



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**4 April 2018**

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**MINUTES OF CITY OF VINCENT  
ORDINARY COUNCIL MEETING  
HELD AT THE ADMINISTRATION AND CIVIC CENTRE  
244 VINCENT STREET, LEEDERVILLE  
ON WEDNESDAY, 4 APRIL 2018 AT 6PM**

<b>PRESENT:</b>	<p>Presiding Member Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley (Deputy Mayor) Cr Dan Loden Cr Jimmy Murphy Cr Joshua Topelberg</p>	<p>Presiding Member South Ward North Ward South Ward South Ward North Ward North Ward South Ward South Ward</p>
<b>IN ATTENDANCE:</b>	<p>Len Kosova John Corbellini Andrew Murphy John Paton Michael Quirk Tim Evans Mark Thornber</p>	<p>CEO Director Development Services Director Engineering Director Corporate Services Director Community Engagement Manager Governance and Risk Governance and Council Support Officer</p>
<b>Media:</b>	<p>Julian Wright</p>	<p>Journalist – “<i>The Guardian Express</i>”</p>
<b>Public:</b>	<p>Approximately 5 members of the public.</p>	

## 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.03pm 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

Nil

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

THE FOLLOWING IS A SUMMARY OF QUESTIONS AND SUBMISSIONS RECEIVED AND RESPONSES PROVIDED AT THE MEETING. THIS IS NOT A VERBATIM RECORD OF COMMENTS MADE AT THE MEETING.

1. MR VAN DER FELTZ OF MOUNT HAWTHORN – ITEM 9.5
  - SPOKE IN SUPPORT OF THE PROPOSAL.
  - STATED THAT THE HE WAS SEEKING A LENGTH OF 4.1M FOR THE ENTIRE LENGTH OF THE AWNING.

*THE PRESIDING MEMBER MAYOR EMMA COLE THANKED MR VAN DE FELTZ FOR HIS COMMENTS.*

THERE BEING NO FURTHER SPEAKERS, PUBLIC QUESTION TIME CLOSED AT APPROXIMATELY 6.08PM.

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

Nil

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

4.1 Mayor Cole Requested a Leave of Absence From 13 April 2018 to 22 April 2018.

**LEAVE OF ABSENCE****COUNCIL DECISION**

**Moved: Cr Harley, Seconded: Cr Castle**

**That Mayor Cole request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

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

Nil

**6 CONFIRMATION OF MINUTES****COUNCIL DECISION**

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

**That the minutes of the Ordinary Meeting held on 6 March 2018 be confirmed.**

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

**COUNCIL DECISION**

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

**That the minutes of the Special Council Meeting held on 27 March 2018 be confirmed.**

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

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

The Presiding Member Emma Cole made the following announcements:

### **7.1 MINISTER FOR TRANSPORT VISIT**

*Yesterday we had a visit from the Minister for Transport the Honourable Rita Saffioti and the Local Member for Perth John Carey MLA who announced they will be contributing 50% towards the build of new Loftus Street Bike Lanes, which the City has been seeking to fill a gap in our bike network for about two years now. The bike lanes will cost approximately \$420,000 and it is a \$210,000 contribution each from ourselves and State Government.*

*We are very much looking forward to receiving the grant which will provide an important connection to Leederville, Beatty Park through to Bulwer Street bike lanes. Oxford Street bike lanes and our Shakespeare Street Boulevard that is currently under construction.*

### **7.2 HYDE STREET RESERVE**

*This weekend we are opening Hyde Street Reserve, which has been a fantastic project that has been community driven with great support from neighbours and residents in the area where we have converted a small section of low use road to adjoin the park that is now 50% larger than when we started. This will be very popular with families and has a fully fenced playground for the many young children that will go there. So 11am on Sunday please come along and see what you can achieve when you take a bit of road and use in-house resources with our own engineering team delivering this project all for the very low cost of \$120,000 plus a \$20,000 grant from our Federal Member for Perth Tim Hammond for some solar lighting in the park.*

### **7.3 NATIVE PLANT SALE**

*On Saturday we will be having our Annual Native Plant Sale and this year we will be adding a Sustainability Hub. There will be free advice and information from a range of experts on sustainability issues with Water Corporation there advising on water safety issues plus a range of ideas on solar. A Compost and Wormfarm Workshop will also be included and our Waste Management Team will be on board to provide updates on waste as well.*

### **7.4 RECENT AWARDS BY THE CITY**

*We have been quite successful in the awards category. We have been successful and won a "Place Process Award" in the City of Vincent at the 2018 Place Leaders Asia Pacific Awards. This is quite an achievement for our Policy and Place Directorate. It is basically saying we have an innovative way of committing to local base place making and that the jury was impressed by our approach generally and our exceptional level of intergration across all relevant stakeholders including our Town Team, which is now something that is taking off not just in the Perth Metro area but across Australia so that is fantastic to see.*

*Also a shout out for a group of our staff on winning the Western Australian Round of the 2018 Australasian Management Challenge that saw staff from across various Directorates working together to represent the City against a number of other WA Local Governments and later will be flying to Canberra to represent WA and Vincent in a National Challenge. So well done to these staff members.*

### **7.5 COMMUNITY BUDGET SUBMISSIONS**

*The Community Budget Submissions are open right now after having successfully been run for the past two budget years. We are again calling on our community to put forward ideas for Council projects and priorities that they would love to see happen in their community.*

*To give an example, we have a number of those projects that community members put forward previously that are happening right now such as the Braithwaite Park Toilet Block which is due to start construction in a*

*couple of weeks, and was a great initiative that came through from community members. The City does fund these fantastic initiatives from the community. It really does happen.*

## 8 DECLARATIONS OF INTEREST

- 8.1** Cr Topelberg declared an impartiality interest in item 9.3. – No. 131 (Lot 282: D/P:2503) Coogee Street, Mount Hawthorn. The extent of the interest being that Cr Topelberg has a professional relationship with one of the adjoining neighbours. Cr Topelberg declared that he will consider the matter on its merits and vote accordingly.
- 8.2** Cr Topelberg declared a proximity interest in Item 9.6 – North Perth Town Centre Parking - Six Month Review of Parking Restrictions. The extent of the interest being that Cr Topelberg's primary residence lies within the area that is subject to the parking restrictions. Cr Topelberg did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.3** Cr Murphy disclosed an impartiality interest in item 11.1. The nature of the interest being that through his work on the Leederville Carnival he has a professional relationship with Mr Peter Capes who is the CEO of Subiaco Football Club. Cr Murphy declared that he will consider the matter on its merits and vote accordingly.
- 8.4** Cr Castle disclosed an impartiality interest in item 11.1. The nature of the interest being that through her work for Leederville Connect, which ended in February 2018, she had a professional relationship with Peter Capes, who is the CEO of Subiaco Football Club.
- 8.5** The Chief Executive Officer, Len Kosova declared a financial interest in item 18.1 – Proposed Amendments to Chief Executive Officer's Employment Contract. The extent of his interest being that this matter relates to his remuneration and his contract of employment with the City.

