



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

12 December 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, 12 DECEMBER 2017 AT 6PM**

| | | |
|-----------------------|--|--|
| PRESENT: | Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley (from 6.17pm) Cr Dan Loden (from 6.05pm) Cr Jimmy Murphy Cr Joshua Topelberg | Presiding Member South Ward North Ward North Ward South Ward North Ward North Ward South Ward South Ward |
| IN ATTENDANCE: | Len Kosova John Paton John Corbellini Michael Quirk Craig Wilson Stephanie Smith Tim Evans Emma Simmons | CEO Director Corporate Services Director Development Services Director Community Engagement A/Director Technical Services Manager Policy and Place Manager Governance and Risk Governance and Council Support Officer |
| Media: | Julian Wright | Journalist – “The Guardian Express” |
| Public: | Approximately 8 members of the public. | |

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.03pm 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”.

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

At 6.05pm Cr Loden arrived at the meeting.

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. Marie Slyth of West Perth – Item 9.9

- Spoke in support of the proposal for Carr Street to become a character retention area.

The Presiding Member Mayor Emma Cole thanked Ms Slyth for her comments.

2. George Koeigshausen of West Perth.

- Stated that his rates have increased by 50%.
- Stated that the services provided in Carr Street are inadequate.
- Advised that Carr Street had not been cleaned in some time.

The Presiding Member Mayor Emma Cole thanked Mr Koeigshausen for his comments and advised that staff would be in touch and review his concerns.

3. Rebecca Travaglione of Planning Solutions – Item 9.6

- Spoke against condition 5.9 of the recommended planning approval.
- Advised that condition 5.9 would require additional environmental design reporting causing further delays to the construction timetable.

The Presiding Member Mayor Emma Cole thanked Ms Travaglione for her comments.

4. Natasha Swell of West Perth - Item 9.9

- Spoke against the recommendations.
- Stated that residents had agreed on a Character Retention Area and not a Heritage Area listing.
- Questioned the validity of the Character Retention Area proposal stating that half of the signatories were tenants and not property owners.

The Presiding Member Mayor Emma Cole thanked Ms Swell for her comments.

5. Tim Hughes of Highgate – Item 9.9

- Spoke in support of the Character Retention Policy and the Heritage Area Initiatives.
- Raised concerns with regard to the wording of the street set back requirements within the policy.

The Presiding Member Mayor Emma Cole thanked Mr Hughes for his comments.

6. Dudley Maier of Highgate – Item 13.2

Mr Maier asked the following question in relation to Item 13.2 – Annual Report which was taken on notice:

- *What was the employee turnover percentage for the 2016/2017 year?*

Mr Maier made the following statements:

- Stated that the annual report had previously contained the employee turnover percentages.
- Suggested that the annual report should contain Council Member attendance at Council Workshops.
- Stated that the City's Christmas Tree this year is more appropriate than last year's.
- Acknowledged that may be the Director Corporate Service's last Council meeting, thanked the Director for his efforts and wished him well for the future.
- Wished City of Vincent Staff and Council Members a Merry Christmas.

The Presiding Member Mayor Emma Cole thanked Mr Maier for his comments.

There being no further speakers, Public Question Time closed at approximately 6.13pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 CONFIRMATION OF MINUTES**COUNCIL DECISION**

Moved: Cr Hallett, Seconded: Cr Loden

That the minutes of the Ordinary Meeting held on 14 November 2017 be confirmed.

CARRIED UNANIMOUSLY (8-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

(Cr Harley was absent from the Council Chamber and did not vote.)

At 6.17pm Cr Harley arrived at the meeting.

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor Emma Cole made the following announcement:

7.1 LOCAL PLANNING SCHEME 2

We had some incredibly exciting news last Thursday that we finally have a Ministerial decision on our Local Planning Scheme 2. This has been a long road to get here and we are absolutely thrilled to have this decision.

The decision brings much needed clarity on the future of the concrete batching plants which was probably one of the central issues that was holding up the passage of our Local Planning Scheme 2. The City of Vincent's proposed mixed use and residential R160 zoning over the two concrete batching plant sites has been approved by the Minister and we are very supportive of this announcement.

It is a fundamentally different decision to any that have come before on the future of the concrete batching plants. This is an immediate R160 mixed use zoning with an additional use 'special industries' which has been allowed for 6.5 years. At the end of that time the batching plants will become a prohibited use in our new scheme.

It hasn't come as soon and as quickly as many of us would have wanted but I think that we are happy that we finally have the State Government on board with our future vision for Claisebrook and I note that it has been quite well received within our Claisebrook Community.

There will be some land owners and businesses that would have liked to see this happen sooner and will be a little disappointed, however the central issue is that we finally have a future vision for a transit oriented hub in Claisebrook and all that that will bring.

There are some other changes in our scheme and our Development Services Team are working through the Ministerial decision and will form a full understanding of the changes so that they can advise Community and Council as soon as possible.

7.2 FESTIVE TIME

It is festive time and Vincent is alive with festive events and Christmas spirit at the moment. This past weekend there were carols at Kyilla Primary School and the Beaufort Street Twilight Christmas Markets. Street Christmas parties are happening throughout our neighbourhoods and Mt Hawthorn Community Christmas Carols were taking place at Braithwaite Park. These festivals are important because they bring together neighbours, friends and family and help us to connect and to take some time out of what can be a very hectic time in our December schedules.

I also wanted to note that this year the City of Vincent will be shining a light on our volunteers within the community by celebrating twelve Christmas heroes. They will be volunteers who contribute so much to life in Vincent and will be coming from all sorts of different groups in Vincent such as our Town Teams, Sporting Clubs and other numerous community groups that do a lot of great work throughout the year.

So keep track of social medial to see some of these people celebrated throughout the year.

8 DECLARATIONS OF INTEREST

- 8.1** Cr Joshua Topelberg declared a proximity interest in Item 9.6. – No. 304 (Lot: 6; D/P: 2411) Fitzgerald Street, Perth - Proposed Extension of the Term of Approval: Four Storey Office Building and Associated Car Parking. The extent of his interest being that his family owns a property directly opposite the proposed development at 301 Fitzgerald Street, Perth.
- 8.2** The Chief Executive Officer, Len Kosova declared an impartiality interest in Item 13.1 – Audit Committee Minutes and Annual Financial Report 2016/2017. The extent of his interest being that he is acquainted with Mr Shaun Williams, an auditor who works at Moore Stephens – the City's external auditor. Mr Williams does not work in the Local Government division of Moore Stephens and has been expressly prohibited from having any involvement in audit functions for the City of Vincent by the contract entered into between the City and Moore Stephens for external audit services. For the purpose of consistency and transparency this information was also reflected in an impartiality interest disclosure that the Chief Executive Officer made to Council at its meeting on 4 April 2017 when considering the appointment of Moore Stephens as the City's external auditor.

