



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**16 October 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, 16 OCTOBER 2018 AT 6PM**

<b>PRESENT:</b>	<p>Mayor Emma Cole Deputy Mayor Susan Gontaszewski Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley (from 6.12pm) Cr Dan Loden Cr Jimmy Murphy Cr Joshua Topelberg</p>	<p>Presiding Member South Ward North Ward South Ward North Ward North Ward South Ward South Ward</p>
<b>IN ATTENDANCE:</b>	<p>Michael Quirk Kerryn Batten Luke Gibson Andrew Murphy Roslind Ellis Natasha Brooks Emma Simmons</p>	<p>A/Chief Executive Officer Director Corporate Services A/Director Development Services Director Engineering A/Director Community Engagement Governance and Council Support Officer Governance and Council Support Officer</p>
<b>Media:</b>	<p>Jess Warriner (Journalist), “<i>The Guardian Express</i>” (until approximately 9.26pm)</p>	
<b>Public:</b>	<p>Approximately 20 members of the public</p>	

## 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6pm and read the following Acknowledgement of Country statement:

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

## 2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Alex Castle – Apology

## 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. Peter Mrdja of Urbanista Town Planning – Item 9.2
  - Spoke in support of the application.
  - Stated that the subdivision has already been conditionally approved by the WAPC.
  - Stated that the street set back and lot boundary set back variations are considered to satisfy the criteria listed in the R-Codes.
  - Requested that Council support the minor variations.

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

## 2. Peter Kember of North Perth – Item 10.2

- Raised concerns in regard to limited parking on Pennant Street.
- Requested that Council approves an on-road ACROD bay outside No.23 Pennant Street.

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

## 3. Louisa Leung, of Perth – Item 9.5

- Spoke against the application.
- Raised concern in relation to noise.
- Stated that short stay accommodation was not appropriate for a residential street.

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

## 4. Katie Feutrill of Perth – Item 9.5

- Spoke against the application.
- Stated that the noise from the parties held at the short stay accommodation on Moir Street is significant and unfavourable.
- Raised concerns in relation to community safety.

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

## 5. Victoria Jackson of Perth – Item 9.5

- Spoke against the application.
- Stated that the short term dwelling would increase anti-social behaviour.
- Raised concerns regarding the owners willingness to comply with the Management Plan.
- Stated that the property was not maintained and inconsistent with a normal residential development.
- Requested that Council does not approve the application.

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

At 6:12 pm, Cr Roslyn Harley arrived at the meeting.

## 6. Chris Marsh (representing Tim Newton) of Perth – Item 9.5

- Spoke against the application.
- Stated that the Change of Use will also have a large impact on the residents at the rear of the property on Brookman Street and raised concerns that these residents had not received notification of this application.

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

## 7. Bliss Brosnan of Perth – Item 9.5

- Spoke against the application.
- Thanked Council for the work that has gone into the area

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

## 8. Leo Leung of 6 Moir Street, Perth – Item 9.5

- Spoke against the application.
- Reiterated previous concerns regarding a potential increase in anti-social behaviour, increased noise and Councils ability to enforce the applicants compliance with the Management Plan.

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

## 9. Katherine Ashe of Perth – Item 9.1

- Spoke against the application.
- Stated that residents' concerns have not been fully considered by the applicant.
- Stated that the setback was non-compliant.

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

## 10. Jodie Ferdinando of Mount Hawthorn – Item 9.2

- Spoke against the application.
- Stated that the application does not meet the requirements of the Built Form Policy.
- Requested that Council refuse the application.

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

## 11. Lorraine Vicensoni of North Perth – Item 9.3

- Spoke against the cash-in-lieu contributions imposed in Condition 4.
- Requested that Council reduce the cash-in-lieu parking shortfall to 1 parking bay.

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

## 12. David Wilson of Mount Hawthorn – Item 9.2

- Spoke against the application.
- Stated that the proposed development is not consistent with the character or streetscape.
- Raised concerns regarding overshadowing

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

## 13. Andrew Taylor representing Kyilla Primary School PNC – Item 12.2

- Spoke in support of the recommendations.
- Thanked Council

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

## 14. Dudley Maier of Highgate – Item 10.1 &amp; Item 13.1

Item 10.1

- Spoke against the proposal.
- Stated that the report lacked real analysis and was written on a perceived problem.
- Stated that the trial was a waste of money.

Item 13.1

- Stated that the Strategic Community Plan was a poor return from a massive expenditure.
- Stated that the vision statement was gimmicky and sounded like an Optus advert.

*The Presiding Member Mayor Emma Cole advised Mr Maier that the vision statement was drafted by an Independent Community Panel comprising of a diverse group of local residents and business owners and that his comments were offensive to that Panel.*

*Mayor Cole further advised Mr Maier that the Vision Statement is one that Council wholly embraces.*

There being no further speakers, Public Question Time closed at approximately 6.35pm.

**(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**

The Council received the following deputation:

**5.1 Damien Caraher - Item 9.2**

- Spoke in objection to the development proposal.
- Presented a slide show to Council outlining the existing streetscape and second storey setbacks.
- Stated that the development will set an undesirable precedent.

**6 CONFIRMATION OF MINUTES****COUNCIL DECISION**

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

**That the minutes of the Ordinary Meeting held on 18 September 2018 be confirmed.**

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

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

The Presiding Member Emma Cole made the following announcements:

### **7.1 COMMUNITY BIKE BREAKFAST**

*On Thursday morning we would like to invite everyone to a Community Bike Breakfast as part of Ride to Work week celebrations. The event is happening at the Oxford Street Reserve, Leederville this Thursday morning between 7am and 9am.*

### **7.2 GARAGE TRAIL SALE**

*We also have the Garage Trail Sale on again this weekend and I would like to say it is really great to see the Vincent community embrace the Garage Trail Sale. I have had a look at the website and again we see a huge uptake in our area. We have got Scouts running a car wash, kids holding their own garage sales, neighbours banding together to do street garage sales. I would encourage everyone to check out [garagesaletrail.com.au](http://garagesaletrail.com.au) to see the map and see what is happening in Vincent.*

### **7.1 WAMFEST LIVE NORTH PERTH**

*On Sunday 28 October the City of Vincent has teamed together WA Music (WAM) for WAMFest Live North Perth where we will be holding a series of free music events over the North Perth area with something for all ages. We have got an all-ages concert at the North Perth Town Hall and a silent disco for the little ones in the alleyway next to Milkd. That is all happening simultaneously in North Perth so it will be a great day to be there.*

### **7.4 UPCOMING EVENTS**

*I'm proud to announce that we are again supporting North Perth Local to make Angove Street a free and fun community Halloween party for all. That's happening of course on Wednesday 31 October when there will be live music, face painting, a spooky photo booth and more. It is always lots of fun. City of Vincent will be out in costumes walking the streets so that will be fun to see. I encourage all of the Council Members to get on board with that.*

*If anyone would like more information on these events it is all listed on the City of Vincent [website](#) under Events.*

## 8 DECLARATIONS OF INTEREST

- 8.1 Cr Dan Loden disclosed an impartiality interest in Item 9.2 – No. 48 (Lot 5; D/P: 14389) Egina Street, Mount Hawthorn – Two Grouped Dwellings. The extent of his interest in this matter is that he has a personal association with one of the affected residents through his involvement with the Fathering Project.

At 6:50 pm, Cr Roslyn Harley left the meeting.

- 8.2 Cr Josh Topelberg disclosed an impartiality interest in Item 9.7 - No. 559 (Lot: 4 D/P 1477) Beaufort Street, Mount Lawley - Change of Use from Shop to Unlisted Use (Small Bar) - Amendment to Approved Conditions. The extent of his interest in this matter is that the applicant is a client of his business.
- 8.3 Cr Jimmy Murphy disclosed a financial interest in Item 9.9 - Relocation of the Leederville Town Centre Taxi Zone. The extent of his interest in this matter being that the Leederville Hotel donated a gift during Cr Murphy's election campaign. Cr Murphy did not seek approval to remain in the Council Chamber, participate in the debate or to vote on the matter.
- 8.4 Cr Jonathon Hallett disclosed an impartiality interest in Item 10.1 – Proposed 40km/h Area Wide Speed Zone Trial – Results of Consultation. The extent of his interest in this matter is that he lives within the trial area.

