



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**30 April 2019**

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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, 30 APRIL 2019 AT 6PM**

<b>PRESENT:</b>	<p><b>Mayor Emma Cole</b>  <b>Cr Susan Gontaszewski</b>  <b>Cr Alex Castle</b>  <b>Cr Joanne Fotakis</b>  <b>Cr Jonathan Hallett</b>  <b>Cr Dan Loden</b>  <b>Cr Jimmy Murphy</b>  <b>Cr Joshua Topelberg</b></p>	<p><b>Presiding Member</b>  <b>South Ward</b>  <b>North Ward</b>  <b>North Ward</b>  <b>South Ward</b>  <b>North Ward</b>  <b>South Ward</b>  <b>South Ward</b></p>
<b>IN ATTENDANCE:</b>	<p><b>David MacLennan</b>  <b>Kerryn Batten</b>  <b>Andrew Murphy</b></p> <p><b>Michael Quirk</b></p> <p><b>John Corbellini</b>  <b>Jordan Koroveshi</b>  <b>Meluka Bancroft</b></p> <p><b>Natasha Brooks</b></p>	<p><b>Chief Executive Officer</b>  <b>Executive Director Corporate Services</b>  <b>Executive Director Infrastructure</b>  <b>Environment</b>  <b>Executive Director Community</b>  <b>Engagement</b>  <b>Executive Director Development Services</b>  <b>Coordinator Policy and Place</b>  <b>Manager Governance, Property and</b>  <b>Contracts</b>  <b>Governance and Council Support Officer</b></p>
<b>Media:</b>	<b>Nil.</b>	
<b>Public:</b>	Approximately 5 members of the public.	

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

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

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

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

Cr Roslyn Harley

## **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. Andrew Fawcett of Mt Lawley - Item 9.1
  - Noted plans have been approved subject to certain conditions.
  - Would have appreciated advice that the development had been recommended for approval prior to investing in submissions against the proposed development to the City.
  - Spoke against the proposed development.

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

2. Neil Cownie on behalf of the applicant (Architect) – Item 9.1
  - Spoke in support of the proposed application.
  - Stated that issues relating to screening had been addressed.

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

3. Lyn Maverick of Mount Lawley - Item 9.2
  - Owner of the proposed development.
  - Stated that there were many conditions being proposed that would impact on the overall liveability and quality of the development and were opposed to those conditions.

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

4. Milton Maverick of Mount Lawley – Item 9.2
  - Owner of the proposed development.
  - Stated that issues with the recommended right of way ceding were not warranted.

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

5. Dick Donaldson of Cottesloe (Architect) - Item 9.2
  - Spoke against some of the conditions being proposed by the City.
  - Requested that conditions 6.2, 6.3 and 6.4 be removed from recommendation.

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

6. Jack Hobbs of Mt Lawley – Item 9.2
  - Spoke on behalf of the owners.
  - Commented that Bulletin 33 was not applied correctly.
  - Stated that he felt that the right of way had been setback appropriately.
  - Requested that conditions 7.1, 7.2 and 7.3 be deleted from the recommendation.

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

7. Coral Buxey of behalf of applicant – Item 9.6
  - Spoke in support of the proposed application and notes that plans have been amended to meet concerns.
  - Stated that applicant firmly believed the application was in keeping with the local area and streetscape.

*The Presiding Member Mayor Emma Cole thanked Ms Buxey for her 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**

Nil

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

Nil

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

Moved: Cr Fotakis, Seconded: Cr Loden

That the minutes of the Ordinary Meeting held on 2 April 2019 be confirmed.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

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

The Presiding Member Emma Cole made the following announcements:

### 7.1 ANZAC DAY SERVICE

On Thursday 25 April we had a very successful Anzac Day service and march at Axford Park. It is really lovely to see this service continue to grow year upon year and it was wonderful to see so many children play their part this year. We had some really touching poems read by local Primary School students. It is really lovely to see the younger generation engaged.

### 7.2 40KM TRIAL

On Monday our 40km trial officially commenced in our southern residential streets of Vincent. The 40km signs are up and we are looking forward to completing our two year trial.

### 7.3 INNOVATE RECONCILIATION ACTION PLAN

On this evenings agenda we have our second Reconciliation Action Plan item which is our innovate RAP. It has a strong focus on employment, procurement and grant opportunities for Aboriginal and Torres Strait Islander peoples. It is a significant step forward for us as we move into a really pragmatic and outcome based approach to making sure that we close the gap when it comes to outcomes for Aboriginal people and we started this by engaging two trainees that are from our local high school at Aranmore Senior College. It did garner some attention through one of the actions about street names and co-naming and we think that it is a great thing to introduce Noongar language into our community and for people to have a few words with which they become familiar.

### 7.4 MT HAWTHORN STREETS AND LANES FESTIVAL

This Sunday the Mt Hawthorn Streets and Lanes Festival is back and bigger than ever before. It is always a fantastic community spirit out on the streets of Mt Hawthorn with the local people always supporting the event. I hope to see lots of people down there.

## 8 DECLARATIONS OF INTEREST

- 8.1** Cr Josh Topelberg disclosed a proximity interest in Item 9.7 – Character Retention and Amendment No. 5 to Local Planning Scheme No. 2. The extent of his interest is that his primary residence is located within the area that is the subject of proposed Amendment 2 to the local planning scheme.
- 8.2** Cr Alex Castle disclosed a proximity interest in Item 9.7 - Character Retention and Amendment No. 5 to Local Planning Scheme No. 2. The extent of her interest is that she owns property on Buxton Street, Mount Hawthorn which is adjacent to the areas proposed to be consulted on the Character Retention Demonstration Project.
- 8.3** Cr Joanne Fotakis disclosed an impartiality interest in Item 9.5 - Nos. 12-16 (Lot: 26; D/P: 13767) Cleaver Street, West Perth - Proposed Amendment to Development Approval: Change of Use from Showroom/Warehouse to Place of Worship. The extent of her interest is that Cr Fotakis was an employee of Realmark P/L from March 2016 to December 2016, of which the landowner of the subject property, Anita Percudani, is a Director. Mrs Percudani also displayed one of Cr Fotakis' election campaign posters in the front window of her company's offices on Newcastle Street as part of the 2017 Council elections.

## 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 and 9.6.
- (b) **Items which require an absolute majority decision which have not already been the subject of a public question/comment, being:**  
Nil.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.5 and 9.7.

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 Loden	10.2, 12.1
Cr Topelberg	9.5

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

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.3, 9.4, 10.1, 11.1, 11.2, 11.3, 11.4, 11.5 and 13.1
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Items 18.1, 18.2, 18.3 and 18.4.

