73
2366.8772-01	04/02/2019	Access Icon Pty Ltd	Supply of side entry frames and covers - Depot	\$ 1,677.50
2366.8793-01	04/02/2019	Nightlife Music Pty Ltd	Crowd DJ - BPLC	\$ 568.09
2366.8829-01	04/02/2019	InterStream Pty Ltd	Webcast and hosting service	\$ 1,386.00

Creditor	Date	Payee	Description	Amount
2366.8911-01	04/02/2019	Quayclean Australia Pty Ltd	Cleaning services - BPLC	\$ 10,420.81
2366.8938-01	04/02/2019	Atmos Foods Pty Ltd	Beatty Park Café supplies	\$ 475.20
2366.8952-01	04/02/2019	Environmental Resources T/A Biotuff	Compostable bin liners - BPLC	\$ 510.40
2366.8959-01	04/02/2019	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 4,640.75
2366.8964-01	04/02/2019	New Dimension Mechanical Services	Air conditioning repairs - BPLC	\$ 269.50
2366.8976-01	04/02/2019	Stott Hoare	Purchase of two laptops and computer accessories	\$ 3,875.30
2366.8990-01	04/02/2019	Regal Cement & Sales Pty Ltd	Soakwell supplies	\$ 1,200.00
2366.8997-01	04/02/2019	Fiona Oakshott	Fitness instructor fees	\$ 56.84
2366.9130-01	04/02/2019	Frostbland Pty Ltd	Merchandise - BPLC	\$ 441.00
2366.9165-01	04/02/2019	Vigilant Traffic Management Group Pty Ltd	Traffic management services - various locations	\$ 7,485.16
2366.9172-01	04/02/2019	Traffic Systems West (Ennis Traffic Safety Solutions Pty Ltd)	Supply and install road markings - Wright/Bulwer Street	\$ 3,300.00
2366.9202-01	04/02/2019	Daniel Bullen	Fitness instructor fees	\$ 431.04
2366.9225-01	04/02/2019	Cockburn Party Hire	Bean bag hire - VYN movie night	\$ 767.00
2366.9263-01	04/02/2019	Zimbulis Foods	Beatty Park Café supplies	\$ 990.09
2366.9299-01	04/02/2019	SpacetoCo Pty Ltd	Facilities weekly reporting and financial handling	\$ 330.00
2366.9369-01	04/02/2019	K Roach	Fitness instructor fees	\$ 227.36
2366.9420-01	04/02/2019	North City Holden	Vehicle service & repairs	\$ 304.00
2366.9572-01	04/02/2019	CSE Crosscom Pty Ltd	Software, network access and installation - hand held radios	\$ 8,425.05
2366.9652-01	04/02/2019	Perth Auto Alliance Pty Ltd	Vehicle service and repairs	\$ 1,549.10
2366.9666-01	04/02/2019	Central Building Company	Refund of works bond	\$ 4,000.00
2366.9696-01	04/02/2019	Flick Anticimex Pty Ltd	Pest control services - various locations	\$ 2,072.14
2366.9728-01	04/02/2019	Plunkett Homes	Refund of infrastructure bond	\$ 2,500.00
2366.9755-01	04/02/2019	AMS Installation & Maintenance Solutions WA	Upgrade of main boiler - BPLC progress claim	\$ 116,422.90
2366.9771-01	04/02/2019	Holmes a Court Gallery	Sponsorship - Australianness exhibition	\$ 2,000.00
2366.9811-01	04/02/2019	Grand Toyota	Purchase of vehicle	\$ 24,191.85
2366.9852-01	04/02/2019	Picton Press Pty Ltd (Administrators Appointed)	Printing services - various departments	\$ 516.90
2366.9853-01	04/02/2019	B Fiebig	Fitness instructor fees	\$ 158.68
2366.9868-01	04/02/2019	M G Jajko	Fitness instructor fees	\$ 56.84
2366.9883-01	04/02/2019	Connect Call Centre Services	After hour calls service	\$ 1,472.79
2366.9890-01	04/02/2019	S Patchett	Fitness instructor fees	\$ 315.00
2366.9928-01	04/02/2019	Northbridge Common Incorporated	Town team grant	\$ 1,367.63
2366.9951-01	04/02/2019	D & D Christou	Rates refund - interim processing	\$ 3,628.38
2366.9954-01	04/02/2019	Body Groove	Fitness instructor fees	\$ 240.00
2366.9978-01	04/02/2019	Kevin Bynder	Supply of T-shirts - Customer service team	\$ 3,620.00
2366.9979-01	04/02/2019	Matt Worley Yoga	Fitness instructor fees	\$ 60.29
2366.9991-01	04/02/2019	M Mercadante	Part refund of dog registration	\$ 150.00
2366.9992-01	04/02/2019	S T Russell	Part refund of dog registration	\$ 150.00
2366.9994-01	04/02/2019	Stala Contemporary	Part funding for mural - 12 Cleaver Street	\$ 4,400.00
2366.9996-01	04/02/2019	E Ferrari	Refund of infringement	\$ 160.00

Creditor	Date	Payee	Description	Amount
2366.9997-01	04/02/2019	E Carpenter	Refund of parking permit	\$ 175.30
2366.9999-01	04/02/2019	K R Silsbury	Rates refund - pensioner rebate	\$ 71.60
2367.10003-01	12/02/2019	C Davidson	Performance fee - Mayor's Christmas event	\$ 150.00
2367.10021-01	12/02/2019	Natale Group Australia Pty Ltd	Security services - BPLC	\$ 577.50
2367.10039-01	12/02/2019	S Teoh	Expenses reimbursement - CPA membership	\$ 720.00
2367.2008-01	12/02/2019	Alinta Energy	Gas charges - various locations	\$ 698.05
2367.2019-01	12/02/2019	Australia Post (Agency Commission)	Commission charges	\$ 1,043.83
2367.2136-01	12/02/2019	Mindarie Regional Council	Processable and non processable waste	\$ 52,751.29
2367.2204-01	12/02/2019	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 453.46
2367.2234-01	12/02/2019	Water Corporation	Water charges - various locations	\$ 6,687.33
2367.3150-01	12/02/2019	Northshore Unit Inc. - SES	FESA contribution - 3rd quarter	\$ 14,432.00
2367.3492-01	12/02/2019	West Australian Newspapers Limited	Newspaper deliveries - various locations	\$ 114.06
2367.3511-01	12/02/2019	City of Stirling	Green waste tipping fees & bulk waste collection	\$ 3,892.70
2367.3594-01	12/02/2019	Aquawellbeing.com	Fitness instructor fees	\$ 520.00
2367.4221-01	12/02/2019	Suez Recycling & Recovery Pty Ltd	Waste collection - BPLC	\$ 1,619.24
2367.4367-01	12/02/2019	Academy Services WA Pty Ltd	Cleaning services - various locations	\$ 15,143.42
2367.5294-01	12/02/2019	A Team Printing	Printing services - BPLC	\$ 237.60
2367.5779-01	12/02/2019	I Ellies	Expenses reimbursement - fuel	\$ 95.97
2367.5989-01	12/02/2019	Lion Dairy and Drinks (LD&D) Australia Pty Ltd	Milk supplies	\$ 72.12
2367.6218-01	12/02/2019	Devco Builders	Maintenance and repairs - various locations	\$ 44,144.16
2367.6799-01	12/02/2019	Beaufort Street Network Inc.	Town team grant	\$ 5,600.00
2367.7480-01	12/02/2019	F Sauzier	Expenses reimbursement - Travelsmart breakfast supplies	\$ 86.56
2367.7481-01	12/02/2019	Regents Commercial	Rent and variable outgoings - Barlee Street car park	\$ 69.93
2367.7862-01	12/02/2019	Mayor E Cole	Expenses reimbursement - child care costs	\$ 200.00
2367.7924-01	12/02/2019	Alerton Australia	Building management system contract - BPLC 3 months	\$ 6,395.40
2367.7941-01	12/02/2019	Allerding & Associates	Professional fees - SAT appeal	\$ 7,220.15
2367.7955-01	12/02/2019	Synergy	Electricity and gas charges - various locations	\$ 33,796.85
2367.8398-01	12/02/2019	Jean-Paul Barbier	Fitness instructor fees	\$ 178.00
2367.8576-01	12/02/2019	Work Metrics Pty Ltd	Online inductions - BPLC	\$ 110.00
2367.8585-01	12/02/2019	Kuditj (as a partner of Sodexo)	Catering services - LG Aboriginal network meeting	\$ 473.00
2367.8646-01	12/02/2019	Apollo Plumbing and Gas Pty Ltd	Plumbing services - BPLC	\$ 3,600.00
2367.8757-01	12/02/2019	Suez Recycling & Recovery (Perth) Pty Ltd	Waste collection services - Jugan Street	\$ 3,259.11
2367.8810-01	12/02/2019	Australia Post	Postage charges	\$ 10,472.94
2367.8855-01	12/02/2019	Information Proficiency	HPE Content Manager support	\$ 2,365.00
2367.8875-01	12/02/2019	Bevin Creative	Repair website virtual tour - BPLC	\$ 1,472.63
2367.8899-01	12/02/2019	SJR Civil Consulting Pty Ltd	Consultancy and design services - road costs	\$ 704.00
2367.8947-01	12/02/2019	SPP Group WA Pty Ltd	Mechanical consultancy - North Perth Town Hall	\$ 5,500.00
2367.8965-01	12/02/2019	Janet Verburg	Fitness instructor fees	\$ 248.68
2367.8974-01	12/02/2019	GTA Consultants (WA) Pty Ltd	Design services - 40km per hour speed limit	\$ 3,217.50

Creditor	Date	Payee	Description	Amount
2367.9018-01	12/02/2019	Cr A Castle	Expenses reimbursement - child care costs	\$ 390.00
2367.9068-01	12/02/2019	ATTAR Advanced Technology Testing and Research	Wet pendulum testing - BPLC	\$ 1,067.00
2367.9364-01	12/02/2019	K M Allen	Expenses reimbursement - VYN movie night supplies	\$ 222.20
2367.9366-01	12/02/2019	Dave Lanfear Consulting Pty Ltd	Consultancy fees - COV public open space	\$ 11,220.00
2367.9845-01	12/02/2019	K Harcus	Fitness instructor fees	\$ 715.24
2367.9940-01	12/02/2019	Raymond Thai	Instagram influencer for Vincent events	\$ 200.00
2367.9979-01	12/02/2019	Matt Worley Yoga	Fitness instructor fees	\$ 60.29
2367.9998-01	12/02/2019	Aussie Translations	Translation of Chinese New Year letter	\$ 501.02
2368.6524-01	15/02/2019	Cr J Topelberg	Council meeting fee	\$ 1,916.66
2368.7143-01	15/02/2019	Cr R Harley	Council meeting fee	\$ 1,916.66
2368.7862-01	15/02/2019	Mayor E Cole	Council meeting fee	\$ 7,797.33
2368.8435-01	15/02/2019	Cr D Loden	Council meeting fee	\$ 1,916.66
2368.8438-01	15/02/2019	Cr S Gontaszewski	Council meeting fee	\$ 3,223.49
2368.8449-01	15/02/2019	Cr J Murphy	Council meeting fee	\$ 1,916.66
2368.8808-01	15/02/2019	Cr J Hallett	Council meeting fee	\$ 1,916.66
2368.9018-01	15/02/2019	Cr A Castle	Council meeting fee	\$ 1,916.66
2368.9019-01	15/02/2019	Cr J Fotakis	Council meeting fee	\$ 1,916.66
2369.98000-01	11/02/2019	Australian Taxation Office	Payroll deduction	\$ 198,083.00
2370.2020-01	11/02/2019	Australian Services Union	Payroll deduction	\$ 310.80
2370.2045-01	11/02/2019	Child Support Agency	Payroll deduction	\$ 824.44
2370.2153-01	11/02/2019	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2370.2213-01	11/02/2019	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 937.24
2370.2216-01	11/02/2019	City of Vincent Staff Social Club	Payroll deduction	\$ 506.00
2370.3133-01	11/02/2019	Depot Social Club	Payroll deduction	\$ 76.00
2370.6156-01	11/02/2019	Health Insurance Fund of WA	Payroll deduction	\$ 240.00
2370.8120-01	11/02/2019	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 1,416.60
2371.10005-01	19/02/2019	Rooforce Facility Services Pty Ltd	Security services - VYN movie night	\$ 460.35
2371.10021-01	19/02/2019	Natale Group Australia Pty Ltd	Security services - BPLC	\$ 693.00
2371.10031-01	19/02/2019	Free Energy HR	Facilitation of Community Engagement Directorate planning d	\$ 1,815.00
2371.10037-01	19/02/2019	Proskill Australia Pty Ltd	Uniform supplies - Rangers	\$ 169.90
2371.10038-01	19/02/2019	T A Denham	Open Street funding	\$ 181.00
2371.10040-01	19/02/2019	B S Davison	Part refund of dog registration	\$ 38.00
2371.10041-01	19/02/2019	I M O'Brien	Heritage assistance fund	\$ 5,000.00
2371.10042-01	19/02/2019	N M Deighan	Heritage assistance fund	\$ 2,480.00
2371.10043-01	19/02/2019	Stanton International	Professional services - probity advice	\$ 1,645.05
2371.10045-01	19/02/2019	Foam Sales	Supply of signs - St Patricks Day	\$ 156.00
2371.10048-01	19/02/2019	BOS Civil Pty Ltd	Streetscape improvement - North Perth Common (1st claim)	\$ 147,957.40
2371.10049-01	19/02/2019	Australian Renovation Group Pty Ltd	Refund of work zone licence	\$ 132.00
2371.10050-01	19/02/2019	Platinum Outdoors Perth	Refund of planning application fee	\$ 147.00

Creditor	Date	Payee	Description	Amount
2371.10051-01	19/02/2019	S H Ngoh	Refund of parking permit	\$ 28.00
2371.10052-01	19/02/2019	M Truong	Rates refund - overpayment	\$ 1,457.82
2371.10054-01	19/02/2019	K Hubbard	Open Streets funding	\$ 248.40
2371.10055-01	19/02/2019	J A Ferdinando	Open Streets funding	\$ 381.00
2371.10056-01	19/02/2019	G Warwick	Crossover subsidy	\$ 515.00
2371.10057-01	19/02/2019	M Ryan-Bennett	Partial refund for bin	\$ 10.00
2371.10058-01	19/02/2019	Kensington Design Australia Pty Ltd	Refund of works bond	\$ 275.00
2371.10059-01	19/02/2019	D J Sainty	Refund of infrastructure bond	\$ 3,000.00
2371.10060-01	19/02/2019	Megara Constructions	Refund of infrastructure bond	\$ 3,000.00
2371.10061-01	19/02/2019	R E A Construction	Refund of infrastructure bond	\$ 3,000.00
2371.10062-01	19/02/2019	Emco Building	Refund of infrastructure bond	\$ 5,000.00
2371.10063-01	19/02/2019	Repave Spray On Paving	Refund of infrastructure bond	\$ 275.00
2371.10064-01	19/02/2019	N S Sunner	Refund of infrastructure bond	\$ 3,000.00
2371.10065-01	19/02/2019	I Tindale	Refund of infrastructure bond	\$ 3,000.00
2371.10066-01	19/02/2019	CM Re, F Re, J Re & RJ Re	Refund of infrastructure bond	\$ 2,000.00
2371.10067-01	19/02/2019	R Palandri	Rates refund - pensioner rebate	\$ 80.79
2371.10070-01	19/02/2019	GCB Builders Pty Ltd	Refund of infrastructure bond	\$ 2,000.00
2371.10072-01	19/02/2019	R Guscott	Part refund of Beatty Park Leisure Centre	\$ 594.80
2371.10073-01	19/02/2019	K McDonald	Refund of birthday party admission - BPLC	\$ 25.00
2371.10074-01	19/02/2019	T Houlahan	Part refund of Beatty Park Leisure Centre	\$ 171.42
2371.10075-01	19/02/2019	Z Baig	Part refund of Beatty Park Leisure Centre	\$ 89.78
2371.10076-01	19/02/2019	C Tognini	Part refund of Beatty Park Leisure Centre	\$ 292.14
2371.10077-01	19/02/2019	T Randall	Part refund of Beatty Park Leisure Centre	\$ 483.45
2371.10078-01	19/02/2019	L Jordinson	Part refund of Beatty Park Leisure Centre	\$ 20.16
2371.10079-01	19/02/2019	I F Zaknich	Rates refund - pensioner rebate	\$ 286.14
2371.2029-01	19/02/2019	Bunnings Trade	Hardware supplies - various departments	\$ 316.44
2371.2030-01	19/02/2019	Benara Nurseries	Supply of plants	\$ 4,623.42
2371.2033-01	19/02/2019	BOC Limited	Forklift gas and CO2 for beverage	\$ 552.01
2371.2049-01	19/02/2019	City of Perth	BA archive retrievals	\$ 231.97
2371.2052-01	19/02/2019	Cobblestone Concrete	Concrete path repairs - Bourke Street	\$ 11,024.75
2371.2072-01	19/02/2019	Landgate	Gross rental valuations for interims	\$ 1,320.61
2371.2085-01	19/02/2019	Farinosi & Sons Pty Ltd	Hardware supplies	\$ 159.52
2371.2106-01	19/02/2019	Programmed Integrated Workforce Ltd	Temporary staff - Waste	\$ 3,725.85
2371.2119-01	19/02/2019	Line Marking Specialists	Line marking services - various locations	\$ 1,059.02
2371.2120-01	19/02/2019	LO-GO Appointments	Temporary staff - Waste	\$ 4,897.73
2371.2122-01	19/02/2019	Bucher Municipal Pty Ltd	Plant repairs and maintenance	\$ 2,616.19
2371.2123-01	19/02/2019	Major Motors Pty Ltd	Truck repairs	\$ 1,522.61
2371.2126-01	19/02/2019	Mayday Earthmoving	Bobcat, truck and mini excavator hire - various locations	\$ 12,140.70
2371.2136-01	19/02/2019	Mindarie Regional Council	Processable and non processable waste	\$ 113,212.42

Creditor	Date	Payee	Description	Amount
2371.2175-01	19/02/2019	Pro Turf Services	Plant repairs and maintenance	\$ 4,413.20
2371.2186-01	19/02/2019	Leederville Foods Pty Ltd	Catering services	\$ 562.00
2371.2189-01	19/02/2019	SAS Locksmiths	Key cutting & lock maintenance service - various locations	\$ 457.99
2371.2192-01	19/02/2019	Sigma Chemicals	Pool chemicals	\$ 3,434.68
2371.2199-01	19/02/2019	Speedo Australia Pty Ltd	Merchandise - BPLC	\$ 5,339.40
2371.2200-01	19/02/2019	Sportsworld Of WA	Merchandise - BPLC	\$ 5,024.25
2371.2203-01	19/02/2019	Tabata Australia Pty Ltd	Merchandise - BPLC	\$ 282.90
2371.2204-01	19/02/2019	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 57.75
2371.2229-01	19/02/2019	W.A. Hino Sales & Service	Plant repairs and maintenance	\$ 3,981.80
2371.2234-01	19/02/2019	Water Corporation	Water charges - various locations	\$ 4,107.17
2371.2236-01	19/02/2019	Westcare Incorporated	Printing services - labels for library	\$ 156.20
2371.2241-01	19/02/2019	Zipform	Rates notices 2018/19 - 4th instalment	\$ 8,119.66
2371.3040-01	19/02/2019	Shenton Enterprises Pty Ltd	Service and repair of AIDS memorial fountain	\$ 1,131.90
2371.3057-01	19/02/2019	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 698.29
2371.3066-01	19/02/2019	The Royal Life Saving Society Western Australia Inc	Water testing - Hyde Park water playground	\$ 4,860.97
2371.3091-01	19/02/2019	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 3,861.00
2371.3099-01	19/02/2019	Total Packaging WA Pty Ltd	Supply of bin liners	\$ 4,259.20
2371.3110-01	19/02/2019	TJ Depiazzi & Sons	Supply of mulch	\$ 6,519.70
2371.3144-01	19/02/2019	Caltex Australia Petroleum Pty Ltd	Fuel and oils	\$ 31,449.97
2371.3170-01	19/02/2019	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 1,894.66
2371.3215-01	19/02/2019	Les Mills Asia Pacific	Licence fees for fitness classes	\$ 1,585.49
2371.3239-01	19/02/2019	Award Contracting	Locating services - various locations	\$ 1,556.50
2371.3299-01	19/02/2019	Baileys Fertilisers	Soil wetter supplies	\$ 11,909.15
2371.3315-01	19/02/2019	RPG Auto Electrics	Plant repairs and maintenance	\$ 1,734.43
2371.3474-01	19/02/2019	CSP Group Pty Ltd	Plant repairs and maintenance	\$ 2,115.80
2371.3492-01	19/02/2019	West Australian Newspapers Limited	Newspaper deliveries - various locations	\$ 114.06
2371.3560-01	19/02/2019	Winc Australia Pty Ltd	Office supplies and consumables	\$ 4,523.08
2371.3564-01	19/02/2019	Nosh Catering	Catering services - Seniors Christmas lunch	\$ 4,258.65
2371.3594-01	19/02/2019	Aquawellbeing.com	Fitness instructor fees	\$ 195.00
2371.3636-01	19/02/2019	M E McKahey	Reimbursement - Refreshments for Council/CEO meetings	\$ 61.17
2371.3662-01	19/02/2019	Western Resource Recovery Pty Ltd	Grease trap maintenance - Loftus Recreation Centre	\$ 128.70
2371.3757-01	19/02/2019	J & K Hopkins	Office furniture supplies - Admin	\$ 2,254.00
2371.3781-01	19/02/2019	Perth Training Centre Pty Ltd	Staff training - Front end loader course	\$ 510.00
2371.3888-01	19/02/2019	Reln Pty Ltd	Supply of compost bins	\$ 5,134.80
2371.3913-01	19/02/2019	Kennards Hire	Equipment hire - various departments	\$ 896.00
2371.3942-01	19/02/2019	Moore Stephens (WA) Pty Ltd	Audit certification - Roads to Recovery annual return	\$ 5,720.00
2371.3943-01	19/02/2019	Cleanaway	Recycling contract	\$ 114,067.13
2371.4035-01	19/02/2019	Kevrek (Australia) Pty Ltd	Crane service	\$ 442.75
2371.4103-01	19/02/2019	Asphalttech Pty Ltd	Asphalt supplies - various locations	\$ 25,400.38

Creditor	Date	Payee	Description	Amount
2371.4161-01	19/02/2019	Instant Windscreens	Vehicle repairs and maintenance	\$ 285.00
2371.4191-01	19/02/2019	G Burgess	Distribution services - verge collection pamphlets	\$ 4,200.00
2371.4214-01	19/02/2019	Kerbing West	Kerbing services - various locations	\$ 12,267.59
2371.4367-01	19/02/2019	Academy Services WA Pty Ltd	Washroom consumables	\$ 2,877.18
2371.4418-01	19/02/2019	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 3,434.81
2371.4447-01	19/02/2019	Blackwoods	Hardware supplies - Depot	\$ 7,451.81
2371.4493-01	19/02/2019	Tom Lawton - Bobcat Hire	Bobcat hire	\$ 5,440.60
2371.4627-01	19/02/2019	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 35,744.55
2371.4642-01	19/02/2019	Meter Australia Pty Ltd	Waterproof permanent paper supplies	\$ 364.10
2371.4687-01	19/02/2019	Jaycar Electronics	Supply of IT accessories	\$ 9.95
2371.4727-01	19/02/2019	Professional Tree Surgeons	Tree pruning and removal services - various locations	\$ 6,660.50
2371.4783-01	19/02/2019	Jackson McDonald	Legal services - prosecution advice	\$ 1,518.00
2371.4906-01	19/02/2019	Chemform	Graffiti removal supplies	\$ 365.59
2371.4934-01	19/02/2019	YMCA of Perth Youth & Community Services Inc	Community budget grant - Y Create program	\$ 50,000.00
2371.4971-01	19/02/2019	Totally Workwear	Uniform supplies - various departments	\$ 2,162.44
2371.5193-01	19/02/2019	Protector Fire Services Pty Ltd	Fire equipment maintenance - various locations	\$ 1,137.40
2371.5301-01	19/02/2019	Kott Gunning	Legal services - property advice	\$ 8,951.14
2371.5316-01	19/02/2019	McLeods Barristers & Solicitors	Legal services - property advice	\$ 356.84
2371.5342-01	19/02/2019	Ozscot Horticulture	Supply of plants	\$ 106.59
2371.5375-01	19/02/2019	Tim Muirhead and Associates Pty Ltd	Staff training - Cultural awareness	\$ 4,510.00
2371.5398-01	19/02/2019	Subaru Osborne Park	Vehicle service and repairs	\$ 1,682.75
2371.5500-01	19/02/2019	Workwear Group Pty Ltd	Uniform supplies - various departments	\$ 1,208.73
2371.5506-01	19/02/2019	Mount Hawthorn Primary School	Active transport grant - Way finding panel	\$ 1,683.50
2371.5548-01	19/02/2019	Specialty Timber Flooring WA	Resurfacing stadium floors - Loftus Recreation Centre	\$ 10,780.00
2371.5737-01	19/02/2019	Massey's Herd	Milk supplies	\$ 642.60
2371.5773-01	19/02/2019	Dsatco Pty Ltd	Mulch supplies	\$ 1,057.50
2371.5836-01	19/02/2019	Manheim Pty Ltd	Towing services	\$ 1,551.00
2371.5882-01	19/02/2019	Artery Media Solutions	Artwork design - Leederville shared space	\$ 1,650.00
2371.5888-01	19/02/2019	Kleen West Distributors	Graffiti removal supplies	\$ 1,358.23
2371.5898-01	19/02/2019	Replants.com Pty Ltd	Design advisory fee	\$ 440.00
2371.5989-01	19/02/2019	Lion Dairy and Drinks (LD&D) Australia Pty Ltd	Milk supplies	\$ 169.14
2371.6072-01	19/02/2019	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 1,671.80
2371.6081-01	19/02/2019	Boral Construction Materials Group Limited	Concrete supplies - various locations	\$ 1,979.24
2371.6218-01	19/02/2019	Devco Builders	Maintenance and repairs - various locations	\$ 32,337.39
2371.6259-01	19/02/2019	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 5,802.61
2371.6383-01	19/02/2019	WC Convenience Management Pty Ltd	Maintenance exelooos - various locations	\$ 3,992.44
2371.6421-01	19/02/2019	Pirtek Pty Ltd	Plant repairs and maintenance	\$ 330.45
2371.6455-01	19/02/2019	The BBQ Man	Bin, BBQ & pressure cleaning services - various locations	\$ 8,005.68
2371.6513-01	19/02/2019	K-Line Fencing Group	Supply and install fencing - BPLC	\$ 13,195.60

Creditor	Date	Payee	Description	Amount
2371.6586-01	19/02/2019	McIntosh & Son WA	Plant repairs and maintenance	\$ 302.46
2371.6628-01	19/02/2019	Hart Sport	Supply of pool games equipment	\$ 374.80
2371.6759-01	19/02/2019	Techwest Solutions Pty Ltd	Audio equipment repairs - BPLC	\$ 308.00
2371.6783-01	19/02/2019	Action Asbestos Removals	Asbestos removal services	\$ 715.00
2371.6818-01	19/02/2019	LGIS Risk Management	Staff training - manual tasks	\$ 792.00
2371.6872-01	19/02/2019	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$ 449.89
2371.6903-01	19/02/2019	APARC	Central management system licensing; meter maintenance	\$ 36,966.87
2371.6993-01	19/02/2019	Red Spear Pty Ltd	Welcome to Country - Citizenship ceremony	\$ 550.00
2371.7049-01	19/02/2019	Artistralia Pty Ltd	Film screening copyright - Home Alone	\$ 165.00
2371.7132-01	19/02/2019	Catek Equipment Repairs	Chip oven repairs - BPLC	\$ 830.51
2371.7189-01	19/02/2019	Steann Pty Ltd	Collect and dispose of illegally dumped goods	\$ 660.00
2371.7254-01	19/02/2019	Kings Metal Fabrications	Installation of bike racks - HBF Park	\$ 996.00
2371.7335-01	19/02/2019	Canningvale Flooring Xtra	Supply & install carpet tiles - Leederville Child Health Centre	\$ 2,117.50
2371.7382-01	19/02/2019	Turf Developments (WA) Pty Ltd	Turf maintenance - Richmond Street	\$ 1,064.80
2371.7445-01	19/02/2019	Scott Print	Printing services - various departments	\$ 4,469.30
2371.7465-01	19/02/2019	Jessee Lee Johns	Artist fee - BPLC mural	\$ 10,560.00
2371.7477-01	19/02/2019	Expo Group	Printing services - various departments	\$ 1,129.70
2371.7481-01	19/02/2019	Regents Commercial	Variable outgoings - Barlee Street car park	\$ 303.25
2371.7510-01	19/02/2019	Northsands Resources	Construction waste disposal services and sand supplies	\$ 2,219.25
2371.7572-01	19/02/2019	Compu-Stor	Records digitisation and off-site storage	\$ 10,184.60
2371.7593-01	19/02/2019	Yoshino Sushi	Beatty Park Café supplies	\$ 129.58
2371.7605-01	19/02/2019	Centropak	Beatty Park Café supplies	\$ 564.27
2371.7648-01	19/02/2019	Revelation Perth International Film Festival Inc.	Sponsorship - Revelation Perth International Film Festival	\$ 12,540.00
2371.7664-01	19/02/2019	Raymond Sleeman	Fitness instructor fees	\$ 350.80
2371.7670-01	19/02/2019	Garage Sale Trail Foundation Ltd	Annual membership fee	\$ 7,865.00
2371.7729-01	19/02/2019	Anna Cappelletta	Fitness instructor fees	\$ 602.70
2371.7777-01	19/02/2019	Daniela Toffali	Fitness instructor fees	\$ 585.00
2371.7924-01	19/02/2019	Alerton Australia	Building management system contract - BPLC 1 month	\$ 2,131.80
2371.7924-01	19/02/2019	Alerton Australia	Building management system security light upgrade - BPLC	\$ 4,708.00
2371.7933-01	19/02/2019	Garrards Pty Ltd	Supply of rat bait	\$ 210.10
2371.7950-01	19/02/2019	Rawlicious Delights	Beatty Park Café supplies	\$ 169.40
2371.7955-01	19/02/2019	Synergy	Electricity and gas charges - various locations	\$ 77,316.65
2371.7959-01	19/02/2019	Rosemount Hotel	Parking revenue distribution - 2 months	\$ 4,570.17
2371.7963-01	19/02/2019	Cat Haven	Cat impound fees	\$ 75.00
2371.8009-01	19/02/2019	Marketforce Pty Ltd	Advertising services - various departments	\$ 4,660.16
2371.8050-01	19/02/2019	Precious Breath Yoga	Fitness instructor fees	\$ 422.03
2371.8100-01	19/02/2019	CTI Security Systems Pty Ltd	Security services - Britannia Pavilion	\$ 98.49
2371.8108-01	19/02/2019	Leo Heaney Pty Ltd	Street tree services - various locations	\$ 34,581.80
2371.8111-01	19/02/2019	SimplePay Solutions Pty Ltd	Credit card transactions for parking terminals - two months	\$ 9,044.64

Creditor	Date	Payee	Description	Amount
2371.8282-01	19/02/2019	Yoga Inspiration	Fitness instructor fees	\$ 422.03
2371.8305-01	19/02/2019	Charmaine Amanda Magness	Fitness instructor fees	\$ 227.36
2371.8307-01	19/02/2019	MessageMedia	SMS integrating for Phoenix	\$ 154.61
2371.8327-01	19/02/2019	Courtney Hahipene	Fitness instructor fees	\$ 120.58
2371.8373-01	19/02/2019	Flex Fitness Equipment	Gym equipment supplies	\$ 209.00
2371.8420-01	19/02/2019	Corsign WA Pty Ltd	Sign supplies - various	\$ 1,889.64
2371.8431-01	19/02/2019	Acrodyne Pty Ltd	Service discharge water meter	\$ 660.00
2371.8468-01	19/02/2019	Innovations Catering	Catering services - Council meetings	\$ 1,064.00
2371.8498-01	19/02/2019	Wheelers Books	Library books	\$ 397.22
2371.8523-01	19/02/2019	Stephen Carrick Architects Pty Ltd	Design advisory fees	\$ 880.00
2371.8542-01	19/02/2019	Window Shading Solutions Pty Ltd	Supply and install blinds - Admin	\$ 11,608.00
2371.8547-01	19/02/2019	AWB Building Co.	Plumbing services - various locations	\$ 10,992.08
2371.8568-01	19/02/2019	Ergolink	Supply of ergonomic furniture	\$ 935.11
2371.8586-01	19/02/2019	Tree Amigos	Street trees & parks pruning/removal - various locations	\$ 20,902.22
2371.8593-01	19/02/2019	Colleagues Nagels	Integrated transferable parking permits	\$ 182.60
2371.8620-01	19/02/2019	Boyan Electrical Services	Electrical services - various locations	\$ 1,585.10
2371.8645-01	19/02/2019	Domain Catering Pty Ltd	Catering services - Directorate planning day	\$ 146.00
2371.8646-01	19/02/2019	Apollo Plumbing and Gas Pty Ltd	Plumbing services - BPLC	\$ 6,631.85
2371.8665-01	19/02/2019	Zumba Fitness Patricia Rojo	Fitness instructor fees	\$ 434.00
2371.8671-01	19/02/2019	Design Right Pty Ltd	Design services - Admin	\$ 2,200.00
2371.8672-01	19/02/2019	Brownes Foods Operations Pty Ltd	Beatty Park Café supplies	\$ 556.59
2371.8674-01	19/02/2019	Organic 2000	Fertiliser supplies	\$ 968.44
2371.8684-01	19/02/2019	Ip Khalsa Pty Ltd	Mail delivery service	\$ 86.66
2371.8737-01	19/02/2019	Unilever Australia Ltd	Beatty Park Café supplies	\$ 1,341.58
2371.8750-01	19/02/2019	Yolande Gomez	Fitness instructor fees	\$ 90.00
2371.8752-01	19/02/2019	Jackie Barron	Fitness instructor fees	\$ 113.68
2371.8761-01	19/02/2019	Elyse Amy Johnstone	Fitness instructor fees	\$ 952.08
2371.8763-01	19/02/2019	StrataGreen	Garden equipment supplies	\$ 1,331.57
2371.8765-01	19/02/2019	Bowden Tree Consultancy	Arboricultural services - Keith Frame Reserve	\$ 1,001.00
2371.8821-01	19/02/2019	My Media Intelligence Pty Ltd	Media monitoring	\$ 815.15
2371.8827-01	19/02/2019	Superior Pak Pty Ltd	Plant repairs and maintenance	\$ 290.25
2371.8833-01	19/02/2019	Noma Pty Ltd	Design advisory fee	\$ 440.00
2371.8845-01	19/02/2019	Gymcare	Gym equipment repairs and maintenance	\$ 250.42
2371.8854-01	19/02/2019	Tyres 4U Pty Ltd	Tyre replacements and maintenance	\$ 1,809.50
2371.8949-01	19/02/2019	WA Library Supplies	Library supplies - book covering	\$ 349.50
2371.8954-01	19/02/2019	M.A. Lalli & Associates	Structural inspection and report - Litis Stadium tunnel	\$ 1,375.00
2371.8959-01	19/02/2019	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 5,013.75
2371.8963-01	19/02/2019	Smoke and Mirrors AV	Supply of PA system - Australia Day event	\$ 510.00
2371.8974-01	19/02/2019	GTA Consultants (WA) Pty Ltd	Design services - 40km per hour speed limit	\$ 1,897.50

Creditor	Date	Payee	Description	Amount
2371.8987-01	19/02/2019	Matt Biocich	Photography services - Women in sport	\$ 1,500.00
2371.8989-01	19/02/2019	Allflow Industrial	Repairs to oil/water separator	\$ 309.05
2371.8998-01	19/02/2019	Veris Australia Pty Ltd	Feature and contour survey - Britannia Road Reserve	\$ 5,434.00
2371.9030-01	19/02/2019	The Event Mill	Hire of staging - Leedy Palooza events	\$ 902.00
2371.9130-01	19/02/2019	Frostbland Pty Ltd	Merchandise - BPLC	\$ 2,573.49
2371.9165-01	19/02/2019	Vigilant Traffic Management Group Pty Ltd	Traffic management services - various locations	\$ 571.56
2371.9169-01	19/02/2019	Signbiz WA Pty Ltd	Sign supplies - BPLC pylons	\$ 10,224.50
2371.9202-01	19/02/2019	Daniel Bullen	Fitness instructor fees	\$ 374.20
2371.9226-01	19/02/2019	Whitfords Event Hire	Hire of furniture - Anzac Day	\$ 3,000.00
2371.9263-01	19/02/2019	Zimbulis Foods	Beatty Park Café supplies	\$ 283.73
2371.9265-01	19/02/2019	Simba Retail Pty Ltd	Merchandise - BPLC	\$ 81.07
2371.9286-01	19/02/2019	Manic Botanic (Manic WA Pty Ltd)	Supply of wreaths for Anzac Day	\$ 300.00
2371.9299-01	19/02/2019	SpacetoCo Pty Ltd	Facilities weekly reporting and financial handling	\$ 165.00
2371.9308-01	19/02/2019	P Grayson	One off \$40 refund for smaller bin trial	\$ 40.00
2371.9369-01	19/02/2019	K Roach	Fitness instructor fees	\$ 56.84
2371.9470-01	19/02/2019	Uni Camp for Kids	Refund of grounds bond	\$ 250.00
2371.9572-01	19/02/2019	CSE Crosscom Pty Ltd	Reprogramming new hand held radios	\$ 841.50
2371.9597-01	19/02/2019	J A Willis	Crossover subsidy	\$ 600.00
2371.9623-01	19/02/2019	Valspar Paint (Australia) Pty Ltd	Paint sample supplies - Admin	\$ 138.59
2371.9644-01	19/02/2019	Department of Planning Lands and Heritage	Amended DAP fees	\$ 11,206.00
2371.9652-01	19/02/2019	Perth Auto Alliance Pty Ltd	Vehicle service and repairs	\$ 658.50
2371.9694-01	19/02/2019	Conway Highbury Pty Ltd	Statutory review of City's wards and representation	\$ 1,815.00
2371.9696-01	19/02/2019	Flick Anticimex Pty Ltd	Pest control services - various locations	\$ 300.58
2371.9704-01	19/02/2019	Northside Nissan	Purchase of vehicle	\$ 28,240.60
2371.9738-01	19/02/2019	United Equipment Pty Ltd	Plant repairs and maintenance	\$ 65.07
2371.9791-01	19/02/2019	Enzed Malaga	Plant repairs and maintenance	\$ 157.16
2371.9792-01	19/02/2019	Engineering Technology Consultants	Consultancy fees - Town centre lighting improvements	\$ 7,227.55
2371.9813-01	19/02/2019	LSV Borrello Lawyers	Legal services - Dividing fence advice	\$ 1,551.00
2371.9835-01	19/02/2019	Good Sight Company Ltd	Install boom to high pressure cleaning unit - Depot	\$ 4,565.00
2371.9846-01	19/02/2019	Kanga Loaders WA	Plant repairs and maintenance	\$ 4,573.09
2371.9853-01	19/02/2019	B Fiebig	Fitness instructor fees	\$ 113.68
2371.9863-01	19/02/2019	Mandurah PA Hire	Hire of cinema package - VYN movie night	\$ 495.00
2371.9868-01	19/02/2019	M G Jajko	Fitness instructor fees	\$ 56.84
2371.9889-01	19/02/2019	Pixel Poetry	Photography services - Citizenship ceremony	\$ 400.00
2371.9890-01	19/02/2019	S Patchett	Fitness instructor fees	\$ 360.00
2371.9912-01	19/02/2019	Carine Homes Pty Ltd	Refund of infrastructure bond	\$ 2,275.00
2371.9929-01	19/02/2019	Blue Diamond Machinery	Plant repairs and maintenance	\$ 242.00
2371.9935-01	19/02/2019	Cleansweep WA	Hire of road sweepers - various locations	\$ 704.68
2371.9986-01	19/02/2019	Andantino Pty Ltd T/A Outdoor World	Refund of infrastructure bond	\$ 1,000.00

Creditor	Date	Payee	Description	Amount
2371.9995-01	19/02/2019	i Lidia Love	Instagram influencer post - COV Summer events	\$ 250.00
2372.10053-01	26/02/2019	P Herd	Rates refund - overpayment	\$ 1,346.42
2372.10081-01	26/02/2019	P J Slape	Rates refund - overpayment	\$ 1,360.00
2372.2204-01	26/02/2019	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 512.60
2372.3299-01	26/02/2019	Baileys Fertilisers	Fertiliser supplies	\$ 1,078.00
2372.3492-01	26/02/2019	West Australian Newspapers Limited	Newspaper deliveries - various locations	\$ 217.27
2372.3594-01	26/02/2019	Aquawellbeing.com	Fitness instructor fees	\$ 260.00
2372.3662-01	26/02/2019	Western Resource Recovery Pty Ltd	Grease trap maintenance - Loftus Recreation Centre	\$ 311.08
2372.4017-01	26/02/2019	Trisley's Hydraulic Services Pty Ltd	Water treatment - BPLC	\$ 594.00
2372.4418-01	26/02/2019	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 250.80
2372.4486-01	26/02/2019	J Fondacaro	Expenses reimbursement - catering for meeting & gym clock	\$ 229.00
2372.4627-01	26/02/2019	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 6,884.37
2372.6937-01	26/02/2019	Retech Rubber	Repairs to soft fall play area - Tolcon Place	\$ 621.50
2372.7477-01	26/02/2019	Expo Group	Printing services - various departments	\$ 2,075.70
2372.7481-01	26/02/2019	Regents Commercial	Rent and variable outgoings - Barlee Street car park	\$ 12,098.48
2372.7955-01	26/02/2019	Synergy	Electricity and gas charges - various locations	\$ 5,023.45
2372.8118-01	26/02/2019	Vendpro	Vending machine hire - BPLC	\$ 235.40
2372.8305-01	26/02/2019	Charmaine Amanda Magness	Fitness instructor fees	\$ 227.36
2372.8409-01	26/02/2019	Shelley Hall	Fitness instructor fees	\$ 203.00
2372.8547-01	26/02/2019	AWB Building Co.	Plumbing services - various locations	\$ 300.30
2372.8965-01	26/02/2019	Janet Verburg	Fitness instructor fees	\$ 90.00
2372.9202-01	26/02/2019	Daniel Bullen	Fitness instructor fees	\$ 374.20
2372.9263-01	26/02/2019	Zimbulis Foods	Beatty Park Café supplies	\$ 200.68
2372.9808-01	26/02/2019	Scanner Angel OZ	Supply of microchip scanners	\$ 550.00
2372.9853-01	26/02/2019	B Fiebig	Fitness instructor fees	\$ 113.68
2372.9854-01	26/02/2019	M Humich	Fitness instructor fees	\$ 227.36
2372.9890-01	26/02/2019	S Patchett	Fitness instructor fees	\$ 360.00
2372.9973-01	26/02/2019	Christine Jane	Instagram influencer post - COV Summer events	\$ 200.00
2373.3359-01	25/02/2019	Department of Mines, Industry Regulation and Safety	Building services levy collection	\$ 49,023.73
2374.98000-01	25/02/2019	Australian Taxation Office	Payroll deduction	\$ 209,353.00
2375.2020-01	25/02/2019	Australian Services Union	Payroll deduction	\$ 310.80
2375.2045-01	25/02/2019	Child Support Agency	Payroll deduction	\$ 824.44
2375.2153-01	25/02/2019	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2375.2213-01	25/02/2019	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 1,363.32
2375.2216-01	25/02/2019	City of Vincent Staff Social Club	Payroll deduction	\$ 506.00
2375.3133-01	25/02/2019	Depot Social Club	Payroll deduction	\$ 80.00
2375.6156-01	25/02/2019	Health Insurance Fund of WA	Payroll deduction	\$ 240.00
2375.8120-01	25/02/2019	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 1,416.60
2376.9567-01	25/02/2019	Westnet Pty Ltd	IT ADSL link	\$ 39.95

<i>Creditor</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
				\$ 2,795,364.26
Payroll				
Direct Credit	05/02/2019	Pay 16		\$ 622,679.24
Direct Credit	05/02/2019	Ad hoc		\$ 346.32
Direct Credit	19/02/2019	Pay 17		\$ 661,329.51
Total Payroll				\$ 1,284,355.07
Total Payments				\$ 4,079,719.33

Creditors Report - Payments by Cheque				
01/02/2019 to 28/02/19				
Creditor	Date	Payee	Description	Amount
00082484	13/02/2019	Petty Cash - Beatty Park Leisure Centre	Petty cash recoup	\$ 236.40
00082485	13/02/2019	K R Stacey	Heritage assistance fund	\$ 4,000.00
00082486	13/02/2019	R & B Scott	Refund of temporary food licence	\$ 195.00
00082487	13/02/2019	B Deighton	Refund of temporary food licence	\$ 162.50
00082488	27/02/2019	BCITF Building & Construction Industry Training Fund	Levy collection - 2 months	\$ 68,381.57
00082489	27/02/2019	Bentley Improvements	Refund of infrastructure bond	\$ 2,000.00
00082490	27/02/2019	Petty Cash - Finance	Petty cash recoup	\$ 412.10
00082491	27/02/2019	Petty Cash - Library	Petty cash recoup	\$ 198.00
				\$ 75,585.57
Cancelled Cheques				
00081298	07/06/2017	K Frank	Stale cheque, cancelled and paid by EFT	-\$ 550.00
00081341	21/06/2017	Uni Camp for Kids	Stale cheque, cancelled and paid by EFT	-\$ 250.00
00081561	30/08/2017	Kensington Design Australia Pty Ltd	Stale cheque, cancelled and paid by EFT	-\$ 275.00
Total Cancelled Cheques				-\$ 1,075.00
Total Nett Cheque Payments				\$ 74,510.57

Creditors Report - Payments by Direct Debit				
01/02/2019 to 28/02/19				
Credit Card Transactions for the Period 05 January 2019 - 06 February 2019				
Card Holder	Date	Payee	Description	Amount
Manager Community Partnerships	11/01/2019	Booktopia	Books for library	\$ 370.70
	11/01/2019	Booktopia	Books for library	\$ 104.15
	11/01/2019	Book Depository	Books for library	\$ 42.13
	11/01/2019	JB Hi-Fi	DVDs for library	\$ 33.76
	12/01/2019	Sanity	DVD for library	\$ 6.39
	15/01/2019	Bunnings	Supplies for Youth program	\$ 40.00
	15/01/2019	Kmart	Supplies for Youth program	\$ 16.50
	15/01/2019	Officeworks	Supplies for Youth program	\$ 66.10
	16/01/2019	City of Vincent BPLC	Catering - Team meeting	\$ 41.58
	29/01/2019	Sanity	DVD for library	\$ 20.85
	31/01/2019	Dominos	Catering for Youth program	\$ 34.90
	05/02/2019	Booktopia	Books for library	\$ 153.20
	05/02/2019	JB Hi-Fi	DVDs for library	\$ 40.95
	05/02/2019	ChargeBar Pty Ltd	Supply of smart charging device	\$ 174.90
				\$ 1,146.11
Manager Marketing and Communications	05/01/2019	North Perth Bowling Club	Rewards and recognition	\$ 60.00
	07/01/2019	Eventbrite	Festival and events management masterclass 2019	\$ 400.00
	07/01/2019	Tribe	Social media advertising - Summer events	\$ 132.00
	09/01/2019	Officeworks	Computer accessories - USB wall laptop charger	\$ 78.00
	09/01/2019	21st Amendment Bar	Refreshments - Film project meet and greet	\$ 567.00
	10/01/2019	Mailchimp	Email campaign	\$ 211.89
	16/01/2019	Perth Expo Hire	Display screens - Robertson Park community forum	\$ 455.40
	17/01/2019	Leederville Foods Pty Ltd	Catering - Film workshop	\$ 48.96
	17/01/2019	Leederville Foods Pty Ltd	Catering - Film workshop	\$ 81.43
	22/01/2019	Asana.com	Online project management tool - group tasks	\$ 105.31
	22/01/2019	International transaction fee	Online project management tool - group tasks	\$ 2.63
	23/01/2019	Officeworks	Supply of poster frames	\$ 139.96
	23/01/2019	Officeworks	Supplies for Chinese New Year project	\$ 54.90
	25/01/2019	Fitzgerald Photos	Citizenship ceremony - Framing services	\$ 221.00
	25/01/2019	STK Shutterstock	Image download subscription	\$ 108.90
	25/01/2019	Kmart	Citizenship ceremony - table cloths	\$ 27.00

Card Holder	Date	Payee	Description	Amount
	28/01/2019	Facebook	Advertising	\$ 33.00
	30/01/2019	The Old Laundry	Citizenship ceremony - function deposit	\$ 100.00
	31/01/2019	Facebook	Advertising	\$ 319.34
	31/01/2019	Facebook	Advertising	\$ 13.77
	01/02/2019	Createsend.com	Email campaign	\$ 31.76
	04/02/2019	Woolworths online	Supplies for Unfair day - Unlucky dip	\$ 192.54
	05/02/2019	Shortlist	Refreshments - RSL Anzac day meeting	\$ 4.00
	06/02/2019	CPP Council House	Parking - Culture Counts meeting	\$ 5.05
				\$ 3,393.84
Procurement and Contracts Officer	10/01/2019	Gadgets 4 Geeks Pty Ltd	Computer accessories - Charging station stand	\$ 300.00
	24/01/2019	Gadgets 4 Geeks Pty Ltd	Computer accessories - Charging cable	\$ 62.90
	24/01/2019	IPAA	Staff training - Contract management	\$ 660.00
	31/01/2019	N & L Small Nominees	Supply of life jackets - BPLC	\$ 378.53
	31/01/2019	Atlassian	Software license	\$ 15.19
	31/01/2019	International transaction fee	Software license	\$ 0.38
	01/02/2019	Theraquatics	Supply of pool toys - BPLC	\$ 451.64
				\$ 1,868.64
Total Corporate Credit Cards				\$ 6,408.59
Direct Debits				
Lease Fees	04/02/2019	Neopost 1659932	Franking machine	\$ 385.00
Loan Repayments		Treasury Corporation	Department Sport and Recreation Building, Loftus Centre Loftus Underground Carpark, Beatty Park Leisure Centre	\$ 149,992.13
Bank Fees and Charges		Commonwealth Bank	Bank fees	\$ 28,399.23
Total Direct Debits including Credit Cards				\$ 185,184.95

11.3 FINANCIAL STATEMENTS AS AT 28 FEBRUARY 2019**TRIM Ref:** D19/36404**Author:** Nirav Shah, Coordinator Financial Services**Authoriser:** Kerry Batten, Executive Director Corporate Services**Attachments:** 1. Financial Statements as at 28 February 2019  **RECOMMENDATION:**

That Council **RECEIVES** the financial statements for the month ended 28 February 2019 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the statement of financial activity for the period ended 28 February 2019.

BACKGROUND:

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

DETAILS:

The following documents, included as **Attachment 1**, comprise the statement of financial activity for the period ending 28 February 2019:

Note	Description	Page
1.	Statement of Financial Activity by Program Report and Graph	1-3
2.	Statement of Comprehensive Income by Nature or Type Report	4
3.	Net Current Funding Position	5
4.	Summary of Income and Expenditure by Service Areas	6-64
5.	Capital Expenditure and Funding and Capital Works Schedule	65-77
6.	Cash Backed Reserves	78
7.	Rating Information and Graph	79-80
8.	Debtors Report	81
9.	Beatty Park Leisure Centre Financial Position	82

Comments on the statement of financial activity as at Attachment 1:

Operating revenue is reported separately by 'Program' and 'Nature or Type'. The significant difference between the two reports is that operating revenue by 'Program' includes 'Profit on sale of assets' and the 'Nature or Type' report includes 'Rates revenue'.

Revenue by Program is tracking better than the year to date budgeted amount by \$241,957 (2%). The following items materially contributed to this position:

- An increase in development application fees by \$178,824 (Community amenities);
- An increase in parking infringements and fines by \$240,716 (Transport); and
- A decrease in revenue from parking ticket machines by \$126,285 (Transport).

Revenue by 'Nature or Type' is tracking on par with the budgeted amount i.e. \$10,322 higher than the budgeted amount. The following items materially contributed to this position:

- An increase in development application fees by \$178,824 (Fees and charges);
- An increase in parking infringements and fines by \$240,716 (Fees and charges);
- A decrease in revenue generated from interim rates by \$287,462 (Rates); and

- A decrease in revenue from parking ticket machines by \$126,285 (Fees and charges).

Expenditure by Program reflects an under-spend of \$544,188 (1%) compared to the year to date budget. All except two programs reflect an under-spend, that is, 'Transport' and 'Community amenities' reflect an over spend.

The under-spend was mainly due to savings realised in some areas and operating works not having commenced as yet in other areas.

The over-spend was contributed by the following factors in the respective programs:

- **Transport** reflects an over-spend of \$375,568 (4%) largely due to depreciation costs relating to roads. This variance is a result of a timing issue between the adopted budget (July 2018) and finalised revaluation of infrastructure asset figures (November 2018). This has been adjusted in the mid-year budget review.
- **Community Amenities** reflects an over-spend of \$127,533 (2%) largely contributed by an increase in:
 - Waste tipping costs due to a timing difference with the receipt of invoices; and
 - Statutory planning employee costs for redundancy payments for employees.

Expenditure by Nature or Type reflects an under-spend of \$539,044 (1%) compared to the year to date budget. This was contributed mainly by the following areas:

- **Materials and Contracts** reflects an under-spend of \$1,375,274. This variance is contributed by the timing of works within various business units and a timing issue relating to the receipt of invoices; and
- **Depreciation on non-current assets** reflects an over-spend of \$596,011. The variance is due to the infrastructure asset revaluation figures from the previous financial year. This anomaly has been adjusted in the mid-year budget review.

Opening surplus brought forward - 2018/19

The opening net surplus position brought forward for 2018/19 is \$5,524,405 as stated in the 2017/2018 audited financial statements. The estimated budgeted opening surplus position for 2018/19 was \$4,829,483. The budgeted amount has been adjusted to reflect the surplus position as per the audited financial statements.

As at 28 February 2019, the surplus amount is \$20,699,987 compared to the year to date budgeted amount of \$15,899,446. This variance is vastly contributed by a reduction in expenditure for works relating to majority of the asset categories. The table in *Note 5* provides a summarised breakdown of the expenditure activity in each asset category.

It has been noted during the mid-year budget review that majority of the capital projects are scheduled to be completed by the end of the financial year.

Content of statement of financial activity

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Program Report (Note 1 Page 1)

This statement of financial activity shows operating revenue and expenditure classified by Program.

2. Statement of Comprehensive Income by Nature or Type Report (Note 2 Page 4)

This statement of financial activity shows operating revenue and expenditure classified by Nature or Type.

3. Net Current Funding Position (Note 3 Page 5)

'Net current assets' is the difference between the current assets and current liabilities, less committed assets and restricted assets.

4. Summary of Income and Expenditure by Service Areas (Note 4 Page 6 – 64)

This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.

5. Capital Expenditure and Funding Summary (Note 5 Page 65 - 77)

The table below summarises the '2018/2019 Capital Expenditure Budget by Program' as at 28 February 2019. The full capital works program is listed in detail in Note 5 of **Attachment 1**.

	Current Budget	YTD Budget	YTD Actual	Remaining Budget
	\$	\$	\$	%
Land and Buildings	2,663,391	1,609,754	727,298	72.7%
Infrastructure Assets	7,592,643	5,921,808	2,596,418	65.8%
Plant and Equipment	2,949,925	1,245,133	683,898	76.8%
Furniture and Equipment	1,217,958	1,107,958	95,820	92.1%
Total	14,423,917	9,884,653	4,103,434	71.6%

FUNDING	Current Budget	YTD Budget	YTD Actual	Remaining Budget
	\$	\$	\$	%
Own Source Funding - Municipal	10,465,323	7,123,363	2,806,697	73.2%
Cash Backed Reserves	1,605,763	826,763	274,714	82.9%
Capital Grant and Contribution	1,872,868	1,627,564	832,728	55.5%
Other (Disposals/Trade In)	479,963	306,963	189,295	60.6%
Total	14,423,917	9,884,653	4,103,434	71.6%

Note: Detailed analysis is included on page 65 - 77 of Attachment 1.

6. Cash Backed Reserves (Note 6 Page 78)

The Cash Backed Reserves schedule provides a detailed summary of the movements in the reserves portfolio, including transfers to and from the reserve. The balance as at 28 February 2019 is \$12,321,280.

7. Rating Information (Note 7 Page 79 – 80)

The notices for rates and charges levied for 2018/19 were issued on 26 July 2018.

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

First Instalment	31 August 2018
Second Instalment	31 October 2018
Third Instalment	04 January 2019
Fourth Instalment	04 March 2019

Total rates collected as at 28 February 2019 is \$32,167,899. Furthermore, the outstanding rates debtors balance is \$3,935,027 including deferred rates (\$105,250).

The rates area is in the process of issuing final instalment notices to ratepayers that have defaulted on their instalment payments and any outstanding amounts thereafter will be passed on to a debt recovery agency for collection.

8. **Receivables (Note 8 Page 81)**

Trade receivables outstanding as at 28 February 2019 is \$2,520,354, of which \$1,405,659 has been outstanding for over 90 days. Administration has been regularly following up all outstanding items by issuing reminders when they are overdue, subsequently initiating a formal debt collection process for when payments remain outstanding for long periods of time.

Below is a summary of the items that have been outstanding for over 90 days:

- \$1,251,469 (89%) relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are sent to Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a chargeable fee.

Due to the aged nature of some of the unpaid infringements, the provision for doubtful debts has been increased this year and an amount of \$1,066,403 has been transferred to long term infringement debtors (non-current portion); and

- \$181,755 (12.9%) relates to cash in lieu of car parking. Administration has entered into special payment arrangements for cash in lieu parking debtors that prefer to pay over a fixed term of five years. Interest is charged in accordance to the 5 year WA Treasury bond rate of 1.65%.

9. **Beatty Park Leisure Centre – Financial Position report (Note 9 Page 82)**

As at 28 February 2019, the operating deficit for the centre is \$1,187,265 compared to the year to date budgeted amount of \$1,214,779.

10. **Explanation of material variances (Note 4 Page 6 – 64)**

The materiality thresholds used for reporting variances are 10% and/or \$20,000 respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year to date budget or where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2018/19 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

In accordance to the above, all material variances as at 28 February 2019 have been detailed in the variance comments report in **Attachment 1**.

11. **Treatment of assets less than \$5,000**

The following amendment has been made to s6.10 Regs.17 (A) (5) of the Local Government Act:

An asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5,000.

As a result, Administration has reallocated the expenditure relating to the affected assets under this new threshold from capital to operating. The impact of this change is an increase in operating expenditure year to date of \$219,932 which results in a negative impact on the net position for the year.

Administration is currently reviewing the assets that have been acquired in the previous financial years and will perform a similar exercise as for assets purchased this year, to be fully compliant with the new legislative requirements. Once there is a clearer understanding of the financial impact arising from previous years' transactions Administration will provide an update to Council.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates.

Section 6.8 of the Local Government Act 1995, specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports to Council fulfils relevant statutory requirements.

STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned to with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

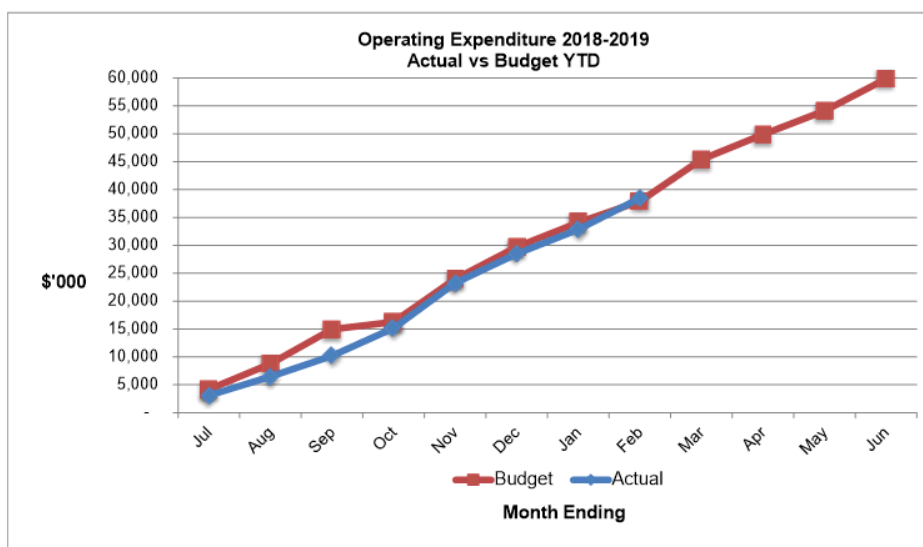
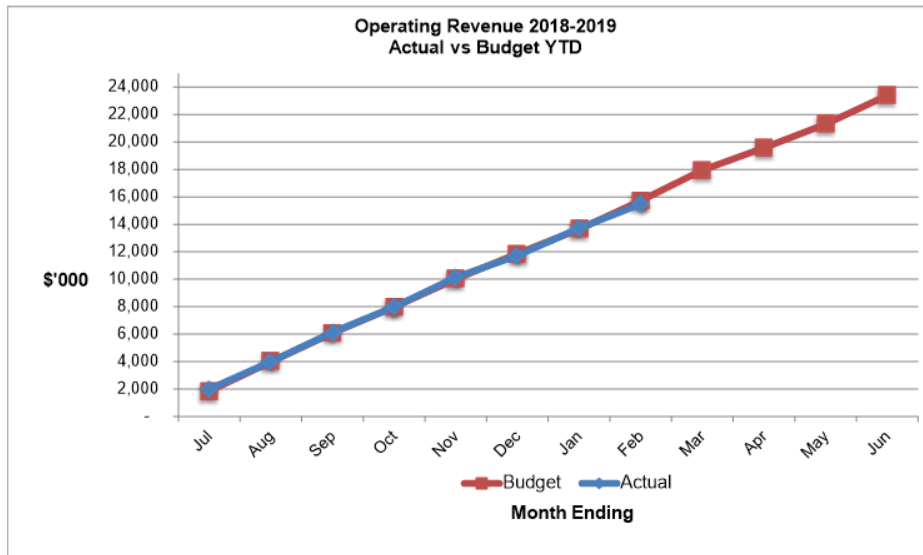
Not applicable.

