



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**21 November 2023**

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**MINUTES OF CITY OF VINCENT  
ORDINARY COUNCIL MEETING  
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 21 NOVEMBER 2023 AT 6.00PM**

<b>PRESENT:</b>	Cr Alex Castle	North Ward
	Cr Suzanne Worner	North Ward
	Cr Nicole Woolf	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Ashley Wallace	South Ward
	Cr Sophie Greer	South Ward
	Cr Ashlee La Fontaine	South Ward
	Mayor Alison Xamon	Presiding Member
<b>IN ATTENDANCE:</b>	David MacLennan	Chief Executive Officer
	John Corbellini	Executive Director Strategy & Development (arrived at 6.00pm, during Item 3A)
	Peter Varris	Executive Director Infrastructure & Environment
	Rhys Taylor	Chief Financial Officer
	Jay Naidoo	Manager Development & Design & Strategic Planning (arrived at 6.00pm, during Item 3A) (left at 7.20pm after Item 9.4)
	Karsen Reynolds	Coordinator Planning Services (left at 7.20pm after Item 9.4)
	Jayde Robbins	Manager City Buildings & Asset Management (left at 6.48pm after en bloc items)
	Sarah Hill	Manager Parks (arrived at 6.04pm during Item 3A) (left at 6.48pm after en bloc items)
	Joslin Colli	Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer
<b>Public:</b>	Approximately twenty two members of the public.	

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

The Presiding Member, Mayor Alison Xamon declared the meeting open at 5.58pm 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 and present”.

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

Cr Ron Alexander is an apology for this meeting.

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

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

#### 3.1 Judy Burrows of North Perth – Item 9.3

- Spoke against the recommendation
- Advised that she does not believe there is a reason to use discretionary design principles and the application can be assessed on the R Codes and Built Form Policy
- Encouraged Council to refuse this application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Ms Burrows for her comments.*

#### 3.2 Gerald Frichot of North Perth – Item 5.1

- Spoke to the petition at Item 5.1 on this agenda
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Frichot for his comments.*

#### 3.3 Tristan Marshall of North Perth – Item 9.3

- Spoke against the recommendation
- Mentioned that the proposed development will overlook his front and rear yards, and recommends a 1.8m fence
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Marshall for his comments.*

#### 3.4 David Hunter of North Perth – Item 9.3

- Spoke against the recommendation
- Encouraged Council to consider if the application in its current state may adversely affect the amenity of the adjoining neighbours, contribute to the established streetscape and character and have enough changes been made to address Council's original concerns
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Hunter for his comments.*

#### 3.5 Fiona Hunter of North Perth – Item 9.3

- Spoke against the recommendation
- Mentioned her unhappiness with the setbacks of the proposed development
- Encouraged Council to refuse this application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Ms Hunter for her comments.*

#### 3.6 Nicolette Barbas of Perth – Item 9.3

- Spoke on behalf of the applicants
- Encouraged Council to approve this application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Ms Barbas for her comments.*

**3.7 Joe Algeri of Perth – Item 9.3**

- Mentioned that he is from Altus Planning and represents the applicants
- Encouraged Council to approve this application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Algeri for his comments*

**3.8 Barry Court – Item 9.7**

- Spoke against the relocation of the concrete batching plant to Osborne Park
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Algeri for his comments*

**3.9 Dudley Maier of Highgate – Items 9.7, 9.8 and 17.1**

- Spoke to his written comments, which are listed below
- Mentioned that no costs were listed for the move of the concrete batching plant
- Mentioned that the City will employ a dedicated project manager for the Car parks item and will possibly stay at the City after completion of the project
- The full statement can be heard [here](#)

**Mr Maier also submitted the following comments in writing**

1. The recommendation for Item 9.7 (Concrete Batching Plants Relocation) seeks approval for the CEO to accept a Management Order even though the recommendation further authorises the production of a Business Plan for the relocation of the City's depot.
  - Why isn't the recommendation to 'accept in principle' at this stage given that, as a result of considering a further Business Plan, the City may decide not to relocate the depot?
  - Why isn't the acceptance of the Management Order required to be made by an absolute majority?
2. The "Key Terms" for the Leederville Car Parks redevelopment states that the buyer will construct a car park on the Frame Court site with an estimated cost of \$20.4 million.
  - Did the City obtain an estimated likely cost of such a car park from an independent, qualified quantity surveyor prior to releasing the Business Plan? If so, who was the quantity surveyor and when was the estimate provided, and what plan was used as a basis for making such an estimate?
3. Item 17.1 (Undertakings relating to the Parking Local Law 2023) has been made confidential because it contains legal advice.
  - If legal advice has been given, why didn't the Administration simply make that advice confidential rather than make the whole item confidential?
  - Would the legal advice that was given affect the City's position in any current legal proceedings if it was made public (i.e. would it be prejudicial to release the advice)?
  - In the last 5 years (2019 to 2023) how many times has a Local Law been either rejected or required undertakings to amend it?
  - How many times has the Joint Standing Committee required such an amendment in the previous 15 years (2004 to 2018)?
  - Is the Administration simply using the 'legal advice' as an excuse to hide the fact that the Joint Standing Committee has once again found fault with a Local Law?