## REPORTS

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

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.5.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 11.3 and 12.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.3, 9.6, 11.1 and 18.1.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Castle	13.1
Cr Harley (Deputy Mayor)	9.2
Cr Loden	14.1
Cr Topelberg	9.1, 9.3



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

- (e) **Unopposed items which will be moved “En Bloc”, being:**  
Items 9.4, 11.1, 11.2, 11.4, 11.5 and 12.2
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Items 18.1.

### **ITEMS APPROVED “EN BLOC”:**

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

### **COUNCIL DECISION**

**Moved:** Cr Murphy, **Seconded:** Cr Castle

**That the following unopposed items be adopted “En Bloc”, as recommended:**  
**Items 9.4, 11.1, 11.2, 11.4, 11.5 and 12.2**

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

#### **9.4 NO. 39A (LOT: 2; D/P: 63474) KNEBORTH AVENUE, PERTH - PROPOSED EXTENSION TO THE PERIOD OF APPROVAL: PROPOSED CONSTRUCTION OF A THREE-STOREY GROUPED DWELLING**

**TRIM Ref:** D18/19745

**Author:** Rana Murad, Senior Urban Planner

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

**Ward:** South

**Precinct:** 12 – Hyde Park

**Attachments:**

1. Attachment 1 - Consultation and Location Plan 
2. Attachment 2 - Previous Development Approval Notice and Plans 
3. Attachment 3 - Applicants Submission and Response to Schedule of Submissions 
4. Attachment 4 - Summary of Submissions 

### **RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application to extend the period within which the development must be substantially commenced at No. 39a (Lot: 2; D/P: 63474) Knebworth Avenue, Perth, for planning approval 5.2014.354.1 granted by Council on 10 February 2015 for Proposed Construction of a Three-Storey Grouped Dwelling subject to the following condition:

1. All conditions, requirements and advice notes detailed on the development approval 5.2014.354.1 granted on 10 February 2014 continue to apply to this approval except as follows:

- (a) A new condition 6.1 is added to the planning approval as follows:

**“6.1 Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be prepared to the City’s satisfaction and be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

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

6.1.2 The provision of 8 per cent additional deep soil zone and 19 per cent canopy cover mature tree planting within the outdoor living area of the dwelling to the satisfaction of the City;

6.1.3 Areas to be irrigated or reticulated;

All works shown in the approved landscape and reticulation plan shall be undertaken in accordance with the approved plans to the City’s satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City;” and

- (c) Condition 5 of the planning approval is deleted and replaced with the following condition:

**“5. Revised Plans**

Prior to commencement of development revised plans to the City’s satisfaction shall be submitted to and approved by the City showing the first floor boundary wall of the bathroom being reduced to a maximum length of 4.32 metres and screening to the major openings of the Kitchen, Lounge and Deck (Upper floor) that satisfies the deemed-to-comply standards of State Planning policy 3.1: Residential Design Codes. The boundary wall and screening shall be installed in accordance with the approved revised plans to the City’s satisfaction prior to the occupation or use of the development.”

**COUNCIL DECISION ITEM 9.4**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**11.1 LEASE OF LEEDERVILLE OVAL BY EAST PERTH FOOTBALL CLUB INC & SUBIACO FOOTBALL CLUB INC - REQUEST FOR WAIVER AND WRITE-OFF OF FEES AND VARIATION OF LEASES****TRIM Ref:** D18/23627**Author:** Meluka Bancroft, Property Leasing Officer**Authoriser:** Kerryn Batten, Director Corporate Services**Attachments:**

1. Summary of write off of 2014-15 and 2015-16 turf maintenance costs & outstanding balance 
2. Summary of waiver of 2016-17 turf & VO costs & balance outstanding 

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

1. **APPROVES** a write-off of a portion of turf maintenance recoupments for both East Perth Football Club Inc and Subiaco Football Club Inc, as listed in Attachment 1, and being:

(a) \$2,178.18 (incl GST) for the period January to June 2015; and

(b) \$5,687.48 (incl GST) for the 2015/16 financial year;

for the reasons outlined in this report, **SUBJECT TO** immediate payment of the outstanding turf maintenance balance for the above periods by each club, being:

(i) \$19,398.20 for East Perth Football Club Inc: and

(ii) \$16,202.20 for Subiaco Football Club Inc.

2. **APPROVES** a waiver of variable outgoings, turf maintenance and utility recoupments for both East Perth Football Club Inc and Subiaco Football Club Inc for the 2016/17 financial year totalling \$29,839.87 (incl GST), as listed in Attachment 2, for the reasons outlined in this report, **SUBJECT TO** immediate payment of the outstanding balance for that period by each club, being \$38,145.74 each.

3. **NOTES** that East Perth Football Club Inc and Subiaco Football Club Inc have paid all variable outgoings, turf maintenance and utility costs as invoiced by the City for the 2017/18 financial year.

4. **APPROVES** a variation of the lease with East Perth Football Club Inc (the Club) in respect to Leederville Oval, located at 244 Vincent Street, Leederville, to reflect the proposed future apportionment of turf maintenance costs as follows:

4.1. Clauses 6.19(c)(ii) and (iii) to be deleted; and

4.2. A new clause 6.19(c)(ii) to be inserted as follows:

*“The annual cost of the maintenance of the oval as referred to in clause 6.19(c)(i) will be shared equally between the City (formerly the Town), Subiaco Football Club Inc and the Club. The costs will be paid by Subiaco Football Club and the Club in the same manner as the variable outgoings, as set out in clause 3.3.”*

5. **APPROVES** a variation of the lease with Subiaco Football Club Inc (the Club) in respect to Leederville Oval, located at 244 Vincent Street, Leederville, to reflect the proposed future apportionment of turf maintenance costs as follows:

5.1. Clauses 6.19(c)(ii) and (iii) to be deleted; and

5.2. A new clause 6.19(c)(ii) is inserted as follows:

*“The annual cost of the maintenance of the oval as referred to in clause 6.19(c)(i) will be shared equally between the City (formerly the Town), East Perth Football Club Inc and the Club. The costs will be paid by East Perth Football Club and the Club in the same manner as the variable outgoings, as set out in clause 3.3.”*


6. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the variation of leases as set out in 4. and 5. above.

