



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**23 July 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, 23 JULY 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 (from 6.05pm)</b>  <b>South Ward</b>  <b>South Ward</b></p>
<b>IN ATTENDANCE:</b>	<p><b>David MacLennan</b>  <b>Andrew Murphy</b></p> <p><b>John Corbellini</b></p> <p><b>Stephanie Smith</b>  <b>Jordan Koroveshi</b></p> <p><b>Natasha Brooks</b></p>	<p><b>Chief Executive Officer</b>  <b>Executive Director Infrastructure and Environment</b>  <b>A/Executive Director Community and Business Services</b>  <b>A/Executive Director Planning and Manager Governance, Property and Contracts</b>  <b>Governance and Council Support Officer</b></p>
<b>Media:</b>	Nil.	
<b>Public:</b>	Approximately 10 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.

### **3.1 Rodney Zurich of Mount Hawthorn - Item 9.5**

- Spoke in support of the application.
- Requested that the condition to provide an acoustic report be removed.

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

### **3.2 Alan Stuart, Planning Consultant of - Items 9.7**

- Spoke in support of the application.

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

### 3.3 Dudley Maier of Highgate – Item 9.8

- Concerns with the report and concept.
- Typo in first clause.

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

There being no further speakers, Public Question Time closed at approximately 6.13pm.

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

Nil

## **4 APPLICATIONS FOR LEAVE OF ABSENCE**

### **COUNCIL DECISION**

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

**That Cr Jimmy Murphy's request for leave of absence on 13 August 2019 to attend the Mainstreet Australia Conference on behalf of the Town Team Movement be approved.**

**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 for the Meeting.)**

## **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 25 June 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 for the Meeting.)**

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

The Presiding Member Emma Cole made the following announcements:

### **7.1 FUNDING HOMELESSNESS OUTREACH AT WELD SQUARE**

*The City has recently announced support for homelessness at Weld Square. We have joined together with UnitingCare West to fund an outreach worker to work at Weld Square five days a week. Hush, the new outreach worker, has been working with UnitingCare West for some time and is very familiar with local faces who attend and use services. Hush will be specifically targeting and helping people who have not been engaging with the services.*

*This is part of our approach under the banner of the City Homelessness Framework Committee which aims to work with our existing, highly skilled and not for profit services and the City of Perth to try to find ways to deal with the causes of homelessness and to deal with that in a way that is meaningful and long term.*

*We are really happy to welcome our new outreach worker to Weld Square.*

### **7.2 NATIONAL TREE DAY**

*National Tree day is happening at Banks Reserve this Sunday at 8am. We are asking our local community to come down and join us to plan 5000 native plants which sounds like an almighty task but it is incredible to see. Last year we achieved this at Les Lilleyman Reserve and this year we are doing more planting at Banks Reserve.*

### **7.3 NATASHA BROOKS LEAVING THE CITY OF VINCENT**

*Also just to note that Natasha Brooks, our wonderful governance officer, is attending her last Council Meeting this evening. Natasha is going on to a great opportunity in State Government so I just wanted to say a very big thank you to Tash and wish her all the best from Council.*

## **8 DECLARATIONS OF INTEREST**

Nil.

## 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 9.5, 9.7 and 9.8.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 13.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Nil.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Hallett	9.1
Cr Loden	12.2
Cr Topelberg	9.6, 9.9

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 9.2, 9.3, 9.4, 9.10, 11.1, 11.2, 11.3 and 12.1
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Nil



**ITEMS APPROVED "EN BLOC":**

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

**RECOMMENDATION**

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

Items 9.2, 9.3, 9.4, 9.10, 11.1, 11.2, 11.3 and 12.1

**9.2 NO. 43 (LOT: 65 D/P: 1106) CHATSWORTH ROAD, HIGHGATE - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (AMENDMENT TO APPROVAL) AND EXTENSION TO THE PERIOD OF APPROVAL**




TRIM Ref: D19/80302

Author: Dan McCluggage, Urban Planner

Authoriser: Jay Naidoo, Manager Development & Design

Ward: South

Attachments:

1. Consultation and Location Map 
2. Previous Approval and Plans 
3. Development Plans 
4. 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 to amend a development approval for Alterations and Additions to Single House at No. 43 (Lot: 65; D/P: 1106) Chatsworth Road, Highgate, in accordance with the plans shown in Attachment 3 dated 11 March 2019, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. All conditions and advice notes detailed on the development approval 5.2016.299.1 granted on 4 April 2017 and included in Attachment 2 continue to apply to this approval, except as follows:

1.1 Condition 4 is amended to be Condition 4.1 and to read as follows:

Adequate screening, in accordance with State Planning Policy 7.3: Residential Design Codes Volume 1, shall be provided to prevent overlooking from the deck area into the active habitable spaces and outdoor living areas of the property to the north west prior to the issue of a Building Permit and to the satisfaction of the City;

1.2 A new Condition 4.2 is imposed to read as follows:

Adequate screening, in accordance with State Planning Policy 7.3: Residential Design Codes Volume 1, shall be provided to prevent direct overlooking from the deck area into the property to the south east prior to the issue of a Building Permit and to the satisfaction of the City; and

1.3 A new Condition 7 is imposed to read as follows:

The extension of time to substantially commence the development is granted for a period of two years, being to 4 April 2021.