CITY OF VINCENT
NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
BY PROGRAM
AS AT 28 FEBRUARY 2019

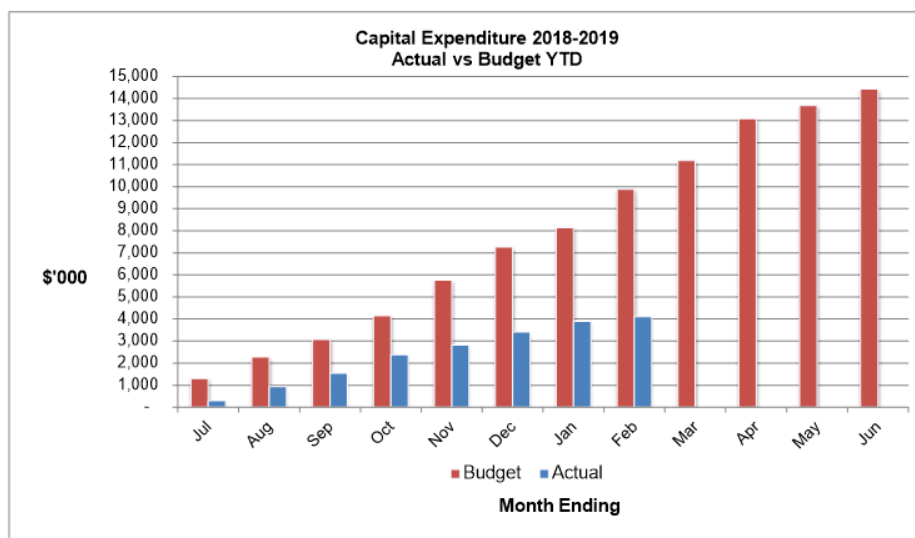
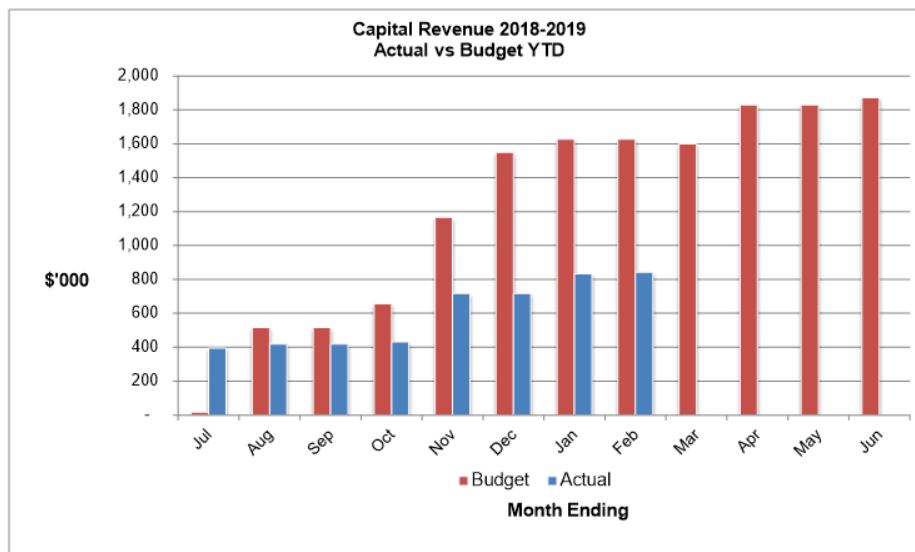


	Current Budget 2018/19 \$	YTD Budget 2018/19 \$	YTD Actual 2018/19 \$	YTD Variance 2018/19 \$	YTD Variance 2018/19 %
REVENUE FROM OPERATING ACTIVITIES (EXCLUDING RATES)					
Governance	91,240	81,670	33,292	(48,378)	-59%
General Purpose Funding	1,932,021	1,553,988	1,676,876	122,888	8%
Law, Order, Public Safety	215,385	131,759	106,235	(25,524)	-19%
Health	355,390	316,104	331,842	15,738	5%
Education and Welfare	231,115	171,424	127,201	(44,223)	-26%
Community Amenities	836,304	564,050	903,527	339,477	60%
Recreation and Culture	10,302,207	6,766,725	6,484,125	(282,600)	-4%
Transport	8,222,300	5,479,110	5,479,641	531	0%
Economic Services	238,250	164,168	243,840	79,672	49%
Other Property and Services	954,673	253,598	337,973	84,375	33%
	23,378,885	15,482,596	15,724,553	241,957	2%
EXPENDITURE FROM OPERATING ACTIVITIES					
Governance	(2,921,479)	(1,947,879)	(1,668,296)	279,583	-14%
General Purpose Funding	(600,038)	(428,173)	(421,211)	6,962	-2%
Law, Order, Public Safety	(1,589,040)	(1,073,593)	(906,901)	166,692	-16%
Health	(1,390,869)	(912,799)	(765,839)	146,960	-16%
Education and Welfare	(1,235,995)	(848,252)	(630,612)	217,640	-26%
Community Amenities	(12,747,253)	(6,967,167)	(7,094,700)	(127,533)	2%
Recreation and Culture	(24,006,068)	(15,873,362)	(15,742,419)	130,943	-1%
Transport	(12,850,682)	(8,682,282)	(9,057,850)	(375,568)	4%
Economic Services	(778,168)	(561,550)	(528,992)	32,558	-6%
Other Property and Services	(2,005,856)	(1,157,824)	(1,091,874)	65,950	-6%
	(60,125,448)	(38,452,881)	(37,908,693)	544,188	-1%
NET RESULT EXCLUDING GENERAL RATES	(36,746,563)	(22,970,285)	(22,184,140)	786,145	-3%
OPERATING ACTIVITIES EXCLUDED FROM BUDGET					
NON-CASH EXPENDITURE AND REVENUE					
Add Deferred Rates Adjustment	0	0	25,541	25,541	0%
(Profit)/Loss on Asset Disposals	(687,908)	(219,717)	(169,033)	50,684	-23%
Add Back Depreciation	10,289,210	6,859,472	7,455,483	596,011	9%
AMOUNT ATTRIBUTABLE TO OPERATING ACTIVITIES	9,601,302	6,639,755	7,311,992	672,236	10%
INVESTING ACTIVITIES					
Non-Operating Grants, Subsidies and Contributions	1,872,868	1,627,564	841,132	(786,432)	-48%
Purchase Land and Buildings	(2,663,391)	(1,609,754)	(727,298)	882,456	-55%
Purchase Infrastructure Assets	(7,592,643)	(6,006,798)	(2,596,418)	3,410,380	-57%
Purchase Plant and Equipment	(2,949,925)	(1,160,143)	(683,898)	476,245	-41%
Purchase Furniture and Equipment	(1,217,958)	(1,107,958)	(95,820)	1,012,138	-91%
Proceeds from Joint Venture Operations	333,333	291,667	166,667	(125,000)	-43%
Proceeds from Disposal of Assets	479,963	328,963	232,138	(96,825)	-29%
	(11,737,753)	(7,636,459)	(2,863,497)	4,772,962	-63%
FINANCING ACTIVITIES					
Repayments of Debentures	(1,017,424)	(646,455)	(623,484)	22,971	-4%
Proceeds from New Debentures	428,000	428,000	0	(428,000)	-100%
Transfers to Reserves (Restricted Assets)	(2,142,713)	(1,177,760)	(1,164,024)	13,736	-1%
Transfers from Reserves (Restricted Assets)	1,605,763	1,026,763	274,714	(752,049)	-73%
	(1,126,374)	(369,452)	(1,512,794)	(1,143,342)	309%
Plus: Surplus/(Deficiency) Brought Fwd 1 July 2018	5,524,402	5,524,402	5,524,405	3	0%
Surplus/(Deficiency) before General Rates	(34,484,986)	(18,812,039)	(13,724,035)	5,088,004	-27%
Total Amount raised from General Rates	34,711,485	34,711,485	34,424,023	(287,462)	-1%
Restricted Grant	0	0	0	0	0%
NET CURRENT ASSETS C/FWD - SURPLUS/(DEFICIT)	226,499	15,899,446	20,699,987	4,800,542	30%

CITY OF VINCENT
 NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
 BY PROGRAM - GRAPH
 AS AT 28 FEBRUARY 2019



CITY OF VINCENT
NOTE 1 - CAPITAL REVENUE / EXPENDITURE PROGRAM
AS AT 28 FEBRUARY 2019



CITY OF VINCENT
NOTE 2 - STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance Feb-19 \$	YTD Variance Feb-19 %
REVENUE					
Rates	34,711,485	34,711,485	34,424,023	(287,462)	-1%
Operating Grants, Subsidies and Contributions	756,566	522,622	614,599	91,977	18%
Fees and Charges	19,259,366	13,088,079	13,411,399	323,320	2%
Interest Earnings	941,260	753,836	883,976	130,140	17%
Other Revenue	1,541,630	886,917	639,266	(247,651)	-28%
	57,210,307	49,962,939	49,973,261	10,322	0%
EXPENDITURE					
Employee Costs	(27,132,651)	(17,601,634)	(17,905,064)	(303,430)	2%
Materials and Contracts	(18,509,006)	(11,892,742)	(10,514,376)	1,378,366	-12%
Utilities Charges	(1,852,150)	(1,112,274)	(1,073,548)	38,726	-3%
Interest Expenses	(954,449)	(502,054)	(550,270)	(48,216)	10%
Insurance Expenses	(675,216)	(445,071)	(450,146)	(5,075)	1%
Depreciation on Non-Current Assets	(10,289,210)	(6,859,472)	(7,455,483)	(596,011)	9%
Other Expenditure	(520,611)	(28,209)	46,475	74,684	-265%
	(59,933,293)	(38,441,456)	(37,902,412)	539,044	-1%
Non-Operating Grants, Subsidies and Contributions	1,872,868	1,627,564	841,132	(786,432)	-48%
Profit on Asset Disposals	880,063	231,142	175,314	(55,828)	-24%
Loss on Asset Disposals	(192,155)	(11,425)	(6,281)	5,144	-45%
	2,560,776	1,847,281	1,010,165	(837,116)	-45%
NET RESULT	(162,210)	13,368,764	13,081,014	(287,750)	-2%
OTHER COMPREHENSIVE INCOME					
Changes on Revaluation of Non-Current Assets	-	-	-	-	0%
TOTAL OTHER COMPREHENSIVE INCOME	(162,210)	13,368,764	13,081,014	(287,750)	-2%
TOTAL COMPREHENSIVE INCOME	(162,210)	13,368,764	13,081,014	(287,750)	-2%

**CITY OF VINCENT
NOTE 3 - NET CURRENT FUNDING POSITION
AS AT 28 FEBRUARY 2019**



	Ref Note	Actual 28-Feb-19 \$	Actual 30-Jun-18 \$
Current Assets			
Cash - Unrestricted		21,397,518	9,434,051
Cash - Restricted Reserves		12,321,280	11,431,969
Trade and Other Receivables - Rates	7	3,935,027	488,384
Trade and Other Receivables - Other Debtors	8	2,520,354	2,651,072
Inventories		223,573	184,342
Total Current Assets		40,397,752	24,189,818
Less: Current Liabilities			
Sundry and Other Creditors		(4,507,551)	(4,332,747)
Provisions - Current		(3,335,337)	(3,367,101)
Total Current Liabilities		(7,842,888)	(7,699,847)
Less:			
Reserves - Restricted Cash	6	(12,321,280)	(11,431,969)
Trade and Other Receivables - Other Debtors - Restricted Grant		(600,000)	(600,000)
Infringement Debtors transferred to non current asset		1,066,403	1,066,403
Net Current Funding Position		20,699,987	5,524,405

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	February 2019 Budget YTD \$	February 2019 Actual YTD \$	% YTD Budget
Operating Revenue By Service Area				
Chief Executive Officer	(200)	(136)	0	0%
Human Resources	(50,040)	(45,870)	(25,897)	56%
Director Corporate Services	(1,363,421)	(999,891)	(1,115,122)	112%
Other Governance	(35,000)	(35,000)	0	0%
Record Management	(1,000)	(664)	(440)	66%
Rates Services	(35,417,085)	(35,338,827)	(35,093,256)	99%
Finance Services	(700)	(536)	(1,108)	207%
Marketing and Communications	(5,000)	0	(6,956)	6956%
Beatty Park Leisure Centre	(7,757,360)	(5,182,806)	(5,042,920)	97%
Community Partnerships	(76,800)	(56,872)	(52,849)	93%
Library & Local History Services	(21,300)	(14,200)	(45,664)	322%
Ranger Services	(8,278,650)	(5,549,834)	(5,583,148)	101%
Health Services	(350,385)	(316,104)	(331,842)	105%
Compliance Services	(20,750)	(13,830)	(35,806)	259%
Statutory Planning Services	(374,000)	(252,512)	(495,179)	196%
Policy and Place Services	(1,600)	(1,064)	(1,271)	119%
Building Services	(236,250)	(162,168)	(242,615)	150%
Engineering Design Services	(90,250)	(26,746)	(45,461)	170%
Environment Services	(26,000)	(13,000)	(11,680)	90%
Parks Services	(2,623,977)	(1,630,386)	(1,417,236)	87%
Waste Management Services	(331,839)	(240,029)	(314,123)	131%
Works & Operations Services	(148,700)	(82,464)	(110,689)	134%
Operating Revenue By Service Area Total	(57,210,307)	(49,962,939)	(49,973,261)	100%

Operating Expenditure By Service Area				
Chief Executive Officer	516,385	335,443	396,208	118%
Human Resources	50,040	45,870	25,897	56%
Director Corporate Services	74,000	66,616	20,977	31%
Other Governance	606,792	397,714	322,855	81%
Record Management	1,000	664	440	66%
Rates Services	600,038	428,173	421,211	98%
Finance Services	700	536	1,108	207%
Marketing and Communications	1,740,087	1,160,677	917,056	79%
Beatty Park Leisure Centre	10,746,672	7,171,681	6,984,385	97%
Community Partnerships	1,452,914	939,612	856,231	91%
Library & Local History Services	1,734,755	1,148,361	1,102,224	96%
Ranger Services	6,470,525	4,421,938	4,205,799	95%
Health Services	1,390,869	912,799	765,839	84%
Compliance Services	665,828	423,384	460,021	109%
Statutory Planning Services	1,938,656	1,197,450	1,442,881	120%
Policy and Place Services	2,424,621	1,211,660	1,103,356	91%
Building Services	735,168	523,050	494,055	94%
Engineering Design Services	2,224,831	1,301,704	1,250,135	96%
Environment Services	354,011	218,904	213,365	97%
Parks Services	13,359,515	9,181,436	8,969,772	98%
Waste Management Services	6,786,803	3,519,666	3,619,527	103%
Works & Operations Services	5,198,409	3,341,544	3,973,546	119%
Community Connections	488,987	338,966	166,192	49%
Art and Culture	371,687	153,608	189,336	123%
Operating Expenditure By Service Area Total	59,933,293	38,441,456	37,902,412	99%

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Chief Executive Officer</u>						
Chief Executive Officer Expenditure						
Employee Costs	570,300	355,466	291,611	(63,855)	-18%	Positive variance on salaries and an employee working part time is being costed to Human resources salary account.
Other Employee Costs	18,432	12,952	9,539	(3,413)	-26%	
Other Expenses	117,050	113,416	68,752	(44,664)	-39%	Timing variance on management programs.
Operating Projects	200,000	133,400	0	(133,400)	-100%	Beatty park options project still in planning stage.
Chief Executive Officer Expenditure Total	905,782	615,234	369,902	(245,332)	-40%	
Chief Executive Officer Indirect Costs						
Allocations	(905,782)	(615,234)	(369,902)	245,332	-40%	
Chief Executive Officer Indirect Costs Total	(905,782)	(615,234)	(369,902)	245,332	-40%	
Chief Executive Officer Total	0	0	0	0		
<u>Members of Council</u>						
Members Of Council Revenue						
Revenue	(200)	(136)	0	136	-100%	
Members Of Council Revenue Total	(200)	(136)	0	136	-100%	
Members Of Council Expenditure						
Employee Costs	72,912	47,647	55,512	7,865	17%	
Other Employee Costs	10,000	7,500	741	(6,759)	-90%	
Other Expenses	385,490	248,242	235,108	(13,134)	-5%	
Members Of Council Expenditure Total	468,402	303,389	291,361	(12,028)	-4%	
Members Of Council Indirect Costs						
Allocations	47,983	32,054	104,846	72,792	227%	
Members Of Council Indirect Costs Total	47,983	32,054	104,846	72,792	227%	
Members of Council Total	516,185	335,307	396,208	60,901	18%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Other Governance						
Other Governance Revenue						
Revenue	(35,000)	(35,000)	0	35,000	-100%	Change in LGIS member bonus distribution. City will not receive bonus payout in FY18-19 but will receive \$55k in the next financial year as an offset against the City's insurance contributions
Other Governance Revenue Total	(35,000)	(35,000)	0	35,000	-100%	
Other Governance Expenditure						
Employee Costs	260,078	169,991	168,757	(1,234)	-1%	
Other Employee Costs	14,000	9,336	3,791	(5,545)	-59%	
Other Expenses	144,800	99,250	51,825	(47,425)	-48%	Positive variance made up of consultant fee \$17,804 and internal audit fees \$15,400 not yet required, and other variances that are individually immaterial.
Operating Projects	50,800	27,600	8,259	(19,341)	-70%	Project commenced in January 2019, awaiting invoices.
Other Governance Expenditure Total	469,678	306,177	232,631	(73,546)	-24%	
Other Governance Indirect Costs						
Allocations	137,114	91,537	90,223	(1,314)	-1%	
Other Governance Indirect Costs Total	137,114	91,537	90,223	(1,314)	-1%	
Other Governance Total	571,792	362,714	322,855	(39,859)	-11%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Director Corporate Services						
Director Corporate Services Expenditure						
Employee Costs	474,641	327,494	329,716	2,222	1%	
Other Employee Costs	8,776	5,184	4,535	(649)	-13%	
Other Expenses	26,700	16,092	2,830	(13,262)	-82%	Consultant costs \$10,100 not yet required.
Director Corporate Services Expenditure Total	510,117	348,770	337,081	(11,689)	-3%	
Director Corporate Services Indirect Costs						
Allocations	(510,117)	(348,770)	(337,081)	11,689	-3%	
Director Corporate Services Indirect Costs Total	(510,117)	(348,770)	(337,081)	11,689	-3%	
Director Corporate Services Total	0	0	(0)	(0)	100%	
Human Resources						
Human Resources Revenue						
Revenue	(50,040)	(45,870)	(25,897)	19,973	-44%	Paid parental leave lower than budget estimates.
Human Resources Revenue Total	(50,040)	(45,870)	(25,897)	19,973	-44%	
Human Resources Expenditure						
Employee Costs	671,353	423,384	472,206	48,822	12%	\$11,000 timing on paid parental leave payment and \$30,000 unfavourable variance on salaries due to an employee working in two sections, to be corrected in March 2019 report.
Other Employee Costs	81,300	46,592	53,316	6,724	14%	Timing variance of \$19,000 on external recruitment cost.
Other Expenses	146,500	102,336	76,225	(26,111)	-26%	Variance due to \$27,700 legal costs not yet required.
Human Resources Expenditure Total	899,153	572,312	601,747	29,435	5%	
Human Resources Indirect Costs						
Allocations	(849,113)	(526,442)	(575,851)	(49,409)	9%	
Human Resources Indirect Costs Total	(849,113)	(526,442)	(575,851)	(49,409)	9%	
Human Resources Total	0	0	0	0	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Insurance Premium</u>						
Insurance Premium Expenditure						
Other Expenses	675,216	445,071	450,146	5,075	1%	
Insurance Premium Expenditure Total	675,216	445,071	450,146	5,075	1%	
Insurance Premium Recovery						
Allocations	(675,216)	(416,722)	(458,857)	(42,135)	10%	
Insurance Premium Recovery Total	(675,216)	(416,722)	(458,857)	(42,135)	10%	
Insurance Premium Total	0	28,349	(8,711)	(37,060)	-131%	
<u>Insurance Claim</u>						
Insurance Claim Recoup						
Revenue	(45,000)	(28,084)	(49,804)	(21,720)	77%	Recoup of insurance claim for vehicle write off and stolen CCTV cameras.
Insurance Claim Recoup Total	(45,000)	(28,084)	(49,804)	(21,720)	77%	
Insurance Claim Expenditure						
Other Expenses	25,000	11,997	3,420	(8,577)	-71%	
Insurance Claim Expenditure Total	25,000	11,997	3,420	(8,577)	-71%	
Insurance Claim Total	(20,000)	(16,087)	(46,384)	(30,297)	188%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Mindarie Regional Council</u>						
Mindarie Regional Council Revenue						
Revenue	(92,000)	(45,161)	(57,674)	(12,513)	28%	\$12,000 ATO GST credit from land sales part of Tamala Park
Mindarie Regional Council Revenue Total	(92,000)	(45,161)	(57,674)	(12,513)	28%	
Mindarie Regional Council Expenditure						
Other Expenses	49,000	26,270	26,268	(2)	0%	
Mindarie Regional Council Expenditure Total	49,000	26,270	26,268	(2)	0%	
Mindarie Regional Council Total	(43,000)	(18,891)	(31,407)	(12,516)	66%	
<u>General Purpose Revenue</u>						
General Purpose Revenue						
Revenue	(1,226,421)	(926,646)	(1,007,643)	(80,997)	9%	
General Purpose Revenue Total	(1,226,421)	(926,646)	(1,007,643)	(80,997)	9%	
General Purpose Revenue Total	(1,226,421)	(926,646)	(1,007,643)	(80,997)	9%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Rates Services</u>						
Rates Services Revenue						
Revenue	(35,417,085)	(35,338,827)	(35,093,256)	245,571	-1%	Interim rating is lower than anticipated.
Rates Services Revenue Total	(35,417,085)	(35,338,827)	(35,093,256)	245,571	-1%	
Rates Services Expenditure						
Employee Costs	242,938	158,787	167,462	8,675	5%	
Other Expenses	213,400	173,421	163,291	(10,130)	-6%	
Rates Services Expenditure Total	456,338	332,208	330,753	(1,455)	0%	
Rates Services Indirect Costs						
Allocations	143,700	95,965	90,458	(5,507)	-6%	
Rates Services Indirect Costs Total	143,700	95,965	90,458	(5,507)	-6%	
Rates Services Total	(34,817,047)	(34,910,654)	(34,672,045)	238,609	-1%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Finance Services</u>						
Finance Services Revenue						
Revenue	(700)	(536)	(1,108)	(572)	107%	
Finance Services Revenue Total	(700)	(536)	(1,108)	(572)	107%	
Finance Services Expenditure						
Employee Costs	812,587	540,973	468,117	(72,856)	-13%	Variance due to a position being vacant.
Other Employee Costs	11,510	8,272	65,173	56,901	688%	Cost relates to external recruitment.
Other Expenses	49,510	20,796	76,595	55,799	268%	Agency labour required to backfill the vacant position.
Finance Services Expenditure Total	873,607	570,041	609,884	39,843	7%	
Finance Services Indirect Costs						
Allocations	(872,907)	(569,505)	(608,776)	(39,271)	7%	
Finance Services Indirect Costs Total	(872,907)	(569,505)	(608,776)	(39,271)	7%	
Finance Services Total	0	0	0	0	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Information Technology						
Information Technology Expenditure						
Employee Costs	560,725	366,481	336,711	(29,770)	-8%	Variance due to a position being vacant.
Other Employee Costs	37,500	25,000	14,308	(10,692)	-43%	\$2,000 training and \$8,000 agency labour costs not yet required.
Other Expenses	873,352	696,674	678,584	(18,090)	-3%	Variance due to \$49,000 consultants cost, \$15,000 contractor cost not yet required and \$21,000 timing difference on software upgrade. However, \$103,043 is over spent on purchase of furniture and equipment because assets less than \$5,000 that were costed to the capital account, have been journalled to the operating account.
Operating Projects	0	0	27,911	27,911	100%	\$300,000 transferred from capital budget to operating as part of MYBR for ICT project.
Information Technology Expenditure Total	1,471,577	1,088,155	1,057,514	(30,641)	-3%	
Information Technology Indirect Costs						
Allocations	(1,471,577)	(1,088,155)	(1,057,514)	30,641	-3%	
Information Technology Indirect Costs Total	(1,471,577)	(1,088,155)	(1,057,514)	30,641	-3%	
Information Technology Total	0	0	0	(0)	100%	

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NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Records Management</u>						
Records Management Revenue						
Revenue	(1,000)	(664)	(440)	224	-34%	
Records Management Revenue Total	(1,000)	(664)	(440)	224	-34%	
Records Management Expenditure						
Employee Costs	293,319	191,709	183,447	(8,262)	-4%	
Other Employee Costs	20,150	13,432	1,487	(11,945)	-89%	Various positive variances that are individually immaterial.
Other Expenses	53,400	32,608	30,191	(2,417)	-7%	
Operating Projects	7,200	7,200	0	(7,200)	-100%	
Records Management Expenditure Total	374,069	244,949	215,126	(29,823)	-12%	
Records Management Indirect Costs						
Allocations	(373,069)	(244,285)	(214,686)	29,599	-12%	
Records Management Indirect Costs Total	(373,069)	(244,285)	(214,686)	29,599	-12%	
Records Management Total	0	0	(0)	(0)	100%	
<u>Director Community Engagement</u>						
Director Community Engagement Expenditure						
Employee Costs	281,528	184,006	191,492	7,486	4%	
Other Employee Costs	8,566	4,876	6,174	1,298	27%	
Other Expenses	6,300	4,500	5,367	867	19%	
Director Community Engagement Expenditure Total	296,394	193,382	203,034	9,652	5%	
Director Community Engagement Indirect Costs						
Allocations	(296,394)	(193,382)	(203,034)	(9,652)	5%	
Director Community Engagement Indirect Costs Total	(296,394)	(193,382)	(203,034)	(9,652)	5%	
Director Community Engagement Total	0	0	0	0	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Marketing and Communications</u>						
Marketing and Communications Revenue						
Revenue	(5,000)	0	(6,956)	(6,956)	100%	
Marketing and Communications Revenue Total	(5,000)	0	(6,956)	(6,956)	100%	
Marketing and Communications Expenditure						
Employee Costs	726,858	472,826	522,541	49,715	11%	Overspending on Graphic Designer and casual employee costs for events.
Other Employee Costs	9,750	7,600	2,122	(5,478)	-72%	
Other Expenses	666,776	460,077	222,745	(237,332)	-52%	Underspent adjusted in mid year budget review (MYBR)
Operating Projects	37,000	20,000	0	(20,000)	-100%	Project at planning stage.
Marketing and Communications Expenditure Total	1,440,384	960,503	747,408	(213,095)	-22%	
Marketing and Communications Indirect Costs						
Allocations	299,703	200,174	169,648	(30,526)	-15%	
Marketing and Communications Indirect Costs Total	299,703	200,174	169,648	(30,526)	-15%	
Marketing and Communications Total	1,735,087	1,160,677	910,100	(250,577)	-22%	
<u>Art and Culture</u>						
Art and Culture						
Other Expenses	324,750	122,250	164,404	42,154	34%	Timing variance on events.
Art and Culture Total	324,750	122,250	164,404	42,154	34%	
Art and Culture Indirect Costs						
Allocations	46,937	31,358	24,932	(6,426)	-20%	
Art and Culture Indirect Costs Total	46,937	31,358	24,932	(6,426)	-20%	
Art and Culture Total	371,687	153,608	189,336	35,728	23%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Customer Service Centre						
Customer Services Centre Expenditure						
Employee Costs	358,720	237,187	249,202	12,015	5%	
Other Employee Costs	29,750	15,161	2,487	(12,674)	-84%	Various positive variances that are individually immaterial.
Other Expenses	46,800	32,686	18,719	(13,967)	-43%	Various positive variances that are individually immaterial.
Customer Services Centre Expenditure Total	435,270	285,034	270,408	(14,626)	-5%	
Customer Services Centre Indirect Costs						
Allocations	(435,270)	(285,034)	(270,408)	14,626	-5%	
Customer Services Centre Indirect Costs Total	(435,270)	(285,034)	(270,408)	14,626	-5%	
Customer Service Centre Total	0	0	(0)	(0)	100%	

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NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Beatty Park Leisure Centre Administration</u>						
Beatty Park Leisure Centre Admin Revenue						
Revenue	(2,614,800)	(1,705,407)	(1,689,916)	15,491	-1%	
Beatty Park Leisure Centre Admin Revenue Total	(2,614,800)	(1,705,407)	(1,689,916)	15,491	-1%	
Beatty Park Leisure Centre Admin Indirect Revenue						
Allocations	2,614,800	1,705,407	1,689,916	(15,491)	-1%	
Beatty Park Leisure Centre Admin Indirect Revenue Total	2,614,800	1,705,407	1,689,916	(15,491)	-1%	
Beatty Park Leisure Centre Admin Expenditure						
Employee Costs	948,948	630,439	577,912	(52,527)	-8%	
Other Employee Costs	13,531	9,320	5,925	(3,395)	-36%	
Other Expenses	333,644	262,294	355,721	93,427	36%	\$23,000 in consultant fees for business review, adjusted as part of the mid year budget review. \$57,000 transferred from capital as items purchased were below threshold.
Operating Projects	180,000	180,000	0	(180,000)	-100%	Project at planning stage.
Beatty Park Leisure Centre Admin Expenditure Total	1,476,123	1,082,053	939,558	(142,495)	-13%	
Beatty Park Leisure Centre Admin Indirect Costs						
Allocations	(1,476,123)	(1,082,053)	(939,558)	142,495	-13%	
Beatty Park Leisure Centre Admin Indirect Costs Total	(1,476,123)	(1,082,053)	(939,558)	142,495	-13%	
Beatty Park Leisure Centre Administration Total	0	0	0	0	100%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Beatty Park Leisure Centre Building</u>						
Beatty Park Leisure Centre Building Revenue						
Revenue	(159,260)	(106,168)	(106,467)	(299)	0%	
Beatty Park Leisure Centre Building Revenue Total	(159,260)	(106,168)	(106,467)	(299)	0%	
 Beatty Park Leisure Centre Occupancy Costs						
Building Maintenance	526,150	354,597	443,695	89,098	25%	Amended in mid year budget review for overspend in gas charges due to geothermal breakdown.
Ground Maintenance	55,700	37,136	41,850	4,714	13%	
Other Expenses	2,051,655	1,273,933	1,366,042	92,109	7%	
Beatty Park Leisure Centre Occupancy Costs Total	2,633,505	1,665,666	1,851,588	185,922	11%	
 Beatty Park Leisure Centre Indirect Costs						
Allocations	(2,474,245)	(1,559,498)	(1,745,121)	(185,623)	12%	
Beatty Park Leisure Centre Indirect Costs Total	(2,474,245)	(1,559,498)	(1,745,121)	(185,623)	12%	
Beatty Park Leisure Centre Building Total	0	0	0	(0)	100%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Swimming Pool Areas						
Swimming Pool Areas Revenue						
Revenue	(1,785,800)	(1,249,203)	(1,208,706)	40,497	-3%	
Swimming Pool Areas Revenue Total	(1,785,800)	(1,249,203)	(1,208,706)	40,497	-3%	
Swimming Pool Areas Indirect Revenue						
Allocations	(738,236)	(481,487)	(477,063)	4,424	-1%	
Swimming Pool Areas Indirect Revenue Total	(738,236)	(481,487)	(477,063)	4,424	-1%	
Swimming Pool Areas Expenditure						
Employee Costs	1,009,900	678,479	677,912	(567)	0%	
Other Employee Costs	21,000	13,950	10,520	(3,431)	-25%	
Other Expenses	238,345	162,892	205,228	42,336	26%	Negative variance due to geothermal pump repairs and maintenance \$57,000, other positive variances that are individually immaterial. Other positive variances that are individually immaterial.
Swimming Pool Areas Expenditure Total	1,269,245	855,321	893,659	38,338	4%	
Swimming Pool Areas Indirect Costs						
Allocations	1,655,943	1,108,674	1,746,871	638,197	58%	
Swimming Pool Areas Indirect Costs Total	1,655,943	1,108,674	1,746,871	638,197	58%	
Swimming Pool Areas Total	401,152	233,305	954,760	721,455	309%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Swim School</u>						
Swim School Revenue						
Revenue	(1,549,000)	(968,168)	(948,216)	19,952	-2%	
Swim School Revenue Total	(1,549,000)	(968,168)	(948,216)	19,952	-2%	
Swim School Indirect Revenue						
Allocations	(732,242)	(477,578)	(473,176)	4,402	-1%	
Swim School Indirect Revenue Total	(732,242)	(477,578)	(473,176)	4,402	-1%	
Swim School Expenditure						
Employee Costs	853,872	559,594	530,963	(28,631)	-5%	
Other Employee Costs	7,500	7,500	1,849	(5,651)	-75%	
Other Expenses	32,520	20,956	20,636	(320)	-2%	
Swim School Expenditure Total	893,892	588,050	553,447	(34,603)	-6%	
Swim School Indirect Costs						
Allocations	1,640,943	1,098,634	591,063	(507,571)	-46%	
Swim School Indirect Costs Total	1,640,943	1,098,634	591,063	(507,571)	-46%	
Swim School Total	253,593	240,938	(276,882)	(517,820)	-215%	

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 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Café						
Cafe Revenue						
Revenue	(714,000)	(501,801)	(476,888)	24,913	-5%	
Cafe Revenue Total	(714,000)	(501,801)	(476,888)	24,913	-5%	
Cafe Indirect Revenue						
Allocations	(305,369)	(199,165)	(197,382)	1,783	-1%	
Cafe Indirect Revenue Total	(305,369)	(199,165)	(197,382)	1,783	-1%	
Cafe Expenditure						
Employee Costs	423,168	284,261	291,236	6,975	2%	
Other Employee Costs	1,000	500	447	(53)	-11%	
Other Expenses	324,950	223,613	203,202	(20,411)	-9%	
Cafe Expenditure Total	749,118	508,374	494,886	(13,488)	-3%	
Cafe Indirect Costs						
Allocations	685,051	458,651	239,051	(219,600)	-48%	
Cafe Indirect Costs Total	685,051	458,651	239,051	(219,600)	-48%	
Café Total	414,800	266,059	59,666	(206,393)	-78%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Retail						
Retail Revenue						
Revenue	(520,000)	(372,309)	(355,825)	16,484	-4%	
Retail Revenue Total	(520,000)	(372,309)	(355,825)	16,484	-4%	
Retail Indirect Revenue						
Allocations	(58,292)	(38,019)	(37,685)	334	-1%	
Retail Indirect Revenue Total	(58,292)	(38,019)	(37,685)	334	-1%	
Retail Expenditure						
Employee Costs	70,299	45,951	39,511	(6,440)	-14%	
Other Employee Costs	1,500	750	0	(750)	-100%	
Other Expenses	286,650	180,376	180,635	259	0%	
Retail Expenditure Total	358,449	227,077	220,146	(6,931)	-3%	
Retail Indirect Costs						
Allocations	130,597	87,441	102,534	15,093	17%	
Retail Indirect Costs Total	130,597	87,441	102,534	15,093	17%	
Retail Total	(89,246)	(95,810)	(70,830)	24,980	-26%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Health and Fitness						
Health and Fitness Revenue						
Revenue	(195,500)	(137,960)	(116,664)	21,296	-15%	\$17,000 lower revenue in casual patrons and \$3,000 lower in personal training.
Health and Fitness Revenue Total	(195,500)	(137,960)	(116,664)	21,296	-15%	
Health and Fitness Indirect Revenue						
Allocations	(381,130)	(248,578)	(246,390)	2,188	-1%	
Health and Fitness Indirect Revenue Total	(381,130)	(248,578)	(246,390)	2,188	-1%	
Health and Fitness Expenditure						
Employee Costs	539,199	353,885	361,131	7,246	2%	
Other Employee Costs	8,500	5,875	475	(5,400)	-92%	
Other Expenses	174,359	135,073	133,445	(1,628)	-1%	
Health and Fitness Expenditure Total	722,058	494,833	495,051	218	0%	
Health and Fitness Indirect Costs						
Allocations	855,186	572,560	586,523	13,963	2%	
Health and Fitness Indirect Costs Total	855,186	572,560	586,523	13,963	2%	
Health and Fitness Total	1,000,614	680,855	718,520	37,665	6%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Group Fitness						
Group Fitness Revenue						
Revenue	(171,500)	(111,612)	(101,515)	10,097	-9%	
Group Fitness Revenue Total	(171,500)	(111,612)	(101,515)	10,097	-9%	
Group Fitness Indirect Revenue						
Allocations	(151,734)	(98,963)	(98,015)	948	-1%	
Group Fitness Indirect Revenue Total	(151,734)	(98,963)	(98,015)	948	-1%	
Group Fitness Expenditure						
Employee Costs	318,873	204,785	197,462	(7,323)	-4%	
Other Employee Costs	1,000	750	389	(361)	-48%	
Other Expenses	97,802	69,489	64,963	(4,526)	-7%	
Group Fitness Expenditure Total	417,675	275,024	262,814	(12,210)	-4%	
Group Fitness Indirect Costs						
Allocations	341,949	228,932	202,341	(26,591)	-12%	
Group Fitness Indirect Costs Total	341,949	228,932	202,341	(26,591)	-12%	
Group Fitness Total	436,390	293,381	265,625	(27,756)	-9%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Aqua Fitness</u>						
Aqua Fitness Revenue						
Revenue	(31,000)	(18,770)	(22,493)	(3,723)	20%	
Aqua Fitness Revenue Total	(31,000)	(18,770)	(22,493)	(3,723)	20%	
Aqua Fitness Indirect Revenue						
Allocations	(24,481)	(15,967)	(15,885)	82	-1%	
Aqua Fitness Indirect Revenue Total	(24,481)	(15,967)	(15,885)	82	-1%	
Aqua Fitness Expenditure						
Employee Costs	57,886	37,674	19,579	(18,095)	-48%	Employee costs incorrectly budgeted. To be adjusted as part of the mid year budget review.
Other Expenses	9,352	6,254	3,484	(2,770)	-44%	
Aqua Fitness Expenditure Total	67,238	43,928	23,063	(20,866)	-47%	
Aqua Fitness Indirect Costs						
Allocations	55,256	36,992	131,248	94,256	255%	
Aqua Fitness Indirect Costs Total	55,256	36,992	131,248	94,256	255%	
Aqua Fitness Total	67,013	46,183	115,932	69,749	151%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Crèche						
Crèche Revenue						
Revenue	(16,500)	(11,408)	(16,229)	(4,821)	42%	
Crèche Revenue Total	(16,500)	(11,408)	(16,229)	(4,821)	42%	
Crèche Indirect Revenue						
Allocations	(223,316)	(145,650)	(144,319)	1,331	-1%	
Crèche Indirect Revenue Total	(223,316)	(145,650)	(144,319)	1,331	-1%	
Crèche Expenditure						
Employee Costs	241,455	144,222	141,132	(3,090)	-2%	
Other Employee Costs	1,250	625	326	(300)	-48%	
Other Expenses	2,075	1,394	513	(881)	-63%	
Crèche Expenditure Total	244,780	146,241	141,970	(4,271)	-3%	
Crèche Indirect Costs						
Allocations	500,032	334,781	193,251	(141,530)	-42%	
Crèche Indirect Costs Total	500,032	334,781	193,251	(141,530)	-42%	
Crèche Total	504,996	323,964	174,674	(149,290)	-46%	

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BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Community Partnership Mgmt Administration</u>						
Community Partnerships Management Administration						
Employee Costs	692,048	451,743	431,869	(19,874)	-4%	
Other Expenses	187,350	124,912	28,726	(96,186)	-77%	Timing variance on consultant cost not yet required.
Community Partnerships Management Administration Total	879,398	576,655	460,595	(116,060)	-20%	
Community Partnerships Mgmt Admin Indirect Costs						
Allocations	82,885	55,618	53,765	(1,853)	-3%	
Library Occupancy Costs Allocations	6,191	4,231	0	(4,231)	-100%	
Community Partnerships Mgmt Admin Recove	(968,474)	(636,504)	(514,360)	122,144	-19%	
Community Partnerships Mgmt Admin Indirect Costs Total	(879,398)	(576,655)	(460,595)	116,060	-20%	
Community Partnership Mgmt Administration Total	0	0	0	(0)	100%	
<u>Community Connections</u>						
Community Connections Expenditure						
Employee Costs	86,309	56,418	60,333	3,915	7%	
Other Employee Costs	5,200	2,600	3,483	883	34%	
Other Expenses	84,400	73,114	58,133	(14,981)	-20%	Timing variance on Noongar Outreach Services.
Community Connections Expenditure Total	175,909	132,132	121,949	(10,183)	-8%	
Community Connections Indirect Costs						
Allocations	65,609	44,049	44,243	194	0%	
Community Partnerships Mgmt Admin Alloca	242,120	159,128	0	(159,128)	-100%	
Library Occupancy Costs Allocations	5,349	3,657	0	(3,657)	-100%	
Community Connections Indirect Costs Total	313,078	206,834	44,243	(162,591)	-79%	
Community Connections Total	488,987	338,966	166,192	(172,774)	-51%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Recreation, Arts and Culture</u>						
Recreation, Arts and Culture Revenue						
Revenue	(44,800)	(29,872)	(43,000)	(13,128)	44%	\$25,000 funding received for Leederville masterplan from WA Football Commission, to be adjusted in mid year review.
Recreation, Arts and Culture Revenue Total	(44,800)	(29,872)	(43,000)	(13,128)	44%	
<u>Recreation, Arts and Culture Expenditure</u>						
Employee Costs	88,394	57,770	65,194	7,424	13%	
Other Employee Costs	4,372	2,912	2,628	(284)	-10%	
Other Expenses	172,170	76,414	89,923	13,509	18%	Timing variance of \$34,000 unfavourable in Community Art Program and \$13,000 favourable variance for Reconciliation Program, and other favourable variances that are individually immaterial.
Recreation, Arts and Culture Expenditure Total	264,936	137,096	157,745	20,649	15%	
Recreation, Arts and Culture Indirect Costs						
Allocations	147,143	98,774	101,224	2,450	2%	
Community Partnerships Mgmt Admin Alloca	181,591	119,347	231,462	112,115	94%	
Library Occupancy Costs Allocations	11,755	8,035	0	(8,035)	-100%	
Recreation, Arts and Culture Indirect Costs Total	340,489	226,156	332,686	106,530	47%	
Recreation, Arts and Culture Total	560,625	333,380	447,431	114,051	34%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Senior, Disability and Youth Services</u>						
Senior, Disability and Youth Services Revenue						
Revenue	(32,000)	(27,000)	(9,849)	17,151	-64%	Kid sport grants funding completed for this year . To be corrected as part of the mid year budget review.
Senior, Disability and Youth Services Revenue Total	(32,000)	(27,000)	(9,849)	17,151	-64%	
Senior, Disability and Youth Services Expenditure						
Employee Costs	147,326	96,295	69,461	(26,834)	-28%	Variance due to vacant position.
Other Employee Costs	1,200	800	15	(785)	-98%	
Other Expenses	217,600	162,038	52,670	(109,368)	-67%	Timing variance on collaborative grants program and Senior program.
Senior, Disability and Youth Services Expenditure Total	366,126	259,133	122,146	(136,987)	-53%	
Senior, Disability and Youth Serv Indirect Costs						
Allocations	53,376	35,832	37,910	2,078	6%	
Community Partnerships Mgmt Admin Alloca	423,705	278,468	205,744	(72,724)	-26%	
Library Occupancy Costs Allocations	4,282	2,927	0	(2,927)	-100%	
Senior, Disability and Youth Serv Indirect Costs Total	481,363	317,227	243,654	(73,573)	-23%	
Senior, Disability and Youth Services Total	815,489	549,360	355,951	(193,409)	-35%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Library Services</u>						
Library Services Revenue						
Revenue	(21,300)	(14,200)	(45,664)	(31,464)	222%	Variance due to accrued revenue for unpaid library debtors.
Library Services Revenue Total	(21,300)	(14,200)	(45,664)	(31,464)	222%	
Library Services Expenditure						
Employee Costs	874,393	569,898	565,698	(4,200)	-1%	
Other Employee Costs	7,510	5,008	6,241	1,233	25%	
Other Expenses	106,550	71,032	57,231	(13,801)	-19%	Made up of various positive variances that are individually immaterial.
Library Services Expenditure Total	988,453	645,938	629,170	(16,768)	-3%	
Library Services Indirect Costs						
Allocations	368,403	247,305	231,177	(16,128)	-7%	
Community Partnerships Mgmt Admin Alloca	121,058	79,561	77,154	(2,407)	-3%	
Library Occupancy Costs Allocations	29,307	20,032	0	(20,032)	-100%	
Library Services Indirect Costs Total	518,768	346,898	308,331	(38,567)	-11%	
Library Services Total	1,485,921	978,636	891,837	(86,799)	-9%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Library Building</u>						
Library Occupancy Costs						
Building Maintenance	89,000	64,238	50,386	(13,852)	-22%	No major maintenance yet required.
Ground Maintenance	0	0	258	258	100%	
Other Expenses	190,408	126,825	110,734	(16,091)	-13%	Made up of various positive variances that are individually immaterial.
Library Occupancy Costs Total	279,408	191,063	161,378	(29,685)	-16%	
Library Indirect Costs						
Allocations	5,010	3,344	3,344	0	0%	
Library Occupancy Costs Recovery	(56,884)	(38,882)	0	38,882	-100%	
Library Indirect Costs Total	(51,874)	(35,538)	3,344	38,882	-109%	
Library Building Total	227,534	155,525	164,722	9,197	6%	
<u>Ranger Services Administration</u>						
Ranger Services Administration Revenue						
Revenue	(2,800)	(1,864)	(1,840)	24	-1%	
Ranger Services Administration Revenue Total	(2,800)	(1,864)	(1,840)	24	-1%	
Ranger Services Administration Expenditure						
Employee Costs	2,299,588	1,505,492	1,567,210	61,718	4%	
Other Employee Costs	44,491	29,656	18,255	(11,401)	-38%	\$6,000 in agency labour costs not required as yet and other favourable variances that are individually immaterial.
Other Expenses	195,800	129,880	122,422	(7,458)	-6%	
Ranger Services Administration Expenditure Total	2,539,879	1,665,028	1,707,886	42,858	3%	
Ranger Services Administration Indirect Costs						
Allocations	(2,537,079)	(1,663,164)	(1,706,046)	(42,882)	3%	
Ranger Services Administration Indirect Costs Total	(2,537,079)	(1,663,164)	(1,706,046)	(42,882)	3%	
Ranger Services Administration Total	0	0	(0)	0		

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Fire Prevention</u>						
Fire Prevention Revenue						
Revenue	(5,000)	(3,336)	0	3,336	-100%	
Fire Prevention Revenue Total	(5,000)	(3,336)	0	3,336	-100%	
Fire Prevention Indirect Costs						
Allocations	32,032	21,156	146,582	125,426	593%	
Fire Prevention Indirect Costs Total	32,032	21,156	146,582	125,426	593%	
Fire Prevention Total	27,032	17,820	146,582	128,762	723%	
<u>Animal Control</u>						
Animal Control Revenue						
Revenue	(103,200)	(68,792)	(68,184)	608	-1%	
Animal Control Revenue Total	(103,200)	(68,792)	(68,184)	608	-1%	
Animal Control Expenditure						
Other Expenses	16,250	10,832	12,289	1,457	13%	
Animal Control Expenditure Total	16,250	10,832	12,289	1,457	13%	
Animal Control Indirect Costs						
Allocations	333,101	219,993	145,041	(74,952)	-34%	
Animal Control Indirect Costs Total	333,101	219,993	145,041	(74,952)	-34%	
Animal Control Total	246,151	162,033	89,146	(72,887)	-45%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Local Laws (Law and Order)</u>						
Local Laws (Law and Order) Revenue						
Revenue	(51,350)	(34,232)	(36,211)	(1,979)	6%	
Local Laws (Law and Order) Revenue Total	(51,350)	(34,232)	(36,211)	(1,979)	6%	
Local Laws (Law and Order) Indirect Costs						
Allocations	487,270	321,809	290,083	(31,726)	-10%	
Local Laws (Law and Order) Indirect Costs Total	487,270	321,809	290,083	(31,726)	-10%	
Local Laws (Law and Order) Total	435,920	287,577	253,871	(33,706)	-12%	
<u>Abandoned Vehicles</u>						
Abandoned Vehicles Revenue						
Revenue	(24,000)	(16,000)	(9,143)	6,857	-43%	
Abandoned Vehicles Revenue Total	(24,000)	(16,000)	(9,143)	6,857	-43%	
Abandoned Vehicles Expenditure						
Other Expenses	31,000	20,664	6,698	(13,966)	-68%	Subscription fees not yet required
Abandoned Vehicles Expenditure Total	31,000	20,664	6,698	(13,966)	-68%	
Abandoned Vehicles Indirect Costs						
Allocations	411,936	272,057	145,041	(127,016)	-47%	
Abandoned Vehicles Indirect Costs Total	411,936	272,057	145,041	(127,016)	-47%	
Abandoned Vehicles Total	418,936	276,721	142,596	(134,125)	-48%	

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BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Inspectorial Control</u>						
Inspectorial Control Revenue Revenue	(2,428,920)	(1,624,878)	(1,866,322)	(241,444)	15%	Due to increase in revenue for parking infringements and fines. To be amended in mid year budget review.
Inspectorial Control Revenue Total	(2,428,920)	(1,624,878)	(1,866,322)	(241,444)	15%	
Inspectorial Control Expenditure Other Expenses	1,176,900	908,764	780,106	(128,658)	-14%	Timing variance, \$64,000 on fines lodgement fees, \$38,000 on software licences, \$27,000 on bad debts and \$16,000 not yet required for parking ticket supplies.
Inspectorial Control Expenditure Total	1,176,900	908,764	780,106	(128,658)	-14%	
Inspectorial Control Indirect Costs Allocations	2,457,509	1,623,028	1,692,149	69,121	4%	
Inspectorial Control Indirect Costs Total	2,457,509	1,623,028	1,692,149	69,121	4%	
Inspectorial Control Total	1,205,489	906,914	605,933	(300,981)	-33%	
<u>Car Park Control</u>						
Car Park Control Revenue Revenue	(2,979,830)	(1,990,107)	(1,878,664)	111,443	-6%	
Car Park Control Revenue Total	(2,979,830)	(1,990,107)	(1,878,664)	111,443	-6%	
Car Park Control Expenditure Ground Maintenance	169,830	112,127	103,735	(8,392)	-7%	
Other Expenses	771,933	513,667	533,597	19,930	4%	
Car Park Control Expenditure Total	941,763	625,794	637,332	11,538	2%	
Car Park Control Total	(2,038,067)	(1,364,313)	(1,241,332)	122,981	-9%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Kerbside Parking Control</u>						
Kerbside Parking Control Revenue						
Revenue	(2,683,550)	(1,810,625)	(1,722,783)	87,842	-5%	
Kerbside Parking Control Revenue Total	(2,683,550)	(1,810,625)	(1,722,783)	87,842	-5%	
Kerbside Parking Control Expenditure						
Other Expenses	556,964	374,068	347,206	(26,862)	-7%	Timing variance, \$19,000 armoured security services, \$10,000 collection fees and \$10,000 on leasing cost.
Kerbside Parking Control Expenditure Total	556,964	374,068	347,206	(26,862)	-7%	
Kerbside Parking Control Total	(2,126,586)	(1,436,557)	(1,375,577)	60,980	-4%	
<u>Dog Pound Expenditure</u>						
Dog Pound Expenditure						
Building Maintenance	23,000	21,909	1,432	(20,477)	-93%	No major maintenance yet required.
Dog Pound Expenditure Total	23,000	21,909	1,432	(20,477)	-93%	
Dog Pound Expenditure Total	23,000	21,909	1,432	(20,477)	-93%	
<u>Director Development Services</u>						
Director Development Services Expenditure						
Employee Costs	425,993	278,423	258,768	(19,655)	-7%	
Other Employee Costs	3,290	1,076	512	(564)	-52%	
Other Expenses	3,880	2,497	1,261	(1,236)	-49%	
Director Development Services Expenditure Total	433,163	281,996	260,542	(21,454)	-8%	
Director Development Services Indirect Costs						
Allocations	(433,163)	(281,996)	(260,542)	21,454	-8%	
Director Development Services Indirect Costs Total	(433,163)	(281,996)	(260,542)	21,454	-8%	
Director Development Services Total	0	0	0	(0)	100%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Health Administration and Inspection</u>						
Health Administration and Inspection Revenue						
Revenue	(329,700)	(301,984)	(321,999)	(20,015)	7%	
Health Administration and Inspection Revenue Total	(329,700)	(301,984)	(321,999)	(20,015)	7%	
Health Administration and Inspection Expenditure						
Employee Costs	735,986	481,029	404,746	(76,283)	-16%	Salary budget to be amended in mid year budget review.
Other Employee Costs	24,056	16,304	18,511	2,207	14%	
Other Expenses	110,300	65,392	39,500	(25,892)	-40%	Made up of various positive variances that are individually immaterial.
Health Administration and Inspection Expenditure Total	870,342	562,725	462,756	(99,969)	-18%	
Health Administration and Inspection Indirect Cost						
Allocations	411,412	274,750	239,994	(34,756)	-13%	
Health Administration and Inspection Indirect Cost Total	411,412	274,750	239,994	(34,756)	-13%	
Health Administration and Inspection Total	952,054	535,491	380,751	(154,740)	-29%	
<u>Food Control</u>						
Food Control Revenue						
Revenue	(1,000)	(664)	(91)	573	-86%	
Food Control Revenue Total	(1,000)	(664)	(91)	573	-86%	
Food Control Expenditure						
Other Expenses	20,500	13,164	8,866	(4,298)	-33%	
Food Control Expenditure Total	20,500	13,164	8,866	(4,298)	-33%	
Food Control Total	19,500	12,500	8,775	(3,725)	-30%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Health Clinics</u>						
Health Clinics Revenue						
Revenue	(19,685)	(13,456)	(9,752)	3,704	-28%	
Health Clinics Revenue Total	(19,685)	(13,456)	(9,752)	3,704	-28%	
Health Clinics Expenditure						
Building Maintenance	20,950	16,878	11,254	(5,624)	-33%	
Ground Maintenance	0	0	1,610	1,610	100%	
Other Expenses	65,849	44,066	40,278	(3,788)	-9%	
Health Clinics Expenditure Total	86,799	60,944	53,142	(7,802)	-13%	
Health Clinics Indirect Costs						
Allocations	1,816	1,216	1,080	(136)	-11%	
Health Clinics Indirect Costs Total	1,816	1,216	1,080	(136)	-11%	
Health Clinics Total	68,930	48,704	44,470	(4,234)	-9%	

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NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Statutory Planning Services						
Statutory Planning Services Revenue	(374,000)	(252,512)	(495,179)	(242,667)	96%	Revenue of \$141,000 higher than budget estimates for development application fees. Unfavourable variance of \$78k for cash in lieu revenue.
Statutory Planning Services Revenue Total	(374,000)	(252,512)	(495,179)	(242,667)	96%	
Statutory Planning Services Expenditure						
Employee Costs	1,159,866	693,004	923,211	230,207	33%	Redundancy payment of \$130,000. \$37,000 under budgeted for technical officer and \$26,000 for temporary employee costs (relating to vacancies and business requirements)
Other Employee Costs	60,588	33,363	9,248	(24,115)	-72%	\$20,000 in agency labour costs not yet required.
Other Expenses	210,500	132,014	208,274	76,260	58%	Negative variance of \$52,000 due to development application panel expenses incorrectly budgeted and \$24,000 due to legal costs
Statutory Planning Services Expenditure Total	1,430,954	858,381	1,140,732	282,351	33%	
Statutory Planning Services Indirect Costs						
Allocations	507,702	339,069	302,148	(36,921)	-11%	
Statutory Planning Services Indirect Costs Total	507,702	339,069	302,148	(36,921)	-11%	
Statutory Planning Services Total	1,564,656	944,938	947,702	2,764	0%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Compliance Services</u>						
Compliance Services Revenue						
Revenue	(20,750)	(13,830)	(35,806)	(21,976)	159%	Due to court fine of \$21,000.
Compliance Services Revenue Total	(20,750)	(13,830)	(35,806)	(21,976)	159%	
Compliance Services Expenditure						
Employee Costs	380,448	247,387	273,188	25,801	10%	
Other Employee Costs	6,047	4,342	3,737	(605)	-14%	
Other Expenses	57,200	23,292	46,677	23,385	100%	Higher number of prosecutions compared to the previous year
Compliance Services Expenditure Total	443,695	275,021	323,601	48,580	18%	
Compliance Services Indirect Costs						
Allocations	222,133	148,363	136,420	(11,943)	-8%	
Compliance Services Indirect Costs Total	222,133	148,363	136,420	(11,943)	-8%	
Compliance Services Total	645,078	409,554	424,215	14,661	4%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Policy and Place Services</u>						
Policy and Place Services Revenue						
Revenue	(1,600)	(1,064)	(1,271)	(207)	19%	
Policy and Place Services Revenue Total	(1,600)	(1,064)	(1,271)	(207)	19%	
 Policy and Place Serv Expenditure						
Employee Costs	943,714	635,452	673,836	38,384	6%	
Other Employee Costs	13,427	9,092	8,992	(100)	-1%	
Other Expenses	844,300	170,036	124,735	(45,301)	-27%	Budget for donations/sponsorship and heritage grants not yet acquitted.
Operating Projects	108,000	53,000	3,659	(49,341)	-93%	Variance due to staff salary cost being incorrectly costed. To be amended in mid year budget review
Policy and Place Serv Expenditure Total	1,909,441	867,580	811,222	(56,358)	-6%	
 Policy and Place Services Indirect Cost						
Allocations	515,180	344,080	292,134	(51,946)	-15%	
Policy and Place Services Indirect Cost Total	515,180	344,080	292,134	(51,946)	-15%	
Policy and Place Services Total	2,423,021	1,210,596	1,102,085	(108,511)	-9%	

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NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Building Control</u>						
Building Control Revenue						
Revenue	(236,250)	(162,168)	(242,615)	(80,447)	50%	Increase in building licences revenue, to be adjusted as part of the mid year budget review.
Building Control Revenue Total	(236,250)	(162,168)	(242,615)	(80,447)	50%	
Building Control Expenditure						
Employee Costs	400,838	298,001	286,655	(11,346)	-4%	Variance due to a position was vacant.
Other Employee Costs	16,260	12,504	33,973	21,469	172%	Variance due to agency costs for vacant position.
Other Expenses	37,200	24,964	7,908	(17,056)	-68%	\$10,000 Consultant fees and \$6,000 legal fees not yet required.
Building Control Expenditure Total	454,298	335,469	328,537	(6,932)	-2%	
Building Control Indirect Costs						
Allocations	280,870	187,581	165,518	(22,063)	-12%	
Building Control Indirect Costs Total	280,870	187,581	165,518	(22,063)	-12%	
Building Control Total	498,918	360,882	251,440	(109,442)	-30%	
<u>Director Engineering Expenditure</u>						
Director Engineering Expenditure						
Employee Costs	400,773	261,942	279,662	17,720	7%	Overspend to be adjusted during mid year budget.
Other Employee Costs	13,775	7,530	6,063	(1,467)	-19%	
Other Expenses	59,200	31,550	34,523	2,973	9%	
Director Engineering Expenditure Total	473,748	301,022	320,248	19,226	6%	
Director Engineering Indirect Costs						
Allocations	(473,748)	(301,022)	(320,248)	(19,226)	6%	
Director Engineering Indirect Costs Total	(473,748)	(301,022)	(320,248)	(19,226)	6%	
Director Engineering Expenditure Total	0	0	0	0	100%	

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BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Engineering Design Services</u>						
Engineering Design Services Revenue						
Revenue	(8,250)	(1,746)	(5,291)	(3,545)	203%	
Engineering Design Services Revenue Total	(8,250)	(1,746)	(5,291)	(3,545)	203%	
Engineering Design Services Expenditure						
Employee Costs	499,109	326,223	382,886	56,663	17%	Salary of property management employees incorrectly costed, to be adjusted in March 2019.
Other Employee Costs	30,871	16,156	5,361	(10,795)	-67%	Made up of various positive variances that are individually immaterial.
Other Expenses	266,550	136,776	66,893	(69,883)	-51%	Consultants not yet required.
Engineering Design Services Expenditure Total	796,530	479,155	455,139	(24,016)	-5%	
Engineering Design Services Indirect Costs						
Allocations	319,392	213,511	170,349	(43,162)	-20%	
Engineering Design Services Indirect Costs Total	319,392	213,511	170,349	(43,162)	-20%	
Engineering Design Services Total	1,107,672	690,920	620,198	(70,722)	-10%	
<u>Bike Station Expenditure</u>						
Bike Station Expenditure						
Other Expenses	8,000	4,000	579	(3,421)	-86%	
Bike Station Expenditure Total	8,000	4,000	579	(3,421)	-86%	
Bike Station Expenditure Total	8,000	4,000	579	(3,421)	-86%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Street Lighting</u>						
Street Lighting Revenue						
Revenue	(23,000)	0	0	0		
Street Lighting Revenue Total	(23,000)	0	0	0		
Street Lighting Expenditure						
Other Expenses	785,000	459,753	403,548	(56,205)	-12%	Timing variance on invoice for electricity.
Street Lighting Expenditure Total	785,000	459,753	403,548	(56,205)	-12%	
Street Lighting Total	762,000	459,753	403,548	(56,205)	-12%	
<u>Underground Power Project</u>						
Underground Power Project Revenue						
Revenue	0	0	(100)	(100)	100%	
Underground Power Project Revenue Total	0	0	(100)	(100)	100%	
Underground Power Project Total	0	0	(100)	(100)	100%	
<u>Bus Shelter</u>						
Bus Shelter Revenue						
Revenue	(59,000)	(25,000)	(40,069)	(15,069)	60%	Increase in revenue due to change in contract.
Bus Shelter Revenue Total	(59,000)	(25,000)	(40,069)	(15,069)	60%	
Bus Shelter Expenditure						
Other Expenses	99,409	64,144	76,133	11,989	19%	Increased depreciation expense due to asset revaluation, adjusted in mid year budget review.
Bus Shelter Expenditure Total	99,409	64,144	76,133	11,989	19%	
Bus Shelter Total	40,409	39,144	36,064	(3,080)	-8%	

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BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parking and Street Name Signs Expenditure</u>						
Parking and Street Name Signs Expenditure						
Other Expenses	86,000	37,457	49,849	12,392	33%	Timing variance on general maintenance.
Parking and Street Name Signs Expenditure Total	86,000	37,457	49,849	12,392	33%	
Parking and Street Name Signs Expenditure Total	86,000	37,457	49,849	12,392	33%	
<u>Crossovers</u>						
Crossovers Expenditure						
Other Expenses	13,000	8,664	8,429	(235)	-3%	
Crossovers Expenditure Total	13,000	8,664	8,429	(235)	-3%	
Crossovers Total	13,000	8,664	8,429	(235)	-3%	
<u>Roads Linemarking Expenditure</u>						
Roads Linemarking Expenditure						
Other Expenses	65,000	33,792	33,360	(432)	-1%	
Roads Linemarking Expenditure Total	65,000	33,792	33,360	(432)	-1%	
Roads Linemarking Expenditure Total	65,000	33,792	33,360	(432)	-1%	
<u>Tree Lighting Leederville Expenditure</u>						
Tree Lighting Leederville Expenditure						
Other Expenses	50,000	0	49,339	49,339	100%	Timing variance on budget phasing.
Tree Lighting Leederville Expenditure Total	50,000	0	49,339	49,339	100%	
Tree Lighting Leederville Expenditure Total	50,000	0	49,339	49,339	100%	

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 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parklets Expenditure</u>						
Parklets Expenditure						
Other Expenses	2,500	1,228	3,408	2,180	178%	
Parklets Expenditure Total	2,500	1,228	3,408	2,180	178%	
Parklets Expenditure Total	2,500	1,228	3,408	2,180	178%	
<u>Environmental Services</u>						
Environmental Services Revenue						
Revenue	(26,000)	(13,000)	(11,680)	1,320	-10%	
Environmental Services Revenue Total	(26,000)	(13,000)	(11,680)	1,320	-10%	
Environmental Services Expenditure						
Employee Costs	89,608	58,567	52,343	(6,224)	-11%	
Other Employee Costs	1,500	750	0	(750)	-100%	
Other Expenses	225,730	134,624	135,509	885	1%	
Environmental Services Expenditure Total	316,838	193,941	187,852	(6,089)	-3%	
Environmental Services Indirect Costs						
Allocations	37,173	24,963	25,513	550	2%	
Environmental Services Indirect Costs Total	37,173	24,963	25,513	550	2%	
Environmental Services Total	328,011	205,904	201,684	(4,220)	-2%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Property Management Administration</u>						
Property Management Administration Revenue						
Revenue	(2,000)	(1,336)	(1,453)	(117)	9%	
Property Management Administration Revenue Total	(2,000)	(1,336)	(1,453)	(117)	9%	
Property Management Administration Expenditure						
Employee Costs	263,541	172,253	134,889	(37,364)	-22%	Salary incorrectly costed to Engineering Design, to be adjusted in March 2019.
Other Employee Costs	5,534	3,688	3,333	(355)	-10%	
Other Expenses	44,102	29,392	27,565	(1,827)	-6%	
Property Management Administration Expenditure Total	313,177	205,333	165,786	(39,547)	-19%	
Property Management Administration Indirect Costs						
Allocations	155,001	103,513	93,560	(9,953)	-10%	
Property Management Administration Indirect Costs Total	155,001	103,513	93,560	(9,953)	-10%	
Property Management Administration Total	466,178	307,510	257,894	(49,616)	-16%	
<u>Civic Centre Building</u>						
Civic Centre Building Expenditure						
Building Maintenance	178,900	121,131	136,361	15,230	13%	Timing variance.
Ground Maintenance	58,900	39,264	20,470	(18,794)	-48%	No major maintenance yet required.
Other Expenses	713,873	464,164	541,008	76,844	17%	\$74,000 over allocated as depreciation expense due to revaluation of assets. Depreciation adjusted as part of the mid year budget review.
Civic Centre Building Expenditure Total	951,673	624,559	697,839	73,280	12%	
Civic Centre Building Indirect Costs						
Allocations	(1,506,875)	(994,695)	(697,839)	296,856	-30%	
Civic Centre Building Indirect Costs Total	(1,506,875)	(994,695)	(697,839)	296,856	-30%	
Civic Centre Building Total	(555,202)	(370,136)	0	370,136	-100%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Child Care Centres and Play Groups</u>						
Child Care Centres and Play Groups Revenue						
Revenue	(18,757)	(12,504)	(5,268)	7,236	-58%	
Child Care Centres and Play Groups Revenue Total	(18,757)	(12,504)	(5,268)	7,236	-58%	
Child Care Centres and Play Groups Expenditure						
Building Maintenance	8,800	5,267	3,929	(1,338)	-25%	
Ground Maintenance	0	0	2,025	2,025	100%	
Other Expenses	44,739	29,816	31,259	1,443	5%	
Child Care Centres and Play Groups Expenditure Total	53,539	35,083	37,213	2,130	6%	
Child Care Centres and Play Groups Indirect Costs						
Allocations	1,999	1,328	1,328	0	0%	
Child Care Centres and Play Groups Indirect Costs Total	1,999	1,328	1,328	0	0%	
Child Care Centres and Play Groups Total	36,781	23,907	33,274	9,367	39%	
<u>Pre Schools and Kindergartens</u>						
Pre Schools and Kindergartens Revenue						
Revenue	(53,685)	(35,792)	(26,661)	9,131	-26%	
Pre Schools and Kindergartens Revenue Total	(53,685)	(35,792)	(26,661)	9,131	-26%	
Pre Schools and Kindergartens Expenditure						
Building Maintenance	8,625	4,313	4,213	(100)	-2%	
Ground Maintenance	350	232	0	(232)	-100%	
Other Expenses	50,945	33,960	32,374	(1,586)	-5%	
Pre Schools and Kindergartens Expenditure Total	59,920	38,505	36,587	(1,918)	-5%	
Pre Schools and Kindergartens Indirect Costs						
Allocations	1,468	984	984	0	0%	
Pre Schools and Kindergartens Indirect Costs Total	1,468	984	984	0	0%	
Pre Schools and Kindergartens Total	7,703	3,697	10,910	7,213	195%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Community and Welfare Centres</u>						
Community and Welfare Centres Revenue						
Revenue	(91,673)	(61,128)	(45,460)	15,668	-26%	Timing variance of \$12,000 for recouping maintenance costs.
Community and Welfare Centres Revenue Total	(91,673)	(61,128)	(45,460)	15,668	-26%	
Community and Welfare Centres Expenditure						
Building Maintenance	31,350	19,176	21,502	2,326	12%	
Ground Maintenance	9,250	6,168	2,000	(4,168)	-68%	
Other Expenses	224,384	166,248	160,797	(5,451)	-3%	
Community and Welfare Centres Expenditure Total	264,984	191,592	184,299	(7,293)	-4%	
Community and Welfare Centres Indirect Costs						
Allocations	6,596	4,400	4,400	0	0%	
Community and Welfare Centres Indirect Costs Total	6,596	4,400	4,400	0	0%	
Community and Welfare Centres Total	179,907	134,864	143,239	8,375	6%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Department of Sports and Recreation Building</u>						
Dept of Sports and Recreation Building Revenue						
Revenue	(727,091)	(544,922)	(486,914)	58,008	-11%	Timing variance of \$58,000 for lease and rental income.
Dept of Sports and Recreation Building Revenue Total	(727,091)	(544,922)	(486,914)	58,008	-11%	
Dept of Sports and Recreation Building Expenditure						
Building Maintenance	144,550	114,908	92,363	(22,545)	-20%	Lower reactive maintenance expended relative to budget.
Ground Maintenance	10,200	6,800	5,125	(1,675)	-25%	
Other Expenses	663,175	388,714	420,360	31,646	8%	
Dept of Sports and Recreation Building Expenditure Total	817,925	510,422	517,848	7,426	1%	
Dept of Sports and Recreation Building Indirect Costs						
Allocations	11,521	7,680	7,680	0	0%	
Dept of Sports and Recreation Building Indirect Costs Total	11,521	7,680	7,680	0	0%	
Department of Sports and Recreation Building Total	102,355	(26,820)	38,614	65,434	-244%	
<u>nib Stadium</u>						
nib Stadium Revenue						
Revenue	(27,150)	(27,150)	(27,409)	(259)	1%	
nib Stadium Revenue Total	(27,150)	(27,150)	(27,409)	(259)	1%	
nib Stadium Expenditure						
Other Expenses	17,800	11,864	11,890	26	0%	
nib Stadium Expenditure Total	17,800	11,864	11,890	26	0%	
nib Stadium Total	(9,350)	(15,286)	(15,519)	(233)	2%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Leederville Oval</u>						
Leederville Oval Revenue						
Revenue	(490,591)	(193,572)	(94,524)	99,048	-51%	Year to date budgeted income is overstated by \$100,000 and total budgeted amount for the year is overstated by \$200,000
Leederville Oval Revenue Total	(490,591)	(193,572)	(94,524)	99,048	-51%	
Leederville Oval Expenditure						
Building Maintenance	36,100	23,675	23,084	(591)	-2%	
Ground Maintenance	100,000	61,879	67,384	5,505	9%	
Other Expenses	453,822	302,552	298,785	(3,767)	-1%	
Leederville Oval Expenditure Total	589,922	388,106	389,253	1,147	0%	
Leederville Oval Indirect Costs						
Allocations	10,969	7,312	7,312	0	0%	
Leederville Oval Indirect Costs Total	10,969	7,312	7,312	0	0%	
Leederville Oval Total	110,300	201,846	302,040	100,194	50%	