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 9.9, 9.6 and 13.2.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 9.1, 12.1, 13.3 and 18.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.6.

The 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 (Deputy Mayor) | 9.1 |
| Cr Topelberg | 11.1 |

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

- (e) **Unopposed items which will be moved "En Bloc", being:**
Items 9.2, 9.3, 9.4, 9.5, 9.7, 9.8, 10.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 13.1, 13.4, 14.1 and 14.2
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 18.1 and 18.2.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Murphy, Seconded: Cr Harley

That the following unopposed items be adopted "En Bloc", as recommended:

Items 9.2, 9.3, 9.4, 9.5, 9.7, 9.8, 10.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 13.1, 13.4, 14.1 and 14.2

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

9.2 NOS. 1/622 AND 3/622 (LOT: 1; D/P: 1057) NEWCASTLE STREET, LEEDERVILLE - CHANGE OF USE FROM CAR PARK, SHOP AND EDUCATIONAL ESTABLISHMENT TO WAREHOUSE AND INDUSTRY LIGHT (MICROBREWERY)

TRIM Ref: D17/136888






Author: Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 4 – Oxford Centre

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Applicant's Submission and Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Odour Emissions Assessment 
5. Attachment 5 - 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 Car Park, Shop and Educational Establishment to Light Industry and Warehouse at Nos. 1/622 and 3/622 (Lot: 1; D/P: 1057;) Newcastle Street, Leederville, in accordance with the plans shown in Attachment 2, subject to the following conditions, and advice notes contained in Attachment 5:

1. Use of Premises

- 1.1. The use of the development subject to this approval shall only be for the purposes of 'Light Industry' and 'Warehouse' as defined by the City of Vincent Town Planning Scheme No. 1;
- 1.2. The proposed Light Industry shall be used as a microbrewery only, in accordance with the application made by Urbis dated 26 May 2017, and shall not be open to the public and no sale or consumption for sale of products shall occur on site;
- 1.3. The hours of operation of both the Light Industry (Micro Brewery) and Warehouse shall be limited to 8:00am to 7:00pm Monday to Sunday; and
- 1.4. Deliveries for both the Light Industry (Micro Brewery) and Warehouse are limited to 7:00am to 5:00pm Monday to Saturday;

2. Odour

The development shall be carried out in accordance with the recommendations of the Modular Brewery, 3/622 Newcastle St, Leederville WA, Odour Risk Assessment (Report Reference 17.1050.FR1V1) dated 25 May 2017;

3. Car Parking

- 3.1. 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 occupation or use of the development; and
- 3.2. A Parking Management Plan shall be submitted to and approved by the City prior to the use of occupation of the development detailing how the three tandem car parking bays proposed on site will be managed, to the satisfaction of the City. Parking shall be managed in accordance with the approved Parking Management Plan;
- 3.3. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City;

4. Bicycle Bays

A plan shall be submitted to and approved by the City prior to the occupation or use of the development, detailing the location on-site of a minimum of 1 bicycle bay (Class 1) to the satisfaction of the City. The bicycle bay shall be provided in accordance with the approved plan prior to the occupation or use of the development, and thereafter shall be maintained to the satisfaction of the City; and

5. 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.

COUNCIL DECISION ITEM 9.2

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3 NO. 14 (LOT: 70; D/P: 6049) BRADY STREET, MOUNT HAWTHORN - PROPOSED AMENDMENT TO SITE PLAN OF PREVIOUS APPROVAL (UNAUTHORISED EXISTING DEVELOPMENT): CONSTRUCTION OF SIX MULTIPLE DWELLINGS

TRIM Ref: D17/149421

Author: Steve Laming, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 1 – Mount Hawthorn

Attachments:

1. Attachment 1 - Consultation and Location Map [⇒](#) 
2. Attachment 2 - Previous Planning Approval and Approved Plans [⇒](#) 
3. Attachment 3 - Amended Site Plan [⇒](#) 
4. Attachment 4 - Annotated Amended Site 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 application to amend planning approval 5.2016.153.1 granted on 26 July 2016 for Construction of Six Multiple Dwellings at No. 14 (Lot: 70; D/P: 6049) Brady Street, Mount Hawthorn, to replace the site plan with the site plan included as Attachment 3, subject to the following conditions:

1. The plans, excluding the site plan, included in Attachment 2 continue to apply to this approval; and
2. All conditions and advice notes detailed on development approval 5.2016.153.1 granted on 26 July 2016 included in Attachment 2 continue to apply to this approval.






COUNCIL DECISION ITEM 9.3

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.4 NO. 12 (LOT: 42; D/P: 6049) ANDERSON STREET, MOUNT HAWTHORN - SEVEN MULTIPLE DWELLINGS**TRIM Ref:** D17/148529**Author:** Steve Laming, Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** North**Precinct:** 1 – Mount Hawthorn**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Design Advisory Committee Comments 
5. Attachment 5 - 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 development application for Seven Multiple Dwellings at No. 12 (Lot: 42; D/P: 6049) Anderson Street, Mount Hawthorn in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 10, 10A and 14 Anderson Street, Mount Hawthorn and Nos. 1-3/11 Gibney Avenue, Mount Hawthorn in a good and clean condition prior to 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;

2. Car Parking and Access

- 2.1. Car parking on site shall only be used by occupants or visitors of the development;
- 2.2. Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.3. 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;

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. Visual Privacy

The privacy screens to balconies to the eastern, western and southern elevations are to accord with the Visual Privacy deemed-to-comply standards of State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development to the satisfaction of the City;

5. Acoustic Report

- 5.1. An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning, shall be lodged with and approved by the City prior to the commencement of the development; and

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

6. Schedule of External Finishes

6.1. Prior to commencement of development a detailed schedule of external finishes (including elevations demonstrating materials and colour schemes and details) shall be submitted to and approved by the City. The schedule is to demonstrate how the materials found within the local area have been re-interpreted into the development; and

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

7. 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 and include traffic and parking management requirements during construction. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

8. Clothes Drying Facility

All external clothes drying areas shall be adequately screened in accordance with the Residential Design Codes prior to the use or occupation of the development and shall be completed to the satisfaction of the City;

9. Stormwater

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

10. Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge, prepared by a landscape architect, 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:

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

10.2. Areas to be irrigated or reticulated; and

10.3. The provision of 12.55 per cent of the site area as deep soil zones and 32 per cent canopy cover at maturity as shown on the approved plans;

All works shown in the plans as identified in Condition 11 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;

11. Environmentally Sustainable Design

Prior to the commencement of development that the applicant demonstrate, to the satisfaction of the City, that the development is capable of achieving one of the environmental performance ratings in accordance with Clause 5.30 of the City's Policy No. 7.1.1 – Built Form;

12. Sun Shading Devices

Plans detailing the provision of suitable sun shading devices to east and west facing windows shall be lodged with and approved by the City prior to the commencement of development. The sun shading devices included in the approved plans shall be installed prior to the occupation or use of the development; and

13. 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 exist.

