



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**6 February 2018**

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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, 6 FEBRUARY 2018 AT 6PM**

<b>PRESENT:</b>	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 (from 6.21pm)	North Ward
	Cr Dan Loden (from 6.26pm)	North Ward
	Cr Jimmy Murphy	South Ward
	Cr Joshua Topelberg	South Ward
<b>IN ATTENDANCE:</b>	Len Kosova	CEO
	John Corbellini	Director Development Services
	Andrew Murphy	Director Engineering
	John Paton	Director Corporate Services
	Michael Quirk	Director Community Engagement
	Tim Evans	Manager Governance & Risk
	Emma Simmons	Governance & Council Support Officer
<b>Media:</b>	Nil	
<b>Public:</b>	Approximately 19 members of the public.	

## 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6pm 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

## 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. Anna Chin of Mt Lawley – Item 9.4

- Spoke against the recommendations.
- Stated that this is only stage one of a three stage proposal.
- Raised concern in relation to increased traffic volume and the impact that the development may have on the heritage value of the street.

*The Presiding Member Mayor Emma Cole thanked Ms Chin for her comments and informed members of the gallery of the application process regarding each stage of the proposal and opportunities for residents to provide their comments.*

## 2. Jenni Holmes of West Perth – Proposed 5 group dwellings at 16a Florence Street

- Spoke against the application.
- Stated that the proposed 5 group dwellings do not comply with the applicable R coding requirements.
- Requested that the applicable R code rules are applied to the development site and that the developer be required to adhere to the minimum deemed requirements.
- Stated that residents have significant concerns regarding increased traffic volume and parking in Janet Street, Sheridan Lane and Hammond Street as a result of these developments.

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

## 3. Kate Macoboy of West Perth – Item 9.4

- Spoke against the application and against the subsequent proposed 5 group dwellings at 16a Florence Street.
- Noted that there is no walkway, cycle lane or path on Sheridan Lane and stated that any increased traffic volume would be a potential safety hazard.

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

## 4. Belinda Moharich of Moharich and More Planning &amp; Environment Law, South Perth – Item 9.10

- Spoke in support of the application.
- Stated that the gym complies with Noise Regulations.
- Stated that both the City's EHO and the applicant's own acoustic data expert have assessed the monitoring data and have confirmed that the analysis shows compliance.
- Stated that the complaints that were made at the Council Briefing on 30 January 2017 relate to the daytime operation of the gym which is not the subject of the application before Council.

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

There being no further speakers, Public Question Time closed at approximately 6.14pm.

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

- [3.1](#) Response to a question from Mr Dudley Maier taken on notice at the Ordinary Council Meeting held on 12 December 2017.

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

Nil

**6 CONFIRMATION OF MINUTES**

**COUNCIL DECISION**

**Moved: Cr Murphy, Seconded: Cr Hallett**

**That the minutes of the Ordinary Meeting held on 12 December 2017 be confirmed.**

**CARRIED UNANIMOUSLY (7-0)**

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

**Against:** Nil

**(Cr Harley had not yet arrived at the Meeting.)**

**(Cr Loden had not yet arrived at the Meeting.)**

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

The Presiding Member Emma Cole made the following announcements:

### 7.1 LEEDY STREETS OPEN – 2<sup>ND</sup> ROUND

*We are about to embark on our second round of Leedy Streets Open where we close Leederville off to cars and leave it accessible only to people. This is something that we ran in March last year and we found that businesses who engaged in this really did benefit from it. We managed to attract a lot more people to Leederville and noticed that they stayed longer and enjoyed being able to spill out onto the streets. This year we have 17 local businesses participating and we are also running it to coincide with some exciting events in Leederville namely Leedypalooza Unfair Day which is a branch of the Fringe Festival specific to Leederville, Leedypalooza Dancin' in the Street, the AFL pre-season game Eagles v Port Adelaide and the long weekend.*

### 7.2 HYDE STREET RESERVE

*I would also like to give an update on Hyde Street Reserve. This is a capital works project which is proceeding at the moment. It is part of our Council's priority to create more inviting green and open spaces. This is our first road to park demonstration project where we are literally digging up a road that is not particularly well utilised next to Hyde Street Reserve and basically doubling the size of the park. We have been doing this with the support of the immediate neighbours to the park.*

### 7.3 CHINESE NEW YEAR

*We are, for the first time celebrating Chinese New Year on William Street on Friday 16 February. We are going to be welcoming in the Year of the Dog. We will be spending some time on William Street, greeting people, talking to traders and giving out some free fortune cookies so come on down to William Street and experience the New Year celebrations.*

### 7.4 DIRECTOR CORPORATE SERVICES LAST MEETING

*Finally, I would like to acknowledge that this is our Director Corporate Service's last meeting in the chair as Director and while John doesn't like to have the spotlight shone on him I thought I would take the opportunity to say a few words. John has been in the Director role for 3 years. John started with us in early 2015 and at the time he walked into a situation where our financial position needed a very good and stern hard look at. I think that John has achieved many things in his short time in the role but the most significant of those has been to bring our finances into the black, with a positive, healthy and sustainable future ahead of us. He has had a very strong focus on asset sustainability and long term planning and has also helped us in getting our leases in order.*

*John, the rigour and 'tough love' approach that you brought to the role has been very valuable. You have been a very strong and able advisor and I would also like to say that you have sometimes affectionately been referred to as 'General Paton' for your tough and firm approach.*

*You are not able to slip out unnoticed! We did have to stop and pause and say thank you for a job that has been extremely well done. We will miss you in the role! Thank you.*

## 8 DECLARATIONS OF INTEREST

- 8.1 Presiding Member Mayor Emma Cole declared an impartiality interest in Item 9.7 - Nos. 77-79 (Lots: 3 and 4; D/P: 7680) Anzac Road, Mount Hawthorn – Six Grouped Dwellings. The extent of the interest in this matter is that Mayor Cole is an owner/occupier located on the right of way on which the proposed grouped dwelling will be located. Mayor Cole's property is not a neighbouring or adjoining property.
- 8.2 Cr Topelberg declared a proximity interest in Item 9.3 - No. 22/60 (Lot: 22; S/P 16992) Smith Street, Highgate - Change of Use from Grouped Dwelling to Unlisted Use (Short Term Dwelling). The extent of the interest in this matter is that Cr Topelberg's parents own and reside in a property opposite the site of the application at 34 Broome Street, Highgate. Cr Topelberg did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.

At 6.21pm Cr Harley arrived at the meeting.

## 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 9.4 and 9.10
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 9.1, 9.2, 9.3 and 11.6.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Item 9.3.

