



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

1 May 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, 1 MAY 2018 AT 6PM**

| | | |
|-----------------------|--|--|
| PRESENT: | Presiding Member Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley Cr Jimmy Murphy Cr Joshua Topelberg | Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward |
| IN ATTENDANCE: | Len Kosova John Corbellini Andrew Murphy Kerryn Batten Michael Quirk (from 6.25pm) Stephanie Smith Tim Evans Mark Thornber | Chief Executive Officer Director Development Services Director Engineering Director Corporate Services Director Community Engagement Manager Policy and Place Manager Governance and Risk Acting Governance & Council Support Officer |
| | Camilo Blanco | Mayor of Town of Port Hedland |
| Media: | Julian Wright | Journalist – “The Guardian” |
| Public: | Approximately 14 members of the public. | |

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6:00pm 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

Cr Dan Loden

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. Geraldine Box of North Perth – Item 5.1 - Petition On Behalf of Residents of North Perth Residential Streets.
 - Spoke in support of the petition, requesting that Council addresses volume and speed on Alfonso, Alma (west of Leake), Camelia, Claverton, Persimmon, Sekem Place and Vine Streets and engages with residents to develop acceptable measures to make these streets safe and more liveable; and the measures developed are included in the next Council Budget round.

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

2. Marie Slythe of West Perth – Item 9.9

- Spoke in support of the recommendation.

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

3. Sylvia Griffiths of West Perth – Item 9.9

- Spoke against the recommendation.

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

4. Carlo Farmiano of Malaga – Item 9.7

- Spoke in support of the application.
- Requested that the application either be approved or deferred to address the City's concerns.

The Presiding Member Mayor Emma Cole thanked Mr Farmiano for her comments.

There being no further speakers, Public Question Time closed at approximately 6.16pm.

(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**5.1** Petition received from Ms G Box of Alma Road, North Perth, along with 42 signatories, on behalf of residents of North Perth residential streets, requesting that:

Council addresses volume and speed on Alfonso, Alma (west of Leake), Camelia, Claverton, Persimmon, Sekem Place and Vine Streets and engages with residents to develop acceptable measures to make these streets safe and more liveable; and the measures developed are included in the next Council Budget round.

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Harley

That the petition be received.

(CARRIED UNANIMOUSLY (8-0))

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

Against: Nil

(Cr Loden was an apology and did not vote.)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Harley, Seconded: Cr Murphy

That the minutes of the Ordinary Meeting held on 4 April 2018 be confirmed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was an apology and did not vote.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 ANZAC DAY

I would just like to comment on the Anzac Day March and Service on the 25th of April. It was really fantastic to see a great turn out from our Vincent Community. These days, we do seem to attract about 2,000 people to our Vincent Service. It is a great partnership with the RSL and we are seeking more of an involvement from other community groups as well as including our local schools.

This year was an important year in our National Commemorative Celebration with this year being our last year of the Centenary of ANZAC, and also it will be the Centenary of Armistice on the eleventh day of the eleventh month. It was a good opportunity for us to learn more about Thomas Leslie Axford, who was our Victoria Cross recipient with this awarded during the Battle of Hamel. This story has really resonated in our community. For example North Perth Primary School contacted us this week for a copy of the speech so they could also talk about Thomas Axford and his connection to North Perth Primary School where his five Children attended. Having a local ANZAC and the story and understanding of the naming of the park has been a nice thing for our community this ANZAC Day.

7.2 MINDARIE REGIONAL COUNCIL FACEBOOK WASTE CAMPAIGN

I would also just like to briefly talk about the Mindarie Regional Council Facebook Waste Campaign, which was launched last week. This is a campaign where see through rubbish bins are being rolled out in an effort to spark some conversation with the community about what goes into your rubbish bins and how your waste can be reduced. The launch did attract State wide media and really did get people talking and the thing that I find quite important about this campaign is that it is being run in conjunction with the State Government's Review of the Waste Strategy with the EMRC calling on the State Government to take a lead in waste education and to release some of the levy funds to do this. There has been a little bit of a blockage shall we say and the Mindarie Regional Council is offering this campaign to the State Government if they wish to take it on in an effort to campaign for better education in and around our waste.

7.3 LOCAL HISTORY AWARDS

I also note that we are calling for entries in our Local History Awards. This year we are having a big focus on the 20th Centenary and to call out not just for photos but for memoirs and to go all the way through to the 1990's. I think last year we had an entry of two children sitting in a trough from 1983. This week I will be meeting with one of the people that was a child at the time that sat in the trough for a photo to promote the awards so it is just a really great opportunity to not only talk about our history but to really increase the archive of history that we have at our Local History Centre.

7.4 MOUNT HAWTHORN STREETS AND LANES FESTIVAL

This Sunday we will again be celebrating the Mount Hawthorn Streets and Lanes Festival happening in and around the Mount Hawthorn Town Centre along Scarborough Beach Road, down Oxford Street and through the surrounding side streets. It is presented by the local Town Team and The Mount Hawthorn Hub. I believe over 70,000 people attended last year and we are expecting similar numbers this year. There are some really great events including street karaoke, line dancing and a really incredible line up of local performers so I hope to see as many people as possible in Mount Hawthorn on Sunday.

7.5 WELCOLME TO MAYOR BLANCO

I also extend a warm welcome to Mayor Camilo Blanco sitting in the public gallery and visiting us from the Town of Port Hedland.

