

agenda

Elected Members Briefing
Session



To: His Worship the Mayor and Councillors

Please be advised that an Elected Members Briefing Session will be held at **6.30pm** on **Tuesday 2 September 2014** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

A handwritten signature in black ink, appearing to read "A. Vuleta".

MR ANTHONY VULETA
A/CHIEF EXECUTIVE OFFICER

29 August 2014

ELECTED MEMBERS BRIEFING SESSION

Purpose of Elected Members Briefing Session (EMBS)

The EMBS is a constituted Committee of the Council in accordance with Section 5.8 of the *Local Government Act 1995*. The function of the EMBS is to inform Elected Members of relevant and material facts and circumstances pertaining to matters to be decided at a forthcoming Ordinary Council meeting.

The EMBS:

1. Has no delegated power to make decisions;
2. Does not make recommendations about the adoption of reports of employees or others to the forthcoming Ordinary Council meeting;
3. Will involve Elected Members, staff, and external advisors (where appropriate) and will be open to the public; and
4. Provides an opportunity for Elected Members to be equally informed and seek additional information on reports, items and matters prior to them being presented to the forthcoming Ordinary Council meeting for formal consideration and decision.

Procedures for EMBS

A meeting of the EMBS will be conducted in accordance with the Standing Orders Local Law. The following procedures will also apply:

1. The EMBS will be open to the public except for matters of a confidential nature. The guide for determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
2. There is no debate amongst Elected Members on any matters raised during the EMBS.
3. Relevant employees of the Town will be available to make a presentation or respond to questions on matters listed on the agenda of the EMBS.
4. Elected Members have the opportunity to request reports or raise other matters at item; *VIII General Business* on the EMBS Agenda.
5. A record (brief minutes) shall be kept of all EMBS meetings. As no decisions are made at an EMBS, the record will only be a record of;
 - 5.1 items listed on the agenda by heading and number;
 - 5.2 questions asked and the response provided; and
 - 5.3 any disclosure of interest as declared by individuals.
6. Persons having an interest in or knowledge of matters to be decided by the Council may be invited by the Chief Executive Officer to address an EMBS. Such persons making an address will be limited to 15 minutes. An address must relate to matters listed on the Agenda.

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1 OPENING

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

There are guidelines that need to be adhered to in our Council meetings and while we are not as strict as we could be, it is important to remember that during question and statement time, I would like to request that the people speaking do not personalise any questions or statements about Elected Members or staff or use any possible defamatory remarks.

3 ATTENDANCE

Mayor: Mr T (Trevor) Vaughan

Banksia Ward: Cr C (Claire) Anderson (Deputy Mayor)
Cr J (John) Bissett
Cr K (Keith) Hayes
Cr M (Mark) Windram

Jarraah Ward: Cr V (Vince) Maxwell
Cr D V (Vin) Nairn
Cr B (Brian) Oliver
Cr V (Vicki) Potter

A/Chief Executive Officer: Mr A (Anthony) Vuleta

Director Future Life & Built Life Ms R (Rochelle) Lavery
A/Director Renew Life Mr W (Warren) Bow
Director Community Life Ms T (Tina) Ackerman
Director Business Life Mr N (Nathan) Cain

Executive Manager Built Life: Mr R (Robert) Cruickshank

Secretary: Mrs A (Alison) Podmore

Public:

3.1 Apologies

3.2 Approved Leave of Absence

4 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

Declaration of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

Declaration of Proximity Interest

Elected members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

Declaration of Interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

5 PUBLIC QUESTION TIME**6 PUBLIC STATEMENT TIME****7 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 5 August 2014 be confirmed.

RECOMMENDATION

That the minutes of the Special Elected Members Briefing Session meeting held on Tuesday, 26 August 2014 be confirmed.

8 PRESENTATIONS**8.1 Petitions****8.2 Presentations (Awards to be given to the Town)**

8.3 Deputations (Planning / External Organisations)

- 6:35pm Item 11.1 – Patricia Perrett will be in attendance to discuss this application.
6:40pm Item 11.2 – Trent Will from Planning Solutions will be in attendance to discuss this application.
6:45pm Item 11.3 - Phillip Ker from Form & Function Building Design will be in attendance to discuss this application.

9 METHOD OF DEALING WITH AGENDA BUSINESS

10 CHIEF EXECUTIVE OFFICER REPORTS

10.1 Disposal of Light Fleet Vehicle Registration Number 102VPk

File Reference:	PES/7/0004
Appendices:	No
Date:	13 August 2014
Reporting Officer:	J. Wong
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority
Executive Summary:	
<p>Recommendation – That Council endorses the advertisement of the disposal of a current light fleet vehicle registration number 102VPk in accordance with <i>the Local Government Act 1995</i> and if no submissions are received by closure of the submission period, the disposition is to proceed as detailed in this report.</p> <ul style="list-style-type: none"> • Subject to Council endorsement, the Director Future Life & Built Life will purchase the Town's vehicle registration number 102VPK, while complying with the condition developed as part of the Town's Fleet Optimisation Initiative governing the use of private vehicles for work purposes. 	

TABLED ITEMS:

- Condition of approval of cash in lieu of a Council light fleet vehicle.

BACKGROUND:

As part of the Town's Light Fleet Optimisation Initiative, the Town has considered the options of members of the Senior Management Group and Executive Management Group relinquishing their Council owned vehicles in order to reduce the number of light fleet vehicles owned by the Town. Accordingly, the Director of Future Life & Built Life has indicated an interest to purchase the current Council owned vehicle which she is driving, she will then maintain it entirely at her own cost for private and Council business uses and replace it at her own cost within the approved period of retention.

DETAILS:

The Council owned vehicle currently driven by the Director of Future Life & Built Life:

Model:	Ford Territory Titanium 2 wheel drive
Registration number:	102VPk
Purchase date:	9th September 2012
Age:	2 years old
Purchase price:	\$47,374.54 (excluding GST) under State government contract 37804
Theoretical Valuation:	Red Book \$32,490
Pickles Auction suggested reserve price	\$28,000 (including GST)
Odometer as at 13/8/2014:	21,255

Actual quotations received from second hand car dealers:

- City Subaru, \$27,000 (including GST)
- Youngs Holden, \$27,000 (including GST)
- John Hughes, \$30,000 (including GST)

Legal Compliance:

Section 3.58 (3) and (4) of the *Local Government Act 1995* determine the process required of a Local Government who intends to dispose of property as follows:

“3.58. Disposing of property

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned;

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.”

The requirements for Local Public Notice are contained in s.1.7 Of the *Local Government Act 1995* as follows:

“1.7. Local public notice

(1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —

(a) published in a newspaper circulating generally throughout the district;

(b) exhibited to the public on a notice board at the local government’s offices; and

(c) exhibited to the public on a notice board at every local government library in the district.

(2) Unless expressly stated otherwise it is sufficient if the notice is —

(a) published under subsection (1)(a) on at least one occasion; and

(b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —

(i) the time prescribed for the purposes of this paragraph; or

(ii) if no time is prescribed, 7 days.”

The Director Future Life & Built Life's Employment Contract provides for the incumbent to select the option of cash in lieu of a Council owned vehicle.

Policy Implications:

Nil

Strategic Plan Implications:

Fleet Optimisation Initiative.

Financial Implications:

The Transaction is within the scope of the current budget. Proceeds from the sale of this vehicle (102VPk) will be retained in the 2014/15 budget for the monthly cash in lieu payments to the Director Future Life & Built Life. While this arrangement is in place, the Town will not need to allocate \$48,000 in the light fleet replacement budget of 2015/16. Cash in lieu of a Council vehicle as per current employment contract agreement will be paid to the Director Future Life & Built Life upon sale of this vehicle.

Sustainability Assessment:

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The Director Future Life & Built Life has taken up the offer of cash in lieu of a Council vehicle based on the conditions developed as part of the Town's Fleet Optimisation Initiative.

This is an opportunity for the Town to reduce its fleet number. The Town is in a position to advertise the disposal of this light fleet vehicle of registration number 102VPk in accordance with the *Local Government Act 1995* and if no submissions are received, the disposition can proceed by way of selling it to the Director Future Life & Built Life at a price of \$30,000 (including GST).

Proceeds from the sale of this vehicle (102VPk) will be retained in the 2014/15 budget for the fortnightly cash in lieu payments to the Director Future Life & Built Life as per her employment contract conditions.

CONCLUSION:

This is an opportunity for the Town to reduce its fleet number. It presents as a win – win situation whereby the Director Future Life & Built Life can make better use of the cash in lieu of the Council vehicle and the Town's fleet operational and capital expenses will be reduced. The vehicle is to be sold based on the average quoted price of \$30,000 (including GST).

RECOMMENDATION/S:

1. **Local Public Notice be given advertising Council's intention to dispose of its property being a 2012 Ford Territory Titanium 2WD to Ms Rochelle Lavery for \$30,000 (including GST) in accordance with s.3.58 of the *Local Government Act 1995* subject to the vehicle transfer fees and registration being the responsibility of the purchaser.**
2. **The disposition of the property detailed in the item above to:**
 - 2.1. **Proceed if no submissions are received by the specified date in the Local Public Notice being not less than two (2) weeks after the notice was first given;**
 - 2.2. **Be presented back to Council if any submissions are received by the specified date in the Local Public Notice for consideration and that the reason behind any decision the Council makes after considering the submission/s be recorded; and**
 - 2.3. **\$19,000 from the proceeds of the sale of this vehicle to be reallocated to the Director's allowance budget of general ledger number 13520.1010 and the remaining \$11,000 to be reallocated to the Plant and Machinery Renewal Reserve.**

10.2 Town Centre Redevelopment Project – Project Initiation Phase

File Reference:	PLA/6/0003
Appendices:	Nil

Date:	27 August 2014
Reporting Officer:	B. Rose
Responsible Officer:	A. Vuleta
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – that Council endorse the Project Initiation Phase for the Town Centre Redevelopment Project

- The 13 December 2011 resolution of Council requires re-visiting in light of changes to the principal project partner arrangements
- To enable the Administration to progress the project Business Case, guidance from Council is required on matters of:
 - The project vision and objectives;
 - The intended partnership structure between the Town and LandCorp;
 - The project initiation schedule; and
 - The content and format of the Business Case.

TABLED ITEMS

Nil

BACKGROUND

At its 13 December 2011 Ordinary Meeting, Council made 10 resolutions (Carried 8-0) in regard to the Town Centre Redevelopment Project. The following table outlines each of those decisions and provides commentary on actions undertaken since the decision.

Ref.	Resolution	Commentary
1.	Receive the Project Definition Plan (the Plan) dated 28 November 2011 prepared by Kooperman Project Management.	Project Definition Plan included project costings, governance structure, project vision / objectives and a concept plan (amongst other background material).
2.	Commence the preparation of: <ul style="list-style-type: none"> a) An Activity Centre Structure Plan and Design Guidelines for the Town Centre; and b) The required Town Planning Scheme Amendments to accommodate the Activity Centre Structure Plan and Design Guidelines. 	Not commenced due to project stoppage. Not commenced due to project stoppage.

3.	Authorises the Chief Executive Officer, on a without prejudice basis, to enter into preliminary discussions with Hawaiian to determine its interest in purchasing the land identified as 12b on pages 8 and 9 of the Project Definition Plan on the basis of its value being determined on the lands "highest and best use".	Undertaken and completed. Hawaiian not interested in site at valuation received.
4.	The outcome of the negotiations detailed in (3) above be the subject of a separate report to Council.	Being completed through this report.
5.	If Hawaiian are interested in purchasing the land in the manner described in (3) above and the Council is prepared to sell the land to Hawaiian then the sale processes be formalised in a legal agreement between Oahu Management Pty Ltd (Hawaiian) and the Town of Victoria Park drafted by the Town's solicitors and that any legal agreement is to ensure compliance with the requirements of the Local Government Act 1995 as they relate to disposal of property, business planning and commit both parties to the overall development including timeframes.	Not undertaken as Hawaiian were not interested in the site at the valuation received.
6.	Further investigate alternative solutions to fund the development of the land within the Town Centre that is in the ownership of the Council including but not limited to: a) Packaging the land the Town owns and seek interest from developers to develop the land in accordance with the Activity Centre Structure Plan and Design Guidelines for the Town Centre excluding the land identified as 12b on pages 8 and 9 of the Project Definition Plan if Council resolve to sell the land to Oahu Management Pty Ltd (Hawaiian). b) Seeking interest from developers to construct the civic and community facilities the Town requires in return for a long term lease arrangement.	Presently being progressed through partnership discussions with LandCorp.
7.	Authorise the Chief Executive Officer to employ a Project Manager on a fixed term basis to assist the Administration in managing the necessary processes required to meet the Council's obligations. The costs associated with this position be funded in the half yearly budget review.	Was not required, however, now being channelled through the Project Management office.
8.	\$160,000 be added to the 2011/12 Budget - GL 628002.635.3301 – Town Centre Study to fund the additional consultancy work anticipated in the Plan identified in (1) above.	Was not required.
9.	The \$160,000 detailed in (8) above be funded from the 20010/11 end of year surplus.	Was not required.
10.	The properties on 6, 8, 10, 12 and 14 Kent Street detailed as Lot 2 on page 15 of the Project Definition Plan are not to be redeveloped and as such will not form part of the Town Centre Redevelopment.	Acknowledged. A change in direction on this topic will require this resolution to be revoked.

Based on Resolution 6 from 13 December 2011 (above), the Town's Executive engaged in discussions with LandCorp – the State Government's land development agency. In September 2013, the Chief Executive Officers from the Town and LandCorp entered into an administrative level agreement (non-binding) to progress the preparation of a Business Case for the project. The Business Case would be presented to Council and LandCorp's Board for consideration to undertake the project.

DETAILS AND COMMENT:

To enable the project team to progress with the Business Case, guidance from the Council is required on the following four matters:

- The project vision and objectives;
- The intended partnership structure between the Town and LandCorp;
- The project initiation schedule; and
- The content and format of the Business Case.

1. The project vision and objectives

The Vision for the redevelopment project, espoused in 2011 through various community engagement initiatives, has no reason to change. The long form of the Vision is stated in Table 1, below:

Table 1: Project Vision

*Redevelopment within the Victoria Park Town Centre is to provide for (and ensure) a vibrant, consolidated **mix of uses**; including retail, commercial, civic, community, cultural, recreation and residential uses in a manner that encourages the **efficient use of land**, physical resources and community services and facilities.*

*To provide opportunity for people to live in proximity to **employment opportunities**, services and amenities.*

*To enhance and build upon existing **amenity** within the Town Centre through the retention of key site attributes that contribute to a **sense of place** and **local identity**.*

*To increase **housing diversity** within the district, through the inclusion of a variety of housing types, including discrete residential apartments and mixed use commercial/residential buildings.*

The project Objectives from 2011 have been collated into the following table. Again, there is no reason that the project Objectives from 2011 need to be amended.

Table 2: Project Objectives

Social / Cultural Objectives	Environmental Objectives	Financial Objectives	Governance Objectives
Recognise and respond to local character (built form)	Pedestrian-oriented development (POD)	Asset optimisation (multiple facilities)	Genuine partnership model
Maintain community, cultural, civic and recreation activities on the site	Multi-function place (one visit = many transactions)	Minimal financial impost on the Town	Acknowledgement and understanding of common goals
A 'smart place' (digital connectivity, WiFi)	Re-use, recycle and re-interpret (e.g. parts of buildings, vegetation)	Recurrent revenue opportunities for the Town	Legal contract to guide the process and bind outcomes
Respond to evolving community needs in the space			
Public realm and open space is to be celebrated			

2. The intended partnership structure between the Town and LandCorp

The Business Case to be considered by Council must give consideration and recommendations as to the formal partnership arrangements between the Town and LandCorp. These partnership arrangements will (if the project proceeds) take the form of legally binding contracts. Unless guided otherwise by Council, the intended direction of the Business Case is to recommend the process / structure in the following Table:

Table 3: Partnership Structure

Item	Action
1	Parties enter into a sale / development agreement
2	LandCorp obtains the relevant development approvals and pre-commitments that are required for the development to proceed
3	The Town then transfers the site to LandCorp – no purchase price is payable by LandCorp up-front
4	LandCorp undertakes a development on the site in a form pre-agreed with the Town

5	Upon completion of the development, LandCorp transfers parts of the completed development back to the Town (for example, a 'town square', a library, civic offices or some other developed asset within the site) for nominal consideration. LandCorp transferring ownership of part of the developed asset back to the Town is in lieu of LandCorp paying a purchase price up-front for the transfer of the site – it could be either a commercial component or some social / community infrastructure that is transferred back.
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3. The project initiation schedule

The following Table sets out the schedule of tasks and decision stages required by the Town to progress the project to the point of formal contracts.