## REPORTS

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

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.1, 9.2, 9.3, 9.5, 10.1, 12.2 and 13.1.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 11.7 and 12.1
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.9

The Presiding Member, Mayor Emma Cole, requested Council Members to indicate:

- (d) **Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Gontaszewski	9.6
Cr Topelberg	9.7, 9.10, 11.5 & 11.6

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

- (e) **Unopposed items which will be moved “En Bloc”, being:**  
Items 9.4, 9.8, 11.1, 11.2, 11.3, 11.4 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 Loden, Seconded: Cr Gontaszewski**

**That the following unopposed items be adopted "En Bloc", as recommended:  
Items 9.4, 9.8, 11.1, 11.2, 11.3, 11.4 and 13.2**

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**9.4 NO. 33 (LOT: 421 D/P: 301706) CHURCH STREET, PERTH - PROPOSED AMENDMENT TO CONDITIONS OF APPROVAL: OFFICE AND UNLISTED USE (COMMUNITY SERVICE)****TRIM Ref:** D18/130306**Author:** Kate Miller, Senior Urban Planner**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South**Attachments:**

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Previous Minutes and Approved Plans 
3. Attachment 3 - Applicant Information Provided for Original Submission 
4. Attachment 4 - Applicant Submission and Risk Management Plan 
5. Attachment 5 - Applicant Response to Residents Concerns 
6. Attachment 6 - Administration's Response to Submissions 
7. Attachment 7 - Applicant's Response to Submissions 

**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 development approval (5.2012.218.3) granted on 18 December 2012 for an Office and Unlisted Use (Community Service) at No. 33 (Lot: 421; D/P: 301706) Church Street, Perth, subject to the following conditions:

1. All conditions and advice notes continue to apply to this approval, with exception of Condition 11 which is to be deleted and Conditions 4 and 10 which are amended to read as follows:
  - “4. The hours of operation for Unlisted Use (Community Service) shall be limited to 9:00pm to 5:00am on Thursdays, Fridays and Saturdays;”
  - “10. The applicant is to submit an updated Management Plan that addresses the control of noise, traffic, car parking and antisocial behaviour (to reasonable levels) associated with the proposed development, prior to occupation of the development. The Management Plan is to be approved by the City and thereafter implemented to the City’s satisfaction.”

**COUNCIL DECISION ITEM 9.4****Moved:** Cr Loden, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

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

**9.8 INTEGRATED TRANSPORT PLAN - APPOINTMENT OF A SUCCESSFUL TENDERER****TRIM Ref:** D18/121289**Author:** Stephen Schreck, Strategic Planning Officer**Authoriser:** Luke Gibson, A/Director Development Services**Attachments:**

1. Attachment 1 - Tender Evaluation Summary - Confidential
2. Attachment 2 - Price Summary - Confidential

**RECOMMENDATION:**

That Council **ACCEPTS** the tender submitted by Cardno (WA) Pty Ltd for Tender No. 558/18 for the Preparation of an Integrated Transport Plan and the general conditions of tendering.

**COUNCIL DECISION ITEM 9.8****Moved:** Cr Loden, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

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

11.1 INVESTMENT REPORT AS AT 30 SEPTEMBER 2018

TRIM Ref: D18/147478

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 30 September 2018 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.1**

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

That the recommendation be adopted.

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

## 11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 22 AUGUST 2018 TO 18 SEPTEMBER 2018

TRIM Ref: D18/138174

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Payments by EFT and BPAY September 18   
 2. Payments by Cheque September 18   
 3. Payments by Credit Card September 18 

### RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 22 August 2018 to 18 September 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 82416 - 82423	\$1,764.25
Cancelled cheques 82422	-\$513.20
EFT and BPAY Documents 2292 - 2304	\$3,255,423.10
Payroll	\$1,217,610.58
<b>Direct Debits</b>	
• Lease Fees	\$385.00
• Loan Repayments	\$148,537.79
• Bank Fees and Charges	\$67,146.22
• Credit Cards	\$3,821.62
<b>Total Direct Debit</b>	<b>\$219,890.63</b>
<b>Total Accounts Paid</b>	<b>\$4,694,175.36</b>

### COUNCIL DECISION ITEM 11.2

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be adopted.

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

**11.3 FINANCIAL STATEMENTS AS AT 31 AUGUST 2018****TRIM Ref:** D18/145159**Author:** Sheryl Teoh, A/Coordinator Financial Services**Authoriser:** Kerryn Batten, Director Corporate Services**Attachments:** 1. Financial Statements as at 31 August 2018 **RECOMMENDATION:**

That Council RECEIVES the financial statements for the month ended 31 August 2018 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.3****Moved: Cr Loden, Seconded: Cr Gontaszewski**

That the recommendation be adopted.

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

**11.4 FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2018****TRIM Ref:** D18/150469**Author:** Nilesh Makwana, Accounting Officer**Authoriser:** Kerryn Batten, Director Corporate Services**Attachments:** 1. Financial Statements as at 30 September 2018 **RECOMMENDATION:**

That Council RECEIVES the financial statements for the month ended 30 September 2018 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.4****Moved:** Cr Loden, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

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

**13.2 INFORMATION BULLETIN****TRIM Ref:** D17/177331**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. Minutes of the Design Review Panel Meeting held on 5 September 2018 
  2. Minutes of the Mindarie Regional Council Meeting held on 6 September 2018 
  3. Minutes of the Arts Advisory Group Meeting held on 6 September 2018 
  4. Minutes of the Design Review Panel Meeting held on 19 September 2018 
  5. Monthly Street Tree Removal Information 
  6. Statistics for Development Applications as at end of September 2018 
  7. Register of Legal Action and Prosecutions Register Monthly - Confidential
  8. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 20 September 2018 
  9. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  10. Register of Applications Referred to the Design Review Panel – Current 
  11. Register of Petitions - Progress Report - October 2018 
  12. Register of Notices of Motion - Progress Report - October 2018 
  13. Register of Reports to be Actioned - Progress Report - October 2018 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated October 2018.

**COUNCIL DECISION ITEM 13.2**

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

That the recommendation be adopted.

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

## 9 DEVELOPMENT SERVICES

### 9.2 NO. 48 (LOT 5; D/P: 14389) EGINA STREET, MOUNT HAWTHORN - TWO GROUPED DWELLINGS

TRIM Ref: D18/128558

Authors: Stephanie Norgaard, Urban Planner  
Kate Miller, Senior Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: North

Attachments:

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Letter to Council Confirming Construction Timing 
4. Attachment 4 - Administration's Response to Summary of Submissions 
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 application for the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

#### 1. Boundary Walls

- 1.1 The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 46 and No. 56 Egina Street 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;
- 1.2 The two dwellings are to be constructed simultaneously, in accordance with the applicant's advice and deemed-to-comply requirements of Clause 5.1.3, C3.2(i) of the Residential Design Codes (Lot Boundary Setback), 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 shall be screened from view from the street, and surrounding properties 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. Landscaping

4.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction 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 a minimum 15 percent Deep Soil Zone and a minimum of 30 percent Canopy Coverage, as defined by the City's Policy No. 7.1.1 – Built Form;

4.2 All works shown in the plans as identified in Condition 4.1 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;

5. Schedule of External Finishes

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

6. 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.

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

That the recommendation be adopted.

**LOST (0-7)**

**For:** Nil

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

(Cr Castle was an apology for the Meeting.)

