



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**25 July 2017**

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**MINUTES OF CITY OF VINCENT  
ORDINARY COUNCIL MEETING  
HELD AT THE ADMINISTRATION AND CIVIC CENTRE  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 25 JULY 2017 AT 6PM**

<b>PRESENT:</b>	<b>Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Matt Buckels (from 6.09pm)</b>	<b>North Ward</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>
	<b>John Paton</b>	<b>Director Corporate Services</b>
	<b>John Corbellini</b>	<b>Director Development Services</b>
	<b>Michael Quirk</b>	<b>Director Community Engagement</b>
	<b>Craig Wilson</b>	<b>A/Director Technical Services</b>
	<b>Tim Evans</b>	<b>Manager Governance and Risk</b>
	<b>Emma Simmons</b>	<b>Governance and Council Support Officer</b>
<b>Media:</b>	<b>Julian Wright (Journalist), “The Guardian Express”</b>	
<b>Public:</b>	<b>Approximately 12 members of the public.</b>	

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

The Presiding Member, Emma Cole declared the meeting open at 6.05pm and read the following Acknowledgement of Country statement:

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

Mayor Cole advised members of the gallery that the meeting will be live streamed over the internet. She further advised that the City takes all care to preserve privacy and therefore public question time would not be streamed and the cameras do not capture the public gallery.

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

Nil

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

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. Benadette Phillips of Mt Hawthorn – Item 9.4
  - Spoke against the application for reasons of excessive density and lack of parking.

*The Presiding Member Mayor Cole thanked Ms Phillips for her comments.*

## 2. Tad Krysiak of Mt Hawthorn – Item 9.4

- Spoke against the application for reasons of overshadowing and excessive noise and vibrations anticipated from the development.

*The Presiding Member Mayor Cole thanked Mr Krysiak for his comments.*

## 3. Alex Castle of Mt Hawthorn – Items 11.3 and 13.2

- Spoke on behalf of Mt Hawthorn Hub in relation to Item 11.3 stating that she would like to see more money spent on recreation facilities for young people aged 13+.
- Declared the support of Mt Hawthorn Hub for community budget submission 2.6 of Item 13.2.

*The Presiding Member Mayor Cole thanked Ms Castle for her comments.*

## 4. Aaron Lowman of Rowe Group – Item 9.1

- Spoke in support of the application.

*The Presiding Member Mayor Cole thanked Mr Lowman for his comments.*

## 5. Scott Cameron of East Perth – Item 9.5

- Spoke in support of the application.

*The Presiding Member Mayor Cole thanked Mr Cameron for his comments.*

## 6. Carlo Famiano of CF Town Planning &amp; Development – Item 9.4

- Spoke in support of the application.

*The Presiding Member Mayor Cole thanked for Mr Famiano for his comments.*

## 7. Dudley Maier of Highgate

- Expressed his opinion that staff morale at the City was low and suggested an independent staff survey be undertaken.
- Stated that Cr Harley had previously flagged a Notice of Motion to Council Members to receive City-provided ICT equipment in lieu of the ICT allowance.

*The Presiding Member Mayor Cole thanked Mr Maier for his comments and advised that given the nature of the issues raised she would request that the Chief Executive Officer respond.*

*The Chief Executive Officer Len Kosova stated that he would encourage Mr Maier and any other community members who have any concerns with the productivity, performance, attitudes or alleged behavior or morale of staff members to discuss them with him personally, as the employer of all City staff.*

There being no further speakers, Public Question Time closed at approximately 6.29pm.

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

Nil

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Gontaszewski requested a leave of absence from 2 September 2017 to 21 October 2017 inclusive due to work commitments.

**COUNCIL DECISION**

**Moved: Cr Loden, Seconded: Cr Murphy**

**That Cr Gontaszewski's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

- 4.2 Cr Topelberg requested a leave of absence from 31 July 2017 to 5 August 2017 inclusive due to work commitments.

**COUNCIL DECISION**

**Moved: Cr Gontaszewski, Seconded: Cr Hallett**

**That Cr Topelberg's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

## 5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Mr and Mrs Irwin of Galwey Street, Leederville along with 29 signatures requesting 24 hour permit parking for residents at the top end of Galwey Street, closest to the Loftus Street end, Leederville.

### COUNCIL DECISION

**Moved:** Cr Harley, **Seconded:** Cr Topelberg

That the petition be received.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

*The Presiding Member Mayor Cole advised Council that the issue to which this petition relates is likely to be presented to Council in August 2017.*

- 5.2 Petition received from Damien Nabbs, owner of Dejaxy Artisan Bakery & Café along with 1,238 signatures requesting that Council consider increasing the patron limit of Dejaxy Artisan Bakery & Café in Mt Hawthorn to 35 in the eating house approved area.

### COUNCIL DECISION

**Moved:** Cr Harley, **Seconded:** Cr Loden

That the petition be received.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

*The Presiding Member Mayor Cole advised Council that the issue to which this petition relates is likely to be presented to Council in August 2017.*

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

**Moved:** Cr Loden, **Seconded:** Cr Harley

That the minutes of the Ordinary Meeting of Council held on 27 June 2017 be confirmed as a true and correct record.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil



**COUNCIL DECISION**

**Moved: Cr Hallett, Seconded: Cr Loden**

That the minutes of the Special Council Meeting held on 12 July 2017 be confirmed as a true and correct record.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

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

The Presiding Member Mayor Emma Cole made the following announcements:

**7.1 MT HAWTHORN ANNUAL GENERAL MEETING**

*The Mt Hawthorn Hub Annual General Meeting (AGM) is being held this Thursday from 7pm in the Braithwaite Lesser Hall, Mt Hawthorn.*

*The Hub has just marked their fourth birthday and has had a really exciting year to date. They recently ran some very exciting consultation sessions with the youth of Mt Hawthorn and in May they held their most successful Streets and Lanes festival to date that attracted 70,000 people into the neighborhood.*

*They are a hub of happening things and are inviting everyone along to find out what they have in store and to consider joining their team of passionate locals.*

**7.2 NATIONAL TREE DAY**

*The City will be holding a community planting event for this year's National Tree Day at Les Lilleyman Reserve on Sunday 30 July 2017 from 8am -12pm.*

*We invite all members of our community along to help us plant over 5,000 native tube stock along a section of the eastern bank as part of our Eco-zoning Plan. We will be offering a free sausage sizzle for all of your hard work and look forward to meeting you on the day.*

**7.3 IMAGINE VINCENT CUP**

*We are looking forward to the Imagine Vincent Cup on 19 August 2017.*

*The Imagine Vincent Cup is a match between Subiaco and West Perth Football Clubs at Leederville Oval. Supported through Council's Festivals and Events Sponsorship (\$10,500) and will involve a range of local businesses and community groups.*

*The WAFL fixture between Subiaco and West Perth has been selected for this event given that Subiaco Football has called Leederville Oval home since 2004 and West Perth Football Club called Leederville Oval home between 1915 and 1993.*

*It is a free event for all Vincent residents, with family passes being given away by local businesses and Subiaco Football Club.*

*As part of our on-going Imagine Vincent community campaign, the Imagine Vincent team will be at the Cup, hosting a booth for anyone attending to come up and share their views, and will also hosting a conversation after the game with stakeholders from the club.*

## 8 DECLARATIONS OF INTEREST

- 8.1** Cr Murphy declared a financial interest in Item 9.7 – No. 459 (Lot: 8; D/P:1647) Fitzgerald Street - Alterations to Existing Hotel. The extent of his interest being that his business has a financial association with the Rosemount Hotel in that he occasionally books entertainment with the hotel. Cr Murphy did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.2** Mayor Emma Cole declared a proximity interest in Item 10.1 – Capital Works Update, particularly Anzac Road traffic management. The extent of her interest being that she lives on Anzac Road where she is the owner / occupier of her primary and only residence. Mayor Cole sought approval to preside at the meeting but not to participate in the debate or vote on the matter.
- 8.3** Cr Harley declared a proximity interest in Item 10.1 – Capital Works Update in particular in relation to the bicycle network from Oxford Street North between Anzac Road to Scarborough Beach Road. The extent of her interest is that lives in the vicinity of the subject works. Cr Harley did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.4** Cr Topelberg declared a financial interest in item 10.2 – William Street, Perth – Proposed Parking Restriction Changes. The extent of his interest is that his family owns a property on William Street in the proposed area for parking restriction. Cr Topelberg did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.5** Mayor Emma Cole declared an impartiality interest in Item 10.2 – Community Budget Submissions 2017/2018. The extent of her interest is that one of the Community Budget submitters, Mrs Anne Bate, provided volunteer campaign assistance during her 2017 Mayoral campaign, as declared on the City of Vincent Gift Register.
- 8.6** Cr Murphy declared an impartiality interest in both Item 11.3 - Adoption of 2017/2018 Annual Budget and 13.2 Community Budget Submissions 2017/2018. The extent of his interest being that he works with the YMCA in his work occasionally on the Leederville Carnival festival.