8 DECLARATIONS OF INTEREST

- 8.1** Cr Hallett declared an Impartiality Interest in item 9.3 - No. 45/87 (Lot: 45; D/P: 65963) Bulwer Street, Perth – Proposed Amendment to Operating Hours of Previous Approval: Change of Use from Office to Eating House. The extent of this interest is that Cr Hallett lives within the consultation area for the application. Cr Hallett declared that he will consider the matter on its merits and vote accordingly.
- 8.2** Cr Fotakis declared an Impartiality Interest in Item 9.4 - No 34 (Lot: 51; D/P; 2931) Cleaver Street, West Perth, Proposed Four Grouped Dwellings. The extent of this interest is that Trent Durward, speaking on behalf of the applicant is a member of the City of Vincent's Business Advisory Group, which Cr Fotakis is a member. Cr Fotakis declared that she will consider the matter on its merits and vote accordingly.
- 8.3** Mayor Cole declared an Impartiality interest in Item 9.5 – Nos. 120 and 122 (Lot: 2; STR: 9055) Summers Street, Perth – Proposed Four Three Story Grouped Dwellings. The extent of this interest is the Applicant, Lesley Thomas provided voluntary campaign assistance for Mayor Cole by leafletting in the lead up to the February 2017 Extra Ordinary Election, as registered in the Gifts Register. Mayor Cole declared that she will consider the matter on its merits and vote accordingly.
- 8.4** Cr Castle declared a Financial Interest in Item 9.10 – Outcomes of Advertising – Town Centre Place Plans. The extent of this interest is that Cr Castle is currently engaged by Mount Hawthorn Hub to provide graphic design services for the Streets and Lanes Festival. Cr Castle did not seek approval to participate in the debate or to remain in the Council Chamber.
- 8.5** Cr Murphy declared a Financial Interest in Item 9.11 – Extension to Public Alfresco Permit Timeframe – Leederville Town Centre. The extent of the interest is Cr Murphy received an election related gift from Jason Antczak of the Leederville Hotel during the 2015 Ordinary Local Government Election and he has been engaged by Leederville Connect through his company to deliver the Light – Up Leederville Carnival. Cr Murphy did not seek approval to participate in the debate or to remain in the Council Chamber.
- 8.6** Cr Murphy declared an Impartiality Interest in Item 12.1 – Asset Disposal – Vincent Community Bus. The extent of the interest is that Upbeat Events of which Cr Murphy is part owner has sourced sponsorship funding from the Bendigo Community Bank on behalf of Leederville Connect for the Light-Up-Leederville Carnival. Cr Murphy declared that he will consider the matter on its merits and vote accordingly.
- 8.7** The Chief Executive Officer, Mr Len Kosova, declared an Impartiality Interest in Item 13.3 – Resignation of Chief Executive Officer. The extent of this interest is that this report relates to his resignation as the Chief Executive Officer.
- 8.8** Cr Castle declared a Financial Interest in Item 18.1 – Review of Policy No. 4.2.13 – Design Advisory Committee and Appointment of Design Review Panel. The extent of this interest is that Cr Castle has an indirect financial relationship with one of the applicants. Cr Castle did not seek approval to participate in the debate or to remain in the Council Chamber.

- 8.9 Cr Fotakis declared an Impartiality Interest in Confidential Item 18.1 - Review of Policy No. 4.2.13 – Design Advisory Committee and Appointment of Design Review Panel. The extent of this interest is that one of the applicants also serves on the City of Vincent’s Art Advisory Group of which Cr Fotakis is a member. The applicant is also a member of Leederville Connect of which Cr Fotakis previously served as a member of the Management Committee. Cr Fotakis declared that she will consider the matter on its merits and vote accordingly.
- 8.10 Cr Gontaszewski declared an Impartiality Interest in Confidential Item 18.1 - Review of Policy No. 4.2.13 – Design Advisory Committee and Appointment of Design Review Panel. The extent of this interest is that Cr Gontaszewski is a personal acquaintance of one of the applicants of the Design Advisory Committee. Cr Gontaszewski declared that she will consider the matter on its merits and vote accordingly.

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 9.7 and 9.9.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 9.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.10, 9.11, and 18.1

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 Harley (Deputy Mayor) | 12.1 |
| Cr Murphy | 9.7 |
| Cr Topelberg | 9.5, 9.6, 9.8, 13.3 |

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 9.2, 9.3, 9.4, 11.1, 11.2, 11.3, 13.1 and 13.2
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 18.1.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Murphy, Seconded: Cr Gontaszewski

**That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.2, 9.3, 9.4, 11.1, 11.2, 11.3, 13.1 and 13.2**

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was an apology and did not vote.)

9.2 NOS. 103-107 (LOT: 500; D/P: 53859) EDWARD STREET, PERTH - CHANGE OF USE FROM WAREHOUSE TO PLACE OF PUBLIC WORSHIP AND WAREHOUSE**TRIM Ref:** D18/23831**Author:** Stephanie Norgaard, Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 13 – Beaufort**Attachments:**

1. Attachment 1 - Location Map and Consultation Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Management Plan 
4. Attachment 4 - Summary of Submissions 
5. Attachment 5 - Parking Survey 
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 development approval for a Change of Use from Warehouse to Place of Public Worship and Warehouse at Nos. 103-107 (Lot: 500; D/P: 53859) Edward Street, Perth, in accordance with the plans shown as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. Use of Premises

- 1.1 This approval for use of the premises as a Place of Public Worship is limited to a period of 5 years from the date of the approval;
- 1.2 The number of persons attending the Place of Public Worship at any one time shall be limited to the following:
 - 1.2.1 The 'Office' area as depicted on the approved plans shall be limited to a maximum of nine persons;
 - 1.2.2 Any 'bible study, prayer group or home group' or other meetings held on the subject site shall be limited to a maximum of 15 persons; and
 - 1.2.3 The 'Sunday church service' shall be limited to a maximum 80 persons;
- 1.3 The operating hours of the Place of Public Worship shall be limited to the following:
 - 1.3.1 Office – Tuesday to Friday from 9:30am to 4:00pm;
 - 1.3.2 Warehouse – Monday to Friday from 9:30am to 4:00pm;
 - 1.3.3 Bible study, prayer group and home group meetings – Thursday from 4:00pm to 9:30pm;
 - 1.3.4 Church Service – Sunday from 9:00am to 12:30pm; and
 - 1.3.5 Closed – Monday and Saturday;

