



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**18 September 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, 18 SEPTEMBER 2018 AT 6PM**

<b>PRESENT:</b>	<b>Deputy Mayor Susan Gontaszewski</b>	<b>Presiding Member</b>
	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Roslyn Harley</b>	<b>North Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>
	<b>Kerryn Batten</b>	<b>Director Corporate Services</b>
	<b>Luke Gibson</b>	<b>A/Director Development Services</b>
	<b>Andrew Murphy</b>	<b>Director Engineering</b>
	<b>Michael Quirk</b>	<b>Director Community Engagement</b>
	<b>Meluka Bancroft</b>	<b>A/Manager Governance and Risk</b>
	<b>Emma Simmons</b>	<b>Governance and Council Support Officer</b>
<b>Media:</b>	<b>Denise Cahill (Journalist), "The Guardian Express" (until approximately 8.25pm).</b>	
<b>Public:</b>	<b>Approximately 18 members of the public.</b>	

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

The Presiding Member, Deputy Mayor Susan Gontaszewski declared the meeting open at 6.03pm and read the following Acknowledgement of Country statement:

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

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

Mayor Emma Cole on approved leave of absence from 17 September 2018 to 12 October 2018.

Cr Joanne Fotakis was an apology for the meeting.

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

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

1. Nichola Brandon of North Perth – Item 10.4

- Spoke against the recommendation urging Council to further consider Alma Road for traffic calming and road safety strategies.
- Requested that Council repair the footpath on Alma Road.
- Raised concerns relating to safety and crime on Alma Road.
- Requested that Council install effective lighting on Leake Street, Alma Road and Claverton Street.

*The Presiding Member Deputy Mayor Susan Gontaszewski thanked Ms Brandon for her comments.*

## 2. Kimberley Wilde of North Perth – Item 10.4

- Spoke against the recommendation.
- Stated that traffic calming measures should be considered for Alma Road.
- Stated that traffic calming measures should be considered to discourage commercial vehicles from accessing North Perth Plaza via Alma Road.

*The Presiding Member Deputy Mayor Susan Gontaszewski thanked Ms Wilde for her comments.*

## 3. Ron Edenburg of Leederville – Item 9.3

- Spoke in support of the application.

*The Presiding Member Deputy Mayor Susan Gontaszewski thanked Mr Edenburg for his comments.*

## 4. Melissa Ledger, Director Cancer Prevention and Research, Cancer Council WA, Subiaco – Item 9.1

- Spoke against the application.
- Reiterated Cancer Council's concerns in relation to the application.
- Requested that the applicant provide evidence of the air filtration systems ability to remove all emissions from inside the venue and requested independent monitoring.
- Requested that Council reject the application.

*The Presiding Member Deputy Mayor Susan Gontaszewski thanked Ms Ledger for her comments.*

## 5. Paul Iriks (no address noted) – Item 9.1

- Stated that the venue is not considered a public place.

*The Presiding Member Deputy Mayor Susan Gontaszewski thanked Mr Iriks for his comments.*

There being no further speakers, Public Question Time closed at approximately 6.22pm.

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

Nil

## 4 APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Dan Loden requested a leave of absence from 25 September 2018 to 28 September 2018 inclusive due to work commitments.

### COUNCIL DECISION

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

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

**CARRIED UNANIMOUSLY (7-0)**

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

- 4.2 Cr Dan Loden requested a leave of absence from 7 October 2018 to 13 October 2018 inclusive due to work commitments.

### COUNCIL DECISION

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

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

**CARRIED UNANIMOUSLY (7-0)**

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

## 5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

The Council received the following deputation:

- 5.1 Justin Mortley and Cinzia Donald of Perth - Item 9.4

- Stated that the property is not listed on the State Heritage Register.
- Requested that Council include approval to retain the existing render on the front and side elevations of the property.
- Stated that the removal of the render is cost prohibitive to the restoration of what was previously a derelict property.
- Advised Council of the commitment to retain the heritage of the property.
- Stated that the applicant is willing to work with Council.

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Murphy

That the minutes of the Ordinary Meeting held on 21 August 2018 be confirmed.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

### COUNCIL DECISION

Moved: Cr Topelberg, Seconded: Cr Loden

That the Minutes of the and the Special Meeting held on 11 September 2018 be confirmed as a true and correct record.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

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

Presiding Member Deputy Mayor Susan Gontaszewski made the following announcements:

### 7.1 GREENING VINCENT GARDEN COMPETITION

*The Greening Vincent Gardening Competition which has been running since Vincent became Vincent is on again this year. Entries are open to residents, ratepayers and businesses with property in Vincent and there are a number of categories; best business garden, catchment friendly verge, food garden, court yard, balcony and residential gardens. It is such a fantastic event to be part of and I would urge all the green thumbs out there to head to our website and find out more and submit their entry by 5 October.*

## 7.2 FINAL COUNCIL MEETING FOR CHIEF EXECUTIVE OFFICER

*I would like to acknowledge that tonight is the final Council Meeting for our outgoing CEO, Len Kosova. Len, your achievements in the role speak for themselves and the change that you have led at Vincent has benefited both our City and the Local Government Sector. You have my absolute congratulations for being someone who both challenges and changes the status quo. It has been such a great pleasure working with you and I wish you all the very best as you step away to spend more time with family and explore other career opportunities. So on behalf of Council I thank you.*

*Vincent will be welcoming David MacLennan who will be taking the post as Chief Executive Officer. David brings along a passion for people along with a substantive public sector leadership, project management and infrastructure management experience to the role of CEO. David will be commencing in October and we look forward to welcoming him then and continuing to deliver progressive, innovative, open and accountable Local Government.*

The Presiding Member Deputy Mayor Susan Gontaszewski invited Chief Executive Officer, Len Kosova to say some words to mark the occasion.