*The Presiding Member, Alison Xamon, thanked Mr Maier for his comments*

**3.10 Andre Rampono of Mt Hawthorn – Item 5.2**

- Spoke to the petition at Item 5.2 of this agenda
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Rampono for his comments*

**3.11 Kathryn Haykin of North Perth – Item 9.3**

- Spoke against the recommendation
- Mentioned the impact the bulk and scale and setbacks of the development will have on adjoining properties
- Encouraged Council to refuse the application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Ms Haykin for her comments*

**3.12 Chris Haykin of North Perth - Item 9.3**

- Spoke against the recommendation
- Encouraged Council to refuse the application
- The full statement can be heard [here](#)

*The Presiding Member, Alison Xamon, thanked Mr Haykin for his comments*

The following statements were submitted prior to the Meeting.

**Judy Burrows of North Perth –Item 9.3**

Below I have listed the history of how the Locality of Eton (old reference) became an R20 area. This is a **Precedence** that I do not believe should be dismissed in determining Building Applications such as 80 Auckland Street or any other within this area.

This coding was **not** the result of Council or WA Planning however was requested as a Mandate by the residents in this area and finally Enshrined into the Planning Scheme 2. This is clearly visible in the maps of Vincent and I believe because this was tested through exhausting consultation processes and consistently supported by residents for over 17 years that it is the Vincent Planning Departments role to enforce the basics of R20 as closely as possible in every decision made in order to meet that Mandate.

Please assess and advise if the Planners have met this brief in their current “Design Principle” only approval on 80 Auckland Street. I believe not.

**Administration response**

*The subject site has a density coding of R20 under the City’s Local Planning Scheme No. 2.*

*The proposed single house on a site that is coded R20 has been assessed against the provisions of the City’s Built Form Policy and the State Government’s R Codes. This assessment requires the consideration of whether the proposal either satisfies the deemed-to-comply standards or has addressed the design principles. This assessment is contained in the officer report.*

**History**

**In February 1992** I purchased my home in Auckland Street because it was in a family friendly street with **no overlooking**, I wanted privacy. **This area was a part of The City of Perth and the zoning R-Code was R20.**

**On 1<sup>st</sup> July 1994** the City of Perth was broken up and the Town of Vincent was formed altering the R- Code from R20 to a mix of R30 and R30/40. Without any consultation that I was aware of.

**13th July 1998** a flat roofed 9 metre high 3 x 3 group dwelling was approved diagonally to the north/east of my home, leaving me over-viewed from multiple windows and balconies on the top 2 floors. It was completed in January 2001 and changed my privacy forever. This is a picture of the owner directly south of this development in her backyard, she adjoined my backyard to my east. ***This is the same 6 Metre setback and very close to the height that will affect 78 Auckland Street if the 80 Auckland Street development proceeds without height step down. It is a forever decision not to be taken lightly.***



**This was the start of unrest in the area and an explosion of developments wanting to take “precedence” from this approval.**

**In 2001**, residents banded together, took advice from a Member of Parliament in that returning the R20 was our only hope of protection. Public meetings were held and door knocking with a petition was undertaken by volunteers. **Overwhelmingly 85% of residents** signed the petition to return to R20 to protect our homes and lifestyle from backyard infill. This was presented to Council to start the process.

**Between December 2001 and February 2002 Council Initiated Amendment No 11**

**WA Planning Commission gave consent in October 2002** for Advertising Amendment No 11 with 3 options being presented to residents **resulting in an 81% vote supporting the “R20 only” option.**

**17<sup>th</sup> December 2002** Town of Vincent Planning Scheme No. 1 Amendment No. 11 was presented to the meeting and approved to go to the DPI.

This was **finally gazetted on 7<sup>th</sup> October 2003** returning the area to R20 for a few years, unfortunately this meant that a new Amendment needed to be re-advertised and community consulted every time the expiry came due. The answer from this Eton Locality remained strong for 17 years holding a similar percentage each time. This was a huge commitment of time from the NPPG by assisting with the consultations and helping residents as they fought back developers. We were very lucky to have a Town Planner as Vice President and then later President.

On April 24, 2010 the Perth Voice wrote an article regarding this issue “For the fifth time in 10 years the council will ask the planning minister to keep the former “Eton” locality R20” – we still had another 8 years to go with this dance.

**R20 was formally signed off by the Minister and made permanent in 2018 honouring the consistent wishes of the residents in the area to protect their homes and lifestyle.**

**\*\*\* This is why the decision on 80 Auckland Street is so very important in the face of all that needed to be done to achieve the structure of R20 in this area.**



**Trish Byrne of Perth – Item 9.7**

Holcim have stated the following in their Application for Planning Approval Proposed Redevelopment of Concrete Batching Plant Lot 310 (No. 12) Cohn Street, Carlisle Town of Victoria Park, PREPARED FOR: HOLCIM AUSTRALIA PTY LTD, PREPARED BY: ALLERDING AND ASSOCIATES, December 2020

*“Furthermore, with the required closure of the Holcim plant in East Perth by 2024, redevelopment of this site will continue to enable the ongoing supply of concrete to projects within the Perth CBD and inner city suburbs. There are many stimulus projects announced by the state government that will require a supply of concrete. This new facility will ensure that the supply of concrete to a suitable standard can be supplied for such projects where Holcim is the appointed supplier.”*

**Per their own submission, the expansion at Cohn Street allows Holcim to continue with their supply to a suitable standard. With planning approval granted in May 2021 to expand and upgrade the existing Holcim batching plant in Welshpool, Holcim have had ample time, and support, to relocate these facilities. There is no justifiable reason why the otherwise ‘X’ use should be allowed to continue.**

Further it is noted that Boral are supplying concrete for the ECU City Link project, one of the largest projects underway in the City, with concrete being supplied from batching plants located outside of the CBD and immediate surrounds. A previous audit (2017) of suppliers of concrete to major projects within the CBD also demonstrated the prevalence of alternate suppliers servicing the CBD, with these other suppliers having batching plants located in industrial areas such as Hazelmere and Canning Vale.

