



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

14 November 2017

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION AND CIVIC CENTRE
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 14 NOVEMBER 2017 AT 6PM**

PRESENT:	<p>Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley (from 6.20pm) Cr Jimmy Murphy Cr Joshua Topelberg</p>	<p>Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward</p>
IN ATTENDANCE:	<p>Len Kosova John Paton John Corbellini Michael Quirk Craig Wilson Paola Di Perna Emma Simmons</p>	<p>CEO Director Corporate Services Director Development Services Director Community Engagement A/Director Technical Services Manager Approvals Governance and Council Support Officer</p>
Media:	<p>Julian Wright</p>	<p>Journalist – “<i>The Guardian Express</i>”</p>
Public:	<p>Approximately 23 members of the public.</p>	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.02pm and read the following Acknowledgement of Country statement:

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Dan Loden was an apology and had submitted a request for leave of absence from 14 November 2017 to 16 November 2017 inclusive due to work commitments.

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. Jennifer Hopwood of Leederville – Representing the Claisebrook Catchment Group
 - Presented a cheque to the Presiding Member Mayor Emma Cole being prize money for the Catchment Friendly Category in the City’s Garden Competition.

The Presiding Member Mayor Emma Cole thanked Ms Hopwood on behalf of the City.

2. Colin Slattery of Mt Hawthorn– Item 12.4
 - Spoke in recognition of the facilities and activates provided at Litis Stadium.

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

3. Lloyd Blake of Mt Hawthorn – Item 12.4

- Stated that the club facilities could be utilised as a hub for RSL members to meet.
- Suggested that local residents be invited to watch a series of games and enjoy the facilities at the club.

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

4. Sharon O'Reilly of North Perth – Item 12.1

- Spoke in support of the recommendation.
- Stated that Loftus Community Centre is regarded as one of the best community centres in Western Australia.
- Stated that the club values the long term funding support provided by the City of Vincent and requested that Council supports the centres request to waiver unbudgeted additional expenses associated with a new interpretation of the 10 year lease.
- Requested that Council supports the extension of the lease until the organisational review and sustainability planning is complete.

The Presiding Member Mayor Emma Cole thanked Ms O'Reilly for her comments.

5. Alison Grant of West Perth – Item 9.4

- Spoke in support of condition 5.1 of the recommendation.
- Queried the procedure for monitoring security cameras and whether the management plan contained an incident action plan.

The Presiding Member Mayor Emma Cole thanked Ms Grant for her comments.

6. Daniella Mrdja of Urbanista, Perth – Item 9.4

- Spoke in support of the application.
- Stated that the management plan has been amended and presented a copy to Council.

The Presiding Member Mayor Emma Cole thanked Ms Mrdja for her comments.

7. Petar Mrdja of Urbanista, Perth – Item 9.4

- Spoke against condition 5.1 of the recommendation.
- Requested that Council consider the amended management plan and remove or alter condition 5.1.

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

8. Monica Wood of West Perth – Item 9.4

- Spoke against the application.

The Presiding Member Mayor Emma Cole thanked Ms Wood for her comments.

9. John Walters of West Perth – Item 9.4

- Spoke against the application.

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

10. Dudley Maier of Highgate – Item 13.2.

- Requested that Council amend clauses 2.4(c) and 3.4 of 'Draft Policy 4.2.16 – CEO Performance Review' to read 'all staff' rather than 'Managers and Directors'.
- Complained about staff satisfaction and engagement.

The Presiding Member Mayor Emma Cole thanked Mr Maier for his comments, noting that this was not the first time Mr Maier had made comments relating to how City employees allegedly feel and reminded Mr Maier of the Chief Executive Officer's invitation to meet with him.

The Presiding Member Mayor Emma Cole further advised Mr Maier that City of Vincent employees have been going through an enterprise bargaining agreement and through this agreement have a grievance procedure available to them.

CEO Len Kosova advised that Mr Maier's negative claims are becoming tiresome and it is complete nonsense that employees have no way of having their voices heard or opinions known. The CEO stated that if Mr Maier knew anything about the workings of the City of Vincent and properly understood the sentiment of staff throughout the organisation he would be aware that his claims are incorrect.

There being no further speakers, Public Question Time closed at approximately 6.27pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Loden requested a leave of absence from 14 November 2017 to 16 November 2017 inclusive due to work commitments.

COUNCIL DECISION

MOVED: CR TOPELBERG, SECONDED: CR HALLETT

THAT CR LODEN'S REQUEST FOR LEAVE OF ABSENCE BE APPROVED.

CARRIED UNANIMOUSLY (8-0)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 Dimitrios Thomas (President, Floreat Athena Football Club) and Paul Kotsoglo (Planning Solutions) - Item 12.4

- Made a deputation in relation to Item 12.4.
- Stated that the club has already embarked on a governance improvement plan.
- Requested a three year extension to the lease.

The Presiding Member Mayor Emma Cole thanked Mr Thomas and Mr Kotsoglo for their comments.

5.2 Petition received from Paul and Margaret Harrison of Emmerson Street, North Perth, along with 9 signatures from residents of Emmerson Street, requesting that the female and male toilets at the Beatty Park Pavilion be relocated to another location within Beatty Reserve, or alternatively changing the access to the toilets so that the entrances are on the southern, park side of the Pavilion, for health and safety reasons and negative impact on family homes, due to current close proximity to residences in Emmerson Street.

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Harley

That the petition be received and a report be prepared for Council's further consideration.

CARRIED UNANIMOUSLY (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Murphy, Seconded: Cr Harley

That the minutes of the Ordinary Meeting held on 17 October 2017 be confirmed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION

Moved: Cr Fotakis, Seconded: Cr Gontaszewski

That the minutes of the Special Meeting held on 24 October 2017 be confirmed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcements:

7.1 2017 UNESCO HERITAGE AWARDS

Brookman and Moir St Precinct, in the suburb of Perth within the City of Vincent, has just received a UNESCO (United Nations Educational, Scientific and Cultural Organization) Heritage Award. The jury has bestowed an “award of distinction” on our two streets within the City of Vincent where we have 58 Federation Queen Anne-style cottages from the 1890’s.

The statement of the jury was, “that the individual homeowners undertook the loving refurbishment of the simple Federation Queen Anne semi-detached dwellings which had suffered from years of unsympathetic change and dilapidation. With financial support from the City of Vincent and the local heritage council and technical guidance from conservation professionals, the original architectural character and material palette of each red brick building was carefully recovered.”

They also stated that “The revival of the Brookman-Moir precinct underscores the importance of recognising and safeguarding everyday urban fabric as part of a holistic strategy in sustaining historic urban landscapes.”

I think that this is a really big win for heritage not only for the City of Vincent but for Western Australia and we will be looking into how we can celebrate this significant heritage achievement for our residents and the broader community.

7.2 TREE SELECTION TOOL

On Thursday 23 November 2017 we are holding a community workshop to talk about tree selection which is an issue of great interest in our community. We are looking at a selection tool for street trees and inviting the community to come and have a discussion about how we actually form the master list of trees that are part of that selection process. We know that this is something that has been of great interest and has a big impact on how liveable our streets are in the City of Vincent.

7.3 EVENTS SEASON CONTINUES – MORE FANTASTIC COMMUNITY EVENTS COMING UP

We are amongst event season and we have some great events coming up:

- we have our gardening competition happening tomorrow night for which Jenny from Claisebrook Catchment came in this evening to present us with a cheque. It is a celebration of gardening in Vincent so we are looking forward to that tomorrow night;*
- we have Pride Parade being held on Saturday night, 25 November 2017. Council, staff and community members will be taking part in a march under our “Vincent Loves Love’ banner. I am hoping this will be a time to celebrate for the LGBTQI community;*
- Light Up Leederville Carnival is happening on Sunday afternoon 3 December 2017. This is a huge celebration of all that is unique about Leederville – food, arts, fashion, community; and*
- finally we are heading into Christmas Season so keep an eye on our social media for all of the festive events coming up such as the Beaufort Street Christmas Twilight Market on 8 December 2017 and carols across various Vincent locations.*

8 DECLARATIONS OF INTEREST

- 8.1 Cr Alex Castle declared a financial interest in Item 9.5 – Town Centre Place Plans. The extent of her interest being that she has an annual (ongoing) contract to provide graphic and web design, marketing and social media management services to the Mt Hawthorn Hub and Leederville Connect. This relationship could be impacted by future Council investment in town centres or support for Town Teams in line with the Draft Town Centre Place Plans. Cr Castle did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.2 Cr Joanne Fotakis declared an impartiality interest in Item 9.5 – Town Centre Place Plans. The extent of her interest being her involvement as a volunteer with Leederville Connects Management Committee, the Light Up Leederville Carnival and North Perth Local.
- 8.3 Cr Jimmy Murphy declared a financial interest in Item 9.5 – Town Centre Place Plans. The extent of his interest being that he is contracted by Mt Hawthorn and Leederville Connect to deliver to their street festivals. Cr Murphy did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.
- 8.4 Presiding Member, Mayor Emma Cole declared an impartiality interest in item 12.1 – Loftus Community Centre – Request for Waiver and Write-Off of Fees. The extent of her interest being that her children have been enrolled in programs where the operator has a room hire arrangement with Loftus Community Centre.
- 8.5 Cr Alex Castle declared an impartiality interest in item 12.1 – Loftus Community Centre – Request for Waiver and Write-Off of Fees. The extent of her interest being that her child currently attends a drama program operated by a company that hires a room at the Loftus Community Centre.
- 8.6 The Chief Executive Officer, Len Kosova declared an impartiality interest in Item 13.2 – Draft CEO Performance Review Policy. The nature of his interest is that the draft policy provides guidance for conducting the annual performance review for the position of CEO which he currently holds.
- 8.7 Cr Alex Castle declared an impartiality interest in Item 18.1 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The nature of her interest being that:
- she has had contact with nominees for the Business Advisory Group through her work with the Mt Hawthorn Hub and Leederville Connect;
 - some of the people who have nominated for the Children & Young People Advisory Group and the Environmental Advisory Group provided assistance during her election campaign.
- 8.8 Cr Susan Gontaszewski declared an impartiality interest in Item 18.1 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The nature of her interest being that she has had contact with one of the applicants in her role as member of the Highgate Primary School Board.