*It has been a real privilege to serve the community of the City of Vincent and it has been fabulous working with this Council and this Administration. The CEO is often responsible for taking more than their fair share of the blame and less than their fair share of the credit and I wouldn't have it any other way. I would just like to thank the whole of the Administration for all of the support, encouragement and motivation they have shown while we have been on a very progressive change journey over the last four years.*

*Thank you also and specifically to the Executive Team, it has been a great privilege serving with all of the Directors in investing an enormous amount of time and energy in always trying to do right by the community of the City of Vincent. It has been the one purpose and passion that I am pleased to say the whole organisation has shared, as we have focussed on a narrative of "Us and We" rather than "I and Me".*

*Thank you for the opportunity to be Vincent's CEO. After 23 years in Local Government I am now looking forward to pursuing new opportunities.*

## 8 DECLARATIONS OF INTEREST

- 8.1** The Chief Executive Officer, Len Kosova, disclosed a direct financial interest in Item 18.1. The nature of his interest is that it relates to his performance and remuneration in the role of CEO and his contract of employment with the City.
- 8.2** Cr Jonathon Hallett disclosed an impartiality interest in Item 9.2 – No. 45/87 (Lot: 45; STR 65963) Bulwer Street, Perth – Proposed Amendment (Operating Hours) to Existing Development Approval for and Eating House. The extent of his interest in this matter is that he has an association with the applicant. The association being that he resides in a property diagonally behind the premises in question, next door to where a noise sensitive receiver was located for the acoustic report.
- 8.3** Cr Roslyn Harley disclosed an impartiality interest in Item 9.4 – No. 3 (Lot: 47; D/P: 1177) Bulwer Avenue, Perth – Existing and Proposed Alterations to Single House. The extent of her interest in this matter is that she has an association with the applicant. The association being that the applicant is known to her through a mutual friend over a long period of time.
- 8.4** Cr Jimmy Murphy disclosed a financial interest in Item 11.2 – Authorisation of Expenditure for the Period 25 July 2018 to 21 August 2018. The extent of his interest in this matter is that Upbeat Events has been contracted to deliver parts of the Town Team Movement Conference. Cr Murphy did not seek approval to participate in the debate or to remain in Chambers or vote on the matter.
- 8.5** Cr Josh Topelberg disclosed a proximity interest in Item 9.6 – Amendment 1 to Local Planning Policy No. 7.1.1 – Built Form. The extent of his interest in this matter is that his family own a property at 346-352 William Street within the area subject to the William Street guidelines. Cr Topelberg sought approval to remain in the Council Chamber and participate in the debate only but not to vote on the matter nor to remain in chambers or participate in the debate relating to the William Street Guidelines attached to the policy.

The Chief Executive Officer advised Council that in accordance with clause 2.17 of the Meeting Procedures Local Law and section 5.68(1) of the *Local Government Act 1995* Council may consider and determine Cr Topelberg's request to participate in the debate on this particular item notwithstanding his proximity interest disclosure, providing it does so while Cr Topelberg is not in the Council Chamber.

At 6:44 pm, Cr Joshua Topelberg left the meeting.

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

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

The Chief Executive Officer further advised Council that the nature and extent of Cr Topelberg's interest would not be common to a significant number of electors or ratepayers, thus ruling out the application of item (II) above.

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

**That in accordance with section 5.68(1)(a) and (b)(i) and (ii)(I) of the *Local Government Act 1995* Council ALLOWS Cr Topelberg to remain in the Council Chamber and participate in the debate only but not to vote on Item 9.6, subject to;**

- Recommendation 1.3 relating to the William Street Guidelines attached to the policy, being considered and voted on separately; and
- Cr Topelberg not being permitted to remain in the Council Chamber during debate or vote on the William Street Guidelines.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

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

At 6:51 pm, Cr Joshua Topelberg returned to the meeting.

## REPORTS

The Presiding Member Deputy Mayor Susan Gontaszewski, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.1, 9.3, 9.4 and 10.4.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Nil items.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.6, 11.2 and 18.1.

The Presiding Member Deputy Mayor Susan Gontaszewski, 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
Presiding Member, Deputy Mayor Gontaszewski	12.1
Cr Topelberg	10.3

The Presiding Member, Deputy Mayor Susan Gontaszewski 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, 9.5, 10.1, 10.2, 11.1, 11.3, 12.2, 12.3, 12.4, 12.5 and 13.1
- (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 Harley, **Seconded:** Cr Murphy

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

**Items 9.2, 9.5, 10.1, 10.2, 11.1, 11.3, 12.2, 12.3, 12.4, 12.5 and 13.1**

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**9.2 NO. 45/87 (LOT: 45; STR 65963) BULWER STREET, PERTH - PROPOSED AMENDMENT (OPERATING HOURS) TO EXISTING DEVELOPMENT APPROVAL FOR AN EATING HOUSE****TRIM Ref:** D18/113749**Author:** Stephanie Norgaard, Urban Planner**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South**Attachments:**

1. Attachment 1 - Location Map and Previous Consultation Map 
2. Attachment 2 - Development Approval 2015 
3. Attachment 3 - Development Approval 2018 
4. Attachment 4 - Acoustic Report and Venue Management Plan 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application to amend the existing development approval for an Eating House at No. 45/87 Bulwer Street, Perth (5.2015.350.1), dated 17 November 2015, by modifying Condition 1 to read as follows:

**1. Hours of Operation**

- 1.1 The Eating House is only permitted to operate between 7:00am and midnight, every day; and
- 1.2 The alfresco dining area is only permitted to operate between 7:00am and 10:00pm.

**COUNCIL DECISION ITEM 9.2****Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**9.5 AMENDMENT TO TREES OF SIGNIFICANCE INVENTORY - 209 BRISBANE STREET, PERTH****TRIM Ref:** D18/36743**Author:** Amanda Fox, Strategic Planning Officer**Authoriser:** Luke Gibson, A/Director Development Services

- Attachments:**
1. Attachment 1 - Trees of Significance Inventory - Current 
  2. Attachment 2 - 209 Brisbane Street Request for Removal from Inventory 
  3. Attachment 3 - 209 Brisbane Street - Arborist Report of Lacebark 
  4. Attachment 4 - Trees of Significance Inventory - Proposed (Track Changes) 
  5. Attachment 5 - Trees of Significance Inventory - Proposed (Final) 

**RECOMMENDATION:**

That Council **AMENDS** the City's Trees of Significance Inventory by deleting the entry for "209 Brisbane Street, Northbridge – Brachychiton discolour (Lacebark)".

**COUNCIL DECISION ITEM 9.5****Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**10.1 CITY OF VINCENT GREENING PLAN 2018-2023****TRIM Ref:** D18/111110**Author:** Sarah Hill, Project Officer - Parks & Environment**Authoriser:** Andrew Murphy, Director Engineering**Attachments:** 1. Survey Report - Draft Greening Plan Consultation   
2. Draft Greening Plan 2018 - 2023 - with track changes **RECOMMENDATION:**

That Council;

1. **NOTES** the community submissions received in relation to the Draft Geening Plan 2018-2023 as shown in Attachment 1;
2. **ADOPTS** the Greening Plan 2018-2023 with minor amendments as shown in Attachment 2; and
3. **ADVISES** all respondents of its decision.