The Chief Executive Officer advised Council that in accordance with clause 2.17 of the City's Standing Orders Local Law and section 5.68(1) of the *Local Government Act 1995* Council may consider and determine Mayor Cole's request to preside during Item 10.1, providing it does so while Mayor Cole is not in the Council Chamber.

At 6.44pm Mayor Cole vacated the chair left the meeting.

At 6.44pm Deputy Mayor Harley assumed the chair.

The Chief Executive Officer advised Council that when determining Mayor Cole's request it must have regard to the criteria outlined in s5.68(1)(a) and (b)(ii) of the Act and in doing so, Council must be satisfied that Mayor Cole's interest is either:

- (I) so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
- (II) common to a significant number of electors or ratepayers.

The Chief Executive Officer further advised Council that the nature and extent of the Mayors interest would not be common to a significant number of electors or ratepayers and therefore this reason would be unavailable on this occasion.

**Moved: Cr Loden, Seconded: Cr Gontaszewski**

That in accordance with section 5.68(1)(a) and (b)(i) and (ii)(I) of the *Local Government Act 1995* Council **ALLOWS** Mayor Cole to preside during Item 9.1.5 but not to vote on the Item as Mayor Coles interest is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**(Mayor Cole was absent from the Council Chamber and did not vote).**

At 6.48pm Deputy Mayor Harley vacated the chair.

At 6.48pm Mayor Cole resumed the chair.

## REPORTS

The Presiding Member, Mayor Emma Cole, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.1, 9.4, 9.5, 11.3, 13.2.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 10.3, 11.3, 12.2 and 13.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.7, 10.1 and 10.2.

Presiding Member, Mayor Emma Cole, 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
Cr Gontaszewski	10.2, 12.2
Cr Loden	10.3
Cr Topelberg	9.2, 9.6
Cr Murphy	12.2

The Presiding Member, Mayor Emma Cole therefore requested the Chief Executive Officer to advise the meeting of:

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.3, 9.8, 11.1, 11.2, 12.1 and 13.3.
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Nil

**ITEMS APPROVED "EN BLOC":**

**COUNCIL DECISION**

**Moved:** Cr Harley, **Seconded:** Cr Hallett

That the following unopposed items be adopted "En Bloc", as recommended:  
Items 9.3, 9.8, 11.1, 11.2, 12.1 and 13.3

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**9.3 NORTH PERTH TOWN CENTRE PARKING RESTRICTIONS - LEAKE STREET (BETWEEN ALMA ROAD AND VIEW STREET)****TRIM Ref:** D17/69038**Author:** Stephen Schreck, Strategic Planning Officer**Authoriser:** John Corbellini, Director Development Services**Attachments:**  
1. Leake Street Consultation Map   
2. Leake Street Restriction Map **RECOMMENDATION:****That Council:**

1. Further to the Council decision of 7 March 2017, **RETAINS** the current 2P 8:00am – 5:30pm Monday – Friday restriction on Leake Street (between Alma Road and View Street), North Perth, as shown in Attachment 2; and
2. **NOTES** that the change to the parking restrictions on Grosvenor Road (between Fitzgerald Street and Leake Street), adopted by Council on 7 March 2017, will not be implemented until the City has engaged with affected residents on the outcomes of the parking restriction trial adopted by Council on 23 August 2016 and presented a future report back to Council to considered the outcomes of the trial and the results of consultation.

**COUNCIL DECISION ITEM 9.3****Moved:** Cr Harley, **Seconded:** Cr Hallett

That the recommendation be adopted.

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

**9.8 NO. 11 (LOT: 11; D/P: 2732) WOODVILLE STREET, NORTH PERTH - PROPOSED CHANGE OF USE FROM SINGLE HOUSE AND HOME OCCUPATION (HAIRDRESSER) TO SINGLE HOUSE, HOME OCCUPATION (HAIRDRESSER) AND NON-MEDICAL CONSULTING ROOM (MASSAGE/REFLEXOLOGY) (UNLISTED USE)**





TRIM Ref: D17/68258

Author: Remajee Narroo, Senior Statutory Planning Officer

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 9 – North Perth Centre

Attachments: 1. Attachment 1 - Consultation and Location Map    
2. Attachment 2 - Development Application Plans  

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application for development approval for Change of Use from Single House and Home Occupation (Hairdresser) to Single House, Home Occupation (Hairdresser) and Non-Medical Consulting Room (Massage/Reflexology) (Unlisted Use) at No. 11 (Lot: 11; D/P: 2732) Woodville Street, North Perth in accordance with the plans date stamped 29 November 2016, as shown in Attachment 2, for the following reasons:

1. The proposed car parking shortfall does not satisfy the objectives of the City's Policy No. 7.7.1 – Parking and Access as it will adversely impact on the amenity of the locality;
2. The proposed use does not satisfy the objectives of the City of Vincent's Town Planning Scheme No. 1, specifically Clause 6 (3)(c)(i), or the objectives set out in the City of Vincent's draft Town Planning Scheme No. 2 for the Residential zone, as it is considered to have an adverse impact on the residential amenity of the immediate locality due to the encroachment of non-residential development into the Residential zone; and
3. The scale and intensity of the proposed use will have an adverse impact on the amenity of the residential locality as it is incompatible with the residential nature and character of the immediate locality.

**COUNCIL DECISION ITEM 9.8**

**Moved: Cr Harley, Seconded: Cr Hallett**

That the recommendation be adopted.

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

**11.1 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 JUNE 2017 TO 30 JUNE 2017****TRIM Ref:** D17/77546**Author:** Nikki Hirrill, Accounts Payable Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:**

1. Payment by EFT June 17 
2. Payment by Cheque June 17 
3. Payment by Credit Card June 17 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 June 2017 to 30 June 2017 as detailed in attachment 1, 2 and 3 as summarised below:

**COUNCIL DECISION ITEM 11.1****Moved:** Cr Harley, **Seconded:** Cr Hallett

That the recommendation be adopted.

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

**11.2 INVESTMENT REPORT AS AT 30 JUNE 2017****TRIM Ref: D17/79755****Author: Sheryl Teoh, Accounting Officer****Authoriser: John Paton, Director Corporate Services****Attachments: 1. Investment Report** [↗](#) **RECOMMENDATION:**

That Council NOTES the provisional Investment Report for the month ended 30 June 2017 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.2****Moved: Cr Harley, Seconded: Cr Hallett****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)**



**12.1 PUBLIC ARTWORK DONATION - HOMO SAPIENS SAPIENS BY DESMOND MAH**

TRIM Ref: D17/73877

Author: Alanna Curtin, A/Coordinator Arts &amp; Creativity

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Public Artwork Images    
2. Public Artwork Proposed Location    
3. Public Artwork Footing Details  

**RECOMMENDATION:**

That Council ACCEPTS the donation of ‘Homo Sapiens Sapiens’ artwork from Desmond Mah for installation at Kyilla Park, North Perth.

















**COUNCIL DECISION ITEM 12.1**

**Moved:** Cr Harley, **Seconded:** Cr Hallett

That the recommendation be adopted.

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

**13.3 INFORMATION BULLETIN****TRIM Ref:** D17/63488**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. Minutes from the Children and Young People Advisory Group Meeting held on 29 May 2017 [⇒](#) 
  2. Minutes from the Safer Vincent Crime Prevention Partnership Meeting held on 1 June 2017 [⇒](#) 
  3. Minutes from the Environmental Advisory Group Meeting held on 12 June 2017 [⇒](#) 
  4. Unconfirmed Minutes of the Pedestrian and Cycling Advisory Group held on 19 June 2017 [⇒](#) 
  5. WALGA State Council Meeting Summary Minutes – July 2017 [⇒](#) 
  6. Minutes of Mindarie Regional Council Meeting held on 6 July 2017 [⇒](#) 
  7. 2017 Environmental Grants - Successful Submissions [⇒](#) 
  8. Development Application Services as at end of June 2017 [⇒](#) 
  9. Litis Stadium Master Plan Final Progress Update [⇒](#) 
  10. Manna In. Free Meal Service at Weld Square - Quarterly Update 1 April to 30 June 2017 [⇒](#) 
  11. Register of Legal Action and Prosecutions (Monthly) - Confidential
  12. Register of Legal Action Orders and Notices (Quarterly) - Confidential
  13. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 30 June 2017 [⇒](#) 
  14. Register of Applications Referred to the MetroWest Development Assessment Panel – Current [⇒](#) 
  15. Register of Applications Referred to the Design Advisory Committee – Current [⇒](#) 
  16. Register of Petitions - Progress Report - July 2017 [⇒](#) 
  17. Register of Notices of Motion - Progress Report - July 2017 [⇒](#) 
  18. Register of Reports to be Actioned - Progress Report - July 2017 [⇒](#) 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated 25 July 2017.

