



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

15 November 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, 15 NOVEMBER 2022 AT 6.00PM**

PRESENT:	Cr Susan Gontaszewski	South Ward (Presiding Member)
	Cr Ron Alexander	North Ward
	Cr Alex Castle	North Ward
	Cr Dan Loden	North Ward (electronically)
	Cr Suzanne Worner	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Ross Ioppolo	South Ward
	Cr Ashley Wallace	South Ward
 IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Jay Naidoo	A/Executive Director Strategy & Development
	Peter Varris	A/Executive Director Infrastructure & Environment
	Rhys Taylor	Chief Financial Officer
	Joslin Colli	A/Executive Manager Corporate Strategy & Governance
	Tara Gloster	Manager Policy & Place (Left at 8.14pm after Item 9.4)
	Luke McGuirk	Manager Engineering (Left at 8.10pm during Item 9.4)
	Lisa Williams	Manager Marketing & Partnerships (left at 6.47pm during Item 9.6)
	Wendy Barnard	Council Liaison Officer

Public: Approximately twenty members of the public.

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Cr Susan Gontaszewski, Deputy Mayor 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

Mayor Emma Cole is 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 Kalia McCallum of Kardinya - Item 9.6

- Spoke for the recommendation
- Thanked Council for their submission in respect to the MRWA Charles Street proposal, she believes it is very strong

The Presiding Member, Cr Susan Gontaszewski, thanked Ms McCallum for her comments.

3.2 Philip Perroni of North Perth – Item 9.1

- Spoke against the recommendation
- Thanked Council Members and staff for meeting with him and listening to his concerns
- Urged Council to ensure that the rules are applied on this occasion

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Perroni for his comments.

3.3 Calagero Caferalli of North Perth – Item 12.3

- Submitted a Freedom of Information request
- Spoke against the proposed Angove Street service station development application
- Mentioned that a local road should not have petrol station on it, unless it is turned back into a major thoroughfare

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Caforelli for his comments.

3.4 Don Barba of North Perth – Item 12.3

- Mentioned that he is representing the Stop the Station (STS) Group
- Stated that he has submitted a written statement (below) and a petition opposing this development application
- Mentioned that the increase in vehicle traffic will have a deleterious effect on nearby residents and to visitors
- Stated there is no restrictions to Council discussing this application, and urged it to table and vote on the report

Written statement below:

“The STS Group would like to ask what is the position of COV regarding the proposed development of a Service Station on the corner of Angove and Woodville. Is it similar to that of the unanimous NO vote of the Councillors at City of Rockingham in 2021 or don't COV Councillors get the right to discuss and vote on the proposed DA. Surely, COV Councillors on the DJAP panel would want to represent the views of the full City of Vincent Council when attending the DJAP panel. And more significantly and importantly would they not want to represent the VOICES of ratepayers that elected them and why is there is no open COV meeting where ratepayers are given an opportunity for their Voices to be heard.”

A discussion and a decision on this matter took place under Item 12.3 on this agenda.

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Barba for his comments.

3.5 Sharon Barba of North Perth – Item 12.3

- Member of the Stop the Station Group
- Stated that she hopes that Council Members familiarise themselves with the submission they have made
- Mentioned that she believes the site should have been rezoned previously, and noted that it is clear that a service station is not the best possible use of the site
- Congratulated Council on fostering a sense of community in North Perth, and mentioned that communities need to be nurtured, not threatened
- Stated that there are no legal barriers to Council discussing and voting on this matter

The Presiding Member, Cr Susan Gontaszewski, thanked Ms Barba for her comments.

3.6 Janine McDonald of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Mentioned the pillars of the City's Public Health Plan and points from the Local Planning Scheme No. 2 which are contradicted in this development application
- Stated that a 24/7 petrol station, with additional traffic, petrol tankers and crossovers into the streets are the opposite of supporting a safe environment

- Stated that the development will not encourage public attendance at cafes, restaurants and specialty shops

The Presiding Member, Cr Susan Gontaszewski, thanked Ms McDonald for her comments and for mentioning the Public Health Plan, as it is something the City is proud of.