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	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Loftus Centre</u>						
Loftus Centre Revenue						
Revenue	(664,125)	(436,613)	(432,819)	3,794	-1%	
Loftus Centre Revenue Total	(664,125)	(436,613)	(432,819)	3,794	-1%	
Loftus Centre Expenditure						
Building Maintenance	97,100	65,523	80,060	14,537	22%	Timing variance.
Ground Maintenance	28,900	19,264	17,139	(2,125)	-11%	
Other Expenses	896,912	566,063	582,118	16,055	3%	
Operating Projects	140,000	140,000	0	(140,000)	-100%	Painting project is yet to commence.
Loftus Centre Expenditure Total	1,162,912	790,850	679,317	(111,533)	-14%	
Loftus Centre Indirect Costs						
Allocations	20,044	13,360	13,360	0	0%	
Loftus Centre Indirect Costs Total	20,044	13,360	13,360	0	0%	
Loftus Centre Total	518,831	367,597	259,859	(107,738)	-29%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
Public Halls						
Public Halls Revenue						
Revenue	(163,125)	(83,900)	(104,402)	(20,502)	24%	Revenue higher than budget estimates due to higher demand.
Public Halls Revenue Total	(163,125)	(83,900)	(104,402)	(20,502)	24%	
Public Halls Expenditure						
Building Maintenance	140,000	98,529	71,907	(26,622)	-27%	Lower reactive maintenance expended relative to budget.
Ground Maintenance	2,500	1,250	0	(1,250)	-100%	
Other Expenses	233,556	155,863	144,497	(11,366)	-7%	
Operating Projects	8,000	8,000	0	(8,000)	-100%	
Public Halls Expenditure Total	384,056	263,642	216,404	(47,238)	-18%	
Public Halls Indirect Costs						
Allocations	5,304	3,536	3,536	0	0%	
Public Halls Indirect Costs Total	5,304	3,536	3,536	0	0%	
Public Halls Total	226,235	183,278	115,537	(67,741)	-37%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Reserves Pavilions and Facilities</u>						
Reserves Pavilions and Facilities Revenue						
Revenue	(80,390)	(41,670)	(50,862)	(9,192)	22%	
Reserves Pavilions and Facilities Revenue Total	(80,390)	(41,670)	(50,862)	(9,192)	22%	
Reserves Pavilions and Facilities Expenditure						
Building Maintenance	404,705	266,960	209,834	(57,126)	-21%	Lower reactive maintenance expended relative to budget.
Ground Maintenance	5,500	2,750	0	(2,750)	-100%	
Other Expenses	301,348	200,928	207,923	6,995	3%	
Operating Projects	53,000	53,000	3,026	(49,974)	-94%	Timing variance on demolition of Beatty park pavilion and Loton park toilets.
Reserves Pavilions and Facilities Expenditure Total	764,553	523,638	420,783	(102,855)	-20%	
Reserves Pavilions and Facilities Indirect Costs						
Allocations	6,828	4,552	4,552	0	0%	
Reserves Pavilions and Facilities Indirect Costs Total	6,828	4,552	4,552	0	0%	
Reserves Pavilions and Facilities Total	690,991	486,520	374,473	(112,047)	-23%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Sporting Clubs Buildings</u>						
Sporting Clubs Buildings Revenue						
Revenue	(174,590)	(116,779)	(62,947)	53,832	-46%	Timing variance on maintenance and lease agreement.
Sporting Clubs Buildings Revenue Total	(174,590)	(116,779)	(62,947)	53,832	-46%	
Sporting Clubs Buildings Expenditure						
Building Maintenance	54,050	31,189	26,376	(4,813)	-15%	
Ground Maintenance	2,000	1,000	0	(1,000)	-100%	
Other Expenses	760,513	526,869	538,655	11,786	2%	
Operating Projects	40,000	40,000	0	(40,000)	-100%	Timing variance on demolition of Litis stadium.
Sporting Clubs Buildings Expenditure Total	856,563	599,058	565,031	(34,027)	-6%	
Sporting Clubs Buildings Indirect Costs						
Allocations	25,797	17,208	17,208	0	0%	
Sporting Clubs Buildings Indirect Costs Total	25,797	17,208	17,208	0	0%	
Sporting Clubs Buildings Total	707,770	499,487	519,292	19,805	4%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parks and Reserves Administration</u>						
Parks and Reserves Administration Revenue						
Revenue	(3,200)	(2,136)	(1,997)	139	-7%	
Parks and Reserves Administration Revenue Total	(3,200)	(2,136)	(1,997)	139	-7%	
Parks and Reserves Administration Expenditure						
Employee Costs	1,094,817	715,717	671,404	(44,313)	-6%	Timing variance on wages.
Other Employee Costs	56,025	37,360	35,703	(1,657)	-4%	
Other Expenses	165,800	92,188	48,899	(43,289)	-47%	\$10,000 consultants cost not yet required, \$30,000 lower depreciation after revaluation of infrastructure assets, adjusted in mid year budget review and other favourable variances that are individually immaterial.
Parks and Reserves Administration Expenditure Total	1,316,642	845,265	756,005	(89,260)	-11%	
Parks and Reserves Administration Indirect Costs						
Allocations	1,292,123	865,097	742,350	(122,748)	-14%	
On Costs Recovery	(1,377,619)	(948,960)	(885,188)	63,772	-7%	
Parks and Reserves Administration Indirect Costs Total	(85,496)	(83,863)	(142,839)	(58,976)	70%	
Parks and Reserves Administration Total	1,227,946	759,266	611,169	(148,097)	-20%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parks and Reserves</u>						
Parks and Reserves Revenue						
Revenue	(61,550)	(38,860)	(31,352)	7,508	-19%	
Parks and Reserves Revenue Total	(61,550)	(38,860)	(31,352)	7,508	-19%	
Parks and Reserves Expenditure						
Ground Maintenance	2,097,100	1,445,869	1,595,702	149,833	10%	Timing variance.
Other Expenses	808,960	539,264	462,412	(76,852)	-14%	\$77,000 lower depreciation after revaluation of infrastructure assets, adjusted as part of the mid year budget review.
Parks and Reserves Expenditure Total	2,906,060	1,985,133	2,058,114	72,981	4%	
Parks and Reserves Indirect Costs						
Allocations	299	200	200	0	0%	
Parks and Reserves Indirect Costs Total	299	200	200	0	0%	
Parks and Reserves Total	2,844,809	1,946,473	2,026,962	80,489	4%	
<u>Sporting Grounds</u>						
Sporting Grounds Revenue						
Revenue	(64,050)	(32,024)	(43,944)	(11,920)	37%	Revenue higher than budget estimates due to higher demand.
Sporting Grounds Revenue Total	(64,050)	(32,024)	(43,944)	(11,920)	37%	
Sporting Grounds Expenditure						
Ground Maintenance	1,159,500	773,623	754,861	(18,762)	-2%	
Other Expenses	543,854	362,568	375,621	13,053	4%	
Sporting Grounds Expenditure Total	1,703,354	1,136,191	1,130,481	(5,710)	-1%	
Sporting Grounds Total	1,639,304	1,104,167	1,086,537	(17,630)	-2%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Road Reserves Expenditure</u>						
Road Reserves Expenditure						
Ground Maintenance	407,550	283,944	282,774	(1,170)	0%	
Other Expenses	14,010	9,336	10,532	1,196	13%	
Road Reserves Expenditure Total	421,560	293,280	293,306	26	0%	
<u>Road Reserves Expenditure Total</u>	<u>421,560</u>	<u>293,280</u>	<u>293,306</u>	<u>26</u>	<u>0%</u>	
<u>Parks Other</u>						
Parks Other Revenue						
Revenue	(2,000)	(2,000)	(1,224)	776	-39%	
Parks Other Revenue Total	(2,000)	(2,000)	(1,224)	776	-39%	
Parks Other Expenditure						
Other Expenses	2,111,420	1,643,400	1,481,293	(162,107)	-10%	Timing variance on street trees contractors.
Money/Monger Street Trees Surgery	10,000	10,000	14,880	4,880	49%	
Parks Other Expenditure Total	2,121,420	1,653,400	1,496,173	(157,227)	-10%	
<u>Parks Other Total</u>	<u>2,119,420</u>	<u>1,651,400</u>	<u>1,494,948</u>	<u>(156,452)</u>	<u>-9%</u>	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Processable Waste Collection</u>						
Processable Waste Collection Revenue						
Revenue	(327,339)	(237,779)	(310,276)	(72,497)	30%	Additional rubbish services revenue.
Processable Waste Collection Revenue Total	(327,339)	(237,779)	(310,276)	(72,497)	30%	
Processable Waste Collection Expenditure						
Employee Costs	854,740	559,101	535,681	(23,420)	-4%	
Other Employee Costs	13,907	8,436	6,416	(2,020)	-24%	
Other Expenses	4,222,765	2,123,058	2,436,804	313,746	15%	Timing variance on tipping and labour costs.
Processable Waste Collection Expenditure Total	5,091,412	2,690,595	2,978,901	288,306	11%	
Processable Waste Collection Indirect Costs						
Allocations	733,360	491,008	447,147	(43,861)	-9%	
On Costs Recovery	(630,519)	(435,254)	(462,481)	(27,227)	6%	
Processable Waste Collection Indirect Costs Total	102,841	55,754	(15,334)	(71,088)	-128%	
Processable Waste Collection Total	4,866,914	2,508,570	2,653,291	144,721	6%	
<u>Other Waste Services</u>						
Other Waste Services Revenue						
Revenue	(4,500)	(2,250)	(3,848)	(1,598)	71%	
Other Waste Services Revenue Total	(4,500)	(2,250)	(3,848)	(1,598)	71%	
Other Waste Services Expenditure						
Other Expenses	677,550	226,482	210,352	(16,130)	-7%	Timing variance for \$7,000 waste management programs and \$11,000 general maintenance.
Other Waste Services Expenditure Total	677,550	226,482	210,352	(16,130)	-7%	
Other Waste Services Total	673,050	224,232	206,504	(17,728)	-8%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Recycling Expenditure</u>						
Recycling Expenditure	915,000	546,835	445,608	(101,227)	-19%	Timing variance.
Recycling Expenditure Total	915,000	546,835	445,608	(101,227)	-19%	
<u>Public Works Overhead</u>						
Public Works Overhead Revenue						
Revenue	(48,700)	(32,464)	(102,662)	(70,198)	216%	Fuel tax credit was under claimed for past four years.
Public Works Overhead Revenue Total	(48,700)	(32,464)	(102,662)	(70,198)	216%	
Public Works Overhead Expenditure						
Employee Costs	315,663	206,366	273,126	66,760	32%	Timing variance on salaries.
Other Employee Costs	36,784	24,108	23,014	(1,094)	-5%	
Other Expenses	33,000	18,604	24,704	6,100	33%	
Public Works Overhead Expenditure Total	385,447	249,078	320,845	71,767	29%	
Public Works Overhead Indirect Costs						
Allocations	474,070	317,400	332,350	14,950	5%	
On Costs Recovery	(483,911)	(330,618)	(339,980)	(9,362)	3%	
Public Works Overhead Indirect Costs Total	(9,841)	(13,218)	(7,631)	5,587	-42%	
Public Works Overhead Total	326,906	203,396	210,552	7,156	4%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Plant Operating</u>						
Plant Operating Expenditure						
Other Expenses	1,669,270	1,069,705	971,037	(98,668)	-9%	\$70,000 favourable variance in parts and repairs.
Plant Operating Expenditure Total	1,669,270	1,069,705	971,037	(98,668)	-9%	
Plant Operating Indirect Costs						
Allocations	(1,375,622)	(896,973)	(832,897)	64,076	-7%	
Plant Operating Indirect Costs Total	(1,375,622)	(896,973)	(832,897)	64,076	-7%	
Plant Operating Total	293,648	172,732	138,139	(34,593)	-20%	
<u>Recoverable Works</u>						
Recoverable Works Revenue						
Revenue	(100,000)	(50,000)	(8,027)	41,973	-84%	No major recoverable works carried out.
Recoverable Works Revenue Total	(100,000)	(50,000)	(8,027)	41,973	-84%	
Recoverable Works Expenditure						
Other Expenses	50,000	25,000	10,284	(14,717)	-59%	No major recoverable works carried out.
Recoverable Works Expenditure Total	50,000	25,000	10,284	(14,717)	-59%	
Recoverable Works Total	(50,000)	(25,000)	2,256	27,256	-109%	
<u>Drainage Expenditure</u>						
Drainage Expenditure						
Other Expenses	338,022	213,427	227,700	14,273	7%	Timing variance on general maintenance.
Drainage Expenditure Total	338,022	213,427	227,700	14,273	7%	
Drainage Expenditure Total	338,022	213,427	227,700	14,273	7%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Footpaths/Cycleways Expenditure</u>						
Footpaths/Cycleways Expenditure						
Other Expenses	915,914	591,881	630,455	38,574	7%	Timing variance on general maintenance.
Footpaths/Cycleways Expenditure Total	915,914	591,881	630,455	38,574	7%	
Footpaths/Cycleways Expenditure Total	915,914	591,881	630,455	38,574	7%	
<u>Rights of Way Expenditure</u>						
Rights of Way Expenditure						
Other Expenses	220,510	147,155	156,359	9,204	6%	
Rights of Way Expenditure Total	220,510	147,155	156,359	9,204	6%	
Rights of Way Expenditure Total	220,510	147,155	156,359	9,204	6%	
<u>Roads Expenditure</u>						
Roads Expenditure						
Other Expenses	2,090,709	1,391,992	2,013,273	621,281	45%	\$634,000 higher depreciation expense due to revaluation of assets, adjusted as part of the mid year budget review.
Roads Expenditure Total	2,090,709	1,391,992	2,013,273	621,281	45%	
Roads Expenditure Total	2,090,709	1,391,992	2,013,273	621,281	45%	
<u>Street Cleaning Expenditure</u>						
Street Cleaning Expenditure						
Other Expenses	747,500	494,443	446,413	(48,031)	-10%	
Street Cleaning Expenditure Total	747,500	494,443	446,413	(48,031)	-10%	
Street Cleaning Expenditure Total	747,500	494,443	446,413	(48,031)	-10%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 28 FEBRUARY 2019



	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Traffic Control for Roadworks Expenditure</u>						
Traffic Control for Roadworks Expenditure						
Other Expenses	166,000	68,675	37,455	(31,220)	-45%	Timing variance on general maintenance.
Traffic Control for Roadworks Expenditure Total	166,000	68,675	37,455	(31,220)	-45%	
Traffic Control for Roadworks Expenditure Total	166,000	68,675	37,455	(31,220)	-45%	
<u>Roadwork Signs and Barricades Expenditure</u>						
Roadwork Signs and Barricades Expenditure						
Other Expenses	500	379	0	(379)	-100%	
Roadwork Signs and Barricades Expenditure Total	500	379	0	(379)	-100%	
Roadwork Signs and Barricades Expenditure Total	500	379	0	(379)	-100%	
<u>Sump Expenditure</u>						
Sump Expenditure						
Other Expenses	0	0	254	254	100%	
Sump Expenditure Total	0	0	254	254	100%	
Sump Expenditure Total	0	0	254	254	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2019

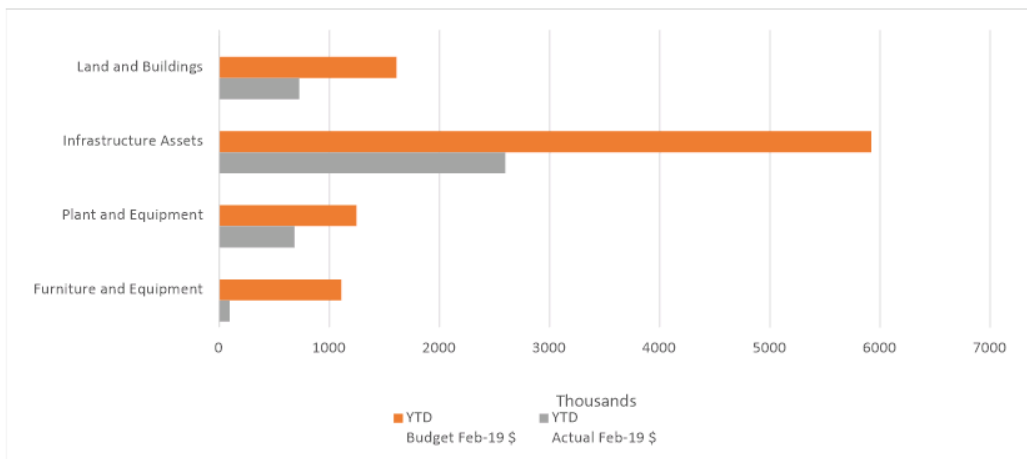


	Current Budget 2018/19 \$	YTD Budget Feb-19 \$	YTD Actual Feb-19 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Works Depot</u>						
Works Depot Expenditure						
Employee Costs	226,886	148,288	116,823	(31,465)	-21%	Timing variance on salaries.
Other Employee Costs	3,000	2,000	1,181	(819)	-41%	
Other Expenses	9,750	6,209	6,346	137	2%	
Works Depot Expenditure Total	239,636	156,497	124,350	(32,147)	-21%	
Works Depot Indirect Costs						
Allocations	(239,636)	(156,497)	(124,350)	32,147	-21%	
Works Depot Indirect Costs Total	(239,636)	(156,497)	(124,350)	32,147	-21%	
Works Depot Total	0	0	0	0	100%	
<u>Works Depot Revenue</u>						
Works Depot Revenue						
Revenue	0	0	0	0		
Works Depot Revenue Total	0	0	0	0		
Works Depot Revenue Total	0	0	0	0		
<u>Depot Building</u>						
Depot Occupancy Costs						
Building Maintenance	101,350	60,375	73,779	13,404	22%	
Ground Maintenance	5,100	3,764	11,434	7,670	204%	
Other Expenses	243,103	170,550	173,375	2,825	2%	
Depot Occupancy Costs Total	349,553	234,689	258,588	23,899	10%	
Depot Indirect Costs						
Allocations	(349,553)	(234,689)	(258,588)	(23,899)	10%	
Depot Indirect Costs Total	(349,553)	(234,689)	(258,588)	(23,899)	10%	
Depot Building Total	0	0	(0)	(0)	100%	
Net Operating	2,722,986	(11,521,483)	(12,070,849)	(549,366)	5%	

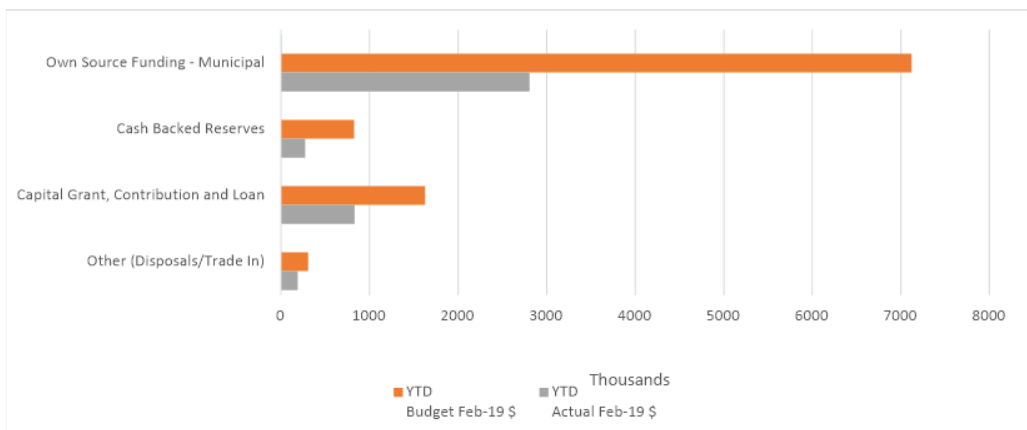
CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



CAPITAL EXPENDITURE	Current Budget	YTD Budget	YTD Actual	YTD Variance	Variance
	2018/19	Feb-19	Feb-19		
	\$	\$	\$	\$	%
Land and Buildings	2,663,391	1,609,754	727,298	(882,456)	-55%
Infrastructure Assets	7,592,643	5,921,808	2,596,418	(3,325,390)	-56%
Plant and Equipment	2,949,925	1,245,133	683,898	(561,235)	-45%
Furniture and Equipment	1,217,958	1,107,958	95,820	(1,012,138)	-91%
Total	14,423,917	9,884,653	4,103,434	(5,781,219)	-58%



FUNDING	Current Budget	YTD Budget	YTD Actual	YTD Variance	Variance
	2018/19	Feb-19	Feb-19		
	\$	\$	\$	\$	%
Own Source Funding - Municipal	10,465,323	7,123,363	2,806,697	(4,316,666)	-61%
Cash Backed Reserves	1,605,763	826,763	274,714	(552,049)	-67%
Capital Grant, Contribution and Loan	1,872,868	1,627,564	832,728	(794,836)	-49%
Other (Disposals/Trade In)	479,963	306,963	189,295	(117,668)	-38%
Total	14,423,917	9,884,653	4,103,434	(5,781,219)	-58%



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
LAND & BUILDING ASSETS						
ADMINISTRATION & CIVIC CENTRE						
Administration and Civic Centre - Workforce Accommodation Upgrade/Renewal	120,000	120,000	101,390	(18,611)	-16%	Work in progress.
BEATTY PARK LEISURE CENTRE						
Beatty Park Leisure Centre - Risk Renewals	690,715	240,715	51,265	(189,450)	-79%	On going project, to be completed by June 2019.
Beatty Park Leisure Centre - Plumbing Compliance	60,000	60,000	66,746	6,746	11%	
Beatty Park Leisure Centre - Remedial Works	66,871	66,871	60,831	(6,040)	-9%	
Beatty Park Leisure Centre - Changeroom Tiles Replacement	0	0	2,970	2,970	0%	
DEPARTMENT OF SPORTS AND RECREATION						
Carpet Replacement - DSR □	150,000	150,000	1,000	(149,000)	-99%	Project to commence in April 2019.
LOFTUS RECREATION CENTRE						
Loftus Centre Stormwater Infrastructure Renewal	10,000	10,000	5,742	(4,258)	-43%	Work in progress.
Renewal of ceiling fabric and upgrade of lights throughout centre	99,092	99,092	108,792	9,700	10%	
Refrigerated A/C Plant Renewal	3,159	3,159	3,159	0	0%	
LEEDERVILLE OVAL						
Leederville Oval - Miscellaneous Structural Renewal	60,000	60,000	0	(60,000)	-100%	Project to commence later than expected.
Carpet Replacement - Leederville Oval Buildings (East Perth Football)	30,000	30,000	0	(30,000)	-100%	Project to commence in April 2019.
WORKS DEPOT						
Depot - Resurfacing and Reconstruction of Front Bin Bays	75,000	0	0	0	0%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Variance Commentary
MISCELLANEOUS						
Braithwaite Park public toilet block upgrade and refurbishment	99,512	99,512	99,111	(401)	0%	
Mens Shed - Macerator Sewer Upgrade	46,200	46,200	34,862	(11,338)	-25%	Work completed, awaiting invoice from supplier.
Child Health Centres - Yield Up to Lease Renewal. Leederville Child Health Clinic	17,500	0	10,963	10,963	100%	
North Perth Main Hall - A/C New	100,000	0	46,375	46,375	100%	Work in progress.
North Perth Bowling Club - Timber Floor Renewal	15,000	0	19,837	19,837	100%	Works completed
Miscellaneous Building Renewal	50,000	35,000	30,976	(4,024)	-11%	
Mt Hawthorn Community Centre - Hub Upgrade	320,637	15,000	11,798	(3,202)	-21%	
Loton Park Tennis Club - Compliance and Structure Renewal	20,000	20,000	0	(20,000)	-100%	Works to commence in March 2019.
Sports Club - Forrest Park Croquet Ceiling and Lighting Renewal	80,000	80,000	3,500	(76,500)	-96%	Works to commence in March 2019.
Solar Photovoltaic Panel System Installation - Library	107,000	101,250	0	(101,250)	-100%	Works to commence in March 2019.
Solar Photovoltaic Panel System Installation - Beatty Park	107,000	101,250	5,738	(95,513)	-94%	Work commenced, to be completed by June 2019.
Solar Photovoltaic Panel System Installation - Administration and Civic Centre	107,000	101,250	3,443	(97,808)	-97%	Work commenced, to be completed by June 2019.
Solar Photovoltaic Panel System Installation - Depot	107,000	101,250	0	(101,250)	-100%	Works to commence in March 2019.
Library - Reception Desk Fit-Out Renewal	35,000	35,000	0	(35,000)	-100%	Works to commence in March 2019.
Airconditioner Renewal Program	25,000	25,000	0	(25,000)	-100%	Project to commence later than expected.
Woodville Reserve - Power upgrade	9,205	9,205	9,424	219	2%	
FOR LAND & BUILDING ASSETS	2,663,391	1,609,754	727,298	(882,456)	-55%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
INFRASTRUCTURE ASSETS						
TRAFFIC MANAGEMENT						
Improvements at Vincent/Oxford Streets	5,500	5,500	0	(5,500)	-100%	
Intersections at Bourke and Loftus Streets	33,955	33,955	33,602	(353)	-1%	
Improved pedestrian crossings at signalised intersections	230,000	230,000	0	(230,000)	-100%	Awaiting Main Roads WA approval, budget adjusted in mid year budget review.
40kph area wide speed zone trial	150,000	75,000	21,598	(53,402)	-71%	Works commenced, to be completed by June 2019.
Intersection Modifications Scarborough Beach Road, Green, Main and Brady Streets	30,000	30,000	0	(30,000)	-100%	Works commenced in February 2019, in conjunction with City of Stirling.
Retractable Bollards Leederville Town Centre	60,000	60,000	0	(60,000)	-100%	Works to be carried out in conjunction with Oxford/Newcastle street shared space project.
Miscellaneous Traffic Management Requests	80,000	60,000	36,705	(23,295)	-39%	Work in progress.
Safety Balustrade Beaufort Street, Highgate	15,000	15,000	4,066	(10,934)	-73%	Works completed, surplus reallocated in mid year budget review.
Signalised Pedestrian Crossings Program	250,000	250,000	3,100	(246,900)	-99%	Main Road WA has appointed contractor, to be completed by June 2019.
BLACK SPOT PROGRAM						
Newcastle and Palmerston Streets	40,000	40,000	0	(40,000)	-100%	Project withdrawn in mid year budget review, to be resubmitted in FY2019-20.
Ruby and Fitzgerald Streets	10,626	10,626	10,150	(476)	-4%	
Intersection Lincoln and Wright Streets Roundabout	150,000	150,000	1,000	(149,000)	-99%	Major works to commence in April 2019.
STREETSCAPE IMPROVEMENTS						
Greening (Streetscapes)	335,268	260,000	134,498	(125,502)	-48%	On-going project to be completed by June 2019.
North Perth Public Open Space	718,744	718,744	169,681	(549,063)	-76%	Works commenced, to be completed by June 2019.
Oxford street/Newcastle street shared space	310,000	153,333	50,365	(102,968)	-67%	On-going project to be completed by June 2019.
Planned Fitzgerald Street Upgrades	15,000	15,000	5,624	(9,376)	-63%	
Streetscape Improvements/Place Making - Miscellaneous Renewals	30,000	20,000	24,746	4,746	24%	Project ahead of schedule.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Variance Commentary
ROADWORKS - LOCAL ROADS PROGRAM						
Cleaver St - Carr St - Roundabout	52,283	52,283	49,913	(2,370)	-5%	
Norfolk Street - Vincent St to Chelmsford Rd	49	49	49	0	0%	
Hutt Street - Grosvenor Rd to Raglan Rd	1,003	1,003	1,003	(0)	0%	
Summers Street - Joel to River	67,000	67,000	12,214	(54,786)	-82%	Remainder work deferred due to Western Power conducting works.
Magnolia Street - Farmer to Waugh	60,000	60,000	49,836	(10,164)	-17%	Work in progress.
Mignonette Street - Farmer to Waugh	60,000	60,000	49,986	(10,014)	-17%	Work in progress.
Marian Street - Oxford to Scott	90,779	90,779	76,150	(14,629)	-16%	Work in progress.
Rae Street - Marian to Tennyson	68,000	68,000	61,474	(6,526)	-10%	
Bondi Street - Scar Bch Rd to Merredin	22,500	22,500	24,545	2,045	9%	
Brentham St - Slow point near school to Namatjira	131,000	131,000	99,257	(31,743)	-24%	Work in progress.
Elven Street - Richmond to Emmerson	17,500	17,500	13,261	(4,239)	-24%	
Curtis Street - Walcott to Harold	30,000	30,000	20,848	(9,152)	-31%	Works complete, surplus adjusted in mid year budget review.
Cleaver Street - Carr to Newcastle	18,000	18,000	24,395	6,395	36%	
ROADWORKS - REHABILITATION (MRRG PROGRAM)						
Beaufort/Brisbane Street Intersection Improvements	137,779	137,779	0	(137,779)	-100%	Works to commence in May 2019.
Brisbane Street - Beaufort to William Street	134,214	134,214	0	(134,214)	-100%	Works to commence in May 2019.
Beaufort Street - Brisbane to Parry Street	51,043	51,043	0	(51,043)	-100%	Works to commence in May 2019.
Bulwer Street, Lord Street to Brisbane Street	156,600	132,000	98,091	(33,909)	-26%	Major works complete, line marking pending.
Newcastle Street, Loftus Street to Charles Street	226,600	132,000	43,400	(88,600)	-67%	Work in progress.
Smith Street - Lincoln Street to Harold Street	224,200	136,000	210,685	74,685	55%	Timing variance on budget phasing, works completed.
ROADWORKS - ROADS TO RECOVERY PROGRAM						
Curtis Street - Walcott to Harold	39,379	39,379	66,606	27,227	69%	Works complete, budget adjusted in mid year budget review for additional spend.
Cleaver Street - Carr to Newcastle	118,000	118,000	86,007	(31,993)	-27%	Works complete, surplus adjusted in mid year budget review.
Randell Street - Fitzgerald St to Palmerston St	5,221	5,221	5,221	0	0%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
RIGHTS OF WAY						
Rights of Way Renewal Program	64,374	64,374	32,487	(31,887)	-50%	Ongoing project, to be completed by June 2019.
SLAB FOOTPATH PROGRAMME						
Footpath Prog - Kalgoorlie St	0	0	(95)	(95)	100%	2017-18 project, refund received.
Newcastle St - Water Corp to Loftus St	22,500	22,500	20,255	(2,245)	-10%	
Walcott St - Alma Rd to Raglan Rd	8,000	8,000	7,405	(595)	-7%	
Anzac Rd - Loftus St to Scarborough Bch Road	19,000	19,000	11,210	(7,790)	-41%	
Bourke St - Deague Court to Charles St	12,500	12,500	11,688	(812)	-6%	
Golding St - Newcastle St to Old Aberdeen Place	13,000	13,000	0	(13,000)	-100%	Project at planning stage, to commence in March 2019.
Green St - Matlock St to Bus Stop	25,000	25,000	22,111	(2,889)	-12%	
Tactile Paving Town Centres	10,000	0	9,612	9,612	100%	Project ahead of schedule.
Ellesmere Street path extension - Stage 3	52,000	52,000	0	(52,000)	-100%	Project to commence in March 2019.
BICYCLE NETWORK						
Bicycle Network Oxford - Anzac to Scarb Bch Rd	190,000	190,000	72,426	(117,574)	-62%	Project commenced in December 2018, to be complete by April 2019.
Bike Boulevard Stage 2	76,397	76,397	177,417	101,020	132%	Project overspent, Department of Transport to provide additional funding.
Bike Network Plan 2015-16 Implementation (Loftus Street - Vincent to Richmond St)	420,000	420,000	1,500	(418,500)	-100%	Ongoing project, to be completed by June 2019.
Swan River PSP Upgrade - Summers St to Windan Bridge Link	135,000	0	5,242	5,242	100%	Project commenced mid February 2019.
Bike Parking	20,000	10,000	8,933	(1,067)	-11%	Ongoing project, to be completed by June 2019.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
CAR PARK DEVELOPMENT						
Chelmsford Road Car Park	42,512	42,512	42,512	(0)	0%	
North Perth Parking	98,800	98,800	13,660	(85,140)	-86%	Work in progress.
North Perth ACROD Parking Bays	1,045	1,045	1,045	0	0%	
Parking Restriction Implementation	75,000	75,000	0	(75,000)	-100%	Project at planning stage.
Chelmsford Road Car Park Rehabilitation Works Stage 2	45,000	0	6,934	6,934	100%	Project ahead of schedule.
Dunedin Street Car Park Rehabilitation Works	46,000	0	0	0	0%	
Frame Court Car Park Rehabilitation Works - Stage 1	40,000	40,000	45,285	5,285	13%	Additional cost incurred to complete the project, adjusted in mid year budget review.
Raglan Road Car Park Rehabilitation Works Stage 2	48,000	0	36,663	36,663	100%	Timing variance, to be completed by March 2019.
The Avenue Car Park Rehabilitation Works - Stage 1	40,000	40,000	35,824	(4,176)	-10%	Work in progress.
Beatty Park Reserve car park - Lighting	2,936	2,936	2,936	0	0%	
Raglan Road Car Park - Resurfacing & Lighting	31,236	31,236	31,236	0	0%	
DRAINAGE						
Beatty Park Reserve - Drainage Improvements	150,000	150,000	0	(150,000)	-100%	Project delayed.
Lawler Street Sump - Infill	1,120	1,120	1,120	0	0%	
Gully Soakwell Program	80,000	60,000	41,433	(18,567)	-31%	Work in progress.
Drainage - Miscellaneous Improvements	40,000	27,500	7,915	(19,585)	-71%	Ongoing project, to be completed by June 2019.
Drainage - Britannia Road Drain Inspection	25,000	0	0	0	0%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
PARKS AND RESERVES						
Axford Park - Redevelopment	165,000	165,000	59,471	(105,529)	-64%	Works in progress.
Kyllia Park	274	274	274	0	0%	
Les Lilleyman Reserve - Eco-zoning	181	181	181	0	0%	
Menzies Park - Replace groundwater bore	9,562	9,562	9,562	0	0%	
Loftus Rec Centre - Synthetic Soccer Pitch Surface	38,460	38,460	38,460	0	0%	
Playgrounds for under 4yo	40,000	40,000	76	(39,924)	-100%	Project subject to recommendation of POS implementation plan.
Hyde Park Lighting Improvement	20,000	20,000	0	(20,000)	-100%	Project complete, timing on receipt of invoice.
Central Control Irrigation System	60,000	30,000	58,291	28,291	94%	Timing variance on phasing, project complete.
Stuart Street Reserve - Replace Groundwater Bore	45,000	45,000	27,110	(17,890)	-40%	Project complete.
Public Open Space Strategy Implementation	250,000	0	0	0	0%	
Banks Reserve Master Plan Implementation - Stage 1	450,000	0	3,168	3,168	100%	Pending March 2019 OMC approval of master plan.
Les Lilleyman Reserve - Installation of perimeter path (Stage 2)	100,000	100,000	83,530	(16,470)	-16%	Project complete.
Forrest Park - Replacement Playground Shade Sails	12,000	12,000	7,390	(4,610)	-38%	
Les Lilleyman Reserve - Replace Playground Softfall	42,000	42,000	40,000	(2,000)	-5%	
Parks Furniture - Replacement	20,000	0	4,645	4,645	100%	
Woodville Reserve - Extension to Perimeter Fencing	35,000	35,000	23,094	(11,906)	-34%	Work in progress.
Jack Marks Reserve - Installation of additional paving	15,000	15,000	72	(14,928)	-100%	Works started in February 2019.
Jack Marks Reserve - Installation of Seating (Dog Park)	25,000	25,000	2,666	(22,334)	-89%	Works in progress.
Netball Installation Public Open Space	12,000	12,000	0	(12,000)	-100%	
Banks Reserve - Foreshore restoration stage 2	23,710	23,710	7,750	(15,960)	-67%	Work in progress.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Variance Commentary
MISCELLANEOUS						
Bus Shelters	1,210	1,210	1,210	0	0%	
Leederville Tennis Club - Bore Motor Replacement	3,590	3,590	3,588	(2)	0%	
North Perth Community Garden (NPCG)	10,000	10,000	8,693	(1,307)	-13%	
Oxford Skate Park - Metal Halfpipe Renewal	50,000	50,000	45,925	(4,075)	-8%	Work in progress.
Install Recycling Bins in Public Areas	35,000	35,000	3,321	(31,679)	-91%	Work in progress.
Upgrade and Install New Street Lighting	9,993	4,993	6,411	1,418	28%	
Bus Shelters- Replace and Upgrade	40,000	20,000	26,699	6,699	33%	Ongoing project.
Regrade and Resurface Verge Parking for Church Adjacent 49 Jugan Street, Mt Hawthorn	70,000	70,000	0	(70,000)	-100%	Discussions between Church and the City are currently ongoing
TOTAL EXPENDITURE						
FOR INFRASTRUCTURE ASSETS	7,592,643	5,921,808	2,596,418	(3,325,390)	-56%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
<u>PLANT & EQUIPMENT ASSETS</u>						
LIGHT FLEET VEHICLE REPLACEMENT PROGRAMME						
Light Fleet - Annual Changeovers	542,500	320,500	341,149	20,649	6%	Fleet replacement program in progress.
MAJOR PLANT REPLACEMENT PROGRAMME						
Single Axle Truck (Flocon)	230,000	230,000	0	(230,000)	-100%	Currently in tender process.
All Terrain Vehicle (ATV) - Parks	30,000	0	27,227	27,227	100%	ATV purchased ahead of schedule.
Single Axle Truck (Parks Mowing Operations)	170,000	170,000	0	(170,000)	-100%	Replacement to commence later than expected.
Replace Existing Rear Loader (Rubbish Truck)	430,000	0	0	0	0%	
Replace Existing Hydraulic Breaker	30,000	0	10,332	10,332	100%	Replacement ahead of schedule.
Renew Existing Plant: Depot Forklift	40,000	40,000	30,901	(9,099)	-23%	
Replace Existing Skid Steer Loader	0	0	0	0	0%	
Replace Existing Side Loader (Rubbish Truck)	430,000	0	0	0	0%	
Tractor/Front End Loader (FEL) - Hyde Park	70,000	0	58,700	58,700	100%	Vehicle purchased ahead of schedule.
Miscellaneous Minor Plant & Equipment - Works & Operations Services	30,000	15,000	2,763	(12,237)	-82%	
ADMINISTRATION & CIVIC CENTRE						
Multiple Sites - CCTV Upgrade/New	62,282	0	0	0	0%	
BEATTY PARK LEISURE CENTRE						
Boiler Replacement	171,201	171,201	59,464	(111,737)	-65%	Work in progress, to be completed by June 2019.
Upgrade fire panel	6,180	6,180	0	(6,180)	-100%	
Switchboard in top level of plantroom	11,934	11,934	11,934	0	0%	
Beatty Park Leisure Centre - Safety Fence - New	25,000	25,000	20,963	(4,037)	-16%	Work complete, awaiting invoice from supplier.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
COMMUNITY SERVICES						
Parking Machines Asset Replacement Program	40,000	40,000	0	(40,000)	-100%	Audit in progress.
Rosemount Hotel Car Park - ticket parking machines	20,000	20,000	17,700	(2,300)	-12%	
Replace Autocite Units (mobile infringement hardware)	318	318	0	(318)	-100%	
Parking Machines Asset Replacement Program	4,600	4,600	5,040	440	10%	
WORKS DEPOT						
Works Depot - APAC HVAC Renewal	25,000	0	15,497	15,497	100%	Works commenced ahead of schedule.
High Pressure Cleaner for Depot	15,000	0	11,525	11,525	100%	Works commenced ahead of schedule.
MISCELLANEOUS						
Water and Energy Efficiency Initiatives	50,000	30,000	49,409	19,409	65%	Works commenced ahead of schedule.
Loftus Recreation Centre - Asset Renewal Program (Lease) Belgravia Leisure	50,000	0	21,293	21,293	100%	Works commenced ahead of schedule.
Laneway Lighting Program (Right of Way)	84,990	84,990	0	(84,990)	-100%	Works to commence in March 2019.
Relocate UMS supply for the CCTV Camera in Oxford street	20,000	20,000	0	(20,000)	-100%	Project to commence later than expected.
Beaufort Street CCTV Network Upgrade	305,510	0	0	0	0%	In process of evaluation of tender.
COMMUNITY SERVICES						
Parking Sensors Pilot Project	51,410	51,410	0	(51,410)	-100%	Project to commence later than expected, request for quote sent out.
LIBRARY						
Library - Split System Renewal	4,000	4,000	0	(4,000)	-100%	
TOTAL EXPENDITURE						
FOR PLANT & EQUIPMENT ASSETS	2,949,925	1,245,133	683,898	(561,235)	-45%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
AS AT 28 FEBRUARY 2019



	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
<u>FURNITURE & EQUIPMENT ASSETS</u>						
ADMINISTRATION & CIVIC CENTRE						
INFORMATION TECHNOLOGY						
Replacement of CARs system	0	0	11,853	11,853	0%	Budget adjusted in MYBR.
Upgrade of IT Firewall	80,000	80,000	0	(80,000)	-100%	Work in progress.
Upgrade IT Network Remote Access Facility	30,000	30,000	0	(30,000)	-100%	Work in progress.
Online Lodgement of Applications	70,000	70,000	0	(70,000)	-100%	Work in progress.
Upgrade Two Way Radio Fleet	100,000	100,000	0	(100,000)	-100%	
Backup Server	40,000	40,000	0	(40,000)	-100%	
Business System Implementation Project	300,000	300,000	1,251	(298,749)	-100%	Project commenced in December 2018, budget transfer to operating account during MYBR.
Disc for Storage System	10,000	10,000	0	(10,000)	-100%	
Replacement of the old printers	20,000	20,000	0	(20,000)	-100%	Project to commence later than expected.
Renew Switches	35,000	35,000	0	(35,000)	-100%	
Wi-Fi Installation	60,000	60,000	0	(60,000)	-100%	Project to commence later than expected.
Computers - Additional to Fleet PC's	10,000	10,000	0	(10,000)	-100%	Actual expenditure transferred to operating account as below asset capitalisation threshold.
Redevelopment of Website (stage 2)	11,430	11,430	22,021	10,591	93%	Additional funds required, budget adjusted in MYBR.
Graffiti Reporting Equipment	11,617	11,617	0	(11,617)	-100%	
BEATTY PARK LEISURE CENTRE						
Beatty Park Leisure Centre - Strength Equipment	102,000	102,000	31,032	(70,968)	-70%	Project commenced ahead of schedule.
Beatty Park Leisure Centre - NFA Renewals	20,000	10,000	14,085	4,085	41%	
MARKETING & COMMUNICATIONS						
Mount Lawley/ Highgate Town Centre Streetscape Upgrades	75,000	75,000	0	(75,000)	-100%	Project at planning stage.
Public Art Project	200,000	100,000	0	(100,000)	-100%	Pending council decision after review of Art Development Action Plan.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2018/19
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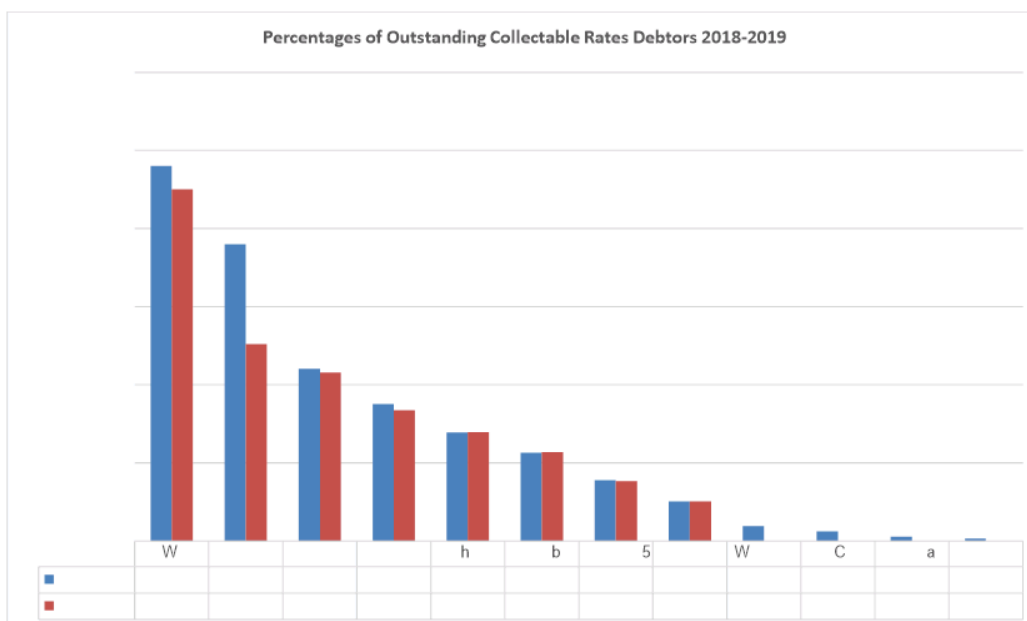
	Current Budget 2018/19	YTD Budget 2018/19	YTD Actual 2018/19	YTD Variance	Variance	Commentary
PUBLIC HALLS						
Halls, Pavilions and Operational Buildings - Non Fixed Assets - Renew	29,911	29,911	5,711	(24,200)	-81%	On going project.
HEALTH SERVICES						
Replacement and upgrade of Sound Level Meters	13,000	13,000	9,867	(3,133)	-24%	
TOTAL EXPENDITURE FOR FURNITURE & EQUIPMENT ASSETS	1,217,958	1,107,958	95,820	(1,012,138)	-91%	
TOTAL CAPITAL EXPENDITURE	14,423,917	9,884,653	4,103,434	(5,781,219)	-58%	

CITY OF VINCENT
NOTE 6 - CASH BACKED RESERVES
AS AT 28 FEBRUARY 2019



Re er e Particular	Budget Opening Balance	Actual Opening Balance	Budget Transfer Re er e	YTD Actual Transfer Re er e	Budget Interest Earned	YTD Actual Interest Earned	Budget Transfer Re er e	YTD Actual Transfer Re er e	Budget Transfer Re er e	Actual Closing Balance	CI Balance
	01/07/2018	01/07/2018	30/06/2019	28/02/2019	30/06/2019	28/02/2019	30/06/2019	28/02/2019	30/06/2019	28/02/2019	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Administration Centre Reserve	325	363	0	0	8	1	(333)	(364)	0	0	
Asset Sustainability Reserve	3,896,088	3,896,230	663,585	662,175	91,212	66,161	(700,000)	(51,265)	3,950,885	4,573,301	
Beatty Park Leisure Centre Reserve	158,558	149,681	0	0	3,712	3,148	(55,000)	(55,000)	107,270	97,829	
Capital Reserve	7,707	7,671	0	0	180	17	(7,887)	(7,688)	0	0	
Cash in Lieu Parking Reserve	775,156	1,688,491	0	77,899	18,148	22,430	(83,800)	(13,660)	709,504	1,775,160	
Electronic Equipment Reserve	54,098	54,004	0	0	1,267	119	(55,365)	(54,123)	0	0	
Hyde Park Lake Reserve	152,430	152,168	0	0	3,569	2,562	0	0	155,999	154,730	
Land and Building Acquisition Reserve	284,705	284,213	0	0	6,665	4,784	0	0	291,370	288,997	
Leederville Oval Reserve	221,911	222,530	0	0	5,195	3,744	(90,000)	0	137,106	226,274	
Leederville Tennis Reserve	3,021	3,024	14,345	14,371	71	176	(16,386)	(16,384)	1,051	1,187	
Loftus Community Centre Reserve	24,562	24,544	6,250	4,673	575	448	0	0	31,387	29,665	
Loftus Recreation Centre Reserve	58,188	58,631	57,415	38,370	1,362	1,185	0	0	116,965	98,186	
North Perth Tennis Reserve	47,992	47,925	4,770	227	1,124	808	(47,992)	(47,992)	5,894	968	
Office Building Reserve - 246 Vincent Street	535,380	536,594	0	0	12,534	9,060	(150,000)	(1,000)	397,914	544,654	
Parking Facility Reserve	98,720	100,899	0	0	2,311	1,699	0	0	101,031	102,598	
Percentage For Public Art Reserve	0	0	200,000	0	0	0	(200,000)	0	0	0	
Plant and Equipment Reserve	208,302	210,436	0	0	4,877	3,540	(199,000)	(27,238)	14,179	186,738	
State Gymnastics Centre Reserve	75,314	83,757	10,790	12,401	1,763	1,539	0	0	87,867	97,697	
Strategic Waste Management Reserve	21,440	21,402	0	0	502	360	0	0	21,942	21,762	
Tamala Park Land Sales Reserve	3,478,477	3,478,572	939,498	166,667	81,437	58,544	0	0	4,499,412	3,703,783	
Underground Power Reserve	201,035	200,690	0	0	4,707	3,378	0	0	205,742	204,068	
Waste Management Plant and Equipment Reserve	206,768	210,145	0	0	4,841	3,538	0	0	211,609	213,683	
	10,510,177	11,431,970	1,896,653	976,783	246,060	187,241	(1,605,763)	(274,714)	11,047,127	12,321,280	

CITY OF VINCENT
NOTE 7 - RATING INFORMATION
AS AT 28 FEBRUARY 2019



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CITY OF VINCENT
NOTE 7 - RATING INFORMATION
FOR THE MONTH ENDED 28 FEBRUARY 2019



	Rateable Value	Rate in Dollars	Budget	Actual	Rate to Budget %
	\$	Cent	\$	\$	%
Rate Revenue					
General Rate					
11,268 Residential	289,005,644	6.4750	18,713,135	18,713,136	100.0%
1627 Other	128,714,926	6.6190	8,519,642	8,519,642	100.0%
39 Vacant Other	2,410,700	12.6280	304,423	304,423	100.0%
Minimum Rate					
5664 Residential @ \$1,180	86,742,992	6.4750	6,683,520	6,683,520	100.0%
150 Other @ \$1,180	1,794,734	6.6190	177,000	177,000	100.0%
4 Vacant Other @ \$1,494	41,700	12.6280	5,976	5,976	100.0%
Interim Rates	0		450,000	162,538	36.1%
Rates Waiver	0		(135,841)	(142,212)	104.7%
Total Amount Made up of Rate	508,710,696		34,717,855	34,424,023	
Non Payment Penalties					
Instalment Interest @ 5.5%			162,000	181,186	111.8%
Penalty Interest @ 11%			110,000	122,763	111.6%
Administration Charge - \$13 per instalment			252,000	255,158	101.3%
Legal Costs Recovered			45,000	25,467	56.6%
Other Reimbursements			600	(5,000)	-833.3%
Interest Write Off			(1,000)	0	0.0%
			35,286,455	35,003,596	
Other Revenue					
Exempt Bins - Non Rated Properties			147,819	147,732	99.9%
Commercial / Residential Additional Bins			176,820	161,129	91.1%
Swimming Pools Inspection Fees			14,000	13,111	93.7%
			35,625,094	35,325,569	
Opening Balance				432,241	
Total Collections			35,625,094	35,757,809	100.37%
Less					
Cash Received				31,115,425	
Rebates Allowed				1,052,475	
Refunds Allowed				0	
Rate Balance To Be Collected			35,625,094	3,589,910	10.08%
Add					
ESL Debtors				98,682	
Pensioner Rebates Not Yet Claimed				341,269	
ESL Rebates Not Yet Claimed				10,415	
Less					
Deferred Rates Debtors				(105,250)	
Current Rate Debtors Balance				3,935,027	

**CITY OF VINCENT
NOTE 8 - DEBTOR REPORT
FOR THE MONTH ENDED 28 FEBRUARY 2019**



DESCRIPTION	CURRENT \$	31-59 DAYS \$	60-89 DAYS \$	OVER 90 DAYS \$	BALANCE \$
DEBTOR CONTROL - HEALTH LICENCES	(1,167)	727	1,166	59,840	60,566
DEBTOR CONTROL - R BISH CHARGES	0	0	0	0	0
DEBTOR CONTROL - CASH IN LIE CAR PARK ING	74,174	800	5,400	181,755	262,129
DEBTOR CONTROL - PROPERTY INCOME	(33,712)	14,761	1,970	33,248	16,266
DEBTOR CONTROL - RECOVERABLE WORK S	(13,532)	(3,914)	(3,914)	(23,485)	(44,846)
DEBTOR CONTROL - BEATTY PARK LEIS RE CENTRE	0	0	0	0	0
DEBTOR CONTROL - OTHER	6,971	21,800	210	49,664	78,645
DEBTOR CONTROL - % ART CONTRIB TIONS	0	0	0	0	0
DEBTOR CONTROL - GST	0	0	0	0	0
DEBTOR CONTROL - INFRINGEMENT	266,300	176,549	44,444	1,251,469	1,738,762
PROVISION FOR DO BTFL DEBT	(139,788)	0	0	(146,832)	(286,620)
TOTAL DEBTORS OUTSTANDING AS AT 31/01/2019	159,245	210,723	49,275	1,405,659	1,824,902

NDERGRO ND POWER	49,881
ACCR ED INCOME	87,779
ACCR ED INTEREST	337,578
PREPAY MENTS	220,213
TOTAL TRADE AND OTHER RECEIVABLES	2,520,354

DATE	DEBTOR OVER 90 DAYS	AMOUNT	DEBT DETAILS	Comment
25/02/2015	Subiaco Football Club	16,202 10	Turf maintenance top dressing	Negotiations between DCS, DCE and the club
25/02/2015	East Perth Football Club	19,398 04	Turf maintenance top dressing	Negotiations between DCS, DCE and the club
04/11/2016	C Caferelli	28,600 00	Breaches of Planning Development Act	Have been handed over to FER
22/08/2018	C D Hunter	14,655 25	Cost for court case	Have been handed over to FER
BALANCE OF 60 DAY DEBTORS OVER \$500 00		78,855 39		

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CITY OF VINCENT
NOTE 9 - BEATTY PAR LEISURE CENTRE FINANCIAL POSITION
AS AT 28 FEBRUARY 2019



	Current Budget	YTD Budget	YTD Actual	YTD Actual	Month Actual	Month Actual
	2018/19	Fe -19	Fe -19	Fe -18	Fe -19	Fe -18
	\$	\$	\$	\$	\$	\$
ADMINISTRATION						
Revenue	0	0	0	0	(0)	(0)
Expenditure	0	0	0	0	857	0
Surplus/(Deficit)	0	0	0	0	857	(0)
SWIMMING POOLS AREA						
Revenue	2,524,036	1,730,690	1,685,769	1,497,223	216,252	174,300
Expenditure	(2,925,188)	(1,963,995)	(2,640,530)	(2,643,866)	(393,215)	(359,128)
Surplus/(Deficit)	(401,152)	(233,305)	(954,760)	(1,146,643)	(176,964)	(184,828)
SWIM SCHOOL						
Revenue	2,281,242	1,445,746	1,421,392	931,985	142,654	93,531
Expenditure	(2,534,835)	(1,686,684)	(1,144,510)	(679,305)	(149,544)	(70,951)
Surplus/(Deficit)	(253,593)	(240,938)	276,882	252,680	(6,890)	22,581
CAF						
Revenue	1,019,369	700,966	674,270	479,509	84,264	54,843
Expenditure	(1,434,169)	(967,025)	(733,937)	(568,062)	(98,589)	(62,326)
Surplus/(Deficit)	(414,800)	(266,059)	(59,666)	(88,553)	(14,325)	(7,483)
RETAIL SHOP						
Revenue	578,292	410,328	393,511	363,037	63,385	49,956
Expenditure	(489,046)	(314,518)	(322,680)	(140,730)	(51,529)	79,674
Surplus/(Deficit)	89,246	95,810	70,830	222,306	11,855	129,631
HEALTH FITNESS						
Revenue	576,630	386,538	363,054	1,049,129	49,570	122,400
Expenditure	(1,577,244)	(1,067,393)	(1,081,574)	(876,205)	(142,103)	(101,697)
Surplus/(Deficit)	(1,000,614)	(680,855)	(718,520)	172,924	(92,534)	20,704
GROUP FITNESS						
Revenue	323,234	210,575	199,530	424,203	26,365	48,760
Expenditure	(759,624)	(503,956)	(465,155)	(370,400)	(59,905)	(44,953)
Surplus/(Deficit)	(436,390)	(293,381)	(265,625)	53,803	(33,540)	3,807
AEROBICS						
Revenue	55,481	34,737	38,379	152,349	5,394	17,597
Expenditure	(122,494)	(80,920)	(154,311)	(100,565)	(23,403)	(12,652)
Surplus/(Deficit)	(67,013)	(46,183)	(115,932)	51,784	(18,009)	4,946
CRECHE						
Revenue	239,816	157,058	160,548	42,521	20,020	4,542
Expenditure	(744,812)	(481,022)	(335,221)	(211,629)	(46,557)	(25,424)
Surplus/(Deficit)	(504,996)	(323,964)	(174,674)	(169,108)	(26,538)	(20,882)
Net Surplus/(Deficit)	(2,989,312)	(1,988,875)	(1,941,466)	(650,807)	(356,087)	(31,525)
Less: Depreciation	(1,161,147)	(774,096)	(754,200)	(774,105)	(97,451)	(96,766)
Capital Surplus/(Deficit)	(1,828,165)	(1,214,779)	(1,187,265)	123,298	(258,636)	65,241

11.4 AMENDMENTS TO THE TRADING IN PUBLIC PLACES LOCAL LAW 2008 AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008

TRIM Ref: D18/193088

Authors: Meluka Bancroft, Manager Governance, Property and Contracts
Alice Harford, Senior Strategic Planner

Authoriser: Kerry Batten, Executive Director Corporate Services

Attachments:

1. Trading in Public Places Amendment Local Law 2019 (draft) [!\[\]\(cbe2492b119e39e02a1dab2af4a4b296_img.jpg\)](#) [!\[\]\(2f36c159ea3670f7a62f64a4f1cf5c05_img.jpg\)](#)
2. Local Government Property Amendment Local Law 2019 (draft) [!\[\]\(97ea327f5be815eae3219211de8871e0_img.jpg\)](#) [!\[\]\(b9e364404d24453c513f2e1f7e489b5b_img.jpg\)](#)
3. Street Entertainment Policy (draft) [!\[\]\(5d9dd6a6efd1aa0fc8e84c5b604605a8_img.jpg\)](#) [!\[\]\(1e18bd3ff5dfe30dba6e5bd2d70c4bc3_img.jpg\)](#)
4. Trading In Public Places Local Law 2008 (with amendments marked up) [!\[\]\(bcca255348b8a6518aa846c6a5792dd4_img.jpg\)](#)
5. Local Government Property Local Law 2008 (with amendments marked up) [!\[\]\(b8f44a3d51e92b5e597f5add775cf0cf_img.jpg\)](#) [!\[\]\(96006466c75f51799fb68420122a9252_img.jpg\)](#)

RECOMMENDATION:

That Council:

1. **GIVES** Statewide and local public notice, in accordance with section 3.12 of the *Local Government Act 1995* stating that:
 - 1.1 It is proposed to make the City of Vincent Trading in Public Places Amendment Local Law 2019 at Attachment 1;
 - 1.2 The purpose of the City of Vincent Trading in Public Places Amendment Local Law 2019 is to repeal the City of Vincent Trading in Public Places Amendment Local Law 2015 and to amend the City of Vincent Trading in Public Places Local Law 2008 to:
 - 1.2.1 align the provisions with the City's online permit process for outdoor eating areas, goods, display and portable advertising signage;
 - 1.2.2 manage the placement of portable advertising signage on local government property;
 - 1.2.3 simplify the requirements relating to the Permit Free Entertainer Zones; and
 - 1.2.4 to make administrative modifications so that the local law aligns with the City's current objectives and processes;
 - 1.3 The effect of the City of Vincent Trading in Public Places Amendment Local Law 2019 is that:
 - 1.3.1 the City's online permit process for outdoor eating area, goods display and portable advertising signage will be reflected in the local law;
 - 1.3.2 portable advertising signage on local government property will now be governed by the Trading in Public Places Amendment Local Law 2019;
 - 1.3.3 the requirements relating to the Permit Free Entertainer Zones are simplified within the local law and additional guidelines will be provided in an associated Policy;
 - 1.3.4 administrative modifications are made to ensure the local law aligns with the City's current objectives and processes;
 - 1.4 Copies of the proposed local law are available for inspection at the City's office, Library and Local History Centre and on its website; and

1.5 Submissions on the proposed local law may be made to the City within a period of not less than six weeks after public notice is given;

2. NOTES that the City of Vincent Trading in Public Places Amendment Local Law 2015 will be repealed;

3. GIVES Statewide and local public notice, in accordance with section 3.12 of the *Local Government Act 1995* stating that:

3.1 It is proposed to make the City of Vincent Local Government Property Amendment Local Law 2019 at Attachment 2;

3.2 The purpose of the City of Vincent Local Government Property Amendment Local Law 2019 is to amend the City of Vincent Local Government Property Local Law 2008 to:

3.2.1 remove provisions relating to portable advertising signage on local government property;

3.2.2 to increase the deterrent for causing damage to local government property or using local government property for a commercial activity without a permit;

3.2.3 to increase the efficiency in the management (beautification) of verges;

3.2.4 to deter damage or removal of trees on verges, thoroughfares or local government property;

3.2.5 to prohibit and effectively deter the use of recording devices within change rooms; and

3.2.6 to make administrative modifications so that the local law aligns with the City's current objectives and processes;

3.3 The effect of the City of Vincent Local Government Property Amendment Local Law 2019 is that:

3.3.1 portable advertising signage on local government property will now be governed by the City of Vincent Trading in Public Places Amendment Local Law 2019;

3.3.2 increased penalties will apply for causing damage to local government property or using local government property for a commercial activity without a permit;

3.3.3 the conditions relating to management (beautification) of verges are prescribed in the City's relevant policy;

3.3.4 increased penalties will apply for damage or removal of trees on verges, thoroughfares or local government property;

3.3.5 the use of recording devices within change rooms is prohibited and an appropriate penalty is applicable; and

3.3.6 administrative modifications are made to ensure the local law aligns with the City's current objectives and processes;

3.4 Copies of the proposed local laws are available for inspection at the City's office, Library and Local History Centre and on its website; and

3.5 Submissions on the proposed local laws may be made to the City within a period of not less than six weeks after public notice is given;

4. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed local laws and public notice will be provided to the Minister for Local Government;
5. **NOTES** that any submissions received as a result of the public notice provided as set out in 1. and 3. above will be presented to Council for consideration;
6. **GIVES** local public notice of draft Policy No 3.10.4 – ‘Street Entertainment’, at Attachment 3, which sets out the guidelines for street entertainment, for a period of not less than 21 days, in accordance with the City’s Policy No. 4.1.1. ‘Policy Manual – Adoption and Review of Policies’; and
7. **NOTES** that any submissions received in relation to 6. above will be presented to Council for consideration.

PURPOSE OF REPORT:

To consider giving public notice of the City of Vincent Trading in Public Places Amendment Local Law 2019, City of Vincent Local Government Property Amendment Local Law 2019 and Street Entertainers Policy.

BACKGROUND:

Council, at its meeting of 7 March 2017, resolved (in part) as follows:

“That Council:

1. *Pursuant to section 3.16(4) of the Local Government Act 1995, DETERMINES BY ABSOLUTE MAJORITY that it considers that the following local laws should be amended for the reasons set out below and REQUIRES Administration, for each local law, to present a report back to Council by September 2017 to consider making amendments to those local laws, pursuant to section 3.12 of the Local Government Act 1995:*

<i>Local Law</i>	<i>Reason</i>
<i>Trading in Public Places Local Law 2008</i>	<i>To satisfy action 7.2 of the City’s Corporate Business Plan 2016/17 – 2019/20.</i>
<i>Local Government Property Local Law 2008</i>	<i>To address concerns that construction activity on private property is damaging or obstructing access to footpaths, thoroughfares and other public places; and To increase the City’s powers to deal effectively with for-profit groups that use public spaces without agreement.”</i>

Action 7.2 of the City’s Corporate Business Plan 2016/17 – 2019/20 relates to Council’s resolution from its meeting of 5 April 2016 concerning the process for outdoor eating areas and display of goods. Council’s resolution is provided below:-

“That Council:

1. *REQUESTS the Chief Executive Officer to prepare an amendment to the City of Vincent’s Trading in Public Places Local Law 2008 for Council’s formal consideration and following public consultation on the 8-yearly review of local laws, in order to give effect to the following changes to the licencing of Outdoor Eating Areas and Display of Goods on Footpaths:*
 - 1.1 *To generally remove the need for the City’s approval of outdoor eating areas and display areas, where those areas comply with existing Local Law and Policy standards and conditions for approval of such areas; and*
 - 1.2 *To specify any circumstances where the City’s approval will still be required;*

2. *NOTES AND ENDORSES Administration's intent to develop an electronic self-assessment and self-certification tool to assist businesses in the City of Vincent to apply for and obtain licences for outdoor eating area and outdoor display areas as an interim measure, pending the formal review and revision of the Trading in Public Places Local Law 2008; and*
3. *LISTS for consideration in the Draft 2016/17 Annual Budget a revision and reduction to the fee charged for outdoor eating areas and outdoor display areas, to reflect the self-assessment and self-certification approach referred to in 2 above."*

The Trading in Public Places Amendment Local Law 2015 was gazetted on 15 January 2015 to introduce provisions relating to Permit Free Entertainer Zones. The Department of Local Government and Communities, now the Department of Local Government, Sport and Cultural Industries (DLGSC) identified procedural inconsistencies following gazettal relating to the period of statewide notice, differences between the advertised and gazetted version of the local law and the incorrect operation date for the Amendment Local Law 2015 being published. This may affect the validity of the local law if it were to be challenged and therefore should be rectified as part of this amendment process.

This report is presented to repeal the City's Trading in Public Places Amendment Local Law 2015 and to amend the City's Trading in Public Places Local Law 2008 and Local Government Property Local Law 2008 in accordance with the process prescribed in section 3.12 of the *Local Government Act 1995*.

DETAILS:

Trading In Public Places Local Law

Council's resolution of 5 April 2016 and item 7.2 of the City's Corporate Business Plan 2016/17 – 2019/20 sought to generally remove the need for the City's approval of outdoor eating areas and goods displays that complied with the requirements of the Trading in Public Places Local Law 2008.

In February 2018, the City launched the electronic self-assessment and self-certification tool for outdoor eating areas, portable advertising sign and goods display permits (online permit process). The online permit process allows business owners to make their application for an outdoor eating area, goods display or portable advertising sign permit online and receive an automatically generated permit, where they meet the requirements.

Having reviewed the Trading in Public Places Local Law 2008 in the context of the success of the online permit process, it is considered that removing the need for approval altogether for outdoor eating areas, goods display and portable advertising signs could unnecessarily increase the City's risk of non-compliance with the Trading in Public Places Local Law 2008, which may affect public safety and amenity. As an alternative, appropriate amendments to the Trading in Public Places Local Law 2008 to complement the online permit process will ensure that the process for obtaining a permit will be simple and efficient for local businesses. This approach is in line with Council's desire to generally remove the need for approval which stemmed from the length of time that it was taking the City to determine applications for permits and the impact that this was having on local businesses.

