



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

20 September 2022

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 20 SEPTEMBER 2022 AT 6.00PM**

PRESENT:	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Ron Alexander Cr Alex Castle Cr Dan Loden</p> <p>Cr Suzanne Worner Cr Ross Ioppolo Cr Ashley Wallace</p>	<p>Presiding Member South Ward North Ward North Ward North Ward (arrived at 6.09pm during Item 3A) North Ward South Ward South Ward</p>
IN ATTENDANCE:	<p>David MacLennan John Corbellini</p> <p>Virginia Miltrup</p> <p>Peter Varris</p> <p>Jay Naidoo</p> <p>Rhys Taylor</p> <p>Tara Gloster</p> <p>Karsen Reynolds</p> <p>Joslin Colli</p> <p>Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Strategy & Development Executive Director Community & Business Services (left at 9.29pm after Item 12.3) A/Executive Director Infrastructure & Environment Manager Development & Design (electronically) (joined at 6.07pm during Item 3A)(left at 7.52pm during Item 9.5) Executive Manager Financial Services (left at 9.23pm after Item 12.1) Manager Policy & Place (left at 8.25pm after Item 9.5) Coordinator Planning Services (left at 7.50pm after Item 9.3) A/Executive Manager Corporate Strategy & Governance Council Liaison Officer</p>

Public: Approximately 9 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 Worner has advised that she no longer requires the approved leave of absence for the period 7-24 September 2022 and will be in attendance.

Cr Jonathan Hallett was an apology for this meeting.

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

The following questions and statements were received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

3.1 Peter Mrdja – Item 9.1

- Stated he is from Urbanista Town Planning, the applicant for this development.
- Responded to the questions asked by Council Members.
- Mentioned that NatHERS rating of 7.0 is achievable, with the addition of solar panels on each unit, which they are prepared to add.
- Stated that an additional street tree may be an issue due to insufficient space, but as a compromise they would be happy to provide additional trees along the side of the unit adjacent to the child care centre.
- Mentioned that to alleviate concerns from the child care centre and address comments from the Council Members they are willing to construct a brick wall adjacent to the play areas for safety, plant more trees along the boundary and to install a sounding beacon to alert vehicles of approaching pedestrians.
- Stated that flipping the design was considered but would have resulted in a worse outcome for the neighbours to the west. The current design causes no overlooking or privacy concerns for those neighbours and alleviates the bulk and scale impacts.
- Mentioned that the variations in the report were minor in nature.
- Stated that there are two outdoor living areas, one from the balcony and one ground floor.
- Mentioned that the visitor parking has been reduced from 2 to 1, giving back the verge.

The Presiding Member, Emma Cole, thanked Mr Mrdja for his comments and queried if the issues raised, such as the installation of solar panels, the addition of trees and the solid brick wall, have been discussed with the planning team? Mr Mrdja confirmed that he had a discussion with the team and is happy to install solar panels for all units. Mayor Cole requested details of the additional trees for the boundary. Mr Mrdja advised that vehicle manoeuvring is an issue, so towards the rear is where one or two trees could fit on the boundary. Mayor Cole enquired whether an advice note in respect to the solid brick wall and sounding beacon would be appropriate, and Mr Mrdja agreed.

3.2 Theresa Mangione of Perth – Item 9.1

- Stated that she lives next door to the proposed development.
- Mentioned that she has issues with the height and overshadowing.
- Stated that there are solar panels on the child care centre, which would be affected by the height of the building.
- Stated that deciduous trees have been suggested to block the view of the child care centre, which would mean that the privacy issue will still exist in winter.
- Believes that one parking bay is not enough and the 2018 parking survey is outdated.

The Presiding Member, Emma Cole, thanked Ms Mangione for her comments.

3.3 Dr Benjamin Scully of Mt Lawley - Item 9.4

- Stated that he lives near the development.
- Stated that the noise from the unapproved development has meant they have not been able to sleep in their bedroom due to the noise, as it faces the outdoor area of the development.
- Stated that the music has been audible throughout the house, even with the windows closed, routinely to the early hours of the morning, despite the conditions placed on this venue.
- Stated they have had shutters installed, which has improved matters, but did not ameliorate the issue.
- Mentioned that the rear of the venue faces the laneway, so foot traffic has increased, which causes more noise as people gather in the laneway or make noise as they are leaving.
- The laneway is not well lit and this has caused a reduction of security.
- Believes that if development proceeded his family could not live in their home.
- Stated that the noise assessment is not valid.
- Believes that tobacco venues should not be promoted in City.
- Stated that the venue has had a significant impact on he and his family would encourage Council to support the Officer recommendation.

The Presiding Member, Emma Cole, thanked Dr Scully for his comments and expressed her concern regarding the detrimental impact this has had on his family.

The following statements were submitted prior to the Meeting.

Dudley Maier of Highgate – Item 11.7

1. Underground Power – Electric Vehicle Charging Opportunities

The introduction of underground power will involve putting new power infrastructure in the road reserve in front of residential properties. Many of these properties do not have on-site parking for vehicles and therefore do not have the ability charge electric vehicles at home. Installing suitable charging points at the same time as other power infrastructure may have cost advantages.

Will the city be raising with Western Power the possibility, as part of the introduction of underground power, of installing roadside car charging points for properties that do not have on-site parking?

2. WAFL Grand Final

Given that any adjustment to the City's budget must eventually be made public, why is the administration failing to make public the proposed changes to the budget prior to the Council giving tacit approval – (see item 11.7 OMC 20 September 2022)?

Given that the first quarter budget review is highly unlikely to be approved by Council prior to the WAFL Grand Final in less than two weeks, why is the administration seeking tacit approval to expend funds prior to actually amending the budget to reflect the expenditure of those funds? Is this in accordance with the relevant legislation/regulations?

3. Town Team Grants

Further to my questions from the previous Council meeting:

On what dates were the Town Team grant applications received from the Beaufort Street Network, North Perth Business and Community Association and Pickle District town teams?

How much was requested for the Robertson Park block party and which Town Team requested the funds?

How much was requested for "Town Team resourcing"; which Town Team(s) requested this and what did they specify the money would be spent on; exactly what is meant by "Town Team resourcing"?

Can you confirm that the answer to my previous question about timeframes for the acquittal of grants suggests that there is no time limit on the acquittal of the funds other than the fact that the Town Team cannot receive another grant until previous grants have been acquitted?

In answer to my question about the \$10,000 grants to the three specified Town Teams the administration has identified seven uses for the grants. For each of the three Town Teams that received their grant on 30 June, which of the seven uses is related to that Town Team and how much did they ask for? If they asked for money for "Town Team resourcing" did they specify exactly how that money would be spent, and if so, what did they specify?

Craig Tranter of Perth – Item 9.1

Please consider my remarks below prior to the final decision of the development proposed at 107-109 Summers Street Perth.

As the owner occupier of unit 2 I have serious concerns that the proposed reduced boundary set backs will have my property and its amenity. Particularly in relation to overshadowing that will be caused, significantly reducing natural light into my home as well as privacy concerns into both my courtyard / bedroom room on the ground level as well as the entire of my main living space on the first floor.

I have read the council briefing notes dated 13/09 where the question regarding the impact the reduced setback will have on properties to West of the proposed development. I would like to suggest that the response from the planning administrators is completely inadequate.

There are a number of floor to ceiling windows on both the ground and first floor of my property that are major openings and if the development is approved the occupiers of the new dwelling would have clear line

of sight into both the ground floor bedroom as well as the first floor living space. I have attached some photographs for your reference.

I am not sure how these cannot be classified as major openings since there are bifold doors approximately 3m across.