Table 4: Project Schedule

Date	Meeting / Milestone	Topic
2 September 2014	Elected Member Briefing Session	Agenda item seeking endorsement from Council on the preferred partnership model, project objectives, project schedule and Business Case format.
9 September 2014	Ordinary Council Meeting	Agenda item seeking endorsement from Council on the preferred partnership model, project objectives, project schedule and Business Case format.
16 September 2014	Elected Member Workshop	Presentation of the preferred concept plan, proposed partnership terms and high level feasibility results.
21 Oct 2014	Elected Member Workshop	Presentation of draft project Business Case.
18 Nov 2014	Elected Member Workshop	Presentation of final project Business Case.
2 Dec 2014	Elected Member Briefing Session	Agenda item detailing the project Business Case and seeking authorisation for the CEO to take the necessary steps under the <i>Local Government Act 1995</i> to progress the project, including executing a binding agreement with LandCorp.
9 December 2014	Ordinary Council Meeting	Agenda item detailing the project Business Case and seeking authorisation for the CEO to take the necessary steps under the <i>Local Government Act 1995</i> to progress the project (statutory advertising etc), including executing a binding agreement with LandCorp following the <i>Local Government Act</i> steps.
20 Dec 2014	Commence <i>Local Government Act 1995</i> statutory advertising processes	Advertising of the Major Land Transaction Plan needs to run for a minimum of 42 days. Minimum of adverts in a Statewide publication, local publication, copy at front counter and on website.

20 Jan 2015	Elected Member Workshop	Preliminary review of any public submissions received before the due date.
31 Jan 2015	<i>Local Government Act 1995</i> statutory advertising concludes	Collation and analysis of all public submissions.
3 Feb 2015	Elected Member Briefing Session	Agenda item report which reviews any public submissions received and makes appropriate recommendations in response to them.
10 Feb 2015	Ordinary Council Meeting	Agenda item which reviews any public submissions received and makes appropriate recommendations in response to them.
Feb – March 2015	Execution of contracts	Heads of Agreement or similar contract executed by CEOs, binding the parties to 'the project'.

4. The content and format of the Business Case

The Business Case being prepared for consideration by Council and the LandCorp Board is characteristic of a Joint-Venture project Business Case for a private sector land redevelopment project. The Business Case is being prepared to enable the Council and Board to make a decision as to whether to progress with the project, or not. The Business Plan (sometimes referred to as a Major Land Transaction Plan) required under the *Local Government Act 1995* will be prepared at a later stage (late 2014), although will use a lot of the information from the Business Case. The Business Case will generally include:

Table 5: Business Case Format

Section	Title	Topic
1	Strategic Justification	Required to outline how the project aligns with the strategic objectives of both / all parties.
2	Project Background	Facts and figures regarding the site (size, zoning, existing land uses etc).
3	Vision and Objectives	Confirms what the parties are seeking to achieve from the project (can be financial return, assets, building types etc).
4	Development Options Assessment	A review of project options (e.g. partnership options, staging approaches).
5	Recommended Option (including sustainability assessment)	Provides more detailed information on the recommended option.
6	Project Implementation	Recommends the required methodologies to progress the project (e.g. governance structures, Project Working Group arrangements, procurement methodologies).

Legal Compliance

Sections 3.58 and 3.59 of the *Local Government Act 1995* prescribe the statutory processes which Local Governments must comply with when entertaining a major land transaction.

The *Planning and Development Act 2005* prescribes the zoning, subdivision and land development provisions which must be complied with. At a local level, Town Planning Scheme 1 establishes the zoning hierarchy for the site.

Policy Implications

There are no Local Planning Policies which relate directly to this site.

Strategic Plan Implications

The Town Centre Redevelopment Project is identified as a major project within the Strategic Community Plan.

Financial ImplicationsInternal Budget

Sufficient funds have been allocated in the Budget to progress the Project Initiation Phase. Further Budget consideration will need to be given by Council once the Business Case is completed.

Total Asset Management

There are a variety of Council owned assets and facilities within the project area. Decisions regarding these assets will need to be considered by Council in the context of a full and robust Business Case.

Sustainability Assessment

A sustainability assessment will be completed as part of the Business Case.

CONCLUSION

To enable the preparation of a Business Case for Council and the LandCorp Board to make a decision on whether to progress with the Project, or not, guidance is required from Council on the topics of:

- The project vision and objectives;
- The intended partnership structure between the Town and LandCorp;
- The project initiation schedule; and
- The content and format of the Business Case.

Recommended directions on these topics from the Executive, for Council's consideration, have been provided.

RECOMMENDATION/S

That Council endorse the project directions within Tables one (1) to five (5) of this report to enable the Chief Executive Officer to progress preparation of a Town Centre Redevelopment Business Case for Council's consideration.

11 FUTURE LIFE AND BUILT LIFE PROGRAM REPORTS

11.1 62 (Lot 2) Sussex Street, East Victoria Park – Retrospective Approval for Roller Door

File Reference:	PR3440
Appendices:	No
Landowner:	Ms P J Perrett
Applicant:	Ms P J Perrett
Application Date:	17/07/2014
DA/BA or WAPC Ref:	5.2014.177.2
MRS Zoning:	Urban
TPS Zoning:	Residential R40
TPS Precinct:	Precinct P12 'East Victoria Park'
Use Class:	Single House
Use Permissibility:	'P' use

Date:	22 August 2014
Reporting Officer:	T. Barry
Responsible Officer:	R. Cruickshank
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – Refusal

- Application for retrospective approval of a roller door that has been installed onto an already approved carport.
- Non-compliant with the provisions of the Local Planning Policy – Streetscape in relation to garages not being permitted to front the primary street in the Weatherboard Precinct, with rights-of-way to be used for access to garages.
- The roller door is in direct contravention of the Local Planning Policy – Streetscape provisions relating to garages and carports in the Weatherboard Precinct, and is inconsistent with a predominantly open streetscape.

TABLED ITEMS:

- Development application form dated 3 June 2014;
- Application plans and photographs of the garage door dated received 17 July 2014;
- Applicant's justification covering letter dated received 17 July 2014; and
- Site photographs.

BACKGROUND:

22 April 2002

A planning approval and building licence were granted for the addition of a carport to the existing dwelling on this property. The approved carport had an open front and back, and a small opening on the side leading to the front door of the dwelling.

2 April 2014 A planning application was received for a carport to be placed in front of the existing approved carport, and an extension to an outbuilding on the rear of the property. Upon completing a site inspection it was identified that the roller door on the front of the carport was unauthorised and so the owner was asked to submit a retrospective application for the roller door, or remove it.

DETAILS:

An application has been received for retrospective approval of a roller door on the existing carport on the property. Following a review of the submitted information it appears that the roller door on the front of the carport is the only unapproved enclosure of the structure that has occurred. The carport was originally granted a building licence 12 years ago. The applicant has submitted information that the roller door has been in place for 15 years. This is an anomaly, but it is believed that the roller door has been in place for a significant amount of time.

The subject property is located within the Town of Victoria Park's Weatherboard Precinct and has access available from both Sussex Street and the rear right-of-way. The main dwelling is an Original Dwelling with records indicating it was built in circa 1927.

Legal Compliance:

Relevant General Provisions of Town Planning Scheme No. 1

In assessing and determining this application, Council is to have regard to the following general provisions of the Scheme:

- Clause 36 of the Scheme Text; and
- Statement of Intent contained in Precinct Plan P12 'East Victoria Park Precinct'.

Compliance with Development Requirements

- TPS 1 Scheme Text, Policy Manual and Precinct Plan;
- Residential Design Codes (R Codes); and
- Local Planning Policy – Streetscape (LPPS).

The following is a summary of compliance with key development requirements:

Relevant Provision	Proposed	Compliance
<i>Clause 2 A3 (a) Garages are only permitted where they are accessed from a right-of-way or are located at the rear of the dwelling with access from an internal driveway.</i>	Existing carport being converted to a garage and fronting Primary Street and located in front of dwelling.	Non-compliant (see comment below)
<i>Clause 2 A3 (c) ix Clause 11 A2 (v) vii The carport structure allows an unobstructed view between the dwelling and street. Open style gates are considered to be the only acceptable form of enclosure to a carport.</i>	Existing carport enclosed with a solid roller door.	Non-compliant (see comment below)

Sustainability Assessment:External Economic Implications:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

The Residential Design Codes define a Carport as

“A roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.”

A garage is defined as follows:

“Any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.”

The existing roller door that has been installed on the approved carport has resulted in the carport now being classed as a garage. As per Part A3 of Clause 2 of Council’s Local Planning Policy – Streetscape, garages are only permitted in the Weatherboard Precinct (where the subject dwelling is located) if they are accessed from a right-of-way or are located at the rear of the dwelling with access from an internal driveway. In this case the addition of a roller door to the approved carport has resulted in it now being considered a garage which is not permitted to be located in front of the dwelling in this area. This same section of the Policy goes on to state that open style gates are considered to be the only acceptable form of enclosure to a carport.

The unauthorised roller door is a solid structure and does not comply with the provision for open style gates to be considered. The roller door has effectively enclosed the entire frontage of the subject dwelling, which is not in keeping with the generally open nature of the streetscape on this section of Sussex Street. Given there is a right-of-way to the rear of the property, opportunity exists for an enclosed garage to be sited in this location rather than having an open streetscape interrupted by an enclosed garage.

Whilst the owners have referred to examples of other garages and carports in the East Victoria Park area, it is important to note that the subject lot is contained within a section of Sussex Street that is within the Weatherboard Precinct. Many of the examples provided are not within the Weatherboard Precinct and so are not assessed under the same Design Guidelines as the subject property.

The requirement for garages to be contained to the rear of the properties in the Weatherboard Precinct has been consistently applied throughout the relevant parts of the Town (other than some corner lots). This can be seen in the two neighbouring properties at 64 and 66 Sussex Street, which also have access to the same right-of-way as 62 Sussex Street, who have both built garages to the rear of their dwellings taking access from the right-of-way as per the Town's Policy.

CONCLUSION:

The unauthorised roller door that has been installed on the carport at 62 Sussex Street has converted the carport into a garage which is not permitted to be located in the front of the dwelling in the Weatherboard Precinct. The subject property has rear access to the right-of-way and as such any enclosed parking structures should be provided at the rear of the dwelling. The roller door is in direct contravention of Council's Local Planning Policy – Streetscape and as such its removal from the carport is recommended.

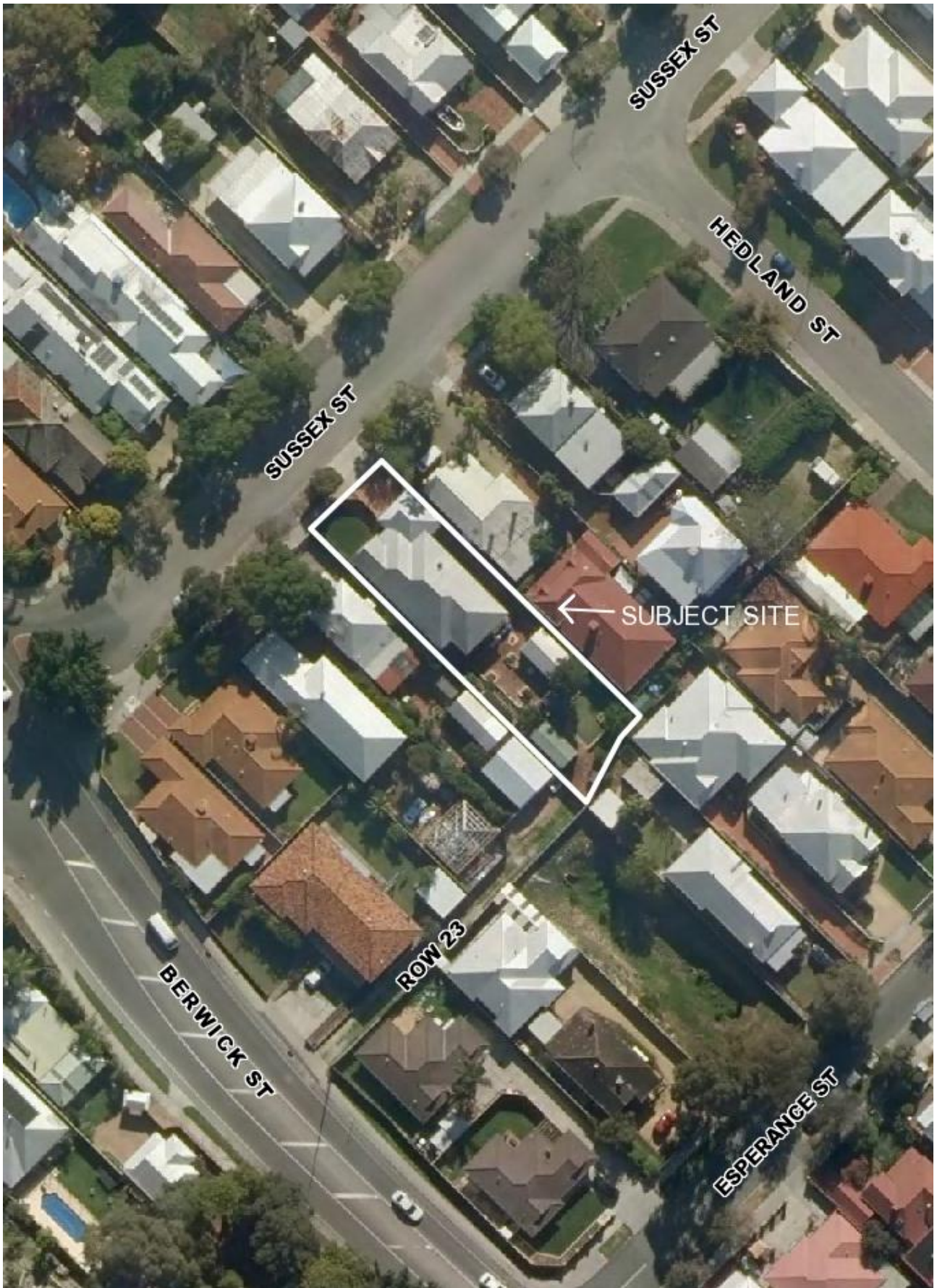
RECOMMENDATION/S:

- 1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by P Perrett (DA5.2014.177.2) for the Retrospective Approval of a Roller Door at 62 (Lot 2) Sussex Street, East Victoria Park as indicated on the plans dated received 17 July 2014 be Refused for the following reasons:**
 - 1.1 Non-compliance with Council's Local Planning Policy – Streetscape, Clause 2 – Setbacks of Garages and Carports and Clause 11 – Building Design of Development Relating to Weatherboard Houses, Weatherboard Precincts and Weatherboard Streetscapes in relation to the garage fronting the primary street and a roller door being used to enclose the carport.**
 - 1.2 Approval of the roller door being in non-compliance with the Town Planning Scheme No. 1 Clause 36(5) – 'Determination of Application – General Provisions', with particular reference to the following:**
 - Any relevant planning policy;
 - The orderly and proper planning of the locality; and
 - The conservation of the amenities of the locality.
 - 1.3 Approval of the roller door will set an undesirable precedent for the enclosure of carports and provision of garages in the 'Weatherboard Precinct'. The cumulative effect will erode the existing character of the streetscape in this area.**

Advice to Applicant

- 1.4 Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.**

- 2. The roller door is to be removed from the existing carport structure within 60 days of the date of this decision.**



11.2 484 (Lot 123) Albany Highway, Victoria Park – Change of Use to Unlisted Use (Gymnasium)

File Reference:	PR4956
Appendices:	No
Landowner:	Easi Property Holdings P/L
Applicant:	Planning Solutions
Application Date:	17 July 2014
DA/BA or WAPC Ref:	5.2014.428.1
MRS Zoning:	Urban
TPS Zoning:	District Centre
TPS Precinct:	Precinct P11 'Albany Highway'
Use Class:	Unlisted Use (Gymnasium)
Use Permissibility:	'Unlisted Use'

Date:	22 August 2014
Reporting Officer:	T. Barry
Responsible Officer:	R. Cruickshank
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – Approval by Absolute Majority, subject to conditions

- Application seeks to change the use of an existing premises currently approved for 'Office' to 'Gymnasium'.
- The proposed use on the site is classified as an 'Unlisted Use'.
- Community consultation carried out for 21 days, consisting of letters to surrounding owners and occupiers, a sign installed on the site, and advertisements in two local newspapers. Two (2) submissions were received during the consultation period.
- The proposed use of the existing building for a gymnasium is not considered to have any adverse impacts to the surrounding areas, with possible benefits in the way of increased security to the adjoining park and screening to be installed to prevent privacy loss to adjoining residents.

TABLED ITEMS:

- Development application form dated 17 July 2014;
- Plans dated received 17 July 2014;
- Applicant's 'Details of Business' letter received dated 17 July 2014;
- Correspondence to applicant (advertising process letter) dated 24 July 2014;
- Consultation correspondence to adjoining owners and occupiers dated 1 August 2014;
- Two (2) submissions received during consultation period; and
- Applicant's response to submissions dated received 25 August 2014.

BACKGROUND:

The existing building on the subject site of No. 484 Albany Highway, Victoria Park was constructed in 1980 as an office building, with the site previously being used for motor vehicle sales premises. The building has had a number of approved uses including restaurant, offices and motor vehicle sales. Currently the building is approved for offices and an educational establishment.

DETAILS:

An application has been received seeking approval to change the use of one of the existing approved tenancies from an 'Office' to a 'Gymnasium'. The owner of the property has had approaches from a number of potential tenants wanting to undertake a 24 hour gymnasium from the premises, although the final tenant has not yet been determined.

Site Context

The subject site consists of five (5) existing tenancies within the existing building located in the Victoria Park Shopping Area of the District Centre Zone in the Albany Highway Precinct. Vehicular access is provided from Albany Highway with car bays within a basement parking area. There are 50 car bays in total for the five tenancies.