- 8.9 The Chief Executive Officer, Len Kosova declared a financial interest in Item 18.2 – 2017/2018 CEO Key Performance Indicators (KPIs). The extent of his interest being that the Key Performance Indicators that are ultimately agreed with Council through this report will form the basis for his next annual performance review which will include a review of his remuneration.
- 8.10 Cr Roslyn Harley declared in impartiality interest in Item 18.1 – Appointment of Community Members to the City of Vincent Advisory and Working Groups. The extent of her interest being that one nominee is a neighbour in a residential block. Cr Harley has had no discussions on the nominations to the advisory working groups.

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 12.4, 12.1, 9.4 and 13.2
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 9.1 and 12.3
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.5 and 18.2.

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
Presiding Member Mayor Emma Cole	10.2 and 13.1
Cr Gontaszewski	10.2
Cr Hallett	12.2 and 13.2
Cr Topelberg	9.2

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 9.3, 10.1, 10.3, 11.1, 11.2, 11.3, 11.4 and 13.3
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 18.1 and 18.2.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Harley, **Seconded:** Cr Murphy

That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.3, 10.1, 10.3, 11.1, 11.2, 11.3, 11.4 and 13.3

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

9.3 NO. 6 (LOT: 6 D/P: 4004) CHURCH STREET, PERTH - PROPOSED AMENDMENT TO PREVIOUS APPROVAL: CHANGE OF USE FROM RECREATIONAL FACILITY (YOGA STUDIO) TO RECREATIONAL FACILITY (YOGA STUDIO/GROUP FITNESS AND PERSONAL TRAINING GYM) (RETROSPECTIVE)

TRIM Ref: D17/137783




Author: Heidi Miragliotta, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 13 – Beaufort

Attachments:

1. Attachment 1 - Consultation and Location Plan [⇒](#) 
2. Attachment 2 - Previous Development Approval [⇒](#) 
3. Attachment 3 - 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 amend development approval 5.2015.575.1 granted on 5 April 2016 for a Change of Use from Recreational Facility (Yoga Studio) to Recreational Facility (Yoga Studio/Group Fitness and Personal Training Gym) (Retrospective) at No. 6 (Lot: 6; D/P: 4004) Church Street, Perth, subject to the following condition:

1. All conditions and advice notes detailed on development approval 5.2015.575.1 granted on 5 April 2016 included in Attachment 2 continue to apply to this approval, with the exception of Condition 1, which is deleted.

COUNCIL DECISION ITEM 9.3

Moved: Cr Harley, Seconded: Cr Murphy



That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

10.1 HYDE PARK OBLONG TURTLE POPULATION STUDY**TRIM Ref:** D17/82769**Author:** Sarah Hill, Project Officer - Parks & Environment**Authoriser:** Jeremy van den Bok, Manager Parks & Property Services

Attachments:

1. Hyde Park Lakes Oblong Turtle Population Study - University of Western Australia Report 2016 [⇒](#) 
2. Hyde Park Oblong Turtle Population Study - University of Western Australia Proposal for Further Studies [⇒](#) 

RECOMMENDATION:

That Council:

1. **RECEIVES** the completed 2015/16 study of the Hyde Park Oblong Turtle population as shown in Attachment 1;
2. **NOTES:**
 - 2.1 that the works undertaken as part of the Hyde Park Lakes Restoration project are likely to improve the survival chances of hatchlings and juvenile turtles as outlined within the report; and
 - 2.2 funding, in the form of a grant, will be considered in future Operating Budgets to allow for completion of the study as follows:

Financial Year	Amount
2018/19	\$8,000
2019/20	\$8,000
2020/21	\$2,686

3. **APPROVES** the continuation of the Hyde Park Oblong Turtle Population Study over the next three and a half years.

COUNCIL DECISION ITEM 10.1**Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

10.3 SAFE ACTIVE STREETS - BIKE BOULEVARD PROGRESS REPORT THREE

TRIM Ref: D17/135017

Author: Francois Sauzier, TravelSmart Officer

Authoriser: Craig Wilson, A/Director Technical Services

Attachments: 1. Safe Active Streets Project Plan [↔](#) **RECOMMENDATION:**

That Council

1. **NOTES** that the Chief Executive Officer has entered into an Agreement with the Department of Transport for the City to deliver the design, consultation and construction of the Safe Active Streets - Shakespeare Street Bike Boulevard, Phase Two Project (Attachment 1);
2. **CONSULTS** with affected residents of the Shakespeare, Scott, Richmond and Bourke Streets, Mount Hawthorn/Leederville; and
3. **RECEIVES** a further report inclusive of the outcomes of the community consultation and the discussions with the Department of Transport in respect of possible additional funding.


COUNCIL DECISION ITEM 10.3**Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

11.1 FUNDING REQUEST FOR REPLACEMENT OF CORRODED STRUCTURAL COLUMNS AT AZZURRI BOCCÉ CLUB - 3 LAWLEY STREET, WEST PERTH**TRIM Ref:** D17/145199**Author:** Meluka Bancroft, Property Leasing Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:**

1. Plan of Bocce Rink, 3 Lawley Street, West Perth 
2. Azzurri Bocce Club Financial Statements 2015-2017 - Confidential
3. Azzurri Bocce Club membership details 2016-2017 - Confidential

RECOMMENDATION:

That Council:

1. **REFUSES** the Azzurri Bocce Club Inc's request for the City to fund the replacement of the corroded steel columns which support the roof structure of the bocce rink building, located at 3 Lawley Street, West Perth, quoted at \$16,004 plus GST, on the basis that the Azzurri Bocce Club Inc is responsible for the replacement pursuant to its Lease of the bocce rink.
2. **ADVISES** the Azzurri Bocce Club Inc that the temporary props installed by the City are only an interim measure to ensure the structural integrity of the roof structure, and therefore the corroded steel columns must be replaced by 31 December 2017, otherwise the building may be deemed unfit for occupation in accordance with clause 13.6 of the Lease.

COUNCIL DECISION ITEM 11.1**Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

11.2 INVESTMENT REPORT AS AT 31 OCTOBER 2017**TRIM Ref:** D17/154551**Author:** Sheryl Teoh, Accounting Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Investment Report [↗](#) **RECOMMENDATION:**

That Council NOTES the provisional Investment Report for the month ended 31 October 2017 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.2**Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)







(Cr Loden was on approved leave of absence for the Meeting.)

11.3 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 23 SEPTEMBER 2017 TO 19 OCTOBER 2017

TRIM Ref: D17/148830

Author: Nikki Hirrill, Accounts Payable Officer

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Payments by EFT October 2017  
 2. Payments by Cheque October 2017  
 3. Payments by Credit Card October 2017  

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 23 September 2017 to 19 October 2017 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 81633 – 81716	\$84,663.05
Cancelled Cheques 81521 and 81645	-\$3,100.00
EFT Documents 2146 - 2159	\$2,660,823.74
Payroll	\$1,149,054.34

Direct Debits

- Lease Fees \$138,950.19
- Loan Repayments \$100,782.60
- Bank Fees and Charges \$45,442.61
- Credit Cards \$11,649.47

Total Direct Debit	\$296,824.87
Total Accounts Paid	\$4,188,266.00

COUNCIL DECISION ITEM 11.3

Moved: Cr Harley, Seconded: Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

11.4 FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2017**TRIM Ref:** D17/152225**Author:** Nilesh Makwana, Accounting Officer**Authoriser:** John Paton, Director Corporate Services**Attachments:** 1. Financial Statements as at 30 September 2017 **RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 30 September 2017 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.4**Moved:** Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

13.3 INFORMATION BULLETIN**TRIM Ref:** D17/95471**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** John Paton, Director Corporate Services

- Attachments:**
1. Minutes of the Design Advisory Committee Meeting held on 6 September 2017 [⇨](#) 
 2. Minutes of the Design Advisory Committee Meeting held on 20 September 2017 [⇨](#) 
 3. Minutes of the Tamala Park Regional Council Meeting held on 12 October 2017 [⇨](#) 
 4. Minutes of the Arts Advisory Group Meeting held on 12 October 2017 [⇨](#) 
 5. Minutes of the Children and Young People Advisory Group Meeting held on 16 October 2017 [⇨](#) 
 6. Register of Legal Action and Prosecutions Register Monthly - Confidential
 7. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 19 October 2017 [⇨](#) 
 8. Register of Applications Referred to the MetroWest Development Assessment Panel – Current [⇨](#) 
 9. Register of Applications Referred to the Design Advisory Committee – Current [⇨](#) 
 10. Register of Petitions - Progress Report - November 2017 [⇨](#) 
 11. Register of Notices of Motion - Progress Report - November 2017 [⇨](#) 
 12. Register of Reports to be Actioned - Progress Report - November 2017 [⇨](#) 
 13. Statistics for Development Applications as at end of October 2017 [⇨](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated November 2017

COUNCIL DECISION ITEM 13.3

Moved: Cr Harley, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Loden was on approved leave of absence for the Meeting.)