COUNCIL DECISION ITEM 9.4

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.5 NO. 26 (LOT: 17; D/P: 2432) WOODVILLE STREET, NORTH PERTH - PROPOSED TWO MULTIPLE DWELLINGS, ADDITIONS TO EXISTING MULTIPLE DWELLING DEVELOPMENT AND CHANGE OF USE FROM SINGLE HOUSE TO GROUPED DWELLING

TRIM Ref: D17/155424




Author: Remajee Narroo, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 6 – Smith’s Lake

Attachments:

1. Attachment 1 - Consultation and Location Plan 
2. Attachment 2 - Development Application Plans and Report 
3. Attachment 3 - Summary of Submissions 
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 development application for Two Multiple Dwellings, Additions to Existing Multiple Dwelling Development and Change of Use from Single House to Grouped Dwelling at No. 26 (Lot: 17; D/P: 2432) Woodville Street, North Perth in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 28 Woodville Street, North Perth in a good and clean condition prior to 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;

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 screened from view from the street, and surrounding properties to the satisfaction of the City;

3. Car Parking and Access

3.1. A minimum of three resident bays and one visitor bay for the multiple dwellings and a minimum of one car bay for the grouped dwelling shall be provided onsite;

3.2. Vehicle and pedestrian access points are required to match into existing footpath and right of way 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

3.4. The visitor parking bay is to be sign posted, to the satisfaction of the City, prior to the occupation or use of the development;

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. Areas to be irrigated or reticulated; and
- 4.1.3. The provision of 12.9 percent of the site area as deep soil zones and on-site provision of canopy cover equivalent to no less than 30 percent of the site area at maturity as shown on the approved plans; and

4.2. All works shown in the approved detailed landscape and reticulation plans as identified in Condition 4.1 above shall be undertaken to the City's satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

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

6. **Construction Management Plan**

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area 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 and management of the site shall thereafter comply with the approved Construction Management Plan;

7. **Stormwater**

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

8. **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;

9. **Clothes Drying Facility**

All external clothes drying areas shall be adequately screened in accordance with State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development and shall be completed to the satisfaction of the City; and

10. **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.

COUNCIL DECISION ITEM 9.5

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.7 NOS. 388-396 (LOTS: 64-65; D/P: 613) WILLIAM STREET, PERTH - PROPOSED AMENDMENT TO CONDITION OF APPROVAL: PROPOSED PERIODIC THEATRE AND ASSOCIATED ACTIVITIES ON EXISTING CAR PARK







TRIM Ref: D17/158165

Author: Emily Andrews, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 13 – Beaufort

Attachments: 1. Attachment 1 - Location and Consultation Map  
2. Attachment 2 - Previous Determination  
3. Attachment 3 - Summary of Submissions  

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 Condition 1 and extend the period within which the development must be substantially commenced for development approval 5.2015.482.1 granted on 8 December 2015 for a Periodic Theatre and Associated Activities on Existing Car Park at Nos 388 and 396 (Lots: 64 & 65; D/P: 613) William Street, Perth, subject to the following condition:

1. All conditions, requirements and advice notes detailed on the development approval 5.2015.482.1 granted on 8 December 2015 continue to apply to this approval, with exception of Condition 1 which is amended to read as follows:

“1. Approval period





This approval is only valid until 30 April 2020, between the months of December to April inclusive, and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply and obtain approval from Council prior to continuation of the use.”

COUNCIL DECISION ITEM 9.7

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.8 NOS. 452-460 (LOT: 1; D/P: 613) WILLIAM STREET, PERTH - PROPOSED AMENDMENT TO CONDITION OF PREVIOUS APPROVAL: CHANGE OF USE FROM SHOP TO TAVERN**TRIM Ref:** D17/166900**Author:** Joslin Colli, Coordinator Planning Services**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 13 – Beaufort**Attachments:**
1. Attachment 1- Location Map  
2. Attachment 2 - Previous Conditions of Approval  **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 planning approval 5.2017.212.1 granted 17 October 2017 for a change of use from Shop to 'Tavern' at Nos. 452-460 (Lot: 1; D/P: 613) William Street, Perth subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2017.212.1 granted 17 October 2017 continue to apply to this approval, with the exception of Conditions 1.1 and 1.2 which are deleted and replaced as follows:
 - 1.1. A maximum of 50 customers shall be permitted at the premises at any given time.

COUNCIL DECISION ITEM 9.8**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

10.1 CAPITAL WORKS UPDATE - PARKS AND ENGINEERING OPERATIONS**TRIM Ref: D17/159844****Author: Craig Wilson, A/Director Technical Services****Authoriser: Craig Wilson, A/Director Technical Services****Attachments: Nil****RECOMMENDATION:****That Council:**

- 1. RECEIVES the update report on 2017/18 Parks and Engineering Operations Capital Works Program;**
- 2. NOTES the information contained within the report; and**
- 3. RECEIVES a further progress report at its Ordinary Meeting in March 2018.**

COUNCIL DECISION ITEM 10.1**Moved: Cr Murphy, Seconded: Cr Harley****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

11.2 AMENDED PURCHASING POLICY 1.2.3

TRIM Ref: D17/154617

Author: Kara Davies, Executive Secretary Corporate Services

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Current Purchasing Policy 1.2.3  

2. Revised Purchasing Policy 1.2.3  

RECOMMENDATION:

That Council:

1. **APPROVES** for the purpose of community consultation, the revised Purchasing Policy 1.2.3 as detailed in Attachment 2;
2. **NOTES** that a subsequent report will be presented to Council at the conclusion of the Local Public Notice period, along with any public submissions received; and
3. **RESCINDS** the following City policies that are no longer relevant, have been superseded by provisions in the Purchasing Policy or can be addressed by procedures:

| | |
|---------------|--|
| Policy 1.2.9 | Sustainable Use of Paper, Printing and Office Products |
| Policy 1.2.10 | Commercial Dealings – Native Forest Woodchips |
| Policy 4.1.24 | Legal Advice |

COUNCIL DECISION ITEM 11.2**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.3 REVIEW OF INVESTMENT POLICY**TRIM Ref:** D17/155211**Author:** Kara Davies, Executive Secretary Corporate Services**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Investment Policy 1.2.4 (Marked Up) **RECOMMENDATION:**

That Council:

1. **ADOPTS** the amended Investment Policy 1.2.4 as detailed in Attachment 1; and
2. **AGREES** that public advertising and community consultation is not required due to the minor nature of the amendment.

