



CITY OF BAYSWATER

MINUTES

**FOR THE
PLANNING AND DEVELOPMENT
SERVICES COMMITTEE MEETING**

9 October 2018

By signing these minutes I certify that they were confirmed at the Planning and Development Services Committee dated 13 November 2018.

**CR DAN BULL, MAYOR
CHAIRPERSON**



PLANNING AND DEVELOPMENT SERVICES COMMITTEE MINUTES

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1.	OFFICIAL OPENING	3
1.1	Declaration of Due Consideration	3
2.	ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE (PREVIOUSLY APPROVED) & ABSENCE	3
3.	DELEGATED AUTHORITY BY COUNCIL	4
4.	PUBLIC QUESTION TIME	4
4.1	Responses to Public Questions Taken 'On Notice'	5
4.2	Public Question Time	5
5.	DECLARATION OF INTEREST	6
6.	CONFIRMATION OF MINUTES	6
7.	DEPUTATIONS	6
8.	PETITIONS	7
9.	REPORTS BY OFFICERS (COMMITTEE DELEGATION)	8
9.1	Proposed Amendment No. 81 to Town Planning Scheme No. 24 Location: Lot 22, 454 Guildford Road, Bayswater	8
9.2	Proposed Amendment No. 70 to Town Planning Scheme No. 24 - Rezoning of a Portion of Wotton Reserve Location: Lot 1, 60 Embleton Avenue, Embleton	40
9.3	Olive Tree House Expression of Interest Outcome Location: Reserve 47382, 6 Blades Close, Morley	48
9.4	Morley Training Centre Lease Location: Lot 53, 22 Russell Street, Morley	96
10.	REPORTS BY OFFICERS (COUNCIL DECISION)	103
11.	REPORTS FOR NOTING	103
12.	LATE ITEMS	103
13.	CONFIDENTIAL ITEMS	104
13.1	Reports by Officers (Committee Delegation)	104
13.2	Reports by Officers (Council Decision)	104
14.	NEXT MEETING	104
15.	CLOSURE	104

CITY OF BAYSWATER

MINUTES of the meeting of the Planning and Development Services Committee which was held in Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on 9 October 2018 commencing at 6:30pm.

MINUTES**1. OFFICIAL OPENING**

Notice is hereby given that the Meeting will be audio recorded in accordance with the resolution of Council of 17 May 2016.

Persons are not permitted to record (visual or audio) at the Committee meeting without prior approval of the Council.

The Chairperson, Cr Dan Bull, Mayor, declared the meeting open at 6:31pm and acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

1.1 Declaration of Due Consideration

The Chairperson read the Declaration of Due Consideration and all Councillors present raised their hands to indicate that due consideration was given to all matters contained in the Agenda.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE (PREVIOUSLY APPROVED) & ABSENCE**Members****West Ward**

Cr Dan Bull, Mayor
Cr Giorgia Johnson

Central Ward

Cr Chris Cornish, Deputy Mayor
Cr Barry McKenna
Cr Sally Palmer

North Ward

Cr Stephanie Gray
Cr Filomena Piffaretti

South Ward

Cr Catherine Ehrhardt
Cr Elli Petersen-Pik

Ms Carissa Bywater
Mr Des Abel
Mr Matt Turner
Ms Karen D'Cunha
Ms Elizabeth Breen

Acting Chief Executive Officer
Director Community and Development
Manager Strategic Planning and Place
Administration Officer
Personal Assistant

Public - 12
Press - 1

Cr Michelle Sutherland
Cr Lorna Clarke

Mr Andrew Brien

Chief Executive Officer

In accordance with section 5.16(1) of the Local Government Act 1995 and Council's resolution at its Special Council Meeting held on 31 October 2017 (Item 8.2) the Planning and Development Services Committee has been granted delegated authority by Council, subject to the limitations on delegation of powers and duties contained in section 5.17 of the Local Government Act 1995, therefore, in accordance with section 5.23(1)(b) of the Local Government Act 1995, this meeting is open to the public.

To receive reports and make decisions in accordance with delegated authority and to consider reports and make recommendations to Council in respect to issues relating to the delivery of services within the areas of:

- Planning,
- Building,
- Development,
- Planning and Development Policies,
- Regulations and enforcement; and
- all other aspects of the Planning and Development Services of the City of Bayswater.

In accordance with section 5.24(1)(b) of the *Local Government Act 1995* and regulation 5(b) of the *Local Government (Administration) Regulations 1996*, time is allocated for questions to be raised by members of the public, as follows:

(1) The minimum time to be allocated for the asking of and responding to questions raised by

members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.

- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Pursuant to regulation 7(4)(c) of the *Local Government (Administration) Regulations 1996*, questions from the public must relate to a matter affecting a function of the Committee.

In accordance with section 5.25(1)(f) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* regulation 11(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.

Where a question is taken on notice at the meeting, in accordance with clause 5.6(7)(b) of the *City of Bayswater Standing Orders Local Law 2013* a summary of the response to the question will be included in the minutes for the following meeting of the Committee at which the questions were raised.

4.1 Responses to Public Questions Taken 'On Notice'

Mr Harry Bouzidis - 21 Parkinson Street, Noranda

Question 1

My question is in reference to Item 9.6, about 1 Brand Place in Morley. Three weeks ago I asked a question and I haven't received a reply as yet. We had a situation in Brand Place where they had in my opinion a perfectly good tenant who used the facility. Then the City went to public tender, requesting Expressions of Interest. From what I read in the minutes tonight the tenant backed out of the lease they were offered. My question was - how much does it cost to go out to tender in man hours and also dollars?

Answer 1

The direct cost of the EOI process is \$1,000 for advertising and public consultation. The staff resource cost is approximately \$1,300, including overheads.

4.2 Public Question Time

Public Question Time commenced at 6:32pm.

There were no public questions at this meeting.

Public Question Time was closed at 6:33pm.

5. DECLARATION OF INTEREST**5.1 Disclosures at the Planning and Development Services**

In accordance with section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:

Nil.

In accordance with section 5.61 of the *Local Government Act 1995* the following disclosures of indirect financial interest were made at the meeting:

Nil.

In accordance with section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:

Nil.

In accordance with regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* the following disclosure of interests affecting impartiality (Elected Members) were made at the meeting:

Nil.

In accordance with regulation 34C of the *Local Government (Administration) Regulations 1996* and clause 5.5 of the City of Bayswater's Code of Ethics, the following disclosure of interests affecting impartiality (Officers) were made at the meeting:

Nil.

6. CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

The Minutes of the Planning and Development Services Committee held on 11 September 2018, which have been distributed, be confirmed as a true and correct record.

CR STEPHANIE GRAY MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 9/0

7. DEPUTATIONS**7.1 Proposed Amendment No. 81 to Town Planning Scheme No. 24**

Location: Lot 22, 454 Guildford Road, Bayswater

In relation to Item 9.1, Ms Jesse Dunbar (Applicant - Senior Planner, Planning Solutions, Level 1, 251 St Georges Terrace, Perth) was in attendance, speaking against the officer's recommendation (*refer page 7*).

7.2 Olive Tree House Expression of Interest Outcome
Location: Reserve 47382, 6 Blades Close, Morley

In relation to Item 9.3, Mr Justin O'Meara Smith (Applicant - CEO, Interchange Everyone Belongs, Unit 2, 15 Blackburn Street, Maddington) was in attendance, speaking against the officer's recommendation (*refer page 47*).

7.3 Olive Tree House Expression of Interest Outcome
Location: Reserve 47382, 6 Blades Close, Morley

In relation to Item 9.3, Mr Imran Iqbal (Applicant - Secretary, Mr Muzny Mohideen - President, Mr Ihsan Najimudeen - Treasurer, AUSLAMWA Inc., 115A Broun Avenue, Morley) were in attendance, speaking against the officer's recommendation (*refer page 47*).

7.4 Olive Tree House Expression of Interest Outcome
Location: Reserve 47382, 6 Blades Close, Morley

In relation to Item 9.3, Mr Jonathan Smith (Applicant - CEO, Ms Heloise Steyn - CFO and Ms Janice Jones - Board Treasurer ECHO Community Services, 72 Toowong Street, Bayswater) were in attendance, speaking in support of the officer's recommendation (*refer page 47*).

8. PETITIONS

Nil.

ORDER OF BUSINESS

Items were dealt with in the following order: Items 9.1, 9.3, 9.2 and 9.4.

9. REPORTS BY OFFICERS (COMMITTEE DELEGATION)**9.1 Proposed Amendment No. 81 to Town Planning Scheme No. 24**

Location: Lot 22, 454 Guildford Road, Bayswater
Reporting Branch: Strategic Planning and Place
Responsible Directorate: Community and Development
Refer: Item 9.4: PDSCM 8.05.2018
Item 12.2.2: OCM 24.06.2008
Item 12.2.1: OCM 20.11.2007

EXECUTIVE SUMMARY**Application:**

Council consideration is sought regarding final approval of proposed Amendment No. 81 to the City's Town Planning Scheme No. 24 (TPS 24) to rezone Lot 22, 454 Guildford Road, Bayswater from 'Medium and High Density Residential - R40' to 'Medium and High Density Residential - R-AC3', and to modify the provisions of Special Control Area No.8 (SCA8), which currently apply to the site.

Key Issues:

- Council at its Planning and Development Services Committee Meeting held 8 May 2018 initiated Amendment No. 81 for public advertising.
- The proposed scheme amendment was advertised for a period of 42 days. A total of 94 submissions were received during the consultation period, 22 in support, 3 conditionally supporting, 7 neither supporting nor objecting and 62 in objection to the proposal.

BACKGROUND

The site is 3,069m², currently vacant and cleared, and located on the corner of Guildford Road and King William Street in Bayswater.

The site is predominantly surrounded by residential development. A child care centre is located across the road from the site and a small commercial area is situated on the corner of Guildford Road and Slade Street. The Bayswater Town Centre is approximately 600m and the proposed new Bayswater Train Station 900m to the northwest of the site. The site is serviced by buses No. 48 and 55 along Guildford Road and Circle Route buses No. 999 and 998, and is located within walking distance of the Eric Singleton Bird Sanctuary (250m) and Riverside Gardens (500m).



Council at its Planning and Development Services Committee Meeting held 8 May 2018 considered proposed Amendment 81 to TPS 24, and resolved as follows:

"That:

1. Council initiates Amendment No. 81 to the City of Bayswater Town Planning Scheme No. 24 as follows:
 - (a) Rezone Lot 22, 454 Guildford Road, Bayswater from 'Medium and High Density Residential R40' to 'Medium and High Density Residential R-AC3'.
 - (b) Modify Special Control Area 8 to the following:

AREA		SITE PARTICULARS	PROVISIONS
SCA8	SPECIAL CONTROL AREA 8 – Corner King William Street and Guildford Road, Bayswater	Lot 22, No. 454 Guildford Road, Bayswater	<p>Purpose:</p> <p>To enable the development of the site with quality multiple dwellings, whilst safeguarding the amenity of the surrounding residential area.</p> <p>Development Requirements:</p> <ul style="list-style-type: none"> Development shall be generally in accordance with a Local Development Plan endorsed by Council. The height of any building shall not exceed six storeys. Vehicular access is not permitted to or from the site via Guildford Road.

- (c) Amend the Scheme Maps accordingly.

2. *Council considers Amendment No. 81 to the City of Bayswater's Town Planning Scheme No. 24 (TPS 24) to be 'standard' under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as it will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *The applicant prepares the scheme amendment documentation to the satisfaction of the City of Bayswater.*
4. *Upon Notice of Assessment from the Department of Water and Environmental Regulation being received (and issues raised being complied with), causes the proposed scheme amendment documentation to be advertised for public comment.*
5. *The applicant is advised that any future Local Development Plans and development applications for the site should consider activation of the front setback area and surrounding public realm to ensure that the site makes a significantly positive contribution to the area."*

CONSULTATION

Environmental Assessment, Heritage and Main Roads Referral

The scheme amendment documentation was referred to the Department of Water and Environmental Regulation (DWER), for assessment. In correspondence dated 20 June 2018 the DWER advised that the proposed scheme amendment would not require environmental assessment.

In correspondence dated 12 June 2018 the Heritage Services of the Department of Planning, Lands and Heritage, advised that they have no objection to the proposed scheme amendment.

In correspondence dated 19 September 2018 Main Roads WA advised that they have no objection to the proposed scheme amendment. Main Roads WA provided a list of conditions that will be required to be undertaken as part of a future development application. A summary of the conditions is contained in **Attachment 1**.

Public Advertising

Following notification from the DWER, the City undertook public advertising of the proposed scheme amendment in accordance with Council's resolution of 8 May 2018. A total of 846 letters were sent to owners surrounding the subject site. 94 submissions were received during the consultation period, 22 in support, 3 conditionally supporting, 7 neither supporting nor objecting and 62 in objection to the proposal.

A summary of the key comments received in support of the proposal were:

- The site is suitable for high density development due to its proximity to public transport, the river and Bayswater Town Centre.
- The site is situated on the corner of two main roads and therefore larger development will not have a large impact on neighbouring properties.
- The proposal will encourage the development of a lot that has been vacant for a long time.
- The development will increase people in the area at night and help the viability of local businesses.

A summary of the key comments received in objection to the proposal were:

- The development will increase local traffic and parking issues.
- The six storey height provision will not fit in with the established scale of the area.
- There are concerns that the new development will be of poor design quality and will impact neighbouring dwellings by way of overshadowing and privacy.

- The higher density development will increase crime and antisocial behaviour in the area.

A full summary of the submissions and the City's officers comments are contained in **Attachment 1**. The applicant's comments in relation to the submissions are contained in **Attachment 3**.

ANALYSIS

Traffic and Parking

Increased traffic and road safety issues on Guildford Road, King William Street and the intersection of King William Street and Guildford Road were raised in some of the submissions as a consequence of an increase in density. In addition, submitters raised concerns regarding on-street parking issues that would result from new apartment style development not providing enough on-site resident and visitor parking bays.

The City will require a traffic impact assessment to be undertaken as part of a future development application in accordance with the WAPC's Transport Assessment Guidelines, which will identify any traffic related issues and recommend actions to manage the issues. The City will also monitor traffic and parking in the area and take appropriate action where required.

On-site parking for residents and visitors will be required to be provided in accordance with the requirements of the Residential Design Codes (R-Codes).

It is considered that traffic and parking can be addressed as part of the future development application process.

Building Height and Density

The scheme amendment proposes a height limit of six storeys and an RAC3 density, which has a plot ratio (essentially floor space to land area) of 2.0.

Council considered that the proposed scheme amendment merited initiation as it was of the opinion that given the strategic planning undertaken for the area and the fact that the site is key and iconic in the Bayswater context, the proposed density and height may be appropriate and timely for the area. Initiating the scheme amendment does not mean that Council approves of the proposal, it allows for the community to provide formal comment for Council to consider.

Concerns were raised during the consultation process by the community that the six storey height limit is inappropriate for the area as it will not fit in with the established scale of the surrounding buildings and dominate and overshadow the neighbouring developments.

The Building Bayswater Recommendations report, recommends a building height of between 4 to 6 storeys for the site and an R80 density, which has a plot ratio of 1.0. The recommendations in the report were informed by a comprehensive community engagement process and the outcomes will be considered in the context of other relevant planning considerations to develop recommendations and actions for the draft Local Planning Strategy. The community engagement consisted of two key stages. The first stage involved broad community engagement by way of letters to stakeholder groups, focus groups, pop-up sessions, online questionnaires and quick polls. The second stage consisted of a community or deliberative panel. Although the Building Bayswater community engagement process and the recommendations report were recently received by Council, the recommendations in the report and the Local Planning Strategy have not yet been approved by Council.

Despite no formal position from the Building Bayswater process being solidified at this stage, it is considered that there is some clarity about the strategic direction for the site. While it is considered that an increase in the applicable height and density of the site is warranted given its

strategic location fronting the Guildford Road corridor and its proximity to frequent public transport, the Swan River and the Bayswater Town Centre, it is considered that the height and density should be consistent with the recommendations of the Building Bayswater process, being 4 to 6 storeys at a density of R80.

It is therefore recommended to modify the proposed scheme amendment by changing the density of the site to R80 and reducing the applicable building height to four storeys. It is also recommended to allow for an additional two storeys of bonus height to be developed provided the development is exemplary, as determined by the City with the advice of the City's Design Review Panel and any requirements detailed in an endorsed Local Development Plan are satisfied.

Design Quality, Overshadowing and Privacy

Poor design quality, overshadowing and a lack of privacy were raised by submitters as potential concerns in relation to any new development on the site.

It is considered that the requirement for the creation of a Local Development Plan to manage potential issues on the site and the required review of any proposed development by the City's Design Review Panel will ensure these and other site specific issues are adequately addressed.

Crime and Antisocial Behaviour

An increase in crime and anti-social behaviour associated with apartment type developments was raised as a concern by some submitters.

There is no evidence to substantiate that this development will attract crime or antisocial behaviour. Denser housing forms can provide greater safety as it increases passive surveillance to discourage antisocial and criminal behaviour.

Submissions in Opposition

While the submissions received were predominantly in opposition, it is considered that the proposed scheme amendment can be supported as:

- Potential traffic and parking issues can be addressed and managed as part of the future development application process;
- It is recommended to reduce the density to R80 and the building height to four to six storeys to be consistent with the Building Bayswater recommendations, which may reduce the amenity impacts to the neighbouring properties;
- The requirement for a Local Development Plan and the required review of any proposed development by the City's Design Review Panel will ensure potential issues such as poor design quality, overshadowing and privacy are adequately addressed; and
- Despite comments being received that higher density forms of housing will increase crime and anti-social behaviour, there is no evidence to substantiate this, in fact denser housing forms can result greater safety and passive surveillance of an area.

Future Processes

If Council resolves to recommend approval of the scheme amendment, it will then need to be considered and approved by the Minister for Planning.

If the scheme amendment is gazetted, the owner/applicant will then need to lodge an application for a Local Development Plan (LDP) for approval by Council. The LDP can be used to set out detailed guidance for the future development of the site, such as the location of buildings, overshadowing, privacy, parking and landscaping on the site, building setbacks and vehicle

access. A proposed LDP is required to be advertised to the local community for comment prior to a decision being made.

Once a LDP has been approved, the owner will then need to lodge a development application. Due to the likely scale of development proposed on the site, it is expected that a development application will need to be assessed by the Design Review Panel, who will provide design advice and recommend design improvements to the City. It is also likely that due to the expected scale of the development, the owner/applicant will have the option of having the application decided upon by the Development Assessment Panel.