**COUNCIL DECISION ITEM 11.1**

**Moved:** Cr Murphy, **Seconded:** Cr Castle

That the recommendation be adopted.

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

**11.2 INVESTMENT REPORT AS AT 28 FEBRUARY 2018****TRIM Ref: D18/34570****Author: Sheryl Teoh, Accounting Officer****Authoriser: Kerryn Batten, Director Corporate Services****Attachments: 1. Investment Report ****RECOMMENDATION:**

That Council NOTES the Investment Report for the month ended 28 February 2018 as detailed in Attachment 1.




**COUNCIL DECISION ITEM 11.2****Moved: Cr Murphy, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

11.4 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 2 FEBRUARY 2018 TO 28 FEBRUARY 2018

TRIM Ref: D18/35199

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Payments by EFT February 2018   
 2. Payments by Cheque February 2018   
 3. Payments by Credit Card February 2018 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 2 February 2018 to 28 February 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 82087 - 82164	\$95,200.72
Cancelled cheques	\$0.00
EFT Documents 2202 - 2212	\$3,078,597.96
Payroll	\$1,220,449.04

**Direct Debits**

- Lease Fees \$385.00
- Loan Repayments \$0.00
- Bank Fees and Charges \$11,728.30
- Credit Cards \$4,963.23

Total Direct Debit	\$17,076.53
Total Accounts Paid	\$4,411,324.25

**COUNCIL DECISION ITEM 11.4**

**Moved:** Cr Murphy, **Seconded:** Cr Castle

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (9-0)**

**11.5 FINANCIAL STATEMENTS AS AT 28 FEBRUARY 2018**

**TRIM Ref:** D18/37472

**Author:** Nilesh Makwana, Accounting Officer

**Authoriser:** Kerryn Batten, Director Corporate Services

**Attachments:** 1. Financial Statements as at 28 February 2018 

**RECOMMENDATION:**



That Council RECEIVES the Financial Statements for the month ended 28 February 2018 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.5**

**Moved: Cr Murphy, Seconded: Cr Castle**

That the recommendation be adopted.

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

**12.2 PETITION TO EXCLUDE BRISBANE TERRACE, PERTH FROM NEW PARKING ZONE 7 - PARKING PERMITS POLICY NO. 3.9.3****TRIM Ref:** D18/40405**Author:** Steve Butler, Manager Community Safety**Authoriser:** Michael Quirk, Director Community Engagement**Attachments:**  
1. Attachment 1 - Residential Parking Zones   
2. Attachment 2 - Aerial view of Brisbane Terrace **RECOMMENDATION:****That Council:**

1. **NOTES** that initial parking occupancy surveying conducted on Brisbane Terrace, Perth does not fully reflect the concerns raised by residents through the petition received at the Ordinary Council Meeting on 6 March 2018; and
2. **REQUESTS** that a further report on this matter be presented to the Ordinary Council Meeting on 29 May 2018 following the completion of more detailed parking occupancy surveying over a one month period.

**COUNCIL DECISION ITEM 12.2****Moved: Cr Murphy, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (9-0)**



## 9 DEVELOPMENT SERVICES

### 9.5 NO. 131 (LOT 282; D/P: 2503) COOGEE STREET, MOUNT HAWTHORN - PROPOSED CARPORT AND AWNING ADDITION TO SINGLE HOUSE

TRIM Ref: D18/38606





Author: Alice Harford, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 10 – Norfolk

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Proposed Development Plans 
3. Attachment 3 - Determination Advice Notes 
4. Attachment 4 - Previously Considered Plans 

#### RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme:

1. APPROVES the application for a proposed carport and awning addition to a single house at No. 131 (Lot: 282; D/P: 2503) Coogee Street, Mount Hawthorn, in accordance with the plans included as Attachment 2 subject to the following conditions, with the associated determination advice notes in Attachment 3:
  - 1.1 This approval is for the proposed Carport Addition to Single House only, as shown on the plans dated 19 March 2018. No other development forms part of this approval;
  - 1.2 The proposed bullnose awning does not form part of this development approval;
  - 1.3 No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the full satisfaction of the City;
  - 1.4 All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City; and
  - 1.5 The carport door/gate shall not exceed 1.2 metres in height and shall be a minimum of 50 percent visually permeable in accordance with Clause 5.2.1 of the Residential Design Codes; and
2. REFUSES the proposed awning addition to a single house at No. 131 (Lot: 282; D/P: 2503) Coogee Street, Mount Hawthorn for the following reason:
  - 2.1 The proposed awning does not meet Design Principles P2.1 and P2.2 of Clause 5.1.2 of State Planning Policy 3.1: Residential Design Codes for the following reasons:
    - 2.1.1 The bullnose awning will result in the removal of the existing tiled awning located on the northern side of the dwelling. This is considered to be a significant design element of the existing dwelling which contributes to the character of the established streetscape;
    - 2.1.2 The materials used for the bullnose awning are not consistent with the materials of the existing dwelling or the dwellings of a similar type and character within the surrounding streetscape. As such, the bullnose awning is considered to detract from the character of both the dwelling and established streetscape; and

- 2.1.3 The street setback of the proposed awning is not consistent with the setback of dwellings along the existing streetscape.

Moved: Cr Loden, Seconded: Cr Topelberg

That the recommendation be adopted.

#### PROPOSED AMENDMENT

Moved: Cr Topelberg, Seconded: Cr Loden

That Recommendation 1 be amended to remove the words, “and awning” as follows:

1. APPROVES the application for a proposed carport ~~and awning~~ addition to a single house at No. 131 (Lot: 282; D/P: 2503) Coogee Street, Mount Hawthorn, in accordance with the plans included as Attachment 2 subject to the following conditions, with the associated determination advice notes in Attachment 3:

#### AMENDMENT CARRIED UNANIMOUSLY (9-0)

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

**Against:** Nil

#### COUNCIL DECISION ITEM 9.5

Moved: Cr Loden, Seconded: Cr Topelberg

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme:

1. APPROVES the application for a proposed carport addition to a single house at No. 131 (Lot: 282; D/P: 2503) Coogee Street, Mount Hawthorn, in accordance with the plans included as Attachment 2 subject to the following conditions, with the associated determination advice notes in Attachment 3:
  - 1.1 This approval is for the proposed Carport Addition to Single House only, as shown on the plans dated 19 March 2018. No other development forms part of this approval;
  - 1.2 The proposed bullnose awning does not form part of this development approval;
  - 1.3 No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the full satisfaction of the City;
  - 1.4 All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City; and
  - 1.5 The carport door/gate shall not exceed 1.2 metres in height and shall be a minimum of 50 percent visually permeable in accordance with Clause 5.2.1 of the Residential Design Codes; and
2. REFUSES the proposed awning addition to a single house at No. 131 (Lot: 282; D/P: 2503) Coogee Street, Mount Hawthorn for the following reason:






- 2.1 The proposed awning does not meet Design Principles P2.1 and P2.2 of Clause 5.1.2 of State Planning Policy 3.1: Residential Design Codes for the following reasons:
- 2.1.1 The bullnose awning will result in the removal of the existing tiled awning located on the northern side of the dwelling. This is considered to be a significant design element of the existing dwelling which contributes to the character of the established streetscape;
  - 2.1.2 The materials used for the bullnose awning are not consistent with the materials of the existing dwelling or the dwellings of a similar type and character within the surrounding streetscape. As such, the bullnose awning is considered to detract from the character of both the dwelling and established streetscape; and
  - 2.1.3 The street setback of the proposed awning is not consistent with the setback of dwellings along the existing streetscape.