**COUNCIL DECISION ITEM 10.1****Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**10.2 DRAFT WASTE STRATEGY 2018-2023 PUBLIC CONSULTATION FEEDBACK****TRIM Ref:** D18/117962**Author:** Kylie Hughes, Coordinator Waste and Recycling Strategy**Authoriser:** Andrew Murphy, Director Engineering**Attachments:**  
1. Survey Report - Draft Waste Strategy Consultation   
2. Draft Waste Strategy 2018 - 2023 - with track changes **RECOMMENDATION:****That Council:**

1. **NOTES** the community submissions received in relation to the Draft Waste Strategy 2018-2023 as shown in Attachment 1;
2. **ADOPTS** the Waste Strategy 2018-2023 with minor amendments as shown in Attachment 2; and
3. **ADVISES** all respondents of its decision.

**COUNCIL DECISION ITEM 10.2****Moved: Cr Harley, Seconded: Cr Murphy****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (7-0)****(Mayor Cole was on approved leave of absence for the Meeting.)****(Cr Fotakis was an apology for the Meeting.)**

**11.1 TRANSFER AND DEDICATION OF LOTS AS ROAD - INTERSECTION OF CHARLES, GREEN AND WALCOTT STREETS, NORTH PERTH**

TRIM Ref: D18/52776

Author: Meluka Bancroft, Property Leasing Officer

Authoriser: Kerryn Batten, Director Corporate Services

- Attachments:
1. Plan of portion of Lot 230 (No. 566) Charles Street to be dedicated as road 
  2. Aerial Plan of Lots 231-234 (No. 568) Charles Street 
  3. Plan 2672 showing lots and road intersection 
  4. Plan of proposed local government boundary realignment 

**RECOMMENDATION:**

That Council:

1. **RECEIVES** the request from Main Roads Western Australia dated 26 June 2018 and **RESOLVES** to request the Minister for Transport; Planning; Lands to dedicate the 12.19m x 3.7m portion of Lot 230 (No. 566) Charles Street, North Perth adjoining Charles Street, as shown in Attachment 1, as a road pursuant to section 56(1) of the *Land Administration Act 1997*;
2. **NOTES** that lots 231 - 234 (No. 568) Charles Street, North Perth are owned in freehold by the City and form part of the Charles, Green and Walcott Street intersection;
3. **APPROVES** the transfer of Lots 231 - 234 (No. 568) Charles Street, North Perth to the Crown (State of Western Australia) for the purpose of dedication as road, pursuant to section 168(5) of the *Planning and Development Act 2005*;
4. **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the Transfer of Land in 3. above;
5. **REQUESTS** the Chief Executive Officer to review and present a report back to Council on the prospective realignment of the City's boundary at the intersection of Charles, Green and Walcott Streets, North Perth

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**11.3 INVESTMENT REPORT AS AT 31 AUGUST 2018****TRIM Ref: D18/130475****Author: Sheryl Teoh, A/Coordinator Financial Services****Authoriser: Kerryn Batten, Director Corporate Services****Attachments: 1. Investment Report ****RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 11.3****Moved: Cr Harley, Seconded: Cr Murphy****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (7-0)****(Mayor Cole was on approved leave of absence for the Meeting.)****(Cr Fotakis was an apology for the Meeting.)**

**12.2 ADOPTION OF POLICY NO. 4.1.30 - RECOGNITION OF NOONGAR BOODJAR CULTURE AND HISTORY THROUGH WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY****TRIM Ref:** D18/102100**Author:** Gayatrii Surendorff, Community Partner**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:**

1. Draft Policy No. 4.1.30 - Recognition of Noongar Boodja, Culture and History Through Welcome to Country and Acknowledgement of Country (Tracked Changes Version) 
2. Draft Policy No. 4.1.30 - Recognition of Noongar Boodja, Culture and History Through Welcome to Country and Acknowledgement of Country (Final Version) 

**RECOMMENDATION:**

That Council;

1. NOTES the responses received following public advertising of draft revised Policy No. 4.1.30 – Recognition of Noongar Boodjar, Culture and History through Welcome to Country and Acknowledgement of Country;
2. ADOPTS draft revised Policy No. 4.1.30 – Recognition of Noongar Boodjar, Culture and History Through Welcome to Country and Acknowledgement of Country; and
3. ADVISES submitters of its decision.

**COUNCIL DECISION ITEM 12.2****Moved: Cr Harley, Seconded: Cr Murphy**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**12.3 MINOR AMENDMENT - POLICY NO. 3.10.11 - COMMUNITY FUNDING****TRIM Ref:** D18/114223**Author:** Carla Stevens, Community Partner**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:** 1. Draft Amended Policy No. 3.10.11 - Community Funding **RECOMMENDATION:**

That Council AMENDS Policy No. 3.10.11 – Community Funding to include Female Sports Participation Grants as reflected in Attachment 1.

**COUNCIL DECISION ITEM 12.3****Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**12.4 2018/19 COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANTS APPLICATION - LEEDERVILLE OVAL MASTER PLAN****TRIM Ref: D18/122770****Author: Wayne Grimes, Senior Community Projects Officer****Authoriser: Michael Quirk, Director Community Engagement****Attachments: Nil****RECOMMENDATION:**

That Council **APPROVES** the Community Sporting and Recreation Facilities Fund Small Grants submission to the Department of Local Government, Sport and Cultural Industries for \$25,000 towards the Leederville Oval Master Plan.

**COUNCIL DECISION ITEM 12.4****Moved: Cr Harley, Seconded: Cr Murphy**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**12.5 REVIEW OF WESTERN CENTRAL LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS****TRIM Ref:** D18/106225**Author:** Paul Morrice, Team Leader Ranger Administration**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:**

1. Draft Local Emergency Management Committee Arrangement - June 2018 
2. City of Vincent Local Emergency Recovery Plan - July 2018 
3. Local Emergency Management Plan for the Provision of Welfare Support Perth and Fremantle Districts 

**RECOMMENDATION:**

That Council:

1. **ADOPTS** the Western Central Local Emergency Management Arrangements (June 2018) in accordance with Part 3, Division 2 of the *Emergency Management Act 2005*;
2. **APPROVES** the City of Vincent Local Emergency Recovery Plan (July 2018);
3. **AUTHORISES** the Chief Executive Officer to endorse the City of Vincent Local Emergency Recovery Plan (July 2018); and
4. **NOTES** the Local Emergency Management Plan for the Provision of Welfare Support – Perth and Fremantle Districts (May 2017)