**COUNCIL DECISION ITEM 9.2**








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

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)

**9.3 NO. 110 (LOTS: 228 AND 229; D/P: 2503) COOGEE STREET, MOUNT HAWTHORN - PROPOSED THREE GROUPED DWELLINGS****TRIM Ref:** D19/17321**Author:** Dan McCluggage, Urban Planner**Authoriser:** Jay Naidoo, Manager Development & Design**Ward:** North**Attachments:**

1. Consultation and Location Map 
2. Original Plans dated 6 December 2018 (Superseded) 
3. Plans Referred to DRP Chairperson dated 10 April 2019 and 24 April 2019 (Superseded) 
4. Development Plans 
5. Summary of Submissions - Administration's Response 
6. Summary of Submissions - Applicant's Response 
7. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for three Grouped Dwellings at No. 110 (Lots: 228 and 229; D/P: 2503) Coogee Street, Mount Hawthorn, in accordance with the plans shown in Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 7:

**1. Extent of Approval**

This approval is for three grouped dwellings as shown on the approved plans dated 17 June 2019, 18 June 2019 and 26 June 2019. No other development forms part of this approval;

**2. Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary wall facing No. 112 Coogee Street 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 face brickwork to the satisfaction of the City;

**3. Car Parking and Access**

**3.1** 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;

**3.2** Vehicle access points are required to match into existing footpath levels; and

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

**4. Clothes Drying Facility**

All external clothes drying areas shall be adequately screened in accordance with State Planning Policy 7.3: Residential Design Codes Volume 1 prior to the use or occupation of the development and shall be completed to the satisfaction of the City;

**5. 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, 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;

## 6. Landscape and Reticulation Plan

6.1 An updated 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 lodgement of a Building Permit. The plan shall be drawn to a maximum scale of 1:200 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 19 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form;
- The provision of a minimum of 31.4 percent canopy coverage at maturity, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of three additional street trees, with a planting size of at least 200 litres, within the verge of Woodstock Street adjoining the development shall be provided at the full expense of the landowner. The tree species is to be approved by the City;

6.2 All works shown in the plans as identified in Condition 6.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

## 7. Stormwater

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

## 8. Street Walls and Fences

The fencing infill panels above the approved solid portions of wall shall be visually permeable in accordance with State Planning Policy 7.3: Residential Design Codes Volume 1, to the satisfaction of the City;

## 9. Verge Tree

With the exception of the verge tree that is in conflict with the Unit 1 crossover to Coogee Street, no other verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

## 10. Amalgamation of Lots

Prior to the lodgement of a Building Permit application for the proposed development, Lot 228 and Lot 229 ('the Lots') are to be amalgamated into a single lot on a Certificate of Title; or alternatively, the owner entering into a legal agreement with the City and secured by an absolute caveat lodged over the certificates of title to the Lots requiring the amalgamation to be completed within twelve months of the issue of a Building Permit for the proposed works.

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;

## 11. Visual Privacy

Prior to occupancy 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 provisions, to the satisfaction of the City;

**12. Sight Lines**

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

- walls, letterboxes or fences adjoin vehicular access points to the site; or
- a driveway meets a public street; or
- two streets intersect;

unless otherwise approved by the City of Vincent;

**13. Truncations**

No development (including building, wall, fence or other form of visual obstruction) greater than 750mm in height measured from the natural ground level at the boundary, is to be placed on the lot within a 3 metre x 3 metre visual truncation at the intersection of Coogee Street and Woodstock Street, or within a 2 metre x 2 metre visual truncation at the intersection of Woodstock Street and the right of way;

**14. 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

**15. Detailed 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.

**COUNCIL DECISION ITEM 9.3**







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

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)

**9.4 NO. 381 (LOTS: 50 AND 51; D/P: 28690, LOTS: 4 AND 5; D/P: 230, LOT: 1; D/P: 1430) BEAUFORT STREET, PERTH - CAR PARK ADDITION TO LODGING HOUSE****TRIM Ref:** D19/91770**Author:** Karsen Reynolds, Urban Planner**Authoriser:** Joslin Colli, Coordinator Planning Services**Ward:** South

- Attachments:**
1. Consultation and Location Map 
  2. Development Plans 
  3. Supporting Information 
  4. Minutes of 9 October 2001 Council Meeting and Approved Development Plans 
  5. Summary of Submissions - Administration's Response 
  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 Car Park Addition to Lodging House at No. 381 (Lots: 50 and 51; D/P: 28690, Lots: 4 and 5; D/P: 230, and Lot: 1; D/P: 1430) Beaufort Street, Perth, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. This approval relates to the car parking and landscaping shown on the approved plans dated 14 May 2019. No other development forms part of this approval;

2. Amalgamation

Within 90 days of this development approval Lots: 50 and 51; D/P: 28690 and Lots: 4 and 5; D/P: 230, ('The lots') are to be amalgamated into a single lot on a Certificate of Title; or alternatively, the owner entering into a legal agreement with the City and secured by an absolute caveat lodged over the certificates of title to the Lots requiring the amalgamation to be completed within twelve months of the completion of the proposed works;

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;

3. Parking and Access

- 3.1 A minimum of 43 onsite parking bays shall be provided in accordance with the approved plans within 60 days of development approval, to the satisfaction of the City. The parking bays are not to be used for storage purposes or the like;

- 3.2 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1, within 60 days of development approval, to the satisfaction of the City; and

- 3.3 A minimum of 10 bicycle facilities shall be provided and designed in accordance with AS2890.3, within 60 days of development approval, to the satisfaction of the City;

4. Landscaping Plan

All landscape works shall be undertaken in accordance with the approved plans to the City's satisfaction, within 60 days of development approval, and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

5. All other aspects of the approved plans and all conditions and advice notes included in planning approval 00.33.0610, granted on 9 October 2001, continue to apply to this approval.

**COUNCIL DECISION ITEM 9.4**

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

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)

**9.10 ENDORSEMENT OF NOMINEES FOR THE WESTERN AUSTRALIAN PLANNING COMMISSION****TRIM Ref:** D19/103655**Author:** Jordan Koroveshi, Coordinator Policy & Place**Authoriser:** David MacLennan, Chief Executive Officer**Attachments:** 1. Planning and Development Act 2005 - Schedule 1 **RECOMMENDATION:**

That Council:

1. ENDORSE Cr Topelberg's nomination for the vacant metropolitan member position on the Western Australian Planning Commission.

**COUNCIL DECISION ITEM 9.10****Moved: Cr Loden, Seconded: Cr Fotakis**

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)



**11.1 INVESTMENT REPORT AS AT 30 JUNE 2019****TRIM Ref: D19/95894****Author: Nirav Shah, Coordinator Financial Services****Authoriser: John Corbellini, A/Executive Director Community and Business Services****Attachments: 1. Investment Report 30 June 2019 ****RECOMMENDATION:**

That Council NOTES the Investment Report for the month ended 30 June 2019 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.1****Moved: Cr Loden, Seconded: Cr Fotakis**

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)

**11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JUNE 2019 TO 30 JUNE 2019**

TRIM Ref: D19/99603

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: John Corbellini, A/Executive Director Community and Business Services

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

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 June 2019 to 30 June 2019 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT and BPAY payments, including payroll	\$6,260,258.34
Cheques	\$7,527.58
Direct debits, including credit cards	\$246,743.42
<b>Total payments for June 2019</b>	<b>\$6,514,529.34</b>

**COUNCIL DECISION ITEM 11.2**

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

That the recommendation be adopted.