3.7 Nicole Woolf of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Mentioned that she is worried about the health implications of having a service station so close to her property and to the primary school
- Queried what will happen to the businesses when the service station drives the customers away due to the fumes
- Questioned how they could access their laneway with the extra traffic and petrol tankers 'barrelling' down the road
- Implored Council not to destroy the community

The Presiding Member, Cr Susan Gontaszewski, thanked Ms Woolf for her comments.

3.8 Marlene Woolf of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Mentioned that there is now a good understanding of health concerns, and prolonged exposure to petrol fumes can be detrimental to health
- Stated that the petrol station is within 100m of a primary school
- Queried if the Council is prepared for legal action from residents whose family members become sick because of the service station

The Presiding Member, Cr Susan Gontaszewski, thanked Ms Woolf for her comments.

3.9 Helen O'Toole of Mt Lawley – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Mentioned that petrol tankers can leak petrol and burst into flames, which is a health risk for the children at the primary school, and the residents
- Stated that the street will be destroyed if a petrol station is allowed there

The Presiding Member, Cr Susan Gontaszewski, thanked Ms O'Toole for her comments and mentioned that this development application is listed for decision by the Joint Development Assessment Panel (JDAP). Council is not the decision maker for this application.

3.10 Craig Willis of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Stated that this development will change the paradigm of North Perth
- Implored the Council to make a submission to the JDAP against this development
- Urged Council to read the documents as there are City assets involved in this development

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Willis for his comments.

3.11 Frank Knezovic of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Endorsed what the other speakers have said
- Stated that this area of North Perth is special, and is not a good locale for a service station as it is a very busy intersection and there are 2 other petrol stations within 1km of that location, there is no need for another
- This will detract from the amenity in the area

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Knezovic for her comments.

3.12 Bronwyn Tyson of Mt Hawthorn – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Requested Council to oppose this development

The Presiding Member, Cr Susan Gontaszewski, thanked Ms Tyson for her comments.

3.13 Wayne Davis of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Mentioned that the road already has a lot of traffic and people exceeding the speed limit, and he is worried about school children trying to cross that road
- Implored Council to make a submission to the JDAP to oppose this development

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Davis for his comments.

3.14 Elliott Woolf of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Reiterated the lack of need, and want, for this petrol station, there is no good reason for it
- Queried if Council want to put people at risk and lose the heart of North Perth

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Woolf for his comments.

3.16 Sylvia Galea of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- Reinforced what other speakers have said

The Presiding Member, Cr Susan Gontaszewski, thanked Ms Galea for her comments.

3.17 Steven Carter of North Perth – Item 12.3

- Spoke against the proposed Angove Street service station development application
- The community and streetscape in Angove Street is fantastic and the service station will stand out
- Stated that petrol tankers at that intersection will be difficult, and extra traffic at night will be disruptive
- Implored Council to make a submission against this development

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Carter for his comments.

The following question was submitted prior to the Meeting.

Natalie Jolakoski of North Perth - Item 9.6

- 1) The completion of the Main Roads Charles Street concept was done before any community or council consultation was conducted. Is it possible for the Council to request a parliamentary question to Rita Saffioti regarding the taxpayer costs involved with the main roads concept? To include the in-house hours spent, 3D visual contractor fees, and design and distribution costs of the brochure.
- 2) Could the Vincent library offer significant history information on the character buildings on Charles Street (eg:Yanchep traders) which could help to oppose the demolition of these sites? Is there any character retention and heritage values of these buildings? If not, could they be nominated for recognition?

Administrations' responses will be provided in the Agenda for the 13 December 2022 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.33pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Don Barba submitted a petition with 326 signatures requesting that Council does not approve the proposed construction of a new Service Station at No. 41-43 Angove Street and the existing dwelling at No. 45 Angove Street. We believe that a new service station with increased capacity will be detrimental to the cafe strip on Angove Street and cause additional traffic issues to pedestrians and school children who attend on the adjacent site. The two streets (Woodville and Angove Streets) servicing the proposed development are too narrow for any additional traffic flow. In addition, we believe there are health issues to the patrons of the cafe strip with the additional emissions from the proposed site. The approved use of the site as a service station is a relic of a past era when Angove Street had no cafe strip, small traffic flow and is no longer commensurate with today's community usage. Angove Street is the beating heart of our funky urban village in North Perth.