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

**PROPOSED ALTERNATIVE RECOMMENDATION**

**Moved:** Cr Gontaszewski, **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, REFUSES the application for the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, for the following reasons:

1. The development does not satisfy the design principles of Clause 5.1.2 (Street Setback) of the Residential Design Codes or Clause P5.2.1 of the Built Form Policy, as the setback to the primary street is not consistent with, and will have a detrimental impact on, the established streetscape.
2. The development does not satisfy the design principles of Clause 5.2.1 (Setback of garages and carports) of the Residential Design Codes or Clause P5.7.2 of the Built Form Policy, as the visual dominance of the proposed garages compromise the character and the existing streetscape.

At 7:03 pm, Cr Roslyn Harley returned to the meeting.

**PROPOSED AMENDMENT 1**

**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, REFUSES the application for the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, for the following reasons:

1. The development does not satisfy the design principles of Clause 5.1.2, (Street Setback), of the Residential Design Codes or Clause P5.2.1 of the Built Form Policy, as the setback to the primary street is not consistent with, and will have a detrimental impact on, the established streetscape.
2. The development does not satisfy the design principles of Clause 5.2.1 (Setback of garages and carports), 5.2.2 (Garage Width) Design Principle P2 of the Residential Design Codes or Clause P5.7.2 of the Built Form Policy, as the visual dominance of the proposed garages compromise the character and the existing streetscape.

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

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

**Against:** Nil

(Cr Castle was an apology for the Meeting.)

**PROPOSED AMENDMENT 2**

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

That the recommendation be amended as follows:

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 the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, for the following reasons:

1. The development does not satisfy the design principles of Clause 5.1.2, (Street Setback), of the Residential Design Codes or Clause P5.2.1 of the Built Form Policy, as the setback to the primary street is not consistent with, and will have a detrimental impact on, the established streetscape.
2. The development does not satisfy the design principles of Clause 5.2.1 (Setback of garages and carports), 5.2.2 (Garage Width) Design Principle P2 of the Residential Design Codes or Clause P5.7.2 of the Built Form Policy, as the visual dominance of the proposed garages compromise the character and the existing streetscape.
3. The development does not satisfy the clause C5.14.2 of the Built Form Policy as the development cannot achieve 30% of the site area as a canopy coverage.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Castle was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2****ALTERNATIVE MOTION****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, REFUSES the application for the Grouped Dwellings at No. 48 (Lot: 5; D/P: 14389) Egina Street, Mount Hawthorn, for the following reasons:

1. The development does not satisfy the design principles of Clause 5.1.2, (Street Setback), of the Residential Design Codes or Clause P5.2.1 of the Built Form Policy, as the setback to the primary street is not consistent with, and will have a detrimental impact on, the established streetscape.
2. The development does not satisfy the design principles of Clause 5.2.1 (Setback of garages and carports) 5.2.2 (Garage Width) Design Principle P2 of the Residential Design Codes or Clause P5.7.2 of the Built Form Policy, as the visual dominance of the proposed garages compromise the character and the existing streetscape.
3. The development does not satisfy the clause C5.14.2 of the built form policy as the development cannot achieve 30% of the site area as a canopy coverage.

**ALTERNATIVE MOTION CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**REASON:**

The development achieves an insufficient setback from the front lot boundary, insufficient canopy coverage and due to the impact of the garage on the existing streetscape.

## 10 ENGINEERING

### 10.2 MINOR PARKING RESTRICTION IMPROVEMENTS/AMENDMENTS

TRIM Ref: D18/137132

Author: Craig Wilson, Manager Asset & Engineering

Authoriser: Andrew Murphy, Director Engineering

Attachments:

1. Plan No. 3489-PP-01 
2. Plan No. 3486-PP-01 
3. Plan No. 3486-PP-02 
4. Plan No. 3488-PP-01 

#### RECOMMENDATION:

That Council:

1. APPROVES the following minor parking restriction improvements and amendments:
  - 1.1 the introduction of a 3P 8am to 6.00 pm Monday to Friday parking restriction on the eastern side of The Boulevarde, Mount Hawthorn between Scarborough Beach Road and Berryman Street, and on the southern side of Berryman Street, Mount Hawthorn from The Boulevarde to the bus zone, as shown on Plan No. 3489-PP-01 (Attachment 1);
  - 1.2 changes to the parking restrictions in Wellman Street, Brisbane Place and Robinson Avenue, Perth as shown on Plan No. 3486-PP-01 & 02, (Attachments 2 and 3);
  - 1.3 an on-road ACROD bay outside No. 23 Pennant Street, North Perth at a location to be determined by the Director Engineering, and
  - 1.4 an embayed motorcycle bay in Bulwer Street, Perth, as shown on Plan No. 3488-CP-01 (Attachment 4); and
2. NOTES that Administration will advise residents and businesses directly impacted by these minor parking restriction improvements and amendments.

#### COUNCIL DECISION ITEM 10.2

Moved: Deputy Mayor Gontaszewski, Seconded: Cr Fotakis

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

## 9 DEVELOPMENT SERVICES

### 9.5 NO. 8 (LOT: 38 D/P: 4576) MOIR STREET, PERTH - CHANGE OF USE FROM SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING) (UNAUTHORISED EXISTING DEVELOPMENT)

TRIM Ref: D18/138387

Author: Kate Miller, Senior Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: South

- Attachments:
1. Attachment 1 - Location and Consultation Map 
  2. Attachment 2 - Development Plan 
  3. Attachment 3 - Management Plan 
  4. Attachment 4 - Parking Management Plan 
  5. Attachment 5 - House Rules and Code of Conduct 
  6. Attachment 6 - Letter from Owner to Adjoining Neighbours 
  7. Attachment 7 - Administration's Response to Summary of Submissions 
  8. Attachment 8 - Applicant's Response to Summary of Submissions 
  9. Attachment 9 - 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 the Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 8 (Lot: 38; D/P: 4576) Moir Street, Perth, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 9:

#### 1. Use of Premises

- 1.1 This approval is for a 'Short Term Dwelling' which, as defined in the City's Policy No. 7.4.5 – Temporary Accommodation

*means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period;*

- 1.2 The Short Term Dwelling shall operate in accordance with the Management Plan and Parking Management Plan dated 27 August 2018. The terms and conditions outlined in the Management Plans shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the dwelling; and
- 1.3 The Code of Conduct contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the dwelling; and

#### 2. Car Parking

The on-site parking bay shall be made available to guests at all times and be maintained to the satisfaction of the City.

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

That the recommendation be adopted.

**LOST (0-8)**

**For:** Nil.

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

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

### **COUNCIL DECISION ITEM 9.5**

#### **ALTERNATIVE MOTION**

**Moved: Cr Gontaszewski, 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 the Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 8 (Lot: 38; D/P: 4576) Moir Street, Perth, for the following reasons:

1. Having due consideration of sub-clauses 67(m) and (n) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed use is not considered compatible with its setting on the basis of the likely noise, parking and traffic impacts associated with the proposal, with those impacts likely to have a detrimental impact on the existing residential amenity of the immediate area."

#### **ALTERNATIVE MOTION CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

#### **REASON:**

The development will unreasonably impact the amenity of the surrounding residential properties.