As well as my privacy concerns I believe the reduced setback will drastically reduce the amount of natural light into my property due to the large scale of the development (4 storey- which is also not in keeping with this particular section of the Claisebrook area). These issues combined I believe would have a significant negative impact on the enjoyment / amenity of my property as well as its value potentially.

Another major concern is that the six unit development has only one proposed visitor bay. I believe with the current parking issues along Summers Street, as well as the future issues in relation to the smaller car park at the train station due to the recently approved development that 1 visitor Bay is inadequate for a development of this scale. It is standard for most development of more than 5 units to have 2 visitor bays.

Thank you in advance for taking the time to read this email and for taking my points into account.

Michael Nolton of Perth – Item 9.1

Owner Unit 5 - 111-113 Summers Street Perth

Response addresses Council Meeting Agenda Items:

Item 4.1 - Visual Privacy

It is a continued concern that visual privacy will be significantly impacted, and quality of living affected for the residence of 111-113 Summers Street.

The only private outdoor space of the residence of 111-113 Summers Street being their courtyards, will be lost.

The main living spaces of 111-113 Summers Street will also lose privacy - including kitchen, lounge, dining room - photos attached.

Transitional areas provided by the staircase between ground floor and living area and the living area and main bedroom will lose visual privacy.

Item 9.3 - Car Parking and Access

As a long-time owner and occupant of the adjoining development which has no visitor parking, I would like to point out that 1 visitor car bay is not sufficient for this property. It is unreasonable to think that the new development of 6 units would not have more than 1 visitor at any given time. It is also unreasonable to think that a single unit would not have more than 1 visitor at 1 time.

Although parking is permitted on the street for 2 hours, on game days there is no parking on the street for vehicles without a permit.

If the planning does not allow for additional parking onsite, then the City should state in the planning the number of car parking permits each unit will receive for street parking.

Shawn Offer of Perth – Item 9.1

I wish to address the development at 109 Summers Street in Perth. I own the front property at 111 Summers Street:

- The parking survey was conducted before the day care centre was at full operational capacity if operating at all. There is now also reduction in parking in the area because of the new Public Transport Building being built nearby reduce the available parking.
- This area also has zero street parking available when the stadium exclusion zone is in effect on game days for periods of up to 9 hours. Even the City of Perth have Stadium Exclusion Zone solutions for times that Optus Stadium is in operation. How do visitors access this property without the required number of visitor bays or some other system to park on the street?

- The Streetscape drawing on sheet 8 of the applicants drawing is not to scale as is disclosed on the drawing. The height of western building at 111-113 Summers Street is circa 9 meters, the new development is over 12 meters. This is not reflected in these drawings. The additional briefing information provided by management has not addressed the scale error, the diagram provided to Councillors seems to be the same not to scale drawing provided by the applicant. This does not show the proposed development being significantly larger than the existing three level complex or how it will dwarf the day care centre on the eastern side. The natural ground line variance between the two buildings looks to be only 0.25.
- The shadowing diagrams are not required as has been pointed out, this brings back the reason that the scale of the complex is important especially for morning winter sun. The proposed development is much larger than the western building and the shadows will be much more than is perceived without correctly scaled drawings.
- The shadow diagram for 9am on June 21st would also indicate that the western building is likely to receive very little direct winter sunlight at all as the larger building is closer to the western side? The main living areas for the western building is significantly affected by this and the waiving of deem to comply boundary rules will reduce amenity for those residents. The residents at the back of the western building will have their main living areas significantly enclosed, ergo the reason that this development should not be allowed to be closer to the boundary line than is absolutely required.
- The briefing supplements state that there are no major openings on the western building, there are very large opening doors on the lower and mid-levels right opening onto a courtyard on the western side of the proposed development. See attached photo. I am sure it was never envisaged that a building would be allowed to be built closer than the limits when the western building was built.

Responses to the questions (taken on notice) will be provided in the Agenda for the 18 October 2022 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.11pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Dudley Maier of Highgate – Item 11.2

The list of expenditure for the period ending 30 June 2022 shows three payments of \$10,000 each made to Vincent Town Teams on 30 June – the last day of the financial year. (i.e. Beaufort Street Network, North Perth Business and Community Association and Pickle District)

1. Given that these are described as “Town team grant 2021/22” what expenditure from 2021/22 are these payments supposed to cover?

The 2021/22 Town Team Grants were agreed to cover the following:

- *Northbridge local history project, resulting in information postcards to be distributed through local shops;*
- *Events including a block party at Robertson Park, AGM and recruitment events;*
- *Event furniture and lighting;*
- *Town Team Action Plan updates;*
- *Town Team resourcing;*
- *Promotional assistance; and*
- *Pedestrian surveys.*

The grant money is able to be spent in future years provided it is spent on those initiatives that were applied for. Town Teams are unable to apply for another grant until the existing grant is acquitted.

2. Are there any restrictions as to what these funds may be spent on?

The Town Team Grant allows each Town Team to apply for \$10,000 funding for town centre-related initiatives and/or initiatives which improve the sustainability of the City's town teams.

Further to this, they are required to align with the strategic priorities outlined in the City's Strategic Community Plan.

3. Is it envisaged that these three Town Teams will be eligible for an additional \$10,000 grant in 2022/23?

Yes, Council approved \$60,000 through the City's 2022/23 Annual Budget for Town Team Grant funding. This will be spread across the six town teams to equal \$10,000 per town team.

4. Were the Town Teams required to apply for the funds?

Town Teams are required to complete an application highlighting how their proposed initiative meets the requirements.

5. Are the Town Teams required to acquit these payments, and if so, by when, and who is responsible for checking the acquittals?

Following the completion of the initiatives, Town Teams are required to acquit their grants. This acquittal is assessed by a City officer and approved by Coordinator Place or Manager Policy & Place.

6. If they are required to acquit the payments will the details of the acquittals be available for inspection by ratepayers so that we can see what the money was spent on?

Yes.

7. Who approved/authorised these payments?

Coordinator Place or Manager Policy & Place.

8. Why were these payments made on the last day of the financial year?

The Town Team Grant applications were received, assessed and approved during the 2021/22 financial year.

Elio Amato of North Perth

1. The floodlighting infrastructure located at Charles Veryard Reserve was completed in March 2016. In the project justification and report to Council the project officer claimed the proposed new floodlighting for Charles Veryard Reserve was "the latest in floodlighting technology". Since installation, the floodlighting has been in operation a mere 6 years and for all intents appears to be fully functional and operating as it was when installed in 2016.

Can Council please provide evidence, from a suitably qualified persons, supporting the verbal claims made by CEO David MacLennan at the Council meeting of the 21st June 2022 that "*the floodlights are dilapidated and in need of replacement*".

The new lights are 2022 technology, which is a number of design generations ahead of the 2016 models. The main driver for the renewal was to improve the quality of the lighting by upgrading from 50 to 100 lux, accepting that this would allow older age groups to play games on Friday evenings (50 lux allows games for younger groups only).

2. Can Council please provide an explanation as to why in 2020 it facilitated the works to redirect the floodlights on the South-East floodlighting tower, directing the floodlights away from the sporting field and instead directing it to the base of the pole?

Two of the lights illuminate an area outside the sports field for night time dog walkers. During a storm in 2020 they were damaged and redirected back to their original position, where they currently sit.

3. What was the reason for deliberately reducing the illumination levels across the playing field when the proposed floodlight upgrade project claims to address the problem of inadequate light levels?

The driver for the renewal was to improve the quality of the lighting by upgrading from 50 to 100 lux, accepting that this would allow older age groups to play games on Friday evenings (50 lux allows games for younger groups only).

