



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**17 September 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, 17 SEPTEMBER 2019 AT 6PM**

<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>Andrew Murphy</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>John Corbellini</b>	<b>A/Executive Director Community &amp; Business Services</b>
	<b>Georgia Lawrence</b>	<b>Place Manager</b>
	<b>Meluka Bancroft</b>	<b>Manager Governance, Property &amp; Contracts</b>
	<b>Jordan Korovesi</b>	<b>A/Manager Policy &amp; Place</b>
	<b>Jay Naidoo</b>	<b>Manager Development &amp; Design</b>
	<b>Sharron Kent</b>	<b>Council Support Officer</b>
<b>Media:</b>	Nil	
<b>Public:</b>	Approximately 7 members of the public.	

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

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

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

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

Cr Roslyn Harley was an apology.

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

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

1. *Milenko Kovac of Leederville – Item 9.2*
  - Owner of property in Byron Street, Leederville.
  - Spoke against the recommendation.
  - Spoke against the proposed setback, overshadowing and privacy issues.
  - Stated that he has built nine houses in the City of Vincent and feels the City’s Planning Department has become too relaxed with planning rules.

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

2. *Peter Zaikos of South Perth – Item 10.1*

- Owner of the building immediately to the south of the North Perth Common.
- Spoke against the size and positioning of the trees chosen and stated that they are a hazard with powerlines above, will not provide shade to users, will cause an obstruction to pedestrians and wheelchair users and will result in costly maintenance.
- Requested Council resolve to replace trees with smaller trees, closer to grassed area and seating to provide amenity without need for costly pruning and that will not have to be replaced when the power goes underground.

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

3. *Neil Roberts of North Perth – Item 9.5*

- Spoke in favour of the recommendation to amend the approved material of the privacy screens.
- Stated that neighbours also support the development.
- Stated that builder has not shown due regard to proper process and neighbours on the basis that if there is to be support for infill in Vincent it is critical that builders are held to account.
- Requests that, more broadly, Council give consideration to the 1.7m height limit (rather than that specified in the R Codes) as this provides more privacy.

*The Presiding Member Mayor Emma Cole thanked Mr Roberts 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 Murphy, Seconded: Cr Hallett**

**That Cr Loden's request for leave of absence for the period 19 – 20 September 2019 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 this meeting).

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

Nil

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

**Moved:** Cr Loden, **Seconded:** Cr Castle

**That the Minutes of the Ordinary Meeting of Council held on 20 August 2019 be confirmed as a true and correct record.**

**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 this meeting).

CR FOTAKIS LEFT THE CHAMBER AT 6.15PM AND RETURNED AT 6.16PM.

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

The Presiding Member Emma Cole made the following announcements:

### **7.1 Survey of public participation at Council Meetings – live streaming**

The City is proposing to include live streaming of the standing items 'Public Question Time and Receiving of Public Statements' and 'The Receiving of Petitions, Deputations and Presentations' at its Council Briefings and Ordinary Meetings of Council. Live streaming currently captures all parts of the meetings, except confidential matters, public questions and statements and deputations. The City is considering extending live streaming to include 'Public Question Time and Receiving of Public Statements' and 'The Receiving of Petitions, Deputations and Presentations'.

Mayor Cole advised the Gallery that a short survey is available this evening and will be available on the City's website for a number of months and encouraged the public to participate in the survey.

### **7.2 2019 Greening Vincent Garden competition**

The 2019 Greening Vincent garden competition is open for entries. There is a category to suit all gardens and all gardeners from small balcony, indoor or courtyard gardens, the popular verge garden and even business gardens. Entries close 4 October and judging will take place between 7 – 12 October. All participants are invited to the awards night that will take place on Wednesday 13 November. Mayor Cole encouraged the community to participate.

### **7.3 Public release of the Chief Executive Officer's performance indicators**

The Chief Executive Officer's Key Performance Indicators will be released publicly as part of the City's ongoing transparency initiative and to let ratepayers know of the key focus areas for the coming year.

### **7.4 2019 Ordinary Elections**

Candidates have been announced in the 2019 City of Vincent Local Government elections, to be held this October. Mayor Emma Cole ran unopposed and will return as the Mayor of Vincent for another four years.