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 Hallett	10.1, 11.5,13.1, 14.1,
Cr Topelberg	11.3

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 9.5, 9.6, 9.7, 9.8, 9.9, 11.1, 11.2, 11.4, 11.7, 12.1, 13.2 and 13.3
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Nil

## ITEMS APPROVED "EN BLOC":

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

### COUNCIL DECISION

**Moved: Cr Murphy, Seconded: Cr Castle**

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

**Items 9.5, 9.6, 9.7, 9.8, 9.9, 11.1, 11.2, 11.4, 11.7, 12.1, 13.2 and 13.3**

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Cr Loden had not yet arrived at the Meeting.)**



**9.5 NO. 384 (LOT: 85; D/P: 1197) LORD STREET, HIGHGATE - PROPOSED CHANGE OF USE FROM SINGLE HOUSE TO CONSULTING ROOMS****TRIM Ref:** D17/166766**Authors:** Stephanie Norgaard, Urban Planner  
Rana Murad, Senior Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**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 - 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 Change of Use from Single House to Consulting Rooms at No. 384 (Lot: 85; D/P: 1197) Lord Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes contained in Attachment 4:

**1. Use of Premises**

- 1.1. The use of the development subject to this approval shall only be for the purposes of 'Consulting Rooms', as defined by the City of Vincent Town Planning Scheme No. 1 and shall operate in accordance with the definition of 'Medical Consulting Rooms' as set out in the City of Vincent's Policy No. 7.5.22 Consulting Rooms;
- 1.2. Prior to the use or occupation of the development and within 28 days of leasing or subleasing any part of the subject site thereafter, the landowner is to provide the City with copies of the certifications of that lessor's or their consultant's qualifications that aligns with the definition of 'Consulting Rooms' under the City of Vincent's Town Planning Scheme No. 1;
- 1.3. A maximum of three consultants and consulting rooms shall operate from the tenancy at any one time, in accordance with the approved plans;
- 1.4. The hours of operation for the 'Consulting Rooms' shall be limited to the following times:
  - 8:00am – 9:00pm, Monday – Friday;
  - 8:00am – 5:00pm, Saturday;
  - 11:00am – 5:00pm, Sunday and Public Holidays; and
  - CLOSED Christmas Day, Good Friday and Anzac Day;
- 1.5. The development shall operate as one practice and no part of the development shall operate independently from another part. The 'Lab' area shall only service patients of the consultants operating from this development;
- 1.6. All patient visits shall be by appointment only;

**2. Car Parking**

- 2.1. 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;

- 2.2. 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;
- 2.3. The proposed crossover is limited to a width of 5.0 metres and is subject to a separate crossover application to be approved by the City. The 5.0 metre wide crossover shall be positioned and constructed with approved materials in accordance with the City's Standard Crossover Specifications; and
- 2.4. A Parking Management Plan shall be submitted to and approved by the City use or occupation of the development detailing how staff and customer parking will be managed on site such that parking bays are always available for customers and parking associate with the development does not impact on the surrounding residential area. Parking associated with the development shall be managed in accordance with the approved Parking Management Plan;

### 3. Landscaping

- 3.1. 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;
- 3.2. 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:
  - 3.2.1. The location and type of existing and proposed trees and plants;
  - 3.2.2. Areas to be irrigated or reticulated; and
  - 3.2.3. On-site provision of canopy cover equivalent to no less than 30 percent of the site area at maturity; and
- 3.3. All works shown in the approved detailed landscape and reticulation plans as identified in Condition 3.2. 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;

### 4. Waste Management

- 4.1. A Waste Management Plan shall be submitted to and approved by the City prior to the use or occupation of the development detailing a bin store to accommodate the City's specified bin requirement and the form and timing of waste collection, to the satisfaction of the City;
- 4.2. Waste management for the development shall comply with the approved Waste Management Plan to the satisfaction of the City;

### 5. External Fixtures

- 5.1. 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; and
- 5.2. The existing unit located on the southern façade shall be adequately screened from Cattle Street to the satisfaction of the City;

**6. Active Frontage**

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Reception' and 'Consult 1' areas and Lord Street and 'Consult 2' and 'W' areas and Cantle 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 these areas from Lord Street and Cantle Street are not permitted to be used during the hours of the developments operation; 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.

**COUNCIL DECISION ITEM 9.5**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**9.6 NO. 51 (LOT: 801; D/P: 44852) MARY STREET, HIGHGATE - PROPOSED THREE STOREY ADDITION TO SINGLE HOUSE****TRIM Ref:** D17/162628**Authors:** Stephanie Norgaard, Urban Planner  
Rana Murad, Senior 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 - Development Application Plans   
3. Attachment 3 - Applicant's Justification   
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 the proposed Additions to a Single House at No. 51 (Lot: 801; D/P: 44852) Mary Street, Highgate in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination notes in Attachment 4:

**1. Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

**2. External Fixtures**

All external fixtures and building plant, including air condition 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 to the satisfaction of the City;

**3. Stormwater**

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

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

**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. Right of Way**

An area 1 metre in width adjacent to the Right of Way shall be sealed drained and graded to match into the level of the existing Right of Way;

**7. Privacy**

Screening to the eastern and western side of the balconies on level one and level two shall be installed in accordance with State Planning Policy 3.1: Residential Design Codes, to prevent overlooking into the active habitable spaces and outdoor living areas of the property to the east prior to the use or occupation of the development; and

**8. 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 9.6**

**Moved: Cr Murphy, Seconded: Cr Castle**

**That the recommendation be adopted.**

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

**9.7 NOS. 77 AND 79 (LOTS: 3 AND 4; D/P: 7680) ANZAC ROAD, MOUNT HAWTHORN - PROPOSED SIX GROUPED DWELLINGS****TRIM Ref:** D17/159822**Author:** Rana Murad, Senior 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 - Subdivision Approval 
3. Attachment 3 - Previously Refused Plan and Perspectives 
4. Attachment 4 - Proposed Development Plans 
5. Attachment 5 - Proposed Development Perspectives 
6. Attachment 6 - Schedule of Submissions 
7. Attachment 7 - Schedule of Submissions and Applicant's Responses 
8. Attachment 8 - 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 Six Grouped Dwellings at Nos. 77 and 79 (Lots: 3 and 4; D/P: 7680) Anzac Road, Mount Hawthorn in accordance with the plans shown in Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 8:

**1. Amalgamation**

Lots 3 and 4 shall be amalgamated into one lot on a certificate of Title or be subdivided consistent with this development approval to the satisfaction of the City prior to the occupation or use of the development;

**2. Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall 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;

**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. Waste Management**

4.1. 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; and

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

**5. 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;

**6. Stormwater**

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

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

**8. Acoustic Report**

8.1. 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

8.2. 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;