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

**9.1 NO. 209 (LOT: 213; D/P: 33158) VINCENT STREET, WEST PERTH - PROPOSED FOUR GROUPED DWELLINGS****TRIM Ref:** D18/29443**Author:** Emily Andrews, Urban Planner**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** 5 – Cleaver**Attachments:**

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Applicants Response to Submissions 
5. Attachment 5 - Determination Advice Notes 

**RECOMMENDATION:**

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, **APPROVES** the development application for Four Grouped Dwellings at No. 209 (Lot: 213; D/P: 33158) Vincent Street, West Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5 and **FORWARDS** the application to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme, as the recommendation provided by the Department of Planning, Lands and Heritage to not approve the access from Vincent Street is not supported for the reasons set out in this report:

**1. Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

**2. External Fixtures**

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

**3. Stormwater**

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

**4. Clothes Drying Facilities**

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

**5. Car Parking and Access**

**5.1** The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development;

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

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

5.4 The area shown for manoeuvring in front of the proposed Units 1 and 2 shall remain unobstructed at all times.

6. Right of Way Widening

6.1 A 1.0 metre right of way setback area shall be maintained free of any buildings and structures for the length of the property that adjoins the right of way at all times to enable future right of way widening;

6.2 The 1.0 metre right of way setback area shall be sealed drained and graded to match into the level of the existing Right of Way; and

6.3 The 1.0 metre right of way setback area referred to in condition 6.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision;

6. Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation is to form part of the application for a Building Permit and shall be approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

7. Landscaping

8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

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

8.1.2 Areas to be irrigated or reticulated; and

8.1.3 The provision of eight percent Deep Soil Zone and at least 30 percent Canopy Coverage, as defined by the City's Policy No. 7.1.1 – Built Form;

8.2 All works shown in the plans as identified in Condition 8.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. Schedule of External Finishes

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

9. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

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

That the recommendation be adopted.

#### **PROPOSED AMENDMENT**

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

That the recommended condition 8 be amended as follows:

#### **“8. Landscaping**

- 8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City’s satisfaction is be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
- 8.1.1 The location and type of existing and proposed trees and plants;
  - 8.1.2 Areas to be irrigated or reticulated; and
  - 8.1.3 The provision of eight percent Deep Soil Zone and at least ~~30~~ **40** percent Canopy Coverage, as defined by the City’s Policy No. 7.1.1 – Built Form;
- 8.2 All works shown in the plans as identified in Condition 8.1 above shall be undertaken in accordance with the approved plans to the City’s satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;”

#### **AMENDMENT CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

#### **COUNCIL DECISION ITEM 9.1**

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

That the recommendation be adopted.

**LOST (4-5)**

**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle and Cr Loden

**Against:** Cr Fotakis, Cr Hallett, Cr Harley, Cr Murphy and Cr Topelberg

#### **PROPOSED ALTERNATIVE RECOMMENDATION**

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

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme REFUSES the development application for Four Grouped Dwellings at No. 209 (Lot: 213; D/P: 33158) Vincent Street, West Perth for the following reasons:

1. The proposed street setback to Vincent Street does not meet the Design Principles of Clause 5.1.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.2 of Local Planning Policy No. 7.1.1 – Built Form as the setback is not an appropriate distance to accommodate adequate space for landscaping to reduce the impact of the development on Vincent Street or the adjacent dwellings;
2. The proposed amount of hard stand in the front setback area does not meet the Design Principles of Clause 5.3.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.14 of Local Planning Policy No. 7.1.1 – Built Form as the increase in hard stand does not positively contribute the streetscape and does not contribute to the appearance and amenity of the development;
3. The proposed access to Vincent Street does not does not meet the Design Principles of Clause 5.3.5 of State Planning Policy No. 3.1 Residential Design Codes as it does not provide reduced impact of access points on the streetscape, minimal crossovers or high quality landscaping features given the access to the site could be provided from the rear right-of-way, which would remove the access point from Vincent Street and allow an increased landscape treatment;
4. The proposed setbacks to the adjoining properties do not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1: Residential Design Codes as the development does not reduce the impact of building bulk on the adjoining properties; and
5. The proposed outdoor living areas do not meet the Design Principle, of Clause 5.3.1 of State Planning Policy 3.1: Residential Design Codes as these spaces do not provide adequate access to winter sunlight and ventilation or provide adequate amenity for residents.

#### PROPOSED AMENDMENT

Moved: Cr Topelberg, Seconded:

That recommendations 1, 2 and 3 be deleted and the remaining recommendations be re-numbered accordingly.

The Proposed Amendment lapsed for want of a Secunder.

#### COUNCIL DECISION ITEM 9.1

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme REFUSES the development application for Four Grouped Dwellings at No. 209 (Lot: 213; D/P: 33158) Vincent Street, West Perth for the following reasons:

1. The proposed street setback to Vincent Street does not meet the Design Principles of Clause 5.1.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.2 of Local Planning Policy No. 7.1.1 – Built Form as the setback is not an appropriate distance to accommodate adequate space for landscaping to reduce the impact of the development on Vincent Street or the adjacent dwellings;
2. The proposed amount of hard stand in the front setback area does not meet the Design Principles of Clause 5.3.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.14 of Local Planning Policy No. 7.1.1 – Built Form as the increase in hard stand does not positively contribute the streetscape and does not contribute to the appearance and amenity of the development;
3. The proposed access to Vincent Street does not does not meet the Design Principles of Clause 5.3.5 of State Planning Policy No. 3.1 Residential Design Codes as it does not provide reduced impact of access points on the streetscape, minimal crossovers or high quality landscaping features given the access to the site could be provided from the rear right-of-way, which would remove the access point from Vincent Street and allow an increased landscape treatment;

4. The proposed setbacks to the adjoining properties do not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1: Residential Design Codes as the development does not reduce the impact of building bulk on the adjoining properties; and
5. The proposed outdoor living areas do not meet the Design Principle, of Clause 5.3.1 of State Planning Policy 3.1: Residential Design Codes as these spaces do not provide adequate access to winter sunlight and ventilation or provide adequate amenity for residents.