Proposed Development

The application proposes to change the approved use of one of the tenancies from 'Office' to 'Gymnasium'. The applicant has submitted details that the proposed gymnasium is to run 24 hours a day and gain access from an access ramp running along the southern boundary of the building. As a tenant has not yet been finalised for the site it is not possible to ascertain exactly what will occur, but the use will be a gymnasium of some form.

The tenancy to be occupied by the gymnasium is 430m² but a floor plan of the gymnasium has not been provided as this will depend on the tenant that occupies the site. It is proposed that the gymnasium will be operating 24 hours a day and be open to the public. No external modifications to the existing building are proposed. It is noted that the gymnasium will be open at times outside of normal business hours of the other tenancies in the building and other surrounding commercial properties.

Legal Compliance:Relevant General Provisions of Town Planning Scheme No. 1

In assessing and determining this application, Council is to have regard to the following general provisions of the Scheme:

- Clause 16 of the Scheme Text;
- Clause 36 of the Scheme Text;
- Clause 37 of the Scheme Text; and
- Statement of Intent contained in Precinct Plan P11 'Albany Highway'

Compliance with Development Requirements

- TPS 1 Scheme Text, Policy Manual and Precinct Plan:
 - 5. 'Parking and Access Policy'

Under the provisions of Policy 5.1 'Parking Policy' there is no parking ratio prescribed for a 'Gymnasium' and therefore the number of bays required is to be determined by Council. Given the nature of the operation of the business, the parking requirement for a 'Health Studio' is considered to be similar and has been applied in this case.

Activity / Use	Parking Requirement
Health Studio	1 for every 30 square metres of net floor area

The following car parking requirement is what has been approved on the site previously in accordance with '5.1 Parking Policy':

Activity / Use	Parking Requirement	Bays Required
Office (1112m ²)	1 for every 40 square metres of net floor area	27
Educational Establishment (3 staff, 36 students max)	1 bay for every 4 students and 1 bay for every staff member	12
	Total Required	39
	Total Provided	50

The following car parking requirement is based on the proposed use of the tenancies on the site in accordance with '5.1 Parking Policy':

Activity / Use	Parking Requirement	Bays Required
Office (682m ²)	1 per 40m ² NFA	17
Gymnasium (430m ²)	1 per 30m ² NFA	14
Educational Establishment	1 per 4 students, 1 per staff member	12
	Total Required	43
	Total Provided	50

The proposed change of use will result in an increase in the parking requirement by four (4) bays, however it is noted that with an existing surplus of 11 bays, there is ample parking provided for the change of use. A surplus of parking on the site will remain, being an additional 7 bays.

Submissions:

Community Consultation:

In accordance with Clauses 16 and 35 of Town Planning Scheme No. 1 and Council Policy GEN3 'Community Consultation', the proposed Change of Use to Unlisted Use (Gymnasium) has been advertised for a period of 21 days, including letters to the surrounding owners and occupiers, a sign on site and advertisements in two local newspapers. The consultation period commenced on 1 August 2014 and concluded on 22 August 2014. Two submissions were received during the consultation period.

CONSULTATION SUBMISSIONS	
<i>Submission from owner of No. 19 Lichfield Street, Victoria Park</i>	
Comments Received	Officer's Comments
<ul style="list-style-type: none"> Concerned that the noise from the gym, car park, access stair and walk ways will cause noise and disturbances to the residents in the adjoining dwellings. 	<ul style="list-style-type: none"> Submitter's comments noted. Any noise impact is expected to be minimal given that the car park is enclosed, the gym activities will be occurring in the building, and access is on the park side of the building. Notwithstanding this, an Advice Note will be applied to any approval advising the need to comply with <i>Environmental Protection (Noise) Regulations 1997</i>.
<i>Submission from owner of No. 15 Lichfield Street, Victoria Park</i>	
Comments Received	Officer's Comments
<ul style="list-style-type: none"> Feel that increased traffic on the ramp and verandah to the rear of the building will threaten privacy given existing low wall provides no screening. 	<ul style="list-style-type: none"> Submitter's comments noted. Applicant has advised they will install screening to the rear boundary to prevent any impact on privacy.
<ul style="list-style-type: none"> Feel increased traffic and access to area will increase threat to security as the verandah and ramp that will be used have easy access to the rear yard. 	<ul style="list-style-type: none"> Submitter's comments noted. Applicant has advised they will install screening to the rear boundary to prevent any impact on security. Also considered that increased traffic to the area may improve security.
<ul style="list-style-type: none"> Concerned that the use of the premises will cause an increase in noise from loud music and people loitering in the area at all hours. 	<ul style="list-style-type: none"> Submitter's comments noted. An Advice Note will be applied to any approval advising the need to comply with <i>Environmental Protection (Noise) Regulations 1997</i>. Furthermore, access to the premises is on the park side of the building, not adjacent to residential premises.
<ul style="list-style-type: none"> Feel that increasing the height of the low wall between the two properties to a similar height to that next door would provide for increased security, noise protection and diversion of emissions upwards and away from their property. 	<ul style="list-style-type: none"> Submitter's comments noted. Applicant has advised they will install screening to the rear boundary to address all concerns.

Policy Implications:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The intent of the Victoria Park Shopping Area within the District Centre Zone of the Albany Highway Precinct is to encourage retail uses at pedestrian level, with other non-retail uses behind and above the main street front. In this instance the gymnasium is proposed to occupy one tenancy of an existing office building that also houses an educational establishment. Whilst a gymnasium is not a retail use, it is proposed to be located to the rear of the building and away from the Albany Highway street frontage.

The area is commercial in nature and is designed to accommodate a wide range of uses given to commercial zone being both to the south and on the other side of Albany Highway. The addition of a 24 hour gymnasium to the mix of uses in the area will not cause any significant amenity impacts to the abutting rear residents or surrounding commercial uses. The installation of screening as has been discussed with the applicant will ensure that there are minimal impacts on the adjoining residents.

Given the above, and in accordance with Clauses 36 and 37 of the Town's Local Planning Scheme No. 1, it is considered that the proposed change of use from an office to a gymnasium is consistent with the intent of the relevant Precinct Plan and is consistent with the orderly and proper planning of the area. The proposal has ensured the conservation and improvement of amenity for the adjoining residents and will not have any adverse impacts on the area.

CONCLUSION:

The change of use of a tenancy in the existing building located at 484 Albany Highway, Victoria Park from an office to a gymnasium is acceptable given the use is largely compatible with those surrounding and will not cause any significant amenity impacts in the area. The site has ample parking and is a suitable location for a 24 hour gymnasium as proposed.

RECOMMENDATION/S:

- 1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by Planning Solutions (DA Ref: 5.2014.428.1) for Change of Use to Unlisted Use (Gymnasium) at 484 (Lot 123) Albany Highway, Victoria Park as indicated on the plans dated received 17 July 2014 be Approved by an Absolute Majority subject to the following conditions:**

- 1.1 **Operation of the approved Unlisted Use (Gymnasium) to be in accordance with details provided in correspondence from the applicant dated 17 July 2014. Any changes to the operations will require lodgement of a new application for planning approval for consideration by Council.**
- 1.2 **Screening to be installed to rear boundary to a height of 1.65m above the finished floor level of the adjacent walkway to the satisfaction of the Manager Urban Planning, prior to commencement of the proposed use. Details of the proposed screening are to be submitted for approval prior to installation.**

Advice to Applicant

- 1.3 **The applicant/owner should refer to the Requirements of Other Council Business Units, enclosed with this Planning Approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This Planning Approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.**
- 1.4 **This approval does not include the approval of any signage. Any signage for the development to be the subject of a separate sign licence application, in accordance with Council's Signs Local Law. Please also note that should any signage not comply with the Signs Local Law further Planning Approval will need to be obtained prior to a sign licence application being submitted to the Council.**
- 1.5 **Any modifications to the approved drawings forming part of this planning approval may require the submission of an application for modification to planning approval and reassessment of the proposal.**
- 1.6 **Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.**
- 1.7 **A building permit is required to be obtained from the Town prior to commencement of any work in relation to this Planning Approval.**
- 1.8 **Your attention is drawn to the need to comply with the requirements of Part D3 of the Building Code of Australia - Access for People with Disabilities, including parking, sanitary facilities and tactile indicators in accordance with AS 1428.1, AS 1428.4, AS 1428.5 and AS/NZS 2890.6.**

- 1.9 Plans are to be assessed by a practicing qualified disability Access Consultant who is an accredited member of the Association of Consultants in Access, Australia Inc (ACAA) to confirm compliance with the Disability (Access to Premises – Building) Standards, Building Code of Australia and relevant Australian Standards. A Copy of the certified plans is to be provided as part of the building permit application.**
- 1.10 In addition to the disabled access and facility requirements of the Building Code of Australia, it is the responsibility of the building owner/developer to ensure the development complies with the Disability Discrimination Act 1992. Further information may be obtained from the Disability Services Commission.**
- 1.11 Sound levels created are not to exceed the provisions of the Environmental Protection (Noise) Regulations 1997.**

(Absolute Majority Required)

- 2. Those persons who lodged a submission regarding the application be advised of Council's decision.**



11.3 955 & 957 (Lot 8 & 9) Albany Highway, East Victoria Park – Demolition and Construction of 14 Multiple Dwellings and Offices

File Reference:	PR11555
Appendices:	No
Landowner:	Ogle Corporation Pty Ltd ATF The PJ Ogle Family Trust
Applicant:	Form & Function Building Design
Application Date:	10 June 2014
DA/BA or WAPC Ref:	5.2014.350.1
MRS Zoning:	Urban
TPS Zoning:	Residential / Commercial
TPS Precinct:	Precinct P11 'Albany Highway'
Use Class:	Multiple Dwellings & Offices
Use Permissibility:	'P' use

Date:	14 August 2014
Reporting Officer:	T. Barry
Responsible Officer:	R. Cruickshank
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – Approval subject to conditions;

- Application for Demolition and Construction of 14 Multiple Dwellings and Offices.
- Non-Compliant with the relevant development standards in regard to Plot Ratio, Street Setback, ROW Setback, Boundary Walls and Building Height.
- Consultation with surrounding property owners and occupiers in accordance with Council Policy GEN3 'Community Consultation' for 14 days, commencing 7 August 2014 and concluding 22 August 2014. No submissions were received.
- Considered that the form, quality and appearance of the proposed development is consistent with the desired character of development along this section of Albany Highway and that the variations being sought are acceptable.

TABLED ITEMS:

- Development application form dated received 10 June 2014;
- Original plans and elevations dated received 10 June 2014;
- Superseded plans and elevations dated received 25 June 2014;
- Superseded plans and elevations dated 8 July 2014;
- Superseded plans and elevations dated 5 August 2014;
- Amended plans and elevations dated received 19 August 2014;
- Consultation letter sent to adjoining owners and occupiers dated 7 August 2014;
- Minutes of the Design Review Committee Meeting dated 10 July 2014 and 14 August 2014; and
- Aerial photograph of the locality.

BACKGROUND:

The subject application was submitted on 10 June 2014 following initial discussions between the applicant and Council Officers, including initial comments provided from the Design Review Committee. Prior to lodgement of the subject application the Town had indicated support to an amalgamation of the subject lots, which was then granted Conditional Approval by the WA Planning Commission on 10 July 2014.

DETAILS:

An application has been received for a mixed use development comprising of a three (3) storey building with offices on the ground floor and 14 multiple dwellings on the first and second floors consisting of four (4) single bedroom units and ten (10) two bedroom units. The site is currently spread over two titles but an amalgamation has been approved on the site, giving a total site area of 1095m². There is a 5.0 metre wide right-of-way at the rear of the property that will be utilised for vehicular access to the development. The proposal includes the demolition of the existing single residential dwelling and single storey building currently used for motor vehicle repairs that occupy the site.

The application proposes office tenancies on the ground floor, along with parking for the entire development for both cars and bikes, storerooms for the residential units and bin storage areas. The parking area is configured into two (2) sections, one is secured and serves the residential tenants of the building, and the other is unsecured and serves the office tenants and visitors to the building.

Access to the site is via the right-of-way for vehicles and from Albany Highway for pedestrians. The office tenancies have been provided with individual pedestrian entrances from Albany Highway, with a central entrance providing a pedestrian access point for the residents. A lift is provided inside the building for residents as well as a stairwell.

Parking is provided in accordance with the Town's requirements, with 14 bays being provided for the residents and four (4) bays being provided for the office tenancies. There are also four (4) visitors bays for use by visitors to the residential portion of the building. In accordance with the current requirements, bicycle racks have also been provided at a rate of five (5) for the residential portion, and two (2) for visitors. All parking is contained on site and accessed from the rear right-of-way.

Legal Compliance:Relevant General Provisions of Town Planning Scheme No. 1

In assessing and determining this application, Council is to have regard to the following general provisions of the Scheme:

- Clause 36 of the Scheme Text;
- Clause 38 of the Scheme Text; and
- Statement of Intent contained in Precinct Plan P11 'Albany Highway Precinct'

Compliance with Development Requirements

- TPS 1 Scheme Text, Policy Manual and Precinct Plan;
 - 3.7 Mixed Residential / Commercial Development;
 - 4.8 Albany Highway Residential / Commercial Design Guidelines
 - 5.1 Parking Policy
- Residential Design Codes (R Codes);
- Local Planning Policy – Streetscape (LPP-S); and
- Local Planning Policy – Boundary Walls (LPP-BW).

The following is a summary of compliance with key development requirements:

Item	Relevant Provision	Requirement	Proposed	Compliance
Plot Ratio	Albany Highway P11	1.0 = 1095m ²	1.0735 = 1175.5m ²	Non-compliant (See comment below)
Primary Street Setback	Albany Highway P11	3.0 metres	Nil	Non-compliant (See comment below)
Setback to Right-Of-Way	LPP-S Clause 1	4.0 metres to Centreline	3.0 metres to Centreline	Non-compliant (See comment below)
Boundary Setbacks	R-Codes 6.1.4	4.0 metres	Nil	Non-compliant (see comment below)
Boundary Walls	LPP-BW	North Boundary: 7m Max Height 6m Ave Height 26m Length (2/3)	North Boundary: 11.2m Max Height 8.6m Ave Height 38.7m Length	Non-compliant (see comment below)
		South Boundary: 7m Max Height 6m Ave Height 27.7m Length (2/3)	South Boundary: 11.2m Max Height 7.8m Ave Height 41m Length	Non-compliant (see comment below)
Access and Parking	5.1 Parking Policy & Albany Highway P11	All access from ROW; 22 Parking Bays; 7 Bike Racks	Access from ROW; 22 Parking Bays; 7 Bike Racks	Complies
Building Height (measured from the natural ground level)	Albany Highway P11	3 Storeys (11.5 metres)	3 Storeys (11.3 metres to wall, 12.3 metres to roof)	Non-compliant (See comment below)

Visual Privacy	R-Codes 6.4.1	Bedrooms / Studies = 3m setback Living Areas = 4.5m setback Balconies = 6m setback Or adequately screened.	All areas that may overlook effectively screened to ensure adequate setbacks.	Complies.
Demolition of existing dwelling	LPP-S Clause 8	Original Dwellings in Residential Character Study Area to be retained.	Not an original dwelling in Residential Character Study Area.	Complies

Submissions:Community Consultation:

In accordance with the Council's GEN3 'Community Consultation' Policy and the Residential Design Codes, the proposal was the subject of consultation for a 14 day period, with letters being sent to the owners and occupiers of surrounding affected properties. The consultation commenced on 7 August 2014 and concluded on 22 August 2014. No submissions were received.

Policy Implications:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The proposal is broadly consistent with the development that has already occurred along Albany Highway in the general vicinity of the subject property. Whilst there are a number of non-compliant elements to the proposed development, these have been assessed in accordance with other developments in the area and also considered in the broader sense in relation to the kind of development that is intended to occur along this section of Albany Highway.

Plot Ratio

It is proposed to have a plot ratio of 1.0735 in lieu of the allowable 1.0. This equates to an additional 80.5m² of net floor area than that provided for in the Precinct Plan. It has been a consistent approach of the Town to allow an increase to plot ratio, up to 10%, provided the design is of a high quality and provides for a higher level of amenity for residents and users of the area. The proposal has been considered by the Design Review Committee and they are of the opinion that the plot ratio increase is warranted, and given the minimal increase, and high quality of the proposed development, the increase in plot ratio is considered acceptable in this instance.

Primary Street Setback

The Precinct Plan provides for a minimum street setback of 3 metres from Albany Highway. The proposal has a nil setback to Albany Highway. Once again, this has been the consistent approach applied to development along this part of Albany Highway and is considered to provide for a better built outcome with greater street activation at the ground floor.

Setback to Right-of-Way

Development abutting rights-of-way in the Albany Highway Precinct have not been designated a particular setback to the right-of-way. As such, the setbacks are determined in accordance with Council's Local Planning Policy – Streetscape. This policy provides for a setback of 4 metres to the centreline of the right-of-way for parking and garage structures. In this case the garage is proposed to have a setback of 3 metres from the centreline of the right-of-way. Given the nature of the development being a multiple dwelling structure and the fact that all development will eventually be of a similar style and setback as that proposed, this is considered acceptable.