We fully agree with, and support the Officer’s recommendation as follows:

5. OBJECTS in the strongest possible terms to any extension to Holcim’s planning approval in Claisebrook as there is no legal, planning nor economic justification which would meet the threshold set by the State Government for the WAPC to consider this development application under its extraordinary planning powers and override the City’s approved local planning scheme and local planning framework.

Administrations’ responses will be provided in the Agenda for the 12 December 2023 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.31pm.

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

Nil

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## 5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 A petition with 12 signatures has been received from Gerald Frichot of North Perth. The petition requests that the parking signpost on the street verge of 18 Ellesmere Street, North Perth be removed for the following reasons:

1. There is no need for it since people very rarely park there
2. People usually park on Les Lilleyman Reserve because it is safer
3. The signpost erected is dangerously close to Highlands Rd side street.

More than 50 cars per day are now using Ellesmere Street to avoid Green Street and travel at high speed over the hill down to London Street. We recommend a No Right Turn sign in Charles Street would reduce the traffic on Ellesmere Street.

### PETITION

### COUNCIL DECISION

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

**That the petition be received and a report be prepared for the December meeting.**

**CARRIED UNANIMOUSLY (8-0)**

5.2. A petition with 23 signatures has been received from Andre Rampono of Mt Hawthorn. The petition requests that Council explore options for improved signage, line marking and road infrastructure, around and approaching the corner of Scarborough Beach Road and Killarney Street, with a view to preventing vehicles driving into and through the one way street (Killarney Street).

An increasing number of cars are driving the wrong way up Killarney Street. Mostly on weekends and more so over the school holiday periods.

With the opening of the cafe Il Falco - at 214 Scarborough Beach Road, our concern is driver and patrons of the cafe will turn into Killarney Street to access the parking zone along the Mount Hawthorn Primary side of the road, reinforcing the idea that it is a two way street.

### PETITION

### COUNCIL DECISION

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

**That the petition be received and a report be prepared for the December meeting.**

**CARRIED UNANIMOUSLY (8-0)**

5.3 A request for deputation was received from Steve Allarding of Allarding & Associates, this request has since been withdrawn.

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

Moved: Cr Castle, Seconded: Cr Worner

That the minutes of the Ordinary Meeting held on 17 October 2023 be confirmed.

**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

(Cr Alexander was an apology for the Meeting.)

### COUNCIL DECISION

Moved: Cr Woolf, Seconded: Cr Wallace

That the minutes of the Special Council Meeting held on 24 October 2023 be confirmed.

**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

(Cr Alexander was an apology for the Meeting.)

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

The Presiding Member Alison Xamon made the following announcement:

### 7.1 AWARDS

On Friday night the City won a Planning Institute of Australia Award for Excellence in the Climate Change and Resilience category, for environmentally sustainable design of single houses and grouped dwellings. Congratulations to all involved.

The Local History Awards were held recently and I want to acknowledge the entrants, judges and sponsors of this event. These awards are about encouraging community participation in recording the history of the City. The Mayor listed the winners of each category and stated that it is good that we acknowledge the rich history of the area.

The full statement can be heard [here](#).

## 8 DECLARATIONS OF INTEREST

- 8.1** Cr Nicole Woolf declared an impartiality interest in Item 9.2 No. 12 (Lots: 69 and 80; Plan: 4576) Brookman Street, Perth - Alterations and Additions to Single House Section 31 Reconsideration. The extent of her interest is that a close friend of hers lives next to the proposed development, and her property is mentioned multiple times in the report.
- 8.2** Cr Ashlee la Fontaine declared an impartiality interest in Item 11.4 First Quarter Budget Review 2023-2024. The extent of her interest is that she owns and resides in a property on Forrest Street, North Perth, which is included in one of the items in Attachment 4, Capital Budget including Carry Forward, specifically "Blackspot - Fitzgerald/Forrest North Perth".

## REPORTS

The Presiding Member, Mayor Alison Xamon, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.3, 9.7 and 9.8
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 9.4, 9.8, 11.4, 12.2 and 17.1
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Nil

The Presiding Member, Mayor Alison Xamon, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Castle	12.1

The Presiding Member, Mayor Alison Xamon therefore requested the Chief Executive Officer, David MacLennan, to advise the meeting of:

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.1, 9.2, 9.5, 10.1, 10.2, 10.3, 11.1, 11.2, 11.3, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9 and 12.10
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Items 17.1.