**CARRIED (6-3)**

**For:** Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Harley, Cr Murphy and Cr Topelberg

**Against:** Mayor Cole, Cr Castle, Cr Loden.



**9.2 NO. 5 (LOT: 30; D/P: 1879) TURNER STREET, HIGHGATE - CHANGE OF USE FROM SINGLE HOUSE AND BED AND BREAKFAST TO SINGLE HOUSE, BED AND BREAKFAST AND EATING HOUSE**

**TRIM Ref:** D18/37882

**Author:** Emily Andrews, Urban Planner

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

**Ward:** South

**Precinct:** 14 – Forrest

**Attachments:**

1. Attachment 1 - Consultation and Location Plan 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the development application for Change of Use from Single House and Bed and Breakfast to Single House, Bed and Breakfast and Eating House at No. 5 (Lot: 30; D/P: 1879) Turner Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes contained in Attachment 4:

**1. Use of Premises**

- 1.1 This approval relates to the Eating House including alterations and additions as shown on the plans dated 12 January 2018 and 14 March 2018 only. No other development is subject of this approval;
- 1.2 The use of the premises shall conform to the City of Vincent Town Planning Scheme No. 1 definition of Eating House;
- 1.3 A maximum of four 'dine-in' patrons who are consuming food and beverage on the site of the Eating House are permitted on-site at any one time;
- 1.4 A maximum of two staff of the Eating House are permitted on-site at any one time;
- 1.5 Deliveries for the Eating House are not permitted outside of the hours of 8:00am to 5:00pm, Monday to Friday; and
- 1.6 The hours of operation for the Eating House shall be limited to 6:00am to 9:00pm, Monday to Sunday;

**2. Parking**

- 2.1 A Parking Management Plan to the satisfaction of the City shall be submitted to and approved by the City prior to the use or occupation of the development detailing how resident, Bed and Breakfast guests and Eating House staff parking will be managed on site such that parking does not impact on the surrounding residential area. In the event that the operator proposes to utilise delivery services, the Parking Management Plan shall be amended to incorporate the parking and access requirements for these delivery services to the satisfaction of the City such that parking does not impact on the surrounding residential area, prior to these delivery services being utilised. Parking and delivery services associated with the development shall be managed in accordance with the approved Parking Management Plan; and
- 2.2 A minimum of one lockable bicycle space and access to end of trip facilities shall be

provided on-site for the use of staff; and

3. Stormwater

Prior to occupation or use of the development, all stormwater collected on the subject land shall be retained on-site by suitable means to the satisfaction of the City.

Moved: Cr Harley, Seconded: Cr Gontaszewski

That the recommendation be adopted.

PROPOSED AMENDMENT 1

Moved: Cr Harley, Seconded:

That the recommendation be amended as follows:

“1.6 The hours of operation for the Eating House shall be limited to ~~6:00am to 9:00pm~~  
7:00am to 4:00pm, Monday to Friday and from 7am to 4pm on Saturday and Sunday.”

The Proposed Amendment lapsed for want of a Seconder.

PROCEDURAL MOTION:

Moved: Cr Harley, Seconded:

That the matter be DEFERRED for consideration at a future meeting.

The Motion lapsed for want of a Seconder.

PROPOSED AMENDMENT 2

Moved: Cr Harley, Seconded:

That the approval be granted for a 12 month period and will then be subject to a review.

The Proposed Amendment lapsed for want of a Seconder.

COUNCIL DECISION ITEM 9.2

Moved: Cr Harley, Seconded: Cr Gontaszewski

CARRIED (8-1)

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

**Against:** Cr Harley

**9.3 NO. 14 (LOT: 1; SP: 12592) ORANGE AVENUE, PERTH - SECOND STOREY ADDITION TO SINGLE HOUSE**

TRIM Ref: D18/24816


Author: Stephanie Norgaard, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Location and Consultation Map 
2. Attachment 2 - Development Plans 
3. Attachment 3 - Summary of Submissions 
4. Attachment 4 - Applicant's Response Submissions 
5. Attachment 5 - Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the development application for a Second Storey Addition to Single House at No. 14 (Lot: 1; SP: 12592) Orange Avenue, Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

**1. Extent of Approval**

This approval only relates to the 'PROPOSED ADDITION' and 'PROPOSED UPPER FLOOR' to Single House shown on the approved plans dated 13 March 2018 and does not relate to the 'PROPOSED SPA', 'TIMBER DECK', 'EXTG STUDIO/SHED' or any other development on the lot, and does not relate to the use of the site for anything other than a Single House;

**2. External Fixtures**

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

**3. Stormwater**

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

**4. Schedule of External Finishes**

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

**5. Visual Privacy**

The four windows on the eastern and ~~western~~ southern elevations of the upper floor bedroom and study shall be screened or modified to comply with the deemed-to-comply standards of Clause 5.4.1 Visual Privacy of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City prior to the use or occupation of the development; and

**6. General**

Conditions that have a time limitation for compliance, and the condition is not met in the

required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

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

That the recommendation be adopted.

#### **PROPOSED AMENDMENT**

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

That recommended condition 5 be amended as follows:

**“5. Visual Privacy**

The four windows on the eastern and ~~western~~ southern elevations of the upper floor bedroom and study shall be screened or modified to comply with the deemed-to-comply standards of Clause 5.4.1 Visual Privacy of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City prior to the use or occupation of the development.”

#### **AMENDMENT CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

#### **PROCEDURAL MOTION:**

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

That the matter be DEFERRED to enable the Applicant to address streetscape, setback, bulk and scale and visual privacy issues within their application.

#### **PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

Cr Topelberg declared a proximity interest in item 9.6 and left the meeting at 7.41pm prior to consideration of the item.






