



**CITY OF VINCENT**

**ORDINARY  
COUNCIL MEETING**

**Minutes**

**5 APRIL 2016**

**ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY**

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## ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 5 April 2016, commencing at 6:04pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6:04pm and read the following Acknowledgement of Country Statement:

### (b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

*"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".*

### 2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

#### (a) Apologies:

Ryan Hall, A/Director Community Services;

Cr Roslyn Harley will be arriving late to the meeting.

#### (b) Members on Approved Leave of Absence:

Cr Laine McDonald on approved leave of absence until (and including) 7 April 2016 due to personal commitments.

#### (c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward (from 6:20pm) (until 9:15pm)
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Dan Loden	North Ward
Cr Susan Gontaszewski	South Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
John Paton	Director Corporate Services
Steve Butler	Manager Ranger & Community Safety Services (until 8:45pm)
Francois Sauzier	Travel Smart Officer (from 6:30pm) (until 7:45pm)
Priyamvada Rasal	Governance & Council Support Officer
Anita Radici	A/Executive Assistant, Minutes Secretary (until 7:05pm)
<u>Media</u>	
David Bell	Journalist – " <i>The Voice</i> " (until approximately 6:15pm)

Approximately 22 Members of the Public.

**3. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS**

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

1. Bob Crowe of 9 Hyde Street, Mount Lawley – Item 9.3.1

- Spoke in support of proposal about divesting from banks investing in fossil fuels.

*The Presiding Member Mayor Carey thanked Mr Crowe for his comments.*

2. Rachael Bott of 31 Vine Street, North Perth – Item 9.3.1

- Spoke in support of the amendment to investment report requesting a report by Administration on potential of City of Vincent to divest from banks that are not fossil fuel free within limitation of the City's Policy.

*The Presiding Member Mayor Carey thanked Ms Bott for her comments.*

3. Ryan Steel of 6 Church Street, Perth – Item 9.1.2

- Spoke in support of the application and accepted responsibility towards modifying car parking and reducing noise disturbances due to gym during morning.

*The Presiding Member Mayor Carey thanked Mr Steel for his comments.*

4. Trent Will of Planning Solutions, 296 Fitzgerald Street, Perth – Item 9.1.1

- Spoke in support of the recommendation.

*The Presiding Member Mayor Carey thanked Mr Will for his comments.*

5. Jossie Harper of Richmond Street, North Perth – Item 9.1.1

- Spoke in support of the recommendation on car parking.

*The Presiding Member Mayor Carey thanked Ms Harper for her comments.*

6. Susan Strutt of 31 Kadina Street, North Perth – Item 9.3.1

- Spoke in support of the proposed amendment regarding fossil fuel.

*The Presiding Member Mayor Carey thanked Ms Strutt for her comments.*

7. Trent Durward of 31 Newcastle Street, Leederville – Item 9.1.4

- Spoke in favour of the recommendation and thanked the officers for their support.

*The Presiding Member Mayor Carey thanked Mr Durward for his comments*

8. Deborah Karajas of Cheriton Street, Perth – Item 9.4.1

- Spoke in support of the recommendation and invited Council to make an investment for creating liveable communities.

*The Presiding Member Mayor Carey thanked Ms Karajas for her comments*

9. Bernie Davis of Barlee Street, Mount Hawthorn – Item 9.3.1

- Spoke in support of the proposed amendment regarding fossil fuel.

*The Presiding Member Mayor Carey thanked Mr Davis for his comments*

10. Frederick Davis of 130 Shakespeare Street, Mt Hawthorn – Item 9.2.5

- Spoke in support of the recommendation.

*The Presiding Member Mayor Carey thanked Mr Davis for his comments*

11. Emily Pearson from North Perth Out of School Care – Item 9.3.3

- Spoke in support of the application and appreciated the support of the City of Vincent.

*The Presiding Member Mayor Carey thanked Ms Pearson for her comments*

12. Dudley Maier of 51 Chatsworth Road, Highgate – Items 9.4.1 and 9.4.3

- Spoke against both Items.

*The Presiding Member Mayor Carey thanked Mr Maier for his comments*

13. Melissa Ledger of 103 Shakespeare Street, Mount Hawthorn – Item 9.2.5

- Spoke in support of the proposal.

*The Presiding Member Mayor Carey thanked Ms Ledger for her comments*

**Cr Harley arrived at 6:20pm.**

14. Ian Rawlings of 15 Pakenham Street, Mount Lawley – Item 9.3.1

- Spoke in support of the recommendation.

*The Presiding Member Mayor Carey thanked Mr Rawlings for his comments*

There being no further speakers, Public Question Time closed at approximately 6:22pm.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Minutes of the Ordinary Meeting of Council held on 8 March 2016

**Moved Cr Loden, Seconded Cr Cole**

**That the Minutes of the Ordinary Meeting of Council held on 8 March 2016 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

6.2 Minutes of the Special Meeting of Council held on 29 March 2016

**Moved Cr Buckels, Seconded Cr Cole**

**That the Minutes of the Special Meeting of Council held on 29 March 2016 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

The Presiding Member Mayor Carey made the following announcement:

7.1 Well and Wise Programme

We have revamped our Seniors Programme and it is quite a dramatic change and it now offers activities that residents might actually be more interested in, including workshops on how to use I-pads and access Facebook, Yoga and other activities.

7.2 Inviting Guest Speaker to share his views on Transparency reforming Local Government

On Friday 22 April 2016 at 7.30 am to 8.30 am, the City of Vincent is hosting a Guest Speaker Cr. Stephen Mayne from the City of Melbourne. The theme is Transparency Reform in Local Government the City of Melbourne's experience. We are inviting all the Metropolitan Council Mayors and CEO's.

**8. DECLARATIONS OF INTERESTS**

8.1 Cr Jimmy Murphy declared an Impartiality interest in Item 9.3.3 – Proposal to Operate a Before School Program at North Perth Town Hall – North Perth Out of School Care. The extent of his interest being that his child currently attends after school care hosted by the North Perth Out of School Care at Highgate Primary and the President of the North Perth Out of School Care is his neighbour.

8.2 Cr Roslyn Harley declared an Impartiality interest in Item 10.2 – Request for a New Plan for Axford Park. The extent of her interest being that she lives nearby Oxford Street.

8.3 Cr Dan Loden declared an Impartiality interest in Item 10.3 – Request to Prepare a Streetscape Enhancement Plan for Ellesmere Street (London Street to Shakespeare Street), Mt Hawthorn. The extent of his interest being that he lives on Ellesmere Street approximately five blocks away.



- 8.4 Cr Roslyn Harley declared an Impartiality interest in Item 14.2 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of her interest being that she has a close friendship/association with two of the applicants.
- 8.5 Cr Susan Gontaszewski declared an Impartiality interest in Item 14.2 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of her interest being that she has social contact with three of the applicants.
- 8.6 Cr Emma Cole declared an Impartiality interest in Item 14.2 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of her interest being that she has a minor social relationship with one of the applicants through their children’s school and Mt Hawthorn Hub.
- 8.7 Mayor John Carey declared an Impartiality interest in Item 14.2 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of his interest being that he is a neighbour and friend of one of the applicants. He is also a Facebook friend of another applicant who is also a supporter.
- 8.8 Cr Dan Loden declared an Impartiality interest in Item 14.2 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of his interest being that he has personal friendships with three of the applicants and two of which helped with his campaign.

**9. REPORTS**

As listed in the Index.

The Presiding Member, Mayor John Carey, advised the meeting of:

- (a) **Items which are the subject of a question or comment from Members of the Public, being:**

Items 9.1.1, 9.1.2, 9.1.4, 9.2.5, 9.3.1, 9.3.3, 9.4.1 and 9.4.3.

- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**

Items 9.1.5, 9.2.1 and 9.2.3.

- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**

Item 9.1.1.

Presiding Member, Mayor John Carey, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	Item 9.2.10.
Cr Harley (Deputy Mayor)	Nil.
Cr Buckels	Items 9.1.3, 9.1.5, 9.2.6 and 9.4.2.
Cr Cole	Item 9.2.2.
Cr Loden	Nil.
Cr Gontaszewski	Item 9.4.3.
Cr Murphy	Nil.
Cr Topelberg	Items 9.2.8 and 10.5.