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












(Cr Harley was an apology for the Meeting.)

**11.3 PROVISIONAL FINANCIAL STATEMENTS AS AT 30 JUNE 2019****TRIM Ref: D19/99703****Author: Nirav Shah, Coordinator Financial Services****Authoriser: John Corbellini, A/Executive Director Community and Business Services****Attachments: 1. Financial statements as at 30 June 2019 ****RECOMMENDATION:**

That Council RECEIVES the financial statements for the month ended 30 June 2019 as shown in Attachment 1.

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

**12.1 INFORMATION BULLETIN****TRIM Ref:** D19/77503**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** David MacLennan, Chief Executive Officer

- Attachments:**
1. Minutes Safer Vincent Advisory Group Meeting held on 15 May 2019 
  2. Minutes Arts Advisory Group Meeting held on 6 June 2019 
  3. Tamala Park Regional Council Minutes of Meeting held on 20 June 2019 
  4. Street Tree Removal Information 
  5. Statistics for Development Applications as at June 2019 
  6. Register of Legal Action and Prosecutions Monthly - Confidential
  7. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 4 July 2019 
  8. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  9. Register of Applications Referred to the Design Review Panel – Current 
  10. Register of Petitions - Progress Report - July 2019 
  11. Register of Notices of Motion - Progress Report - July 2019 
  12. Register of Reports to be Actioned - Progress Report - July 2019 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated June 2019.

**COUNCIL DECISION ITEM 12.1**

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

That the recommendation be adopted.

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

(Cr Harley was an apology for the Meeting.)

## 9 PLANNING AND PLACE

### 9.5 NO. 274 (LOT: 3; D/P: 2841) BULWER STREET, PERTH - PROPOSED CHANGE OF USE FROM SHOP HOUSE TO RESTAURANT/CAFÉ (UNAUTHORISED EXISTING DEVELOPMENT)







TRIM Ref: D19/88179

Author: Karsen Reynolds, Urban Planner

Authoriser: Joslin Colli, Coordinator Planning Services

Ward: South

Attachments:

1. Consultation and Location Map 
2. Development Plans 
3. Supporting Information 
4. Summary of Submissions - Administration's Response 
5. Department of Planning, Lands and Heritage Comments 
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 the Change of Use from Shop House to Restaurant/Café (Unauthorised Existing Development) at No. 274 (Lot: 3; D/P: 2841) Bulwer Street, Perth, in accordance with plans provided 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 relates to a Change of Use from Shop House to Restaurant/Cafe (unauthorised existing development) as shown on the plans dated 10 May 2019 and 11 June 2019. It does not relate to any other development on the site;
- 1.2 The development shall be used in accordance with the definition of 'Restaurant/Cafe' as set out in the City's Local Planning Scheme No. 2;
- 1.3 The total number of persons attending the Restaurant/Cafe at any one time, including staff and customers, shall be limited to 40 persons; and
- 1.4 The operating hours of the Restaurant/Cafe shall be limited to 7:00am to 9:00pm Monday to Sunday, including public holidays;

#### 2. Acoustic Report

- 2.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City within 30 days of the development approval. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development; and
- 2.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been undertaken to the City's satisfaction, within 60 days of the development approval;

#### 3. Building Design

- 3.1 All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, within 30 days of the development approval, to the satisfaction of the City; and
- 3.2 Windows and doors of the ground floor tenancies fronting Bulwer Street shall provide an active and interactive relationship to the street and shall be maintained thereafter to the

satisfaction of the City. Blinds, roller shutters and other screening and shielding device shall remain open during the operating hours;

#### 4. Parking and Access

- 4.1 A minimum of 4 off-street parking bays shall be provided for staff use. The parking bays are not to be used for storage purposes or the like;
- 4.2 The car parking and access areas shall be sealed, drained, paved and marked as 'staff only' in accordance with the approved plans and are to comply with the requirements of AS2890.1, within 30 days of the development approval, to the satisfaction of the City; and
- 4.3 A minimum of 4 bicycle facilities shall be provided and designed in accordance with AS2890.3, within 30 days of the development approval, to the satisfaction of the City;

#### 5. Signage

The signage shown on the approved plans dated 10 May 2019 shall be kept in a good state or repair, safe, non-climbable and free from graffiti for the duration of its display onsite.

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

That the recommendation be adopted.

#### AMENDMENT 1

**Moved:** Cr Topelberg, **Seconded:** Cr Fotakis

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 for the Change of Use from Shop House to Restaurant/Café (Unauthorised Existing Development) at No. 274 (Lot: 3; D/P: 2841) Bulwer Street, Perth, in accordance with plans provided 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 relates to a Change of Use from Shop House to Restaurant/Cafe (unauthorised existing development) as shown on the plans dated 10 May 2019 and 11 June 2019. It does not relate to any other development on the site;
- 1.2 The development shall be used in accordance with the definition of 'Restaurant/Cafe' as set out in the City's Local Planning Scheme No. 2;
- 1.3 The total number of persons attending the Restaurant/Cafe at any one time, including staff and customers, shall be limited to 40 persons; and
- 1.4 The operating hours of the Restaurant/Cafe shall be limited to 7:00am to ~~9:00pm~~ 10.00pm Monday to Sunday, including public holidays;

#### 2. Acoustic Report

- 2.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City in accordance with Advice Note 4 ~~within 30 days of the development approval~~. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development; and
- 2.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been

undertaken to the City's satisfaction, within 60 days of the development approval;

**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 for the Meeting.)

### **AMENDMENT 2**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Castle

That the recommendation be amended as follows:

#### **Acoustic Report**

- 2.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City if the applicant intends to have live music at night or if the City receives any substantiated noise complaints in regards to the approved use in accordance with Advice Note 4. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development; and

**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 for the Meeting.)

### **COUNCIL DECISION ITEM 9.5**

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

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for the Change of Use from Shop House to Restaurant/Café (Unauthorised Existing Development) at No. 274 (Lot: 3; D/P: 2841) Bulwer Street, Perth, in accordance with plans provided 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 relates to a Change of Use from Shop House to Restaurant/Cafe (unauthorised existing development) as shown on the plans dated 10 May 2019 and 11 June 2019. It does not relate to any other development on the site;
- 1.2 The development shall be used in accordance with the definition of 'Restaurant/Cafe' as set out in the City's Local Planning Scheme No. 2;
- 1.3 The total number of persons attending the Restaurant/Cafe at any one time, including staff and customers, shall be limited to 40 persons; and
- 1.4 The operating hours of the Restaurant/Cafe shall be limited to 7:00am to 10.00pm Monday to Sunday, including public holidays;

#### **2. Acoustic Report**

- 2.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City if the applicant intends to have live music at night or if the City receives any substantiated noise complaints in regards to the approved use. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development; and
- 2.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been undertaken to the City's satisfaction, within 60 days of the development approval;

### 3. Building Design

- 3.1 All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, within 30 days of the development approval, to the satisfaction of the City; and
- 3.2 Windows and doors of the ground floor tenancies fronting Bulwer Street shall provide an active and interactive relationship to the street and shall be maintained thereafter to the satisfaction of the City. Blinds, roller shutters and other screening and shielding device shall remain open during the operating hours;

### 4. Parking and Access

- 4.1 A minimum of 4 off-street parking bays shall be provided for staff use. The parking bays are not to be used for storage purposes or the like;
- 4.2 The car parking and access areas shall be sealed, drained, paved and marked as 'staff only' in accordance with the approved plans and are to comply with the requirements of AS2890.1, within 30 days of the development approval, to the satisfaction of the City; and
- 4.3 A minimum of 4 bicycle facilities shall be provided and designed in accordance with AS2890.3, within 30 days of the development approval, to the satisfaction of the City;

### 5. Signage

The signage shown on the approved plans dated 10 May 2019 shall be kept in a good state or repair, safe, non-climbable and free from graffiti for the duration of its display onsite.

**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 for the Meeting.)**



**9.7 NO. 123 (LOT: 14; D/P: 269) CLAISEBROOK ROAD, PERTH - PROPOSED DEMOLITION OF ENTIRE BUILDING AND LIKE-FOR-LIKE RECONSTRUCTION OF EXISTING FAÇADE AND GROUND FLOOR TENANCY (AMENDMENT TO APPROVAL)**

**TRIM Ref:** D19/85444

**Authors:** Clair Morrison, Urban Planner  
Mitchell Hoad, Senior Urban Planner

**Authoriser:** Jay Naidoo, Manager Development & Design

**Ward:** South

**Attachments:**

1. Consultation and Location Map 
2. Original Determination Minutes and Approved Plans 
3. Development Plans 
4. Written Justification and Structural Engineering 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 for Demolition of Entire Building and Like-for-Like Reconstruction of Existing Façade and Ground Floor Tenancy (Amendment to Approval) at No. 123 (Lot: 14; D/P: 269) Claisebrook Road, Perth, in accordance with the plans shown in Attachment 3, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2017.31.1 granted on 20 December 2017 continue to apply to this approval, except as follows:

1.1 Condition 13.1 is amended to read as follows:

13.1 Prior to commencement of development a detailed schedule of external finishes (including elevations demonstrating materials and colour schemes and details) shall be submitted to and approved by the City. The schedule is to demonstrate:

13.1.1 How the materials found within the local area have been re-interpreted into the development; and

13.1.2 Details of the building materials preserved and re-used from the existing façade, and building materials that cannot be salvaged;

1.2 Condition 18 is renumbered to Condition 19; and

1.3 A new Condition 18 is imposed to read as follows:

18. Prior to the lodgement of a demolition permit, a detailed demolition plan and construction drawings and specifications for the reconstruction of the building façade shall be submitted and approved by the City to demonstrate the following:

18.1 Methodology and process of demolition including the preservation and storage of building materials to be re-used in the reconstruction of the building facade;

18.2 Rebuilding process using re-used building materials and like-for-like materials that cannot be salvaged from the existing façade in producing a finished product that would duplicate the restored original façade as previously approved; and

18.3 Scheduling of onsite works to ensure that the reconstruction of the building façade is undertaken and completed in conjunction with the remainder of the approved development.

**COUNCIL DECISION ITEM 9.7**

**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 for the Meeting.)**

**9.8 BEAUFORT STREET CHANGE OF USE EXEMPTION AND AMENDMENT TO POLICY NO. 7.5.1 - MINOR NATURE DEVELOPMENT****TRIM Ref:** D19/96473**Author:** Rana Murad, A/Manager Policy and Place**Authoriser:** Stephanie Smith, A/Executive Director Planning and Place**Attachments:**

1. Map of Mount Lawley Highgate Town Centre 
2. City of Vincent Local Planning Scheme No. 2 Zoning Table 
3. Amendment to Local Planning Policy No. 7.5.1 - Minor Nature Development - Track Change 

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

1. **ENDORSES** the position, effective from 24 July 2019 until 23 July 2020, that development approval is not required for a change of use in the Mount Lawley/Highgate Town Centre, shown in Attachment 1, which is in existence for less than 12 months, as being the longer period agreed by the local government pursuant to Schedule 2, Part 7, Clause 61(2)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. **PREPARES** an Amendment to Local Planning Policy No. 7.5.1 – Minor Nature Development included as Attachment 3, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
3. **NOTES** that the Amendment to Local Planning Policy No. 7.5.1 – Minor Nature Development, will be advertised for a period of 28 days pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Item 4.2 of Appendix 3 of Policy No. 4.1.5 – Community Consultation.

**COUNCIL DECISION ITEM 9.8****Moved:** Cr Topelberg, **Seconded:** Cr Murphy

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 for the Meeting.)