## 9.6 NORTH PERTH TOWN CENTRE PARKING - SIX MONTH REVIEW OF PARKING RESTRICTIONS

**TRIM Ref:** D18/4347

**Author:** Stephen Schreck, Strategic Planning Officer

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

**Attachments:**

1. Attachment 1 - Map of Existing Parking Restrictions in the North Perth Town Centre 
2. Attachment 2 - North Perth Town Centre Parking Occupancy Survey Results 
3. Attachment 3 - Summary of Community Feedback 
4. Attachment 4 - Existing and Proposed Pansy Street Car Park & Pansy Street Parking Restrictions 
5. Attachment 5 - Existing and Proposed Vine Street Parking Restrictions 

### RECOMMENDATION:

**That Council:**

1. **ADVERTISES** for the purpose of community consultation for a period of 21 days the following proposed parking restrictions:
  - 1.1 2P 8:00am – 6:00pm Monday – Friday in the Pansy Street Car Park and on Pansy Street, North Perth, as shown in Attachment 4; and
  - 1.2 2P 8:00am – 6:00pm Monday – Friday on Vine Street, North Perth, as shown in Attachment 5; and
2. **NOTES:**
  - 2.1 The results of the parking occupancy survey as shown in Attachment 2; and
  - 2.2 The community feedback received since the implementation of the North Perth Town Centre Parking Restrictions and Administration's comments on this feedback, as shown in Attachment 3.

### COUNCIL DECISION ITEM 9.6

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

**That the recommendation be adopted.**

**CARRIED (8-0)**

**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden, Cr Murphy

**Against:** Nil

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

At 7.45pm Cr Topelberg returned to the meeting.

**10 ENGINEERING**

Nil




## 11 CORPORATE SERVICES

### 11.3 REVIEW OF CORPORATE SERVICES POLICIES

TRIM Ref: D18/854

Author: Tim Evans, Manager Governance and Risk

Authoriser: Kerryn Batten, Director Corporate Services

Attachments: 1. Policies for re-adoption without amendments   
 2. Policies for re-adoption with minor amendments   
 3. Policies for rescission 

#### RECOMMENDATION:

That Council:

1. READOPTS the following existing policies without amendment as shown in Attachment 1:

ITEM	POLICY NUMBER	POLICY
1.1	4.1.4	Freedom Of Information Requests
1.2	4.1.27	Disaster Appeals – Donations and Assistance
1.3	4.1.33	Third Party Mediation - Citizens Advice Bureau
1.4	4.2.1	Legal Representation for Council Members and Employees
1.5	4.2.10	Business Dealings with the City - Council Members and Employees

2. READOPTS the following existing policies with minor amendments as shown in Attachment 2:

ITEM	POLICY NUMBER	POLICY
2.1	4.1.10	Execution of Documents
2.2	4.2.7	Council Members – Allowances, Fees and Reimbursement of Expenses

3. RESCINDS the following policies as shown in Attachment 3:

ITEM	POLICY NUMBER	POLICY
3.1	4.1.8	Nuclear Free Zone
3.2	4.1.12	Newsletters
3.3	4.1.13	Official Photograph - Council, Mayor, Councillors and Senior Officers
3.4	4.1.14	Primary and Annual Returns
3.5	4.1.19	Community Facility - Use other than Primary Designated Purpose
3.6	4.1.34	Relationship Declaration Register
3.7	1.2.6	Plant and Vehicles – Sale of
3.8	1.2.7	Loan of City Items
3.9	1.2.11	Parent and Citizens' Associations – Financial Assistance
3.10	4.2.11	Honorary Freeman of the City of Vincent

; and

4. AMENDS BY ABSOLUTE MAJORITY the Schedule of Fees and Charges 2017/2018, in accordance with Section 6.16(3)(b) of the *Local Government Act 1995*, to delete the following fees:

- 4.1 Application fee to make a Relationship Declaration;  
 4.2 Replacement of Declaration Certificate; and

4.3 Certified Copy of entry – Relationship Declaration Register.

Moved: Cr Topelberg, Seconded: Cr Loden

That the recommendation be adopted.

**PROPOSED AMENDMENT 1**

Moved: Cr Topelberg, Seconded: Cr Loden

That Recommendation 1 be amended as follows:

“1. READOPTS the following existing policies without amendment as shown in Attachment 1:

ITEM	POLICY NUMBER	POLICY
1.1	4.1.4	Freedom Of Information Requests
1.2	4.1.27	Disaster Appeals – Donations and Assistance
1.3	4.1.33	Third Party Mediation – Citizens Advice Bureau
1.4	4.2.1	Legal Representation for Council Members and Employees
<del>1.5</del>	<del>4.2.10</del>	<del>Business Dealings with the City – Council Members and Employees</del>

“

**AMENDMENT 1 CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

**PROPOSED AMENDMENT 2**

Moved: Cr Topelberg, Seconded: Cr Loden

1. That Recommendation 1 be amended as follows:

“1. READOPTS the following existing policies without amendment as shown in Attachment 1:

ITEM	POLICY NUMBER	POLICY
1.1	4.1.4	Freedom Of Information Requests
1.2	4.1.27	Disaster Appeals – Donations and Assistance
1.3	4.1.33	Third Party Mediation – Citizens Advice Bureau
1.4	4.2.1	<del>Legal Representation for Council Members and Employees</del>

“

2. That a new Recommendation 5 be inserted as follows:

5. READOPTS Policy 4.2.1 - Legal Representation for Council Members and Employees subject to the following changes:

5.1 That clause 6.1 be amended as follows:

“6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant or may result in increased risk exposure to the City, the CEO may exercise, on behalf of the Council, any of the powers of the council under clause 5.1 in accordance with the City’s Risk Management Policy. ~~and 5.2., to a maximum of \$11,945 (Indexed by CPI on 1 July~~



of each year — includes 2011 increase) in respect of each application.”

- 5.2 That the table titled “CPI INCREASES FROM JULY 2009” be deleted.

**AMENDMENT 2 CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

**PROPOSED AMENDMENT 3**

**Moved:** Cr Harley, **Seconded:** Cr Hallett

That Recommendations 1 and 3 be amended as follows:

1. READOPTS the following existing policies without amendment as shown in Attachment 1:

ITEM	POLICY NUMBER	POLICY
1.1	4.1.4	Freedom Of Information Requests
1.2	4.1.27	Disaster Appeals – Donations and Assistance
1.3	4.1.33	Third Party Mediation – Citizens Advice Bureau
1.4	4.1.8	Nuclear Free Zone

3. RESCINDS the following policies as shown in Attachment 3:

ITEM	POLICY NUMBER	POLICY
<del>3.1</del>	<del>4.1.8</del>	<del>Nuclear Free Zone</del>
<del>3.21</del>	4.1.12	Newsletters
3.32	4.1.13	Official Photograph - Council, Mayor, Councillors and Senior Officers
3.43	4.1.14	Primary and Annual Returns
3.54	4.1.19	Community Facility - Use other than Primary Designated Purpose
3.65	4.1.34	Relationship Declaration Register
3.76	1.2.6	Plant and Vehicles – Sale of
3.87	1.2.7	Loan of City Items
3.98	1.2.11	Parent and Citizens’ Associations – Financial Assistance
3.409	4.2.11	Honorary Freeman of the City of Vincent