The proposed amendments to the Trading in Public Places Local Law are as follows:

Repealing the Trading in Public Places Amendment Local Law 2015:

The inconsistencies with the processing of the Trading in Public Places Amendment Local Law 2015 identified by DLGSC relate to the following:

- Section 3.12(3) of the *Local Government Act 1995* requires the local government to provide statewide notice of a proposed local law and provide a public notice period of no less than six weeks (42 days). State-wide consultation for the Trading in Public Places Amendment Local Law 2015 commenced on 18 June 2014 and the closing date for submissions was 11 July 2014, a total of 23 days;
- The advertised version of the proposed local law included specific maps listed in clause 2.10 which identified the location of Permit Free Entertainer Zones. The gazetted version of the local law did not include the maps or zones, and clause 2.10 enabled the City to designate any public place as a Permit Free Entertainer Zone; and

- Section 3.12(6) of the *Local Government Act 1995* requires the local government to issue a public notice indicating the date of gazettal and the day the local law comes into effect. The notice published by the City on 10 February 2015 stated that the local law would come into operation on 23 February 2015 when in fact it came into effect on 30 January 2015.

The inconsistencies as outlined above could affect the validity of the local law on the basis that the procedural requirements of the *Local Government Act 1995* were not satisfied. To remedy this situation, it is proposed to repeal the Trading in Public Places Amendment Local Law 2015. This will remove any doubt as to the validity of the local law. The rescission process can be undertaken simultaneously to the amendments currently proposed.

Aligning the Trading in Public Places Local Law 2008 with the online permit process:

The implementation of the online permit process, whilst greatly reducing the timeframes associated with the processing of application for permits, does not provide the City the ability to verify the information submitted by the applicant before the permit is issued. This may result in incorrect information being submitted. A number of amendments are proposed to the local law in order to remedy this issue by expanding the circumstances under which the City can cancel or suspend a permit, including:

- If the application is found to be incomplete or incorrect;
- If the application is found to contain incorrect or falsified information;
- If the City considers the activity permitted by the permit poses a public health, safety or amenity issue;
- If valid development approval is not held for the premises which relate to the activity permitted by the permit; and
- Where a permit already exists for the same location.

Including provisions relating to the display of portable advertising signs (this is currently included within the Local Government Property Local Law 2008), and introducing penalties that relate to this activity:

The requirements relating to the display of portable advertising signs are currently located in the Local Government Property Local Law 2008. It is proposed to relocate these provisions to the Trading in Public Places Local Law 2008, given that these signs relate to businesses trading in a public place. The provisions related to fixed advertising signage, directional signs and election signs will still be retained in the Local Government Property Local Law 2008.

Clarifying the requirements that apply to the Permit Free Entertainer Zone:

The Trading in Public Places Amendment Local Law 2015 includes a number of obligations for both performers inside and outside of the Permit Free Entertainer Zones, as well as referring to a set of 'Risk Management Guidelines and Code of Practice for Street Performers'. This document however was not adopted by Council at the time of gazettal of the Trading in Public Places Amendment Local Law 2015 and as such has not been applied.

It is proposed firstly, to simplify the requirements for Permit Free Entertainer Zones within the Trading in Public Places Local Law 2008, and secondly to adopt a revised set of guidelines for street entertainers in the form of a policy which will be referred to within the local law and provide guidance for all performers within the City of Vincent. The revised Street Entertainment Policy is included as **Attachment 3**.

Local Government Property Local Law

The proposed amendments to the Local Government Property Local Law 2008 are discussed in turn below.

Portable advertising signs

Provisions relating to the display of portable advertising signs on local government property and thoroughfares are proposed to be removed from the local law as these requirements will now be incorporated within the Trading in Public Places Local Law 2008, as explained above.

Detering damage to local government property, including trees

To address concerns that construction activity on private property is damaging or obstructing access to footpaths, thoroughfares and other public places, a number of penalties are proposed to be increased in order to act as a more realistic deterrent.

It is also proposed to create two separate offences for failing to obtain a permit to carry out works on local government property and for failing to comply with the conditions of that permit. This will enable the City to increase the penalties relating to this activity without increasing the penalties that relate to other activities that require a permit. Similarly, a specific offence will be created for failure to pay a bond or security when required to do so by the City. The proposed prescribed penalties for the above are \$500.

In order to deter damage or removal of trees on local government property or on a thoroughfare, the penalty is proposed to be increased from \$300 to \$500.

These amended / new penalties are detailed below:

<i>Clause</i>	<i>Description</i>	<i>Current Penalty</i>	<i>Proposed Penalty</i>
3.5(2)	Failure to comply with conditions of a permit for works on local government property.	100	500
3.14(2)	Failure to obtain a permit to carry out works on local government property.	-	500
3.14(3)	Failure to obtain a permit to use local government property or a community facility for a for profit purpose	-	500
5.3(m)	Using a mobile phone, camera or other recording device in a change room in a pool premises, library or other community facility	-	500
9.1	Damaging a thoroughfare or anything belonging to or under the care, control or management of the local government that is on a thoroughfare.	200	500
9.2(1)(a)	Failing to take necessary precautions to ensure footpaths, verges or trees are not damaged during works.	200	500
9.2(1)(b)	Failing to ensure footpath remains in a safe and functioning state suitable for use by the public.	200	500
9.2(2)(a)	Failing to take reasonable precautions to prevent damage to footpath, verge or street tree.	200	500
9.4	Failure to install or maintain a verge in accordance with the relevant City policy, as amended from time to time.	100	250
10.1(g)	Damaging or removing a tree, which includes a tree on a verge, thoroughfare or local government property without the approval of the local government.	300	500

Detering for-profit activities on local government property without a permit

In relation to increasing the City's powers to deal effectively with for-profit groups that use public spaces without agreement, a new clause is proposed which deals with using local government property or a community facility for a commercial purpose (including group fitness). This offence has prescribed a penalty of \$500, as set out in the above table.

Prohibiting the use of recording devices in change rooms

As part of the review it was also identified that the local law did not expressly prohibit the use of recording devices within change rooms at pool premises, the library or other community facilities. This was currently managed through the use of signage in change rooms, with enforcement possible for non-compliance with a direction on a sign. Introducing this express provision will streamline the management of this, and enables an increased penalty to be prescribed. The proposed penalty is \$500, as set out in the table above.

Further additional administrative changes have been made to ensure the local law aligns with the City's current practices and strategic objectives. Changes have also been made to reduce the prescriptiveness of the local law. An example of this is the removal of a number of clauses relating to verge treatments. As the requirements for treatments, planting and beautifications of a verge are stipulated in the City's relevant policy, it is appropriate for the local law to refer to verges being treated, planted and beautified in accordance

with the City's relevant policy, as amended from time to time. A penalty of \$250 is proposed for non-compliance.

Track change versions of the Trading in Public Places Local Law 2008 and Local Government Property Local Law 2008 including the proposed amendments are provided at **Attachments 4 and 5** respectively.

CONSULTATION/ADVERTISING:

Section 3.12 of the *Local Government Act 1995* sets out the consultation requirements for making a local law. This section of the Act is reproduced in the Legal/Policy section of this report.

The City's Community Consultation Policy No. 4.1.5 also requires that notice of the proposed amendment local law is provided on the City's website and to local businesses and community groups.

The proposed amendments to the Trading in Public Places Local Law 2008 were presented to the Council Members at a workshop on 20 November 2018. Both marked up local laws were subsequently circulated to Council Members on 20 February 2019 for review and comment.

LEGAL/POLICY:

Section 3.12 of the *Local Government Act 1995* sets out the requirements for making a local law:

"3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) The local government is to —*
 - (a) give Statewide public notice stating that —*
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3A) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice*
- (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law."*

In accordance with the City's Policy No. 4.1.5 – Community Consultation, Administration will also write to any impacted business and community groups.

RISK MANAGEMENT IMPLICATIONS:

Low: There are considered to be minimal risks involved in reviewing the City's local laws and making the proposed amendments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018 – 2028*:

Innovative and Accountable

Our community is aware of what we are doing and how we are meeting our goals.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

There are nominal costs associated with making the local laws, including advertising and Gazettal, which can be expended from the City's operating budget.

LOCAL GOVERNMENT ACT 1995
TRADING IN PUBLIC PLACES LOCAL LAW 2008

City of Vincent

Trading in Public Places Amendment Local Law 2019

Under the powers conferred by the Trading in Public Places Local Law 2008 and by all other powers enabling it, the Council of the City of Vincent resolved on to make the following local law:

1. Citation

This local law may be cited as the *City of Vincent Trading in Public Places Amendment Local Law 2019*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principle local law

In this local law, the *City of Vincent Trading in Public Places Local Law 2008* published in the *Government Gazette* on 15 April 2008 and amended as published in the *Government Gazette* on 7 October 2008 and 27 February 2009 is referred to as the principle local law.

4. Table of Contents

In the table of contents –

- (1) Delete clauses 1.6, 1.7 and 1.8 and insert –

“1.6 Definitions
1.7 Interpretation
1.8 Fees and charges”

- (2) In Division 2

- (a) After clause 2.9 insert –

“2.10 Permit free entertainer zone”

- (b) Rename clauses 2.10, 2.11, 2.12, 2.13 and 2.14 as 2.11, 2.12, 2.13, 2.14 and 2.15 respectively.

- (c) In clause 2.15 delete “permit holder” and insert “performers”.

- (3) Delete Division 3 and 4 and insert –

“Division 3 – Outdoor Eating Areas

2.16 Definitions
2.17 Outdoor eating area permit
2.18 Requirements for an outdoor eating area
2.19 Obligations of permit holder
2.20 Removal of an outdoor eating area unlawfully conducted
2.21 Use of an outdoor eating area by public
2.22 Temporary removal of an outdoor eating area may be requested

Division 4 – Display of Goods on a Footpath

- 2.23 Definitions
- 2.24 Goods permit
- 2.25 Requirements for goods display
- 2.26 Obligations of permit holder
- 2.27 Safety of persons
- 2.28 Removal of goods for works
- 2.29 Removal of goods
- 2.30 Unlawful placement of goods

- (4) After Division 4 insert –

“Division 5 – Portable Advertising Signs on Thoroughfares

- 2.31 Definitions
- 2.32 Portable advertising sign permit
- 2.33 Requirements for portable advertising signs
- 2.34 Dimensions for portable advertising signs
- 2.35 Obligations of permit holder
- 2.36 Safety of persons
- 2.37 Removal of portable advertising sign for works
- 2.38 Removal of portable advertising sign which does not comply
- 2.39 Unlawful placement of portable advertising signs

- (5) In PART 3

- (a) In clause 3.4 insert “an” after the word “which”;
- (b) In clause 3.7 insert “permit” after the word “with”;
- (c) In clause 3.14 delete “holder” and replace with “holder’s”;
- (d) In clause 3.15 delete “Planning approval” and replace with “Other approvals”.

- (6) In clause 5.4 delete “and indemnity” and replace with “policy”;

- (7) In clause 6.4 delete “thoroughfares” and replace with “thoroughfare”;

- (8) Delete clause 7.3 and insert –

“7.3 Infringement notices and infringement withdrawal notices”

- (9) In Schedule 1 insert “prescribed offences”.

5. Clause 1.2 amended

In clause 1.2(1) delete “items and” and insert “portable advertising signs and the activities of”.

6. Clause 1.4 amended

After clause 1.4(1)(c) insert –

- “(d) *Trading in Public Places Amendment Local Law 2015, published in the Government Gazette on 15 January 2015.*”

7. Clause 1.6 amended

- (1) Insert *“amend” means replace, substitute, in whole or in part, add to or vary, and the doing of any two or more such things simultaneously or by the same written law”;*
- (2) Amend “applicant” definition; insert *“or a body corporate”* after the word “person”, delete *“for a permit under”* and insert *“to the local government to trade in a public place or use local government property in accordance with”;*
- (3) Insert *“body corporate” means a legal entity, such as an association, company, government, government agency, institution, partnership, or a person that is a corporation created by charter, prescription or legislation”;*
- (4) Amend “carriageway” definition; insert *“bitumen or”* after the word “the”, and delete *“or made”;*
- (5) Insert *“development approval” means an approval issues under a local planning scheme”;*
- (6) Amend “kerb” definition; delete *“includes”* and insert *“means”;*
- (7) Amend “local government property” definition:
 - (a) Delete *“belongs to”* and insert *“is owned or leased by”;*
 - (c) Delete *“under”* and insert *“within the district as defined in”;*
- (8) Insert *“local planning scheme” shall have the same meaning given to it under Part 1 of the Planning and Development Act 2005”;*
- (9) Amend “nuisance” definition:
 - (a) Delete *“any thing”* and replace with *“anything”;*
 - (b) Delete *“any thing”* and replace with *“anything”;*
- (10) Amend “permit” definition; delete *“means a permit issued under this local law”* and replace with *“means written confirmation from the local government of an applicant’s right to trade on or use local government property in accordance with this local law, and can include electronic confirmation, and may include a booking/reference number”;*
- (11) Amend “person” definition; insert *“means a natural person and”*
- (12) Delete definition of “planning approval”
- (13) Delete definition of “Town planning scheme”
- (14) Insert *“thoroughfare” is defined in section 1.4 of the Act, and means a road or thoroughfare and includes structures or other things relating to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end”;*
- (15) Amend “verge” definition; delete *“land”* and replace with *“private property”* and insert *“but does not include any footpath or kerb”* after the word “thoroughfare”.

8. New clause 1.7 inserted

After clause 1.6 insert –

“1.7 Interpretation

In this local law unless the context required otherwise, a reference to local property includes a reference to any part of that local government property."

9. Clause 1.7 amended

- (1) Rename clause 1.7 as 1.8;
- (2) Insert *"and will be specified in the City's Schedule of Fees and Charges, as amended from time to time"* after the word "Act".

10. Clause 2.3 amended

- (1) After clause 2.3(1) insert –
"(2) A trader's permit is not required for activities subject to another permit issued under this local law, including a goods permit under Division 4 of Part 2 and a portable advertising sign permit issued under Division 5 of Part 2,"
- (2) Rename clause 2.3(2) as 2.3(3);
- (3) Rename clause 2.3(3) as 2.3(4).

11. Clause 2.9 amended

Insert the following definitions:

- (1) *"permit free entertainer zone" means an allocated area where an entertainer can perform without the need for a permit; and*
- (2) *"pitch location" means a prescribed location within the permit free entertainer zones where a performer or performance group may perform.*

12. New clause 2.10 inserted

After Clause 2.9 insert –

"2.10 Permit free entertainer zone

- (1) *A permit to perform is not required within the permit free entertainer zone;*
- (2) *Permit free entertainer zones are determined by the local government;*
- (3) *Performers or performance groups may only perform at prescribed pitch locations in the permit free entertainer zones as delineated by the local government by a marker on the ground; and*
- (4) *The local government can designate any public place as a pitch location within the permit free entertainer zones."*

13. Division 2 renumbered

Rename clauses 2.10, 2.11, 2.12, 2.13 and 2.14 as 2.11, 2.12, 2.13, 2.14 and 2.15 respectively.

14. Clause 2.10 amended

- (1) In clause 2.10(1) insert *"outside of the permit free entertainer zone"* after the word "place";
- (2) Delete clause 2.10(3)(a) and (b).

15. Clause 2.12 amended

Delete clause 2.12 and insert –

“2.13 Duration of permit

An entertainer’s permit is valid for the period of 3 specified in the permit unless cancelled in accordance with clause 2.14.”

16. Clause 2.14 amended

Delete clause 2.14 and insert –

“2.15 Obligations of permit holder

- (1) *Performers or performance groups in the permit free entertainer zones shall not perform in a public place otherwise than in accordance with the terms and conditions of the associated Policy, as amended from time to time.*
- (2) *A permit holder shall not perform in a public place otherwise than in accordance with the terms and conditions of his or her entertainers permit and the associated Policy, as amended from time to time.”*

17. Division 3 renumbered

Rename clauses 2.15, 2.16, 2.18, 2.19, 2.20, 2.21 as 2.16, 2.17, 2.19, 2.20, 2.21 and 2.22 respectively.

18. Clause 2.15 amended

Amend “food business” definition; delete “section” and replace with “Section”.

19. Clause 2.16 amended

Delete clause 2.16 and insert –

“2.17 Outdoor eating area permit

- (1) *A person shall not establish or conduct an outdoor eating area without a valid permit;*
- (2) *The rights of a permit holder under an outdoor eating area permit are subject to this local law.”*

20. Clause 2.17 deleted**21. New clause 2.18 inserted****“2.18 Requirements for an outdoor eating area**

An outdoor eating area must –

- (a) *be conducted in conjunction with and as an extension of food premises or licensed premises abutting the outdoor eating area which are registered as a food business under the Food Act, and the applicant must be the person conducting such food premises or licensed premises;*
- (b) *effect and maintain all necessary approvals governing the operation of the outdoor eating area;*
- (c) *comply with any local law made under section 172 of the Health Act or any other relevant local law of the local government;*
- (d) *have access to proper and sufficient sanitary and ablutionary conveniences for users of the outdoor eating area;*

(e) not –

- (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares;
- (ii) impede pedestrian access; or
- (iii) contain furniture which obstructs or impedes the use of the public place for the purpose for which it was designed."

22. Clause 2.18 amended

- (1) In clause 2.18(1)(b) insert "or other Act relevant to the outdoor eating area" after the word "Act";
- (2) In clause 2.18(1)(e) insert "relating to the" after the word "costs";
- (3) In clause 2.18(1)(f) insert "immediately";
- (4) Insert clause 2.18(1)(h) "produce evidence of the outdoor eating area permit whenever requested by an authorised person to do so. Evidence could include the written confirmation (electronic version acceptable) provided by the City of the permit number (if applicable)."

23. Clause 2.19 amended

Delete clause 2.19 and insert –

"2.20 Removal of an outdoor eating area unlawfully conducted

Where an outdoor eating area is established or conducted without a permit, or in contravention of a condition of a permit or this local law, any furniture may be removed by an authorised person and impounded in accordance with the Act."

24. Clause 2.20 amended

Delete clause 2.20(1) and insert –

"(1) A person shall not use an outdoor eating area in a manner which is inconsistent with the permit."

25. Clause 2.21 amended

In clause 2.21(1) delete "service" and replace with "Service".

26. Clause 2.22 amended

- (1) Rename clause 2.22 to 2.23;
- (2) Amend "goods" definition; delete "has the meaning given to it under the Act" and replace with "for the purposes of display of goods under this local law means goods for sale and/or hire as part of the permit holder's business."

27. Clause 2.23 deleted

28. Clause 2.24 amended

Delete clause 2.24(2) and insert –

"(2) The rights of a permit holder under a goods display permit are subject to this local law."

29. Clause 2.25 amended

Delete clause 2.25 and insert –

"2.25 Requirements for goods display

A goods display must not –

- (a) obstruct the visibility of clear sightlines of any person at an intersection of thoroughfares;
- (b) impede pedestrian access; or
- (c) obstruct or impede the use of the footpath for the purpose for which it was designed."

30. Clause 2.26 amended

Delete clause 2.26 and insert –

"2.26 Obligations of permit holder

The permit holder shall –

- (a) Comply with the terms and conditions of the permit to establish and conduct the goods display;
- (b) Maintain the goods and the goods display in a safe condition at all times;
- (c) Produce evidence of the goods permit whenever requested by an authorised person to do so. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable);
- (d) Ensure that the goods display is of a stable design and is not readily moved by the wind, and does not cause any hazard or danger to any person using the thoroughfare;
- (e) Only display goods on a footpath which immediately abuts the building occupied by the owner of the goods, and not more than 1 metre from that building in a location approved by the local government and specified in the permit; and
- (f) Ensure the free passage of persons using the footpath on which the goods display is positioned."

31. Clause 2.30 amended

- (1) In clause 2.30(1) insert "display" after the word "goods";
- (2) In clause 2.30(2) insert "display" after the word "goods".

32. Division 5 inserted

Insert –

"Division 5 – Portable Advertising Signs on Thoroughfares**2.31 Definitions**

In this Division unless the context otherwise requires –

"A" frame sign means a folding sign which is hinged at the top to provide a stable structure when open;

"permit holder" means the person to whom a portable advertising sign permit is issued;

"portable advertising sign" means a free standing sign and includes a ground based sign, a sandwich board and an "A" frame sign that is used or intended to be used for the purpose of advertising any premises, services, business, function, event, product or thing;

“portable advertising sign permit” means a permit to display a portable advertising sign;

“sign” means a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation.

2.32 Portable advertising sign permit

- (1) A person shall not erect or place a portable advertising sign on a thoroughfare unless that person is the holder of a valid portable advertising sign permit.
- (2) The rights of a permit holder under a portable advertising sign permit are subject to this local law.

2.33 Requirements for portable advertising signs

A portable advertising sign must –

- (a) be consistent with, and be erected or placed in accordance with any other written law regulating the erection or placement of portable advertising signs within the district;
- (b) be consistent with the dimensions in clause 2.34 of this local law;
- (c) relate to the business described on the portable advertising sign permit;
- (d) not be erected or placed on a footpath in front of a building if there is another portable advertising sign already erected or placed in front of that building relating to that business;
- (e) only be displayed on a footpath which directly abuts a building occupied by the permit holder, and not more than 1 metre from the building, or in another location approved by the local government and specified in the permit;
- (f) not create a hazard to persons using a thoroughfare;
- (g) be secure and of stable design and not readily moved by the wind;
- (h) be maintained in a good, safe and serviceable condition;
- (i) not obstruct the visibility or clear sightlines of:
 - (i) any person at an intersection of thoroughfares; or
 - (ii) any vehicle;
- (j) not impede pedestrian access on the thoroughfare; and
- (k) not obstruct or impede the use of the footpath for the purpose of which it is used.

2.34 Dimensions for portable advertising signs

The permit holder shall ensure that the portable advertising sign:

- (a) does not exceed 1,000 millimetres in height; and
- (b) does not exceed an area of 0.8 square metres on any side.

2.35 Obligations of a permit holder

The permit holder shall –

- (a) ensure that the portable advertising sign complies with the requirements in clauses 2.33 and 2.34 of this local law

- (b) *ensure that the portable advertising sign is removed each day at the close of the business to which it relates and is not erected again until the business next opens for trading;*
- (c) *only display the portable advertising sign on a footpath in the location approved by the local government and specified in the permit;*
- (d) *comply with any conditions imposed on the portable advertising sign permit; and*
- (e) *produce evidence of the portable advertising sign permit whenever requested by an authorised person to do so. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).*

2.36 Safety of persons

A person shall not cause or permit a portable advertising sign to be erected or displayed in such a condition, where, in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

2.37 Removal of portable advertising sign for works

A permit holder shall ensure that a portable advertising sign is removed from any footpath to permit the footpath to be swept or to permit any other authorised work to be carried out when directed to do so by an authorised person.

2.38 Removal of portable advertising sign which does not comply

A person shall remove any portable advertising sign which does not comply with the requirements of this local law from any footpath when directed to do so by an authorised person.

2.39 Unlawful placement of portable advertising signs

A person who places, causes, or permits to be placed on any thoroughfare any portable advertising sign except in accordance with this local law commits an offence."

33. Clause 3.2 amended

- (1) Delete clause 3.2(2)(b);
- (2) Rename clause 3.2(2)(c) and 3.2(2)(d) as 3.2(2)(b) and 3.2(2)(c) respectively;
- (3) In clause 3.2(2)(c) insert "*which may include a plan, specifications or photographs*" after the word "form";
- (4) Delete clause 3.2(2)(d) and insert –
 - "(c) *be forwarded to the local government or the specified person at the local government together with any fee specified in the City's Schedule of Fees and Charges, as amended from time to time.*";
- (5) Delete clause 3.2(5)(a) and insert –
 - "(a) *which does not comply with the requirements in subclause (2)*"
- (6) In clause 3.2(5)(b)(i) insert "or";
- (7) In clause 3.2(5)(b)(ii) delete "(2)" and replace with "(3)";
- (8) In clause 3.2(5)(b)(iii) delete "2.10" and replace with "2.11";
- (9) Delete clause 3.2(5)(b)(iv);

- (10) Delete clause 3.2(5)(c) and (d) and insert –

“(c) Which is not properly completed”;

- (11) Rename Clause 3.2(5)(e) to 3.2(5)(d).

34. Clause 3.3 amended

- (1) Delete clause 3.3(c);

- (2) Rename clause 3.3(d) to 3.3(c).

35. Clause 3.4 amended

- (1) In clause 3.4 delete *“division”* and replace with *“local law”*;

- (2) In clause 3.4(a) insert *“or condition of lease or license”* after the word *“law”*;

- (3) In clause 3.4(b) insert *“in the opinion of the local government”* after the word *“applicant”*;

- (4) After clause 3.4(c) insert –

“(d) the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare which the permit is sought in respect to”;

- (5) Rename clause 3.4(d) to 3.4(e).

36. Clause 3.5 amended

- (1) In clause 3.5(1)(a) insert *“including but not limited to those conditions in clause 3.6”*;

- (2) In clause 3.5(1)(b) insert *“including but not limited to those grounds specified in clause 3.4”*;

- (3) Delete clause 3.5(2) and insert –

“(2) If the local government approved an application for a permit, it will provide the applicant with written confirmation in the form determined by the local government, which could be electronic.”

- (4) In clause 3.5(3) insert *“(which includes electronic)”* after the word *“notice”*, and *“it is not necessary for the local government to provide reason for the refusal”* after the word *“applicant”*;

- (5) Delete clauses 3.5(4) and (5).

37. Clause 3.6 amended

- (1) In clause 3.6 insert *“without limiting the generality of clause 3.5(1)(a), the”*;

- (2) In clause 3.6(1)(a) delete *“a fee”* and insert *“fees, charges and bonds, as specified in the City’s Schedule of Fees and Charges, as amended from time to time or as otherwise determined by the local government, at the local government’s sole discretion”*;

- (3) In clause 3.6(1)(h) insert *“as set out in clause 5.4”* after the word *“government”*;

- (4) Delete clause 3.6(1)(i) and insert –

- "(i) compliance with a standard or a policy of the local government adopted by the local government"

38. Clause 3.7 amended

- (1) In clause 3.7 insert *"permit"* in the heading after the word *"with"*;
- (2) Delete clause 3.7(2).

39. Clause 3.8 amended

- (1) In clause 3.8(3) insert *"subject to providing the permit holder with written notice of the reasons for the amendment"* after the word *"permit"*;
- (2) In clause 3.8(4) delete *"after the amendment is made, and unless otherwise specified in the amendment, the amended term of condition, or both, of the permit apply from the date of notification"* and insert *"and the amended condition(s) shall apply from the date of notification, unless otherwise specified in the amendment."*
- (3) Delete clause 3.8(5) and (6).

40. Clause 3.9 amended

Delete clause 3.9 and insert –

"3.9 Duration of permit"

A permit is valid for the period specified in the permit unless cancelled in accordance with clause 3.13."

41. Clause 3.10 amended

Delete clause 3.10(2) and insert –

- "(2) The provisions of this Part and any other provision of this local law relevant to the permit which is to be renewed shall apply to an application for the renewal of a permit, to the extent that it is applicable for a permit renewal."

42. Clause 3.11 amended

- (1) In clause 3.11(1)(d) delete *"CEO"* and replace with *"local government"*;
- (2) In clause 3.11(3) delete *"the transfer may be effected by"* and insert *"it will provide written confirmation to the former permit holder and the transferee"*;
- (3) Delete clause 3.11(a) and (b).

43. Clause 3.12 amended

- (1) Delete *"is to"* and *"their permit"*;
- (2) Insert *"must"* after the word *"holder"*, and insert *"evidence of a permit"* after the word *"produce"*, and insert *"evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable)"*.

44. Clause 3.13 amended

Delete clause 3.13 and insert –

“3.13 Cancellation of permit

- (1) *Subject to clause 8.1, a permit may be cancelled by the local government on any one or more of the following grounds –*
- (a) *the permit holder has not complied with a –*
 - (i) *condition of the permit; or*
 - (ii) *provision of this local or any other written law relating to the activity regulated by the permit;*
 - (b) *the permit holder is convicted of an offence against this local law;*
 - (c) *the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;*
 - (d) *the permit holder has become bankrupt, or gone into liquidation;*
 - (e) *the permit holder has entered into any composition or arrangement with creditors;*
 - (f) *a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property;*
 - (g) *if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;*
 - (h) *if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents;*
 - (i) *if the City reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;*
 - (j) *if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted or for the outdoor eating area; and*
 - (k) *another permit for an outdoor eating area, goods display or portable advertising sign has been granted, and remains in effect, in relation to the building or business premises related to the permit.*
- (2) *On the cancellation of a permit the local government will provide the permit holder with written notice that the permit has been cancelled –*
- (3) *On receiving notice that the permit has been cancelled in accordance with sub clause (2):*
- (a) *the permit holder must immediately cease using the local government property or thoroughfare unless the notice from the local government provides otherwise; and*
 - (b) *any fees paid by the permit holder in respect of the permit are forfeited and will not be refunded by the local government.”*

45. Clause 3.14 amended

- (1) *In the heading of clause 3.14 delete “holder” and replace with “holder’s”;*
- (2) *In clause 3.14(2) insert “by notice in writing to the permit holder” after the word “government”;*
- (3) *Insert clause 3.14(3) –*
 - “(3) *The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –*

- (a) *the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;*
- (b) *the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or*
- (c) *the City considers the activity permitted by the permit may create a public health, safety or amenity issue.*

until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue."

46. Clause 3.15 amended

- (1) Delete the heading "*Planning approval*" and replace with "*Other approvals*";
- (2) Delete "*a planning*" and insert "*any other approvals, including but not limited to development*".

47. Clause 4.1 amended

In clause 4.1(1) delete "2.18" and insert "2.19".

48. Clause 4.2 amended

- (1) In clause 4.2(1) delete "2.18" and insert "2.19";
- (2) In clause 4.1(1)(a) insert "*that clause*" after the word "specified" and insert "*or the notice (as the case may be); or*" after the word "conditions";
- (3) In clause 4.1(1)(b) delete "*establish or conduct the outdoor eating area*" and insert "*complete restoration or reinstatement works*";
- (4) Delete clause 4.2(1)(c);
- (5) In clause 4.2(3) insert "*the*" after the word "meet" and "*incurred by it*" after the word "costs".

49. Clause 5.2 amended

In clause 5.2(2) insert "*portable*" after the word "area".

50. Clause 5.4 amended

Delete clause 5.4 and insert –

"5.4 Public liability insurance policy

- (1) *Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –*
 - (a) *effect and maintain a policy of insurance in the name of the permit holder and the local government (if required by the local government) in respect to any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;*
 - (b) *ensure that any policy of insurance referred to in (a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;*

- (c) effect and maintain the policy of insurance referred to in (a) for the duration of the permit,
 - (d) immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.11;
 - (e) provide the local government with a certificate of currency confirming that public liability insurance cover is in place at any time requested by the local government
 - (f) ensure that, as a minimum, the permit holder's public liability insurance policy provides coverage of \$10 million (ten million dollars), or such other amount as the local government considers appropriate to the risk and liability involved in the activity authorised by the permit. At the discretion of the local government, minimum value of coverage required may be increased at the policy renewal date;
 - (g) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA).
- (2) A permit holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.
- (3) A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage."

51. Clause 6.1 amended

Delete "WA" and "Service" and replace with "Western Australia" and "Force" respectively.

52. Clause 7.1 amended

In clause 7.1(3) delete "shall be liable" and "250" and replace with "is liable" and "300" respectively.

53. Clause 7.3 amended

In the heading of clause 7.3 delete "Forms of" and insert "notices" and "infringement".

54. Prescribed Offences amended

Schedule 1 be deleted and substituted with the following:

SCHEDULE 1 PRESCRIBED OFFENCES

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.2 (1)	Conducting a stall in a public place without a permit	250
2.3 (1)	Trading without a permit	250
2.8 (1)(b)	Failure of stallholder or trader to display or carry permit	100
2.8 (1)(c)	Stallholder or trader not displaying valid permit	100
2.8 (1)(d)	Stallholder or trader not carrying certified scales when selling goods by weight	100
2.8 (3)	Stallholder or trader engaged in prohibited conduct	250
2.11 (1)	Performing in a public place outside of the permit free entertainer zone without a permit	250
2.12 (2)	Failure of performer to move onto another area when directed	100

2.15	<i>Failure of performer to comply with obligations</i>	100
2.17	<i>Establishment or conduct of outdoor eating area without a permit</i>	250
2.19	<i>Failure of permit holder of outdoor eating area to comply with obligations</i>	250
2.21 (1)	<i>Use of furniture of outdoor eating area without purchase of food or drink from permit holder</i>	100
2.21 (2)	<i>Failure to leave outdoor eating area when requested to do so by permit holder</i>	100
2.24 (1)	<i>Displaying goods on a footpath without a permit</i>	250
2.26	<i>Failure of permit holder of goods display to comply with obligations</i>	250
2.27	<i>Permitting goods to be displayed in an unsafe or dangerous manner</i>	250
2.28	<i>Refusing or failing to remove goods to allow for sweeping, cleaning or any other authorised work</i>	100
2.29	<i>Refusing or failure to remove goods when requested to do so</i>	250
2.30 (1)	<i>Placing or permitting goods contrary to the requirements of the local law</i>	250
2.30 (2)	<i>Placing or permitting an item so as to obstruct a footpath without lawful authority</i>	250
2.32 (1)	<i>Erecting or placing a portable sign on a thoroughfare without a permit</i>	250
2.35	<i>Failure of a permit holder to comply with obligations</i>	250
2.36	<i>Permitting a portable advertising sign to be displayed in an unsafe or dangerous manner</i>	250
2.37	<i>Refusing or failing to move a portable advertising sign to allow for sweeping, cleaning or other authorised works</i>	100
2.38	<i>Refusing or failing to remove a portable advertising sign which does not comply when requested to do so</i>	250
2.39	<i>Placing or permitting a portable advertising sign contrary to the requirements of the local law</i>	250
3.7	<i>Failure to comply with a condition of a permit</i>	250
3.12	<i>Failure to produce a permit when requested to do so by an authorised person</i>	100
5.3	<i>Carrying out works in thoroughfare without permission</i>	250
5.4 (2)	<i>Failure to hold or provide a current certificate of currency to an authorised person when requested</i>	250
6.1	<i>Failure to obey a lawful direction of an authorised person</i>	250
6.2	<i>Failing to leave local government property when directed to do so</i>	250
7.1 (2)	<i>Failure to comply with notice</i>	250
7.1	<i>All other offences not described above</i>	100

LOCAL GOVERNMENT ACT 1995**LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008***City of Vincent***Local Government Property Amendment Local Law 2019**

Under the powers conferred by the *Local Government Property Local Law 2008* and by all other powers enabling it, the Council of the City of Vincent resolved on to make the following local law:

1. Citation

This local law may be cited as the *City of Vincent Local Government Property Local Law 2008*

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Local Government Property Local Law* published in the *Government Gazette* on is referred to as the principal local law. The principal local law is amended.

4. Table of Contents

The table of contents is deleted and replaced with:

“PART 1 – PRELIMINARY

- 1.1 *Citation*
- 1.2 *Objective*
- 1.3 *Commencement*
- 1.4 *Repeal*
- 1.5 *Application*
- 1.6 *Definitions*
- 1.7 *Interpretation*
- 1.8 *Fees and charges*

PART 2 – DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**Division 1 – Determinations**

- 2.1 *Determinations as to use of local government property*
- 2.2 *Procedure for making a determination*
- 2.3 *Discretion to erect sign*
- 2.4 *Determination to be complied with*
- 2.5 *Register of determinations*
- 2.6 *Amendment or revocation of a determination*

Division 2 – Activities which may be pursued or prohibited under a determination

Local Government Property Amendment Local Law 2019

1

2.7 Activities which may be pursued on specified local government property

2.8 Activities which may be prohibited on specified local government property

Division 3 – Transitional

2.9 Signs taken to be determinations

PART 3 – PERMITS

Division 1 – Preliminary

3.1 Application of Part

Division 2 – Applying for a permit

3.2 Application for permit

3.2A Relevant considerations in determining application for permit

3.3 Decision on application for permit

3.3A Grounds on which an application may be refused

Division 3 – Conditions

3.4 Conditions which may be imposed on a permit

3.5 Compliance with permit conditions

3.5A Amendment of permit conditions

Division 4 – General

3.6 Erection of a building

3.7 Duration of permit

3.8 Renewal of permit

3.9 Transfer of permit

3.10 Production of permit

3.11 Cancellation of permit

3.12 Suspension of permit holder's rights and privileges

3.13 Other approvals

Division 5 – When a permit is required

3.14 Activities on local government property and thoroughfares needing a permit

3.15 Permit required to camp outside a facility

3.16 Permit required for possession and consumption of liquor

Division 6 – Responsibilities of permit holder

3.17 Responsibilities of permit holder

PART 4 – BEHAVIOUR ON LOCAL GOVERNMENT PROPERTY

Division 1 – Behaviour on and interference with local government property

4.1 Personal behaviour

- 4.2 Only specified gender to use entry of toilet block or change room
- 4.3 Property and adequate clothing
- 4.4 Behaviour detrimental to property
- 4.5 Taking or injuring any fauna
- 4.6 Intoxicated persons not to enter local government property, community facility
- 4.7 No prohibited drugs or substances

Division 2 – Signs

- 4.8 Signs

PART 5 – MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

Division 1 – Community Facilities

- 5.1 Definitions
- 5.2 Direction of manager or authorised person to be observed
- 5.3 Responsibilities of users of a community facility

Division 2 – Fishing and boat launching

- 5.4 Definition
- 5.5 Boat launching
- 5.6 Fishing

Division 3 – Fenced or closed property

- 5.7 No entry to fenced or closed local government property

Division 4 – Air conditioning units over thoroughfares

- 5.8 Definition
- 5.9 Siting and design of air conditioning units

Division 5 – Awnings, balconies and verandahs over thoroughfares

- 5.10 Definitions
- 5.11 Approval to erect or maintain an awning, balcony or verandah
- 5.12 Dimensions of awnings, balconies and verandahs
- 5.13 Design of awnings, balconies and verandahs
- 5.14 Maintenance and public safety
- 5.15 Permanent structures within a thoroughfare or road reserve

PART 6 – ADVERTISING SIGNS ON THOROUGHFARES

Division 1 – Preliminary

- 6.1 Definitions
- 6.1A Permit period for advertising sign
- 6.1B Advertising sign permit

Division 2 – Permit

- 6.2 *Portable direction sign permit*
- 6.3 *Nature and position of an advertising sign or portable direction sign*
- 6.4 *Matters to be considered in determining application for a permit*

Division 3 – Conditions on permit

- 6.5 *Conditions on portable direction sign permit*
- 6.6 *Conditions on election sign permit*
- 6.7 *Obligations of permit holder*
- 6.8 *Safety of persons*
- 6.9 *Removal sign for works*
- 6.10 *Revoal of sign which does not comply*
- 6.11 *Unlawful placement of signs*

PART 7 – OBSTRUCTING ANIMALS OR SHOPPING TROLLEYS**Division 1 – Animals**

- 7.1 *Leaving animal in a public place*
- 7.2 *Prohibitions relating to animals*

Division 2 – Shopping trolleys

- 7.3 *Definitions*
- 7.4 *Name of owner of shopping trolley*
- 7.5 *Shopping trolleys in public places*

PART 8 – BOND OR SECURITY

- 8.1 *Security for restoration and reinstatement*
- 8.2 *Use by local government of bond or security*

PART 9 – WORKS ON OR AFFECTING A THOROUGHFARE**Division 1 – Works affecting a thoroughfare**

- 9.1 *No damage to thoroughfare*
- 9.2 *Footpath, verge and street tree protection*
- 9.3 *Liability for damage to thoroughfares*

Division 2 – Verge treatments

- 9.4 *Verge treatment*
- 9.5 *Enforcement*

Division 3 – Public works

- 9.6 *Public works on verges*
- 9.7 *Contribution towards construction of standard vehicle crossing*

9.8 Temporary vehicle crossings

9.9 Removal of redundant vehicle crossings

PART 10 – ACTIVITIES ON THOROUGHFARES AND LOCAL GOVERNMENT PROPERTY

10.1 General prohibitions

10.2 Activities allowed with a permit

PART 11 – NOTICES OF BREACH

11.1 Offence to fail to comply with notice

11.2 Local government may undertake requirements of notice

11.3 Notice to remove, redirect or repair sprinkler

11.4 Hazardous plants

11.5 Notice to repair damage to thoroughfare

11.6 Notice to remove thing unlawfully placed on thoroughfare

PART 12 – OBJECTIONS AND REVIEW

12.1 Application of Division 1, Part 9 of the Act

PART 13 – MISCELLANEOUS

13.1 Authorised person to be obeyed

13.2 Persons may be refused admission or directed to leave local government property or a community facility

13.3 Liability for damage to local government property

13.4 Public liability insurance policy

13.5 Payment of applicable fees

13.6 No unauthorised entry to function

PART 14 – OFFENCES

Division 1 – Offences and penalties

14.1 Offences and general penalties

14.2 Prescribed offences

14.3 Infringement notices and infringement withdrawal notices

Division 2 – Evidence in legal proceedings

14.4 Evidence of a determination

SCHEDULE 1 – PRESCRIBED OFFENCES

SCHEDULE 2 – DETERMINATIONS"

5. Clause 1.5 amended

In clause 1.5(2) —

Delete "Notwithstanding anything to the contrary" and insert "Unless otherwise provided for"

6. Clause 1.6 Definitions Amended

- (1) Insert "*Amend*" means replace, substitute, in whole or part, add to or vary, and the doing of any two or more of such things simultaneously or by the same written law";
- (2) Amend "Applicant" definition; insert "*or a body corporate*" after the word person. Delete after the word applies "*for a permit under clause 3.2*" and insert "*to the local government to use local government property, in accordance with this local law*";
- (3) Insert "*body corporate*" means a legal entity, such as an association, company, government, government agency, institution, partnership, or a person that is a corporation created by charter, prescription or legislation,"
- (4) Amend "carriageway" definition; delete "*or made*" after the word paved and insert "*bitumen or*";
- (5) Amend "community facility" definition; delete "*infant welfare centre*" after word centre, and replace with "*child health clinic*";
- (6) Insert "*face of kerb*" means the side of the kerb adjacent to the carriageway";
- (7) Amend "firework" definition; delete "*catherine*" and insert "*Catherine*";
- (8) Amend "function" definition, part (c), delete "*organisation*" and replace with "*organised*"
- (9) Amend "kerb" definition; delete "*includes*" and insert "*means*";
- (10) Insert "*landscaping feature*" means any garden bed, rock, pathway, seating, decoration and lighting or similar feature, installed with a verge";
- (11) Amend "lawn" definition; insert "*such as a tree*" after the word local government;
- (12) Amend "local government property" definition:
 - (a) Delete "*belongs to*" and replace with "*is owned or leased by*";
 - (c) Delete "*under*" and replace with "*within the district as defined in*";
- (13) Amend "permit" definition. Delete "*means a permit issued under this local law*" and insert "*means written confirmation from the local government of an applicant's right to use local government property in accordance with this local law, and can include electronic confirmation, and may include a booking/reference number*";
- (14) Amend "person" definition. Insert "*means a natural person and*"
- (15) Amend "sign" definition. Delete "*approved by the local government*";
- (16) Amend "thoroughfare" definition. Delete "*has the meaning given it*" and insert "*is defined*" followed by the following after the word Act "*and means a road or thoroughfare and includes structures or other things relating to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end*";
- (17) Amend "verge" definition. Delete "*land*" and replace with "*private property*" and insert after the word footpath "*or kerb*";

7. Clause 1.8 amended

- (1) Insert "*and will be specified in the City's Schedule of Fees & Charges, as amended from time to time*";

8. Clause 2.8 amended

- (1) In clause 2.8(1)(a) delete "*on premises*";
- (2) In clause 2.8(1)(c) delete "*on the property*";

9. Clause 3.1 amended

- (1) In clause 3.1(1) insert "*which includes but is not limited to a lease, license or shared use agreement*" after the word government;
- (2) In clause 3.1(2) delete "*and any permit required under this*" and replace with "*to use*".
- (3) In clause 3.1(2) delete "*law*" and replace with "*government property or a thoroughfare*";

10. Clause 3.2 amended

- (1) Delete clause 3.2(2) (b)
- (2) Renumber clause 3.2(2)(c) and 3.2(2)(d) as 3.2(2)(b) and 3.2(2)(c) respectively;
- (3) In clause 3.2(2)(b) insert "*which may include a plan, specifications or photographs*";
- (4) In clause 3.2(2)(c) delete "*CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act*" and insert "*local government or the specified person at the local government together with any fee specified in the form or as specified in the City's schedule of Fees and Charges*";
- (5) In clause 3.2(5) (a) delete "*is not in accordance with*" and insert "*does not comply with the requirements in*";
- (6) In clause 3.2(5)(b) delete "*in the case of an application for a sign permit, is not in accordance with clause 3.2(2)*" and insert "*is not properly completed; or*";
- (7) Delete clause 3.2(5)(c)
- (8) Delete clause 3.2(5)(d)
- (8) Renumber clause 3.2(5)(e) as 3.2(5)(c)

11. Clause 3.2A amended

- (1) In clause 3.2A (1) (b) insert "*and*";
- (2) Delete clause 3.2A (1)(c)
- (3) Rename clause 3.2A(1)(d) as 3.2A(1)(c)

12. Clause 3.3 amended

- (1) In clause 3.3(1)(a) insert "*including but not limited to those conditions in clause 3.4*";
- (2) In clause 3.3(1)(b) insert "*on any of the grounds specified in the clause 3.3A, or for any other reason determined at the sole discretion of the local government*";
- (3) In clause 3.3(2) delete "*is to issue*" and replace with "*will provide*" and delete "*a permit*" and replace with "*written confirmation*" and after the word government insert "*which could be electronic*";
- (4) In clause 3.3(3) insert "*(which includes electronic)*" after the word notice and after the word applicant insert "*It is not necessary for the local government to provide reasons for the refusal*";
- (5) Delete clause 3.3(4) and 3.3(5);

13. Clause 3.3A amended

- (1) In clause 3.3A title delete "*applicant*" and insert "*application*";
- (2) In clause 3.3A delete "*to approve*";

- (3) In clause 3.3A(a) insert "*or condition of a lease or licence or hire arrangement*" after the word law;
- (4) In clause 3.3A(b) insert "*in the opinion of the local government*" after the word applicant;
- (5) Insert clause 3.3A(d) "*the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare which the permit is sought in respect to;*"
- (6) Rename clause 3.3A(d) to 3.3A(e);

14. Clause 3.4 amended

- (1) In clause 3.4(1)(a) delete "*the payment of fees and charges*" and insert "*the payment of fees and charges, as amended from time to time, or as otherwise determined by the local government, at the local governments sole discretion*";
- (2) In clause 3.4(1)(i) insert "*as set out in clause 13.4*";
- (3) Delete clause 3.4(2)

15. Clause 3.5 amended

- (1) In title of clause 3.5 delete "*and variation of*" and insert "*permit*";
- (2) In clause 3.5(1) insert "*for an activity defined in clause 3.14(1)*" after the word approved;
- (3) In clause 3.5(2) delete "*the local government may vary the conditions of a permit, and*" and insert "*Where an application for a permit has been approved for an activity defined in clause 3.14(2) subject to conditions, the permit holder shall comply with each of those conditions*";

16. Clause 3.5A inserted

"3.5A Amendment of permit conditions

- (1) *A permit holder may apply in writing to the local government to vary or amend any of the terms or conditions of the permit.*
- (2) *The local government may, in respect of an application under sub-clause (1) –*
 - (a) *amend the permit, either in accordance with the application or otherwise as it sees fit; or*
 - (b) *refuse to amend the permit.*
- (3) *The local government may, at any time, amend any of the terms or conditions of a permit, subject to providing the permit holder with written notice of the reasons for the amendment.*
- (4) *If the local government amends a permit under this clause, it is to notify the permit holder in writing of the amendment as soon as practicable and the amended condition(s) shall apply from the date of notification, unless otherwise specified in the amendment."*

17. Clause 3.6 amended

- (1) In clause 3.6 title delete "*Agreement for*" and insert "*erection of a*";
- (2) Rename clause 3.6 as 3.6(1)
- (3) Insert clause 3.6(2) "*The person is required to obtain all other necessary approvals to govern the erection of a building, including but not limited to development approval, if applicable, and a permit for use of the local government property.*";

18. Clause 3.7 amended

Delete clause 3.7 and insert-

"3.7 Duration of Permit

A permit is valid for the period specified in the permit unless cancelled in accordance with clause 3.11."

19. Clause 3.8 amended

In clause 3.8(2) delete "*mutatis mutandis*" and insert "*to the extent that is applicable for a permit renewal.*"

20. Clause 3.9 amended

In clause 3.9(3) delete "*transfer may be affected by an endorsement on the permit signed by the CEO*" and insert after the word permit "*it will provide written confirmation to the former permit holder and the transferee*"

21. Clause 3.10 amended

- (1) Delete "*his or her permit*" after the word person;
- (2) Insert "*evidence of a permit*" after the word produce;
- (3) Insert a new sentence "*Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).*"

22. Clause 3.11 amended

Delete clause 3.11 and insert –

"3.11 Cancellation of permit

- (1) *Subject to clause 12.1, a permit may be cancelled by the local government on any one or more of the following grounds:*
 - (a) *the permit holder has not complied with a*
 - (i) *condition of the permit; or*
 - (ii) *provision of this local or any other written law relating to the activity regulating by the permit;*
 - (b) *the permit holder is convicted of an offence against the local law*
 - (c) *the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;*
 - (d) *the permit holder has become bankrupt, or gone into liquidation;*
 - (e) *the permit holder has entered into any composition or arrangement with creditors;*

- (f) *a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property;*
 - (g) *if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;*
 - (h) *if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents*
 - (i) *if the City reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;*
 - (j) *if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted or for the outdoor eating area, and;*
 - (k) *another permit for an outdoor eating area, goods display or portable advertising sign has been granted, and remains in effect, in relation to the building or business premises related to the permit.*
- (2) *On the cancellation of a permit the local government will provide the permit holder with written notice that the permit has been cancelled.*
- (3) *On receiving notice that the permit has been cancelled in accordance with subclause (2):*
- (a) *the permit holder must immediately cease using the local government property or the thoroughfare unless the notice from the local government provides otherwise; and*
 - (b) *any fees paid by the permit holder in respect of the permit are forfeited and will not be refunded by local government."*

23. Clause 3.11A amended

- (1) rename clause "3.11A" to "3.12" and in the heading replace "holder" with "holder's"
- (2) In clause 3.12(2) insert "by notice in writing to the permit holder" after the word local government.
- (3) Insert a new clause (3):

"(3) *The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –*

- (a) *the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;*
- (b) *the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or*
- (c) *the City considers the activity permitted by the permit may create a public health, safety or amenity issue.*

until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue."

24. Clause 3.11B amended

- (1) Rename clause "3.11B" to "3.13".
- (2) Delete clause 3.11B and insert-

"The requirement for a permit under this local law, is additional to the requirement, if any, for any other approvals, included but not limited to development approval."

25. Clause 3.12 amended

- (1) Rename clause "3.12" to "3.14"
- (2) In clause 3.14 heading insert *"on local government property and thoroughfares"* after the word activity.
- (3) In clause 3.14(1)(a) delete the word *"hire"* and replace with *"use"*;
- (4) In clause 3.14(1)(a) insert after the word property *"or a thoroughfare for any purpose which amounts to exclusive use of the whole or a portion of the property for any period of time"*;
- (5) In clause 3.14(1)(b) insert after the word property *"or a thoroughfare, except where the person holds a permit issued under another local law of the local government authorising such advertising in that location"*;
- (6) In clause 3.14(1)(c) insert after the word property *"or a thoroughfare"*;
- (7) delete clause 3.14(1)(d) and rename clause 3.14(1)(e), 3.14(1)(f), 3.14(1)(g), 3.14(1)(h), 3.14(1)(i), 3.14(1)(j), 3.14(1)(k), 3.14(1)(l) and 3.14(1)(m), 3.14(1)(n), 3.14(1)(o), 3.14(1)(p) and 3.14(1)(q) as 3.14(1)(d), 3.14(1)(e), 3.14(1)(f), 3.14(1)(g), 3.14(1)(h), 3.14(1)(i), 3.14(1)(j), 3.14(1)(k), 3.14(1)(l), 3.14(1)(m), 3.14(1)(n), 3.14(1)(o) and 3.14(1)(p), respectively;
- (8) In clause 3.14(1)(d) delete the word *"or"* after plant
- (9) In clause 3.14(1)(d) insert after the word seeds *"or install any other landscaping feature" and "unless in accordance with the clause 9.4 of this local law"*;
- (10) Delete clause 3.14(1)(e) and insert –
"carry on any trading on local government property unless the trading is conducted in accordance with a permit issued under the City's Trading in Public Places Local Law;";
- (11) In clause 3.14(1)(h) delete after the words entry to *"land or a building hired by a voluntary non profit organisation"* and insert *"an area or a building hired or leased from the local government, and that hire or lease arrangement provides that a fee for entry may be charged"*;
- (12) In clause 3.14(1)(i) insert *"or on a thoroughfare"* after the word property;
- (13) In clause 3.14(1)(j) insert *"or a thoroughfare"*, after the word property;
- (14) Delete clause 3.14(1)(r) and 3.14(1)(s) and insert –
"3.14(1)(q) erect, display, post, stick, stamp, stencil, paint or otherwise affix or cause to be erected displayed, posted, stuck, stamped, stencilled, painted or otherwise affixed any sign, banner, placard, handbill, notice, advertisement, writing or picture whatsoever upon any tree, plant, building, structure, fitting or soil being local government property or on any other local government property, except where the

person holds a permit issued under another local law of the local government authorising such an activity in that location; and";

(15) Delete clause 3.14(1)(t) and insert –

"3.14(1)(r) *carry out filming, shoot or take a recording on a local government property or within a thoroughfare where exclusive use of a portion of the local government property or thoroughfare is required;*

(16) Insert a new clause –

"3.14(1)(s) *Construct anything or locate any infrastructure on local government property; or a thoroughfare, including but not limited to paving, planter boxes and outdoor seating."*

(17) Delete clause 3.14(2) and insert

"3.14(2) *A person shall not without a permit carry out work in a thoroughfare or on a local government property, including but not limited to-*

- (a) *verge treatments, unless he verge treatment is in accordance with clause 9.4 of this local law;*
- (b) *vehicle crossovers;*
- (c) *crossing a footpath with a vehicle which is likely to cause, or causes damage to the footpath;*
- (d) *locating construction materials on a verge or thoroughfare;*
- (e) *Undertaking construction activities adjacent to a verge or thoroughfare";*

(18) Insert a new clause –

"3.14(3) *A person shall not without a permit use local government property or a community facility for a for profit purpose, including but not limited to:*

- (a) *group fitness classes;*
- (b) *life coaching or counselling;*
- (c) *meetings or seminars; or*
- (d) *guided walks or tours."*

(19) Amend clause 3.14(4) -

- (1) Insert the words "*at the local government's sole discretion*" after the word may;
- (2) Insert "(2) or (3) after the word subclauses; and
- (3) Insert the words "*by providing notice in writing to that person*" after the word person.

26. Clause 3.13 amended

Rename 3.13 as 3.15.

27. Clause 3.14 amended

- (1) Rename 3.14 as 3.16;

- (2) In clause 3.16(1)(a) delete "and" and replace with "or";
- (3) In clause 3.16(1)(b) insert "or" after the word purpose;
- (4) delete clauses 3.16(2)(a) and 3.16(2)(b);
- (5) rename clause 3.16(2)(c) as 3.16(1)(c);

28. Clause 3.15 amended

Rename clause 3.15 as 3.17.

29. Clause 4.6 amended

Insert "unless pursuant to a permit issued under clause 3.14" after the word liquor.

30. Part 5 division 1 amended:

- (1) Replace clause 5.1 definitions with –

"administration centre"	<i>means the local government's administration centre which is currently located on Crown Land Lot 502, being Reserve 50345 and having an address of 244 Vincent Street, Leederville.</i>
"change room"	<i>means the room or area designated for changing ones clothes in a public place such as a pool premises, and includes any bathroom or toilet at the public place.</i>
"library"	<i>means the place or premises provided by the local government for the purpose of borrowing books and local history, and includes the library and local history centre located on a portion of Crown Land Lot 501, being Reserve 39009 and having an address of 99 Loftus Street, Leederville; and</i>
"pool premises"	<i>means the place or premises provided by the local government for the purpose of swimming or bathing, and includes Beatty Park Leisure Centre, which is located on a portion of Crown Land Lot 1618 and being Reserve Number 884, and having an address of 220 Vincent Street, North Perth, and includes all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the place or premises or used in connection with it."</i>

31. Clause 5.2 amended

- (1) In clause 5.2(1) insert "administration centre, library or" after the word the;
- (2) Rename clauses 5.2(1)(a)(ii), 5.2(1)(a)(iii) and 5.2(1)(a)(iv) as 5.2(1)(a)(iii), 5.2(1)(a)(iv) and 5.2(1)(a)(vi) respectively;
- (3) Insert clause –
 - "5.2(1)(a)(ii) *under the age of 5 years and who is unaccompanied in the water by a responsible person 16 years or older, or;*"
- (4) In clause 5.2(2) insert "administration centre, library or" after the word the;
- (5) In clause 5.2(3) insert ""administration centre, library or" after the word the.

32. Clause 5.3 amended

- (1) Insert “administration centre, library or” after the word the;
 - (2) In clause 5.3(b) delete “or” and insert “wall”;
 - (3) In clause 5.3(b) delete “on the pool premises or a community facility” and replace with “or other structure not intended for climbing”;
 - (4) In clause 5.3(c) delete “whilst” and insert “enter the premises if”;
 - (5) In clause 5.3(c) delete “enter or use or attempt to enter or use the pool premises or a community facility”;
 - (6) In clause 5.3(d) delete “pool”;
 - (7) In clause 5.3(e) delete “on the pool premises whereby the water may be discoloured or contaminated or rendered turbid or, in the opinion of the Manager or authorised person, in anyway unfit”;
 - (8) In clause 5.3(f) delete “in the pool premises”;
 - (9) In clause 5.3(k) delete “and”;
 - (10) In clause 5.3(l) insert “and”;
 - (11) Insert clause –
- “(m) using a mobile phone, camera or other similar recording device in a change room at a pool premises, library or other community facility.”

33. Division 4 part 5.8 amended

In thoroughfare definition insert “has the meaning in section 1.4 of the Act and” after the word thoroughfare.

34. Clause 5.9 amended

- (1) In clause 5.9(1) insert “which is at the discretion of the City.”
- (2) In clause 5.9(2) delete “no” and insert “if the local government provides approval in subclause (1) above, the”;
- (3) In clause 5.9(2) insert “not”.

35. Division 5 amended

- (1) Insert definitions –

“permanent structure” means a structure which is affixed to the ground and is considered to form part of the ground, and includes verandah posts and canopy structures;

“road reserve” means crown land which the local government has care, control and management of pursuant to section 55(2) of the Land Administration Act 1997;”

- (2) In thoroughfare definition insert “has the meaning in section 1.4 of the Act and” after the word thoroughfare;

36. Clause 5.11 amended

- (1) In the heading insert words "*an awning, balcony or verandah*" after the word maintain;
- (2) delete "*a person shall not erect or maintain*" and insert "*the local government may approve*";
- (3) delete "*without*" and insert "*provided that it complies with*" after the word thoroughfare;
- (4) Delete "*approval of the local government*" and insert "*dimensions and design requirements as set out in clauses 5.12 and 5.13*";

37. Clause 5.12 amended

- (1) Delete "*a person shall not erect an awning, balcony or verandah over a thoroughfare unless it complies with the following dimension requirements*";
- (2) In clause 5.12(c) delete "*500*" and insert "*600*";
- (3) In clauses 5.12(c) insert "*face of the*" at the end of the sentence.

38. Clause 5.13 amended

Delete "*a person shall not erect an awning, balcony or verandah over a thoroughfare unless it complies with the following design requirements*"

39. Clause 5.15 inserted

Insert –

"5.15 Permanent structures within a thoroughfare or road reserve

A person shall not erect or maintain a permanent structure within a road reserve or thoroughfare without the prior written approval of the local government, and subject to the person obtaining any other approvals required, including development approval."

40. Part 6 amended

- (1) In the heading delete "*advertising*";
- (2) In the heading delete "*on thoroughfares*";
- (3) In clause 6.1 delete definition of advertisement - "*advertisement means the use or intention of use for the purpose of advertising any premises, services, business, function, event, product or thing*";
- (4) In definition of "advertising sign" delete "*free standing*" after the words means a;
- (5) In "advertising sign" definition delete "*and includes a ground based sign, a sandwich board sign and an A frame sign*";
- (6) In "advertising sign" definition insert –
 - "(a) *used or intended to be used for the purpose of advertising any premises, services, business, function, vent, product or thing; and*;
 - (b) *not a portable advertising sign under the local governments Trading in Public Places Local Law 2008.*;
- (7) delete "portable sign" definition;
- (8) In "sign" definition insert "*and advertising signs, portable direction signs and election signs*"
- (9) Insert "Division 2 – Permits"

41. Clause 6.1A amended

- (1) In heading insert "*for advertising sign*" after the word period;
- (2) replace "*one year or three years, whichever the applicant chooses on*" with "*the duration of*";
- (3) replace "*application for a sign*" and insert "*period specified in the permit*";

42. Clause 6.1B amended

- (1) In the heading insert the word "Advertising";
- (2) Delete clause 6.1B(1);
- (3) Delete clause 6.1B(2);
- (4) Insert clause 6.1B "*A person shall not display an advertising sign on local government property unless that person is the holder of a valid permit for that advertising sign*"

43. Clause 6.2 amended

- (1) Delete "*Permit required for advertising signs and portable signs*" and insert "*portable sign permit*";
- (2) Delete clause 6.2(1);
- (3) Insert –

"6.2(1) *"Subject to clause 6.2(2), a person shall not, without a permit erect or place a portable direction sign on local government property."*;

- (4) In clause 6.2(2) delete "neither exceeds" and insert "*does not exceed*";
- (5) In clause 6.2(2) delete "*provided*" and insert "*on any side provided*" after the word area;
- (6) Delete clause 6.2(3)

44. Clause 6.3 amended

- (1) Rename clause 6.3 as 6.4
- (2) Insert –

"6.3 Nature and position of an advertising sign or portable direction sign

Notwithstanding any provision of this local law, a person shall not erect or place an advertising sign or portable direction sign –

- (a) *over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2,700 millimetres;*
- (b) *on or within 600 millimetres from the face of the kerb;*
- (c) *in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or*
- (d) *on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge."*
- (3) In clause 6.4 delete "*the purpose of clauses 3.3 and 6.2(1)*" and insert "*an advertising sign or a portable direction sign*";
- (4) In clause 6.4(a) delete "*advertising*";
- (5) In clause 6.4(a) delete "*or advertisements*";

- (6) In clause 6.4(b) delete “advertising signs or advertisements” and replace with “sign”;
- (7) In clause 6.4(c) delete “advertising”;
- (8) In clause 6.4(c) delete “or advertisements”;
- (9) In clause 6.4(f) insert “whether” and delete “advertising”;
- (10) In clause 6.4(g) insert “whether” and delete “advertising”;
- (11) In clause 6.4(g) delete “was designed” and insert “is used”.

45. Division 3 amended

- (1) Rename clause 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10 as 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, and 6.11 respectively.

46. Clause 6.5 amended

- (1) In clause 6.5 heading insert the word “direction” after portable;
- (2) In clause 6.5 heading insert the word “permit” after sign;
- (3) In clause 6.5(1) insert “direction” after the word portable;
- (4) In clause 6.4(1)(a) insert “direction” after the word portable;
- (5) In clause 6.4(1)(a)(iii) insert “directions to” after the word to;
- (6) In clause 6.4(1)(a)(iii) delete “business activity” and insert “place”;
- (7) In clause 6.4(1)(a)(iv) delete “in any position other than immediately in front of the building or the business to which the sign relates and be located not”;
- (8) In clause 6.4(1)(a)(iv) delete “500” and insert “600”;
- (9) In clause 6.4(1)(a)(iv) insert “the face of” after the word to;
- (10) In clause 6.4(1)(a)(iv) delete “the” and insert “a” after the word using;
- (11) In clause 6.4(1)(a)(v) insert “if it relates to a business or event” at the start of the sentence;
- (12) In clause 6.4(1)(a)(v) insert “or event”;
- (13) In clause 6.4(1)(b) insert “direction”;
- (14) In clause 6.4(2) insert “direction”.

47. Clause 6.6 amended

- (1) In the heading of clause 6.6 insert “permit” after the word sign;
- (2) In clause 6.6(1) delete “a thoroughfare” and insert “local government property”;
- (3) In clause 6.6(1)(a) insert “of thoroughfares”;
- (4) In clause 6.6(1)(c) delete “a thoroughfare” and insert “local government property”;
- (5) In clause 6.6(1)(h) delete “thoroughfare” and insert “local government property”.

48. Division 4 inserted

Insert –

“Division 4 – Other obligations of a permit holder”

49. Clause 6.7 amended

- (1) In clause 6.7(a) delete "advertising";
- (2) In clause 6.7(b) delete "advertising";
- (3) In clause 6.7(c) delete "a thoroughfare" and replace with "local government property";
- (4) In clause 6.7(d) delete "display an advertising" and insert "where a";
- (5) In clause 6.7(d) insert "display that sign";
- (6) In clause 6.7(e) insert "at all times";
- (7) In clause 6.7 delete "footpath at all times" and insert "local government property".

50. Clause 6.8 amended

Delete "an advertising sign" and insert "a sign to be".

51. Clause 6.9 amended

- (1) 6.9 delete "an advertising sign to" and insert "a sign to";
- (2) delete "footpath" and insert "local government property".

52. Clause 6.10 amended

- (1) delete words "advertising" and "item";
- (2) delete "footpath" and replace with "local government property".

53. Clause 6.11 amended

- (1) delete "footpath" and replace with "local government property";
- (2) delete words "advertising" and "or item".

54. Clause 8.1 amended

In clause 8.1(2) insert "prior to any work commencing, unless otherwise agreed by the local government" after the word clause.

55. Clause 8.2 amended

- (1) In clause 8.2(1)(a) insert "that clause" after the word in;
- (2) In clause 8.2(1)(a) insert "the notice (as the case may be); or";
- (3) In clause 8.2(1)(b) insert "to complete the restoration or reinstatement works" after the word approval;
- (4) In clause 8.2(1) insert a new sentence after word undone "Any costs relating to the work carried out by the local government exceeding the bond paid by the applicant is a debt owing to the local government."
- (5) In clause 8.2(3) insert "by it" after the word incurred.

56. Part 9 division 2 amended

- (1) Delete Part 9 division 2 – Verge Treatments
- (2) Insert –

"Division 2 – Verge treatments"

9.4 Verge treatment

The owner or occupier of land adjacent to any verge may only treat the verge in front of such land in accordance with the City's policy in respect to verge treatments, planting and beautifications of a verge, as amended from time to time.

9.5 Enforcement

The local government may give notice in writing to the owner or occupier of land adjacent to a verge who has installed or maintained a treatment on the verge in front of such land, requiring that owner or occupier, within the time specified in the notice, to make good any breach of this Division, or to remove all or any part of a verge treatment that does not comply with this Division."

57. Part 9 amended

- (1) Rename clause 9.11, 9.12, 9.13, 9.14 as 9.6, 9.7, 9.8, and 9.9 respectively;
- (2) In clause 9.9(1) insert "*an internal driveway or constructed parking amenity on the*" after the word a.