**9. Visual Privacy**

The proposed balconies of units 3 and 6 are to be screened to the eastern and western elevations in accordance 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;

**10. Verge Trees**

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

**11. 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;

**12. Landscape and Reticulation Plan**

12.1. 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:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated; and

- The provision of 14 per cent of the site area as deep soil zones and 30 per cent canopy cover at maturity;

12.2. All works shown in the plans as identified in condition 12.1 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;

13. Car Parking and Access

13.1. 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 occupancy or use of the development;

13.2. Vehicle and pedestrian access points are required to match into existing footpath levels; and

13.3. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;

14. Right of Way Widening

14.1. A 0.5 metre right of way setback to any buildings and structures is to be maintained at all times to enable future right of way widening; and

14.2. The 0.5 metre right of way setback area referred to in condition 14.1 above, is to be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision; and

15. 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 9.7**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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



**9.8 NO. 78B (LOT: 1; STR: 66198) CARR STREET, WEST PERTH - PROPOSED GROUPED DWELLING****TRIM Ref:** D17/163268**Authors:** Andrea Terni, Urban Planner  
Rana Murad, Senior Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 5 – Cleaver**Attachments:**

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Previous Approved Plans 
4. Attachment 4 - Development Application Supporting Information 
5. Attachment 5 - Summary of Submissions 
6. Attachment 6 - 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 Grouped Dwelling at No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination notes in Attachment 6:

**1. Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site, 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:

- 1.1. The location and type of existing and proposed trees and plants;
- 1.2. Areas to be irrigated or reticulated; and
- 1.3. The site area to be provided with 15 percent deep soil zone and 30 percent canopy coverage at maturity;

All works shall be undertaken 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;

**2. Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

**3. External Fixtures**

All external fixtures and building plant, including air condition 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;

**4. Stormwater**

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

**5. Privacy**

5.1. The proposed 'Breeze Walls' depicted on the first and second floors to the all elevations are comply with the definition of 'screening' under State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development; and

5.2. Adequate screening, highlight windows or opaque glazing shall be provided to the windows to 'Bed 2' and 'Bed 3', in accordance with State Planning Policy 3.1: Residential Design Codes, to prevent overlooking into the active habitable spaces and outdoor living areas of the properties to the north and south prior to the use or occupation of the development;

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

**COUNCIL DECISION ITEM 9.8**

**Moved:** Cr Murphy, **Seconded:** Cr Castle

That the recommendation be adopted.

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

**9.9 NO. 137 (LOT: 141; D/P: 1197) WEST PARADE, MOUNT LAWLEY - PROPOSED TWO MULTIPLE DWELLINGS AND CHANGE OF USE OF EXISTING SINGLE HOUSE TO GROUPED DWELLING**

**TRIM Ref:** D17/171484







**Authors:** Remajee Narroo, Senior Urban Planner  
Paola Di Perna, Manager Approval Services

**Authoriser:** John Corbellini, Director Development Services

**Ward:** South

**Precinct:** 15 – Banks

**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans and Applicant's Report 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Applicant's Response to Submissions 
5. Attachment 5 - Design Advisory Committee Comments 
6. Attachment 6 - 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 and Change of Use of Existing Single House to Grouped Dwelling at No. 137 (Lot: 141; D/P: 1197) West Parade, Mount Lawley in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

**1. Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 139 West Parade 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 two 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;
- 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 13.6 percent of the site area as deep soil zones, 20 percent canopy cover at maturity for the proposed Multiple Dwelling lot and two mature trees with canopy coverage of 11 square metres on the proposed Grouped Dwelling lot 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 shall accord with the Public Transport Authority's *Procedure: Working In and Around the PTA Rail Reserve*. The 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 to the satisfaction of the City;

**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 thereafter to the satisfaction of the City;

**10. Front Fence**

The proposed front fence within the West Parade street setback area shall comply with the deemed-to-comply standards of the City's Policy No. 7.1.1 – Built Form;

**11. Drainage Infrastructure**

- 11.1. Prior to the commencement of development, full engineering details are required to be submitted to demonstrate how the City's and Water Corporation's drainage infrastructure will be protected to the satisfaction of the City; and
- 11.2. Prior to the Occupation of the Development an easement in gross in favour of the City of Vincent for the purpose of protecting the City's drainage infrastructure shall be provided on the title of No.137 (Lot 141) West Parade, Mount Lawley. The applicant/landowner shall pay all costs associated with preparing all documentation and lodgement of the easement on the title;

**12. Screening Assessment**

A screening assessment undertaken in accordance with Appendix A of The Implementation Guidelines for *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. All mitigation measures identified in the approved screening assessment shall be implemented to the satisfaction of the City prior to the use or occupation of the development;

**13. Right of Way Widening**

- 13.1. A 1.2 metre right of way setback to any buildings and structures is to be maintained at all times to enable future right of way widening; and
- 13.2. The 1.2 metre right of way setback area referred to in condition 13.1 above, is to be ceded free of cost to the City on subdivision of the land, including Built Strata subdivision; and

**14. 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 9.9**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.


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

11.1 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 23 NOVEMBER 2017 TO 5 JANUARY 2018

TRIM Ref: D18/4044

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Payments by EFT December 2017   
 2. Payments by Cheque December 2017   
 3. Payments by Credit Card December 2017 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 23 November 2017 to 5 January 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 81877 – 82003	\$103,247.83
Cancelled Cheque 81932	-\$2,366.29
EFT Documents 2170 and 2175 - 2187	\$5,721,636.96
Payroll	\$1,755,681.19

Direct Debits

- Lease Fees \$139,335.19
- Loan Repayments \$148,525.88
- Bank Fees and Charges \$47,472.64
- Credit Cards \$8,604.26


Total Direct Debit	\$343,937.97
Total Accounts Paid	\$7,922,137.66

**COUNCIL DECISION ITEM 11.1**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**11.2 INVESTMENT REPORT AS AT 31 DECEMBER 2017****TRIM Ref: D18/5161****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 31 December 2017 as detailed in Attachment 1.

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

**11.4 DRAINAGE EASEMENT TO BENEFIT OF WATER CORPORATION - ROBERTSON PARK, 176 FITZGERALD STREET, PERTH****TRIM Ref:** D17/144600**Author:** Meluka Bancroft, Property Leasing Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:**

1. Plan of Robertson Park 
2. Plan of Water Corporation Drainage Infrastructure at Robertson Park 
3. Plan showing proposed easement area 

**RECOMMENDATION:**

That Council **REFUSES** the Water Corporation's request for a drainage easement to be registered over the Certificate of Title for Lots Y232 and Y233, comprising a portion of Robertson Park Tennis Club, to provide the Water Corporation with the power to access its drainage infrastructure beneath the land and to restrict any development over the drainage infrastructure on the basis that the Water Corporation currently has the power to access its drainage infrastructure and the City cannot interfere with the drainage infrastructure pursuant to the *Water Services Act 2012*. Thus granting an easement would unnecessarily increase the Water Corporation's current powers.