**COUNCIL DECISION ITEM 12.5****Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**13.1 INFORMATION BULLETIN****TRIM Ref:** D17/177329**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. Minutes of the Environmental Advisory Group Meeting held on 19 February 2018 
  2. Minutes of the Environmental Advisory Group Meeting held on 16 April 2018 
  3. Minutes of the Environmental Advisory Group Meeting held on 11 June 2018 
  4. Minutes of the Safer Vincent Advisory Group Meeting held on 11 July 2018 
  5. Minutes of the Children and Young People Advisory Group Meeting held on 23 July 2018 
  6. Minutes of the Arts Advisory Group Meeting held on 2 August 2018 
  7. Minutes of the Design Review Panel Meeting held on 8 August 2018 
  8. Minutes of Tamala Park Regional Council Meeting held on 16 August 2018 
  9. Minutes of the Design Review Panel Meeting held on 22 August 2018 
  10. Urban Mobility Advisory Group (UMAG) - Unconfirmed Minutes 27 August 2018 
  11. Monthly Street Tree Removal Information 
  12. Statistics for Development Applications as at end of August 2018 
  13. Register of Legal Action and Prosecutions Register Monthly - Confidential
  14. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 22 August 2018 
  15. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  16. Register of Applications Referred to the Design Review Panel – Current 
  17. Register of Petitions - Progress Report - September 2018 
  18. Register of Notices of Motion - Progress Report - September 2018 
  19. Register of Reports to be Actioned - Progress Report - September 2018 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated September 2018.

**COUNCIL DECISION ITEM 13.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

## 10 ENGINEERING

### 10.4 RESPONSE TO PETITION - ALMA ROAD AND CLAVERTON STREETS, NORTH PERTH TRAFFIC CALMING

TRIM Ref: D18/120920

Author: Craig Wilson, Manager Asset & Engineering

Authoriser: Andrew Murphy, Director Engineering

Attachments: 1. Plan No. 3480-CP 01 - Layout 1   
2. Traffic Data   
3. Plan No. 3481-CP-01 

#### RECOMMENDATION:

That Council:

1. **RECEIVES** the report on the City's response to the Petition tabled at the Ordinary Meeting of Council on 1 May 2018 in regards the volume, speed and composition of non-local traffic using the local road network bounded by Leake, Vincent, Charles and View Streets, North Perth;
2. **NOTES:**
  - 2.1 that average daily traffic volumes and 85% speed are generally within the operating criteria in accordance with the Metropolitan Functional Road Hierarchy; and
  - 2.2 that there are two locations (Claverton Street and Leake Street) where intervention to reduce speed could be considered;
3. **APPROVES:**
  - 3.1 a mid-block single lane slow in Claverton Street, between Camelia and Alfonso Streets, as shown on Plan No. 3481-CP-01, Attachment 3;
  - 3.2 changing the on-road parking to the eastern side of Leake Street, between Grosvenor and Chelmsford Roads;
4. **AUTHORISES** the Director Engineering to determine the precise location and extent of the works described in 3.1 and 3.2 above, in consultation with affected adjacent landowners; and
5. **NOTES** that Administration will inform the petitioners of the Council's decision.

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

#### PROPOSED AMENDMENT 1

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be amended as follows:

That Council:

1. **RECEIVES** the report on the City's response to the Petition tabled at the Ordinary Meeting of Council on 1 May 2018 in regards the volume, speed and composition of non-local traffic using the local road network bounded by Leake, Vincent, Charles and View Streets, North Perth;

**2. NOTES:**

- 2.1 that average daily traffic volumes and 85% speed are generally within the operating criteria in accordance with the Metropolitan Functional Road Hierarchy; ~~and~~
- 2.2 that there are two locations (Claverton Street and Leake Street) where recorded speeds are above operating criteria for intervention to reduce speed could to be considered; and
- 2.3 that there are three locations (Alma Road, Camelia and Alfonso Streets) where recorded speeds are close to the intervention level;

**3. APPROVES:**

- 3.1 a mid-block single lane slow point in Claverton Street, between Camelia and Alfonso Streets, ~~as shown on Plan No. 3481-CP-01, Attachment 3;~~ and
- 3.2 ~~changing the on-road parking to the eastern side of~~ a mid-block single lane slow point in Leake Street, between Grosvenor and Chelmsford Roads;

**4. AUTHORISES the Director Engineering to:**

- 4.1 determine the precise location and extent of the proposed works described in 3.1 and 3.2 above; and
- 4.2 ~~in consultation with affected adjacent landowners engage with the residents within the streets as nominated in the petition and the Urban Mobility Advisory Group on additional traffic calming measures in the streets nominated in the Petition including locations identified in item 2.3;~~ and

**5. NOTES that:**

- 5.1 a further report will be presented to Council by December 2018 with the outcome of the community engagement referred to in 4.2 above;
- 5.2 Administration will be reviewing the operational guidelines used to determine intervention to reduce on road speed; and
- 5.3 Adminstration will inform the Petitioners of the Council's decision.

**PROPOSED AMENDMENT 1 CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**PROPOSED AMENDMENT 2**

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

That recommendation 4.2 be amended as follows:

- 4.2 engage with the residents within the streets as nominated in the petition and the Urban Mobility Advisory Group on additional traffic calming, safety and amenity measures in the streets nominated in the Petition including locations identified in item 2.3; and

**PROPOSED AMENDMENT 2 CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**COUNCIL DECISION ITEM 10.4**

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

**That Council:**

1. **RECEIVES** the report on the City's response to the Petition tabled at the Ordinary Meeting of Council on 1 May 2018 in regards the volume, speed and composition of non-local traffic using the local road network bounded by Leake, Vincent, Charles and View Streets, North Perth;
2. **NOTES:**
  - 2.1 that average daily traffic volumes and 85% speed are generally within the operating criteria in accordance with the Metropolitan Functional Road Hierarchy;
  - 2.2 that there are two locations (Claverton Street and Leake Street) where recorded speeds are above operating criteria for intervention to reduce speed to be considered; and
  - 2.3 that there are three locations (Alma Road, Camelia and Alfonso Streets) where recorded speeds are close to the intervention level;
3. **APPROVES:**
  - 3.1 a mid-block single lane slow point in Claverton Street, between Camelia and Alfonso Streets; and
  - 3.2 a mid-block single lane slow point in Leake Street, between Grosvenor and Chelmsford Roads;
4. **AUTHORISES** the Director Engineering to:
  - 4.1 determine the precise location and extent of the proposed works described in 3.1 and 3.2 above; and
  - 4.2 engage with the residents within the streets as nominated in the petition and the Urban Mobility Advisory Group on additional traffic calming, safety and amenity measures in the streets nominated in the Petition including locations identified in item 2.3; and
5. **NOTES** that:
  - 5.1 a further report will be presented to Council by December 2018 with the outcome of the community engagement referred to in 4.2 above;
  - 5.2 Administration will be reviewing the operational guidelines used to determine intervention to reduce on road speed; and
  - 5.3 Administration will inform the Petitioners of the Council's decision.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