COUNCIL DECISION ITEM 11.3**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.4 FINANCIAL STATEMENTS AS AT 31 OCTOBER 2017**TRIM Ref:** D17/164379**Author:** Sheryl Teoh, Accounting Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Financial Statements **RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 31 October 2017 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.4**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.5 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 20 OCTOBER 2017 TO 22 NOVEMBER 2017

TRIM Ref: D17/165544

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: John Paton, Director Corporate Services

Attachments:

1. Payments by EFT November 2017 
2. Payments by Cheque November 2017 
3. Payments by Credit Card November 2017 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 20 October 2017 to 22 November 2017 as detailed in attachment 1, 2 and 3 as summarised below:


| | |
|--|-----------------------|
| Cheque Numbers 81778 – 81876 | \$139,585.00 |
| Cancelled Cheques 81436, 81532, 81701, 81732 and 81672 | -\$2,727.01 |
| EFT Documents 2160 – 2168 and 2172 - 2174 | \$3,224,118.05 |
| Payroll | \$1,139,863.49 |
| Direct Debits | |
| • Lease Fees | \$385.00 |
| • Loan Repayments | \$147,118.84 |
| • Bank Fees and Charges | \$26,502.50 |
| • Credit Cards | \$7,121.88 |
| Total Direct Debit | \$181,128.22 |
| Total Accounts Paid | \$4,681,967.75 |

COUNCIL DECISION ITEM 11.5

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.6 2016/2017 CARRY FORWARDS ADJUSTMENT REPORT**TRIM Ref:** D17/166353**Author:** John Paton, Director Corporate Services**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. 2017/18 Carry Forward Budget Review [↔](#) **RECOMMENDATION:****That Council:**

1. **RECEIVES** the list of reviewed Carry-Forward Budgets for the 2017/18 Capital Budget as detailed in Attachment 1;
2. **APPROVES** the following adjustments to the 2017/18 Annual Budget:
 - a) a reduction to the Capital Expenditure Budget of \$55,787 as per the individual line-item adjustments listed in Attachment 1;
 - b) an increase of \$33,270 in Transfer from Reserves;
 - c) a reduction in Municipal funding of \$89,057

COUNCIL DECISION ITEM 11.6**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

11.7 INVESTMENT REPORT AS AT 30 NOVEMBER 2017**TRIM Ref:** D17/168760**Author:** Sheryl Teoh, Accounting Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Investment Report [↗](#) **RECOMMENDATION:**

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

COUNCIL DECISION ITEM 11.7**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.8 FINANCIAL STATEMENTS AS AT 30 NOVEMBER 2017

TRIM Ref: D17/171669

Author: Nilesh Makwana, Accounting Officer

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Financial Statements as at 30 November 2017 **RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 30 November 2017 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.8**Moved: Cr Murphy, Seconded: Cr Harley**

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

13.1 AUDIT COMMITTEE MINUTES AND ANNUAL FINANCIAL REPORT 2016/2017**TRIM Ref:** D17/160584**Author:** John Paton, Director Corporate Services**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Minutes of the Audit Committee Meeting - 21 November 2017  **RECOMMENDATION:****That Council:**

1. **RECEIVES** the unconfirmed Minutes of the Audit Committee Meeting held on 21 November 2017, as shown in Attachment 1;
2. **NOTES** the recommendations of the City's Audit Committee of 21 November 2017 in respect to the Annual Financial Report for the Year Ended 30 June 2017 (item 5.3) and:
 - 2.1. Requests Administration to write to the Department of Local Government, Sport and Cultural Industries and the Office of the Auditor General to highlight perceived anomalies and proposed amendments to the reporting ratios; and
 - 2.2. Requires Administration to update the City's Asset Management and Long Term Financial Plans as a matter of priority to provide the appropriate data to accurately prepare the calculation of the asset renewal funding ratio.
3. **ACCEPTS** the Annual Financial Report of the City of Vincent for the Year Ended 30 June 2017 and associated Auditor's Report, included with Item 5.3 in Attachment 1.

COUNCIL DECISION ITEM 13.1**Moved:** Cr Murphy, **Seconded:** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

13.4 INFORMATION BULLETIN**TRIM Ref:** D17/95474**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** John Paton, Director Corporate Services

- Attachments:**
1. Minutes of the Environmental Advisory Group Meeting held on 2 October 2017 [⇨](#) 
 2. Minutes of the Design Advisory Committee Meeting held on 4 October 2017 [⇨](#) 
 3. Minutes of the Design Advisory Committee Meeting held on 18 October 2017 [⇨](#) 
 4. Minutes of the Business Advisory Group Meeting held on 7 September 2017 [⇨](#) 
 5. Minutes of Mindarie Regional Council Meeting held on 9 November 2017 [⇨](#) 
 6. Minutes of Tamala Park Regional Council - Special Council Meeting held on 9 November 2017 [⇨](#) 
 7. Statistics for Development Applications as at end of November 2017 [⇨](#) 
 8. Register of Legal Action and Prosecutions Register Monthly - Confidential
 9. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 16 November 2017 [⇨](#) 
 10. Register of Applications Referred to the MetroWest Development Assessment Panel – Current [⇨](#) 
 11. Register of Applications Referred to the Design Advisory Committee – Current [⇨](#) 
 12. Register of Petitions - Progress Report - December 2017 [⇨](#) 
 13. Register of Notices of Motion - Progress Report - December 2017 [⇨](#) 
 14. Register of Reports to be Actioned - Progress Report - December 2017 [⇨](#) 
 15. Unconfirmed Minutes of the Pedestrian and Cycling Advisory Group held on 16 October 2017 [⇨](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated December 2017.