12 COMMUNITY ENGAGEMENT






12.4 FLOREAT ATHENA FOOTBALL CLUB - LITIS STADIUM MASTER PLAN

TRIM Ref: D17/77530

Author: Karen Balm, Community Partnerships - Projects Officer

Authoriser: Michael Quirk, Director Community Engagement

Attachments:

1. Master Plan - Complete [⇒](#) 
2. Master Plan - Executive Summary [⇒](#) 
3. Master Plan - Option 1 [⇒](#) 
4. Master Plan - Option 2 [⇒](#) 
5. Master Plan - Community Benefits Excerpts [⇒](#) 

RECOMMENDATION:

That Council;

1. RECEIVES the Litis Stadium Master Plan as prepared by Floreat Athena Football Club Inc.;
2. ADVISES Floreat Athena Football Club Inc. that the Litis Stadium Master Plan does not provide the following information as requested by Council and deemed necessary to consider any long term lease arrangements:
 - 2.1 Facility Management Plan;
 - 2.2 Community Benefit Statement; and
 - 2.3 Financial Plan demonstrating that the Club has the capacity to fund the project.
3. NOT ENTER into any long-term lease for Litis Stadium with Floreat Athena Football Club Inc. on the basis that the Club has not demonstrated an ability to meet the financial and management implications of the capital improvements, asset management and lease obligations relating to the existing facility and the facility proposed within their Master Plan;
4. REQUESTS that Administration now investigate the future use, management and development of Litis Stadium as part of the Britannia Reserve Master Plan Review scheduled for completion in 2019/20;
5. APPROVES a 2 year lease to Floreat Athena Football Club Inc from 1 January 2018 to 31 December 2019 plus a further 1 year option from 1 January 2020 to 31 December 2020 for Litis Stadium, 41 Britannia Road, Leederville on the following key terms:
 - 5.1 Term: 2 years plus 1 year option at the City's absolute discretion;
 - 5.2 Rent \$5,000 plus GST (indexed to CPI) per annum;
 - 5.3 Rates & Taxes: Lessee to pay including rubbish bin charges and ESL;
 - 5.4 Outgoings: Lessee to pay;
 - 5.5 Repairs & Maintenance: Lessee responsible for all repairs and maintenance and to keep premises clean and in good condition, this includes repair of damage due to fair wear and tear and structural maintenance. Lessor not responsible for any structural repair.
 - 5.6 Minimum Level of Service: Lessee to pay for cost of statutory compliance, and pest inspections and treatment;
 - 5.7 Insurance: Lessee to effect a public liability policy with cover not less than \$20 million, and pay premium for building insurance policy;

- 5.8 Indemnification: Lessee to indemnify the City against all costs and claims;
 - 5.9 Permitted Purpose: Sporting, recreational and community activities;
 - 5.10 Shared Use: Lessee permitted to hire out clubrooms, function rooms and football pitch at its discretion provided that the use is consistent with the Permitted Purpose;
 - 5.11 Alterations: Not without the prior approval in writing of the Lessor;
 - 5.12 Capital Works: Not without the prior approval in writing of the Lessor and subject to the conditions stated;
 - 5.13 Lessor's Covenant: Lessor will provide Lessee with quiet enjoyment of the premises for the term of the lease;
 - 5.14 Payment Without Delay: Lessee must duly and punctually pay all rent, rates and taxes, outgoings, costs and interest on the terms specified by the Lessor;
 - 5.15 Nuisance and Incidental Use: Lessee must submit a Management Plan for approval in writing by the Lessor for any events commencing from and continuing beyond 5pm, any events with amplified or live music, and any national/international sporting events;
 - 5.16 Parking & Traffic Management: Lessee must submit a Parking and Traffic Management Plan for approval in writing by the Lessor for any events with an estimated attendance above 1,000 people; and
 - 5.17 Sporting Club Health Check: Lessee must submit a fully completed Sporting Clubs & Community Groups Health Check each year of the lease term upon request from the Lessor.
6. Subject to satisfactory negotiations being carried out by the Chief Executive Officer **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the lease in 5 above; and
 7. **RECOMMENDS** that Floreat Athena Football Club Inc. in collaboration with Football West progress the following initiatives over the term of the proposed new lease for Litis Stadium:
 - 7.1 Investigate facility options that meet National Premier League Requirements, ensure long term financial and organisational sustainability, and maximise the use of community assets through co-location;
 - 7.2 Prepare a Facility Management Plan that outlines strategies to effectively manage the Stadium and meet lease obligations;
 - 7.3 Prepare a Financial Plan to determine organisational viability and capability as the basis for any future facility tenure arrangements; and
 - 7.4 Implement strategic planning, governance, business model and community engagement initiatives as identified within the 'Club Development Plan – Progress Report' as submitted with the Litis Stadium Master Plan.

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

That the recommendation be adopted.

PROPOSED AMENDMENT

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

That Recommendation 8 be added as follows:

That Council;

8. **REQUIRES Administration to present a further report to Council no later than June 2019 providing an update on progress by Floreat Athena Football Club Inc. towards:**

8.1 Provision of the information referenced in Recommendation 2; and

8.2 Completion of the initiatives identified within Recommendation 7;

as the basis for decision making regarding the further 1 year lease option from 1 January 2020 to 31 December 2020.

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.4

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

That Council;

1. **RECEIVES** the Litis Stadium Master Plan as prepared by Floreat Athena Football Club Inc.;
2. **ADVISES** Floreat Athena Football Club Inc. that the Litis Stadium Master Plan does not provide the following information as requested by Council and deemed necessary to consider any long term lease arrangements:
 - 2.1 **Facility Management Plan;**
 - 2.2 **Community Benefit Statement; and**
 - 2.3 **Financial Plan demonstrating that the Club has the capacity to fund the project.**
3. **NOT ENTER** into any long-term lease for Litis Stadium with Floreat Athena Football Club Inc. on the basis that the Club has not demonstrated an ability to meet the financial and management implications of the capital improvements, asset management and lease obligations relating to the existing facility and the facility proposed within their Master Plan;
4. **REQUESTS** that Administration now investigate the future use, management and development of Litis Stadium as part of the Britannia Reserve Master Plan Review scheduled for completion in 2019/20;
5. **APPROVES** a 2 year lease to Floreat Athena Football Club Inc. from 1 January 2018 to 31 December 2019 plus a further 1 year option from 1 January 2020 to 31 December 2020 for Litis Stadium, 41 Britannia Road, Leederville on the following key terms:

- 5.1 Term: 2 years plus 1 year option at the City's absolute discretion;
 - 5.2 Rent \$5,000 plus GST (indexed to CPI) per annum;
 - 5.3 Rates & Taxes: Lessee to pay including rubbish bin charges and ESL;
 - 5.4 Outgoings: Lessee to pay;
 - 5.5 Repairs & Maintenance: Lessee responsible for all repairs and maintenance and to keep premises clean and in good condition, this includes repair of damage due to fair wear and tear and structural maintenance. Lessor not responsible for any structural repair.
 - 5.6 Minimum Level of Service: Lessee to pay for cost of statutory compliance, and pest inspections and treatment;
 - 5.7 Insurance: Lessee to effect a public liability policy with cover not less than \$20 million, and pay premium for building insurance policy;
 - 5.8 Indemnification: Lessee to indemnify the City against all costs and claims;
 - 5.9 Permitted Purpose: Sporting, recreational and community activities;
 - 5.10 Shared Use: Lessee permitted to hire out clubrooms, function rooms and football pitch at its discretion provided that the use is consistent with the Permitted Purpose;
 - 5.11 Alterations: Not without the prior approval in writing of the Lessor;
 - 5.12 Capital Works: Not without the prior approval in writing of the Lessor and subject to the conditions stated;
 - 5.13 Lessor's Covenant: Lessor will provide Lessee with quiet enjoyment of the premises for the term of the lease;
 - 5.14 Payment Without Delay: Lessee must duly and punctually pay all rent, rates and taxes, outgoings, costs and interest on the terms specified by the Lessor;
 - 5.15 Nuisance and Incidental Use: Lessee must submit a Management Plan for approval in writing by the Lessor for any events commencing from and continuing beyond 5pm, any events with amplified or live music, and any national/international sporting events;
 - 5.16 Parking & Traffic Management: Lessee must submit a Parking and Traffic Management Plan for approval in writing by the Lessor for any events with an estimated attendance above 1,000 people; and
 - 5.17 Sporting Club Health Check: Lessee must submit a fully completed Sporting Clubs & Community Groups Health Check each year of the lease term upon request from the Lessor.
6. Subject to satisfactory negotiations being carried out by the Chief Executive Officer **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the lease in 5 above;
 7. **RECOMMENDS** that Floreat Athena Football Club Inc. in collaboration with Football West progress the following initiatives over the term of the proposed new lease for Litis Stadium:
 - 7.1 Investigate facility options that meet National Premier League Requirements, ensure long term financial and organisational sustainability, and maximise the use of community assets through co-location;
 - 7.2 Prepare a Facility Management Plan that outlines strategies to effectively manage the Stadium and meet lease obligations;
 - 7.3 Prepare a Financial Plan to determine organisational viability and capability as the basis for any future facility tenure arrangements; and

7.4 Implement strategic planning, governance, business model and community engagement initiatives as identified within the 'Club Development Plan – Progress Report' as submitted with the Litis Stadium Master Plan; and

8. **REQUIRES** Administration to present a further report to Council no later than June 2019 providing an update on progress by Floreat Athena Football Club Inc. towards:

8.1 Provision of the information referenced in Recommendation 2; and

8.2 Completion of the initiatives identified within Recommendation 7;

as the basis for decision making regarding the further 1 year lease option from 1 January 2020 to 31 December 2020.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil


(Cr Loden was on approved leave of absence for the Meeting.)