Boundary Setbacks

As per the Residential Design Codes, given the lot width, the development is required to have a 4 metre side setback. The subject development proposes a nil setback to both side boundaries, with a central recessed section having a compliant setback. The proposal is consistent with Policy 4.8 'Albany Highway Residential / Commercial Design Guidelines' which advocates side setbacks being minimised to maximum the buildings street frontage. Furthermore the boundary setbacks are consistent with those already provided for in the area and the intended future form of development, and so are acceptable.

Boundary Walls

The proposed boundary walls are both higher and longer than the standards set out in the Council's Local Planning Policy – Boundary Walls. Boundary walls with an increased height and length are a common feature in this area and have become a consistent part of new multiple storey developments in this section of Albany Highway. It is considered that the adjoining lots will be developed in a like manner in the future and thus the walls are considered appropriate in this instance.

Building Height

The Albany Highway Precinct Plan P11 provides for a maximum building height of 11.5 metres (3 storeys) from natural ground level. The proposed building has a wall height of 11.3 metres and a maximum overall height of 12.3 metres from natural ground level. The portion of building with the additional height is a feature roof element which is confined to the front of the building and is set in from both the front boundary and side boundaries. In this instance the additional height is considered acceptable.

The submitted plans were discussed at the Design Review Committee meetings held on 10 July 2014 and 14 August 2014 which resulted in amendments being made to the proposal including increasing the light wells between the residential units, altering the ground floor layout, and improving the front facade elevation treatment to improve how the new building would be presented on the street. The application was not formally considered by the Design Review Committee given that it is not more than three (3) storeys and is generally consistent with other proposals that have been granted approval along Albany Highway in the same general area, however the Committee are supportive of the development.

In accordance with Clause 38 of the Scheme Text, non-complying applications can be approved where they are consistent with the orderly and proper planning of the area, the conservation of amenities in the locality and the Statement of Intent in the relevant Precinct Plan. The proposed development is consistent with the intent for the area and will conserve and improve the existing amenities in the area. There will be no undue adverse impacts on the occupiers and users of the development and the inhabitants of the locality, with the proposal being in line with existing and future developments expected in the area. The future development in the area is expected to be of a nature similar to that proposed and the subject development, whilst not complying with all of the development standards of the Precinct Plan, will enhance the area and continue the high standard of development in this Precinct.

CONCLUSION:

Whilst the proposal does have a number of non-compliant elements, they are consistent with development already approved in the area and are considered acceptable in the context of the intended built form of this section of Albany Highway. The proposal has been considered by the Design Review Committee and they are supportive of the design as it is now presented and are supportive of the variations proposed as they are providing an improved built form outcome for the area. The proposal is consistent with other development in the area and is in line with the desired development form in this area.

RECOMMENDATION/S:

- 1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by Form & Function Building Design (DA Ref: 5.2014.350.1) for Demolition and Construction of 14 Multiple Dwellings and Offices at 955 & 957 (Lots 8 & 9) Albany Highway, East Victoria Park as indicated on the amended plans dated received 19 August 2014 be Approved by an Absolute Majority subject to the following conditions:**

- 1.1 In order to confirm compliance with this planning approval and all relevant Council requirements, approval is to be obtained from the following Council Business Units prior to the submission of a certified application for a building permit:**

 - **Urban Planning; and**
 - **Street Life;**

Failure to do so may result in refusal of the application for a building permit (refer related Advice Note).
- 1.2 Prior to the submission of an application for a building permit, Lots 8 & 9 are to be amalgamated into a single lot on a Certificate of Title. (Refer related advice notes)**
- 1.3 Before the subject development is first occupied or commences operation all car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained and thereafter maintained to the satisfaction of the Manager Urban Planning.**
- 1.4 Existing crossovers that are not used as part of the development or redevelopment shall be removed and the verge, kerbing and footpath (where relevant) shall be reinstated prior to occupation of the new development or strata-titling of the properties, whichever occurs first, to the satisfaction of the Manager Urban Planning.**
- 1.5 All development is to be setback 0.5 metres from the right-of-way for the length of the common boundary with the right-of-way to allow for the future widening of the right-of-way.**
- 1.6 The 0.5 metre wide portion of land adjacent to the right-of-way which is subject to future right-of-way widening shall be constructed, sealed and drained to the Council's specifications by the owner(s) at their expense, prior to commencement of the development.**
- 1.7 External colours, finishes and materials to be used in the construction of the building are to be in accordance with the colour schedule date stamped approved 09/09/2014, attached with the approved plans, unless otherwise approved in writing by the Manager Urban Planning.**
- 1.8 External fixtures, including but not restricted to airconditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the primary street, secondary street or right-of-way.**
- 1.9 Lighting to illuminate that portion of the right-of-way adjacent the subject land is to be provided at vehicle and pedestrian entry points.**

- 1.10 Prior to the submission of an application for a building permit, full details of finishes and treatment of boundary walls to be provided to the satisfaction of the Town's Manager Urban Planning. Any exposed portions of boundary wall which will be visible from adjoining properties or public places shall be decoratively treated and articulated to the satisfaction of the Manager Urban Planning.**
- 1.11 External clothes drying facilities shall be provided for each dwelling and shall be screened from view from the street or any other public place.**
- 1.12 All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot.**
- 1.13 Prior to the submission of an application for a building permit a Construction Management Plan shall be submitted to and approved in writing by the Town which includes the route that construction vehicles will take to and from the site, the temporary realignment of pedestrian access ways (including crossing points and lighting), vehicular access to the site during construction, unloading and loading areas, waste disposal, the location on site of building materials to be stored, safety and security fencing, sanitary facilities, cranes and any other details as required by the Town. Construction works shall take place in accordance with the approved details at all times.**
- 1.14 A minimum of four (4) car parking bays to be provided on site for the exclusive use of visitors. These bays shall be marked for the exclusive use of visitors prior to the first occupation or commencement of the development.**

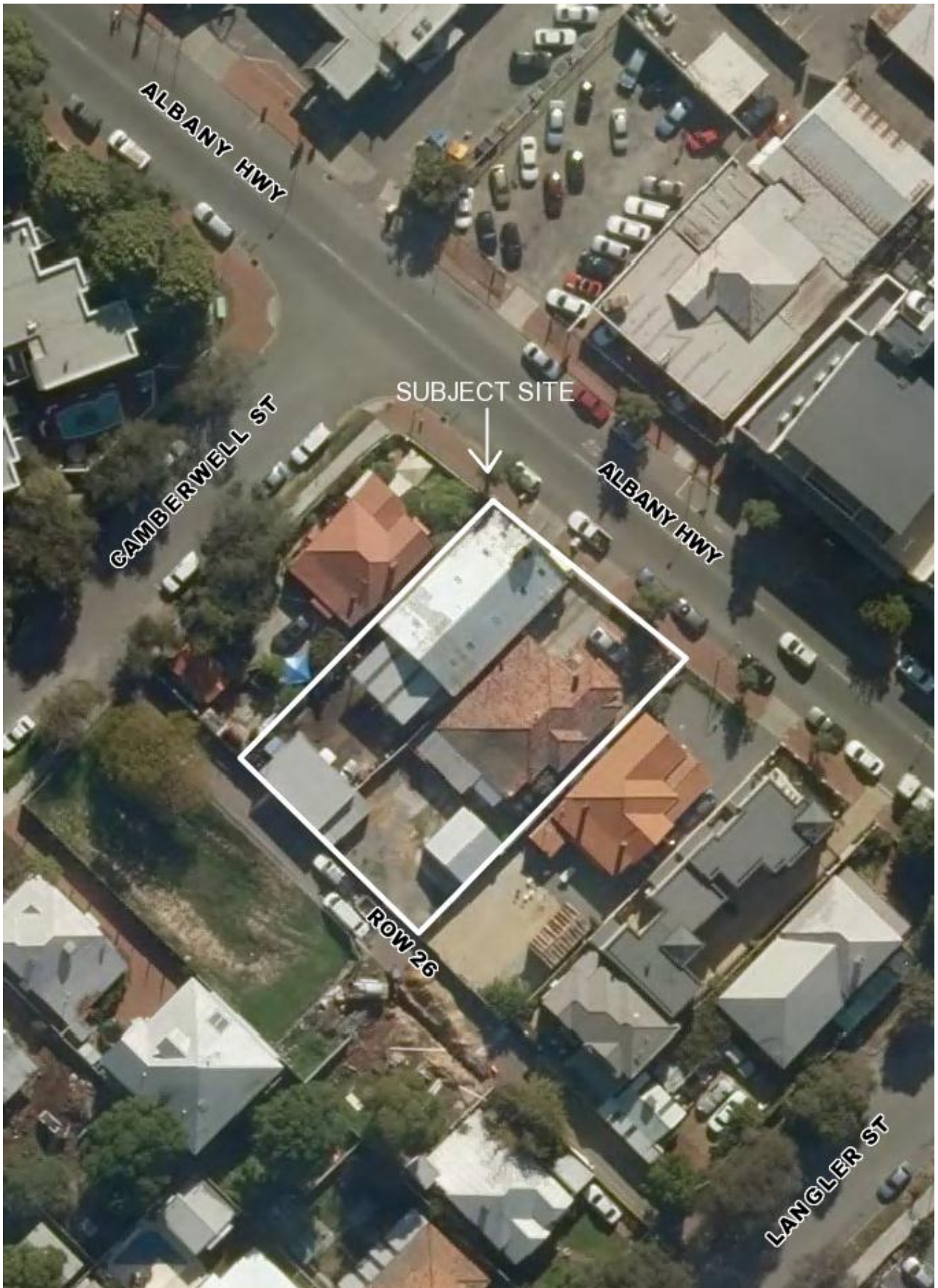
Advice to Applicant

- 1.15 The applicant/owner should refer to the Requirements of Other Council Business Units, enclosed with this Planning Approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This Planning Approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.**
- 1.16 To avoid delays in the issuing of a building permit, the applicant should commence the subdivision/amalgamation procedure without delay. A licensed land surveyor should be engaged for this purpose.**
- 1.17 The Town will permit the Owner to defer compliance with condition No. 2, provided that the Owner enters into a deed of agreement with the Town prepared by the Town's solicitors at the Owner's cost agreeing to complete the amalgamation within 12 months of the issue of the building permit. The agreement shall require the registration of an absolute caveat on the title to the subject land, until such time as the amalgamation has been completed to the Town's satisfaction.**

- 1.18 All car parking bays to be lined-marked and designed in accordance with AS2890.1 and AS2890.6.
- 1.19 The owner or occupier is required to display the street number allocated to the property in a prominent location clearly visible from the street and/or right-of-way that the building faces.
- 1.20 A building permit is required to be obtained from the Town prior to commencement of any work in relation to this Planning Approval.
- 1.21 Crossover location and construction shall comply with the Town's Specifications for Crossover Construction. A separate application must be made to the Town's Street Life Sub Program (tel 9311 8115) for approval prior to construction of a new crossover. Residential Vehicle crossovers shall be constructed from the following approved materials: Brick / Block Pavers, In-Situ concrete, In-Situ Lime-Crete, In-Situ Exposed aggregate or any other material approved by the Town's Manager Street Life Sub Program.
- 1.22 Unauthorised verge tree pruning or removal is subject to a penalty under the *Activities on Thoroughfares and Public Places Local Law 2000, Division 1 – General, 2.1 General Prohibitions*.
- 1.23 The Town's street tree(s) is to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town, at the applicant's cost.

(Absolute Majority Required)

- 2. Those persons who lodged a submission regarding the application be advised of Council's decision.



11.4 Appointment of Design Review Committee Member

File Reference:	PLA/4/0001~02
Appendices:	No

Date:	21 August 2014
Reporting Officer:	R. Cruickshank
Responsible Officer:	R. Cruickshank
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – Appoint Mr Chris Maher as a member of the Town’s Design Review Committee.

- Two vacancies have arisen on the Design Review Committee due to the retirement of two longstanding members.
- Chris Maher, an architect with significant architectural and urban design experience, including working on significant projects within the Town, has expressed an interest in being appointed to the Design Review Committee.

TABLED ITEMS:

- Biography of Mr Chris Maher.

DETAILS:

- Council resolved at its meeting on 13 March 2001 to establish a Design Review Committee to advise the Council on design matters relating to planning applications and issues, including the following:

“B. The following matters associated with the formation of a Design Review Group be endorsed:

Membership

The membership of the Design Review Group is to comprise of:

1. *Executive Manager Planning and Development Services;*
2. *Manager Planning Services; and*
3. *Up to 8 professionals qualified and experienced in the area of Architecture and/or Urban Design, Landscape Architecture and Assessment/Auditing of Energy Efficiency of Buildings.*

The group to be provided with administrative support by a Council Planning Officer.

Appointment and Termination of Terms of Member

Appointments of Members will be based on consideration of their qualifications and experience with must include having been involved in the design and/or assessment of major development applications of the kind which the Group will be required to assess as part of its role.

With the exception of Council Officers, the term of office for any Group member will be a maximum of 2 years and Council will reserve the right to reappoint any member.

Council may terminate the appointment of any member of the Group prior to the expiry of a term of office.

Role of Design Review Group

To provide advice to Council on applications in respect to structure plan proposals and major development applications where the value of the development exceeds \$5m and to include all developments involving buildings in excess of 3 storeys.

A minimum of 3 members of the Group (other than Council staff) are to be selected in respect to the assessment of a particular matter or application.

The decision to refer any other applications or matters to the Group will be at the discretion of the Executive Manager Planning and Development Services and/or the Council by a decision made at an Elected Members Briefing Session or Council Meeting.

All applications and matter will be assessed having regard to the provisions of the Town Planning Scheme and Council Policies.”

- Council resolved at its meeting on 26 June 2001 to appoint two staff and eight professionals to the Committee.
- Council resolved at its meeting on 14 February 2012 to appoint two new members to the Design Review Committee, being Malcolm Mackay and Jeff Thierfelder, given the resignation of Annelise Safstrom, acknowledging that this would take the total number of members on the Committee to nine.
- George Gillan, an urban designer, and Mike Tooby, a landscape architect, have both recently tendered their resignation from the Committee, as they are retiring from professional life.

Legal Compliance:

Nil

Sustainability Assessment:

External Economic Implications:

No impact.

Cultural Issues:

No impact.

Environmental Issues:

No impact.

COMMENT:

As a result of the resignation of two members of the Design Review Committee, there is a need for the appointment of new member(s).

Mr Chris Maher, an architect with significant experience in architecture and urban design, has expressed an interest in being appointed to the Committee. A full copy of Mr Maher's biography is a tabled item. Notably, Mr Maher's experience includes:

- 27 years experience as an architect.
- Practiced in the UK, Hong Kong, Darwin, Sydney, Victoria, Queensland and WA.
- Headed up Mirvac Design in WA before undertaking a National Design role for Mirvac in 2008.
- Led the master planning and design of many significant and innovative award-winning projects and was involved in the winning design for Newington Olympic Village in NSW, Walsh Bay NSW, The Treasury Development in Perth, Bunker Bay Resort WA, Wesley Mission Church Perth including Design and Masterplanning, the Masterplanning and design of Mirvac's Peninsula at Burswood and Leighton Beach Project also in WA.

In view of Mr Maher's significant experience, and most relevantly that relating to the masterplanning and design of The Peninsula development in Burswood, Mr Maher will add significant value to the Design Review Committee, particularly in relation to the Belmont Park Racecourse redevelopment.

In recognition of local government reform, it is proposed to appoint Mr Maher until 30 June 2015 only.

Given the short timeframe and the relevant experience that Mr Maher holds, advertising of the position has not occurred. Council's Executive Manager Governance has advised that there is no need to advertise the position.

With the resignation of two members, and the appointment of Mr Maher, the Committee will return to a panel of eight members (three architects; two urban designers; two building services consultants; one landscape architect). At this stage it is not considered necessary to appoint another landscape architect to replace Mike Tooby.

Members are only paid for their time in providing advice on applications that are allocated to them, and therefore the appointment of Mr Maher will have no additional financial implications.

CONCLUSION:

It is recommended that Mr Chris Maher be appointed to the Design Review Committee, as his significant experience will be of benefit to the Committee and ultimately to the Town.

RECOMMENDATION/S:

In accordance with Section 5.10 of the *Local Government Act 1995*, Mr Chris Maher be appointed as a Member of the Design Review Committee.

(Absolute Majority Required)

12 RENEW LIFE PROGRAM REPORTS

12.1 Acceptance of Grant Funding – Perth Bicycle Network Local Government Grants Funding 2014/2015

File Reference:	TAT/4/0002
Appendices:	No

Date:	11 August 2014
Reporting Officer:	F. Squadrito / M. Ragireddy
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Council accepts the Perth Bicycle Network (PBN) grant funding for the 2014/2015 financial year totalling \$60,000 as approved and offered by the Department of Transport.

- The Town submitted funding applications to Department of Transport in November 2013.
- Two (2) projects submitted for funding – Miller Street on-road bicycle lane from Albany Highway to Sunbury Road (funding amount sought being \$60,000) and McCallum Park – adjacent to the Swan River foreshore within McCallum Park (funding amount sought being \$177,500).
- As a result of the Department of Transport assessment process, only the Miller Street project was funded.

TABLED ITEMS:

- Email confirmation received by the Town on 18 July 2014 from the Department of Transport – one project noted as successful.
- 2014/2015 PBN Funding Application covering letter to Department of Transport from the Town of Victoria Park dated 14 November 2013.