PETITION**COUNCIL DECISION**

Moved: Cr Hallett, Seconded: Cr Ioppolo

That the petition be received.

CARRIED UNANIMOUSLY (8-0)

(Mayor Cole was an apology for the Meeting.)

6 CONFIRMATION OF MINUTES**COUNCIL DECISION**

Moved: Cr Wallace, Seconded: Cr Hallett

That the minutes of the Ordinary Meeting held on 18 October 2022 be confirmed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Cr Susan Gontaszewski made the following announcement:

7.1 RECENT CITY EVENTS

Mentioned that the PrideFest Fairday and Young Makers Markets were held the past weekend, both fantastic events. Congratulations to the organisers of these ongoing events. Next week is the launch of smoke-free Town Centres, which is a public health initiative and the Beatty Park 60 year anniversary celebrations are on 25 and 26 November 2022.

7.2 RECOGNITION OF JAMES (JIMMY) MURPHY

Jimmy Murphy was a City of Vincent councillor from 2015 – 2019, and has been nominated in the WA Australian of the Year Awards as the founder of the Town Team movement, which originated at the City. Congratulations to Mr Murphy and all involved in Town Teams, they add a lot of value to our neighbourhoods.

8 DECLARATIONS OF INTEREST

- 8.1 Cr Suzanne Worner declared a financial interest in Item 11.4 First Quarter Budget Review 2022-23. The extent of her interest is that she is a director of UpBeat Events, which managed the Oxford Street activation and worked closely with the WAFL, City of Vincent staff and Leederville Connect. She is not seeking approval to participate in the debate or to remain in chambers or to vote on the matter.
- 8.2 Cr Ashley Wallace declared an impartiality interest in Item 9.6 Charles Street Planning Study. The extent of his interest is that he is currently direct employed by Laing O'Rourke (LOR) to work on two MRWA projects. LOR is in a partnership agreement with MRWA on both; under the agreement MRWA is the Owner and LOR is a Construction Non-Owner Participant.
- 8.3 Cr Dan Loden declared an impartiality interest in Item 9.6 Charles Street Planning Study. The extent of his interest is that he is acquainted with one of the potentially affected property owners.

REPORTS

The Presiding Member Cr Susan Gontaszewski, Deputy Mayor 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, 9.6 and 12.3.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 11.4.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 11.4.

The Presiding Member Cr Susan Gontaszewski, Deputy Mayor requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Alexander	12.3
Cr Worner	12.3
Cr Hallett	10.2
Cr Ioppolo	9.4 and 17.1

The Presiding Member Susan Gontaszewski, Deputy Mayor therefore requested the Chief Executive Officer, David MacLennan, to advise the meeting of:

- (e) **Unopposed items which will be moved “En Bloc”, being:**
Items 9.2, 9.3, 9.5, 10.1, 11.1, 11.2, 11.3, 11.5, 12.1 and 12.2
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Item 17.1.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Castle, Seconded: Cr Worner

**That the following unopposed items be adopted “En Bloc”, as recommended:
Items 9.2, 9.3, 9.5, 10.1, 11.1, 11.2, 11.3, 11.5, 12.1 and 12.2**

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

9.2 ADVERTISING OF REVIEWED LOCAL PLANNING POLICY NO. 7.5.13 - PERCENT FOR ART

- Attachments:
1. Percent for Art Policy Stakeholder Engagement Summary 
 2. Draft Percent for Art Policy 

RECOMMENDATION

That Council APPROVES draft Local Planning Policy No. 7.5.13 – Percent for Art, at Attachment 2, for the purpose of community consultation.

COUNCIL DECISION ITEM 9.2

Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

9.3 CASH-IN-LIEU OF PUBLIC OPEN SPACE

Attachments: Nil

RECOMMENDATION:

That Council RESOLVES to implement the Western Australian Planning Commission Development Control Policy 2.3 – Public Open Space in Residential Areas from 1 July 2023.