2. Interactive Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the use of the development and Edward 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 from Edward Street are not permitted to be used during the hours of the developments operation unless church is in service;

3. Management Plan

3.1 Prior to the commencement of the Place of Worship use, a Management Plan to the satisfaction of the City shall be submitted to and approved by the City. The Management Plan shall address noise, traffic/car parking, and anti-social behaviour to the satisfaction of the City;

3.2 The Management Plan shall be reviewed every 12 months, with any changes identified during this review or by the City, being incorporated into an updated Management Plan approved by the City as part of the review; and

3.3 All requirements of the Management Plan shall be implemented to the satisfaction of the City;

4. External Fixtures

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

5. Bicycle Bays

A plan shall be submitted to and approved by the City prior to the commencement of the development detailing the location on-site of a minimum of four long term and two short term bicycle bays. The bicycle bays shall be provided in accordance with the approved plans prior to the occupation of use of the development and thereafter;

6. Waste Management

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

7. Acoustic Report

7.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of the development. 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 commencement of the development; and

7.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been undertaken to the City's satisfaction, prior to occupancy or use 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 9.2

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was an apology and did not vote.)

9.3 NO. 45/87 (LOT: 45; D/P: 65963) BULWER STREET, PERTH - PROPOSED AMENDMENT TO OPERATING HOURS OF PREVIOUS APPROVAL: CHANGE OF USE FROM OFFICE TO EATING HOUSE

TRIM Ref: D18/23804
Author: Stephanie Norgaard, Urban Planner
Authoriser: John Corbellini, Director Development Services
Ward: South
Precinct: 13 – Beaufort
Attachments: 1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Application 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 5.2015.350.1 for Change of Use from Office to Eating House at No. 45/87 (Lot: 45; D/P: 65963) Bulwer Street, Perth, granted on 17 November 2015, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2015.350.1 granted on 17 November 2017 continue to apply to this approval, with exception of Condition 1 which is amended to read as follows:

“The Eating House is only permitted to operate between the following hours:

7:00am to 10:00pm Monday – Sunday

2. A Venue Management Plan, to the satisfaction of the City shall be submitted to and approved by the City prior to the Eating House operating during the additional hours approved in this amendment. The Venue Management Plan will outline how the development will operate and manage noise during the approved trading hours. The premises shall operate in accordance with the approved Venue Management Plan and
3. Acoustic Report

An Acoustic Report to the satisfaction of the City, which accords with the City's Policy No. 7.5.21 – Sound Attenuation, shall be lodged with and approved by the City prior to the commencement of the development. All of the recommended measures included in the approved Acoustic Report shall be implemented prior to the commencement of the development, to the satisfaction of the City.

COUNCIL DECISION ITEM 9.3

Moved: Cr Murphy, Seconded: Cr Gontaszewski









That the recommendation be adopted

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was an apology and did not vote.)

9.4 NO. 34 (LOT: 51; D/P: 2931) CLEAVER STREET, WEST PERTH - PROPOSED FOUR GROUPED DWELLINGS**TRIM Ref:** D18/42440**Author:** Rana Murad, Senior Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 5 – Cleaver

Attachments:

1. Attachment 1 - Location and Consultation Plan 
2. Attachment 2 - Initial Development Plans 
3. Attachment 3 - Applicant's Justification and Comments 
4. Attachment 4 - Schedule of Submissions and Administration's Comments 
5. Attachment 5 - Schedule of Submissions and Applicant's Response 
6. Attachment 6 - Proposed Development Plans 
7. Attachment 7 - Proposed Development Perspectives 
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 application for the proposed Four Grouped Dwellings at No. 34 Cleaver Street (Lot: 51; D/P: 2931) Cleaver Street, West Perth, in accordance with plans provided in Attachment 6, subject to the following conditions, with the associated determination advice notes in Attachment 8:

1. 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 wall 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. 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, to the satisfaction of the City, 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;

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. 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;

6. 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;

7. 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;

8. Landscape and Reticulation Plan

8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall 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 19 per cent of the site area as deep soil zones and 35 per cent canopy cover at maturity; and

8.2 All works shown in the plans as identified in condition 8.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

9. Car Parking and Access

9.1 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;

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

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

10. Right of Way Widening

10.1 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;

10.2 The 0.5 metre right of way setback area shall be sealed, drained and graded to match into the level of the existing right of way; and

10.3 The 0.5 metre right of way setback area referred to in condition 10.1 above, is to be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision; and

11. General

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

COUNCIL DECISION ITEM 9.4

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

That the recommendation be adopted.


CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was an apology and did not vote.)

11.1 FINANCIAL STATEMENTS AS AT 31 MARCH 2018**TRIM Ref: D18/56810****Author: Nilesh Makwana, Accounting Officer****Authoriser: Kerryn Batten, Director Corporate Services****Attachments: 1. Financial Statements as at 31 March 2018 ****RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 31 March 2018 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1**Moved: Cr Murphy, Seconded: Cr Gontaszewski****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Loden was an apology and did not vote.)**

11.2 INVESTMENT REPORT AS AT 31 MARCH 2018**TRIM Ref: D18/48785****Author: Sheryl Teoh, Accounting Officer****Authoriser: Kerryn Batten, Director Corporate Services****Attachments: 1. Investment Report ****RECOMMENDATION:**

That Council NOTES the Investment Report for the month ended 31 March 2018 as detailed in Attachment 1.