**9.1 NO. 14 (LOT 1; SP: 12592) ORANGE AVENUE, PERTH - SECOND STOREY ADDITION AND ALTERATIONS TO GROUPED DWELLING****TRIM Ref:** D18/126452**Authors:** Stephanie Norgaard, Urban Planner  
Mitchell Hoad, Senior Urban Planner**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South**Attachments:**

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Council Refusal 
3. Attachment 3 - Development Application Plans 
4. Attachment 4 - Applicant's Justification 
5. Attachment 5 - Administration's Response to Summary of Submissions 
6. Attachment 6 - Applicant's Response to Summary of Submissions 
7. Attachment 7 - 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 a **Second Storey Addition to a Grouped Dwelling** at No. 14 (Lot: 1; SP: 12592) Orange Avenue, Perth in accordance with the plans shown in Attachment 3, subject to the following conditions, with the associated determination advice notes in Attachment 7:

**1. Extent of Approval**

This approval only relates to the 'PROPOSED ADDITION' and 'PROPOSED UPPER FLOOR' to Grouped Dwelling shown on the approved plans dated 5 September 2018 and does not relate to the 'PROPOSED SPA', 'TIMBER DECK', 'EXISTING STUDIO/SHED' or any other development on the lot, and does not relate to the use of the site for anything other than a Grouped Dwelling;

**2. Landscaping**

**2.1** A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction is 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, with the proposed tree in the front setback area to be based on the City's tree selection tool;
- Areas to be irrigated or reticulated; and
- The provision of a minimum 30 percent Canopy Coverage and the inclusion of an additional tree, within the front setback area, as defined by the City's Policy No. 7.1.1 – Built Form; and

**2.2** All works shown in the plans as identified in Condition 2.1 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;

**3. External Fixtures**

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

**4. Stormwater**

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 Gontaszewski**

That the recommendation be adopted.

**COUNCIL DECISION ITEM 9.1****PROCEDURAL MOTION**

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

That the motion be DEFERRED to allow the applicant to pursue a design outcome that is respectful and sensitive to the existing streetscape and character of Orange Avenue.

**PROCEDURAL MOTION CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**9.3 NO. 5/216 (LOT: 5; STR: 48057) STIRLING STREET, PERTH - AMENDMENT TO APPROVAL FOR CHANGE OF USE FROM OFFICE TO SHOP**

TRIM Ref: D18/126692

Author: Clair Morrison, Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: South

- Attachments:
1. Attachment 1 - Consultation and Location Plans 
  2. Attachment 2 - Development Approval Documentation and Plans Dated 13 July 2018 
  3. Attachment 3 - Written Submission and Parking Occupancy Plans 

**RECOMMENDATION:**

That Council, in accordance with the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the amendment to the development approval for change of use from office to shop at No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth in accordance with the plans included in Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2018.180.1 granted on 13 July 2018 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1 Condition 4 is amended to read as follows:
    - 4.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of 2.2 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, being a contribution of \$11,880 within 60 days of this decision or by entering into a written agreement with the City to pay the cash-in-lieu amount over an agreed period of up to five years.

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

That the recommendation be adopted.

**PROPOSED AMENDMENT**

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

That the Recommendation be amended as follows:

“That Council, in accordance with the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the amendment to the development approval for change of use from office to shop at No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth in accordance with the plans included in Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2018.180.1 granted on 13 July 2018 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1 Condition 4 is amended to read as follows:
    - 4.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of ~~2.2~~ 1.0 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, being a contribution of ~~\$11,880~~ \$5,400 within 60 days of this decision or by entering into a written agreement with the City to pay the cash-in-lieu amount over an agreed period of up to five years; and

- 4.2 A minimum of two short-term bicycle bays, in the form of one Class 3 bicycle rack, shall be provided in a location directly adjacent to No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth, to the City's satisfaction within 28 days of Council approval. A bicycle location plan shall be lodged with and approved by the City prior to the installation of the Class 3 bicycle rack."**

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

### **COUNCIL DECISION ITEM 9.3**

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

That Council, in accordance with the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the amendment to the development approval for change of use from office to shop at No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth in accordance with the plans included in Attachment 2, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2018.180.1 granted on 13 July 2018 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1 Condition 4 is amended to read as follows:
    - 4.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of 1.0 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, being a contribution of \$5,400 within 60 days of this decision or by entering into a written agreement with the City to pay the cash-in-lieu amount over an agreed period of up to five years; and
    - 4.2 A minimum of two short-term bicycle bays, in the form of one Class 3 bicycle rack, shall be provided in a location directly adjacent to No. 5/216 (Lot: 5; STR: 48057) Stirling Street, Perth, to the City's satisfaction within 28 days of Council approval. A bicycle location plan shall be lodged with and approved by the City prior to the installation of the Class 3 bicycle rack."

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

## 12 COMMUNITY ENGAGEMENT

### 12.2 KYILLA COMMUNITY FARMERS MARKET - PERMIT APPROVAL AND WAIVER OF FEES

TRIM Ref: D18/81464

Author: Kate Allen, Community Partner

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Farmers Market Application - Kyilla Primary and Pre Primary Parents and Citizens Association Inc.   
2. Kyilla Community Farmers Market Site Usage Plan 

#### RECOMMENDATION:

That Council:

1. **ACKNOWLEDGES** the success of the Kyilla Community Farmers Market, and the efforts of the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to deliver the Market over the last five year period;
2. **APPROVES** pursuant to Part 3 of the City of Vincent Local Government Property Local Law 2008 a Permit for the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to operate the Kyilla Community Farmers Market at Kyilla Park for a five (5) year period commencing 1 December 2018 subject to the following conditions:
  - 2.1 The hours of operation of the Farmers Market shall be limited to 8.00am to 11.30am on Saturdays, with set-up not earlier than 7:00am and pack-down not later than 1:00pm;
  - 2.2 The number of stallholders shall be limited to a total of forty (40) and cover an area of no more than seventy-five (75) per cent of Kyilla Park, as shown in (Attachment 2);
  - 2.3 The type of stalls shall be limited to those within the following categories - food stalls, community non-profit organisations, community promotional activity outlets, and arts and crafts;
  - 2.4 Full compliance with any relevant City of Vincent environmental health and reserve hire conditions;
  - 2.5 The Farmers Market shall be covered by Public Liability and Products Liability Insurance to the amount of \$20 million through the WA Council of State School Organisations Inc.;
  - 2.6 A Kyilla Primary and Pre Primary Parents and Citizens Association representative to be on-site at all times during the operation of the market;
  - 2.7 A telephone number for a Kyilla Primary and Pre Primary Parents and Citizens Association representative shall be made available to the public and displayed at the markets, to enable local residents to lodge complaints; and
  - 2.8 Acknowledge Council's ongoing support of the Farmers Market through inclusion of the City of Vincent logo on all promotional materials, and the provision of stallholder opportunities for the City of Vincent to communicate projects and services to the community.
3. **AUTHORISES** up to four (4) Extraordinary Markets per calendar year that fall outside the Saturday morning approved timeframe subject to approval from the Chief Executive Officer at least one (1) month prior; and
4. **APPROVES BY ABSOLUTE MAJORITY** a waiver of the following fees and charges:

- 4.1 Reserve hire fees of \$11,232 per annum totalling \$56,160 over the five (5) year period; and
- 4.2 Waste services fees of \$1,780 per annum totalling \$8,900 over the five (5) year period.

**COUNCIL DECISION ITEM 12.2**

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

**That the recommendation be adopted.**

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

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

**Against:** Nil

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

## 10 ENGINEERING

### 10.1 PROPOSED 40KM/H AREA WIDE SPEED ZONE TRIAL - RESULTS OF CONSULTATION

TRIM Ref: D18/113815

Author: Francois Sauzier, Active Transport Officer

Authoriser: Andrew Murphy, Director Engineering

Attachments:

1. Results Summary 
2. Consultation Leaflet with Area Map 
3. Survey 1 
4. Survey 2 
5. Summary of Submissions 

#### RECOMMENDATION:

That Council:

1. NOTES the results of the Community Consultation as summarised in Attachment 1;
2. AUTHORISES the Director Engineering to progress the implementation of a 40km/h Speed Zone Trial in the southern half of the City of Vincent as shown in Attachment 2; and
3. ADVISES the respondents of the outcome.

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be adopted.