COUNCIL DECISION ITEM 9.3

Moved: Cr Castle, Seconded: Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

9.5 BANKS RESERVE MASTER PLAN - NEXT STAGE OF IMPLEMENTATION

- Attachments:
1. Banks Reserve - Site Map 
 2. Walter's Brook Crossing - Feasibility Study 

RECOMMENDATION:**That Council NOTES:**

1. Toilet Block location for Banks Reserve shown at Attachment 1;
2. Banks Reserve Interpretation Node scheduled for implementation in 22/23; and
3. Detailed design for Walter's Brook Crossing to commence in 22/23.

COUNCIL DECISION ITEM 9.5

Moved: Cr Castle, Seconded: Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Mayor Cole was an apology for the Meeting.)

10.1 RFT IE225/2022 ELECTRICAL SWITCHBOARDS AND ELECTRICAL REWIRING REPLACEMENT WORKS FOR BEATTY PARK LEISURE CENTRE**Attachments: 1. Tender Evaluation - Confidential****RECOMMENDATION:****That Council:**

- 1. NOTES the outcome of the evaluation process for Tender IE225/2022 Electrical Switchboards and Electrical Rewiring Works for BPLC; and**
- 2. ACCEPTS the tender submission of Techworks Electrical Pty Ltd for Tender IE225/2022 Electrical Switchboards and Electrical Rewiring Works for BPLC; and**
- 3. APPROVES funding allocation of \$659,351, of which \$450,970 has been allocated in the 2022/2023 capital works budget, and notes an additional \$220,000 to be allocated in the 2023/2024 capital works budget for the continuation of this project over two financial years.**

COUNCIL DECISION ITEM 10.1**Moved: Cr Castle, Seconded: Cr Worner****That the recommendation be adopted.****CARRIED UNANIMOUSLY "EN BLOC" (8-0)****(Mayor Cole was an apology for the Meeting.)**

11.1 FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2022

Attachments: 1. Financial Statements as at 30 September 2022 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 30 September 2022 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1




Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 SEPT 2022 TO 30 SEPT 2022

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

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 Sept 2022 to 30 Sept 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$7,180,446.27
Cheques	\$1,275.20
Direct debits, including credit cards	\$165,211.67
Total payments for Sept 2022	\$7,346,933.14

COUNCIL DECISION ITEM 11.2

Moved: Cr Castle, Seconded: Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

11.3 INVESTMENT REPORT AS AT 30 SEPTEMBER 2022

Attachments: 1. Investment Statistics as at 30 September 2022 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 30 September 2022 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

11.5 ADVERTISING OF AMENDED POLICY - SPONSORSHIP TO THE CITY POLICY

- Attachments:
1. Updated Sponsorship to the City Policy 
 2. Current Sponsorship to the City Policy 4.1.32 

RECOMMENDATION

That Council APPROVES the updated Sponsorship to the City Policy, at Attachment 1, for the purpose of community consultation.

COUNCIL DECISION ITEM 11.5





Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

12.1 POLICY DOCUMENT REGISTER AND REVIEW PLAN - PROGRESS UPDATE AND IMPLEMENTATION REVIEW 2022

- Attachments:
1. Policy Document Register and Review Plan (clean) 
 2. Policy Document Register and Review Plan (marked up) 
 3. Policy Review Schedule 2022/23 
 4. Policy Review Summary 

RECOMMENDATION:

That Council:

1. APPROVES the:
 - 1.1 updated Policy Document Register and Review Plan, at Attachment 1; and
 - 1.2 Policy Review Schedule 2022/23 at Attachment 3; and
2. NOTES the progress update and Policy Review Summary at Attachment 4.

COUNCIL DECISION ITEM 12.1

Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

12.2 INNER CITY GROUP MEMORANDUM OF UNDERSTANDING EXTENSION

- Attachments:
1. MOU Implementation Plan 
 2. Inner City Group MOU Extension 2022 
 3. Transport and Infrastructure Advocacy Report 

RECOMMENDATION:

That Council NOTES an extension of three years to the Memorandum of Understanding (MOU) for the Inner- City Group, made between the Cities of Perth, South Perth, Subiaco, Vincent and the Town of Victoria Park at Attachment 2.