**COUNCIL DECISION ITEM 13.3**

**Moved:** Cr Harley, **Seconded:** Cr Hallett

That the recommendation be adopted.

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

## 9 DEVELOPMENT SERVICES

### 9.4 NO. 49 (LOT: 115; D/P: 6064) TASMAN STREET, MOUNT HAWTHORN - PROPOSED AMENDMENT TO PREVIOUS APPROVAL AND EXTENSION OF THE TERM OF APPROVAL: PROPOSED DEMOLITION OF AN EXISTING SINGLE HOUSE AND CONSTRUCTION OF FOUR GROUPED DWELLINGS

TRIM Ref: D17/55269








Author: Remajee Narroo, Statutory Planning Officer

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 1 - Mount Hawthorn

Attachments:

1. Attachment 1 - Consultation and Location Map [⇒](#) 
2. Attachment 2 - Previous Approval and Plans [⇒](#) 
3. Attachment 3 - Development Application Plans [⇒](#) 
4. Attachment 4 - Applicant's Justification [⇒](#) 
5. Attachment 5 - Detailed List of Amendments proposed to Previous Approval [⇒](#) 
6. Attachment 6 - Applicant's Response to Submissions [⇒](#) 
7. Attachment 7 - Summary of Submissions including Administration's Response [⇒](#) 

#### 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 to amend the approved plans and extend the period within which the development must be substantially commenced for planning approval (5.2015.249.1) granted on 22 September 2015 for Proposed Demolition of an existing Single House and Construction of Four Grouped Dwellings at No. 49 (Lot: 115; D/P: 6064) Tasman Street, Mount Hawthorn, in accordance with the plans included as Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on planning approval 5.2015.249.1 granted on 22 September 2015 and included in Attachment 3 continue to apply to this approval, except as follows:
  - a) Conditions 6.1 and 7.3 of the planning approval are deleted and replaced with the following condition:
 

**“6.1 Landscape and Reticulation Plan**

    - 6.1.1 A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
    - 6.1.2 The location and type of existing and proposed trees and plants;
    - 6.1.3 The provision of additional mature tree planting with a canopy cover at maturity within the outdoor living areas of Units 3 and 4 and 50 per cent of landscaping within the front setback area on the approved plans to the satisfaction of the City; and
    - 6.1.4 Areas to be irrigated or reticulated; and

6.1.5 All works shown in the plans as identified in Condition 6.1.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;"

- b) Condition 6.4 of the planning approval is deleted and replaced with the following condition:

**"6.4 Front Fence**

The proposed street/front wall, fence and gate within the Tasman Street setback areas, including along the side boundaries within the street setback area, shall comply with the City's Policy No. 7.1.1 – Built Form relating to Street Walls and Fences as follows:

6.4.1 Above 1.2 metres from the footpath level the fence shall be visually permeable;

6.4.2 The pier shall have a maximum width of 0.4 metre; and

6.4.3 The wall for meterboxes shall have a maximum depth of 1 metre;"

- c) Condition 3 of the planning approval is deleted and replaced with the following conditions:

**"3. Verge Trees**

3.1 No verge trees shall be removed without the prior written approval of the City. The verge trees are to be retained and protected from any damage including unauthorised pruning to the satisfaction of the City; and

3.2 Prior to the commencement of development and to to the satisfaction of the City, an Arborist Report is to be submitted and approved by the City, ensuring that the existing verge tree as depicted on the approved plans will not be impacted by the proposed crossover construction and include measures during and after construction to ensure the long term health of the tree is protected;" and

- d) A new condition is added to the planning approval as follows:

**"7.3 Schedule of External Finishes**

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

**COUNCIL DECISION ITEM 9.4**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

## 11 CORPORATE SERVICES







### 11.3 ADOPTION OF 2017/2018 ANNUAL BUDGET

TRIM Ref: D17/74641

Author: John Paton, Director Corporate Services

Authoriser: John Paton, Director Corporate Services

Attachments:

1. Annual Budget Commentary 2017/18 [⇒](#) 
2. Statutory Budget [⇒](#) 
3. 17/18 Draft Capital Budget [⇒](#) 
4. Summary of Income & Expenditure by Service Unit [⇒](#) 
5. Supporting Schedules [⇒](#) 
6. Fees and Charges [⇒](#) 

#### RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY:

#### 1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2017/18 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.1;
- 1.2 Statement of Comprehensive Income by Program showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 Rate setting Statement showing an amount required to be raised from rates of \$32,939,532 as detailed on Attachment 2 page 2.4;
- 1.4 Statement of Cash Flows showing a net cash provided by operations of \$7,907,053 and net decrease in cash held of \$3,155,488 as detailed on Attachment 2 page 2.5;
- 1.5 Transfers to / from Reserves as detailed on the Reserve Fund Statement showing a 30 June 2018 Closing Balance of \$9,426,600 as detailed on Attachment 2 page 2.29;
- 1.6 Notes to and Forming Part of the Budget as detailed on Attachment 2 pages 2.6 – 2.40; and
- 1.7 Capital Works Program showing a total of \$13,411,320 (including 2016/17 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8.

#### 2. RATES:

NOTES consideration of the submission received in response to the Notice published in accordance with section 6.36(1) of the *Local Government Act 1995* and for the purpose of yielding up the deficiency disclosed by the Budget adopted in 1 above, Council pursuant to Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSES the following differential general rates and minimum payments on Gross Rental Values:

##### 2.1 General Rates

- Residential 6.289 cents in the dollar
- Commercial Vacant 12.236 cent in the dollar
- Other 6.489 cents in the dollar

**2.2 Minimum Payments**

- Residential \$1,100
- Commercial Vacant \$1,414
- Other \$1,100

**2.3 RATE PAYMENT OPTIONS:**

Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the following due dates for payment in full by instalments:

	INSTALMENT	DATE
(a)	Due Date/First instalment	12 September 2017
(b)	Second instalment	6 November 2017
(c)	Third instalment	8 January 2018
(d)	Fourth instalment	6 March 2018

**2.4 INSTALMENT AND ARRANGEMENTS ADMINISTRATION FEES AND INTEREST CHARGES:**

2.4.1 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an instalment administration charge of \$13.00 per instalment for payment of rates by instalments, to apply to the second, third and fourth instalment; and

2.4.2 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an interest rate of 5.5% where the owner has elected to pay rates through an instalment option;

**2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:**

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continues until the date of payment on overdue:

2.5.1 rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, subject to Section 6.51(4) of the *Local Government Act 1995*; and

2.5.2 amounts due to the City in accordance with Section 6.13 of the *Local Government Act 1995*;

Excluded are deferred rates, instalment current amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

**3. RUBBISH CHARGE:**

Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, ADOPTS the following annual charges for the removal of domestic waste and recycling for all non rateable properties receiving the service:

- 240L weekly waste collection \$350
- 140L weekly waste collection \$220
- 240L fortnightly recycling collection \$95
- 360L fortnightly recycling collection \$125

#### 4. REPORTING OF BUDGET VARIANCES:

Pursuant to Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the monthly reporting variance for the 2016/17 financial year of 10% or more, where that variance is also more than \$10,000;

#### 5. FEES AND CHARGES

Pursuant to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges included in Attachment 6.

#### 6. RATES WAIVER

Pursuant to Section 6.47 of the *Local Government Act 1995*, WAIVES the 2017/18 local government rates for the following groups:

• Floreat Athena Soccer Club	Litis Stadium	\$23,356
• Volleyball WA	Royal Park	\$3,594
• North Perth Community Garden	Woodville Reserve	\$1,100
• Vincent Men's Shed	Woodville Reserve	\$1,300
• North Perth Bowling Club	Woodville Reserve	\$3,412
• North Perth Tennis Club	Woodville Reserve	\$2,476
• Tennis Seniors WA	Robertson Park	\$5,963
• Graham Hay and Artists	Halvorsen Hall	\$2,254
• Forrest Park Croquet Club	Forrest Park	\$4,861
• Perth Junior Soccer Club	Forrest Park	\$1,549
• Kidz Galore Pty Ltd	North Perth	\$3,545
• Perth Soccer Club	Dorrien Gardens	\$17,839
• Azzurri Bocce Club	Dorrien Gardens	\$4,605
• Loftus Community Centre	Loftus Centre	\$6,104
• Gymnastics WA Inc.	Loftus centre	\$13,160
• Loton Park Tennis Club	Loton Park	\$2,737
• Leederville Tennis Club	Richmond St Leederville	\$3,213
• Dental Health Service	Sydney Street, North Perth	\$1,550
• East Perth Football Club	Leederville Oval	\$8,060
• Subiaco Football Club	Leederville Oval	\$9,936

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

**PROPOSED AMENDMENT 1**

**Moved:** Cr Topelberg, **Seconded:** Cr Gontaszewski

That Recommendation 5 be amended as follows:

**5. FEES AND CHARGES**

Pursuant to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges included in Attachment 6, **subject to:**

**5.1 the fee for " Council meetings - purchase of recorded information" being removed from the Schedule;**

**AMENDMENT CARRIED (6-2)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Cr Harley and Cr Buckels

**PROPOSED AMENDMENT 2**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Hallett

That Recommendation 1 be amended as follows:

**1. BUDGET:**

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2017/18 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.1;
- 1.2 Statement of Comprehensive Income by Program showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 Rate setting Statement showing an amount required to be raised from rates of \$32,939,532 as detailed on Attachment 2 page 2.4;
- 1.4 Statement of Cash Flows showing a net cash provided by operations of \$7,907,053 and net decrease in cash held of \$3,155,488 as detailed on Attachment 2 page 2.5;
- 1.5 Transfers to / from Reserves as detailed on the Reserve Fund Statement showing a 30 June 2018 Closing Balance of \$9,426,600 as detailed on Attachment 2 page 2.29;
- 1.6 Notes to and Forming Part of the Budget as detailed on Attachment 2 pages 2.6 – 2.40; and
- 1.7 Capital Works Program showing a total of \$13,411,320 (including 2016/17 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8.