#### PROPOSED AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That the recommendation be amended as follows:

“That Council:

~~1. NOTES the results of the Community Consultation as summarised in Attachment 1;~~

1. NOTES:

1.1 the results of the Community Consultation, demonstrating the majority of respondents within the City of Vincent and within the trial area support the 40km/h trial proceeding, as summarised in Attachment 1; and

1.2 that the trial has the support of the Office of Road Safety who has offered to engage and fund the Monash University Accident Research Centre to undertake an accredited research project of the trial to ensure that findings are evidence-based and applicable to the broader Perth metropolitan area;

2. AUTHORISES the Director Engineering to progress the implementation of a 40km/h Speed Zone Trial in the southern part of the City of Vincent as shown in Attachment 2;

3. NOTES that a Reference Group, consisting of the City of Vincent, the Office of Road Safety and other key stakeholders involved in road safety in Western Australia will be established to provide oversight and support to the trial; and

4. **ADVISES the respondents of the outcome and commences liaison with the Office of Road Safety over implementation of the trial.**

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

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

**Against:** Nil

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

**COUNCIL DECISION ITEM 10.1**

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

**That Council:**

**1. NOTES:**

- 1.1 the results of the Community Consultation, demonstrating the majority of respondents within the City of Vincent and within the trial area support the 40km/h trial proceeding, as summarised in Attachment 1; and
- 1.2 that the trial has the support of the Office of Road Safety who has offered to engage and fund the Monash University Accident Research Centre to undertake an accredited research project of the trial to ensure that findings are evidence-based and applicable to the broader Perth metropolitan area;
2. **AUTHORISES** the Director Engineering to progress the implementation of a 40km/h Speed Zone Trial in the southern part of the City of Vincent as shown in Attachment 2;
3. **NOTES** that a Reference Group, consisting of the City of Vincent, the Office of Road Safety and other key stakeholders involved in road safety in Western Australia will be established to provide oversight and support to the trial; and
4. **ADVISES** the respondents of the outcome and commences liaison with the Office of Road Safety over implementation of the trial.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**13 CHIEF EXECUTIVE OFFICER****13.1 ADOPTION OF THE CITY OF VINCENT STRATEGIC COMMUNITY PLAN 2018 - 2028****TRIM Ref:** D18/138173**Author:** Rosslind Ellis, Manager Marketing and Communications**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:** 1. Strategic Community Plan as advertised **RECOMMENDATION:****That Council:**

1. **ADOPTS** the City of Vincent Strategic Community Plan 2018 – 2028;
2. **GIVES** public notice pursuant to Regulation 19D of the *Local Government (Administration) Regulations 1996* that the City of Vincent Strategic Community Plan 2018 – 2028 has been adopted; and
3. **NOTES** that the City of Vincent Strategic Community Plan 2018 – 2028 will be subject to further formatting and styling, as determined by the Chief Executive Officer, prior to publication.

**COUNCIL DECISION ITEM 13.1****Moved:** Cr Gontaszewski, **Seconded:** Cr Murphy**That the recommendation be adopted.****CARRIED BY ABSOLUTE MAJORITY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Castle was an apology for the Meeting.)**

## 9 DEVELOPMENT SERVICES

### 9.6 NO. 162 (LOT: 4; D/P: 62324) OXFORD STREET, LEEDERVILLE - AMENDMENT TO APPROVAL FOR HOURS OF OPERATION AND PATRON NUMBERS FOR SMALL BAR

TRIM Ref: D18/129714

Author: Mitchell Hoad, Senior Urban Planner

Authoriser: Luke Gibson, A/Director Development Services

Ward: South

Attachments:

1. Attachment 1 - Location and Consultation Plan 
2. Attachment 2 - Extract of Ordinary Meeting of Council Minutes 10 April 2012 
3. Attachment 3 - Extract of Ordinary Meeting of Council Minutes 9 July 2013 
4. Attachment 4 - Justification and Supporting Information 

#### 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 Conditions 1 and 3 and remove Condition 2 for development approval 5.2011.638.1 for a Change of Use to Shop, Office and Small Bar at No. 162 (Lot: 4, D/P: 62324) Oxford Street, Leederville, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2011.638.1 granted on 10 April 2012 continue to apply to this approval, with the exception of Conditions 1, 2 and 3 which are amended as follows:

#### 1.1 Condition 1 is amended to read as follows:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	07:00am to Midnight
Friday and Saturday	07:00am to 01:00am (the following day)
Sunday	07:00am to 10:00pm

- 1.2 Condition 2 is removed and subsequent conditions are renumbered accordingly; and

- 1.3 Condition 3 is renumbered to Condition 2 and amended to read as follows:

2. The maximum number of patrons to occupy the small bar at any one time shall be 95 persons.

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

That the recommendation be adopted.

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

That Condition 1.1 be amended as follows:

“1.1 Condition 1 is amended to read as follows:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	07:00am to Midnight
Friday and Saturday	07:00am to 01:00am (the following day)
Sunday	07:00am to 10:00pm
<u>Sunday – only where the following Monday is a public holiday</u>	<u>07:00am to Midnight</u>

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

(Cr Castle was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.6****Moved:** Cr Gontaszewski, **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 to amend Conditions 1 and 3 and remove Condition 2 for development approval 5.2011.638.1 for a Change of Use to Shop, Office and Small Bar at No. 162 (Lot: 4, D/P: 62324) Oxford Street, Leederville, subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2011.638.1 granted on 10 April 2012 continue to apply to this approval, with the exception of Conditions 1, 2 and 3 which are amended as follows:

1.1 Condition 1 is amended to read as follows:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	07:00am to Midnight
Friday and Saturday	07:00am to 01:00am (the following day)
Sunday	07:00am to 10:00pm
<u>Sunday – only where the following Monday is a public holiday</u>	<u>07:00am to Midnight</u>

1.2 Condition 2 is removed and subsequent conditions are renumbered accordingly; and

1.3 Condition 3 is renumbered to Condition 2 and amended to read as follows:

2. The maximum number of patrons to occupy the small bar at any one time shall be 95 persons.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**9.7 NO. 559 (LOT: 4 D/P 1477) BEAUFORT STREET, MOUNT LAWLEY - CHANGE OF USE FROM SHOP TO UNLISTED USE (SMALL BAR) - AMENDMENT TO APPROVED CONDITIONS****TRIM Ref:** D18/135012**Author:** Joslin Colli, Coordinator Planning Services**Authoriser:** Luke Gibson, A/Director Development Services**Ward:** South**Attachments:**  
1. Attachment 1 - Consultation and Location Map   
2. Attachment 2 - Development approval granted on 21 August 2018 **RECOMMENDATION:**

That Council in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* APPROVES the application to amend the existing development approval for a change of use from Shop to Small Bar at No. 559 (Lot: 4; D/P: 1477) Beaufort Street, Mount Lawley, granted by Council on 21 August 2018, as follows:

1. All conditions of approval continue to apply with the exception of condition 1.3 which is deleted and replaced as follows:

1.1 The hours of operation for the proposed bar are limited to:

- Monday to Saturday and Sundays prior to public holidays: 10:00am to midnight; and;
- Ordinary Sundays and Public Holidays: 10:00am to 10:00pm.

**COUNCIL DECISION ITEM 9.7****Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (7-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden and Cr Murphy**Against:** Nil**(Cr Castle was an apology for the Meeting.)****(Cr Topelberg was absent from the Council Chamber and did not vote.)**

At 8:14 pm, Cr Joshua Topelberg returned to the meeting.