**ITEMS APPROVED "EN BLOC":**

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

**COUNCIL DECISION**

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

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

**Items 9.1, 9.2, 9.5, 9.6, 10.1, 10.2, 10.3, 11.1, 11.2, 11.3, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9 and 12.10**











**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

**9.1 NO. 46B (LOT: 1; PLAN: 417673) JOEL TERRACE, EAST PERTH - PROPOSED SINGLE HOUSE****Ward: South**

- Attachments:**
1. Consultation and Location Plan 
  2. Development Plans 
  3. Summary of Submissions - Administration Response 
  4. Summary of Submissions - Applicant Response 
  5. Applicant Context and Character Study 
  6. Administration's Streetscape Review 
  7. Administration's Height Analysis 
  8. Administration's Overshadowing Analysis 
  9. Life Cycle Assessment 
  10. Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a Single House at No. 46B (Lot: 1; D/P: 417673) Joel Terrace, East Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

**1. Development Plans**

This approval is for a Single House as shown on the approved plans dated 29 September 2023. No other development forms part of this approval;

**2. Boundary Walls**

The surface finish of boundary wall facing No. 56 Joel Terrace, East Perth shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be face brick as shown on the approved plans, to the satisfaction of the City;

**3. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

**4. Colours and Materials**

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

4.2 The meter box is to be painted the same colour as the wall it is attached so as to not be visually obtrusive, to the satisfaction of the City;

**5. Landscaping**

5.1 All landscaping works annotated on the approved plans shall be undertaken in accordance with the approved plans, prior to the occupancy or use of the development and maintained thereafter at the expense of the owners/occupiers, to the satisfaction of the City; and

5.2 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the

satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the visual privacy standards of the Residential Design Codes, to the satisfaction of the City;

7. Car Parking and Access

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

8. Stormwater

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

**COUNCIL DECISION ITEM 9.1**










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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**9.2 NO. 12 (LOTS: 69 AND 80; PLAN: 4576) BROOKMAN STREET, PERTH - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE SECTION 31 RECONSIDERATION****Ward:** South

- Attachments:**
1. Consultation and Location Plan 
  2. Development Plans 
  3. Perspectives 
  4. Heritage Impact Statement 
  5. 16 May 2023 Council Minutes and Refused Plans 
  6. 8 September 2023 Superseded Development Plans 
  7. Summary of Submissions - Applicant Response 
  8. Summary of Submissions - Administration Response 
  9. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 16 May 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVE the application for Alterations and Additions to Single House at No. 12 (Lots: 69 and 80; P: 4576) Brookman Street, Perth in accordance with the plans shown in Attachment 2 with the associated determination advice notes in Attachment 9, subject to the following conditions:

**1. Development Plans**

This approval is for Alterations and Additions to Single House as shown on the approved plans dated 13 October 2023. No other development forms part of this approval;

**2. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City;

**3. Boundary Walls**

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

**4. Colours and Materials**

4.1 Prior to the lodgement of a building permit, a schedule providing detailed specifications of the colour and texture of the building materials, consistent with the annotations on the approved plans, must be submitted to, and approved by the City; and

4.2 The development shall be finished, and thereafter maintained, in accordance with the schedule identified in Condition 4.1, prior to occupation of the approved development;

**5. Landscaping**

5.1 A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City prior to commencement of the development and show the following:

- Areas to be irrigated or reticulated;
- The location and type of proposed plants including the provision of a minimum of



one tree on the subject site within the deep soil area; and

- 5.2 All works shown in the plans as identified in Condition 5.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the approved development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. Construction Management Plan

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

- The delivery of and delivery times for materials and equipment to the site;
- Parking arrangements for contractors and sub-contractors;
- Dilapidation reports of the adjoining properties at Nos. 10 and 14 Brookman Street;
- Notification to affected landowners; and
- Construction times.

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

7. Vehicle Access and Manoeuvring

- 7.1 Prior to the lodgement of a Building Permit, amended plans shall be submitted to and approved by the City, showing the garage door to be 3 metres wide, to the satisfaction of the City;
- 7.2 The layout and dimensions of all parking area shall be in accordance with Australian Standard AS2890.1;
- 7.3 Car parking areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and
- 7.4 Prior to the first occupation or use of the garage, the kerbing and access point to Wellman Street shall be modified to align with the approved garage door. The kerb, bitumen and paving shall be made good at the applicant/owner's expense, to the satisfaction of the City; and

8. Stormwater

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

**COUNCIL DECISION ITEM 9.2**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

(Cr Alexander was an apology for the Meeting.)

**9.5 OUTCOME OF ADVERTISING OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.22 - CONSULTING ROOMS**

Attachments: 1. Draft Amended Local Planning Policy: Consulting Rooms and Medical Centres 

**RECOMMENDATION:**

That Council PROCEEDS with the amendments to Local Planning Policy 7.5.22 – Consulting Rooms, included as Attachment 1, in accordance with Schedule 2, Part 2, Clause 5(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**COUNCIL DECISION ITEM 9.5**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**9.6 PUBLIC HEALTH PLAN (2020 - 2025) - ANNUAL REVIEW 3**

**Attachments: 1. Annual Review - Public Health Plan - 2020-2025 - Review 3**

**RECOMMENDATION:**

That Council NOTES the third annual review and progress towards the deliverables within the Public Health Plan 2020 – 2025, at Attachment 1.