## 9 DEVELOPMENT SERVICES

### 9.3 NO. 1 (LOT: 21; D/P: 1925) MURIEL PLACE, LEEDERVILLE - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE

TRIM Ref: D18/113743

Author: Emily Andrews, Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: North

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Applicant Justification 
5. Attachment 5 - Determination Advice Notes 

#### RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for Alterations and Additions to Single House at No. 1 (Lot: 21; D/P: 1925) Muriel Place, Leederville, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes contained in Attachment 5:

1. This approval is for the proposed alterations and additions to single house as shown on the plans dated 3 August 2018. No other development forms part of this approval;

#### 2. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall adjoining No. 3 Muriel Place in a good and clean condition upon completion of the development. The finish of the walls are to be fully rendered or face brickwork 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. Car Parking and Access

The car parking and access areas shall be sealed, drained and paved in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the commencement of the development;

#### 5. Landscape and Reticulation Plan

5.1 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 39 percent canopy cover within the street setback area, at maturity;

5.2 All works shown in the plans as identified in condition 5.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to commencement of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. Fencing

The fencing infill within the 1.5 metre x 1.5 metre visual truncation area of the right of way and Muriel Place are to be 50 percent visually permeable; and

7. 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 shall be screened from view from the street, and surrounding properties to the satisfaction of the City.

**COUNCIL DECISION ITEM 9.3**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**9.1 NO. 73/288 (LOT: 73; STR: 67450) LORD STREET, HIGHGATE - CHANGE OF USE FROM SHOP TO UNLISTED USE (CIGAR BAR)****TRIM Ref:** D18/100178**Author:** Kate Miller, Senior Urban Planner**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South

- Attachments:**
1. Attachment 1 - Consultation and Location Map 
  2. Attachment 2 - Development Plans 
  3. Attachment 3 - Venue Management Plan 
  4. Attachment 4 - Car Parking Assessment and Management Plan 
  5. Attachment 5 - Acoustic Report 
  6. Attachment 6 - Draft Rules and Regulations 
  7. Attachment 7 - Draft Membership Form 
  8. Attachment 8 - Administration's Response to Submissions 
  9. Attachment 9 - Applicant's Response to Submissions 
  10. Attachment 10 - Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a Change of Use from Shop to Unlisted Use (Cigar Club) at No. 73/288 (Lot: 73; STR: 67450) Lord Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, and advice notes contained in Attachment 10:

**1. Use of Premises**

- 1.1 This approval only relates to the Change of Use from Shop to Unlisted Use (Cigar Bar) as shown on the plans dated 1 May 2018. It does not relate to any other development on the site;
- 1.2 A maximum of two staff and 60 patrons are permitted on the site at any one time;
- 1.3 The Unlisted Use (Cigar Bar) shall operate in accordance with the Venue Management Plan dated 5 June 2018 (and all subsequent amendments). The terms and conditions outlined in the Venue Management Plan shall be provided to all members of the facility and also displayed in a prominent location within the entrance area of the venue;
- 1.4 The hours of operation for the Unlisted Use (Cigar Bar) shall be limited to the following:
  - Monday to Saturday: 10.00am to 12.00am (Midnight); and
  - Sunday: 10.00am to 5.00pm;
- 1.5 Prior to use of the development, the ventilation system is to be provided in accordance with the Venue Management Plan. The ventilation system is to operate at all times during the hours of operation of the venue;

2. The development shall maintain an active and interactive relationship and uninterrupted views to Lord Street and Windsor Street, 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 to Lord Street and Windsor Street are not permitted to be used during the hours of the venue's operation;

3. All off-street parking is to be available during business hours for all customers and staff. The parking bays are not to be used for storage purposes or the like;

4. An acoustic report shall be prepared and submitted to the City for approval and the recommended measures of the approved Acoustic Report shall be implemented. Prior to first occupancy, certification from an acoustic consultant shall be submitted to the City, confirming that full compliance with all requirements arising from the acoustic report has been achieved;
5. All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained; and
6. Conditions that have a time limitation for compliance, and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

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

That the recommendation be adopted.

#### **PROPOSED AMENDMENT**

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

That a new Condition 5 be inserted as follows and the remaining Conditions be renumbered accordingly:

5. Prior to the commencement of development, the applicant is to make a cash-in-lieu contribution to the City for the shortfall of six parking bays, based on the cost of \$5,400 per bay as set out in the City's 2018/19 Schedule of Fees and Charges, either by making a single payment of \$32,400 or by entering into a written agreement with the City to pay the amount over an agreed period of up to five years;

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

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

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

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a Change of Use from Shop to Unlisted Use (Cigar Club) at No. 73/288 (Lot: 73; STR: 67450) Lord Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, and advice notes contained in Attachment 10:

1. Use of Premises
  - 1.1 This approval only relates to the Change of Use from Shop to Unlisted Use (Cigar Bar) as shown on the plans dated 1 May 2018. It does not relate to any other development on the site;
  - 1.2 A maximum of two staff and 60 patrons are permitted on the site at any one time;

- 1.3 The Unlisted Use (Cigar Bar) shall operate in accordance with the Venue Management Plan dated 5 June 2018 (and all subsequent amendments). The terms and conditions outlined in the Venue Management Plan shall be provided to all members of the facility and also displayed in a prominent location within the entrance area of the venue;
- 1.4 The hours of operation for the Unlisted Use (Cigar Bar) shall be limited to the following:
- Monday to Saturday: 10.00am to 12.00am (Midnight); and
  - Sunday: 10.00am to 5.00pm;
- 1.5 Prior to use of the development, the ventilation system is to be provided in accordance with the Venue Management Plan. The ventilation system is to operate at all times during the hours of operation of the venue;
2. The development shall maintain an active and interactive relationship and uninterrupted views to Lord Street and Windsor Street, 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 to Lord Street and Windsor Street are not permitted to be used during the hours of the venue's operation;
3. All off-street parking is to be available during business hours for all customers and staff. The parking bays are not to be used for storage purposes or the like;
4. An acoustic report shall be prepared and submitted to the City for approval and the recommended measures of the approved Acoustic Report shall be implemented. Prior to first occupancy, certification from an acoustic consultant shall be submitted to the City, confirming that full compliance with all requirements arising from the acoustic report has been achieved;
5. Prior to the commencement of development, the applicant is to make a cash-in-lieu contribution to the City for the shortfall of six parking bays, based on the cost of \$5,400 per bay as set out in the City's 2018/19 Schedule of Fees and Charges, either by making a single payment of \$32,400 or by entering into a written agreement with the City to pay the amount over an agreed period of up to five years;
6. All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained; and
7. Conditions that have a time limitation for compliance, and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