OPTIONS

The following options are available to Council:

OPTION	BENEFIT	RISK
<p>1. Recommends approval of Amendment No. 81 and forward the amendment to the WAPC for final approval, subject to the modifications detailed in <u>Attachment 2</u>.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> All costs are required to be borne by the applicant. 	<ul style="list-style-type: none"> It is considered that the proposed scheme amendment includes development provisions that are appropriate and timely for the area. It is considered that the development provisions will increase the likelihood of the site being redeveloped. The modified provisions will be more acceptable to some members of the community. The modified provisions are consistent with the recommendations of the Building Bayswater process. 	<ul style="list-style-type: none"> The proposed provisions may not be accepted by some members of the community.
<p>2. Recommends approval of Amendment No. 81 with no modifications, and forward the amendment to the WAPC for final approval.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> All costs are required to be borne by the applicant. 	<ul style="list-style-type: none"> It is considered that the proposed scheme amendment includes some development provisions that are appropriate and timely for the area. It is considered that the development provisions will increase the likelihood of the site being redeveloped. 	<ul style="list-style-type: none"> The proposed provisions may not be accepted by some members of the community. The proposed provisions are inconsistent with the Building Bayswater recommendations.
<p>3. Recommends approval of Amendment No. 81 with other modification(s), and forward the amendment to the WAPC for final approval.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> All costs are required to be borne by the applicant. 	<ul style="list-style-type: none"> Dependent on the modification(s) proposed. 	<ul style="list-style-type: none"> Dependent on the modification(s) proposed.

4.	<p>Advise the WAPC that the City does not support Amendment No. 81.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> All costs are required to be borne by the applicant. 	<ul style="list-style-type: none"> If the Minister for Planning does not approve the proposed amendment, the City will be able to consider changes to the zoning as part of the Local Planning Strategy process. 	<ul style="list-style-type: none"> The site may remain vacate for some time. The Minister for Planning may still approve the proposed amendment, subject to such modifications and conditions, if any, as the Minister thinks fit.
----	--	---	--

CONCLUSION

In light of the above, it is recommended that Council proceed with Option 1 to adopt Amendment No. 81 and forward the amendment to the WAPC for final approval, subject to the modifications detailed in **Attachment 2** to be consistent with the recommendations of the Building Bayswater process.

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Scheme Amendment Gazettal

Asset Category: N/A **Source of Funds:** Municipal

LTFP Impacts: Not itemised in the LTFP

Notes: All costs to be borne by the applicant

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	800	-	-	800	-	-	14,000

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
 Aspiration: A quality and connected built environment.
 Outcome B1: Appealing streetscapes.
 Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* prescribes the process for the preparation of scheme amendments.

From the conclusion of the advertising period, a local government has 60 days to consider all submissions and forward a recommendation to the WAPC.

The Minister for Planning is the decision maker on all scheme amendments. The City can provide a recommendation to the Minister to:

- support the amendment without modification;
- support the amendment with proposed modifications to address issues raised in the submissions; or
- not support the amendment.

In the event that Council does not support the amendment, the Minister may still approve the proposed amendment, subject to such modifications and conditions, if any, as the Minister thinks fit.

The scheme amendment becomes effective when it is approved by the Minister and published in the Gazette.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Officer's Response to Submissions
2. Recommended Modifications
3. Applicant's Response to Submissions

COMMITTEE RESOLUTION (OFFICER'S RECOMMENDATION)

That Council:

1. Recommends approval of Amendment No. 81 to the City of Bayswater's Town Planning Scheme No. 24, subject to the amendment being modified as follows:
 - (a) Rezone Lot 22, 454 Guildford Road, Bayswater from 'Medium and High Density Residential - R40' to 'Medium and High Density Residential - R80'.
 - (b) Modify Special Control Area 8 to the following:

AREA		SITE PARTICULARS	PROVISIONS
SCA8	SPECIAL CONTROL AREA 8 – Corner King William Street and Guildford Road, Bayswater	Lot 22, No. 454 Guildford Road, Bayswater	<p>Purpose:</p> <p>To enable the development of the site with quality multiple dwellings, whilst safeguarding the amenity of the surrounding residential area.</p> <p>Development Requirements:</p> <ul style="list-style-type: none"> • Development shall be generally in accordance with a Local Development Plan endorsed by Council. • The height of any building shall not exceed four storeys. A maximum of two additional bonus storeys is permitted subject to the development being exemplary, as determined by the City with the advice of the City's Design Review Panel and satisfying any requirements detailed in an endorsed Local Development Plan. • Vehicular access is not permitted to or from the site via Guildford Road.

2. Authorises the affixing of the Common Seal to the scheme amendment document, and the documentation being forwarded to the Western Australian Planning Commission for final approval.

CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR BARRY MCKENNA SECONDED

CARRIED: 8/1

FOR VOTE: *Cr Chris Cornish, Deputy Mayor, Cr Barry McKenna, Cr Giorgia Johnson, Cr Sally Palmer, Cr Filomena Piffaretti, Cr Stephanie Gray, Cr Dan Bull, Mayor and Cr Elli Petersen-Pik.*

AGAINST VOTE: *Cr Catherine Ehrhardt.*

Attachment 1 Summary of Submissions

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
1.	Support	Owens a property in the area.	<ul style="list-style-type: none"> I support the rezoning. Emphasis on quality design to set standard for future development in the area. 	<ul style="list-style-type: none"> Noted - The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure design quality is addressed.
2.	Support	Has an interest in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
3.	Support	Owens a property in the area.	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
4.	Support	Owens a property in the area.	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
5.	Support	Owens a property in the area.	<ul style="list-style-type: none"> Support increasing density of the lot. It is on a main road, close to public transport, parks, the river and the centre of town. It will help activate the City and will have minimal impact on any surrounding dwellings. Design should consider overshadowing and height focussed to the centre of the lot. Density here will remove need for density in quiet suburban areas. 	<ul style="list-style-type: none"> Noted. Noted. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure the location of height and overshadowing are addressed. Noted.
6.	Support	Owens a property in the area.	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
7.	Support	Occupies a property in the area.	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
8.	Support	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
9.	Support	Occupies a property in the area.	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
10.	Support	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
11.	Support	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
12.	Support	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
13.	Support	Owens a property in the area	<ul style="list-style-type: none"> Support the proposal as the land has been vacant for a long time. 	<ul style="list-style-type: none"> Noted.

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
14.	Support	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
15.	Support	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
16.	Support	Owns a property in the area	<ul style="list-style-type: none"> The land has been vacant for many years. It is suited to high density development, being close to the river, parks, buses, and Bayswater Town Centre. 	<ul style="list-style-type: none"> Noted.
17.	Support	Owns a property in the area	<ul style="list-style-type: none"> Being on the corner of two main roads makes site ideal for high density. More residents will help support local business and public transport. 	<ul style="list-style-type: none"> Noted.
18.	Support	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
19.	Support	Owns a property in the area	<ul style="list-style-type: none"> 6 storeys better than 3 on this site. Not excessive for site on major bus routes to the city and Morley. Walkable to train and river. Increase people in the area at night and help viability of local businesses. 	<ul style="list-style-type: none"> Noted.
20.	Support	Owns a property in the area	<ul style="list-style-type: none"> Overall support. Concerns around overlooking, setbacks and overshadowing. Quality design and building articulation would be needed. Support a shop or café on the ground level. 	<ul style="list-style-type: none"> Noted. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overlooking, setbacks, overshadowing and design quality are addressed. The area is already well serviced by retail close by in the Bayswater Town Centre and on Guildford Road.
21.	Support	Owns a property in the area	<ul style="list-style-type: none"> Support as close to major bus route and train station. The site is at a low point meaning the height will not be detrimental to the local visual amenity. More people will encourage local business and the future life of Bayswater. 	<ul style="list-style-type: none"> Noted. Noted. Noted.
22.	Object	Owns a property in the area	<ul style="list-style-type: none"> Area is already very busy. Flats in area already cause crime and antisocial behaviour. 	<ul style="list-style-type: none"> Noted. Denser housing forms can provide a greater perception of safety as more

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			<ul style="list-style-type: none"> Parking is difficult, it is a busy intersection. Impact village feel of King William Street, leave it at two stories max. 	<p>people and more casual surveillance of the area may discourage antisocial and criminal behaviour.</p> <ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The modified building height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
23.	Object	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
24.	Object	Owens a property in the area	<ul style="list-style-type: none"> Will overshadow retirement villas. Ground contaminated by petrol station. 	<ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed. Remedial works have been successfully undertaken and the site is classified as 'Decontaminated' by the Department of Water and Environmental Regulation.
25.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns of sewage, parking, and parkland capacity. 	<ul style="list-style-type: none"> Sewerage infrastructure and nearby parklands can manage the additional capacity. The City will monitor parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes.
26.	Object	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
27.	Object	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
28.	Object	Owens a property in the area	<ul style="list-style-type: none"> A 6 story building will not fit the environment. 	<ul style="list-style-type: none"> The modified building height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			<ul style="list-style-type: none"> My property will be dwarfed and overshadowed by the building and deprived of the sunlight. 	<p>Building Bayswater community engagement process.</p> <ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure building bulk and overshadowing are addressed.
29.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic, parking, access, safety of the children in the nearby child care centre, social problems, height and density. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic, parking and safety in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. Access will be prohibited from the site onto Guildford Road. Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour. The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
30.	Object	Owns a property in the area	<ul style="list-style-type: none"> No need for more units in the area. Will devalue properties. 	<ul style="list-style-type: none"> Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
31.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about overshadowing, privacy, traffic congestion. 	<ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing and privacy are addressed. The City will require a traffic impact assessment to be undertaken as part of

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				a future development application. The City will monitor traffic in the area and take appropriate action where required.
32.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about noise, dust and increased traffic congestion, impact on the childcare centre. 	<ul style="list-style-type: none"> Noise and dust complaints will be investigated by the City. They are not relevant to the planning assessment of the application. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
33.	Object	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
34.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about increased traffic opposite a child care centre, visitor parking, overshadowing and noise and pollution affecting the bird sanctuary. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed. The bird sanctuary is not located close to the site and any development will be insignificant to the amenity of the bird sanctuary.
35.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about access to solar and light and privacy. 	<ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure solar access and privacy are addressed.
36.	Object	Occupies a property in the area	<ul style="list-style-type: none"> Concerns about the safety for the child care centre and aged care residence, increased vehicle and pedestrian traffic. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				<ul style="list-style-type: none"> Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour.
37.	Object	Owns a property in the area	<ul style="list-style-type: none"> Increase traffic congestion, noise, and pollution. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. Noise complaints will be investigated by the City. It is not relevant to the planning assessment of the application.
38.	Object	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
39.	Object	Owns a property in the area	<ul style="list-style-type: none"> Traffic congestion and 6 storey would be out of place. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
40.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic congestion, parking on King William Street. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes.
41.	Object	Occupies a property in the area	<ul style="list-style-type: none"> Concerns about busy intersection and increased traffic. No space for visitor parking. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes.

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			<ul style="list-style-type: none"> Built form will be out of character for the area. The development would set a precedent for the area. Affects property values. 	<ul style="list-style-type: none"> The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
42.	Object	Has an interest in the area	<ul style="list-style-type: none"> Increased traffic. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
43.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with increased traffic at the intersection, parking on the street, height and overshadowing. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed.
44.	Object	Owns a property in the area	<ul style="list-style-type: none"> Increased traffic, overshadowing, rentals will attract undesirables. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The requirement for a Local Development Plan to be provided and

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed.
45.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about increased traffic and overshadowing. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed.
46.	Object	Owns a property in the area	<ul style="list-style-type: none"> The development is out of character. Concerns with traffic congestion. There is no business like café or shop with the new development. Impacts property values. 	<ul style="list-style-type: none"> The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The area is well serviced by retail close by in the Bayswater Town Centre and on Guildford Road. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
47.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about noise and waste during construction. Decreased property value. Concerns with privacy, overshadowing, traffic, parking and high ground water. 	<ul style="list-style-type: none"> Construction issues will be temporary only and the issues can be managed a condition of development approval. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application. The City will require a traffic impact assessment to be undertaken as part of a future development application. The

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				<p>City will monitor traffic in the area and take appropriate action where required.</p> <ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed. Any potential issues with ground water can be resolved at the appropriate stage of the development process.
48.	Object	Owns a property in the area	<ul style="list-style-type: none"> 3 to 4 storey should be maximum allowed. 	<ul style="list-style-type: none"> The modified building height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
49.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about height, increased population, cars, noise, traffic and impact on bird sanctuary. 	<ul style="list-style-type: none"> The modified building height and density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The bird sanctuary is not located close to the site and any development will be insignificant to the amenity of the bird sanctuary.
50.	Object	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
51.	Object	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
52.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with overcrowding, traffic and attracting undesirables. 	<ul style="list-style-type: none"> The modified density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				<p>a future development application. The City will monitor traffic in the area and take appropriate action where required.</p> <ul style="list-style-type: none"> Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour.
53.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about height, distance to train station, surrounding properties being single houses, busy intersection, street parking, visitor parking, overshadowing. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The site is considered to be within comfortable walking distance to the Bayswater train Station. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure overshadowing is addressed.
54.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with traffic and impact to property values. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
55.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				a future development application. The City will monitor traffic in the area and take appropriate action where required.
56.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concern about traffic congestion, more pedestrians waiting to cross the road and impacting motorists. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and pedestrian activity in the area and take appropriate action where required.
57.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic, parking, building height and property values. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
58.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with building height, overshadowing, noise, light pollution and traffic. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The requirement for a Local Development Plan to be provided and review of any proposed development by the City's Design Review Panel will ensure overshadowing and light pollution are addressed. Noise complaints will be investigated by the City. They are not relevant to the

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				<p>planning assessment of the application.</p> <ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
59.	Object	Owens a property in the area	<ul style="list-style-type: none"> Site not appropriate for the building height and not in harmony with surrounding area. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
60.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns with height not blending with existing houses, traffic congestion and privacy. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure privacy is addressed.
61.	Object	Owens a property in the area	<ul style="list-style-type: none"> The change to 6 storeys will be visually damaging. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
62.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns with increased traffic. A coffee shop would be a much nicer idea. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The area is well serviced by retail close by in the Bayswater Town Centre and on

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				Guildford Road.
63.	Conditional Support	Owens a property in the area	<ul style="list-style-type: none"> I support the proposal provided the maximum height is 3 storeys. Concerns with traffic congestion. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
64.	Conditional Support	Owens a property in the area	<ul style="list-style-type: none"> I support the proposal provided the maximum height is 3 storeys. Concerns with traffic congestion. 	<ul style="list-style-type: none"> The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
65.	Conditional Support	Owens a property in the area	<ul style="list-style-type: none"> Support on the basis that intersection at Guildford Road and King William Street has new traffic signal and better pedestrian features and the development having commercial on ground floor. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The area is well serviced by retail close by in the Bayswater Town Centre and on Guildford Road.
66.	Neither supports nor objects	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
67.	Neither supports nor objects	Owens a property in the area	<ul style="list-style-type: none"> Concerned about lack of green space and vegetation for the future development. 	<ul style="list-style-type: none"> The development will be required to provide open space, landscaping and trees. The site is well serviced by walkable public areas of open space.
68.	Neither supports nor objects	Owens a property in the area	<ul style="list-style-type: none"> Concerns about turning right onto Guildford road. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				take appropriate action where required.
69.	Neither supports nor objects	Owns a property in the area	<ul style="list-style-type: none"> Size, composition and style does not fit in with the aesthetics of the area. Concerns with traffic, parking, crime and property values. 	<ul style="list-style-type: none"> The size is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour. Impact to property values is considered speculative and not substantiated and not relevant to the planning assessment of the application.
70.	Neither supports nor objects	Owns a property in the area	<ul style="list-style-type: none"> Traffic concerns. Four storeys would be more appropriate in the area and be more comfortable for future residents. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
71.	Neither supports nor objects	Owns a property in the area	<ul style="list-style-type: none"> Development will be good for the area, but it needs to be high quality. Concerns setting precedence for other similar developments resulting in a 	<ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure design quality is addressed. The development type is considered appropriate fronting the Guildford Road

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			ghetto instead of communities. <ul style="list-style-type: none"> Concerns with traffic. Consider a foot/cycle bridge over Guildford Road due to danger of crossing such a business road. 	corridor and is consistent with the outcomes of the Building Bayswater community engagement process. <ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
72.	Object	Owns a property in the area	<ul style="list-style-type: none"> Scale out of place in suburban setting. Impede my view. 	<ul style="list-style-type: none"> The scale is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The impact of views is not a relevant planning consideration.
73.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic. Scale out of place in suburban setting. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The scale is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
74.	Object	Owns a property in the area	<ul style="list-style-type: none"> Impact on existing infrastructure. Concerns with noise traffic, parking. 	<ul style="list-style-type: none"> The existing infrastructure has adequate capacity to handle the additional dwellings. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes.
75.	Support	Owns a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
76.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic, parking and crime. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				<p>City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes.</p> <ul style="list-style-type: none"> Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour.
77.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about traffic and local amenity. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure local amenity is addressed.
78.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about traffic and local amenity. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. The requirement for a Local Development Plan to be provided and the review of any proposed development by the City's Design Review Panel will ensure local amenity is addressed.
79.	Object	Owens a property in the area	<ul style="list-style-type: none"> Height unacceptable next to child care and single storey houses. Traffic congestion and safety issues. 	<ul style="list-style-type: none"> The scale is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and safety issues in the area and take appropriate action where required.

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			<ul style="list-style-type: none"> Height will impact solar panels. 	<ul style="list-style-type: none"> The requirement for a Local Development Plan to be provided and review of any proposed development by the City's Design Review Panel will ensure solar access is addressed.
80.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with traffic, crime, social problems and renters having less regard for the amenity of the area than owner/occupiers. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour. There is no evidence to suggest that renters have less regard for amenity of than owner/occupiers.
81.	Object	Owns a property in the area	<ul style="list-style-type: none"> This development may set a precedent for this type in the area. It will take away from our heritage; there are lots of heritage buildings nearby. 	<ul style="list-style-type: none"> The type of development is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. It is not considered that the development of the site will impact any heritage areas or buildings.
82.	Object	Has an interest in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
83.	Object	Has an interest in the area	<ul style="list-style-type: none"> Opening floodgates for more high-rise in the area. 	<ul style="list-style-type: none"> The density proposed is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
84.	Object	Has an interest in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
85.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required.
86.	Object	Has an interest in the area	<ul style="list-style-type: none"> Not suited to the area. 	<ul style="list-style-type: none"> The density proposed is considered appropriate fronting the Guildford Road corridor and is consistent with the

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
				outcomes of the Building Bayswater community engagement process.
87.	Object	Has an interest in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
88.	Object	Has an interest in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
89.	Object	Owns a property in the area	<ul style="list-style-type: none"> Disagree with density in this heritage area. 	<ul style="list-style-type: none"> The modified density recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process. The area is not considered to be a heritage area.
90.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns about traffic, parking and a 6 storey development not in keeping with the area. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic and parking in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. The modified height recommended is considered appropriate fronting the Guildford Road corridor and is consistent with the outcomes of the Building Bayswater community engagement process.
91.	Object	Owns a property in the area	<ul style="list-style-type: none"> Concerns with traffic, social issues and crime. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic in the area and take appropriate action where required. Denser housing forms can provide a greater perception of safety as more people and more casual surveillance of the area will discourage antisocial and criminal behaviour.
92.	Neither supports nor objects	Has an interest in the area	<ul style="list-style-type: none"> A traffic impact assessment is to be undertaken for the development in accordance with the WAPC's Transport Assessment Guidelines. No earthworks shall encroach onto the 	<ul style="list-style-type: none"> Noted - The Main Roads conditions will be required as part of a future development application.