**COUNCIL DECISION ITEM 9.6**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**10.1 ADVERTISING OF AMENDED POLICY - STREET TREES**

- Attachments:
1. Proposed Amended Street Tree Policy 
  2. Policy No. 2.1.2 - Street Trees 

**RECOMMENDATION**

That Council APPROVES the proposed amendments to the Street Tree Policy, at Attachment 1, for the purpose of community consultation.

**COUNCIL DECISION ITEM 10.1**




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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**10.2 RFT IE233/2022 LITIS STADIUM CHANGEROOM REDEVELOPMENT**

- Attachments:
1. Evaluation Worksheet RFT IE233-2022 - Confidential
  2. Project on a Page (POAP) - Litis Stadium Changeroom Development 
  3. Britannia North West Reserve Development Plan - Council Endorsed 
  4. Litis Changeroom Concept & Floor Plan 

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

1. **NOTES** the outcome of the evaluation process for Tender IE233/2022 Litis Stadium Changeroom Redevelopment; and
2. **ACCEPTS** the tender submission of Schlager Group Pty Ltd for Tender IE233/2022 Litis Stadium Changeroom Redevelopment.
3. **APPROVE** the capital project budget of \$1,724,799, as outlined in the 2023/2024 First Quarter Budget Review (November 2023- OCM report) for the Litis Stadium Redevelopment and Floreat Athena Football Clubroom refurbishments;
4. **ALLOCATE** a capital project budget of \$1,600,000 in the 2024/2025 annual budget for the delivery of this project and update the 4 year capital works program accordingly.

**COUNCIL DECISION ITEM 10.2**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**10.3 RFT IE254/2023 INDOOR POOL CHANGE ROOM RENEWALS AT BEATTY PARK LEISURE CENTRE**

- Attachments:
1. Evaluation Summary - Confidential
  2. Project on a Page - Beatty Park Changeroom Upgrade 

**RECOMMENDATION:**

That Council:

1. **NOTES** the outcome of the evaluation process for Tender IE254/2023 Indoor Pool Change Room Renewals at Beatty Park Leisure Centre; and
2. **ACCEPTS** the tender submission of LKS Constructions (WA) Pty Ltd for Tender IE254/2023 Indoor Pool Change Room Renewals at Beatty Park Leisure Centre.
3. **INCREASES** the capital project allocation for Beatty Park Changerooms in 2024/2025 by \$100,000 to \$650,000 to fund this project over two financial years.

**COUNCIL DECISION ITEM 10.3**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**11.1 FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2023****Attachments:** 1. Financial Statements as at 30 September 2023 **RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 30 September 2023 as shown in Attachment 1.




**COUNCIL DECISION ITEM 11.1****Moved: Cr Wallace, Seconded: Cr Castle**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 SEPTEMBER 2023 TO 30 SEPTEMBER 2023**

- Attachments:
1. Sept 2023 Payment by EFT and Payroll 
  2. Sept 2023 Payments by Direct Debit 
  3. Sept 2023 Payments by Cheques 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 September 2023 to 30 September 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$7,591,415.94
Cheques	\$240.30
Direct debits, including credit cards	\$160,440.49
<b>Total payments for September 2023</b>	<b>\$7,752,096.73</b>

**COUNCIL DECISION ITEM 11.2**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

(Cr Alexander was an apology for the Meeting.)



11.3 INVESTMENT REPORT AS AT 30 SEPTEMBER 2023

Attachments: 1. Investment Statistics as at 30 September 2023 

**RECOMMENDATION:**

That Council NOTES the Investment Statistics for the month ended 30 September 2023 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.3**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.3 APPOINTMENT OF COUNCIL MEMBERS TO CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL**

Attachments: Nil

**RECOMMENDATION:**

That Council:

1. **APPOINTS** the following Council Members to the Chief Executive Officer (CEO) Performance Review Panel for the term 21 October 2023 to the next ordinary local government election, 18 October 2025:
  1. Mayor Xamon Chairperson
  2. Cr Alex Castle
  3. Cr Ron Alexander
  4. Cr Jonathan Hallett
  
2. **NOTES** appointed Council Members are required to undertake relevant CEO performance review training course provided by the Western Australian Local Government Association (WALGA), or similar industry recognised training provider, within six months of appointment to the panel.

**COUNCIL DECISION ITEM 12.3**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.4 APPOINTMENT OF COUNCIL MEMBERS AND COMMUNITY REPRESENTATIVES TO ARTS ADVISORY GROUP**

- Attachments:
1. DRAFT Arts Advisory Group - Terms of Reference 
  2. Arts Advisory Group nominations - November 2023 - Confidential

**RECOMMENDATION:**

That Council:

1. **APPROVES** the Terms of Reference for the Arts Advisory Group, as at Attachment 1;
2. **APPOINTS** the following Council Members as Council's representatives on the Arts Advisory Group for a term expiring on 18 October 2025.