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

That the recommendation be adopted.

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



**11.7 FINANCIAL STATEMENTS AS AT 31 DECEMBER 2017**

**TRIM Ref:** D18/9336

**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 December 2017 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.7**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**12.1 PROPOSED LICENCE AGREEMENT - BANKS RESERVE PAVILION****TRIM Ref:** D18/10282**Author:** Andrew Scully, Senior Community Projects Officer**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:**

1. Kiddies Learning Hub Pty Ltd Business Plan - Confidential
2. Certificate of Registration of a Company - Kiddies Learning Hub Pty Ltd

**RECOMMENDATION:**

1. That Council **APPROVES** a licence to Kiddies Learning Hub Pty Ltd to use Banks Reserve Pavilion, located at Lot 500 (No.60) Joel Terrace, Mt Lawley, on the following key terms:
  - 1.1 **Term:** 5 March 2018 to 14 December 2018 (41 weeks);
  - 1.2 **Hours of Use:** Monday 7.00am to 3.00pm; and  
Tuesday to Friday 7:30am to 4:30pm;
  - 1.3 **Permitted Use:** Early learning and child care service;
  - 1.4 **Fees:** \$4,747 monthly paid in advance (inclusive of GST);
  - 1.5 **Adherence to:**
    - 1.5.1 Council Policy No. 2.1.7 – Parks, Reserves and Hall Facilities – Conditions of Hire and Use; and
    - 1.5.2 Provider/service approval from the Department of Communities; and
  - 1.6 **Storeroom Use:** Exclusive use of the storeroom (office) adjacent to the kitchen within the Pavilion for storage, throughout the term of the licence; and
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the licence conditions above.

**COUNCIL DECISION ITEM 12.1****Moved:** Cr Murphy, **Seconded:** Cr Castle

That the recommendation be adopted.

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

**13.2 APPOINTMENTS TO CEO PERFORMANCE REVIEW PANEL****TRIM Ref:** D17/178021**Author:** Tim Evans, Manager Governance and Risk**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION:**

That Council:

1. **ESTABLISHES** a CEO Performance Review Panel pursuant to clause 1.1 of Policy No: 4.2.16 – CEO Annual Performance Review; and
2. **APPOINTS** the following Council Members as Council's CEO Performance Review Panel for a term expiring on 18 October 2019:


**Members:**

1. Mayor Emma Cole;
2. Cr Gontaszewski;
3. Cr Topelberg;
4. Cr Loden.

**COUNCIL DECISION ITEM 13.2****Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**13.3 LATE ITEM: ANNUAL GENERAL MEETING OF ELECTORS HELD ON 30 JANUARY 2018****TRIM Ref:** D18/15218**Authors:** Stephanie Smith, Manager Policy and Place  
Tim Evans, Manager Governance and Risk**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. Minutes of the Annual General Meeting of Electors held 30 January 2018  
**RECOMMENDATION:****That Council:**

1. RECEIVES the Minutes of the Annual General Meeting of Electors held on Tuesday 30 January 2018, included as Attachment 1; and
2. NOTES and ENDORSES the response provided by Administration to the General Business motion carried at the Annual General Meeting of Electors held on Tuesday 30 January 2017 for the reasons outlined in the report.

**COUNCIL DECISION ITEM 13.3****Moved: Cr Murphy, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

## 9 DEVELOPMENT SERVICES

### 9.4 NO. 14 (LOT: 7; D/P: 2360) FLORENCE STREET, WEST PERTH - CHANGE OF USE SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING)





TRIM Ref: D17/165433

Authors: Stephanie Norgaard, Urban Planner  
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 5 – Cleaver

Attachments: 1. Attachment 1 - Consultation and Location Map   
2. Attachment 2 - Development Application Plans   
3. Attachment 3 - Management Plan and Code of Conduct   
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 BY ABSOLUTE MAJORITY the development application for Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 14 (Lot: 7; D/P: 2360) Florence Street, West Perth, in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Use of Premises
  - 1.1. The Short Term Dwelling shall accommodate a maximum of 5 guests at any one time; and
  - 1.2. The Short Term Dwelling shall operate with a mandatory minimum night stay period of 2 consecutive nights;
2. Car Parking
  - 2.1. A minimum of two on-site parking bays shall be made available to guests at all time and be maintained to the satisfaction of the City; and
  - 2.2. A Parking Management Plan shall be submitted to and approved by the City within 28 days of the date of this approval detailing the location of the two parking bays and how the 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. Management Plan
  - 3.1. The Management Plan and Code of Conduct shall be modified to detail updated complaints management procedures and security procedures in accordance with the requirements of the City's Policy No. 7.6.1 – Temporary Accommodation, within 28 days of the date of this approval. The Use of the premises shall be carried out in accordance with the approved Management Plan and all requirements of the Management Plan shall be implemented to the satisfaction of the City;
  - 3.2. The 'House Rule for Guests and Visitors' contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the Short Term Dwelling; and

**4. 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.

At 6.26pm Cr Loden arrived at the meeting.

**COUNCIL DECISION ITEM 9.4**

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

**That the recommendation be adopted.**

**CARRIED 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

9.10 NO. 7/565-567 (LOT: 7; STR: 21608) BEAUFORT STREET MOUNT LAWLEY - PROPOSED AMENDMENT TO CONDITIONS OF APPROVAL - CHANGE OF USE FROM OFFICE TO RECREATIONAL FACILITY AND OFFICE

TRIM Ref: D17/173157






Authors: Remajee Narroo, Senior Urban Planner  
Paola Di Perna, Manager Approval Services

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 11 – Mount Lawley Centre

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Previous Planning Approval and Plans 
3. Attachment 3 - Applicant's Letter 
4. Attachment 4 - Summary of Submissions 
5. Attachment 5 - Applicant's Response to 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 planning approval 5.2014.4.1 for Proposed Change of Use from Office to Recreational Facility and Office at No. 7/565-567 (Lot: 7; STR: 21608) Beaufort Street, Mount Lawley, granted on 7 October 2014, subject to the following condition:

1. All conditions and advice notes detailed on planning approval 5.2014.4.1 granted on 7 October 2014 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1. Condition 4.1 is amended to read as follows:

*“The use of the Recreational Facility is allowed to operate twenty four (24) hours, seven days a week;”*; and
  - 1.2. Condition 4.2 is deleted.