4. How has it been established that the existing lighting is inadequate to play ball sports?
The redirection of the floodlighting of the South-East tower resulted in an overall reduction in light levels across the playing field by 25% which could cause an uninformed observer that the lighting was not operating at its original design levels.

AS 256.2.3 Sports Lighting – Specific Application – Lighting for Football (all codes) states amateur level club competition and match training is to be minimum 100 lux. Redirecting the lights used for dog walkers would not achieve 100 lux on the sports field.

5. Further, can Council please advise why it refused to respond and address community reports of the misdirected floodlighting on the South-East tower?

The floodlights were not misdirected. A search of the City's records has not provided any community reports relating to misdirected lights.

6. Can Council please provide evidence of the legal risk review associated the floodlighting upgrade proposal in particular, the stated purpose to allow the playing of organised sporting activities at Charles Veryard Reserve under at night, considering numerous noise complaints received by the City over the last 2-3 years from local residents living adjacent the reserve?

NOTE: Council health officers conducted noise testing at noise sensitive premises adjacent Charles Veryard Reserve and identified noise from sports activities played on the reserve received at noise sensitive premises was 40 times over the statutory noise limits contained in the Environmental Protection (Noise) Regulations.

Charles Veryard Reserve sports field is used for night games and training in continuance of a long tradition of its' function as a community sports ground. The City understands the surrounding community is supportive of night games and training and the lighting upgrade is not expected to change these uses.

7. How does Council propose to control noise originating from organised sporting activities at Charles Veryard Reserve received at the noise sensitive premises adjacent the reserve which exceeds statutory limits particularly after 7pm which are considered "quiet" periods when residents expect uninterrupted quiet enjoyment of their homes and outside living areas?

Based on previous noise reports from City health officers, the City has previously worked with the resident football club to reduce noise from gameplay that may be affecting residents. This includes changes to the use of sirens and whistles and these controls are still in place today. The City has received no further noise complaints since implementing these controls including from the existing Friday night girls football matches and therefore concludes no further controls are necessary.

8. Charles Veryard Reserve appears on the State's Heritage Register and is classified as Category "B" Management Category Heritage Place in the State Heritage register.
Can Council please provide details of the assessment undertaken to establish that the proposed upgrade of the floodlighting at Charles Veryard Reserve was in accordance with Planning and Development Regulations 2015 and City of Vincent planning policy 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties?

The Heritage Council Statement of Significance lists the fact Charles Veryard Reserve is a considerable social and sporting open space, with a long associations with sporting clubs, as reasons for it being on the Heritage Register. This project was conceived to improve the current

lighting levels on an existing reserve that is already used at night. Referral to the Heritage Council for assessment was not considered necessary for a simple renewal of existing lights

9. Further, can Council please provide details of any investigation or report assessing the impact the development will have on the heritage value of the park and how the development is sympathetic and respectful to the park and its surrounds?

Please refer to the response above.

10. Can Council please advise the processes and procedures associated with operation of and control of the floodlighting, in particular how lighting controls will be managed to ensure the floodlighting is not used outside organised sporting activities and not used at the 100lux output level when not required for match play?

Part of the lighting upgrade is installation of remote controls that only get activated when authorised people tell them to turn on and they automatically turn off if left on after the approved time. Whilst the City acknowledges there may be some teething issues while the new system is being rolled out, it is expected the lights will be more tightly controlled using this system.

11. Can Council please provide details of the standards and/or statutory requirements to which it refers dictating the requirement for 100lux light levels across the playing field noting that AS2560.2.3 – Sports lighting specific applications – Lighting for Football (all codes) is not a mandatory standard?

AS 2650 is a nationally recognised guide for a standard of quality. 100 lux provides improved visual conditions for participants and spectators leading to a safer environment and enhanced community experience.

12. Can Council please provide technical details (lux plot) of the illumination levels (horizontal and vertical) across the playing field and surrounding areas based on the proposed LED lighting for both the 50lux and 100lux outputs.

The lux plan design showing the projected maximum output of the new lights is attached. It shows up to +135 lux in places, which is normal as the project seeks to achieve a uniform minimum of 100 lux. Outside the reserve the lux levels drop to below the Aust. Standard requirements and less than the street lighting.

13. Can Council please provide details of the footing reinforcement design produced by the City's design consultant including the geotechnical investigation completed to identify the scope of reinforcement works?

The current footings consist of a concrete pile to 4m below surface with cement activated stabilised sand applied approximately 2.5m radius around the pole base and 2m deep. The reinforcement work involves injecting micro fine Cementous grout underneath the stabilised sand slab, setting to a minimum of 2mPA, which further anchors the concrete pile from lateral movement. All works are conducted under direction and certification of qualified geotechnical and structural consulting engineers.

14. Can Council advise the remediation works to be undertaken to correct the leaning floodlight poles whose footings have been disturbed by the recent footing reinforcement works?

Council officers have inspected the poles and found no evidence they are leaning.

15. Can Council please advise why works commenced on the excavation and reinforcement of the existing pole footings committing the City to \$25,000 of expenditure prior to the source funding having been identified and approved by Council in the first quarter budget review?

Reinforcement works did not commence prior to Council agreement to fund the \$25,000 expenditure on 26/07/22.

16. Can Council please advise why an additional the pole footing reinforcement works was only identified after the installation works contract had been awarded when it should have been known that the existing pole footings were not capable of supporting the substantially increased sail area of upgraded lighting? If it was not known that the existing pole footing were not able to support the increased wind loads, why was this not identified by the design consultant prior to the tender and award of the contract?

Note. Advice of the proposed \$25,000 additional funding requirement was first included in the Council briefing notes dated 19 July 2022, two months after the upgrade works contract was awarded and works scheduled to commence.

The luminaire supplier experienced significant difficulties and delays procuring the luminaires due to COVID related issues. The luminaires that eventually arrived were second generation models that had a different tilt angle to the ones design and originally ordered, which were now unavailable. As this impacted the wind load rating a review of the poles was done, highlighting the need for reinforcement. To avoid further redesigns and potentially significant delays and increased costs the project was managed forward using the most efficient path possible.

17. Can Council please provide an updated cost to completion of the proposed floodlight upgrade project including all contract, design consulting services, subcontractors and contract employee costs?

\$136,000

18. Can Council please advise why, based on the legal, environmental and corporate governance issues raised above, the proposed Charles Veryard Reserve lighting upgrade was not circulated in accordance with the City's Community and Stakeholder Engagement Policy seeking input from those residents directly and indirectly affected by the proposal?

The City undertook consultation with the sporting clubs who are the key users of these lights. Local residents were informed when on site works were due to commence.

The City is always looking to improve its community engagement practices. Lighting projects can be contentious, and we are keen to ensure the community is better informed about when renewal works are being planned, designed or implemented.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Wallace, **Seconded:** Cr Gontaszewski

1. That Mayor Emma Cole's request for leave of absence from 2 – 11 October 2022 be approved.
2. That Cr Ross Ioppolo's request for leave of absence from 3 October to 3 November 2022 be approved.
3. That Cr Alex Castle's request for leave of absence from 3 October to 6 October 2022 be approved.
4. That Cr Dan Loden's request for leave of absence from 24 September to 2 October 2022 be approved.

CARRIED UNANIMOUSLY (8-0)

(Cr Hallett was an apology for the Meeting.)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 Deputation in support of application Item 9.3 – Mr Giday Hailu and Mr Daniel Juruck Akuoch

6:12pm - Council received the following deputation regarding Item 9.3 No. 221 Beaufort Street, Perth - Change of Use from Eating House to Restaurant/Cafè and Unlisted Use (Shisha Bar) including Alterations and Additions (Signage).