COUNCIL DECISION ITEM 11.2**Moved: Cr Murphy, Seconded: Cr Gontaszewski****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Loden was an apology and did not vote.)**

11.3 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MARCH 2018 TO 31 MARCH 2018

TRIM Ref: D18/48918

Author: Allan Siapno, Finance Officer - General

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Payments by EFT March 2018 
 2. Payments by Cheque March 2018 
 3. Payments by Credit Card March 2018 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 March 2018 to 31 March 2018 as detailed in attachment 1, 2 and 3 as summarised below:

| | |
|--|-----------------------|
| Cheque Numbers 82165 - 82209 | \$43,964.03 |
| Cancelled cheques 81983, 81969, 82186, 80352, 82206, 82207 | -\$1,100.94 |
| EFT Documents 2214 - 2230 | \$3,903,004.42 |
| Payroll | \$1,846,784.69 |
| Direct Debits | |
| • Lease Fees | \$385.00 |
| • Loan Repayments | \$148,528.8 |
| | 1 |
| • Bank Fees and Charges | \$23,073.73 |
| • Credit Cards | \$9,400.09 |
| Total Direct Debit | \$181,387.63 |
| Total Accounts Paid | \$5,974,039.83 |

COUNCIL DECISION ITEM 11.3

Moved: Cr Murphy, Seconded: Cr Gontaszewski

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Loden was an apology and did not vote.)

13.1 INFORMATION BULLETIN**TRIM Ref:** D17/177309**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. Unconfirmed Minutes of the Reconciliation Action Plan Working Group (RAPWG) held on 26 March 2018 
 2. Unconfirmed Minutes of the Children and Young People Advisory Group (CYPAG) held on 19 March 2018 
 3. Minutes of the Design Advisory Committee Meeting held on 17 January 2018 
 4. Minutes of the Design Advisory Committee Meeting held on 6 December 2017 
 5. Minutes of the Design Advisory Committee Meeting held on 20 December 2017 
 6. Statistics for Development Applications as at end of March 2018 
 7. Monthly Street Tree Removal Information 
 8. Register of Legal Action and Prosecutions Register Monthly - Confidential
 9. Register of Orders and Notices Register Quarterly - Confidential
 10. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 6 April 2018 
 11. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
 12. Register of Applications Referred to the Design Advisory Committee – Current 
 13. Register of Petitions - Progress Report - May 2018 
 14. Register of Notices of Motion - Progress Report - May 2018 
 15. Register of Reports to be Actioned - Progress Report - May 2018 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 1 May 2018.

COUNCIL DECISION ITEM 13.1

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was an apology and did not vote.)

13.2 AUSTRALASIAN MANAGEMENT CHALLENGE FINAL 2018**TRIM Ref: D18/55014****Author: Jackie Donnan, Manager Human Resources****Authoriser: Michael Quirk, Director Community Engagement****Attachments: Nil****RECOMMENDATION:****That Council**

- 1. APPROVES the attendance of City of Vincent representatives to the Local Government Professionals Association Australasian Management Challenge 2018 Final in Canberra;**
- 2. NOTES Local Government Professionals Association will fund flights for the team; and**
- 3. NOTES that the City will fund the associated costs of approximately \$4,000 in accordance with Policy 4.1.15 – Conferences.**

COUNCIL DECISION ITEM 13.2**Moved: Cr Murphy, Seconded: Cr Gontaszewski****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Loden was an apology and did not vote.)**





9 DEVELOPMENT SERVICES

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

TRIM Ref: D18/29386

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

Authoriser: John Corbellini, Director Development Services

Attachments: 1. Attachment 1 - Policy No. 7.5.15 - Character Retention Areas and Heritage Areas - Advertised version 
2. Attachment 2 - Summary of Submissions 
3. Attachment 3 - Policy No. 7.5.15 - Character Retention and Heritage Areas with tracked changes 
4. Attachment 4 - Policy No. 7.5.15 - Character Retention and Heritage Areas without tracked changes 

RECOMMENDATION:

That Council:

1. PROCEEDS with the amendment to Local Planning Policy No. 7.5.15 – Character Retention Areas and Heritage Areas with modifications, and ADOPTS the Heritage Area designation of Janet Street, with modifications, as shown in at Attachment 4 pursuant to Clauses 5 and 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. NOTES:
 - 2.1 the submissions received in relation to the advertising of the amendment to Local Planning Policy No. 7.5.15 – Character Retention Areas and Heritage Areas and the proposed Heritage Area designation of Janet Street and ENDORSES Administration’s responses to those submissions included as Attachment 2; and
 - 2.2 that the approved Local Planning Policy No. 7.5.15 – Character Retention Areas 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*.

COUNCIL DECISION ITEM 9.9

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)








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

Against: Nil

(Cr Loden was an apology and did not vote.)

9.7 NO. 48 (LOT: 66; D/P: 6049) MILTON STREET, MOUNT HAWTHORN - PROPOSED FIVE GROUPED DWELLINGS**TRIM Ref:** D18/23645**Author:** Andrea Terni, Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** North**Precinct:** 1 – Mount Hawthorn

Attachments:

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Development Application Supporting Information 
4. Attachment 4 - Arborist Report 
5. Attachment 5 - Summary of Submissions 
6. Attachment 6 - Applicant's Response to Submissions 
7. Attachment 7 - DAC Minutes 

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application for five Grouped Dwellings at No. 48 (Lot: 66; D/P: 6049) Milton Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, for the following reasons:

1. The proposed street setback to Milton Street does not meet the Design Principles of Clause 5.1.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.2 of Local Planning Policy No. 7.1.1 – Built Form as the setback is not an appropriate distance to accommodate additional space for landscaping to reduce the impact of the development on Milton Street or the adjacent dwellings and the location of the outdoor living area for Unit B does not allow for provide adequate privacy or open space for that dwelling;
2. The proposed lot boundary setbacks do not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1 Residential Design Codes as the building mass and form has not been designed to reduce the impact of building bulk on the adjoining properties; and
3. The proposed outdoor living area for Unit B does not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1 Residential Design Codes as it will not be open to winter sun and does not optimise use of the northern aspect of the site and does not incorporate any other space that has access to winter sun.