**Members:**

1. Cr Suzanne Worner;
2. Cr Sophie Greer;
3. Cr Ashley Wallace

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

3. **APPOINTS** to following community members to the Arts Advisory Group, as detailed in Confidential Attachment 2;
  1. Applicant 1;
  2. Applicant 2;
  3. Applicant 3;
  4. Applicant 4;
  5. Applicant 5;
  6. Applicant 6;
  7. Applicant 7;

**COUNCIL DECISION ITEM 12.4**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.5 APPOINTMENT OF COUNCIL MEMBERS TO THE METRO INNER NORTH JOINT DEVELOPMENT ASSESSMENT PANEL**

- Attachments:
1. Department of Planning, Lands and Heritage Letter - Local Government Nominations 
  2. Local Government Development Assessment Panel Members - Nomination Form 

**RECOMMENDATION:**

That Council APPOINTS the following Council Members to represent the City of Vincent on the Inner City North Joint Development Assessment Panel (JDAP) for the period 26 January 2024 to 26 January 2026:

**Member:**

1. Cr Ashley Wallace
2. Cr Nicole Woolf

**Alternate Members:**

1. Cr Jonathan Hallett
2. Cr Alex Castle

**COUNCIL DECISION ITEM 12.5**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.6 APPOINTMENT OF ELECTED MEMBER TO THE METROPOLITAN REGIONAL ROAD SUB-GROUP (CENTRAL)**

- Attachments:
1. Metropolitan Regional Road Group WALGA reference information for Elected Members on a Regional Road Group. 
  2. Metropolitan Regional Road Group Policies and Practices. 

**RECOMMENDATION:**

That Council APPOINTS Cr Wallace as the City of Vincent Elected Member representative on the Metropolitan Regional Road Group, Sub-Group (Central) for a term expiring on 18 October 2025.

**COUNCIL DECISION ITEM 12.6**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.7 POLICY DOCUMENT REGISTER AND REVIEW PLAN - PROGRESS UPDATE AND IMPLEMENTATION REVIEW 2023**

- Attachments:
1. Policy Document Register and Review Plan (clean) 
  2. Policy Document Register and Review Plan (marked up) 
  3. Policy Review Schedule 2024 
  4. Policy Review Statistics 
  5. Policy Review Summary 

**RECOMMENDATION:**

That Council:

1. APPROVES the:
  - 1.1 updated Policy Document Register and Review Plan, at Attachment 1; and
  - 1.2 Policy Review Schedule for the remainder of 2024 at Attachment 3; and
2. NOTES the:
  - 2.1 Policy Review Statistics at Attachment 4; and
  - 2.2 Policy Review Summary at Attachment 5

**COUNCIL DECISION ITEM 12.7**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)

**12.8 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 18 OCTOBER 2023**

- Attachments:**
1. Minutes of the Audit Committee Meeting 18 October 2023 
  2. Attachments to Audit Committee -18 October 2023 - Confidential

**RECOMMENDATION:**

**That Council:**

1. **RECEIVES** the minutes of the Audit Committee Meeting of 18 October 2023, as at Attachment 1 and Confidential Attachments as at Attachment 2; and
2. **APPROVES** the recommendations from the Audit Committee as follows:
  - 2.1 **RECEIVES** the HR Policies and Procedures Audit Report and Use of Assets & Resources Report at Attachment 1;
  - 2.2 **ENDORSES** the management comments provided by Administration which are included in the Audit Reports at Attachment 2;
3. **NOTES :**
  - 3.1 the findings and any actions arising from the internal audits will be included in the City's audit log until such time as they are completed; and
  - 3.2 any new or emerging corporate risks, identified as a result of the internal audit findings, will be documented, assessed and managed through the City's Risk Management Framework

**COUNCIL DECISION ITEM 12.8**

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

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

**(Cr Alexander was an apology for the Meeting.)**

**12.9 INFORMATION BULLETIN**

- Attachments:
1. Minutes of the Catalina Regional Council meeting held on 19 October 2023 
  2. Statistics for Development Services Applications as at the end of October 2023 
  3. Unrecoverable Parking Infringements Write-Off 
  4. Register of Legal Action and Prosecutions Monthly - Confidential
  5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 16 November 2023 
  6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
  7. Register of Applications Referred to the Design Review Panel - Current 
  8. Register of Petitions - Progress Report - October 2023 
  9. Register of Notices of Motion - Progress Report - October 2023 
  10. Register of Reports to be Actioned - Progress Report - October 2023 
  11. Council Workshop Items since 7 September 2023 
  12. Council Meeting Statistics 
  13. Council Briefing Notes - 10 October 2023 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated November 2023.

**COUNCIL DECISION ITEM 12.9**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Alexander was an apology for the Meeting.)



**12.10 NOMINATION OF COUNCIL MEMBERS FOR THE VACANT LOCAL GOVERNMENT POSITION ON THE CENTRAL PERTH LAND REDEVELOPMENT COMMITTEE**

- Attachments:
1. Letter from the Minister of Lands regarding appointments to the DevelopmentWA Central Perth Land Redevelopment Committee 
  2. MRA Land Redevelopment Committee Charter 

**RECOMMENDATION:**

That Council ENDORSES the following Council Member nominations for the vacant local government positions on the Central Perth Land Redevelopment Committee:

Mayor Xamon;

Cr Alexander;

Cr Worner

**COUNCIL DECISION ITEM 12.10**

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

That the recommendation be adopted.










**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Cr Alexander was an apology for the Meeting.)**

At 6.48pm Manager Parks left the meeting and did not return.