No.	Support / Object / Comment	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			<p>Guildford Road reserve, including the land required for future road purposes.</p> <ul style="list-style-type: none"> No stormwater drainage shall be discharged onto the Guildford Road reserve, including the land required for future road purposes. No vehicle access shall be permitted onto the Guildford Road reserve from the proposed lot. The applicant shall make good any damage to the existing verge vegetation within the Guildford Road reservation. Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost. The applicant is required to undertake a Transport Noise Assessment in accordance with the guidelines of the WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning". 	
93.	Neither supports nor objects	Owens a property in the area	<ul style="list-style-type: none"> No comment 	<ul style="list-style-type: none"> Noted.
94.	Object	Owens a property in the area	<ul style="list-style-type: none"> Concerns about traffic, parking and pedestrian safety in the area. Public transport in the area is not as frequent as suggested. 	<ul style="list-style-type: none"> The City will require a traffic impact assessment to be undertaken as part of a future development application. The City will monitor traffic, parking and pedestrian safety in the area and take appropriate action where required. Car parking will be required to be provided onsite in accordance with the R-Codes. It is considered that the bus and train services available within walking distance of the site will provide adequately frequent public transport options for future residents.

Attachment 2 Recommended Modifications

1. Rezone Lot 22, 454 Guildford Road, Bayswater from 'Medium and High Density Residential - R40' to 'Medium and High Density Residential - R80'.
2. Modify Special Control Area 8 to the following:

AREA		SITE PARTICULARS	PROVISIONS
SCA8	SPECIAL CONTROL AREA 8 – Corner King William Street and Guildford Road, Bayswater	Lot 22, No. 454 Guildford Road, Bayswater	<p>Purpose:</p> <p>To enable the development of the site with quality multiple dwellings, whilst safeguarding the amenity of the surrounding residential area.</p> <p>Development Requirements:</p> <ul style="list-style-type: none"> • Development shall be generally in accordance with a Local Development Plan endorsed by Council. • The height of any building shall not exceed four storeys. A maximum of two additional bonus storeys is permitted subject to the development being exemplary, as determined by the City with the advice of the City's Design Review Panel and satisfying any requirements detailed in an endorsed Local Development Plan. • Vehicular access is not permitted to or from the site via Guildford Road.

Attachment 3

PS Ref: 3997

26 September 2018

Chief Executive Officer
City of Bayswater
PO Box 467
Morley WA 6943

Attention: Tim Wright, Strategic Planning Officer

Dear Sir,

**SCHEME AMENDMENT NO. 81
LOT 22 (454) GUILDFORD ROAD, BAYSWATER
RESPONSE TO SUBMISSIONS**

Planning Solutions acts on behalf of D & Z Constructions, the registered proprietor of Lot 22 (454) Guildford Road, Bayswater (**subject site**) and proponent of proposed Scheme Amendment No. 81 relating to the site.

During public advertising of Scheme Amendment No. 81 between August – September 2018, it is understood that a total of 93 public submissions were received, including 61 submissions objecting to the amendment. The submissions received highlight concern in relation to a few key matters, particularly relating to overshadowing, overlooking/privacy, traffic and parking, and the scale of the future development as provided for under Scheme Amendment No. 81. It is noted that a number of the matters raised will be addressed in further detail at development application stage, once the built form outcome for subject site has been determined.

The key issues have been summarised and responded to in **Table 1** below.

Table 1: Submissions table – response to key issues

Issue	Applicant response
Concerns with overshadowing to surrounding properties.	<ul style="list-style-type: none"> Whilst the final built form outcome for the site is yet to be confirmed, a set of concept development plans have been prepared to demonstrate one way in which the subject site could be developed under the proposed density and SCA8 provisions. The solar study prepared for the concept plans indicate that there will not be significant overshadowing implications for adjoining properties due to ample separation being provided between the development and adjoining residential areas to maintain sunlight throughout the day. Furthermore, the internal siting and layout of grouped dwellings within the adjoining property (no. 104 King William Street) means the future development of the subject site will have minimal impacts on access to sunlight. The shadow from the subject site will fall predominantly on: <ul style="list-style-type: none"> The internal vehicular accessway and carports located adjacent to the south-east boundary of the subject site; and The roofs of covered rear courtyards located adjacent to the south-west boundary of the subject site. In addition, it is proposed that a Local Development Plan (LDP) would be prepared to specify development standards applicable to the site. This is likely to include provisions requiring appropriate setbacks to the adjoining properties to the south-east and south-west to minimise overshadowing.

Concerns with overlooking to surrounding properties and reduced privacy.	<ul style="list-style-type: none"> The future development of the site will be required to address the visual privacy provisions of the R-Codes, including appropriate setbacks and/or screening to habitable rooms/active habitable spaces.
Concerns the development will increase the prevalence of antisocial behaviour/crime.	<ul style="list-style-type: none"> There is no evidence to suggest the future development of the site for multiple dwellings will result in increased crime or antisocial behaviour in the area. Claims of increased crime and antisocial behaviour are speculative and generalised, and should not be considered without testable expert evidence.
The proposal will impact on property values.	<ul style="list-style-type: none"> The perceived loss of property value is not a valid planning consideration.
Concerns about increased traffic congestion.	<ul style="list-style-type: none"> Any future development application for the subject site is required to be supported by the requisite level of traffic impact reporting in accordance with the WAPC's <i>Transport Impact Assessment Guidelines</i> to determine the impacts of the traffic generated by the development on the surrounding transport networks.
Concerns with availability of parking in the area, particularly on King William Street.	<ul style="list-style-type: none"> All parking associated with the future development of the site will be contained within the site, including both resident and visitor parking.
Concerns about noise.	<ul style="list-style-type: none"> It is unclear as to whether the concerns raised relate to noise resulting from the future development of the site, or noise impacts on the development due to its proximity to Guildford Road. Both of these issues are addressed below. The scheme amendment does not propose to alter the underlying zoning of the subject site, and contemplates the development of the site for residential purposes only. Future development is therefore unlikely to result in any adverse noise impacts on surrounding properties. In accordance with the provisions of <i>State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>, any future development of the subject site will need to incorporate adequate noise mitigation measures to minimise noise impacts from Guildford Road on future residents. Any future development on the site will be subject to a transport noise assessment to demonstrate appropriate noise levels can be achieved within the proposed development.
The built form and height of development is out of character for the area.	<ul style="list-style-type: none"> The intensity of development is consistent with state and local level strategic planning, which encourages more intense forms of development along key transport corridors. The amendment directly meets the actions set out in the applicable strategic planning framework by allowing for higher density residential development within the subject site, befitting of its landmark location along Guildford Road. Guildford Road is universally recognised by various strategic planning documents as an important transport corridor, which is entirely appropriate for higher density residential development. In addition, the proposed LDP for the site is envisaged to include provisions which require the bulk and height of development to be oriented towards Guildford Road and King William Street to minimise impacts on surrounding residential properties. The scheme amendment proposes measures to ensure an attractive built form outcome, with a sensitive interface treatment to adjoining properties. The development of the site will be a vast improvement to the current vacant land at this prominent corner location, and the service station that previously occupied the site.

We trust the information contained in the table above provides the City with adequate information and justification in response to the key issues raised through submissions, and demonstrates that Scheme Amendment No. 81 is acceptable and warrants the City's support.

Should you have any queries or require further clarification in regard to the above matter please do not hesitate to contact the undersigned.

Yours faithfully



JESSE DUNBAR
SENIOR PLANNER

180926 3997 Ltr to City - Response to submissions

9.2 Proposed Amendment No. 70 to Town Planning Scheme No. 24 - Rezoning of a Portion of Wotton Reserve

Location: Lot 1, 60 Embleton Avenue, Embleton
Owner: City of Bayswater
Reporting Branch: Strategic Planning and Place
Responsible Directorate: Community and Development
Refer: Item 10.6: OCM 13.09.2016
 Item 10.6: OCM 12.07.2016
 Item 10.8: OCM 31.05.2016
 Item 15.1.4: OCM 26.03.2013
 Item 12.3.11: OCM 11.12.2007

EXECUTIVE SUMMARY

Application:

Council consideration is sought regarding final approval of proposed Amendment No. 70 to Town Planning Scheme No. 24 (TPS 24) to rezone a portion of Wotton Reserve from 'Local Public Open Space' to 'Special Purpose' with 'Recreation Public', 'Community Purpose' and 'Light Industry' as permitted uses.

Key Issues:

- Council at its Ordinary Meeting held 13 September 2016 initiated Scheme Amendment No. 70 for public advertising.
- The amendment was advertised for 42 days between 31 July 2018 and 11 September 2018. During the public advertising period 10 submissions were received, five supported the proposed amendment, two opposed, two neither supported nor opposed and one provided comment.

BACKGROUND

Wotton Reserve is a 62,938m² lot owned by the City in freehold. The site is zoned 'Industrial' under the Metropolitan Region Scheme and is reserved 'Local Public Open Space' under TPS 24. The portion proposed to be rezoned is adjacent to a lot zoned 'General Industry' under TPS 24.

Site Plan



Council, at its Ordinary Meeting of 11 December 2007, considered a planning application for a factory at 193 Beechboro Road South, Embleton. It was noted at this time that the property's side fence adjoining Wotton Reserve was out of position and that some of the reserve land was potentially being used by the owners for storage. A condition of approval stipulated that:

"All materials to be removed from Wotton Reserve and the boundary between the subject site and Wotton Reserve to be correctly aligned and made good to the satisfaction of the City of Bayswater."

On 18 September 2012, City officers conducted an inspection of 193 Beechboro Road South, and noted that the property was still encroaching onto Wotton Reserve. Consequently the City requested that all materials, including the building works, be removed from Wotton Reserve and the boundary between the subject site and Wotton Reserve be correctly aligned and made good to the satisfaction of the City.

The encroachment onto Wotton Reserve was subsequently resolved in December 2012.

In mid-2015 the new owner of 193 Beechboro Road South, Beaver Mining Solutions, contacted the City requesting to purchase the subject portion of Wotton Reserve and seeking advice on the associated processes.

Council considered a report relating to this matter at its Ordinary Meeting on 31 May 2016 and resolved to defer the matter pending further information from the adjoining landowner.

Council subsequently considered the matter at its Ordinary Meeting on 12 July 2016 and resolved to defer the matter to enable information to be presented on a leasehold arrangement.

At its Ordinary Meeting held 13 September 2016 Council considered a report on the future need of a portion of Wotton Reserve, a request from the adjoining land owner to lease that portion of land and potential leasehold arrangements. Council resolved, in part, as follows:

"That:

1. *Council agrees that the location and characteristics of the 1,402m² eastern portion of Wotton Reserve at Lot 1, 60 Embleton Avenue, Embleton mean it is surplus to need as public open space in the short to medium term.*
2. *Council initiates Amendment No.70 to the City of Bayswater Town Planning Scheme No. 24 as follows:*
 - (a) *Rezoning the 1,402m² eastern portion of Wotton Reserve at Lot 1, 60 Embleton Avenue, Embleton from 'Local Planning Open Space' reserve to 'Special Purpose Zone';*
 - (b) *Amending Appendix 3 of the Scheme to include a new entry in the Special Purpose Zone table as follows:*

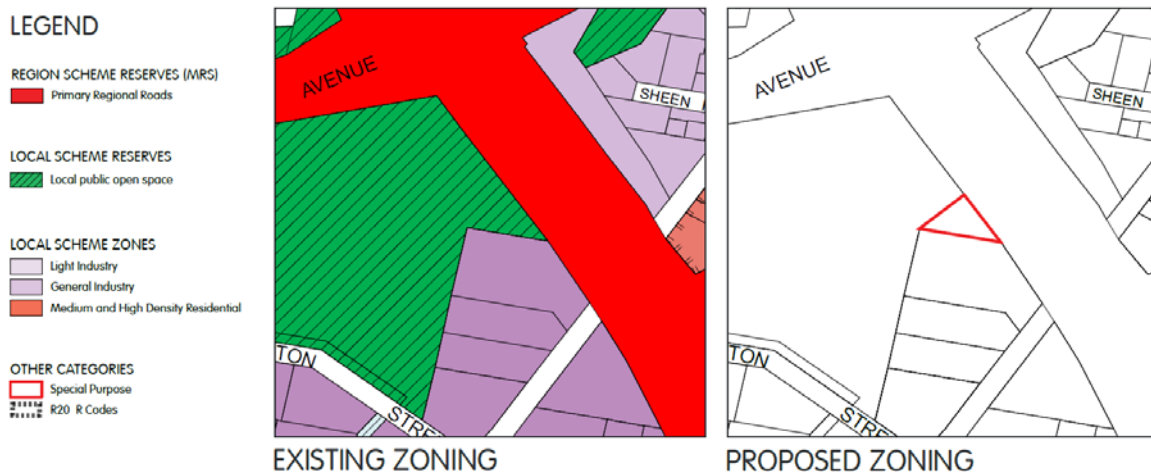
Street	Particulars of Land	Permitted Uses	Discretionary Uses
Embleton Avenue	Portion of Lot 1 on Diagram 68888	Recreation Public Community Purpose Light Industry	

(c) *Amend the Scheme Maps accordingly.*

3. *Council considers Amendment No.70 to the City of Bayswater Town Planning Scheme No.24 to be 'standard; under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:*

- (a) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - (b) The amendment is not a complex or basic amendment.
4. The proponent requesting the lease the 1,402m² eastern portion of Wotton Reserve pays the scheme amendment fee in accordance with the City's adopted 2016-17 Fees and Charges and prepares the scheme amendment documentation to the satisfaction of the City of Bayswater.
5. Upon finalisation of the scheme amendment documentation, the documentation be forwarded to the Environmental Protection Authority for assessment and the Heritage Council for referral.
6. Upon Notice of Assessment from the Environmental Protection Authority being received (and issued raised being complied with), the proposed scheme amendment documentation be advertised for public comment for 42 days by way of:
 - (a) Notification being published in the local newspapers:
 - (b) The relevant public authorities being notified in writing of the amendment details;
 - (c) The clubs using Wotton Reserve and landowners within 400m of the boundary of Wotton Reserve being notified in writing of the amendment details;
 - (d) Information being placed on the City's website and social media; and
 - (e) Hard copies of the amendment documentation made available for inspection at the City of Bayswater Civic Centre, City of Bayswater Libraries, Max Tulley Office and Information Centre, and One Stop Shop.
7. The proposed scheme amendment and the submissions received be referred to Council for consideration following the public advertising."

Proposed Amendment Map



In accordance with Council's resolution the City requested that the applicant prepare a scheme amendment report. The report was received by the City on 18 June 2018.

CONSULTATION

Environmental Assessment and Heritage Referral

The scheme amendment documentation was referred to the Department of Water and Environmental Regulation (DWER) and Heritage Services of the Department of Planning, Lands and Heritage (DPLH) for assessment. In correspondence dated 9 July 2018 the DWER advised the City that the proposed scheme amendment would not require environmental assessment.

In correspondence date 7 July 2018 the Heritage Services advised the City that it had no objection to the proposed amendment.

Public Advertising

Following notification from the DWER the City undertook public advertising of the proposed amendment. Hard copies of the documentation were made available at the City's Civic Centre and libraries but not at the One Stop Shop and Max Tulley Office as they were no longer operational.

A total of 10 submissions were received during the consultation period. Five supported the proposed amendment, two opposed, two neither supported nor opposed and one provided comment.

A full summary of the submissions and the City's officer comments are contained in **Attachment 1**, and the key issues raised are addressed in the Analysis section below.

ANALYSIS

One submission opposed public open space (POS) being rezoned for other uses. In response City officers note that portion of POS identified to be rezoned does not contribute to the amenity or use of the park. Further the proposed zoning will allow for the area to be used for POS in the future should it be required.

One submission raised concerns that in the event the area is rezoned it will only be available to be leased to the adjoining land owner which will result in no competition for the lease of the land. In response the intention of the proposed amendment is to enable it to be leased to the adjoining land owner. As the City is not under any obligation to lease the land if the scheme amendment is gazetted, in the event that an acceptable lease fee cannot be agreed to, it is not considered that the lack of competition for the leased area will be an issue.

One submission considered that the lease should only be approved after information is made available to the public on the potential lease value. In response City officers note that the process for a local government to dispose of land (through a lease) is set by the *Local Government Act 1995*. In accordance with the Act the City is required to give public notice of the proposed disposal of land which will include the details of the value of the land and the amount offered.

Main Roads WA advised that vehicular access will be not permitted to, or from, Tonkin Highway. The applicant will be advised of this requirement.

It is noted that none of the submissions received which supported or neither supported nor opposed the proposed amendment provided any reasons for their submission.

OPTIONS

The following options are available to Council:

OPTION		BENEFIT	RISK
1.	Recommends approval of Amendment No. 70 to rezone a portion of Wotton Reserve from 'Local Public Open Space' to 'Special Purpose' with 'Recreation Public', 'Community Purpose' and 'Light Industry' as permitted uses, with no modifications and forward it to the	<ul style="list-style-type: none"> Will improve the safety and amenity of a currently underutilised portion of Wotton Reserve. Will generate income for the City through 	<ul style="list-style-type: none"> Will result in a loss of POS available to the community in the area in the short-medium term.

	Western Australian Planning Commission for final approval. Estimated Cost: <ul style="list-style-type: none">\$600 for gazettal notification. All costs to be borne by the applicant.	leasing the portion of Wotton Reserve. <ul style="list-style-type: none">The proposed zoning will enable the portion of Wotton Reserve to be used for POS in the future if needed.	
2.	Recommends approval of Amendment No. 70 with modification(s), and forward the amendment to the WAPC for final approval. Estimated Cost: <ul style="list-style-type: none">\$600 for gazettal notification. All costs to be borne by the applicant.	<ul style="list-style-type: none">Dependent on the modification(s) proposed.	<ul style="list-style-type: none">Dependent on the modification(s) proposed.
3.	Advise the WAPC that the City does not support Amendment No. 70. Estimated Cost: <ul style="list-style-type: none">Nil.	<ul style="list-style-type: none">Will not result in a loss of POS available to the community in the area.	<ul style="list-style-type: none">Will not improve the safety and amenity of a currently underutilised portion of Wotton Reserve.

CONCLUSION

In light of the above it is recommended that Council proceed with Option 1 to adopt Amendment No. 70 to rezone a portion of Wotton Reserve from 'Local Public Open Space' to 'Special Purpose' with 'Recreation Public', 'Community Purpose' and 'Light Industry' as permitted uses, with no modifications and forward it to the WAPC for final approval.