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

That the recommendation be adopted.

PROCEDURAL MOTION:

Moved: Cr Murphy, Seconded: Cr Harley

That the matter be DEFERRED to enable the Applicant to submit revised plans as part of their application.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was an apology and did not vote.)

9.1 NO. 4/190 (LOT: 4; S/P: 56227) SCARBOROUGH BEACH ROAD, MOUNT HAWTHORN - CHANGE OF USE FROM RECREATIONAL FACILITY TO UNLISTED USE (NON-MEDICAL CONSULTING ROOMS)

TRIM Ref: D18/23721




Author: Stephanie Norgaard, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 2 – Mount Hawthorn Centre

Attachments:

1. Attachment 1 - Consultation and Location 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 a change of use from Recreational Facility to Unlisted Use (Non-Medical Consulting Rooms) at No. 4/190 (Lot: 4; D/P: 56227) Scarborough Beach Road, Mount Hawthorn in accordance with the plans included 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 'Non-Medical Consulting Rooms' 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 The hours of operation for the 'Non-Medical Consulting Rooms' shall be limited to the following times:
 - 8:00am to 9:00pm Monday to Friday;
 - 8:00am to 5:00pm Saturday;
 - 11:00am to 5:00pm Sunday and other public holidays; and
 - Closed Christmas Day, Good Friday and Anzac Day; and
- 1.4 This approval for the use of the premise as an Unlisted Use (Non-Medical Consulting Rooms) is limited to a period of 12 months from the date of this approval;

2. Car Parking and Access

- 2.1 Within 90 days of the date of this approval, two class three bicycle bays shall be provided at the applicants cost within the Scarborough Beach Road verge immediately adjacent to the subject site 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
- 2.2 A Parking Management Plan shall be provided within 28 days of the date of this approval. The Parking Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements and be to the satisfaction of the City;

3. Interactive Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Reception' areas of the development and Scarborough Beach Road 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 Scarborough Beach Road are not permitted to be used during the hours of operation; and

4. General

Where conditions 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 9.1

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

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (8-0)








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

Against: Nil

(Cr Loden was an apology and did not vote.)

9.5 NOS. 120 AND 122 (LOT: 2; STR: 9055) SUMMERS STREET, PERTH - PROPOSED FOUR THREE-STOREY GROUPED DWELLINGS**TRIM Ref:** D17/116775**Author:** Rana Murad, Senior Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 15 – Banks

Attachments:

1. Attachment 1 - Consultation and Location Plan 
2. Attachment 2 - Development Plans Initially Lodged 
3. Attachment 3 - Development Plans 
4. Attachment 4 - Proposed 3D Perspectives 
5. Attachment 5 - Summary of Submissions and Administration's Comments 
6. Attachment 6 - Summary of Submissions and Applicant's Response 
7. Attachment 7 - 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 the proposed Four Grouped Dwellings at Nos. 120 – 122 (Lot: 2; STR: 9055) Summers Street, Perth, in accordance with plans provided in Attachment 3, subject to the following conditions, with the associated determination advice notes in Attachment 7:

1. 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;

2. External Fixtures

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

2.2 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;

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) to the satisfaction of the City 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 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;

6. Landscape and Reticulation Plan

6.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the satisfaction of the City 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 15 percent of the site area as deep soil zones and 30 percent canopy cover at maturity; and

6.2 All works shown in the plans as identified in condition 6.1 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;

7. Visual Privacy

The windows to the living room of Unit 1 and the kitchens of Units 2, 3 and 4 shall be screened or modified to meet the deemed-to-comply standards of Clause 5.4.1 Visual Privacy of State Planning Policy 3.1: Residential Design to the satisfaction of the City prior to the use or occupation of the development;

8. 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 areas 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 Managements Plans 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;

9. Car Parking and Access

9.1 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;

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

9.3 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications; 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 Topelberg, Seconded: Cr Fotakis

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)







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

Against: Nil

(Cr Loden was an apology and did not vote.)

9.6 NO. 18 (LOT: 80; D/P: 2334) SCARBOROUGH BEACH ROAD, NORTH PERTH - PROPOSED CHANGE OF USE FROM WAREHOUSE TO RECREATIONAL FACILITY**TRIM Ref:** D17/167016**Author:** Rana Murad, Senior Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** North**Precinct:** 7 – Charles Centre

Attachments:

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Proposed Development Plans 
3. Attachment 3 - Car Parking Survey 
4. Attachment 4 - Summary of Submissions and Administration's Comments 
5. Attachment 5 - Summary of Submissions and Applicant's Response 
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 development approval for a Change of Use from Warehouse to Recreational Facility at No. 18 (Lot: 80; D/P: 2334) Scarborough Beach Road, North Perth, in accordance with the plans shown as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. Use of Premises

- 1.1 This approval only relates to the Change of Use from Warehouse to Recreational Facility as shown on the plans dated 21 September 2016. It does not relate to any other development on the site;
- 1.2 The use of the premises shall conform with the City of Vincent's Town Planning Scheme No. 1 definition of Recreational Facility which states:
 - a) *"Recreational Facilities" means any land or building or part of a building used for:*
 - b) *Public tennis courts;*
 - c) *Public or private swimming pools;*
 - d) *Squash courts or centres;*
 - e) *Basketball centres;*
 - f) *Gymnasia;*
 - g) *Ice and roller skating rinks;*
 - h) *Physical health studios; and*
 - i) *Any other similar purpose;**in respect of which a charge is made for the use thereof';*
- 1.3 A maximum of three staff and 26 patrons are permitted on the site at any one time;
- 1.4 The business operating from the premises is permitted a maximum of 55 members at

any one time; and

- 1.5 The hours of operation for the 'Recreational Facility' shall be limited to 5:00am – 10:00pm Monday to Sunday;

2. Active Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Reception and Class Area' and Scarborough Beach Road and Sydney 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 Scarborough Beach Road and Sydney Street are not permitted to be used during the hours of the developments operation;

3. Bicycle Parking

- 3.1 Within 90 days of the date of this approval, a minimum of one long term bicycle bay designed in accordance with AS2890.3 shall to be provided onsite to the City's satisfaction; and

- 3.2 Within 90 days of the date of this approval, four short term bicycle bays shall be provided at the applicants cost within the road verge immediately adjacent to the subject site 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;

4. Parking Management Plan

Within 90 days of the date of this approval, the applicant/landowner shall submit a parking management plan to the City for approval, which details the following to the satisfaction of the City:

- Sets appropriate requirements for staff to take alternative means of transport to commute to the Recreation Facility; and
- Measures to be implemented to educate and encourage all staff and members of alternative means of transport to the site including public transport, cycling and walking.