58. Clause 10.1 amended

- (1) In clause 10.1(b) delete "*a lawn or a garden*" and replace with "*local government property*";
- (2) Delete clause 10(1)(e);
- (3) Delete clause 10(1)(g) and replace with:
"prune, injure, poison, remove or kill, by felling, poisoning or other means, any tree on a thoroughfare or any local government property, unless the person is:
 - (i) *acting under the authority of the local government; or*
 - (ii) *acting under authority of a written law."*

59. Clause 10.2 amended

- (1) In clause 10.2(1) delete "*a person shall not, without*" and replace with "*the local government may grant*";
- (2) In clause 10.2(1) insert "*for the following activities*" at the end of the sentence;
- (3) In clause 10.2(1)(i) delete "*permissible verge treatment*" and insert "*verge treatment in accordance with any requirements specified in this local law or in the local governments policy*";
- (4) In clause 10.2(2) delete "*exempt a person from compliance with a subclause (1) on*" and insert "*grant*";
- (5) In clause 10.2(2) delete "*application of that person*" and insert "*permit in 10.2(1) above subject to conditions.*"

60. Clause 11.3 amended

- (1) In the heading insert "*remove*" after the word to;
- (2) Insert "*either remove*" after the word to.

61. Clause 11.5 amended

Insert at the end of the sentence "- and within the time frame stipulated in the notice. If the person does not comply with the notice to the satisfaction of the local government the person commits an offence".

62. Clause 13.2 amended

- (1) In heading insert "*or a community facility*" after word property;
- (2) In clause 13.2(1) insert "*or manager*" after word person;
- (3) In clause 13.2(1)(a) insert "*or manager*" after word person;

63. Clause 13.4 amended

- (1) delete clause 13.4 and insert –

"13.4 Public liability insurance policy

- (1) *Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –*
 - (a) *Effect and maintain a policy of insurance in the name of the permit holder, and the local government (if required by the local government in respect to any injury to any person or an damage to any property which may occur in connection with the use of the local government property by the permit holder;*
 - (b) *ensure that any policy of insurance referred to in (a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;*
 - (c) *effect and maintain the policy of insurance referred to in (a) for the duration of the permit,*
 - (d) *immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.11;*
 - (e) *provide the local government with a certificate of currency confirming that public liability insurance cover is in place at any time requested by the local government*
 - (f) *ensure that, as a minimum, the permit holder's public liability insurance policy provides coverage of \$10 million (ten million dollars), or such other amount as the local government considers appropriate to the risk and liability involved. At the discretion of the local government, minimum value of coverage required may be increased at the policy renewal date;*
 - (g) *ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA).*
- (2) *A permit holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.*
- (3) *A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage."*

64. Clause 14.3 amended

In heading insert "*notices*" after word infringements.

65. Part 14 division 2 amended

Delete heading "*Division 2 Evidence in legal proceedings*"

66. Schedule 1 Prescribed Offences amended

- (1) In clause 3.5(2) delete "*as varied*" and insert "*for works on local government property*"; and delete "*100*" and insert "*500*".
- (2) Renumber clause 3.12(1) to 3.14(1).
- (3) Insert clause –

"3.14(2)	Failure to obtain a permit to carry out works on local government property	500"
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- (4) Insert clauses –

"3.14(3)	Failure to obtain a permit to use local government property or a community facility for a commercial purpose	500"
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- (5) Renumber clause 3.14(1) to 3.16(1);
- (6) Renumber clause 3.15 to 3.17;
- (7) Insert clause 5.3(m):

"5.3(m)	Using a mobile phone, camera or other recording device in a change room in a pool premises, library or other community facility.	500"
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- (8) Insert clause 5.15:

"5.15	Erecting a permanent structure within a thoroughfare or road reserve.	250"
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- (9) In clause 6.2(1) insert "*sign or*" after word placing and delete words "*or affixing any advertisement*".
- (10) Insert clause 6.1B(1):

"6.1B(1)	Displaying advertising sign on local government property without a permit.	250"
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- (11) Renumber clause 6.2(3) to 6.3.
- (12) Renumber clause 6.4(2) to 6.5(2) and insert "*direction*" after word portable.
- (13) Renumber clause 6.5(2) to 6.6(2);
- (14) Delete clause 6.1B(1).
- (15) Renumber clause 6.6(a) to 6.7(a);
- (16) Renumber clause 6.6(b) to 6.7(b);
- (17) Renumber clause 6.6(c) to 6.7(c);
- (18) Renumber clause 6.6(d) to 6.7(d);
- (19) Renumber clause 6.6(e) to 6.7(e);
- (20) Renumber clause 6.7 to 6.8;
- (21) Renumber clause 6.8 to 6.9 and delete "*or*" after the word sweeping and insert "*or other unauthorised works*" at the end of the sentence;
- (22) Renumber clause 6.9 to 6.10;

- | | | |
|------|--|-------------|
| (23) | Renumber clause 6.10 to 6.11; | |
| (24) | Insert clause 8.8(2): | |
| | <i>"8.8(2) Failure to pay a required bond or security</i> | <i>500"</i> |
| (25) | In clause 9.1 delete "200" and replace with "500". | |
| (26) | In clause 9.2(1)(a) delete "200" and replace with "500". | |
| (27) | In clause 9.2(1)(b) delete "200" and replace with "500". | |
| (28) | In clause 9.2(1)(c) delete "50" and replace with "100". | |
| (29) | In clause 9.2(2)(a) delete "200" and replace with "500". | |
| (30) | Delete clauses 9.6(a), 9.6(b), 9.6(c), 9.8, 9.9(a), 9.9(b), 9.9(c), 9.9(d) and 9.9(e). | |
| (31) | Insert clause 9.4: | |
| | <i>"9.4 Failure to install or maintain verge in accordance with the relevant City policy, as amended from time to time</i> | <i>250"</i> |
| (32) | Renumber clause 9.13(1) to 9.8(1). | |
| (33) | Renumber clause 9.14(2) to 9.9(2). | |
| (34) | In clause 10.1(g) insert "which includes a tree on a verge, thoroughfare or local government property," after word tree, delete words "or part thereof" and delete "300" and replace with "500". | |
| (35) | Delete clause 10(1)(e). | |
| (36) | In clause 11.1 delete "250" and replace with "500". | |
| (37) | Insert clause 13.4(2): | |
| | <i>"13.4(2) Failure to hold or provide a current certificate of currency to an authorised person when requested.</i> | <i>250"</i> |

67. Schedule 2 Determinations

- (1) In clause 1.3 delete "*Nick Catania, JP*" and replace with "*Emma Cole*" and delete "*John Giorgio, JP*" and insert "*David MacLennan*"

Policy No. 3.10.4 Street Entertainment



CITY OF VINCENT

PURPOSE

The purpose of this policy is as follows:

- To support and encourage street entertainment to enhance the vibrancy, vitality and ambience of the City;
- To provide the framework to ensure street entertainment is fostered in a well-managed manner, whilst maintaining the well-being, comfort and safety of the public and performers; and
- To identify locations that are suitable as Pitch Locations within the Permit Free Entertainer Zones in accordance with the City's Trading in Public Places Local Law 2008.

POLICY STATEMENT

These guidelines have been compiled with a view to nurturing a street performance culture in the Town Centres within the City of Vincent. Street entertainment is a means of creating social interaction amongst visitors and residents, adding vibrancy and interest to public spaces and creating opportunity for performers and the public to enjoy public streets and spaces.

These guidelines will provide the framework to assist performers, businesses and residents in understanding the rules for street entertainment within the City of Vincent.

These guidelines are to be read in conjunction with the City's Trading in Public Places Local Law 2008, as amended from time to time.

SCOPE

This policy applies to street entertainers within the City of Vincent.

POLICY OWNER

- Policy and Place
- Ranger Services

ACTIVITIES CONSIDERED TO BE STREET ENTERTAINMENT

A street entertainer is someone who is actively providing a performance in a public place in exchange for a voluntary donation.

Types of street entertainment may include:

- Performing with an instrument or multiple instruments;
- Live performance including but not limited to: singing, dancing, mime, clowning, juggling, puppetry, comedy, magic or living statue act;
- Performing a circle act; and
- Creating visual art (excluding aerosol art).

The following activities are not considered to be street entertainment:

- Fundraising events or promotions;
- Political rallying;
- Tarot card reading, palmistry or fortune telling;
- Massage, chiropractic treatment or other physical manipulation;
- Temporary tattoo applications;
- Vendors of any kind; and
- Begging.

DETERMINATION OF PITCH LOCATIONS WITHIN THE PERMIT FREE ENTERTAINER ZONES

Permit Free Entertainer Zones are determined by the CEO and are displayed on the City's website. Within the Permit Free Entertainer Zones, street entertainers are only permitted to perform within the identified Pitch Locations which will be delineated by a small sticker on the pavement and state the words 'Street Entertainer Zone'.

Pitch Locations will be chosen by the City's Officers using the following criteria:

- The location has enough space for a performer to set up without compromising pedestrian accessibility;
- The location has enough space for a performer to set up without compromising a currently approved alfresco area;
- The location ensures that doorways to shops and buildings are kept clear at all times;
- The location is a reasonable distance from any other Pitch Locations; and
- The location is a highly pedestrianised area and would be seen as a suitable location by a street entertainer.

GENERAL CONDITIONS APPLICABLE TO STREET ENTERTAINMENT

General guidelines and conditions for street entertainment within the City of Vincent include the following:

1. A performer must meet the minimum standards as indicated in Appendix 1.
2. Street entertainers performing outside of the Permit Free Entertainer Zones must use locations that do not:
 - Unduly interfere with pedestrian or vehicle access or public amenities;
 - Cause undue obstruction to trader or delivery vehicles;
 - Obstruct entrances and exits to shops and buildings;
 - Interfere with an entertainment or activity approved by the City of Vincent; and
 - Distract from other street entertainer's performances. A reasonable distance should be maintained from other street entertainers.
3. Street entertainers performing in the Permit Free Entertainer Zones must perform at prescribed Pitch Locations as demarcated on the ground.
4. A person under the age of 14 years should not perform in any part of a performance:

- During school hours;
 - Between 7pm and 6am; and
 - Unless accompanied by an adult at all times.
5. A street entertainer who is performing pavement or visual art:
- Must use chalk unless working on paper card;
 - Cannot use spray paint unless it has been approved by the City of Vincent; and
 - Must return the location, including the pavement surface, to its former condition.
6. Street entertainers may not advertise goods for sale or associate themselves with such advertising in conjunction with their performance.
7. The use of amplification during a performance:
- Can only be battery operated; and
 - Is not permitted between the hours of 10pm and 7am.
8. The sound levels from a street entertainment performance shall at no time disrupt business trading, affect workplace performance or detract from public amenity. If an authorised person requests that the volume of the performance be reduced, the street entertainer must turn the volume down to an acceptable level immediately.
9. Street entertainers must keep their site safe and clean while performing.

PROHIBITED ACTIVITIES

A street entertainer shall not in a public place:

- Perform any act that endangers the safety of the public;
- Perform any act of cruelty to an animal;
- Act in an offensive or obscene manner;
- Create a nuisance or harass, annoy or disturb any person, trader or resident;
- Perform any activity or act which damages public property; or
- Solicit money for any purpose.

BREACH OF CONDITIONS AND GUIDELINES

An authorised person may ask street entertainers to cease their performance immediately should they not be complying with the requirements of the City's Trading in Public Places Local Law 2008 or this policy.

If a street entertainer is found to have breached the conditions of the Trading in Public Places Local Law 2008 or this policy, these breaches will be dealt with under the appropriate penalties within the Trading in Public Places Local Law 2008.

SAFETY

Street entertaining activities should at all times prioritise public safety and the accessibility of public space for all people. The amenity of an area must not be compromised by noise, excessive amplification, tripping hazards, anti-social behaviour or dangerous activities. Street

entertainers must ensure that neither themselves, nor their audience, pedestrians or the general public are put at risk at any time during their performance. Street entertainers must accept responsibility for any direct impact that their performance may have on any other City services and activities.

CREATION / REVIEW

Created:	Approved by: <Approver>, on <Approval Date>, see TRIM: <TRIM Ref>
Review / Amend:	Approved by: <Approver>, on <Approval Date>, see TRIM: <TRIM Ref>
Next Review Date:	

APPENDIX 1: MINIMUM STANDARDS

Type of Performer	Performance area delineation	Fire Blanket & Extinguisher	Insurance
Solo Musicians & Musical Groups	N/A	N/A	Recommended
Circus Acts i.e. acrobats, cyclists and jugglers	Boundary Required (soft)	N/A	Professional Indemnity Insurance Certificate Required
Fire Acts	Boundary Required (soft)	Yes	Professional Indemnity Insurance Certificate Required
Statue & Mime Artists	N/A	N/A	Recommended
Balloon Artists and Face Painters	N/A	N/A	Recommended
Chalk Artist/s	N/A	N/A	Recommended
Other Acts Using Dangerous Materials or Implements	Boundary Required (soft)	N/A	Professional Indemnity Insurance Certificate Required



CITY OF VINCENT

LOCAL GOVERNMENT ACT 1995

TRADING IN PUBLIC PLACES LOCAL LAW 2008

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CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

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LOCAL GOVERNMENT ACT 1995

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Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on 26 February 2008 to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Vincent Trading in Public Places Local Law 2008*.

1.2 Objective

- (1) The objective of this local law is to provide for the regulation, control and management of trading activities, outdoor eating facilities, stalls, displays of goods and ~~items and~~ portable advertising signs and the activities of traders and entertainers in any street or public place within the district by establishing the requirements with which persons must comply in order to undertake those activities.
- (2) The effect of this local law is to control trading activities and street entertainment in any street or public place within the district.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

- (1) The following local laws adopted by the City of Vincent ~~are~~
 - (a) *Local Law Relating to Alfresco Dining*, published in the *Government Gazette* on 30 April 1998;
 - (b) *Local Law Relating to Display of Items on a Footpath*, published in the *Government Gazette* on 14 June 2000 and as amended and published in the *Government Gazette* on 2 March 2001 and 4 January 2002;
 - (c) *Local Law Relating to Street Trading*, published in the *Government Gazette* on 22 December 1998; and
 - (d) *Trading in Public Places Amendment Local Law 2015*, published in the *Government Gazette* on 15 January 2015.

are repealed on the day this local law comes into operation.

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1.5 Application

This local law applies throughout the district.

1.6 Definitions

In this local law unless the context requires otherwise: —

“Act” means the *Local Government Act 1995*;

“amend” means replace, substitute, in whole or in part, add to or vary, and the doing of any two or more of such things simultaneously or by the same written law;

“applicant” means a person or a body corporate who applies ~~for a permit under~~ to the local government to trade in a public place or use local government property in accordance with this local law; —

“application fee” means the fee payable upon lodgement of an application for a permit and which relates to the lodgement, assessment and determination of the application, but does not include any fee which may be imposed as a condition of approval of an application;

“authorised person” means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an authorised person under this local law;

“body corporate” means a legal entity, such as an association, company, government, government agency, institution, partnership, or person that is a corporation created by charter, prescription or legislation;

“carriageway” means the bitumen or ~~paved or made~~ portion of a thoroughfare used or intended for use by vehicles;

“CEO” means the Chief Executive Officer of the local government;

“Competition Principles Agreement” means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995;

“development approval” means an approval issued under a local planning scheme;

“district” means the district of the local government;

“footpath” means a path set aside for use by pedestrians and cyclists that is on a thoroughfare, and includes all that part of a thoroughfare lying between the edge of the carriageway and the property boundary nearest to that edge on the same side of the thoroughfare;

“goods” shall have the same meaning given to it in section 3.38 of the Act;

“hire” includes offer to hire or expose for hire;

“kerb” ~~includes~~ means the edge of a carriageway;

“local government” means the City of Vincent;

“local government property” means anything except a thoroughfare —

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- (a) which ~~belongs to~~ is owned or leased by the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an "otherwise unvested facility ~~under~~" within the district as defined in section 3.53 of the Act;

"local planning scheme" shall have the same meaning given to it under Part 1 of the Planning and Development Act 2005;

"nuisance" means:—

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed ~~to~~ by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the state of the physical, mental or social well-being of another person of normal susceptibility;
- (b) ~~any thing~~ anything a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another person of any public place; or
- (c) ~~any thing~~ anything a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person, provided that any thing done in accordance with the law or a legal right or which is consistent with the standard of behaviour in the relevant locality shall not be unreasonable for the purpose of this local law;

~~"permit" means a permit issued under this local law;~~

"permit" means written confirmation from the local government of an applicant's right to trade on or use local government property in accordance with this local law, and can include electronic confirmation, and may include a booking/reference number;

"permit holder" means a person who holds a valid permit;

"person" means a natural person and does not include the local government;

~~"planning approval" means an approval issued under a Town planning scheme;~~

"private property" means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or subject of a lease or agreement with a person enabling its use for private purposes and includes any building or structure thereon;

"public facility" includes any light, power or telephone pole, fire hydrant, drain, sump, tree, sign, traffic light, parking device or meter, shelter, seat, telephone box, letter boxes, public toilet or any work provided by a statutory body or authority, in any street or public place;

"public place" includes any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes, parklands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including local government property, but does not include premises on private property from which trading is lawfully conducted under a written law;

"street" means a thoroughfare;

~~"Town planning scheme" means a Town planning scheme of the local government made under the Planning and Development Act 2005;~~ "thoroughfare" is defined in section 1.4 of

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the Act, and means a road or thoroughfare and includes structures or other things relating to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

“trading” includes –

- (a) the selling or hiring of, the offering for sale or hire of, or the soliciting of orders for goods or services in a public place;
- (b) displaying goods in any public place for the purpose of –
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for them; or
 - (iv) carrying out any other transaction in relation to them; and
- (c) the going from place to place, whether or not public places, and –
 - (i) offering goods or services for sale or hire;
 - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services; or
 - (iii) carrying out any other transaction in relation to goods or services,

“valid”, in relation to a permit issued under this local law means current and for which all the associated fees have been paid in full;

“vehicle” includes –

- (a) every conveyance, not being a train, boat, aircraft or wheelchair, and every object capable of being propelled or drawn on wheels, tracks or by any means;
- (b) an animal being driven or ridden; and
- (c) a vehicle described in the *Road Traffic Act 1974*;

“verge” means that part of a thoroughfare between the carriageway and the ~~land~~private property which abuts the thoroughfare, but does not include any footpath or kerb.

1.7 Interpretation

In this local law unless the context requires otherwise a reference to local government property includes a reference to any part of that local government property.

1.8 Fees and charges

All fees and charges under this Local Law shall be determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act, ~~and will be specified in the City's Schedule of Fees and Charges, as amended from time to time.~~

PART 2 – TRADING IN THOROUGHFARES AND PUBLIC PLACES**Division 1 – Stallholders and Traders****2.1 Definitions**

In this Division, unless the context requires otherwise –

“Assistant” means a person who carries out trading on behalf of the permit holder in accordance with the permit issued to the permit holder;

“charitable organisation” means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium;

“commercial participant” means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit;

“newspaper” means any paper containing public news, intelligence or occurrences, or any remarks or observations therein printed for sale and published periodically, or in parts or numbers, at intervals not exceeding seven days between the publication of any two such papers, parts or numbers;

“stall” means a moveable or temporary fixed structure, stand or table in, on or from which goods, wares, merchandise or services are displayed or sold or hired or offered for sale or hire;

“stallholder” means a person in charge of a stall;

“stallholder’s permit” means a permit issued to a stallholder;

“trader” means a person who carries on trading; and

“trader’s permit” means a permit issued to a trader.

2.2 Stallholder’s permit

- (1) A person shall not conduct a stall on a public place unless that person is –
 - (a) the holder of a valid stallholder’s permit; or
 - (b) an assistant specified in a valid stallholder’s permit.
- (2) Every application for a stallholder’s permit shall –
 - (a) state the full name and address of the applicant;
 - (b) specify the proposed number of assistants to be engaged by the applicant in conducting the stall, as well as their names and addresses if already engaged;
 - (c) specify the proposed location of the stall;

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- (d) specify the period of time for which the permit is sought, together with the proposed days and hours of operation;
- (e) specify the proposed goods or services to be sold or hired or offered for sale or hire from the stall; and
- (f) be accompanied by an accurate plan and description of:
 - (i) the proposed stall; and
 - (ii) the proposed location of the proposed stall and the area in a radius of approximately 10 metres around that location, showing on a scale of approximately 1:100 the location of all carriageways, footpaths, verges, street furniture, bins, light poles, parking signs, traffic lights, other impediments to pedestrian traffic and premises abutting any verge or footpath.

2.3 Trader's permit

- (1) A person shall not carry on trading unless that person is –

- (a) the holder of a valid trader's permit; or
- (b) an assistant specified in a valid trader's permit.

~~(2)~~ [A trader's permit is not required for activities subject to another permit issued under this local law, including a goods permit under Division 4 of Part 2 and a portable advertising sign permit issued under Division 5 of Part 2;](#)

- [\(3\)](#) Every application for a trader's permit shall –

- (a) state the full name and address of the applicant;
- (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
- (c) specify the location or locations in which the applicant proposes to trade;
- (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;
- (e) specify the proposed goods or services which will be traded; and
- (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.

- [\(34\)](#) The conditions subject to which the local government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.

2.4 No permit required to sell newspapers

Notwithstanding any other provision of this local law, a person who sells, or offers for sale, a newspaper is not required to obtain a permit for that purpose.

2.5 Matters to be considered in determining application

In determining an application for a permit for the purpose of this Division, the local government may consider in addition to any other matter it considers relevant, whether or not:

- (a) the stall or trading would –
 - (i) obstruct the visibility or clear sightlines of any person at an intersection on a thoroughfare; or
 - (ii) impede pedestrian access; and
- (b) the stall or any proposed structure or vehicle which may be used by a trader may obstruct or impede the use of the public place for the purpose for which it was designed.

2.6 Conditions of permit

- (1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include –
 - (a) the place, the part of the district, or the thoroughfare to which the permit applies;
 - (b) the days and hours during which a permit holder may conduct a stall or trade;
 - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;
 - (d) the goods or services in respect of which a permit holder may conduct a stall or trade;
 - (e) the number of persons and the names of persons permitted to conduct a stall or trade;
 - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;
 - (g) whether and under what terms the permit is transferable;
 - (h) any prohibitions or restrictions concerning the –
 - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
 - (ii) the use of amplifiers, sound equipment and sound instruments;

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- (iii) the use of signs; and
 - (iv) the use of any lighting apparatus or device;
 - (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
 - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;
 - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
 - (l) the acquisition by the stallholder or trader of public liability insurance;
 - (m) the lodgement of a sum or bond of a value determined by the local government to secure compliance with the terms and conditions of the permit and the forfeiture of that sum or bond on non-compliance;
 - (n) the period for which the permit is valid; and
 - (o) the designation of any place or places where trading is wholly or from time to time prohibited by the local government.
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law or the conditions of the permit, the local government may at the request of that permit holder authorise another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.

2.7 Exemptions from requirement to pay fee

- (1) The local government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on –
- (a) on a portion of a public place adjoining the normal place of business of the applicant; or
 - (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.
- (2) The local government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division.

2.8 Conduct of stallholders and traders

- (1) A stallholder while conducting a stall or a trader while trading shall –
- (a) comply with the terms and conditions of her or his permit;

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- (b) display her or his permit to do so in a conspicuous place on the stall, vehicle or temporary structure or if there is no stall, vehicle or temporary structure, carry the permit with her or him while conducting a stall or trading;
 - (c) not display a permit unless it is a valid permit;
 - (d) when selling goods by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the *Trade Measurement Act 2006*; and
 - (e) in the case of a stallholder:
 - (i) maintain the stall, vehicle or structure in a safe and serviceable condition; and
 - (ii) ensure that the area of the stall, vehicle or structure is kept in a clean and tidy condition.
- (2) A stallholder or trader shall be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of the thoroughfare or public place arising from the conduct of the stall or the carrying on of the trading and the local government may recover such costs from the permit holder in a Court of competent jurisdiction as a debt owing to it.
- (3) A stallholder or trader shall not –
- (a) deposit or store any box or basket containing goods on any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles;
 - (b) act in an offensive manner or cause a nuisance;
 - (c) use or cause to be used any apparatus or device including any flap or shelf, whereby the dimensions of a stall, vehicle or structure are increased beyond those specified in the permit;
 - (d) in the case of a trader, carry on trading from a public place, unless there is adequate parking for customers' vehicles reasonably close to the place of trading;
 - (e) sell or provide goods or services other than those specified in the permit;
 - (f) cry out or shout about, or permit any other person to cry out or shout about, any goods or services in any public place; or
 - (g) use, or permit to be used, any loud hailer, microphone, amplifier or other apparatus for making or transmitting sound in any public place, unless approved by the local government.

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Division 2 ~~-Street-~~ Entertainers**2.9 Definitions**

In this Division, unless the context requires otherwise –

“entertainer’s permit” means a permit issued to a person who wishes to perform in a public place;

“perform” includes to play a musical instrument, sing, mime, dance, give an acrobatic or aerobic display or entertain, but does not include public speaking;

“permit free entertainer zone” means an allocated area where an entertainer can perform without the need for a permit;

“permit holder” means the holder of a valid entertainer’s permit;

“permitted area” means the area or areas, specified in an entertainer’s permit, in which the permit holder may perform;

“permitted time” means the time or times, specified in an entertainer’s permit, during which the permit holder may perform;

“pitch location” means a prescribed location within the permit free entertainer zones where a performer or performance group may perform; and

“solicit” in relation to money, means actively seeking or calling for a donation from another person, but does not include a non verbal invitation by a permit holder to place a donation in a receptacle within the permitted area; ~~and.~~

2.10 Permit free entertainer zone

(1) A permit to perform is not required within the permit free entertainer zone;

(2) Permit free entertainer zones are determined by the local government;

(3) Performers or performance groups may only perform at prescribed pitch locations in the permit free entertainer zones as delineated by the local government by a marker on the ground; and

(4) The local government can designate any public place as a pitch location within the permit free entertainer zones.

2.10 Entertainer’s permit required to perform

(1) A person shall not perform in a public place outside of the permit free entertainer zone without a valid entertainer’s permit.

(2) Every application for an entertainer’s permit shall –

- (a) state the full name and address of the applicant;
- (b) specify the nature of the proposed performance;

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- (c) specify whether any amplifiers, sound equipment or sound instruments are to be used in the proposed performance; and
- (d) specify the number of people involved in the proposed performance, including the name and date of birth of anyone proposed to be involved in the performance who is under 14 years of age.

~~(3) — A person under the age of 14 years is not to perform, unless authorised by the local government;~~

~~(a) — during school hours on school days; or~~

~~(b) — between 7.00pm one day and 6.00am the following day.~~

2.124 Variation of permitted area and permitted time

- (1) The local government or an authorised person may by notice in writing to a permit holder vary –
 - (a) the permitted area;
 - (b) the permitted time; or
 - (c) both the permitted area and the permitted time, shown on an entertainer's permit.
- (2) The local government or an authorised person may direct a permit holder to move from one permitted area to another permitted area, if more than one area is specified in a permit.

2.132 Duration of permit

An entertainer's permit is valid for a the period of 3 months after the date on which it is issued specified in the permit unless ~~it is sooner cancelled under this local law in accordance with clause 2.14.~~

2.143 Cancellation of permit

The local government may cancel an entertainer's permit if in the opinion of an authorised person –

- (a) the volume of sound caused by the permit holder in connection with the performance adversely affects the enjoyment, convenience or comfort of other persons in a public place; or
- (b) the performance otherwise constitutes a nuisance.

2.154 Obligations of performers ~~permit holder~~

- (1) Performers or performance groups in the permit free entertainer zones ~~A permit holder~~ shall not perform in a public place otherwise than in accordance with the terms and conditions of ~~her or his entertainers permit~~ the associated Policy, as amended from time to time.
- (2) A permit holder shall not perform in a public place otherwise than in accordance with the terms and conditions of his or her entertainers permit and the associated Policy, as amended from time to time. –

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- ~~(a) perform wearing dirty, torn or aged clothing or clothing with offensive words, symbols or motifs;~~
- ~~(b) act in an offensive, lewd or obscene manner;~~
- ~~(c) place, install, erect, play or use any musical instrument or any device which emits music including a loud speaker or an amplifier –~~
 - ~~(i) other than in the permitted area; and~~
 - ~~(ii) unless the musical instrument or device is specified in the permit.~~
- ~~(d) Use fire or any weapon or object with sharp edges;~~
- ~~(e) Perform any act that endangers the safety of the public;~~
- ~~(f) Perform any act of cruelty to an animal;~~
- ~~(g) Sell or permit the sale of any music tapes, recording, compact discs or merchandise unless authorised by the local government;~~
- ~~(h) Solicit money from members of the public, unless authorised by the local government; or~~
- ~~(i) Allow any person under the age of 14 years to perform during school hours on school days or between 7pm one day and 6am the following day, unless authorised by the local government.~~

Division 3 – Outdoor Eating Areas**2.165 Definitions**

In this Division, unless the context requires otherwise –

“Food Act” means the *Food Act 2008*;

“food business” has the meaning given to it in ~~section~~Section 10 of the *Food Act 2008*;

“furniture” means chairs, tables, waiters’ stations, planter boxes, umbrellas, screens, barriers, awnings and any other similar structure or equipment;

“Health Act” means the *Health Act 1911*;

“licensed premises” has the meaning given to it in section 3(1) of the *Liquor Control Act 1988*;

“outdoor eating area” means an outdoor eating facility or establishment on any part of a public place in which furniture is provided for the purpose of the supply of food or drink to the public or the consumption of food or drink by the public, but does not include such a facility or establishment on private land; and

“permit holder” means the person to whom a permit has been issued to establish or conduct an outdoor eating area.

2.176 ~~Permit required to conduct an outdoor~~ Outdoor eating area permit

(1) A person shall not establish or conduct an outdoor eating area without a valid permit.

~~2.17 Matters to be considered in determining application~~

~~In determining an application for The rights of a permit for the purpose of clause 3.5, the local government may consider in addition to any other matter it considers relevant, whether or not –~~

(2) ~~(a) — the holder under an outdoor eating area is~~ permit are subject to this local law.

2.18 Requirements for an outdoor eating area

An outdoor eating area must –

(a) be conducted in conjunction with and as an extension of food premises or licensed premises abutting the outdoor eating area which ~~abut the outdoor eating area~~ are registered as a food business under the Food Act, and ~~whether~~ the applicant ~~is~~ must be the person conducting such food premises or licensed premises;

~~(b) any abutting food premises are registered as an eating house in accordance with the Health Act;~~

effect and maintain all necessary approvals governing the operation of the outdoor eating area;

~~(c) the use of the abutting food premises or licensed premises as such is permitted under the City planning scheme;~~

~~(d) the outdoor eating area will~~ comply with any local law made under section 172 of the *Health Act* or any other relevant local law of the local government;

~~(e) users of the outdoor eating area will~~ (d) have access to proper and sufficient sanitary and ablutionary conveniences for users of the outdoor eating area;

~~(f) the outdoor eating area would –~~

(e) not –

(i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; ~~or~~

(ii) impede pedestrian access; or

~~(g) the~~ (iii) contain furniture which to be used may obstruct ~~obstructs~~ or ~~impede~~ impedes the use of the public place for the purpose for which it was designed; ~~and~~

~~(h) the abutting food premises or licensed premises provide sufficient car parking bays for customers of the outdoor eating area, and in this respect the car parking requirements of the City planning scheme may be used as a guide;~~

2.198 Obligations of permit holder

(1) The permit holder for an outdoor eating area shall –

(a) comply with the terms and conditions of the permit to establish and conduct the outdoor eating area;

(b) ensure that the outdoor eating area is conducted at all times in accordance with the provisions of this local law and any local law made under section 172 of the *Health Act* or other Act relevant to the outdoor eating area;

(c) ensure that the eating area is kept in a clean and tidy condition at all times;

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- (d) maintain the furniture in the eating area in a good, clean and serviceable condition at all times;
 - (e) be solely responsible for all and any costs ~~relating to the~~ reinstatement or reconstruction of any part of the public place arising from the conduct of the outdoor eating area;
 - (f) immediately on the expiration of or cancellation of a permit to establish or conduct an outdoor eating area, the permit holder shall at his or her cost, reinstate or restore the public place on which the outdoor eating area is established or conducted, to a condition consistent with its condition prior to the commencement of the outdoor eating area and which is to the reasonable satisfaction of the local government; ~~and~~
 - (g) be solely responsible for all rates and taxes levied upon the land occupied by the outdoor eating area; ~~and~~
 - (h) produce evidence of the outdoor eating area permit whenever requested by an authorised person to do so. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).
- (2) Whenever, in the opinion of the local government or an authorised person, any work is required to be carried out to an outdoor eating area, the local government or authorised person may give a notice to the permit holder for the outdoor eating area to carry out that work within the time limited by the notice.
- (3) In subclause (2), "work" includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of an outdoor eating area.

2.2019 Removal of an outdoor eating area unlawfully conducted

Where an outdoor eating area is established or conducted without a permit, or in contravention of a condition of a permit or this local law, any furniture may be removed by ~~a City Ranger or Authorised Officer~~ an authorised person and impounded in accordance with the Act.

2.210 Use of an outdoor eating area by public

- (1) A person shall not ~~use occupy a chair or otherwise use the furniture in an outdoor eating area in a manner which is inconsistent with the permit the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the permit holder of the outdoor eating area.~~
- (2) A person shall leave an outdoor eating area when requested to do so by the permit holder or an authorised person.

2.221 Temporary removal of an outdoor eating area may be requested

- (1) The permit holder for an outdoor eating area is to temporarily remove the outdoor eating area when requested to do so on reasonable grounds by an authorised person, a member of the Police ~~service~~ Service or an emergency service agency in the event of an emergency.

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- (2) The permit holder may replace the outdoor eating area removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

Division 4 – Display of Goods on a Footpath**2.232 Definitions**

In this Division, unless the context otherwise requires:

“**permit holder**” means the person to whom a goods permit has been issued;

“**goods permit**” means a permit to display goods; and

“**goods**” ~~has the meaning given to it in the Act.~~

2.23 Permit period

~~The local government may grant approval for the purposes of display of goods under this local law means goods for one year sale and/or three years, whichever the applicant chooses on the application for a goods hire as part of the permit holder's business.~~

2.24 Goods permit

- (1) A person shall not display goods on a footpath unless that person is the holder of a valid goods permit.
- (2) ~~The Every application for rights of a permit holder under a goods display permit shall are subject to this local law. (a) state the full name and address of the applicant~~

2.25 Requirements for goods display

~~A goods display must not –~~

~~specify the proposed permitted area of the goods;~~

~~(c) be accompanied by an accurate plan and description of:~~

~~(i) the propo; and~~

~~(ii) the proposed location of the goods and the area in a radius of approximately 10 metres around that location showing on a scale of approximately 1:100 the location of all carriageways, footpaths, verges, street furniture, bins, light poles, parking signs, traffic lights, other impediments to pedestrian traffic and premises abutting any verge or footpath; and~~

~~(d) provide a colour photograph or similar representation of the goods.~~

2.25 Matters to be considered in determining application

~~In determining an application for a permit for the purpose of this Division, the local government may consider in addition to any other matter it considers relevant, whether or not –~~

~~(a) the goods would –~~

~~(i)~~

~~(a) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or~~

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(ii) ~~b)~~ b) impede pedestrian access; ~~and or~~

~~(b) the goods, may (c)~~ obstruct or impede the use of the footpath for the purpose for which it was designed.

2.26 Obligations of permit holder

The permit holder shall –

(a) ~~-~~ comply with the terms and conditions of the permit to establish and conduct the goods display;

(b) maintain the goods ~~or~~ and the goods display in a safe condition at all times;

~~(b) display the permit number provided by the local government in a conspicuous place on or near the goods or goods display and (c)~~ produce evidence of the goods permit whenever requested by an authorised person to do so, produce the goods permit to that person; Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable);

~~(d)~~ e ensure that the goods ~~are~~ display is of a stable design and is not readily moved by the wind, and does not cause any hazard or danger to any person using the thoroughfare;

~~(de)~~ only display goods on a footpath which immediately abuts ~~and not extending more than 1 metre from~~ the building, ~~which is~~ occupied by the owner of the goods, ~~and not more than 1 metre from that building~~ or in a location approved by the local government and specified in the permit; and

~~(ef)~~ ensure the free passage of persons using the footpath on which the goods display is positioned.

2.27 Safety of persons

A person shall not cause or permit goods to be displayed in such a condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

2.28 Removal of goods for works

A permit holder shall ensure that goods are removed from any footpath to permit the footpath to be swept or to permit any other authorised work to be carried out when directed to do so by an authorised person.

2.29 Removal of goods

A person shall remove goods which does not comply with the requirements of this local law, from any footpath when directed to do so by an authorised person.

2.30 Unlawful placement of goods

(1) A person who places, causes or permits to be placed on any footpath any goods display which does not comply with the requirements of this local law, commits an offence.

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- (2) A person who places, causes or permits to be placed on any footpath any goods display which obstructs or may obstruct the use of the footpath commits an offence, unless the person proves they had lawful authority to so place the goods display.

Division 5 – Portable Advertising Signs on Thoroughfares

2.31 – Definitions

In this Division unless the context otherwise requires –

““A” frame sign” means a folding sign which is hinged at the top to provide a stable structure when open;

“permit holder” means the person to whom a portable advertising sign permit is issued;

“portable advertising sign” means a free standing sign and includes a ground based sign, a sandwich board and an “A” frame sign that is used or intended to be used for the purpose of advertising any premises, services, business, function, event, product or thing;

“portable advertising sign permit” means a permit to display a portable advertising sign;

“sign” means a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation.

2.32 – Portable advertising sign permit

- (1) A person shall not erect or place a portable advertising sign on a thoroughfare unless that person is the holder of a valid portable advertising sign permit.;
- (2) The rights of a permit holder under a portable advertising sign permit are subject to this local law.

2.33- Requirements for portable advertising signs

A portable advertising sign must –

- (a) be consistent with, and be erected or placed in accordance with any other written law regulating the erection or placement of portable advertising signs within the district;
- (b) be consistent with the dimensions in clause 2.34 of this local law;
- (c) relate to the business described on the portable advertising sign permit;
- (d) not be erected or placed on a footpath in front of a building if there is another portable advertising sign already erected or placed in front of that building relating to that business;
- (e) only be displayed on a footpath which directly abuts a building occupied by the permit holder, and not more than 1 metre from the building, or in another location approved by the local government and specified in the permit;
- (f) not create a hazard to persons using a thoroughfare;
- (g) be secure and of stable design and not readily moved by the wind;

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- (h) be maintained in a good, safe and serviceable condition;
- (i) not obstruct the visibility or clear sightlines of:
 - (i) any person at an intersection of thoroughfares; or
 - (ii) any vehicle;
- (j) not impede pedestrian access on the thoroughfare; and
- (k) not obstruct or impede the use of the footpath for the purpose of which it is used.;~~and~~

2.34- Dimensions for portable advertising signs

The permit holder shall ensure that the portable advertising sign:

- (a) does not exceed 1,000 millimetres in height; and
- (b) does not exceed an area of 0.8 square metres on any side.

2.35 -Obligations of a permit holder

The permit holder shall –

- (a) ensure that the portable advertising sign complies with the requirements in clauses 2.33 and 2.34 of this local law
- (b) ensure that the portable advertising sign is removed each day at the close of the business to which it relates and is not erected again until the business next opens for trading;
- (c) only display the portable advertising sign on a footpath in the location approved by the local government and specified in the permit;
- (d) comply with any conditions imposed on the portable advertising sign permit; and
- (e) produce evidence of the portable advertising sign permit whenever requested by an authorised person to do so. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).

2.36 -Safety of persons

A person shall not cause or permit a portable advertising sign to be erected or displayed in such a condition, where, in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

2.37- Removal of portable advertising sign for works

A permit holder shall ensure that a portable advertising sign is removed from any footpath to permit the footpath to be swept or to permit any other authorised work to be carried out when directed to do so by an authorised person.

2.38 -Removal of portable advertising sign which does not comply

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A person shall remove any portable advertising sign which does not comply with the requirements of this local law from any footpath when directed to do so by an authorised person.

2.39- Unlawful placement of portable advertising signs

A person who places, causes, or permits to be placed on any thoroughfare any portable advertising sign except in accordance with this local law commits an offence.

PART 3 – PERMITS

3.1 Application of part

This Part applies to an application for a permit under this local law and to permits issued under this local law.

3.2 Application for permit

- (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law shall –
 - (a) be in the form determined by the local government;
 - ~~(b) be signed by the applicant;~~
 - ~~(b)~~ provide the information required by the form, which may include a plan, specifications or photographs; and
 - ~~(d)~~ be forwarded to the CEO-local government or the specified person at the local government together with any fee ~~imposed and determined by the local government under and specified in accordance with sections 6.16 to 6.19 the City's Schedule of the Act~~ Fees and Charges, as amended from time to time.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit –
 - (a) which ~~is~~does not ~~in accordance~~comply with the requirements in subclause (2).
 - (b) which, in the case of:
 - (i) an application for a stallholder's permit, is not in accordance with clause 2.2(2); or
 - (ii) an application for a trader's permit, is not in accordance with clause 2.3(~~23~~); or

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- (iii) an application for an entertainer's permit, is not in accordance with ~~2.40~~ 11(2); or;
- ~~(iv) an application for a sign permit, is not in accordance with clause 2.24(2);~~
- (c) which is not ~~accompanied by the plans and specification and the application fee;~~
- ~~(d) which is not~~ properly completed; or
- ~~(e)~~ where any required plan, specification or photograph does not in the opinion of the CEO or an authorised person, contain sufficient information or is not sufficiently clear to enable the local government to properly consider the application.

3.3 Relevant considerations in determining application for permit

~~(1)~~ Where a clause of this local law refers to matters which the local government is to have regard to in determining an application for a permit, the local government shall have regard to those matters prior to making a decision on an application for a permit under clause 3.5 and, in addition, may have regard to the following matters:

- (a) the desirability of the proposed activity;
- (b) the location of the proposed activity; and
- ~~(c) the principles set out in the Competition Principles Agreement; and~~
- ~~(d)~~ (c) such other matters as the local government may consider to be relevant in the circumstances of the case.

3.4 Grounds on which an application may be refused

The local government may refuse to approve an application for a permit under this ~~Division~~ local law on any one or more of the following grounds –

- (a) that within the preceding 5 years the applicant has committed a breach of any provision of this local law, or of any other written law or condition of lease or license relevant to the activity in respect of which the permit is sought;
- (b) that the applicant in the opinion of the local government is not a fit and proper person to hold a permit;
- (c) that –
 - (i) the applicant is an undischarged bankrupt or is in liquidation;
 - (ii) the applicant has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property; ~~or~~ .

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(d)- the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare which the permit is sought in respect to;

(ed) such other grounds as the local government may consider to be relevant in the circumstances of the case.

3.5 Decision on application for permit

(1) The local government may –

(a) approve an application for a permit unconditionally or subject to any conditions, including but not limited to those conditions in clause 3.6; or

(b) refuse to approve an application for a permit, including but not limited to those grounds specified in clause 3.4.

(2) If the local government approves an application for a permit, it ~~is to issue to will~~ provide the applicant ~~a permit with written confirmation~~ in the form determined by the local government, which could be electronic.

(3) If the local government refuses to approve an application for a permit, it is to give written notice (which includes electronic) of that refusal to the applicant. It is not necessary for the local government to provide reason for the refusal.

~~(4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).~~

~~(5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).~~

3.6 Conditions which may be imposed on a permit

~~The~~ Without limiting the generality of clause 3.5(1)(a), the local government may approve an application for a permit subject to conditions relating to –

(a) the payment of ~~a fee~~ fees, charges and bonds, as specified in the City's Schedule of Fees and Charges, as amended from time to time, or as otherwise determined by the local government, at the local government's sole discretion;

(b) the duration and commencement of the permit;

(c) the commencement of the permit being contingent on the happening of an event;

(d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;

(e) the approval of another application for a permit which may be required by the local government under any written law;

(f) the area of the district to which the permit applies;

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- (g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage;
- (h) the obtaining of public liability insurance in an amount and on terms reasonably required by the local government as set out in clause 5.4;
- ~~(i) the provision of an indemnity from the _____ permit holder providing a written undertaking to the local government indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder;~~
- ~~(j)(i) compliance with a standard or a policy of the local government adopted by the local government;~~
- (j) the safe storage, handling, preparation, display and sale of food; and
- (k) the safe display or erection of furniture, goods or other things related to an activity.

3.7 Compliance with permit conditions

~~(1)~~ Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this local law, the permit holder shall comply with each of those conditions.

~~(2) If the local government varies the terms or conditions of a permit, the permit holder shall comply with those terms or conditions as varied.~~

3.8 Amendment of permit conditions

- (1) A permit holder may apply in writing to the local government to amend any of the terms or conditions of the permit.
- (2) The local government may, in respect of an application under sub-clause (1) –
 - (a) amend the permit, either in accordance with the application or otherwise as it sees fit; or
 - (b) refuse to amend the permit.
- (3) The local government may, at any time, amend any of the terms or conditions of a permit, subject to providing the permit holder with written notice of the reasons for the amendment.
- (4) If the local government amends a permit under this clause, it is to notify the permit holder in writing of the amendment as soon as practicable ~~after the amendment is made and, unless otherwise specified in the amendment, the amended term or condition, or both, of the permit apply from the date of notification, and the amended~~ conditions(s) shall apply from the date of notification, unless otherwise specified in the amendment.
- ~~(5) If the local government amends a permit otherwise than in accordance with an application from the permit holder, it is, as soon as practicable after the decision to amend is made, to give to the permit holder written notice of, and written reasons for, its decision to amend the permit.~~

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(a) ~~to give to the permit holder written notice of, and written reasons for, its decision to amend; and~~

(b) ~~inform the permit holder of his or her rights, under Part 9, Division 1 of the Act, to object to, and apply for a review of, the decision.~~

(6) ~~In this clause, 'amend' has the meaning given to it in section 5 of the Interpretation Act 1984.~~

3.9 Duration of permit

A permit is valid for ~~one year from the date on which it is issued, the period specified in the permit~~ unless it is –

(a) ~~otherwise stated in this local law or in the permit; or~~

(b) ~~cancelled under~~ in accordance with clause 3.13.

3.10 Renewal of permit

(1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.

(2) The provisions of –

(a) ~~this Part; and~~

(b) ~~any other provision of this local law relevant to the permit which is to be renewed;~~

~~shall~~ apply to an application for the renewal of a permit, to the extent that it is applicable for a permit ~~mutatis mutandis; renewal.~~

3.11 Transfer of permit

(1) An application for the transfer of a valid permit is to –

(a) be made in writing;

(b) be signed by the permit holder and the proposed transferee of the permit;

(c) provide such information as the local government may require to enable the application to be determined; and

(d) be forwarded to the ~~CEO~~ local government together with any fee imposed and determined by the local government ~~under and in accordance with sections 6.16 to 6.19 of the Act.~~

(2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.

(3) Where the local government approves an application for the transfer of a permit, ~~the transfer may be effected by –~~ it will provide written confirmation to the former permit holder and the transferee.

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- ~~(a) an endorsement on the permit signed by the CEO or an authorised person; or~~
- ~~(b) issuing to the transferee a permit in the form determined by the local government.~~

- (4) Where the local government approves an application for the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

3.12 Production of permit

A permit holder ~~is to~~ must produce evidence of a permit to an authorised person ~~their permit~~ immediately upon being required to do so by that authorised person. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).

3.13 Cancellation of permit

- (1) Subject to clause 8.1, a permit may be cancelled by the local government on any one or more of the following grounds –

- (a) the permit holder has not complied with a –
 - (i) condition of the permit; or
 - (ii) provision of this local or any other written law ~~which may relate~~ relating to the activity regulated by the permit;
- (b) the permit holder is convicted of an offence against this local law;
- (c) the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages; ~~or in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;~~
- ~~(d) if it is relevant to the activity regulated by the permit –~~
- ~~(i)(d)~~
- ~~the permit holder has become bankrupt, or gone into liquidation;~~
- ~~(ii)~~
- (e) the permit holder has entered into any composition or arrangement with creditors; ~~or~~
- ~~(iii)~~
- (f) a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property; ~~i~~
- (g) if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
- (h) if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents;
- (i) if the City reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;

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- (j) if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted or for the outdoor eating area; and
 - (k) another permit for an outdoor eating area, goods display or portable advertising sign has been granted, and remains in effect, in relation to the building or business premises related to the permit.
- (2) On the cancellation of a permit the ~~permit holder—~~
- (a) ~~shall return the permit as soon as practicable to the local government; and will~~ provide the permit holder with written notice that the permit has been cancelled –
- (3) On receiving notice that the permit has been cancelled in accordance with sub clause (2):
- (a) ~~the permit holder must immediately cease using the local government property or thoroughfare unless the notice from the local government provides otherwise; and~~
 - (b) ~~is to be taken to have forfeited, any fees paid by the permit holder in respect of the permit. are forfeited and will not be refunded by the local government.~~

3.14 Suspension of permit ~~holder~~holder's rights and privileges

- (1) The rights and privileges granted to a permit holder on the issue of a permit, shall be automatically suspended, where the public liability insurance required as a condition of a permit, lapses, is cancelled or is no longer current.
- (2) The rights and privileges granted to a permit holder on the issue of a permit, may be suspended by the local government by notice in writing to the permit holder for the purpose of and during the carrying out of any works by or on behalf of the State, or an agency or instrumentality of the Crown, or the local government, in or adjacent to the area the subject of the permit.
- (3) The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –
 - (a) the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - (b) the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or
 - (c) the City considers the activity permitted by the permit may create a public health, safety or amenity issue.until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue.

3.15 ~~Planning approval~~Other approvals

The requirement for a permit under this local law, is additional to the requirement, if any, for a ~~planning~~any other approvals, including but not limited to development approval.

PART 4 – BOND OR SECURITY**4.1 Security for restoration and reinstatement**

- (1) For the purpose of ensuring that an outdoor eating area is properly restored or reinstated under clause 2.1819(1)(f), on the expiry or cancellation of a permit, the local government may require that the applicant or permit holder –
- (a) as a condition of a permit; or
 - (b) before the issue of a permit; or
 - (c) before the renewal of a permit,
- give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government.
- (2) A bond required under sub-clause (1) is to be paid into an account established by the local government for the purposes of this clause.

4.2 Use by the local government of bond or security

- (1) If a permit holder fails to carry out or complete the restoration or reinstatement works required by clause 2.1819(1)(f), the permit conditions or by a notice served by the local government –
- (a) within the time specified in that clause, those conditions; or the notice (as the case may be); or
 - (b) where no such time has been specified, a reasonable period of time from the expiration or cancellation of the permit to ~~establish or conduct the outdoor eating area~~ complete the restoration or reinstatement works; ~~or~~
 - (c) ~~within 14 days or such other time as specified in the notice given by the local government to the permit holder,~~
- then the local government may carry out or cause to be carried out the required restoration or reinstatement work or so much of that work as remains undone.
- (2) The permit holder shall pay to the local government on demand all administrative, legal, contractor and other costs, estimated or incurred by the local government, to restore or reinstate the public place or which the local government may be required to pay under this clause.
- (3) The local government may apply the proceeds of any bond or call upon any bank guarantee or other security provided by the permit holder under clause 4.1 to meet the costs incurred by it under this clause.
- (4) The liability of a permit holder to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 4.1.

PART 5 – MISCELLANEOUS

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

5.1 Notice requiring works to be done

- (1) Where a permit holder has breached any term or condition of her or his permit or a provision of this local law, the local government may require works to be done by the permit holder to rectify that breach and for that purpose may give a notice to the permit holder –
- (a) identifying the breach;
 - (b) requiring the permit holder to rectify the breach or do specified works within a specified time so as to remedy the breach; and
 - (c) advising that where the permit holder fails to comply with the requirements of the notice within the time specified, the local government may do the required work at the expense of the permit holder. ➔
- (2) Where, in the opinion of an authorised person, it is necessary to change the location, arrangement or operation of an outdoor eating area so as to maintain public safety, facilitate public works to the footpath or public place, or to protect the amenity of adjacent premises, the authorised person may give a notice to the permit holder –
- (a) notifying the permit holder of the details of the change in location, arrangement or operation of the outdoor eating area;
 - (b) requiring the permit holder to effect, whether by works or otherwise, the change in location, arrangement or operation of the outdoor eating area; and
 - (c) advising that where the permit holder fails to comply with the requirements of the notice within the time specified, the local government may do the required work at the expense of the permit holder.
- (3) Where the permit holder fails to comply with the requirements of a notice issued under subclause (1) or (2), the local government may, by its employees, agents or contractors, carry out all works and do all things necessary to comply with the requirements of the notice.
- (4) The local government may recover the expenses incurred in carrying out the works in accordance with subclause (3):
- (a) where a bond, bank guarantee or other security has been given under clause 4.1, by applying the proceeds of any bond or calling upon any bank guarantee or other security to meet those expenses; or
 - (b) from the permit holder as a debt due to the local government, in a court of competent jurisdiction.

5.2 Notice to advise permit holder of planned or emergency works

- (1) The local government shall give 14 days notice of any planned works to be undertaken by the local government, that will require closure, part closure or access to an outdoor eating area which is the subject of a valid permit.
- (2) Where the local government is to carry out emergency works in a public place where there is an outdoor eating area, [portable](#) advertising sign or stall which is the subject

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

of a valid permit, there is no requirement to give notice of the works to the permit holder, other than that which is considered reasonable under the circumstances.

- (3) A notice referred to in sub-clauses (1) and (2) shall be given in accordance with the Act.

5.3 Works on public property

A person shall not carry out any works of a structural nature, within a thoroughfare or public place without first obtaining written permission from the local government, in accordance with regulation 17 of the *Local Government (Uniform Local Provisions) Regulations 1996*.

5.4 Public liability insurance and indemnity policy

- (1) Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –

- (a) effect and maintain a policy of insurance in the name of the permit holder and the local government (if required by the local government) in respect to any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;
 - (b) ensure that any policy of insurance referred to in (a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;
 - (c) effect and maintain the policy of insurance referred to in (a) for the duration of the permit,
 - (d) immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.11;
 - (e) provide the local government with a certificate of currency confirming that public liability insurance cover is in place at any time requested by the local government
 - (f) ensure that, as a minimum, the permit holder's public liability insurance policy provides coverage of \$10 million (ten million dollars), or such other amount as the local government considers appropriate to the risk and liability involved in the activity authorised by the permit. At the discretion of the local government, minimum value of coverage required may be increased at the policy renewal date;
 - (g) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA).
- (2) A permit holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.

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- (3) A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage.
- (1) ~~Where, as a condition of a permit, a permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –~~
- ~~(a) (a) obtain and maintain the required public liability insurance cover during the entire time that the permit is in place, which must provide cover for liabilities arising out of the activity authorised by the permit and which must be taken out in the name of, or extend to, the liabilities of the permit holder;~~
 - ~~(b) if required by the local government, enter into an agreement with the local government to provide and maintain the required public liability insurance cover during the entire time that the permit is in place;~~
 - ~~(b) take out a public liability insurance policy in the name of the permit holder, covering the permit holder's legal liabilities in respect of the permit holder's usual business activities including the provision of an outdoor eating area (alfresco dining) on footpaths or other trading places which may or may not be under the ownership, care, custody and control of the local government;~~
 - ~~(c) advise the local government should the permit holder cancel or modify or fail to renew the public liability insurance cover during the period of the licence/permit, in which case the permit may be cancelled by the local government in accordance with clause 3.13;~~
 - ~~(d) provide the local government with a Certificate of Currency confirming that the public liability insurance cover is in place as per the requirements of Clause 5.4(1) prior to issuing of the permit; at any time requested by the local government;~~
 - ~~(e) ensure that, as a minimum, the permit holder's public liability insurance policy has a limit/provides coverage of liability of \$5\$10 million (fifteen million dollars), or such other amount as the local government considers appropriate to the risk and liability involved, in the activity authorised by the permit. At the discretion of the local government, the limit/minimum value of liability/coverage required may be increased at the policy renewal date;~~
 - ~~(f) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA).~~
- (2) ~~A permit holder who refuses to or does not comply/cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1)(e) or (1)(f)) commits an offence.~~
- (3) ~~A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage.~~

PART 6 – GENERAL**6.1 Authorised person to be obeyed**

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A permit holder who is given a lawful direction by an authorised person or a member of the [WA Western Australia Police Service Force](#), shall comply with that direction.

6.2 Persons may be directed to leave local government property

An authorised person may direct a person to leave local government property where the authorised person reasonably suspects that the person has contravened a provision of any written law.

6.3 Lost goods

No local government employee or any authorised person shall in any way be responsible for any goods or money lost, stolen, damaged or destroyed whilst on any local government property or thoroughfare.

6.4 Liability for damage to local government property or thoroughfare

- (1) Where a person unlawfully damages local government property or a thoroughfare, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the property or thoroughfare to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that property.
- (2) On a failure to comply with a notice issued under sub-clause (1), the local government may recover the costs referred to in the notice as a debt due to it in a court of competent jurisdiction.

PART 7- OFFENCES AND PENALTIES**7.1 Offences**

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Whenever the local government gives a notice under this local law requiring a person to do any thing, if the person fails to comply with the notice, the person commits an offence.
- (3) Any person who commits an offence under this local law ~~shall be liable~~ [is liable](#), upon conviction, to a penalty not less than ~~\$250~~ [\\$300](#) and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

7.2 Prescribed offences and modified penalties

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

- (2) The amount appearing in the final column of Schedule 1 directly opposite an offence described in that Schedule is the modified penalty for that offence.

7.3 ~~Forms of~~ Infringement notices and infringement withdrawal notices

For the purposes of this local law –

- (a) where a vehicle is involved in the commission of an offence, the form of the infringement notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- (b) the form of the infringement notice referred to in sections 9.16 and 9.17 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (c) the form of the withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 8 ~~OBJECTIONS AND APPEALS~~

8.1 Objections and Appeals

When the local government makes a decision –

- (a) under clause 3.5(1); or
- (b) as to whether it will renew, vary, or cancel a permit,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

SCHEDULE 1

PRESCRIBED OFFENCES

Clause No	Description of Offence	Modified Penalty \$
<u>CLAU</u> <u>SE</u>	<u>DESCRIPTION</u>	<u>MODIFIED</u> <u>PENALTY \$</u>
2.2 (1)	Conducting <u>a</u> stall in <u>a</u> public place without a permit	250
2.3 (1)	Trading without a permit	250
2.8(1)(a)	Failure of stallholder or trader to comply with terms or conditions of permit	250
2.8 (1)(b)	Failure of stallholder or trader to display or carry permit	100
2.8 (1)(c)	Stallholder or trader not displaying valid permit	100
2.8 (1)(d)	Stallholder or trader not carrying certified scales when selling goods by weight	100
2.8 (3)	Stallholder or trader engaged in prohibited conduct	250
2.10 11 (1)	Performing in a public place <u>outside of the permit free entertainer zone</u> without a permit	250
2.11 12 (2)	Failure of performer to move onto another area when directed	100
2.14 15	Failure of performer to comply with obligations	100
2.16 17	Establishment or conduct of outdoor eating area without a permit	250
2.18 19	Failure of permit holder of outdoor eating area to comply with obligations	250
2.20 21 (1)	Use of furniture of outdoor eating area without purchase of food or drink from permit holder	100
2.20 21 (2)	Failure to leave outdoor eating area when requested to do so by permit holder	100
2.24 (1)	Displaying goods on a footpath without a permit	250
2.26 (a)	Failing to maintain goods in a safe and serviceable condition at all times <u>Failure of permit holder of goods display to comply with obligations</u>	100 250
2.26 (b)	Refusing to conspicuously display the permit number on or near the goods display	50
2.26 (c)	Failure to display goods in accordance with conditions of permit	100
2.26 (d)	Displaying the goods more than 1 metre from the adjacent building or in a location not approved by the local government	
2.26 (e)	Failing to ensure the free passage of persons using the footpath	100
2.27	Permitting goods to be displayed in an unsafe or dangerous manner	250
2.28	Refusing or failing to remove goods to allow <u>for</u> sweeping or cleaning <u>or</u> <u>any other authorised work</u>	100
2.29	Refusing or failure to remove goods when requested to do so	250
2.30 (1)	Placing or permitting goods contrary to the requirements of the local law	250
2.30 (2)	Placing or permitting an item so as to obstruct a footpath without lawful authority	250
<u>2.32 (1)</u>	<u>Erecting or placing a portable sign on a thoroughfare without a permit</u>	<u>250</u>
<u>2.35</u>	<u>Failure of a permit holder to comply with obligations</u>	<u>250</u>
<u>2.36</u>	<u>Permitting a portable advertising sign to be displayed in an unsafe or dangerous manner</u>	<u>250</u>

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2.37	Refusing or failing to move a portable advertising sign to allow for sweeping, cleaning or other authorised works	100
2.38	Refusing or failing to remove a portable advertising sign which does not comply when requested to do so	250
2.39	Placing or permitting a portable advertising sign contrary to the requirements of the local law	250
3.7 (1) & (2)	Failure to comply with a condition of a permit	250
3.12	Failure to produce a permit when requested to do so by an authorised person	100
5.3	Carrying out works in thoroughfare without permission	250
5.4 (2)	Failure to hold or provide a current certificate of currency to an authorised person when requested	250
6.1 (1)	Failure to obey a lawful direction of an authorised person	250
6.2	Failing to leave local government property when directed to do so	250
7.1 (2)	Failure to comply with notice	250
7.1	All other offences not described above	100

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

This local law was made by the City of Vincent at an Ordinary Meeting held on the 26th day of February 2008.

the _____ day of February _____ 2008.

The Common Seal of the City of Vincent
was affixed by authority of a resolution of the Council in the presence of — — — — —

~~NICK CATANIA, JP, Mayor~~

~~JOHN CAREY~~ EMMA COLE
MAYOR

~~JOHN GIORGI, JP, Chief Executive Officer~~

DAVID MACLENNAN
CHIEF EXECUTIVE OFFICER

CITY OF VINCENT TRADING IN PUBLIC PLACES LOCAL LAW 2008

SCHEDULE OF AMENDMENTS

Date of Council Resolution	Date of Gazettal	<u>Details of</u> Amendment Local Law
08.07.08	07.10.08	Trading In Public Places Amendment Local Law 2008 <u>Subclause 5.4(1) – amended to be brought in line with the current standard wording for public liability insurance policies.</u>
10.02.09	27.02.09	Trading In Public Places Amendment Local Law 2009 <u>Division 4 – Display of Goods on a Footpath and Schedule 1, amended to remove inconsistencies and to ensure that the legislation reflects the City's needs.</u>
16.12.14	16.01.15	Trading in Public Places Amendment Local Law 2014



CITY OF VINCENT

LOCAL GOVERNMENT ACT 1995

**LOCAL GOVERNMENT PROPERTY LOCAL LAW
2008**

CITY OF VINCENT LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008

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LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on 26 February 2008 to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Vincent Local Government Property Local Law 2008*.

1.2 Objective

- (1) The objective of this local law is to provide for the regulation, control and management of activities and facilities on local government property, thoroughfares and public places within the district.
- (2) The effect of this local law is to establish the requirements with which any person using or being on local government property, thoroughfares and public places within the district must comply.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

- (1) The following local laws adopted by the City of Vincent –
 - (a) *Local Law Relating to Air-conditioning Units*, published in the *Government Gazette* on 4 November 1997;
 - (b) *Local Law Relating to Beatty Park Leisure Centre*, published in the *Government Gazette* on 30 April 1998;
 - (c) *Local Law Relating to Halls and Centres*, published in the *Government Gazette* on 30 April 1998;
 - (d) *Local Law Relating to Parks and Public Reserves*, published in the *Government Gazette* on 22 December 1998 and as amended and published in the *Government Gazette* on 23 March 2004;
 - (e) *Local Law Relating to Property Numbers*, published in the *Government Gazette* on 25 September 1998;
 - (f) *Local Law Relating to the Removal and Disposal of Obstructing Animals or Shopping Trolleys*, published in the *Government Gazette* on 22 December 1998;

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- (g) *Local Law Relating to the Removal of Refuse, Rubbish and Disused Materials*, published in the *Government Gazette* on 1 May 1998;
- (h) *Local Law Relating to Street Lawns and Gardens*, published in the *Government Gazette* on 30 April 1998;
- (i) *Local Law Relating to Streets and Footpaths*, published in the *Government Gazette* on 14 June 2000; and
- (ii) *Local Law Relating to Verandahs and Awnings over Streets*, published in the *Government Gazette* on 16 January 1998;

are repealed on the day this local law comes into operation.

1.5 Application

- (1) This local law applies throughout the district.
- (2) ~~Notwithstanding anything to the contrary~~ Unless otherwise provided for in this local law, the local government may ~~—~~
 - (a) hire local government property to any person; or
 - (b) enter into an agreement with any person regarding the use of any local government property.