## ITEMS APPROVED "EN BLOC":

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



**COUNCIL DECISION**

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

That the following unopposed items be adopted “En Bloc”, as recommended:  
Items 9.3, 9.4, 10.1, 11.1, 11.2, 11.3, 11.4, 11.5 and 13.1

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

**9.3 NO. 1/281 (LOT: 1; STR: 73298) AND NO. 2/281 (LOT: 2; STR: 73298) VINCENT STREET, LEEDERVILLE - PROPOSED CHANGE OF USE FROM HOME OFFICE TO OFFICE**







**TRIM Ref:** D19/57719

**Author:** Clair Morrison, Urban Planner

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

**Ward:** South

**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions and Administrations Response 
4. Attachment 4 - Parking Management Plan 
5. Attachment 5 - Minutes of the Ordinary Meeting of Council held on 18 December 2012 (Previous Council Decision) 
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 development approval for a Change of Use from Home Office to Office at No. 1 (Lot: 1; STR: 73298) and No. 2/281 (Lot: 2; STR: 73298) Vincent Street, Leederville in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

**1. Use of Premises**

- 1.1 This approval is for a change of use to ‘Office’ as shown on the plans dated 6 March 2019. It does not relate to any other development on the site;
- 1.2 The area shown as ‘Office’ on the approved plans shall be used in accordance with the definition of ‘Office’ as defined by the City’s Local Planning Scheme No. 2;
- 1.3 A maximum of four staff are permitted to be on-site at any given time; and
- 1.4 The Office shall not operate outside of the following times without further approval from the City of Vincent:
  - 8:00am – 6:00pm Monday – Friday;
  - 8:00am – 1:00pm Saturday;
  - CLOSED Sunday and Public Holidays;

**2. Interactive Frontage**

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

**3. Parking Management Plan**

The Parking Management Plan approved as part of this application shall be implemented to the satisfaction of the City prior to the use or occupation of the development;

**4. Bicycle Parking**

A minimum of one class 3 bicycle facility for the Office shall be provided on-site and be designed and installed in accordance with AS2890.3, to the satisfaction of the City, prior to the occupation or use of the development; and

**5. Signage**

Any new signage shall be in strict accordance with the requirements of the City's Policy No. 7.5.2 – Signs and Advertising, unless further planning approval is granted by the City.

**COUNCIL DECISION ITEM 9.3**








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

That the recommendation be adopted.

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

(Cr Harley was an apology.)

**9.4 NO. 377 (LOT: 162; D/P: 2630) WALCOTT STREET, COOLBINIA - FOUR MULTIPLE DWELLINGS****TRIM Ref:** D19/40444**Author:** Stephanie Norgaard, Urban Planner**Authoriser:** John Corbellini, Executive Director Development Services**Ward:** North

- Attachments:**
1. Attachment 1 - Location and Consultation Plan 
  2. Attachment 2 - Development Plans 5 March OCM 
  3. Attachment 3 - Revised Development Plans 
  4. Attachment 4 - Administration's Response to Summary of Submissions 
  5. Attachment 5 - Applicant's Response to Summary of Submissions 
  6. Attachment 6 - Applicant's Response to Design Review Minutes 
  7. Attachment 7 - Determination Advice Notes 

**RECOMMENDATION:**

That Council in accordance with Section 31 of the State Administrative Tribunal Act 2004, the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, SETS ASIDE its deemed refusal and APPROVES the application for development approval for four Multiple Dwellings at No. 377 (Lot: 162; D/P: 2630) Walcott Street, Coolbinia in accordance with the plans shown in Attachment 3, subject to the following conditions, with the associated determination advice notes in Attachment 7:

**1. Development Plans**

The screening provided to the balcony of Unit 1 and Unit 3 shall restrict views into the adjoining property within the 7.5 metre cone of vision in accordance with State Planning Policy 3.1: Residential Design Codes. Screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure;

**2. Landscaping**

**2.1** A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction 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;
- A total of 16 percent of the site area as deep soil zone; and
- The location of canopy cover at maturity equating to no less than 30 percent of the site and no less than two medium trees;

**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 occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**3. Boundary Walls**

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

**4. Schedule of External Finishes**

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

5. Stormwater

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

6. Clothes Drying Facility

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

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;

8. Waste Management Plan

8.1 A waste management plan to the satisfaction of the City shall be submitted to, and approved by the City prior to the commencement of development;

8.2 The bin storage area shall be provided as set out in the approved waste management plan; and

8.3 Waste Management for the development shall be undertaken in accordance with the approved waste management plan for the duration of the development;

9. Car Parking and Vehicle Access

The car parking and access areas (including ramp grading) shall comply with the requirements of AS2890.1;

10. Bicycle Parking

A minimum of two bicycle bays are to be provided and installed to the satisfaction of the City in accordance with AS2890.3;

11. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area, to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans and include traffic and parking management requirements during construction. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

12. Right of Way Widening

A 0.5 metre section of land shall be provided for right-of-way widening at the time of subdivision, in accordance with the approved development plan. The land required for right of way widening shall be transferred from the land owner to the Crown free of cost for the purpose of widening; and

**13. Road Widening (Walcott Street)**

**13.1 The landowner agrees to remove any landscaping, development or other works at the time when the reserved land is required for the upgrading of Walcott Street at their own expense, if required; and**

**13.2 The landowner agrees that any improvements made to or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the Western Australian Planning Commission at such time as the land is required.**

**COUNCIL DECISION ITEM 9.4**







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

**That the recommendation be adopted.**

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

**(Cr Harley was an apology.)**

**10.1 MINOR PARKING RESTRICTION IMPROVEMENTS/AMENDMENTS****TRIM Ref:** D19/52500**Author:** Craig Wilson, Manager Asset & Engineering**Authoriser:** Andrew Murphy, Executive Director Infrastructure and Engineering**Attachments:**

1. Plan No. 3510-PP-01 
2. Plan No. 3513-PP-01 
3. Plan No. 3512-PP-01 
4. Plan No. 3509-PP-01 
5. Plan No. 3490-PP-01 
6. Plan No. 3511-PP-01 

**RECOMMENDATION:****That Council:**

1. **APPROVES** the following minor parking restriction improvements and amendments:
  - 1.1 install an on-road Loading Zone in Carr Place, Leederville adjacent No. 228 Carr Place, as shown on Plan No. 3510-PP-01-PP-01 (Attachment 1);
  - 1.2 extend the paid period in two bays outside No. 742 Newcastle Street, Leederville to 1P ticket parking 8.00am to 7.00pm and ticket parking 7.00pm to Midnight, as shown on Plan No. 3513-PP-01 (Attachment 2);
  - 1.3 install a 1/4 P bay outside 454 William Street, Perth, as shown on Plan No. 3512-PP-01 (Attachment 3);
  - 1.4 install an on-road Loading Zone in Angove Street, North Perth, adjacent 122 Angove Street, and amend the time restrictions for the existing 1/4P to 1P 8.00am to 6.00pm Monday to Saturday, and the three adjacent 5P bays to 1P 8.00am to 6.00pm Monday to Saturday, as shown on Plan No. 3509-PP-01 (Attachment 4);
  - 1.5 install a 3P 8.00am to 6.00pm Monday to Friday, as shown on Plan 3490-PP-01 (Attachment 5) parking restrictions in Summers Street, East Perth, from Joel Terrace to the Swan River Foreshore, the Banks Reserve car park, and banning parking on the service road connecting the two; and
  - 1.6 introduce a 2P 8.00am to 5.30pm Monday to Friday parking restriction on the southern side of Bourke Street, Leederville, between Leicester Street and the cul-de-sac at the Mitchell Freeway Road Reserve, and a 2P 8.00am to 5.30pm Monday to Friday parking restriction the length of the verge abutting Britannia Reserve on the northern side of the street, as shown on Plan No. 3511-PP-01 (Attachment 6).

**COUNCIL DECISION ITEM 10.1****Moved: Cr Castle, Seconded: Cr Hallett****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Harley was an apology.)**

**11.1 INVESTMENT REPORT AS AT 31 MARCH 2019****TRIM Ref:** D19/51721**Author:** Nirav Shah, Coordinator Financial Services**Authoriser:** Kerryn Batten, Executive Director Corporate Services**Attachments:** 1. Investment Report March 2019 **RECOMMENDATION:**

That Council NOTES the Investment Report for the month ended 31 March 2019 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.1****Moved:** Cr Castle, **Seconded:** Cr Hallett

That the recommendation be adopted.