**AMENDMENT 3 CARRIED (8-1)**

**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Harley, Cr Loden and Cr Murphy

**Against:** Cr Topelberg

**COUNCIL DECISION ITEM 11.3**

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

That Council:

1. READOPTS the following existing policies without amendment as shown in Attachment 1:

ITEM	POLICY NUMBER	POLICY
1.1	4.1.4	Freedom Of Information Requests
1.2	4.1.27	Disaster Appeals – Donations and Assistance
1.3	4.1.33	Third Party Mediation – Citizens Advice Bureau
1.4	4.1.8	Nuclear Free Zone

2. READOPTS the following existing policies with minor amendments as shown in Attachment 2:

ITEM	POLICY NUMBER	POLICY
2.1	4.1.10	Execution of Documents
2.2	4.2.7	Council Members – Allowances, Fees and Reimbursement of Expenses

3. RESCINDS the following policies as shown in Attachment 3:

ITEM	POLICY NUMBER	POLICY
3.1	4.1.12	Newsletters
3.2	4.1.13	Official Photograph - Council, Mayor, Councillors and Senior Officers
3.3	4.1.14	Primary and Annual Returns
3.4	4.1.19	Community Facility - Use other than Primary Designated Purpose
3.5	4.1.34	Relationship Declaration Register
3.6	1.2.6	Plant and Vehicles – Sale of
3.7	1.2.7	Loan of City Items
3.8	1.2.11	Parent and Citizens’ Associations – Financial Assistance
3.9	4.2.11	Honorary Freeman of the City of Vincent

4. AMENDS BY ABSOLUTE MAJORITY the Schedule of Fees and Charges 2017/2018, in accordance with Section 6.16(3)(b) of the *Local Government Act 1995*, to delete the following fees:

- 4.1 Application fee to make a Relationship Declaration;
- 4.2 Replacement of Declaration Certificate; and
- 4.3 Certified Copy of entry – Relationship Declaration Register.

5. READOPTS Policy 4.2.1 - Legal Representation for Council Members and Employees subject to the following changes:

- 5.1 That clause 6.1 be amended as follows:

“6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant or may result in increased risk exposure to the City, the CEO may exercise, on behalf of the Council, any of the powers of the council under clause 5.1 in accordance with the City’s Risk Management Policy. and 5.2., to a maximum of **\$11,945** (Indexed by CPI on 1 July of each year – includes 2011 increase) in respect of each application.”;

- 5.2 That the table titled “CPI INCREASES FROM JULY 2009” be deleted.

**CARRIED BY ABSOLUTE MAJORITY (9-0)**

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

Against: Nil

## 12 COMMUNITY ENGAGEMENT

### 12.1 REALLOCATION OF LOFTUS RECREATION CENTRE RESERVE FUNDS

TRIM Ref: D18/31783

Author: Dale Morrissy, Manager Beatty Park Leisure Centre

Authoriser: Michael Quirk, Director Community Engagement

Attachments: Nil

#### RECOMMENDATION:

That Council:

1. In accordance with Section 6.8(1) of the *Local Government Act 1995* APPROVES BY ABSOLUTE MAJORITY the unbudgeted expenditure of \$41,192.50 from the Loftus Recreation Centre Reserve to replace the Centre's outdoor synthetic soccer pitch surface; and
2. NOTES the following budget adjustment to facilitate 1. above:

	From	To
Loftus Recreation Centre Reserve Fund	\$41,192.50	
New Capital Budget Item: Loftus Recreation Centre		\$41,192.50

#### COUNCIL DECISION ITEM 12.1

Moved: Cr Topelberg, Seconded: Cr Loden

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (9-0)**

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

**Against:** Nil










## 13 CHIEF EXECUTIVE OFFICER

### 13.1 INFORMATION BULLETIN

TRIM Ref: D17/177308

Author: Emma Simmons, Governance and Council Support Officer

Authoriser: Len Kosova, Chief Executive Officer

- Attachments:
1. WALGA Central Metropolitan Zone Minutes of Meeting held on 1 March 2018 
  2. Monthly Street Tree Removal Information 
  3. Statistics for Development Applications as at end of February 2018 
  4. Register of Legal Action and Prosecutions Register Monthly - Confidential
  5. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 9 March 2018 
  6. Register of Applications Referred to the MetroWest Development Assessment Panel – Current 
  7. Register of Applications Referred to the Design Advisory Committee – Current 
  8. Register of Petitions - Progress Report - April 2018 
  9. Register of Notices of Motion - Progress Report - April 2018 
  10. Register of Reports to be Actioned - Progress Report - April 2018 

#### RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated April 2018.

Moved: Cr Castle, Seconded: Cr Harley

That the recommendation be adopted.

Cr Hallett left the meeting at 8.10pm

Cr Hallett returned to the meeting at 8.12pm

Cr Fotakis left the meeting at 8.10pm

Cr Fotakis returned to the meeting at 8.13pm

Cr Loden left the meeting at 8.13pm

Cr Loden returned to the meeting at 8.15pm

#### PROPOSED AMENDMENT

Moved: Cr Harley, Seconded: Cr Castle

That the recommendation be amended as follows:

That Council:

1. RECEIVES the Information Bulletin dated April 2018; and
2. NOTES and SUPPORTS the preference that the City of Vincent Central Zone Delegates have that the Western Australian Local Government Association (WALGA) amend its minute taking practices for all State Council and Zone Meetings in order to improve transparency and reflect local government sector best practice by recording:

- (a) the mover of all motions, regardless of whether the motion is seconded;
  - (b) the mover and seconder of all motions, regardless of whether the motion is carried;
  - (c) the vote count of members who voted for and against all motions, regardless of whether the motion is carried; and
  - (d) the names of all members who voted for and against all motions where the vote is not unanimous.
3. NOTES that Cr Harley and Cr Castle intend to request that voting decisions be recorded by name except where an unanimous vote has been recorded.
4. NOTES that Cr Harley will request her voting decision be recorded as a State Councillor.