There were two candidates for the north ward who will fill the two vacant positions, current Councillor Dan Loden and Sally Smith. Congratulations to the successful candidates.

For the two positions in the south ward, a postal vote will be undertaken for the six candidates.

### **7.5 Brisbane Street carpark urban forest project**

The City is turning the Brisbane Street car park into an urban forest by planting 71 additional trees and remaking the garden beds with a water sensitive design that harvests the rainwater runoff from the carpark. The timely upgrade to the carpark presented a great opportunity for Vincent to try a new approach. This is a smarter and more environmentally friendly design that boosts our tree canopy cover (60% canopy coverage when the new trees grow to maturity).

## 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:**

- Item 9.2 No. 12 (Lot: 48; D/P: 1210) Byron Street, Leederville - Proposed Two Grouped Dwellings
- Item 9.5 No. 42 (Lot: 2; D/P: 2136) Woodville Street, North Perth - Proposed Six Multiple Dwellings (Amendment to Approved - Unauthorised Existing Development)
- Item 10.1 North Perth Common Closure Report

(b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**

- Item 12.5 Amendments to Council Delegations

(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
Mayor Cole	Item 10.3 Late Item: 2019 Greening Garden Awards Item 12.2 Report and Minutes of the Audit Committee meeting held on 27 August 2019
Cr Hallett	Item 10.1 North Perth Common Closure Report
Cr Loden	Item 9.4 Outcomes of Advertising - Mount Hawthorn Town Centre Place Plan

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:**

- Item 9.1 No. 12A (Lot: 3; S/P: 78266) Nova Lane, North Perth - Single Dwelling
- Item 9.3 No. 434-446 (Lot: 4 D/P: 42026) Lord Street, Mount Lawley - Change of Use from Warehouse/Showroom to Educational Establishment
- Item 9.6 Environmental Health Australia National Conference 2019
- Item 10.2 Minor Parking Restriction Improvements/Amendments
- Item 11.1 Authorisation of Expenditure for the Period 1 August 2019 to 31 August 2019
- Item 12.1 Consideration of Submissions on Acquisition of Luce Lane, North Perth
- Item 12.3 Information Bulletin
- Item 12.4 Public release of the Chief Executive Officer's Key Performance Indicators 2019-2020

(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:

**COUNCIL DECISION**

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

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

- Item 9.1 No. 12A (Lot: 3; S/P: 78266) Nova Lane, North Perth - Single Dwelling
- Item 9.3 No. 434-446 (Lot: 4 D/P: 42026) Lord Street, Mount Lawley - Change of Use from Warehouse/Showroom to Educational Establishment
- Item 9.6 Environmental Health Australia National Conference 2019
- Item 10.2 Minor Parking Restriction Improvements/Amendments
- Item 11.1 Authorisation of Expenditure for the Period 1 August 2019 to 31 August 2019
- Item 12.1 Consideration of Submissions on Acquisition of Luce Lane, North Perth
- Item 12.3 Information Bulletin
- Item 12.4 Public release of the Chief Executive Officer's Key Performance Indicators 2019-2020

**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 this meeting).

## 9 PLANNING AND PLACE

### 9.1 NO. 12A (LOT: 3; S/P: 78266) NOVA LANE, NORTH PERTH - SINGLE DWELLING

TRIM Ref: D19/100223

Author: Natasha Trefry, Urban Planning Advisor

Authoriser: Joslin Colli, Coordinator Planning Services

Ward: South

Attachments:

1. Consultation and Location Map 
2. Development Plans 
3. Summary of Submissions - Administration's Response 
4. Summary of Submissions - Applicant's Response 
5. Applicant Justification 
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 Single Dwelling at No. 12A (Lot: 3; S/P: 78266) Nova Lane, North Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated advice notes in Attachment 6:

#### 1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary walls facing No. 14 Nova Lane in a good and clean condition prior to the practical completion of the development and thereafter maintained to the satisfaction of the City. The finish of the walls are to be fully rendered or facebrick to the satisfaction of the City;

#### 2. Landscaping Plan

2.1 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 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 proposed trees and plants;
- Areas to be irrigated or reticulated; and
- The provision of 14.6 percent of the site area as deep soil zone and 26.98 percent canopy cover at maturity; and

2.2 All works shown in the plans as identified in Condition 2.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

#### 3. Sight Lines

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

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

**4. Stormwater**

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

**5. Car Parking and Access**

5.1 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;

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

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

**6. Visual Privacy**

Prior to occupancy or use of the development, all privacy screening to balcony/courtyard and balcony 2 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.