**9.1 NO. 496 (LOTS: 145-146; D/P: 2630) CHARLES STREET, NORTH PERTH - CHANGE OF USE TO UNLISTED USE CAR WASH AND DETAILING (AMENDMENT TO APPROVED OPERATING HOURS)**







**TRIM Ref:** D19/83474

**Author:** Natasha Trefry, Urban Planning Advisor

**Authoriser:** Joslin Colli, Coordinator Planning Services

**Ward:** North

**Attachments:**

1. Consultation and Location Map 
2. Acoustic Report 
3. Previous Council Determination and Approved Plans - 11 October, 2011 
4. Summary of Submissions - Administration's Response 
5. Summary of Submissions - Applicant's Response 
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 development application for Change of Use to Unlisted Use – Carwash and Detailing (Amendment to Approved) at No. 496 (Lots: 145-146; D/P: 2630) Charles Street, North Perth, subject to the following conditions, with the associated advice notes in Attachment 6:

1. The hours of operation of the car wash and detailing use shall be:
  - 1.1 7:00am to 7:00pm Monday to Friday;  
8:00am – 5:30pm Saturday; and
  - 1.2 8:30am to 5:00pm Sunday and public holidays (closed Christmas, Anzac Day and Good Friday);
2. The car wash and detailing use shall be limited to a maximum of three work station bays. Any increase in the number of work station bays or change of use for the subject land use shall require a separate Development Approval to be applied to and obtained from the City;
3. The use shall at all times operate in compliance with the Acoustic Report prepared by Herring Storer Acoustics dated 20 May and 10 June 2019. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the commencement of the extended operating hours use and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;
4. Prior to the Commencement of the extended operating hours:

Within 30 days of this approval the following shall be submitted and approved by the City:

  - 4.1 Noise and Operational Management Plan

The development shall, at all times, comply with the requirements of the Operational Management Plan. The operation shall be limited to the following and the Operational Management Plan shall be submitted to and approved by the City prior to commencement of the extended operating hours to include the following:
  - 4.2 The hours of operation of the car wash and detailing use shall be limited to:
    - 4.2.1 7:00am to 7:00pm Monday to Friday;  
8:00am – 5:30pm Saturday; and

- 4.2.2 8:30am to 5:00pm Sunday;
- 4.3 Car wash and detailing services shall only occur at the three work station bays as identified on the approved plans;
- 4.4 An equipment inventory and maintenance schedule to ensure equipment is kept in good working order to minimise noise impacts;
- 4.5 A complaint management procedure including how complaints can be made and process for review and response; and
- 4.6 Restrictions on amplified music and other noise mitigation measures;
5. The use of the premises shall be carried out in accordance with the approved Noise and Operational Management Plan approved by the City.
- 5.1 The Noise and Operational Management Plan are to be reviewed:
- 5.1.1 Every 12 months; and
- 5.1.2 Within 30 days of a change of operator of the Car Wash and Detailing use; and
- 5.2 Any changes identified during a review as set out in condition 5.1 above, are to be incorporated into an updated Noise and Operational Management Plan, and approved by the City; and
- 5.3 The Car Wash and Detailing use must be operated in accordance with the Noise and Operational Management Plan (as amended from time to time) to the satisfaction of the City; and
6. All other aspects of the approved plans and all conditions and advice notes included in development approval 5.2011.395.1, granted on 11 October 2011, continue to apply to this approval.

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be adopted.

#### AMENDMENT 1

Moved: Cr Topelberg, Seconded: Cr Loden

That Condition 1 be deleted and replaced with the following:

1. The operating hours for the car wash and detailing use shall be:
- 1.1 8:00am to 7:00pm Monday to Thursday;
- 8:00am to 5:00pm Friday; and
- 9.00am to 5:00pm Saturday, Sunday and public holidays (closed Christmas, Anzac Day and Good Friday).

That Condition 4.2 be amended as follows:

- 4.2 The hours of operation of the car wash and detailing use shall be limited to:

4.2.1 8:00am to 7:00pm Monday to Thursday;

8:00am to 5:00pm Friday; and

9.00am to 5:00pm Saturday, Sunday and public holidays (closed Christmas, Anzac

Day and Good Friday).

~~4.2.1 7:00am to 7:00pm Monday to Friday;~~

~~8:00am – 5:30pm Saturday; and~~

~~4.2.2 8:30am to 5:00pm Sunday;~~

AMENDMENT CARRIED (7-1)

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

**Against:** Cr Fotakis

(Cr Harley was an apology for the Meeting.)

AMENDMENT 2

Moved: Cr Topelberg,

That Condition 1 be amended as follows:

1. The operating hours for the car wash and detailing use shall be:

1.1 8:00am to 7:00pm Monday to Thursday;

8:00am to 5:00pm Friday and Saturday; and

9.00am to 5:00pm ~~Saturday~~, Sunday and public holidays (closed Christmas, Anzac Day and Good Friday).

That Condition 4.2 be amended as follows:

4.2 The hours of operation of the car wash and detailing use shall be limited to:

4.2.1 8:00am to 7:00pm Monday to Thursday;

8:00am to 5:00pm Friday and Saturday; and

9.00am to 5:00pm ~~Saturday~~, Sunday and public holidays (closed Christmas, Anzac Day and Good Friday).

AMENDMENT LAPSED FOR WANT OF A SECONDER

COUNCIL DECISION ITEM 9.1

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 Change of Use to Unlisted Use – Carwash and Detailing (Amendment to Approved) at No. 496 (Lots: 145-146; D/P: 2630) Charles Street, North Perth, subject to the following conditions, with the associated advice notes in Attachment 6:

1. The operating hours for the car wash and detailing use shall be:

1.2 8:00am to 7:00pm Monday to Thursday;

8:00am to 5:00pm Friday; and

9.00am to 5:00pm Saturday, Sunday and public holidays (closed Christmas, Anzac Day and Good Friday).