LOST (0-7)

**For:** Nil

**Against:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**PROPOSED ALTERNATIVE RECOMMENDATION**

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

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for a Change of Use from Shop to Unlisted Use (Cigar Club) at No. 73/288 (Lot: 73; STR: 67450) Lord Street, Highgate, for the following reasons:

1. The proposed development, by virtue of inadequate ultra-fine particle filtration, will potentially have an unacceptably detrimental impact on the personal health of surrounding residents;
2. Having due consideration of the objectives of the Mixed Use zone and Clause 67 (n) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is not considered compatible with its setting due to the potential amenity impacts on nearby residents resulting from the discharge of tobacco smoke from the subject site; and
3. The proposed development, in providing only two dedicated bays for up to 62 visitors, is not considered to meet the objectives of Council's Policy No. 7.7.1 – Non-Residential Development Parking Requirements as appropriate parking will not be provided to meet the needs of users.

**PROPOSED AMENDMENT**

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

That recommendation 2 be amended as follows:

2. Having due consideration of the objectives of the Mixed Use zone and Clause 67(n) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is not considered compatible with its setting due to:
  - a) the potential amenity impacts on nearby residents resulting from the discharge of tobacco smoke from the subject site; and
  - b) it facilitating a development which provides insufficient activation at street level which would have a detrimental impact on the amenity of the existing street scape; and

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

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.1****ALTERNATIVE MOTION**

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

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for a Change of Use from Shop to Unlisted Use (Cigar Club) at No. 73/288 (Lot: 73; STR: 67450) Lord Street, Highgate, for the following reasons:

1. The proposed development, by virtue of inadequate ultra-fine particle filtration, will potentially have an unacceptably detrimental impact on the personal health of surrounding residents;
2. Having due consideration of the objectives of the Mixed Use zone and Clause 67 (n) of Schedule 2 of *the Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is not considered compatible with its setting due to;
  - a) the potential amenity impacts on nearby residents resulting from the discharge of tobacco smoke from the subject site;
  - b) it facilitating a development which provides insufficient activation at street level which would have a detrimental impact on the amenity of the existing street scape; and
3. The proposed development, in providing only two dedicated bays for up to 62 visitors, is not considered to meet the objectives of Council's Policy No. 7.7.1 – Non-Residential Development Parking Requirements as appropriate parking will not be provided to meet the needs of users.

**ALTERNATIVE MOTION CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**REASON**

For the reasons stated in Council's decision, the proposed development was considered to have an unacceptable impact on the amenity of the locality.

**9.4 NO. 3 (LOT: 47; D/P: 1177) BULWER AVENUE, PERTH - EXISTING AND PROPOSED ALTERATIONS TO SINGLE HOUSE****TRIM Ref:** D18/112084**Author:** Clair Morrison, Urban Planner**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Municipal Heritage Inventory Listing 
3. Attachment 3 - Development Plans 
4. Attachment 4 - Written Submissions 
5. Attachment 5 - Heritage Impact Statement 
6. Attachment 6 - Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for existing and proposed alterations and additions to the single house at No. 3 (Lot: 47; D/P: 1177) Bulwer Avenue, Perth, in accordance with the plans included as Attachment 3 subject to the following Conditions and associated Advice Notes as included in Attachment 6:

1. This approval relates only to the following as shown on the approved plans and contained within the written submission dated 5 September 2018:

- replacement of the gutter;
- the installation of the downpipes;
- the retention of the installed moisture vents;
- the retention of the replaced timber window frames in bedrooms one and three;
- the replacement of the cornice with Federation Style fiberglass;
- the retention of the installed ceilings throughout the dwelling;
- the retention of the ceiling rose in bedroom one;
- the installation of skirting boards in the lounge room;
- the replacement of the side gate;
- the replacement of glass in the front door (facing Bulwer Avenue); and
- the replacement of pathway tiles;

No other development forms part of this approval;

2. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed side gate matches the original fabric of the existing gate, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;

3. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed glass and lead lighting within the front door facing Bulwer Avenue reflects the original Federation Style of the Single House, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;

4. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed tiled pathway reflects the original Federation Style of the single house in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;

5. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed skirting boards match the original fabric and Federation Style of the single house, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent
6. The applicant is to provide decorative ceiling features throughout the dwelling so as to reflect the original Federation Style of the Single House, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties. The applicant is required to submit details/plans of the features prior to the commencement of works, to the satisfaction of the City of Vincent;
7. Within 28 days of Council approval, the applicant is to submit details as to how the existing moisture vents will be painted to match the original fabric of the single house, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent. Within 28 days of the City's approval of those details, the applicant is to paint the existing moisture vents, to the satisfaction of the City of Vincent; and
8. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.

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

That the recommendation be adopted.

#### **PROPOSED AMENDMENT**

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

That the recommendation be amended as follows:

1. That condition 1 is amended to read as follows:
  - "1. This approval relates only to the following as shown on the approved plans and contained within the written submission dated 5 September 2018:
    - replacement of the gutter;
    - the installation of the downpipes;
    - the retention of the installed moisture vents;
    - the retention of the replaced timber window frames in bedrooms one and three;
    - the replacement of the cornice with Federation Style fiberglass;
    - the retention of the installed ceilings throughout the dwelling;
    - the retention of the ceiling rose in bedroom one;
    - the installation of skirting boards in the lounge room;
    - the replacement of the side gate;
    - the replacement of glass in the front door (facing Bulwer Avenue); ~~and~~
    - the replacement of pathway tiles; and
    - the retention of the rendering on the side elevations of the dwelling;
  - No other development forms part of this approval;"
2. That a new Condition 9 is added as follows:
  - "9. Within 28 days of Council approval, the applicant is to submit details as to how the existing render on the side elevations will be painted in a colour complementary to the heritage of the place, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent. Within 28 days of the City's approval of those details, the applicant is to paint the existing render on the side elevations, to the satisfaction of the City of Vincent."