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

(Cr Harley was an apology.)

**11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MARCH 2019 TO 31 MARCH 2019**

TRIM Ref: D19/51212

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: Kerryn Batten, Executive Director Corporate Services

Attachments: 1. Payments by EFT, BPAY and Payroll March 19   
2. Payments by Cheque March 19   
3. Payments by Direct Debit March 19 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 March 2019 to 31 March 2019 as detailed in attachments 1, 2 and 3 as summarised below:

EFT and BPAY payments, including payroll	\$6,826,698.78
Cheques	\$124,356.36
Direct debits, including credit cards	\$184,296.43
<b>Total payments for February 2019</b>	<b>\$7,135,351.57</b>

**COUNCIL DECISION ITEM 11.2**

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

That the recommendation be adopted.

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

(Cr Harley was an apology.)



**11.3 FINANCIAL STATEMENTS AS AT 31 MARCH 2019****TRIM Ref: D19/60199****Author: Nirav Shah, Coordinator Financial Services****Authoriser: Kerryn Batten, Executive Director Corporate Services****Attachments: 1. Financial statements as at 31 March 2019 ****RECOMMENDATION:**

That Council RECEIVES the financial statements for the month ended 31 March 2019 as shown in Attachment 1.



**COUNCIL DECISION ITEM 11.3****Moved: Cr Castle, Seconded: Cr Hallett****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Harley was an apology.)**

**11.4 TRANSFER AND DEDICATION OF LOTS AS ROAD - CHARLES STREET, NORTH PERTH**

TRIM Ref: D19/2174

Authors: Caroline Ngunjiri, Property Officer  
Meluka Bancroft, Manager Governance, Property and Contracts

Authoriser: Kerryn Batten, Executive Director Corporate Services

Attachments: 1. Main Roads WA land dealings plan   
2. Main Roads WA - Lots 45 and 162 map   
3. Correspondence from Main Roads WA dated 18 and 19 October 2018 **RECOMMENDATION:**

That Council:

1. **NOTES** that Lot 50 on Diagram 25944, being the land comprised in Certificate of Title Volume 2738 Folio 413:
  - (a) was not transferred to the City of Vincent in accordance with section 28 of the *City of Perth Restructuring Act 1993* and remains in the ownership of the City of Perth; and
  - (b) that the Western Australian Land Information Authority (Landgate) is in the process of rectifying this error and issuing a new Certificate of Title for Lot 50 with the City of Vincent as the registered proprietor;
2. **APPROVES** the transfer of the following lots adjoining Charles Street, North Perth at Attachments 1 and 2, 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*:
  - Lot 50 on Diagram 25944, being the land comprised in Certificate of Title Volume 2738 Folio 413
  - Lot 51 on Plan 7624, being the land comprised in Certificate of Title Volume 1721 Folio 313;
  - Lot 54 on Plan 7634, being the land comprised in Certificate of Title Volume 1671 Folio 183;
  - Lot 55 on Plan 7634, being the land comprised in Certificate of Title Volume 1671 Folio 182;
  - Part of Lot 12 on Plan 1151, being the land comprised in Certificate of Title Volume 1176 Folio 497;
  - Lot 45 on Plan 7601, being the land comprised in Certificate of Title Volume 1334 Folio 960; and
  - Lot 162 on Plan 7489 being part of the land comprised in Certificate of Title Volume 1943 Folio 499;
3. **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the Transfer of Land for the lots described in 2 above;
4. **REQUESTS** the Minister for Lands (Minister) to acquire as Crown land the private right of way known as Lot 66 on Plan 1151(Lot 66), as shown in the plan at Attachment 1, pursuant to section 52(1)(b) of the *Land Administration Act 1997* (LAA), subject to the City:
  - 4.1 providing notice to the Lot 66 owner's estate of the proposed acquisition;
  - 4.2 advertising the proposed acquisition in the local paper;
  - 4.3 advising all suppliers of public utility services to Lot 66 of the proposed acquisition;
  - 4.4 stating in the notices sent out in 4.1-4.3 above that objections must be lodged within 31 days of the date of the notice;
  - 4.5 considering and responding to any objections received; and

- 4.6 referring the proposed acquisition to the Department of Planning, Lands and Heritage (Planning Division) for comment;
5. NOTES that any objections received in relation to 4. above will be considered by Administration and incorporated into the request to the Minister;
6. REQUESTS the Minister to dedicate the 4.2m x 3.5m portion of Lot 66 that lies within Planning Control Area No. 125 as road, pursuant to section 56(1)(a) of the LAA; and
7. REQUESTS the Minister to reserve the balance of Lot 66 as a reserve for the purpose of a public right of way and place the care, control and management of the reserve in the City pursuant to sections 41 and 46(1) of the LAA.

**COUNCIL DECISION ITEM 11.4**

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

That the recommendation be adopted.

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

(Cr Harley was an apology.)

**11.5 AMENDMENT TO POLICY NO. 1.2.8 - CORPORATE CREDIT CARDS****TRIM Ref:** D19/52963**Authors:** Meluka Bancroft, Manager Governance, Property and Contracts  
Vanisha Govender, Manager Financial Services**Authoriser:** Kerryn Batten, Executive Director Corporate Services**Attachments:** 1. Policy No. 1.2.8 - Corporate Credit Cards - proposed amendments **RECOMMENDATION:**

That Council **APPROVES** the administrative amendments to Policy No. 1.2.8 – Corporate Credit Cards, as at Attachment 1.


















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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

(Cr Harley was an apology.)

**13.1 INFORMATION BULLETIN****TRIM Ref:** D19/51484**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Kerryn Batten, Executive Director Corporate Services

- Attachments:**
1. Minutes of the Environmental Advisory Group Meeting held on 11 February 2019 
  2. Minutes of the Design Review Panel Meeting held on 6 March 2019 
  3. Minutes of the Design Review Panel Meeting held on 20 March 2019 
  4. Minutes of the Design Review Panel Meeting held on 3 April 2019 
  5. Minutes of the Arts Advisory Group Meeting held on 7 February 2019 
  6. Minutes of the Children and Young People Advisory Group held on 4 February 2019 
  7. Minutes of the Children and Young People held on 10 December 2019 
  8. Unconfirmed Minutes of the Reconciliation Action Plan Working Group Meeting held on 25 February 2019 
  9. Unconfirmed Minutes of the Safer Vincent Advisory Group Meeting held on 20 February 2019 
  10. Statistics for Development Applications as at end of March 2019 
  11. Street Tree Removal Information 
  12. Register of Legal Action and Prosecutions Register Monthly - Confidential
  13. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 11 April 2019 
  14. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  15. Register of Applications Referred to the Design Review Panel – Current 
  16. Register of Petitions - Progress Report - 30 April 2019 
  17. Register of Notices of Motion - Progress Report - 30 April 2019 
  18. Register of Reports to be Actioned - Progress Report - 30 April 2019 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated March 2019.

**COUNCIL DECISION ITEM 13.1**

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

That the recommendation be adopted.

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

(Cr Harley was an apology.)