The Presiding Member, Mayor John Carey therefore advised the meeting of:

(e) **Unopposed items which will be moved “En Bloc”, being:**

Items 9.1.6, 9.2.4, 9.2.7, 9.2.9, 9.3.2, 9.3.4 and 9.5.1.

(f) **Confidential Reports which will be considered behind closed doors, being:**

Items 14.1 and 14.2.

**ITEMS APPROVED “EN BLOC”:**

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

**Moved Cr Murphy, Seconded Cr Harley**

**That the following unopposed items be adopted “En Bloc”, as recommended:**

**Items 9.1.6, 9.2.4, 9.2.7, 9.2.9, 9.3.2, 9.3.4 and 9.5.1.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

**10.1 NOTICE OF MOTION: LATE ITEM: Mayor John Carey – Request To Amend City of Vincent Policy No. 3.10.10 – Community Bus – Use and Operation**

**Motion withdrawn by Mayor Carey at the Council Briefing Session held on 29 March 2016.**

**9.1.6 Review of Process for Outdoor Eating Areas and Display of Goods on Footpaths**

<b>Ward:</b>	Both	<b>Date:</b>	23 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer(s):</b>	G Poezyn, Director Development Services Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	G Poezyn Director Development Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **REQUESTS** the Chief Executive Officer to prepare an amendment to the City of Vincent's Trading in Public Places Local Law 2008 for Council's formal consideration and following public consultation on the 8-yearly review of local laws, in order to give effect to the following changes to the licencing of Outdoor Eating Areas and Display of Goods on Footpaths:
  - 1.1 To generally remove the need for the City's approval of outdoor eating areas and display areas, where those areas comply with existing Local Law and Policy standards and conditions for approval of such areas; and
  - 1.2 To specify any circumstances when the City's approval will still be required;
2. **NOTES AND ENDORSES** Administration's intent to develop an electronic self-assessment and self-certification tool to assist businesses in the City of Vincent to apply for and obtain licences for outdoor eating areas and outdoor display areas as an interim measure, pending the formal review and revision of the Trading in Public Places Local Law 2008; and
3. **LISTS** for consideration in the Draft 2016/17 Annual Budget a revision and reduction to the fee charged for outdoor eating areas and outdoor display areas, to reflect the self-assessment and self-certification approach referred to in 2 above.

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**COUNCIL DECISION ITEM 9.1.6**

**Moved Cr Murphy, Seconded Cr Harley**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.2.4 Proposed Parking Restriction – Alma Road, Hutt Street and Raglan Road, Mount Lawley**

<b>Ward:</b>	South	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park	<b>File Ref:</b>	SC847, SC228
<b>Attachments:</b>	<a href="#">1</a> – Plan No. 3182-PP-01A <a href="#">2</a> – Consultation Summary		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Brown, Engineering Technical Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES:**

- 1.1 residents were consulted at the conclusion of the six month trial of parking restrictions in Alma Road, Hutt Street and Raglan Road, Mount Lawley as shown on attached Plan No 3182-PP-01A (Attachment 1); and
- 1.2 the comments received regarding the implementation of parking restrictions in Alma Road, Hutt Street and Raglan Road, Mount Lawley, as shown in Attachment 2;
2. **APPROVES** the permanent introduction of 2P parking restrictions 8.00am to 5.30pm Monday to Friday and 8.00am to 12 Noon Saturday, in Alma Road, Hutt Street and Raglan Road, Mount Lawley; and
3. **ADVISES** the residents of Alma Road, Hutt Street and Raglan Road, and other respondents, of its decision.

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**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Murphy, Seconded Cr Harley**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**9.2.7 Daphne Street, North Perth – Street Verge Tree Removal and Replacement**

<b>Ward:</b>	North	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 6 – Smith’s Lake	<b>File Ref:</b>	FY4-03
<b>Attachments:</b>	<a href="#">1</a> – Plan No 3314-RP-01 <a href="#">2</a> – Consultation Summary		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **AUTHORISES** the Director Technical Services to remove selected Hills Weeping Fig trees in Daphne Street, North Perth, where in that Officer’s opinion the trees are:
  - 1.1 causing unacceptable damage to the City’s infrastructure and/or adjoining properties; or
  - 1.2 structurally unsound as determined by an appropriately qualified Arboricultural consultant;
2. **NOTES** that where an existing tree has been removed, a more suitable replacement species will be planted in the street, as determined by the Director Technical Services in liaison with adjacent property owners; and
3. **ADVISES** owner/occupiers in Daphne Street of the Council’s decision.

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**COUNCIL DECISION ITEM 9.2.7**

**Moved Cr Murphy, Seconded Cr Harley**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.2.9 Tender No. 513/15 – Supply and Delivery of One 14m<sup>3</sup> Rear Loader Refuse Truck for Parks Services**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC2530
<b>Attachments:</b>	Confidential – Pricing Schedule		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council **ACCEPTS** Tender No 513/15 from Major Motors for the supply and delivery of one 14m<sup>3</sup> rear loader refuse truck with a Superior Pak compactor unit, for the price of \$300,018 (excluding GST) as per the costing schedule in the tender submission and general conditions of tendering.

**COUNCIL DECISION ITEM 9.2.9**

**Moved** Cr Murphy, **Seconded** Cr Harley

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**9.3.2 Authorisation of Expenditure for the Period 1 February 2016 to 29 February 2016**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC347
<b>Attachments:</b>	<a href="#">1</a> – Creditors Report – Payments by EFT <a href="#">2</a> – Creditors Report – Payments by Cheque <a href="#">3</a> – Credit Card Transactions		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	R Tang, Accounts Payable Officer; G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under Delegated Authority for the period 01 February 2016 to 29 February 2016 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 79460 - 79551	\$228,021.06
Cancelled Cheques	- \$6,000.00
EFT Documents 1900 - 1910	\$2,018,509.10
Payroll	\$1,039,330.16

**Direct Debits**

- Lease Fees \$8,075.12
- Loan Repayment \$145,730.25
- Bank Fees and Charges \$8,866.59
- Credit Cards \$11,421.64

<b>Total Direct Debit</b>	\$174,093.60
<b>Total Accounts Paid</b>	<b>\$3,453,953.92</b>

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Murphy, Seconded Cr Harley**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**



**9.3.4 Financial Statements as at 29 February 2016**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">1</a> – Financial Reports		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **RECEIVES** the Financial Statements for the month ended 29 February 2016 as shown in Attachment 1.

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**COUNCIL DECISION ITEM 9.3.4**

**Moved Cr Murphy, Seconded Cr Harley**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.5.1 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	A Radici, A/Executive Assistant		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council RECEIVES the Information Bulletin dated 5 April 2016 as distributed with the Agenda.

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**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Murphy, Seconded Cr Harley**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.3.1 Investment Report as at 29 February 2016**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1530
<b>Attachments:</b>	<u>1</u> – Investment Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **NOTES** the Investment Report for the month ended 29 February 2016 as detailed in Attachment 1.

Moved Cr Loden, Seconded Cr Buckels

That the recommendation be adopted.

**PROPOSED AMENDMENT:**

Moved Cr Loden, Seconded Cr Buckels

That the Officer Recommendation be amended to read as follows:

“That Council:

- 1.** **NOTES** the Investment Report for the month ended 29 February 2016 as detailed in Attachment 1; and
- 2.** **REQUESTS** a report from Administration on the potential for the City of Vincent to divest from banks that are not fossil fuel free within the limitations of the City’s Policy No. 1.2.4 Investment, by August 2016.”