**9.9 RELOCATION OF THE LEEDERVILLE TOWN CENTRE TAXI ZONE**

TRIM Ref: D18/125458

Author: Rana Murad, Place Manager

Authoriser: Luke Gibson, A/Director Development Services

- Attachments:
1. Attachment 1 - Changes to location of existing Taxi Zone and Pick-up/Set-down Bays in Leederville Town Centre as approved by Council on 19 September 2017 
  2. Attachment 2 - Summary of Survey Results 
  3. Attachment 3 - Summary of Submissions and Administration's Response 
  4. Attachment 4 - Proposed Pick-up/Set-down Bays in Leederville Town Centre 

**RECOMMENDATION:**

That Council:

1. **ADOPTS** the changes to the parking restrictions shown in Attachment 4, in accordance with Clause 1.8 of the City of Vincent Parking and Parking Facilities Local Law; and
2. **NOTES:**
  - 2.1 The relocation of the Leederville Taxi Zone to be adjacent to No. 666 Newcastle Street and the pick-up/set-down bays as shown in Attachment 4;
  - 2.2 The continuation of the outdoor eating area adjacent to the Leederville Hotel;
  - 2.3 That the continuation of the outdoor eating area adjacent to the Leederville Hotel will require separate approval under the City's Trading in Public Places Local Law 2008 and that approval will be issued in accordance with existing delegations; and
  - 2.4 The results of the survey undertaken by Administration and the community feedback received and Administration's comments on this feedback, as shown in Attachments 2 and 3, respectively.

At 8:15 pm, Cr Jimmy Murphy left the meeting.

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

That the recommendation be adopted.

**PROPOSED AMENDMENT**

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

That the recommendation be amended as follows:

“That Council:

1. **ADOPTS** the changes to the parking restrictions shown in Attachment 4, in accordance with Clause 1.8 of the City of Vincent Parking and Parking Facilities Local Law; and
2. **NOTES:**
  - 2.1 The relocation of the Leederville Taxi Zone to be adjacent to No. 666 Newcastle Street and the pick-up/set-down bays as shown in Attachment 4, subject to the location of the proposed pick up/set down bay South of Vincent Street and West of Oxford Street being reviewed and the final location be determined by the Director Engineering;

- 2.2 The continuation of the outdoor eating area adjacent to the Leederville Hotel;
- 2.3 That the continuation of the outdoor eating area adjacent to the Leederville Hotel will require separate approval under the City's Trading in Public Places Local Law 2008 and that approval will be issued in accordance with existing delegations; and
- 2.4 The results of the survey undertaken by Administration and the community feedback received and Administration's comments on this feedback, as shown in Attachments 2 and 3, respectively."

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

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

**Against:** Nil

(Cr Castle was an apology for the Meeting.)

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

**COUNCIL DECISION ITEM 9.9**

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

That Council:

1. **ADOPTS** the changes to the parking restrictions shown in Attachment 4, in accordance with **Clause 1.8** of the City of Vincent Parking and Parking Facilities Local Law; and
2. **NOTES:**
  - 2.1 The relocation of the Leederville Taxi Zone to be adjacent to No. 666 Newcastle Street and the pick-up/set-down bays as shown in Attachment 4, subject to the location of the proposed pick up/set down bay South of Vincent Street and West of Oxford Street being reviewed and the final location be determined by the Director Engineering;
  - 2.2 The continuation of the outdoor eating area adjacent to the Leederville Hotel;
  - 2.3 That the continuation of the outdoor eating area adjacent to the Leederville Hotel will require separate approval under the City's Trading in Public Places Local Law 2008 and that approval will be issued in accordance with existing delegations; and
  - 2.4 The results of the survey undertaken by Administration and the community feedback received and Administration's comments on this feedback, as shown in Attachments 2 and 3, respectively.

**CARRIED UNANIMOUSLY (7-0)**

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

**Against:** Nil

(Cr Castle was an apology for the Meeting.)

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

At 8:26 pm, Cr Jimmy Murphy returned to the meeting.

**9.10 AMENDMENT NO. 2 TO LOCAL PLANNING SCHEME NO. 2****TRIM Ref:** D18/104162**Author:** Stephen Schreck, Strategic Planning Officer**Authoriser:** Luke Gibson, A/Director Development Services**Attachments:** 1. Attachment 1 - Amended Scheme Map **RECOMMENDATION:**

That Council:

1. **PREPARES** Amendment 2 to Local Planning Scheme No. 2 included as Attachment 1, pursuant to Section 75 of the *Planning and Development Act 2005*;
2. **CONSIDERS** Amendment 2 to Local Planning Scheme No. 2 as a basic amendment under Section 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. **FORWARDS** Amendment 2 to Local Planning Scheme No. 2 to the:
  - 3.1 Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005*; and
  - 3.2 Western Australian Planning Commission within 21 days, pursuant to Section 58 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**COUNCIL DECISION ITEM 9.10****Moved:** Cr Topelberg, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

At 8:27 pm, Cr Joanne Fotakis left the meeting.

**CARRIED UNANIMOUSLY (7-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Castle was an apology for the Meeting.)****(Cr Fotakis was absent from the Council Chamber and did not vote.)**

## 11 CORPORATE SERVICES

### 11.5 VARIATION OF LEEDERVILLE TENNIS CLUB AND NORTH PERTH TENNIS CLUB LEASES TO ENABLE RETURN OF FUNDS HELD IN CITY'S RESERVE ACCOUNTS TO CLUBS

TRIM Ref: D18/82872

Authors: Meluka Bancroft, A/Manager Governance and Risk  
Karen Balm, Senior Community Partner

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: Nil

#### RECOMMENDATION:

That Council:

1. APPROVES the variation of North Perth Tennis Club Inc.'s lease dated 7 July 2009 of the tennis club and courts located at Woodville Reserve, 10 Farmer Street, North Perth, as follows:

- 1.1 Delete Item 12 in the Information Table:

~~*"Special Conditions – Sinking Fund*~~

~~*The Lessee shall make quarterly contributions to a sinking fund to be applied toward future court replacement. These payments shall be \$1,000 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee."*~~

2. APPROVES the variation of the Leederville Tennis Club Inc.'s lease dated 12 January 2005 of the tennis club and courts located at 150 Richmond Street, Leederville, as follows:

- 2.1 Delete Special Condition (1) on page 11:

~~*"Sinking Fund*~~

~~*The Lessee shall make quarterly contributions to a sinking fund to be applied towards the eventual redevelopment or replacement of the water bore and/or pump. These payments shall be \$176.08 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee."*~~

3. APPROVES BY ABSOLUTE MAJORITY, in accordance with section 6.8(1) of the *Local Government Act 1995*, the unbudgeted expenditure from the following Reserve accounts:

North Perth Tennis Club Reserve - \$47,992 excl GST; and

Leederville Tennis Club Reserve - \$11,581 excl GST;

to enable the clubs to spend the funds at their discretion, subject to the clubs acknowledging that they are responsible for the cost of future court replacement (North Perth Tennis Club Inc) and future water bore and/or pump redevelopment or replacement (Leederville Tennis Club Inc);

4. SUBJECT to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Director Corporate Services, to affix the common seal and execute the variation of leases in clause 1. and 2. above; and
5. ADVISES the Leederville Tennis Club Inc and North Perth Tennis Club Inc that the funds as specified in 3. above can be spent at their discretion, subject to any expenditure on asset maintenance or capital works receiving the prior written approval of the City.

6. NOTES that the North Perth Tennis Club Inc is proposing to resurface its hardcourts in 2019 and the estimated cost is \$20,000 and ADVISES the North Perth Tennis Club Inc that it is responsible for this cost.

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be adopted.

At 8:28 pm, Cr Joanne Fotakis returned to the meeting.