12.1 LOFTUS COMMUNITY CENTRE - REQUEST FOR WAIVER AND WRITE-OFF OF FEES


TRIM Ref: D17/128782

Author: Karen Balm, Community Partnerships - Projects Officer

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Attachment 1 - Loftus Community Centre Programs  

2. Attachment 2 - Outstanding Outgoings and Maintenance Recoups  

3. Attachment 3 - Estimated Outgoings and Maintenance Recoups  

RECOMMENDATION:

That Council:

1. APPROVES a waiver of outgoings and maintenance recoups for Loftus Community Centre Inc. for the 2015/16 financial year totalling \$1,652.25 (excl. GST) as listed in Attachment 2 and the 2017/18 financial year totalling \$6,750 (excl. GST – estimate only) as listed in Attachment 3 in recognition of their transition towards lease compliance;
2. APPROVES a write-off of outgoings and maintenance recoups for Loftus Community Centre Inc. for the 2016/17 financial year totalling \$5,630.50 (excl. GST) as listed in Attachment 2 in recognition of their transition towards lease compliance;
3. REQUIRES the immediate payment of outstanding invoices totalling \$2,107.19 (excl. GST) by Loftus Community Centre Inc. for the 2015/16 and 2016/17 financial years as listed in Attachment 2;
4. REQUIRES the payment of outgoings and maintenance recoups estimated at \$8,282 (excl. GST) by Loftus Community Centre Inc. for the 2017/18 financial year as listed in Attachment 3;
5. NOTES that Loftus Community Centre Inc. advised the City on 29 August 2017 that it seeks a six month holding-over period in accordance with clause 13.10 of the Lease to enable completion of their Organisational Review, and that it intends to exercise the option for a further five year term commencing 1 January 2018 in accordance with clause 17 of the Lease;
6. NOTES that Administration has deferred its decision in respect to exercising the option term in accordance with clause 17 of the Lease until June 2018 in order to allow Loftus Community Centre Inc. to complete its Organisational Review at which time a further report will be presented to Council for consideration;
7. APPROVES Loftus Community Centre Inc. continuing to occupy the Loftus Community Centre upon the expiry of the Lease on 31 December 2017, pursuant to clause 13.10 of the Lease, for a period of 6 months to 30 June 2018 to enable completion of their Organisational Review which will inform any subsequent lease negotiations;
8. NOTES that the 10% rent increase for the monthly tenancy period, as provided for in clause 13.10, will not be charged, and therefore the rent will remain at \$1,303 (incl. GST to be indexed by CPI in 2018), and that all other terms and conditions contained in the current Lease will apply, as set out below for clarity:
 - 8.1 Further Terms: Two further terms of five years each – commencing 1 January 2018 and 1 January 2023 which may be granted by the City subject to Loftus Community Centre Inc complying with all terms of the Lease during the;
 - 8.2 Rent: \$1,303 per annum incl. GST (indexed by CPI);
 - 8.3 Lettable Area of the Premises: Approximately 626m²;
 - 8.4 Permitted Purpose: Community Centre;
 - 8.5 Rates and Taxes: Lessee must pay all Rates and Taxes directly assessed or payable in respect of the Premises during or applicable to the Term;

- 8.6 **Outgoings:** Lessee must pay all charges for water consumption, gas, electricity, telephone or other services, utilities or facilities directly relating to the Premises or the use or occupation of the Premises;
- 8.7 **Insurance:** Lessee must effect and keep current a public liability policy, workers compensation and employers indemnity insurance, and a policy to cover fixtures, fittings, plant equipment and stock in the Premises;
- 8.8 **Cleaning:** Lessee must keep the Premises and its entrances and surrounds thoroughly clean and not allow any rubbish to accumulate on or about the Premises, and remove the Premises at its own expense all rubbish and litter;
- 8.9 **Maintenance:** Lessee must keep the Premises and the City's installations in good substantial and functional repair, order and condition, and repair and make good any damage to the premises;
- 8.10 **Minimum Level of Service (statutory fire compliance checks, pest inspections):** City to conduct at Lessee's cost;
- 8.11 **Contribution to Reserve Fund:** \$6,779 incl. GST (paid quarterly in advance) and indexed by CPI; and
- 8.12 **Shared Usage:** Lessee shall permit the City and community groups, associations or bodies to use the Premises at all times when the Premises are not required by the Lessee at fees commensurate with Council's Adopted 2017/18 Fees & Charges Schedule;

9. **ADVISES Loftus Community Centre Inc. that consideration of any further funding in 2017/18 remains subject to their Organisational Review and Community Group Health Check being fully completed and submitted to Administration no later than 23 February 2018.**

Moved: Cr Murphy, Seconded: Cr Gontaszewski

That the recommendation be adopted.

PROPOSED AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That recommendation 8.1 be amended as follows:

That Council:

- 8.1 **Further Terms:** Two further terms of five years each – commencing 1 January 2018 and 1 January 2023 which may be granted by the City subject to Loftus Community Centre Inc complying with all terms of the Lease ~~during the~~;

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.1

Moved: Cr Murphy, Seconded: Cr Gontaszewski

That Council:

1. **APPROVES** a waiver of outgoings and maintenance recoups for Loftus Community Centre Inc. for the 2015/16 financial year totalling \$1,652.25 (excl. GST) as listed in Attachment 2 and the 2017/18 financial year totalling \$6,750 (excl. GST – estimate only) as listed in Attachment 3 in recognition of their transition towards lease compliance;
2. **APPROVES** a write-off of outgoings and maintenance recoups for Loftus Community Centre Inc. for the 2016/17 financial year totalling \$5,630.50 (excl. GST) as listed in Attachment 2 in recognition of their transition towards lease compliance;
3. **REQUIRES** the immediate payment of outstanding invoices totalling \$2,107.19 (excl. GST) by Loftus Community Centre Inc. for the 2015/16 and 2016/17 financial years as listed in Attachment 2;
4. **REQUIRES** the payment of outgoings and maintenance recoups estimated at \$8,282 (excl. GST) by Loftus Community Centre Inc. for the 2017/18 financial year as listed in Attachment 3;
5. **NOTES** that Loftus Community Centre Inc. advised the City on 29 August 2017 that it seeks a six month holding-over period in accordance with clause 13.10 of the Lease to enable completion of their Organisational Review, and that it intends to exercise the option for a further five year term commencing 1 January 2018 in accordance with clause 17 of the Lease;
6. **NOTES** that Administration has deferred its decision in respect to exercising the option term in accordance with clause 17 of the Lease until June 2018 in order to allow Loftus Community Centre Inc. to complete its Organisational Review at which time a further report will be presented to Council for consideration;
7. **APPROVES** Loftus Community Centre Inc. continuing to occupy the Loftus Community Centre upon the expiry of the Lease on 31 December 2017, pursuant to clause 13.10 of the Lease, for a period of 6 months to 30 June 2018 to enable completion of their Organisational Review which will inform any subsequent lease negotiations;
8. **NOTES** that the 10% rent increase for the monthly tenancy period, as provided for in clause 13.10, will not be charged, and therefore the rent will remain at \$1,303 (incl. GST to be indexed by CPI in 2018), and that all other terms and conditions contained in the current Lease will apply, as set out below for clarity:
 - 8.1 **Further Terms:** Two further terms of five years each – commencing 1 January 2018 and 1 January 2023 which may be granted by the City subject to Loftus Community Centre Inc complying with all terms of the Lease;
 - 8.2 **Rent:** \$1,303 per annum incl. GST (indexed by CPI);
 - 8.3 **Lettable Area of the Premises:** Approximately 626m²;
 - 8.4 **Permitted Purpose:** Community Centre;
 - 8.5 **Rates and Taxes:** Lessee must pay all Rates and Taxes directly assessed or payable in respect of the Premises during or applicable to the Term;
 - 8.6 **Outgoings:** Lessee must pay all charges for water consumption, gas, electricity, telephone or other services, utilities or facilities directly relating to the Premises or the use or occupation of the Premises;
 - 8.7 **Insurance:** Lessee must effect and keep current a public liability policy, workers compensation and employers indemnity insurance, and a policy to cover fixtures, fittings, plant equipment and stock in the Premises;

- 8.8 **Cleaning:** Lessee must keep the Premises and its entrances and surrounds thoroughly clean and not allow any rubbish to accumulate on or about the Premises, and remove the Premises at its own expense all rubbish and litter;
- 8.9 **Maintenance:** Lessee must keep the Premises and the City's installations in good substantial and functional repair, order and condition, and repair and make good any damage to the premises;
- 8.10 **Minimum Level of Service (statutory fire compliance checks, pest inspections):** City to conduct at Lessee's cost;
- 8.11 **Contribution to Reserve Fund:** \$6,779 incl. GST (paid quarterly in advance) and indexed by CPI; and
- 8.12 **Shared Usage:** Lessee shall permit the City and community groups, associations or bodies to use the Premises at all times when the Premises are not required by the Lessee at fees commensurate with Council's Adopted 2017/18 Fees & Charges Schedule;
9. **ADVISES Loftus Community Centre Inc. that consideration of any further funding in 2017/18 remains subject to their Organisational Review and Community Group Health Check being fully completed and submitted to Administration no later than 23 February 2018.**