FINANCIAL IMPLICATIONS

Item 1: Scheme Amendment Gazettal

Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Not itemised in the LTFP

Notes: All costs to be borne by the applicant.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	600	-	-	600	-	-	15,000

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment

Aspiration: A quality and connected built environment.

Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* prescribes the process for scheme amendments.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Summary of Submissions

COMMITTEE RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council:

1. Recommends approval without modification of Amendment No. 70 to the City of Bayswater Town Planning Scheme No. 24 to rezone a portion of Wotton Reserve from 'Local Public Open Space' to 'Special Purpose' with 'Recreation Public', 'Community Purpose' and 'Light Industry' as permitted uses.
2. Authorises the affixing of the Common Seal to the scheme amendment document and the documentation be forward to the Western Australian Planning Commission for final approval.

CR SALLY PALMER MOVED, CR CHRIS CORNISH, DEPUTY MAYOR SECONDED

CARRIED: 8/1

FOR VOTE: *Cr Chris Cornish, Deputy Mayor, Cr Barry McKenna, Cr Giorgia Johnson, Cr Sally Palmer, Cr Filomena Piffaretti, Cr Stephanie Gray, Cr Dan Bull, Mayor and Cr Elli Petersen-Pik.*

AGAINST VOTE: *Cr Catherine Ehrhardt.*

Attachment 1**Summary of Submissions - Amendment No. 70 to Town Planning Scheme No. 24 (Rezoning a Portion of Wotton Reserve)**

No.	Interest in the Proposal	Support / Oppose / Comment	Summary of Submission	City of Bayswater Officer Comments
1.	Owens a property in the area	Neither support nor oppose.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
2.	Owens a property in the area	Oppose.	<ul style="list-style-type: none"> Opposes POS being rezoned for other uses. 	<ul style="list-style-type: none"> Noted, the POS proposed to be rezoned is considered to be surplus and is currently used for anti-social behaviour. The proposed zoning will allow for the area to be used for POS in the future should it be required.
3.	Owens a property in the area.	Support.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
4.	Private resident with an interest	Support.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
5.	Owens a property in the area.	Oppose.	<ul style="list-style-type: none"> If the scheme proposal is approved, the newly created property has utility to only one entity. Council will be left to negotiate a lease or sale deal without any competition. Should only be approved after information is made public (to ratepayers) of the potential sale or lease revenue. 	<ul style="list-style-type: none"> Noted. The amendment has been proposed on behalf of the adjoining land owner to allow them to expand their operations. Noted. As above. In accordance with the <i>Local Government Act 1995</i> the City is required to give public notice of the lease of this land. The notice will detail the valuation of the land and any lease revenue.
6.	Live in the City	Support.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
7.	Owens a property in the area.	Neither support or oppose.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
8.	Owens a property in the area.	Support.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.
9.	Owens a property in the area.	Support.	<ul style="list-style-type: none"> No Comment. 	<ul style="list-style-type: none"> Noted.

10.	Main Roads WA	Neither support or oppose.	<ul style="list-style-type: none">Requests that the following advice note be included: "Please note that the subject land proposed for rezoning abuts a Control of Access Highway. No vehicular access is permitted to or from Tonkin Highway."	<ul style="list-style-type: none">The City will provide this information to the applicant and ensure that it is included as an advice note for any development approval for the site.
-----	---------------	----------------------------	---	---

9.3 Olive Tree House Expression of Interest Outcome

Location: Reserve 47382, 6 Blades Close, Morley
Owner: City of Bayswater
Reporting Branch: Strategic Planning and Place
Responsible Directorate: Community and Development
Refer: Item 9.11 OCM 17.04.18

EXECUTIVE SUMMARY

Council consideration is sought on expression of interest (EOI) submissions received from organisations with respect to the ongoing use of Reserve 47382, 6 Blades Close, Morley (Olive Tree House). The EOI was open to community not for profit groups who would be willing to lease the building for a period of three years.

Key Issues:

- The City received three expressions of interest submissions.
- All submissions have been evaluated against an assessment matrix.
- Based on the assessment matrix ECHO is the preferred candidate and is recommended to be offered a three year lease for exclusive use of the building.

BACKGROUND

Olive Tree House was officially opened in May 2004 as a purpose built adult day centre partly funded by the Department of Health Home and Community Care Program Transition (HACC) Program and partly funded by the City.

At the Community, Technical, Finance and Corporate Services Committee (CTFCSC) held on 17 May 2017 Council considered a report on the HACC programme and resolved to exit the provision of Adult Day Centre and Social Support programs on 30 June 2018.

At the CTFCSC meeting held on 17 April 2018, Council considered a report on the future options for the use of Olive Tree House and resolved:

"That Council:

- 1. Authorises the Chief Executive Officer to seek expressions of interest from Community Not for Profit groups for a short-term three (3) year User Agreement of 1A Lee Street Morley (to be renamed 6 Blades Close), Olive Tree House venue and grounds; and*
- 2. Requests a report be presented to Council at a future round of meetings, presenting the received expressions of interest."*

The property is currently vacant and the City is seeking suitable community groups for the ongoing use of Olive Tree House either through a lease or usage agreement for a period of three years.

The property is also contained within the study area for the Pat O'Hara Reserve Master Plan.

Council has recently been receiving concerns from clubs regarding the payment of Rates and ESL. In light of this Council has decided to review the current Community Facility Lease and Licence/User Agreement Policy. A preliminary draft modified policy was initially considered at the Policy Committee in August and at the Councillor Workshop in September. The draft policy was considered at the Ordinary Council Meeting held 25 September 2018 and was deferred to a future workshop.

The proposed leased area is shown in the red box below:



CONSULTATION

The public EOI period commenced Friday 1 June and concluded Friday 29 June 2018. The EOI was circulated to all organisations known to the City to be interested in any upcoming vacant community properties, posters were located at various City owned buildings, and notification was placed on the City's website and in the Eastern Reporter Newspaper on 5 June 2018 and 19 June 2018.

Local residents were not consulted as a part of the EOI process.

ANALYSIS

Analysis of Expressions of Interest

The City received three EOI submissions. All of the submissions received were from community not for profit groups.

Community Lease

The following table provides an overview of each submission:

Detail	ECHO	Interchange	AUSLAMWA
Overall Purpose of Use	Assistance and services to elderly and those with a disability	Specialise in disability services	New migrant support services and networking events for Sri Lankan migrants
Benefit to Community	High	High	Medium
Total Members / Clients	37 members, 1,485 active clients	14 members, 383 current users	200 members
Members / Clients residing within the City	19 members, 1,075 active clients	12 members, 21 current users	80 to 100 members
Proposed Rental Amount	Up to \$34,000 but request a discount	\$41,000 per year (including rent and outgoings)	\$20,000 - \$25,000 per year
Proposed Bond Amount	They did not state a specific amount but instead are happy to pay a reasonable bond	Approximately \$10,000 (equivalent to 3 months' rent)	\$6,000 - \$7,000 (equivalent to 3 months' rent)
Tenant Pays Rates	Yes	Yes, but may seek an exemption	Yes
Tenant Pays Emergency Services Levy	Yes	Yes, but may seek an exemption	Yes
Tenant Pays Utility Outgoings	Yes	Yes	Yes
Facility Upgrades Proposed Tenant	Kitchen outfit, minor leasehold improvements, operations setup, external improvements at cost of \$50,000	Possible minor changes to key access, phone and Internet upgrades	None
Facility Upgrades Desired from City	None	None	None
Hours of Operation	5 to 7 days per week	Monday to Friday, occasional outside hours never after 9pm	Monday to Thursday 4-9pm Friday to Sunday 1pm to 9pm

Overview of Submissions

ECHO

ECHO has been helping the community by providing assistance and services to elderly and those with a disability for 35 years. They are requesting use of the property as they are reaching maximum capacity at their current location. They will continue to use the existing property and will also be using Olive Tree House to expand their operations.

ECHO is proposing to provide the following:

- In-home, community and centre based services, including:
 - Transport;

- Shopping assistance;
- Assistance travelling to and from medical appointments;
- Personal care; and
- Day based activities.

Interchange

Interchange are a community organisation which specialise in disability services across the greater metropolitan area. Their goal is help people develop skills for independence and to help develop relationships and networks.

They are proposing to move their operations base to Olive Tree House as their Osborne Park office lease originally ended on 30 September 2018 but Interchange has extended the lease for a further month to the 31 October 2018 to accommodate the end date of the EOI process.

AUSLAMWA

Association of United Sri Lankan Australian Muslims of Western Australia Inc (AUSLAMWA) provides support services and networking events for Sri Lankan migrants.

They are proposing to set up their head of operations in Olive Tree House and use it as a permanent home for them as currently they casually hire venues within the City.

Criteria and Scoring Matrix

The following criterion has been considered in determining the suitability of each submission received:

Score Rating	Facilities Suited for Proposed Use	Broad Community Benefit from Proposed Use	Impact of Use on Surrounding Amenity	Financial Value for Money to the City	Organisation Governance / Financial Position
1	Proposed activities not suited to existing facilities	Limited opportunity for broad community involvement	Adverse impact on surrounding amenity	Considerable level of subsidy of operation or high cost to the City	Limited / no evidence of committee structure or available assets
3	Proposed activities may not be appropriate or fully deliverable	Some opportunity for broad community involvement	Some impact on surrounding amenity	Some level of subsidy of operation or cost to the City	Evidenced committee structure and available assets
5	Proposed activities appropriate and deliverable	Strong opportunity for broad community involvement	No major impact on surrounding amenity	No subsidy of operation or cost to City	Strong committee structure and available assets

The following table details a matrix score for each submission:

Group	Facilities Suited for Proposed Use	Broad Community Benefit from Proposed Use	Impact of Use on Surrounding Amenity	Financial Value for Money to the City	Organisation Governance / Financial Position	Total
Echo	5	5	5	5	5	25
Interchange	5	3	5	5	3	21
AUSLAMW A	3	3	3	3	3	15

ECHO ranks first on the assessment matrix and is therefore the preferred candidate. It is considered that Echo will provide great benefit to the community and are willing to invest significant money on improving the building. They currently run a similar facility within the City which is at maximum capacity. Getting this venue will allow them to expand and continue to provide this service within the City.

Interchange ranked second on the assessment matrix scoring slightly less than Echo due to a slightly less secure financial position and a shorter history in the area. They offer similar services to Echo and would use the facility in a similar way. However, they have a slightly smaller client base and less of a focus on the Bayswater area.

AUSLAMWA ranked third. Whilst the group does provide some community benefits and are proposing to pay reasonable rent they are not best suited to the space for the following reasons:

- Specific community benefit that is not open to the whole community.
- May not fully utilise the entire building.
- Less usage of the building during the weekdays but extended usage during the weekend.
- Not providing services similar to HACC which was previously in the building and for what the building was designed for.
- Does not comply with the requirements of the management order.

Analysis of Management Order

The site has been vested to the City under a management order. The management order states that it can "be utilised for the designated purpose of "Aged Person Facility" only.

City officers confirmed with the Department of Planning, Lands and Heritage which of the EOI's received by the City met this criteria. The Department advised that ECHO and Interchange were considered to be an "Aged Person Facility" but that AUSLAMWA were not.

Valuation

The City obtained an independent valuation for the lease of the property on 18 September 2018. It was valued at \$34,000 per annum plus GST. The valuation considered the restricted use of the building under the management order.

Proposed Community Facility Lease and Licence/User Agreement Policy

Council is currently reviewing the Community Facility Lease and Licence/User Agreement Policy. Under the draft policy it is proposed the rental amount would be 40% of the valuation amount of \$34,000 which would be \$13,600 per annum and that groups would be required to pay ESL. The EOI did not mention if the new agreement would be a lease or a usage agreement so a lease agreement is offered as it aligns with the draft policy.

The submissions above have been assessed against the provisions of the draft policy.

ECHO proposed to pay a negotiable amount of rent which would fit into the policy as the City can negotiate for them to pay 40% of the valuation amount which would be \$13,600 per annum. They also agreed to pay full rates and ESL which is more than recommended under the policy. It is therefore possible to create a fair rental figure that includes both the proposed rental amount and ESL.

Interchange is proposing to pay a total rental figure of \$41,000 per annum which would include Rates and ESL. This is significantly above the proposed 40% of the valuation as outlined in the proposed policy. If Council chose Interchange as the preferred lessee, it is recommended that they are offered the lease for \$13,600 per annum plus ESL which is in line with the Policy and the terms offered to the other candidates.

AUSLAMWA are offering to pay \$20,000 - 25,000 per annum as a rental figure. They also agreed to pay full rates and ESL which is more than required under the policy. This is above the proposed 40% of the valuation as outlined in the proposed policy. If Council chose AUSLAMWA as the preferred lessee, it is recommended that they are offered the lease for \$13,600 per annum plus ESL which is in line with the Policy and the terms offered to the other candidates.

OPTIONS

The following options are available to Council:

OPTION	BENEFIT	RISK
<p>1. Award a three year lease for 6 Blades Close, Morley to ECHO with the rental to be \$13,600 per annum with Perth CPI applied annually, plus the Emergency Services Levy and all applicable outgoings including utility charges.</p> <p><i>Estimated Cost:</i></p> <p><u>Costs Per Annum:</u></p> <p>ESL \$880 Current annual maintenance costs: \$6,966 Building maintenance \$2,848 Preventative maintenance \$2,848 Insurance \$1,270 Total: \$11,964</p> <p><u>Income Per Annum:</u></p> <p>Rental Income: \$13,600 ESL \$880 Total: \$14,480</p> <p><u>Balance Per Annum:</u></p> <p>\$2,516 net income</p>	<ul style="list-style-type: none"> • The City receives rental income to cover the ongoing cost of maintaining the building. • The City secures a good tenant who will maximise the usage of the building. • The Tenant at their own cost will improve the building through renovations. • Similar use of the building as the past HACC serves ran out of the building. • Aligns with the management order for the property. • ECHO agree to these terms as it is a discount on the valuation amount. <p>Consistent with the new leasing policy.</p>	<ul style="list-style-type: none"> • Council will not receive the maximum rental for the site.

OPTION	BENEFIT	RISK
<p>2. Award a three year lease for 6 Blades Close, Morley to ECHO with the rental to be \$34,000 per annum or an amount nominated by Council with Perth CPI applied annually, plus the Emergency Services Levy and all applicable outgoings including utility charges.</p> <p>Estimated Cost:</p> <p><u>Costs Per Annum:</u></p> <p>ESL \$880 Current annual maintenance costs: \$6,966 Building maintenance \$2,848 Preventative maintenance \$2,848 Insurance \$1,270 Total: \$11,964</p> <p><u>Income Per Annum:</u></p> <p>Rental Income: \$34,000 ESL \$880 Total: \$34,880</p> <p><u>Balance Per Annum:</u></p> <p>\$22,916 net income</p>	<ul style="list-style-type: none"> • The City receives good income from this asset. • The City secures a good tenant who will maximise the usage of the building. • The Tenant at their own cost will improve the building through renovations. • Similar use of the building as the past HACC serves ran out of the building. • Aligns with the management order for the property. 	<ul style="list-style-type: none"> • ECHO is requesting a discount on the rental amount and may not take up the lease if this does not occur.
<p>3. Defer a decision on the future usage of 6 Blades Close, Morley until the Community Facility Lease and Licence/User Agreement Policy has been finalised.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> • Nil. 	<ul style="list-style-type: none"> • Allows the usage agreement terms to match the new policy. 	<ul style="list-style-type: none"> • The building will be empty until the policy is finalised. • ECHO may no longer be interested in the site if further delays occur. • The City will receive no income.
<p>4. Seek new EOI's for community groups for 6 Blades Close, Morley based on a Heads of Agreement and lease terms.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> • \$1,000 for advertising. 	<ul style="list-style-type: none"> • May result in new applications which are a better use for the site. • Allows the lease terms to match the new policy. 	<ul style="list-style-type: none"> • The building will continue to be empty until a further decision is made. • The City will receive no income in the interim to cover the cost of the building. • The City may not receive any better offers for the site.

OPTION	BENEFIT	RISK
<p>5. Award a three year lease for 6 Blades Close, Morley to Interchange with the rental to be \$13,600 per annum with Perth CPI applied annually, plus the Emergency Services Levy and all applicable outgoings including utility charges.</p> <p><u>Costs Per Annum:</u></p> <p>ESL \$880 Current annual maintenance costs: \$6,966 Building maintenance \$2,848 Preventative maintenance \$2,848 Insurance \$1,270 Total: \$11,964</p> <p><u>Income Per Annum:</u></p> <p>Rental Income: \$13,600 ESL \$880 Total: \$14,480</p> <p><u>Balance Per Annum:</u></p> <p>\$2,516 net income</p>	<ul style="list-style-type: none"> • The City receives rental income to cover the ongoing cost of maintaining the building. • The Tenant at their own cost will improve the building through minor renovations. • Similar services to what is being offered by HACC will continue to occur. • Aligns with the management order for the property. 	<ul style="list-style-type: none"> • Building could be used more efficiently by another applicant. • They are the second best candidate based on the scoring matrix. • They do not have as many users as ECHO and do not have as many users in the City. • They are a newer organisation and do not have the same financial and governance stability as ECHO.
<p>6. Award a three year lease for 6 Blades Close, Morley to AUSLAMWA with the rental to be \$13,600 per annum or an amount nominated by Council with Perth CPI applied annually, plus the Emergency Services Levy and all applicable outgoings including utility charges.</p> <p><i>Estimated Cost:</i></p> <p><u>Costs Per Annum:</u></p> <p>ESL \$880 Current annual maintenance costs: \$6,966 Building maintenance \$2,848 Preventative maintenance \$2,848 Insurance \$1,270 Total: \$11,964</p> <p><u>Income Per Annum:</u></p> <p>Rental Income: \$13,600 ESL \$880 Total: \$14,480</p> <p><u>Balance Per Annum:</u></p> <p>\$2,516 net income</p>	<ul style="list-style-type: none"> • The City receives rental income to cover some of the ongoing cost of maintaining the building. 	<ul style="list-style-type: none"> • The City will be required to seek modification to the management order prior to entering into a lease agreement. • Building could be used more efficiently by other applicants. • Their community benefit is specific and not open to the entire community. • They would not be maximising usage of the building. • They would cause extra disturbance to the surrounding area as they would be using it more on the weekend than other applicants.

CONCLUSION

In light of the above it is recommended that Council proceed with Option 1 and award the lease agreement to ECHO for Reserve 47382, 6 Blades Close, Morley with the following key terms:

Term: Three years
 Rental: \$13,600 plus GST
 Rent Review: Yearly with CPI
 Rates and Charges: ESL
 Utilities: Tenant to pay all utility charges and outgoings

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Offer lease agreement to ECHO

Asset Category: Lease **Source of Funds:** Municipal

LTFP Impacts: Not itemised in LTFP

Notes: Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	-	6,966	-	13,600	-	-	49,633

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community
 Aspiration: An active and engaged community.
 Outcome C1: A strong sense of community through the provision of quality services and facilities

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Preliminary draft policy - Community Facility Lease and License/User Agreement

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. EOI form - ECHO
2. EOI form - Interchange
3. EOI form - AUSLAMWA

OFFICER'S RECOMMENDATION

That Council approves the lease for Reserve 47382, 6 Blades Close, Morley to ECHO with the following key terms and payments made by ECHO:

1. Term: Three years.
2. Rental: \$13,600 plus GST.
3. Rent Review: Yearly with CPI.

4. Rates and Charges: Emergency Services Levy (currently \$880).
5. Utilities: All utility charges and outgoings.

COMMITTEE RESOLUTION

That this item be deferred to the Ordinary Council Meeting to be held 23 October 2018.

CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR SALLY PALMER SECONDED

CARRIED: 5/4

FOR VOTE: *Cr Chris Cornish, Deputy Mayor, Cr Sally Palmer, Cr Stephanie Gray, Cr Elli Petersen-Pik and Cr Dan Bull, Mayor.*

AGAINST VOTE: *Cr Filomena Piffaretti, Cr Barry McKenna, Cr Catherine Ehrhardt and Cr Giorgia Johnson.*

REASON FOR CHANGE

The Committee changed the Officer's Recommendation as it was of the opinion that there may be opportunity to provide a tenancy within the City for each organisation that provided an expression of interest for Olive Tree House, and additional time would be required to look at possible options for doing so.

Attachment 1

ECHO
Community Services



Working together to care for our community.
72 Toowong Street, Bayswater WA 6053
Phone 08 9271 7011 Fax 08 9272 1221
info@echocommunity.org.au
www.echocommunity.org.au
ABN 44 202 237 906

Chief Executive Officer
City of Bayswater
PO Box 467
Morley WA 6943

Dear Mr Brien,

ECHO Community Services is pleased to provide this Expression of Interest in leasing Olive Tree House for the benefit of the Bayswater community.

ECHO provides in-home, community and centre-based services to assist members of our community who are aged or have a disability. Our aim is to enable people to live with dignity and independence in their own homes. Our range of services and expertise allows us to provide support in the home and social connection via our day centre activities, as well as 'ageing in place' services for clients as their needs increase.

ECHO currently provides services in the City of Bayswater through HACC (soon CHSP), Home Care Packages and NDIS. We successfully manage contracts with WA Department of Health to deliver HACC services, the WA Department of Communities to deliver disability services under WA NDIS, and the Commonwealth Government to deliver Home Care Packages up to level 4 and disability services under NDIS.

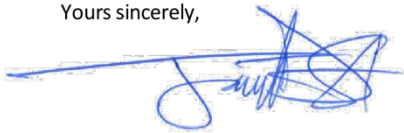
While the attached provides our detailed answers to your EOI form, I would like to draw your attention to the main reasons why we believe the City of Bayswater would benefit from awarding the lease of Olive Tree House to ECHO Community Services.

1. **Our relationship** - we have a long and mutually beneficial association with the City of Bayswater, and have been contributing to the community landscape for over 35 years. Formed by the community, for the community, Bayswater Council was actively involved in the founding of ECHO and the Council Welfare Officer was the founding secretary. Just over 70% of our active clients are from the City of Bayswater, as well as half of our volunteers. We are a proud and loyal City of Bayswater constituent and fully intend to remain firmly based in the City, continuing to support the local community.
2. **Continuity of service** – ECHO has the capacity, the ability and the expertise to quickly be able to offer services and support at Olive Tree House to members of your community who are aged or have a disability. By providing continuity in day care services and location, the stress and confusion for community members can be minimised. This is one of the reasons the Olive Tree House staff have indicated they are very supportive of our application, along with our reputation for being client-focused and our specialist expertise.
3. **Dementia expertise** – ECHO has expertise in running dementia specific programs. The 'spark of life' philosophy used in our *Sunshine Club* is well respected in the sector and has been recognised by the peak body for aged care, Aged and Community Services WA.

4. **Service excellence** - over several years, ECHO has been a finalist, runner-up and winner of several Aged and Community Services WA Excellence in Care Awards. While winning awards is always welcome, the most valued acknowledgement we get is from our clients and their families... every day.
5. **Community focused** - initially volunteer led, ECHO evolved over many years, adding more services to be able to assist more people in more locations. While many aspects of our business model have changed over the last 35 years, we remain community and client focused. This enables us to continually build trust and confidence in the services we provide. Volunteers still play a vital role in our ability to support our clients. ECHO's intention is to offer more City of Bayswater residents the opportunity to volunteer and become engaged in their local community.

ECHO is a professional, compassionate, resourceful and adaptive organisation, committed to continuing to enrich the lives of our staff, volunteers, the families we serve, and the community in which we live and work. Purpose built as a day centre, Olive Tree House has been actively offering quality support services to City of Bayswater residents for 14 years. We welcome the opportunity to be able to offer a continuation of community support services in Olive Tree House.

Yours sincerely,



Jonathan Smith
Chief Executive Officer
29 June 2018





EXPRESSION OF INTEREST

**Community Lease
Olive Tree House
6 Blades Close, Morley**



ECHO Community Services

Closing Date: 4:00pm Friday, 29 June 2018

ECHO Community Services acknowledges the Traditional Owners of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respect to them and their cultures; and to elders both past and present.



EOI Olive Tree House



Contents

Schedule 1 - use of Olive Tree House.....	3
Name of organisation.....	3
Address.....	3
Contact person	3
Name of President.....	3
Name of Secretary.....	3
Year organisation was formed	3
Number of members / clients	4
Number of City of Bayswater residents	4
Current location	4
Describe your group/organisation's main activities	4
Describe in detail your proposed use of the building.....	7
What rent is your Organisation willing/able to pay for the use of the building?.....	12
How much bond in your Organisation willing/able to pay to the City to be held by the City during the duration of the lease?	12
The council will likely charge Council Rates and ESL on the building. Is the organisation willing to pay these?.....	13
The organisation will be responsible for paying all utilities associated with the property. Is the organisation willing to pay these?	13
What involvement / benefit would your organisation offer the City of Bayswater community?.....	13
What negative impact, if any would your organisation and its usage of the building, have on the City of Bayswater and its residents?.....	15
How would this impact be minimised by your organisation?.....	15
What would be the frequency of use of the building?	16
How many members will be attending the premises as any one time?.....	16
Does your organisation require any modifications to the existing building?	16
What are the required modifications and the associated costs?	16
Who will be funding the modifications?	17
What are your identified funding sources to conduct modifications?	17
Attachments	18



EOI Olive Tree House



Schedule 1 - use of Olive Tree House

Name of organisation

Byswater Extended Community Help Organisation Inc
T/A ECHO Community Services
ABN: 44202237906

ACNC registered public benevolent institution
Deductible Gift Recipient (DGR) covered by item 1 of the table in section 30-15 of the
Income Tax Assessment Act 1997

Address

72 Toowong Street, Bayswater WA 6053

Contact person

Jonathan Smith, Chief Executive Officer

Mobile: 0412 504 127

Email: jonathan.smith@echocommunity.org.au

Name of President

Paul Blackbeard - Board Chairperson

Paul has over 25 years of global experience handling a variety of board, senior management, operational and strategic roles.

Name of Secretary

Paul Purdy - Board Secretary

Paul has continued a family tradition by volunteering at ECHO: his father-in-law was one of the early founding volunteers and a life member of ECHO. Paul was a senior officer at the Commonwealth Department of Aged Care in Perth and has a wealth of knowledge regarding aged care at the Federal level.

Year organisation was formed

ECHO was originally formed with strong support from Bayswater Council. The official opening of ECHO took place in October 1982, chaired by Bayswater Shire President, Cr Neville Davis. Bayswater Shire Welfare Officer Brenda Gosman was the founding secretary (see attachments). ECHO was incorporated in 1983.

Commercial in confidence

www.echocommunity.org.au

3



EOI Olive Tree House



Number of members / clients

ECHO has

- 37 members
- 1,485 active clients (as at 28 June 2018).

Number of City of Bayswater residents

- 19 of ECHO's members are City of Bayswater residents
- 1,075 of ECHO's clients are City of Bayswater residents.

Current location

72 Toowong Street, Bayswater.

Describe your group/organisation's main activities

ECHO's purpose is to enrich the lives of people living independently in their own homes by connecting them to services and community. We support members of our community to live with dignity.

ECHO provides in-home, community and centre-based services to assist members of our community who are aged and/or have a disability. Our services include transport, shopping, assistance travelling to and from medical appointments, personal care (through Home Care Packages up to level 4 and NDIS), respite, food services, domestic assistance, home and garden maintenance and a range of centre-based day care activities. We have specialist expertise in providing dementia-specific services.

ECHO enables clients to engage in the local community

By supporting people's needs to be involved in activities which are personally meaningful and which reinforce their role as valued and participating members of society, ECHO enables clients to engage in their local community. This approach is aligned with the City of Bayswater's Age Friendly Strategy which aims to:

"ensure capabilities and contributions of older adults are recognised, valued and harnessed in a way that enhances the quality of life enjoyed by everyone within our City."

When ECHO began, in 1982, its current sources of funding didn't exist and its activities were entirely led and run by volunteers. While many aspects of ECHO's business model have changed over time, volunteers remain an important and valued part of ECHO's culture and we remain firmly community and client focused. Feedback from our clients indicates this enables us to continually build trust and confidence in the services we provide.

We remain firmly community and client focused

Commercial in confidence

www.echocommunity.org.au

4

Document Set ID: 3186393
Version: 1, Version Date: 29/06/2018



EOI Olive Tree House



City of Bayswater

Our shared future

To meet the expected continuously increasing demand and be able to operate even more effectively, ECHO's Board has recently endorsed a strategic plan called *ECHO 3.E – Embrace, Enhance and Enrich*. This plan spells out a direction for ECHO to grow to \$10 million turnover in five years and to become multi-branch, multi-location and multi-service. It acknowledges our history, our purpose and our professionalism.

This level of accountability and engagement is one of our priorities.

This will allow ECHO to be stronger, more sustainable, and to deliver a higher quality of service, while still retaining the localised, highly personalised one-on-one care we pride ourselves on. Our clients know that if they ever have a problem, they can speak to the CEO personally. This level of accountability and engagement is one of our priorities.

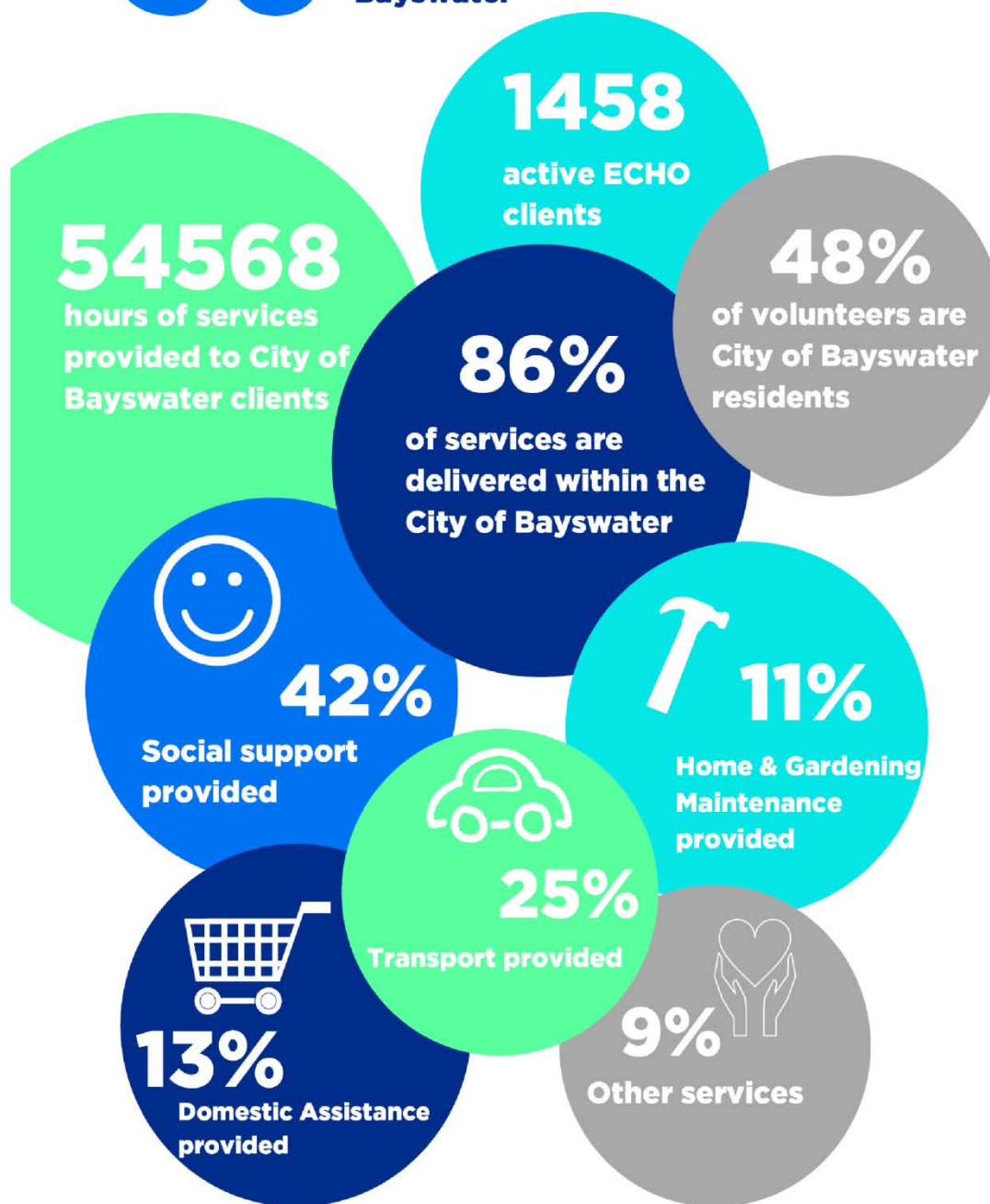
Flowing from the Strategic Plan our leadership group has outlined a detailed implementation plan that provides a blueprint for customers; our people; finances; processes; and innovation and growth over the next 12 months. Recently our Board recruited a new, highly qualified CEO who brings strong strategic thinking, intimate knowledge of the Not for Profit sector and a track record of growing businesses and establishing and maintaining partnerships.

ECHO is committed to seeking out new opportunities and partnerships

ECHO is a professional, compassionate, resourceful and adaptive organisation which is committed to seeking out new opportunities and partnerships that allow us to contribute in new ways to the rich tapestry of our local community.



36 years of working in active partnership with the City of Bayswater



Commercial in confidence

www.echocommunity.org.au

6

Document Set ID: 3186393
Version: 1, Version Date: 29/06/2018



EOI Olive Tree House



Describe in detail your proposed use of the building

ECHO is proposing to provide residents of the City of Bayswater who are aged or have a disability, continuity of day centre support services at Olive Tree House. By working in partnership with community groups and service providers, ECHO will provide the community with opportunities for group social support, re-ablement, classes and access to other appropriate services, such as dementia support, podiatry, nutrition, morning teas, craft, age-appropriate exercise programs and other allied health services.

Our intention is to create an inviting, multi-functional and inclusive community space to engage people of all ages, cultures and abilities.

ECHO will do this by:

- offering an expansion of ECHO's existing aged and disability services and programs to be able to assist more City of Bayswater residents, and
- involving other relevant community services and community organisations, programs and groups to maximise local community use during the week.

ECHO Services

In the last five years, ECHO has grown from 500 clients with a total budget of \$2.25 million to just over 1,500 clients with a budget of over \$4 million. Of those clients, more than 1,000 live in the City of Bayswater. ECHO has successfully managed this growth through sound management, ongoing investment in developing people and systems, and a clear vision, purpose, approach and values.

**More than 1,000
ECHO clients live in
the City of Bayswater**

As well as extensive experience in providing individualised community care, ECHO has particular specialised expertise in place-based activities and programs to support community members in need.

The continued growth of some ECHO programs however, is limited by the size of our current premises. Several of our programs and Centre Based Day Care activities are fully subscribed. We are very aware of the continually growing need and are keen to increase our capacity so we can offer activities and events that focus on creating a sense of belonging and building community interaction, to more people, in more places.

Olive Tree House presents a perfect venue for ECHO to be able to expand place-based services and provide support to more people living with disability and elderly members of the City of Bayswater community.

ECHO presents a perfect solution for Olive Tree House

As a good citizen of the City of Bayswater, with a proven track record of supporting residents, ECHO presents a perfect solution for Olive Tree House to continue to be utilised to support people who are aged or who have a disability. ECHO has a strong and mutually beneficial partnership with the City of Bayswater. Having provided services within the City of Bayswater since our very first day of operation, we have a comprehensive understanding of the region, the community services available, and the people and their needs. Unlike some

Commercial in confidence

www.echocommunity.org.au

7



EOI Olive Tree House



City of Bayswater

other providers which have recently moved their office out of the Bayswater area, we share the City of Bayswater's commitment to its residents.

The ECHO programs we believe are ideally suited to this venue are outlined below.

Sunshine Club

ECHO has expertise in running a dementia-specific program called the *Sunshine Club*. Started in 2013, the *Sunshine Club* was developed in response to an identified community need.

ECHO had a number of clients living in the community either alone or with their spouse, who were becoming isolated. As some of ECHO's own team had elderly parents suffering from dementia, we well understood the situation. People with dementia need interaction and stimulation. Their immediate families also need respite away from the demands of caring for someone with dementia. ECHO researched options of how to develop a program to meet the needs of both clients and families.

We offer expertise in dementia support with our 'Spark of Life' approach

As a result of this research, ECHO identified the 'Spark of Life' approach. Developed in Australia the 'Spark of Life' philosophy is a gentle, practical and celebratory approach to human relationships and communication. Intended to grow a culture of love, appreciation, enthusiasm and optimism, this approach creates the best context to support people with dementia so they can emotionally thrive beyond their diagnosis.

Staff and volunteers who oversee this program have been trained in the 'Spark of Life' philosophy. They celebrate every little breakthrough with their clients. Relationships between staff and clients are consistent and close. The focus is on the quality of the connection between the carer and the person with dementia, which aims to foster kindness, compassion, empathy, and respect in all interactions.

This approach is built around person-centred care as we support each member as an individual with a unique personality, biography, physical health status, cognitive ability and social psychology.

The *Sunshine Club* is developed around a sense of belonging. Activities are always meaningful and designed to 'spark' memories and positive emotions which may have laid dormant for many years, and which, on occasion, may ignite conversations which can involve everyone.

From small beginnings ECHO's *Sunshine Club* has become immensely popular and has garnered much interest within the sector. In 2014, the success of the *Sunshine Club* was recognised by the peak body for aged care — Aged and Community Services WA.

ECHO would be delighted to bring the *Sunshine Club* to Olive Tree House.

Stitch Witches

Stitch Witches is a well-established activity at ECHO's current premises, which we would like to bring to Olive Tree House. This lively group gathers together to knit, sew and crochet to make a variety of colourful and useful products for sale.