Mr Giday Hailu of Perth

- The patio was approved last year, and at that time it was stated that it was for a seating and smoking area.
- After the patio was built, he submitted an application to change the operating hours and at that stage was asked if he planned to sell shisha.
- The City advised that he needed to submit an application to sell shisha, which he then did.
- He has also provided a noise management plan and stated that one side of the patio, closest to the motel, will be fully enclosed.

Daniel Jurkuch Akuoch of Brabham

- Spoke on behalf of the applicants.
- The applicant was given permission to build the patio.
- Was instructed to install commercial bins, which they did.
- If approval is not granted, the applicants will be stuck with the lease until 2025.
- Original application was in June 2021, and the applicants have met all the requested conditions and provided all the information that the City has requested.
- A letter was sent to Council in June 2022 which raised concerns about mixed messages from the City
- They understand it is at the discretion of the Council, but shisha is not illegal, but must meet the requirements.
- There will be pecuniary loss in relation to payment of the lease and the construction of the patio and making sure the property meets the requirements.
- Requirements set by Council have been met, so the application should not be rejected but further work could be done on the property to meet the requirements.

6:21pm - The Presiding Member, Emma Cole, thanked Mr Hailu and Mr Akuoch for taking the time to make a detailed deputation and advised that some of the issues raised will be discussed during discussion on the item, particularly the difference between primary use as a smoking establishment and ancillary use.

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Gontaszewski, Seconded: Cr Loden

That the minutes of the Ordinary Meeting held on 23 August 2022 be confirmed.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

6:22pm - The Presiding Member Emma Cole made the following announcements:

7.1 NATIONAL DAY OF MOURNING

There will be a National Day of Mourning for Queen Elizabeth II, which has been something the whole world has experienced. The City of Vincent have been flying the flags at half mast in recognition of the loss. The Queen has been a strong and stoic leader and a fantastic role model for women who are aspiring leaders or want to see what a life of duty looks like. The City expresses its condolences to her family and all members of the Commonwealth who felt the loss.

7.2 EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS

The Presiding Member announced that this is the last Council Meeting for Virginia Miltrup, the Executive Director Community & Business Services, who is leaving to become the CEO of the City of Karratha.

Virginia joined in 2020 just as COVID was coming to WA and the City found itself in crisis mode, responding to significant government restrictions and shut downs at places like Beatty Park and the Library. The City had to undertake extreme measures in emergency budget setting.

The Director had the right skills for a complex set of circumstances, including support provided to the COVID-19 Relief and Recovery Committee during that time, because the decisions affected leases, budget setting and the closure of our community facilities, with all the implications that came with that, particularly the impact on our staff and casuals at Beatty Park.

Virginia helped lead improvements in financial sustainability, procurement and contract management, project management and customer service. Tonight Council will review the Long Term Financial Plan, which is a sound document, and a rating and review policy for the first time. This is an incredible body of work driven by the director and the high performing finance team.

The City has responded to a range of audit findings from Office of the Auditor General and our systems and processes are much improved as a result, and the Presiding Member mentioned that she values the fact that the director considers audit findings are a way to improve. The director has been a champion of new technology, particularly Teams and Sharepoint, and a strong advocate of the community development portfolios, particularly in the area of reconciliation. She has embraced the sports and recreation portfolio, particularly in the area of women's sport.

The Presiding Member congratulated the director on the amazing promotion to CEO of the City of Karratha, as she is a wonderful role model for women in Local Government.

7.3 EVENTS PROGRAM

The events program is kicking off again, the WAFL Grand Final will be held at Leederville Oval on 1 October 2022, 14,000 people are expected to attend. If not able to attend at the Oval, Leederville Town Centre will host the Footyville Festival, which will include live music, bands, activities for kids and screens will be up showing the game. Everyone is encouraged to take part. This is the same day that the Grosvenor Road trial starts, and there is a series of events happening around that. Sunday is Buskerville, which is an event in which Perth's best original artists are getting together and busking to help raise funds for rough sleepers in Perth. An events calendar will be advertised to the community shortly, showcasing that Vincent is the place to be this spring and summer.

8 DECLARATIONS OF INTEREST

6:29pm – The following declarations have been made.

- 8.1 Cr Ross Ioppolo declared a financial interest in Item 12.3 Claim for Reimbursement – Legal Costs as he stands to benefit from approval of this recommendation. He will not participate in the debate or vote in this matter.
- 8.2 Cr Suzanne Worner declared a financial interest in Item 11.7 WAFL Grand Final 2022 at Leederville Oval. The extent of her interest is that she is a director of UpBeat Events, which are managing the Oxford Street activation and working closely with the WAFL, COV staff and Leederville Connect. She will not participate in the debate or vote in this matter.

REPORTS

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

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**
Items 9.1, 9.3 and 9.4.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 12.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 11.7 and 12.3.

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	11.7 and 12.3
Cr Alexander	11.6 and 12.1
Cr Ioppolo	9.5 and 11.2

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, 9.6, 11.1, 11.3, 11.4, 11.5, 12.2 and 12.4
- (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 Castle, Seconded: Cr Wallace

**That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.2, 9.6, 11.1, 11.3, 11.4, 11.5, 12.2 and 12.4**





CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

9.2 NO. 166 (LOT: 1, S/P: 80901) CHELMSFORD ROAD, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE**Ward:** North**Attachments:**

1. Consultation and Location Map 
2. Development Plans 
3. Summary of Submissions - Administration Response 
4. Applicant Justification 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for Alterations and Additions to Single House at No. 166 (Lot: 1; S/P: 80901) Chelmsford Road, North Perth in accordance with the plans shown in Attachment 2 for the following reasons:

1. The development would not satisfy the Design Principles of Clause 5.1.2 Street Setbacks of State Planning Policy 7.3: Residential Design Codes – Volume 1 and the Local Housing Objectives of Clause 5.1 of the City’s Policy No. 7.1.1 – Built Form because:
 - 1.1 The proposed Chelmsford Road façade would not incorporate predominant features of the streetscape and would not contribute to or be consistent with the established streetscape;
 - 1.2 The development would not provide sufficient articulation of upper floors and does not incorporate design features to minimise visual bulk and scale of the building and distinguish parts of the dwelling, and would detract from the streetscape character; and
 - 1.3 The proposed development does not appropriately consider the prevailing and future development context of Chelmsford Road as outlined in Policy No. 7.1.1 – Built Form;
2. The development would not satisfy the Design Principles of Clause 5.1.6 Building Height of State Planning Policy 7.3: Residential Design Codes – Volume 1 and the Local Housing Objectives of Clause 5.3 of the City’s Policy No. 7.1.1 – Built Form because:
 - 2.1 The development would not respond to the surrounding development context and due to its bulk and scale would not preserve or enhance the neighbourhood context or character of the existing streetscape;
 - 2.2 The height of the proposal would not be complementary to existing developments in the streetscape as it predominantly consists of single storey dwellings; and
 - 2.3 The height of the proposal does not consider its building bulk and scale to the primary street elevation and would adversely impact the character of the existing streetscape; and
3. As a consequence of the proposed street setback, building height and building design (relating to massing, materials, detailing and roof form), the proposal:
 - 3.1 Would result in a bulk, scale and dominating appearance that would not be compatible with and complementary to the established residential area in which it is located (Clause 67(m)) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
 - 3.2 Would detract from the amenity and character of the residential neighbourhood (Clause 67(n)) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
 - 3.3 Would not enhance the amenity and character of the existing neighbourhood and is not compatible with the established area (objective of the Residential zone under Clause 16

of the Local Planning Scheme No. 2).