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That the recommendation be adopted.

**PROPOSED AMENDMENT**

Moved: Cr Gontaszewski, Seconded: Cr Murphy

That a new Condition 1.3 be inserted as follows:

“1.3 A new Condition 10 be inserted to read as follows:

- 10.1 Within 28 days of the issue of this approval a Management Plan shall be submitted to the satisfaction of the City outlining measures that will be implemented between the hours of 9:00pm and 6:00am to minimise the impact of noise on surrounding residents and tenancies, including the following:

- 10.1.1 The requirement for all members to be advised in writing of the correct behaviours and usage of equipment, including free weights, medicine balls and kettle bells, and the consequences of breaching these requirements;
  - 10.1.2 The requirement for all new members to be inducted into the correct behaviours and usage of equipment, including free weights, medicine balls and kettle bells, and the consequences of breaching these requirements;
  - 10.1.3 The required method of addressing breaches of these requirements and the compliance measures that will be undertaken where breaches of these requirements are identified;
  - 10.1.4 A contact phone number for complaints regarding unreasonable noise that is manned at all times between the hours of 9:00pm to 6:00am and is provided to all adjoining and adjacent neighbours and all owners and tenants of 565-567 (STR: 21608) Beaufort Street, Mount Lawley and is made available at all times on the recreation facility's website;
- 10.2 Use of the premises shall be carried out in accordance with the approved Management Plan or any Plan approved by the City thereafter and all requirements of the Management Plan shall be implemented to the satisfaction of the City; and
- 10.3 A review of the Management Plan shall be submitted to the City for approval within six months and again within 12 months of the issue of this approval. Any changes identified as part of these reviews, or required by the City, shall be incorporated into an updated Management Plan to the satisfaction of the City and submitted to the City within 14 days of the City's approval of the review. The development shall thereafter operate in accordance with the updated Management Plan."

**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 9.10**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Fotakis

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 5.2014.4.1 for Proposed Change of Use from Office to Recreational Facility and Office at No. 7/565-567 (Lot: 7; STR: 21608) Beaufort Street, Mount Lawley, granted on 7 October 2014, subject to the following condition:

1. All conditions and advice notes detailed on planning approval 5.2014.4.1 granted on 7 October 2014 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1. Condition 4.1 is amended to read as follows:

*"The use of the Recreational Facility is allowed to operate twenty four (24) hours, seven days a week;"*; and
  - 1.2. Condition 4.2 is deleted.
  - 1.3. A new Condition 10 be inserted to read as follows:







- 10.1** Within 28 days of the issue of this approval a Management Plan shall be submitted to the satisfaction of the City outlining measures that will be implemented between the hours of 9:00pm and 6:00am to minimise the impact of noise on surrounding residents and tenancies, including the following:
- 10.1.1** The requirement for all members to be advised in writing of the correct behaviours and usage of equipment, including free weights, medicine balls and kettle bells, and the consequences of breaching these requirements;
  - 10.1.2** The requirement for all new members to be inducted into the correct behaviours and usage of equipment, including free weights, medicine balls and kettle bells, and the consequences of breaching these requirements;
  - 10.1.3** The required method of addressing breaches of these requirements and the compliance measures that will be undertaken where breaches of these requirements are identified;
  - 10.1.4** A contact phone number for complaints regarding unreasonable noise that is manned at all times between the hours of 9:00pm to 6:00am and is provided to all adjoining and adjacent neighbours and all owners and tenants of 565-567 (STR: 21608) Beaufort Street, Mount Lawley and is made available at all times on the recreation facility's website;
- 10.2** Use of the premises shall be carried out in accordance with the approved Management Plan or any Plan approved by the City thereafter and all requirements of the Management Plan shall be implemented to the satisfaction of the City; and
- 10.3** A review of the Management Plan shall be submitted to the City for approval within six months and again within 12 months of the issue of this approval. Any changes identified as part of these reviews, or required by the City, shall be incorporated into an updated Management Plan to the satisfaction of the City and submitted to the City within 14 days of the City's approval of the review. The development shall thereafter operate in accordance with the updated Management Plan.

**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

**9.1 ADOPTION OF THE FENCING AMENDMENT LOCAL LAW 2017****TRIM Ref:** D17/171721**Authors:** Rob Sklarski, Special Project Officer  
Paola Di Perna, Manager Approval Services  
Tim Evans, Manager Governance and Risk**Authoriser:** John Corbellini, Director Development Services**Ward:** Not Applicable**Precinct:** Not Applicable**Attachments:**

1. Attachment 1 - Fencing Amendment Local Law 2017 - version for government gazette 
2. Attachment 2 - Summary of Submission 
3. Attachment 3 - Fencing Amendment Local Law 2017 - with tracked changes 
4. Attachment 4 - Consolidated Fencing Local Law 2008 - with tracked changes 

**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 Fencing Amendment Local Law 2017* included as Attachment 1;

2. **NOTES** the purpose and effect of the local law as:

**Purpose**

The purpose of the Fencing Amendment Local Law 2017 is to amend the Fencing Local Law 2008 in order to remove the need for dividing fences between 1.8 and 2.4 metres in height to be approved by the City where certain minimum standards are met, remove the front setback and truncations standards and requirements, modify the specifications for a 'sufficient fence', apply the residential 'sufficient fence' specification to all lots which contain residential development, increase the modified penalties for prescribed offences and introduce other minor amendments;

**Effect**

The effect of the Fencing Amendment Local Law 2017 is to set the minimum standards for fencing in the City of Vincent and set out where the City's approval is required; and

3. **NOTES:**

- 3.1. the minor amendments to the version of the Fencing Amendment Local Law 2017 that was advertised for public submission;

- 3.2. that Administration will publish the Fencing 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 9.1**

**Moved: Cr Castle, Seconded: Cr Hallett**

**That the recommendation be adopted.**

**CARRIED 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

**9.2 NO. 2/17 (LOT: 7; D/P: 11538) GREEN STREET, MOUNT HAWTHORN - CHANGE OF USE FROM SHOP TO UNLISTED USE (MESSAGE PREMISES)**




TRIM Ref: D17/162797

Author: Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 1 – Mount Hawthorn

Attachments: 1. Attachment 1 - Consultation and Location Plan   
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 a Change of use from Shop to Unlisted Use (Message Premises) at Unit 2, 17 (Lot: 7; D/P: 11538) Green Street, Mount Hawthorn in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

**1. Use of Premises**

- 1.1. The development shall be used in accordance with the definition of 'Message Premises' as set out under the City's Policy No. 7.5.22 – Consulting Rooms;
- 1.2. A maximum of two consultants shall operate from the tenancy at any one time;
- 1.3. This approval for Unlisted Use (Message Premises) is for a period of 12 months only and 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
- 1.4. The hours of operation for the 'Message Premises' shall be limited to 9:00am to 9:00pm Monday to Sunday and Closed Christmas Day, Good Friday and Anzac Day; and

**2. Interactive Front**

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Office' and 'Reception' areas of the development and Green Street and London 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 Green Street and London Street are not permitted to be used during the hours of the developments operation.