EOI Olive Tree House



In addition to providing social interaction, *Stitch Witches* helps people retain their skills and learn new ones. Participating in *Stitch Witches* also helps people feel they are contributing to the community. The end products are sold at craft stalls to raise money for worthy causes. The participants decide where the funds will be spent. For example, some funds have been used to augment ECHO services or purchase equipment, some have been used to help underprivileged children in developing countries through the Joseph Coat's program and others have gone to local nursing homes.

**We help people
retain skills and
learn new ones**

PC Champs

A popular group run by ECHO, *PC Champs* is for members of our community who are interested in learning about and using computers, but who may need some support and guidance. Like many of our Day Care Centre activities, *PC Champs* also provides a level of social interaction as participants assist each other.

Scent therapy

ECHO is keen to revive the raised garden beds in the courtyard of the Centre to develop a herb and scent therapy garden. Studies have shown scent can engage people with dementia as well as have a positive impact on those with disabilities and mental illness. By involving

**Scent therapy
engages people
with dementia**

ECHO's own gardeners and gardening equipment, seeking out a local sponsor for plants and supplies, and in conjunction with local community service organisations likely to utilise the garden, we aim to develop a unique, attractive and therapeutic space.

Social support and morning teas

ECHO has had an overwhelming response to its recently launched program of morning teas, with our scheduled events filling up within a week.

Additional activities

The layout of Olive Tree House, lends itself to a number of other activities, some of which can be offered in partnership with other community service organisations (see below).

Those currently under consideration include:

- classes on nutrition and cooking
- fitness activities
- community legal services
- financial counselling
- mental health services
- allied health services such as podiatry.

**Volunteering provides
a sense of purpose
and contribution to
the community**

Volunteers

Volunteers have always played a vital role at ECHO and we value the contribution they make to help ECHO care for people in our community. Olive Tree House would provide ECHO with a larger base from which volunteers can operate and grow. Many of our older volunteers tell us the act of volunteering provides a sense of purpose and contribution to the community, which helps people feel valued and connected.



EOI Olive Tree House



ECHO's intention is to offer more City of Bayswater residents the opportunity to volunteer and become engaged in their local community. We are particularly interested in talking to the Senior Citizen's Centre next door regarding volunteering opportunities and exploring other ways we can work together to provide mutual benefit.

ECHO offers opportunities to become engaged in the community through volunteering

ECHO has a commitment to offer a range of volunteering opportunities on an equal and accessible basis. Our volunteers perform a variety of services, but the core of their contribution is the relationships they form with clients and each other. Current volunteer roles include: driving cars and buses, assisting in buses, social support and shopping, helping with activities and groups, office assistance, gardening and domestic support.

ECHO has a Volunteer Engagement Committee which is responsible for assisting the ECHO Board and Management in attracting and securing volunteers and ensuring volunteers have a positive experience aligned with expectations and values of ECHO.

Community Partners

With minimal modification, Olive Tree House can accommodate a variety of activities, services and programs from community partners. ECHO undertakes to make space available to organisations to support City of Bayswater's strategic goals.

Art and craft studio

It is our intention to offer the art studio area to local community groups or community services organisations on an ad-hoc casual hire basis. While these are most likely to be held on the weekends and evenings, the ability to close off the day centre main room, allows for multi-use at peak times without disturbance. Co-use of the space can also provide opportunities for interaction between the groups, if appropriate.

ECHO will reach out to local providers and community groups

Allied services

Some of the office space at the front of the building is suitable for use by allied service providers most likely to add value for clients. Consideration is being given to podiatrists, community legal services, financial counselling and nutrition. It is our intention to reach out to local providers to utilise this space.

Cooking and nutrition classes

With some upgrading the kitchen and adjoining day centre room is suited to running small nutrition and cooking classes aimed at groups such as:

- seniors living on their own for the first time
- people managing medical conditions such as diabetes
- refugees and migrants wanting to learn more about local foods.

Following the development of the scent therapy garden (see above), herbs and vegetables grown on the premises can be used in these classes.



EOI Olive Tree House

**Alignment with the City of Bayswater's community inclusion needs**

Olive Tree House is ideally located: It's next to the Senior Citizen's Centre, within easy reach of a range of other community facilities, and near the large and vibrant Galleria shopping centre, which is scheduled for its own redevelopment. ECHO seeks to maximise the potential of the site to support Bayswater's identified community service and inclusion goals. Our use of Olive Tree House will fully align with the City of Bayswater's Age Friendly Strategy, Disability Access and Inclusion Plan, and other community priorities.

Age Friendly Strategy

ECHO fully supports the City of Bayswater's Age Friendly Strategy which aims to enable older adults to live an active and engaged life in our community. That strategy states:

The 2011 Census data indicates that the City has a higher than average percentage of older people between 55 and 100 years of age, compared to the east metropolitan regional area and greater Perth ... In Bayswater the estimated resident population for adults 65 + years of age has remained a stable proportion of the total population at 14.2 - 14.3% between 2010 and 2014. The actual number of older adults (65+ years of age) during that same period steadily increased from 9,043 to 10,123 individuals.

The strategy has identified eight domains for older residents, all of which would be supported within ECHO's plans for Olive Tree House:

1. Outdoor spaces and buildings
2. Transportation
3. Housing
4. Social participation
5. Respect and social inclusion
6. Civic participation and employment
7. Communication and information
8. Community and health services

Disability Access and Inclusion Plan

City of Bayswater has also adopted and regularly reviews its *Disability Access and Inclusion Plan (DAIP)*, which states:

Local government is about building strong communities. Strong communities are friendly and welcoming places where everyone can experience a sense of belonging, can feel that they matter, and, can contribute.

The overarching goal of a DAIP is to provide equity of access and inclusion to all services, facilities, functions and information provided by the City of Bayswater by identifying and redressing barriers that either restrict or prevent the full participation of people with disability.

The DAIP identifies the following eight desired outcomes:

1. Services and events - people with disability have the same opportunities as other people to access the services of, and any events organised by the City of Bayswater.



EOI Olive Tree House



2. Buildings and facilities - people with disability have the same opportunities as other people to access the buildings and other facilities of the City of Bayswater.
3. Information - people with disability receive information from the City of Bayswater in a format that will enable them to access the information as readily as other people are able to access.
4. Quality customer service - people with disability receive the same level and quality of service from the staff of the City of Bayswater as other people receive from the staff.
5. Complaint mechanisms - people with disability have the same opportunities as other people to make complaints to the City of Bayswater.
6. Consultation processes - people with disability have the same opportunities as other people to participate in any public consultation by the City of Bayswater.
7. Employment - people with disability have the same opportunities as other people to obtain and retain employment with the City of Bayswater.
8. People with disability have the same opportunities as others to have their needs and entitlements considered in all City of Bayswater processes.

ECHO's plans will support all DAIP outcomes by opening up opportunities for people with disability to directly engage and use services at a City of Bayswater owned facility.

Other identified priorities

Discussions with City of Bayswater's Community Services leadership team have indicated a number of other priority areas, namely:

- Dementia specific services,
- Youth aged 12-25 years,
- Specific services for people from culturally and linguistically diverse (CaLD) backgrounds,
- Housing and homelessness, and
- Refugees – City of Bayswater is a refugee friendly zone.

ECHO believes in the overall community value of engaging a range of ages, cultures and abilities in utilising Olive Tree House and is prepared to explore a range of strategies to enable this to happen.

What rent is your Organisation willing/able to pay for the use of the building?

ECHO Community Services has been leasing premises from the City of Bayswater for many years. ECHO is willing to negotiate with the City to settle on a mutually agreeable rent that takes into account local trends as well as the community benefit to be delivered.

How much bond in your Organisation willing/able to pay to the City to be held by the City during the duration of the lease?

ECHO is willing and able to pay a reasonable bond although we hope this will not be considered necessary, as every dollar held in trust is a dollar we would prefer to spend on delivering care to our clients. The Council does not hold a bond on the current premises at 72 Toowong Street, Bayswater.

Commercial in confidence

www.echocommunity.org.au

12



EOI Olive Tree House



As outlined below ECHO intends to invest over \$55,000 in Olive Tree House, and will work with the Council to ensure adequate risk management strategies are in place, including maintaining adequate insurance over the premises.

The council will likely charge Council Rates and ESL on the building. Is the organisation willing to pay these?

In accordance with usual commercial/community leasing arrangements we are willing to pay council rates and Emergency Service Levy associated with the property.

The organisation will be responsible for paying all utilities associated with the property. Is the organisation willing to pay these?

In accordance with usual commercial/community leasing arrangements ECHO is willing to pay utilities associated with the property.

What involvement / benefit would your organisation offer the City of Bayswater community?

ECHO has a long and mutually beneficial association with the City of Bayswater, providing quality services to members of the community who are aged or who have a disability, and contributing to the community landscape for over 35 years.

Formed by the community, for the community, ECHO had the backing of the City (then Shire) of Bayswater from the very start. As can be seen in the early newspaper articles in Attachment 6, the Shire Welfare Officer, Mrs Brenda Gosman, acted as the Secretary for ECHO's first Steering Committee, playing a significant role in laying the foundations for our service delivery and our community focused approach.

We have a long and mutually beneficial association with the city of Bayswater

We are a proud and loyal City of Bayswater constituent and fully intend to remain firmly based in the City, continuing in our aim to enrich the lives of our staff, volunteers, the families we serve, and the community in which we live and work.

ECHO's mission, philosophy and services are aligned with the City of Bayswater's strategies

Our mission, our philosophy and our services are strongly aligned with the City of Bayswater's Age Friendly Strategy, and our vision for the Centre directly supports all eight identified domains.

By aligning with the outcomes the City aims to deliver in its *Strategic Plan 2017-2027*, ECHO will add value to the City of Bayswater community and fully support:

- A strong sense of community through the provision of quality services and facilities.
- Accessible services that recognise diversity.
- Active and engaging town and city centres.

Commercial in confidence

www.echocommunity.org.au

13

Document Set ID: 3186393

Version: 1, Version Date: 29/06/2018



EOI Olive Tree House



- Support initiatives for local businesses.

Community engagement and promotion

ECHO would develop a stakeholder engagement plan to promote the centre and its activities and seek input to the range of services and activities on offer. ECHO staff have considerable experience in relevant stakeholder engagement approaches to build similar programs from the ground up. Based on that experience, ECHO has found 'grass-roots' 'below-the-line' communications and marketing are generally more cost-effective than more expensive, higher profile 'above the line' marketing campaigns.

**We will seek
community input to
the range of services
and activities on offer**

Promotional channels could include, but not necessarily be limited to:

- Official launch event (in collaboration with Council, if appropriate)
- Family and community open days
- Website
- Social media
- Local papers (paid and unpaid)
- Community radio (eg: 6RTRfm)
- Disability Services Commission (DSC) directory of service providers
- MyAgedCare website
- Direct relationships with other service providers and community organisations in neighbourhood
- Connections with Local Coordinators and Regional Assessment Services in the local area
- Paid letterbox drops to neighbouring properties.

Service excellence

Over many years of working in and with the community, ECHO has built up a strong reputation for expertise, reliability and excellence and has been recognised by our local community and our peers with the following awards.

2016	Runner up	Aged and Community Services WA Excellence in Care Awards
2015	Winner Runner up Finalist	<ul style="list-style-type: none"> • Aged and Community Services WA Excellence in Care Award - Small Provider • Central Eastern Business Association award for Best Community Not for Profit • Belmont Small Business Awards "Customer Service"
2014	Special Commendation	Aged and Community Services WA Excellence in Care Awards under the category of Innovation and Best Practice for Our Sunshine Club

Commercial in confidence

www.echocommunity.org.au

14

Document Set ID: 3186393
Version: 1, Version Date: 29/06/2018



EOI Olive Tree House



While formal recognition is very welcome, the most valued acknowledgement we get is from our clients and their families. We take particular pride in our commitment to understand each client as a complete person and not just focus on the services they may need. This understanding forms the essence of the relationship we have with each individual.

The most valued acknowledgement we get is from our clients and their families

Some of the comments we receive every day from clients and their families are listed below.

<i>I couldn't manage living on my own without this help.</i>	<i>Very caring and helpful in every way.</i>
<i>It has removed a lot of the tension that seems to come with old age.</i>	<i>Always very well-mannered and greatly appreciated</i>
<i>It keeps me independent.</i>	<i>I cannot begin to tell you what a help this is.</i>
<i>Nanna's comment when asked about your service - 100%.</i>	<i>I live in a large home and the help I receive is most beneficial.</i>
<i>A delight to have in my home - I look forward to her coming.</i>	<i>I feel comfortable and I am very happy with your service.</i>
<i>Your services are above reproach.</i>	<i>Friendly and bright - like a breath of fresh air.</i>
<i>I don't know how I would cope without your service.</i>	<i>I thank you all for the help and support - bless you all.</i>

ECHO knows we make a difference in people's lives through our services, programs and activities.

We also know we have the commitment, professionalism and expertise to ensure Olive Tree House will continue to provide compassionate and professional services to support the residents of the City of Bayswater.

What negative impact, if any would your organisation and its usage of the building, have on the City of Bayswater and its residents?

We foresee ECHO's use of Olive Tree House would provide only positive impacts to the City of Bayswater and its residents.

How would this impact be minimised by your organisation?

As stated above, ECHO would seek to establish good relationships with its immediate neighbours, especially the Senior Citizens Centre, and other neighbouring businesses, to

Commercial in confidence

www.echocommunity.org.au

15



EOI Olive Tree House



ensure our services, activities and clients are integrated within the community. While we do not foresee any issues, in the unlikely event any issues do occur, they would be addressed proactively, to seek a win/win outcome for all parties.

What would be the frequency of use of the building?

ECHO's intention is for the premises to be used between five and seven days per week with a variety of programs, services and activities running.

How many members will be attending the premises at any one time?

Depending on the activity the number of people attending the premises could vary. Staff and volunteers are likely to number between 5 and 12 people for each service or activity. Participants in each ECHO activity and program could number between 5 and 20 people, with several held each weekday. Community use of the building is likely to bring between 5 and 20 people at any one time.

The exceptions to these estimates would be Family and Community Open Days that we would like to hold on an occasional basis. These events will provide opportunities for:

- family members of our clients to become familiar with the venue,
- community members to visit Olive Tree House, learn about ECHO's programs, and see the facilities available to hire, and
- other community organisations to learn about the services and activities on offer.

Does your organisation require any modifications to the existing building?

Yes, we envisage some minor modifications to the building as outlined below.

What are the required modifications and the associated costs?

Given Olive Tree House was purpose-built as a day centre, the modifications we require are not extensive. Our intention is to initially:

- Paint internal walls
- Undertake external painting, garden tidy up and minor maintenance
- Install suitable external signage, similar to our existing premises in Toowong Street
- Develop the scent therapy garden
- Fit out the office area and day centre with suitable furniture and equipment.

Further expenses which may depend on funding are likely to include:

- Kitchen upgrade to stainless steel surfaces
- Lockable gates to the undercover parking area to secure buses overnight.
- Replacement of BBQ and external furniture.



EOI Olive Tree House



ECHO's estimated expenditure to prepare Olive Tree House to deliver services is summarised in the table below. Actual costs will depend upon a range of factors such as the selection and availability of contractors and materials.

Description	Item	Estimate \$
Capital Works	Kitchen outfit	15,000
	Minor leasehold improvements	5,000
	Operations Setup	30,000
	External improvements	5,000
	Total	\$55,000

As illustrated in the timeline table below, we plan on moving in and commencing the day centre early in the lease. We have allowed up to six months for an external grant application, but this will not impact on the occupancy and service delivery start date. Some modifications can be implemented at a later stage and may depend on the needs of the community that will be identified during the community engagement program.

Timeline

Task	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb
Finalise EOI with City of Bayswater								
Funding								
Scope grant opportunities								
External grant application								
Fit out and move in								
Painting								
Connection utilities								
Fit out								
Move in								
Community engagement								
Day centre opens								
Official opening								

Who will be funding the modifications?

ECHO will fund the modifications outlined above. If more extensive modifications or renovations are required, we may seek additional grant funding from Lotterywest or other philanthropic sources.

What are your identified funding sources to conduct modifications?

ECHO Community Services currently receives funding to provide services from the WA Department of Health to deliver Home and Community Care (HACC) services in the Perth North Metropolitan region. In July this funding will transition to the Commonwealth Home Support Program (CHSP). We are also contracted to WA Department of Communities to



EOI Olive Tree House



deliver disability services under WA NDIS, and the Commonwealth Government to deliver Home Care Packages (HCP) up to Level 4 and disability services under NDIS.

ECHO has reserves that can assist with the initial modifications outlined above as well as some of the furniture and other equipment we require for our office area and day centre. We may seeking additional grant funding from Lotterywest or other sources to maximise the opportunities to support members of the local community who are aged or have a disability.

Attachments

1. ECHO Community Services Constitution
2. Certificate of Incorporation
3. Public Liability Insurance Certificate
4. 2016/17 Accounts
5. Annual Report
6. Newspaper clippings

Attachment 2

EXPRESSION OF INTEREST

Community Lease of Olive Tree House
6 Blades Close, Morley



Expression of Interest

Who is Interchange: Interchange is a Community not-for-profit that provides a broad range of services designed to enhance a person's ability to live a good life, at home and in their community. Our staff have experience supporting people of all levels of ability, and with complex needs such as medication, mobility and behaviours, as well as in linking people with mainstream services and service providers. We work with school-aged children and adults across the Greater Perth Metropolitan area, from Mandurah and Pinjarra in the Peel Region, to the rapidly expanding Northern Suburbs and inland to the Perth Hills. Due to our history, we have a strong presence in the Sothern corridor and have a strategic focus to extend our existing service delivery in the Northern suburbs.

Our **Vision** is for welcoming communities that value, respect and empower people with disability.

Our **Mission** is to help people with disability to live a good life.

We **believe** that despite ability, culture or circumstance "Everyone Belongs." Our role is to build the capacity of the individual to be an active member of their community, and to help people to value difference and nurture community. We are connectors and believe in identifying fostering and creating shared spaces for the people we support to share their lives and experiences.

Our organisational **Values** are:

- Individuality
- Respect
- Empowerment
- Belonging



individuality



respect



empowerment



belonging

For us that means:

Valuing people, staff, partners and services because individuality is at the heart of our organisation. We listen, and actively strive to provide flexible, tailored services to assist people in achieving their personal goals

Valuing choice, culture and diversity because everyone is equal and has the right to lead a good life. Through open communication, embracing diversity and valuing choice we respect every person all the time.

Valuing abilities, goals and learning because people are entitled to choose their own supports, and we bring our experience and understanding when called upon. We know when to step up and when to stand back, so everyone has a chance to shine.

Valuing relationships and shared places. Like peas in a pod, we are all the same at heart, and we belong together. Our community is one of acceptance and strength where everyone has a valuable contribution to make. Together we form a community of acceptance and opportunity. Together we are stronger and everyone has a valuable contribution to make.