## 9 DEVELOPMENT SERVICES

### 9.1 NO. 128A (LOT: 2; STR: 75653) GROSVENOR ROAD, MOUNT LAWLEY - PROPOSED SINGLE HOUSE






TRIM Ref: D19/39166

Author: Dan McCluggage, Urban Planner

Authoriser: John Corbellini, Executive Director Development Services

Ward: South

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions and Administration's Comments 
4. Attachment 4 - Summary of Submissions and Applicant's Response 
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 a Single House at No. 128A (Lot: 2; STR: 75653) Grosvenor Road, Mount Lawley, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

#### 1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary wall facing No. 128 Grosvenor Road and No. 126 Grosvenor Road in a good and clean condition prior to practical completion of the development to the satisfaction of the City. The finish of the boundary walls is to be fully rendered or face brickwork to the satisfaction of the City;

#### 2. Car Parking and Access

2.1 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 occupancy or use of the development;

2.2 Vehicle access points are required to match into existing right of way levels; and

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

#### 3. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, meter boxes and the like, shall not be visible from the street or are to be integrated with the design of the building, to the satisfaction of the City;

#### 4. Landscaping Plan

4.1 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;

- The proposed tree species in the south western corner of the site being changed from Honey Locust (*Gleditsia tricanthos*) to Crepe Myrtle (*Lagerstroemia indica*); and
- The provision of 24.8 per cent of the site area as deep soil zone and 31.1 percent canopy cover at maturity; and

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 occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

5. Stormwater

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

6. Visual Privacy

Prior to occupation or use of the development, all privacy screening shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 of the Residential Design Codes (Visual Privacy) deemed to comply standards, to the satisfaction of the City; and

7. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height shall be constructed within 1.5 metres of where:

- 7.1 walls, letterboxes or fences adjoin vehicular access points to the site; or
- 7.2 a driveway meets a public street; or
- 7.3 two streets intersect; unless otherwise approved by the City of Vincent.

**COUNCIL DECISION ITEM 9.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**








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

**Against:** Nil

(Cr Harley was an apology.)

**9.2 NO. 3 (LOT: 43; D/P: 1237) ALMA ROAD, MOUNT LAWLEY - GROUPED DWELLING****TRIM Ref:** D19/23504**Author:** Natasha Trefry, Urban Planning Advisor**Authoriser:** John Corbellini, Executive Director Development Services**Ward:** South

**Attachments:**

1. Attachment 1 - Consultation and Location Plan 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions and Administrations Comment 
4. Attachment 4 - Summary of Submissions and Applicant Comments 
5. Attachment 5 - Additional Justification from Applicant 
6. Attachment 6 - Determination Advice Notes 
7. Attachment 7 - Justification from Applicant Regarding Right of Way (ROW) Widening Areas 

**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 Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated advice notes in Attachment 6:

**1. External Fixtures**

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

**2. Stormwater**

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

**3. Schedule of External Finishes**

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

**4. Landscape Plan**

**4.1** 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 15 per cent of the site area as deep soil zone and 30 per cent canopy cover at maturity; and

**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 occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at



the expense of the owners/occupiers;

**5. Street Walls and Fences**

The infill panels of the front fencing shall be 'visually permeable', as defined by State Planning policy 3.1; Residential Design Codes, to the satisfaction of the City;

**6. Screening**

**6.1** The 'Black Powdercoated Aluminium Batten Sun Screen' shown for a portion of the eastern side of the 'Balcony' shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

**6.2** Screening shall be provided to the western side of the 'Balcony' and shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

**6.3** The major opening from the kitchen shall be permanently fixed to at least 1.6 metres in height measured from the finished floor level, or shall be modified to be a non-major opening, to comply with the deemed-to-comply Visual Privacy standards of Clause 5.4.1 of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City; and

**6.4** Fixed planter boxes no less than 500 millimetres wide and 800 millimetres deep shall be provided on the roof terrace along the whole extent of the western length to the satisfaction of the City. Plantings within the planter boxes are to be no less than 800 millimetres high at maturity and provide a continuous screen of foliage across the length of the terrace; and

**7. Right Of Way (ROW) Widening**

**7.1** Prior to the commencement of development, the applicant shall lodge a modified plan with the City providing a 0.5 metre setback to the southern ROW, a 1.0 metre setback to the eastern ROW and a 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas from any building or structure to enable future ROW widening, to the satisfaction of the City. The modified plan shall show the proposed Galvanised Steel and Rendered Masonry Boundary Fence relocated outside of the setback area, to the satisfaction of the City;

**7.2** The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above shall be sealed, drained and graded to match into the level of the existing ROW to the satisfaction of the City, prior to the occupation or use of the development; and

**7.3** The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision.

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

#### AMENDMENT 1

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be amended as follows:

#### **“7. Right Of Way (ROW) Widening**

~~7.1 Prior to the commencement of development, the applicant shall lodge a modified plan with the City providing a 0.5 metre setback to the southern ROW, a 1.0 metre setback to the eastern ROW and a 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas from any building or structure to enable future ROW widening, to the satisfaction of the City. The modified plan shall show the proposed Galvanised Steel and Rendered Masonry Boundary Fence relocated outside of the setback area, to the satisfaction of the City;~~

~~7.2 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above shall be sealed, drained and graded to match into the level of the existing ROW to the satisfaction of the City, prior to the occupation or use of the development; and~~

7.1 The landowner shall remove any landscaping, development or other works and shall seal, drain and grade to match the existing right of way the area within 0.5 metres of the southern boundary of the lot, within 1.0 metres of the eastern boundary of the lot and the 2.0 metre by 2.0 metre truncation area between the southern and eastern areas at the time these portions of land are ceded to the City. Any costs associated with the above are the responsibility of the owner/applicant; and

7.2 ~~3~~ The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision.”

AMENDMENT CARRIED (4-4)  
(Casting vote - Mayor Cole)

**For:** Mayor Cole, Cr Fotakis, Cr Gontaszewski and Cr Castle

**Against:** Cr Murphy, Cr Hallett, Cr Loden and Cr Topelberg

(Cr Harley was an apology.)

#### AMENDMENT 2

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the Condition 6.2 be DELETED as follows:

~~Screening shall be provided to the western side of the ‘Balcony’ and shall meet the definition of ‘screening’ as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;~~

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Harley was an apology.)

### COUNCIL DECISION 9.2

Moved: Cr Gontaszewski, Seconded: Cr Hallett

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 Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated advice notes in Attachment 6:

1. External Fixtures

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

2. Stormwater

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

3. Schedule of External Finishes

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

4. Landscape Plan

4.1 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 15 per cent of the site area as deep soil zone and 30 per cent canopy cover at maturity; and

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 occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

5. Street Walls and Fences

The infill panels of the front fencing shall be 'visually permeable', as defined by State Planning policy 3.1; Residential Design Codes, to the satisfaction of the City;

6. Screening

6.1 The 'Black Powdercoated Aluminium Batten Sun Screen' shown for a portion of the eastern side of the 'Balcony' shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level,

permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

- 6.2 The major opening from the kitchen shall be permanently fixed to at least 1.6 metres in height measured from the finished floor level, or shall be modified to be a non-major opening, to comply with the deemed-to-comply Visual Privacy standards of Clause 5.4.1 of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City; and
- 6.3 Fixed planter boxes no less than 500 millimetres wide and 800 millimetres deep shall be provided on the roof terrace along the whole extent of the western length to the satisfaction of the City. Plantings within the planter boxes are to be no less than 800 millimetres high at maturity and provide a continuous screen of foliage across the length of the terrace; and

**7. Right Of Way (ROW) Widening**

- 7.1 The landowner shall remove any landscaping, development or other works and shall seal, drain and grade to match the existing right of way the area within 0.5 metres of the southern boundary of the lot, within 1.0 metres of the eastern boundary of the lot and the 2.0 metre by 2.0 metre truncation area between the southern and eastern areas at the time these portions of land are ceded to the City. Any costs associated with the above are the responsibility of the owner/applicant; and
- 7.2 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision.”