BACKGROUND:

The PBN Local Government Grants Program is a State Government program administered through the Department of Transport (DOT) that provides funding assistance, typically on a dollar-for-dollar basis, to Local Government Authorities (LGA) for approved cycling projects.

Each LGA is asked to consider its capital works program for the subsequent year and determine whether there are cycling projects that could be eligible for grant assistance through the PBN grant scheme.

Projects that DOT identified as potential grant recipients include the following:

- Outstanding projects identified in PBN local bicycle routes (missing shared links, paths along recreational routes, upgrading existing paths);
- On/off road bicycle lanes (particularly busier ones);
- End of trip facilities e.g. bike parking at public places;
- Bike plans; and
- Signage.

DETAILS:

In response to the Town's formal application for PBN funding submitted in November 2013, DOT has offered the Town of Victoria Park a total of \$60,000 of funding towards one bicycle path project subject to the Town contributing at least \$60,000 to the project. Project details below

New Path funding - Successful

1. Miller Street on-road bicycle lane from Albany Highway to Sunbury Road (funding amount sought \$60,000)

This project provides formal on-street bicycle lanes in both directions and forms a link between a "Designated PBN Route" (SE16) and a "Local Bicycle Friendly Street" under the Town of Victoria Park Local Bicycle Network connecting South Perth to Lathlain. This will complement existing cycle facilities in line with objectives set out in the Town's Integrated Movement Network Strategy.

Funding for this project has been provided to the Town to undertake detailed design and construction of on-street bicycle lanes. The proposed new 1.2m wide (1.5m where feasible), red asphalt paths will provide a link between two "Local Bicycle Friendly Streets" in the Town Of Victoria Park Local Bicycle Network and improves the cycling conditions along this part of the network.

New Path funding - Unsuccessful

2. McCallum Park – adjacent to the Swan River foreshore within McCallum Park (Funding amount sought \$177,500)

McCallum Park dual-use path along the foreshore between Ellam Street and southern abutment of the Causeway overpass provides a strategic link between Perth CBD and South Perth supporting regional, recreational, local cycling trips and commute trips.

The main purpose of this project is to reduce the demand for regular maintenance. Recreational use is considered to be extremely high and therefore there is a need for it to be maintained to a high quality standard. Unfortunately, funding application for this project was not successful.

Legal Compliance:

All works undertaken will comply with Austroads Guidelines and relevant Australian Standards relating to bicycle infrastructure.

Policy Implications:

Delegation 560 (Grants) of the Town's Delegations Register states that the administration can make and accept submissions for grants from Lotteries Commission, State and Commonwealth Governments, with a condition that acceptance of successful submissions over \$22,000 (incl. GST) to be subjected to Council approval.

Strategic Plan Implications:

The Town's Integrated Movement Network Strategy (IMNS) promotes improved cycling infrastructure in order to encourage greater uptake of cycling to complement Community Wellbeing and safe, attractive streetscapes which are key result areas of the Strategic Community Plan.

Financial Implications:Internal Budget:

The Town will need to fund at least 50% of the nominated project costs to receive the grant funding from endorsed DOT projects. The funding arrangement would be:

Project	Funding source		Total
	ToVP	DOT	
Miller Street on road Bicycle Lanes	\$60,000	\$60,000	\$120,000
	\$60,000	\$60,000	\$120,000

This project has been incorporated in the Town's 2014/2015 adopted Budget which was endorsed by Council at its Ordinary Council Meeting on 14 July 2014.

Total Asset Management:

The works completed as a result of the two projects will be maintained by the Town.

Sustainability Assessment:External Economic Implications:

Improved cycling infrastructure is likely to yield results in terms of positive outcomes for cyclists and a corresponding increased use of bicycles for transport. It is hoped this will have a positive effect on the businesses and services within the Town as more people view the Town of Victoria Park as a Local Government Authority committed to infrastructure supporting alternative modes of transport.

Social Issues:

An increase in cycling within the Town will improve the health and wellbeing of community members and assist in developing more people-friendly neighbourhoods. With fewer cars and more people on the streets, a greater sense of community is developed. People on bicycles tend to engage with other cyclists and pedestrians in a different way to those in cars. Cycling also provides a cost efficient and sustainable form of transport.

Cultural Issues:

The close proximity of the Town to Perth City and good connectivity to public transport mean that a mode shift is possible from single car occupants to cyclists for many trips. Improved cycling infrastructure is critical to this mode shift. Travel behaviour change to increase cycling within the Town relies on good cycling infrastructure.

Environmental Issues:

Continuing to provide safe and efficient cycling facilities will encourage and facilitate more use of bicycles, rather than vehicles, for commuting, transport or recreational journeys. Reducing vehicle dependency will help reduce vehicle emissions and vehicle noise.

COMMENT:

All works associated with the grants are to be completed by May 2015. In the event that the project completion date exceeds the deadline, DOT shall be notified 30 days prior.

Initially, as part of the detailed design process, a concept of the ultimate layout will be provided by the appointed officer. The Town's Officers recommend that consultation is undertaken once the concept plan has been finalised. The Town will also need to engage representatives from the Public Transport Authority and other key stakeholders including Main Roads Western Australia to ensure that all relevant statutory approvals are secured. Construction of the on-road cycle lanes is anticipated to commence in the first quarter of 2015.

External funding opportunities such as this are critical in facilitating in the delivery of works aligned with the recommendations of the Town's Integrated Movement and Network Strategy (IMNS).

It is important to note that even though the Town was not successful in securing external funding for the McCallum Park foreshore path upgrade, the Town's Street Improvement Staff had previously allocated \$240,000 in this financial year's capital works program which is anticipated to deliver similar benefits in a staged manner. Ultimately, further budget allocation in future financial years would need to be sought for future stages of this important asset upgrade project since no future funding for this particular project would be forthcoming from DOT.

CONCLUSION:

It is strongly recommended that Council endorse the receipt of this funding. Implementation of the proposed works as identified in the IMNS will progress with ongoing financial support provided by external agencies.

RECOMMENDATION:

That Council accepts the Perth Bicycle Network (PBN) grant funding for the 2014/2015 financial year totalling \$60,000 as approved and offered by the Department of Transport.

12.2 Tender TVP/14/06 – Contract for the Provision of Turf Mowing and Maintenance Services for the Town of Victoria Park’s Active Reserves, Passive Reserves and Street Verges

File Reference:	TVP/14/06
Appendices:	No

Date:	26 August 2014
Reporting Officer:	G. Wilson
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Council accepts the tender submission of Loch Ness Landscapes for the Provision of Turf Mowing and Maintenance Services.

- The Town contracts out the maintenance on selected active reserves, passive reserves and road verges.
- Evaluation of tender submissions against prescribed criteria has been completed.
- Recommend to accept tender submission from Loch Ness Landscape Services for a one (1) year period. (2 x 12 months extensions available by mutual agreement).

TABLED ITEMS:

- Appendix A - Due Diligence Report and Schedule of Rates.
- Appendix B – Evaluation Matrix by Tender Evaluation Panel.

BACKGROUND:

The Town of Victoria Park currently utilises contractors for mowing of selected active reserves, passive reserves and main arterial road verges. This is in addition to the Town’s own internal mowing program, which does not have the capacity to do all of the Town’s public open space in-house.

Tenders were advertised in The West Australian newspaper on 7 June 2014 and closed at 2pm on Tuesday 24 June 2014.

DETAILS:

Eight submissions were received from the below listed companies, for tender TVP/14/06 – Provision of Turf Mowing and Maintenance Services for the Town of Victoria Park’s Active Reserves, Passive Reserves and Street Verges, as per the Schedules of Rates detailed in Appendix A as Tabled -

- MCL Commercial Services;
- Turfmaster;
- Lovegrove Turf Services;
- GreenLife Group;
- Skyline Landscape Services;
- Lawn Doctor;
- Landscape and Maintenance Solutions; and
- Loch Ness Landscape Services.

All submissions are exclusive of GST.

Evaluation has been undertaken according to the tender evaluation criteria included in the tender documents by a panel of three (3) staff members, Acting Business Unit Manager Parks, Acting Executive Manager Park Life and Parks Technical Officer. All tenderers were assessed against the below selection criteria as contained in the tender documents.

Description of Selection Criteria	Weighting
<p>Relevant Experience Tenderers must address the following information in an attachment and label it "Relevant Experience":</p> <ul style="list-style-type: none"> ▪ <i>Provide details of similar work.</i> ▪ <i>Provide scope of the Tenderer's involvement including details of outcomes.</i> ▪ <i>Provide details of issues that arose during the project and how these were managed.</i> ▪ <i>Demonstrate competency and proven track record of achieving outcomes.</i> ▪ <i>Project reference sheet.</i> 	20%
<p>Key Personnel Skills and Experience Tenderers must address the following information in an attachment and label it "Key Personnel Skills and Experience":</p> <ul style="list-style-type: none"> ▪ <i>The Tenderer's role in the performance of the Contract.</i> ▪ <i>Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc.</i> 	20%
<p>Tenderers Resources Tenderers must address the following information in an attachment and label it "Tenderer's Resources":</p> <ul style="list-style-type: none"> ▪ <i>Plant, equipment and materials.</i> ▪ <i>Any contingency measures or backup of resources including personnel (where applicable).</i> ▪ <i>OHS Survey.</i> ▪ <i>Safety Record.</i> ▪ <i>Resources Schedule.</i> 	15%
<p>Demonstrated Understanding Tenderers must address the following information in an attachment and label it "Demonstrated Understanding":</p> <ul style="list-style-type: none"> ▪ <i>Demonstrated understanding of the Scope of Work.</i> ▪ <i>A project schedule/timeline (where applicable).</i> ▪ <i>The process for the delivery of the Goods/Services.</i> ▪ <i>Training processes.</i> 	15%
Prices / Rates	30%

Tender TVP/14/06 contained the following compliance criteria:

- Compliance with Condition of Tendering contained in this Request;
- Compliance with Conditions of Contract;
- Compliance with the specification contained within the Request;
- Compliance with the Quality Assurance requirement for this Request
- Compliance with the Financial Capability criteria;
- Compliance with all Australian and Western Australian licence requirements for the requirements of the tender;
- Compliance with OHS requirement, Complete Appendix A – Part 3 Tender Response form; and
- Correct completion of the Price Schedule

Attributes or assessment criteria (P) were determined and given a point score within the range 0-5.

Assessment Criteria (P)	Firhill (WA) Pty Ltd atf The Firhill Trust t/as MCL Commercial Services	Turfmaster Pty Ltd atf The Turfmaster Unit Trust	Lovegrove R & A t/as Lovegrove Turf Services	GLG Green Life Group Pty Ltd atf The GLG GreenLife Group Unit Trust
Relevant Experience	3.50	5.00	5.00	4.00
Key Personnel Skills and Experience	3.17	4.67	5.00	4.00
Tenderer's Resources	3.17	4.00	5.00	3.83
Demonstrated Understanding	3.50	4.50	4.83	4.67
Prices / Rates	2.44	3.76	1.46	2.39

Assessment Criteria (P)	Skyline Landscape Services Group Pty Ltd	D & E Parker Pty Ltd atf Parker Trust t/as Lawn Doctor	Landscape and Maintenance Solutions Pty. Ltd.	The A J Morley Family Trust & The J & L Troiano Family Trust t/as Loch Ness Landscape Services
Relevant Experience	3.50	5.00	3.67	4.33
Key Personnel Skills and Experience	3.83	5.00	4.00	4.33
Tenderer's Resources	3.00	4.67	3.67	4.50
Demonstrated Understanding	3.50	4.83	4.50	4.00
Prices / Rates	2.09	2.34	2.25	5.00

This P score was then multiplied by the previously determined weighting factor (W% or Evaluation Criteria) to obtain a Value Score (V) for each tender. The tenderer having the highest score would be the preferred tenderer.

Tender Evaluation Criteria	Weighting (W) %	Firhill (WA) Pty Ltd atf The Firhill Trust t/as MCL Commercial Services	Turfmaster Pty Ltd atf The Turfmaster Unit Trust	Lovegrove R & A t/as Lovegrove Turf Services	GLG Green Life Group Pty ltd atf the GLG GreenLife Group Unit Trust
Relevant Experience	20%	0.70	1.00	1.00	0.80
Key Personnel Skills and Experience	20%	0.63	0.93	1.00	0.80
Tenderer's Resources	15%	0.48	0.60	0.75	0.57
Demonstrated Understanding	15%	0.53	0.68	0.72	0.70
Prices / Rates	30%	0.73	1.13	0.44	0.72
Total (V)	100%	3.07	4.34	3.91	3.59

Tender Evaluation Criteria	Weighting (W) %	Skyline Landscape Services Group Pty Ltd	D & E Parker Pty Ltd ATF Parker Trust T/As Lawn doctor	Landscape And Maintenance Solutions Pty. Ltd.	The A J Morley Family Trust & The J & L Troiano Family Trust t/as Loch Ness Landscape Services
Relevant Experience	20%	0.70	1.00	0.73	0.87
Key Personnel Skills and Experience	20%	0.77	1.00	0.80	0.87
Tenderer's Resources	15%	0.45	0.70	0.55	0.68
Demonstrated Understanding	15%	0.53	0.72	0.68	0.60
Prices / Rates	30%	0.63	0.70	0.68	1.50
Total (V)	100%	3.07	4.13	3.43	4.51

Legal Compliance:

The Town has complied with section 3.57 of the *Local Government Act 1995* relating to tenders.

Policy Implications:

Council Policy FIN4 Purchase of Goods and Services has been complied with.

Strategic Plan Implications:

Plan for the Future 2011 – 2026 - Renew Life Program - Objective 3 – being to *manage, maintain and renew the Town's assets.*

Financial Implications:Internal Budget:

The budget for maintenance of reserves is spread across many different operating general ledger numbers within the Towns chart of accounts. To provide the level of mowing service expected as per the current maintenance schedule, and as contained in the the tender specification, a minimum \$129,992 is required.

Funds have been set aside in the Park Life 2014/2015 parks and reserves operating budget of \$700,300 for these reserves.

Total Asset Management:

The parks and reserves within the Town are a recreational asset for the community and need to be well maintained.

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Providing well maintained and aesthetically pleasing active and passive recreation areas within the Town has a positive effect on the health and wellbeing of the community.

Cultural Issues:

Nil

Environmental Issues:

Public open space areas reduce heat soak, provide shade and help filter pollutants.

COMMENT:

Loch Ness Landscape Services have obtained the highest score based on the selection criteria. They have the lowest price, are currently carrying out the maintenance under the previous tender, and also have prior local government and commercial property experience.

Tenderer	Average Weighted Score
Firhill (WA) Pty Ltd atf The Firhill Trust t/as MCL Commercial Services	3.07
Turfmaster Pty Ltd atf The Turfmaster Unit Trust	4.34
Lovegrove R & A t/as Lovegrove Turf Services	3.91
GLG Green Life Group Pty Ltd atf The GLG GreenLife Group Unit Trust	3.59
Skyline Landscape Services Group Pty Ltd	3.07
D & E Parker Pty Ltd atf Parker Trust t/as Lawn Doctor	4.13
Landscape and Maintenance Solutions Pty Ltd.	3.43
The A J Morley Family Trust & The J & L Troiano Family Trust t/as Loch Ness Landscape Services	4.51

CONCLUSION:

It is concluded that the tender submitted by Loch Ness Landscape Services be accepted as the most advantageous to the Town.

RECOMMENDATION/S:

That tender TVP/14/06 for the Provision of Turf Mowing and Maintenance Services for the Town of Victoria Park's Active Reserves, Passive Reserves and Street Verges be awarded to Loch Ness Landscape Services for 12 months from 1 October 2014, with the option of two (2) x 12 month extensions by mutual agreement.

12.3 Tender TVP/14/07 – Contract for the Provision of Turf Mowing and Gardening Maintenance Services for the Town of Victoria Park

File Reference:	TVP/14/07
Appendices:	No

Date:	26 August 2014
Reporting Officer:	G. Wilson
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Council accepts the tender submission of Green Life Group for the Provision of Turf Mowing and Gardening Maintenance Services.

- The Town contracts out the mowing and gardening maintenance on selected passive reserves and community facilities.
- Evaluation of tender submissions against prescribed criteria has been completed.
- Recommend to accept tender submission from Green Life Group for a 1 year period. (2 x 12 months extensions available by mutual agreement).

TABLED ITEMS:

- Appendix A (Due Diligence Report and Schedule of Rates).
- Appendix B – Evaluation Matrix by Tender Evaluation Panel.

BACKGROUND:

The Town of Victoria Park currently utilises contractors for mowing and garden maintenance of selected passive reserves and community facilities such as Aqualife, Leisurelife, and other leased properties such as child health centres and the (former) Lathlain Kindergarten. This is in addition to the Town's own internal maintenance program, which does not have the capacity to do all of the Town's public open space and facilities in-house.

Tenders were advertised in the West Australian newspaper on 14 June 2014 and closed at 2pm on Tuesday 1 July 2014.

DETAILS:

Eight submissions were received from the below - listed companies, for tender TVP/14/07 – Provision of Turf Mowing and Gardening Maintenance Services for the Town of Victoria Park, as per the Schedules of Rates detailed in Appendix A as Tabled -

- GLG Green Life Group Pty Ltd;
- Landscape and Maintenance Solutions Pty Ltd;
- Zil Enterprises;
- Gecko Contracting Pty Ltd;
- MCL Commercial Services;
- LD Total;
- Better Class Lawns and Gardens; and
- Programmed Maintenance Services Limited;

All submissions are exclusive of GST.