The development shall thereafter comply with the approved parking management plan 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.

Moved: Cr Topelberg, Seconded: Cr Castle

That the recommendation be adopted.

PROPOSED AMENDMENT

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

That recommendation 1.4 be deleted and the remaining recommendations renumbered accordingly.

AMENDMENT CARRIED (6-2)

For: Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Murphy and Cr Topelberg

Against: Presiding Member Mayor Cole and Cr Harley

(Cr Loden was an apology and did not vote.)

COUNCIL DECISION ITEM 9.6

Moved: Cr Topelberg, **Seconded:** Cr Castle

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Change of Use from Warehouse to Recreational Facility at No. 18 (Lot: 80; D/P: 2334) Scarborough Beach Road, North Perth, in accordance with the plans shown as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. Use of Premises

1.1 This approval only relates to the Change of Use from Warehouse to Recreational Facility as shown on the plans dated 21 September 2016. It does not relate to any other development on the site;

1.2 The use of the premises shall conform with the City of Vincent's Town Planning Scheme No. 1 definition of Recreational Facility which states:

a) *"Recreational Facilities" means any land or building or part of a building used for:*

b) *Public tennis courts;*

c) *Public or private swimming pools;*

d) *Squash courts or centres;*

e) *Basketball centres;*

f) *Gymnasias;*

g) *Ice and roller skating rinks;*

h) *Physical health studios; and*

i) *Any other similar purpose;*

in respect of which a charge is made for the use thereof";

1.3 A maximum of three staff and 26 patrons are permitted on the site at any one time; and

1.4. The hours of operation for the 'Recreational Facility' shall be limited to 5:00am –

10:00pm Monday to Sunday;

2. Active Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Reception and Class Area' and Scarborough Beach Road and Sydney 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 Scarborough Beach Road and Sydney Street are not permitted to be used during the hours of the developments operation;

3. Bicycle Parking

3.1 Within 90 days of the date of this approval, a minimum of one long term bicycle bay designed in accordance with AS2890.3 shall to be provided onsite to the City's satisfaction; and

3.2 Within 90 days of the date of this approval, four short term bicycle bays shall be provided at the applicants cost within the road verge immediately adjacent to the subject site 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;

4. Parking Management Plan

Within 90 days of the date of this approval, the applicant/landowner shall submit a parking management plan to the City for approval, which details the following to the satisfaction of the City:

- Sets appropriate requirements for staff to take alternative means of transport to commute to the Recreation Facility; and
- Measures to be implemented to educate and encourage all staff and members of alternative means of transport to the site including public transport, cycling and walking.

The development shall thereafter comply with the approved parking management plan 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.




CARRIED UNANIMOUSLY (7-1)

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

Against: Cr Harley

(Cr Loden was an apology and did not vote.)

9.8 SUBMISSION ON WALGA DRAFT CLIMATE CHANGE POLICY STATEMENT**TRIM Ref:** D18/44610**Author:** Anita Marriott, Sustainability Officer**Authoriser:** John Corbellini, Director Development Services**Attachments:**

1. Attachment 1 - Discussion Paper - WALGA Climate Change Policy Statement Review 
2. Attachment 2 - Submission - WALGA Climate Change Policy Statement Review 
3. Attachment 3 - Draft WALGA Climate Change Policy Statement 

RECOMMENDATION:**That Council:**

1. **SUPPORTS** the Western Australian Local Government Association's draft Climate Change Policy Statement; and
2. **NOTES** that Administration will forward a submission in support of the draft Climate Change Policy Statement to the Western Australian Local Government Association.

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

That the recommendation be adopted

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

That the recommendation be amended as follows:

- "1. **SUPPORTS in principle** the Western Australian Local Government Association's draft Climate Change Policy Statement."

AMENDMENT CARRIED UNANIMOUSLY (8-0)**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Murphy and Cr Topelberg**Against:** Nil

(Cr Loden was an apology and did not vote.)

COUNCIL DECISION ITEM 9.8**Moved:** Cr Topelberg, **Seconded:** Cr Hallett**That Council:**

1. **SUPPORTS in principle** the Western Australian Local Government Association's draft Climate Change Policy Statement; and
2. **NOTES** that Administration will forward a submission in support of the draft Climate Change

Policy Statement to the Western Australian Local Government Association.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was an apology and did not vote.)

Cr Castle declared a financial interest in item 9.10 and left the meeting at 7.28pm prior to consideration of the item.