**7. 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; and

**8. 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 9.1**

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

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

**9.3 NO. 434-446 (LOT: 4 D/P: 42026) LORD STREET, MOUNT LAWLEY - CHANGE OF USE FROM WAREHOUSE/SHOWROOM TO EDUCATIONAL ESTABLISHMENT**

**TRIM Ref:** D19/116479  
**Author:** Clair Morrison, Urban Planner  
**Authoriser:** Joslin Colli, Coordinator Planning Services  
**Ward:** South  
**Attachments:**

1. Consultation and Location Map 
2. Development Plans 
3. Parking Management Plan 
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 for the proposed Change of Use from Warehouse/Storage to Educational Establishment at Nos. 434-446 (Lot: 4; D/P: 42026) Lord Street, Mount Lawley, in accordance with the plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

**1. Use of Premises**

- 1.1 The area shown as 'Educational Establishment' on the approved plans shall be used in accordance with the definition of 'Educational Establishment' as defined by the City's Local Planning Scheme No. 2;
- 1.2 The maximum number of persons attending the Educational Establishment at any one time shall be limited to 12 persons; and
- 1.3 The hours of operation for the Educational Establishment shall be limited to the following operating hours:
  - Monday to Friday: 8:00am to 4:00pm; and
  - Saturday and Sunday: 8:00am to 4:00pm;

**2. Car Parking and Access**

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; and

**3. Signage**

Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.

**COUNCIL DECISION ITEM 9.3**

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

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

**9.6 ENVIRONMENTAL HEALTH AUSTRALIA NATIONAL CONFERENCE 2019****TRIM Ref:** D19/132945**Author:** Mark Fallows, Manager Regulatory Services**Authoriser:** Stephanie Smith, A/Executive Director Planning and Place**Attachments:** 1. Draft Environmental Health Australia National Conference Program 6, 7 & 8 November 2019 **RECOMMENDATION:****That Council:**

1. **APPROVES** the attendance of a City Environmental Health Officer or her nominated City representative at the Environmental Health Australia National Conference 2019 in Adelaide on 6, 7 and 8 November 2019; and
2. **NOTES** the associated costs of \$1,940 would be funded by the City in accordance with Policy No. 4.1.15 – Conferences.

**COUNCIL DECISION ITEM 9.6****Moved:** Cr Fotakis, **Seconded:** Cr Loden**That the recommendation be adopted.****CARRIED EN BLOC (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 this meeting).

## 10 INFRASTRUCTURE AND ENVIRONMENT

### 10.2 MINOR PARKING RESTRICTION IMPROVEMENTS/AMENDMENTS

TRIM Ref: D19/126370

Author: Craig Wilson, Manager Asset & Engineering

Authoriser: Andrew Murphy, Executive Director Infrastructure and Environment

Attachments: 1. Plan No. 3534-PP-01   
2. Plan No. 3535-PP-01 

#### RECOMMENDATION:

That Council:

1. APPROVES the following minor parking restriction improvements and amendments:
  - 1.1 Installation of an on-road ACROD bay adjacent 199 Bulwer Street, Perth, Plan No. 3534-PP-01 (Attachment 1); and
  - 1.2 Installation of a Loading Zone adjacent 69 Edward Street, Perth, Plan No. 3535-PP-01 (Attachment 2).

#### COUNCIL DECISION ITEM 10.2

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

## 11 COMMUNITY AND BUSINESS SERVICES

### 11.1 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 AUGUST 2019 TO 31 AUGUST 2019

**TRIM Ref:** D19/127384

**Author:** Allan Siapno, Finance Officer - General

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

**Attachments:**

1. Payment by EFT, BPAY and Payroll Aug 19 
2. Payments by Cheque Aug 19 
3. Payments by Direct Debit Aug 19 

#### RECOMMENDATION:

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

EFT and BPAY payments, including payroll	\$4,440,509.89
Cheques	\$876.75
Direct debits, including credit cards	\$194,775.81
<b>Total payments for August 2019</b>	<b>\$4,636,162.45</b>