Evaluation has been undertaken according to the tender evaluation criteria included in the tender documents by a panel of three (3) staff members: Acting Business Unit Manager Parks; Acting executive Manager Park Life; and Reserves Supervisor. All tenderers were assessed against the below selection criteria as contained in the tender documents.

Description of Selection Criteria	Weighting
<p>Relevant Experience Tenderers must address the following information in an attachment and label it "Relevant Experience":</p> <ul style="list-style-type: none"> ▪ <i>Provide details of similar work.</i> ▪ <i>Provide scope of the Tenderer's involvement including details of outcomes.</i> ▪ <i>Provide details of issues that arose during the project and how these were managed.</i> ▪ <i>Demonstrate competency and proven track record of achieving outcomes.</i> ▪ <i>Project reference sheet.</i> 	20%
<p>Key Personnel Skills and Experience Tenderers must address the following information in an attachment and label it "Key Personnel Skills and Experience":</p> <ul style="list-style-type: none"> ▪ <i>The Tenderer's role in the performance of the Contract.</i> ▪ <i>Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc.</i> 	20%
<p>Tenderers' Resources Tenderers must address the following information in an attachment and label it "Tenderer's Resources":</p> <ul style="list-style-type: none"> ▪ <i>Plant, equipment and materials.</i> ▪ <i>Any contingency measures or backup of resources including personnel (where applicable).</i> ▪ <i>OHS Survey.</i> ▪ <i>Safety Record.</i> ▪ <i>Resources Schedule.</i> 	15%
<p>Demonstrated Understanding Tenderers must address the following information in an attachment and label it "Demonstrated Understanding":</p> <ul style="list-style-type: none"> ▪ <i>Demonstrated understanding of the Scope of Work.</i> ▪ <i>A project schedule/timeline (where applicable).</i> ▪ <i>The process for the delivery of the Goods/Services.</i> ▪ <i>Training processes.</i> 	15%
Prices / Rates	30%

Tender TVP/14/07 contained the following compliance criteria:

- Compliance with Condition of Tendering contained in this Request;
- Compliance with Conditions of Contract;
- Compliance with the specification contained within the Request;
- Compliance with the Quality Assurance requirement for this Request
- Compliance with the Financial Capability criteria;
- Compliance with all Australian and Western Australian licence requirements for the requirements of the tender;
- Compliance with OHS requirement, Complete Appendix A – Part 3 Tender Response form; and
- Correct completion of the Price Schedule

Attributes or assessment criteria (P) were determined and given a point score within the range 0-5.

Assessment Criteria (P)	GLG Green Life Group Pty Ltd atf The GLG Green Life Group Unit Trust	Landscape And Maintenance Solutions Pty. Ltd.	S J & T M Zilioli t/as Zil Enterprises	Gecko Contracting Pty Ltd
Relevant Experience	4.60	3.67	3.83	4.33
Key Personnel Skills and Experience	4.50	4.00	3.17	3.50
Tenderer's Resources	4.17	3.67	3.50	3.83
Demonstrated Understanding	4.33	4.33	4.50	4.00
Prices / Rates	2.15	2.25	1.93	1.43

Assessment Criteria (P)	Firhill (WA) Pty Ltd atf The Firhill Trust ta/s MCL Commercial Services	Sanpoint Pty Ltd t/a LD Total	Ashgrove Holdings (WA) Pty Ltd t/as A Better Class Lawns & Gardens	Programmed Maintenance Services Limited
Relevant Experience	3.00	4.00	3.33	4.33
Key Personnel Skills and Experience	3.50	4.50	3.33	4.17
Tenderer's Resources	3.83	4.67	3.17	4.50
Demonstrated Understanding	2.17	4.50	3.17	4.17
Prices / Rates	5.00	1.00	2.07	0.29

This P score was then multiplied by the previously determined weighting factor (W% or Evaluation Criteria) to obtain a Value Score (V) for each tender. The tenderer having the highest score would be the preferred tenderer.

Tender Evaluation Criteria	Weighting (W) %	GLG Green Life Group Pty Ltd atf The GLG Green Life Group Unit Trust	Landscape And Maintenance Solutions Pty. Ltd.	S J & T M Zilioli t/as Zil Enterprises	Gecko Contracting Pty Ltd
Relevant Experience	20%	0.92	0.73	0.77	0.87
Key Personnel Skills and Experience	20%	0.90	0.80	0.63	0.70
Tenderer's Resources	15%	0.63	0.55	0.53	0.57
Demonstrated Understanding	15%	0.65	0.65	0.68	0.60
Prices / Rates	30%	0.65	0.68	0.58	0.43
Total (V)	100%	3.74	3.41	3.18	3.17

Tender Evaluation Criteria	Weighting (W) %	Firhill (WA) Pty Ltd atf The Firhill Trust t/as MCL Commercial Services	Sanpoint Pty Ltd t/as LD Total	Ashgrove Holdings (WA) Pty Ltd t/as A Better Class Lawns & Gardens	Programmed Maintenance Services Limited
Relevant Experience	20%	0.60	0.80	0.67	0.87
Key Personnel Skills and Experience	20%	0.70	0.90	0.67	0.83
Tenderer's Resources	15%	0.57	0.70	0.48	0.68
Demonstrated Understanding	15%	0.33	0.68	0.48	0.63
Prices / Rates	30%	1.50	0.30	0.62	0.09
Total (V)	100%	3.70	3.38	2.90	3.09

Legal Compliance:

The Town has complied with section 3.57 of the *Local Government Act 1995* relating to tenders.

Policy Implications:

Council Policy FIN4 Purchase of Goods and Services has been complied with.

Strategic Plan Implications:

Plan for the Future 2011 – 2026 - Renew Life Program - Objective 3 – being to manage, maintain and renew the Town’s assets.

Financial Implications:Internal Budget:

The budget for maintenance of reserves and community facilities is spread across many different operating general ledger numbers within the Town’s chart of accounts. To provide the level of service expected as per the current maintenance schedule, based on the tender price \$45,437 is required.

Funds have been set aside in the Park Life 2014/2015 grounds maintenance budget of \$85,821 for these reserves and community facilities.

Total Asset Management:

The parks and reserves and facilities within the Town are a recreational asset for the community and need to be well maintained.

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Providing well maintained and aesthetically pleasing active and passive recreation areas and green space within the Town has a positive effect on the health and wellbeing of the community.

Cultural Issues:

Nil

Environmental Issues:

Gardens and Public open space areas reduce heat soak, provide shade and help filter pollutants.

COMMENT:

Green Life Group has obtained the highest score based on the selection criteria. They are currently carrying out the maintenance under the previous tender, and also have prior local government and commercial property experience.

Tenderer	Average Weighted Score
GLG Green Life Group Pty Ltd atf The GLG Green Life Group Unit Trust	3.74
Landscape and Maintenance Solutions Pty. Ltd.	3.41
S J & T M Zilioli t/as Zil Enterprises	3.18
Gecko Contracting Pty Ltd	3.17
Firhill (Wa) Pty Ltd atf The Firhill Trust T/As MCL Commercial Services	3.70
Sanpoint Pty Ltd t/as LD Total	3.38
Ashgrove Holdings (Wa) Pty Ltd T/As A Better Class Lawns & Gardens	2.90
Programmed Maintenance Services Limited	3.09

CONCLUSION:

It is concluded that the tender submitted by Green Life Group be accepted as the most advantageous to the Town.

RECOMMENDATION/S:

That tender TVP/14/07 for the Provision of Turf Mowing and Garden Maintenance Services for the Town of Victoria Park be awarded to Green Life Group for 12 months from 1 October 2014, with the option of two (2) x 12 month extensions by mutual agreement.

12.4 Tender TVP/14/10 – Cleaning of Public Toilets

File Reference:	TVP/14/10
Appendices:	No

Date:	31 August 2014
Reporting Officer:	G. Wilson
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Council accepts tender submission from CCM Cleaning Services for the Provision of the Cleaning of Public Toilets.

- Tender has been called for the provision of cleaning services to public toilets.
- Evaluation of tender submissions against prescribed criteria has been completed.
- Recommend to accept the tender from CCM Cleaning Services, for the period 1 November 2014 to 30 June 2015 (2 x 12 months extensions available by mutual agreement).

TABLED ITEMS:

- Tender submissions.
- Assessment tables for Tender TVP14/10.
- Submitted price schedules.

BACKGROUND:

In August 2013, Council resolved to award the Cleaning of Council Facilities – Public Toilet Blocks and Public Toilets at Clubrooms for a period from 2 December 2013 – 31 October 2014. The evaluation of the submissions for that tender was conducted by WALGA and the tender was awarded to DMC Cleaning.

The toilet cleaning needs within the Town have changed with the accessible toilets being opened on a daily basis at the Reserve Clubrooms. This has been reflected in the Tender scope.

In May 2014, Council called for submissions for Cleaning of Public Toilets, TVP/14/04. Prior to reporting to Council, it was determined that the advertising time for TVP/14/04 was insufficient.

A new Tender, TVP/14/10, for the provision of cleaning public toilets was advertised in The West Australian newspaper on Saturday 2 July 2014 and closed on 24 July 2014.

DETAILS:

The Town of Victoria Park manages and maintains various stand-alone public toilet blocks and public toilets at the various clubroom facilities on land for which it has the care and control.

Staff have developed a more economical, efficient and environmentally conscious program to enable the delivery and management of cleaning services to various Council facilities.

Tenderers were required to ensure alignment with the Town's values (Positive, Inspirational, and Caring), demonstrate sustainability principles in the management and operation of their business and provide an online contract management portal by which the Town can monitor and manage contract performance.

Tenderers were asked to complete and submit a price schedule based on the cleaning specification for the following locations:

Daily cleaning of public toilet blocks (including locking/unlocking) at:

- Taylor Reserve;
- McCallum Park;
- GO Edwards Park;
- John Macmillan Park;
- Hubert Street public toilets;
- Archer Street public toilets;
- Read Park; and
- Underpass (Shepperton Road).

Once per week cleaning of public toilet blocks at clubrooms:

- Raphael Park;
- Harold Rossiter Reserve;
- Fraser Park;
- Higgins Park;
- JA Lee Reserve;
- Parnham Reserve;
- Carlisle Reserve; and
- Fletcher Park.

Daily cleaning of accessible public toilet blocks at clubrooms (including locking/unlocking):

- Raphael Park;
- Harold Rossiter Reserve;
- Fraser Park;
- Higgins Park;
- JA Lee Reserve;
- Parnham Reserve;
- Carlisle Reserve; and
- Fletcher Park.

All submitted Tenders were assessed against the below selection criteria as contained in the Tender documentation:

Description of Selection Criteria	Weighting
<p>Capability/competence of Tenderer to perform the work required</p> <ul style="list-style-type: none"> ▪ Qualifications, skills and experience of key personnel; ▪ Plant, equipment and staff resources available; ▪ Percentage of operational capacity represented by this work; and ▪ Quality systems. 	25%
<p>Experience of Tenderer in supplying similar goods or completing similar projects</p> <ul style="list-style-type: none"> ▪ Relevant industry experience (including public sector), including details of similar work undertaken; ▪ The Tenderer's involvement in these projects, including details of outcomes produced; ▪ Past record of performance and achievement; ▪ References from past and present clients; ▪ Occupational safety and health track record; and ▪ Relevant industry experience of company personnel. 	30%
<p>Understanding of Requirement</p> <ul style="list-style-type: none"> ▪ Level of understanding of Tender documents; ▪ Level of understanding of work required; ▪ Ability to meet delivery dates in regard to overall work commitments; ▪ Warranties offered; ▪ Added value items offered; and ▪ Special conditions included in Tender. 	15%
<p>Tendered Price/s</p> <ul style="list-style-type: none"> ▪ The price to supply the goods or services in accordance with the Request ▪ Rates or prices for variations 	30%
TOTAL	100%

Tender TVP/14/10 contained the following compliance criteria:

- Compliance with the Conditions of Tendering contained in this Request;
- Completion of the Occupational Safety and Health Management System Questionnaire Compliance with the Specification contained in this Request;
- Compliance with the Special Conditions of this Request;
- Compliance with the Financial Capability criteria;
- Correct completion of the Price Schedule; and
- Compliance with all Australian and Western Australian license requirements for the requirements of tender.

Eight (8) separate tenders were received for Tender TVP/14/10. Of the 8 submitted tenders, two of the tenders were deemed non-compliant due to failure to correctly complete the pricing schedule.

Evaluation of each subsequent tender has been undertaken according to the tender evaluation criteria included in the tender documents by a panel of three staff members: Building Assets Officer; Business Unit Manager – Assets; and Acting Executive Manager Park Life.

The aforementioned qualitative selection criteria were applied to each Tender, with each tender assigned a value score between 1 and 100.

Submissions by Gleam Oz Cleaning Services and Dominant Property Services were not able to be assessed as prices submitted were not compliant with the template in the Tender documents

The sum of the submitted prices was assessed on a lineal basis with the lowest price used as the base price and achieving the highest score of 100. All other prices were scored in relation to the lowest score.

Assessment Criteria (P)	Intework Incorporated	Charles Service Co	DMC Cleaning	CCM Cleaning Services
Capability	70.00	90.00	98.67	100
Relevant experience	66.67	100	100	100
Understanding of requirement	86.67	96.67	98.67	100
Tendered Price	100	81.4	76.8	76.2

Assessment Criteria (P)	Quayclean Cleaning Partners	Advanced Cleaning
Capability	86.67	80.00
Relevant experience	93.33	66.67
Understanding of requirement	63.33	80.00
Tendered Price	65.20	65.00

Each P score was then multiplied by the previously determined percentage weighting factor (W) to obtain a Value Score (V). The sum of the (V) scores delivered the total Value Score as per the below table.

A summary of the assessment tables is contained below –

		Intework Incorporated	Charles Service Co	DMC Cleaning
Tender Evaluation Criteria (P)	Weighting (W)	Value Score (V)	Value Score (V)	Value Score (V)
Capability	0.25	17.50	22.50	24.67
Relevant experience	0.30	20.00	30.00	30.00
Understanding of requirement	0.15	13.00	14.50	14.80
Tendered Price	0.30	30.00	24.42	23.04
Total Score Value		80.50	91.42	92.51

		CCM Cleaning Services	Quayclean Cleaning Partners	Advanced Cleaning
Tender Evaluation Criteria (P)	Weighting (W)	Value Score (V)	Value Score (V)	Value Score (V)
Capability	0.25	25.00	21.67	20.00
Relevant experience	0.30	30.00	28.00	20.00
Understanding of requirement	0.15	15.00	9.50	12.00
Tendered Price	0.30	22.86	19.56	19.5
Total Score Value		92.86	78.73	71.50

The tenderer with the highest overall score is the preferred tenderer.

The full assessment tables detailing the averaged score assigned by the evaluation panel to each submitted tender for both quantitative and qualitative criteria are tabled items accompanying this report.

Legal Compliance:

Local Government Act 1995 Section 3.57

Local Government (Functions and General) Regulations 1996 Division 2 Part 4

In accordance with Part 4 of the *Local Government (Functions and General) Regulations 1996* (“the Regulations”), tenders shall be invited before the Town enters into a contract for another person to supply goods or services if the consideration under the contract is or is expected to exceed \$100,000.

A review of historic expenditure on cleaning of public toilet blocks and public toilets at clubrooms indicated that any three year contract, exclusive of options, was likely to exceed \$100,000.

Policy Implications:

Council Policy FIN4 Purchase of Goods and Services has been complied with.

Strategic Plan Implications:

Plan for the Future 2011-2026- Renew Life Program – Objective 3 – being to manage, maintain and renew the Town’s assets.

Financial Implications:

Internal Budget:

The budget for cleaning public toilet blocks and public toilets at clubrooms is spread across many different operating general ledger numbers within the Town’s chart of accounts.

Council in its budget deliberations has looked at the level of service provided to the community, particular relating to public toilets at clubrooms. Previously the public facilities at clubrooms received only a weekly Friday service, given they were not open to the general public during the working week

Council made budget provisions in 2013/2014 to modify Clubrooms (Raphael Park, Harold Rossiter Reserve, Fraser Park, Higgins Park, JA Lee Reserve, Parnham Reserve, Carlisle Reserve and Fletcher Park) to enable public toilets to be available for daily use. The toilets are disability/universal access compliant and are locked at night. The locking system is a Master Locksmiths Access Key (MLAK) system that allows people with disability (and who are registered with MLAK) to gain 24/7 access to a network of public facilities.

2014/2015 operating budget has provision to cover the additional cleaning costs associated with the daily opening and closing of these accessible toilets

The following table identifies the cleaning costs for each facility (ex GST), based on the submission by CCM Cleaning Services

Facility	Total Annual Cost Public Toilets (Weekly Service)	Total Annual Cost Accessible Toilets (Daily Service)
Raphael Park	\$2080.00	\$8645.00
Harold Rossiter Reserve	\$2496.00	\$8645.00
Fraser Park	\$2080.00	\$8645.00
Higgins Park	\$2080.00	\$7953.40
JA Lee Reserve	\$936.00	\$7953.40
Parnham Reserve	\$884.00	\$7953.40
Carlisle Reserve	\$884.00	\$7953.40
Fletcher Park	\$2080.00	\$8645.00
TOTAL	\$13,520.00	\$66,393.60

Public Toilet Block Facility	Total Annual Cost (Daily Service)
Taylor Reserve	\$15561.00
McCallum Park	\$10374.00
GO Edwards Park	\$9682.40
John Macmillan Park	\$8990.80
Hubert Street public toilets	\$10374.00
Archer Street public toilets	\$8299.20
Read Park	\$9682.40
Underpass (Shepperton Road)	\$13832.00
TOTAL	\$86,795.80

Total cost of providing cleaning services to public toilets is approximately \$166,709.40 per 12 months.