2. The car wash and detailing use shall be limited to a maximum of three work station bays. Any increase in the number of work station bays or change of use for the subject land use shall require a separate Development Approval to be applied to and obtained from the City;
3. The use shall at all times operate in compliance with the Acoustic Report prepared by Herring Storer Acoustics dated 20 May and 10 June 2019. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the commencement of the extended operating hours use and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;
4. Prior to the Commencement of the extended operating hours:  
  
Within 30 days of this approval the following shall be submitted and approved by the City:
  - 4.1 Noise and Operational Management Plan  
  
The development shall, at all times, comply with the requirements of the Operational Management Plan. The operation shall be limited to the following and the Operational Management Plan shall be submitted to and approved by the City prior to commencement of the extended operating hours to include the following:
    - 4.2 The hours of operation of the car wash and detailing use shall be limited to:
      - 4.2.1 8:00am to 7:00pm Monday to Thursday;  
  
8:00am to 5:00pm Friday; and  
  
9:00am to 5:00pm Saturday, Sunday and public holidays (closed Christmas, Anzac Day and Good Friday).
  - 4.3 Car wash and detailing services shall only occur at the three work station bays as identified on the approved plans;
  - 4.4 An equipment inventory and maintenance schedule to ensure equipment is kept in good working order to minimise noise impacts;
  - 4.5 A complaint management procedure including how complaints can be made and process for review and response; and
  - 4.6 Restrictions on amplified music and other noise mitigation measures;
5. The use of the premises shall be carried out in accordance with the approved Noise and Operational Management Plan approved by the City.
  - 5.1 The Noise and Operational Management Plan are to be reviewed:
    - 5.1.1 Every 12 months; and
    - 5.1.2 Within 30 days of a change of operator of the Car Wash and Detailing use; and
  - 5.2 Any changes identified during a review as set out in condition 5.1 above, are to be incorporated into an updated Noise and Operational Management Plan, and approved by the City; and
  - 5.3 The Car Wash and Detailing use must be operated in accordance with the Noise and Operational Management Plan (as amended from time to time) to the satisfaction of the City; and
6. All other aspects of the approved plans and all conditions and advice notes included in development approval 5.2011.395.1, granted on 11 October 2011, continue to apply to this approval.

**CARRIED (7-1)**

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

**Against:** Cr Fotakis

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









**9.6 NO. 66 (LOTS: 1 & 11; D/P: 5285) LINDSAY STREET, PERTH - PROPOSED SIX MULTIPLE DWELLINGS**

TRIM Ref: D19/88875

Author: Clair Morrison, Urban Planner

Authoriser: Jay Naidoo, Manager Development &amp; Design

Ward: South

- Attachments:
1. Consultation and Location Plan 
  2. Development Plans 
  3. Written Submission and Technical Reports 
  4. Summary of Submissions - Administration's Response 
  5. Design Review Panel Meeting 8 May 2019 Minutes and Applicant's Response 
  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 six Multiple Dwellings and Home Office at No. 66 (Lots: 1 & 11; D/P: 5285) Lindsay Street, Perth, in accordance with the plans shown in Attachment 2 subject to the following conditions, with the associated advice notes in Attachment 6:

**1. Amalgamation of Lots**

Prior to the lodgement of a Building Permit application for the proposed development, Lot 1 and Lot 11 ('the Lots') are to be amalgamated into a single lot on a Certificate of Title; or alternatively, the owner entering into a legal agreement with the City and secured by an absolute caveat lodged over the certificates of title to the Lots requiring the amalgamation to be completed within twelve months of the issue of a Building Permit for the proposed works.

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;

**2. Use of Premises**

- 2.1 The use of the room on the ground level associated with Apartment 1 indicated as 'Home Office' of the approved plans shall only be used in accordance with the definition of Home Office within the City of Vincent Local Planning Scheme No. 2 as follows:

*Home Office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation –*

- (a) is solely within the dwelling; and*
- (b) does not entail clients or customers travelling to and from the dwelling; and*
- (c) does not involve the display of a sign on the premises; and*
- (d) does not require any change to the external appearance of the dwelling; and*

- 2.2 The 20 square metre room on the ground floor located adjacent to the vehicle entrance to the development shall be used as a communal space for activities associated with the Multiple Dwellings and for the exclusive use of residents that does not entail clients or customers travelling to and from the site;

**3. Car Parking, Access and Bicycle Facilities**

- 3.1 A minimum of 12 parking bays for the residents of the Multiple Dwellings shall be

provided on the site, with a minimum of two car parking bays allocated to each Multiple Dwelling;

- 3.2 All walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.5 metres of where the vehicle access point adjoins the public street, as indicated on the approved plans dated 11 June 2019, are to be visually permeable in accordance with the definition of State Planning Policy 7.3 Residential Design Codes, unless otherwise approved by the City;
- 3.3 Vehicle and pedestrian access points shall match into existing footpath levels to the satisfaction of the City;
- 3.4 The car park shall be used only by owners and visitors directly associated with the development;
- 3.5 The approved sliding gate and security infill panels to the car parking area shall be visually permeable in accordance with the definition of Visually Permeable in the State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments;
- 3.6 Prior to the first occupation of the development, the car parking spaces provided for the residential component of the development shall be clearly marked and sign posted for the exclusive use of the residents of the development and shall not be in a tandem arrangement unless they service the same residential unit/dwelling;
- 3.7 The applicant shall agree in writing to provide a notice on any Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings; and
- 3.8 **Bicycle Parking**

A minimum of one short-term bicycle bay shall be provided for where possible within the development. The bicycle bay shall be designed in accordance with AS2890.3 and installed prior to occupation to the satisfaction of the City; or

Should there be no suitable location for a short-term bicycle facility to be available on-site, a cash-in-lieu contribution of \$400 shall be paid to the City for the shortfall of one short-term bicycle bay, based on the cost of \$400 per Class 3 bicycle parking facility, prior to the occupation of development;

#### 4. Access Management Plan

- 4.1 Prior to occupation of the development an Access Management Plan shall be submitted to and approved by the City. The access management plan is to include the following:
  - Detailed management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential units at all times; and
- 4.2 The Plan as identified in Condition 4.1 above shall be implemented and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

#### 5. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary wall facing No. 255 Beaufort Street, No. 247 Beaufort Street and No. 243 Beaufort Street, in a good and clean condition prior to the practical completion of the development and thereafter maintained to the satisfaction of the City;