COUNCIL DECISION ITEM 13.4

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

14.1 NOTICE OF MOTION - CR JOSHUA TOPELBERG – INFORMATION REGARDING VERGE TREE REMOVAL

That Council:

1. REQUESTS Administration, from February 2018, to include in the monthly Information Bulletin presented to Council a summary of all requests received and decisions made regarding removal of verge trees in the City of Vincent; and
2. NOTES that Policy No. 2.1.2 – Street Trees is overdue for review and will be reviewed in 2018.

COUNCIL DECISION ITEM 14.1

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

14.2 NOTICE OF MOTION - CR JIMMY MURPHY - REVIEW AND ASSESSMENT OF THE CITY'S BUILDING ASSETS

That Council:

1. **LISTS FOR CONSIDERATION in the 2018/19 to 2022/23 Corporate Business Plan a project to review and assess the City's building asset portfolio in order to:**
 - 1.1. **Develop a strategic framework that assesses the long term need for and required number, nature and type of community building assets within the City;**
 - 1.2. **Determine the City of Vincent's position in providing and maintaining those building assets, taking into account both community needs and the City's long term financial sustainability;**
 - 1.3. **Identify opportunities for the City to efficiently and effectively manage its building assets portfolio; and**
2. **To assist in Council's timely deliberations on 1. above, REQUESTS the CEO to provide a report to Council by March 2018 comprising the following for each building in the City's building assets portfolio:**
 - 2.1. **A summary of its current use, tenure and occupancy arrangements;**
 - 2.2. **An opinion on the extent to which it satisfies or could satisfy a current or future community need;**
 - 2.3. **An estimate of the future asset maintenance and renewal costs; and**
 - 2.4. **Identification of options to sustainably manage the asset management and renewal burden on the community.**

COUNCIL DECISION ITEM 14.2

Moved: Cr Murphy, Seconded: Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)







9 DEVELOPMENT SERVICES

9.9 AMENDMENT TO POLICY NO. 7.5.15 - CHARACTER RETENTION AND HERITAGE AREAS

TRIM Ref: D17/148496

Authors: Amanda Fox, Strategic Planning Officer
Jordan Korovesi, Coordinator Policy & Place

Authoriser: John Corbellini, Director Development Services

- Attachments:
1. Attachment 1 - Advertised Draft Policy No. 7.5.15 - Character Retention and Heritage Areas [⇒](#) 
 2. Attachment 2 - Submission Table [⇒](#) 
 3. Attachment 3 - Revised Draft Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Tracked Changes) [⇒](#) 
 4. Attachment 4 - Revised Draft Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Without Tracked Changes) [⇒](#) 
 5. Attachment 5 - Proposed Draft Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Tracked Changes) [⇒](#) 
 6. Attachment 6 - Proposed Draft Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Without Tracked Changes) [⇒](#) 

RECOMMENDATION:

That Council:

1. **PROCEEDS** with the amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas, with modifications, and **ADOPTS** the Heritage Area designation of Harley Street, with modifications, as shown in Attachment 4 pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. Subject to endorsement of Recommendation 1, **PREPARES** an amendment to Local Planning Policy No. 7.5.15 – Character Retention and for the purpose of designating Janet Street as a proposed Heritage Area as shown in Attachment 6 pursuant to Clause 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
3. **NOTES:**
 - 3.1. The submissions received in relation to the advertising of the amendment to Local Planning Policy No. 7.5.15 – Character Retention Areas and the proposed Heritage Area designation of Harley Street and **ENDORSES** Administration’s responses to those submissions included as Attachment 2;
 - 3.2. That the approved Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas, as shown in Attachment 4, will be published and the City will give notice of the Heritage Area designation to the Heritage Council of Western Australia and each owner of land affected by the designation pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
 - 3.3. That the amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas and the proposed Heritage Area designation of Janet Street, as shown in Attachment 6, will be advertised for a period of 28 days pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Policy No. 4.1.5 – Community Consultation.

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

That the recommendation be adopted.

PROPOSED AMENDMENT

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

That Recommendations 1 and 2 be amended as follows:

1. **PROCEEDS** with the amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas, with modifications, and **ADOPTS** the Heritage Area designation of Harley Street, with modifications, as shown in Attachment 4 pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the Street Setback Deemed to Comply provision in Appendix 2 of Attachment 4 being modified as follows:

“First floor development shall not be located within 10 metres of the primary street boundary;
or and

First floor development shall not be visible from Harley Street when measured in accordance with ‘Figure 2 – Line of Sight’.”;

2. Subject to endorsement of Recommendation 1, **PREPARES** an amendment to Local Planning Policy No. 7.5.15 – Character Retention and for the purpose of designating Janet Street as a proposed Heritage Area as shown in Attachment 6 pursuant to Clause 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the Street Setback Deemed to Comply provisions in Appendix 3 and 4 of Attachment 6 being modified as follows:

- 2.1. “First floor development shall not be located within 4 metres of the ground floor primary street setback;or and
First floor development shall not be visible from Carr Street when measured in accordance with ‘Figure 2 – Line of Sight’.

- 2.2. “First floor development shall not be located within 4 metres of the ground floor primary street setback;or and
First floor development shall not be visible from Janet Street when measured in accordance with ‘Figure 2 – Line of Sight’.”

AMENDMENT CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

COUNCIL DECISION ITEM 9.9

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That Council:

1. **PROCEEDS** with the amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas, with modifications, and **ADOPTS** the Heritage Area designation of Harley Street, with modifications, as shown in Attachment 4 pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the Street Setback Deemed to Comply provision in Appendix 2 of Attachment 4 being modified as follows:

“First floor development shall not be located within 10 metres of the primary street boundary;
or

First floor development shall not be visible from Harley Street when measured in accordance with ‘Figure 2 – Line of Sight’.”;

2. Subject to endorsement of Recommendation 1, **PREPARES** an amendment to Local Planning Policy No. 7.5.15 – Character Retention and for the purpose of designating Janet Street as a proposed Heritage Area as shown in Attachment 6 pursuant to Clause 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the Street Setback Deemed to Comply provisions in Appendix 3 and 4 of Attachment 6 being modified as follows:

- 2.1. “First floor development shall not be located within 4 metres of the ground floor primary street setback; or
First floor development shall not be visible from Carr Street when measured in accordance with ‘Figure 2 – Line of Sight’.

- 2.2. “First floor development shall not be located within 4 metres of the ground floor primary street setback; or
First floor development shall not be visible from Janet Street when measured in accordance with ‘Figure 2 – Line of Sight’.”