Total Asset Management:

Nil

Sustainability Assessment:

External Economic Implications:

The tender provides a contract opportunity to business and associated employment opportunities.

Social Issues:

Providing and maintaining community facilities was rated at "high importance" and "high satisfaction" with an overall satisfaction rating of 81% in the 2012 Community Perception Survey. The administration of the contract aligned with tender TVP/14/04 is seen as important in maintaining this satisfaction rating.

Cultural Issues:

Nil

Environmental Issues:

In accordance with the environmentally sustainable direction staff have taken on this matter, the tender contained the Town's requirements for "green" cleaning products, that is those products which achieve the following outcomes:

- (a) All cleaning methods provide proof of a low risk of harm to cleaners and building occupants;
- (b) Reduced chemical emissions and dust particulates to improve indoor air quality.
- (c) A high standard of professionalism, hygiene and cleanliness;
- (d) The supply and use of materials shows reduced environmental impact and consumption;
- (e) Equipment and service delivery procedures that can minimise energy and fuel consumption; and
- (f) Opportunities for recycling waste are maximised and cleaning waste is minimised.

COMMENT:

The tender evaluation process identified that CCM Cleaning Services achieved the highest overall weighted point score of the submitted tender. Below is a summary table of the outcome of the assessment.

Tenderer	Average Weighted Score
Intework Incorporated	80.50
Charles Service Company	91.42
DMC Cleaning	92.51
CCM Cleaning Service	92.86
QuayClean Cleaning partners	78.73
Advanced Cleaning	71.50

CCM Cleaning Services has submitted relevant and satisfactory industry references verifying their suitability as a building contractor to local government.

CONCLUSION:

It is concluded that the tender submitted by CCM Cleaning Services be accepted as the most advantageous to the Town.

RECOMMENDATION/S:

That Council

- 1. Accepts no submissions for Tender, TVP/14/04, for the provision of Cleaning of Public Toilets.**

- 2. Awards Tender TVP/14/10 for the Cleaning of Public Toilets to CCM Cleaning Services as per the submitted Schedule of Rates, for the following period 1 November 2014 – 30 June 2015, with the option of 2 x 12 months extensions by mutual agreement.**

12.5 Tender TVP/14/14 – Provision of Architectural Services – New Lathlain Place Community Building – Lathlain Precinct Redevelopment Project - Zone 6

File Reference:	TVP/14//14
Appendices:	No

Date:	19 August 2014
Reporting Officer:	S. Smithers
Responsible Officer:	W. Bow
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Tender TVP/14/14 for the Provision of Architectural Services for Community Building Lot 60 Lathlain Place be awarded to Hodge Collard Preston at a cost of \$74,725 excluding GST.

- A Community Building is being developed as part of the Lathlain Precinct Redevelopment Project on Lot 60 Lathlain Place
- Tender has been called for architectural services to develop the detailed design of the building as per the concept plan in order to enable construction and fit out.
- Evaluation of tender submissions against prescribed criteria has been completed.
- Recommended to accept the tender from Hodge Collard Preston.

TABLED ITEMS:

- Tender Submissions.
- Tender Evaluation Documentation.

BACKGROUND:

In enacting Council's resolution of May 2013 to construct a Community Building as part of the Lathlain Precinct Redevelopment Project, the following actions have been undertaken:

- July 2013 - the Lathlain Carlisle Playgroup (Playgroup) was relocated into a temporary facility; the former Lathlain Pre-Primary in Planet Street.
- June 2013 – Lot 700 Rutland Avenue, Lathlain – sold by public auction for \$880,000 GST exempt.
- July 2013 – an allocation of \$730,000 was made in the 2013/2014 budget to commence the project.
- December 2013 - the Carlisle Victoria Park Toy Library (Toy Library) was relocated into a temporary facility at 21 Lichfield Street.
- December 2013 - a Request for Quote (RFQ) process completed for the development of concept plans and subsequent design for the above mentioned "Community Building" proposed on Lot 59 Lathlain Place. The RFQ was awarded to Hames Sharley.

The design brief for the community building included the following requirements -

Essential Items

- a) The facility shall be a modular concept;
- b) The facility shall employ sustainability initiatives;
- c) The facility shall feature an adaptable floor plan, light colours and natural light whilst feeling engaging and inviting;
- d) The design of the facility shall include a safe and sheltered outdoor play space, and
- e) The facility shall allow for each user group to have their own operational space and storage area whilst featuring common areas and amenities such as kitchen, bathrooms and break out areas.

Desirable Items

- a) The facility shall aim to achieve a minimum 6 star energy rating; and
- b) The design shall include the possible immediate or future residential development as a second storey.

Consideration was also given to each group's (Playgroup, Toy Library) requirements as discussed with them during the process of relocation, and Child and Adolescent Health Clinic – Department of Health (CHC).

Further to this, the Town's requirements, such as moving the building forward to the boundary and replicating the curvature of the corner in the design, became factors for inclusion in the brief.

The demolition process for the existing building on Lot 59 commenced in December 2013; the work was completed in March 2014. A demolition party was held on 7 March 2014. Elected Members, Town officers and key persons from the user groups attended a morning tea to mark this milestone in the project.

In April 2014 the design team (Hames Sharley) working on developing a building concept for Lot 59 Lathlain Place, Lathlain were able to develop rough sketches of a concept for Lot 60 Lathlain Place. These concept plans were presented to the Lathlain Precinct Redevelopment Project Team at its meeting on 22 April 2014 and endorsed as the preferred concept.

This initial concept plan for Lot 60, in sketch form, was unofficially unveiled at the Lathlain Community Day; the concept plan received positive feedback and was identified as the preferred option by many members of the community groups who attended along with local residents. Shortly after, on 18 June 2014, the administration held a meeting with the community group stakeholders, Cr Hayes and Town officers. It was at this meeting that the concept was agreed upon by all stakeholders as the best option.

Council supported this preference with the resolution to proceed with construction of the Community Building on Lot 60 passed at its Ordinary Council Meeting on 14 July 2014. Since then, the designers have been able to develop a full conceptual design for the building on Lot 60 with the support of the major stakeholders in the project. Further design requirements will be considered in relation to the final detailed design of the building including:

- a) At least one communal meeting room (later determined to only be required by CHC and included in their space);
- b) Entrance foyer with pram parking, letter boxes, bulletin boards;
- c) Have a communal external toy wash area with trough & hose down area (drainage);
- d) Provide a minimum of 105/110m² of floor space for Playgroup and Toy Library with internal storage spaces (keep areas separate as much as possible);
- e) Provide a minimum of 70m² for Child Health Clinic;
- f) An outdoor BBQ and sink combination;
- g) External storage to be on side abutting TL of the rear play space (later determined to be included internally);
- h) Kitchen to feature, break out space consisting of atrium style central seating, kitchen garden, indoor/outdoor space; and
- i) Constructed to the front lot boundary with zero set backs.

Highlights of the concept plan are -

- Allows for all spaces to be 'squared' up;
- Allows communal foyer/waiting area space;
- Centrally located amenities;
- Frontage to Lathlain Place for Toy Library and Child Health;
- Reduces concerns of 'shared spaces' with no residential component (i.e. no mixed use);
- Improved proximity to parking, greater number of bays with direct access;
- Provides storage in each space;
- Includes external BBQ, undercover and toy wash areas;
- Retains future residential development potential on Lathlain Place;
- Affords potential for shared outdoor space with Scouts/Guides to the rear of Lot 60;
- Provides Scouts ability to continue weekend/evening usage of rear play space;
- Improved "future-proofing";
- Increased outdoor play space; and
- Increased floor space (from original endorsed concept);
 - Playgroup 105m²;
 - Child Health 74m²; and
 - Toy Library 98m².

Subsequent to Council's resolution of 14 July 2014, the project proceeded to tender for the detailed design of the building.

DETAILS:

The Tender was advertised on Saturday 26 July 2014 in The West Australian newspaper, with tenders closing on 2pm on Tuesday 12 August 2014.

Eleven (11) submissions were received for TVP/14/14 from the following companies –

- Broderick Architects;
- Lycopodium Infrastructure;
- Hames Sharley;
- Olk and Associates;
- Holton Connor;

- Officer Woods Architects;
- MPS Architects;
- Chindarsi Architects;
- Site Architecture;
- Mode Design; and
- Hodge Collard Preston .

All respondents were considered capable of undertaking the works, although only seven tenders were deemed initially compliant.

The assessment of the seven compliant submissions was undertaken by an Assessment Panel of three staff, the A/Executive Manager Park Life, Business Unit Manager – Assets and Project Manager.

All tenders were assessed against the below selection criteria as contained in the tender documentation.

Description of Selection Criteria	Weighting
<p>Relevant Experience Tenderers must address the following information in an attachment and label it “Relevant Experience”:</p> <ul style="list-style-type: none"> ▪ <i>Detailed work history and qualifications of the architect. Including similar projects the architect has directly designed, the level of involvement in the construction and the project cost;</i> ▪ <i>Demonstrate competency and proven track record of achieving outcomes;</i> ▪ <i>Project reference sheet.</i> 	<p>25%</p>
<p>Key Personnel Skills and Experience Tenderers must address the following information in an attachment and label it “Key Personnel Skills and Experience”:</p> <ul style="list-style-type: none"> ▪ <i>The Tenderer’s role in the performance of the Contract;</i> ▪ <i>Detailed work history and qualifications for any of the architects staff or consultants who will have involvement in the Project;</i> ▪ <i>Details of similar projects the architect has directly designed, the level of involvement in the design and the project cost;</i> ▪ <i>Details of the proportion of time that key personnel will work on this project.</i> <p>Supply any other relevant details in an attachment and label it “Key Personnel Skills and Experience”.</p>	<p>20%</p>

<p>Tenderer's Resources Tenderers must address the following information in an attachment and label it "Tenderer's Resources":</p> <ul style="list-style-type: none"> ▪ <i>Any contingency measures or backup of resources including personnel (where applicable);</i> ▪ <i>OHS Survey;</i> ▪ <i>Safety Record;</i> ▪ <i>Resources Schedule.</i> 	15%
<p>Demonstrated Understanding Tenderers must address the following information in an attachment and label it "Demonstrated Understanding":</p> <ul style="list-style-type: none"> ▪ <i>A project schedule/timeline;</i> ▪ <i>Demonstrated understanding of the Scope of Work;</i> ▪ <i>Demonstrated ability to meet the delivery timeframes.</i> <p>Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding".</p>	15%
<p>Price Tenderers must submit prices in accordance with the schedule of rates</p>	25%

The following compliance criteria were also used to assess TVP/14/14 –

- Compliance with the Specification contained in the Request;
- Compliance with the Conditions of responding;
- Compliance with the Quality Assurance requirement for this Request; and
- Compliance with and completion of the Price Schedule.

Attributes or assessment criteria (P) were determined and given a point score within the range 0-100.

Assessment Criteria (P)	Broderick Architects	Site Architects	Hodge Collard Preston	Mode
Relevant Experience	15.00	18.00	18.67	13.33
Key Personnel and Experience	14.67	16.67	17.67	12.33
Tenderers Resources	12.33	15.00	12.67	13.00
Demonstrated Understanding	13.00	14.67	16.33	15.67
Tendered Price	20.00	15.80	16.60	12.60
TOTAL	75.00	80.13	81.93	66.93

Assessment Criteria (P)	Hames Sharley	Olk and Associates	Lycopodium
Relevant Experience	18.00	16.00	15.00
Key Personnel and Experience	17.67	16.33	15.33
Tenderers Resources	16.00	15.33	15.67
Demonstrated Understanding	16.00	13.00	15.47
Tendered Price	12.60	7.60	8.93
TOTAL	80.27	68.27	70.40

This P score was then multiplied by the previously determined weighting factor (W% or Evaluation Criteria) to obtain a Value Score (V) for each tender. The tenderer having the highest score would be the preferred tenderer.

Tender Evaluation Criteria	Weight (W) %	Broderick Arch.	Site Arch.	Hodge Collard Preston	Mode	Hames Sharley	Olk and Assoc.	Lycopodium
Relevant Experience	25	56.25	67.5	70	50	67.5	60	57.5
Key Personnel and Experience	20	44	50	53	37	53	49	49
Tenderers Resources	15	27.75	33.75	28.5	29.25	36	34.5	32.25
Demonstrated Understanding	15	29.25	33	36.75	35.25	36	29.25	35.25
Tendered Price	25	75	59.25	62.25	47.25	47.25	28.5	50.25
TOTAL (V)	100	77.42	81.17	83.50	66.25	67.5	60	74.75

Legal Compliance:

Substantial contract variations, if they were required, could potentially take the Contract value above \$100,000, hence it was decided to undertake the procurement of architectural services as a Request for Tender.

The Town has complied with Section 3.57 of the *Local Government Act 1995* relating to tenders.

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:Internal Budget:

The total budget for the Zone 6 – Community Building project is \$1,040,000.

Expenditure to date against this project totals \$49,804 across the 2013/2014 and 2014/2015 financial years.

The preferred tenderer submitted a lump sum amount of \$62,700 excluding GST. The price schedule within the tender specification required tenderers to nominate hourly rates for additional work, meetings, site visits and subsequent tender assessment consultancy. The Assessment Panel developed an estimate number of hours to complete the contract relating to the above additional works, which resulted in an estimated cost of \$12,025 excluding GST.

Overall the cost of the contract will be in the order of \$74,725 excluding GST which will be allocated to the capital work order for this project.

Total Asset Management:

There will be additional impact on the maintenance budget with an additional building. It is anticipated that the buildings detailed design will encompass ways to reduce ongoing maintenance costs.

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Development of the Community Building on Lot 60 will increase the ease of access to early childhood services and groups, with location to public transport, high level of amenity and ample parking provided nearby.

Cultural Issues:

Nil

Environmental Issues:

The concept design brief stipulated that the concept design employ sustainability initiatives and that a 6 star energy rating is desirable for the finished building. Throughout the tender process it became evident that the significant cost in having the building Green Star rated, would impact funds available which could be better spent on the buildings finish. The detailed design now calls for a design that is equivalent to that of a 5 Star Green Star Building, that allows for a future accredited 5 Star NABERS (National Australian Built Environment Rating System) energy rating, and provides a detailed report on how the design achieves sustainability goals.

COMMENT:

The Tender by Hodge Collard Preston represents good value for money for the Town. Hodge Collard Preston have significant experience in designing a broad array of community facilities for various local governments across the state.

The tender includes a project schedule which identifies that detailed design and specifications shall be completed and submitted to the Town by early November 2014. This time frame will allow the Town to advertise the Tender for construction of the community building in November 2014 and subsequently awarded in December 2014.

Its anticipated that Construction will commence within 1-2 months of the Tender being awarded and shall take an estimated 8 months to complete the building stage.

CONCLUSION:

It is concluded that the tender submitted by Hodge Collard Preston be accepted as the most advantageous to the Town.

RECOMMENDATION/S:

That Tender TVP/14/14 for the Provision of Architect Services for the Community Building at Lot 60 Lathlain Place, Lathlain be awarded to Hodge Collard Preston at a cost of \$74,725 excluding GST.

13 COMMUNITY LIFE PROGRAM REPORTS

13.1 Recommendation from the Community Safety Working Group – Amendment to the Safer Neighbourhoods Plan 2013-2016

File Reference:	CMS/8/0004~02
Appendices:	No

Date:	27 August 2014
Reporting Officer:	M. Owens
Responsible Officer:	T. Ackerman
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – Amend the *Safer Neighbourhoods Plan 2013 - 2016* by removing the following initiatives planned for implementation in the 2014/15 financial year that are covered by other programs targeting similar outcomes:

- **Positive Lifestyle;**
- **Find the Mark in Victoria Park; and**
- **Walk Safe**
 - The Community Safety Working Group (CSWG) voted to continue its schedule of meetings unchanged at one every two months.
 - A review of the *Safer Neighbourhoods Plan 2013 – 2016* (SNP) was undertaken to identify possible resource savings to allow Administration to continue the bi-monthly CSWG meetings, deliver initiatives in the SNP and to progress Local Government Reform projects.
 - SNP initiatives that have Council approved budget or are grant funded were prioritised for delivery.
 - SNP initiatives with outcomes that other programs are targeting were considered appropriate for removal from SNP.

TABLED ITEMS:

- Safer Neighbourhoods Plan 2013-2016
- 20 August 2014 Community Safety Working Group Report 9.3 – Review of Scheduled Community Safety Working Group Meetings

BACKGROUND:

Working Groups and Project Teams were established by Council on 8 November 2011 for a two year period, with a review to be undertaken prior to the Local Government elections in October 2013. Following a review by Council, Working Groups were re-established on 12 November 2013 for a further two year period, concluding prior to the Local Government elections in 2015.