Subject to the following budget amendments being reflected in the appropriate Statutory Statements above:

- Increase the subsidy to be paid to the YMCA from \$30,000 to \$40,000; and
- Decrease the Transfer to the Tamala Park Land Sales Reserve from \$1,462,514 to \$1,452,514

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

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

### **PROPOSED AMENDMENT 3**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Murphy

That Recommendation 1 be amended as follows:

#### **1. BUDGET:**

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2017/18 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.1;
- 1.2 Statement of Comprehensive Income by Program showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 Rate setting Statement showing an amount required to be raised from rates of \$32,939,532 as detailed on Attachment 2 page 2.4;
- 1.4 Statement of Cash Flows showing a net cash provided by operations of \$7,907,053 and net decrease in cash held of \$3,155,488 as detailed on Attachment 2 page 2.5;
- 1.5 Transfers to / from Reserves as detailed on the Reserve Fund Statement showing a 30 June 2018 Closing Balance of \$9,426,600 as detailed on Attachment 2 page 2.29;
- 1.6 Notes to and Forming Part of the Budget as detailed on Attachment 2 pages 2.6 – 2.40; and
- 1.7 Capital Works Program showing a total of \$13,411,320 (including 2016/17 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8 subject to:

**1.7.1. Any Budget savings at the conclusion of each of the following projects, being reallocated to the 'Earlybirds Playgroup Centre Upgrade' project:**

- **Earlybirds Playgroup Centre (Mandatory Building Compliance Upgrade):**

- Earlybirds Playgroup Centre – Replace Ceilings; and
- Earlybirds Playgroup Centre – Switchboard Renewal.

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

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**PROPOSED AMENDMENT 4**

**Moved:** Cr Murphy, **Seconded:** Cr Topelberg

That Recommendation 5 be amended as follows:

**5. FEES AND CHARGES**

Pursuant to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges included in Attachment 6, subject to:

5.2 the fees relating to "BUSKING FEES (Public Entertainers)" being removed from the Schedule;

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

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**COUNCIL DECISION 11.3**

**Moved:** Cr Topelberg, **Seconded:** Cr Gontaszewski

That Council BY ABSOLUTE MAJORITY:

**1. BUDGET:**

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2017/18 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.1;
- 1.2 Statement of Comprehensive Income by Program showing a net result for that year of \$1,017,939 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 Rate setting Statement showing an amount required to be raised from rates of \$32,939,532 as detailed on Attachment 2 page 2.4;
- 1.4 Statement of Cash Flows showing a net cash provided by operations of \$7,907,053 and net decrease in cash held of \$3,155,488 as detailed on Attachment 2 page 2.5;

- 1.5 Transfers to / from Reserves as detailed on the Reserve Fund Statement showing a 30 June 2018 Closing Balance of \$9,426,600 as detailed on Attachment 2 page 2.29;
- 1.6 Notes to and Forming Part of the Budget as detailed on Attachment 2 pages 2.6 – 2.40; and
- 1.7 Capital Works Program showing a total of \$13,411,320 (including 2016/17 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8.
- 1.7.1. Any Budget savings at the conclusion of each of the following projects, being reallocated to the 'Earlybirds Playgroup Centre Upgrade' project:
- Earlybirds Playgroup Centre (Mandatory Building Compliance Upgrade);
  - Earlybirds Playgroup Centre – Replace Ceilings; and
  - Earlybirds Playgroup Centre – Switchboard Renewal.

Subject to the following budget amendments being reflected in the appropriate Statutory Statements above:

- Increase the subsidy to be paid to the YMCA from \$30,000 to \$40,000; and
- Decrease the Transfer to the Tamala Park Land Sales Reserve from \$1,462,514 to \$1,452,514

## 2. RATES:

NOTES consideration of the submission received in response to the Notice published in accordance with section 6.36(1) of the *Local Government Act 1995* and for the purpose of yielding up the deficiency disclosed by the Budget adopted in 1 above, Council pursuant to Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSES the following differential general rates and minimum payments on Gross Rental Values:

### 2.1 General Rates

- Residential 6.289 cents in the dollar
- Commercial Vacant 12.236 cents in the dollar
- Other 6.489 cents in the dollar

### 2.2 Minimum Payments

- Residential \$1,100
- Commercial Vacant \$1,414
- Other \$1,100

### 2.3 RATE PAYMENT OPTIONS:

Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the following due dates for payment in full by instalments:

	INSTALMENT	DATE
(a)	Due Date/First instalment	12 September 2017
(b)	Second instalment	6 November 2017
(c)	Third instalment	8 January 2018
(d)	Fourth instalment	6 March 2018

**2.4 INSTALMENT AND ARRANGEMENTS ADMINISTRATION FEES AND INTEREST CHARGES:**

2.4.1 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an instalment administration charge of \$13.00 per instalment for payment of rates by instalments, to apply to the second, third and fourth instalment; and

2.4.2 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an interest rate of 5.5% where the owner has elected to pay rates through an instalment option;

**2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:**

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continues until the date of payment on overdue:

2.5.1 rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, subject to Section 6.51(4) of the *Local Government Act 1995*; and

2.5.2 amounts due to the City in accordance with Section 6.13 of the *Local Government Act 1995*;

Excluded are deferred rates, instalment current amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

**3. RUBBISH CHARGE:**

Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, ADOPTS the following annual charges for the removal of domestic waste and recycling for all non rateable properties receiving the service:

- 240L weekly waste collection \$350
- 140L weekly waste collection \$220
- 240L fortnightly recycling collection \$95
- 360L fortnightly recycling collection \$125

**4. REPORTING OF BUDGET VARIANCES:**

Pursuant to Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the monthly reporting variance for the 2016/17 financial year of 10% or more, where that variance is also more than \$10,000;

**5. FEES AND CHARGES**

Pursuant to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges included in Attachment 6, subject to:

- 5.1 the fee for " Council meetings - purchase of recorded information" being removed from the Schedule;
- 5.2 the fees relating to "BUSKING FEES (Public Entertainers)" being removed from the Schedule;

## 6. RATES WAIVER

Pursuant to Section 6.47 of the *Local Government Act 1995*, WAIVES the 2017/18 local government rates for the following groups:

• Floreat Athena Soccer Club	Litis Stadium	\$23,356
• Volleyball WA	Royal Park	\$3,594
• North Perth Community Garden	Woodville Reserve	\$1,100
• Vincent Men's Shed	Woodville Reserve	\$1,300
• North Perth Bowling Club	Woodville Reserve	\$3,412
• North Perth Tennis Club	Woodville Reserve	\$2,476
• Tennis Seniors WA	Robertson Park	\$5,963
• Graham Hay and Artists	Halvorsen Hall	\$2,254
• Forrest Park Croquet Club	Forrest Park	\$4,861
• Perth Junior Soccer Club	Forrest Park	\$1,549
• Kidz Galore Pty Ltd	North Perth	\$3,545
• Perth Soccer Club	Dorrien Gardens	\$17,839
• Azzurri Bocce Club	Dorrien Gardens	\$4,605
• Loftus Community Centre	Loftus Centre	\$6,104
• Gymnastics WA Inc.	Loftus centre	\$13,160
• Loton Park Tennis Club	Loton Park	\$2,737
• Leederville Tennis Club	Richmond St Leederville	\$3,213
• Dental Health Service	Sydney Street, North Perth	\$1,550
• East Perth Football Club	Leederville Oval	\$8,060
• Subiaco Football Club	Leederville Oval	\$9,936

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**13 CHIEF EXECUTIVE OFFICER****13.2 COMMUNITY BUDGET SUBMISSIONS 2017/2018****TRIM Ref:** D17/81687**Author:** Len Kosova, Chief Executive Officer**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. Community Budget Submissions 2017/18 **RECOMMENDATION:****That Council:**

1. **RECEIVES** the 2017/18 Community Budget Submissions and **ENDORSES** Administration's responses to those submissions as detailed in Attachment 1; and
2. Subject to adoption of the 2017/18 Annual Budget, **NOTIFIES** the persons and groups who made a Community Budget Submission of the outcome of their proposal.