COUNCIL DECISION ITEM 12.2

Moved: Cr Castle, **Seconded:** Cr Worner

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Mayor Cole was an apology for the Meeting.)

REPORTS WITH DISCUSSION

9.6 CHARLES STREET PLANNING STUDY

Attachments: 1. Proposed Charles Street Planning Study Submission 

RECOMMENDATION:

That Council **ENDORSES** the City of Vincent's submission to Main Roads Western Australia regarding their Charles Street Planning Study at Attachment 1, subject to peer review by the City's Design Review Panel.

At 6.47pm Manager Marketing and Partnerships left the meeting and did not return

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

That the recommendation be adopted.

AMENDMENT 1

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

That the recommendation be amended as follows:

That section 3.4 of the submission is updated as follows:

The City requests MRWA undertake a comprehensive urban design study that includes public health impacts, constructions impacts including noise and pollution, **character and heritage**, and a business case for several options that can then be presented to the community. The urban design study must cover the social, environmental, economic and financial impacts and feasibility of each option.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.6

That Council **ENDORSES** the City of Vincent's submission to Main Roads Western Australia regarding their Charles Street Planning Study at Attachment 1, subject to peer review by the City's Design Review Panel, with the following update to section 3.4 of the submission:

The City requests MRWA undertake a comprehensive urban design study that includes public health impacts, constructions impacts including noise and pollution, character and heritage, and a business case for several options that can then be presented to the community. The urban design study must cover the social, environmental, economic and financial impacts and feasibility of each option.














CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

9.1 NO. 109 (LOT: 100; D/P: 43470) PALMERSTON STREET, PERTH - PROPOSED FOUR GROUPED DWELLINGS**Ward: South**

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plans 
 3. Perspectives 
 4. Environmentally Sustainable Design Assessment 
 5. Context Analysis 
 6. Justification Letter 
 7. Arboricultural Survey 
 8. Summary of Submissions - Administration Response 
 9. Summary of Submissions - Applicant Response 
 10. Streetscape Setback Analysis 
 11. Overshadowing Analysis 
 12. Visual Privacy Analysis 
 13. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for Four Grouped Dwellings at No. 109 (Lot: 100; D/P: 43470) Palmerston Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 13:

1. Development Plans

This approval is for Four Grouped Dwellings as shown on the approved plans dated 14 September 2022, 20 October 2022 and 9 November 2022. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing No. 107 Palmerston Street, Perth 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. Colours and Materials

4.1 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

4.2 The meter 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;

5. Landscaping

5.1 Prior to the issue of a Building Permit, 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. The plan shall be drawn to a scale of 1:100, be generally

in accordance with the landscaping plan dated 14 September 2022 and show the following:

5.1.1 The location and type of existing and proposed trees and plants;

5.1.2 Areas to be irrigated or reticulated; and

5.1.3 The provision of an additional landscaping area containing two trees as marked in red on the approved plans. The tree species are to be consistent with the City's Tree Selection Tool so as to maximise the provision of canopy coverage and to the satisfaction of the City;

5.2 All landscaping works shall be undertaken in accordance with the approved plans dated 14 September 2022, as modified in Condition 5.1.3, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City; and

5.3 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Privacy Screening

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 visual privacy requirements of the Residential Design Codes, to the satisfaction of the City;

7. Sight Lines

Walls, fences, and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street, with the exception of:

- One pier at max width of 0.4 metres x 0.4 metres and 1.8 metres height, with decorative capping permitted to a height of 2.0 metres;
- Infill that provides a clear sight line;
- If a gate is proposed:
 - When closed: a min of 50 percent unobstructed view; or
 - When open: a clear sightline;

unless otherwise approved by the City;

8. Front Fence

Fencing infill panels above the approved solid portions of fence shall be visually permeable in accordance with the Residential Design Codes Volume 1, to the satisfaction of the City;

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 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 areas, where provided;

9.4 The new crossover to Palmerston Street shall be reduced to a maximum width of three

metres to maximise the separation from the existing verge tree; and

- 9.5 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;