#### PROPOSED AMENDMENT

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

“That Council:

1. APPROVES the variation of North Perth Tennis Club Inc.’s lease dated 7 July 2009 of the tennis club and courts located at Woodville Reserve, 10 Farmer Street, North Perth, as follows:
  - 1.1 Delete Item 12 in the Information Table:

*“Special Conditions— Sinking Fund*

*~~The Lessee shall make quarterly contributions to a sinking fund to be applied toward future court replacement. These payments shall be \$1,000 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee.”~~*
2. APPROVES the variation of the Leederville Tennis Club Inc.’s lease dated 12 January 2005 of the tennis club and courts located at 150 Richmond Street, Leederville, as follows:
  - 2.1 Delete Special Condition (1) on page 11:

*“Sinking Fund*

*~~The Lessee shall make quarterly contributions to a sinking fund to be applied towards the eventual redevelopment or replacement of the water bore and/or pump. These payments shall be \$176.08 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee.”~~*
3. APPROVES BY ABSOLUTE MAJORITY, in accordance with section 6.8(1) of the *Local Government Act 1995*, the unbudgeted expenditure from the following Reserve accounts:

North Perth Tennis Club Reserve - \$47,992 excl GST; and

Leederville Tennis Club Reserve - \$11,581 excl GST;

to enable the clubs to spend the funds at their discretion, subject to the clubs acknowledging that they are responsible for the cost of future court replacement (North Perth Tennis Club Inc) and future water bore and/or pump redevelopment or replacement (Leederville Tennis Club Inc);
4. SUBJECT to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Director Corporate Services, to affix the common seal and execute the variation of leases in clause 1. and 2. above; and
5. ADVISES the Leederville Tennis Club Inc and North Perth Tennis Club Inc that the funds as specified in 3. above can be spent at their discretion, subject to any expenditure on asset maintenance or capital works receiving the prior written approval of the City.

- 6.1. NOTES that the North Perth Tennis Club Inc is proposing to resurface its hardcourts in 2019 and the estimated cost is \$20,000 and ADVISES the North Perth Tennis Club Inc that it is responsible for this cost.
- 6.2. ADVISES the North Perth Tennis Club Inc that the City does not recommend proceeding with the resurfacing of the hardcourts until the lease negotiations and/or the Woodville Reserve Master Plan processes are complete."

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Castle was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.5

Moved: Cr Topelberg, Seconded: Cr Hallett

That Council:

1. APPROVES the variation of North Perth Tennis Club Inc.'s lease dated 7 July 2009 of the tennis club and courts located at Woodville Reserve, 10 Farmer Street, North Perth, as follows:
  - 1.1 Delete Item 12 in the Information Table:

*~~"Special Conditions – Sinking Fund~~*

*~~The Lessee shall make quarterly contributions to a sinking fund to be applied toward future court replacement. These payments shall be \$1,000 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee."~~*
2. APPROVES the variation of the Leederville Tennis Club Inc.'s lease dated 12 January 2005 of the tennis club and courts located at 150 Richmond Street, Leederville, as follows:
  - 2.1 Delete Special Condition (1) on page 11:

*~~"Sinking Fund~~*

*~~The Lessee shall make quarterly contributions to a sinking fund to be applied towards the eventual redevelopment or replacement of the water bore and/or pump. These payments shall be \$176.08 per quarter. Interest earned on the deposited funds shall accumulate in the sinking fund, for the benefit of the lessee."~~*
3. APPROVES BY ABSOLUTE MAJORITY, in accordance with section 6.8(1) of the *Local Government Act 1995*, the unbudgeted expenditure from the following Reserve accounts:

North Perth Tennis Club Reserve - \$47,992 excl GST; and

Leederville Tennis Club Reserve - \$11,581 excl GST;

to enable the clubs to spend the funds at their discretion, subject to the clubs acknowledging that they are responsible for the cost of future court replacement (North Perth Tennis Club Inc) and future water bore and/or pump redevelopment or replacement (Leederville Tennis Club Inc);

4. **SUBJECT** to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services, to affix the common seal and execute the variation of leases in clause 1. and 2. above; and
5. **ADVISES** the Leederville Tennis Club Inc and North Perth Tennis Club Inc that the funds as specified in 3. above can be spent at their discretion, subject to any expenditure on asset maintenance or capital works receiving the prior written approval of the City.
  - 6.1. **NOTES** that the North Perth Tennis Club Inc is proposing to resurface its hardcourts in 2019 and the estimated cost is \$20,000 and **ADVISES** the North Perth Tennis Club Inc that it is responsible for this cost.
  - 6.2. **ADVISES** the North Perth Tennis Club Inc that the City does not recommend proceeding with the resurfacing of the hardcourts until the lease negotiations and/or the Woodville Reserve Master Plan processes are complete.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**11.6 CITY OF VINCENT STATUTORY REVIEW OF WARDS AND REPRESENTATION****TRIM Ref:** D18/137301**Authors:** Meluka Bancroft, A/Manager Governance and Risk  
Emma Simmons, Governance and Council Support Officer**Authoriser:** Kerryn Batten, Director Corporate Services**Attachments:** 1. Discussion Paper - Review of the City's wards and representation   
2. Map of ward boundary and suburbs **RECOMMENDATION:**

That Council:

1. **NOTES** that eight years has elapsed since the City of Vincent last undertook a review of its ward boundaries and ward representation, and therefore in accordance with clause 6.1 of Schedule 2.2 of the *Local Government Act 1995* the City is required to undertake a review this calendar year.
2. **AUTHORISES** the Chief Executive Officer pursuant to clause 7 of schedule 2.2 of the *Local Government Act 1995* to provide local public notice advising that:
  - (a) a review is being carried out; and
  - (b) that submissions may be received up to six weeks after the notice is first given;prior to undertaking the review as set out in 1. above.
3. **ENDORSES** the Discussion Paper titled 'Review of The City's Wards and Representation' (Attachment 1), for the purposes of providing local public notice in accordance with 2. above; and
4. **NOTES** that the Chief Executive Officer will present the outcomes of the review at the Ordinary Meeting of Council on 11 December 2018 for endorsement.

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

That the recommendation be adopted.

**PROPOSED AMENDMENT 1****Moved:** Cr Topelberg, **Seconded:** Cr Loden

That the recommendation be amended as follows:

"That Council:

1. **NOTES** that eight years has elapsed since the City of Vincent last undertook a review of its ward boundaries and ward representation, and therefore in accordance with clause 6.1 of Schedule 2.2 of the *Local Government Act 1995* the City is required to undertake a review this calendar year.
2. **AUTHORISES** the Chief Executive Officer pursuant to clause 7 of schedule 2.2 of the *Local Government Act 1995* to provide local public notice advising that:
  - (a) a review is being carried out; and

(b) that submissions may be received up to six weeks after the notice is first given;  
prior to undertaking the review as set out in 1. above.

3. ~~APPROVES~~ APPROVES for release for consultation ~~ENDORSES~~ the Discussion Paper titled 'Review of The City's Wards and Representation' (Attachment 1), for the purposes of providing local public notice in accordance with 2. above; and
4. NOTES that the Chief Executive Officer will present the outcomes of the review at the Ordinary Meeting of Council on 11 December 2018 for endorsement."

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

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

**Against:** Cr Harley

(Cr Castle was an apology for the Meeting.)

**PROPOSED AMENDMENT 2**

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

That the recommendation be amended as follows:

"That Council:

1. NOTES that eight years has elapsed since the City of Vincent last undertook a review of its ward boundaries and ward representation, and therefore in accordance with clause 6.1 of Schedule 2.2 of the *Local Government Act 1995* the City is required to undertake a review this calendar year.
2. **AUTHORISES** the Chief Executive Officer pursuant to clause 7 of schedule 2.2 of the *Local Government Act 1995* to provide local public notice advising that:
  - (a) a review is being carried out; and
  - (b) that submissions may be received up to six weeks after the notice is first given;  
prior to undertaking the review as set out in 1. above.
3. ~~APPROVES~~ APPROVES for release for consultation ~~ENDORSES~~ the Discussion Paper titled 'Review of The City's Wards and Representation' (Attachment 1), for the purposes of providing local public notice in accordance with 2. above, subject to the following wording addition within the Discussion Paper under Section 3. Options for Change to Wards and Representation (first paragraph), as follows:

The City has put forward four options for ward and representation change to provoke discussion and encourage submissions and comments. Please note that these options are for discussion purposes only and are not intended to be all encompassing. Submitters are encouraged to consider these options and propose any other options that they believe are viable to address any changes to wards and representation. All options put forward will be considered in the review.