Expression of Interest

SCHEDULE 1 USE OF OLIVE TREE HOUSE 6 Blades Close, Morley

Name of Organisation: Interchange Incorporated – trading as Interchange WA

Address: 2/15 Blackburn Street Maddington WA 6019

Contact Person: Justin O'Meara Smith, Chief Executive Officer

Phone Number: 08 9329 9399 / 0412 826 185

Email Address: j.omearasmith@interchangewa.org.au

Name of President: Board Chair, Angie Paskevicius

Name of Secretary: Christine Carson, with administrative responsibilities delegated to Management as specified in the Interchange Constitution Clause 7.8b(vi).

Year your Organisation was formed: 1991

Number of current members? Interchange has 383 current service users and 14 registered Members of the Association. Please note – clients are not required to be Members of the Association to receive services.

What number are City of Bayswater ratepayers/ residents? We have 21 current clients residing in the City and 12 permanent staff. Please note – clients are not required to be Members of the Association to receive services.

Many of the clients who are residents of the City are people we commenced services with through the transition of the City's Bliss Program from the City of Bayswater HACC program. Through access to a suitable and local facility in the City Interchange has a strategic interest in expanding our service provision to residents of the City.

Current location of your Group / Organisation? Interchange provides services across the greater Metro area. Our Head Office is located in Maddington and we have seven local Hubs from which we provide resources and support for our clients and staff. These include, Mandurah, Rockingham, Spearwood, Myaree, Maddington, Midland and Osborne Park.

Our Osborne Park location is a commercial lease which will expire on 30 September 2018. It is our hope that we can transfer this office to Olive Tree House and in its place provide a small (and affordable) hub in the Osborne Park locality.

Describe your Group / Organisations main activities: Interchange is a not-for-profit community organisation that specialises in disability support. Services are funded by government. We are part of the transformational change associated with the National Disability Insurance Scheme (NDIS) and the transition of funding from the WA Department for Communities – Disability Services to the National Disability Insurance Agency. We support people with disability (and their family / carers) from 4-years of age to end of life, with services provided in their home and local community.

Expression of Interest

Our goal is to help people to develop skills for independence and build relationships and networks that help them to be active citizens in the community in which they live. Current services include:

- In-home personal and domestic care
- Independent Living through visiting support
- Accommodation support via 24/7 rostered staffing, Host Family and live-in Companion
- Developing skills for employment and meaningful vocation
- Community access and social inclusion
- Positive Behaviour Support and Mobility support for people with complex needs
- Shared Management (helping people to employ their own supports)
- Transport (via an accessible and standard motor vehicle fleet).

Please note, due to security concerns our vehicles are largely home garaged by our staff afterhours.

Through occupation of an accessible and affordable facility we hope to extend our services to include centre based supports that meet the needs of people with disability and extend these services to local people as service users, volunteers and/or staff.

Describe in detail your proposed use of the building:

Use by Interchange: Interchange provides a broad range of services in people's home and community. We currently do not have access to accessible or affordable facilities in this locality that would provide the opportunity for us to run our future strategy of developing quality and meaningful services through a centre based model. These types of services are currently held in a range of community facilities (largely owned by Local Government or commercial suppliers) which requires us to transport associated materials and people to these venues. Our intent would be to continue to support people to access external suppliers and shared spaces, but complement that with a range of activities that would be held within Olive Tree House.

Office Use: The venue would provide office accommodation for both a Fulltime Manager and Team Leader (2.0 FTE) who would share the larger office accommodation space. The smaller office spaces would be used as bookable private meeting rooms and/or offices for complementary community groups. The venue would not be used to accommodate teams of staff as out work is largely in community settings.

Centre Based supports: Through the NDIS we are aware of the need for us to identify affordable, accessible and safe accommodation for both 1:1 and group services. Olive Tree House provides a wonderful opportunity for Interchange to provide services in a facility that can accommodate the resources needed for activities such as a social group, cooking, art and craft.

By way of illustration, our cooking group could utilise the existing kitchen facility for the preparation of their shared meal. This activity promotes choice making, social skills and shared experiences. Five clients meet at the Centre, choose a meal, visit the adjoining shopping centre to buy the raw materials, return to prepare and cook the meal, sit together and share in the meal and conclude by cleaning up. Through Olive Tree House we can make this a regular occurrence, rather than a once a month event facilitated by a commercial supplier. This activity also provides a meaningful opportunity for local people with a passion for food to volunteer and share this passion with people we support. We would introduce similar types of activity through art and craft in the wet room, gardening in the court yard, exercise and dance in the central dining room, etc.

Expression of Interest

Complementary Providers & Community Groups: It is also our intent to extend the use of this facility to other complementary service providers or community groups that will bring a sense of community and shared space to Olive Tree House. This would be through the extension of sub-lease (if allowed by the City) and/or occasional hire to community groups for some of the small office spaces and the shared spaces represented by the Lounge, wet room, kitchen and dining room. Income from this would be used to defray the cost associated with sharing this space (ie the outgoings associated with cleaning, utilities, etc). The focus is not on generating an income from the shared use of this facility, rather to enhance the outcome for our clients through the sharing of this space with others and through the benefit received from the services offered by complementary organisations.

It is important to understand that Interchange has not sought firm commitments from other service providers or community groups – this strategy is to indicate to the City how Interchange would utilise this City asset for the benefit of the community. That said we have approached organisations for in-principle support, specifically Therapy Focus (provider of therapy services) and Kalparrin (a Peer Support Group for parents who have a child with a disability). Their use would be as a hot-desk for their staff to access a computer and/or meetings with local families or small groups for peer support. It is not intended the facility would be used for the provision of traditional therapy services, rather a space for occasional group sessions (eg therapy supported social skills).

We would hope the venue could also be used by community groups that may require an accessible and affordable meeting space. We would be pleased to have the City refer any such enquiries to our staff who would manage the booking. Our caveat would be that activities held in the Centre would meet our Risk Management and Acceptable use policies and be inclusive so as to bring opportunity and inclusion for people with disability who receive services from Interchange or other alternate service providers in the area.

What rent is your organisation willing / able to pay for the use of the building?

Interchange would be prepared to pay up to \$41,000 per annum (\$3,417 per month) inclusive of rent and outgoings.

How much bond is your organisation willing / able to pay to the City to be held by the City during the duration of the lease

Interchange feels it is reasonable for us to provide a Bond of equivalent to 3 months' rent or any other reasonable amount determined to be necessary by the City.

The Council will likely charge Council Rates and ESL on the building, is the organisation willing to pay these? If not provide reasons

Yes. However as a charitable not for profit we may have a case for exemption.

The organisation will be responsible for paying all utilities associated with the property, is the organisation willing to pay these? If not provide reasons

Yes. All utilities would be at the expense of Interchange. We are aware there is external security cameras and monitoring. It would be our hope this would continue at the expense of Interchange as the tenant. Internal security and monitoring would be at the expense of Interchange.

What involvement / benefit would your Organisation offer the City of Bayswater Community?

Benefit for people with disability (and their families): It is the intent of Interchange to utilise Olive Tree House as a base for our local teams and a venue for activities for our clients on a 1:1 and small group basis. We provide services to 383 clients at present (largely in the Southern Corridor) and it

Expression of Interest

is our intent in the new financial year to further expand into the Northern suburbs through the roll out of the NDIS.

Through accessing this facility, people with disability and their families, carers and other natural supports would have access to a new to the area and quality supplier of individualised and contemporary support. Our presence would provide them with more choice and control over who they can access services from. Through our capacity building support services, Interchange would utilise the venue to teach daily living skills such as cooking and laundry skills – Olive Tree House has an excellent environment in a normalised setting (ie non-commercial appliances) that mean the skills the clients learn are transferrable to their home

Benefit to the wider community: We recognise the facility has a potential community benefit that goes beyond our own exclusive use, and as such we would like to extend use of the facility to the ratepayers, community groups and other suppliers. Through a Head Lease with the City and subject to approval by the City, Interchange intends to provide access to a sub-lease and/or occasional hire to the small office spaces for complementary services or grass roots organisations. As such, Olive Tree House would become an asset for community purpose in the same way as many of the other City owned facilities. This use would need to be aligned with the values of inclusion and diversity and not represent a risk to the co-users of the facility or the asset.

Finally, Olive Tree has accessible toilets that could meet the needs of other service providers or people and family with disability that require an accessible, safe and clean toilet and/or change facility. As such, it would be our intent to promote the use of these facilities through our network for use during standard hours of operation.

What negative impact, if any, would your organisations and its usage of the building have on the City of Bayswater and its resident?

We recognise that parking in this locality is limited to 4 standard bays and 1 accessible bay. We are aware of the sensitivities of parking in the bays allocated to the adjoining Senior Citizens Centre and local businesses. As such we know maintaining a positive working relationships with neighbours is important and that this is communicated to the Interchange staff, and visitors and any other user of the facility (be that occasional use or sub-lease).

Whilst it is our hope that we will bring life to the Centre during the day and into the early evening and weekend we are very cognisant of the residential neighbours and the need to be respectful of them for any services or activities that are held outside the standard 9 – 5 hours.

Interchange does not believe the proposed use of the facility will have any negative impact on the City or its residents and would ensure that any other potential users of the facility signed an agreement that specified acceptable use (based on the zoning and approved use) and code of conduct that mitigates the risk of anti-social behaviours that impact the residents, locality or wider municipality.

Our work and approach is based on the principles of Inclusion and Community Development which is consistent with that of the City.

How would this impact be minimised by your organisations?

Interchange has a Risk Management Framework that identifies, records and mitigates identified risks and hazards. Interchange does work with people who have complex needs associated with their disability and this has led us to develop capacity to identify and manage risk. Any use by

Expression of Interest

organisations other than Interchange would require a thorough risks assessment and signing of formal and written agreements to ensure the use of the facility was consistent with existing permitted use and was also consistent with community standards.

What would be the frequency of use of the building?

Interchange intends to use the facility from 8 to 5, Monday to Friday for our standard organisation needs. This would include office accommodation for our Team Leader and Manager and visiting access for our staff on a 1 on 1 basis to attend supervision and access resources needed for their day to day needs.

It is also our intention to hold some social activities for our clients on both a scheduled basis (eg Friday night Social Club) and occasional weekend events (eg Movie / Games nights or AFL Grand Final party for clients and families).

It would not be our intent to hold activities past 9.00 pm due to the proximity of adjoining residential neighbours.

How many members will be attending the premises at any one time?

Many of our activities will be 1 to 1 (ie a staff member matched with an individual client) associated with daily living skills or the need for quiet time due to inclement weather, ill health or unplanned events.

Through the NDIS we know there is a preference for clients to access shared supports with a ratio of 1 worker to 2/3 or clients. Some of these activities will be conducted in the facility (eg art, cooking, gardening, and social skills) and others will be run outside of the facility but would be coordinated by individuals attending the Centre for the commencement and conclusion of the group activity (ie an interchange facility that is likely consistent with the previous use by HACC clients).

We also hope to run a number of group activities (ranging between 5 and 10 clients, but no more than 20) within the Centre similar to the activities that were run from 'The Rise' in Maylands. As part of the transition to the NDIS Interchange engaged with a number of clients from the City's Bliss program; this venue would provide a base for them to continue to meet together for on-site and off-site activities.

Does your Organisation require any modifications to the existing building?

No. The existing facility meets our needs and the accessibility needs of our clients and staff. Interchange is aware of the potential of a Master Plan for this precinct and as such would not be proposing any modification to the built environment.

We are aware there may be the need to upgrade phone and internet service provision. If required, costs associated with those changes would be borne by Interchange. If we provide access to the facility for sub-lease or occasional use there may be the need to make minor modification to accommodate locks on office doors etc. Any associated cost of these kind of minor changes would be borne by Interchange and funded through associated rent or usage charges (aligned with Community / Not-for-Profit rents or the occasional use charges in place at other City facilities).

If the City sees the benefit (as part of the Master Plan) Interchange can see the potential that this facility could be upgraded to provide a suitable "[Changing Place](#)." Changing Places are secure, clean facilities for people with disability who need space and assistance to use the bathroom when out and about in the community. This type of enhancement, and the intent of Interchange to utilise this

Expression of Interest

facility as a community asset, would be something that Interchange would partner with the City with the support of the State Government and Lotterywest. Such a proposal would only advance if it was consistent with the strategic intent of the City.

If Yes, what are the required modifications and the associated costs?

It is not our intent to make any structural changes to the facility that would represent a “modification”. All identified changes are minor and associated with the provision of access to Internet Service Provision or locks for internal doors.

If the City sees future benefit in the use of the facility as a Changing Place we would be happy to discuss that at a future date.

Who will be funding the modifications i.e. Your Organisation or City of Bayswater?

Any minor changes would be funded by Interchange. There is no expectation to undertake modification to the building for the life of the lease.

What are your identified funding sources to conduct modifications?

As above, any minor works approved by the City would be at the expense of Interchange as the tenant.

Please attach a copy of your Constitution and Certificate of Incorporation (if any) and relevant Public Liability Insurance Certificate and Contents Insurance Certificate.

See Attachments:

- A: Constitution
- B: Certificate of Incorporation
- C: Relevant Insurances

Please attached a copy of your financial accounts from the last 12 months.

See attachment


- D: 2016/17 Audited Financial Accounts

For your information we have also attached


- E: Summary of 2017/18 Financial Position (to end May 2018).
- F: Interchange 2016/17 Annual Report

Thank you for your time and consideration. We are very excited about the opportunity to expand our services for people from the City of Bayswater and working collaboratively with the City and your local community groups and residents. Please feel free to contact our CEO – Justin O’Meara Smith – should you require any additional information or clarification regarding the information presented in this Expression of Interest.

Attachment 3



EXPRESSION OF INTEREST




EXPRESSION OF INTEREST

Community Lease

Olive Tree House

6 Blades Close, Morley

To occupy the Premises by Agreement, situated at
6 Blades Close, Morley



Closing Date: 4:00pm Friday, 29 June 2018

Community Lease Olive Tree House June 2018

1

1. INTRODUCTION

The City seeks an Expression of Interest from Community Not for Profit Organisations for the use of the building and grounds known as Olive Tree House at 1A Lee Street, Morley.

The premises have become available for short term Let (Three Years) and as such this expression of interest seeks to gauge interest for the potential use of the facility.

2. BACKGROUND AND PURPOSE OF EXPRESSION OF INTEREST

At a meeting of Council held 17 April 2018, it was resolved::

That Council:

- 1. Authorises the Chief Executive Officer to seek expressions of interest from Community Not for Profit groups for a short-term three (3) year User Agreement of 1A Lee Street Morley (to be renamed 6 Blades Close), Olive Tree House venue and grounds; and**
- 2. Requests a report be presented to Council at a future round of meetings, presenting the received expressions of interest.**

Based on this resolution the current expression of interest pack has been prepared.

Background of Building:

Olive Tree House was officially opened in May 2004 as purpose built day centre partly funded by the Department of Health HACC Program and partly funded by the City. The City has agreed to end its HACC on 30 June 2018 and so this building is now becoming available for use by a community not for profit group.

The successful applicant will be required to enter into an agreement with the City of Bayswater for use of the facility for a period of three (3) years. Subject to Council approval the group will be responsible for but not limited to, the following:

Building and key bond, outgoings including rent, electricity, water, Council rates, emergency services levy, cleaning, alarm monitoring, telephone, rubbish collection charges, insurance of the contents belonging to the group, security of the building and public liability insurance.

The information obtained throughout the Expression of Interest process will assist with Council's consideration of the future use of the facility.

3. SITE DETAILS

Situated at 6 Blades Close, Morley

The internal features are:

- Main living area and adjoining kitchen
- Main office area which can accommodate up to three workstations
- Three separate office spaces, which can each accommodate up to two workstations
- All offices have split air conditioners in them
- Lounge room
- Craft room with basin and shelving
- Laundry room
- Staff toilet with shower
- Male and female accessible toilet
- Self-locking accessible entry and exit doors
- Monitored Building Security Alarm
- Security cameras which are recorded to Morley Sports and Recreation Club

The external features are:

- Enclosed Garden Alfresco area
- 2 planter boxes
- 2 sail shades
- Scheme Water Reticulation

- 1 ACROD car bay
- 4 exclusive use car bays for Olive Tree House
- Covered vehicle and passenger drop off area

Building plan and leased area are shown in Attachment 1

4. USE / RESTRICTIONS OF PREMISES

The land is a reserve and located within Precinct 2 'Outer Core' of the Morley Activity Centre Zone. The uses permitted are located in Table 4 of the City's town Planning Scheme 24. It is currently being used as a "community day centre" and no approvals are needed if it will be used for the same or similar use. [If the building is to be used for another purpose listed in Table 4 a change of use application is required.](#) The adopted Morley Activity Centre Plan indicates that the Pat O'Hara Reserve precinct should continue to be used predominately as a recreation and open space, with the integration of mixed use development around the edges of the site, which includes the Olive Tree House grounds.

The City may consider any community purpose provided it does not unduly impact on the locality and has regard to the ultimate purpose intended for property.

5. SITE MEETING DETAILS

Should applicants wish to inspect the site, viewings are available and strictly limited to the following times:

Wednesday 13 June -9am - 10am

Thursday 14 June - 3pm - 4pm

Appointments are required. Please call the city's leasing officer Oliver Searles on 9272 0698 to confirm your attendance.

6. CURRENT APPROVAL PROCESSES

Planning approval was granted for the premises to be used for community not for profit purpose.

7. INFORMATION REQUIRED

The Expression of Interest should include the attached Schedule (Schedule 1) and be returned with your submission. The following is an example of the information to be provided:-

- Name of Group or Club;
- Contact details;
- Group details;
- Location of your current activities, etc;
- The main activities carried out by your Group / Club;
- Current number of members;
- Current copy of audited accounts for the last 12 months (17/18 financial year)
- What activities the group will run on site;
- Level of community benefit resulting from activities delivered;
- When will the site be used i.e days and times;
- What will the impact of intended use be both positive and negative on the surrounding residents;
- Financial implications - income to the City (proposed rental), outgoings applicable to tenant;

8. ASSESSMENT & PROCESS

In reviewing the Expression of Interest provided, Council will consider the following factors:

- a) The proposed use of the premises;
- b) The desired term of the lease including rental and outgoings applicable to the tenant;
- c) The overall aesthetics and amenity;
- d) The activities conducted by the successful applicant and the benefits they would bring to the City of Bayswater community.

Following the call for Expressions of Interest, the City will review all submissions received and present them to Council for consideration.

9. FURTHER INFORMATION & CONTACTS

Further information can be obtained by contacting the City's Lease Officer Oliver Searles, on 9272 0698.

All Expressions of Interest should be addressed as follows:

"EOI" – Olive Tree House, 6 Blades Close, Morley

Chief Executive Officer

City of Bayswater

PO Box 467

MORLEY WA 6943

Or emailed to mail@bayswater.wa.gov.au

All Expressions of Interest must be lodged with the City of Bayswater by 4:00pm on Friday 29th June 2018 either by mail, email or in person at the Civic Centre 61 Broun Avenue, Morley.