*Debate ensued.*

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 9.3.1**

That Council:

- 1.** **NOTES** the Investment Report for the month ended 29 February 2016 as detailed in Attachment 1; and
- 2.** **REQUESTS** a report from Administration on the potential for the City of Vincent to divest from banks that are not fossil fuel free within the limitations of the **City’s Policy No. 1.2.4 Investment, by August 2016.**

**9.1.2 No. 6 (Lot: 6; D/P: 4004) Church Street, Perth – Change of Use from Recreational Facility (Yoga Studio) to Recreational Facility (Yoga Studio/Group Fitness and Personal Training Gym) (Retrospective)**

<b>Ward:</b>	South	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 13 – Beaufort	<b>File Ref:</b>	PR20004; 5.2015.575.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Car Parking and Bicycle Tables		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poczyn, Director Development Services		

**OFFICER RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by T Ngapera of Poly Pride Fitness on behalf of the owner M Allmark for the Change of Use from Recreational Facility (Yoga Studio) to Recreational Facility (Yoga Studio/Group Fitness and Personal Training Gym) (Retrospective) at No. 6 (Lot: 6; D/P: 4004) Church Street, Perth as shown on plans date stamped 15 December 2015, included as Attachment 2, subject to the following conditions:

**1. Validity of Approval**

The approval for the recreational facility to include Yoga Studio/Group Fitness and Personal Training Gym is valid for a period of 12 months from the date of the issue of the Planning Approval;

**2. Building**

- 2.1** All external fixtures shall not be visually obtrusive from Church Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like; and
- 2.2** The windows, doors and adjacent floor area facing Church Street shall maintain an active and interactive frontage to this street with clear glazing provided;

**3. Use of the Premises**

- 3.1** A maximum of 20 persons shall be at the premises at any one time; and
- 3.2** The hours of operation shall be limited to:
  - Monday to Friday: 6:00am – 8:30pm; and
  - Saturday/Sunday: 8:00am – 6:00pm;

**4. Parking**

The existing kerbing shall be modified to the City’s requirements at the applicant/owner’s cost to allow vehicles to enter the property and park at 90 degrees to the street alignment as shown on Attachment 2; and

5. Within 28 days of approval, the following shall be submitted to and approved by the City:

5.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and the recommended measures of the report implemented;

5.2 **Bicycle Bays**

A minimum of one Class 1 or 2 bicycle facility shall be installed within the building in accordance with the City's Policy No. 7.7.1 – Parking and Access;

5.3 **Car Parking**

The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owners/occupiers to the satisfaction of the City; and

5.4 **Waste**

A bin store shall be provided to the satisfaction of the City to accommodate the City's specified bin requirement.

**ADVICE NOTES:**

1. With reference to Condition 1, should the applicant wish to continue the recreational facility use (Yoga Studio/Group Fitness/Personal Gym) beyond the date of validity of this approval, a fresh application for planning approval must be made before this approval expires;
  2. A Road and Verge security bond for the sum of \$1,000 shall be lodged with the City by the applicant, prior to any works commencing, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and
  3. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
- 

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.1.1 Nos. 405-407 (Lot: 55 & 56; D/P 2454) Oxford Street, Mount Hawthorn – Reconsideration of a Condition on a previous approval for the Proposed Demolition of Existing Commercial Building and Construction of Mixed Use Development**

<b>Ward:</b>	North	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 2 – Mount Hawthorn Centre	<b>File Ref:</b>	PR54371; 5.2016.71.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Car Parking Table		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**OFFICER RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Planning Solutions (Aust) Pty Ltd on behalf of the owner 405-407 Oxford Street Trust Pty Ltd, to reconsider and replace condition 5.4 of planning approval No. 5.2014.333.1 granted on 8 July 2014 for the proposed demolition of existing commercial building and construction of a mixed-use development at Nos. 405-407 (Lots: 55 & 56; D/P: 2454) Oxford Street, Mount Hawthorn with the following:

1. A minimum of 4 commercial carparking bays shall be shown as common property on any strata plan; and
2. Any car parking bay that is allocated to a commercial tenancy on the strata plan shall be made available for general use for owners and visitors to the development after hours.

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

The Chief Executive Officer advised that Cr Harley had just identified and disclosed a proximity interest in Item 9.1.1, the nature of her interest being that she lives in close proximity to the subject lot. Cr Harley departed the Chamber at 6:42pm and did not speak or vote on this matter.

*Debate ensued.*

**PROPOSED AMENDMENT:**

**Moved Cr Cole, Seconded Cr Gontaszewski**

That Recommendation 1 be amended to read as follows:

- “1. A minimum of 4- 12 commercial carparking bays shall be shown as common property on any strata plan; and

**AMENDMENT PUT AND LOST (2-5)**

**For:** Cr Cole and Cr Gontaszewski

**Against:** Presiding Member Mayor John Carey, Cr Buckels, Cr Loden, Cr Murphy and Cr Topelberg

**(Cr Harley was absent from the Chamber and did not vote on this matter.)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

***Debate ensued.***

**MOTION PUT AND CARRIED (5-2)**

**For:** Presiding Member Mayor John Carey, Cr Buckels, Cr Loden, Cr Murphy and  
Cr Topelberg

**Against:** Cr Cole and Cr Gontaszewski

**(Cr Harley was absent from the Chamber and did not vote on this matter.)  
(Cr McDonald was on approved leave of absence for the Meeting.)**

**Cr Harley returned to the Chamber at 6:53pm.**

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**9.4.1 No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 7**

<b>Ward:</b>	South	<b>Date:</b>	23 March 2016
<b>Precinct:</b>	EPRA (16)	<b>File Ref:</b>	PR52300; SC1550
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Slavin, A/Manager Community Development		
<b>Responsible Officer:</b>	R Hall, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **RECEIVES** Progress Report No. 7 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **AUTHORISES THE CHIEF EXECUTIVE OFFICER** to write to Lotterywest requesting to withdraw from the Grant Agreement between Lotterywest and City of Vincent for No. 34 (Lot 1) Cheriton Street, Perth;
3. **DEFERS** the building development project at No. 34 (Lot 1) Cheriton Street, Perth until appropriate analysis to identify the needs of the local community and a risk management plan is completed;
4. **NOTES** that Administration in collaboration with the Norwood Neighbourhood Association will conduct further community consultation to assess the community's needs for the local area; and
5. **NOTES** that Administration will liaise with the Department of Lands to ascertain their position on the current status and future intention for the Management Order for No. 34 (Lot 1) Cheriton Street, Perth.

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**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**9.2.5 Proposed Bike Boulevard Project – Progress Report 2**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 3 – Leederville Precinct 1 – Mt Hawthorn	<b>File Ref:</b>	SC1847, SC817
<b>Attachments:</b>	<a href="#">1</a> – Final Design – Plan No: 15P1042000-06 <a href="#">2</a> – Department of Transport Report <a href="#">3</a> – Preliminary Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, TravelSmart Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

**1. NOTES:**

1.1 that the Department of Transport has completed a detailed public consultation with residents regarding the proposal to implement a ‘Demonstration Bike Boulevard’ along Shakespeare Street, Mount Hawthorn, between Green Street and Scarborough Beach Road, as shown in Attachment 1; and

1.2. the results of the final voting undertaken between 15 February 2016 and 29 February 2016, with Shakespeare Street residents, as detailed in the Department of Transport Report (refer Attachment 2);

**3. SUPPORTS** the implementation of a ‘Demonstration Bike Boulevard’ along Shakespeare Street, Mount Hawthorn, between Green Street and Scarborough Beach Road, subject to the Department of Transport;

3.1 agreeing to fully fund the project implementation including the detailed design and documentation and all associated construction costs;

3.2 entering into a funding agreement with the City of Vincent for the delivery, by the City, of the Demonstration Bike Boulevard project once Administration has prepared a detailed estimate for the project implementation; and

3.3 advising all respondents of the project approval in collaboration with the City’s Chief Executive Officer; and

**4. RECEIVES** a further report once the actions in 3 above have been completed.

**COUNCIL DECISION ITEM 9.2.5**

**Moved Cr Murphy, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

**9.1.4 No. 54 (Lot: 63; D/P 6049) Milton Street, Mount Hawthorn – Proposed Demolition of Existing Single House and Construction of Seven Multiple Dwellings and associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	PR50009; 5.2015.561.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Car Parking and Bicycle Tables <a href="#">4</a> – Marked up plans showing proposed versus required setbacks <a href="#">5</a> – Extract of Design Advisory Committee Minutes and Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Sullivan, Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**OFFICER RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Megara on behalf of the owner GXY Aust-Asia Investment Pty Ltd, for the proposed demolition of the existing single house and construction of two storey multiple dwelling development comprising seven two-bedroom multiple dwellings and associated car parking at No. 54 (Lot: 63; D/P: 6049) Milton Street, Mount Hawthorn as shown on plans date stamped 4 March 2016 and 11 March 2016, included as Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 52 and 56 Milton Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1 A minimum of seven resident and two visitor bays shall be provided onsite;
- 2.2 The car park shall be used only by residents and visitors directly associated with the development;
- 2.3 The visitor bays are to be marked accordingly;
- 2.4 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.5 Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.6 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Milton Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