COUNCIL DECISION ITEM 9.2

Moved: Cr Castle, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

9.6 COMMUNITY SPORTING AND RECREATION FACILITIES FUND FORWARD PLANNING
GRANT APPLICATION

Attachments: Nil

RECOMMENDATION:

That Council AUTHORISES Administration to submit a funding application for the Community Sporting and Recreation Facilities Fund – 2023/2024 Annual and Forward Planning Grants for the Robertson Park Development Plan Tennis Precinct Implementation.

COUNCIL DECISION ITEM 9.6

Moved: Cr Castle, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

11.1 FINANCIAL STATEMENTS AS AT 31 JULY 2022

Attachments: 1. Financial Statements as at 31 July 2022 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 July 2022 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1

Moved: Cr Castle, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

11.3 INVESTMENT REPORT AS AT 31 JULY 2022

Attachments: 1. Investment Statistics as at 31 July 2022 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 July 2022 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

Moved: Cr Castle, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

11.4 OUTCOME OF ADVERTISING AND ADOPTION OF NEW COMMUNICATIONS AND SOCIAL MEDIA POLICY

- Attachments:
1. Communications and Social Media Policy 
 2. 4.1.20 - Social Media Protocol 
 3. 4.1.25 - Media Policy 

RECOMMENDATION:

That Council:

1. **ADOPTS** the Communications and Social Media Policy at Attachment 1; and
2. **REPEALS** 4.1.20 Social Media Protocol at Attachment 2 and 4.1.25 Media Policy at Attachment 3.

COUNCIL DECISION ITEM 11.4

Moved: Cr Castle, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

11.5 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO RECOVERY OF DEBTS, RATES AND SERVICE CHARGES POLICY

Attachments: 1. Recovery of Debts, Rates and Service Charges Policy 

RECOMMENDATION:

That Council ADOPTS the Recovery of Debts, Rates and Service Charges Policy Attachment 1.

COUNCIL DECISION ITEM 11.5














Moved: Cr Castle, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

12.2 INFORMATION BULLETIN

- Attachments:
1. Minutes of the Tamala Park Regional Council meeting held on 18 August 2022 
 2. Unconfirmed Minutes of the Mindarie Regional Council meeting held on 25 August 2022 
 3. Unconfirmed Minutes of the Sustainability and Transport Advisory Group - 4 August 2022 
 4. Statistics for Development Services Applications as at the end of August 2022 
 5. Register of Legal Action and Prosecutions Monthly - Confidential
 6. Register of Legal Action - Orders and Notices Quarterly - Confidential
 7. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 1 September 2022 
 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 - August 2022 
 11. Register of Notices of Motion - Progress Report - August 2022 
 12. Register of Reports to be Actioned - Progress Report - August 2022 
 13. Council Workshop Items since 26 July 2022 
 14. Council Meeting Statistics 
 15. Council Briefing Notes - 16 August 2022 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated September 2022.

COUNCIL DECISION ITEM 12.2

Moved: Cr Castle, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

12.4 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 7 SEPTEMBER 2022

- Attachments:
1. Audit Committee Minutes - 7 September 2022 
 2. Attachments to Audit Committee Meeting - 7 September 2022 - Confidential

RECOMMENDATION:

That Council RECEIVES the minutes of the Audit Committee Meeting of 7 September 2022, as at Attachment 1 and ENDORSES the recommendations.

COUNCIL DECISION ITEM 12.4

Moved: Cr Castle, Seconded: Cr Wallace

That the recommendation be adopted.









CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Hallett was an apology for the Meeting.)

REPORTS WITH DISCUSSION

9.1 NOS. 107 - 109 (LOTS: 1 - 2; S/P: 1896) SUMMERS STREET, PERTH - PROPOSED SIX GROUPED DWELLINGS

Ward: South

- Attachments:
1. Consultation and Location Map 
 2. Final Development Plans 
 3. Environmentally Sustainable Design Report 
 4. Urban Design Study 
 5. Superseded Development Plans 
 6. Summary of Submissions - Administration's Response 
 7. Summary of Submissions - Applicant's Response 
 8. 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 Six Grouped Dwellings at Nos. 107 – 109 (Lots: 1 - 2; S/P: 1896) Summers Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

1. Development Plans

This approval is for Six Grouped Dwellings as shown on the approved plans dated 20 July 2022. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

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, 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 to the satisfaction of the City;

4. Visual Privacy

4.1 Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and 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; and

4.2 Prior to occupancy or use of the development, permanent fixed cabinetry no less than 600 millimetres in width shall be provided against the western wall of the 'Kitchen' of Unit 6, to the satisfaction of the City;

5. Colours and Materials

5.1 Prior to first occupation or use of the development, the colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, and thereafter maintained, to the

satisfaction of the City; and

- 5.2 The metre boxes are to be painted the same colour as the wall they are attached so as to not be visually obtrusive, to the satisfaction of the City;

6. Landscaping

- 6.1 All landscaping works shall be undertaken in accordance with the approved plans dated 20 July 2022, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City; and

- 6.2 Prior to the first occupation of the development, the redundant or “blind” crossovers shall be removed, the verge area landscaped and the kerb made good to the City’s specifications and to the satisfaction of the City, at the applicant/owner’s full expense;

7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Sight Lines

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

- Walls, letterboxes or fences adjoin vehicle access points to the site; or
- A driveway meets a public street; or
- Two streets intersect;

Unless otherwise approved by the City of Vincent;

9. Car Parking and Access

- 9.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1;

- 9.2 All driveways, car parking and manoeuvring areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;

- 9.3 Prior to the occupation or use of the development, one visitor parking bay shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City; and

- 9.4 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided;

10. Construction Management Plan

A Construction Management Plan shall be lodged with and approved by the City prior to issue of a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Notification to affected land owners; and
- Construction times.

The approved Construction Management Plan shall be complied with for the duration of the construction of the development; and

11. Noise Attenuation Requirements

11.1 Prior to the issue of a building permit a detailed Noise Management Plan must be submitted to and approved by the City which demonstrates that the development has been designed to meet the relevant requirements of State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning' (SPP5.4). The report must be prepared by a suitably qualified and competent person in accordance with the SPP5.4; and

11.2 Prior to occupation or use of the development, the development shall incorporate all noise mitigation measures as outlined in the noise management plan or quiet house design package, to the satisfaction of the City.

Moved: Cr Gontaszewski, Seconded: Cr Loden

That the recommendation be adopted.

At 6:50 pm, Cr Ross Ioppolo left the meeting.

At 6:52 pm, Cr Ross Ioppolo returned to the meeting.

At 6:55 pm, Executive Director Community & Business Services left the meeting.

At 6:56 pm, Executive Director Community & Business Services returned to the meeting.

AMENDMENT 1

Moved: Cr Castle, Seconded: Cr Loden

That a Recommendation be added as follows:

3.1 Prior to occupancy or use of the development, solar panels shall be provided to the roof of each unit of the development, to the City's satisfaction.

AMENDMENT CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

AMENDMENT 2

Moved: Cr Castle, Seconded: Cr Loden

That a Recommendation be added as follows:

6.3 Prior to first occupation of the development, additional trees shall be provided along the eastern boundary of the site where they do not provide conflict with vehicle manoeuvring to the City's satisfaction. Evergreen species shall be provided and should seek to maximise canopy cover.

AMENDMENT CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

AMENDMENT 3

Moved: Cr Castle, **Seconded:** Cr Ioppolo

That a recommendation be added as follows:

8.2 Prior to occupation of the development, a sound beeping or other notification device shall be provided to the north-east corner of the development site that alerts vehicles exiting the site that a pedestrian is approaching, to the City's specifications and satisfaction.

AMENDMENT LOST (1-7)

For: Cr Castle

Against: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

(Cr Hallett was an apology for the Meeting.)