#### 6. Visual Privacy

- 6.1 Privacy screening to a height of 1.6 metres above the finished floor level as indicated on

the approved plans. All privacy screening shall be visually impermeable and is to comply with the Acceptable Outcomes of the State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments, to the satisfaction of the City; and

- 6.2 All screening is to be shown on the plans at the time of lodging a building permit and must be installed prior to occupation of the development;

## 7. Building Design

- 7.1 Doors and windows and adjacent floor areas fronting Lindsay Street shall provide an active and interactive relationship to the street to the satisfaction of the City and shall be maintained thereafter to the satisfaction of the City;

- 7.2 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobstructed visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited; and

- 7.3 The awning within the Lindsay Street road reservation attached to the façade of the building shall be designed to be removable, 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, 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. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, 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 obstructive;

## 10. Clothes Drying Facilities

Each multiple dwelling shall be provided with a clothes drying area screened from the public realm in accordance with State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments, to the satisfaction of the City, prior to the occupation or use of the development;

## 11. Landscaping

- 11.1 An updated 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 lodgement of a Building Permit. The plan shall be drawn to a maximum scale of 1:200 and show the following:

- The location and type of existing and proposed trees and plants, and on-structure planting;
- Areas to be irrigated or reticulated;
- The provision of 7.8 percent deep soil area as defined by State Planning Policy 7.3 Residential Design Codes: Volume 2 – Apartments;
- The provision of two medium size trees, in accordance with the Acceptable Outcomes of Element 3.3 Tree Canopy and Deep Soil Areas of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments, contributing towards 11.7 percent canopy coverage within deep soil zones provided and within the side and rear setback areas. The tree species are to be in accordance with the City's recommended tree species list; and
- Provision of at least two trees, with a planting size of at least 200 litres, within the verge of Lindsay Street adjoining the development shall be provided at the full expense of the landowner. The tree species is to be approved by the City;

11.2 All works shown in the approved plans as identified in Condition 11.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

**12. Acoustic Report and Noise Management**

Prior to the lodgement of a Building Permit, a revised Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City. All of the recommended measures included in the revised Acoustic Report shall be implemented to the satisfaction of the City prior to the occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers. The engagement and implementation of the recommendations by the acoustic consultant are to be at the applicant's expense;

**13. Waste Management**

13.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved by the City; and

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

**14. Construction Management Plan**

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan 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; and
- Consultation plan with nearby properties; and

**15. Stormwater**

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

**COUNCIL DECISION ITEM 9.6**

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

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 for the Meeting.)**

**9.9 OUTCOMES OF ADVERTISING AMENDMENT 1 TO LOCAL PLANNING POLICY NO. 7.1.1 - BUILT FORM; EFFECT OF DESIGN WA; AND INITIATION OF AMENDMENT 2 TO LOCAL PLANNING POLICY NO. 7.1.1 - BUILT FORM**

TRIM Ref: D18/196594

Author: Tim Elliott, A/Coordinator Policy and Place

Authoriser: Stephanie Smith, A/Executive Director Planning and Place

- Attachments:
1. Local Planning Policy No. 7.1.1 - Built Form - Current 
  2. Local Planning Policy No. 7.1.1 - Built Form - Amendment 1 - Schedule of Modifications 
  3. Local Planning Policy No. 7.1.1 - Built Form - Amendment 1 - Track Change 
  4. Local Planning Policy No. 7.1.1 - Built Form - Amendment 1 - Summary of Submissions 
  5. Local Planning Policy No. 7.1.1 - Built Form - Amendment 2 - Schedule of Modifications 
  6. Local Planning Policy No. 7.1.1 - Built Form - Amendment 2 - Track Change 
  7. Local Planning Policy No. 7.1.1 - Built Form - Amendment 2 - Untracked 

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

1. **ENDORSES** Administration's responses to submissions in relation to the advertising of Amendment 1 to Local Planning Policy No. 7.1.1 – Built Form included in Attachment 4;
2. **RESOLVES** not to proceed with Amendment 1 to Local Planning Policy No. 7.1.1 – Built Form included as Attachment 3, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. **PREPARES** Amendment 2 to Local Planning Policy No. 7.1.1 – Built Form included as Attachment 6, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. **NOTES** that Amendment 2 to Local Planning Policy No. 7.1.1 – Built Form, will be advertised for a period of 28 days pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Item 4.2 of Appendix 3 of Policy No. 4.1.5 – Community Consultation.

**COUNCIL DECISION ITEM 9.9**

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

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 for the Meeting.)

**10 INFRASTRUCTURE AND ENVIRONMENT**

Nil.

**11 COMMUNITY AND BUSINESS SERVICES**

Items moved "*En Bloc*".



## 12 CHIEF EXECUTIVE OFFICER

### 12.2 SUSTAINABLE ENVIRONMENT STRATEGY AND IMPLEMENTATION PLAN 2019 - 2024 PUBLIC CONSULTATION OUTCOMES

TRIM Ref: D19/83386

Author: Anita Marriott, Sustainability Officer

Authoriser: John Paton, Executive Manager - Office of the CEO

Attachments: 1. Summary of Submissions   
2. Sustainable Environment Strategy 2019 - 2024   
3. Sustainable Environment Strategy Implementation Plan 2019 - 2024 

#### RECOMMENDATION:

That Council;

1. NOTES the community submissions received in relation to the draft Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 1;
2. Subject to 3. below ADOPTS the Sustainable Environment Strategy 2019 – 2024 with minor amendments as shown in Attachment 2;
3. AUTHORISES the Mayor and CEO to make stylistic and formatting changes, including the provision of an Executive Summary, following adoption of the Sustainable Environment Strategy 2019 – 2024;
4. NOTES the Implementation Plan that accompanies the Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 3; and
5. ADVISES all Submitters of its decision.

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be adopted.