**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Cr Harley was an apology.)**

**9.6 NO. 441 (LOT: 11; D/P: 1114) WILLIAM STREET AND NO. 6 (LOT: 10; D/P: 1114) BRISBANE PLACE, PERTH - HOTEL, RESTAURANT AND OFFICE DEVELOPMENT****TRIM Ref:** D19/54680**Author:** Darius Ardeshirian, Senior Urban Planner**Authoriser:** John Corbellini, Executive Director Development Services**Ward:** South

- Attachments:**
1. Attachment 1 - Consultation and Location Plan 
  2. Attachment 2 - Development Plans 
  3. Attachment 3 - Applicant's Report 
  4. Attachment 4 - Waste Management Plan 
  5. Attachment 5 - Traffic and Parking Demand Assessment 
  6. Attachment 6 - Acoustic Report 
  7. Attachment 7 - Environmentally Sustainable Design Report 
  8. Attachment 8 - Administration's Response to Summary of Submissions 
  9. Attachment 9 - Applicant's Response to Submissions 
  10. Attachment 10 - Design Review Panel Minutes 
  11. Attachment 11 - Loading Bay Plan 
  12. Attachment 12 - Parking Management Plan 
  13. Attachment 13 - 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 Hotel comprising 30 guest rooms, a Restaurant/Café and an Office at No. 441 William Street (Lot: 11; D/P: 1114) Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 13:

1. This approval is for the Hotel, Restaurant/Café and Office as shown on the approved plans dated 16 April 2019 only and no other development forms part of this approval;
2. Use of the premises:
  - 2.1 The tenancy shown as 'Coffee Shop' on the approved plans dated 16 April 2019 is approved for the use of Restaurant/Café as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
  - 2.2 The proposed restaurant/café is limited to a maximum number of 40 customers and 10 staff members at any one time; and
  - 2.3 The tenancy shown as 'Commercial unit 1' on the approved plans dated 16 April 2019 is approved for the use of Office as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
3. Cash-in-lieu of parking contributions
  - 3.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of car parking bays of \$51,300 prior to the commencement of development or by entering into a written agreement with the City to pay the cash-in-lieu over an agreed period up to five years; and
  - 3.2 Prior to the Occupation of the development the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

3.2.1 pay a cash-in-lieu contribution of \$51,300; OR

3.2.2 lodge an appropriate assurance bond/ bank guarantee of a value of \$51,300 to the satisfaction of the City. This assurance bond/bank guarantee would only be released in the following circumstances:

3.2.2.1. to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;

**4. Loading Bay**

4.1 The two existing on-street car bays adjacent to the subject site on William Street are to be used as the Loading Bay and Drop Off/Pick Up Bay for the proposed development;

4.2 Detailed drawings in compliance with the relevant Australian Standards, including swept path analysis of the largest vehicle expected to use the bay, is to be provided to and approved by the City prior to submission of a Building Permit; and

4.3 All costs associated with the establishment of the bay, including line marking and modifications to the public infrastructure, are the responsibility of the Applicant;

**5. Parking Management Plan**

5.1 Prior to the occupation of the development a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:

- Detailed management measures for the use and operation of the loading bay/drop off and pick up bay, to ensure access is readily available for service vehicles and guests of the hotel at all times; and
- Detailed management measures for Hotel staff and guests relating to availability of parking within the area;
- Details of a long term staff car parking permit arrangement within an existing car park within the vicinity of the site;

5.2 The Parking Management Plan as identified in Condition 5.1 above shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers;

**6. Service Management Plan**

6.1 A detailed loading bay management plan, to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of development; and

6.2 The approved loading bay management plan shall be implemented and maintained to the satisfaction of the City of Vincent;

**7. Boundary Walls**

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

**8. Schedule of External Finishes**

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

occupation of the development;

**9. Stormwater**

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

**10. Waste Management Plan**

**10.1 A Waste Management Plan must be submitted to and approved by the Local Government prior to lodging an application for a building permit. The plan must include the following details to the satisfaction and specification of the Local Government:**

**10.1.1 the location of bin storage areas and bin collection areas;**

**10.1.2 the number, volume and type of bins, and the type of waste to be placed in the bins;**

**10.1.3 details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and**

**10.1.4 frequency of bin collections; and**

**10.2 The approved Waste Management Plan must be implemented at all times to the satisfaction of the Local Government unless otherwise approved;**

**11. Bicycle Parking**

A minimum of 10 bicycle bays are to be provided and installed in accordance with AS2890.3 prior to the occupation or use of the development;

**12. Construction Management Plan**

A Construction Management Plan that details how the construction of the development would be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the development site;

**13. Environmentally Sustainable Design**

The building is to be constructed in accordance with the requirements of the ESD report prepared by Cundall dated 13 December 2018 to satisfy the design principles of Clause 1.8 Policy No. 7.1.1 – Built Form Policy;

**14. Public Art**

- 14.1 Percent for public art contribution of \$45,000 being one percent of the total \$4.5 million value of the development shall be allocated towards public art prior to the commencement of the development;
- 14.2 Confirmation in writing outlining how the proposed development would comply with the City of Vincent Policy No. 7.5.13 – Percent for Art shall be submitted prior to commencement of development; and
- 14.3 Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development; and

**15. Landscape and Reticulation Plan**

- 15.1 A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit.

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;
- The provision of a minimum of 9.5 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees contributing towards canopy coverage within deep soil areas provided and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list; and

- 15.2 All works shown in the plans as identified in the condition 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;

**16. Amalgamation**

Prior to the commencement of development, Lot 10 and Lot 11 ('The lots') shall be amalgamated into a single lot on a Certificate of Title or alternatively, the owner shall enter into a legal agreement with the City and secure by an absolute caveat lodged over the certificates of title to the Lots requiring the amalgamation to be completed within twelve months of development commencing. The owner shall be responsible to pay all costs associated with the City's solicitor's costs incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement of the absolute caveat; and

**17. External fixtures to be screened**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.

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

That the recommendation be adopted.