AMENDMENT 4

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

That the recommendation be amended as follows:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for Six Grouped Dwellings at Nos. 107 – 109 (Lots: 1 - 2; S/P: 1896) Summers Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8, **subject to the addition of an advice note "The applicant is encouraged to liaise with the adjoining eastern property landowners in relation to the materials and colours of the dividing fence provided to the eastern boundary adjacent to external play spaces of the adjoining child care premises."**

AMENDMENT CARRIED (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Wallace

Against: Cr Alexander and Cr Ioppolo

(Cr Hallett was an apology for the Meeting.)

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 Six Grouped Dwellings at Nos. 107 – 109 (Lots: 1 - 2; S/P: 1896) Summers Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8, subject to the addition of an advice note "The applicant is encouraged to liaise with the adjoining eastern property landowners in relation to the materials and colours of the dividing fence provided to the eastern boundary adjacent to external play spaces of the adjoining child care premises."

1. Development Plans

This approval is for Six Grouped Dwellings as shown on the approved plans dated 20 July 2022. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

3. External Fixtures

3.1 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 to the satisfaction of the City; and

3.2 Prior to occupancy or use of the development, solar panels shall be provided to the roof of each unit of the development, to the City's satisfaction.

4. Visual Privacy

4.1 Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and 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; and

4.2 Prior to occupancy or use of the development, permanent fixed cabinetry no less than 600 millimetres in width shall be provided against the western wall of the 'Kitchen' of Unit 6, to the satisfaction of the City;

5. Colours and Materials

5.1 Prior to first occupation or use of the development, the colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, and thereafter maintained, to the satisfaction of the City; and

5.2 The metre boxes are to be painted the same colour as the wall they are attached so as to not be visually obtrusive, to the satisfaction of the City;

6. Landscaping

6.1 All landscaping works shall be undertaken in accordance with the approved plans dated 20 July 2022, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City;

6.2 Prior to the first occupation of the development, the redundant or "blind" crossovers shall be removed, the verge area landscaped and the kerb made good to the City's specifications and to the satisfaction of the City, at the applicant/owner's full expense; and

6.3 Prior to first occupation of the development, additional trees shall be provided along the eastern boundary of the site where they do not provide conflict with vehicle manoeuvring to the City's satisfaction. Evergreen species shall be provided and should seek to maximise canopy cover.

7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Sight Lines

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

- Walls, letterboxes or fences adjoin vehicle access points to the site; or
- A driveway meets a public street; or
- Two streets intersect;

Unless otherwise approved by the City of Vincent;

9. Car Parking and Access

9.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1;

9.2 All driveways, car parking and manoeuvring areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;

9.3 Prior to the occupation or use of the development, one visitor parking bay shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City; and

9.4 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided;

10. Construction Management Plan

A Construction Management Plan shall be lodged with and approved by the City prior to issue of a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Notification to affected land owners; and
- Construction times.

The approved Construction Management Plan shall be complied with for the duration of the construction of the development; and

11. Noise Attenuation Requirements

11.1 Prior to the issue of a building permit a detailed Noise Management Plan must be submitted to and approved by the City which demonstrates that the development has been designed to meet the relevant requirements of State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning' (SPP5.4). The report must be prepared by a suitably qualified and competent person in accordance with the SPP5.4; and

11.2 Prior to occupation or use of the development, the development shall incorporate all noise mitigation measures as outlined in the noise management plan or quiet house

design package, to the satisfaction of the City.

LOST (3-5)

For: Mayor Cole, Cr Castle and Cr Worner

Against: Cr Gontaszewski, Cr Alexander, Cr Loden, Cr Ioppolo and Cr Wallace

(Cr Hallett was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1

ALTERNATIVE RECOMMENDATION

Moved: Cr Gontaszewski, **Seconded:** Cr Wallace

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the development application for Six Grouped Dwellings at No. 107 – 109 (Lot: 1 – 2; S/P: 1896) Summers Street, Perth for the following reasons:

1. The proposed development is inconsistent with the objectives of the Residential Zone under the City of Vincent's Local Planning Scheme No. 2, as the proposal does not result in a high-quality design that is compatible with and that enhances the amenity and character of the residential neighbourhood and streetscape. This is because the Summers Street frontage does not offer sufficient setbacks, articulation, design detail nor landscaping to reduce impacts of building bulk to the street and common areas;
2. The proposed development does not satisfy relevant design principles and local housing objectives of State Planning Policy 7.3 – Residential Design Codes Volume 1 (R Codes) and the Built Form Policy, including:
 - a) Clause 5.1 of the Built Form Policy and Clause 5.1.3 of the R Codes in relation to Street Setbacks. The front elevation of the development has not been designed so as to clearly distinguish the all upper floors from lower storeys. This results in a building bulk and scale that is not consistent with, and does not contribute to the established streetscape;
 - b) Clause 5.1.3 of the R Codes in relation to Lot Boundary Setbacks. The buildings have not been appropriately setback from lot boundaries nor designed appropriately so as to reduce impacts of building bulk and scale to the adjoining properties;
 - c) Clause 5.3.1 of the R Codes in relation to Outdoor Living Areas. The primary outdoor living areas do not optimise the northern aspect of the site, resulting in insufficient uncovered areas to allow for winter sun into the outdoor spaces and dwellings;
 - d) Clause 5.3.2 of the R Codes in relation to Landscaping. The reduced landscaping in the street setback area does not contribute to the appearance and amenity of the development for residents or positively contribute to the streetscape; and
 - e) Clause 5.3.3 of the R Codes in relation to Visitor Parking. The shortfall of visitor car parking would result in an adverse impact on the amenity of the surrounding properties and streetscape with reliance on on-street parking for visitors; and
3. Having regard to the reasons above, the proposed development:
 - a) Is not physically compatible with its setting broadly nor with the adjoining developments (Clause 67(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - b) Would have an adverse and detrimental impact on the amenity and character of the locality (Clause 67(n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

REASON:

The proposed development should be refused given the deviations to visitor car parking, extent of hardstand and lack of landscaping in the front setback, planting areas, upper floor balconies, lot boundary setbacks and outdoor living areas.

CARRIED (5-3)

For: Cr Gontaszewski, Cr Alexander, Cr Loden, Cr Ioppolo and Cr Wallace








Against: Mayor Cole, Cr Castle and Cr Worner

(Cr Hallett was an apology for the Meeting.)

7.18pm - Cr Dan Loden left the meeting.

9.4 NO. 624 BEAUFORT STREET, MOUNT LAWLEY - CHANGE OF USE TO UNLISTED USE (SHISHA LOUNGE) INCLUDING ALTERATIONS AND ADDITIONS (UNAUTHORISED EXISTING DEVELOPMENT)

Ward: South

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Applicant's Cover Letter 
 4. Acoustic Report 
 5. Land Use Context Plan 
 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:

1. **REFUSES** part of the application for Change of Use to Unlisted Use (Shisha Lounge) including Alterations and Additions (Fence and Gate) (Unauthorised Existing Development) at No. 624 Beaufort Street, Mount Lawley (Lot: 700; D/P: 400441), as shown in Attachment 2, for the following reasons:
 - 1.1 As a consequence of the location of the Unlisted Use (Shisha Lounge) within an unenclosed patio and outbuilding at the rear of the subject site and adjoining sensitive residential land uses, with this exacerbated by the operating hours and intensity of the Unlisted Use (Shisha Lounge), the proposal:
 - 1.1.1 Would be inconsistent with the objectives of the District Centre zone and subsequently Clause 18(4)(c) of the City of Vincent's Local Planning Scheme No. 2 and is therefore not permitted, as the development would adversely impact the amenity of the adjoining properties and residential areas. This is because it would result in smoke, vapour and odour emissions, noise emissions, and impacts from the lack of management of the activities associated with the use. The off-site amenity impacts related to these emissions from and the activities of the proposal would negatively impact on adjoining properties;
 - 1.1.2 Would have an undue amenity impact on the adjoining sensitive residential land uses, and subsequently would not be compatible with its setting, as the proposal has not demonstrated that the emissions and activities associated with the use could be appropriately mitigated as outlined in reason 1.1.1 (Clause 67(m), (n) and (x) of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 1.1.3 Would be inconsistent with the Aims of the City of Vincent's Local Planning Scheme No. 2, as the development would not protect and enhance the health, safety and general welfare of the City's inhabitants and the social, environmental and cultural environment, as the proposal has not demonstrated that the emissions and activities associated with the use could be appropriately mitigated as outlined in reason 1.1.1 (Clause 67(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 1.1.4 Would have an adverse impact on the amenity of the adjoining properties as evidenced through written objections received from surrounding owners and occupants (Clause 67(y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - 1.1.5 Would be inconsistent with orderly and proper planning as it would be inconsistent with the objectives and approach of the City's draft Local Planning Policy: Restricted Premises – Smoking. This is because the proposal has not demonstrated that the emissions and activities associated with the use could be appropriately mitigated as outlined in reason 1.1.1 (Clause 67(b) of the *Planning*

and Development (Local Planning Schemes) Regulations 2015); and

1.2 As a consequence of the height and materials of the proposed Alterations and Additions (Fence and Gate) at the front of the subject site along the Beaufort Street frontage, the proposal:

1.2.1 Would not satisfy the Element Objectives of Volume 3 Clause 1.7 – Public Domain Interface of the City’s Policy No. 7.1.1 – Built Form as it would not enhance the amenity and safety of the adjoining public domain; and

1.2.2 Would not satisfy objectives of the District Centre zone under Local Planning Scheme No.2 as it would not result in high quality, pedestrian-friendly, street-orientated development that responds to and enhances key elements of the District Centre; and

2. APPROVES part of the application for Alterations and Additions (Patio) (Unauthorised Existing Development) at No. 624 Beaufort Street, Mount Lawley (Lot: 700; D/P: 400441), as shown in Attachment 2, subject to the following conditions and advice notes included in Attachment 7:

2.1 This approval is for Alterations and Additions (Patio) to existing Shop as shown on the approved plans dated 21 December 2021. No other development forms part of this approval;

2.2 The Alterations and Additions (Patio) shall not be used for the purpose of an Unlisted Use (Shisha Lounge) or the like; and

2.3 Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

7.20pm - Cr Dan Loden returned to the meeting.

COUNCIL DECISION ITEM 9.4

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

That the recommendation be adopted.

CARRIED (8-0)









For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

9.3 NO. 221 BEAUFORT STREET, PERTH - CHANGE OF USE FROM EATING HOUSE TO RESTAURANT/CAFÉ AND UNLISTED USE (SHISHA BAR) INCLUDING ALTERATIONS AND ADDITIONS (SIGNAGE)

Ward: South

- Attachments:
1. Consultation and Location Map 
 2. Development Plans 
 3. Noise Management Plan 
 4. Venue Management Plan 
 5. Land Use Context Plan 
 6. Previous Approvals 
 7. Summary of Submissions - Administration's Response 
 8. Summary of Submissions - Applicant's Response 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for Change of Use from Eating House to Restaurant/Café and Unlisted Use (Shisha Bar) including Alterations and Additions (Signage) at No. 221 (Lot: 3; D/P: 1879) Beaufort Street, Perth, as shown in Attachment 2, for the following reasons:

1. As a consequence of the location of the Unlisted Use (Shisha Bar) within an unenclosed patio at the rear of the subject site and adjoining residential and other sensitive land uses, with this exacerbated by the operating hours and intensity of the Unlisted Use (Shisha Bar), the proposal:
 - 1.1 Would be inconsistent with the objectives of the Commercial zone and subsequently Clause 18(4)(c) of the City of Vincent's Local Planning Scheme No. 2 and is therefore not permitted, as the development would be detrimental to the amenity of the adjoining properties. This is because it would result in smoke, vapour and odour emissions associated with the use. The off-site amenity impacts related to these emissions from the proposal would negatively impact on adjoining properties;
 - 1.2 Would have an undue amenity impact on the adjoining residential and sensitive land uses, and subsequently would not be compatible with its setting, as the proposal has not demonstrated that the emissions associated with the use could be appropriately mitigated as outlined in reason 1.1 (Clause 67(m), (n) and (x) of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 1.3 Would be inconsistent with the Aims of the City of Vincent's Local Planning Scheme No. 2, as the development would not protect and enhance the health, safety and general welfare of the City's inhabitants and the social, environmental and cultural environment, as the proposal has not demonstrated that the emissions associated with the use could be appropriately mitigated as outlined in reason 1.1 (Clause 67(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 1.4 Would have an adverse impact on the amenity of the adjoining properties as evidenced through written objections received from surrounding owners and occupants (Clause 67(y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - 1.5 Would be inconsistent with orderly and proper planning as it would be inconsistent with the objectives and approach of the City's draft Local Planning Policy: Restricted Premises – Smoking. This is because the proposal has not demonstrated that the emissions associated with the use could be appropriately mitigated as outlined in reason 1.1 (Clause 67(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
2. As a consequence of the extent of the proposed Alterations and Additions (Signage), the

proposal:

- 2.1 **Would not satisfy the objectives of the City's Local Planning Policy – Signs and Advertising as it would result in a proliferation of advertisement that is not aligned with the City's Public Health Plan objective to reduce exposure of tobacco advertising; and**
- 2.2 **Would be inconsistent with orderly and proper planning as it would be inconsistent with the objectives and approach of the City's draft Local Planning Policy: Restricted Premises – Policy for the reasons outlined in reason 2.1 (Clause 67(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*).**

COUNCIL DECISION ITEM 9.3

Moved: Cr Castle, Seconded: Cr Gontaszewski

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and

Against: Cr Wallace

(Cr Hallett was an apology for the Meeting.)

At 7.50pm Coordinator Planning Services left the meeting and did not return.

9.5 ROBERTSON PARK DEVELOPMENT PLAN

- Attachments:
1. Endorsed Robertson Park Development Plan 
 2. Revised Robertson Park Development Plan 

RECOMMENDATION:

That Council:

1. APPROVES the revised Robertson Park Development Plan at Attachment 2; and
2. NOTES the revised project budget is proposed to be reflected in the 4-year Capital Works Program 2022/23 – 2025/26.

Moved: Cr Loden, Seconded: Cr Ioppolo

**That
the recommendation be adopted.**

At 7.52pm Manager Development & Design left the meeting and did not return.
At 7.56pm Executive Director Community & Business Services left the meeting.
At 7.56pm Executive Director Community & Business Services returned to the meeting.
At 8:07 pm, Cr Ross Ioppolo left the meeting.

AMENDMENT

Moved: Cr Alexander, Seconded: Cr Gontaszewski

That the recommendation be amended as follows:

That there be 20 tennis only courts, of which 6 would be clay if agreement can be reached with Tennis West.

AMENDMENT LOST (1-7)

For: Cr Alexander

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

(Cr Hallett was an apology for the Meeting.)

Note: During debate on the above amendment -

At 8:10 pm, Cr Ross Ioppolo returned to the meeting.
At 8:18 pm, Cr Ashley Wallace left the meeting.
At 8:20 pm, Cr Ashley Wallace returned to the meeting.

Moved: Cr Alexander

That the motion be amended to provide that the lease term with Tennis West be a 10 plus 10, with the second 10 being at the discretion of the City.