SCHEDULE 1

USE OF OLIVE TREE HOUSE

6 Blades Close, Morley

Name of Organisation: Association of United Sri Lankan Australian Muslims of Western Australia Inc. (AUSLAMWA Inc.)

Address: 115A, Broun Ave, Morley, WA 6062

Contact

Person: Muzny Mohideen & Imran Iqbal

Phone

Number: 0433843226 & 0420610082

Email Address: muzny@hotmail.com & iqbal.imran@gmail.com

Name of President: Muzny Mohideen

Name of Secretary: Imran Iqbal

Year your Organisation was formed: 2016

Number of current members? 200

What number are City of Bayswater ratepayers/ residents? 80 to 100

Current location of your Group / Organisation? Beaufort Park Hall, Bedford

Describe your Group / Organisations main activities:

- Form networks with other communities in Australia to foster goodwill and corporation towards peace and understanding
- New migrant support to better integrate with the wider community
- To organize youth activities, promote events and celebrations, and prayer meetings.
- Humanitarian Services
- Counselling services for youth and adults

Describe in detail your proposed use of the building:

Association of United Sri Lankan Australian Muslims of Western Australia Inc. (AUSLAMWA Inc.) maintains a long and enduring relationship with the City through regular hiring of council venues for community and cultural activities. We are seeking a permanent facility to facilitate the following activities for our community who currently reside in the City of Bayswater and surrounding suburbs:

- Form networks with other communities in Australia to foster goodwill and corporation towards peace and understanding
- New migrant support groups to assist new migrants better integrate with the wider Australian community
- To organize events and celebrations for the members
- To organize community & youth sports, recreational activities, art & craft, quiz nights and prayer meetings
- Marriage, drug & alcohol counselling, coaching and consultation for youth and adults facing challenges

Proposed Projects/Activities

- Establishing a Food Bank to support families living in City of Bayswater and surrounding suburbs
- Homeless Run



Community Lease Olive Tree House June 2018

8

A long-term lease will facilitate securing the olive tree house for the above mentioned activities. Our Association is open to accommodate any causal bookings with other community groups outside our hours of usage.

What rent is your organisation willing / able to pay for the use of the building?

\$20,000 to \$25,000 per annum

How much bond is your organisation willing / able to pay to the City to be held by the City during the duration of the lease

\$6000 to \$7000 i.e. 3 months rent in advance or as requested by the City.

The Council will likely charge Council Rates and ESL on the building, is the organisation willing to pay these? If not provide reasons

Yes

The organisation will be responsible for paying all utilities associated with the property, is the organisation willing to pay these? If not provide reasons

Yes

What involvement / benefit would your Organisation offer the City of Bayswater Community?

City Of Bayswater is a great supporter of initiatives like the refugee welcome zone project which proactively encourage cultural diversity, demonstrate compassion, tolerance and welcome new migrants to the greater Australian family. We believe our association's objectives, aspirations and projects are very much aligned to the City Of Bayswater's values. We will embed these values and work towards enduring them as an association.

Assistance to new migrants to help develop the skills and knowledge required for successful settlement. Day-to-day life issues like learning to speak English, finding accommodation or a job, cultural training, and family assistance. The facility will also be a place for newcomers for networking i.e. meet new friends, and have a sense of belonging.

Our proposed Food Bank & Homeless run projects will improve the ability of families to care for children and achieve goals of self-sufficiency. This will also help number of health and crime issues.

Proactive prevention of drug and alcohol problems in the community. Promoting physical activity via sports and recreation.

What negative impact, if any, would your organisations and its usage of the building have on the City of Bayswater and its resident?

None



Community Lease Olive Tree House June 2018

9

How would this impact be minimised by your organisations?

Minimizing health and safety concerns and any impact to the wider community are always our priority. Therefore we will have a sub-committee who will focus on this and work with the City.

What would be the frequency of use of the building?

Monday to Thursday primarily between 4pm & 9pm

Friday to Sunday primarily between 1pm & 9pm

Note: There could be casual usage outside these hours depending special events.

How many members will be attending the premises at any one time?


100

Does your Organisation require any modifications to the existing building?

YES ☐ NO ☒

If Yes, what are the required modifications and the associated costs?

Who will be funding the modifications i.e. Your Organisation or City of Bayswater?:


IMRAN IQBAL
SECRETARY AHSLAMWA INC.
27.06.2018



Community Lease Olive Tree House June 2018

10

What are your identified funding sources
to conduct modifications?

Please attach a copy of your Constitution and Certificate of Incorporation (if any) and
relevant Public Liability Insurance Certificate and Contents Insurance Certificate.

Please attached a copy of your financial accounts from the last 12 months

5

Community Lease Olive Tree House June 2018

11



9.4 Morley Training Centre Lease

Location: Lot 53, 22 Russell Street, Morley
Owner: City of Bayswater
Reporting Branch: Strategic Planning and Place
Responsible Directorate: Community and Development
Refer: Item 9.1.7: CTFCSC 06.12.2017
Item 9.1.1: CTFCSC 19.07.2017

EXECUTIVE SUMMARY**Application:**

Council consideration is sought regarding offering a new lease of Lot 53, 22 Russell Street, Morley which is currently used by the Morley Training Centre (MTC).

Key Issues:

- MTC is currently on an abeyance until the end of September 2018. The previous lease was terminated due to non-payment of debts. The abeyance was extended to give MTC time to rectify works in the building undertaken without the City's approval.
- MTC are no longer in debt to the City.
- MTC had undertaken kitchen modifications in the City's building without the City's permission but has since removed the modifications and reinstated the kitchen to its previous condition.

BACKGROUND

MTC has been based in Morley since 1993 and aids the local community by providing short courses, upskilling students and is a registered training organisation. The organisation supports approximately 50 adult students at any time.

Council at the Community, Technical, Finance and Corporate Services Committee (CTFCSC) held on 19 July 2017 considered a five year user agreement for the exclusive use of 22 Russell Street, Morley by MTC, and resolved as follows:

"That Council:

1. *Approve a two year usage agreement for the exclusive use of 22 Russell Street, Morley to North Eastern Region Training Association trading as Morley Training Centre with authority to sublet to Future Academy, subject to:*
 - (a) *Rental \$5,100 with annual Perth CPI increase, with all applicable outgoings to include utilities, insurance, Council rates and ESL.*
2. *Approves the Chief Executive Officer to sign the user agreement."*

Throughout 2016 MTC accrued unpaid invoices up to \$8,500. The City issued a default notice in September 2016 seeking full payment of these invoices. MTC made an arrangement with the City to pay all outstanding debt between January 2017 and May 2017. All outstanding debts were cleared by MTC in May 2017 prior to Council considering a new lease in July 2017.

Shortly after the lease was signed MTC started to fall behind on rent, utilities and other outgoing charges.

On 12 October 2017, the City officers emailed MTC seeking final payment of over \$5,000 in unpaid bills. MTC requested a payment plan which the City agreed to. To bring their account up to date payments were due on 18 October, 30 October and 30 November 2017. Payments were made late and were only partial amounts resulting in MTC falling further behind.

At the CTFSC meeting held 6 December 2017 Council considered a report on the outstanding payments and resolved as follows:

"That Council:

- 1. Authorise the Chief Executive Officer to issue a breach notice to Morley Training Centre providing 28 days to rectify the breach.*
- 2. Should the breach not be rectified by Morley Training Centre by the due date Council authorise the Chief Executive Officer to terminate the usage agreement with Morley Training Centre."*

On 14 December 2017 the City sent an email to MTC detailing Council's resolution and that payment in full was due within 28 days. Approximately \$10,000 in outstanding payments was due at that point.

On 19 December 2017 the City issued MTC with a breach notice, giving them 28 days to pay the outstanding debt. The final due date for payment was 19 January 2018.

On 22 December 2017 City officers emailed MTC with clarification of amount owed with invoices attached. This was followed up on 27 December 2017 when the City's lawyer also clarified with MTC the total amount owed.

Final payment was due by 19 January 2018, however only an additional \$1,000 had been received by the City by this date.

The City issued MTC with a termination of lease notice on 8 February 2018. This was followed up on 9 February 2018 by a letter from the City giving them until 23 February 2018 to vacate.

MTC then made payment in full by 16 February 2018.

On 6 March 2018 the City wrote to MTC, offering an abeyance until 30 June 2018 as payment had been made, on the condition that they provide further information relating to community benefit and financial viability. This further information was provided to the City.

On 29 March 2018 officers were notified about possible unauthorised kitchen modifications to the building. After investigating it was found that unauthorised kitchen modifications were made without the City's permission which is a breach of the lease. The City wrote to MTC to request that they either remove these modifications and reinstate the existing kitchen or arrange for the new kitchen to be approved by the City.

The abeyance allows the conditions of the previous lease to continue, on a month to month basis until a new lease is organised or the tenants vacate the property.

Council has recently been receiving concerns from clubs regarding the payment of Rates and ESL. In light of this Council has decided to review the current Community Facility Lease and Licence/User Agreement Policy. A preliminary draft modified policy was initially considered at the Policy Committee in August and at the Councillor Workshop in September. The draft policy was considered at the Ordinary Council Meeting held 25 September 2018 and was deferred to a future workshop.



CONSULTATION

Officers have liaised with MTC during the process from when the debt first occurred, through the abeyance letter and receiving information required from MTC to satisfy the abeyance. Officers also liaised with MTC regarding the second abeyance letter and this Council report.

No public consultation on the matter has occurred.

ANALYSIS

MTC do not currently have a lease as the previous lease was terminated as part of the lease termination proceedings. In March 2018 an abeyance was granted until 30 June 2018 to enable the City to monitor MTC activities, ensure its ongoing financial viability and ensure MTC would continue to meet the terms and conditions of the lease. A further abeyance was granted until 30 of September 2018 to give MTC time to reinstate the kitchen as described below.

First Abeyance Conditions – 23 March – 30 June 2018

The following terms and conditions were set down and agreed to by MTC and the City:

Term	Outcome
MTC continues to pay all invoices issued by the City on time and does not lapse into lease default.	MTC paid all of its debts on time and did not lapse into debt at any time.
MTC provides a monthly update to the City on the previous month's financial profit and loss statement and other financial statements by the close of business of the	This was done for every month that the City requested reports for: April, May and June.

second Friday of the following month.	
MTC provides a monthly update to the City on the previous month's usage figures, classes run and community activity by the close of business of the second Friday of the following month.	This was done for every month that the City requested reports for: April, May and June.
All requested information relating to March 2018 finance and programming and documentation requested in the City correspondence dated 15 March 2018 is required by close of business Friday 13 April 2018.	This was provided to the City.

Based on the above the tenants have met the terms of the first abeyance. However during this time period MTC breached the lease by undertaking kitchen modifications without the City's permission.

Kitchen Modifications

On 29 March 2018 officers were notified about possible unauthorised kitchen modifications to the building. After investigating it was found that unauthorised kitchen modifications were made without the City's permission. MTC had removed the existing kitchen and had replaced it with a new one outside.

Following the inspection the City sent a formal letter and email to MTC stating that they must stop works immediately and obtain approval from the City for these modifications before any further can be done.

The kitchen works were undertaken without the permission of the City and hence breached a condition of the lease agreement, which continues to apply under the abeyance.

The City requested at that time that the works be removed or application to be made for retrospective planning and building approval for the works being applied to and approved by the City.

Second Abeyance Conditions – 30 June – 30 September 2018

The first abeyance ended on 30 June 2018 and it was decided that as MTC had met the conditions of the abeyance the City was willing to extend the abeyance until 30 September 2018 subject to either of the following additional conditions being met:

- MTC reinstate the room where the kitchen was previously located to a condition acceptable by the City and ceases all additional kitchen works until retrospective planning and building approvals have been sought by the City; or
- Removal of the modifications and reverting the building back to its original condition.

The purpose of the above was to provide evidence to the City that MTC will make the building safe and fit for purpose again as the modifications were done without the City's permission and do not currently meet planning and building requirements.

The new outdoor kitchen was removed by MTC on 24 August 2018 and the existing kitchen reinstated inside. Officers inspected the kitchen and are satisfied that the kitchen has been reinstated to its original configuration and the works undertaken by the contractors (plumber, tiler and carpenter) have been undertaken in accordance with the Building Code Australia. In light of this it is considered that the abeyance terms have been met.

Conclusion

MTC are now up to date with their rental payments and have met the terms of the abeyances. However, they do not have a lease agreement because it was terminated by the City in January 2018. It is therefore recommended that MTC be offered a new lease.

Given the history of non-payment and the unauthorised works, it is considered that a single year lease period, ending on 31 July 2019, be offered in this instance. This would be consistent with the end date of the original lease. All other terms and conditions will be consistent with the original lease. Given that MTC have a previous lease with the City it is considered that the terms of this short term lease should be consistent with the terms of the past lease. Should a future lease be granted it would be negotiated in line with the City's new Community Facility Lease and License/User Agreement Policy.

OPTIONS

The following options are available to Council:

OPTION	BENEFIT	RISK
<p>1. Offer a new lease, ending on 31 July 2019, to MTC for 22 Russell Street, Morley with the same terms and conditions as the previous lease.</p> <p><u>Income:</u> Rental: \$5,100 Water: \$2,520 Total Income: \$7,620/annum</p> <p><u>Expenses:</u> General Maintenance: \$3,402 Preventative Maintenance: \$3,402 Water: \$2,520 Insurance: \$960 ESL: \$640 Total Expenses \$10,924/annum</p> <p>Estimated Deficit:</p> <ul style="list-style-type: none"> \$3,304/annum 	<ul style="list-style-type: none"> The City receives rental income to cover some of the ongoing cost of maintaining the building. Certainty regarding the contract arrangements and the requirements of each party. 	<ul style="list-style-type: none"> MTC may breach the lease again.
<p>2. Cease the abeyance and require MTC to vacate and seek new EOI's for community groups for 22 Russell St, Morley based on a Heads of Agreement and lease terms.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> \$1,000 for advertising 	<ul style="list-style-type: none"> May result in new applications for use of the site. Allows the lease terms to match the new policy. 	<ul style="list-style-type: none"> The building will be empty until a decision is made. The City will receive no income in the interim to cover the cost of the building. The City may not realise optimum outcome for the site.
<p>3. Extend the abeyance until a future date determined by Council to ensure that MTC continue to pay and that no future breaches occur.</p> <p><u>Income:</u> Rental: \$5,100</p>	<ul style="list-style-type: none"> The City receives rental income to cover the ongoing cost of maintaining the building. 	<ul style="list-style-type: none"> MTC may breach the lease again. Uncertainty regarding the contract arrangements and the requirements of each party.

	Water: \$2,520 Total Income: \$7,620/annum <u>Expenses:</u> General Maintenance: \$3,402 Preventative Maintenance: \$3,402 Water: \$2,520 Insurance: \$960 ESL: \$640 Total Expenses \$10,924/annum Estimated Deficit: <ul style="list-style-type: none"> \$3,304/annum 		
4.	Defer a decision on the future usage of 22 Russell Street, Morley until the Community Facility Lease and Licence/User Agreement Policy has been finalised. Estimated Cost: <ul style="list-style-type: none"> Nil. 	<ul style="list-style-type: none"> Allows the lease agreement terms to match the new policy. 	<ul style="list-style-type: none"> MTC will not have a secure tenure until this policy is resolved. MTC have not agreed to these new lease terms. MTC may breach the lease again. Uncertainty regarding the contract arrangements and the requirements of each party.

CONCLUSION

In light of the above it is recommendation the Council proceed with Option 1 to offer a new lease to MTC, ending on 31 July 2019, for the exclusive use of Lot 53, 22 Russell Street, Morley with the same terms and conditions as the previous lease.

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: New Lease (Option 1)

Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Not itemised in the LTFP

Notes: Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	-	\$10,924	-	\$7,620	-	-	\$5,324

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community
Aspiration: An active and engaged community.
Outcome C1: A strong sense of community through the provision of quality services and facilities

Theme: Leadership and Governance
Aspiration: Open, accountable and responsive service
Outcome L1: Accountable and good governance

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Draft Community Facility Lease and License/User Agreement Policy.

VOTING REQUIREMENTS

Simple Majority Required.

ATTACHMENTS

Nil.

OFFICER'S RECOMMENDATION

That Council approves the new lease for Lot 53, 22 Russell Street, Morley to Morley Training Centre with the following key terms and payments by Morley Training Centre:

1. Term: To expire on 31 July 2019.
2. Rental: \$5,100 plus GST.
3. Utilities: All utility charges and outgoings.

COMMITTEE RESOLUTION

That this item be deferred to the Ordinary Council Meeting to be held 23 October 2018.

CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR SALLY PALMER SECONDED

CARRIED: 8/1

FOR VOTE: *Cr Chris Cornish, Deputy Mayor, Cr Sally Palmer, Cr Stephanie Gray, Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Cr Barry McKenna, Cr Catherine Ehrhardt and Cr Giorgia Johnson.*

AGAINST VOTE: *Cr Elli Petersen-Pik.*

REASON FOR CHANGE

The Committee changed the Officer's Recommendation as it was of the opinion that more time was required to explore the options for leasing this property.

10. REPORTS BY OFFICERS (COUNCIL DECISION)

Nil.

11. REPORTS FOR NOTING

Nil.

12. LATE ITEMS**COMMITTEE RESOLUTION**

That discussion of an urgent confidential matter be dealt with as a late item.

CR DAN BULL, MAYOR MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 9/0

COMMITTEE RESOLUTION

That the meeting be closed to the public and the doors closed.

CR DAN BULL, MAYOR MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 9/0

At 7:29pm, the doors were closed to the public and those present in the public gallery left the meeting.

SUSPENSION OF STANDING ORDERS

That Standing Orders be suspended.

CR DAN BULL, MAYOR MOVED, CR STEPHANIE GRAY SECONDED

CARRIED UNANIMOUSLY: 9/0

At 7:29pm, Standing Orders were suspended.

RESUMPTION OF STANDING ORDERS

That Standing Orders be resumed.

CR DAN BULL, MAYOR MOVED, CR FILOMENA PIFFARETTI SECONDED

CARRIED UNANIMOUSLY: 9/0

At 7:45pm, Standing Orders were resumed.

COMMITTEE RESOLUTION

That the meeting be re-opened to the public and the doors re-opened.

CR DAN BULL, MAYOR MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED UNANIMOUSLY: 9/0

At 7:45pm, the doors were re-opened to the public and any members of the public gallery were invited to return to the meeting (however no members of the public returned).

13. CONFIDENTIAL ITEMS

13.1 Reports by Officers (Committee Delegation)

Nil.

13.2 Reports by Officers (Council Decision)

Nil.

14. NEXT MEETING

The next meeting of the Planning and Development Services Committee will take place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on 13 November 2018 commencing at **6:30pm**.

15. CLOSURE

There being no further business to discuss, the Chairperson, Cr Dan Bull, Mayor declared the meeting closed at 7:45pm.