3. **NOTES:**

- 3.1. The submissions received in relation to the advertising of the amendment to Local Planning Policy No. 7.5.15 – Character Retention Areas and the proposed Heritage Area designation of Harley Street and **ENDORSES** Administration’s responses to those submissions included as Attachment 2;

- 3.2. That the approved Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas, as shown in Attachment 4, will be published and the City will give notice of the Heritage Area designation to the Heritage Council of Western Australia and each owner of land affected by the designation pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and

- 3.3. That the amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas and the proposed Heritage Area designation of Janet Street, as shown in Attachment 6, will be advertised for a period of 28 days pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Policy No. 4.1.5 – Community Consultation.

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

9.6 NO. 304 (LOT: 6; D/P: 2411) FITZGERALD STREET, PERTH - PROPOSED EXTENSION OF THE TERM OF APPROVAL: FOUR STOREY OFFICE BUILDING AND ASSOCIATED CAR PARKING

TRIM Ref: D17/153402






Author: Heidi Miragliotta, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Previous Approval and Plans 
3. Attachment 3 - Applicant's Justification 
4. Attachment 4 - Applicant's Response to Submission 
5. Attachment 5 - Summary of Submissions 

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 extend the period within which the development must be substantially commenced for planning approval (5.2013.520.1) granted by Council on 27 May 2014 for Proposed Four Storey Office Building and Associated Car Parking at No. 304 (Lot: 6; D/P: 2411) Fitzgerald Street, Perth, in accordance with the plans included as Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on planning approval 5.2013.520.1 granted on 27 May 2014 and included in Attachment 2 continue to apply to this approval, except as follows:
 - a) Condition 5.1 of the planning approval is deleted and replaced with the following condition:

“5.1 Landscape and Reticulation Plan

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:

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

5.1.3 The provision of additional deep soil zone within the road widening area of a minimum of 6 per cent of the site area to the satisfaction of the City;

5.1.2 The provision of additional mature tree planting within the road widening area with a minimum canopy cover at maturity of 80 per cent of the road widening area shown on the approved plans to the satisfaction of the City; and

5.1.4 Areas to be irrigated or reticulated.

All works shown in the approved landscape and reticulation plan 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;” and

- b) An additional Condition 5.9 is added as follows:

“5.9 Environmentally Sustainable Design

Prior to the commencement of development that the applicant demonstrate, to the satisfaction of the City, that the development is capable of achieving one of the environmental performance ratings in accordance with Clause 1.8 of the City’s Policy No. 7.1.1 – Built Form;”.

At 6.32pm, Cr Joshua Topelberg left the meeting.

COUNCIL DECISION ITEM 9.6

Moved: Cr Gontaszewski, Seconded: Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

For: Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Murphy, Cr Castle and Cr Fotakis

Against: Nil

(Cr Topelberg was absent from the Council Chamber and did not vote.)

At 6.34pm, Cr Joshua Topelberg returned to the meeting.

13 CHIEF EXECUTIVE OFFICER**13.2 ANNUAL REPORT 2016/2017****TRIM Ref:** D17/138812**Author:** Rosslind Ellis, Manager Marketing and Communications**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. Annual Report 2016/2017  **RECOMMENDATION:****That Council:**

1. Pursuant to Section 5.54(1) of the *Local Government Act 1995*, **ACCEPTS BY AN ABSOLUTE MAJORITY** the City of Vincent Annual Report for the 2016/2017 Financial Year, included as Attachment 1 and **NOTES** that the report will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication;
2. Pursuant to Section 5.27 of the *Local Government Act 1995*, **CONVENES** a General Meeting of Electors of the City of Vincent to be held on 30 January 2018 at 6.00pm in the City's Council Chambers, to present the City of Vincent Annual Report for the 2016/2017 Financial Year; and
3. **NOTES** that:
 - 3.1 pursuant to Sections 5.29 and 5.55 of the *Local Government Act 1995*, the Chief Executive Officer will give local public, notice of the General Meeting of Electors to be held on 30 January 2018 and of the availability of the City of Vincent Annual Report for the 2016/2017 Financial Year, as soon as practicable after the report has been accepted by Council; and
 - 3.2 pursuant to Regulation 51 of the *Local Government (Financial Management) Regulations 1996*, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the City of Vincent Annual Report for the 2016/2017 Financial Year, inclusive of the Annual Financial Report for the same period and the Auditor's Report on that Financial Report.

COUNCIL DECISION ITEM 13.2**Moved:** Cr Hallett, **Seconded:** Cr Loden**That the recommendation be adopted.****CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (9-0)****For:** Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.**Against:** Nil

9 DEVELOPMENT SERVICES

9.1 NO. 392 (LOT: 152; D/P: 50596) FITZGERALD STREET, NORTH PERTH - CHANGE OF USE FROM EATING HOUSE TO NON-MEDICAL CONSULTING ROOMS (UNLISTED USE)






TRIM Ref: D17/152557

Authors: Andrea Terni, Urban Planner
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 9 – North Perth Centre

Attachments: 1. Attachment 1 - Location and Consultation Map  
2. Attachment 2 - Development 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 BY ABSOLUTE MAJORITY the development application for Change of Use from Eating House to Non-Medical Consulting rooms (Unlisted Use) at No. 392 (Lot: 152; D/P: 50596) Fitzgerald Street, North Perth in accordance with plans shown on Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. This approval is for Non-Medical Consulting Rooms (Unlisted Use) and associated development as shown on the plans dated received 30 October 2017. No other development is subject of this approval;
2. Use of Premises
 - 2.1. The use shall be carried out in accordance with the definition 'Non-Medical Consulting Rooms' as set out in the City's Policy No. 7.5.22 – Consulting Rooms;
 - 2.2. The use shall be limited to a maximum of one consultant operating at any one time; and
 - 2.3. The hours of operation shall be limited to the following times 7:00am to 9:00pm Monday to Sunday;
3. Interactive Front

The development shall maintain an active and interactive relationship and uninterrupted views between the use of the development and Fitzgerald Street during the hours of the development's operation to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited. Curtains, blinds and other internal or external treatments that obscure the view of the internal area from Fitzgerald Street are not permitted to be used during the hours of the developments operation;
4. Cash-in-Lieu of Car Parking

Prior to occupation or use of the development, a cash-in-lieu contribution shall be paid to the City for the shortfall of 0.8728 car bays, based on the cost of \$5,400 per bay as set out in the City's 2017/2018 Schedule of Fees and Charges being a contribution of \$4,713;
5. Bicycle Bays
 - 5.1. Prior to occupation or use of the development a minimum of one (1) additional Class 1 or Class 2 bicycle parking facilities shall be provided onsite to the City's satisfaction. Bicycle bays must be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

- 5.2. Prior to occupancy or use of the development a minimum of two (2) additional Class 3 bicycle parking facilities shall be provided in the Fitzgerald Street verge, in a location to the City's satisfaction. The bicycle facilities shall be designed in accordance with AS2890.3 and all works shall be undertaken to the City's specification and satisfaction; and

6. 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 Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

PROPOSED AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Harley

That a new Recommendation 6 be inserted and Recommendation 6 be renumbered 7 as follows:

6. Time Limited Approval

This approval for Non-Medical Consulting Rooms (Unlisted Use) is for a period of twelve (12) months only. Should the applicant wish to continue the use after that period, it shall be necessary to re-apply to and obtain approval from the City prior to the continuation of the use; and

67. 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."