**AMENDMENT**

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

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, APPROVES the development application for a Hotel



comprising 30 guest rooms, a Restaurant/Café and an Office at No. 441 William Street (Lot: 11; D/P: 1114) Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 13, subject to an additional advice note 11 being inserted as follows “11. The City reserves the right to modify on-street parking in accordance with its local laws. If this occurs and impacts the loading bay, an amended Service Management Plan is to be submitted to and approved by the City.”: ”

That Condition 4.1 be amended as follows:

“4.1 The Applicant is to apply to the City to convert the two existing on-street public parking bays ~~car bays~~ adjacent to the subject site on William Street ~~are to be used as the a Loading Bay. and Drop Off/Pick Up Bay~~ This area will remain as public parking and may be used for Loading and Drop Off/Pick Up purposes associated with the proposed development;”

**AMENDMENT CARRIED (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

#### **COUNCIL DECISION ITEM 9.6**

**Moved:** Cr Gontaszewski, **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 development application for a Hotel comprising 30 guest rooms, a Restaurant/Café and an Office at No. 441 William Street (Lot: 11; D/P: 1114) Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 13, subject to an additional advice note 11 being inserted as follows “11. The City reserves the right to modify on-street parking in accordance with its local laws. If this occurs and impacts the loading bay, an amended Service Management Plan is to be submitted to and approved by the City.”:

1. This approval is for the Hotel, Restaurant/Café and Office as shown on the approved plans dated 16 April 2019 only and no other development forms part of this approval;
2. Use of the premises:
  - 2.1 The tenancy shown as ‘Coffee Shop’ on the approved plans dated 16 April 2019 is approved for the use of Restaurant/Café as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
  - 2.2 The proposed restaurant/café is limited to a maximum number of 40 customers and 10 staff members at any one time; and
  - 2.3 The tenancy shown as ‘Commercial unit 1’ on the approved plans dated 16 April 2019 is approved for the use of Office as defined in the City of Vincent Local Planning Scheme No.2 and the subject tenancy may not be used for any other use without the prior approval of the City;
3. Cash-in-lieu of parking contributions
  - 3.1 A cash-in-lieu contribution shall be paid to the City for the shortfall of car parking bays of \$51,300 prior to the commencement of development or by entering into a written agreement with the City to pay the cash-in-lieu over an agreed period up to five years; and
  - 3.2 Prior to the Occupation of the development the owner(s) or the applicant on behalf of the

owner(s) shall comply with the following requirements:

3.2.1 pay a cash-in-lieu contribution of \$51,300; OR

3.2.2 lodge an appropriate assurance bond/ bank guarantee of a value of \$51,300 to the satisfaction of the City. This assurance bond/bank guarantee would only be released in the following circumstances:

3.2.2.1. to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;

#### 4. Loading Bay

4.1 The Applicant is to apply to the City to convert the two existing on-street public parking bays adjacent to the subject site on William Street to a Loading Bay. This area will remain as public parking and may be used for Loading and Drop Off/Pick Up purposes associated with the proposed development;

4.2 Detailed drawings in compliance with the relevant Australian Standards, including swept path analysis of the largest vehicle expected to use the bay, is to be provided to and approved by the City prior to submission of a Building Permit; and

4.3 All costs associated with the establishment of the bay, including line marking and modifications to the public infrastructure, are the responsibility of the Applicant;

#### 5. Parking Management Plan

5.1 Prior to the occupation of the development a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:

- Detailed management measures for the use and operation of the loading bay/drop off and pick up bay, to ensure access is readily available for service vehicles and guests of the hotel at all times; and
- Detailed management measures for Hotel staff and guests relating to availability of parking within the area;
- Details of a long term staff car parking permit arrangement within an existing car park within the vicinity of the site;

5.2 The Parking Management Plan as identified in Condition 5.1 above shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers;

#### 6. Service Management Plan

6.1 A detailed loading bay management plan, to the satisfaction of the City, shall be lodged with and approved by the City prior to the commencement of development; and

6.2 The approved loading bay management plan shall be implemented and maintained to the satisfaction of the City of Vincent;

#### 7. Boundary Walls

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

#### 8. Schedule of External Finishes

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

**9. Stormwater**

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

**10. Waste Management Plan**

**10.1 A Waste Management Plan must be submitted to and approved by the Local Government prior to lodging an application for a building permit. The plan must include the following details to the satisfaction and specification of the Local Government:**

**10.1.1 the location of bin storage areas and bin collection areas;**

**10.1.2 the number, volume and type of bins, and the type of waste to be placed in the bins;**

**10.1.3 details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and**

**10.1.4 frequency of bin collections; and**

**10.2 The approved Waste Management Plan must be implemented at all times to the satisfaction of the Local Government unless otherwise approved;**

**11. Bicycle Parking**

A minimum of 10 bicycle bays are to be provided and installed in accordance with AS2890.3 prior to the occupation or use of the development;

**12. Construction Management Plan**

A Construction Management Plan that details how the construction of the development would be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the development site;

**13. Environmentally Sustainable Design**

The building is to be constructed in accordance with the requirements of the ESD report prepared by Cundall dated 13 December 2018 to satisfy the design principles of Clause 1.8

Policy No. 7.1.1 – Built Form Policy;

14. Public Art

- 14.1 Percent for public art contribution of \$45,000 being one percent of the total \$4.5 million value of the development shall be allocated towards public art prior to the commencement of the development;
- 14.2 Confirmation in writing outlining how the proposed development would comply with the City of Vincent Policy No. 7.5.13 – Percent for Art shall be submitted prior to commencement of development; and
- 14.3 Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development; and

15. Landscape and Reticulation Plan

- 15.1 A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit.

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;
- The provision of a minimum of 9.5 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees contributing towards canopy coverage within deep soil areas provided and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list; and

- 15.2 All works shown in the plans as identified in the condition 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;

16. Amalgamation

Prior to the commencement of development, Lot 10 and Lot 11 ('The lots') shall be amalgamated into a single lot on a Certificate of Title or alternatively, the owner shall enter into a legal agreement with the City and secure by an absolute caveat lodged over the certificates of title to the Lots requiring the amalgamation to be completed within twelve months of development commencing. The owner shall be responsible to pay all costs associated with the City's solicitor's costs incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement of the absolute caveat; and

17. External fixtures to be screened

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

At 6:59 pm, Cr Dan Loden left the meeting.

9.5 NOS. 12-16 (LOT: 26; D/P: 13767) CLEAVER STREET, WEST PERTH - PROPOSED AMENDMENT TO DEVELOPMENT APPROVAL: CHANGE OF USE FROM SHOWROOM/WAREHOUSE TO PLACE OF WORSHIP

TRIM Ref: D19/45558

Authors: Stephanie Norgaard, Urban Planner  
Mitchell Hoad, Senior Urban Planner

Authoriser: John Corbellini, Executive Director Development Services

Ward: South

Attachments: 1. Attachment 1 - Consultation and Location Map   
2. Attachment 2 - Minutes of 25 February 2014 Council Meeting   
3. Attachment 3 - Statement of Use   
4. Attachment 4 - Acoustic Report 

**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 planning approval for a Change of Use from Showroom/Office to Place of Worship at Nos. 12-16 Cleaver Street (Lot: 26; D/P: 13767) Cleaver Street, West Perth, granted on 25 February 2014, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2013.439.1 granted on 25 February 2014 continue to apply to this approval, with the exception of Condition 1.1 which is deleted.

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be adopted.

**AMENDMENT**

Moved: Cr Topelberg, 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, APPROVES the application to amend planning approval for a Change of Use from Showroom/Office to Place of Worship at Nos. 12-16 Cleaver Street (Lot: 26; D/P: 13767) Cleaver Street, West Perth, granted on 25 February 2014, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2013.439.1 granted on 25 February 2014 continue to apply to this approval, with the exception of Condition 1.1 which ~~deleted~~ is modified as follows:
  - 1.1 The approval for the Place of Worship is valid for a period of ten (10) years only, until 30 April 2029. After the period of ten (10) years the applicant is required to submit and have approved by the City an application for continuation of the Place of Worship.”

At 7:01 pm, Cr Dan Loden returned to the meeting.