#### COUNCIL DECISION ITEM 11.1

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

## 12 CHIEF EXECUTIVE OFFICER

### 12.1 CONSIDERATION OF SUBMISSIONS ON ACQUISITION OF LUCE LANE, NORTH PERTH

TRIM Ref: D19/113280

Author: Daniel Janssen, Land Projects Officer

Authoriser: Meluka Bancroft, Manager Governance, Property and Contracts

Attachments:

1. Luce Lane - Aerial image of private right of way - Lot 66 on Deposited Plan 4613 
2. Diagram 4613 annotated to identify Lot 66 
3. Summary of submissions and Administration's response 

#### RECOMMENDATION:

That Council:

1. **CONSIDERS** the submissions and Administration's responses regarding the proposed acquisition of Luce Lane in North Perth as at Attachment 3;
2. In accordance with Section 52(1)(b) of the *Land Administration Act 1997*, **REQUESTS** the Minister for Lands to acquire the private right of way being Lot 66 on Diagram 4613, as shown in Attachment 1, and known as Luce Lane; and
3. **REQUESTS** the Minister for Lands to reserve Luce Lane as a reserve for the purposes of a public right of way and place the care, control and management of the reserve in the City of Vincent pursuant to sections 41 and 46(1) of the *Land Administration Act 1997*.

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

**12.3 INFORMATION BULLETIN****TRIM Ref:** D19/126475**Author:** Sharron Kent, Council Support Officer**Authoriser:** Meluka Bancroft, Manager Governance, Property and Contracts

- Attachments:**
1. Minutes of Safer Vincent Advisory Group Meeting held on 24 July 2019 
  2. Confirmed Minutes of the Design Review Panel Meeting held on 24 July 2019 
  3. Confirmed Minutes of the Design Review Panel Meeting held on 14 August 2019 
  4. Minutes of the Tamala Park Regional Council Meeting held on 15 August 2019 
  5. Street Tree Removal Information 
  6. Statistics for Development Applications as at August 2019 
  7. Register of Legal Action and Prosecutions Monthly - Confidential
  8. Register of Legal Action - Orders and Notices Quarterly - Confidential
  9. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 28 August 2019 
  10. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  11. Register of Petitions - Progress Report - September 2019 
  12. Register of Notices of Motion - Progress Report - September 2019 
  13. Register of Reports to be Actioned - Progress Report - September 2019 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated August 2019.

**COUNCIL DECISION ITEM 12.3**

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

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

**12.4 PUBLIC RELEASE OF THE CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATORS 2019-2020****TRIM Ref:** D19/128382**Author:** Meluka Bancroft, Manager Governance, Property and Contracts**Authoriser:** David MacLennan, Chief Executive Officer**Attachments:** 1. CEO Key Performance Indicators for 2019 - 2020 **RECOMMENDATION:**

That Council **APPROVES** the publication of the Chief Executive Officer's Key Performance Indicators for 2019 – 2020 as adopted at the 20 August 2019 Council meeting, at Attachment 1.

**COUNCIL DECISION ITEM 12.4****Moved:** Cr Fotakis, **Seconded:** Cr Loden

That the recommendation be adopted.

**CARRIED EN BLOC (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 this meeting).

## ITEMS INDIVIDUALLY CONSIDERED

### 9 PLANNING AND PLACE

#### 9.2 NO. 12 (LOT: 48; D/P: 1210) BYRON STREET, LEEDERVILLE - PROPOSED TWO GROUPED DWELLINGS

TRIM Ref: D19/113937

Author: Natasha Trefry, Urban Planning Advisor

Authoriser: Jay Naidoo, Manager Development & Design

Ward: North

Attachments:

1. Location and Consultation Plan 
2. Development Plans (received 25 January 2019) 
3. Development Plans (received 13 May 2019) 
4. Development Plans (received 29 July 2019) 
5. Applicant Justification and Supporting Imagery 
6. Summary of Submissions - Administration'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 Two (2) Grouped Dwellings at No. 12 (Lot: 48; D/P: 1210) Byron Street, Leederville, in accordance with the plans shown in Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 7:

#### 1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary wall facing Nos. 10 and 10A Byron 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 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 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;
- The provision of a minimum of 13.8 percent of the site area as deep soil zone and 27.2 percent canopy cover at maturity, as defined by the City's Policy No. 7.1.1 – Built Form;
- The Bottlebrush Tree located in the verge is to be removed and replaced with a minimum 100 litre Jacaranda Tree in the location as depicted in the approved plans. All associated costs for the removal and replacement of the tree is to be borne by the applicant; and
- Areas to be irrigated or reticulated; 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 to the southern boundary of the alfresco of Residence A 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;

7. Colours and Materials Schedule

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;

8. Sight Lines

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

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

9. Garage Door Design

The garage door for Residence A shall be perforated. Plans depicting details of the garage door, including materials and colours, shall be submitted to and approved by the City prior to the use or occupation of the development.

**COUNCIL DECISION ITEM 9.2**

**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 Harley, Cr Loden, Cr Murphy and Cr Topelberg

**Against:** Nil

(Cr Harley was an apology for this meeting).

Cr Dan Loden left the meeting at 7.12pm during discussion on the following item and returned at 7.14pm prior to voting.

#### 9.4 OUTCOMES OF ADVERTISING - MOUNT HAWTHORN TOWN CENTRE PLACE PLAN

TRIM Ref: D19/117458

Authors: Georgia Lawrence, Place Manager  
Jordan Korovesi, A/Manager Policy & Place

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

Attachments: 1. Advertised Draft Volume 3 - Mount Hawthorn Town Centre Place Plan   
2. Summary of Submissions   
3. Volume 3 - Mount Hawthorn Town Centre Place Plan 

#### RECOMMENDATION:

That Council:

1. **ADOPTS Volume 3: Mount Hawthorn Town Centre Place Plan; and**
2. **NOTES:**
  - 2.1 **the submissions received in relation to the advertising of the draft Volume 3: Mount Hawthorn Town Centre Place Plan and ENDORSES Administration's responses to those submissions, included as Attachment 2; and**
  - 2.2 **that Administration will publish a notice of the approval of Volume 3: Mount Hawthorn Town Centre Place Plan, included as Attachment 3, on the City's website and social media platforms and will notify the Mt Hawthorn Hub and all those who made submissions on the document.**

#### COUNCIL DECISION ITEM 9.4

Moved: Cr Castle, 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 this meeting).

**9.5 NO. 42 (LOT: 2; D/P: 2136) WOODVILLE STREET, NORTH PERTH - PROPOSED SIX MULTIPLE DWELLINGS (AMENDMENT TO APPROVED - UNAUTHORISED EXISTING DEVELOPMENT)**

**TRIM Ref:** D19/122288

**Author:** Karsen Reynolds, Urban Planner

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

**Ward:** North

**Attachments:**

1. Consultation and Location Map 
2. Minutes of 26 June 2018 Council Meeting 
3. Previously Approved Development Application Plans and Perspectives 
4. Proposed Development Plans 

**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 Six Multiple Dwellings (amendment to approval) at No. 42 (Lot: 2; D/P: 2136) Woodville Street, North Perth subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2018.81.1 granted on 26 June 2018 continue to apply to this approval, except as follows:

1.1 Condition 11 of the development approval is deleted and replaced with the following condition:

11. Screening

Prior to occupancy or use of the development, privacy screening to first floor balconies shall be upward facing aluminium louvres to height of 1.7 metres above the balcony finished floor levels, and shall 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.

**COUNCIL DECISION ITEM 9.5**

**Moved:** Cr Loden, **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 this meeting).

## 10 INFRASTRUCTURE AND ENVIRONMENT

### 10.1 NORTH PERTH COMMON CLOSURE REPORT

TRIM Ref: D19/126462

Authors: Craig Wilson, Manager Asset & Engineering  
Stephanie Smith, A/Executive Director Planning and Place

Authoriser: Andrew Murphy, Executive Director Infrastructure and Environment

Attachments: 1. North Perth Common - Project Closure Report 

#### RECOMMENDATION:

That Council

1. NOTES the project closure report for North Perth Common included as Attachment 1.

#### RECOMMENDATION

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be adopted.

#### AMENDMENT TO RECOMMENDATION

Moved: Cr Topelberg, Seconded: Cr Fotakis

That the recommendation be amended by adding point 2. as follows:

2. APPROVES the removal of the tree at the South-West corner of North Perth Common and the installation of a new tree approximately 3m to the North-West of this location (appropriately located & appropriate species to provide afternoon shade to the grassed area - can be deciduous or evergreen).