The report to Council in November 2013 included a table indicating the meeting frequency for all Working Groups and Projects Teams that were established at the time. The report, which was endorsed, recommended that the:

- Culture & Local History, Healthy Life, Disability Access and the Arts Working Groups meet four times per annum.
- Community Environmental and Community Safety Working Groups meet six times per annum.

Due to the need to progress Local Government Reform within a tight timeframe, as set by the State Government, a report was presented to the Community Safety Working Group (CSWG) at the 18 June 2014 meeting recommending a reduction in meetings to allow the implementation of all SNP initiatives planned for 2014/15, as well as Local Government Reform projects to be progressed. The CSWG discussed the report and agreed that the meeting schedule should remain unchanged. The CSWG then requested a review of the SNP to identify any projects and initiatives that could be postponed or removed. The review was presented for consideration at the 20 August 2014 meeting of the CSWG.

DETAILS:

The *Safer Neighbourhoods Plan 2013 – 2016* lists 14 initiatives for implementation in the 2014/15 financial year:

- Safe Lifestyle
- Positive Lifestyle
- Street Meet 'n' Greet
- Local Safety Team
- Graffiti Removal Kit
- Find the Mark in Victoria Park
- Shine a Light in the Night
- Hot Spot Strategy
- Roadshow Street Safe
- Walk Safe
- Welcome to the Town
- Security Incentive Scheme
- Crime Prevention Through Environmental Design
- Eyes Aware

Of these initiatives the CSWG prioritised ones with a Council endorsed budget, access to grant funding opportunities and 'at needs' intervention programs that are used by the Town when issues arise.

The initiatives and services supported by the Working Group for 2014/15 are:

- Safe Lifestyle
- Street Meet 'n' Greet
- Local Safety Team
- Graffiti Removal Kit
- Shine a Light in the Night

- Hot Spot Strategy
- Roadshow Street Safe
- Welcome to the Town
- Security Incentive Scheme
- Crime Prevention Through Environmental Design
- Eyes Aware

This leaves three initiatives that the CSWG does not support for implementation in 2014/15. The initiatives and the reasons for removing them from the implementation plan are listed below.

Positive Lifestyle

The intended outcome of this initiative was to assist at risk families with training and support on pro-social behaviours - behaviour that results in positive actions that benefit others; prompted by empathy, moral values, and a sense of personal responsibility rather than a desire for personal gain. The Town is currently working in partnership with Victoria Park Youth Accommodation (VPYA) to up-skill the parents and children in pro-social behaviours through programs recently introduced by the Town's Active Life Coordinator, Library and Leisurelife. These programs are also available and promoted to the broader community. As such, the Town is currently delivering 'positive lifestyle' outcomes through programs that weren't in place when the SNP was developed and as a result the CSWG considers that it is not necessary to introduce further initiatives in 2014/15.

Find the Mark in Victoria Park

The intended outcome of this initiative was to activate unused spaces in the Town to increase natural surveillance through CPTED. The potential for this project to receive grant funding is low, with Officers yet to identify funding opportunities.

Since the SNP was approved the Town has progressed space activation projects that were not in place at the time, including the Albany Highway Activation (AHA) and Lathlain Place projects. These projects are meeting the need for the Town to activate spaces in these areas. Crime Prevention Through Environmental Design will continue to be implemented by the Town, with the Safer Neighbourhoods Officer being involved as a subject matter expert when new initiatives are being considered.

Walk Safe

The intended outcome of this initiative was to create safe pedestrian routes through the Town. At the 13 August 2013 Ordinary Council Meeting the Town's Integrated Movement Network Strategy (IMNS) was endorsed. The IMNS contains several actions and strategies that will lead to a safer environment for the community to travel around the Town. The Safer Neighbourhoods Officer will work with those responsible for implementing the IMNS to ensure that all initiatives are completed with Crime Prevention Through Environmental Design principles applied to them.

The CSWG supports the safety improvements that the IMNS will bring and have requested updates on the status of these projects.

In addition, the Town's Active Life Coordinator has introduced walking groups and other group initiatives (e.g. photography classes that see people walking throughout the Town in a group taking photos) that promote a healthy lifestyle and also result in people feeling safer as they are part of a group.

Legal Compliance:

Nil

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:Internal Budget:

The initiatives within the SNP planned for 2014/15 that will not be progressed did not have an approved budget. It was intended to access grant funding opportunities to deliver these initiatives. There will be no impact on the Internal Budget with the removal of these projects; however a significant amount of human resources will be freed up to assist with other Town projects, particularly Local Government Reform.

If Council does not endorse the recommendation from the CSWG additional resources will be required to implement its commitments in the SNP and other major projects such as Local Government Reform.

Total Asset Management:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

The crime prevention and community safety outcomes of the initiatives that are being recommended for removal from the SNP for implementation in 2014/15 are still being targeted and met by the Town, just through means other than the SNP. These changes have the potential to increase the efficiency of the Town in improving neighbourhood safety.

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

The Administration is confident that with the recommended changes to the SNP, the Community Safety Working Group meeting schedule can continue at one meeting every two months and there will be no negative impact on crime prevention or community safety in the Town. If anything, the review has highlighted opportunities for resource allocation into new partnerships and initiatives that have the potential to be highly effective in preventing crime.

CONCLUSION:

For the CSWG meeting schedule to remain unchanged and the Town to continue with the implementation of major projects without requiring additional resources it is recommended that the SNP be amended to remove three initiatives planned for implementation in 2014/15. The intended outcomes of these initiatives are being targeted and met by the Town through means other than the SNP.

RECOMMENDATION/S:

Amend the *Safer Neighbourhoods Plan 2013 - 2016* by removing the following initiatives planned for implementation in the 2014/15 financial year that are covered by other programs targeting similar outcomes:

- **Positive Lifestyle;**
- **Find the Mark in Victoria Park; and**
- **Walk Safe.**

14 BUSINESS LIFE PROGRAM REPORTS

14.1 Adoption of Value for Reporting Material Variances

File Reference:	FIN/11/0001~09
Appendices:	No
Date:	13 August 2014
Reporting Officer:	A. Thampoe
Responsible Officer:	N. Cain
Voting Requirement:	Simple Majority
Executive Summary:	
Recommendation – That Council adopt values to be used in monthly Statements of Financial Activity for reporting material variances of (+) or (-) \$25,000 for each Business Unit for the 2014-2015 financial year.	
<ul style="list-style-type: none"> The value that has been chosen will offer sound financial management, provide for quality reporting of the real issues and also allow management the opportunity to deliver on the outcomes expected without fear of persecution for minor budgetary infractions. 	

TABLED ITEMS:

Nil

BACKGROUND:

Each year Council is required to adopt a percentage or value for the purposes of reporting material variances in the Monthly Financial Activity Statement. This value or percentage is then used throughout the financial year to identify potential areas in Council's actual revenues and expenditures that may not be in keeping with Council's budget. The early identification of these potential issues can assist in better utilisation and allocation of scarce Council funds and resources. The values chosen should provide a good indication of variances that would not normally be able to be covered through Council's normal operations and should, therefore, be assessed to identify if a potential issue exists or not.

DETAILS:

The adoption of the material variances percentage or value is designed to report on areas within Council's budget versus actual revenues and expenditures where potential financial issues may be occurring.

Outcome Sought

The Statement of Financial Activity is broken down into five financial reporting sections –

1. Operating Revenue
2. Operating Expense
3. Capital Expense
4. Non-Operating Revenue
5. Non-Operating Expense

Each of these sections, under the new Business Unit Accounting Reporting Structure, will then be broken down into Business Units.

For each of these sections, it is proposed to recognise material variances where, for each Business Unit, for the period being reported, the actual revenue or expense varies to budget by an amount of (+) or (-) \$25,000.

The value that has been chosen will offer sound financial management, provide for quality reporting of the real issues and also allow management the opportunity to deliver on the outcomes expected without fear of persecution for minor budgetary infractions.

Legal Compliance:

The *Local Government (Financial Management) Regulations 1996* – Regulation 34 Clause 5 – states:

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS, to be used in statements of financial activity for reporting material variances.

AAS (Australian Accounting Standards) relate to the issue of materiality. Whilst there are a number of factors associated with materiality, the notion of materiality guides the margin of error that is acceptable in the amount attributed to an item or aggregate of items and the degree of precision required in estimating the amount of an item or an aggregate of those items.

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:

Internal Budget:

The adoption of the material variances percentage or value is designed to report on areas within the Town's budget versus actual revenues and expenditures where potential financial issues may be occurring. As such, there is no budget or financial implications associated with this item.

Total Asset Management:

Nil

Sustainability Assessment:

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

CONCLUSION:

Taking into account the commentary held in AASB 1031 (Materiality) and AASB 108 (Accounting Policies, Changes in Accounting Estimates and Errors) and the understood intent for which the material variances values are intended to serve the values, as outlined in the details section of this agenda item, it is recommended that Council adopt values of (+) or (-) \$25,000 for each of the revenue and expenditure areas included in the Statement of Financial Activity.

Recommendation/s:

That Council, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, adopt values, to be used in monthly Statements of Financial Activity, for reporting material variances of (+) or (-) \$25,000 for Revenues and (+) or (-) \$25,000 for Expenses for each Business Unit being reported on for the 2014-2015 financial year

14.2 Schedule of Accounts for 31 July 2014

File Reference:	FIN/11/0001~09
Appendices:	Yes

Date:	13 August 2014
Reporting Officer:	A. Thampoe
Responsible Officer:	N. Cain
Voting Requirement:	Simple Majority

Executive Summary:

RECOMMENDATION/S:

That Council, confirms the schedule of Accounts paid for the month ended 31 July 2014.

- The Accounts Paid for 31 July 2014 are contained within the Appendices;
- Direct lodgement of payroll payments to the personal bank accounts of employees are also included.

TABLED ITEMS:

Nil

BACKGROUND:

Council has delegated to the Chief Executive Officer the authority to make payments from the Municipal and Trust funds in accordance with the *Local Government (Financial Management) Regulations 1996*.

Under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal fund or the Trust fund, each payment from the Municipal fund or the Trust fund is to be noted on a list compiled for each month showing:

- a) The payee's name;
- b) The amount of the payment
- c) The date of the payment; and
- d) Sufficient information to identify the transaction

That list should then be presented at the next Ordinary Meeting of the Council following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.

DETAILS:

The list of accounts paid in accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* is contained within the Appendices, and is summarised as thus -

Fund	Reference	Amounts
Municipal Account		
Recoup Advance Account		
Automatic Cheques Drawn	605882-605971	266,449.82
Creditors – EFT Payments		3,504,654.12
Payroll		916,556.59
Bank Fees		4,409.67
Corporate MasterCard		1,890.78
		4,693,960.98
Trust Account		
Automatic Cheques Drawn	2864-2877	220,352.08
		220,352.08

Legal Compliance:

Section 6.10 (d) of the Local Government Act 1995 refers, ie.-

6.10. Financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

Regulation 13(1), (3) & (4) of the Local Government (Financial Management) Regulations 1996 refers, ie.-

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 —

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment; and

(d) sufficient information to identify the transaction.

(3) A list prepared under subregulation (1) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:Internal Budget:

Nil

Total Asset Management:

Nil

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures and it is therefore recommended that the payments, as contained within the Appendices, be confirmed.

RECOMMENDATION/S:

That Council, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996 (as amended)*, confirm:

1. The Accounts Paid for 31 July 2014 as contained within the Appendices; and
2. Direct lodgement of payroll payments to the personal bank accounts of employees.

14.3 Financial Statements for the Month ending 31 July 2014

File Reference:	FIN/11/0001~09
Appendices:	Yes

Date:	27 August 2014
Reporting Officer:	A. Thampoe
Responsible Officer:	N. Cain
Voting Requirement:	Simple Majority

Executive Summary:

RECOMMENDATION/S: That Council, accepts the Financial Activity Statement Report – 31 July 2014, as contained within the Appendices.

- The Financial Activity Statement Report is presented for the Month ending 31 July 2014. The report complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*.

TABLED ITEMS:

Nil

BACKGROUND:

Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to Council for acceptance.

DETAILS:

Presented is the Financial Activity Statement Report – 31 July 2014.

The financial information as shown in this report (July 2014) does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town's final financial position for the year ended 31 July 2014.

For the purposes of reporting material variances from the Statement of Financial Activity (as contained in the Report), the following indicators, as resolved by Council, have been applied –

Revenue

Operating Revenue and Non-Operating Revenue – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

Expense

Operating Expense, Capital Expense and Non-Operating Expense – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

For the purposes of explaining each material variance, a three-part approach has been applied. The parts are –

1. **Period Variation**
Relates specifically to the value of the variance between the Budget and Actual figures for the period of the Report.
2. **Primary Reason(s)**
Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.
3. **End-of-Year Budget Impact**
Forecasts the likely financial impact on the end-of-year financial position. It is important to note that figures in this part are 'indicative only' at the time of reporting, for circumstances may subsequently change prior to the end of the financial year.

Legal Compliance:

Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996* states –

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*

- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

Section 6.8 of the *Local Government Act 1995* (Expenditure from municipal fund not included in annual budget) states –

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the mayor or president in an emergency.*

* *Absolute majority required.*

- (1a) *In subsection (1) —*
additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:

Internal Budget:

The Statement of Financial Activity, as contained in the body of the Financial Activity Statement Report, refers and explains.

Total Asset Management:

Nil

Sustainability Assessment:

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

COMMENT:

It is recommended that the Financial Activity Statement Report – 31 July 2014 be accepted.

RECOMMENDATION/S:

That Council, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, accepts the Financial Activity Statement Report – 31 July 2014 as contained within the Appendices.

14.4 Parking Management Committee Minutes

File Reference:	TAT/15/0003
Appendices:	Yes

Date:	18 August 2014
Reporting Officer:	L. Manser
Responsible Officer:	N. Cain
Voting Requirement:	Simple Majority
Executive Summary: Recommendation – That Council receives the Minutes of the Parking Management Committee meeting held on 29 July 2014.	

TABLED ITEMS:

Nil

BACKGROUND:

On 29 July 2014, the Parking Management Committee held a meeting with the following business on the Agenda;

1. Progress update on Areas 2 and 3 (presentation)
2. Pedestrian count progress update; and
3. Parking revenue and enforcement statistics (presentation).

DETAILS:

The aforementioned items of business are detailed below.

Item 1 – Progress update on Areas 2 and 3.

The Parking Management Consultant updated the Parking Management Committee on actions required to implement the proposed changes to areas 2 and 3 (Albany Highway).

Item 2 – Pedestrian count progress update.

The Parking Management Consultant presented the pedestrian count reports for Victoria Park and East Victoria Park from July 2013 through to June 2014, and provided an update on installing additional pedestrian counters.

Item 3 – Parking revenue and enforcement statistics.

The Acting Executive Manager Business Development provided the Parking Management Committee with a monthly report that captures data from user pays parking and infringements.

Legal Compliance:

Section 5.8 of the *Local Government Act 1995* (Establishment of committees) permits a Council to establish committees to assist the Council undertake its duties.

Parking and Parking Facilities Local Law.

Policy Implications:

Nil

Strategic Plan Implications:

Council's current *Strategic Community Plan* highlights, as a key project, the provision of equitable access to limited public space as a key part of the Town's Integrated Movement Network.

Financial Implications:Internal Budget:

Sufficient funds in the budget exist to cover the outcomes of the Parking Management Committee.

Total Asset Management:

Infrastructure included as part of the Parking Management Plan is sufficiently funded through a sustainable renewal program.

Sustainability Assessment:External Economic Implications:

The changes that will be made to parking management as a result of Council's decision are likely to affect the economic status throughout the Town, as does the Parking Management Plan.

Social Issues:

The changes that will be made to parking management as a result of Council's decision are likely to reduce the ability of the Town to equitably finance (the social) required and desired Transport maintenance and improvements for the betterment of the Town (the environment).

Cultural Issues:

The changes that will be made to parking management as a result of Council's decision are likely to have a minimal impact on cultural issues.

Environmental Issues:

The changes that will be made to parking management as a result of Council's decision are likely to reduce the ability of the Town to equitably finance (the social) required and desired Transport maintenance and improvements for the betterment of the Town (the environment).

CONCLUSION:

It is recommended that the Minutes of the Parking Management Committee meeting held on 29 July 2014 be received by Council.

RECOMMENDATION/S:**That Council:**

Receives the Minutes of the Parking Management Committee held on 29 July 2014, as contained within the Appendices.

15 APPLICATIONS FOR LEAVE OF ABSENCE

Mayor Vaughan 29 September 2014 to 3 October 2014 inclusive; and
Mayor Vaughan 8 October 2014 to 10 October 2014 inclusive.

16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 QUESTIONS FROM MEMBERS WITHOUT NOTICE

18 NEW BUSINESS OF AN URGENT NATURE

19 PUBLIC QUESTION TIME

20 PUBLIC STATEMENT TIME

21 MEETING CLOSED TO PUBLIC

21.1 Matters for Which the Meeting May be Closed

21.2 Public Reading of Resolutions That May be Made Public

22 CLOSURE



**DECLARATION OF
FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT
IMPARTIALITY**

**TO: CHIEF EXECUTIVE OFFICER
TOWN OF VICTORIA PARK**

Name & Position	
Meeting Date	
Item No/Subject	
Nature of Interest	Financial Interest* <i>(*Delete where</i> Proximity Interest* <i>not applicable)</i> Interest that may affect impartiality*
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed”.