**AMENDMENT CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

**COUNCIL DECISION ITEM 13.1**

**Moved: Cr Castle, Seconded: Cr Harley**

**That Council:**

1. **RECEIVES** the Information Bulletin dated April 2018; and
2. **NOTES** and supports the preference that the City of Vincent Central Zone Delegates have that the Western Australian Local Government Association (WALGA) amend its minute taking practices for all State Council and Zone Meetings in order to improve transparency and reflect local government sector best practice by recording:
  - (a) the mover of all motions, regardless of whether the motion is seconded;
  - (b) the mover and seconder of all motions, regardless of whether the motion is carried;
  - (c) the vote count of members who voted for and against all motions, regardless of whether the motion is carried; and
  - (d) the names of all members who voted for and against all motions where the vote is not unanimous.
3. **NOTES** that Cr Harley and Cr Castle intend to request that voting decisions be recorded by name except where a unanimous vote has been recorded.
4. **NOTES** that Cr Harley will request her voting decision be recorded by name as a State Councillor except where a unanimous vote has been recorded.

**CARRIED BY ABSOLUTE MAJORITY (9-0)**

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

**Against:** Nil

**14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****14.1 NOTICE OF MOTION - CR LODEN - ACTION ON CLIMATE CHANGE****RECOMMENDATION**

That Council:

1. **AFFIRMS** its support for addressing climate change within the City of Vincent;
2. **ENDORSES** the position expressed in the Western Australian Local Government Association's Draft Climate Change Policy Statement that there is a climate emergency which requires urgent action by all levels of government to avoid an unacceptable burden on future generations;
3. **REQUESTS** that the Draft Sustainable Environment Strategy be presented to Council for advertising by March 2019 to support decision making in the 2019/20 Budget and Corporate Business Plan;
4. **REQUESTS** that the Sustainable Environment Strategy include the following measures:
  - 4.1. **Set a target of zero net carbon emissions by a defined date;**
  - 4.2. **Set a target of zero net carbon emissions from stationary energy by a defined date;**
  - 4.3. **Include Investigate plans to support the uptake by the community of electric vehicles and other technology that can achieve zero emissions vehicles within the City of Vincent;**
  - 4.4. **Include Investigate plans for the City to create an electric vehicle fleet or other technology that can achieve zero emissions as part of forward purchasing practice; and**
5. **REQUESTS** that administration give consideration to the carbon emissions which result from the management of waste as part of the current Waste Management Strategy.

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

That the recommendation be adopted.

**PROPOSED AMENDMENT 1**

**Moved: Cr Harley, Seconded: Cr Topelberg**

That recommendation 2 be deleted and the remaining recommendations be renumbered accordingly.

**AMENDMENT 1 LOST (3-6)**

**For:** Cr Castle, Cr Harley and Cr Topelberg

**Against:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden and Cr Murphy

**PROPOSED AMENDMENT 2**

**Moved: Cr Harley, Seconded: Cr Gontaszewski**

That recommendations 4.3 and 4.4 be amended as follows:

- 4.3. ~~Include Investigate~~ plans to support the uptake by the community of electric vehicles and other technology that can achieve zero emissions vehicles within the City of Vincent;
- 4.4. ~~Include Investigate~~ plans for the City to create an electric vehicle fleet or other technology that can achieve zero emissions as part of forward purchasing practice.

**AMENDMENT 2 LOST (1-8)**

**For:** Cr Harley

**Against:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg

**COUNCIL DECISION ITEM 14.1**

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

That Council:

1. **AFFIRMS** its support for addressing climate change within the City of Vincent;
2. **ENDORSES** the position expressed in the Western Australian Local Government Association's Draft Climate Change Policy Statement that there is a climate emergency which requires urgent action by all levels of government to avoid an unacceptable burden on future generations;
3. **REQUESTS** that the Draft Sustainable Environment Strategy be presented to Council for advertising by March 2019 to support decision making in the 2019/20 Budget and Corporate Business Plan;
4. **REQUESTS** that the Sustainable Environment Strategy include the following measures:
  - 4.1. **Set a target of zero net carbon emissions by a defined date;**
  - 4.2. **Set a target of zero net carbon emissions from stationary energy by a defined date;**
  - 4.3. **Include plans to support the uptake by the community of electric vehicles and other technology that can achieve zero emissions vehicles within the City of Vincent;**
  - 4.4. **Include plans for the City to create an electric vehicle fleet or other technology that can achieve zero emissions as part of forward purchasing practice; and**
5. **REQUESTS** that administration give consideration to the carbon emissions which result from the management of waste as part of the current Waste Management Strategy.

**CARRIED (8-1)**

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

**Against:** Cr Harley

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

Nil

**16 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**17 URGENT BUSINESS**

Nil

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

Pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, the Meeting proceeds “behind closed doors” at the conclusion of the items, to consider confidential Item 18.1.

**CARRIED UNANIMOUSLY (9-0)**

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

**Against:** Nil

At 8.49pm all staff members including the CEO, Len Kosova left the meeting and live streaming was stopped.

<b>PRESENT:</b>	<b>Presiding Member Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Alex Castle</b>	<b>South Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>

**IN ATTENDANCE:** No members of staff were present.

No members of the public were present.



- 18 **CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**
- 18.1 **CONFIDENTIAL REPORT: PROPOSED AMENDMENT TO CHIEF EXECUTIVE OFFICER'S EMPLOYMENT CONTRACT**

**Disclosure of Financial Interest**

*The Chief Executive Officer, Len Kosova, has disclosed a financial interest in this matter as it relates to his performance and remuneration in the role of CEO and his contract of employment with the City.*

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

- (a) a matter affecting an employee or employees

**LEGAL:**

2.14 Confidential business

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

Confidential reports are provided separately to Council Members, the Chief Executive Officer and Directors.

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

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

**COUNCIL DECISION ITEM 18.1**

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

**That Council:**

1. In accordance with Clause 3.2(i) of the CEO's contract of employment GRANTS written consent to the CEO to serve as a Trustee Director on the Board of WA Super, if appointed by the Board, for a four year term commencing July 2018 and concluding in June 2022, subject to the following conditions:
  - (a) All Board duties are to be undertaken in the CEO's own time and not during City of Vincent time;
  - (b) The CEO shall take annual or long service leave to attend any Board or Committee meeting (inclusive of travel time); and
  - (c) The CEO shall review all Board papers and prepare for all Board-related meetings in his own time and not in City of Vincent time; and
2. **AUTHORISES** the Mayor to execute on Council's behalf an amendment to the CEO's contract of employment to reflect the consent and conditions referred to in 1 above.

**CARRIED (8-1)**

**For:** Presiding Member Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr

Murphy and Cr Topelberg

Against: Cr Harley

**19 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.10pm with the following persons present:

<b>PRESENT:</b>	<b>Presiding Member Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Alex Castle</b>	<b>South Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>

**IN ATTENDANCE: Media:** Nil  
**Public:** Nil

These Minutes were confirmed by the Council as a true record and accurate of the Ordinary Meeting of the Council held on 4 April 2018.

Signed: ..... Mayor Emma Cole

Dated this ..... day of .....2018