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

9 DEVELOPMENT SERVICES

9.4 FURTHER REPORT: NOS. 1-16/17 HARWOOD PLACE, WEST PERTH - CHANGE OF USE FROM MULTIPLE DWELLINGS TO SERVICED APARTMENTS (AMENDMENT TO APPROVAL)

TRIM Ref: D17/154755








Author: Steve Laming, Urban Planner

Authoriser: Paola Di Perna, Manager Approval Services

Ward: South

Precinct: 13 – Beaufort

Attachments:

1. Attachment 1 - Consultation and Location Map [⇒](#) 
2. Attachment 2 - Previous Development Approval Granted 3 May 2016 [⇒](#) 
3. Attachment 3 - Existing Approved Management Plan - May 2016 [⇒](#) 
4. Attachment 4 - Proposed Updated Management Plan - November 2017 [⇒](#) 
5. Attachment 5 - Management Plan Comparison [⇒](#) 
6. Attachment 6 - Summary of Submissions [⇒](#) 
7. Attachment 7 - Applicant's Justification Report and Response to Neighbour 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 amend the conditions for development approval 5.2015.568.1 granted on 3 May 2016 for a Change of Use from Multiple Dwellings to Serviced Apartments at Nos. 1-16/17 (Lots: 1-16; STR: 59813) Harwood Place, West Perth subject to the following conditions:

1. All conditions and advice notes detailed on development approval 5.2015.568.1 granted on 3 May 2016 included as Attachment 2 continue to apply to this approval, except as follows:
 - 1.1. Condition 4 of the development approval is amended to read as follows:
 - “4. *The Serviced Apartments shall include within the entrance, foyer or lobby of the premises a reception area which shall be attended by staff during scheduled guest check-ins and check-outs*”;
 - 1.2. Condition 5 of the development approval is deleted and replaced as follows:
 - “5. *Within 28 days of the issue date of this approval, the Management Plan for the Serviced Apartments at 17 Harwood Place, West Perth (Amended 6 November 2017) shall be amended to ensure consistency throughout and include the following to the satisfaction of the City:*
 - 5.1 *The accommodation duration is limited to a minimum stay of three (3) nights for all guests of the Serviced Apartments;*
 - 5.2 *The reception area shall be staffed during check-in and check-out of the Serviced Apartments guests/residents;*
 - 5.3 *The Serviced Apartments shall be managed by 24 hour security, including vehicle patrols and building walk throughs, and the premises shall be monitored by 24 hour CCTV cameras located around the property;*
 - 5.4 *An Initial Security Plan shall be implemented until 28 February 2018, or a later date if deemed necessary by the City, and shall include a minimum of three security patrols and building walk-throughs at 2 hourly intervals between the hours of 10:00pm and 4:00am on Friday and Saturday nights and on a Sunday night where the following*

Monday is a public holiday and one security walk-through at any time between the hours of 11:30pm and 1:30am on Sunday to Thursday nights;

- 5.5 *On the conclusion of the implementation of the Initial Security Plan, an On-Going Security Plan shall be implemented and shall include two security patrols and building walk-throughs at minimum 2 hourly intervals between the hours of 10:00pm and 4:00am on Friday and Saturday nights and on a Sunday night where the following Monday is a public holiday and one security walk-through between the hours of 11:30pm and 1:30am on Sunday to Thursday nights;*
- 5.6 *Live security/CCTV footage of the Serviced Apartments shall be monitored at all times, either by the Manager of the Zappeion Serviced Apartments or by staff of the Serviced Apartment's sister hotel, Attika Hotel, and shall be available for immediate review 24/7;*
- 5.7 *24 hour contact details of the manager of the Serviced Apartments shall be provided to all owners/occupiers of the residential properties on Harwood Place and made available at all times on the serviced apartment's website and on the outside of the Serviced Apartments building;*
- 5.8 *Details relating to Level 1 and Level 2 Complaint Management Procedures, including definitions and a series of 'complaint scenarios' to clarify how the Complaint Management Procedure will be implemented for the different types of incidents and disturbances;*
- 5.9 *Guests are required to keep noise to a minimum from 10:00pm to 8:00am, in particular outside on the balconies fronting the residential properties on Harwood Place;*
- 5.10 *The two car parking bays accessed from Harwood Place shall be signed and maintained as 'pick up/drop off' bays for use by on-demand transport or buses and shall not be used by guests;*
- 5.11 *Each serviced apartment shall be provided with one dedicated parking bay at no extra cost to encourage patrons and/or visitors to use the onsite parking facilities; and*
- 5.12 *The Management Plan shall be reviewed every 12 months, with any changes identified during this review or by the City, being incorporated into an updated Management Plan approved by the City as part of the review;*

1.3. A new Condition 7 is added to the conditions of the development approval as follows:

- "7. *Within 28 days of the issue date of this approval and prior to the installation of any signage or lighting at the premises that a Signage and Lighting Plan be submitted to, and approved by the City, to ensure the development provides adequate signage and lighting to service the development and does not have an adverse impact on the residential amenity of the area."*

COUNCIL DECISION ITEM 9.4

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

13 CHIEF EXECUTIVE OFFICER**13.2 DRAFT CEO PERFORMANCE REVIEW POLICY**

TRIM Ref: D17/154841

Author: Len Kosova, Chief Executive Officer

Authoriser: Len Kosova, Chief Executive Officer

Attachments: 1. DRAFT CEO Performance Review Policy No. 4.2.16 

RECOMMENDATION:

That Council **ADOPTS** Draft Policy 4.2.16 – CEO Performance Review included as Attachment 1, and **AGREES** that public advertising and community consultation is not required due to the internal focus of the policy.

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

That the recommendation be adopted.

PROPOSED AMENDMENT 1

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

That the recommendation be amended as follows:

That Council:

1. ADOPTS Draft Policy 4.2.16 – CEO Performance Review included as Attachment 1, **subject to:**

(a) inclusion of a new clause 3.7 as follows:

3.7 It is incumbent upon Council Members and senior staff to actively participate in the CEO Performance Review process and to provide feedback in accordance with the provisions of this policy.

2. AGREES that public advertising and community consultation is not required due to the internal focus of the policy.

AMENDMENT 1 CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

PROPOSED AMENDMENT 2

Moved: Cr Hallett, **Seconded:** Cr Murphy

That the Recommendation be further amended by adding a new item (b) under Recommendation 1 as follows:

(b) clause 1.3 being amended as follows:

The Panel shall comprise up to four members, including the Mayor as Chairperson and at least two three other Council Members.

AMENDMENT 2 CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 13.2

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

That the recommendation be amended as follows:

That Council:

1. **ADOPTS** Draft Policy 4.2.16 – CEO Performance Review included as Attachment 1, subject to:

(a) inclusion of a new clause 3.7 as follows:

3.7 It is incumbent upon Council Members and senior staff to actively participate in the CEO Performance Review process and to provide feedback in accordance with the provisions of this policy.

(b) clause 1.3 being amended as follows:

The Panel shall comprise up to four members, including the Mayor as Chairperson and at least two other Council Members.

2. **AGREES** that public advertising and community consultation is not required due to the internal focus of the policy.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

9 DEVELOPMENT SERVICES

9.1 NO. 399 (LOT: 1; STR 44491) WILLIAM STREET, PERTH - PROPOSED AMENDMENT TO HOURS OF OPERATION OF PREVIOUS APPROVAL: CHANGE OF USE FROM EATING HOUSE TO SMALL BAR AND ASSOCIATED ALTERATIONS (UNLISTED USE) AND ALFRESCO ADDITION TO SMALL BAR (UNLISED USE)

TRIM Ref: D17/140280

Author: Rob Sklarski, Special Project Officer

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 13 – Beaufort

Attachments:

1. Attachment 1 - Consultation and Location Plan [⇒](#) 
2. Attachment 2 - 7 October 2008 Planning Approval for Change of Use from Eating House to Unlisted Use – Small Bar and Associated Alterations [⇒](#) 
3. Attachment 3 - 26 July 2016 Development Approval for Alfresco Area Addition to Existing Small Bar [⇒](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY ABSOLUTE MAJORITY the application to amend the existing planning approvals:

1. For Change of Use from Eating House to Unlisted Use – Small Bar and Associated Alterations at No. 399 (Lot: 1; Strata Plan: 44491) William Street, Perth granted on 7 October 2008 and numbered 5.2008.356.1, subject to the following conditions:
 - 1.1. All conditions and advice notes detailed on development approval 5.2008.356.1 granted on 7 October 2008 included in Attachment 2 shall remain with the exception of:
 - 1.1.1. Condition (viii) which is to be amended to read as follows:

“The hours of operation of the Small Bar (Unlisted Use) and associated alfresco area shall be limited to the hours of:

 - a) *Monday to Saturday and Sundays immediately prior to a Monday public holiday: 7:00am to midnight; and*
 - b) *Sundays not immediately prior to a Monday public holidays: 10:00am to 10:00pm;”*
 - 1.2. The detailed management plan for the Unlisted Use - Small Bar and Associated Additions shall be amended to reflect the additional operating hours and apply the same management measures to Sunday nights as is currently applied to Saturday nights to the satisfaction of the City, prior to the commencement of the additional operating hours;
2. For Alfresco Area Addition to Existing Small Bar at No. 399 (Lot: 1; Strata Plan: 44491) William Street, Perth granted on 26 July 2016 and numbered 5.2016.108.1, subject to the following conditions:
 - 2.1. All conditions and advice notes detailed on development approval 5.2016.108.1 granted on 26 July 2016 included in Attachment 3 shall remain with the exception of:
 - 2.1.1. Condition 2 which is to be amended to read as follows:

“The hours of operation of the Small Bar (Unlisted Use) and associated alfresco area shall be limited to the hours of:

 - a) *Monday to Saturday and Sundays immediately prior to a Monday public holiday: 7:00am to midnight; and*
 - b) *Sundays not immediately prior to a Monday public holidays: 10:00am to 10:00pm;”*

COUNCIL DECISION ITEM 9.1

Moved: Cr Murphy, Seconded: Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

9.2 NOS. 60 AND 62 ROBINSON AVENUE, PERTH AND NOS. 5 AND 7 BRISBANE TERRACE, PERTH (LOT: 3 STR: 69968) - PROPOSED AMENDMENT TO CONDITION OF APPROVAL: FOUR GROUPED DWELLINGS

TRIM Ref: D17/153000













Author: Emily Andrews, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Consultation and Location Map  
2. Attachment 2 - Previous Planning Approval  
3. Attachment 3 - Dilapidation Survey Performance Solution Report  
4. Attachment 4 - Map Showing Extent of Previous Dilapidation Report Requirement  
5. Attachment 5 - Summary of Submission  
6. Attachment 6 - Map Showing Extent of Recommended Dilapidation Report Requirement  

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 amend development approval 5.2015.166.1 for Four Grouped Dwellings at No. 60 and 62 (Lots: 4 & 3) Robinson Avenue, Perth and Nos. 5 and 7 (Lots: 2 & 1) Brisbane Terrace, Perth granted on 31 May 2016, subject to the following condition:

1. All conditions, requirements and advice notes detailed on development approval 5.2015.166.1 granted on 31 May 2016 continue to apply to this approval, with the exception of Condition 6.5 which is amended to read as follows:

“6.5 Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area in accordance with the requirements of the City’s Policy No. 7.5.23 – Construction Management Plans and shall include the following:

6.5.1 Dilapidation Reports at the applicant’s cost to the satisfaction of the City for the following properties:

- (a) Nos. 51, 64A and 64B Robinson Avenue, Perth;
- (b) No. 32 Brookman Street, Perth;
- (c) No. 3 Brisbane Place, Perth;
- (d) Nos. 2 Brisbane Terrace, Perth (for the units fronting Brisbane Terrace only); and
- (e) No. 4 Brisbane Terrace, Perth.

Construction on and management of the site shall thereafter comply with the approved Construction Management Plan.”

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

That the recommendation be adopted.

PROPOSED AMENDMENT

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

That the Condition 6.5.1 be amended as follows:

“6.5.1 Dilapidation Reports at the applicant’s cost and at the option of the property owner to the satisfaction of the City for the following properties:

- (a) Nos. 51, 64A and 64B Robinson Avenue, Perth;***
- (b) No. 32 Brookman Street, Perth;***
- (c) No. 3 Brisbane Place, Perth;***
- (d) Nos. 2 Brisbane Terrace, Perth (for the units fronting Brisbane Terrace only); and***
- (e) No. 4 Brisbane Terrace, Perth.***

Construction on and management of the site shall thereafter comply with the approved Construction Management Plan.”

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 9.2

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

That the recommendation be amended as follows:

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 amend development approval 5.2015.166.1 for Four Grouped Dwellings at No. 60 and 62 (Lots: 4 & 3) Robinson Avenue, Perth and Nos. 5 and 7 (Lots: 2 & 1) Brisbane Terrace, Perth granted on 31 May 2016, subject to the following condition:

1. All conditions, requirements and advice notes detailed on development approval 5.2015.166.1 granted on 31 May 2016 continue to apply to this approval, with the exception of Condition 6.5 which is amended to read as follows:

“6.5 Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area in accordance with the requirements of the City’s Policy No. 7.5.23 – Construction Management Plans and shall include the following:

6.5.1 Dilapidation Reports at the applicant’s cost and at the option of the property owner to the satisfaction of the City for the following properties:

- (a) Nos. 51, 64A and 64B Robinson Avenue, Perth;***
- (b) No. 32 Brookman Street, Perth;***
- (c) No. 3 Brisbane Place, Perth;***
- (d) Nos. 2 Brisbane Terrace, Perth (for the units fronting Brisbane Terrace only); and***

(e) *No. 4 Brisbane Terrace, Perth.*

Construction on and management of the site shall thereafter comply with the approved Construction Management Plan.”

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

9.5 TOWN CENTRE PLACE PLANS**TRIM Ref:** D17/137093**Authors:** Georgia Lawrence, Place Manager
David Doy, Place Manager**Authoriser:** John Corbellini, Director Development Services**Attachments:** 1. Attachment 1 - Volume 1: Vincent Town Centres Place Plan → 
2. Attachment 2 - Volume 2: North Perth Town Centre Place Plan → **RECOMMENDATION:****That Council:**

1. **ENDORSES** for the purpose of advertising the Draft Town Centre Place Plans inclusive of:
 - 1.1. **Volume 1: Vincent Town Centre Place Plans; and**
 - 1.2. **Volume 2: North Perth Town Centre Place Plan;**which are included as Attachments 1 and 2; and
2. **INVITES** submissions from the community on the Draft Town Centre Place Plans for a period of 28 days by way of local public notice, invitation to comment to all town teams, display at the Administration and Civic Centre and Library, and publication on the City's website and social media platforms.

At 8.04pm pm, Cr Alex Castle and Cr Jimmy Murphy left the meeting.

COUNCIL DECISION ITEM 9.5**Moved:** Cr Hallett, **Seconded:** Cr Topelberg**That the recommendation be adopted.****CARRIED UNANIMOUSLY (6-0)****For:** Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Topelberg and Cr Fotakis**Against:** Nil**(Cr Loden was on approved leave of absence for the Meeting.)****(Cr Castle was absent from the Council Chamber and did not vote.)****(Cr Murphy was absent from the Council Chamber and did not vote.)**

At 8.12pm, Cr Alex Castle and Cr Jimmy Murphy returned to the meeting.

10 TECHNICAL SERVICES

10.2 PROPOSED TRAFFIC CALMING - RANDELL STREET, PERTH.

TRIM Ref: D17/55604

Author: Craig Wilson, A/Director Technical Services

Authoriser: Craig Wilson, A/Director Technical Services

Attachments: 1. Summary of Comments  
2. Plan No. 2724-LM-01A  

RECOMMENDATION:

That Council:

1. NOTES the comments received regarding the proposed implementation of additional traffic calming in Randell Street, Perth (Attachment 1);
2. DOES NOT PROCEED with the installation of three additional speed humps, as shown on Plan No. 2724-LM-01A (Attachment 2), and
3. ADVISES the respondents of its decision.

COUNCIL DECISION ITEM 10.2

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

12 COMMUNITY ENGAGEMENT

12.2 MANNA INC. - REVIEW OF THE USE OF WELD SQUARE FOR THE PROVISION OF FREE MEAL SERVICES FOR THE HOMELESS

TRIM Ref: D17/135171

Author: Kate Allen, Community Partner

Authoriser: Michael Quirk, Director Community Engagement

Attachments: Nil

RECOMMENDATION:

That Council:

1. APPROVES the waiving of fees of \$4,320.00 for Manna Inc. to utilise Weld Square to carry out a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of 6 months, concluding 30 May 2018 subject to the following conditions:
 - 1.1. Hours of operation shall be between 1.30pm and 2.30pm; five days a week Monday to Friday;
 - 1.2. An afterhours contact number for Manna Inc. shall be provided to the City of Vincent;
 - 1.3. Manna Inc. shall ensure that the service provision will have minimal impact and disturbance to the nearby amenities and environment, and comply with all relevant legislation;
 - 1.4. Manna Inc. will work with the City of Vincent, WA Police and Nyoongar Outreach Services to implement solutions that deter anti-social behaviour;
 - 1.5. No more than two vehicles shall be allowed access on Weld Square at any time;
 - 1.6. Manna Inc. will enter Weld Square via the Newcastle Street crossover and provide its meal service at the Southern side of the park in Winter and the northern side of the park in Summer, with specific dates to be determined by Administration;
 - 1.7. Manna Inc. staff shall strictly pick up all rubbish and litter pertaining to its client group before leaving Weld Square and minimise the amount of disposable items being handed out;
 - 1.8. Permission to operate within Weld Square may be withdrawn by Administration at its discretion;
 - 1.9. Manna Inc. must maintain public liability and endorse to indemnify the City against any accident, injury and damage resulting from or incidents arising from their use of Weld Square as per Policy No. 2.1.7 – Parks, Reserves and Facilities; and
 - 1.10. All Manna Inc. volunteers are required to attend an information session with relevant City of Vincent Officers, Nyoongar Outreach Services and WA Police to reaffirm expectations and protocols;
2. NOTES that Administration will meet with key service delivery organisations, including but not limited to Manna Inc. and Salvation Army, to determine a consolidated approach to service delivery at Weld Square that balances a response to homelessness with reasonable park amenity for local residents; and
3. SUPPORTS Administration respectfully preventing any unauthorised organisations, groups or businesses from providing services for people experiencing homelessness or at risk of homelessness at Weld Square without the City's prior approval.

Moved: Cr Gontaszewski, Seconded: Cr Harley

That the recommendation be adopted.