10. Tree Protection

Prior to the issue of a Building Permit a Tree Protection Plan prepared in accordance with Australian Standard AS4970-2009 shall be submitted and approved by the City. The Tree Protection Plan is to include details of the construction methods for works to be undertaken on site to minimise impact on the Moreton Bay Fig situated in Robertson Park and adjacent to the northern boundary of the subject site. The Tree Protection Plan shall include the following details:

- Fencing of the Tree Protection Zone (TPZ) and Structural Root Zone, as defined in the Arboricultural Report stamp dated 8 June 2021, for the duration of works to avoid compaction and root severance;
- Methodology and construction details for site grading, retaining walls and boundary fencing within the TPZ;
- Location and construction methodology for utility trenching to minimise impact on TPZ;
- Soakwells and stormwater pipes within the TPZ to be manually excavated to avoid root severance;
- Construction methodology for footings of Units 3 and 4 within the TPZ to minimise impact on the tree roots; and
- Driveway to be manually compacted;

The recommendations of the Tree Protection Plan shall be implemented and complied with for the duration of the construction of the development, to the satisfaction of the City;

11. Construction Management Plan

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

- The delivery of and delivery times for materials and equipment to the site;
- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Dilapidation report of the nearby properties at No’s. 107 and 116 Palmerston Street, Perth;
- Notification to affected land owners; and
- Construction times;

The management plan shall be complied with for the duration of the construction of the development; and

12. Stormwater

All stormwater produced on the subject land shall be retained on site or connected to the City’s drainage system at the expense of the applicant/landowner, to the satisfaction of the City.

Moved: Cr Wallace, **Seconded:** Cr Ioppolo

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Hallett, **Seconded:** Cr Worner

That Condition 4 be deleted and replaced with the following:

4. Colours and Materials

~~4.1 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~~

~~4.2 The meter 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;~~

~~4.1 Prior to the issue of a building permit, a schedule detailing the colours, materials and finishes of the development must be submitted to and approved by the City.~~

~~The schedule is to include the use of 'San Selmo Reclaimed Bricks' or similar colour for the face brick portions of the development as indicated on the approved plans, to the satisfaction of the City.~~

~~The development must be finished and thereafter maintained in accordance with the approved schedule of colours and materials, prior to occupation of the development and to the satisfaction of the City;~~

REASON:

To ensure that the brick colour and finish used for the development is consistent with the brick work shown in the perspectives.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

PROCEDURAL MOTION**DEFERRED**

Moved: Cr Wallace, **Seconded:** Cr Worner

1. That the motion be deferred, to address the following concerns:

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 design that is compatible with, and that enhances the amenity and character of the residential neighbourhood and streetscape. This is because the proposed development that faces the Palmerston Street frontage does not offer sufficient setbacks or landscaping to reduce impacts of building bulk to the street;

The proposed development does not satisfy relevant design principles of State Planning Policy 7.3 – Residential Design Codes Volume 1 (R Codes) and local housing objectives of the City's Policy 7.1.1 – Built Form (Built Form Policy), including:

- a) Clause 5.1 of the Built Form Policy and Clause 5.1.2 of the R Codes in relation to Street Setbacks. The development is not set back from the street sufficiently to contribute to, or be consistent with, the established streetscape. The proposed setback from the street

results in a building bulk and scale that is not consistent with, and does not contribute to the established streetscape and would adversely affect the amenity of the neighbouring property;

- b) Clause 5.1.3 of the R Codes in relation to Lot Boundary Setbacks. The proposed development would adversely affect the amenity of the neighbouring property at No. 107 Palmerston Street because it would not maintain adequate access to direct sun into buildings and open spaces, and the proposed development has not been appropriately set back from the south western lot boundary nor designed to reduce the impacts of building bulk and scale;
- c) Clause 5.3.2 of the R Codes in relation to Landscaping. The proposed street setback would result in reduced landscaping opportunities within the street setback area. The resultant landscaping does not contribute to the appearance and amenity of the development for residents or positively contribute to the streetscape;
- d) Clause 5.3 of the Built Form Policy and Clause 5.1.6 of the R Codes in relation to Building Height. The proposed building height would contribute towards adversely affecting the amenity of the neighbouring property as outlined in Reason 2b; and
- e) Clause 5.4.2 of the R Codes in relation to Solar Access for Adjoining Sites. The development has not been appropriately designed to protect the neighbouring property's (No. 107 Palmerston Street) access to direct sunlight to outdoor living areas and major openings, and would adversely affect the amenity of the neighbouring property; and

2. Having regard to the reasons above, the proposed development:

- a) Is not physically compatible with its setting nor with the adjoining development (Clause 67(2)(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(2)(n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*).