1.6 Definitions

In this local law unless the context requires otherwise ~~—~~

“**Act**” means the *Local Government Act 1995*;

“**amend**” means replace, substitute, in whole or in part, add to or vary, and the doing of any two or more of such things simultaneously or by the same written law;

“**applicant**” means a person or a body corporate who applies for a permit under clause 3.2 to the local government to use local government property, in accordance with this local law;

“**authorised person**” means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

“**bathing**” means the act of entering a swimming pool, or other water body, to swim or ~~use a bathing appliance and includes the act of emerging therefrom for pleasure;~~

“**bicycle**” means a vehicle with two or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor);

“**boat**” means any structure or vessel, capable of being used in navigation, whether motorised or not and made or used to travel or float on or through water or travel under water;

“**body corporate**” means a legal entity, such as an association, company, government, government agency, institution, partnership, or person that is a corporation created by charter, prescription or legislation;

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“carriageway” means the ~~bitumen or~~ paved ~~or made~~ portion of a thoroughfare used or intended for use by vehicles;

“CEO” means the Chief Executive Officer of the local government;

“commencement day” means the day on which this local law comes into operation;

“community facility” means a facility being local government property operated for the benefit of the public, and includes a hall, public swimming pool, library, leisure centre, recreation centre, child care centre, ~~infant welfare centre~~ child health clinic, aged persons centre and the like;

“Council” means the Council of the local government;

“date of publication” means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;

“determination” means a determination made under clause 2.1;

“district” means the district of the local government;

“drip line” in relation to a street tree means the area of land under the perimeter of a street tree canopy;

“face of kerb” means the side of the kerb adjacent to the carriageway;

“fence” means any artificially created barrier whether temporary or permanent including post and rails, chain, metal, wire or pipe;

“firework” means a device such as a ~~catherine~~ Catherine wheel, a roman candle, a rocket or the like, in which combustible materials are ignited and produce coloured smoke, flames, and sometimes an explosion or loud noise;

“fireworks display” means a show of a number of fireworks, on occasion set off over a pre-arranged period, for the purpose of providing enjoyment or entertainment to those persons able to view them;

“fishing” means to use any line, lure, rod, pot or other method for the purpose of catching marine life;

“footpath” means a path set aside for use by pedestrians and cyclists that is on a thoroughfare, and includes all that part of a thoroughfare lying between the edge of the carriageway and the property boundary nearest to that edge on the same side of the thoroughfare;

“function” means an event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) ~~organisation~~ organised by or on behalf of a club;
- (d) payment of a fee to attend it; and

CITY OF VINCENT LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008

(e) systematic recurrence in relation to the day, time and place;

“garden” means a verge planted, developed or treated, otherwise than as a lawn, with one or more plants;

“kerb” ~~includes~~means the edge of a carriageway;

“landscaping feature” means any garden bed, rock, pathway, seating, decoration and lighting or similar feature, installed within a verge;

“lawn” means a verge which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government such as a street tree;

“liquor” has the same meaning as is given to it in section 3 of the *Liquor Control Act 1988*;

“local government” means the City of Vincent;

“local government property” means anything except a thoroughfare –

- (a) which ~~belongs to~~is owned or leased by the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” underwithin the district as defined in section 3.53 of the Act;

“lot” has the meaning given to it in the *Planning and Development Act 2005*;

“manager” means the person for the time being employed by the local government to control and manage a community facility or other facility which is local government property and includes the person’s assistant or deputy;

“nuisance” means –

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the state of the physical, mental or social well-being of another person of normal susceptibility;
- (b) anything a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another person of any public place; or
- (c) anything a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person, provided that any thing done in accordance with the law or a legal right or which is consistent with the standard of behaviour in the relevant locality shall not be unreasonable for the purpose of this local law;

~~**“permit”** means a permit issued under this local law;~~

“permit” means written confirmation from the local government of an applicant’s right to use local government property in accordance with this local law, and can include electronic confirmation, and may include a booking/reference number;

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“permit holder” means a person who holds a valid permit;

“person” means a natural person and does not include the local government;

“private property” means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or subject of a lease or agreement with a person enabling its use for private purposes and includes any building or structure thereon;

“public place” includes any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes, parklands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including local government property, but does not include premises on private property from which trading is lawfully conducted under a written law;

“Regulations” means the *Local Government (Functions and General) Regulations 1996*;

“sign” includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

“street tree” means a tree in a thoroughfare;

“thoroughfare” has the meaning given it is defined in section 1.4 of the Act, and means a road or thoroughfare and includes structures or other things relating to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

“trading” includes –

- (a) the selling or hiring of, the offering for sale or hire of, or the soliciting of orders for goods or services in a public place;
- (b) displaying goods in any public place for the purpose of –
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for them; or
 - (iv) carrying out any other transaction in relation to them; and
- (c) the going from place to place, whether or not public places, and –
 - (i) offering goods or services for sale or hire;
 - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services; or
 - (iii) carrying out any other transaction in relation to goods or services,

“valid”, in relation to a permit issued under this local law means current, with all relevant conditions met and for which all the associated fees have been paid in full;

“vehicle” includes –

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- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or by any means;
- (b) an animal being ridden or driven; and
- (c) a vehicle described in the *Road Traffic Act 1974*;

but excludes –

- (d) a wheel-chair or any device designed for use by physically impaired persons;
- (e) a pram, a stroller or similar device; and
- (f) a train, boat or aircraft; and

“**verge**” means that part of a thoroughfare between the carriageway and the landprivate property which abuts the thoroughfare, but does not include any footpath or kerb.

1.7 Interpretation

In this local law unless the context requires otherwise a reference to local government property includes a reference to any part of that local government property.

1.8 Fees and charges

All fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act, and will be specified in the City's Schedule of Fees & Charges, as amended from time to time.

PART 2 ~~==~~ DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY

Division 1 ~~==~~ Determinations

2.1 Determinations as to use of local government property

- (1) The local government may make a determination in accordance with clause 2.2 –
 - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
 - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
 - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
 - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determinations in Schedule 2 –
 - (a) are to be taken to have been made in accordance with clause 2.2;
 - (b) may be amended or revoked in accordance with clause 2.6; and
 - (c) have effect on the commencement day.

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2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the Council is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on any local government property to give notice of the effect of a determination which applies to that property.

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2.4 Determination to be complied with

A person shall comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination, it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

Division 2 – Activities which may be pursued or prohibited under a determination**2.7 Activities which may be pursued on specified local government property**

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) bring, ride or drive an animal;
 - (b) take, ride or drive a vehicle, or a particular class of vehicle;
 - (c) fly or use a motorised model aeroplane;
 - (d) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
 - (e) launch, beach or leave a boat;
 - (f) take or use a boat, or a particular class of boat;
 - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or

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- (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and
 - (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
 - (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
 - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
 - (e) may specify that the activity can be pursued by a class of persons or all persons; and
 - (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –
 - (a) smoking ~~on premises~~;
 - (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
 - (c) taking, riding or driving a vehicle ~~on the property~~ or a particular class of vehicle;
 - (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (e) taking or using a boat, or a particular class of boat;
 - (f) the playing or practice of –
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and

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- (h) the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
 - (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.
- (3) In this clause –

“premises” means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3 – Transitional**2.9 Signs taken to be determinations**

- (1) Where a sign erected on local government property has been erected under a by law or local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

PART 3 – PERMITS**Division 1 – Preliminary****3.1 Application of Part**

- (1) This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government, which includes but is not limited to a lease, licence or shared use agreement.
- (2) This Part applies to any application for a permit and any permit required under this to use local law government property or a thoroughfare.

Division 2 – Applying for a permit**3.2 Application for permit**

- (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).

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- (2) An application for a permit under this local law shall –
- (a) be in the form determined by the local government;
 - ~~(b) be signed by the applicant;~~
 - ~~(c)~~ (b) provide the information required by the form, which may include a plan, specifications or photographs; and
 - ~~(d)~~ (c) be forwarded to the CEO-local government or the specified person at the local government together with any fee imposed and determined by the local government under and specified in accordance with sections 6.16 to 6.19 the form or as specified in the City's Schedule of the Act Fees and Charges.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit –
- (a) which is does not in accordance comply with the requirements in subclause (2);
 - (b) which, in the case of an application for a sign permit, is not in accordance with clause 3.2(2);
 - ~~(c) which is not accompanied by the plans and specification and the application fee;~~
 - ~~(d) which~~ is not properly completed; or
 - ~~(e)~~ (c) where any required plan, specification or photograph does not in the opinion of the CEO or an authorised person, contain sufficient information or is not sufficiently clear to enable the local government to properly consider the application.

3.2 A Relevant considerations in determining application for permit

- (1) Where a clause of this local law refers to matters which the local government is to have regard to in determining an application for a permit, the local government shall have regard to those matters prior to making a decision on an application for a permit under clause 3.5 and, in addition, may have regard to the following matters:
- (a) the desirability of the proposed activity;
 - (b) the location of the proposed activity; and
 - ~~(c) the principles set out in the Competition Principles Agreement; and~~
 - ~~(d)~~ (c) such other matters as the local government may consider to be relevant in the circumstances of the case.

3.3 Decision on application for permit

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- (1) The local government may –
 - (a) approve an application for a permit unconditionally or subject to any conditions, including but not limited to those conditions in clause 3.4; or
 - (b) refuse to approve an application for a permit on any of the grounds specified in clause 3.3A, or for any other reason determined at the sole discretion of the local government.
- (2) If the local government approves an application for a permit, it is to issue to will provide the applicant, a permit with written confirmation in the form determined by the local government, which could be electronic.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice (which includes electronic) of that refusal to the applicant. It is not necessary for the local government to provide reasons for the refusal.
- ~~(4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).~~
- ~~(5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).~~

3.3 A Grounds on which an applicant application may be refused

The local government may refuse ~~to approve~~ an application for a permit under this Division on any one or more of the following grounds:

- (a) that within the preceding 5 years the applicant has committed a breach of any provision of this local law, or of any other written law or condition of a lease or licence or hire arrangement relevant to the activity in respect of which the permit is sought;
- (b) that the applicant in the opinion of the local government is not a fit and proper person to hold a permit;
- (c) that –
 - (i) the applicant is an undischarged bankrupt or is in liquidation;
 - (ii) the applicant has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property; or
- ~~(d) the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare which the permit is sought in respect to;~~
- (e) such other grounds as the local government may consider to be relevant in the circumstances of the case.

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Division 3 – Conditions**3.4 Conditions which may be imposed on a permit**

- (1) Without limiting the generality of clause 3.3(1)(a), the local government may approve an application for a permit subject to conditions relating to –

- ~~(a) the payment of fees and charges;~~
- ~~(a) the payment of fees, charges and bonds, as specified in the City's Schedule of Fees and Charges, as amended from time to time, or as otherwise determined at the local government's sole discretion.~~
- (b) compliance with a standard or a policy of the local government adopted by the local government;
- (c) the duration and commencement of the permit;
- (d) the commencement of the permit being contingent on the happening of an event;
- (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (f) the approval of another application for a permit which may be required by the local government under any written law;
- (g) the area of the district to which the permit applies;
- (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit, bond or secure sum against such damage; and
- (i) the obtaining of public liability insurance in an amount and on terms reasonably required by the local government as set out in clause 13.4.

- ~~(2) Without limiting clause 3.3(1)(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire local government property may be issued –~~

- ~~(a) when fees and charges are to be paid;~~
- ~~(b) payment of a deposit, bond or secure sum against possible damage or cleaning expenses or both;~~
- ~~(c) restrictions on the erection of material or external decorations;~~
- ~~(d) rules about the use of furniture, plant and effects;~~
- ~~(e) limitations on the number of persons who may attend any function in or on local government property;~~
- ~~(f) the duration of the hire;~~
- ~~(g) the right of the local government to cancel a booking during the course of an annual or seasonal booking, if the local government sees fit;~~

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- ~~(h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Control Act 1988*;~~
- ~~(i) whether or not the hire is for the exclusive use of the local government property;~~
- ~~(j) the obtaining of a policy of insurance in the names of the hirer and the local government, indemnifying the local government in accordance with clause 13.4 in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer; and~~
- ~~(k) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.~~

3.5 Compliance with ~~and variation of permit~~ conditions

- (1) Where an application for a permit has been approved for an activity defined in clause 3.14(1) subject to conditions, the permit holder shall comply with each of those conditions.
- ~~(2) The local government may vary the conditions of a permit, and (2) Where an application for a permit has been approved for an activity defined in clause 3.14(2) subject to conditions, the permit holder shall comply with each of those conditions.~~

3.5 A Amendment of permit conditions

- (1) A permit holder may apply in writing to the local government to vary or amend any of the terms or conditions of the permit.
- (2) The local government may, in respect of an application under sub-clause (1) –
 - (a) amend the permit, either in accordance with the application or otherwise as varied; it sees fit; or
 - (b) refuse to amend the permit.
- (3) The local government may, at any time, amend any of the terms or conditions of a permit, subject to providing the permit holder with written notice of the reasons for the amendment.
- (4) If the local government amends a permit under this clause, it is to notify the permit holder in writing of the amendment as soon as practicable and the amended condition(s) shall apply from the date of notification, unless otherwise specified in the amendment.

Division 4 – General**3.6 Agreement for ~~Erection of a~~ building**

- (1) Where a person applies for a permit to erect a building on local government property, the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building.

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- (2) ~~The person is required to obtain all other necessary approvals to govern the erection of a building, including but not limited to development approval, if applicable, and a permit for use of the local government property.~~

3.7 Duration of permit

A permit is valid for ~~one year from the date on which it is issued, unless it is –~~

- (a) ~~otherwise stated in this local law or period specified~~ in the permit; ~~or~~
 unless
 (b) ~~cancelled under~~ in accordance with clause 3.11.

3.8 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to the expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part shall apply to an application for the renewal of a permit ~~mutatis mutandis to the extent that it is applicable for a permit renewal.~~

3.9 Transfer of permit

- (1) An application for the transfer of a valid permit is to –
- (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, ~~it will provide written confirmation to the transfer may be effected by an endorsement on the former permit signed by holder and the CEO transferee.~~
- (4) Where the local government approves the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

3.10 Production of permit

A permit holder is to produce evidence of a permit to an authorised person ~~her or his permit~~ immediately upon being required to do so by that authorised person. Evidence could include the written confirmation (electronic version acceptable) provided by the City or the permit number (if applicable).

3.11 Cancellation of permit

- (1) Subject to clause 12.1, a permit may be cancelled by the local government ~~if~~ on any one or more of the following grounds –

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- (a) the permit holder has not complied with a –
- (i) ~~(a)~~ condition of the permit; or
 - ~~(b)~~ ~~determination or a~~ (ii) provision of this local or any other written law ~~which may relate~~ relating to the activity regulated by the permit;
- ~~(b)~~ the permit holder is convicted of an offence against this local law;
- ~~(c)~~ the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;
- ~~(d)~~ the permit holder has become bankrupt, or gone into liquidation;
- ~~(e)~~ the permit holder has entered into any composition or arrangement with creditors;
- ~~(f)~~ a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property;
- ~~(g)~~ if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
- ~~(h)~~ if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents;
- ~~(i)~~ if the City reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;
- ~~(j)~~ if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted or for the outdoor eating area; and
- ~~(k)~~ another permit for an outdoor eating area, goods display or portable advertising sign has been granted, and remains in effect, in relation to the building or business premises related to the permit.
- (2) On the cancellation of a permit the ~~permit holder~~ local government will provide the permit holder with written notice that the permit has been cancelled.
- ~~(a)~~ ~~shall return~~ (3) On receiving notice that the permit ~~as soon as practicable to~~ has been cancelled in accordance with subclause (2):
- ~~(a)~~ the ~~CEO~~ permit holder must immediately cease using the local government property or the thoroughfare unless the notice from the local government provides otherwise; and
 - ~~(b)~~ ~~is to be taken to have forfeited~~ any fees paid by the permit holder in respect of the permit are forfeited and will not be refunded by the local government.

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3.12 A12 Suspension of permit holder's rights and privileges

- (1) The rights and privileges granted to a permit holder on the issue of a permit, shall be automatically suspended, where the public liability insurance required as a condition of a permit, lapses, is cancelled or is no longer current.
- (2) The rights and privileges granted to a permit holder on the issue of a permit, may be suspended by the local government by notice in writing to the permit holder for the purpose of and during the carrying out of any works by or on behalf of the State, or an agency or instrumentality of the Crown, or the local government, in or adjacent to the area the subject of the permit.
- (3) The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –
 - (a) the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - (b) the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or
 - (c) the City considers the activity permitted by the permit may create a public health, safety or amenity issue.

until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue.

3.11 B Planning approval3.13 Other approvals

The requirement of a permit under this local law, is additional to the requirement if any, for ~~a planning~~ any other approvals, including but not limited to development approval.

Division 5 – When a permit is required**3.14 Activities on local government property or thoroughfares needing a permit**

- (1) A person shall not without a permit –
 - (a) subject to subclause (3), ~~hire~~use local government property or a thoroughfare for any purpose which amounts to exclusive use of the whole or a portion of the property for any period of time;
 - (b) advertise anything by any means on local government property or a thoroughfare, except where the person holds a permit issued under another local law of the local government authorising such advertising in that location;
 - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on local government property or a thoroughfare;

~~teach, coach or train, for profit, any person in a pool area or an indoor recreation facility which is local government property.~~

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- (d) plant any plant ~~or~~ sow any seeds, or install any other landscaping feature on local government property, unless in accordance with clause 9.4 of this local law;
- (e) Carry on any trading on local government property unless the trading is conducted –
 - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit, or a permit issued under the City's Trading in Public Places Local Law;
 - (ii) By a person who has a licence or permit to carry on trading on local government property under any written law;
- ~~(g)~~(f) unless an employee of the local government in the course of their duties or on an area set aside for that purpose –
 - (i) drive or ride or take any vehicle on to local government property;
 - (ii) park or stop any vehicle on local government property; or
- ~~(h)~~(g) conduct a function or public gathering on local government property;
- ~~(i)~~(h) charge any person for entry to local government property, unless the charge is for entry to landan area or a building hired ~~by or leased from the local government, and that hire or lease arrangement provides that a voluntary non-profit organisation fee for entry may be charged;~~
- ~~(j)~~(i) light a fire on local government property or an a thoroughfare except in a facility provided by the local government for that purpose;
- ~~(k)~~(j) parachute, hang glide, abseil or base jump from or on to local government property; or a thoroughfare;
- ~~(l)~~(k) erect a building or a refuelling site on local government property;
- ~~(m)~~(l) make any excavation on or erect or remove any fence on local government property;
- ~~(n)~~(m) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
- ~~(o)~~(n) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property;
- ~~(p)~~(o) light or set off any fireworks or conduct a fireworks display on local government property;
- ~~(q)~~(p) operate any broadcasting or public address system or sound amplification equipment or apparatus on local government property;
- ~~(r)~~ ~~carry out any (q) works in a thoroughfare or on local government property, including but not limited to –~~
 - ~~(i) – verge treatments;~~

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- (ii) ~~vehicle cross overs;~~
- (iii) ~~crossing a footpath with a vehicle which is likely to cause, or causes damage to the footpath;~~
- (s) erect, display, post, stick, stamp, stencil, paint or otherwise affix or cause to be erected, displayed, posted, stuck, stamped, stencilled, painted or otherwise affixed any sign, banner, placard, handbill, notice, advertisement, writing or picture whatsoever upon any tree, plant, building, structure, fitting or soil being local government property or on any other local government property, except where the person holds a permit issued under another local law of the local government authorising such an activity in that location; and
- (tr) carry out filming ~~or~~ shoot or take a recording on local government property or within a thoroughfare where:
 - (i) ~~any part exclusive use of that film a portion of the local government property or recording may be broadcast~~ thoroughfare is required;
- (s) ~~construct anything or distributed or sold; and~~
- ~~(ii) it involves the substantial setting up of associated equipment~~ locate any infrastructure on local government property; or a thoroughfare, including but not limited to paving, planter boxes and outdoor seating.
- (2) ~~for reward or for the purpose of sale, (2)~~ A person shall not without a permit carry out works in a thoroughfare or on local government property, including but not limited to –
 - (a) verge treatments, unless the verge treatment is in accordance with clause 9.4 of this local law;
 - (b) vehicle crossovers;
 - (c) crossing a footpath with a vehicle which is likely to cause, or causes damage to the footpath;
 - (d) Locating construction materials on a verge or thoroughfare;
prior approval undertaking construction activities adjacent to a verge or thoroughfare which results in the use of the CEO. verge or thoroughfare.
- (2)(3) A person shall not without a permit use local government property or a community facility for a for profit purpose, including but not limited to:
 - (a) group fitness classes
 - (b) life coaching or counselling;
 - (c) meetings or seminars; or
 - (d) guided walks or tours.
- (4) The local government may, at the local government's sole discretion, exempt a person from compliance with subclauses (1), (2) or (3) on the application of that person by providing notice in writing to that person.

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- (35) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.1315 Permit required to camp outside a facility

- (1) In this clause –

“**facility**” has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

- (2) A person shall not without a permit –

- (a) Camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
- (b) Erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
- (c) Camp on or occupy any vehicle at night for the purpose of sleeping in a public place.

- (3) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (2) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

- (4) This clause does not apply to a facility operated by the local government.

3.1416 Permit required for possession and consumption of liquor

- (1) A person, on local government property, shall not consume any liquor or have in their possession or under their control any liquor, unless –

- (a) that is permitted under the *Liquor Control Act 1988*; ~~and~~ or
- (b) a permit has been obtained for that purpose; ~~or~~

- (2) ~~Subclause (1) does not apply where –~~

- (a) ~~the liquor is in a sealed container; or~~
- (b) ~~the liquor is in small quantities, as determined by the CEO and is being brought to or consumed in the course of a bona fide picnic or gathering.~~
- (c) ~~consumption is in accordance with the relevant local government policy, as amended from time to time; and does not, in the reasonable opinion of the City, result in any anti-social behaviour.~~

Division 6 – Responsibilities of permit holder**3.1517 Responsibilities of permit holder**

A holder of a permit shall in respect of local government property to which the permit relates –

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- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) leave the local government property in a clean and tidy condition after its use;
- (c) ensure that the local government property is fully locked or secured after its use where it can be so locked or secured;
- (d) report any damage or defacement of the local government property to the local government; and
- (e) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the *Liquor Control Act 1988* for that purpose.

PART 4 – BEHAVIOUR ON LOCAL GOVERNMENT PROPERTY***Division 1 – Behaviour on and interference with local government property*****4.1 Personal behaviour**

A person shall not in or on any local government property behave in a manner which –

- (a) is likely to cause injury to, or to interrupt, disturb or interfere with the enjoyment of, a person who might use the property;
- (b) causes injury to, or interrupts, disturbs or interferes with the enjoyment of, a person using the property; ~~or~~
- (c) may be considered disorderly or offensive by a person on the property.

4.2 Only specified gender to use entry of toilet block or change room

- (1) Where a sign on a toilet block or change room specified that a particular toilet block or change room is to be used by –
 - (a) females, then a person of the male gender over the age of 6 years shall not use that toilet block or change room; or
 - (b) males, then a person of the female gender over the age of 6 years shall not use the toilet block or change room.
- (2) A person over the age of 6 years shall not on any local government property or public place –
 - (a) loiter outside or act in an unacceptable manner, in any portion of a toilet block or change room; or
 - (b) enter, or attempt to enter a cubicle or compartment of a toilet block or change room which is already occupied or in use.

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4.3 Proper and adequate clothing

- (1) A person over the age of 6 years shall not on any local government property or public place appear in public unless decently clothed.
- (2) Where an authorised person considers that a person on any local government property or public place appearing in public is not decently clothed, the authorised person may direct that person to put on clothing so as to be decently clothed, and that person shall comply with the direction immediately.
- (3) In this clause, “*decently clothed*” means the wearing of proper and adequate clothing for the occasion, so as to prevent indecent exposure.

4.4 Behaviour detrimental to property

- (1) A person shall not behave in or on any local government property in a way which is or might be detrimental to the property.
- (2) In subclause (1) –
“*detrimental to the property*” includes –
 - (a) removing any thing from local government property such as a sign, rock, plant or seat provided for the use of any person;
 - (b) destroying, defacing or damaging any thing on the local government property, such as a sign, plant or tree or a seat provided for the use of any person; and
 - (c) climbing on or over local government property.

4.5 Taking or injuring any fauna

- (1) A person shall not, on or above any local government property, unless that person is authorised under a written law to do so –
 - (a) take, injure or kill or attempt to take, injure or kill any fauna; or
 - (b) take on to, set or use or attempt to take on to, set or use any animal trap, bird trap, fish trap, net or similar device.
- (2) In this clause –
“*animal*” means any living thing that is not a human being or plant; and
“*fauna*” means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –
 - (a) any class of animal or individual member;
 - (b) the eggs or larvae; or
 - (c) the carcass, skin, plumage or fur.

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4.6 Intoxicated persons not to enter local government property

A person shall not enter or remain on any local government property while under the influence of liquor, unless pursuant to a permit issued under clause 3.14, or a prohibited drug or substance.

4.7 No prohibited drugs or substances

A person shall not take a prohibited drug or substance on to, or consume or use a prohibited drug or substance on any local government property.

Division 2 – Signs**4.8 Signs**

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

PART 5 – MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY**Division 1 – Community facilities****5.1 Definitions**

In this Division –

“administration centre” means the local government's administration centre which is currently located on Crown Land Lot 502, being Reserve 50345 and having an address of 244 Vincent Street, Leederville;

“change room” means the room or change room means the room or area designated for a public place such as a pool premises, and includes any bathroom or toilet at the public place;

“library” means the place or premises provided by the local government for the purpose of borrowing books and local history and includes the library and local history centre located on a portion of Crown Land Lot 501, being Reserve 39009 and having an address of 99 Loftus Street, Leederville; and

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"pool premises" means the place or premises provided by the local government for the purpose of swimming or bathing, and known as includes Beatty Park Leisure Centre constructed, which is located on parta portion of the land being Perth Location Crown Land Lot 1618, and being Reserve Number 884, Vesting Order Number 10803/99 and having an address of 220 Vincent Street, North Perth, and includes all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the place or premises or used in connection with it.

5.2 Direction of manager or authorised person to be observed

- (1) The manager or an authorised person may refuse admission to, may direct to leave or may remove or cause to be removed from the administration centre, library or pool premises, a person who –
 - (a) in her or his opinion is –
 - (i) under the age of 12 years and who is unaccompanied by a responsible person 16 years or older; or
 - (ii) Under the age of 5 years and who is unaccompanied in the water by a responsible person 16 years or older, or
 - (iii) suffering from any contagious, infectious or cutaneous disease or complaint; or
 - (iv) in an unclean condition; or
 - (v) under the influence of liquor or a prohibited mind altering drug or substance;
 - (b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.
- (2) A person shall, on being requested by the manager or an authorised person to leave the administration centre, library or pool premises, subject to subclause (1), do so immediately, quietly and peaceably.
- (3) A person who fails to comply with a request under subclause (2) may be removed from the administration centre, library or pool premises, by the manager, an authorised person or a Police Officer.

5.3 Responsibilities of users of a community facility

A person while in the administration centre, library, pool premises or a community facility shall not –

- (a) smoke, consume foodstuffs or drinks in any specific area in which smoking or food consumption is prohibited;
- (b) climb up or upon any roof, fence, wall ~~or~~ partition ~~on the pool premises or a community facility; or other structure not intended for climbing;~~ or
- (c) ~~whilst enter the premises if~~ suffering from a contagious, infectious or cutaneous disease or whilst in an unclean condition, ~~enter or use or attempt to enter or use the pool premises or a community facility;~~
- (d) use soap or shampoo in any part of the ~~pool~~ premises other than in a change-room;

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- (e) use any detergent or any substance or oil in any pool or spa ~~on the pool premises whereby the water may be discoloured or contaminated or rendered turbid or, in the opinion of the Manager or authorised person, in anyway unfit;~~
- (f) foul or pollute the water in any shower, pool or spa ~~in the pool premises;~~
- (g) bring into any part of the pool premises or place thereon any chemical substance, liquid or powder;
- (h) bring into any part of the pool premises any glass containers;
- (i) smoke tobacco or any other substance in or about a community facility;
- (j) deliberately waste or wastefully use fresh or potable water in a community facility;
- (k) spit or expectorate in any part of a community facility, other than in a water closet; ~~and~~
- (l) enter a pool or spa on the pool premises in a dirty or unclean condition; ~~and~~
- (m) Using a mobile phone, camera or other similar recording device in a change room at a pool premises, library or other community facility.

Division 2 – Fishing and boat launching**5.4 Definition**

In this Division –

“river” means the Swan River as referred to in the *Swan and Canning Rivers Management Act 2006*.

5.5 Boat launching

- (1) A person shall not launch a boat into the river other than at a boat launching ramp designed, constructed and approved for that purpose, or from the river where this activity is permitted and designated by signs.
- (2) A person shall not launch a personal water craft into the river other than at a boat launching ramp designed, constructed and approved for the purpose.

5.6 Fishing

- (1) A person shall not fish on or from any local government property where fishing is prohibited or restricted and the prohibition or restriction is designated by signs.
- (2) A person shall not on any local government property whether fishing is permitted or not –
 - (a) clean fish or cut bait such that it may cause a nuisance to river users; or
 - (b) leave or deposit fish offal or bait on land or in the river.

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Division 3 – Fenced or closed property**5.7 No entry to fenced or closed local government property**

A person shall not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

Division 4 – Air conditioning units over thoroughfares**5.8 Definition**

In this Division –

“**air conditioning unit**” means any machine, device, equipment, plant or part thereof which constitutes or is part of any mechanical system of ventilation or air conditioning; and

“**thoroughfare**” has the meaning in section 1.4 of the Act and includes a pedestrian way that is local government property.

5.9 Siting and design of air conditioning units

- (1) A person shall not install an air conditioning unit on or over a thoroughfare without the approval of the local government, which is at the discretion of the City.
- (2) Nolf the local government provides approval in subclause (1) above, the air conditioning unit shall – not:
 - (a) project over any part of a thoroughfare unless provision is made, to the satisfaction of the CEO or an authorised person, for the collection of water discharged from such unit and for its disposal into the stormwater drainage system provided that where such unit is installed above a verandah, balcony or awning no such provision shall be necessary;
 - (b) project over any part of a thoroughfare unless the bottom of such unit is not less than 2,750 millimetres above such thoroughfare;
 - (c) project more than 300 millimetres over any part of a thoroughfare not more than 10 metres in width;
 - (d) project more than 450 millimetres over any part of a thoroughfare more than 10 metres in width.
- (3) No air conditioning unit which exhausts foul or vitiated air over or into a thoroughfare shall be installed under a verandah, balcony or awning which projects over any part of a thoroughfare.

Division 5 – Awnings, balconies and verandahs over thoroughfares**5.10 Definitions**

In this Division –

“**awning**” means a roof-like covering to shelter persons or protect parts of a building from the effects of sun or rain, which extends or can be made to extend over any part of a thoroughfare;

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"balcony" means an open or covered platform attached to an upper part of a building, projecting from or recessed into the face of a wall and protected by a railing or balustrade and accessible from an adjacent room;

"permanent structure" means a structure which is affixed to the ground and is considered to form part of the ground, and includes verandah posts and canopy structures;

"road reserve" means crown land which the local government has care, control and management of pursuant to section 55(2) of the *Land Administration Act 1997*;

"thoroughfare" has the meaning in section 1.4 of the Act and includes a pedestrian way that is local government property; and

"verandah" means a roofed structure attached to a building with the outer edge supported on posts, and covered either by the main roof or a separate, lower roof, of which any part extends over any part of a thoroughfare.

5.11 Approval to erect or maintain an awning, balcony or verandah

~~A person shall not erect or maintain~~ The local government may approve an awning, balcony or verandah over a thoroughfare ~~without provided that it complies with the approval of the local government dimensions and design requirements as set out in clauses 5.12 and 5.13.~~

5.12 Dimensions of awnings, balconies and verandahs

~~A person shall not erect an awning, balcony or verandah over a thoroughfare unless it complies with the following dimension requirements:~~

- (a) a minimum clearance of 2,750 millimetres above the thoroughfare;
- (b) a maximum fascia depth of 300 millimetres; and
- (c) a minimum distance of ~~500~~600 millimetres from the face of the kerb.

5.13 Design of awnings, balconies and verandahs

~~A person shall not erect an awning, balcony or verandah over a thoroughfare unless it complies with the following design requirements:~~

- (a) the design, colour and materials shall be compatible with the aesthetics and character of the thoroughfare, in the opinion of the local government;
- (b) the height and width shall be uniform with other verandahs and awnings over the thoroughfare;
- (c) the form shall be cantilevered or suspended, unless otherwise approved by the local government; and
- (d) the design shall not allow water to be retained on the structure or allow water to fall onto the thoroughfare.

5.14 Maintenance and public safety

The owner and occupier for the time being of any building to which any awning, balcony or verandah is attached shall keep the awning, balcony or verandah clean, painted, watertight and in a sound and safe structural condition and in good and substantial repair.

5.15 Permanent structures within a thoroughfare or road reserve

A person shall not erect or maintain a permanent structure within a road reserve or thoroughfare without the prior written approval of the local government, and subject to the person obtaining any other approvals required, including development approval.

PART 6 ~~-ADVERTISING-~~ SIGNS ON THOROUGHFARES**Division 1 ~~=~~ Preliminary****6.1 Definitions**

In this Part, unless the context otherwise requires ~~=~~

~~“advertisement” means the use or intention of use for the purpose of advertising any premises, services, business, function, event, product or thing;~~

~~“advertising sign” means a free-standing sign, which may or may not be permanently attached to a structure or fixed to the ground, and includes a ground-based sign, a sandwich board sign and an “A” frame sign, that is =~~

(a) used or intended to be used for the purpose of advertising any premises, services, business, function, event, product or thing; ~~and~~

(b) ~~not a portable advertising sign under the local governments Trading in Public Places Local Law 2008.~~

~~“A” frame sign~~ means a folding sign which is hinged at the top to provide a stable structure when open;

~~“direction sign” means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;~~

~~“election sign” means a sign which advertises any aspect of a forthcoming Federal, State or Local Government election;~~

~~“permit holder” means the person to whom a sign permit has been issued;~~

~~“portable direction sign” means a portable free standing direction sign;~~

~~“portable sign” means a portable free-standing advertising sign;~~

~~“sign” includes a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation and includes advertising signs, portable direction signs and election signs;~~

~~“sign permit” means a permit to display a sign.~~

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Division 2 – Permits**6.1A Permit period for advertising sign**

The local government may grant approval for the erection or display of an advertising sign for ~~one year or three years, whichever the applicant chooses on the duration of the application~~ for a sign period specified in the permit.

6.1B Sign Advertising sign permit

- (1) A ~~personal~~ person shall not display an advertising sign on ~~a footpath~~ local government property unless that person is the holder of a valid ~~sign~~ permit.
- (2) ~~Every application for a sign permit shall –~~
 - (a) ~~state the full name and address of the applicant;~~
 - (b) ~~specify the proposed permitted area of the advertising sign;~~
 - (c) ~~be accompanied by an accurate plan and description of:~~
 - (i) ~~the proposed that~~ advertising sign; and
 - (ii) ~~the proposed location of the proposed advertising sign and the area in a radius of approximately 10 metres around that location showing on a scale of approximately 1:100 the location of all carriageways, footpaths, verges, street furniture, bins, light poles, parking signs, traffic lights, other impediments to pedestrian traffic and premises abutting any verge or footpath.~~
 - (d) ~~a colour photograph or similar representation of the advertising sign."~~

Division 2 – Permit**6.2 Permit required for advertising signs and portable ~~Portable~~ direction sign ~~sign~~ permit**

- (1) ~~A~~ Subject to clause 6.2(2), a person shall not, without a permit –
 - (a) ~~erect or place an advertising~~ a portable direction sign on ~~a thoroughfare; or~~ local government property.
 - (b) ~~post any bill or paint, place or affix any advertisement on a thoroughfare.~~
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which ~~neither exceeds~~ does not exceed 500mm in height nor 0.5m² in area, ~~provided on any side~~ provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(6.3) – Nature and position of an advertising sign or portable direction sign

Notwithstanding ~~subclause (1), any provision of this local law,~~ a person shall not erect or place an advertising sign ~~-or portable direction sign –~~

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- (a) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2,700 millimetres;
- (b) on or within ~~500~~600 millimetres from the face of the kerb;
- (c) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (d) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

6.34 Matters to be considered in determining application for a permit

In determining an application for a permit for ~~the purpose of clauses 3.3 and 6.2(1), an advertising sign or a portable direction sign~~, the local government is to have regard to ~~—~~

- (a) any other written law regulating the erection or placement of ~~advertising signs or advertisements~~ within the district;
- (b) the dimensions of the ~~advertising signs or advertisements~~sign;
- (c) other ~~advertising~~ signs already approved or erected in the vicinity of the proposed location of the ~~advertising signs or advertisements~~;
- (d) whether or not the ~~advertising signs or advertisements~~ will create a hazard to persons using a thoroughfare;
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant;
- (f) whether the ~~advertising~~ sign would –
 - (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or
 - (ii) impede pedestrian access; and
- (g) whether the ~~advertising~~ sign, may obstruct or impede the use of the footpath for the purpose for which it ~~was designed~~is used.

Division 3 – Conditions on permit**6.45 Conditions on portable direction sign permit**

- (1) If the local government approves an application for a permit for a portable direction sign, the application is to be taken to be approved subject to the following conditions –
 - (a) the portable direction sign shall ~~—~~
 - (i) not exceed 1,000 millimetres in height;
 - (ii) not exceed an area of 0.8 square metres on any side;

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- (iii) relate only to directions to the business activity place described on the permit;
- (iv) not be placed ~~in any position other than immediately in front of the building or the business to which the sign relates and be located not~~ closer than 500600 millimetres to the face of the kerb or further than 1200 millimetres from the kerb so as to ensure the free passage of persons using ~~the~~ a footpath;
- (v) if it relates to a business or event, be removed each day at the close of the business or event to which it relates and not be erected again until the business or event next opens for trading;
- (vi) be secured in position in accordance with any requirements of the local government;
- (vii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person or the sight line of any vehicle drivers; and
- (viii) be maintained in good condition; and
- (b) no more than one portable direction sign shall be erected in relation to the one building or business.
- (2) The permit holder of a permit for a portable direction sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the permit by the local government.

6.56 Conditions on election sign permit

- (1) If the local government approves an application for a permit for the erection or placement of an election sign on a thoroughfare local government property, the application is to be taken to be approved subject to the sign –
 - (a) being erected at least 30 metres from any intersection of thoroughfares;
 - (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
 - (c) being placed so as not to obstruct or impede the reasonable use of ~~a thoroughfare local government property~~ or access to a place by any person;
 - (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
 - (e) being maintained in good condition;
 - (f) not being erected until the election to which it relates has been officially announced;
 - (g) being removed within 24 hours of the close of polls on voting day;
 - (h) not being placed within 100 metres of any works on the thoroughfare local government property;

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- (i) being securely installed;
 - (j) not being an illuminated sign;
 - (k) not incorporating reflective or fluorescent materials; and
 - (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.
- (2) The permit holder of a permit for the erection or placement of an election sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the permit by the local government.

Division 4 – Other obligations of a permit holder**6.67 Obligations of permit holder**

The permit holder shall –

- (a) maintain the ~~advertising~~ sign in a safe and serviceable condition at all times;
- (b) display the permit number provided by the local government in a conspicuous place on the ~~advertising~~ sign and whenever requested by an authorised person to do so, produce the sign permit to that person;
- (c) ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using ~~a thoroughfare~~ local government property;
- (d) ~~display an advertising where a~~ sign is to be displayed on a footpath, display that sign in the location approved by the local government and as specified in the permit; and
- (e) ensure the free passage at all times of persons using the ~~footpath at all times~~ local government property.

6.78 Safety of persons

A person shall not cause or permit ~~an advertising sign~~ a sign to be erected or displayed in such a condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

6.89 Removal of sign for works

A permit holder shall ensure that ~~an advertising~~ a sign, is removed from any ~~footpath~~ local government property to permit the ~~footpath~~ local government property to be swept or to permit any other authorised work to be carried out when directed to do so by an authorised person.

6.910 Removal of sign which does not comply

A person shall remove any ~~advertising~~ sign or ~~item~~ which does not comply with the requirements of this local law, from any ~~footpath~~ local government property when directed to do so by an authorised person.

6.1011 Unlawful placement of signs

A person who places, causes or permits to be placed on any ~~footpath~~local government property any ~~advertising sign or item~~ which does not comply with the requirements of this local law, commits an offence.

PART 7 ~~=~~ OBSTRUCTING ANIMALS OR SHOPPING TROLLEYS***Division 1 ~~=~~ Animals*****7.1 Leaving animal in a public place**

- (1) A person shall not leave an animal on a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.

7.2 Prohibitions relating to animals

- (1) In subclause (2), "owner" in relation to an animal includes –
 - (a) an owner of it;
 - (b) a person in possession of it;
 - (c) a person who has control of it; and
 - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal shall not –
 - (a) allow the animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare as a thoroughfare and unless it is led, ridden or driven;
 - (b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place; or
 - (c) train or race the animal on a thoroughfare.
- (3) An owner of a horse shall not lead, ride or drive a horse on a thoroughfare in a built-up area, unless that person does so under a permit or under the authority of a written law.

Division 2 ~~=~~ Shopping trolleys**7.3 Definitions**

In this Part –

"retailer" means a proprietor of a shop which provides shopping trolleys for the use of customers of the shop;

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“shopping trolley” means a container or receptacle on wheels provided by a retailer for the transport of goods.

7.4 Name of owner of shopping trolley

A retailer shall clearly mark its name or trading name on any shopping trolley made available for the use of customers and which may be left in a public place by the customer.

7.5 Shopping trolleys in public places

- (1) A person shall not leave a shopping trolley in a public place or on local government property, other than in an area set aside for the storage of shopping trolleys.
- (2) A shopping trolley left in a public place or on local government property is not obstructing unless it is left for a period exceeding three (3) hours.

PART 8 ~~==~~ BOND OR SECURITY**8.1 Security for restoration and reinstatement**

- (1) The local government may require an applicant to pay a bond, bank guarantee or security of a kind and to a value determined by the local government as a condition of an approval or permit and payable before the issue of an approval or permit, or where a land owner proposes to develop, amalgamate or subdivide the land for the purpose of ensuring that –
 - (a) hired local government property, including fixtures and fittings can be cleaned, replaced or repaired;
 - (b) a footpath or local government property damaged, removed or destroyed during the construction of any building on an adjacent lot, can be repaired or reinstated;
 - (c) a footpath or local government property damaged, removed or destroyed during the amalgamation or subdivision of adjacent land, can be repaired or reinstated;
 - (d) conditions of an approval or permit insofar as they relate to local government property or a thoroughfare, are complied with.
- (2) A bond or security required under subclause (1) is to be paid into an account established by the local government for the purposes of this clause prior to any work commencing, unless otherwise agreed by the local government.

8.2 Use by local government of bond or security

- (1) If a permit or approval holder or adjacent owner or occupier fails to carry out or complete the reinstatement works required by the permit or approval conditions, or by a notice served by the local government, either –
 - (a) within the time specified in that clause, those conditions; or the notice (as the case may be); or

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(b) where no such time has been specified, a reasonable time from the expiration of the permit or approval to complete the restoration or reinstatement works; or

(c) within 14 days or such time as specified in the notice given by the local government,

then, the local government may carry out or cause to be carried out, the required restoration and reinstatement works or as much work as remains undone. Any costs relating to the work carried out by the local government exceeding the bond paid by the applicant is a debt owing to the local government.

- (2) The permit or approval holder, owner or occupier shall pay to the local government on demand all administrative, legal, contractor and other costs including, but not limited to loss of income, estimated or incurred by the local government to restore and reinstate the site or which the local government may be required to pay under this clause.
- (3) The local government may apply the proceeds of any bond, bank guarantee or security obtained under clause 8.1 to meet any costs incurred by it under this clause.
- (4) The liability of the applicant, permit or approval holder, adjacent owner or occupier to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 8.1.

PART 9 – WORKS ON OR AFFECTING A THOROUGHFARE

Division 1 – Works affecting a thoroughfare

9.1 No damage to thoroughfare

A person shall not damage, without lawful authority, a thoroughfare or anything belonging to or under the care, control or management of the local government that is on a thoroughfare, including but not limited to a footpath, verge or street tree.

9.2 Footpath, verge and street tree protection

- (1) The owner, occupier, licensee or contractor who undertakes works on a private property adjacent to a footpath, verge or street tree, shall –
 - (a) take all necessary precautions to ensure that the footpath, verge or street tree is not damaged during the course of the works;
 - (b) take all necessary action to ensure that the footpath remains in a safe functional state suitable for use by the public; and
 - (c) notify the local government of any existing damage to the footpath, verge or street tree prior to the commencement of the works.
- (2) A person who carries out any building or other operations or works on private property necessitating the crossing of a footpath with vehicles that may cause damage to the footpath, verge or a street tree, shall ensure that –
 - (a) all reasonable precautions are taken to prevent damage to the footpath, verge or street tree during the course of the works; and

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- (b) heavy vehicles that access the private property, are to cross the footpath at the designated area for the proposed vehicle crossing for that private property.
- (3) If a person fails to comply with subclause (1) or (2) and a footpath, verge or street tree is thereby damaged, the local government may by notice in writing to that person require that person within the time stated in the notice to pay the costs of reinstating or repairing the footpath, verge or street tree.
- (4) On a failure to comply with a notice issued under subclause (3), the local government may recover the costs referred to in the notice as a debt due to it in a court of competent jurisdiction.

9.3 Liability for damage to thoroughfare

- (1) Where a person unlawfully damages a thoroughfare or any thing belonging to or under the care, control or management of the local government that is on a thoroughfare, the local government may by notice in writing to that person require that person within the time stated in the notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the thoroughfare or thing to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that thing.
- (2) On a failure to comply with a notice issued under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it in a court of competent jurisdiction.

Division 2 – Verge treatments**9.4 Transitional provision**

- (1) ~~In this Division –~~

~~“former provisions” means the local law of the local government which permitted certain types of verge treatments, whether with or without the consent of the local government, and which was repealed by this local law.~~

- (2) ~~A verge treatment which –~~

~~(a) was installed prior to the commencement day; and~~

~~(b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions;~~

~~is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.~~

9.5 Interpretation

~~In this Division:~~

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~~“acceptable material” means any material which will create a hard surface, and which appears on a list of acceptable materials maintained by the local government;~~

~~“permissible verge treatment” means any one of the 4 treatments described in clause 9.7(2), and includes any reticulation pipes and sprinklers.~~

9.6 Verge treatment

~~(1) The owner or occupier of land adjacent to any thoroughfare verge may only treat the verge in front of such land with a permissible treatment and in any event shall not—~~

- ~~(a) alter the finished level of the verge;~~
- ~~(b) excavate the verge within the drip line of any street tree; or~~
- ~~(c) cover or obstruct any manholes, gullies or inspection pits which are serviced from time to time by the local government.~~

9.7 Permissible verge treatments

~~(1) The owner or occupier of land adjacent to a thoroughfare may on the verge in front of such land, install a permissible verge treatment.~~

~~(2) The permissible verge treatments are for the purpose of subclause (1) —~~

- ~~(a) the planting and maintenance of a lawn;~~
- ~~(b) the planting and maintenance of a garden provided that —~~
 - ~~(i) it is in accordance with the local government’s “Verge Treatments, Plantings and Beautification” specifications; City’s policy in respect to verge treatments, planting and beautifications of a verge, as amended from time to time.~~
 - ~~(ii) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare;~~
 - ~~(iii) clear sight visibility is maintained at all times for a person using the driveway on the land adjacent to permissible verge treatment for access to or from the abutting thoroughfare; and~~
 - ~~(iv) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 1,500 millimetres along that part of the verge immediately adjacent to the kerb 9.5;~~
 - ~~(e) the installation of an acceptable material;~~
 - ~~(d) the installation over no more than one third of the area of the verge (excluding any vehicle crossing) to a maximum 7.5 metres of the frontage of the property of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b); or~~

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9.8 ~~Only permissible verge treatments to be installed~~

~~The owner or occupier of land adjacent to a thoroughfare shall not install or maintain on the verge in front of such land a verge treatment other than a permissible verge treatment.~~

9.9 ~~Owner's or occupier's responsibility for verge treatments~~

~~An owner or occupier of land adjacent to a thoroughfare who installs or maintains a permissible verge treatment on the verge in front of such land shall –~~

- ~~(a) — repair and make good any damage to the verge treatment at such owner's or occupier's expense;~~
- ~~(b) — keep the verge treatment in good and tidy condition and ensure, where the verge treatment is a garden or lawn, that no obstruction of any sort (physical, sight or other) is caused to any accessway, footpath or thoroughfare;~~
- ~~(c) — not place any obstruction on or around any verge treatment;~~
- ~~(d) — not water or maintain a verge treatment in such a manner as to cause a nuisance or hazard to any person using a footpath, accessway or thoroughfare;~~
- ~~(e) — not extend the verge treatment beyond the verge immediately adjacent to the land owned or occupied, without the written approval of the owner of the adjoining property, immediately adjacent to the verge to be treated.~~

9.10 Enforcement

The local government may give a notice in writing to the owner or occupier of land adjacent to a thoroughfareverge who has installed or maintained a treatment on the verge in front of such land, requiring that owner or occupier, within the time specified in the notice, to make good any breach of this Division, or to remove all or any part of a verge treatment that does not comply with this Division.

Division 3 ~~Public works~~**9.116 Public works on verges**

- (1) For the purpose of carrying out any works the local government or any authority empowered by law to dig up a thoroughfare or carry out any other works on a thoroughfare, may without notice and without being liable to compensate any person, dig up all or part of a thoroughfare and disturb any verge treatment placed there by an owner or occupier of adjacent land.
- (2) Where the local government digs up or carries out any works in a verge which has a verge treatment which complies with Division 2, then the local government shall use its best endeavours to –
 - (a) replace and restore any reticulation pipes and sprinklers; and
 - (b) back fill with sand any garden or lawn,

but otherwise shall not be liable to replace or restore any verge treatment and in particular any plant, or other vegetation or any surface or in any event, shall not be liable to any person for any damage or disturbance caused.

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9.127 Contribution towards construction of standard vehicle crossings

For the purpose of determining the local government's contribution towards the construction of a standard vehicle crossing as stipulated in regulation 15 of the *Local Government (Uniform Local Provisions) Regulations 1996*, a "standard crossing" is a standard vehicle crossing for a residential area.

9.138 Temporary vehicle crossings

- (1) Where it is likely that works on a lot will involve vehicles leaving a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and footpath, where –
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The "person responsible for the works" in subclause (1) is to be taken to be –
 - (a) the builder named on the building licence issued under the *Local Government (Miscellaneous Provisions) Act 1960*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building licence has been issued under the *Local Government (Miscellaneous Provisions) Act 1960* in relation to the works.
- (3) If the local government approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

9.149 Removal of redundant vehicle crossings

- (1) Where works on a lot will result in a crossing no longer giving access to a an internal driveway or constructed parking amenity on the lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the local government.
- (2) The local government may give written notice to the owner or occupier of a lot requiring her or him to –
 - (a) remove any part or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, footpath, verge and any other part of the thoroughfare, which may be affected by the removal,within the period of time stated in the notice, and the owner or occupier of the lot shall comply with that notice.

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PART 10 – ACTIVITIES ON THOROUGHFARES AND LOCAL GOVERNMENT PROPERTY**10.1 General prohibitions**

A person shall not –

- (a) plant any tree or plant which exceeds or which may exceed 500 millimetres in height on a thoroughfare so that the plant is within 10 metres from the truncation point of an intersection;
- (b) damage a lawn or a garden or remove a plant or part of a plant from ~~a lawn or a garden~~local government property unless –
 - (i) the person is the owner or the occupier of the land abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;
- (d) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;
- ~~(e) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a thoroughfare;~~
- (f) within a mall, arcade or verandah of a shopping centre, ride any wheeled recreational device or similar device; or
- (g) ~~damage, prune, injure, poison, or remove or kill, by felling, poisoning or other means, any street tree or part thereof on a thoroughfare or any local government property, unless the person is:~~
 - ~~(i) without the approval of the acting under the authority of the local government; or~~
 - ~~(ii) acting under authority of a written law.~~

10.2 Activities allowed with a permit

- (1) ~~A person shall not, without~~The local government may grant a permit~~—for the following activities:~~
 - (a) dig or otherwise create a trench through or under a kerb or footpath;
 - (b) subject to Part 9 of this local law, throw, place or deposit any thing on a verge except for removal by the local government under a bulk rubbish collection, and then only during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;

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- (d) cause any obstruction to a water channel or a water course in a thoroughfare; throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (e) damage a thoroughfare;
 - (f) light any fire or burn any thing on a thoroughfare;
 - (g) fell any tree onto a thoroughfare;
 - (h) unless installing a ~~permissible verge treatment –~~ verge treatment in accordance with any requirements specified in this local law or in the local government's policy–
 - (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
 - (i) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
 - (j) on a public place use anything or do anything so as to create a nuisance;
 - (k) place or cause to be placed on a thoroughfare a bulk rubbish container;
 - (l) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare; or
 - (m) place or cause to be placed on a footpath or thoroughfare, a planter box or pots.
- (2) The local government may ~~exempt a person from compliance with subclause (1) on grant~~ the application of that person permit in 10.2(1) above subject to conditions.

PART 11 – NOTICES OF BREACH**11.1 Offence to fail to comply with notice**

Whenever the local government serves a notice under this local law requiring a person to do any thing, if a person fails to comply with the notice, that person commits an offence.

11.2 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 11.1, the local government may by its employees, agents or contractors carry out the works and do all things specified in the notice and may recover from that person, as a debt, the costs incurred in so doing.

11.3 Notice to remove, redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the local government or an authorised person may give a notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring

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the owner or the occupier or both to either remove, move or alter the direction of the sprinkler or other watering equipment.

11.4 Hazardous plants

Where a plant or tree in a garden creates or may create a hazard for any person using a thoroughfare, the local government or an authorised person may give a notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.

11.5 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare, verge or footpath has been damaged, or is in the opinion of an authorised person, dangerous to the public, the local government or an authorised person may by notice to the person who caused the damage or dangerous condition, order the person to repair or replace that portion of the thoroughfare, verge or footpath to the satisfaction of the local government, and within the time frame stipulated in the notice. If the person does not comply with the notice to the satisfaction of the local government the person commits an offence

11.6 Notice to remove thing unlawfully placed on thoroughfare

Where any thing is placed on a thoroughfare in contravention of this local law, the local government may by notice in writing to the owner or the occupier of the land abutting on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, requiring that person or the owner or occupier, as the case may be, to remove the thing within the time specified in the notice.

PART 12 – OBJECTIONS AND REVIEW**12.1 Application of Division 1, Part 9 of the Act**

When the local government makes a decision as to whether it will –

- (a) grant a person a permit, approval or consent under this local law; or
- (b) renew, vary or cancel a permit, approval or consent that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

PART 13 – MISCELLANEOUS**13.1 Authorised person to be obeyed**

A person on local government property shall obey any lawful direction of a manager or an authorised person.

13.2 Persons may be refused admission or directed to leave local government property or a community facility

- (1) An authorised person or manager may refuse admission or direct a person to leave local government property where:

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- (a) the authorised person or manager reasonably suspects that the person has –
 - (i) contravened a provision of this local law;
 - (ii) behaved in a disorderly manner;
 - (iii) used indecent, offensive, profane or insulting language;
 - (iv) created or taken part in any disturbance whereby a crowd has gathered;
 - (v) committed an act of indecency; or
- (b) the person has been deemed undesirable by the local government or the authorised person by reason of his or her past conduct.
- (2) A person shall, on being requested by the authorised person to do leave the local government property, do so immediately, quietly and peaceably.
- (3) A person who fails to comply with a request under subclause (2) may be removed from the local government property by an authorised person or a Police Officer.

13.3 Liability for damage to local government property

- (1) Where a person unlawfully damages or causes damage to or detrimentally affects the appearance or nature of any local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that property.
- (2) On a failure to comply with a notice issued under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it in a court of competent jurisdiction.

13.4 Public liability insurance ~~and indemnity~~ policy

- (1) Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –
 - (a) ~~enter into an agreement with the local government to provide effect and maintain the required public liability insurance cover during the entire time that the license is in place;~~
 - (b) ~~take out a public liability insurance policy of insurance in the name of the permit holder, covering the Permit holder's legal liabilities in respect of the permit holder's usual business activities;~~
 - (c) ~~advise and the local government (if required by the local government should the permit holder cancel) in respect to any injury to any person or modify or fail any damage to renew any property which may occur in connection with the public liability insurance cover during the period use of the license;~~

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- (d) ~~provide the~~ local government ~~with a Certificate~~ property by the permit holder;
 - (b) ensure that any policy of insurance referred to in (a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;
 - (c) effect and maintain the policy of insurance referred to in (a) for the duration of the permit,
 - (d) immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.11;
 - (e) ~~Currency~~provide the local government with a certificate of currency confirming that public liability insurance cover is in place ~~as per clause 13.4(1) prior to issuing of the license;~~at any time requested by the local government
 - (ef) ensure that, as a minimum, the permit holder's public liability insurance policy ~~has a limit of liability~~provides coverage of \$10 million (ten million dollars), or such other amount as the local government considers appropriate to the risk and liability involved ~~in the activity authorised by the permit.~~ At the discretion of the local government, ~~the limit~~minimum value of ~~liability coverage~~ required may be increased at the policy renewal date;
 - (fg) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA).
- (2) A permit ~~or approval~~ holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.
- (3) A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage.

13.5 Payment of applicable fees

Where a fee or charge applies to the entry to, use of or participation in an activity on or in any local government property, a person shall not enter that property without first paying the applicable fee or charge, unless that person has been exempted by the local government from paying that fee or charge.

13.6 No unauthorised entry to function

- (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except –
- (a) through the proper entrance for that purpose; and
 - (b) on payment of the fee chargeable for admission at the time.

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- (2) The local government may exempt a person from compliance with subclause (1)(b).

PART 14 – OFFENCES***Division 1 – Offences and penalties*****14.1 Offences and general penalties**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not less than \$300 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

14.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
- (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

14.3 Infringement notices and infringement withdrawal notices

- (1) For the purposes of this local law –
- (a) where a vehicle is involved in the commission of an offence, the form of the infringement notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - (b) the form of the infringement notice referred to in sections 9.16 and 9.17 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - (c) the form of the withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

Division 2 – Evidence in legal proceedings

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14.4 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a copy of an extract from the register certified as a true copy by the CEO.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

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SCHEDULE 1

PRESCRIBED OFFENCES

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
1.8	Failure to pay the fees and charges fixed by the local government from time to time	100
2.4	Failure to comply with determination	100
3.5 (1)	Failure to comply with conditions of a permit	100
3.5 (2)	Failure to comply with conditions of a permit as varied for works on local government property	400 500
3.10	Failure to produce Permit permit when required by an authorised person	100
3. 12 14 (1)	Failure to obtain a permit	250
3.14 (2)	Failure to obtain a permit to carry out works on local government property	500
3.14(3)	Failure to obtain a permit to use local government property or a community facility for a for profit purpose.	500
3. 13 15 (2)	Failure to obtain a permit to camp outside a facility or erect structure	100
3. 14 16 (1)	Consumption or possession of liquor without a permit	100
3. 15 17	Failure of permit holder to comply with responsibilities	100
4.1 (c)	Disorderly or offensive conduct, or use of indecent or improper language	100
4.2 (1)	Gender not specified using toilet block or change room	100
4.2 (2) (a)	Loiter outside or act in an unacceptable manner in any toilet block or change room	100
4.2 (2) (b)	Enter or attempt to enter an occupied cubicle or compartment	100
4.3 (1)	Failure to wear adequate clothing to secure decency	100
4.3 (2)	Failure to comply with direction of authorised person, to wear adequate clothing	250
4.4 (1)	Behaviour detrimental to property	100
4.5 (1) (a)	Take, injure or kill, or attempt to take, injure or kill any fauna	250
4.5 (1) (b)	Take onto, set or use any animal, bird or fish trap while on any local government property	250
4.6	Under influence of liquor or prohibited drug or substance	100
4.7	Take, consume or use a prohibited drug or substance on local government property	250
4. 89 (2)	Failure to comply with sign on local government property	100
5.3 (a)	Smoke or consume food or drink in a prohibited area	100
5.3 (b)	Climbing up or upon a community facility	100
5.3 (c)	Enter or use, or attempt to enter or use a community facility whilst unclean or suffering from a contagious, infectious or cutaneous disease	100
5.3 (d)	Using soap or shampoo in any part of the pool area other than in the changerooms	100
5.3 (e)	Using any detergent or any substance or oil in any pool or spa whereby the water may be discoloured or contaminated or rendered turbid or, in the opinion of the Manager or authorised person, in anyway unfit;	100
5.3 (f)	Fouling or polluting the water in any shower, pool or spa in the pool area;	100
5.3 (g)	Bringing into any part of the pool area or place thereon any chemical substance, liquid or powder	100

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5.3 (h)	Bringing into any part of the pool area any glass containers;	100
5.3 (i)	Smoking tobacco or any other substance in or about the community facility;	100
5.3 (j)	Deliberately waste or wastefully use fresh or potable water in the pool area;	100
5.3 (k)	Spitting or expectorating in any part of the community facility, other than in a water closet	100
5.3 (l)	Entering a pool or spa in a dirty or unclean condition.	100
<u>5.3 (m)</u>	<u>Using a mobile phone, camera or other recording device in a change room in a pool premises, library or other community facility.</u>	<u>500</u>
5.5 (1)	Launch a boat into river other than from an approved boat launching ramp or area permitted by signs	100
5.5 (2)	Launch personal water craft into river other than from a boat launching ramp	100
5.6 (1)	Fishing in an area where fishing is prohibited or restricted by signs	100
5.6 (2) (a)	Clean fish or cut bait that causes a nuisance to river users	100
5.6 (2) (b)	Leave or deposit fish offal on land or in river	100
5.7	Unauthorised entry to and area fenced off or closed to the public	250
5.9 (1)	Installing an air conditioning unit without approval	250
5.11	Erecting or maintaining an awning, balcony or verandah without a permit	250
5.12	Erecting an awning, balcony or verandah with incorrect dimensions	250
5.13	Erecting an awning, balcony or verandah with incorrect design	250
<u>5.15</u>	<u>Erecting a permanent structure within a thoroughfare or road reserve</u>	<u>250</u>
6.2 (1)	Placing <u>sign or</u> advertising sign <u>or affixing any advertisement</u> on a thoroughfare without a permit	250
<u>6.1B (1)</u>	<u>Displaying advertising sign on a local government property without a permit</u>	<u>250</u>
<u>6.2 (3) 63</u>	Erecting or placing of advertising sign in a prohibited area	250
<u>6.45 (2)</u>	Failure to comply with conditions for portable <u>direction</u> sign	250
<u>6.56 (2)</u>	Failure to comply with conditions for election sign	250
<u>6.1B (1)</u>	<u>Displaying advertising sign on a footpath without a permit</u>	<u>250</u>
<u>6.67 (a)</u>	Failing to maintain an advertising sign in a safe and serviceable condition at all times	100
<u>6.67 (b)</u>	Refusing to conspicuously display the permit number on an advertising sign	50
<u>6.67 (c)</u>	Failure to display a sign in accordance with conditions of permit	100
<u>6.67 (d)</u>	Failing to display the advertising sign in the approved location	100
<u>6.67 (e)</u>	Failing to ensure the free passage of persons using the footpath	100
<u>6.78</u>	Permitting an advertising sign to be displayed in an unsafe or dangerous manner	250
<u>6.89</u>	Refusing or failing to remove an advertising sign to allow sweeping <u>or</u> cleaning <u>or other authorised works</u>	100
<u>6.910</u>	Refusing or failure to remove an advertising sign or item when requested to do so	250
<u>6.1011</u>	Placing or permitting an advertising sign contrary to the requirements of the local law	250

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7.1 (1)	Leaving an animal on a public place without permit	100
7.1 (2)	Leaving an animal secured or tethered for in excess of 1 hour	100
7.2 (2)(a)	Allowing an animal enter or remain on a thoroughfare or public place without authority, unless it is led, ridden or driven	100
7.2 (2)(b)	Allowing an animal which has a contagious or infectious disease to be on a thoroughfare	250
7.2 (2)(c)	Training or racing an animal on a thoroughfare	
7.2 (3)	Leading driving or riding a horse on a thoroughfare in a built-up area without a permit	100
7.5 (1)	Leaving shopping trolley in public place other than trolley bay	100
7.5 (2)	Leaving a shopping trolley for a period in excess of 3 hours	100
8.8 (2)	Failure to pay a required bond or security	500
9.1	Damaging a thoroughfare or anything belonging to or under the care control and management of the local government that is on a thoroughfare	200 500
9.2 (1) (a)	Failing to take necessary precautions to ensure footpaths, verges or trees are not damaged during works	200 500
9.2 (1) (b)	Failing to ensure footpath remains in a safe and functioning state suitable for use by the public	200 500
9.2 (1) (c)	Failing to notify local government of existing footpath damage prior to commencement of works	50 100
9.2 (2) (a)	Failing to take reasonable precautions to prevent damage to footpath, verge or street tree	200 500
9.6 (a)	Altering finished level of a verge	100
9.6 (b)	Excavating verge within the drip line of street tree	100
9.6 (c)	Covering or obstructing any manholes, gullies or inspection pits	100
9.8	Installing verge treatment other than permissible verge treatment	200
9.9 (a)	Failing to repair and make good any damage to the verge treatment	100
9.9 (b)	Failing to keep verge treatment in good or tidy condition and avoid obstruction of any sort	100
9.9 (c)	Placing any obstruction on or around any verge treatment	100
9.9 (d)4	Not Failure to water install or maintain a verge treatment so in accordance with the relevant City policy, as amended from time to time cause a nuisance or a hazard to any person using footpath, accessway or thoroughfare	100 250
9.9 (e)	Extending the verge treatment without written approval	200
9.138 (1)	Failing to obtain permit for temporary crossing	200
9.149 (2)	Failing to comply with notice to remove crossing and reinstate kerb	250
10.1 (a)	Planting of tree or plant which exceeds 0.75metres in height on local government property within 10metres from the truncation of an intersection	100
10.1 (b)	Damaging lawn or garden, or remove any plant without authority	100
10.1 (c)	Placing any fruit, substance or fluid on footpath which may create a hazard	100
10.1 (d)	Damaging or interfering with signpost or structure on thoroughfare	200
10.1 (e)	Playing games so as to endanger any person or thing or impede vehicles or persons on thoroughfare	200
10.1 (f)	Riding any wheeled recreational device in a mall, arcade or verandah of a shopping centre	100
10.1 (g)	Damaging or removing a tree, which includes a tree on a verge, thoroughfare or local government property, or part thereof without the approval of the local government	300 500
10.2 (1)(a)	Digging a trench through a kerb or footpath without a permit	200

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10.2_(1)(b)	Throwing or placing anything on a verge without a permit	200
10.2_(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	200
10.2_(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	200
10.2_(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	200
10.2_(1)(f)	Damaging a thoroughfare	200
10.2_(1)(g)	Lighting a fire on a thoroughfare without a permit	200
10.2_(1)(h)	Felling tree onto thoroughfare without a permit	200
10.2_(1)(i)	Installing pipes or stone on thoroughfare without a permit	200
10.2_(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	200
10.2_(1)(k)	Creating a nuisance on a public place without a permit	200
10.2_(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	100
10.2_(1)(m)	Interfering with anything on a thoroughfare without a permit	200
10.2_(1)(n)	Placing a planter box or pot on a footpath or thoroughfare	100
11.1	Failing to comply with notice given under local law where not specified in Schedule 1	<u>250</u> <u>500</u>
13.4 (2)	<u>Failure to hold or provide a current certificate of currency to an authorised person when requested</u>	<u>250</u>
13.5	Failing to pay the applicable fee to enter, use or participate in an activity on local government property	100
13.6 (1)	Entering local government property or building other than through the proper entrance or without payment of the admission fee	100
14.1 (1)	Other offences not specified	100

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SCHEDULE 2**DETERMINATIONS**

The following determinations are to be taken to have been made by the local government under clause 2.1.

PART 1 – PRELIMINARY**1.1 Definitions**

In these determinations unless the context requires otherwise—

"local law" means the *City of Vincent Local Government Property Local Law 2008*.

1.2 Interpretation

Unless the context requires otherwise, where a term is used but not defined in a determination and that term is defined in the local law then the term shall have the meaning given to it in the local law.

1.3 Determinations

As at the date of gazettal of this local law, the local government has not made any determinations.

This local law was made by the City of Vincent at an Ordinary Meeting held on the 26th day of February 2008.

The Common Seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of —

NICK CATANIA, JPEMMA COLE, Mayor
MAYOR

JOHN GIORGI, JPD
DAVID MACLENNAN, Chief Executive Officer
CHIEF EXECUTIVE OFFICER

CITY OF VINCENT LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008

SCHEDULE OF AMENDMENTS

Date of Council Resolution	Date of Gazettal	Details of Amendment
08.07.08	07.10.08	<p><i>Title and Schedule 2, Clause 1.1 – delete 2007 and replace it with 2008</i></p> <p><i>Clause 5.2 – subclause (1) delete “or a community facility” also delete subclauses (1)(c), (1)(d), (4) and (5).</i></p> <p><i>Clause 13.4 – amended to be brought in line with the current standard wording for public liability insurance policies.</i></p>
10.02.09	27.02.09	To amend the process for applications and permits, specify obligations of permit holders and conditions for signs.
<u>5.02.2019</u>		

12 COMMUNITY ENGAGEMENT**12.1 DRAFT CITY OF VINCENT 'INNOVATE' RECONCILIATION ACTION PLAN 2019-2021****TRIM Ref:** D19/32023**Authors:** Karen Balm, Senior Community Partner

Gayatrii Surendorff, Community Partner

Authoriser: Michael Quirk, Director Community Engagement**Attachments:** 1. Attachment 1 - Draft 'Innovate' Reconciliation Action Plan [↓](#) **RECOMMENDATION:****That Council;**

1. **RECEIVES** the draft 'Innovate' Reconciliation Action Plan that has been conditionally endorsed by Reconciliation Australia;
2. **AUTHORISES** the Chief Executive Officer to advertise the draft 'Innovate' Reconciliation Action Plan for public comment for a period of 14 days inviting written submissions in accordance with Council Policy No. 4.1.5 – Community Consultation;
3. **NOTES** that the draft 'Innovate' Reconciliation Action Plan will be subject to further formatting and styling, as determined by the Chief Executive Officer, prior to publication; and
4. **NOTES** that a further Report will be submitted to Council at the conclusion of the public comment period in regard to any written submission received.