**Moved: Cr Loden, Seconded: Cr Fotakis**

That the recommendation be adopted.

**PROPOSED AMENDMENT**

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

That Condition 1.3 be deleted and the remaining Conditions be renumbered.

**AMENDMENT CARRIED (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

**COUNCIL DECISION ITEM 9.2**

**Moved:** Cr Loden, **Seconded:** Cr Fotakis

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 a Change of use from Shop to Unlisted Use (Massage Premises) at Unit 2, 17 (Lot: 7; D/P: 11538) Green Street, Mount Hawthorn in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. Use of Premises

- 1.1. The development shall be used in accordance with the definition of 'Massage Premises' as set out under the City's Policy No. 7.5.22 – Consulting Rooms;
- 1.2. A maximum of two consultants shall operate from the tenancy at any one time; and
- 1.3. The hours of operation for the 'Massage Premises' shall be limited to 9:00am to 9:00pm Monday to Sunday and Closed Christmas Day, Good Friday and Anzac Day; and

2. Interactive Front

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Office' and 'Reception' areas of the development and Green Street and London 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 Green Street and London Street are not permitted to be used during the hours of the developments operation.

**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

Cr Joshua Topelberg declared a proximity interest in Item 9.3 and left the meeting at 7.12pm prior to consideration of the Item.

**9.3 NO. 22/60 (LOT: 22; S/P 16992) SMITH STREET, HIGHGATE - CHANGE OF USE FROM GROUPED DWELLING TO UNLISTED USE (SHORT TERM DWELLING)**

TRIM Ref: D17/163341






Authors: Stephanie Norgaard, Urban Planner  
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 14 – Forrest

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Application Plans 
3. Attachment 3 - Management Plan and Code of Conduct 
4. Attachment 4 - Summary of Submissions 
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 BY ABSOLUTE MAJORITY the development application for a Change of Use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) at No. 22/60 (Lot: 22; S/P: 16992) Smith Street, Highgate, in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

**1. Use of Premises**

- 1.1. The Short Term Dwelling shall accommodate a maximum of 4 guests at any one time;
- 1.2. The Short Term Dwelling shall operate in accordance with the Management Plan dated 25 July 2017 and the terms and conditions outlined in the Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the short term accommodation; and
- 1.3. The Short Term Dwelling shall operate with a mandatory minimum night stay period of 3 consecutive nights;

**2. Car Parking**

A minimum of one on-site parking bays shall be made available to guests at all time and be maintained to the satisfaction of the City;

**3. Management Plan**

- 3.1. The Management Plan and Code of Conduct shall be modified to include further information regarding parking management as outlined in City of Vincent Policy No. 7.4.5 – Temporary Accommodation, within 28 days of the date of this approval. The Use of the premises shall be carried out in accordance with the approved Management Plan and all requirements of the Management Plan shall be implemented to the satisfaction of the City;
- 3.2. 'The Handbook' contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the Short Term Dwelling; and

**4. 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 Fotakis, Seconded: Cr Loden**

That the recommendation be adopted.

### **PROPOSED AMENDMENT**

**Moved: Cr Fotakis, Seconded: Cr Loden**

That a new Condition 3.3 and Advice Note 7 be inserted as follows:

**“3.3 The Management Plan shall be updated to include the Strata Bylaws applicable to the site.”;  
and**

**“7. In accordance with the *Stata Titles Act 1985* the landowner is required to obtain the approval of the Strata Company prior to commencing the development. Once approval has been received, The Management Statement shall be updated to include a copy of the approval.”**

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

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

**Against:** Nil

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

### **COUNCIL DECISION ITEM 9.3**

**Moved: Cr Fotakis, 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 BY ABSOLUTE MAJORITY** the development application for a Change of Use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) at No. 22/60 (Lot: 22; S/P: 16992) Smith Street, Highgate, in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

**1. Use of Premises**

**1.1. The Short Term Dwelling shall accommodate a maximum of 4 guests at any one time;**

**1.2. The Short Term Dwelling shall operate in accordance with the Management Plan dated 25 July 2017 and the terms and conditions outlined in the Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the short term accommodation; and**

**1.3. The Short Term Dwelling shall operate with a mandatory minimum night stay period of 3 consecutive nights;**

**2. Car Parking**

**A minimum of one on-site parking bays shall be made available to guests at all time and be maintained to the satisfaction of the City;**

**3. Management Plan**

- 3.1. The Management Plan and Code of Conduct shall be modified to include further information regarding parking management as outlined in City of Vincent Policy No. 7.4.5 – Temporary Accommodation, within 28 days of the date of this approval. The Use of the premises shall be carried out in accordance with the approved Management Plan and all requirements of the Management Plan shall be implemented to the satisfaction of the City;
- 3.2. 'The Handbook' contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the Short Term Dwelling; and
- 3.3 The Management Plan shall be updated to include the Strata Bylaws applicable to the site; and
- “7. In accordance with the *Stata Titles Act 1985* the landowner is required to obtain the approval of the Strata Company prior to commencing the development. Once approval has been received, The Management Statement shall be updated to include a copy of the approval”

**4. 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 BY ABSOLUTE MAJORITY (8-0)**

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

**Against:** Nil

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

At 7:24 pm, Cr Joshua Topelberg returned to the meeting.



## 10 ENGINEERING

### 10.1 SAFE ACTIVE STREETS - BIKE BOULEVARD PROGRESS REPORT 4

TRIM Ref: D18/11819

Authors: Francois Sauzier, TravelSmart Officer  
Craig Wilson, Manager Asset & Design

Authoriser: Andrew Murphy, Director Engineering

Attachments: 1. Consultation Comments Summary   
2. Safe Active Streets Project - Concept Plan 

#### RECOMMENDATION:

That Council

#### 1. NOTES that:

- 1.1 consultation on the Safe Active Streets Bike Boulevard Project (Phase Two) has been completed with affected residents of Shakespeare, Scott, Richmond and Bourke Streets, Mount Hawthorn/Leederville area;
- 1.2 the results of the consultation indicate 62% of respondents support the project; 32% of respondents do not support the project and 6% neither support nor object but have provided feedback; and
- 1.3 the Department of Transport has indicated that it will be offering the City additional funding of \$200,000 to complete the Bourke Street link to the Mitchell Freeway, which, will increase the total project value to \$1,300,000;

2. APPROVES an increase to the 2017/18 Capital Budget for the Bike Boulevard Stage 2 project from \$1,100,000 to \$1,300,000, with a corresponding increase to capital grants to recognise the increased project funding from the Department of Transport as noted in 1.3 above;
3. SUPPORTS the implementation of the Safe Active Streets Bike Boulevard Project (Phase Two), in line with the advertised concept plan included as Attachment 2, subject to Administration finalising the construction design to incorporate, where possible, minor changes as requested in the feedback from affected owners/occupiers and additional street trees; and
4. ADVISES all respondents of Council's decision.