**Moved:** Cr Topelberg, **Seconded:** Cr Hallett

That the recommendation be adopted.

**PROPOSED AMENDMENT****Moved:** Cr Loden, **Seconded:** Cr Topelberg

That recommendation 1 be amended as follows

1. **RECEIVES** the 2017/18 Community Budget Submissions and **ENDORSES** Administration's responses to those submissions as detailed in Attachment 1 noting that through its adoption of the 2017/18 Annual Budget Council has approved an additional allocation of \$10,000 to the YMCA in respect of Community Budget Submission Item 2.7; and

**CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy**Against:** Nil

**COUNCIL DECISION ITEM 13.2****Moved: Cr Topelberg, Seconded: Cr Hallett****That Council:**

1. **RECEIVES** the 2017/18 Community Budget Submissions and **ENDORSES** Administration's responses to those submissions as detailed in Attachment 1 noting that through its adoption of the 2017/18 Annual Budget Council has approved an additional allocation of \$10,000 to the YMCA in respect of Community Budget Submission Item 2.7; and
2. **Subject to adoption of the 2017/18 Annual Budget, NOTIFIES** the persons and groups who made a Community Budget Submission of the outcome of their proposal.

**CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy**Against:** Nil

## 9 DEVELOPMENT SERVICES

### 9.1 NO. 395 (LOT: 1; D/P: 1283) BULWER STREET, WEST PERTH - SECTION 31 SAT RECONSIDERATION - PROPOSED FOUR MULTIPLE DWELLINGS

TRIM Ref: D17/80488








Author: Rob Sklarski, A/Coordinator Statutory Planning

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Location and Consultation Plan [⇨](#) 
2. Attachment 2 - Amended Plans [⇨](#) 
3. Attachment 3 - Original Development Plans [⇨](#) 
4. Attachment 4 - Applicant Justifications [⇨](#) 
5. Attachment 5 - Summary of Submissions [⇨](#) 
6. Attachment 6 - Additional Information and Justification [⇨](#) 
7. Attachment 7 - Determination Advice Notes [⇨](#) 

#### RECOMMENDATION:

That the Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, SETS ASIDE its decision of the 7 March 2017 and APPROVES the application for Four Multiple Dwellings at No. 395 (Lot 1; D/P: 1283) Bulwer Street, West Perth in accordance with the plans as shown on Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

#### 1. Revised Plans

Prior to the commencement of development the applicant shall submit to and have approved by the City revised plans depicting the following changes:

- 1.1. The pitch of the roof being modified to create a single roof form, when viewed from Bulwer Street to represent a more traditional roof form in keeping with those within the locality;
- 1.2. The ground floor piers, supporting the balcony to Units 3 and 4, be increased in width to a maximum of 1 metre and central brick feature to the Bulwer Street façade be reduced in height by 670mm to align with the eave of the roof to improve the overall proportion of the development;
- 1.3. The height of the balcony planter boxes, to the Bulwer Street façade, to Units 3 and 4 be reduced to have a solid portion with a maximum height of 300mm and incorporate open style balustrade above, to reduce the mass and bulk of the planter boxes to the Bulwer Street streetscape; and
- 1.4. The landscaping configuration of the balcony planter boxes, to the Bulwer Street façade, to Units 3 and 4 be reduced to a maximum depth of 1 metre for the perimeter of the balcony to improve accessibility for ongoing maintenance;

The development shall be undertaken and accord with the revised plans approved by the City;

#### 2. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary walls facing Nos. 393 Bulwer Street and 401 Bulwer Street in a good and clean condition prior to the occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;



**3. Car Parking and Access**

- 3.1. A minimum of four resident bays shall be provided onsite, with one car parking bay allocated to each dwelling;
- 3.2. Vehicle and pedestrian access points are required to match into existing footpath levels;
- 3.3. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development; and
- 3.1. All redundant crossovers shall be removed and the verge area be instated to provide an additional on-street parking bay to the satisfaction of the City prior to the occupation or use of the development;

**4. Right of Way**

- 4.1. The Right of Way widening of 1 metre, as depicted on the approved plan, shall be ceded free of cost at the time of subdivision (including built strata subdivision) of the development to the satisfaction of the City; and
- 4.2. The Right of Way widening of 1 metre, as depicted on the approved plan, shall be sealed, drained and graded to the satisfaction of the City prior to the occupation or use of the development;

**5. External Fixtures**

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

**6. Privacy**

The proposed screening devices depicted on the balconies at the rear of the upper floors to the eastern and western elevations of Units 3 and 4 are to accord with the privacy requirements of State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development;

**7. Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**8. Landscape and Reticulation Plan**

- 8.1. A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
  - 8.1.1. The provision of deep soil zones; and
  - 8.1.2. Canopy cover at maturity;
- 8.2. All works shown in the plans as identified in Condition 8.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**9. Verge Trees**

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

**10. Schedule of External Finishes**

10.1. Prior to commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The schedule is to provide a detailed rationale for the use of materials and finishes to demonstrate how they represent and re-interpret the local context specifically the application of colours and materials to the upper floor balconies to reduce the appearance of building bulk; and

10.2. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

**11. 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 shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

**12. Waste Management**

12.1. A Waste Management Plan shall be submitted to and approved by the City prior to commencement of the development detailing a bin store to accommodate the City's specified bin requirement and the form and timing of waste collection. The bin store shall be provided in accordance with the approved plan prior to the occupation of use of the development; and

12.2. Waste management for the development shall thereafter comply with the approved Waste Management Plan;

**13. Clothes Drying Facility**

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the Residential Design Codes prior to the occupation or use of the development and shall be maintained thereafter to the satisfaction of the City;

**14. Stormwater**

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

**15. Bicycle Bays**

A bicycle parking bay location plan detailing the location of a minimum of two residential bicycle bays shall be lodged with and approved by the City prior to the commencement of the development. A minimum of two resident bicycle parking bays shall be provided onsite in accordance with the approved location plan to the City's satisfaction prior to the occupation or use of the development; and

**16. General**

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

**Moved:** Cr Topelberg, **Seconded:** Cr Buckels

That the recommendation be adopted.

**LOST (3-5)**

**For:** Cr Buckels, Cr Loden and Cr Topelberg

**Against:** Mayor Cole, Cr Harley, Cr Gontaszewski, Cr Hallett and Cr Murphy

**PROCEDURAL MOTION**

**Moved:** Cr Buckels, **Seconded:** Cr Harley

That the motion be adjourned.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**Reason**

The recommendation being lost on the vote does not constitute an alternative (refusal) decision of Council. The matter was therefore adjourned to later in the meeting to allow for discussion to reconvene and to allow for an alternative recommendation to be prepared.

**9.5 NO. 4/280 (LOT: 4; D/P: 67874) LORD STREET, PERTH - CHANGE OF USE FROM EATING HOUSE TO CONSULTING ROOMS (MEDICAL)**

TRIM Ref: D17/63758





Author: Rob Sklarski, A/Coordinator Statutory Planning

Authoriser: John Corbellini, Director Development Services

Ward: South Ward

Precinct: 15 – Banks

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Application Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Parking Management Plan 

**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 development application for a Change of Use from Eating House to Consulting Rooms (Medical) at No. 4/280 (Lot: 4; D/P: 67874) Lord Street, Perth subject to the following conditions:

**1. Active Frontage**

The development shall maintain an active and interactive relationship and uninterrupted views between the use of the development and Lord Street during the hours of the development's operation to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited. Curtains, blinds and other internal or external treatments that obscure the view of the 'WAITING AREA' and 'PILATES OPEN PLAN' from Lord Street are not permitted to be used during the hours of the developments operation;

**2. External Fixtures**

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

**3. Use of Premises**

3.1. The development shall be used in accordance with the definition of 'Consulting Rooms' set out under the City of Vincent's *Town Planning Scheme No. 1*;

3.2. A maximum of two practitioners or professionals generating their own patient or person load shall be permitted to operate from the premise at any given time;

3.3. A maximum of three persons, excluding the practitioner/professional, shall be permitted to use the area shown as 'PILATES OPEN PLAN' on the approved floor plan at any one time;

3.4. The hours of operation shall be limited to the following times:

- 7:00am to 9:00pm Monday to Friday;
- 7:00am to 5:00pm Saturday;
- 11:00am – 5:00pm Sundays and Public Holidays (except Christmas Day, Good Friday and Anzac Day); and
- CLOSED Christmas Day, Good Friday and Anzac Day;

**4. Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

**5. Parking Management Plan**

A Parking Management Plan shall be submitted to, and approved by the City prior to the use of the site as 'Consulting Room (Medical)'. Use of the premises shall be carried out in accordance with the approved Parking Management Plan or any Plan approved by the City thereafter and all requirements of the Parking Management Plan shall be implemented to the satisfaction of the City.