PURPOSE OF REPORT:

To receive the draft 'Innovate' Reconciliation Action Plan for the purposes of public comment, and subsequent adoption having regard to any written submissions received during this consultation period.

BACKGROUND:

In April 2017, Council adopted the 'Reflect' Reconciliation Action Plan (RAP) and formally committed to working towards greater reconciliation with the Traditional Owners of the land, the Noongar people. Through an action plan focused on building relationships, respect and opportunities with Aboriginal and Torres Strait Islander peoples the City has successfully connected with a significant number of a wide range of Aboriginal people and businesses to incorporate Noongar culture and tradition into our workplace and communities.

Since the launch of the Reflect RAP in May 2017, the City has strengthened its relationship with the local Noongar Elders, community and celebrated Noongar culture and tradition through numerous events, activities and workshops. Administration has strived to create a more empathetic and culturally sensitive workplace which has resulted in Acknowledgement of Country being included on all staff signatures, the Welcome to Country Policy being revised and endorsed by Council, key information and responsibilities being communicated to new staff through monthly inductions, and Welcome to Country being mandated at major City funded events.

There have been numerous reconciliation events and activities delivered through the Reflect RAP including the Close the Gap events with Jade Dolman, the Seven Sisters temporary art installation by Sharyn Egan, cooking and cultural workshops with Marissa Verma, Baldja Moort performances during Reconciliation Week, relationship building between City Rangers and Noongar Outreach Services, and Noongar Story Time sessions held in the Vincent Library & Local History Centre. These events and activities have elevated the presence of Noongar culture and tradition within our organisation and wider community.

A commitment to supporting and promoting Noongar artists has also led to a collection of digital and physical art including Jade Dolmans 'Boodjar Nakolak Yanginy', Charmaine Cole's suite of digital pieces including

'The Serpent', Rohin Kickett's mixed media piece for the Innovate RAP and numerous community canvas's facilitated by Urban Indigenous. In partnership with Noongar Radio, the City has also commissioned Noongar artist Kevin Bynder to produce staff uniforms that will be worn at Beatty Park Leisure Centre, Noongar Radio and the City's Administration Building Customer Service.

DETAILS:

After extensive consultation with the Aboriginal and non-Aboriginal community since June 2018, and with the support of Reconciliation Australia, the City is now ready to move to the second tier of a RAP known as 'Innovate'. With a focus on Aboriginal employment and procurement, the Innovate RAP will see the City move towards targeting the adversity Aboriginal and Torres Strait Islander peoples face in the area of employment. This focus requires the City to take proactive steps towards reducing the health, economic, schooling and housing inequalities that exist between Aboriginal and non-Aboriginal people in Australia. Further to employment and procurement, the City will deliver numerous RAP deliverables regarding the Noongar Six Seasons through artwork and workshops created and delivered by local Noongar people.

1. The draft Innovate RAP has been included as **Attachment 1** for the purposes of release for public comment. The final version of the document remains subject to amendments based on the comments received and further formatting and styling changes will then be determined by the Chief Executive Officer prior to publication. Noting that any necessary changes to the RAP actions, deliverables and timelines based on public comments received will likely require further consultation with Reconciliation Australia. Graphic design for the Innovate RAP document is based upon the City's artwork acquired from local Noongar artists including Jade Dolman, Charmaine Cole and Rohin Kickett.
2. Following community consultation, Council adoption of the Innovate RAP in May 2019 would enable its launch during NAIDOC Week (7-14 July 2019). This would be particularly significant given that the 2019 theme for NAIDOC is '*Voice, Treaty, Truth: Let's work together for a shared future*'. Upon Council adoption, the RAP must be forwarded to Reconciliation Australia for final endorsement.

CONSULTATION/ADVERTISING:

Development of the Innovate RAP commenced in June 2018 with a RAP Working Group Workshop facilitated by Danny Ford and Tim Muirhead. This enabled the Working Group to review reconciliation activities and outcomes through the Reflect RAP, and identify what additional actions will ensure Noongar culture and tradition is further embedded within the Vincent community.

At the 2018 NAIDOC Festival at Hyde Park, Danny Ford then initiated community consultation by seeking direct feedback from event attendees on the City previous and future reconciliation activities. Through this consultation, Administration was also linked with multiple Noongar people living in the local community. Two community consultation sessions were then conducted at the Vincent Library & Local History Centre in July and August 2018.

In September 2019, Danny Ford and Tim Muirhead then facilitated a Workshop with Noongar Elders as well as Aboriginal community organisation and business representatives to gain specific comments and feedback regarding the City's commitment to reconciliation. Feedback was then compiled and structured as the City's draft Innovate RAP for review by the RAP Working Group. Following review and comment from the Working Group the draft Innovate RAP was forwarded to Reconciliation Australia in December 2018 and it received endorsement in February 2019.

It is now proposed that the draft Innovate RAP be released for public comment for a period of 14 days with any written submissions to be considered prior to final adoption by Council. Should these written submissions necessitate changes to the RAP it will be necessary to again seek endorsement from Reconciliation Australia.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low: There is no legislative requirement to adopt a RAP but it enables Council, Administration and the Vincent community to continue working towards the vision of reconciliation.

STRATEGIC IMPLICATIONS:

The Innovate RAP aligns with the City's *Strategic Community Plan 2018-2028*:

Connected Community

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Our many cultures are celebrated.

We recognise, engage and partner with the Whadjuk Noongar people and culture.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The various actions and deliverables within the draft Innovate RAP have been included within the draft 2019/20 operating and capital budgets, and will also need to be considered within subsequent financial year budgets.

COMMENTS:

The City of Vincent's 'Innovate' RAP continues our commitment to reconciliation, understanding and respect for Aboriginal and Torres Strait Islander peoples with a specific focus on building relationships with Noongar Elders, business and the local community. The commitments within this RAP will allow the City to gain an even deeper understanding of our sphere of influence and achieve our unique vision for reconciliation. Successful implementation of the actions and deliverables within the Innovate RAP between 2019 and 2021 will directly inform future progression to a 'Stretch' RAP.



CITY OF VINCENT

INNOVATE

RECONCILIATION ACTION PLAN
JULY 2019 - 2021



ACKNOWLEDGMENT OF COUNTRY

The City of Vincent acknowledges 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.

Noongar people are the Traditional Owners of the South West of Western Australia. While Noongar is identified as a single language there are variations in both pronunciation and spelling – Noongar, Nyungar, Nyoongar, Nyoongah, Nyungah, Yungar and Noonga. The City of Vincent uses 'Noongar' which is reflected throughout this document except when specifically referring to an external organisation that utilises alternative spelling.

Warning: Aboriginal and Torres Strait Islander readers are advised that this document may contain references to, or images of, people who are now deceased.

Innovate | City of Vincent Reconciliation Action Plan





MESSAGE FROM RECONCILIATION AUSTRALIA CEO KAREN MUNDINE

On behalf of Reconciliation Australia, I am delighted to see the City of Vincent continue its reconciliation journey and to formally endorse its first Innovate RAP.

Through the development of an Innovate RAP, the City of Vincent continues to play an important part in a community of over 1,000 dedicated corporate, government, and not-for-profit organisations that have formally committed to reconciliation through the RAP program since its inception in 2006. RAP organisations across Australia are turning good intentions into positive actions, helping to build higher trust, lower prejudice, and increase pride in Aboriginal and Torres Strait Islander cultures.

Reconciliation is no one single issue or agenda. Based on international research and benchmarking, Reconciliation Australia, defines and measures reconciliation through five critical dimensions: race relations; equality and equity; institutional integrity; unity; and historical acceptance. All sections of the community—

governments, civil society, the private sector, and Aboriginal and Torres Strait Islander communities—have a role to play to progress these dimensions.

The RAP program provides a framework for organisations to advance reconciliation within their spheres of influence. This Innovate RAP provides the City of Vincent with the key steps to establish its own unique approach to reconciliation. Through implementing an Innovate RAP, the City of Vincent will strengthen its approach to driving reconciliation through its business activities, services and programs, and develop mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders.

We wish the City of Vincent well as it embeds and expands its own unique approach to reconciliation.

Innovate | City of Vincent Reconciliation Action Plan



We encourage the City of Vincent to embrace this journey with open hearts and minds, to grow from the challenges, and to build on its successes. As the Council for Aboriginal Reconciliation reminded the nation in its final report:

"Reconciliation is hard work—it's a long, winding and corrugated road, not a broad, paved highway. Determination and effort at all levels of government and in all sections of the community will be essential to make reconciliation a reality."

On behalf of Reconciliation Australia, I commend the City of Vincent on its second RAP, and look forward to following its ongoing reconciliation journey.

A handwritten signature in blue ink, appearing to read "Karen Mundine".

Karen Mundine
Chief Executive Officer | Reconciliation Australia





CEO'S MESSAGE

It is with great pleasure that we present 'Innovate', our second Reconciliation Action Plan to help achieve our vision for reconciliation in the City of Vincent.

We have had a wonderful journey over the past two years under our 'Reflect' Reconciliation Action Plan. We have built on our existing relationships and connections to our local Noongar community and set in motion more projects to foster and embed reconciliation into our organisation.

City staff have attended Cultural Awareness Training and this has given them a much greater understanding of Aboriginal history and the impact that dispossession has had on our local Noongar population.

We are fortunate to live in a land with the oldest continuing culture in the world and we celebrate

Aboriginal cultures as a City and as an organisation at every opportunity.

This Reconciliation Action Plan builds on the success of our last plan and pushes us to innovate further, to think creatively about how we can celebrate our local Noongar culture, be authentic in our interactions with our local Whadjuk people and work with our community towards lasting reconciliation.

Each year we build on the success of the last and I look forward to seeing the actions in this plan unfold for the benefit of our organisation and our wider community.

Thank you to everyone who helped us develop this Reconciliation Action Plan. It was a tremendous group effort and involved so many people in our community. I'd like to express my sincere appreciation to the members of our Reconciliation Action Plan Working Group for supporting our reconciliation efforts.



David MacLennan
CEO





MAYOR'S MESSAGE

Content to come



Eun C



Gina Willilams and Guy Ghouse
at NAIDOC Festival 2018

Innovate | City of Vincent Reconciliation Action Plan



OUR VISION FOR RECONCILIATION

The City of Vincent's reconciliation vision is one where Aboriginal and non-Aboriginal people walk alongside each other in respectful and meaningful partnership, celebrating Noongar culture and tradition. We strive for a caring and empathetic community where people support one another in achieving greater equality and opportunities for all members of our society. We envision our City to be a vibrant, inclusive place that features Noongar culture and history in our open spaces, facilities and at our events. Our hope is that all members of our community will join us on our journey towards reconciliation.

OUR BUSINESS

The City of Vincent is an inner-city local government located on the land of the Whadjuk Noongar people, with access to the Derbal Yerrigan (Swan River) in East Perth. Covering over 11.3 square kilometres and encompassing North Perth, Leederville, Highgate, Mount Hawthorn and parts of Coolbinia, East Perth, West Perth, Perth, Mount Lawley, Osborne Park and Glendalough, the City is privileged to have nine significant Noongar sites located within our local area, including:

- Weld Square
- Hyde Park
- East Perth Power Station
- The Derbal Yerrigan (Swan River)
- Stones Lake
- Robertson Park
- Carr Street
- Former Lake Monger Velodrome

Our City's population of approximately 37,000 people is made up of a diverse mix of cultures, nationalities, household and family structures, all of which contribute to our vibrant community. We aspire to celebrate as a community what makes us unique and connect with those around us to enhance our quality of life, which includes acknowledging Noongar culture and history in our events, activities, open spaces and in our day to day conversations and interactions.

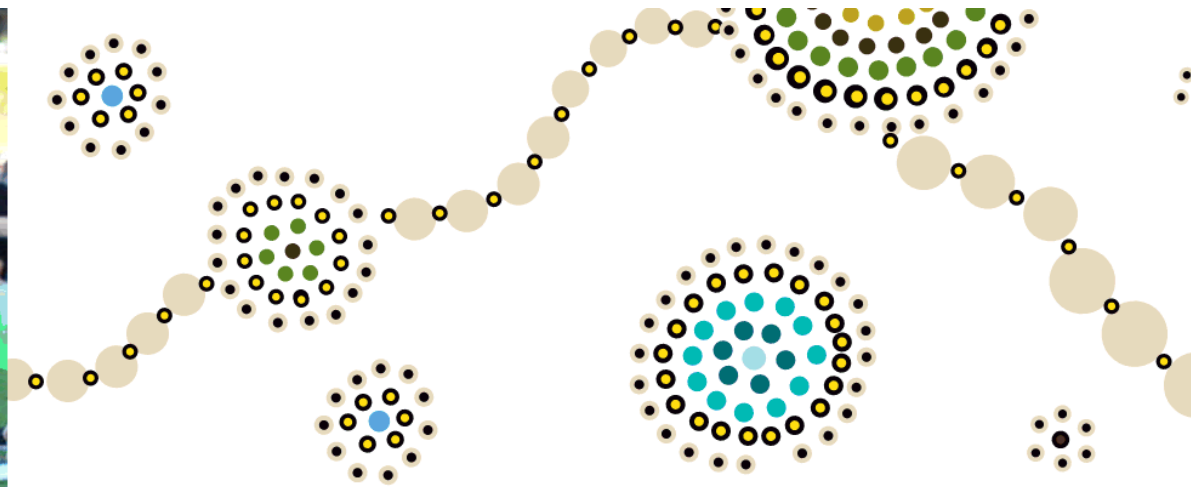
This RAP aims to continue to build on the meaningful relationships we have developed during the implementation of our Reflect RAP and continue to grow our community's awareness and appreciation of Noongar culture, as well as our sense of pride in our diversity and rich Noongar history and tradition.

The City has four (4) different work locations and employs 435 staff, three (3) of which identify as Aboriginal or Torres Strait Islander.



'Urban Indigenous'
Community Canvas at NAIDOC Festival 2018

Innovate | City of Vincent Reconciliation Action Plan



WHY IS RECONCILIATION IMPORTANT TO THIS CITY?

The City of Vincent is committed to reconciliation between Aboriginal and non-Aboriginal people. We believe that having a document to guide our journey towards greater reconciliation is essential to ensuring our work with the Aboriginal community is meaningful and that we raise awareness, empathy and understanding within non-Aboriginal communities surrounding Aboriginal culture, protocols and tradition. We also aim to increase awareness around past government policies that have contributed to health, educational, social, and employment inequalities amongst Aboriginal communities. A RAP is a means to publically state that we are committed to reconciliation and an invitation for our community to join us in celebrating and acknowledging Aboriginal culture, history and tradition.

WHO CHAMPIONS YOUR RAP INTERNALLY?

Mayor and Councillors
 Michael Quirk – Director Community Engagement
 Rosslind Ellis – Manager Marketing and Communications
 Nathan Stokes – Executive Manager Human Resources
 Sandra Watson – Manager Community Partnerships
 Karen Balm – Senior Community Partner
 Gayatrii Surendorff – Community Partner

WHO FROM THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY IS PART OF YOUR RAP WORKING GROUP?

Phil Walley-Stack
 Jade Dolman
 Cr Roslyn Harley
 Gordon Cole

Innovate | 13



RECONCILIATION ACTION PLAN WORKING GROUP

Thank you to the members of our working group, your effort and dedication are invaluable to our organisation and community as we strive for greater equality and reconciliation

Our valued community representatives:

Phil Walley – Stack
Jade Dolman
Kathy Kickett
Maria McAtackey
Marilyn Lyford
Sarah Janali
Gordon Cole

Our valued internal champions:

Councillor Dan Loden (*Co-Chairperson*)
Councillor Roslyn Harley (*Co-Chairperson*)
Councillor Josh Topelberg
Michael Quirk (*Director Community Engagement*)
Sandra Watson (*Manager Community Partnerships*)
Karen Balm (*Senior Community Partner*)
Gayatrii Surendorff (*Community Partner*)

Innovate | City of Vincent Reconciliation Action Plan

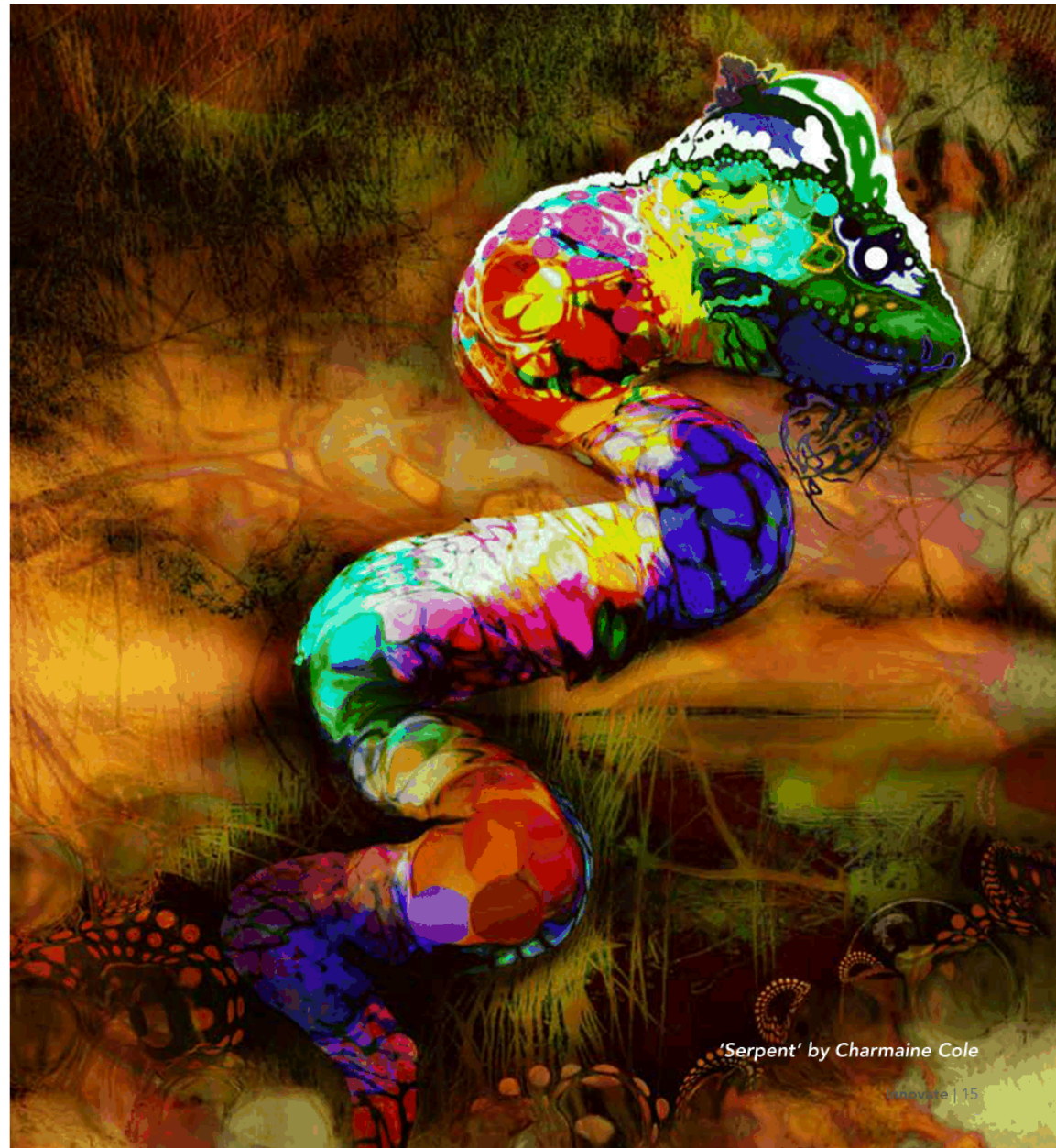
OUR RECONCILIATION JOURNEY

Since the launch of the City of Vincent's Reflect RAP in May 2017, the City has strengthened its relationship with the local Noongar community and celebrated Noongar culture and tradition through numerous events, activities and workshops. Internally, we have strived to create a more empathetic and culturally sensitive workplace which has resulted in the City including an Acknowledgement of Country on all staff signatures, an update of our Welcome to Country Policy to include Noongar language, as well as mandating a Welcome to Country at major City funded events. All City staff attended Aboriginal cultural awareness training sessions in 2018/19 and a Close the Gap Day 2018 morning tea to raise awareness about the inequalities and adversity Aboriginal and Torres Strait Islander peoples face. The City will continue to provide its staff and Council with opportunities to immerse themselves in Noongar culture during the implementation of the Innovate RAP and ensure Aboriginal and Torres Strait Islander staff have the opportunity to celebrate and share their history, tradition and culture.

The City commenced consultation for the Innovate RAP in May 2018 with our internal working group during a workshop facilitated by Danny Ford and Tim Muirhead. The session highlighted the work undertaken during the implementation of the Reflect RAP in 2017 and priorities for the City's reconciliation journey over the

coming years. The numerous reconciliation events and activities held over 2017/18 were reminisced upon including the launch of the Reflect RAP at Weld Square, the internal Close the Gap events with guest speaker Jade Dolman, the Seven Sisters temporary art installation by Sharyn Egan, Marissa Verma's cooking and cultural workshops, the Baldja Moort performances during Reconciliation Week, a social BBQ held for City Rangers and Nyoongar Outreach staff, as well as the art and Noongar Story Time sessions held in the Vincent Library.

Our community consultation was launched at the 2018 inaugural Vincent NAIDOC Festival at Hyde Park, where Danny Ford raised awareness amongst the Noongar community regarding the City's commitment to reconciliation and gained feedback from community members. Following two more community consultation sessions with Danny Ford held at the Vincent Library and online and hard copy surveys being made available to the public about our reconciliation journey, the City hosted a reconciliation workshop for local Elders, Aboriginal organisations and residents. This workshop provided invaluable feedback and comments from the Noongar community which have been included in the City's Innovate RAP and will guide our work towards creating meaningful relationships and ensuring Noongar culture is a part of our community's everyday life.



'Serpent' by Charmaine Cole

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OUR PARTNERSHIPS/CURRENT ACTIVITIES

The City deeply values its relationship with the Aboriginal and Torres Strait Islander communities and is committed to further developing its existing relationships and partnerships, as well as establishing new ones to ensure all members of our community are represented, acknowledged and supported. We understand the immense importance Aboriginal and Torres Strait Islander peoples and businesses bring to creating connected, resilient and vibrant communities and we are a City that is proud of its Noongar culture and people.

We would like to sincerely thank the following organisations and businesses for their ongoing support and partnership;

- Kambarang Services
- Nyoongar Outreach Services
- Noongar Radio
- Kudjitj Café
- Aboriginal Health Council of WA
- JD Penangke
- Bindi Bindi Dreaming
- Aranmore Catholic College

The City's longstanding partnership with Nyoongar Outreach Services enables both organisations to collaborate in their work to identify and support Aboriginal and Torres Strait Islander peoples experiencing difficulties. Together we are able to better support those facing homelessness and associated social issues and work with other service delivery agencies to achieve short and long term strategies targeted at Aboriginal and Torres Strait Islander homelessness. The City acknowledges the dedication and commitment of City Rangers and Nyoongar Outreach staff and commends them on their tireless efforts to better support the members of our community facing adversity.

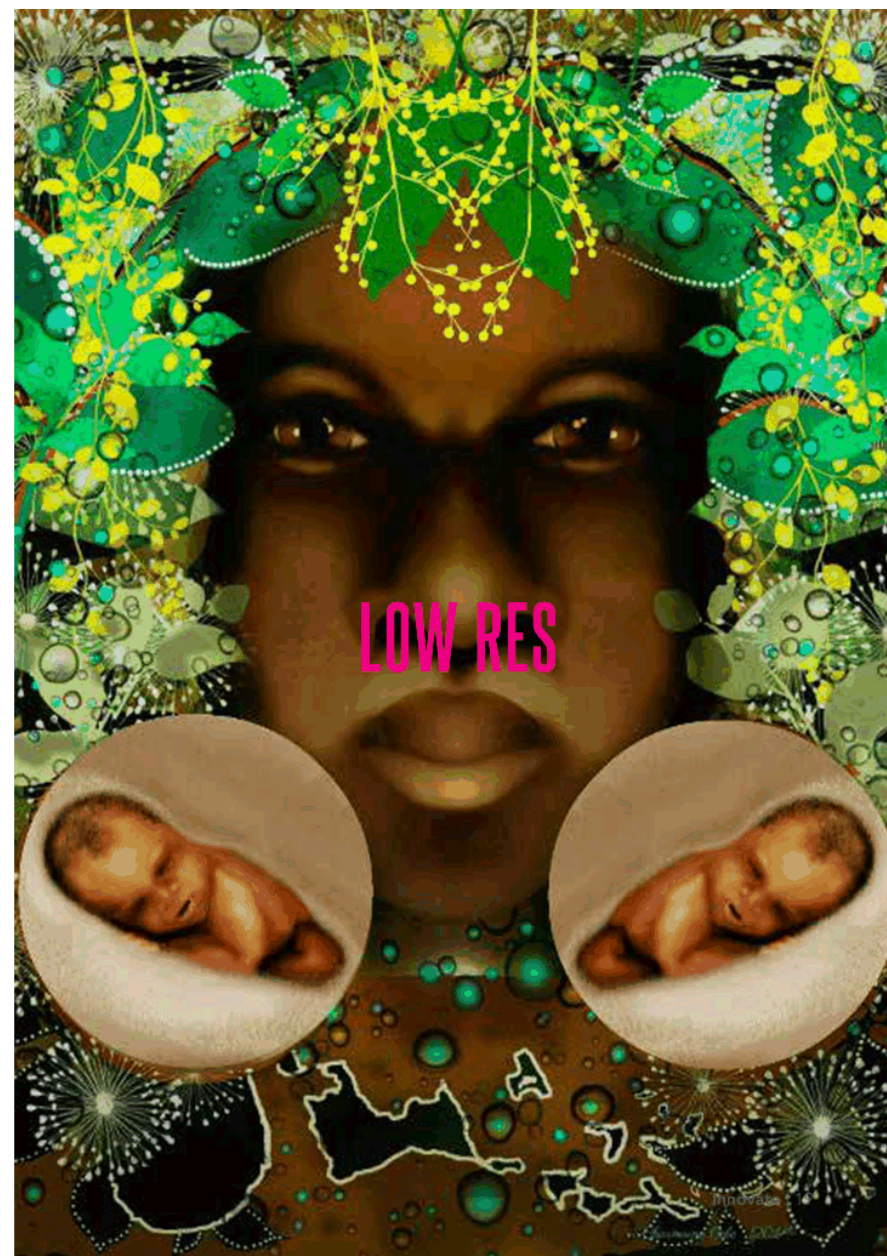
Noongar Radio are a vibrant organisation within our City and we acknowledge the important role the station plays in bringing Aboriginal and non-Aboriginal people together at events, activities and through the air waves. The City has commissioned a mural on the Noongar Radio building on Beaufort Street, as well as a Noongar designed uniform that will be worn by both Noongar Radio and City of Vincent staff. We look forward to developing an even stronger partnership with the station during the implementation

of the Vincent Innovate RAP and collaborating on events, activities and projects that will benefit our reconciliation cause.

The City has had ongoing support and mentorship from Kambarang Services, who have directed our organisation to becoming more culturally sensitive and empathetic. Danny Ford and Tim Muirhead have played an instrumental role in educating our staff on Aboriginal affairs, history and culture and they have connected us with local Noongar Elders, residents and businesses. Through the community consultation they held within the City, we have ensured our Innovate RAP is a means to create more opportunities for Aboriginal and non-Aboriginal people to share, learn and celebrate Noongar culture and tradition. We are sincerely grateful for Danny and Tim's guidance and acknowledge the important role they play in Boorloo/Perth's journey towards reconciliation.

CIVIC PROTOCOLS

Following a Council resolution in 1996, the Aboriginal Flag has been flown permanently outside the City's Administration Building and Council Chambers on the corner of Loftus and Vincent Streets in Leederville and subsequently, the implementation of the Reflect RAP has seen the Aboriginal and Torres Strait Islander flags flown at the Administration Building and Axford Park in Mount Hawthorn during Reconciliation and NAIDOC Weeks. In 2018 Council approved changes to the 2010 Policy related to Welcome to Country and Acknowledgment of Country. The Policy now known as 'Recognition of Noongar Boodjar, Culture and History through Welcome to Country and Acknowledgement of Country' incorporates Noongar language, ensures that there is opportunity for the Aboriginal flag to be flown during a Welcome to Country speech and certifies that a Welcome to Country is held at major festivals and events where the City of Vincent has provided significant sponsorship or grant funding.



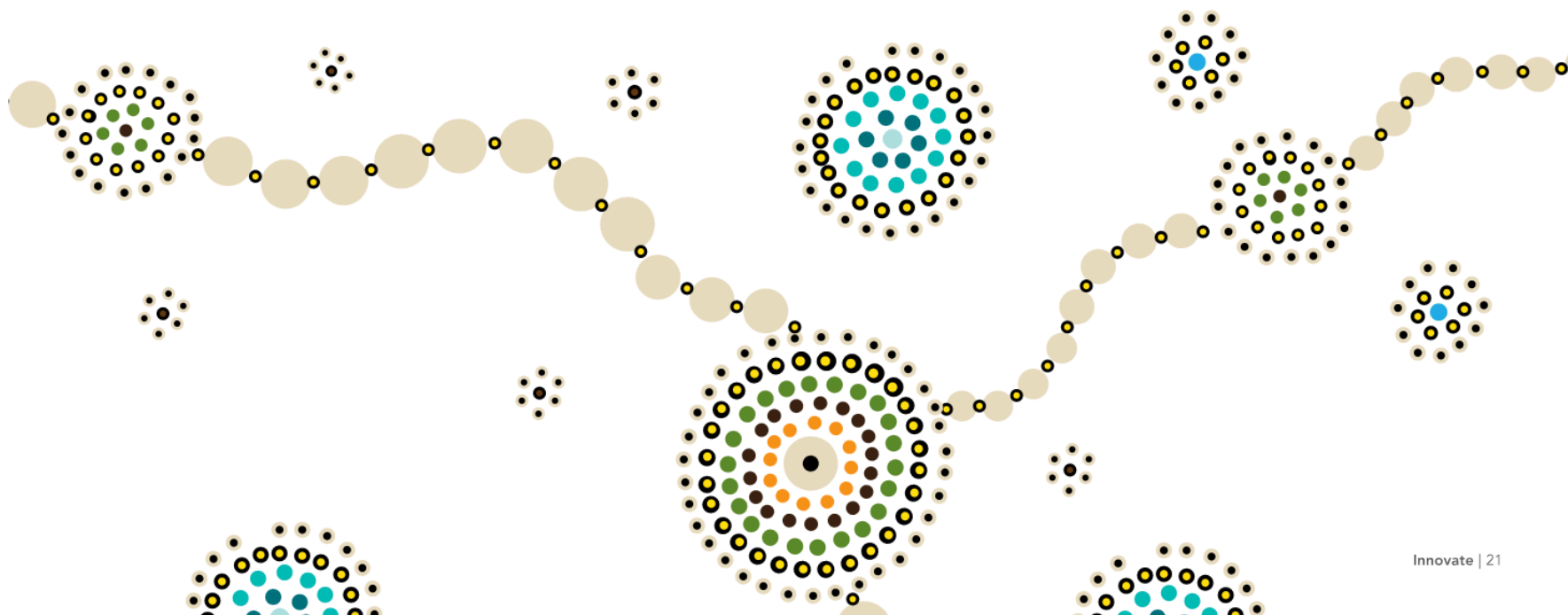
Relationships (Charmaine Cole's 'Birthing Place at the Lakes' Art piece) page 19

The City of Vincent believes that strong and meaningful relationships lie at the core of reaching greater reconciliation within our communities. We acknowledge the ongoing, tireless efforts of local organisations and individuals working with and for Aboriginal and Torres Strait Islander peoples. We strive to understand how the City of Vincent can better support local Aboriginal organisations and individuals and work alongside them more productively, empathetically and efficiently.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
1. RAP Working Group (RWG) actively monitors RAP development and implementation of actions, tracking progress and reporting	• RWG oversees the development, endorsement and launch of the RAP.	2018 up until July 2019	• Manager Community Partnerships • Chair of RAPWG
	• Meet at least twice per year to monitor and report on RAP implementation.	February, July annually	• Manager Community Partnerships • Chair of RAPWG
	• Review and update Terms of Reference for the RWG.	December 2020	• Manager Community Partnerships • Manager Governance, Property and Contracts
	• Establish an external Aboriginal and Torres Strait Islander Advisory Group to provide cultural advice and guidance.	December 2019	• Manager Community Partnerships
	• Increase Aboriginal and Torres Strait Islander Representation on RWG.	July 2021	• Manager Community Partnerships
2. Celebrate and participate in National Reconciliation Week (NRW) by providing opportunities to build and maintain relationships between Aboriginal and Torres Strait Islander peoples and other Australians	• Organise at least one event for NRW each year • Register all NRW events via Reconciliation Australia's NRW website.	May Annually	• Manager Community Partnerships • Manager Marketing & Communications
	• Invite Aboriginal and Torres Strait Islander peoples to share their reconciliation experiences or stories.	May Annually	• Manager Community Partnerships • Manager Marketing & Communications
	• Ensure staff, RAPWG members and Councillors participate in events to recognise and celebrate NRW.	May Annually	• Manager Community Partnerships • Manager Marketing & Communications
	• Participate in the Department of Local Government, Sport & Cultural Industries annual Reconciliation Street Banner Project.	May Annually	• Manager Community Partnerships • Manager Marketing & Communications
3. Develop and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations to support positive outcomes	Develop and implement an internal and external Aboriginal and Torres Strait Islander stakeholder communication and engagement plan.	September 2019	• Manager Community Partnerships • Manager Marketing & Communications
	Meet with local Aboriginal and Torres Strait Islander organisations to develop guiding principles for future engagement.	July 2020	• Manager Community Partnerships
	Host and promote Aboriginal sporting carnivals and investigate accommodation options for regional players	December 2020	• Manager Community Partnerships

Innovate | City of Vincent Reconciliation Action Plan

4. Build relationships internally and externally to foster the Vincent reconciliation vision	<ul style="list-style-type: none"> Establish an internal champions RAP group made up of City Officers 	July 2019	<ul style="list-style-type: none"> Manager Community Partnerships
	<ul style="list-style-type: none"> Ensure the Mayor, Council and CEO demonstrate cultural responsiveness at events, during speeches and media releases. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
	<ul style="list-style-type: none"> Host two events for Nyoongar Outreach Services and City Rangers per year. 	July annually	<ul style="list-style-type: none"> Manager Community Safety
	<ul style="list-style-type: none"> Continue to implement RAP awareness within the City Administration corporate induction process. 	July 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Community Partnership team to continue to attend Aboriginal and Torres Strait Islander local government professional network meetings. Build relationships with neighbouring local government organisations and seek to collaborate on projects and events. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships



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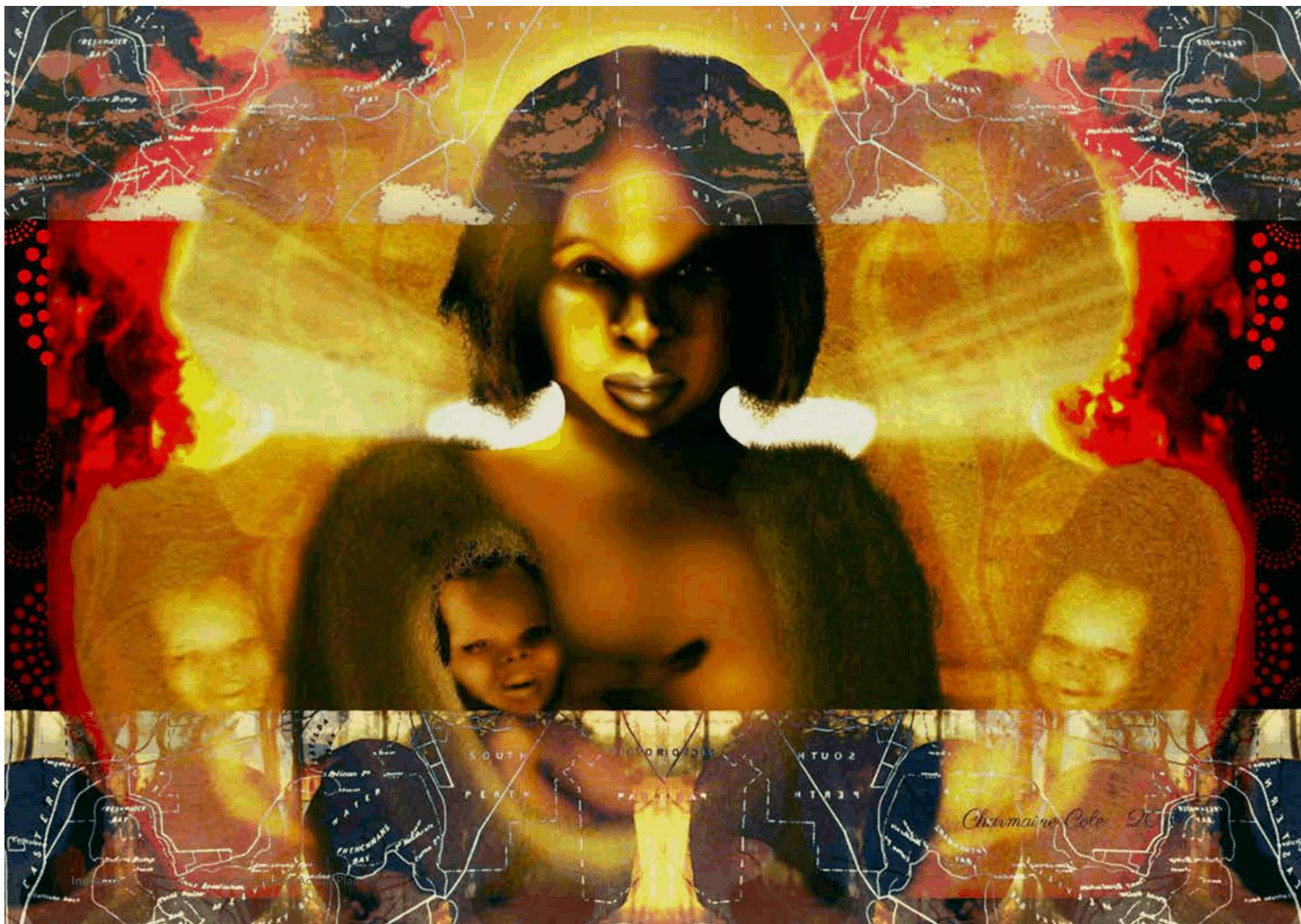
Respect (Charmaine Cole's 'The Elder – Story Teller' art piece)

The City of Vincent acknowledges the significance of the land and waters within our Council and the importance they have to Noongar people and their wellbeing. The Noongar people are the Traditional Owners of the land and water which sustains each of us and the City is committed to working with the Noongar community to ensure tradition, protocol and culture are upheld, respected and preserved. We endeavour to work, act, communicate and live respectfully by acknowledging and celebrating the significance Noongar people, land, water and culture play in our history, our lives today and into the future.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
5. Engage employees in continuous cultural learning opportunities to increase understanding and appreciation of Aboriginal and Torres Strait Islander cultures, histories and achievements	<ul style="list-style-type: none"> Investigate opportunities to continue working with local Traditional Owners and/or Aboriginal and Torres Strait Islander consultants to further develop cultural awareness training for staff 	July 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Provide opportunities for all City staff, RWG members and Council to participate in cultural awareness training. 	July 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Identify cultural learning requirements specific to the training needs of our staff and adjust cultural awareness training as required. Develop and implement an Aboriginal and Torres Strait Islander cultural awareness training strategy for City staff which defines cultural learning needs of employees in all areas of our business and considers various ways cultural learning can be provided (online, face to face workshops or cultural immersion). 	July 2020	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
6. Engage employees in understanding the significance of Aboriginal and Torres Strait Islander cultural protocols, such as Welcome to Country and Acknowledgement of Country, to ensure there is a shared meaning	<ul style="list-style-type: none"> Ensure 'Recognition of Noongar Boodjar, Culture and History through Welcome to Country and Acknowledgment of Country' Policy 4.1.30 is effectively implemented. 	July 2020	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
	<ul style="list-style-type: none"> Maintain and utilise a list of key contacts for delivering a Welcome to Country at events. Invite a Traditional Owner to provide a Welcome to Country at significant events, including The Vincent NAIDOC Festival. Include an Acknowledgement of Country at the commencement of all important internal and external meetings. Encourage staff to include an Acknowledgement of Country at the commencement of all meetings. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
	<ul style="list-style-type: none"> Ensure 'Flying and Displaying of Flags and Banners' Policy 4.1.9 is effectively implemented. 	July 2021	<ul style="list-style-type: none"> Manager Marketing & Communications Manager Community Safety
	<ul style="list-style-type: none"> Invite Traditional Owners to internal City events and activities to explain the significance of Welcome to Country and Acknowledgement of Country. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships
	<ul style="list-style-type: none"> Maintain the Acknowledgement of Country on the City of Vincent Administration email signatures, and website and social media pages. 	July 2021	<ul style="list-style-type: none"> Manager Marketing & Communications Manager Community Partnerships

7. Provide opportunities for Aboriginal and Torres Strait Islander City staff to engage with their culture and communities by celebrating NAIDOC Week	<ul style="list-style-type: none"> Provide opportunities for all Aboriginal and Torres Strait Islander staff to participate with their cultures and communities during NAIDOC Week. 	July Annually	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Ensure opportunities for all staff and Council to participate in NAIDOC Week activities. 	July Annually	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Hold an annual City of Vincent NAIDOC Festival 	June Annually	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
	<ul style="list-style-type: none"> Review HR policies and procedures to ensure there are no barriers to staff participating in NAIDOC Week. 	July 2019	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
8. Acknowledge, respect and showcase Noongar sites of significance located within the City.	<ul style="list-style-type: none"> Conduct anthropological studies at significant Aboriginal sites Undertake local history and heritage studies as part of the implementation of the City of Vincent Public Open Space Strategy Ensure when implementing master plans and development plans as part of the City of Vincent Public Open Space Strategy, including Robertson Park and Hyde Park, that the Noongar cultural history of these spaces is researched and respected during preparation and implementation of any plans 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Parks and Urban Green
	<ul style="list-style-type: none"> Acknowledge the nine significant Aboriginal sites located within the City of Vincent on the City's website, intranet and on intramaps. 	December 2019	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
9. Acknowledge, respect and celebrate Aboriginal and Torres Strait Islander peoples and important dates	<ul style="list-style-type: none"> Celebrate and recognise Aboriginal and Torres Strait Islander dates of significance such as Close the Gap Day, the Noongar Six Seasons and Sorry Day. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
10. Celebrate, acknowledge and showcase the Noongar Six Seasons	<ul style="list-style-type: none"> Host Noongar Six Seasons Workshops for the general public Ensure City staff attend Noongar Six Seasons seminars and information sessions Incorporate native plants into open spaces and parks 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications Manager Parks and Urban Green
	<ul style="list-style-type: none"> Work with Noongar individual/s or an organisation to develop a Noongar Six Seasons calendar and design a Six Season garden in the City 	December 2020	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications

11. Celebrate Noongar artwork, culture and language in public spaces	<ul style="list-style-type: none"> Investigate opportunities to change street and place names to Noongar words Consider usage of Noongar inspired 'sense of place' themes and artwork as part of the implementation of the City of Vincent Public Open Space Strategy. 	July 2021	<ul style="list-style-type: none"> Manager Policy and Place Manager Community Partnerships Manager Marketing & Communications Manager Engineering and Assets
	<ul style="list-style-type: none"> Maintain and increase the Noongar library book section in the Vincent Library Host Noongar Story Time sessions at the Vincent Library 	December 2020	<ul style="list-style-type: none"> Manager Community Partnerships
	<ul style="list-style-type: none"> Encourage staff to use Noongar language via email and verbal communication 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships
	<ul style="list-style-type: none"> Find opportunities to incorporate Aboriginal artwork into the City's existing marketing and communications collateral. 	December 2019	<ul style="list-style-type: none"> Manager Marketing & Communications Manager Community Partnerships
	<ul style="list-style-type: none"> Continue to fly the Aboriginal and Torres Strait Islander flag at Administration Building and Axford Park during NAIDOC Week and NRW. 	May and July Annually	<ul style="list-style-type: none"> Manager Community Partnerships Manager Marketing & Communications
	<ul style="list-style-type: none"> Provide Noongar Radio and City Customer Service staff with uniforms featuring Aboriginal artwork. 	December 2019	<ul style="list-style-type: none"> Manager Marketing & Communications Manager Community Partnerships
	<ul style="list-style-type: none"> Investigate installing iconic City entry statements acknowledging Noongar Country and people Investigate upgrading or installing Acknowledgment of Country signage in City buildings and parks 	July 2021	<ul style="list-style-type: none"> Manager Asset and Engineering Manager Community Partnerships Manager Marketing & Communications Manager Parks and Urban Green
	<ul style="list-style-type: none"> Incorporate recognition of Aboriginal and Torres Strait Islander cultures within the City of Vincent 'Name the Lanes' Project 	July 2021	<ul style="list-style-type: none"> Manager Policy and Place Manager Community Partnerships
	<ul style="list-style-type: none"> Encourage Town Teams, grant recipients and event managers within the City to acknowledge Noongar Boodjar and Noongar people at their events and meetings 	July 2021	<ul style="list-style-type: none"> Manager Policy and Place Manager Marketing & Communications Manager Community Partnerships
	<ul style="list-style-type: none"> Commission an Aboriginal art piece at Beatty Park Leisure Centre 	July 2021	<ul style="list-style-type: none"> Manager Beatty Park Leisure Centre Manager Marketing & Communications Manager Community Partnerships
12. Acknowledge Aboriginal and Torres Strait Islander cultures and histories	<ul style="list-style-type: none"> Commission at least one new public artwork by Aboriginal and Torres Strait Islander individual/s through the City's public art or mural art programs per year. Add to the City of Vincent art collection by supporting local Aboriginal artists. 	December annually	<ul style="list-style-type: none"> Manager Marketing & Communications Manager Community Partnerships
	<ul style="list-style-type: none"> Investigate opportunities for the City and Council members to advocate for recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution. Investigate opportunities for the City and Council to support the 'Uluru Statement from the Heart.' 	December 2020	<ul style="list-style-type: none"> Manager Community Partnerships

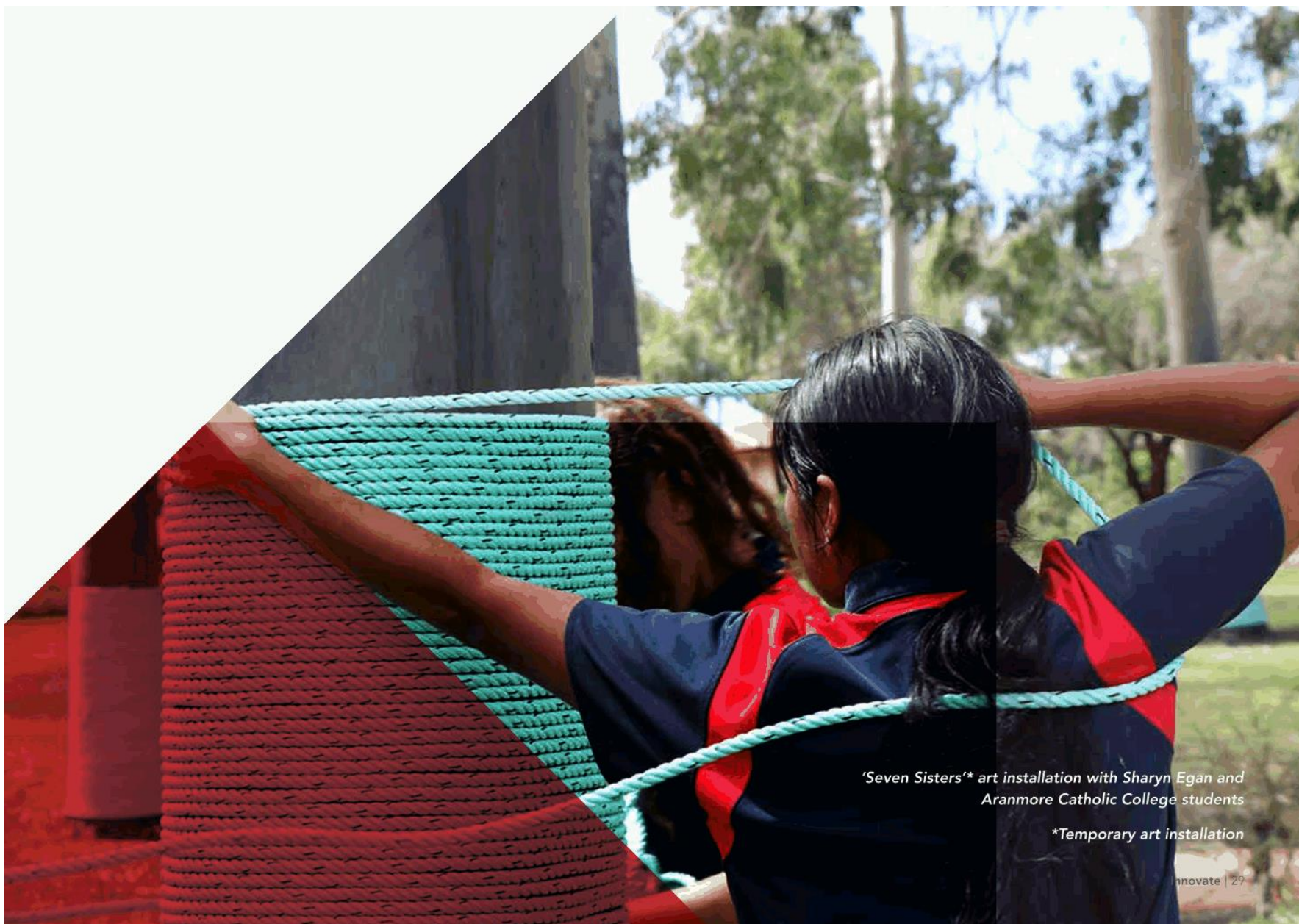


Opportunities (Charmaine Cole 'Mothers' art piece)

The City is dedicated to working together with local organisations and individuals to create opportunities and build capacity within our communities. We strive to create opportunities for Aboriginal and Torres Strait Islander peoples to explore and share their culture, history and tradition. The City envisions a Council whose strength lies in its diverse community members and the knowledge, experience and passion that they bring to our workplaces, social gatherings and day to day activities.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
13. Investigate opportunities to improve and increase Aboriginal and Torres Strait Islander employment outcomes within our workplace	<ul style="list-style-type: none"> Communicate with and support current Aboriginal and Torres Strait Islander staff to inform future employment opportunities. 	May 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Engage with existing Aboriginal and Torres Strait Islander staff to consult on employment strategies, including professional development. 	July 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Continue to advertise all vacancies in Aboriginal and Torres Strait Islander media. 	July 2021	<ul style="list-style-type: none"> Manager Human Resources
	<ul style="list-style-type: none"> Develop an Aboriginal and Torres Strait Islander career brand to be used when recruiting new staff 	July 2020	<ul style="list-style-type: none"> Manager Communications & Marketing Manager Human Resources Manager Community Partnerships
	<ul style="list-style-type: none"> Review HR and recruitment procedures and policies, including the Employee Handbook to ensure there are no barriers to Aboriginal and Torres Strait Islander employees and future applicants participating in our workplace. 	December 2019	<ul style="list-style-type: none"> Manager Human Resources
	<ul style="list-style-type: none"> Continue to engage with external Aboriginal and Torres Strait Islander peoples and/or consultants to advise on recruitment, employment and retention strategies, including professional development. Employ ten Aboriginal or Torres Strait Islander peoples within our organisation. Provide two traineeships for Aboriginal or Torres Strait Islander students from Aranmore Catholic College 	July 2021	<ul style="list-style-type: none"> Manager Human Resources Manager Community Partnerships

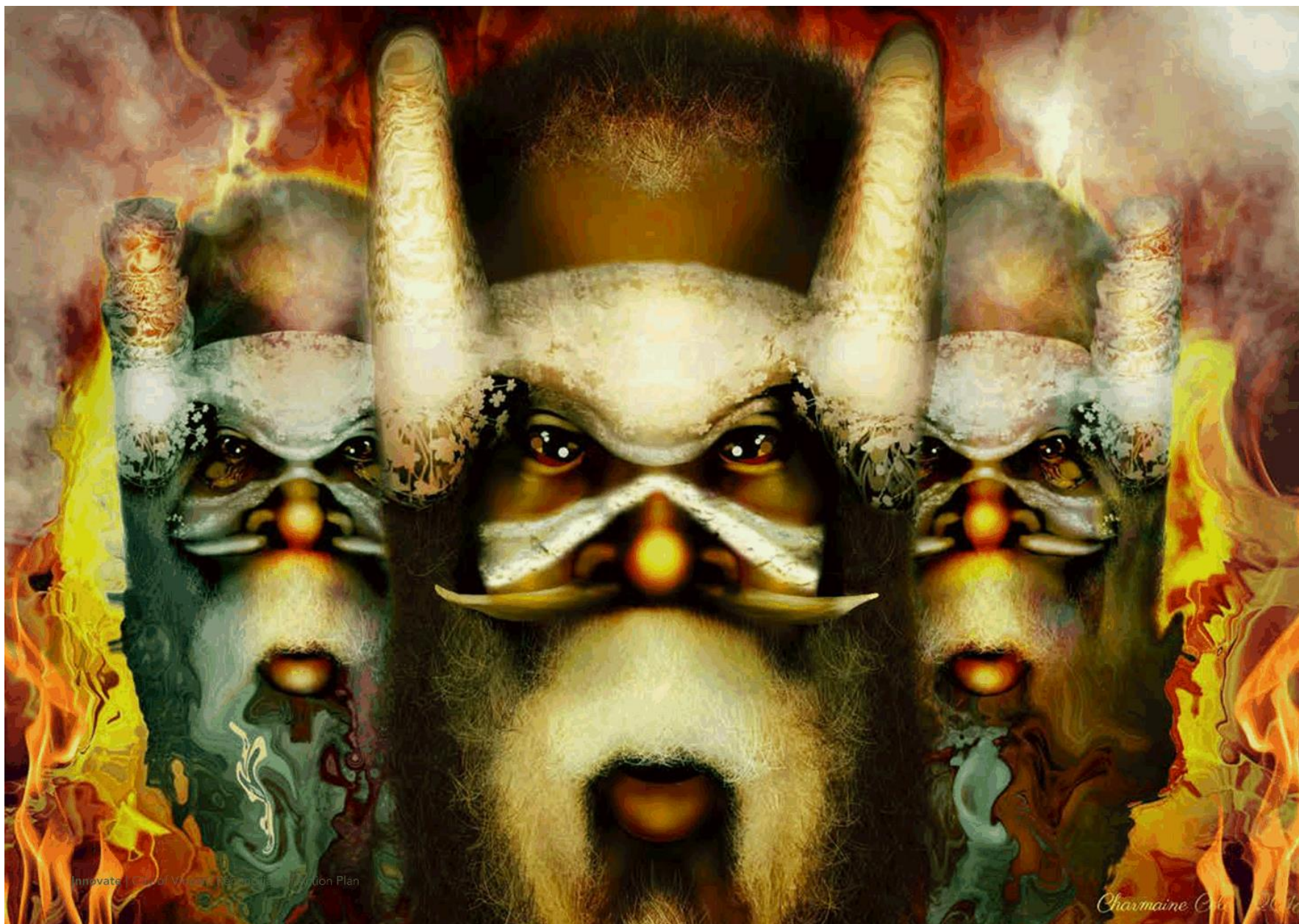
14. Investigate opportunities to incorporate Aboriginal and Torres Strait Islander supplier diversity within our organisation	<ul style="list-style-type: none"> Continue to review and update procurement policies and procedures to ensure there are no barriers for procuring goods and services from Aboriginal and Torres Strait Islander businesses. Further develop and communicate to staff a list of Aboriginal and Torres Strait Islander businesses that can be used to procure goods and services. Internally embed the procurement guidelines to encourage staff to seek quotes from Aboriginal and Torres Strait Islander businesses. 	July 2021	<ul style="list-style-type: none"> Manager Financial Services Manager Community Partnerships
	<ul style="list-style-type: none"> Partner with the Noongar Chamber of Commerce and build relationships and partnerships with sixty Aboriginal or Torres Strait Islander businesses. Procure 5% of goods and services from Aboriginal and Torres Strait Islander businesses from the People, Arts and Culture budget annually Investigate Supply Nation membership 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships Manager Financial Services Manager Marketing & Communications
15. Provide opportunities for Aboriginal and non-Aboriginal people to share, celebrate, and acknowledge Noongar Boodjar, people, culture and history	<ul style="list-style-type: none"> Encourage and invite expressions of interest from Aboriginal and Torres Strait Islander person/s on all City Advisory Groups during calls for member nominations. 	July 2021	<ul style="list-style-type: none"> Manager Community Partnerships
	<ul style="list-style-type: none"> Have at least one Aboriginal member on the Arts Advisory Group 	December 2019	<ul style="list-style-type: none"> Manager Marketing and Communications
16. Seek opportunities for local Aboriginal and Torres Strait Islander organisations and peoples to apply for grants and funding	<ul style="list-style-type: none"> Encourage local Aboriginal and Torres Strait Islander people and organisations to apply for funding through the annual City of Vincent 'Community Budget Submissions' Communicate with local organisations to ensure awareness of community grants and waiver of fees opportunities to remove any barriers from the utilisation of the City's public places, reserves and facilities. 	April and October Annually	<ul style="list-style-type: none"> Manager Community Partnerships



'Seven Sisters'* art installation with Sharyn Egan and Aranmore Catholic College students

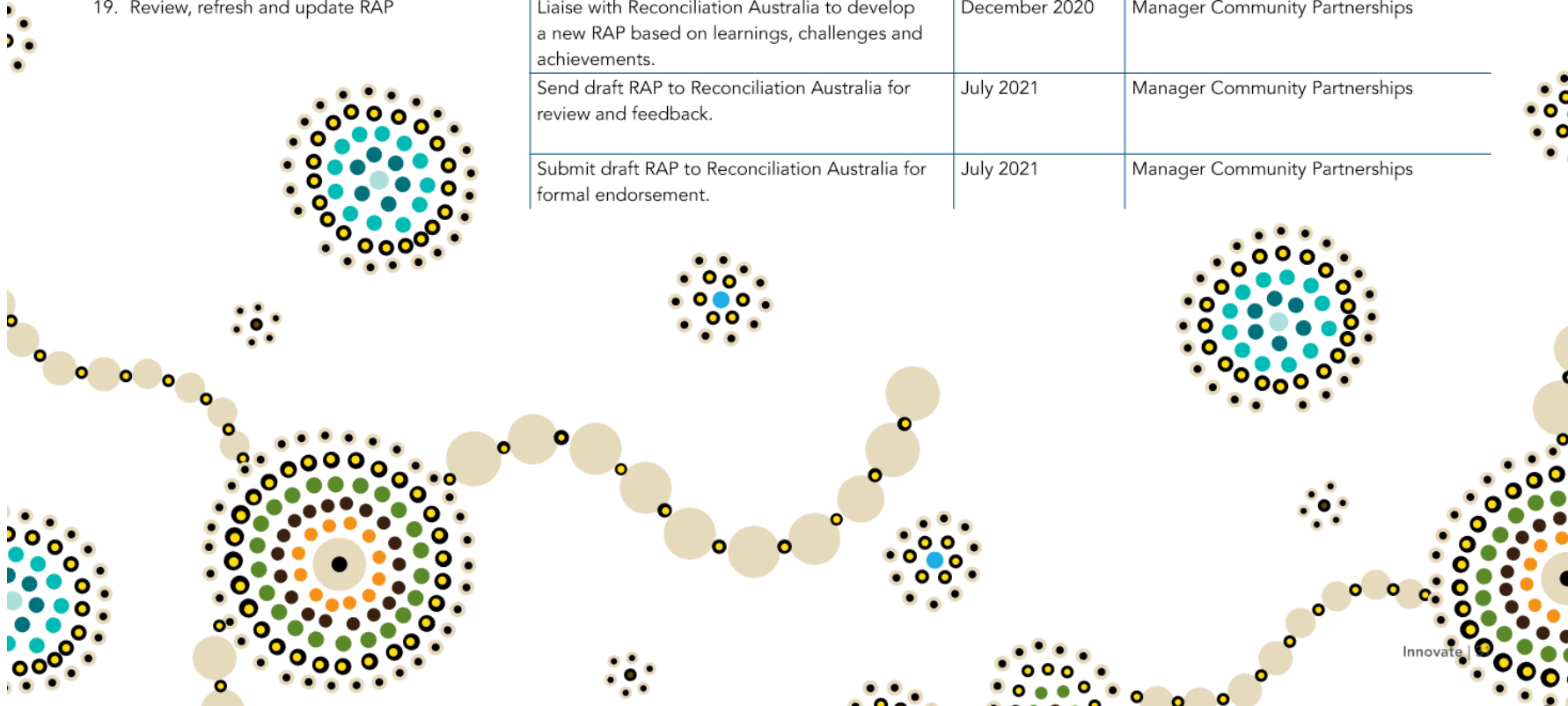
*Temporary art installation

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Governance, tracking progress and reporting (Charmaine Cole's 'Carrobooree' art piece)

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
17. Report RAP achievements, challenges and learnings to Reconciliation Australia	Complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia annually.	30 September Annually	Manager Community Partnerships
	Investigate participating in the 2020 RAP Barometer.	May 2020	Manager Community Partnerships
18. Report RAP achievements, challenges and learnings internally and externally	Publically report our RAP achievements, challenges and learnings through an online dashboard.	December annually	Manager Community Partnerships Manager Marketing & Communications
19. Review, refresh and update RAP	Liaise with Reconciliation Australia to develop a new RAP based on learnings, challenges and achievements.	December 2020	Manager Community Partnerships
	Send draft RAP to Reconciliation Australia for review and feedback.	July 2021	Manager Community Partnerships
	Submit draft RAP to Reconciliation Australia for formal endorsement.	July 2021	Manager Community Partnerships





CONTACT DETAILS

Name: Gayatrii Surendorff
Position: Community Partner
Phone: 08 9273 6564
Email: Gayatrii.surendorff@vincent.wa.gov.au

Acknowledgement of Artists

Jade Dolman
Charmaine Cole
Rohin Kickett

Stay in Touch:

Manager Community Partnerships

Phone: 08 9273 6000
Email: Community.partnerships@vincent.wa.gov.au

This document can be made available in Braille, large print, audio and electronic formats for people with specific requirements. It can also be made available in other languages upon request.

Jade Dolman | 'Boodjar Nakolak Yanginy'

13 CHIEF EXECUTIVE OFFICER**13.1 INFORMATION BULLETIN****TRIM Ref:** D18/195007**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** David MacLennan, Chief Executive Officer

- Attachments:**
1. Minutes of the Design Review Panel Meeting held on 6 February 2019 [↓](#) 
 2. Minutes of the Design Review Panel Meeting held on 20 February 2019 [↓](#) 
 3. Minutes of the Tamala Park Regional Council Meeting held on 21 February 2019 [↓](#) 
 4. Statistics for Development Applications as at end of February 2019 [↓](#) 
 5. Street Tree Removal Information [↓](#) 
 6. Register of Legal Action and Prosecutions Register Monthly - Confidential
 7. Register of Orders and Notices Register Quarterly - Confidential - Confidential
 8. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 15 March 2019 [↓](#) 
 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 - April 2019 [↓](#) 
 12. Register of Notices of Motion - Progress Report - April 2019 [↓](#) 
 13. Register of Reports to be Actioned - Progress Report - April 2019 [↓](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2019.



CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 6 February 2019 at 3.30pm****Venue: Function Room
City of Vincent Administration and Civic Centre****MINUTES****Attendees:****Design Advisory Committee Members:**

James Christou (Chairperson)

Simon Venturi

Ailsa Blackwood

Joe Chindarsi

City of Vincent Officers

John Corbellini (Director Development Services)

Jay Naidoo (Manager Development & Design)

Joslin Colli (Coordinator Planning Services)

Mitch Hoad (Senior Urban Planner)

Karsen Reynolds (Urban Planner)

Roslyn Hill (Minute Secretary)

Applicant-Item 3.1

Alene Sullivan

FJM Property

Kyle Jearons

FJM Property

Dan Lees

Element

Yong Lee

Hassell

John Paul Davies

Hassell

Applicant-Item 3.2

Ara Salomone

State of Kin

Jessie Nguyen

State of Kin

Dean Kyron

Client

Arthur Kyron

Client

Applicant-Item 3.3

Leigh Caddy

Element

Tony Di Leo

STH

Mark Zuvela

STH

Tony Paduano

Element

3.15pm**Member Discussion****4.10pm****1. Welcome / Declaration of Opening**

The Chairperson, James Christou declared the meeting open at 4.10pm.