At 6.48pm Manager City Buildings & Asset Management left the meeting and did not return.

**ITEMS WITH DISCUSSION:****9.3 NO. 80 (LOT: 102; D/P: 413590) AUCKLAND STREET, NORTH PERTH - PROPOSED SINGLE HOUSE SECTION 31 RECONSIDERATION****Ward:** North

- Attachments:**
1. Consultation and Location Plan 
  2. Development Plans 
  3. Applicant Reconsideration Report 
  4. 20 June 2023 Council Minutes and Deferred Plans 
  5. Auckland Street Render and Perspective 
  6. Summary of Submissions - Administration Response 
  7. Summary of Submissions - Applicant Response 
  8. Clause 67 of the Deemed Provisions and Residential Zone Objectives - Administration Assessment 
  9. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 20 June 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVE the application for a Single House at No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth in accordance with the plans shown in Attachment 2 with the associated determination advice notes in Attachment 9, subject to the following conditions:

**1. Development Plans**

This approval is for Single House as shown on the approved plans dated 29 May 2023 and 6 October 2023. No other development forms part of this approval;

**2. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City;

**3. Colour and Materials**

The colours, materials and finishes of the development shall be in accordance with the approved schedule of finishes which forms part of this approval. The development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, prior to occupation of the development;

**4. Visual Privacy**

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 (Visual Privacy) of the Residential Design Codes Volume 1 deemed-to-comply provisions, to the satisfaction of the City;

**5. Boundary Walls**

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

**6. Street Walls and Fences**

The gate and/or fencing infill panels above the approved solid portions of wall shall be visually permeable in accordance with the Residential Design Codes, to the satisfaction of the City;

**7. Stormwater**

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

**8. Landscaping**

**8.1** An updated detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Spacing between and pot size of proposed trees and plantings;
- Low maintenance groundcover and shrubs, such as native *hibberta scandens* (Snake Vine) or *grevillea obtusifolia* (Gin Gin Gem);
- Areas to be irrigated or reticulated;
- The provision of a minimum 15 percent deep soil and planting areas, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees to maximise canopy coverage within deep soil and planting areas and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list; and

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

**9. Car Parking and Access**

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

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

**COUNCIL DECISION ITEM 9.3**

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

That the recommendation be adopted.

**LOST (1-7)**

**For:** Cr La Fontaine

**Against:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace and Cr Greer

**(Cr Alexander was an apology for the Meeting.)**

**COUNCIL DECISION ITEM 9.3****ALTERNATIVE RECOMMENDATION**

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

That Council,

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 20 June 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSE the application for a Single House at No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth for the following reasons:

1. The proposed development is inconsistent with the objectives of the Residential Zone under the City of Vincent's Local Planning Scheme No. 2, as the proposal does not result in a design that is compatible with, and that enhances the amenity and character of the residential neighbourhood and streetscape. This is because the proposed development that faces the Auckland Street frontage does not offer sufficient setbacks to reduce impacts of building bulk to the street and the amenity of neighbouring properties including No. 78 Auckland Street, North Perth;
2. The proposed development does not satisfy relevant design principles of State Planning Policy 7.3 – Residential Design Codes Volume 1 (R Codes) and local housing objectives of the City's Policy No. 7.1.1 – Built Form (Built Form Policy), including:
  - (a) Clause 5.1 of the Built Form Policy and Clause 5.1.2 of the R Codes in relation to Primary Street Setback. The development is not set back from the street sufficiently to contribute to, or be consistent with, the established streetscape. The proposed setback from the street results in a building bulk and scale that is not consistent with, and does not contribute to the established streetscape and would adversely affect the amenity of the neighbouring properties including No. 78 Auckland Street; and
  - (b) Clause 5.1 of the Built Form Policy in relation to Upper Floor Primary Street Setbacks. The front elevation of the development has not been designed and does not offer sufficient setbacks behind the ground floor building line so as to clearly distinguish all upper floors from the ground floor of the dwelling. This adds to the building bulk and scale presented to Auckland Street that is not consistent with, and does not contribute to the established streetscape; and
3. Having regard to the reasons above, the proposed development:
  - (a) Is not physically compatible with its setting nor with adjoining developments (Clause 67(2)(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
  - (b) Would have an adverse and detrimental impact on the amenity and character of the locality (Clause 67(2)(n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*).

**REASON:**

Despite minor variations to the setbacks as a result of the SAT process, the combined impact of setback variations sought and the bulk and scale of the development will have a negative impact on the streetscape and amenity of the neighbouring properties, in particular 78 Auckland St to the south.

**ADMINISTRATION'S COMMENT:**

The alternative recommendation provides valid planning reasons for refusal under the planning framework and relates to planning elements where discretion is being sought from Council in determining this application.

Administration does not support the alternative recommendation. The amended plans submitted have the effect of improving the development outcome and Administration maintains its view that the proposed development should be approved for reasons set out in the officer report.

Specifically in relation to street setbacks, the proposed development would appropriately transition in the streetscape from the approved two storey single house that is currently under construction to the adjoining property to the north (No. 31 Gill Street, North Perth), to the existing single storey single house located to the south (No. 78 Auckland Street, North Perth).