**COUNCIL DECISION ITEM 9.5**

**Moved:** Cr Topelberg, **Seconded:** Cr Hallett





That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**9.6 NO. 142 (LOTS: 110 AND 114 D/P: 30685) SUMMERS STREET, PERTH CHANGE OF USE FROM WAREHOUSE TO LODGING HOUSE (INCLUDING ALTERATIONS)****TRIM Ref:** D17/66090**Author:** Rob Sklarski, A/Coordinator Statutory Planning**Authoriser:** John Corbellini, Director Development Services**Ward:** South Ward**Precinct:** 15 – Banks**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Application Plans 
3. Attachment 3 - Lodging House Management Plan 
4. Attachment 4 - Determination Advice Notes 

**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 for a Change of Use from Warehouse to Lodging House (Including Alterations) at No. 142 Summers Street (Lots 110 and 114 D/P:30685), Perth in accordance with the plans shown in Attachment 1, subject to the following conditions and Determination Advice Notes in Attachment 4:

**1. Use Limitations**

- 1.1. The development shall be used in accordance with the definitions of 'Lodging House' and 'Hostel' set out under the City of Vincent's *Town Planning Scheme No. 1*;
- 1.2. The Lodging House shall be operated by 'Youth with a Mission'. Any alternative operator will be required to lodge a new application to seek determination afresh;
- 1.3. A maximum of 58 persons are permitted to reside at the premises at anyone time;
- 1.4. The caretaker of the lodging house shall reside on site at all times while the Lodging House is in operation;
- 1.5. No persons, other than the caretaker, shall reside at the premises for any period longer than three months; and
- 1.6. Residents of the Lodging House are not permitted to park, stand or leave vehicles on the premises or on the street or road reserve within the immediate locality at any time.
- 1.7. A Lodging House Management Plan and Code of Conduct for Lodging House shall be submitted to, and approved by the City prior to the use of the site as Lodging House. The Lodging House Management Plan shall require the following:
  - 1.7.1 Signage to be posted on the front door of the lodging house clearly informing all visitors and residents of the requirements of condition 1.6 above;
  - 1.7.2 A code of conduct be provided to each resident clearly informing all residents of the requirements of condition 1.6 above;
  - 1.7.3 The caretaker of the lodging house to check and enforce compliance with conditions 1.6, 1.7.1 and 1.7.2 above; and
  - 1.7.4 The caretaker shall maintain an up-to-date register of all residents of the lodging house and make it available for inspection by the City at all times.

Use of the premises shall be carried out in accordance with the approved Lodging House Management Plan or any updated Plan approved by the City thereafter and all requirements of the Management Plan shall be implemented to the satisfaction of the City;

**2. Car Parking and Access**

- 2.1. Two parking bays shall be provided onsite, as depicted on the approved plan to the satisfaction of the City;
- 2.2. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development;
- 2.3. Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.4. The redundant crossover to be removed and the verge reinstated to the satisfaction of the City, prior to the occupation of the development;

**3. External Fixtures**

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

**4. Landscape and Reticulation Plan**

- 4.1. A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
  - 4.1.1. The location and type of existing and proposed trees and plants;
  - 4.1.2. The provision of mature tree planting with a canopy cover, at maturity, of 10% of the site area, and the provision of 5.3% of the site area as deep soil zones; and
  - 4.1.3 Areas to be irrigated or reticulated;
- 4.2. All works shown in the plans as identified in Condition 3.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**5. Verge Trees**

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

**6. Schedule of External Finishes**

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

**7. Waste Management**

A plan indicating the location of a bin store of sufficient size and suitably accessible to accommodate the City's maximum bin requirement shall be lodged with and approved by the City prior to the commencement of the development. The bin store shall be provided in accordance with the plan approved by the City prior to the occupation or use of the development and to the satisfaction of the City;

**8. Stormwater**

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

**9. Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**10. Bicycle Bays**

A bicycle parking bay location plan detailing the location of a minimum of two residential bicycle bays shall be lodged with and approved by the City prior to the commencement of the development. A minimum of 10 bicycle parking bays shall be provided onsite in accordance with the approved location plan to the City's satisfaction prior to the occupation or use of the development; and

**11. General**

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

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

That the recommendation be adopted.

**PROPOSED AMENDMENT**

**Moved: Cr Topelberg, Seconded: Cr Gontaszewski**

That recommendation 1 be amendment to include condition 1.8 as follows:

**“1.8 This approval for use of the premises as a Lodging House and Hostel is limited to a period of 10 years from the date of the approval;”.**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil



**COUNCIL DECISION ITEM 9.6**

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

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 for a Change of Use from Warehouse to Lodging House (Including Alterations) at No. 142 Summers Street (Lots 110 and 114 D/P:30685), Perth in accordance with the plans shown in Attachment 1, subject to the following conditions and Determination Advice Notes in Attachment 4:

1. **Use Limitations**

- 1.1. The development shall be used in accordance with the definitions of 'Lodging House' and 'Hostel' set out under the City of Vincent's *Town Planning Scheme No. 1*;
- 1.2. The Lodging House shall be operated by 'Youth with a Mission'. Any alternative operator will be required to lodge a new application to seek determination afresh;
- 1.3. A maximum of 58 persons are permitted to reside at the premises at anyone time;
- 1.4. The caretaker of the lodging house shall reside on site at all times while the Lodging House is in operation;
- 1.5. No persons, other than the caretaker, shall reside at the premises for any period longer than three months; and
- 1.6. Residents of the Lodging House are not permitted to park, stand or leave vehicles on the premises or on the street or road reserve within the immediate locality at any time.
- 1.7. A Lodging House Management Plan and Code of Conduct for Lodging House shall be submitted to, and approved by the City prior to the use of the site as Lodging House. The Lodging House Management Plan shall require the following:
  - 1.7.1 Signage to be posted on the front door of the lodging house clearly informing all visitors and residents of the requirements of condition 1.6 above;
  - 1.7.2 A code of conduct be provided to each resident clearly informing all residents of the requirements of condition 1.6 above;
  - 1.7.3 The caretaker of the lodging house to check and enforce compliance with conditions 1.6, 1.7.1 and 1.7.2 above; and
  - 1.7.4 The caretaker shall maintain an up-to-date register of all residents of the lodging house and make it available for inspection by the City at all times.
- 1.8. This approval for use of the premises as a Lodging House and Hostel is limited to a period of 10 years from the date of the approval;

Use of the premises shall be carried out in accordance with the approved Lodging House Management Plan or any updated Plan approved by the City thereafter and all requirements of the Management Plan shall be implemented to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1. Two parking bays shall be provided onsite, as depicted on the approved plan to the satisfaction of the City;
- 2.2. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development;

- 2.3. Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.4. The redundant crossover to be removed and the verge reinstated to the satisfaction of the City, prior to the occupation of the development;

3. **External Fixtures**

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

4. **Landscape and Reticulation Plan**

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

4.1.1. The location and type of existing and proposed trees and plants;

4.1.2. The provision of mature tree planting with a canopy cover, at maturity, of 10% of the site area, and the provision of 5.3% of the site area as deep soil zones; and

4.1.3 Areas to be irrigated or reticulated;

4.2. All works shown in the plans as identified in Condition 3.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

5. **Verge Trees**

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

6. **Schedule of External Finishes**

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

7. **Waste Management**

A plan indicating the location of a bin store of sufficient size and suitably accessible to accommodate the City's maximum bin requirement shall be lodged with and approved by the City prior to the commencement of the development. The bin store shall be provided in accordance with the plan approved by the City prior to the occupation or use of the development and to the satisfaction of the City;

8. **Stormwater**

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

**9. Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**10. Bicycle Bays**

A bicycle parking bay location plan detailing the location of a minimum of two residential bicycle bays shall be lodged with and approved by the City prior to the commencement of the development. A minimum of 10 bicycle parking bays shall be provided onsite in accordance with the approved location plan to the City's satisfaction prior to the occupation or use of the development; and

**11. General**

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

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

The Presiding Member Mayor Emma Cole informed Council that an alternative recommendation to Item 9.1 had been drafted and that Item 9.1 would now be considered.