AMENDMENT CARRIED (7-2)

For: Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Murphy, Cr Castle and Cr Fotakis

Against: Cr Loden and Cr Topelberg

COUNCIL DECISION ITEM 9.1

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the development application for Change of Use from Eating House to Non-Medical Consulting rooms (Unlisted Use) at No. 392 (Lot: 152; D/P: 50596) Fitzgerald Street, North Perth in accordance with plans shown on Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. This approval is for Non-Medical Consulting Rooms (Unlisted Use) and associated development as shown on the plans dated received 30 October 2017. No other development is subject of this approval;
2. Use of Premises
 - 2.1. The use shall be carried out in accordance with the definition 'Non-Medical Consulting Rooms' as set out in the City's Policy No. 7.5.22 – Consulting Rooms;
 - 2.2. The use shall be limited to a maximum of one consultant operating at any one time; and
 - 2.3. The hours of operation shall be limited to the following times 7:00am to 9:00pm Monday to Sunday;

3. Interactive Front

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

4. Cash-in-Lieu of Car Parking

Prior to occupation or use of the development, a cash-in-lieu contribution shall be paid to the City for the shortfall of 0.8728 car bays, based on the cost of \$5,400 per bay as set out in the City's 2017/2018 Schedule of Fees and Charges being a contribution of \$4,713;

5. Bicycle Bays

- 5.1. Prior to occupation or use of the development a minimum of one (1) additional Class 1 or Class 2 bicycle parking facilities shall be provided onsite to the City's satisfaction. Bicycle bays must be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and
- 5.2. Prior to occupancy or use of the development a minimum of two (2) additional Class 3 bicycle parking facilities shall be provided in the Fitzgerald Street verge, in a location to the City's satisfaction. The bicycle facilities shall be designed in accordance with AS2890.3 and all works shall be undertaken to the City's specification and satisfaction; and

6. Time Limited Approval

This approval for Non-Medical Consulting Rooms (Unlisted Use) is for a period of twelve (12) months only. Should the applicant wish to continue the use after that period, it shall be necessary to re-apply to and obtain approval from the City prior to the continuation of the use; and

7. 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 BY ABSOLUTE MAJORITY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg, Cr Murphy, Cr Castle and Cr Fotakis

Against: Nil

11 CORPORATE SERVICES

11.1 CITY OF VINCENT CODE OF CONDUCT REVIEW

TRIM Ref: D17/76357

Author: Tim Evans, Manager Governance and Risk

Authoriser: John Paton, Director Corporate Services

Attachments: 1. DRAFT City of Vincent Code of Conduct 2017 

RECOMMENDATION:

That Council:

1. ADOPTS the revised City of Vincent Code of Conduct 2017, included as Attachment 1;
2. NOTES that the Code will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication; and
3. NOTES that the Code will be re-presented to Council for re-adoption no more than three months after each Ordinary Council Election.

Moved: Cr Topelberg, Seconded: Cr Loden

That the recommendation be adopted.

PROPOSED AMENDMENT

Moved: Cr Topelberg, Seconded: Cr Loden

That Recommendation 1 be amended as follows:

1. ADOPTS the revised City of Vincent Code of Conduct 2017, included as Attachment 1, subject to the following changes:

1.1 On page 3 under the heading "Principles", clause (f)-(h) be re-sequenced as (g)-(i) and a new clause (f) be inserted as follows:

"(f) ensure they are as informed as possible about matters relating to their role"

1.2 On page 4 under the heading "Performance of Duties", after the words "to enable them to perform their role", insert:

"including attendance at meetings, briefings and workshops";

AMENDMENT CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg, Cr Murphy, Cr Castle and Cr Fotakis

Against: Nil

COUNCIL DECISION ITEM 11.1**Moved: Cr Topelberg, Seconded: Cr Loden**

1. **ADOPTS** the revised City of Vincent Code of Conduct 2017, included as Attachment 1, subject to the following changes:
 - 1.1 On page 3 under the heading "Principles", clause (f)-(h) be re-sequenced as (g)-(i) and a new clause (f) be inserted as follows:

"(f) ensure they are as informed as possible about matters relating to their role"
 - 1.2 On page 4 under the heading "Performance of Duties", after the words "to enable them to perform their role", insert:

"including attendance at meetings, briefings and workshops";
2. **NOTES** that the Code will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication; and
3. **NOTES** that the Code will be re-presented to Council for re-adoption no more than three months after each Ordinary Council Election.

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg, Cr Murphy, Cr Castle and Cr Fotakis

Against: Nil

12 COMMUNITY ENGAGEMENT

12.1 ADOPTION OF THE PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2017

TRIM Ref: D17/161129

Author: Tim Evans, Manager Governance and Risk

Authoriser: Michael Quirk, Director Community Engagement

- Attachments:
1. Parking and Parking Facilities Amendment Local Law 2017 - for adoption - 12 December 2017 [⇒](#) 
 2. Parking and Parking Facilities Amendment Local Law 2017 - with tracked changes - 12 December 2017 [⇒](#) 
 3. Parking and Parking Facilities Local Law 2007 - for inclusion in Council Report - 12 December 2017 [⇒](#) 
 4. Summary of Submissions - Parking and Parking Facilities Amendment Local Law 2017 [⇒](#) 

RECOMMENDATION:

That Council:

1. **MAKES BY ABSOLUTE MAJORITY**, in accordance with section 3.12(4) of the *Local Government Act 1995*, the City of Vincent Parking and Parking Facilities Amendment Local Law 2017 included as Attachment 1;
2. **NOTES** the purpose and effect of the local law as:

Purpose

The purpose of the Parking and Parking Facilities Amendment Local Law 2017 is to amend the Parking and Parking Facilities Local Law 2007 in order to add three new prescribed offences, to delete Schedule 6 and other minor amendments; and