3. That Advice Note 1 of the Determination Advice Notes contained as Attachment 6 be modified to read as follows:

“1. With reference to Condition 1, the render to the front external walls and two chimney stacks, and replacement of decorative concrete on the street façade do not form part of this approval for alterations and additions at No. 3 Bulwer Avenue, Perth for the following reasons:”

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

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Fotakis was an apology for the Meeting.)

#### **COUNCIL DECISION ITEM 9.4**

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

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for existing and proposed alterations and additions to the single house at No. 3 (Lot: 47; D/P: 1177) Bulwer Avenue, Perth, in accordance with the plans included as Attachment 3 subject to the following Conditions and associated Advice Notes as included in Attachment 6:

1. This approval relates only to the following as shown on the approved plans and contained within the written submission dated 5 September 2018:

- replacement of the gutter;
- the installation of the downpipes;
- the retention of the installed moisture vents;
- the retention of the replaced timber window frames in bedrooms one and three;
- the replacement of the cornice with Federation Style fiberglass;
- the retention of the installed ceilings throughout the dwelling;
- the retention of the ceiling rose in bedroom one;
- the installation of skirting boards in the lounge room;
- the replacement of the side gate;
- the replacement of glass in the front door (facing Bulwer Avenue);
- the replacement of pathway tiles; and
- the retention of the rendering on the side elevations of the dwelling;

No other development forms part of this approval;

2. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed side gate matches the original fabric of the existing gate, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;

3. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed glass and lead lighting within the front door facing Bulwer Avenue reflects the original Federation Style of the Single House, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;

4. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed tiled pathway reflects the original Federation Style of the single house in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent;
5. Prior to the commencement of works, the applicant is to submit details demonstrating that the proposed skirting boards match the original fabric and Federation Style of the single house, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent
6. The applicant is to provide decorative ceiling features throughout the dwelling so as to reflect the original Federation Style of the Single House, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties. The applicant is required to submit details/plans of the features prior to the commencement of works, to the satisfaction of the City of Vincent;
7. Within 28 days of Council approval, the applicant is to submit details as to how the existing moisture vents will be painted to match the original fabric of the single house, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent. Within 28 days of the City's approval of those details, the applicant is to paint the existing moisture vents, to the satisfaction of the City of Vincent; and
8. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.
9. Within 28 days of Council approval, the applicant is to submit details as to how the existing render on the side elevations will be painted in a colour complementary to the heritage of the place, in accordance with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, to the satisfaction of the City of Vincent. Within 28 days of the City's approval of those details, the applicant is to paint the existing render on the side elevations, to the satisfaction of the City of Vincent.
10. That Advice Note 1 of the Determination Advice Notes contained as Attachment 6 be modified to read as follows:
  - “1. With reference to Condition 1, the render to the front external walls and two chimney stacks, and replacement of decorative concrete on the street façade do not form part of this approval for alterations and additions at No. 3 Bulwer Avenue, Perth for the following reasons:”

At 7:59 pm, Cr Jimmy Murphy left the meeting.

At 8:03 pm, Cr Jimmy Murphy returned to the meeting.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**10 ENGINEERING****10.3 TREES LOCATED ON PRIVATE PROPERTY - CONSIDERATION OF INTRODUCING A LIMITED LOCAL LAW TO IMPOSE OBLIGATIONS ON AN OWNER TO PRUNE TREES OVERHANGING A NEIGHBOUR'S PROPERTY**

TRIM Ref: D18/768

Author: Jeremy van den Bok, Manager Parks & Urban Green

Authoriser: Andrew Murphy, Director Engineering

Attachments: Nil

**RECOMMENDATION:**

That Council DOES NOT PROCEED with the introduction of a limited local law for the management of nuisance trees located on private property for the following reasons:

1. the creation of a limited local law transfers the responsibility for solving what is currently a civil dispute between neighbours, from the neighbours to the City; and
2. the City would require additional resource to enforce a new limited local law.

**COUNCIL DECISION ITEM 10.3**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

## 12 COMMUNITY ENGAGEMENT

### 12.1 NEW DRAFT POLICY NO. 3.10.3 - STREET ACTIVATION

TRIM Ref: D18/55558

Author: Karen Balm, Senior Community Partner

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Attachment 1 - Current Policy No. 2.2.7 - Street Parties   
2. Attachment 2 - Draft Policy No. 3.10.3 - Street Activation 

#### RECOMMENDATION:

That Council;

1. RECEIVES the new Draft Policy No. 3.10.3 – Street Activation;
2. AUTHORISES the Chief Executive Officer to advertise the new Draft Policy No. 3.10.3 – Street Activation for public comment for a period of 21 days inviting written submissions in accordance with Policy No. 4.1.5 – Community Consultation; and
3. NOTES that a further report will be submitted to Council at the conclusion of the public comment period in regards to any written submission being received.

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Castle, Seconded: Cr Harley

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

## 9 DEVELOPMENT SERVICES

### 9.6 AMENDMENT 1 TO LOCAL PLANNING POLICY NO. 7.1.1 - BUILT FORM

TRIM Ref: D18/107299

Authors: Tim Elliott, Strategic Planning Officer  
Stephanie Smith, Manager Policy and Place

Authoriser: Luke Gibson, A/Director Development Services

Attachments:

1. Attachment 1 - Local Planning Policy No. 7.1.1 - Built Form 
2. Attachment 2 - WA Planning Commission Determination 
3. Attachment 3 - Schedule of Modifications 
4. Attachment 4 - Draft Amended Local Planning Policy No. 7.1.1 - Built Form 
5. Attachment 5 - Draft Amended Local Planning Policy No. 7.1.1 - Built Form (Clean) 
6. Attachment 6 - Draft Amended Appendix No. 16 - Design Guidelines for Perth 
7. Attachment 7 - Draft Amended Appendix No. 18 - Design Guidelines for William Street 

#### RECOMMENDATION:

That Council:

#### 1. PREPARES:

- 1.1 Amendment 1 to Local Planning Policy No. 7.1.1 – Built Form included as Attachment 4 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment, subject to the following changes;
  - 1.1.1 Clause C1.5.2 is to read: ‘Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4’; and
  - 1.1.2 Clause C1.5.3 is to read: ‘Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless an alternative is identified in the Urban Design Study’;
- 1.2 An amendment to Appendix No. 16 – Design Guidelines for Perth included as Attachment 6 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment;
- 1.3 An amendment to Appendix No. 18 – Design Guidelines for William Street included as Attachment 7 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment; and