PROPOSED AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Harley

That recommendation 1 be amended as follows:

1. **APPROVES** the waiving of fees of \$4,320.00 for Manna Inc. to utilise Weld Square to carry out a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of **6 12** months, concluding **30 May November** 2018 subject to the following conditions:

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.2

Moved: Cr Gontaszewski, Seconded: Cr Harley

That Council:

1. **APPROVES** the waiving of fees of \$4,320.00 for Manna Inc. to utilise Weld Square to carry out a free meal service for people who are experiencing homelessness or at risk of homelessness for a period of 12 months, concluding 30 November 2018 subject to the following conditions:
 - 1.1. **Hours of operation shall be between 1.30pm and 2.30pm; five days a week Monday to Friday;**
 - 1.2. **An afterhours contact number for Manna Inc. shall be provided to the City of Vincent;**
 - 1.3. **Manna Inc. shall ensure that the service provision will have minimal impact and disturbance to the nearby amenities and environment, and comply with all relevant legislation;**
 - 1.4. **Manna Inc. will work with the City of Vincent, WA Police and Nyoongar Outreach Services to implement solutions that deter anti-social behaviour;**
 - 1.5. **No more than two vehicles shall be allowed access on Weld Square at any time;**
 - 1.6. **Manna Inc. will enter Weld Square via the Newcastle Street crossover and provide it's meal service at the Southern side of the park in Winter and the northern side of the park in Summer, with specific dates to be determined by Administration;**
 - 1.7. **Manna Inc. staff shall strictly pick up all rubbish and litter pertaining to its client group before leaving Weld Square and minimise the amount of disposable items being handed out;**
 - 1.8. **Permission to operate within Weld Square may be withdrawn by Administration at its discretion;**

- 1.9. Manna Inc. must maintain public liability and endorse to indemnify the City against any accident, injury and damage resulting from or incidents arising from their use of Weld Square as per Policy No. 2.1.7 – Parks, Reserves and Facilities; and
 - 1.10. All Manna Inc. volunteers are required to attend an information session with relevant City of Vincent Officers, Nyoongar Outreach Services and WA Police to reaffirm expectations and protocols;
2. NOTES that Administration will meet with key service delivery organisations, including but not limited to Manna Inc. and Salvation Army, to determine a consolidated approach to service delivery at Weld Square that balances a response to homelessness with reasonable park amenity for local residents; and
 3. SUPPORTS Administration respectfully preventing any unauthorised organisations, groups or businesses from providing services for people experiencing homelessness or at risk of homelessness at Weld Square without the City's prior approval.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil


(Cr Loden was on approved leave of absence for the Meeting.)

12.3 ADOPTION OF THE DOGS AMENDMENT LOCAL LAW 2017

TRIM Ref: D17/141137

Author: Tim Evans, Manager Governance and Risk

Authoriser: Michael Quirk, Director Community Engagement

Attachments: 1. Dogs Amendment Local Law 2017  
2. Dogs Amendment Local Law 2017 - with tracked changes 
3. Consolidated Dogs Local Law 2007 - as amended 
4. Public Submissions 

RECOMMENDATION:

That Council:

1. **MAKES BY ABSOLUTE MAJORITY**, in accordance with section 3.12(4) of the *Local Government Act 1995*, the *City of Vincent Dogs Amendment Local Law 2017* included as Attachment 1;
2. **NOTES** the purpose and effect of the local law as:

Purpose

The purpose of the Dogs Amendment Local Law 2017 is to amend the Dogs Local Law 2007 in order to delete references to a 'pound keeper', to update references to prescribed forms and to remove PART 5 and schedules 4 and 5 relating to dogs in public places; and

Effect

The effect of the Dogs Amendment Local Law 2017 is to align the City's Dogs Local Law with controls over dogs which exist under the *Dog Act 1976* and Dog Regulations 2013; and

3. NOTES:

- 3.1 the minor amendments to the version of the Dogs Amendment Local Law 2017 that was advertised for public submission;
- 3.2 that Administration will publish the *Dogs Amendment Local Law 2017* in the *Government Gazette* in accordance with s3.12(5) of the *Local Government Act 1995* noting that a copy will be sent to the Minister for Local Government; Heritage; Culture and the Arts;
- 3.3 that Administration will give local public notice, in accordance with s3.12(6) of the *Local Government Act 1995*; and
- 3.4 that following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer will be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

COUNCIL DECISION ITEM 12.3**Moved:** Cr Murphy, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8-0)**For:** Presiding Member Mayor Emma Cole, Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Topelberg, Cr Murphy, Cr Castle and Cr Fotakis**Against:** Nil

(Cr Loden was on approved leave of absence for the Meeting.)

13 CHIEF EXECUTIVE OFFICER**13.1 APPOINTMENT OF COUNCIL MEMBERS TO ADVISORY AND WORKING GROUPS AND EXTERNAL BODIES**

TRIM Ref: D17/139797

Author: Tim Evans, Manager Governance and Risk

Authoriser: Len Kosova, Chief Executive Officer

Attachments: 1. Urban Mobility Advisory Group - DRAFT Terms of Reference **RECOMMENDATION:**

That Council:

1. APPOINTS the following Council Members as Council's representatives on the External Bodies for a term expiring on 18 October 2019:**1.1. Western Australian Local Government Association (WALGA) - Central Metropolitan Zone:****Members:**

1. Cr
2. Cr

Deputy:

1. Cr
2. Cr

1.2. Vincent Accord**Member:**

1. Cr

1.3. Metropolitan Regional Road Group (MRRG) Central Technical Sub-group**Member:**

1. Cr

1.4. Swan River Trust (only matters relating to City of Vincent)**Member:**

1. Cr

2. APPOINTS the following Council Members as Council's representatives on the below Advisory Groups for a term expiring on 18 October 2019:**2.1. Arts Advisory Group (2 Council Members)****Members:**

1. Cr
2. Cr

and the Chair of the Advisory Group will be Cr.....;

2.2. Business Advisory Group (2 Council Members)**Members:**

1. Cr
2. Cr

and the Chair of the Advisory Group will be Cr.....;

2.3. Children and Young People Advisory Group (3 Council Members)

Members:

- 1. Cr
- 2. Cr

and the Chair of the Advisory Group will be Cr.....;

2.4. Environmental Advisory Group (Up to 2 Council Members)

Members:

- 1. Cr
- 2. Cr

and the Chair of the Advisory Group to be Cr.....;

2.5. Safer Vincent Crime Prevention Partnership (2 Council Members)

Members:

- 1. Cr
- 2. Cr

and the Chair of the Advisory Group will be Cr.....;

3. APPOINTS the following Council Members as Council’s representatives on the below Working Groups for a term expiring on 18 October 2019:

3.1. Reconciliation Action Plan Working Group (Up to 2 Council Members)

Members:

- 1. Cr
- 2. Cr

and the Chair of the Working Group will be Cr.....;

4. AMENDS the Terms of Reference for the each Advisory Group to reflect that the number of Council Members appointed to the group will be two.

5. DISBANDS the Road Safety Advisory Group and Pedestrian and Cycling Advisory Group and thanks all previous members for their efforts and contribution to the groups;

6. That Council ADOPTS the Terms of Reference included as Attachment 1 for the Urban Mobility Advisory Group;

7. APPOINTS the following Council Members as Council’s representatives on the Urban Mobility Advisory Group for a term expiring on 18 October 2019 (2 Council Members):

Members:

- 1. Cr
- 2. Cr

and the Chair of the Advisory Group will be Cr.....;

8. DISBANDS the Claise Brook North Community Liaison Group and thanks all previous members for their efforts and contribution to the group;

9. NOTES that the purpose of the Parks People Working Group is currently being reviewed by Administration to better align with other stakeholder groups and forums responding to homelessness, and that following the review a further report will be presented to Council.

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

That the recommendation be adopted.

PROPOSED AMENDMENT

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

That the recommendation be amended as follows:

That Council:

1. **APPOINTS** the following Council Members as Council's representatives on the External Bodies for a term expiring on 18 October 2019:

- 1.1. **Western Australian Local Government Association (WALGA) - Central Metropolitan Zone:**

Members:		Deputy:	
1.	Cr	1.	Cr
2.	Cr	2.	Cr

- 1.2. **Vincent Accord**

Member:
1. Cr

- 1.3. **Metropolitan Regional Road Group (MRRG) Central Technical Sub-group**

Member:
1. Cr

- 1.4. **Swan River Trust (only matters relating to City of Vincent)**

Member:
1. Cr

2. **APPOINTS** the following Council Members as Council's representatives on the below Advisory Groups for a term expiring on 18 October 2019:

- 2.1. **Arts Advisory Group (~~2 Council Members~~)**

Members:
1. Cr

and the Chair of the Advisory Group will be Cr.....;

- 2.2. **Business Advisory Group (~~2 Council Members~~)**

Members:
1. Cr

and the Chair of the Advisory Group will be Cr.....;

- 2.3. **Children and Young People Advisory Group (~~3 Council Members~~)**

Members:
1. Cr

and the Chair of the Advisory Group will be Cr.....;

2.4. Environmental Advisory Group (~~Up to 2 Council Members~~)

Members:

1. Cr
2. Cr

and the Chair of the Advisory Group to be Cr.....;

2.5. Safer Vincent Crime Prevention Partnership (~~2 Council Members~~)

Members:

1. Cr
2. Cr

and the Chair of the Advisory Group will be Cr.....;

3. APPOINTS the following Council Members as Council's representatives on the below Working Groups for a term expiring on 18 October 2019:

3.1. Reconciliation Action Plan Working Group (~~Up to 2 Council Members~~)

Members:

1. Cr
2. Cr

and the Chair of the Working Group will be Cr.....;

4. AMENDS the Terms of Reference for the each Advisory and Working Group to limit reflect that the number of Council Members appointed to the on each group to the number determined by Council through this resolution will be two.