9.10 OUTCOMES OF ADVERTISING - TOWN CENTRE PLACE PLANS

TRIM Ref: D18/30060

Authors: David Doy, Place Manager
Georgia Lawrence, Place Manager

Authoriser: Stephanie Smith, Manager Policy and Place

Attachments:

1. Attachment 1 - Draft Volume 1: Vincent Town Centre Place Plans 
2. Attachment 2 - Draft Volume 2: North Perth Town Centre Place Plan 
3. Attachment 3 - Summary of Submissions: Draft Town Centre Place Plans 
4. Attachment 4 - Volume 1: Vincent Town Centre Place Plans 
5. Attachment 5 - Volume 2: North Perth Town Centre Place Plan 

RECOMMENDATION:

That Council:

1. **ADOPTS** Volume 1: Vincent Town Centre Place Plans and Volume 2: North Perth Town Centre Place Plan included as Attachment 4 and Attachment 5; and
2. **NOTES:**
 - 2.1 the submissions received in relation to the advertising of the draft Volume 1: Vincent Town Centre Place Plans and Volume 2: North Perth Town Centre Place Plan and **ENDORSES** Administration's responses to those submissions, included as Attachment 2; and
 - 2.2 that Administration will publish a notice of the approval of Volume 1: Vincent Town Centre Place Plans and Volume 2: North Perth Town Centre Place Plan, included as Attachment 4 and Attachment 5, on the City's website and social media platforms and will notify all town teams and those people who made submissions on the documents.

COUNCIL DECISION ITEM 9.10

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY (7-0)

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

Against: Nil

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

(Cr Loden was an apology and did not vote.)

At 7.34pm Cr Castle returned to the meeting.

Cr Murphy declared a financial interest in item 9.11 and left the meeting at 7.35pm prior to the consideration of the item.

9.11 LATE REPORT: EXTENSION TO PUBLIC ALFRESCO PERMIT TIMEFRAME – LEEDERVILLE TOWN CENTRE

TRIM Ref: D18/59885

Author: David Doy, Place Manager

Authoriser: Stephanie Smith, Manager Policy and Place

Attachments: 1. Public Alfresco Area and Relocated Taxi Zone Map 

RECOMMENDATION:

That Council **GRANTS** a Permit to Conduct an Outdoor Eating Area in the public alfresco area in part of the existing Leederville Taxi Zone, as shown in Attachment 1, up until 16 October 2018 including a condition that requires the area to be open to the general public who are over 18 or under 18 but accompanied by a parent/guardian, in addition to patrons of the permit holder, at all times.

COUNCIL DECISION ITEM 9.11

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY (7-0)

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

Against: Nil

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

(Cr Loden was an apology and did not vote.)

At 7.38pm Cr Murphy returned to the meeting.


12 COMMUNITY ENGAGEMENT

12.1 ASSET DISPOSAL - VINCENT COMMUNITY BUS

TRIM Ref: D18/54235

Author: Michael Quirk, Director Community Engagement

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Council Policy No. 3.10.10 Community Bus - Use and Operation 

RECOMMENDATION:

That Council:

1. **DISPOSES** of the Vincent Community Bus through public auction in accordance with Section 3.58(2) of the *Local Government Act 1995*; and
2. **ADVISES** the North Perth Bendigo Bank of the City's intention to dispose of the Vincent Community Bus through public auction and provide all relevant auction details to ensure they have the opportunity to participate.

Moved: Cr Harley, Seconded: Cr Castle

That the recommendation be adopted.

PROPOSED AMENDMENT 1

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be amended as follows:

That Council:

1. **DISPOSES** of the Vincent Community Bus through public auction notice in accordance with Sections 3.58(2)(3) and (4) of the *Local Government Act 1995*; and
2. ~~ADVISES the North Perth Bendigo Bank of the City's intention to dispose of the Vincent Community Bus through public auction and provide all relevant auction details to ensure they have the opportunity to participate.~~
2. **GIVES** public notice of the intent to dispose of the Vincent Community Bus to the North Perth Bendigo Bank for the consideration of \$1.00; and
3. **NOTES** that Administration will present a further report to Council detailing any submissions received during the public notice period before agreeing to dispose of the Vincent Community Bus.

AMENDMENT 1 LOST (2-6)

For: Cr Murphy and Cr Topelberg

Against: Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett and Cr Harley

(Cr Loden was an apology and did not vote.)

PROPOSED AMENDMENT 2

Moved: Cr Topelberg, **Seconded:** Cr Castle

That the Recommendation be amended as follows:

That Council:

1. **DISPOSES** of the Vincent Community Bus through public ~~auction~~ **tender** in accordance with Section 3.58(2)(b) of the *Local Government Act 1995*; ~~and~~
2. **REQUIRES** the Vincent Community Bus public tender evaluation criteria to include **consideration of community and social benefits rather than solely financial return;**
3. **NOTES** that Administration will present a further report to Council recommending the most **acceptable tender for the Vincent Community Bus; and**
- ~~2.~~ 4. **ADVISES** the North Perth Bendigo Bank of the City's intention to dispose of the Vincent Community Bus through public ~~auction~~ **tender** and provide all relevant ~~auction~~ **tender** details to ensure they have the opportunity to ~~participate~~ **submit a tender.**

AMENDMENT 2 LOST (2-6)

For: Cr Castle, Cr Murphy

Against: Presiding Member Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett Cr Harley and Cr Topelberg

(Cr Loden was an apology and did not vote.)

COUNCIL DECISION ITEM 12.1

Moved: Cr Harley, **Seconded:** Cr Castle

That Council:

1. **DISPOSES** of the Vincent Community Bus through public auction in accordance with Section 3.58(2) of the *Local Government Act 1995*; and
2. **ADVISES** the North Perth Bendigo Bank of the City's intention to dispose of the Vincent Community Bus through public auction and provide all relevant auction details to ensure they have the opportunity to participate.

CARRIED (7-1)

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

Against: Cr Topelberg

(Cr Loden was an apology and did not vote.)