LOST (3-5)

**For:** Cr Fotakis, Cr Hallett and Cr Topelberg

**Against:** Cr Murphy, Cr Gontaszewski, Mayor Cole, Cr Castle and Cr Loden

(Cr Harley was an apology for this meeting).

#### COUNCIL DECISION ITEM 10.1

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 this meeting).

**10.3 2019 GREENING VINCENT GARDEN AWARDS****TRIM Ref:** D19/138636**Author:** Jeremy van den Bok, Manager Parks & Urban Green**Authoriser:** Andrew Murphy, Executive Director Infrastructure and Environment**Attachments:** Nil**RECOMMENDATION:**

That Council appoints Cr Jonathon Hallett to be part of the 2019 Greening Vincent Garden Awards final judging panel due to the absence of Cr Roslyn Harley.

**COUNCIL DECISION ITEM 10.3****Moved:** Cr Fotakis, **Seconded:** Cr Castle

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 this meeting).

### 13 CHIEF EXECUTIVE OFFICER

#### 12.2 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 27 AUGUST 2019

TRIM Ref: D19/125974

Author: Sharron Kent, Council Support Officer

Authoriser: David MacLennan, Chief Executive Officer

Attachments: 1. Minutes of the Audit Committee - 27 August 2019 

#### RECOMMENDATION:

That Council:

1. RECEIVES this report from the Audit Committee meeting of 27 August 2019; and
2. APPROVES the recommendations of the Audit Committee as set out in the Minutes of the 27 August 2019 meeting (Attachment 1).

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Loden, 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 for this meeting).

**12.5 AMENDMENTS TO COUNCIL DELEGATIONS****TRIM Ref:** D19/128393**Author:** Meluka Bancroft, Manager Governance, Property and Contracts**Authoriser:** David MacLennan, Chief Executive Officer**Attachments:**

1. Council Delegations Register 2019/20 (in mark up) 
2. Legal Advice - Council Delegations and Authorisations - Confidential
3. OAG's Audit Results Report 2017-18 - Financial Audits of Local Government Entities 

**RECOMMENDATION:**

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY** the following amendments to the Council delegations, as shown in mark up in the Council Delegations Register at Attachment 1;
  - 1.1 amendment of delegation 4.4 to include reference to section 112(2) *Building Act 2011*, which sets out what a building order can require a person to do;
  - 1.2 inclusion of a new delegation to enable the CEO to commence prosecutions for any offences under the *Building Act 2011*;
  - 1.3 amendment of delegation 10.1 to allow appointment of designated officers under the *Tobacco Products Control Act 2006* and *Criminal Procedures Act 2004*;
  - 1.4 inclusion of a new delegation to allow the CEO to enforce compliance with a planning direction notice issued under section 214 of the *Planning and Development Act 2005*;
2. **REVOKES BY ABSOLUTE MAJORITY** delegation 2.1.1 - Delegation to audit and risk committee; and
3. **NOTES** that the following amendments will be made to the Council Delegations Register as shown in mark up at Attachment 1:
  - 3.1 appointment of authorised persons under the *Caravan Parks and Camping Grounds Act 1995* (Delegation 15.1) will be removed, as this Act provides the Chief Executive Officer with the power to appoint authorised persons, so no Council delegation is required; and
  - 3.2 issue of certificates under sections 39 and 40 of the *Liquor Control Act 1988* (Delegation 16.1) will be removed as this is an administrative function.

**COUNCIL DECISION ITEM 12.5****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 this meeting).

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

Nil

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

Nil

**15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**15 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 7.21pm with the following persons present:

<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>Andrew Murphy</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>John Corbellini</b>	<b>A/Executive Director Community &amp; Business Services</b>
	<b>Jordan Korovesi</b>	<b>A/Manager Policy &amp; Place</b>
	<b>Meluka Bancroft</b>	<b>Manager Governance, Property &amp; Contracts</b>
	<b>Jay Naidoo</b>	<b>Manager Development &amp; Design</b>
	<b>Sharron Kent</b>	<b>Council Support Officer</b>
<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 17 September 2019.

Signed:



Mayor Emma Cole

Dated: 15 October 2019