The application to be returned to Council no later than 90 days from today.

CARRIED (5-3)

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

Against: Cr Castle, Cr Hallett and Cr Ioppolo

(Mayor Cole was an apology for the Meeting.)

12.3 INFORMATION BULLETIN

- Attachments:
1. Statistics for Development Services Applications as at the end of October 2022 
 2. Register of Legal Action and Prosecutions Monthly - Confidential
 3. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 31 October 2022 
 4. Register of Applications Referred to the MetroWest Development Assessment Panel - Current 
 5. Register of Applications Referred to the Design Review Panel - Current 
 6. Register of Petitions - Progress Report - October 2022 
 7. Register of Notices of Motion - Progress Report - October 2022 
 8. Register of Reports to be Actioned - Progress Report - October 2022 
 9. Council Workshop Items since September 2022 
 10. Council Meeting Statistics 
 11. Council Briefing Notes - 18 October 2022 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated November 2022.

Moved: Cr Alexander, Seconded: Cr Ioppolo

That the recommendation be adopted.

AMENDMENT

Moved: Cr Alexander, Seconded: Cr Ioppolo

That the recommendation be amended as follows:

That Council:

1. RECEIVES the Information Bulletin dated November 2022; and
2. REQUESTS the Responsible Authority Reports (RARs) for the following Development Assessment Panel (DAP) applications be presented to a Council Meeting (or Special Council Meeting) for a Council recommendation, prior to the respective DAP meetings for:
 - 2.1 Nos. 41-43 (Lot: 18) and 45 (Lot 701) Angove Street, North Perth – Service Station; and
 - 2.2 Nos. 103 (Lot: 278) Alma Road and 367-373 (Lots 273-277) Fitzgerald Street, North Perth – Mixed Use Development.

REASON:

The abovementioned DAP applications are contentious and received significant community interest during their respective community consultation periods. Council should be provided with an opportunity at a Council meeting to:

- View and discuss the officer recommendation contained in the RAR; and
- Make a Council resolution in line with the officer recommendation or to provide a different recommendation that would be incorporated into the RAR's and lodged with the DAP for consideration by the DAP.

At 7.30pm Chief Financial Officer left the meeting.

At 7.32pm Chief Financial Officer returned to the meeting.

LOST (4-5)

For: Cr Alexander, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Cr Gontaszewski (x2), Cr Castle, Cr Loden and Cr Hallett

(Mayor Cole was an apology for the Meeting.)

Note: Due to an equality of votes on Item 12.3 the Presiding Member exercised her obligation to cast a second vote to reach a decision in this matter (Section 5.21(3) of the Local Government Act 1995).

COUNCIL DECISION ITEM 12.3

Moved: Cr Alexander, Seconded: Cr Ioppolo

That Council RECEIVES the Information Bulletin dated November 2022.

CARRIED (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

9.4 WAYFINDING SIGNAGE PLAN

- Attachments:**
1. Vincent Wayfinding Signage Plan 
 2. Vincent Wayfinding Signage Plan - Executive Summary 

RECOMMENDATION:

That Council **ADOPTS** the Vincent Wayfinding Signage Plan, at Attachment 1.

COUNCIL DECISION ITEM 9.4

Moved: Cr Ioppolo, **Seconded:** Cr Hallett

That the recommendation be adopted.

CARRIED (7-1)

For: Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Cr Alexander

(Mayor Cole was an apology for the Meeting.)






At 8.10pm Manager Engineering left the meeting and did not return.
At 8.14pm Manager Policy & Place left the meeting and did not return.