Effect

The effect of the Parking and Parking Facilities Amendment Local Law 2017 is to make it an offence to park in a bicycle lane, to stop in a clearway and to leave a vehicle unattended in a taxi rank; and

3. **NOTES:**
 - 3.1 the minor amendments to the version of the Parking and Parking Facilities Amendment Local Law 2017 that was advertised for public submission;
 - 3.2 that Administration will publish the Parking and Parking Facilities Amendment Local Law 2017 in the *Government Gazette* in accordance with s3.12(5) of the *Local Government Act 1995* noting that a copy will be sent to the Minister for Local Government; Heritage; Culture and the Arts;
 - 3.3 that Administration will give local public notice, in accordance with s3.12(6) of the *Local Government Act 1995*; and
 - 3.4 that following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer will be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

COUNCIL DECISION ITEM 12.1

Moved: Cr Gontaszewski, Seconded: Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

13 CHIEF EXECUTIVE OFFICER**13.3 COUNCIL RECESS PERIOD 2017-18 - DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER**

TRIM Ref: D17/160882

Author: Tim Evans, Manager Governance and Risk

Authoriser: Len Kosova, Chief Executive Officer

Attachments: Nil

RECOMMENDATION:

That Council:

1. **DELEGATES BY ABSOLUTE MAJORITY**, pursuant to section 5.42 of the *Local Government Act 1995*, to the Chief Executive Officer, the power to deal with any items of business that may arise from 13 December 2017 to 29 January 2018, and which are not otherwise the subject of delegated authority already granted by Council, subject to:
 - a. Reports being issued to all Council Members for a period of three business days prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Council Members;
 - b. Reports being displayed on the City's website for a period of three business days prior to the delegated decision being made;
 - c. A report summarising the items of business dealt with under delegated authority being submitted for information to Council at its Ordinary meeting to be held on 6 February 2018; and
 - d. A Register of Items Approved under this Delegated Authority being kept and made available for public inspection on the City's website during the period that the delegation applies.

COUNCIL DECISION ITEM 13.3

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: 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

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Harley

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

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

At 7.00pm all members of the gallery and press left the meeting and live streaming was stopped.

| | | |
|-----------------------|--------------------------------------|--|
| PRESENT: | Mayor Emma Cole | Presiding Member |
| | Cr Susan Gontaszewski (Deputy Mayor) | South Ward |
| | Cr Alex Castle | North Ward |
| | Cr Joanne Fotakis | North Ward |
| | Cr Jonathan Hallett | South Ward |
| | Cr Roslyn Harley | North Ward |
| | Cr Dan Loden | North Ward |
| | Cr Jimmy Murphy | South Ward |
| | Cr Joshua Topelberg | South Ward |
| IN ATTENDANCE: | Len Kosova | CEO |
| | John Paton | Director Corporate Services |
| | John Corbellini | Director Development Services |
| | Michael Quirk | Director Community Engagement |
| | Craig Wilson | A/Director Technical Services |
| | Tim Evans | Manager Governance and Risk |
| | Emma Simmons | Governance and Council Support Officer |

18.1 RATES ON SMALL TENANCIES

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

Local Government Act 1995 - Section 5.23(2):

- (b) the personal affairs of any person

LEGAL:

2.14 Confidential business

- (1) All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.

Confidential reports are provided separately to Council Members, the Chief Executive Officer and Directors.

In accordance with the legislation, confidential reports are to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

At the request of Cr Harley and with the approval of the Presiding Member, Mayor Emma Cole, recommendations 1 and 2 were put separately.

COUNCIL DECISION ITEM 18.1

Moved: Cr Loden, Seconded: Cr Murphy

That Council:

1. **APPROVES BY AN ABSOLUTE MAJORITY a 50% concession on the 2017/18 rates excluding the Emergency Services Levy on assessment number 52688, being \$500**

CARRIED BY ABSOLUTE MAJORITY (8-1)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Cr Harley

Moved: Cr Loden, Seconded: Cr Murphy

That Council:

2. **REQUESTS Administration to present options for the rating of small tenancies to a budget workshop to guide the development of the 2018/19 Rating Strategy.**

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

At 7.10pm all staff members other than the CEO left the Council Chamber.

| | | |
|-----------------------|---|-------------------------|
| PRESENT: | Mayor Emma Cole | Presiding Member |
| | Cr Susan Gontaszewski (Deputy Mayor) | South Ward |
| | Cr Alex Castle | North Ward |
| | Cr Joanne Fotakis | North Ward |
| | Cr Jonathan Hallett | South Ward |
| | Cr Roslyn Harley | North Ward |
| | Cr Jimmy Murphy | South Ward |
| | Cr Joshua Topelberg | South Ward |
| IN ATTENDANCE: | Len Kosova | CEO |

18.2 LATE REPORT: CONFIDENTIAL REPORT: APPOINTMENT OF DIRECTOR CORPORATE SERVICES

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

Local Government Act 1995 - Section 5.23(2):

- (a) a matter affecting an employee or employees
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

LEGAL:

2.14 Confidential business

- (1) All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.

Confidential reports are provided separately to Council Members, the Chief Executive Officer and Directors.

In accordance with the legislation, confidential reports are to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

COUNCIL DECISION ITEM 18.2

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That Council, pursuant to section 5.37(2) of the Local Government Act 1995, ACCEPTS the recommendation of the Chief Executive Officer to employ the preferred candidate, Kerryn Batten, as the City's Director Corporate Services on a Five (5) Year Performance Based Contract, subject to the terms and conditions as determined by the Chief Executive Officer.

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

PROCEDURAL MOTION

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

That the Council resume an “open meeting”.

CARRIED UNANIMOUSLY (9-0)

For: Presiding Member Mayor Emma Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg.

Against: Nil

19 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 7.41pm with the following persons present:

| | | |
|-----------------|--------------------------------------|------------------|
| PRESENT: | Mayor Emma Cole | Presiding Member |
| | Cr Susan Gontaszewski (Deputy Mayor) | South Ward |
| | Cr Alex Castle | North Ward |
| | Cr Joanne Fotakis | North Ward |
| | Cr Jonathan Hallett | South Ward |
| | Cr Roslyn Harley | North Ward |
| | Cr Jimmy Murphy | South Ward |
| | Cr Joshua Topelberg | South Ward |

IN ATTENDANCE: Len Kosova CEO

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 12 December 2017.

Signed: Mayor Emma Cole

Dated this day of2017