10 CHIEF EXECUTIVE OFFICER**13.3 RESIGNATION OF CHIEF EXECUTIVE OFFICER**

TRIM Ref: D18/58765

Author: Tim Evans, Manager Governance and Risk

Authoriser: Michael Quirk, A/Chief Executive Officer

Attachments: 1. CEO Recruitment Panel Terms of Reference **RECOMMENDATION:**

That Council:

1. ESTABLISHES a CEO Recruitment Panel to operate under the Terms of Reference included as Attachment 1;
2. APPOINTS the following three Council Members to the CEO Recruitment Panel:
 - 2.1. Mayor Emma Cole (Chairperson);
 - 2.2. Deputy Mayor Susan Gontaszewski; and
 - 2.3. _____;and
3. REQUESTS that the CEO Recruitment Panel provides a further report to Council no later than 29 May 2018 to:
 - 3.1 Recommend a preferred recruitment consultant;
 - 3.2 Recommend a process for the selection of a CEO for endorsement by Council.

Moved: Cr Harley, Seconded: Cr Gontaszewski

That the recommendation be adopted

.PROPOSED AMENDMENT**Moved: Cr Harley, Seconded: Cr Gontaszewski**

That the recommendation be amended as follows:

- “2. APPOINTS the following ~~three~~ four Council Members to the CEO Recruitment Panel:
- 2.1. Mayor Emma Cole (Chairperson);
 - 2.2. Deputy Mayor Susan Gontaszewski;
 - 2.3. _____; and
 - 2.4. _____;”

AMENDMENT CARRIED (7-1)**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley and Cr Murphy**Against:** Cr Topelberg**(Cr Loden was an apology and did not vote.)**

COUNCIL DECISION ITEM 13.3**Moved: Cr Harley, Seconded: Cr Gontaszewski****That Council:**

1. **ESTABLISHES a CEO Recruitment Panel to operate under the Terms of Reference included as Attachment 1;**
2. **APPOINTS the following three Council Members to the CEO Recruitment Panel:**
 - 2.1. **Mayor Emma Cole (Chairperson);**
 - 2.2. **Deputy Mayor Susan Gontaszewski;**
 - 2.3. **Cr Harley; and**
 - 2.4. **Cr Murphy; and**
3. **REQUESTS that the CEO Recruitment Panel provides a further report to Council no later than 29 May 2018 to:**
 - 3.1 **Recommend a preferred recruitment consultant;**
 - 3.2 **Recommend a process for the selection of a CEO for endorsement by Council.**

CARRIED UNANIMOUSLY (8-0)**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Loden was an apology and did not vote.)**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

14 URGENT BUSINESS

Nil

Cr Castle declared a financial interest in item 18.1 and left the meeting at 8.15pm prior to consideration of the item.

Cr Fotakis left the meeting at 8.15pm prior to consideration of the item.

15 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

PROCEDURAL MOTION

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

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 (8-0)

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

Against: Nil

(Cr Loden was an apology and did not vote.)

At 8.15pm the meeting went behind closed doors and live streaming was stopped.

| | | |
|-----------------------|---|---|
| PRESENT: | Presiding Member Mayor Emma Cole | Presiding Member |
| | Cr Susan Gontaszewski (Deputy Mayor) | South 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 |
| | John Corbellini | Director Development Services |
| | Andrew Murphy | Director Engineering |
| | Kerryn Batten | Director Corporate Services |
| | Michael Quirk | Director Community Engagement |
| | Stephanie Smith | Manager Policy and Place |
| | Tim Evans | Manager Governance and Risk |
| | Mark Thornber | A/Governance & Council Support Officer |

No members of the press or public were present.

At 8.18 pm Cr Fotakis returned to the meeting.

18.1 REVIEW OF POLICY NO. 4.2.13 - DESIGN ADVISORY COMMITTEE AND APPOINTMENT OF DESIGN REVIEW PANEL**Local Government Act 1995 - Section 5.23(2):**

- (a) a matter affecting an employee or employees

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.

COUNCIL DECISION ITEM 18.1

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That Council:

1. **REVOKES** the City's current Policy No. 4.2.13 – Design Advisory Committee as shown in Attachment 1 pursuant to Section 2.7 of the *Local Government Act 1995*;
2. **ADOPTS** the Terms of Reference for the City's Design Review Panel included as Attachment 3;
3. **APPOINTS** the following applicants to the City's Design Review Panel until 1 May 2020:
 - 3.1 James Christou (Chairperson);
 - 3.2 Sasha Ivanovic (Deputy Chairperson);
 - 3.3 Stephen Carrick;
 - 3.4 Simon Venturi;
 - 3.5 Dr Anthony Duckworth-Smith;
 - 3.6 Munira Mackay;
 - 3.7 Tom Griffiths;
 - 3.8 Ailsa Blackwood;
 - 3.9 Sid Thoo;
 - 3.10 Joe Chindarsi; and
4. **NOTES** that:
 - 4.1 The City's Design Advisory Committee member's terms expired on 30 April 2018; and
 - 4.2 Administration will notify all applicants of the Design Review Panel appointments and induct the successful candidates onto the Design Review Panel.

CARRIED UNANIMOUSLY (7-0)

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

Against: Nil

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

(Cr Loden was an apology and did not vote.)

COUNCIL DECISION

That the Council resume an “open meeting”.

Moved: Cr Hallett, Seconded: Cr Murphy

CARRIED UNANIMOUSLY (7-0)

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

Against: Nil

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

(Cr Loden was an apology and did not vote.)

At 8.27pm Cr Castle returned to the meeting.

16 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 8.27pm with the following persons present:

- | | | |
|-----------------------|--|--|
| PRESENT: | Presiding Member Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley Cr Jimmy Murphy Cr Joshua Topelberg | Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward |
| IN ATTENDANCE: | Len Kosova John Corbellini Andrew Murphy Kerry Batten Michael Quirk Stephanie Smith Tim Evans Mark Thornber | CEO Director Development Services Director Engineering Director Corporate Services Director Community Engagement Manager Policy and Place Manager Governance and Risk A/Governance & Council Support Officer |
| Media: | Nil | |
| Public: | Nil | |

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 1 May 2018.

Signed: Mayor Emma Cole

Dated this day of2018