10.2 EOI FOR E-SCOOTER SHARE SCHEME TRIAL IN THE CITY OF VINCENT**Attachments: Nil****RECOMMENDATION:****That Council:**

1. **APPROVE** the CEO inviting Expressions of Interest (EOI) for an e-scooter share system to operate within the City of Vincent with the criteria outlined in this report; and
2. **NOTES** the outcome of the EOI process will be provided in a report to Council to determine whether to proceed with an e-scooter share system including proposed terms and conditions.

COUNCIL DECISION ITEM 10.2**Moved: Cr Hallett, Seconded: Cr Wallace****That the recommendation be adopted.****CARRIED UNANIMOUSLY (8-0)****For:** Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil**(Mayor Cole was an apology for the Meeting.)**

11.4 FIRST QUARTER BUDGET REVIEW 2022-2023

- Attachments:**
1. Statement of Comprehensive Income 
 2. Rate Setting Statement 
 3. Reserves 
 4. Capital Budget Adjustments 
 5. WAFL Event Budget 

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2022/2023 Annual Budget:

- a) A net increase in the Operating Budget of \$68,609 as per Attachment 1;
- b) An increase to Cash Backed Reserves of \$400,602 as per Attachments 2 and 3;
- c) A net decrease in the Capital Expenditure Budget of \$395,915 as per Attachment 4; and
- d) A net increase in the closing surplus of \$273,935, resulting in a forecast year end surplus at 30 June 2023 of \$431,074, as per Attachment 2.
- e) Authorise the CEO to submit a variation to the project nomination form for Phase 3 funding of the LRCI program with the above project nominations.
- f) Approve the reallocation of LRCI funding of \$541,114 from the Beatty Park Changeroom project to the following projects below, subject to approval from the Department of Infrastructure, Transport, Regional Development and Communications:
 - (i) \$200,000 to the Banks Reserve Masterplan
 - (ii) \$100,000 to Les Lilleyman Reserve - Playground
 - (iii) \$100,000 to Les Lilleyman Reserve - Reticulation upgrade
 - (iv) \$141,114 to North Perth Town Hall – Main Hall Refurbishment

At 8:21 pm, Cr Suzanne Worner left the meeting due to a previously declared financial interest.

COUNCIL DECISION ITEM 11.4

Moved: Cr Wallace, **Seconded:** Cr Ioppolo

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (7-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

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

At 8:21 pm, Cr Suzanne Worner returned to the 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

16 URGENT BUSINESS

Nil

**17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE
CLOSED****COUNCIL DECISION****Moved: Cr Castle, Seconded: Cr Hallett****PROCEDURAL MOTION**

That pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the Meeting Procedures Local Law 2008, Council proceeds "behind closed doors" at the conclusion of the items, to consider the confidential reports.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

COUNCIL DECISION**Moved: Cr Wallace, Seconded: Cr Ioppolo**

That the recommendation for Item 17.1 Tamala Park Regional Council : City of Perth Membership be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Mayor Cole was an apology for the Meeting.)

COUNCIL DECISION**Moved:** Cr Castle, **Seconded:** Cr Wallace**PROCEDURAL MOTION**

That the Council resume an “open meeting”.

CARRIED UNANIMOUSLY (8-0)**For:** Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil**(Mayor Cole was an apology for the Meeting.)****18 CLOSURE**

There being no further business, the Presiding Member, Deputy Mayor Susan Gontaszewski, declared the meeting closed at 8.32pm with the following persons present:

PRESENT:	Cr Susan Gontaszewski	South Ward (Acting Presiding Member)
	Cr Ron Alexander	North Ward
	Cr Alex Castle	North Ward
	Cr Dan Loden	North Ward (electronically)
	Cr Suzanne Worner	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Ross Ioppolo	South Ward
	Cr Ashley Wallace	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Jay Naidoo	A/Executive Director Strategy & Development
	Peter Varris	A/Executive Director Infrastructure & Environment
	Rhys Taylor	Chief Financial Officer
	Joslin Colli	A/Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer

Public: No members of the public.

These Minutes were confirmed at the 13 December 2022 meeting of Council as a true and accurate record of the Ordinary Meeting of Council held on 15 November 2022.

Signed: Mayor Emma Cole

Dated: 13 December 2022