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

That the recommendation be adopted.

**PROPOSED AMENDMENT**

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

That the Recommendation 3 be amended as follows:

3. **SUPPORTS** the implementation of the Safe Active Streets Bike Boulevard Project (Phase Two), in line with the advertised concept plan included as Attachment 2, subject to Administration finalising the construction design to incorporate, where possible, minor changes as requested in the feedback from affected owners/occupiers, as well as retention of the parking on Richmond Street and planting of additional street trees; and

**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 10.1**

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

That Council

1. **NOTES** that:

- 1.1 consultation on the Safe Active Streets Bike Boulevard Project (Phase Two) has been completed with affected residents of Shakespeare, Scott, Richmond and Bourke Streets, Mount Hawthorn/Leederville area;
- 1.2 the results of the consultation indicate 62% of respondents support the project; 32% of respondents do not support the project and 6% neither support nor object but have provided feedback; and
- 1.3 the Department of Transport has indicated that it will be offering the City additional funding of \$200,000 to complete the Bourke Street link to the Mitchell Freeway, which, will increase the total project value to \$1,300,000;

2. **APPROVES** an increase to the 2017/18 Capital Budget for the Bike Boulevard Stage 2 project from \$1,100,000 to \$1,300,000, with a corresponding increase to capital grants to recognise the increased project funding from the Department of Transport as noted in 1.3 above;

3. **SUPPORTS** the implementation of the Safe Active Streets Bike Boulevard Project (Phase Two), in line with the advertised concept plan included as Attachment 2, subject to Administration finalising the construction design to incorporate, where possible, minor changes as requested in the feedback from affected owners/occupiers, as well as retention of the parking on Richmond Street and planting of additional street trees; and

4. **ADVISES** all respondents of Council's decision.

**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





## 11 CORPORATE SERVICES

### 11.3 ADOPTION OF THE STANDING ORDERS AMENDMENT LOCAL LAW 2017

TRIM Ref: D17/161061

Author: Tim Evans, Manager Governance and Risk

Authoriser: John Paton, Director Corporate Services

- Attachments:
1. Standing Orders Amendment Local Law 2017 - version for the government gazette 
  2. Standing Orders Amendment Local Law 2017 - tracked changes version 
  3. Consolidated Meeting Procedures Local Law 2008 - tracked changes version 
  4. Standing Orders Amendment Local Law 2017 - Summary of Submissions 

#### 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 Standing Orders Amendment Local Law 2017* included as Attachment 1;
2. **NOTES** the purpose and effect of the local law as:

#### Purpose

The purpose of the Standing Orders Amendment Local Law 2017 is to make a number of minor amendments to the principal City of Vincent Standing Orders Local Law 2008 to allow for the orderly conduct of Council meetings;

#### Effect

The effect of the Standing Orders Amendment Local Law 2017 is to rename the Standing Orders Local Law 2008 to become the Meeting Procedures Local Law 2008 and to make minor amendments to the procedures for conducting Council meetings;

#### 3. **NOTES:**

- 3.1 the minor amendments to the version of the Standing Orders Amendment Local Law 2017 that was advertised for public comment;
- 3.2 that Administration will publish the *Standing Orders 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 11.3**

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

That the recommendation be adopted.

**PROCEDURAL MOTION**

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

That the motion be deferred for further consideration.

**CARRIED (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

*Reason: The deferral motion was raised to enable further review of the operation of clause 7.1 of the Standing Orders (procedural motion to defer an item), and in particular the appropriateness of the current entitlement for any member to move such a motion after they have already spoken on the substantive item.*

**11.5 VARIATION OF LEASE TO INCLUDE ADDITIONAL ARTISTS AS JOINT LESSEES - HALVORSEN HALL, ROBERTSON PARK, 176 FITZGERALD STREET, PERTH**

TRIM Ref: D17/177762

Author: Meluka Bancroft, Property Leasing Officer

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Plan of Halvorsen Hall, Robertson Park **RECOMMENDATION:**

That Council

1. **APPROVES** a variation of the lease with Graham Hay, Umberto Alfaro, Frances Dennis, Carol Rowling, Lauren Wilhelm and Renae Edward of Halvorsen Hall, located at Robertson Park, 176 Fitzgerald Street, Perth, to:
  - 1.1 remove Umberto Alfaro, Lauren Wilhelm and Renae Edward as joint lessees; and
  - 1.2 add Sarah Marchant, Christopher McClelland and Bethamy Linton as joint lessees.
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the variation of lease in 1 above.
3. **AUTHORISES** the Chief Executive Officer and / or Director Corporate Services to approve future variations to the lease as required for the sole purpose of adding or removing joint lessees to the existing lease which runs until 1 March 2020; and
4. **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute any Deed of Variation of lease approved under the authorisation granted in 1 above.

**COUNCIL DECISION ITEM 11.5****Moved: Cr Hallett, Seconded: Cr Murphy**

That the recommendation be adopted.

**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

**11.6 AMENDMENT TO TERMS OF REFERENCE - AUDIT COMMITTEE AND SAFER VINCENT CRIME PREVENTION PARTNERSHIP**

**TRIM Ref:** D18/8033  
**Author:** Tim Evans, Manager Governance and Risk  
**Authoriser:** John Paton, Director Corporate Services  
**Attachments:** Nil

**RECOMMENDATION:**

That Council:

1. **NOTES** Cr Harley's resignation from the Audit Committee;
2. **AMENDS** the Audit Committee Terms of Reference so that membership of the Committee comprises four Council Members and two external independent members;
3. **NOTES** that there was an error on page 8 of the confirmed minutes of the 24 October 2017 Special Council Meeting in which it was incorrectly minuted that Cr Hallett was appointed to the Audit Committee whereas in fact Cr Loden was appointed. An administrative note will be added to the published minutes drawing attention to the error;
4. **NOTES** Cr Harley's resignation from the Safer Vincent Crime Prevention Partnership; and
5. **AMENDS** the Safer Vincent Crime Prevention Partnership Terms of Reference so that membership of the group includes two Council Members.