**AMENDMENT CARRIED (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

**COUNCIL DECISION ITEM 9.5**

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

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 planning approval for a Change of Use from Showroom/Office to Place of Worship at Nos. 12-16 Cleaver Street (Lot: 26; D/P: 13767) Cleaver Street, West Perth, granted on 25 February 2014, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2013.439.1 granted on 25 February 2014 continue to apply to this approval, with the exception of Condition 1.1 which is modified as follows:
  - 1.1 The approval for the Place of Worship is valid for a period of ten (10) years only, until 30 April 2029. After the period of ten (10) years the applicant is required to submit and have approved by the City an application for continuation of the Place of Worship.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

**9.7 CHARACTER RETENTION AND AMENDMENT NO. 5 TO LOCAL PLANNING SCHEME NO. 2****TRIM Ref:** D19/40529**Authors:** Alice Harford, Senior Strategic Planner  
Jordan Korovesi, Coordinator Policy & Place**Authoriser:** John Corbellini, Executive Director Development Services**Attachments:**

1. Attachment 1 - Review of Vincent Streetscapes Map 
2. Attachment 2 - Mount Hawthorn Character Retention Area Demonstration Precinct 
3. Attachment 3 - Amendment No. 5 to Local Planning Scheme No. 2 
4. Attachment 4 - Draft Standard Character Provisions 

**RECOMMENDATION:****That Council:**

1. **ENDORSES** the use of the draft Standard Character Provisions, included as Attachment 4, to support progressing the Character Retention Area nominations received from the community for The Boulevard, Kalgoorlie Street and Buxton Street, Mount Hawthorn, and inviting the community of the remainder of these streets and the surrounding streets of Matlock Street, Coogee Street and Seabrook Street, south of Scarborough Beach Road to be involved;
2. **PREPARES** Amendment No. 5 to Local Planning Scheme No. 2 included as Attachment 3, pursuant to Section 75 of the *Planning and Development Act 2005*;
3. **CONSIDERS** Amendment No. 5 to Local Planning Scheme No. 2 as a standard amendment under Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as:
  - 3.1 The amendment is consistent with the City's Local Planning Strategy which recommends promoting the retention of the existing built character and social fabric, whilst allowing for innovative and contemporary development;
  - 3.2 The amendment will have minimal impact on the surrounding area as development within the precinct is still required to adhere to the residential density code of R40 and the relevant documents guiding development standards for residential development;
  - 3.3 The amendment does not alter the Urban zoning under the Metropolitan Region Scheme;
  - 3.4 The amendment would not result in any significant environmental, social, economic or governance impacts; and
  - 3.5 The amendment is not considered to be a basic or complex amendment, as defined within the Regulations;
4. **NOTES:**
  - 4.1 Administration will provide a report to Council on the outcome of the draft Standard Character Provisions, the Mount Hawthorn Character Retention Area nominations, and any recommended next steps;
  - 4.2 Administration will forward Amendment No. 5 to Local Planning Scheme No. 2 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005*;
  - 4.3 Subject to no objection being received from the Environmental Protection Authority, Administration will advertise Amendment No. 5 to Local Planning Scheme No. 2 for a period of 42 days, pursuant to section 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and



- 4.4 Administration will continue investigating a future amendment to Local Planning Scheme No. 2 to establish a consistent approach to character retention in the City of Vincent in consultation with the State Government, and the results of this investigation will be subject to a separate report to Council.

At 7:04 pm, Cr Joshua Topelberg left the meeting.

At 7:04 pm, Cr Alex Castle left the meeting.

#### **COUNCIL DECISION ITEM 9.7**

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

That the recommendation be adopted.

#### **AMENDMENT**

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

That the recommendation 2 be amended as follows:

- “2. PREPARES Amendment No. 5 to Local Planning Scheme No. 2 included as Attachment 3, pursuant to Section 75 of the Planning and Development Act 2005, subject to the following modification:

**2.1 Form 2A being amended as follows:**

- “1. Modify the wording of Clause 26(6) to be as follows:  
*“Within the areas coded R40 bounded by Vincent Street, Beaufort Street, Walcott Street and Fitzgerald Street, a maximum of two dwellings are permitted per lot except where:*
- *A lot has subdivision approval for more than two strata or survey-strata lots granted prior to the gazettal of the Local Planning Scheme No. 2; or*
  - *Development on a lot proposes the retention of an entire building, or a significant portion of a building, constructed prior to 1940 and maintains all character elements of that building as viewed from the public realm.”*

**AMENDMENT CARRIED (6-0)**

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

**Against:** Nil

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

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

(Cr Harley was an apology)

#### **COUNCIL DECISION ITEM 9.7**

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

That Council:

1. ENDORSES the use of the draft Standard Character Provisions, included as Attachment 4, to support progressing the Character Retention Area nominations received from the community for The Boulevard, Kalgoorlie Street and Buxton Street, Mount Hawthorn, and inviting the community of the remainder of these streets and the surrounding streets of Matlock Street, Coogee Street and Seabrook Street, south of Scarborough Beach Road to be involved;

2. PREPARES Amendment No. 5 to Local Planning Scheme No. 2 included as Attachment 3, pursuant to Section 75 of the Planning and Development Act 2005, subject to the following modification:
- 2.1 Form 2A being amended as follows:
- “1. Modify the wording of Clause 26(6) to be as follows:  
“*Within the areas coded R40 bounded by Vincent Street, Beaufort Street, Walcott Street and Fitzgerald Street, a maximum of two dwellings are permitted per lot except where:*
- *A lot has subdivision approval for more than two strata or survey-strata lots granted prior to the gazettal of the Local Planning Scheme No. 2; or*
  - *Development on a lot proposes the retention of an entire building, or a significant portion of a building, constructed prior to 1940 and maintains all character elements of that building as viewed from the public realm.”*

3. CONSIDERS Amendment No. 5 to Local Planning Scheme No. 2 as a standard amendment under Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as:

3.1 The amendment is consistent with the City’s Local Planning Strategy which recommends promoting the retention of the existing built character and social fabric, whilst allowing for innovative and contemporary development;

3.2 The amendment will have minimal impact on the surrounding area as development within the precinct is still required to adhere to the residential density code of R40 and the relevant documents guiding development standards for residential development;

3.3 The amendment does not alter the Urban zoning under the Metropolitan Region Scheme;

3.4 The amendment would not result in any significant environmental, social, economic or governance impacts; and

3.5 The amendment is not considered to be a basic or complex amendment, as defined within the Regulations;

4. NOTES:

4.1 Administration will provide a report to Council on the outcome of the draft Standard Character Provisions, the Mount Hawthorn Character Retention Area nominations, and any recommended next steps;

4.2 Administration will forward Amendment No. 5 to Local Planning Scheme No. 2 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005*;

4.3 Subject to no objection being received from the Environmental Protection Authority, Administration will advertise Amendment No. 5 to Local Planning Scheme No. 2 for a period of 42 days, pursuant to section 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and

4.4 Administration will continue investigating a future amendment to Local Planning Scheme No. 2 to establish a consistent approach to character retention in the City of Vincent in consultation with the State Government, and the results of this investigation will be subject to a separate report to Council.

**CARRIED UNANIMOUSLY (6-0)**

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

**Against:** Nil

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

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

**(Cr Harley was an apology)**

At 7:09 pm, Cr Alex Castle returned to the meeting.

At 7:09 pm, Cr Joshua Topelberg returned to the meeting.

## 10 INFRASTRUCTURE AND ENVIRONMENT

### 10.2 TENDER 565-19 SUPPLY AND DELIVERY OF TWO (2) WASTE COLLECTION VEHICLES - APPOINTMENT OF SUCCESSFUL TENDERER

TRIM Ref: D19/54173

Author: Yvette Plimbley, Manager Waste and Recycling

Authoriser: Andrew Murphy, Executive Director Infrastructure & Environment

Attachments: 1. Qualitative Evaluation Criteria - Confidential

#### RECOMMENDATION:

That Council ACCEPTS the tender submitted by Truck Centre WA Pty Ltd for Tender No. 565/19 for the Supply and Delivery of Two (2) Waste Collection Vehicles.