#### 2. NOTES:

- 2.1 That the amendments to Local Planning Policy No. 7.1.1 – Built Form, Appendix No. 16 – Design Guidelines for Perth and Appendix No. 18 – Design Guidelines for William Street will be advertised for a period of 28 days pursuant to Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Item 4.2 of Appendix 3 of Policy No. 4.1.5 – Community Consultation; and
- 2.2 That Administration will give notice of the proposed amendment to the Western Australian Planning Commission pursuant to Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

At the request of Presiding Member Deputy Mayor Susan Gontaszewski and in accordance with the condition detailed in Council's earlier resolution on page 10, the motion was considered in two parts as follows:

Part 1 – Excluding Recommendation 1.3; and

Part 2 – Recommendation 1.3

### **COUNCIL DECISION ITEM 9.6 - PART 1**

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

**That Council:**

**1. PREPARES:**

**1.1 Amendment 1 to Local Planning Policy No. 7.1.1 – Built Form included as Attachment 4 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment, subject to the following changes;**

**1.1.1 Clause C1.5.2 is to read: 'Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4'; and**

**1.1.2 Clause C1.5.3 is to read: 'Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless an alternative is identified in the Urban Design Study';**

**1.2 An amendment to Appendix No. 16 – Design Guidelines for Perth included as Attachment 6 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment;**

**2. NOTES:**

**2.1 That the amendments to Local Planning Policy No. 7.1.1 – Built Form, Appendix No. 16 – Design Guidelines for Perth and Appendix No. 18 – Design Guidelines for William Street will be advertised for a period of 28 days pursuant to Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Item 4.2 of Appendix 3 of Policy No. 4.1.5 – Community Consultation; and**

**2.2 That Administration will give notice of the proposed amendment to the Western Australian Planning Commission pursuant to Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

**CARRIED UNANIMOUSLY (6-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**(Cr Topelberg did not vote on the matter in accordance with Council's earlier decision on his participation in this item.)**

At 8:23 pm, Cr Joshua Topelberg left the meeting.

**COUNCIL DECISION ITEM 9.6 - PART 2****Moved: Cr Loden, Seconded: Cr Hallett****That Council adopts Recommendation 1.3 as follows:**

- 1.3 An amendment to Appendix No. 18 – Design Guidelines for William Street included as Attachment 7 pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising for public comment; and

**CARRIED UNANIMOUSLY (6-0)****For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy and Cr Harley**Against:** Nil**(Mayor Cole was on approved leave of absence for the Meeting.)****(Cr Fotakis was an apology for the Meeting.)****(Cr Topelberg was absent from the Council Chamber and did not vote on the matter.)**

At 8:23 pm, Cr Joshua Topelberg returned to the meeting.

**11 CORPORATE SERVICES****11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 25 JULY 2018 TO 21 AUGUST 2018****TRIM Ref:** D18/123473**Author:** Nikki Hirrill, Accounts Payable Officer**Authoriser:** Kerryn Batten, Director Corporate Services

**Attachments:**

1. Payments by EFT and BPAY August 18 
2. Payments by Cheque August 18 
3. Payments by Credit Card August 18 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 25 July 2018 to 21 August 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 82406 - 82415	\$3,821.58
Cancelled cheques	\$0.00
EFT and BPAY Documents 2277 - 2291	\$2,717,263.65
Payroll	\$1,205,422.50
<b>Direct Debits</b>	
• Lease Fees	\$385.00
• Loan Repayments	\$148,536.27
• Bank Fees and Charges	\$26,805.76
• Credit Cards	\$5,257.63
• Superannuation	\$11,930.22
<b>Total Direct Debit</b>	<b>\$192,914.88</b>
<b>Total Accounts Paid</b>	<b>\$4,119,422.61</b>

At 8:24 pm, Cr Jimmy Murphy left the meeting.

**COUNCIL DECISION ITEM 11.2**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

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

At 8:25 pm, Cr Jimmy Murphy returned to the meeting.

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

Nil

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

Nil

**16 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**17 URGENT BUSINESS**

Nil

**18 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED****COUNCIL DECISION****Moved: Cr Topelberg, Seconded: Cr Hallett**

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

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

At 8.24pm the meeting went behind closed doors and live streaming was stopped.

<b>PRESENT:</b>	<b>Deputy Mayor Susan Gontaszewski</b>	<b>Presiding Member,</b>
	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Roslyn Harley</b>	<b>North Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>

**COUNCIL DECISION ITEM 18.1****Moved: Cr Topelberg, Seconded: Cr Loden****That Council:**

1. **RECEIVES** the Chief Executive Officer's Annual Performance Review (2017-18) Summary Report to Council included as Confidential Attachment 1;
2. **ENDORSES** the outcome of the review that the Chief Executive Officer has met the performance expectations of the position to a high level for the 2017-18 review period; and
3. **NOTES** that the CEO Performance Review Panel will continue to work with the appointed consultant to draft Key Performance Indicators for the next review period, to be presented to Council for approval within 3 months of the commencement of the new CEO.

**CARRIED UNANIMOUSLY (7-0)****For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley**Against:** Nil**(Mayor Cole was on approved leave of absence for the Meeting.)****(Cr Fotakis was an apology for the Meeting.)**

**COUNCIL DECISION**

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

**That the Council resume an “open meeting”.**

**CARRIED UNANIMOUSLY (7-0)**

**For:** Presiding Member Deputy Mayor Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Murphy, Cr Topelberg and Cr Harley

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Fotakis was an apology for the Meeting.)**

**19 CLOSURE**

There being no further business, the Presiding Member, Deputy Mayor Susan Gontaszewski, declared the meeting closed at 8.28pm with the following persons present:

- |                       |                                 |                         |
|-----------------------|---------------------------------|-------------------------|
| <b>PRESENT:</b>       | Deputy Mayor Susan Gontaszewski | Presiding Member,       |
|                       | Cr Alex Castle                  | North Ward              |
|                       | Cr Joanne Fotakis               | North Ward              |
|                       | Cr Jonathan Hallett             | South Ward              |
|                       | Cr Dan Loden                    | North Ward              |
|                       | Cr Jimmy Murphy                 | South Ward              |
|                       | Cr Joshua Topelberg             | South Ward              |
|                       | Cr Roslyn Harley                | North Ward              |
| <b>IN ATTENDANCE:</b> | Len Kosova                      | Chief Executive Officer |

**No members of the press or public were present.**

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 18 September 2018.

Signed: ..... Deputy Mayor Susan Gontaszewski

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