5. **Retention of Existing Trees**

5.1 The mature tree located along the southern boundary within the front setback area shall be retained to become part of the proposed landscaping for the development and protected during construction; and

5.2 Protection of the trees during construction requires that the following shall not occur beneath the drip line of the trees to be protected and maintained:

- Storage of materials;
- Mixing of materials;
- Parking of plant, machinery, vehicles, trailers etc.;
- Erection of temporary structures;
- Any in-ground or other intrusions such as trenching;
- Damage to the tree in any form e.g. sign erection/cable attachment;
- Placement of fill/soil and/or grade changes; and
- Any other activities or otherwise that may affect the structure and health of the tree;

6. **Car Parking Permits**

The applicant shall agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

7. Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:

7.1 **Revised Plans**

7.1.1 **Vehicle Access Gate**

The vehicle and pedestrian access gates should be a minimum of 75% visually permeable; and

7.1.2 **Feature Wall**

The upper floor eastern elevation boundary wall is required to incorporate an architectural feature/articulation to the satisfaction of the City;

**7.2 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation;

**7.3 Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

7.3.1 The location and type of existing and proposed trees and plants;

7.3.2 Areas to be irrigated or reticulated; and

7.3.3 The removal of redundant crossovers;

**7.5 Schedule of External Finishes**

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

**7.6 Construction Management Plan**

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan; and

**7.7 Waste Management**

7.7.1 A Waste Management Plan prepared to the satisfaction of the City detailing a bin store area sufficient to accommodate the City's bin requirements; and

7.7.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan; and

8. Prior to occupation of the development, the following shall be completed to the satisfaction of the City:

**8.1 Clothes Drying Facility**

Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes;

**8.2 Car Parking**

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

**8.3 Stormwater**

All storm water produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;

**8.4 Acoustic Report Certification**

With reference to Condition 6.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

**8.5 Landscape Plan**

With reference to Conditions 6.3 and 6.4, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

**8.6 Bicycle Bays**

A minimum of two resident bays and one visitor bay are to be provided onsite. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3.

**ADVICE NOTES:**

1. Any new street/front wall, fence and gate within the Milton Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;
2. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
3. With reference to Condition 2.6, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$2,500 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
5. With reference to Conditions 7.3, the City encourages landscaping methods and species selection which do not rely on reticulation;
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;

7. **With reference to Condition 8.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;**
  8. **Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process;**
  9. **A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site; and**
  10. **With reference to Condition 7.1.2, some examples of how articulation can be achieved include the use of recesses, varying materials, finishes and/or colour.**
- 

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Topelberg, Seconded Cr Buckels**

**That the recommendation be adopted.**

***Debate ensued.***

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.3.3 Proposal to Operate a Before School Program at North Perth Town Hall – North Perth Out of School Care Inc.**

<b>Ward:</b>	North	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	North Perth Centre	<b>File Ref:</b>	SC497
<b>Attachments:</b>	<a href="#">1</a> – Letter from North Perth Out of School Care Inc. dated 14 December 2015		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M Bancroft, Property Leasing Officer		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

1. That Council APPROVE a proposal from North Perth Out of School Care Inc to enter into a licence with the City to use a portion of the North Perth Town Hall (main hall) for a before school care program, on the following key terms:
  - 1.1 Expiry: 30 November 2018 (to coincide with existing licence);
  - 1.2 Permitted Use: Child care facility;
  - 1.3 Licence Fee: \$3,600 per year (plus GST) indexed by CPI;
  - 1.4 Statutory Compliance: Lessor responsibility;
  - 1.5 Outgoings: to be paid by the Lessor;
  - 1.6 Cleaning: Lessee to keep clean and remove all items after each period of use;
  - 1.7 Repair of damage: Lessee to be responsible for cost;
  - 1.8 Payment of Bond: Lessee to pay a bond of \$5,000 to the City to cover cost of any cleaning and repair of damage required to be undertaken by the City.
  
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORIZES the Mayor and Director of Corporate Services to affix the common seal and execute the licence in 1 above.

**Moved Cr Cole, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**PROPOSED AMENDMENT:**

**Moved Cr Cole, Seconded Cr Loden**

That a new Recommendation 1.9 be inserted as follows:

**“1.9 Duration: 7am to 9.30am Monday to Friday during school terms.”**

*Debate ensued.*

Cr Topelberg departed the Chamber at 7:20pm.

*Debate ensued.*

Cr Topelberg returned to the Chamber at 7:22pm.

*Debate ensued.*

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

*Debate ensued.*

Cr Loden departed the Chamber at 7:25pm.

*Debate ensued.*

Cr Loden returned to the Chamber at 7:27pm.

*Debate ensued.*

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 9.3.3**

1. That Council APPROVE a proposal from North Perth Out of School Care Inc to enter into a licence with the City to use a portion of the North Perth Town Hall (main hall) for a before school care program, on the following key terms:
    - 1.1 Expiry: 30 November 2018 (to coincide with existing licence);
    - 1.2 Permitted Use: Child care facility;
    - 1.3 Licence Fee: \$3,600 per year (plus GST) indexed by CPI;
    - 1.4 Statutory Compliance: Lessor responsibility;
    - 1.5 Outgoings: to be paid by the Lessor;
    - 1.6 Cleaning: Lessee to keep clean and remove all items after each period of use;
    - 1.7 Repair of damage: Lessee to be responsible for cost;
    - 1.8 Payment of Bond: Lessee to pay a bond of \$5,000 to the City to cover cost of any cleaning and repair of damage required to be undertaken by the City;
    - 1.9 Duration: 7am to 9.30am Monday to Friday during school terms.
  2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Director of Corporate Services to affix the common seal and execute the licence in 1 above.
-



**10.5 NOTICE OF MOTION: Mayor John Carey: Amendments to Planning Policies relating to Commercial and Mixed Use Developments, Variations and Exercise of Discretion, and Multiple Dwellings**

That Council ADOPTS for the purpose of public consultation, the amendments to Planning Policy No. 7.4.8 (Multiple Dwellings), Planning Policy No. 7.5.11 (Variations and Exercise of Discretion) and Planning Policy No. 7.5.12 (Commercial and Mixed Use Developments), as depicted by the tracked changes reflected in Attachments [1](#), [2](#) and [3](#).

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

*Debate ensued.*

PROPOSED AMENDMENT:

Moved Cr Topelberg, Seconded Cr Cole

That the following words are added to the end of the proposed motion:

“, subject to Policy No. 7.5.12 (Commercial and Mixed Use Developments) in Attachment 3 being further amended as follows:

1. A new Objective 4 being inserted as follows:
  - “4. To achieve a high standard of green space across Vincent with special emphasis on retaining existing mature trees and the proliferation of planting of new mature trees.”
2. Clause 5. Environmental and Microclimate (5.1 Landscaping) being amended as follows:
  - 2.1 “AC 5.1.1 minimum ~~20%~~ 25% of the site area will be soft landscaping excluding green walls.”
  - 2.2 “AC 5.1.2 Where the relevant Precinct Policy indicates that a development shall be setback from the primary or secondary street boundary, ~~or a rear setback is required as per clause 1.2 of this Policy,~~ a minimum of 30 percent of this setback area(s) shall be provided as *soft landscaping*.”
  - 2.3 A new “Acceptable Development” provision being inserted as follows and the remaining “Acceptable Development” provision being renumbered to 5.1.4:

“AC 5.1.3 Where a rear setback is required as per clause 1.2 of this Policy a minimum of 2 metres of this setback area shall be provided as landscaping with 30 percent provided as *soft landscaping*; and”

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 10.5**

That Council ADOPTS for the purpose of public consultation, the amendments to Planning Policy No. 7.4.8 (Multiple Dwellings), Planning Policy No. 7.5.11 (Variations and Exercise of Discretion) and Planning Policy No. 7.5.12 (Commercial and Mixed Use Developments), as depicted by the tracked changes reflected in Attachments [1](#), [2](#) and [3](#), subject to Policy No. 7.5.12 (Commercial and Mixed Use Developments) in Attachment 3 being further amended as follows:

1. A new Objective 4 being inserted as follows:

“4. To achieve a high standard of green space across Vincent with special emphasis on retaining existing mature trees and the proliferation of planting of new mature trees.”