4. NOTES that the Chief Executive Officer will present the outcomes of the review at the Ordinary Meeting of Council on 11 December 2018 for endorsement.”

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

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

**Against:** Cr Harley

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

**COUNCIL DECISION ITEM 11.6**

**PROCEDURAL MOTION**

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

**That the motion be DEFERRED to allow for further discussion.**

**PROCEDURAL MOTION CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

**11.7 REALLOCATION OF 2018/19 BUDGET FUNDS - LEEDERVILLE TOWN CENTRE SHARED SPACE**

TRIM Ref: D18/146730

Authors: Meluka Bancroft, A/Manager Governance and Risk  
Stephanie Smith, Manager Policy and Place

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Concept designs of Leederville Shared Space **RECOMMENDATION:**

That Council:

1. **APPROVES BY AN ABSOLUTE MAJORITY** the reallocation of \$160,000 within the 2018/19 budget towards the construction of the Leederville Town Centre Shared Space, corner of Newcastle and Oxford Streets, Leederville; and
2. **NOTES** the following budget adjustments to facilitate 1. above:

	From	To
Existing Budget Item: Recycling Expenditure (Opex)	\$160,000	
Existing Budget Item: Oxford/Newcastle Sts Shared Space (Capex)		\$160,000

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

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Castle was an apology for the Meeting.)**

## 12 COMMUNITY ENGAGEMENT

### 12.1 MANAGEMENT OF SERVICES AT WELD SQUARE FOR PEOPLE EXPERIENCING HOMELESSNESS

TRIM Ref: D18/102165

Author: Kate Allen, Community Partner

Authoriser: Michael Quirk, A/Chief Executive Officer

Attachments: 1. Homeless Support Services Map - Proximity to Weld Square 

#### RECOMMENDATION:

That Council:

1. APPROVES the use of Weld Square by Manna Inc. to deliver a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of 12 months concluding 30 November 2019, subject to the following conditions:
  - 1.1 Hours of operation shall be between 1.30pm and 2.15pm on Mondays, Wednesdays, Thursdays and Fridays, and between 12.30pm and 1.15pm on Tuesdays;
  - 1.2 Manna Inc. shall ensure that service provision practices minimise impacts and disturbance to nearby amenities, businesses and residences;
  - 1.3 Relevant Manna Inc. staff and volunteers are required to attend a minimum of two (2) Information Sessions throughout the approval period with City of Vincent, Nyoongar Outreach Services and WA Police representatives to reaffirm expectations and protocols;
  - 1.4 Manna Inc. shall ensure that actions identified by City of Vincent, Nyoongar Outreach Services and WA Police to deter anti-social behaviour are implemented in a timely manner;
  - 1.5 Manna Inc. shall provide the City of Vincent, Nyoongar Outreach Services and WA Police with the details of a representative who is contactable during both office hours and after hours;
  - 1.6 No more than two (2) Manna Inc. vehicles are authorised to access Weld Square during the meal service;
  - 1.7 Manna Inc. vehicles shall enter Weld Square via the Newcastle Street crossover and provide the meal service at the southern side of the park in Winter and the northern side of the park in Summer, with these specific seasonal dates to be determined by the City of Vincent;
  - 1.8 Manna Inc. staff and volunteers shall pick up all rubbish and litter associated with the meal service prior to leaving Weld Square;
  - 1.9 Manna Inc. shall maintain Public Liability Insurance coverage for a minimum of \$20 million and indemnify the City of Vincent against any accident, injury or damage resulting from their use of Weld Square;
  - 1.10 A two (2) hour free meal service and Christmas Party may be held on one (1) day during December instead of the regular service with this specific date to be determined by the City of Vincent; and
  - 1.11 The City of Vincent may withdraw approval for the Manna Inc. meal service to operate from Weld Square at its sole discretion.

2. APPROVES a waiver of reserve hire fees totalling \$7,065 for Manna Inc. to deliver a free meal service at Weld Square for people who are experiencing homelessness or at risk of homelessness for a period of 12 months;
3. SUPPORTS Administration participating in the City of Perth Homelessness Framework Committee focussing on the coordination of unsolicited goods/services and development of a consolidated approach to homelessness services in the inner city which upon completion will be presented to Council for endorsement; and
4. NOTES that Administration will not consider any applications for additional goods/services for people who are experiencing homelessness or at risk of homelessness at Weld Square until Council has considered the findings of the City of Perth Homelessness Framework Committee.

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Harley, Seconded: Cr Hallett

**That the recommendation be adopted.**

At 9:18 pm, Cr Dan Loden left the meeting.

At 9:19 pm, Cr Dan Loden returned to the meeting.

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

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

**Against:** Nil

**(Cr Castle was an apology for 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 Gontaszewski, **Seconded:** Cr Hallett

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

**Against:** Nil

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

At 9.26pm the meeting went behind closed doors and live streaming was stopped.

<b>PRESENT:</b>	Mayor Emma Cole	Presiding Member
	Deputy Mayor Susan Gontaszewski	South Ward
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Roslyn Harley (from 6.12pm)	North Ward
	Cr Dan Loden	North Ward
	Cr Jimmy Murphy	South Ward
	Cr Joshua Topelberg	South Ward
<b>IN ATTENDANCE:</b>	Michael Quirk	A/Chief Executive Officer
	Kerryn Batten	Director Corporate Services
	Luke Gibson	A/Director Development Services
	Andrew Murphy	Director Engineering
	Rosslind Ellis	A/Director Community Engagement
	Natasha Brooks	Governance and Council Support Officer
	Emma Simmons	Governance and Council Support Officer

No members of the press or public were present.

**18.1 DECLARATION OF SECONDARY EMPLOYMENT - CHIEF EXECUTIVE OFFICER**

TRIM Ref: D18/147226

Author: Meluka Bancroft, A/Manager Governance and Risk

Authoriser: Michael Quirk, A/Chief Executive Officer

Attachments: Nil

**COUNCIL DECISION ITEM 18.1****Moved: Cr Topelberg, Seconded: Cr Harley**

That Council:

1. **APPROVES** Mr David MacLennan's request to engage in casual secondary employment in the fitness industry while employed by the City of Vincent in the role of Chief Executive Officer, subject to that secondary employment:
  - a) occurring outside of City of Vincent boundaries;
  - b) occurring outside of normal City of Vincent business hours;
  - c) being limited to 4 hours per week; and
  - d) not conflicting with the Chief Executive Officer duties; and
2. **ADVISES** Mr David MacLennan of Council's decision.

**CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Castle was an apology for the Meeting.)****COUNCIL DECISION****Moved: Cr Harley, Seconded: Cr Gontaszewski**

That the Council resume an "open meeting".

**CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Castle was an apology for the Meeting.)**

**19 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.36pm with the following persons present:

- |                       |  |  |
|-----------------------|--|--|
| <b>PRESENT:</b>       | Mayor Emma Cole<br>Deputy Mayor Susan Gontaszewski<br>Cr Joanne Fotakis<br>Cr Jonathan Hallett<br>Cr Roslyn Harley (from 6.12pm)<br>Cr Dan Loden<br>Cr Jimmy Murphy<br>Cr Joshua Topelberg | Presiding Member<br>South Ward<br>North Ward<br>South Ward<br>North Ward<br>North Ward<br>South Ward<br>South Ward   |
| <b>IN ATTENDANCE:</b> | Michael Quirk<br>Kerryn Batten<br>Luke Gibson<br>Andrew Murphy<br>Rosslind Ellis<br>Natasha Brooks<br>Emma Simmons   | A/Chief Executive Officer<br>Director Corporate Services<br>A/Director Development Services<br>Director Engineering<br>A/Director Community Engagement<br>Governance and Council Support Officer<br>Governance and Council Support 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 16 October 2018.

Signed: ..... Mayor Emma Cole

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