**9.1 NO. 395 (LOT: 1; D/P: 1283) BULWER STREET, WEST PERTH - SECTION 31 SAT RECONSIDERATION - PROPOSED FOUR MULTIPLE DWELLINGS**

TRIM Ref: D17/80488








Author: Rob Sklarski, A/Coordinator Statutory Planning

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Location and Consultation Plan [⇒](#) 
2. Attachment 2 - Amended Plans [⇒](#) 
3. Attachment 3 - Original Development Plans [⇒](#) 
4. Attachment 4 - Applicant Justifications [⇒](#) 
5. Attachment 5 - Summary of Submissions [⇒](#) 
6. Attachment 6 - Additional Information and Justification [⇒](#) 
7. Attachment 7 - Determination Advice Notes [⇒](#) 

**ALTERNATIVE RECOMMENDATION:**

That the Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **SETS ASIDE** its decision of the 7 March 2017 and **REFUSES** the development application for Four Multiple Dwellings at No. 395 (Lot: 1; D/P: 1283) Bulwer Street, West Perth in accordance with the plans included as Attachment 2, subject to the following reasons:

1. The proposed development does not meet design principle P3.1 of clause 6.3.3 of State of Planning Policy 3.1 Residential Design Codes as the development does not provide adequate visitor parking given the number of dwellings and the demand for visitor parking generated by the four proposed dwellings;
2. The proposed setbacks do not meet design principle P3 of clause 6.1.3 and P4.1 of clause 6.1.4 of the State of Planning Policy 3.1 Residential Design Codes as the buildings do not respect the adjoining development, do not moderate the visual impact of the building bulk on the neighbouring properties, does not allow adequate daylight and ventilation to the bedrooms of the proposed dwelling or the adjoining courtyard of 393 Bulwer Street or the openings of 401 Bulwer Street; and
3. The proposed landscaping on the ground floor does not meet design principle P2 of clause 6.3.2 of State Planning Policy 3.1: Residential Design Codes and local housing objective P5.14.2 of clause 5.14 of the Local Planning Policy No. 7.1.1 Built Form as it does not meet the projected needs of the residents and does not provide a sense of open space between buildings.

**COUNCIL DECISION ITEM 9.1**

**Moved:** Cr Buckels, **Seconded:** Cr Topelberg

That the alternative recommendation be adopted.

**CARRIED UNANIMOUSLY (7-1)**

**For:** Mayor Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy















**Against:** Cr Buckels

**9.2 NORTH PERTH TOWN CENTRE PUBLIC OPEN SPACE**

TRIM Ref: D17/53453

Author: David Doy, Place Manager

Authoriser: Stephanie Smith, Acting Manager Policy and Place

- Attachments:
1. Attachment 1 - Online Survey Results 
  2. Attachment 2 - Location 1: Corner of View Street and Fitzgerald Street 
  3. Attachment 3 - Location 2: Corner of Wasley Street and Fitzgerald Street   

  4. Attachment 4 - Location 3: View Street Car Park and Adjoining View Street Road Reserve   

  5. Attachment 5 - Location 4: Corner of Forrest Street and Fitzgerald Street   

  6. Attachment 6 - Technical Study - Summary of Locations   

  7. Attachment 7 - Proposed Public Open Space and Study Area - Plan   

  8. Attachment 8 - North Perth Public Open Space Working Group Terms of Reference   


**RECOMMENDATION:**

That Council:

1. **NOTES** the results of the community consultation for the future location and design of a new public open space in the North Perth Town Centre, as shown in Attachment 1;
2. **ENDORSES** the corner of View Street and Fitzgerald Street, as shown in Attachment 2, as the preferred location for the design and development of a new public open space in the North Perth Town Centre;
3. **ACCEPTS** the State Government's funding commitment of \$250,000 for the North Perth Town Centre Public Open Space project on the basis that the \$250,000 is transferred to the City in its entirety by no later than 31 December 2017 for expenditure throughout the life of the project as determined by the City and **AUTHORISES** the Chief Executive Officer to negotiate and enter into an appropriate funding agreement with the State Government;
4. **ESTABLISHES** a North Perth Town Centre Public Open Space Working Group in accordance with the Terms of Reference included as Attachment 8 to provide advice and recommendations on the design of a public open space in the location endorsed under 2. above, consisting of the following members:
  - 4.1. Mayor Emma Cole;
  - 4.2. Cr .....
  - 4.3. The State Member for Perth, John Carey MLA;
  - 4.4. The Chair of North Perth Local; and
  - 4.5. The Vice Chair of North Perth Local;
5. **LISTS FOR CONSIDERATION** in the 2017/18 to 2020/21 Corporate Business Plan a project to prepare an urban design concept and business case for Lots 15, 16 and 40 View Street and the adjoining View Street road reserve; and
6. **NOTIFIES** North Perth Local, all residents, landowners and businesses within 500 metres of the endorsed public open space location and those that submitted a response during the consultation period of Council's decision.

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

#### **PROPOSED AMENDMENT 1**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That a new Recommendation 4 be inserted, the remaining Recommendations be renumbered and Recommendation 5 be amended as follows:

**“4. APPROVES the working title for the project being changed to North Perth Common;**

**4. 5. ESTABLISHES a ~~North Perth Town Centre Public Open Space~~ North Perth Common Working Group in accordance with the Terms of Reference included as Attachment 8 to provide advice and recommendations on the design of a public open space in the location endorsed under 2. above, consisting of the following members:**

**4-5.1 Mayor Emma Cole;**

**4-5.2 Cr.....;**

**4-5.3 The State Member for Perth, John Carey MLA;**

**4-5.4 The Chair of North Perth Local;**

**4-5.5 The Vice Chair of North Perth Local; and**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

#### **PROPOSED AMENDMENT 2**

**Moved:** Cr Topelberg, **Seconded:** Cr Gontaszewski

That a new Recommendation 5.6 be added as follows:

**5.6 A member of the City’s Design Advisory Committee as a non-voting member.”**

**CARRIED (7-1)**

**For:** Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Cr Harley.

**COUNCIL DECISION ITEM 9.2**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That Council:

1. **NOTES** the results of the community consultation for the future location and design of a new public open space in the North Perth Town Centre, as shown in Attachment 1;
2. **ENDORSES** the corner of View Street and Fitzgerald Street, as shown in Attachment 2, as the preferred location for the design and development of a new public open space in the North Perth Town Centre;
3. **ACCEPTS** the State Government's funding commitment of \$250,000 for the North Perth Town Centre Public Open Space project on the condition that the \$250,000 is transferred to the City in its entirety by no later than 31 December 2017 for expenditure throughout the life of the project as determined by the City and **AUTHORISES** the Chief Executive Officer to negotiate and enter into an appropriate funding agreement with the State Government;
4. **APPROVES** the working title for the project being changed to North Perth Common;
5. **ESTABLISHES** a North Perth Common Working Group in accordance with the Terms of Reference included as Attachment 8 to provide advice and recommendations on the design of a public open space in the location endorsed under 2. above, consisting of the following members:
  - 5.1. Mayor Emma Cole;
  - 5.2. Cr Topelberg;
  - 5.3. The State Member for Perth, John Carey MLA;
  - 5.4. The Chair of North Perth Local; and
  - 5.5. The Vice Chair of North Perth Local;
  - 5.6. A member of the City's Design Advisory Committee as a non-voting member;
6. **LISTS FOR CONSIDERATION** in the 2017/18 to 2020/21 Corporate Business Plan a project to prepare an urban design concept and business case for Lots 15, 16 and 40 View Street and the adjoining View Street road reserve; and
7. **NOTIFIES** North Perth Local, all residents, landowners and businesses within 500 metres of the endorsed public open space location and those that submitted a response during the consultation period of Council's decision.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**10 TECHNICAL SERVICES****10.3 TENDER NO 535/17 – PROVISION OF GENERAL CLEANING SERVICES - BEATTY PARK LEISURE CENTRE.****TRIM Ref:** D17/70489**Author:** James Hopper, Coordinator Asset Management**Authoriser:** Craig Wilson, A/Director Technical Services**Attachments:** 1. Tender No 535/17 - Confidential**RECOMMENDATION:**

That Council ACCEPTS Tender No 535/17 from Quay Clean Australia Pty Ltd for the provision of general cleaning services for Beatty Park Leisure Centre for the fixed period expiring 31 August 2019, (with an option period of one year at the sole discretion of the City) for the fixed annual price of \$109,837.20 (excluding GST) as per the pricing schedule (Confidential Attachment 1) in the tender submission and general conditions of tendering.