2. Clause 5. Environmental and Microclimate (5.1 Landscaping) being amended as follows:

2.1 “AC 5.1.1 minimum ~~20%~~ 25% of the site area will be soft landscaping excluding green walls.”

2.2 “AC 5.1.2 Where the relevant Precinct Policy indicates that a development shall be setback from the primary or secondary street boundary, ~~or a rear setback is required as per clause 1.2 of this Policy,~~ a minimum of 30 percent of this setback area(s) shall be provided as *soft landscaping*.”

2.3 A new “Acceptable Development” provision being inserted as follows and the remaining “Acceptable Development” provision being renumbered to 5.1.4:

“AC 5.1.3 Where a rear setback is required as per clause 1.2 of this Policy a minimum of 2 metres of this setback area shall be provided as landscaping with 30 percent provided as *soft landscaping*; and”

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**9.1.3 No. 29 (Lot: 47; D/P 1962) Scarborough Beach Road, Corner of Hardy Street, North Perth – Proposed Change of Use from Eating House with Incidental Vintage Car Storage and Display Area and Associated Car Parking to Eating House, Shop and associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 6 – Smiths Lake	<b>File Ref:</b>	PR16605; 2015.529.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Car Parking and Bicycle Tables		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**OFFICER RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Urban and Rural Perspectives on behalf of the owner 356 Pty Ltd, for the Proposed Change of Use from Eating House with Incidental Vintage Car Storage and Display Area and associated Car Parking to Eating House, Shop and associated car parking at No. 29 (Lot: 47; D/P: 1962) Scarborough Beach Road, North Perth as shown on plans date stamped 23 November 2015 and amended plans date stamped 4 March 2016, included as Attachment 2, subject to the following conditions:

1. **Use**

- 1.1 The proposed shop shall have a maximum floor area of 39.41 square metres;
- 1.2 The maximum number of patrons for the proposed café shall be 80 patrons; and
- 1.3 The doors, windows and adjacent floor areas facing Scarborough Beach Road and Hardy Street shall maintain active and interactive relationships with these streets;

2. **Car Parking and Access**

- 2.1 A minimum of 10 bays shall be provided onsite;
- 2.2 The car park shall be used only by employees, tenants and visitors directly associated with the development; and
- 2.3 The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Scarborough Beach Road and Hardy Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

5. Within 28 days of approval the following shall be submitted to an approved by the City:

5.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and the recommended measures of the report implemented; and

5.2 **Waste Management**

5.2.1 A Waste Management Plan prepared to the satisfaction of the City detailing a bin store area of sufficient size to accommodate the City's bin requirements; and

5.2.2 All waste management for the development shall thereafter comply with the approved Waste Management Plan; and

6. Prior to occupation of the development, the following shall be completed to the satisfaction of the City:

6.1 **Bicycle Bays**

A minimum of four class 1 or 2 bicycle bays are to be provided onsite. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3.

**ADVICE NOTES:**

1. With reference to Condition 1.1 and 1.2, any increase in floor space/patron numbers or change of use of the subject land shall require Planning Approval to be applied to and obtained from the City;
  2. With reference to Condition 5.2.1, waste collection will be taken from Hardy Street.
- 

**COUNCIL DECISION ITEM 9.1.3**

**Moved** Cr Buckels, **Seconded** Cr Cole

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED (7-1)**

**For:** Presiding Member Mayor John Carey, Cr Cole, Cr Gontaszewski, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg

**Against:** Cr Buckels

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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**9.1.5 Changes to the Heritage Assistance Fund Decision Making Framework**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC196
<b>Attachments:</b>	<a href="#">1</a> – Proposed Policy No. 7.6.9 – Heritage Assistance Fund <a href="#">2</a> – Delegated Authority Register 2013-2014 No. 6.18 Approval of Heritage Assistance Fund <a href="#">3</a> – Current Heritage Assistance Fund Information Sheet		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	H Au, Heritage Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **ENDORSES** new Council Policy No. 7.6.9 – Heritage Assistance Fund to guide Administration in allocating funds, as shown in Attachment 1;
2. **DETERMINES** that it is not necessary to carry out public consultation for new Policy No. 7.6.9 – Heritage Assistance Fund included as Attachment 1, as the proposed changes relate exclusively to the City’s administrative process for allocation of funds from the Heritage Assistance Fund and is consistent with the most recent advertisement of Round 1 for 2015/2016 for the Heritage Assistance Fund; and
3. **REVOKES** by an **ABSOLUTE MAJORITY** Delegated Authority No 6.18 – Approval of Heritage Grants, as shown in Attachment 2, as the adoption of Policy No 7.6.9 will allow the implementation of the Heritage Assistance Fund to occur on an “Acting Through” basis.

**Moved** Cr Buckels, **Seconded** Cr Loden

That the recommendation be adopted.

*Debate ensued.*

**PROPOSED AMENDMENT:**

**Moved** Cr Loden, **Seconded** Cr Topelberg

That Recommendation 1 be amended to read as follows:

- “1. **ENDORSES** new Council Policy No. 7.6.9 – Heritage Assistance Fund to guide Administration in allocating funds, as shown in Attachment 1, subject to Clause 2.1 of the Policy being amended to read as follows:
  - “2.1 **Eligible Applicants**
    - 2.1.1 **Property owners whose place is on the City’s Municipal Heritage Inventory and/or the State Register of Heritage Places and whom have not incurred a rates debt with the City; or**
    - 2.1.2 **Community group or non-profit groups who have assumed a long term lease or legal agreement for the maintenance of a building listed on the City’s Municipal Heritage Inventory and/or the State Register of Heritage Places and whom have not incurred a rates debt with the City. ; and**

~~2.1.3 Property owners whom have not incurred a rates debt with the City.”~~

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY  
BY AN ABSOLUTE MAJORITY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 9.1.5**

That Council:

1. **ENDORSES** new Council Policy No. 7.6.9 – Heritage Assistance Fund to guide Administration in allocating funds, as shown in Attachment 1, subject to Clause 2.1 of the Policy being amended to read as follows:

**“2.1 Eligible Applicants**

2.1.1 **Property owners whose place is on the City’s Municipal Heritage Inventory and/or the State Register of Heritage Places and whom have not incurred a rates debt with the City; or**

2.1.2 **Community group or non-profit groups who have assumed a long term lease or legal agreement for the maintenance of a building listed on the City’s Municipal Heritage Inventory and/or the State Register of Heritage Places and whom have not incurred a rates debt with the City. ; and**

~~2.1.3 **Property owners whom have not incurred a rates debt with the City.”**~~

2. **DETERMINES** that it is not necessary to carry out public consultation for new Policy No. 7.6.9 – Heritage Assistance Fund included as Attachment 1, as the proposed changes relate exclusively to the City’s administrative process for allocation of funds from the Heritage Assistance Fund and is consistent with the most recent advertisement of Round 1 for 2015/2016 for the Heritage Assistance Fund; and
3. **REVOKES** by an **ABSOLUTE MAJORITY** Delegated Authority No 6.18 – Approval of Heritage Grants, as shown in Attachment 2, as the adoption of Policy No 7.6.9 will allow the implementation of the Heritage Assistance Fund to occur on an “Acting Through” basis.