**COUNCIL DECISION ITEM 11.6**

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

That the recommendation be adopted.

**CARRIED 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

### 13.1 INFORMATION BULLETIN

TRIM Ref: D17/177302

Author: Emma Simmons, Governance and Council Support Officer

Authoriser: Len Kosova, Chief Executive Officer

- Attachments:
1. 2018 Local Plant Sale Dates 
  2. Minutes of the Design Advisory Committee Meeting held on 8 November 2017 
  3. Minutes of the Design Advisory Committee Meeting held on 22 November 2017 
  4. Minutes of the Environmental Advisory Group Meeting held on 27 November 2017 
  5. Summary Minutes of WALGA State Council Meeting held on 6 December 2017 
  6. Tamala Park Regional Council - Minutes of Meeting held on 7 December 2017 
  7. Mindarie Regional Council - Minutes of Meeting held on 14 December 2017 
  8. Mindarie Regional Council - Unconfirmed Minutes of Meeting held on 25 January 2018 
  9. Unconfirmed Minutes of the Urban Mobility Advisory Group (UMAG) held on 18 December 2017 
  10. Monthly Street Tree Removal Requests 
  11. Statistics for Development Applications as at end of December 2017 
  12. Register of Legal Action and Prosecutions Register Monthly - Confidential
  13. Register of Legal Action and Prosecutions Register Quarterly - Confidential
  14. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 24 January 2018 
  15. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  16. Register of Applications Referred to the Design Advisory Committee – Current 
  17. Register of Petitions - Progress Report - February 2018 
  18. Register of Notices of Motion - Progress Report - February 2018 
  19. Register of Reports to be Actioned - Progress Report - February 2018 

#### RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated February 2018.

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be adopted.

#### PROPOSED AMENDMENT

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the Recommendation be amended as follows:

That Council:

1. RECEIVES the Information Bulletin dated February 2018;

2. In respect of Agenda Item 9.7 from the Mindarie Regional Council (MRC) Minutes from its meeting of 14 December 2017 (included as Attachment 7), REAFFIRMS the Mayor's opposition to MRC councillors attending the interstate Energy from Waste Conference at an estimated cost of \$3,500 per person on account of the conference attendance being both costly and unwarranted in light of the MRC's decision to not accept any Energy from Waste tender; and
3. Relative to 2. above, REQUESTS the Chief Executive Officer to write to the MRC seeking confirmation of the Council Members (if any) that will be attending the interstate Energy from Waste Conference.

At 7:58 pm, Cr Jimmy Murphy left the meeting.

At 8:01 pm, Cr Jimmy Murphy returned to the meeting.

Cr Gontaszewski requested the amendment be considered and voted on in two parts, namely parts 1 and 2 together and part 3 separately.

The Presiding Member, Mayor Emma Cole agreed with the request to consider and vote on the amendment in two parts.

Cr Castle, via the Presiding Member, Mayor Emma Cole, sought feedback from the mover and seconder of the Amendment to change the word "REAFFIRMS" to "SUPPORTS". Cr Loden and Cr Gontaszewski agreed, as the mover and seconder (respectively) and the Amendment was changed accordingly.

#### **PROPOSED AMENDMENT 1**

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

That the Recommendation be amended as follows:

That Council:

1. **RECEIVES** the Information Bulletin dated February 2018;
2. In respect of Agenda Item 9.7 from the Mindarie Regional Council (MRC) Minutes from its meeting of 14 December 2017 (included as Attachment 7), SUPPORTS the Mayor's opposition to MRC councillors attending the interstate Energy from Waste Conference at an estimated cost of \$3,500 per person on account of the conference attendance being both costly and unwarranted in light of the MRC's decision to not accept any Energy from Waste tender; and

#### **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

#### **PROPOSED AMENDMENT 2**

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

That an additional Recommendation 3 be added as follows:

That Council:

3. Relative to 2. above, REQUESTS the Chief Executive Officer to write to the MRC seeking confirmation of the Council Members (if any) that will be attending the interstate Energy from Waste Conference.



**AMENDMENT CARRIED (6-3)**

**For:** Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden and Cr Murphy

**Against:** Presiding Member Mayor Emma Cole, Cr Gontaszewski and Cr Topelberg

**COUNCIL DECISION ITEM 13.1**

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

**That Council:**

1. RECEIVES the Information Bulletin dated February 2018;
2. In respect of Agenda Item 9.7 from the Mindarie Regional Council (MRC) Minutes from its meeting of 14 December 2017 (included as Attachment 7), SUPPORTS the Mayor's opposition to MRC councillors attending the interstate Energy from Waste Conference at an estimated cost of \$3,500 per person on account of the conference attendance being both costly and unwarranted in light of the MRC's decision to not accept any Energy from Waste tender; and
3. Relative to 2. above, REQUESTS the Chief Executive Officer to write to the MRC seeking confirmation of the Council Members (if any) that will be attending the interstate Energy from Waste Conference.

**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

**14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****14.1 NOTICE OF MOTION – CR DAN LODEN - HIGHER ORDER WASTE MANAGEMENT**

That Council REQUESTS Administration to present a report to Council in March 2018 providing an overview of:

1. Progress of the Waste Strategy project (CBP Item 8.1);
2. Improvements to the City's waste management practices that have been implemented over the past 12 months;
3. Opportunities being explored to further improve the City's waste management practices over the next 12 months; and
4. Opportunities for the City to engage with other local governments, now and in the future, as part of the Waste Strategy and the City's ongoing improvement in waste management practices.

**COUNCIL DECISION ITEM 14.1**

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

That the recommendation be adopted.

**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

**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 8.23pm with the following persons present:

- |                       |                                      |                                      |
|-----------------------|--------------------------------------|--------------------------------------|
| <b>PRESENT:</b>       | 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                           |
| <br>                  |                                      |                                      |
| <b>IN ATTENDANCE:</b> | Len Kosova                           | CEO                                  |
|                       | John Corbellini                      | Director Development Services        |
|                       | Andrew Murphy                        | Director Engineering                 |
|                       | John Paton                           | Director Corporate Services          |
|                       | Michael Quirk                        | Director Community Engagement        |
|                       | Tim Evans                            | Manager Governance & Risk            |
|                       | Emma Simmons                         | Governance & Council Support Officer |
| <br>                  |                                      |                                      |
| <b>Media:</b>         | Nil.                                 |                                      |
| <b>Public:</b>        | Nil.                                 |                                      |

These Minutes were confirmed by the Council as a true and accurate record the Ordinary Meeting of the Council held on 6 February 2018.

Signed: ..... Mayor Emma Cole

Dated this ..... day of .....2018