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be adopted.

#### AMENDMENT

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be amended as follows:

“That Council:

1. ACCEPTS the tender submitted by Truck Centre WA Pty Ltd for Tender No. 565/19 for the Supply and Delivery of Two (2) Waste Collection Vehicles; and
2. REQUESTS Administration to seek indicative costs from providers of Electric Powered Waste Trucks and compare these costs, including lifecycle costs, against current purchased vehicles to determine if an electric vehicle is viable for the City and provide this report back to Council prior to the next purchase in the waste fleet. This analysis should also consider the carbon emissions reduction and amenity (noise) benefits.”

#### AMENDMENT CARRIED (8-0)

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

**Against:** Nil

Cr Harley was absent.

#### COUNCIL DECISION ITEM 10.2

Moved: Cr Loden, Seconded: Cr Hallett

That Council:

1. ACCEPTS the tender submitted by Truck Centre WA Pty Ltd for Tender No. 565/19 for the Supply and Delivery of Two (2) Waste Collection Vehicles; and
2. REQUESTS Administration to seek indicative costs from providers of Electric Powered Waste Trucks and compare these costs, including lifecycle costs, against current purchased vehicles to determine if an electric vehicle is viable for the City and provide this report back to Council prior to the next purchase in the waste fleet. This analysis should also consider the carbon emissions reduction and amenity (noise) benefits.”

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Cr Harley was an apology.)**

**11 CORPORATE SERVICES**

Items adopted "En Bloc"

## 12 COMMUNITY ENGAGEMENT

### 12.1 DRAFT CITY OF VINCENT INNOVATE RECONCILIATION ACTION PLAN 2019 - 2021

TRIM Ref: D19/33924

Authors: Karen Balm, Senior Community Partner  
Gayatrii Surendorff, Community Partner

Authoriser: Michael Quirk, Executive Director Community Engagement

Attachments: 1. Draft 'Innovate' Reconciliation Action Plan 2019-2021 

#### RECOMMENDATION:

That Council;

1. NOTES the responses received during the draft Innovate Reconciliation Action Plan public comment period;
2. ADOPTS the City of Vincent Innovate Reconciliation Action Plan 2019 – 2021 (Attachment 1) and NOTES that the Plan will be subject to further formatting and styling as determined by the Chief Executive Officer, prior to publication; and
3. AUTHORISES the Chief Executive Officer to forward the City of Vincent 'Innovate' Reconciliation Action Plan 2019 – 2021 to Reconciliation Australia for final endorsement.

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Loden, Seconded: Cr Fotakis

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

(Cr Harley was an apology.)

**13 CHIEF EXECUTIVE OFFICER**

Items adopted "En Bloc"

**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 Castle****PROCEDURAL MOTION**

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 Meeting Procedures, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Cr Harley was an apology.)**

At 7.27pm the meeting went behind closed doors and live streaming was stopped.

<b>PRESENT:</b>	<b>Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</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>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>Kerryn Batten</b>	<b>Executive Director Corporate Services</b> (for Item 18.1 and 18.2)
	<b>Andrew Murphy</b>	<b>Executive Director Infrastructure and Environment</b> (for Item 18.1 and 18.2)
	<b>Michael Quirk</b>	<b>Executive Director Community Engagement</b> (for Item 18.1 and 18.2)
	<b>John Corbellini</b>	<b>Executive Director Development Services</b> (for Item 18.1 and 18.2)
	<b>Meluka Bancroft</b>	<b>Manager Governance, Property and Contracts</b> (for Item 18.1 and 18.2)
	<b>Natasha Brooks</b>	<b>Governance and Council Support Officer</b>
	<b>Nathan Stokes</b>	<b>Executive Manager Human Resources</b> (for Items 18.3 and 18.4)

**18.1 WRITE-OFF OF DEBTS OVER THE LIMITATION PERIOD**

**Attachments: 1. Details of write-off Confidential**

**COUNCIL DECISION ITEM 18.1**

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

**That Council APPROVES the write-off of \$49,881, as detailed at Attachment 1, on the basis that the limitation period for the recovery of these debts has expired.**

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Cr Harley was an apology.)**

**18.2 DECLARATION OF CHIEF EXECUTIVE OFFICER'S APPOINTMENT TO THE OPEN HOUSE PERTH BOARD****COUNCIL DECISION ITEM 18.2****Moved: Cr Topelberg, Seconded: Cr Fotakis****That Council:**

- 1. APPROVES Mr David MacLennan's request to sit on the Open House Perth Board, subject to:**
  - (a) Mr David MacLennan completing a conflict of interest disclosure for review by Mayor Cole;**
  - (b) the appointment being recorded on the City's conflict of interest register; and**
- 2. ADVISES Mr MacLennan of Council's decision.**

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

**18.3 CONFIDENTIAL ITEM****TRIM Ref:** D19/65241**Author:** Nathan Stokes, Executive Manager Human Resources**Authoriser:** David MacLennan, Chief Executive Officer**Attachments:** 1. New Interim Structure for Staff Consultation**COUNCIL DECISION ITEM 18.3****Moved:** Cr Castle, **Seconded:** Cr Gontaszewski**That Council:**

1. **ENDORSES** the adoption of a three directorate organisational structure;
2. **ENDORSES** the interim high level structure (attached) which will form the basis of staff consultation on a final organisational structure;
3. **NOTES** that the Chief Executive Officer will seek Council approval for the final organisational structure following the staff consultation process no later than August 2019; and
4. **AUTHORISE** the Mayor to release this decision publicly once staff have been notified of the interim organisational structure.

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

**18.4 CONFIDENTIAL ITEM****COUNCIL DECISION ITEM 18.4****Moved: Cr Castle, Seconded: Cr Gontaszewski**

To adopt the recommendation in the confidential schedule for Item 18.4.

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

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

**Local Government Act 1995 - Section 5.23(2):**

(b) the personal affairs of any person

**LEGAL:**

2.14 Confidential business

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

Confidential Minutes are provided separately to Council Members and the Chief Executive Officer.

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

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

**COUNCIL DECISION****Moved: Cr Castle, Seconded: Cr Fotakis****PROCEDURAL MOTION****That the Council resume an “open meeting”.****CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg**Against:** Nil**(Cr Harley was an apology.)**

**19 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.42pm with the following persons present:

- |                       |  |  |
|-----------------------|--|--|
| <b>PRESENT:</b>       | Mayor Emma Cole<br>Cr Susan Gontaszewski<br>Cr Alex Castle<br>Cr Joanne Fotakis<br>Cr Jonathan Hallett<br>Cr Dan Loden<br>Cr Jimmy Murphy<br>Cr Joshua Topelberg | Presiding Member<br>South Ward<br>North Ward<br>North Ward<br>South Ward<br>North Ward<br>South Ward<br>South Ward |
| <b>IN ATTENDANCE:</b> | David MacLennan<br>Natasha Brooks  | Chief Executive Officer<br>Governance and Council Support Officer  |
| <b>Media:</b>         | Nil.   |  |
| <b>Public:</b>        | Nil.   |  |

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 30 April 2019.

Signed: ..... Mayor Emma Cole

Dated this ..... day of .....2019