**9.2.1 Vincent Bike Network Plan – Bulwer Street Bike Lanes ‘Phase Two’ (Smith Street to Lord Street), Highgate**

<b>Ward:</b>	South	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park Precinct 14 – Forrest Precinct 13 – Beaufort	<b>File Ref:</b>	SC423
<b>Attachments:</b>	1 – Plan No’s 3193-CP-06, 07 and 08		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

That Council:

1. APPROVES the extension of the Bulwer Street On road bike lanes project, in 2015/16, from Smith Street to Lord Street, estimated to cost \$160,000 as shown on Plan No’s 3193-CP-06, 07 and 08 at Attachment 1; and
2. APPROVES BY ABSOLUTE MAJORITY, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the additional expenditure associated with the 2015/16 Bulwer Street Bike Lanes Project, to be funded from the Tamala Park Reserve.

**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Topelberg, Seconded Cr Harley**

That the recommendation be adopted.

*Debate ensued.*

**PROPOSED AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Buckels**

That Recommendation 2 be amended and a new Recommendation 3 be inserted as follows:

- “2. APPROVES BY ABSOLUTE MAJORITY, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the additional expenditure associated with the 2015/16 Bulwer Street Bike Lanes Project, to be funded from the Tamala Park Reserve Cash in Lieu of Parking Reserve.”
3. In accordance with Section 6.11(2)(b) of the *Local Government Act 1995*, Council approves by ABSOLUTE MAJORITY one month’s local public notice of the proposed use of the funds from that Reserve.”

*Debate ensued.*

*Cr Topelberg, with the consent of the seconder, Cr Buckels, sought to withdraw the proposed Amendment pursuant to Clause 5.8 of the Standing Orders Local Law; however, Cr Harley raised a voice to the contrary and discussion on the Amendment therefore continued.*

**AMENDMENT PUT AND LOST UNANIMOUSLY (0-8)**

(Cr McDonald was on approved leave of absence for the Meeting.)

*Debate ensued.*

**ORIGINAL MOTION PUT AND CARRIED UNANIMOUSLY  
BY AN ABSOLUTE MAJORITY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**9.2.2 Proposed Additional Traffic Calming – Forrest Street and Hyde Street/Alma Road Intersection, Mount Lawley**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 10 - Norfolk	<b>File Ref:</b>	SC795, SC831, SC228
<b>Attachments:</b>	<a href="#">1</a> – Plan No 3266-CP-01 <a href="#">2</a> – Summary of Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES** the comments received regarding the implementation of traffic calming in Forrest Street and at the Hyde Street/Alma Road intersection, Mount Lawley, as shown in Attachment 2;
2. **APPROVES** the implementation of traffic calming in Forrest Street and at the Alma Road/Hyde Street intersection estimated to cost \$30,000 as shown on attached Plan No. 3266-CP-01 (Attachment 1); and
3. **ADVISES** all respondents of its decision.

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**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Cole, Seconded Cr Buckels**

That the recommendation be adopted.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**9.2.3 Proposed 'On Road' Parking Improvements – Lake Street, Perth**

<b>Ward:</b>	South	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park	<b>File Ref:</b>	SC423
<b>Attachments:</b>	<a href="#">1</a> – Plan No 3316-CP-01		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Brown, Engineering Technical Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the implementation of the angle parking in Lake Street, Perth estimated to cost \$35,000 to be funded from the Cash in Lieu for Parking Reserve as shown on attached No 3316-CP-01 (Attachment 1); and
2. **ADVISES** adjoining businesses of its decision.

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**COUNCIL DECISION ITEM 9.2.3**

**Moved Cr Harley, Seconded Cr Buckels**

That the recommendation be adopted.

**MOTION PUT AND CARRIED UNANIMOUSLY  
BY AN ABSOLUTE MAJORITY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**9.2.6 Cadillac Bike Rack Relocation**

<b>Ward:</b>	South	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	Precinct 4 – Oxford Centre Precinct 12 – Hyde Park	<b>File Ref:</b>	SC1669
<b>Attachments:</b>	<a href="#">1</a> – Plan No 3318-PP-01 <a href="#">2</a> – Plan No 3317-PP-01		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, TravelSmart Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **SUPPORTS** the installation of the Cadillac Bike Rack to be located in a parking bay adjacent to The Moon – Late Night Café, at No. 2/323 William Street, Northbridge as shown on attached Plan No 3318-PP-01 (Attachment 1); and
2. **ADVISES** the business at No. 323 William Street, Northbridge, of its decision.

**COUNCIL DECISION ITEM 9.2.6**

**Moved** Cr Buckels, **Seconded** Cr Murphy

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED (6-2)**

**For:** Presiding Member Mayor John Carey, Cr Cole, Cr Gontaszewski, Cr Loden, Cr Murphy and Cr Topelberg

**Against:** Cr Buckels and Cr Harley

**(Cr McDonald was on approved leave of absence for the Meeting.)**

**9.2.8 Nuisance or Dangerous Trees located on Private Property**

<b>Ward:</b>	Both	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1682
<b>Attachments:</b>	Confidential – Confidential Legal Advice <a href="#">2</a> – Trees Located on Private Property Procedure		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES** the legal advice received in relation to the investigation and consequences of introducing new powers for Council to become more involved in the management of nuisance and dangerous trees on private property (as contained in Confidential Appendix 1);
2. **DOES NOT PROCEED** with the creation of a policy and/or local law for the management of nuisance and dangerous trees on private property, for the following reasons;
  - 2.1 a policy can only serve as a guide and cannot expand on the existing power already available to the City;
  - 2.2 the Local Law would most probably be subject to disallowance by the Parliament as it is likely to consider, as a matter of public policy, whether it is appropriate for local governments to legislate in an area of law which is already subject to well-known common law principles;
  - 2.3 in the unlikely event that a Local Law was approved, even in an amended form, Administration would need to consider whether it had the resources to deal with its enforcement and how sufficient evidence to prove an offence had been committed would be gathered; and
  - 2.4 the creation of such a law would transfer the responsibility for solving a civil dispute between neighbours from the neighbours to the City; and
3. **AUTHORISES** the Mayor to write to the Minister for Local Government to request consideration for legislative reform to address issues with nuisance trees, as has occurred in some other states of Australia.

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**COUNCIL DECISION ITEM 9.2.8**

**Moved** Cr Topelberg, **Seconded** Cr Loden

That the recommendation be adopted.

*Debate ensued.*

Cr Murphy departed the Chamber at 8:20pm.

*Debate ensued.*

Cr Murphy returned to the Chamber at 8:22pm.

**MOTION PUT AND CARRIED (5-3)**

**For:** Cr Buckels, Cr Cole, Cr Gontaszewski, Cr Harley and Cr Murphy

**Against:** Presiding Member Mayor John Carey, Cr Loden and Cr Topelberg

**(Cr McDonald was on approved leave of absence for the Meeting.)**

**9.2.10 Terms of Reference for Pedestrian and Cycling Advisory Group**

<b>Ward:</b>	-	<b>Date:</b>	23 March 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">1</a> – Revised Terms of Reference		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, Travel Smart Officer R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council

1. **ADOPTS** the Terms of Reference for the Pedestrian and Cycling Advisory Group as shown in Attachment 1; and
2. **AUTHORISES** the Chief Executive Officer to call for nominations for membership to the Pedestrian and Cycling Advisory Group.

---

Moved Cr Buckels, Seconded Cr Gontaszewski

That the recommendation be adopted.

*Debate ensued.*

**PROPOSED AMENDMENT:**

Moved Cr Buckels Seconded Cr Harley

That Recommendation 1 be amended to read as follows:

“That Council

1. **ADOPTS** the Term of Reference for the Pedestrian and Cycling Advisory Group as shown in Attachment 1 subject to the following changes being made:
  - 1.1 Increasing the number of community representatives in clause 3.2 from three to six; and”

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 9.2.10**

That Council

1. **ADOPTS** the Term of Reference for the Pedestrian and Cycling Advisory Group as shown in Attachment 1 subject to the following changes being made:
  - 1.1 Increasing the number of community representatives in clause 3.2 from three to six; and
2. **AUTHORISES** the Chief Executive Officer to call for nominations for membership to the Pedestrian and Cycling Advisory Group.