**COUNCIL DECISION****Moved:** Cr Loden, **Seconded:** Cr Buckels

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (7-1)****For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Topelberg and Cr Murphy**Against:** Cr Loden



## 9 DEVELOPMENT SERVICES

### 9.7 NO. 459 (LOT: 8; D/P:1647) FITZGERALD STREET, NORTH PERTH - ALTERATIONS TO EXISTING HOTEL







TRIM Ref: D17/67549

Author: Remajee Narroo, Statutory Planning Officer

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 9 – North Perth Centre

Attachments: 1. Attachment 1 - Consultation and Location Map    
 2. Attachment 2 - Development Application Plans    
 3. Attachment 3 - Determination Advice Notes  

#### 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 for development approval for Alterations to Existing Hotel at No. 459 (Lot: 8; D/P: 1647) Fitzgerald Street, North Perth, in accordance with the plans included in Attachment 2, subject to the following conditions with the associated determination advice notes in Attachment 3:

#### 1. Extent of Approval

This approval relates to the area shown as 'SCOPE OF WORKS REQUIRING DEVELOPMENT APPROVAL' on the approved plans only, including 'EXISTING DOOR TO BE REMOVED', 'INFILL WALL TO FLUSH WITH EXISTING WALL FINISH TO MATCH EXISTING WALL' and 'NEW WINDOW TO MATCH SILL AND HEAD HEIGHT OF ADJACENT WINDOW TO MATCH WIDTH OF DOOR OPENING', and does not relate to any other development;

#### 2. Active Frontage

Windows, doors and adjacent areas fronting Fitzgerald Street/Angove Street shall maintain an active and interactive relationship with the street to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited; and

#### 3. External Fixtures

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

Cr Murphy declared a financial interest in Item 9.7 and left the meeting at 9.06pm prior to consideration of the Item.

#### COUNCIL DECISION ITEM 9.7

Moved: Cr Buckels, Seconded: Cr Gontaszewski

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden and Cr Topelberg

**Against:** Nil

(Cr Murphy was absent from the meeting and did not vote.)



## 10 TECHNICAL SERVICES

### 10.2 WILLIAM STREET, PERTH - PROPOSED PARKING RESTRICTION CHANGES

TRIM Ref: D17/75423

Author: Craig Wilson, A/Director Technical Services

Authoriser: Craig Wilson, A/Director Technical Services

Attachments: 1. Summary of Comments [⇒](#)   
2. Appendix 7.3 (E) - Special Council Meeting 5 July 2011 [⇒](#) 

#### RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the proposed changes to the parking restrictions in William Street, Perth, as shown in Attachment 1;
2. **APPROVES** the introduction of 2P paid ticket parking restrictions between 8am and 7.00pm, and paid ticket parking between 7.00pm and 12.00pm, seven days per week; and
3. **ADVISES** the respondents of its decision.

Cr Topelberg declared a financial interest in Item 10.2 and left the meeting at 9.07pm prior to consideration of the Item.

At 9.08pm, Cr Murphy returned to the meeting.

**Moved: Cr Loden, Seconded: Cr Hallett**

**That the recommendation be adopted.**

#### **PROPOSED AMENDMENT**

**Moved: Cr Gontaszewski, Seconded: Cr Hallett**

**That recommendation 2 be amended as follows:**

2. **APPROVES** the introduction of 2P paid ticket parking restrictions between 8am and 7.00pm, and paid ticket parking between 7.00pm and 12.00pm~~am~~, seven days per week; and

**AMENDMENT CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden and Cr Murphy

**Against:** Nil

**(Cr Topelberg was absent from the meeting and did not vote.)**

**COUNCIL DECISION ITEM 10.2**

That Council:

1. **NOTES** the comments received regarding the proposed changes to the parking restrictions in William Street, Perth, as shown in Attachment 1;
2. **APPROVES** the introduction of 2P paid ticket parking restrictions between 8am and 7.00pm, and paid ticket parking between 7.00pm and 12.00am, seven days per week; and
3. **ADVISES** the respondents of its decision.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden and Cr Murphy

**Against:** Nil

**(Cr Topelberg was absent from the meeting and did not vote.)**

**10.1 CAPITAL WORKS UPDATE****TRIM Ref: D17/61543****Authors: Craig Wilson, A/Director Technical Services  
Sarah Hill, Project Officer - Parks & Environment****Authoriser: Craig Wilson, A/Director Technical Services****Attachments: Nil****RECOMMENDATION:****That Council:**

- 1. RECEIVES the update report on 2016/17 Infrastructure Capital Works Program.**
- 2. NOTES the reasons for the various projects not proceeding in 2016/17, and**
- 3. SUPPORTS carrying forward the funds allocated for each respective project to the 2017/18 financial year, so as to enable the project to be implemented, which will form part of the City's 2017/18 budget.**

Cr Harley declared a proximity interest in Item 10.1 and left the meeting at 9.13.pm prior to consideration of the Item.

At 9.14pm, Cr Joshua Topelberg returned to the meeting.

**COUNCIL DECISION ITEM 10.1****Moved: Cr Loden, Seconded: Cr Hallett****That the recommendation be adopted.****.CARRIED UNANIMOUSLY (6-0)****For: Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy****Against: Nil****(Cr Harley was absent from the meeting and did not vote.)****(Mayor Cole declared a proximity interest in Item 10.1 and did not participate in debate or vote on the matter.)**

At 9:16 pm Cr Harley returned to the meeting.

## 12 COMMUNITY ENGAGEMENT

### 12.2 PROPOSED DOGS AMENDMENT LOCAL LAW 2017

TRIM Ref: D17/70201

Author: Tim Evans, Manager Governance and Risk

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Consolidated Dogs Local Law 2007 - marked up version [⇒](#)   
2. Dogs Amendment Local Law 2017 [⇒](#)   
3. List of Dog Exercise Areas within the City of Vincent [⇒](#) 

#### RECOMMENDATION:

That Council:

1. **GIVES** Statewide and local public notice, in accordance with section 49 of the *Dog Act 1976* and sections 3.12(3)(a) and (3a) of the *Local Government Act 1995*, stating that:
  - 1.1. It is proposed to make the City of Vincent Dogs Amendment Local Law 2017 included as Attachment 2;
  - 1.2. The purpose of the Dogs Amendment Local Law 2017 is to amend the Dogs Local Law 2007 in order to delete references to a "pound keeper", to update references to prescribed forms and to remove PART 5 and schedules 4 and 5 relating to dogs in public places;
  - 1.3. The effect of the Dogs Amendment Local Law 2017 is to align the City's Dogs Local Law with controls over dogs which exist under the *Dog Act 1976* and Dog Regulations 2013.
  - 1.4. Copies of the proposed local law may be inspected at the City's offices and on its website; and
  - 1.5. Submissions about the proposed local law may be made to the City within a period of not less than six weeks after the notice is given;
2. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed local law and notice will be provided to the Minister for Local Government; Heritage; Culture and the Arts and that any submissions will be presented to Council for consideration;
3. **NOTES** that the existing dog exercise areas will continue to apply; and
4. **SPECIFIES BY ABSOLUTE MAJORITY**, pursuant to section 31(2B) of the *Dog Act 1976*, the following places as places where dogs are prohibited at all times:
  - 4.1 Land designated as a children's playground by the City; and
  - 4.2 Beatty Park Leisure Centre.

**COUNCIL DECISION ITEM 12.2**

**Moved: Cr Murphy, Seconded: Cr Gontaszewski**

**That the recommendation be adopted.**

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil

**13 CHIEF EXECUTIVE OFFICER****13.1 CORPORATE BUSINESS PLAN 2017/18-2020/21****TRIM Ref:** D17/74692**Author:** Len Kosova, Chief Executive Officer**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. 2017 City of Vincent Draft Corporate Business Plan [↗](#) **RECOMMENDATION:**

That Council **ADOPTS BY ABSOLUTE MAJORITY** the City of Vincent Corporate Business Plan 2017/18 – 2020/21 contained in Attachment 1 as an outcome of the review and revision of the Corporate Business Plan 2016/17 – 2019/20 and **NOTES** that final editorial, design and formatting of the document will be determined by the Chief Executive Officer.

**COUNCIL DECISION ITEM 13.1****Moved:** Cr Topelberg, **Seconded:** Cr Loden

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (8-0)****For:** Mayor Cole, Cr Harley, Cr Buckels, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy**Against:** Nil

**14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN  
(WITHOUT DISCUSSION)**

Nil

**16 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**17 URGENT BUSINESS**

Nil

**18 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE  
CLOSED**

Nil



**19 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.21pm with the following persons present:

<b>PRESENT:</b>	<b>Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Matt Buckels (from 6.09pm)</b>	<b>North Ward</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>
	<b>John Paton</b>	<b>Director Corporate Services</b>
	<b>John Corbellini</b>	<b>Director Development Services</b>
	<b>Michael Quirk</b>	<b>Director Community Engagement</b>
	<b>Craig Wilson</b>	<b>A/Director Technical Services</b>
	<b>Tim Evans</b>	<b>Manager Governance and Risk</b>
	<b>Emma Simmons</b>	<b>Governance and Council Support Officer</b>
<b>Media:</b>	<b>Julian Wright (Journalist), "The Guardian Express"</b>	
<b>Public:</b>	<b>No members of the Public were present.</b>	

These Minutes were confirmed by the Council as a true record and accurate of the Ordinary Meeting of the Council held on 22 August 2017.

Signed: ..... Mayor Emma Cole

Dated this ..... day of .....2017