5. DISBANDS the Road Safety Advisory Group and Pedestrian and Cycling Advisory Group and thanks all previous members for their efforts and contribution to the groups;

6. That Council ADOPTS the Terms of Reference included as Attachment 1 for the Urban Mobility Advisory Group;

7. APPOINTS the following Council Members as Council's representatives on the Urban Mobility Advisory Group for a term expiring on 18 October 2019 (~~2 Council Members~~):

Members:

1. Cr
2. Cr

and the Chair of the Advisory Group will be Cr.....;

8. DISBANDS the Claise Brook North Community Liaison Group and thanks all previous members for their efforts and contribution to the group;

9. NOTES that the purpose of the Parks People Working Group is currently being reviewed by Administration to better align with other stakeholder groups and forums responding to homelessness, and that following the review a further report will be presented to Council.

AMENDMENT CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 13.1

Moved: Cr Hallett, Seconded: Cr Topelberg

That Council:

- 1. APPOINTS the following Council Members as Council's representatives on the External Bodies for a term expiring on 18 October 2019:**

1.1. Western Australian Local Government Association (WALGA) - Central Metropolitan Zone:

Members:

- 1. Cr Harley;**
- 2. Cr Castle;**

Deputy:

- 1. Cr Murphy;**
- 2. Cr Fotakis;**

1.2. Vincent Accord

Member:

- 1. Cr Harley;**

1.3. Metropolitan Regional Road Group (MRRG) Central Technical Sub-group

Member:

- 1. Cr Hallett;**

1.4. Swan River Trust (only matters relating to City of Vincent)

Member:

- 1. Cr Murphy;**

- 2. APPOINTS the following Council Members as Council's representatives on the below Advisory Groups for a term expiring on 18 October 2019:**

2.1. Arts Advisory Group

Members:

- 1. Cr Murphy;**
- 2. Cr Fotakis;**

and the Chair of the Advisory Group will be Cr Murphy;

2.2. Business Advisory Group

Members:

- 1. Cr Topelberg;**
- 2. Cr Murphy;**
- 3. Cr Fotakis**

and the Chair of the Advisory Group will be Cr Topelberg;

2.3. Children and Young People Advisory Group

Members:

- 1. Cr Castle;**
- 2. Cr Gontaszewski;**

and the Chair of the Advisory Group will be Cr Castle;

2.4. Environmental Advisory Group**Members:**

1. Cr Loden;
2. Cr Hallett;

and the Chair of the Advisory Group to be Cr Loden;

2.5. Safer Vincent Crime Prevention Partnership**Members:**

1. Cr Fotakis;
2. Cr Harley;
3. Cr Gontaszewski;

and the Chair of the Advisory Group will be Cr Fotakis;

3. **APPOINTS** the following Council Members as Council's representatives on the below Working Groups for a term expiring on 18 October 2019:

3.1. Reconciliation Action Plan Working Group**Members:**

1. Cr Harley;
2. Cr Loden;
3. Cr Topelberg;

and the Co-Chairs of the Working Group will be Cr Harley and Cr Loden;

4. **AMENDS** the Terms of Reference for each Advisory and Working Group to limit the number of Council Members on each group to the number determined by Council through this resolution.
5. **DISBANDS** the Road Safety Advisory Group and Pedestrian and Cycling Advisory Group and thanks all previous members for their efforts and contribution to the groups;
6. That Council **ADOPTS** the Terms of Reference included as Attachment 1 for the Urban Mobility Advisory Group;
7. **APPOINTS** the following Council Members as Council's representatives on the Urban Mobility Advisory Group for a term expiring on 18 October 2019:

Members:

1. Cr Hallett;
2. Cr Castle;
3. Mayor Cole;

and the Chair of the Advisory Group will be Cr Hallett;

8. **DISBANDS** the Claise Brook North Community Liaison Group and thanks all previous members for their efforts and contribution to the group;
9. **NOTES** that the purpose of the Parks People Working Group is currently being reviewed by Administration to better align with other stakeholder groups and forums responding to homelessness, and that following the review a further report will be presented to Council.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

18 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**PROCEDURAL MOTION****Moved: Cr Castle, Seconded: Cr Fotakis**

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, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

At 8.30pm all members of the gallery and press left the meeting and live streaming was stopped.

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski (deputy Mayor)	South Ward
	Cr Alex Castle	North Ward
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Roslyn Harley (from 6.20pm)	North Ward
	Cr Jimmy Murphy	South Ward
	Cr Joshua Topelberg	South Ward
IN ATTENDANCE:	Len Kosova	CEO
	John Paton	Director Corporate Services
	John Corbellini	Director Development Services
	Michael Quirk	Director Community Engagement
	Craig Wilson	A/Director Technical Services
	Emma Simmons	Governance and Council Support Officer

18.1 CONFIDENTIAL REPORT: APPOINTMENT OF COMMUNITY MEMBERS TO THE CITY OF VINCENT ADVISORY AND WORKING GROUPS

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

Local Government Act 1995 - Section 5.23(2):

(b) the personal affairs of any person

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 Harley, Seconded: Cr Murphy

That Council:

1. **APPOINTS** the following **COMMUNITY REPRESENTATIVES** to the City's Advisory and Working Groups until 18 October 2019 from the following nominees:
 - 1.1. **Arts Advisory Group** (up to **10** required, with relevant experience or qualifications in the arts):
 1. **Ms Kaye Adonis**
 2. **Ms Jessica Darlow**
 3. **Mr Graham Hay**
 4. **Ms Julie Rosario**
 5. **Ms Claire Stokes**
 6. **Ms Sioux Tempestt**
 7. **Dr Sandy Toussaint**
 8. **Mr Simon Venturi**
 9. **Ms Laura Warren**

- 1.2. **Business Advisory Group** (3 persons, with relevant local business experience to provide a representative perspective for businesses):
1. Mr Trent Durward
 2. Ms Philippa McIntosh
- and* (5 - Business Representatives: 1 from each of the recognised Town Teams):
1. Leederville Connect: Nicholas Bond
 2. Mount Hawthorn Hub: Sophie Brinklow
 3. Beaufort Street Network: Adrian Tatasciore
 4. North Perth Local: Ida Smithwick
 5. On William: Kate McKie
- 1.3. **Children and Young People Advisory Group** (Up to 6 persons required, with relevant experience in youth issues);
1. Mr Joel Birch
 2. Mr Andrew Rigg
 3. Ms Natalie Tarr
 4. Mr John Thomson
 5. Ms Megan Kaino
- 1.4. **Environmental Advisory Group** (Up to 10 persons required, having specialist knowledge and interest in environmental and sustainability issues):
1. Mr Chris Cutress
 2. Ms Lisa Edwards
 3. Dr Anthony Horton
 4. Ms Leanne Jones
 5. Ms Jacinta Key
 6. Ms Halinka Lamparski
 7. Mr Isaac Lorca
 8. Dr Zoe Myers
 9. Ms Fiamma Riviera
 10. Mr David White
- 1.5. **Safer Vincent Crime Prevention Partnership** (Up to 7 persons required, including External Organisations/Representatives):
1. Ms Natashya Cox
 2. Ms Sharan Kraemer
 3. Ms Irina Lobeto-Ortega
 4. Mr Chris Parry
 5. Ms Maria McAtackney, Nyoongar Outreach Services
 6. Mr Suresh Rajan, President, Ethnic Communities Council
- 1.6. **Reconciliation Action Plan Working Group** (Up to 6 persons required):
1. Ms Sarah Janali
 2. Ms Kathy Kickett
 3. Ms Marilyn Lyford
 4. Ms Maria McAtackney
 5. Mr Phillip Walley-Stack
2. **AUTHORISES** the Mayor (in liaison with the Advisory/Working Group Chair) to co-opt persons into an Advisory/Working group where insufficient nominations have been received;
3. **NOTES** that Administration advertised for and received nominations to the Road Safety Advisory Group (RSAG) and the Pedestrian and Cycling Advisory Group (PCAG) but that Administration has recommended that these groups be combined into a new Urban Mobility Advisory Group; and

4. **APPOINTS** the following **COMMUNITY REPRESENTATIVES** to the City's Urban Mobility Advisory Group until 18 October 2019 from the following nominees (Up to 10 persons required):

1. Ms Laura Donovan
2. Mr Scott Gibbings
3. Mr Sam Laybutt
4. Mr Scott Smith
5. Ms Holly Taylor
6. Ms Courtney Weber
7. Mr Adam Wilmot
8. Ms Regina Foley
9. Mr Parwez Jahmeerbacus
10. Mr Greg Korovesi

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

PRESENT:

Mayor Emma Cole	Presiding Member
Cr Susan Gontaszewski (deputy Mayor)	South Ward
Cr Alex Castle	North Ward
Cr Joanne Fotakis	North Ward
Cr Jonathan Hallett	South Ward
Cr Roslyn Harley	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward

IN ATTENDANCE: Len Kosova CEO

18.2 CONFIDENTIAL REPORT: 2017/18 CEO KEY PERFORMANCE INDICATORS (KPIS)

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

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 18.2

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That Council ADOPTS the 2017/18 Key Performance Indicators included in Confidential Attachment 1 as forming part of the CEO's contract of employment with the City of Vincent for the period ending 31 July 2018.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

PROCEDURAL MOTION

Moved: Cr Murphy, Seconded: Cr Harley

That the Council resume an “open meeting”.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Loden was on approved leave of absence for the Meeting.)

19 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 8.58pm with the following persons present:

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski (deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Roslyn Harley Cr Jimmy Murphy Cr Joshua Topelberg	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
IN ATTENDANCE:	Len Kosova	CEO

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 14 November 2017.

Signed: Mayor Emma Cole

Dated this day of2017