**9.4.2 Review of Policy No. 3.9.2 – Parking Enforcement and Review/Appeal of Infringement Notices**

<b>Ward:</b>	Both	<b>Date:</b>	23 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC2209
<b>Attachments:</b>	<a href="#">1</a> – Policy No. 3.9.2 – Parking Enforcement and Review/Appeal of Infringement Notices		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer(s):</b>	S Butler, Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	R Hall, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That Council NOTES the review of Policy No. 3.9.2 – Parking Enforcement and Review/Appeal of Infringement Notices.

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**COUNCIL DECISION ITEM 9.4.2**

**Moved Cr Buckels, Seconded Cr Gontaszewski**

That the recommendation be adopted.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

**(Cr McDonald was on approved leave of absence for the Meeting.)**

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### 9.4.3 Car Parking Permit Review

<b>Ward:</b>	Both	<b>Date:</b>	23 March 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC90
<b>Attachments:</b>	<a href="#">1</a> – Information Sheet – Current Provisions <a href="#">2</a> – Draft Revised Policy No. 3.9.3 – Parking Permits		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer(s):</b>	R Hall, A/Director Community Services		
<b>Responsible Officer:</b>	R Hall, A/Director Community Services		

#### OFFICER RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to **ADVERTISE** the draft revised Policy No. 3.9.3 – Parking Permits included as Attachment 2 for public comment for a period of 21 days pursuant to the City’s Policy No. 4.1.5 – Community Consultation.

Moved Cr Gontaszewski, Seconded Cr Cole

That the recommendation be adopted.

*Debate ensued.*

Cr Loden departed the Chamber at 8:50pm.

*Debate ensued.*

Cr Loden returned to the Chamber at 8:52pm.

#### PROPOSED AMENDMENT:

Moved Cr Gontaszewski, Seconded Cr Cole

That the following words be added to the end of the Officer Recommendation:

“, subject to the following changes being made:

(a) Amend the wording of clause 1.1 a. to read as follows:

“Property owners with a parking restriction in their street block will be issued with this Permit for residents and visitors to park on their street and adjoining streets beyond the prescribed time limit restriction, except in the following cases:

i) Where the adjoining street is a major transport corridor in a designated activity centre;

ii) A Residential Permit does not permit extended parking in short term (15 minute) bays, no stopping zones.”;

(b) In clause 1.1 e. i) insert the word “development” immediately before the word “approval”;

(c) In clause 1.3 c. delete the word “only” where it appears in the first line of that clause and insert that word after the words “business located” in the second line of that clause;

- (d) Amend the wording under Clause 2 (Discretionary Authority) to read as follows:

“Notwithstanding any other provisions, which restrict restricting the number of Parking Permits that may be issued, the Chief Executive Officer may in exceptional circumstances vary any of the requirements subject to the applicant providing written documentation to support their claims in their absolute discretion grant additional permits to an occupier, subject to receipt of a written request with accompanying justification as deemed necessary by that officer, and in the following circumstances:

i) If at 5 April 2016, the occupier is personally in receipt of more Parking Permits than is provided for in clause 1.1 d. of this Policy, then additional permits may be granted up to that maximum number of permits. This option is personal to the occupant of the dwelling as at 5 April 2016 and does not run with the land, nor is it transferrable or assignable to any other person or property;

ii) If in the opinion of the CEO there is a bona fide need for an additional permit(s) to be issued to the occupier for the purposes of regular and routine care services to support their mobility, independence, health or safety.

- (e) Amend the wording under Clause 3 (Non-compliance or abuse of parking permits) to read as follows:

“Where the holder of the permit does not comply with or abuses the conditions of use of and/or the Parking Permit, including the sale or hire (or attempted sale or hire) of a Permit, then will result in all Permits issued for the property will to be revoked.”

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 9.4.3**

That Council AUTHORISES the Chief Executive Officer to ADVERTISE the draft revised Policy No. 3.9.3 – Parking Permits included as Attachment 2 for public comment for a period of 21 days pursuant to the City’s Policy No. 4.1.5 – Community Consultation, subject to the following changes being made:

- (a) Amend the wording of clause 1.1 a. to read as follows:

“Property owners with a parking restriction in their street block will be issued with this Permit for residents and visitors to park on their street and adjoining streets beyond the prescribed time limit restriction, except in the following cases:

i) Where the adjoining street is a major transport corridor in a designated activity centre;

ii) A Residential Permit does not permit extended parking in short term (15 minute) bays, no stopping zones.”;

- (b) In clause 1.1 e. i) insert the word “development” immediately before the word “approval”;
- (c) In clause 1.3 c. delete the word “only” where it appears in the first line of that clause and insert that word after the words “business located” in the second line of that clause;
- (d) Amend the wording under Clause 2 (Discretionary Authority) to read as follows:

~~“Notwithstanding any other provisions, which restrict~~ restricting the number of Parking Permits that may be issued, the Chief Executive Officer may ~~in exceptional circumstances vary any of the requirements subject to the applicant providing written documentation to support their claims in their absolute discretion~~ grant additional permits to an occupier, subject to receipt of a written request with accompanying justification as deemed necessary by that officer, and in the following circumstances:

- i) If at 5 April 2016, the occupier is personally in receipt of more Parking Permits than is provided for in clause 1.1 d. of this Policy, then additional permits may be granted up to that maximum number of permits. This option is personal to the occupant of the dwelling as at 5 April 2016 and does not run with the land, nor is it transferrable or assignable to any other person or property;
- ii) If in the opinion of the CEO there is a bona fide need for an additional permit(s) to be issued to the occupier for the purposes of regular and routine care services to support their mobility, independence, health or safety.

- (e) Amend the wording under Clause 3 (Non-compliance or abuse of parking permits) to read as follows:

~~“Where the holder of the permit does not comply with or abuses the conditions of use of and/or the Parking Permit, including the sale or hire (or attempted sale or hire) of a Permit, then will result in all Permits issued for the property will to be revoked.”~~

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**10.2 NOTICE OF MOTION: Cr Roslyn Harley and Cr Emma Cole – Request for a New Plan for Axford Park**

That Council REQUESTS the Chief Executive Officer to:

1. Develop a plan for Axford Park in consultation with the local community, the Mt Hawthorn Hub and the Mt Hawthorn Sub-Branch of the Returned Services League (WA), to enhance the precinct for greater community use, to create more usable open space and to protect and enhance the existing war memorial; and
2. Report back to Council by July 2016 on the progress of developing the plan referred to in 1. above.

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**COUNCIL DECISION ITEM 10.2**

**Moved Cr Harley, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**10.3 NOTICE OF MOTION: Mayor John Carey and Cr Emma Cole – Request to Prepare a Streetscape Enhancement Plan for Ellesmere Street (London Street to Shakespeare Street), Mt Hawthorn**

That Council:

1. REQUESTS the Chief Executive Officer to develop a Streetscape Enhancement Plan comprising traffic calming and street tree planting for Ellesmere Street between London Street and Shakespeare Street, Mt Hawthorn, in consultation with local residents, with a report on a proposed plan and results of consultation with residents to be presented back to Council by September 2016; and
2. LISTS for consideration in the 2016/17 Draft Budget a provisional sum for traffic calming and street tree planting in Ellesmere Street between London Street and Shakespeare Street, Mt Hawthorn, as part of the City's annual traffic calming and street tree planting programs.

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**COUNCIL DECISION ITEM 10.3**

**Moved Cr Cole, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**10.4 NOTICE OF MOTION: Mayor John Carey and Cr Roslyn Harley – Request to create a portal for Accountability and Governance**

That Council REQUESTS the Chief Executive Officer to create a dedicated 'Accountability & Governance' portal on the home page of the City's corporate website by 6 May 2016, which provides the following information to ratepayers:

1. Register of Council Member contact with Developers;
2. Register of Gifts, Hospitality, Contributions to Travel and City-related Travel;
3. Mayor/Council Member sitting fees, allowances and meeting attendances, as reported in the Annual Report;
4. Numbers of employees paid salaries of \$100,000 or more, by Directorate, as reported in the Annual Report;
5. Chief Executive Officer's total remuneration package and contract term; and
6. A new online register of Financial, Proximity and Impartiality Interests disclosed by Council Members and Staff at Ordinary and Special Council Meetings commencing from February 2016.