This amendment was withdrawn by the mover, as the lease does not form part of the recommendation for this item.

COUNCIL DECISION ITEM 9.5

That Council:

1. **APPROVES** the revised Robertson Park Development Plan at Attachment 2; and
2. **NOTES** the revised project budget is proposed to be reflected in the 4-year Capital Works Program 2022/23 – 2025/26.

CARRIED (7-1)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner and Cr Wallace

Against: Cr Ioppolo

(Cr Hallett was an apology for the Meeting.)

At 8.25pm Manager Policy and Place left the meeting and did not return.

At 8.25pm Executive Director Strategy & Development left the meeting.

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022

- Attachments:
1. Payments by EFT and Payroll July 22 
 2. Payments by Cheque July 22 
 3. Payments by Direct Debit July 22 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 July 2022 to 31 July 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$6,421,741.45
Cheques	\$32,966.50
Direct debits, including credit cards	\$224,532.57
Total payments for July 2022	\$6,679,240.52

COUNCIL DECISION ITEM 11.2

Moved: Cr Ioppolo, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

11.6 ADOPTION OF THE LONG TERM FINANCIAL PLAN FOR THE PERIOD 2022/23 - 2031/32

- Attachments:**
1. Long Term Financial Plan 2023-2032 
 2. Revenue and Rating Plan 2023-2026 

RECOMMENDATION:**That Council:**

1. **ADOPTS** the Long Term Financial Plan 2022/23 to 2031/32 and **NOTES** endorsement for the Scenario 1 - Base Scenario as detailed in Attachment 1;
2. **ADOPTS** the Revenue and Rating Plan 2022/23 to 2025/26 detailed in Attachment 2;
3. **AUTHORISES** the Chief Executive Officer to forward the City of Vincent Long Term Financial Plan in 1. above to the Department of Local Government, Sport and Cultural Industries.

COUNCIL DECISION ITEM 11.6

Moved: Cr Loden, **Seconded:** Cr Ioppolo

That the recommendation be adopted.

CARRIED (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Wallace

Against: Cr Alexander and Cr Ioppolo

(Cr Hallett was an apology for the Meeting.)

During debate on the above Item –

At 8.33pm Executive Director Strategy & Development returned to the meeting.

At 8.38pm A/Executive Manager Corporate Strategy & Governance left the meeting.

At 8.39pm A/Executive Manager Corporate Strategy & Governance returned to the meeting.

At 8.40pm A/Executive Director Infrastructure & Environment left the meeting.

At 8.43pm A/Executive Director Infrastructure & Environment returned to the meeting

At 8.45pm Cr Suzanne Worner left the meeting due to a previously declared financial interest.

11.7 WAFL GRAND FINAL 2022 AT LEEDERVILLE OVAL

Attachments: 1. 2022 WAFL Grand Final Host Venue Agreement DRAFT - Confidential

RECOMMENDATION:

That Council:

1. APPROVES the CEO to negotiate an agreement with the West Australian Football Commission to host the 2022 WAFL Grand Final at Leederville Oval, including the sponsorship fees itemised in clause (d) of Attachment 1 'Confidential 2022 WAFL Grand Final Host Venue Agreement'; and
2. NOTES the Annual Budget 2022-2023 will be updated in the first quarter budget review to reflect budget re-allocations and budget increases arising from (1).

Moved: Cr Castle , Seconded: Cr Loden

That the recommendation be adopted.

PROCEDURAL MOTION

Moved: Cr Loden, Seconded: Cr Castle

Pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the Meeting Procedures Local Law 2008, proceeds "behind closed doors" to discuss the confidential attachment.

CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

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

At 8.51pm livestreaming stopped to discuss the confidential attachment.

At 9:12 pm, Cr Dan Loden left the meeting.

At 9:14 pm, Cr Dan Loden returned to the meeting.

PROCEDURAL MOTION

Moved: Cr Castle; Seconded: Cr Ioppolo

That the Council resume an "open meeting".

CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Ioppolo and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

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

At 9.14pm the livestreaming recommenced.

COUNCIL DECISION ITEM 11.7

That Council:

- 1. APPROVES the CEO to negotiate an agreement with the West Australian Football Commission to host the 2022 WAFL Grand Final at Leederville Oval, including the sponsorship fees itemised in clause (d) of Attachment 1 'Confidential 2022 WAFL Grand Final Host Venue Agreement'; and**
- 2. NOTES the Annual Budget 2022-2023 will be updated in the first quarter budget review to reflect budget re-allocations and budget increases arising from (1).**

CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Ioppolo and Cr Wallace


Against: Nil

(Cr Hallett was an apology for the Meeting.)

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

At 9.16pm Cr Suzanne Worner returned to the meeting.

12.1 ADOPTION OF CORPORATE BUSINESS PLAN 2022/23 - 2025/26 AND FOUR YEAR CAPITAL WORKS PROGRAM 2022/23 - 2025/26

Attachments: 1. **Draft Corporate Business Plan 2022/23 - 2025/26 and Four Year Capital Works Program 2022/23 - 2025/26** 

RECOMMENDATION:

That Council:

- 1. ADOPTS BY ABSOLUTE MAJORITY the City of Vincent Corporate Business Plan 2022/23 - 2025/26 at Attachment 1 including the Four Year Capital Works Program 2022/23 – 2025/26, including figures as adopted in the Long Term Financial Plan; and**
- 2. NOTES that final editorial, design and formatting of these documents will be determined by the Chief Executive Officer prior to publication.**

COUNCIL DECISION ITEM 12.1

Moved: Cr Gontaszewski, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Wallace

Against: Cr Alexander and Cr Ioppolo

(Cr Hallett was an apology for the Meeting.)

At 9.23pm Executive Manager Financial Services left the meeting and did not return.

At 9.23pm Cr Ross Ioppolo left the meeting due to a previously declared financial interest and did not return.

12.3 CLAIM FOR REIMBURSEMENT - LEGAL COSTS

Attachments: 1. Cr Ioppolo Application for Legal Costs 2021 - Confidential
 2. Statutory Declaration - Cr Ioppolo - Confidential

RECOMMENDATION:

That in accordance with policy 4.2.1 *Legal Representation for Council Members and Employees* Council:

1. **APPROVES** Cr Ioppolo's application for reimbursement of legal costs related to his summons to appear before the Court of Disputed Returns in November 2021; and
2. **LIMITS** reimbursement of costs in relation to Cr Ioppolo's application to \$2,376.

COUNCIL DECISION ITEM 12.3

Moved: Cr Castle, Seconded: Cr Worner

That the recommendation be adopted.

CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, and Cr Wallace

Against: Nil

(Cr Hallett was an apology for the Meeting.)

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

At 9.29pm Executive Director Community & Business left the meeting and did not return.

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

16 URGENT BUSINESS

Nil

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

Claim for Reimbursement – Legal Costs has been made public and is under Item 12.3.

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.30pm with the following persons present:

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski Cr Ron Alexander Cr Alex Castle Cr Dan Loden Cr Suzanne Worner Cr Ashley Wallace	Presiding Member South Ward North Ward North Ward North Ward North Ward South Ward
IN ATTENDANCE:	David MacLennan John Corbellini Peter Varris Joslin Colli Wendy Barnard	Chief Executive Officer Executive Director Strategy & Development A/Executive Director Infrastructure & Environment A/Executive Manager Corporate Strategy &Governance Council Liaison Officer
Public:	No members of the public.	

These Minutes were confirmed at the 18 October 2022 Meeting of Council as a true and accurate record of the Ordinary Meeting of the Council held on 20 September 2022.

Signed: Mayor Emma Cole

Dated