2. Apologies**3. Business**

4.10pm–4.50pm – Applicant Presentation – No DA Lodged

3.1 **Address:** 742 Newcastle Street, Leederville

Proposal: Mixed Use Development comprising of One Showroom, Two Café/Retail and Four Offices, and Associated Car Parking

Applicant: FJM Property

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 a power point presentation

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Consider how the surrounding character is interpreted at the ground level, particularly in relation to how the showroom sits in the context of surrounding shop tenancies and activation. • Transparency for the Ground Level is very important and needs to be maintained • Consider multiple entry points into the ground floor showroom. • Approach to materiality should assist to break down the bulk and massing of the building. Streetscape materiality could use further development, drawing from the materials and detailing of the character shopfronts in the area to take into further consideration the Leederville Town Centre context. • Consider some stepping down on the upper levels in line with the Leederville Masterplan intent. The box approach is convincing but there needs to be some consideration on how light might reach into adjoining lots. Stepping of massing down on the western side would provide a better transition to the heritage-listed character buildings and reduce the impact of the proposed building bulk/scale. • Engage an artist early. Consider possibilities to deliver artistic interventions at the building and laneway level. For instance an Artist could develop a structure for the green creeper wall. • It is noted that the articulation, façade and materials are a good approach • Detail is needed on how the rear tenancies will open up to the laneway, consider if these panels can be articulated and opened up completely to allow full engagement • The width of glazing at ground level on Vincent Street is not convincing given the building next door has three tenancies in an area half the size of the frontage. More
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	refinement is needed on the glazing at ground level.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Landscaping is a strong priority for the City, and the proponent is to consider the following points when progressing Look at opportunities to meet the City's deep soil and canopy coverage requirements. Reminder that the City's requirement for deep soil zone can be situated on structures as long as the soil is a minimum of 1m wide, 1m long and 1m deep. The current planting mostly on the rooftop seems exclusive/privatised. Consider planting opportunities in the laneway to achieve public amenity and street-scape activation. This will also aid to achieve the City's deep soil zone and canopy cover calculations. Planting here will be a valuable asset if delivered well Consider further canopy cover on the rooftop in the central areas that does not increase the bulk of the building from the streetscape. Consider relocation of existing street tree rather than removal given its maturity. Consider creating views from Vincent Street through the building to the laneway planting and green climbing wall. On top of the two site context drivers defined that contribute to generating the interlocking building language, there is opportunity to bring a third green/garden influence from the laneway direction, working with the tall eucalypt trees, into the building. This could help bring more of an interesting pattern to the green veneer and aid to break up the potential bulk of block creeper planting. It could also contribute to conceptual design of landscape elements in laneway activation.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> The laneway is a fantastic opportunity that can only be successful with a building of this size and density. Future modifications to the hotel at the rear adjoining the laneway would also assist in activating this space.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Vehicle access off Vincent is not ideal. It is noted that the laneway could be used rather than Vincent Street.
Principle 5 – Sustainability	<ul style="list-style-type: none"> Central void appears small given the size of the building floorplates. Light study is recommended to be undertaken on the central sky light to ensure appropriate size and appropriate materials that might be required to reflect and increase the natural light down into the central areas of the building.
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> Policy for developments adjoining heritage sites is to be considered

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Conclusion:

The DRP commends the proponent on conflating the internal program with the public realm, specifically to the Southern Lane interface.

The DRP supports the development on the basis of the proponent refining the following key items:

- The frontage of Vincent Street ground plane. The proponent should consider reviewing the grid within the shop fronts to achieve a high level of glazing, transparency through the building with well detailed fronts and entries. (Avoid long uninterrupted expanses of floor to ceiling glass on the Ground).

The detailing of the shopfronts to respond to the finer grain elements of the precinct and its scale in line with the scale of the Leederville Precinct, in order to avoid the shop front of a showroom. Detailing of the shop fronts should consider:

- Operable elements
- Low canopies to determine shop fronts – high canopies main entries, canopies should be high quality. Use of colour and framing types to the shopfronts should be considered.
- That the proponent meet the City's deep soil zone and canopy coverage area requirements; and work these to bring about street activation and public amenity.

Proposal to be returned to DRP.

4.50pm–5.25pm – Applicant's Presentation – DA Lodged 5.2018.372.1

3.3 **Address:** 58 Kalgoorlie Street, Mount Hawthorn

Proposal: Single House

Applicant: Caitlin Kyron / Konstantine Dean Kyron

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 a power point presentation

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Passive surveillance is important; Mt Hawthorn has a friendly community and engaging community. The proposal appears like it is gated bunker and turning its back on the street. The design is internally focused with minimal interaction with the streetscape • Look at the possibility of flipping the wardrobe and master bedroom and adding windows to this room. This would assist with the blankness of the upper floor. Glazing of the study is so far on the right that it is not visible • Consider opportunities to soften the approach to the house and increase passive surveillance of the street from the house.
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	<ul style="list-style-type: none"> • The DRP has no concern with contemporary nature. The aesthetic is bold, and the DRP can understand why it might be considered out of context, due to the smooth white rendered form which appears void of context • There is insufficient information provided on surrounding context as shown on floorplans, elevations and perspectives in the original submission. Show the adjoining buildings including Cleaver Court to illustrate how the proposal responds to the surrounding context • Suggest putting a side-lite to the front door or could make front door glass to improve interaction between the street and house • Combination of really strong front fence with the solid building behind contributes to gated house aesthetic – consider softening. • Consider a perforated garage door (the doors to the front and rear of the garage). This will provide security but also create more transparency • Architectural outcome is heavily reliant on high quality detailing. Consideration is needed through the detailing stage to ensure the architectural intent is maintained and achieved. • Look at adding in additional materials to the front façade such as white face brickwork to relate back to the local context • Think about elements that can be brought in that can enhance the streetscape and community feel such as bench seating on the front fence
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Missing the invitation of the eye into the site. Planting could assist with this and increase with making it seem 'friendly' • Recommend getting a landscape architect involved before getting approval • Potential for some pruned low planting within the front grassed area – small citrus trees for example – this foliage seen from the street will help create depth in the front yard and soften the gated aesthetic.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Slightly over height, look at way to push down a little • Study area could open up a little more – look at increasing glazing • Potential highlight window around the mudroom
Principle 4 – Functionality and build quality	N/A
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	<ul style="list-style-type: none"> • Terrace will provide some good opportunities for passive surveillance
Principle 9 – Community	<ul style="list-style-type: none"> • Suggest providing bench seats to the front fence to create better interaction to the streetscape

Principle 10 – Aesthetics	N/A
Comments	N/A

Conclusion:

The client, the design team / contractor are very enthusiastic about the design of the residence and how it is inserted into the site to comply with the Cities Planning Policies.

The DRP support the contemporary design, however strongly suggest the following refinements are considered:

- Create greater visual interaction with the street
 - Consider perforated garage doors front and rear (off the garage) to create transparency and depth
 - Consider increasing the glazing to the study area, front entry area, and upper level habitable room, to visually link into the front yard and the street.
- Mass and Scale

Consider incorporating a window or highlight window to the mud room, the study façade and upper level to create further visual relief from ground level and first floor.

To be returned to DRP

5.30pm–6.10pm – Applicant's Presentation – No DA Lodged

3.4 **Address:** 2 Alfonso Street, North Perth

Proposal: Aged Persons development

Applicant: Element / Southern Cross Homes Inc

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 a power point presentation

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Some concern around the outlook from units on to the ramp. Look at screening or planting. • Opportunity to develop campus type palate of materials. Consider how the façade may change on the different streetscapes and acknowledge the adjoining monastery building by trying to draw from its materials in a contemporary way. Design from the perspective that the site is the whole Cathedral lot. • Consider the potential impact from Vincent Street so that the Cathedral line of site is not impacted.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Clearly note on the drawings which trees are to be retained, and any to be removed. • Recommend engaging landscape architect early – Consider engaging with a landscape architect that has

	<p>experience in designing for the future occupants, for example in creating sensory, memory evoking gardens.</p> <ul style="list-style-type: none"> • Consider planting to soften the two storey outlook • Consider the design of multiple garden types for both silent, personal contemplation, and for social amenity and gathering.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • The general site organisation appears to maximise north sun to a high number of units, and the ability to provide cross ventilation through the complex and into units and a high level of outlook from many units • Consider potential for a mix of single occupancy units and 2 bedroom etc • Breaking the architectural form of the complex along the streetscapes is encouraged to soften / break the massing of the complex and integrate into the surrounding single residential context
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Courtyards needs consideration to provide a diversity of areas for residents (privacy vs encouraging interaction) • Look at opportunities to reduce the length of the long corridors. Consideration needed for accessibility to the lift so that people can access the open space equally. Possibly installing seating along the corridors or something that encourages a communal feel and interaction of residents – this is their 'streetscape'. • When the unit floor plans are developed consider cross ventilation through and natural light into the rear and sides of the units where possible. • Positive removal of multiple crossovers, ensure traffic engineer considers impact of the single access proposed • Individual pedestrian entries are encouraged along streetscape to integrate the complex into the surrounding single residential context
Principle 5 – Sustainability	<ul style="list-style-type: none"> • Bathrooms do not have natural light/ventilation. This is not supported.
Principle 6 – Amenity	<ul style="list-style-type: none"> • Try to get pathways away from the units to provide privacy from rear windows and allow for voids/ /bridge elements/openings and use of landscaping to act as buffers along these sections to improve amenity for residents • Accessibility needs to be considered. • Consider adding another lift in the southern half of the complex
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	<ul style="list-style-type: none"> • Interaction in the communal outdoor areas - consider how this can be encouraged while still providing private / quieter areas
Principle 10 – Aesthetics	N/A
Comments	N/A

Conclusion:

The DRP commend the proponent on presenting their high-level masterplan, site plan and general arrangement of the serviced apartments and the consultation process they intend to follow.

There was general support for the approach and the DRP looks forward to further development.

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 6.10pm.

The next meeting will be held on 20 February 2019



CITY OF VINCENT

DESIGN REVIEW PANEL**Wednesday 20 February 2019 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)	Joslin Colli (A/Manager Development & Design)
Stephen Carrick	Kate Miller (A/Coordinator Planning Services)
Ailsa Blackwood	Dan McCluggage (Urban Planner)
Joe Chindarsi	Mitch Hoad (Senior Urban Planner)
	Karsen Reynolds (Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1

Sarah Asher	MJA Studio
Stefan Oh	
Joshua Carmody	

Applicant-Item 3.2

Vaughan Hattingh	Perth Residential
Jared Morskate	Perth Residential
Tram Nguyen	Owner

Applicant-Item 3.3

Will Thomson	Wilt Design
Robert Epiro	Land Owner

**3.30pm
4.00pm****Member Discussion****1. Welcome / Declaration of Opening**

The Chairperson, Sasha Ivanovich declared the meeting open at 4.03pm.

2. Apologies**3. Business****4.03pm–4.35pm – Applicant Presentation – DA Lodged 5.2019.36.1**

3.1 Address:	13 Blake Street, North Perth
Proposal:	10 Multiple Dwellings
Applicant:	Planning Solutions (Aust) Pty Ltd/Trent Will

Reason for Referral: For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 17 October 2018

Applicant's Presentation:

The applicant presented a power point presentation

Recommendations & Comments by DRP on 17 October 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none"> The DRP generally supports the design, however, the applicant needs to address way finding, function and resolution of material and detail. Be true to the existing materials Concern regarding the presentation to the street for the rear dwellings Retention of the existing dwelling and northern orientation of dwellings is supported Existing residence – consider retention of the existing balustrading and other distinguishing features and reinterpret in a contemporary way Consider the 1970s (existing residence) as a reference point with the landscaping to the front
Principle 2 – Landscape quality	<ul style="list-style-type: none"> In seeking height and side boundaries variations, consider how the bulk can be ameliorated through landscaping species. At present it is not clear that the landscaping proposed will sufficiently mitigate building bulk. Management of landscaping to also be considered
Principle 3 – Built form and scale	N/A
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Considering using a visitor bay as a residents bay to make it compliant Wayfinding through development is difficult and needs to be further addressed. Need to consider functional element for moving furniture from ROW level to the upper apartments.
Principle 5 – Sustainability	<ul style="list-style-type: none"> The majority use of light-coloured external walls is commendable Consideration of opportunities to improve natural and cross ventilation are evident in the proposed design, and is also commendable. A number of sustainable design initiatives are evident in the proposed design; it would be valuable to provide a summary of these design initiatives Consider preliminary NatHERS assessments for each proposed dwelling to determine likely star rating and construction specification requirements.
Principle 6 – Amenity	<ul style="list-style-type: none"> Overlooking may be mitigated by the proposed screening. A cone of vision diagram to assist with showing the intent Look at more opportunities to implement bicycle parking
Principle 7 – Legibility	<ul style="list-style-type: none"> Consider the potential at the rear to redefine the entry by shifting the bays across so there could be a central access to the stairwell to give a sense of entry and avoid an indirect path where people have to walk back into the laneway to access the entry. Presentation to streets – does not provide a sense of entry as people move through vehicle parking. Consider a separate pedestrian gate to increase legibility from Blake Street. Rearrange the parking to provide a clear and legible pedestrian entrance from the ROW (see above comment also). There is currently no sense of entry from either end.

Principle 8 – Safety	<ul style="list-style-type: none"> Lighting and passive surveillance of rear entry will be an important consideration, currently ground access is indirect and past non-habitable rooms.
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	N/A

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> Concept of retaining the existing building is a positive outcome. Consider what additional elements could be retained that form part of the existing building and street character - for example, external rendering, replacement of roof with Trimdek in order to maximise character retention where appropriate. Further consideration needs to be given to the existing character and scale of the surrounding area - the proposed three storey height may establish an undesirable precedent in terms of bulk and height in particular. Generally it is a balanced use of contrast between the existing and the new building, combined with some good references in relation to materiality from the existing building into the new building There are major concerns regarding the impact of the proposed third storey within the two storey height limit and context of the area, including adjoining residential properties. It is acknowledged that the impact and appearance from the right of way is mitigated by the use of articulation, roof terraces/balconies and choice of external cladding materials. Provide further evidence – street elevations of adjoining and neighbouring buildings to demonstrate response to existing scale and character
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Investigate the potential to provide landscaping/canopy cover within the car parking area adjacent to the ROW There are concerns as to whether landscaping within the side setback areas of the new building would sufficiently reduce the impact of the bulk of the building. The narrow side setbacks are likely to inhibit the growth of large trees in these areas. Currently landscaping exists on the edges of the design. There is potential for the landscaping to be a more integrated part of the whole design, with areas of landscaping/canopy cover that the future residents can be within/under. Look at opportunities to meet the City's deep soil and canopy coverage requirements. The City's requirement for deep soil zone can be situated on structures as long as the soil is a minimum of 1m wide, 1m long and 1m deep. There are substantial walkways adjoining the apartments. These walkways have the potential to

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	<p>become part of the revised landscape design, incorporating canopy and plantings.</p> <ul style="list-style-type: none"> The current proposal appears to be an over-development of the site. The City's landscaping requirements must be fully met, in order for the city to consider additional design concessions in relation to density.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> There are concerns regarding the impacts on adjoining properties resulting from proposed reduced side lot boundary setbacks and lack of articulation to side facades It appears to be an overdevelopment of the site when considering variations to plot ratio, lot boundary setbacks and building height. This generates a shortfall in relation to required landscaping and the proposal's impact in relation to height and bulk to the adjoining neighbours. It is acknowledged that the additional height of the building has been addressed to the ROW through the stepping of the building however the same consideration has not been applied to the side lot boundaries. It is recommended the upper floor is stepped in on the side lot boundaries to offset the impact of the development on the adjoining properties. Consider impact of any proposed third storey bulk in relation to solar access into adjoining properties in relation to morning sun and afternoon sun, particularly during the winter months. This is outside of the scope of the R-Codes but is a real impact and should be considered when breaching height restrictions. In Victoria, overshadowing of adjoining properties is considered between 9am and 3pm on the 22nd of September
Principle 4 – Functionality and build quality	N/A
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	N/A
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> The DRP is satisfied that the wayfinding issues raised during the previous meeting have been addressed

Conclusion:

To be returned to DRP.

4.40pm–5.35pm – Applicant’s Presentation – DA Lodged 5.2018.315.1

3.2 Address: 536 Charles Street, North Perth

Proposal: Mixed Use Development

Applicant: Perth Residential Development/Thi Loam Tram Nguyen

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 applicant presented a power point presentation

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Potential for greater streetscape activation to contribute to a “friendlier” community. Consider designing a storefront to accommodate community activity that will provide additional planting with opportunities for the community to informally congregate – enliven and activate the street • Consider the broader context of the site. Demonstrate how the new development will fit in and contribute positively to its immediate neighbourhood. Details of the neighbouring existing buildings in the area should be referenced and considered as to how their positive features and character could be reinterpreted into the proposed development, as evidenced in the use of materials and detailing that will assist in fitting the new development within the current context
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Consider providing more landscaping on portions of the site that are not subject to road widening • Consider setting back the awning to accommodate mature trees, providing good tree canopy coverage and thus greater amenity whilst softening the impact of the development at this exposed location • Consider engaging a landscape architect to ensure appropriate species are selected in accordance with the City’s requirements • Follow the City’s requirements for provision of deep soil area and canopy coverage. • Triangular space between commercial tenancies can be used to accommodate deep soil landscaping and mature trees, whilst providing a focal point for the development and the community
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Overshadowing to the southern property is exacerbated by the non-compliant setback to boundary. Consider redesigning and/or relocating balconies to achieve a greater setback and providing articulation to the wall, which would help in mitigating the bulk. Consider balconies being provided on the northern elevation for greater amenity • Consider alternative design if the permanent awning

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	<p>over road widening area cannot be accommodated. Recessing of the ground floor will soften the development by accommodating landscaping and provide shading for windows</p> <ul style="list-style-type: none"> • Reconsider and further refine design of the external stairwell, currently it is a prominent feature of the facade. • Scale of the rear portion of the building should be reviewed as it currently does not fit within the existing streetscape. The east elevation presents as three storeys - it is not consistent with surrounding developments • The overall bulk of the building is exacerbated by nil setback to the primary and secondary streets as well as to the southern lot boundary • Overshadowing exceeds 50%, and falls into the solar collectors, into a major opening and over the outdoor living area of the southern lot • Insufficient open space has been provided. It indicates an overdevelopment of the R60 site and does not reflect the existing or preferred character of the locality
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Consider the number of bins and/or bin collection methods as the number proposed (5) does not appear to be adequate • Parking bays do not appear to be compliant with Australian Standards requirement for 1:20 grade for a cross fall. Consider alternative designs to achieve compliance
Principle 5 – Sustainability	<ul style="list-style-type: none"> • The eastern windows will be exposed the same as the western windows. The protection of window openings by use of canopies and screens needs to be addressed consistently across the various orientations in the development.
Principle 6 – Amenity	<ul style="list-style-type: none"> • Review the internal spaces for functionality and amenity. Spaces within the lobby and internal areas are quite tight.
Principle 7 – Legibility	N/A
Principle 8 – Safety	<ul style="list-style-type: none"> • To increase security and safety, consider providing a gate to restrict access to the car park which is currently open to the street
Principle 9 – Community	N/A
Principle 10 – Aesthetics	<ul style="list-style-type: none"> • Articulation and fenestration appears overcomplicated. Opportunities for simplifying of these features should be explored. A simplified but well-articulated development, softened with appropriate landscaping and architectural responses will appear less imposing.
Comments	N/A

Conclusion:

To be returned to DRP

5.40pm–6.15pm – Applicant's Presentation – DA Lodged 5.2018.358.1

3.3 Address: 351 Stirling Street, Highgate

Proposal: Seven Multiple Dwellings

Applicant: Robert Epiro

Reason for Referral: For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 17 October 2018

Applicant's Presentation:

The presented a power point presentation

Recommendations & Comments by DRP on 13 December 2018:

Principle 1 – Context and Character	<ul style="list-style-type: none"> Consider more activation on the ground floor. Look at moving the visitor bay closer to the street (Australian Standard is a 1m off the boundary for reversing), and moving the stores to the balconies or in the apartments. An internal stair could be introduced from Apartment 2 above to the ground floor to create a habitable room (home office or studio room) forming part of the unit over. A corridor/lobby for pedestrian access separate from the driveway to still be provided Over-height boundary walls are still a concern, especially to the rear overlooking the neighbouring outdoor living area
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Moving the visitor car bay to the street would create more landscaping opportunities at the front Hibbertia Scandens is not strong enough vine to grow for three levels of screening. Will need additional planter beds at higher levels or a hardier vine species Consider more edible species around the Olive tree in the communal area
Principle 3 – Built form and scale	<ul style="list-style-type: none"> Rear units flares running opposite ways to what they should. If bedroom wall flares into the lot instead of out, this would reduce the parapet wall, and suggest treating the top level as a loft to reduce building bulk Replan the rear units perhaps longer but pulled away from the boundary and change materials to make more like a roof form. Pulling top level away from the boundaries on both sides will improved amenity for adjoining properties – access to light and air
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Consider opportunities to reconfigure bin store. Moving stores to the balconies or internal would create space for the bin store. Potential to stacking the bin stores with roller doors. Consideration needed for the seal on the bin stores to prevent smells from escaping. The lobby is considered long and tight – width to be reviewed
Principle 5 – Sustainability	<ul style="list-style-type: none"> Increasing setback off the boundary will allow more northern light access via additional windows. Consider clerestory/high-level windows to top level apartments to scoop high-level light and air down
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider a full length window to the north on the 1st apartment
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A

Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	•

Recommendations & Comments by DRP (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Stores are not integrated well to the rear – consider an angling of wall(s) and/or roof elements of the stores so it better fits into the design character of the rest of the development • The development responds well to the local context. The architectural language is contextual in relation to the site and its surroundings. • Reducing the rear component of the development to two storeys has worked well • There is potential to create an indoor/outdoor feel in the front (main street) by introducing seating-level retaining walls to landscaped areas
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • There is potential for canopy coverage over the parking bays. • The redesign has done well to consider the previous comments of the DRP. • Consider exchanging the tree species to the rear of the site with fruit trees. This will contribute to the communal garden space, and increase canopy cover. • 'Magnolia Little Gem' has heavy foliage and may restrict sunlight into the front of the building. It will also need height pruning and look stumped. Look at replacing the tree closest to the driveway with a deciduous tree such as a Poinciana. • Consider linking the landscaped area between the car bays and the front meeting room. There is potential for this room to spill out into outside space if designed well. Fine-tuning turning circles may free up space for further planting areas.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Shadow diagrams show that the boundary wall will not have an adverse impact on the courtyard. • Look at the boundary wall height – Consider either reducing the height to comply or a reshuffle of the rooms (moving the bathroom) in order to assist with this wall length/height issue • Consider further potential issues of visual privacy and how to further reduce overlooking to the adjoining northern property's outdoor space
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • The current proposal that has substituted a visitor bay with increased landscaping immediately outside of the glazing line is a better outcome. This will soften the outlook from the communal space
Principle 5 – Sustainability	N/A
Principle 6 – Amenity	<ul style="list-style-type: none"> • Shared space – furniture selection needs to be carefully considered, and look at adding a kitchenette to enhance its use as a flexible space. This needs to be

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	followed through with, in order to ensure the space is well utilised. The shared space adds to a sense of arrival and connects well to the front setback
Principle 7 – Legibility	N/A
Principle 8 – Safety	N/A
Principle 9 – Community	N/A
Principle 10 – Aesthetics	N/A
Comments	<ul style="list-style-type: none"> The City appreciates the applicant working with the DRP and Council, in achieving this positive design outcome

Conclusion:

Does not need to be returned to DRP.

4. General Business**5. Close / Next Meeting**

There being no further business, the Chairperson, Sasha Invanovich declared the meeting closed 6.15pm.

The next meeting will be held on 6 March 2019.



Ordinary Meeting of Council

Minutes

Thursday 21 February 2019, 6:00pm
Town of Cambridge
1 Bold Park Drive, Floreat

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

Minutes TPRC Meeting of Council – 21 February 2019

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Minutes TPRC Meeting of Council – 21 February 2019

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jo McAllister
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Sophie Dwyer Cr Christine Hamilton-Prime
City of Perth	Cmr Andrew Hammond	Cr Gaye McMath
City of Stirling	Cr Karen Caddy Cr Joe Ferrante Cr Giovanni Italiano (CHAIRMAN) Cr Bianca Sandri	Cr Suzanne Migdale
Town of Victoria Park	Cr Claire Anderson	Cr Ronhda Potter
City of Vincent	Mayor Emma Cole	Cr Jimmy Murphy
City of Wanneroo	Cr Samantha Fenn Cr Brett Treby (DEPUTY CHAIRMAN)	Cr Sonet Coetzee Cr Domenic Zappa

Minutes TPRC Meeting of Council – 21 February 2019

PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Claire Anderson Cr Karen Caddy Cr Emma Cole Cr Samantha Fenn Cmr Andrew Hammond (arrived 6:09pm) Cr Nige Jones Cr Bianca Sandri Cr Andres Timmermanis Cr Brett Treby
Alternate Members	Cr Phillipa Taylor
Staff	Mr Tony Arias (Chief Executive Officer) Mr Luke Aitken (Project Coordinator) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr John Chester Cr Joe Ferrante
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Nigel Satterley (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Mr Brenton Downing (Satterley Property Group) Ms Julia Nelson (Satterley Property Group) Ms Dominique Rain (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Daniel Simms (City of Wanneroo) Mr Murray Jorgensen (City of Perth) Mr Stuart Jardine (City of Stirling) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance	Mr John Giorgi (Town of Cambridge) Mr Garry Hunt (City of Joondalup)
Participant Councils' Advisers	Mr Ross Povey (City of Stirling) Mr David MacLennan (City of Vincent)
Members of the Public	Nil
Press	Nil

Minutes TPRC Meeting of Council – 21 February 2019

1. OFFICIAL OPENING

The Chairman declared the meeting open at 6:06pm and welcomed Councillors to the Tamala Park Regional Council meeting. The Chairman welcomed Cr Taylor – Alternative Member for Cr Chester to the TPRC meeting.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr John Chester and Cr Joe Ferrante

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 6 December 2018

Moved Cr Caddy, Seconded Cr Sandri.

That the minutes of the Ordinary Meeting of Council of 6 December 2018 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (9/0). Abstained - Cr Taylor.

5A. BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

Minutes TPRC Meeting of Council – 21 February 2019

8. REPORTS OF COMMITTEES

Audit Committee Meeting – 7 February 2019

Cr Ferrante – Chairman, Audit Committee was absent so Cr Italiano advised that the Committee considered a number of Items listed in this Agenda.

CEO Performance Review Committee Meeting – 13 February 2019

Cr Jones – Chairman, CEO Performance Review Committee Meeting advised that the Committee had discussed a number of options and were seeking legal advice before reporting to Council.

Cmr Hammond arrived during this item (6:09pm).

9.1 BUSINESS REPORT – PERIOD ENDING 14 FEBRUARY 2019

Moved Cr Jones, Seconded Cr Fenn.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 14 February 2019.

The Motion was put and declared CARRIED (11/0).

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF NOVEMBER & DECEMBER 2018

Moved Cr Jones, Seconded Cr Caddy.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- 30 November 2018; and
- 31 December 2018.

The Motion was put and declared CARRIED (11/0).

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF NOVEMBER & DECEMBER 2018

Moved Cr Fenn, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of November and December 2018:

- Month ending 30 November 2018 (Total \$376,028.92)
- Month ending 31 December 2018 (Total \$2,621,469.31)
- Total Paid - \$2,997,498.23

Minutes TPRC Meeting of Council – 21 February 2019

The Motion was put and declared CARRIED (11/0).

9.4 PROJECT FINANCIAL REPORT – DECEMBER 2018

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (December 2018) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (11/0).

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 14 FEBRUARY 2019

Moved Cr Caddy, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 14 February 2019.

The Motion was put and declared CARRIED (11/0).

At the request of Cr Caddy the Chairman agreed to bring forward consideration of Item 9.10.

9.10 PROPOSED REPRICING OF LOTS

[The recommendation in the agenda]

That the Council:

1. RECEIVES the recommended repricing of all lots listed on the market for sale (dated 5 February 2019), prepared by the Satterley Property Group.
2. APPROVES the lot prices for currently released lots in accordance with Council's approved pricing practice, as detailed in Schedule 1 (dated 7 February 2019), attached at Appendix 9.10.

Moved Cr Caddy, Seconded Cr Timmermanis.

[An Alternative recommendation]

That the Council:

1. **RECEIVES** the recommended repricing of all lots listed on the market for sale (dated 5 February 2019), prepared by the Satterley Property Group.
2. **APPROVES** the lot prices for currently released lots in accordance with Satterley Property Group's recommendation, as detailed in Satterley Property Group correspondence (dated 5 February 2019), attached at Appendix 9.10.

Minutes TPRC Meeting of Council – 21 February 2019

The Motion was put and declared CARRIED (11/0).

9.6 TPRC BUDGET FYE 2019 – MID-YEAR REVIEW

[The recommendation in the agenda]

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2018 to 30 June 2019 as detailed in the Budget Analysis Worksheet attached to Appendix 9.6.

Moved Cr Caddy, Seconded Cr Jones.

[An Alternative recommendation]

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2018 to 30 June 2019 as detailed in the Budget Analysis Worksheet attached to Appendix 9.6, subject to Proceeds Sales of Lots being adjusted in accordance with the lot repricing approved by Council under Item 9.10 PROPOSED REPRICING OF LOTS.

The Motion was put and declared CARRIED (11/0).

9.7 LOCAL GOVERNMENT COMPLIANCE AUDIT FOR YEAR ENDED 31 DECEMBER 2018

Moved Cr Sandri, Seconded Cmr Hammond.

[The recommendation in the agenda]

That the Compliance Audit Return for the TPRC for the year ended 31 December 2018 be ADOPTED, RECORDED in the minutes, CERTIFIED and SUBMITTED to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the Local Government Act and Regulations.

The Motion was put and declared CARRIED (11/0).

9.8 SALE OF CATALINA CENTRAL SALES OFFICE

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the recommended sales strategy and sale price for the Catalina Central Sales Office, prepared by Satterley Property Group.
2. **APPROVES** the listing of the Catalina Central Sales Office (Lot 170) with the Satterley Property Group at a sale price of \$530,000 in accordance with the Public Release procedure of the Lot Sale and Release Strategy.
3. **DELEGATES** to the CEO authority to negotiate a price for the sale of the Catalina Central Sales Office between \$510,000 - \$530,000.

Minutes TPRC Meeting of Council – 21 February 2019

The Chairman put the Recommendations separately.

- 1. RECEIVES the recommended sales strategy and sale price for the Catalina Central Sales Office, prepared by Satterley Property Group.**

Recommendation 1 was put and declared CARRIED (11/0).

- 2. APPROVES the listing of the Catalina Central Sales Office (Lot 170) with the Satterley Property Group at a sale price of \$530,000 in accordance with the Public Release procedure of the Lot Sale and Release Strategy.**

Recommendation 2 was put and declared CARRIED (10/1).

For: Cr Anderson, Cr Caddy, Cr Cole, Cr Fenn, Cmr Hammond, Cr Italiano, Cr Jones, Cr Taylor, Cr Timmermanis and Cr Treby.

Against: Cr Sandri

- 3. DELEGATES to the CEO authority to negotiate a price for the sale of the Catalina Central Sales Office between \$510,000 - \$530,000.**

Recommendation 3 was put and declared CARRIED BY ABSOLUTE MAJORITY (11/0).

9.9 PROPOSED CONSTRUCTION AND PRICING OF STAGE 26 – CATALINA BEACH

Moved Cr Caddy, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council:

1. RECEIVES the Satterley Property Group advice (dated 30 January 2019) on the construction and lot pricing of Stage 26.
2. APPROVES the award of a contract to RJ Vincent to a value of \$1,519,349 for the civil construction of Stage 26 in Catalina Beach.
3. APPROVES the lot pricing and release of lots in Stage 26 as follows:

Stage 26A	
2107	\$312,000
2013	\$420,000
2075	\$300,000
2076	\$402,000
2077	\$400,000
2078	\$360,000
2079	\$310,000
2080	\$360,000

The Motion as amended was as follows:

Minutes TPRC Meeting of Council – 21 February 2019

That the Council:

1. **RECEIVES** the Satterley Property Group advice (dated 30 January 2019) on the construction and lot pricing of Stage 26.
2. **APPROVES** the award of a contract to RJ Vincent to a value of \$1,519,349 for the civil construction of Stage 26 in Catalina Beach.
3. **APPROVES** the lot pricing and release of lots in Stage 26 in accordance with Satterley Property Group's recommendation, as detailed in Satterley Property Group correspondence (dated 30 January 2019), attached at Appendix 9.9.

The Motion was put and declared CARRIED (9/2)

For: Cr Anderson, Cr Caddy, Cr Cole, Cr Fenn, Cmr Hammond, Cr Italiano, Cr Jones, Cr Taylor and Cr Timmermanis.

Against: Cr Fenn and Cr Treby.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chairman advised the meeting that Mr Luke Aitken (Project Coordinator) had resigned from the TPRC to take up another position. On behalf of the Council, the Chairman thanked Mr Aitken for his contribution to the Catalina Project over nearly a five period and wished him well in his future position. The Chairman declared the meeting closed at 7:15pm.

Minutes TPRC Meeting of Council – 21 February 2019

These minutes were confirmed at a meeting on

SIGNED this day of 2019

as a true record of proceedings.

CHAIRMAN

Statistics for Development Applications As at the end of February 2019

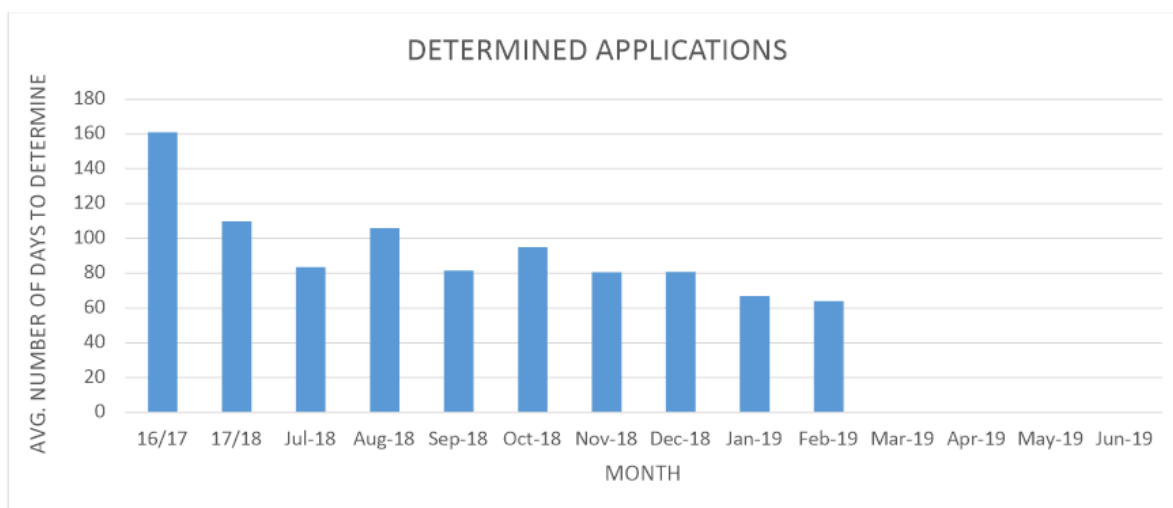


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2018.

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	5	0	15	0	5				
Average	161	110	83.5	106	81.6	95	80.6	80.8	66.9	64				
Maximum	924	647	386	787	494	505	407	216	176	167				
DA's Determined			60	46	46	41	50	37	29	27				
Value of Determined DA's (in millions)			-	\$24.41	\$9.67	\$17.5	\$15.2	\$31.5	\$2.9	\$4.8				

DEVELOPMENT APPLICATIONS YET TO BE DETERMINED

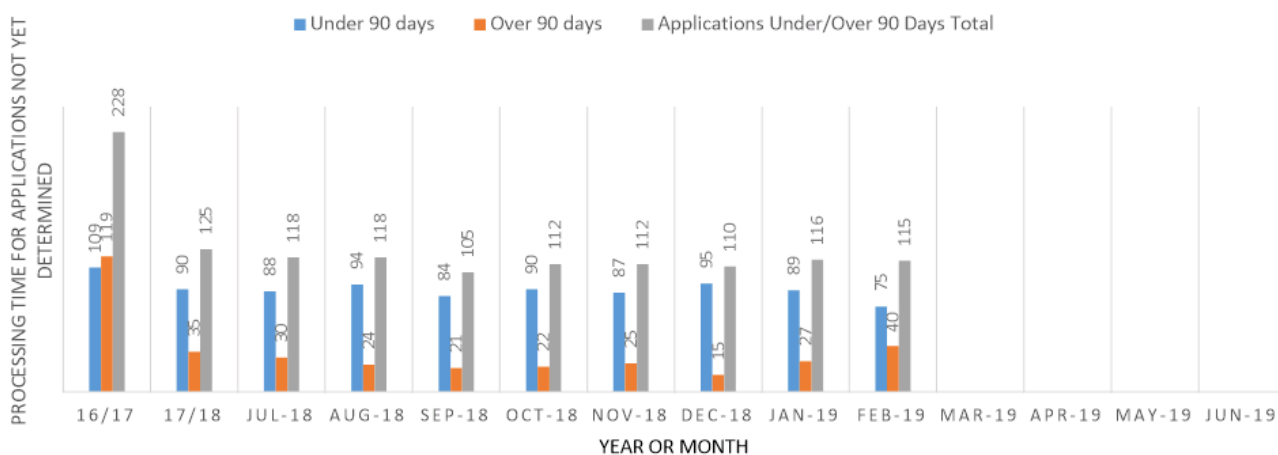


Table 2: No. of DA's to be determined.

	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	51	53	38	42	29				
DA's to be Determined	118	118	105	112	112	110	116	115				
Value of DA's to be Determined (in millions)	-	\$69.95	\$80.55	\$79.13	\$62.89	\$59.86	\$60.17	\$99.29				



CITY OF VINCENT

INFORMATION BULLETIN

SUBJECT:	Street Tree Removal Requests
DATE:	12 March 2019
AUTHOR:	Tracy Hutson, Executive Secretary John Gourdis – Supervisor Parks Services
AUTHORISER:	Andrew Murphy, Director Infrastructure & Environment

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 15 February 2019 to 12 March 2019.



CITY OF VINCENT

INFORMATION BULLETIN

CITY OF VINCENT - Street Tree Removal Requests to 12 March 2019

Date	Requested By	Location/Address	Reason for Removal	Tree Species	Inspection Comments	Approved for Removal (Y/N)	Replacement Tree (Y/N - species)
18/02/2019	Resident	72a Albert Street, North Perth	Tree is in decline/dead	<i>Callistemon</i> 'Kings Park Special'	Will be removed when completely dead	Y	Y - <i>Melaleuca viridiflora</i>
18/02/2019	Resident	74 Albert Street, North Perth	Resident wants tree removed and replaced with Jacaranda	<i>Melaleuca styphilodes</i>	Tree in excellent condition, crown lifted only	N	N/A
18/02/2019	Resident	35 Buxton Street, Mount Hawthorn	Resident has stated tree looks unhealthy and would like a new tree	<i>Lophostemon confertus</i>	Loss of bio-mass due to root disturbance from drain installation at foot of tree, also site around root area has been cut in the past. Tree will be monitored	N	N/A
18/02/2019	Resident	6/6 Tennivale Place, North Perth	Grevillea hedge has died, (Privacy Screen), on Council verge resident wants replaced	<i>Grevillia olivaceae</i>	All plants are dead and will be removed by council employees and plant up in the 19/20 planting season	Y	Y - <i>Grevillea olivaceae</i>
18/02/2019	Resident	307 Lord Street, Mount Lawley	Robinia sucker growing on the side of the house encumbers footpath	<i>Robinia</i> Spp	Overgrown suckers 2 metres plus, had to be removed.	Y	N - only suckers were removed
18/02/2019	Resident	125 Richmond Street, Leederville	Two <i>Callistemons</i> trees are in decline	<i>Callistemon</i> 'Kings Park Special'	Will be removed when completely dead	Y	Y - <i>Melaleuca viridiflora</i>
19/02/2019	Resident	23 Morriston Street, North Perth	Tree is dead	<i>Fraxinus raywoodii</i>	Tree is confirmed to be completely dead	Y	Y - <i>Jacaranda mimosaeifolia</i>
19/02/2019	Resident	14 Pennant Street, North Perth	Tree is dead	<i>Lophostemon confertus</i>	Large tree was likely killed due to significant root disruption	Y	Y - TBD
19/02/2019	Resident	Claverton Street - between Alfonso & Leake Streets	A dozen or so small <i>Callistemon</i> trees either dying or in serious decline	<i>Callistemon</i> 'Kings Park Special'	Trees are in various condition along street, individual trees will be removed in 19/20 Financial year.	Y	Y - TBD
20/02/2019	Resident	77 Anzac Road, Mount Hawthorn	Customer has reported that 1x tree has died and 1x tree is in decline	<i>Lophostemon confertus</i>	Trees are confirmed to be dead	Y	Y - <i>Jacaranda mimosaeifolia</i>

25/02/2019	Resident	51 - 53 Chatsworth Road, Highgate	Verge tree between 51 & 53 is pretty much dead and has a large split. Resident would like it to be removed and replaced	<i>Agonis flexuosa</i>	Tree is confirmed to be completely dead	Y	Y - <i>Agonis flexuosa</i>
02/01/2019	Resident	17 Cliveden Street, North Perth	Resident has safety concerns about the tree, however she accepted a deadwood removal instead	<i>Agonis flexuosa</i>	Tree is old and healthy with no splits. Dead wood will be removed from tree	N	N
05/03/2019	Parks Officer	61-63 Galwey Street, Leederville	Splitting trunk is moving, ready to collapse	<i>Agonis flexuosa</i>	This tree has been monitored in the last twelve months, now showing signs of splitting further and must be removed due to risk of collapsing	Y	Y - <i>Agonis flexuosa</i>
06/03/2019	Resident	11 Cantle Street, Perth	Resident has reported that a peppermint tree on their verge is dead. Would appreciate it being removed and replaced.	<i>Agonis flexuosa</i>	Will be removed when completely dead	Y	Y - <i>Agonis flexuosa</i>
06/03/2019	Parks Officer	18 & 38 Fairfield Street, Mount Hawthorn	Trees are dead	<i>Callistemon 'Kings Park Special'</i>	Trees are confirmed to be dead	Y	Y - <i>Melaleuca viridiflora</i>
08/03/2019	Parks Officer	148 Grosvenor Rd, Mount Lawley	Tree is dead	<i>Olea (Olive)</i>	Trees are confirmed to be dead	Y	Y - <i>Jacaranda mimosaeifolia</i>
	Parks Officer	83 Anzac Rd, Mount Hawthorn	Two trees on verge are dead	<i>Lophostemon confertus</i>	Development site, possible decline due to NBN works in vicinity and supply of water to trees has been cut off.	Y	Y - 2 trees TBD
12/03/2019	Resident	27 Jugan Street, Glendalough	Tree is dead and looks like it is about to fall over	<i>Agonis flexuosa</i>	Tree is confirmed to be dead and will be removed in March	Y	Y - <i>Agonis flexuosa</i>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 15 MARCH 2019**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	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 540 square metres across both Nos. 120 and 122 Richmond Street. This order only relates to No. 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 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. At the Hearing on 13 November 2018, the appellant advised of his intention to lodge applications for Development Approval for the existing unauthorised structures, although this has not yet occurred. The trial date was vacated and the matter was listed for a new Directions Hearing on 12 February 2019. Applications for Development Approval for the existing unauthorised structures was lodged on 26/11/18 and is being assessed by Planning. Adjournment sought to allow for processing of DAs – adjourned until 18 March 2019.</p> <p><i>Representation by: Kott Gunning Lawyers</i></p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 15 MARCH 2019**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
2.	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>*****</p> <p>The City attended a directions hearing on 28 September 2018 where the SAT referred the matter to mediation. The City attended a mediation 18 October 2018 where the SAT directed Council to reconsider the application on or before 22 February 2019. The SAT subsequently issued amended Orders advising the applicant has until 14 December 2018 to submit amended plans and Council will have until 26 March 2019 to reconsider the application. The SAT issued amended orders advising the applicant has until the 1 March 2019 to provide amended plans and Council will have until the 28 May 2019 to reconsider the application. The applicant withdrew the appeal 7 March 2019. Completed.</p> <p><i>Representation by: City of Vincent Administration</i></p>
3.	No. 48 Egina Street, Mount Hawthorn (DR 274 of 2018)	26 October 2018	Urbanista	<p>Application for review of Council's decision to refuse the application for two grouped dwellings on 16 October 2018.</p> <p>*****</p> <p>The City attended a mediation 14 December 2018. SAT issued orders advising the applicant to provide amended plans and additional information by the 19 December 2019 to enable Council to reconsider the application at its meeting 5 February 2019. The application was presented to Council 5 February 2019 for reconsideration, Council resolved to refuse the amended proposal. A Directions Hearing was held on 15 February 2019 in which the application was scheduled for a Full Hearing on 9 April 2019.</p> <p><i>Representation by: Allerdin and Associates</i></p>
4.	No. 8 Moir Street, Perth (DR 281 of 2018)	9 November 2018	Kogon	<p>Application for review of Council's decision to refuse the application for short term dwelling on 16 October 2018.</p> <p>*****</p> <p>A Directions Hearing was held on 30 November 2018. SAT issued orders advising the applicant to provide amended plans and a management plan by the 31 January 2019 to enable Council to reconsider the application on or before 2 April 2019. A subsequent Directions Hearing is scheduled for 12 April 2019.</p> <p><i>Representation by: City of Vincent Administration</i></p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 15 MARCH 2019**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	No. 3 Bulwer Avenue, Perth (DR 304 of 2018)	30 November 2018	Justin Mortley	<p>Application for review of Council decision to refuse the application for Alterations and Additions to Single House (unauthorised existing development) on 18 September 2018.</p> <p>*****</p> <p>The City attended a directions hearing 14 December 2018, with the matter scheduled for mediation on 17 January 2019. Staff attended mediation 17 January 2019 where the parties were unsuccessful in mediating a suitable outcome. A Directions Hearing was scheduled 25 January 2019 where the SAT scheduled a second mediation session was held 5 March 2019. The SAT ordered the applicant to test removing a portion of the render. A report is to be provided and considered by the City's heritage experts. A mediation is to be held on 30 April 2019 to determine if the application can be reconsidered under section 31 of the SAT act or whether the application is to progress to a Full Hearing.</p> <p><i>Representation by: Altus Planning</i></p>
6.	Nos. 308 – 310 Oxford Street, Leederville	29 November 2018	Urbanista Town Planning	<p>Application for review of JDAP decision to refuse the application for mixed use development on 29 November 2018.</p> <p>*****</p> <p>The City attended mediation 30 January 2019 where the SAT directed the applicant to provide amended plans by the 22 February 2019 and the JDAP to reconsider the application by the 5 April 2019.</p> <p><i>Representation by: JDAP</i></p>
7.	No. 125 Richmond Street, Leederville	4 December 2018	Network PPD	<p>Application for review of JDAP decision to refuse the application for an amendment to the existing approval for Multiple Dwellings on 13 October 2018.</p> <p>*****</p> <p>The City attended mediation on 26 February 2019 where the SAT scheduled for the applicant to provide amended plans on 29 March 2019. On-site mediation followed by further mediation at the City's Administration Offices will be held on 12 April 2019.</p> <p><i>Representation by: JDAP</i></p>
8.	No. 377 Walcott Street, Coolbina	6 March 2018	Building Development Group constructions Pty Ltd	<p>Deferred by Council 5 March 2019. Applicant notified the City 6 March 2019 of their application to SAT. City is awaiting SAT orders before notifying community.</p> <p><i>Representation by: Altus Planning</i></p>
9.	58 Kalgoorlie Street, Mount Hawthorn	7 March 2018	Caitlin Kyron (represented by Urbanista Town Planning)	<p>Deferred by Council 5 March 2019. Applicant notified the City 7 March 2019 of their application to SAT. City is awaiting SAT orders before notifying community.</p> <p><i>Representation by: Altus Planning</i></p>

**METROWEST DEVELOPMENT ASSESSMENT PANEL (MWDAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 15 MARCH 2019**

No.	ADDRESS AND DA SERIAL NO.	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 394-398 Newcastle Street, West Perth	Applicant: Urbanista	Form 1 – Mixed use development	23 October 2018	20 March 2019	The application was deferred on 29 January 2019 for a period of 60 days to resolve issues. Carried (3/2). For: Mr Ross, Cr Loden, Cr Topelberg. Against: Ms Lefante, Mr Hick. The minutes are available here . The amended proposal has not been determined.
2.	No. 187 & 189 Loftus Street, Leederville	Applicant: Allerding and associates	Form 1 – Multiple Dwellings	1 November 2018	13 March 2019	The application was approved consistent with the City's recommendation 13 March 2019. Carried unanimously. The minutes are available here .
3.	Nos. 80-84 Ellesmere Street and 35 Blackford Street, Mount Hawthorn	Applicant: Element	Form 1 – Child Care Premises	9 November 2018	20 March 2019	Not yet determined.
4.	Nos. 66-70 Wright Street, Highgate	Applicant: Momentum Wealth	Form 2 – Multiple Dwellings (amendment to approval)	4 December 2018	28 February 2019	The application was approved consistent with the City's recommendation 28 February 2019. Carried (4/1). For: Ms Lefante, Mr Ross, Mr Syme, Cr Loden. Against: Cr Topelberg. The minutes are available here .
5.	No. 14 Florence Street, West Perth	Applicant: Megara	Form 1 – 11 Grouped Dwellings	11 December 2018	18 March 2019	Not yet determined.

**METROWEST DEVELOPMENT ASSESSMENT PANEL (MWDAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 15 MARCH 2019**

No.	ADDRESS AND DA SERIAL NO.	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
6.	Nos. 71-77 Walcott Street, Mount Lawley	Applicant: Peter Simpson Town Planning	Form 2 – Alterations and additions to commercial building (amendment to approved)	3 January 2019	28 February 2019	The application was approved consistent with the City's recommendation 28 February 2019. Carried unanimously. The minutes are available here .
7.	No. 13 Blake Street, North Perth	Applicant: Planning Solutions	Form 1 – Multiple Dwellings (10)	31 January 2019	29 April 2019	Not yet determined.
8.	No. 164 Edward Street, Perth	Applicant: Peter Webb & Associates	Form 1 – Office	31 January 2019	To be confirmed.	Not yet determined.
9.	No. 333 Oxford Street, Mount Hawthorn	Applicant: Alijn Built Forms	Form 1 – Mixed Use Development	16 November 2018	7 March 2019	The application was approved consistent with the City's recommendation 28 February 2019. Carried unanimously. The minutes are available here .
10.	No. 742 Newcastle Street, Leederville	Applicant: Element	Form 1 – Commercial Development	22 February 2019	To be confirmed.	Not yet determined.
11.	No. 81 Angove Street, North Perth	Applicant: Tom Godden Architects	Form 2 – Alterations and additions to child care premises (amendment to approved)	8 March 2019	To be confirmed.	Not yet determined.
12.	No. 500 Fitzgerald Street, North Perth	Applicant: Studio Technical	Form 2 - Alterations and additions to mixed use development (amendment to approved)	8 March 2019	To be confirmed.	Not yet determined.

**CITY OF VINCENT DESIGN REVIEW PANEL (DRP)
REGISTER OF APPLICATIONS CONSIDERED BY DRP
AS AT 15 MARCH 2019**

NO.	ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
1.	No. 13 Blake Street, North Perth	Planning Solutions (Aust) Pty Ltd/Trent Will	10 Multiple Dwellings	20/2/19	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.	No. 536 Charles Street, North Perth	Perth Residential Development/Thi Loam Tram Nguyen	Mixed Use Development	20/2/19	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.
3.	No. 351 Stirling Street, Highgate	Robert Epiro	Seven Multiple Dwellings	20/2/19	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.
4.	Nos. 320-324 Oxford Street & No. 51 Marian Street, Leederville	Giorgi	Mixed Use Development comprising of commercial tenancies and multiple dwellings	6/3/19	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.
5.	Nos. 194-200 Carr Place, Leederville	Hillam Architects	Mixed Use Development	6/3/19	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.
6.	No. 64 Cleaver Street, West Perth	MW Urban	12 Multiple Dwellings	6/3/19	For the DRP to consider the changes made by the applicant in response to the previous DRP comments and recommendations of 28 November 2018. No DA lodged.



CITY OF VINCENT

INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – April 2019
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
EDCE:	Executive Director Community Engagement
EDCS:	Executive Director Corporate Services
EDDS:	Executive Director Development Services
EDI&E:	Executive Director Infrastructure & Environment

NO OUTSTANDING PETITIONS AS AT 1 APRIL 2019



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – April 2019
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
EDCE:	Executive Director Community Engagement
EDCS:	Executive Director Corporate Services
EDDS:	Executive Director Development Services
EDI&E:	Executive Director Infrastructure & Environment

Details	Action Officer	Comment
13 November 2018 – Submitted by Cr Topelberg		
Policy No. 3.8.12 – Mobile Food Vendor, by 30 April 2019	EDDS	Administration will review the Policy in accordance with the Council resolution.
21 August 2018 – Submitted by Cr Loden		
Transparency of rates spend in the Budget	EDCS	This will be done as part of the upcoming 2019/2020 Budget Workshops, as per the recommendation.
4 April 2018 – Submitted by Cr Loden		
Action on Climate Change	EDDS	Administration will present the draft Sustainable Environment Strategy to Council for advertising by June 2019 (currently targeting OMC May 2019). The work completed on the draft Strategy to date has informed the items put forward by Administration for draft Budget 2019/20. The draft Sustainable Environment Strategy will include the measures identified in Items 4 and 5 of Council's resolution.
22 August 2017 – Submitted by Cr Gontaszewski		
Strategies to Improve Participation and Accessibility by Women and Girls at City of Vincent Sportsground and Associated Facilities, by February 2019	EDCE	Specific strategies endorsed at the Council Meeting held on 24 July 2018. Update presented to Council on 5 February 2019 and Health Check data to go to April Council meeting.
27 October 2015 – Submitted by former Mayor Carey		
Review of Laws, Policies and Practices relating to the impact of construction activity, on the public realm, by May 2016	EDI&E/ EDDS	Administration will communicate proposed amendments to the Property Local Law to Council Members in advance of formally presenting the matter to Council in early 2019.



CITY OF VINCENT

INFORMATION BULLETIN

TITLE:	Register of Reports to be Actioned – Progress Report – April 2019
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
EDCE:	Executive Director Community Engagement
EDCS:	Executive Director Corporate Services
EDDS:	Executive Director Development Services
EDI&E:	Executive Director Infrastructure & Environment

Item	Report Details	Action Officer	Comments
Council Meeting – 5 March 2019			
9.1	No. 14 (Lot: 1; SP: 12592) Orange Avenue, Perth - Second Storey Addition and Alterations to Single Dwelling	EDDS	The applicant is currently considering the reasons for deferral. Item to be referred back to Council.
9.2	No. 377 (Lot: 162; D/P: 2630) Walcott Street, Coolbinia - Four Multiple Dwellings	EDDS	The applicant has applied to the State Administrative Tribunal for the deemed refusal of the application. Item to be referred back to Council.
9.7	No. 58 (Lot: 301 & 302; D/P: 34680) Kalgoorlie Street, Mount Hawthorn - Single House	EDDS	The applicant has applied to the State Administrative Tribunal for the deemed refusal of the application. At the same time the applicant has made modifications to the application in response to Council's reasons for deferral. Administration has referred the changes to the Chair of the Design Review Panel for comment. The modified application will be assessed by Administration and referred back to Council.
9.9	Amendment to Municipal Heritage Inventory - No. 3 (Lot: 18) Mignonette Street, North Perth	EDDS	Completed. The City has notified the landowner and State Heritage Office and has updated the City's mapping systems and website accordingly.
9.10	Amendment to Policy No. 2.2.13 – Parklets	EDDS	Completed. Administration will work with the relevant business owners to enable the adjoining parklets to be licensed as a trial. The amended Policy No. 2.2.13 – Parklets will be advertised in accordance with Council's resolution once both parklets have been licensed for a minimum of two months as part of the trial. This is anticipated to be during July and August 2019 to account for the temporary removal of the Jus Burgers parklet during the construction of the Leederville Village Square.
9.11	Amendment to Policy No. 2.2.8 - Laneways and Rights of Way	EDDS	Completed. The amended Policy No 2.2.8 – Laneways and Rights of Way will be published and the City's website will be updated accordingly with the relevant documents and forms. Administration will process road naming applications in accordance with the new Road Naming Procedure.
10.1	Business Case for the Adoption of a Three Bin Food Organic/Garden Organics System	EDI&E	Further report to Council by June 2019.
11.1	Minutes and motions from Annual General Meeting of Electors held on 29 January 2019	EDCS	No further action.
11.6	Mid-Year Budget Review 2018/2019	EDCS	To be forward to Department of Local Government, Sport and Cultural Industries.

Item	Report Details	Action Officer	Comments
11.7	Local Government Statutory Compliance Audit Return 2018	EDCS	To be forwarded to Department of Local Government by 31 March 2019
11.8	Report and Minutes of Audit Committee Meeting held on 26 February 2019	EDCS	No further action.
12.1	Draft Banks Reserve Master Plan Extended Public Comment Feedback	EDCE	Banks Reserve Master Plan and Design Guidelines to be amended and consultation to be undertaken regarding the co-naming or renaming of Banks Reserve as per resolution.
12.2	State Tennis Centre Proposal for Robertson Park – Community Consultation Outcomes	EDCE	Funding for Robertson Park Development Plan to be considered with draft 2019/20 Budget.
12.3	LATE REPORT: Floreat Athena Football Club (inc.) – Request for In Principle approval of a new Five Year Lease	EDCE	Progress report on completion of requirement to extend term of lease to be submitted to Council no later than June 2019. Administration to liaise with FAFC prior to Federal Government.
Council Meeting – 5 February 2019			
9.6	Amendment to Policy No. 2.2.8 - Laneways and Rights of Way	EDDS	Completed. The item was discussed at the Council Workshop on 12 February 2019 and was represented to the Council Meeting on 5 March 2019.
11.7	Statutory Review of the City's wards and representation - consideration of submissions and recommendation to the LGAB	EDCS	Completed. Administration advised Local Government Advisory Board (LGAB) of the outcome of the review.
12.1	Amended Use of Les Lilleyman Reserve by Subiaco Football Club (SFC)	EDCE	Administration to finalise new Reserve Hire conditions with SFC. Inclusion of the installation of perimeter fencing to partially enclose Les Lilleyman Reserve along London Street, North Perth to be considered in the draft 2019/20 Budget.
12.2	UPDATE: Notice of Motion – Cr Susan Gontaszewski – Strategies to Improve Participation and Accessibility by Women and Girls at City of Vincent Sportsgrounds and Associated Facilities	EDCE	Further update including updated Health Check data to be presented to April 2019 Council Meeting.
Council Meeting – 11 December 2018			
11.5	Land Exchange – Portion of Lot 75 Brentham Street (Brentham Street Reserve) for Portion of Lot 100 (No 20) Brentham Street (Aranmore Catholic Primary School)	EDCS	Communication Plan and media release finalised on 12 February 2019. Public notice of the proposed exchange provided on 12 February 2019. Submissions will be presented to 30 April OMC. Plan of subdivision to be prepared and the City's Policy & Place Section to initiate scheme amendment.
11.7	Lease of 15 Haynes Street, North Perth to North Perth Playgroup Inc.	EDCS	Completed - 5 March 2019. Signed lease has been sent to the Playgroup
18.2	Amendment of rates record for period 2013/14 – 2018/19 – rates exemption applications	EDCS	The City's Rates Section is writing to all affected organisations and amendments will be made based on responses.
Council Meeting – 16 October 2018			
9.1	No. 14 (Lot 1; SP: 12592) Orange Avenue, Perth - Second Storey Addition and Alterations to Grouped Dwelling	EDDS	Completed. The applicant provided modified application in response to Council's reasons for deferral. The modified application was considered by Council at the 5 March 2019 Ordinary Meeting of Council.
10.1	Proposed 40kph Area Wide Speed zone Trial – South Vincent Progress Report No. 2	EDI&E	Progressing well for trial commencement of 29 April 2019.
11.5	Variation of Leederville Tennis Club and North Perth Tennis Club leases to enable return of funds held in City's reserve accounts to clubs	EDCS	Variation of Leases drafted and sent to Clubs for review.
12.1	Management of Services at Weld Square for People Experiencing Homelessness	EDCE	Further report to be presented in early 2019 to confirm outcomes on City of Perth Homelessness Framework Committee.

Item	Report Details	Action Officer	Comments
<u>Council Meeting – 18 September 2018</u>			
9.6	Amendment 1 to Local Planning Policy No. 7.1.1 - Built Form	EDDS	Completed. Administration has modified Clause C1.5.2 and C1.5.3 in accordance with Council's resolution. Administration has advertised the three policy amendments in accordance with Council's resolution and has given notice of the proposed amendment to the Built Form Policy to the Western Australian Planning Commission. New State Planning Policy framework was released on 18 February 2019. A report will be presented to Council in 2019 on the results of the consultation and impact of the new State Planning framework.
10.4	Response to Petition – Alma Road and Claverton Streets, North Perth	EDI&E	To be actioned as per Council's decision Item 10.3, at its Ordinary Meeting of 11 December 2018, requiring a further report by June 2019.
<u>Council Meeting – 21 August 2018</u>			
10.2	Axford Park Upgrade - Concept Design & Implementation of Quick Win Works Items	EDI&E	Quick Wins progressing well. Parks related works completed. Exeloo toilet relocation in progress and plateau at Fairfield Street due to commence shortly.
<u>Council Meeting – 26 June 2018</u>			
9.8	Business Advisory Group – Key Priorities	EDDS	Completed. Administration will now use the Business Advisory Group's Key Priorities to inform the review of the City's Economic Development Strategy.
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)	EDCS	London / Dunedin Street Right of Way (ROW) has been dedicated as road. Administration provided notice to properties adjoining ROW on 30 January 2019. Waiting on dedication of Colvin Lane.
<u>Council Meeting – 29 May 2018</u>			
11.1	Leases to Department of Health to govern Department's current use of the Child Health Clinics within City of Vincent	EDCS	Leases being finalised for execution. Signs acknowledging City's support to be installed.
18.1	CONFIDENTIAL ITEM: Licence to govern encroachment of drainage infrastructure from 152 Joel Terrace, Mount Lawley into Swan River Foreshore Reserve 43459	EDCS	Owners obtaining approval from Department of Biodiversity, Conservation and Attractions. City waiting on approval in order to sign licence
<u>Council Meeting – 4 April 2018</u>			
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	EDCS	Clubs working with the City's Community Engagement Directorate to resolve some leasing issues.
<u>Council Meeting – 17 October 2017</u>			
11.4	Lease to Axicom Pty Ltd for telecommunications purposes – Lot 9023 Marmion Venue, Clarkson (Tamala Park)	EDCS	City has signed leases. Waiting on signing by other Local Government Authorities.
<u>Council Meeting – 27 June 2017</u>			
9.4	Proposed Amended Parking Restrictions – Mount Hawthorn Town Centre	EDDS	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. A consultant has undertaken a survey of parking in the Mount Hawthorn area as part of the Integrated Transport Plan and the results of this work will be presented to Council Members in 2019 as part of this project.
9.5	Submission to WALGA – Third Party Appeal Rights in Planning	EDDS	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.

Item	Report Details	Action Officer	Comments
12.1	No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 8	EDCE	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.
<u>Council Meeting – 30 May 2017</u>			
10.1	Water Corporation – Long Term Water Main Replacement Program within the City of Vincent	EDI&E	The Water Corporation's only 2018/19 Project within the City of Vincent is in Beaufort Street, between Newcastle Street and Chelmsford Road, commences 14 March with an expected completion in July/August 2019.
12.5	Perth Parking Levy	EDCE	Awaiting outcomes of the Perth CBD Transport Plan and specific recommendations regarding the Perth Parking Levy.
<u>Council Meeting – 7 March 2017</u>			
9.3.5	Review of City of Vincent Local Laws under Section 3.16 of the Local Government Act 1995 (SC2688)	EDDS/ EDI&E	The Health; Property; and Trading in Public Places Local Laws are being reviewed. Presentation to Council made at Council Workshop held on 20 November 2018.
<u>Council Meeting – 18 October 2016</u>			
9.2.1	Proposed Safety Improvement at the Intersection of Walcott and Beaufort Streets, Mount Lawley (SC686, SC986)	EDI&E	On hold pending the completion of the Water Corporation's Beaufort Street 'Pipes for Perth' water main replacement project.
<u>Council Meeting – 28 June 2016</u>			
9.3.5	Lease of No. 4 Broome Street, Highgate to Minister for Education – Highgate Pre-Primary (Little Citizens) (SC591)	EDCS	Completed. 20 March 2019.
<u>Council Meeting – 5 April 2016</u>			
9.1.6	Review of Licences for Outdoor Eating Areas and Display of Goods on Footpaths	EDDS	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 and this system went live on 22 February 2018. The outcomes and results of this system were presented to the Council Workshop on 20 November 2018. A further report will be presented to Council in early 2019.
<u>Council Meeting – 8 March 2016</u>			
9.3.5	Leederville Gardens Retirement Village Estate (SC313/SC308)	Office of the CEO	The City to write to Leederville Gardens and request they respond formally to this matter.
<u>Council Meeting – 27 October 2015</u>			
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)	EDCS	Negotiating terms with the City's Community Engagement Directorate. This is pending completion of the draft Community Leasing Framework which was presented to 12 March Council Workshop and will be presented to a future Worksop in April/May 2019.
<u>Council Meeting – 20 January 2015</u>			
9.3.4	Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville (SC351/SC589)	EDCS	Completed. 20 March 2019.
<u>Council Meeting – 18 November 2014</u>			
9.1.4	Car Parking Strategy Implementation – Progress Report No. 1 (PRO0084/SC1345)	EDDS/ EDI&E / EDCE	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.

Item	Report Details	Action Officer	Comments
			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.
<u>Council Meeting – 7 October 2014</u>			
9.3.2	Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth (SC351/SC621)	EDCS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.
<u>Council Meeting – 23 September 2014</u>			
9.3.6	Lease for Leederville Tennis Club – Lease of premises at 150 Richmond Street, Leederville (SC351 & PR25077)	EDCS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.
<u>Council Meeting – 27 May 2014</u>			
9.3.4	LATE ITEM: East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	EDCS	Further discussions ongoing as part of broader discussions with Football Clubs.
<u>Council Meeting – 12 February 2013</u>			
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	EDCS	Contacted Department of Lands for update.
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)	EDCS	Contacted Department of Lands for update.

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 NOTICE OF MOTION - CR TOPELBERG - TENDER OR QUOTATIONS FOR BULK VERGE COLLECTION**

TRIM Ref: D19/34151

Attachments: Nil

That Council:

1. REQUESTS that Administration:

- 1.1 DOES NOT proceed with a Tender or Quotations for Bulk Verge Collection beyond the existing contract;**
- 1.2 PROVIDES a report to Council no later than June 2019 with alternative options for bulk waste management and collection in City, including financial modelling; and**
- 1.3 that the options presented be capable of being implemented in the 2019-20 financial year, subject to council decision**

REASON

The current system presents unacceptable issues in terms of:

- unsightly verges throughout the City for approximately two months of the year;
- potential danger to pedestrians & passers-by;
- rubbish being blown into neighbouring properties;
- potential damage to established street trees and verge plantings;
- little "recycling" value in an age of resources such as Gumtree and Buy Nothing;
- Issues relating to noise and antisocial behaviour from late-night verge hunters;
- illegal dumping / dumping on other peoples' property;
- post-collection dumping and associated clean-up; and
- the current system likely no longer reflects the best value for the City.

Based on the above, it is requested that the City investigate and report on an improved system for implementation in the coming financial year.

ADMINISTRATION COMMENTS

Project 2 of the City's Waste Strategy 2018-2023 is the Bulk Hard Waste Service Option Appraisal which is due to be completed by June 2019. The Strategy recognises that the current collection system is not contemporary and results in low environmental performance. There are a number of alternative methods of collecting bulk waste.

Administration supports the intent of the Notice of Motion.

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

Nil

16 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**18.1 APPOINTMENT OF COMMUNITY REPRESENTATIVES TO THE CITY OF VINCENT RECONCILIATION ACTION PLAN WORKING GROUP**

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

Local Government Act 1995 - Section 5.23(2):

- (b) the personal affairs of any person

LEGAL:**2.14 Confidential business**

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

Confidential reports are provided separately to Council Members, the Chief Executive Officer and Directors.

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

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

19 CLOSURE