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**COUNCIL DECISION ITEM 10.4**

**Moved Cr Harley Seconded Cr Topelberg**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

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**10.6 LATE ITEM: NOTICE OF MOTION: Cr Joshua Topelberg – Request for a Review Period of the City of Vincent Town Planning Scheme No. 2**

That Council REQUESTS the Chief Executive Officer to provide a report to Council in May 2016, identifying the impact on the City's Draft Town Planning Scheme No. 2 of changes to State legislation and policy that have come into effect since Council's final adoption of the Scheme on 18 November 2014, to enable Council to formally consider further modifications to the Scheme in response to those changes, in accordance with Regulation 30 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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**COUNCIL DECISION ITEM 10.6**

**Moved Cr Topelberg Seconded Cr Cole**

That the recommendation be adopted.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was on approved leave of absence for the Meeting.)

Cr Harley departed the Meeting and did not return.

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**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

Nil.

**14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)**

**PROCEDURAL MOTION**

At 9:15pm **Moved Cr Loden, Seconded Cr Cole**

Pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors”, to consider the confidential reports relating to Item 14.1 and 14.2.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Harley departed the Meeting at 9:15pm.)

(Cr McDonald was on approved leave of absence for the Meeting.)

**PRESENT:**

Mayor John Carey

Presiding Member

Cr Matt Buckels

North Ward

Cr Emma Cole

North Ward

Cr Dan Loden

North Ward

Cr Susan Gontaszewski

South Ward

Cr Jimmy Murphy

South Ward

Cr Joshua Topelberg

South Ward

Len Kosova

Chief Executive Officer

Rick Lotznicker

Director Technical Services

Gabriela Poezyn

Director Development Services

John Paton

Director Corporate Services

Priyamvada Rasal

Governance & Council Support Officer

**14.2 CONFIDENTIAL REPORT: Appointment of Community Members to the City of Vincent Advisory and Working Groups**

<b>Ward:</b>	-	<b>Date:</b>	17 March 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	Various
<b>Attachments:</b>	New Nominations received: Confidential – Art Advisory Group Confidential – Business Advisory Group Confidential – Children and Young People Advisory Group Confidential – Environmental Advisory Group Confidential – Road Safety Advisory Group Confidential – Children and Young People Advisory Group – Late Nominations		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**COUNCIL DECISION ITEM 14.2**

**Moved Cr Murphy, Seconded Cr Gontaszewski**

**That Council:**

1. **AMENDS** the Terms of Reference for the following groups to increase the number of community representatives to the number of members appointed by Council in 2 below;
2. **APPOINTS** the following **COMMUNITY REPRESENTATIVES** to the City's Advisory and Working Groups for the 2015-2017 term (until 20 October 2017, unless otherwise specified) from the following nominees:
  - 2.1 **Arts Advisory Group** (up to **10** required, having experience or qualifications in the arts);
    1. Ms Rebecca Anderson
    2. Ms Jessica Darlow
    3. Ms Philippa Hansen
    4. Mr Graham Hay
    5. Ms Melanie Jones
    6. Ms Naomi Mossenson
    7. Ms Rebecca Nelson
    8. Ms Josephine Pittman
    9. Dr Sandy Toussaint
    10. Mr Simon Venturi
  - 2.2 **Business Advisory Group** (**3** persons with relevant local business experience, to provide a representative perspective for businesses);
    1. Mr Trent Durward
    2. Ms Pippa McIntosh
    3. Mr Mario Zulberti, JP

2.3 Children and Young People Advisory Group (up to 6 required, with relevant experience in youth issues);

1. Mr Joel Birch
2. Mr Alex Castle\*
3. Ms Amina Currimbhoy
4. Lee Cooper
5. John Thompson
6. Dee Rowse

2.4 Environmental Advisory Group (up to 10 required, having specialist knowledge and interest in environmental and sustainability issues);

1. Mr Chris Cutress
2. Mr Stephen Danti
3. Ms Kimberley Dupuy
4. Ms Lisa Edwards
5. Mr Kim Frankowiak
6. Ms Halinka Lamparski
7. Mr Isaac Lorca
8. Ms Sally Madden
9. Ms Chiara Pacifici
10. Mr David White

2.5 Road Safety Advisory Group (up to 10 required, including Business);

1. Ms Anne Bate
2. Ms Jade Lam Sin Cho
3. Ms Charlotte Dudley
4. Mr Anthony Fisk
5. Ms Regina Foley
6. Ms Jane Higgins
7. Mr Toby Hodgson
8. Mr Parwez Jahmeerbacus
9. Mr Greg Korovesi
10. Mr Jonathan Riley

2.6 Safer Vincent Crime Prevention Partnership (up to 7 required, including External Organisations/Representatives);

1. Ms Natashya Cox
2. Ms Sharan Kraemer
3. Mr Chris Parry
4. Mr Suresh Rajan, Secretary, Ethnic Communities Council\*\*
5. Ms Maria McAttackney, Nyoongar Patrol System Inc\*\*

\*\* *Noongar Patrol System and Ethnic Communities Council are the external organisations represented on the Safer Vincent Crime Prevention Partnership.*

2.7 Claise Brook North Community Liaison Group (up to 3 required);

1. Mr John Collins

and

3. **AUTHORISES** the Mayor (in liaison with the Advisory/Working Group Chair) to co-opt persons, where insufficient nominations have been received.

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

(Cr Harley was not present as she had departed the Meeting.)  
(Cr McDonald was on approved leave of absence for the Meeting.)

**14.1 CONFIDENTIAL REPORT – Lease of Dorrien Gardens, 3 Lawley Street, West Perth – Perth Soccer Club Inc.**

<b>Ward:</b>	South	<b>Date:</b>	9 March 2016
<b>Precinct:</b>	Hyde Park Precinct – 12	<b>File Ref:</b>	SC529
<b>Attachments:</b>	Confidential – Map of proposed leased area Confidential – Letter dated 23 December 2015 to Perth Soccer Club Confidential – Letter dated 11 January 2016 from Perth Soccer Club Confidential – Letter dated 10 February 2016 to Perth Soccer Club Confidential – Letter dated 3 March 2016 from Perth Soccer Club		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M Bancroft, Property Leasing Officer		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**COUNCIL DECISION ITEM 14.1**

**Moved Cr Buckels Seconded Cr Gontaszewski**

That Council:

**APPROVES** the following amendment to the key terms for the proposed lease with Perth Soccer Club approved by Council at its Ordinary Meeting of Council dated 8 December 2015 (Item 14.3):

- 1.1 Commencement Date: ~~4 January 2016~~ 1 January 2018; and
- 1.2 Rent: ~~\$50,000 plus GST per annum (indexed by CPI)~~  
\$25,000 plus GST per annum (indexed by CPI).

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

(Cr Harley was not present as she had departed the Meeting.)  
(Cr McDonald was on approved leave of absence for the Meeting.)



**PROCEDURAL MOTION**

At 9:52pm **Moved** Cr Murphy, **Seconded** Cr Loden

That the Council resume an “open meeting”.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Harley was not present as she had departed the Meeting.)  
(Cr McDonald was on approved leave of absence for the Meeting.)

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9:52pm with the following persons present:**

- |                       |                                      |
|-----------------------|--------------------------------------|
| Mayor John Carey      | Presiding Member                     |
| Cr Matt Buckels       | North Ward                           |
| Cr Emma Cole          | North Ward                           |
| Cr Dan Loden          | North Ward                           |
| Cr Susan Gontaszewski | South Ward                           |
| Cr Jimmy Murphy       | South Ward                           |
| Cr Joshua Topelberg   | South Ward                           |
| Len Kosova            | Chief Executive Officer              |
| Rick Lotznicker       | Director Technical Services          |
| Gabriela Poezyn       | Director Development Services        |
| John Paton            | Director Corporate Services          |
| Priyamvada Rasal      | Governance & Council Support Officer |

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 5 April 2016.

Signed: ..... Mayor John Carey.

Dated this ..... day of ..... 2016.