#### COUNCIL DECISION ITEM 12.2

##### AMENDMENT 1

Moved: Cr Loden, Seconded: Cr Murphy

That the recommendation be amended as follows:

That Council;

1. NOTES the community submissions received in relation to the draft Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 1;
2. Subject to 3. below ADOPTS the Sustainable Environment Strategy 2019 – 2024 with minor amendments as shown in Attachment 2;
3. AUTHORISES the Mayor and CEO to make stylistic and formatting changes, including the provision of an Executive Summary, following adoption of the Sustainable Environment Strategy 2019 – 2024;
4. NOTES the Implementation Plan that accompanies the Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 3; ~~and~~
5. ADVISES all Submitters of its decision; and

**6. REQUESTS that Administration include within the Implementation Plan:**

**6.1 an additional action to be delivered between 2019 and 2024 as follows: “Investigate measurement and reporting options for scope 3 operational greenhouse gas emissions”; and**

**6.2 a further action to be delivered beyond 2024 as follows: “Implement measurement and reporting of scope 3 operational greenhouse gas emissions and mechanisms to reduce those emissions.”**

**LOST (3-5)**

**For:** Cr Hallett, Cr Loden and Cr Murphy

**Against:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis and Cr Topelberg

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

**AMENDMENT 2**

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

**That the recommendation be amended as follows:**

**That Council;**

- 1. NOTES the community submissions received in relation to the draft Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 1;**
- 2. Subject to 3. below ADOPTS the Sustainable Environment Strategy 2019 – 2024 with minor amendments as shown in Attachment 2;**
- 3. AUTHORISES the Mayor and CEO to make stylistic and formatting changes, including the provision of an Executive Summary, following adoption of the Sustainable Environment Strategy 2019 – 2024;**
- 4. NOTES the Implementation Plan that accompanies the Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 3; ~~and~~**
- 5. ADVISES all Submitters of its decision; and**
- 6. REQUESTS that Administration include within the Implementation Plan an additional action to be delivered between 2019 and 2024 as follows: “Investigate measurement and reporting options for major scope 3 operational greenhouse gas emissions”.**

**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 for the Meeting.)**

**COUNCIL DECISION ITEM 12.2**

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

**That Council;**

- 1. NOTES the community submissions received in relation to the draft Sustainable Environment**

Strategy 2019 – 2024 as shown in Attachment 1;

2. Subject to 3. below **ADOPTS** the Sustainable Environment Strategy 2019 – 2024 with minor amendments as shown in Attachment 2;
3. **AUTHORISES** the Mayor and CEO to make stylistic and formatting changes, including the provision of an Executive Summary, following adoption of the Sustainable Environment Strategy 2019 – 2024;
4. **NOTES** the Implementation Plan that accompanies the Sustainable Environment Strategy 2019 – 2024 as shown in Attachment 3;
5. **ADVISES** all Submitters of its decision; and
6. **REQUESTS** that Administration include within the Implementation Plan an additional action to be delivered between 2019 and 2024 as follows: “Investigate measurement and reporting options for major scope 3 operational greenhouse gas emissions”.

**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 for the Meeting.)**

**13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****13.1 NOTICE OF MOTION - MAYOR EMMA COLE - WAIVE THE FEE FOR SKIP BINS ON RESIDENTIAL VERGES FOR LESS THAN 14 DAYS**

That Council BY ABSOLUTE MAJORITY:

1. NOTES that a non-refundable administration fee (skip bin) verge of \$42 is currently required for residents who wish to place a skip bin on the verge adjacent to their property, regardless of whether this is on-going construction or a short term use; and
2. Amends the 2019/20 Fees and Charges to remove the \$42 non-refundable administration fee (skip bin) verge where the skip bin is in place for up to 14 days.

**COUNCIL DECISION ITEM 13.1**

**Moved: Mayor Cole, Seconded: Cr Murphy**

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 for the Meeting.)**

**13.2 NOTICE OF MOTION - MAYOR EMMA COLE - EXPRESSIONS OF INTEREST FOR EVENTS IN NORTH PERTH COMMON**

That Council REQUESTS that:

1. an expression of interest be publically released to invite a range of event proposals for North Perth Common;
2. preference be given to events and activities that support community feedback received and which are inclusive of the local community; and
3. the City supports a range of events by offering, through the expression of interest process, North Perth Common for hire without fee.

**Moved: Mayor Cole, Seconded: Cr Topelberg**

That the recommendation be adopted

**AMENDMENT 1**

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

That the recommendation be added to as follows:

4. Notes that a summary of the community feedback referred to in clause 2 will be included in the expression of interest advertising.

**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 for the Meeting.)

**AMENDMENT 2**

**Moved: Mayor Cole, Seconded: Cr Topelberg**

That the recommendation be added to as follows:

5. Administration ADVISE Beaufort Street Network, North Perth Local and Leederville Connect that the Mary Street Piazza, North Perth Common and Leederville Village Square can be used by them fee free and that the City of Vincent will support these public events through in-kind support and its various grants.

**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 for the Meeting.)

**COUNCIL DECISION ITEM 13.2**

**Moved: Mayor Cole, Seconded: Cr Topelberg**

That Council REQUESTS that:

1. an expression of interest be publically released to invite a range of event proposals for North

Perth Common;

2. preference be given to events and activities that support community feedback received and which are inclusive of the local community; and
3. the City supports a range of events by offering, through the expression of interest process, North Perth Common for hire without fee.
4. Notes that a summary of the community feedback referred to in clause 2 will be included in the expression of interest advertising; and
5. Administration ADVISE Beaufort Street Network, North Perth Local and Leederville Connect that the Mary Street Piazza, North Perth Common and Leederville Village Square can be used by them fee free and that the City of Vincent will support these public events through in-kind support and its various grants.

**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 for the Meeting.)**

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

Nil

**15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**18 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 8.17pm with the following persons present:

<b>PRESENT:</b>	Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Jimmy Murphy Cr Joshua Topelberg	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
<b>IN ATTENDANCE:</b>	David MacLennan Andrew Murphy  John Corbellini  Stephanie Smith Jordan Koroveshi  Natasha Brooks	Chief Executive Officer Executive Director Infrastructure and Environment A/Executive Director Community and Business Services A/Executive Director Planning and Manager Governance, Property and Contracts 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 23 July 2019.

Signed:



Mayor Emma Cole

Dated: 20 August 2019