Consideration has been given to the graduation of the development as it transitions to the south via the increased setback of the alfresco to Auckland Street and the adjoining southern dwelling and the modification of the alfresco roof from a pitched roof to a flat roof.

Consideration has been given to the distance from the proposed dwelling to the street horizontally, with ground floor setbacks being increased and garage being reduced in width. There has been an increase in the overall articulation of the development via setbacks between the ground floor and upper floor. The includes the balcony being setback to a compliant 1.0 metres behind the deemed-to-comply ground floor predominant building line.

The development has been designed to locate the proposed garage in line with and abutting the garage on No. 31 Gill Street, North Perth, siting of the two storey components to the northern side of the property and single storey, flat roofed and open sided alfresco to the southern side of the property; including deep soil and planting areas within the front setback area across the street frontage to accommodate tree planting and canopy coverage to assist in reducing the impact of building bulk; incorporating articulation with varying setbacks of the building horizontally and setting back of the upper floor; and incorporating varying colours and materials, design details, glazing and eaves to the building.

**CARRIED (8-0)**





**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

At 7:00 pm, Cr Ashley Wallace left the meeting.

**9.7 CONCRETE BATCHING PLANTS RELOCATION PLAN**

- Attachments:
1. Relocation of Concrete Batching Plants from Claisebrook - Letter from Mayor to Minister 
  2. No. 1 Linwood Court, Osborne Park - Zoning and Aerial Plan 
  3. Batching Plants and Operations Depot - Location Plan 
  4. Crown Reserve 29320 - Proposed Operations Depot Location Plan 
  5. Letter from Minister for Lands - Management Order Crown Reserve 29320 - Confidential

**RECOMMENDATION:**

That Council:

1. **ENDORSES** the Relocation of the two concrete batching plants from the City of Vincent as per Attachment 1;
2. **AUTHORISES** the Chief Executive Officer to:
  - 2.1 accept a Management Order of Crown Reserve 29320, Mount Claremont for the relocation of the City of Vincent's Depot operations;
  - 2.2 progress development of a Heads of Agreement with Hanson Australia Pty Ltd that is non-binding in relation to the relocation of Hanson's operations to No. 1 Linwood Court, Osborne Park;
  - 2.3 sign a Development Application as landowner of No. 1 Linwood Court, Osborne Park on an Application for Development Approval to the City of Stirling for the relocation of Hanson's Claisebrook Concrete Batching Plant to No. 1 Linwood Court, Osborne Park;
  - 2.4 obtain any required valuations of No. 1 Linwood Court, Osborne Park; and
  - 2.5 prepare a Business Plan that addresses sections 3.58 and 3.59 of the *Local Government Act 1995* in relation to the relocation of Hanson's Claisebrook operations to No. 1 Linwood Court, Osborne Park and the relocation of the City's Depot operations to Crown Reserve 29320, Mount Claremont; and
3. **NOTES** that:
  - 3.1 the Heads of Agreement key terms, along with a Business Plan, setting out Hanson's relocation of the City's depot operations to Mount Claremont and the relocation of their Claisebrook operations to the City's current depot site in Osborne Park would be presented to Council in the future for approval:
    - 3.1.1 To determine the key terms of the non-binding Heads of Agreement with Hanson Australia Pty Ltd; and
    - 3.1.2 To approve public notice and in due course thereafter consider submissions on that Business Plan before Council then decides whether or not to dispose of the land for the purposes of section 3.58 (if required) and enter into a major land transaction for the purposes of section 3.59 of the *Local Government Act 1995*;
  - 3.2 Hanson Australia Pty Ltd has indicated that they are applying to the State Government for development approval so they can continue their operations in Claisebrook while they implement the above relocation plan in the shortest period possible. The Western Australian Planning Commission would be the decision maker on this application and the community and City of Vincent would have the opportunity to comment as part of the State Government's process; and

- 3.3 **Holcim (Australia) Pty Ltd** has received development approval to relocate from Claisebrook to an existing Holcim site in Welshpool but construction has not commenced and the company has advised it is also applying to the State Government for development approval so they can continue their operations in Claisebrook. The Western Australian Planning Commission would be the decision maker on this application and the community and City of Vincent would have the opportunity to comment as part of the State Government's process.
4. **AGREES** not to object to the shortest possible extension to Hanson's current planning approval in order to undertake a smooth and orderly relocation of its operations to No. 1 Linwood Court, Osborne Park based on the regional importance of facilitating a high-density mixed-used transit oriented development on its Claisebrook land in line with the City's local Planning Scheme and North Claisebrook Planning Framework (see Attachment 1 – Letter to Planning Minister).
5. **OBJECTS** in the strongest possible terms to any extension to Holcim's planning approval in Claisebrook as there is no legal, planning nor economic justification which would meet the threshold set by the State Government for the WAPC to consider this development application under its extraordinary planning powers and override the City's approved local planning scheme and local planning framework.
6. **AUTHORISES** the Chief Executive Officer to enter into non-binding discussions with Holcim (Australia) Pty Ltd regarding the purchase of No.120 Claisebrook road, Claisebrook to facilitate a high-density mixed-used transit oriented development in accordance with the North Claisebrook Planning Framework.

At 7:07 pm, Cr Ashley Wallace returned to the meeting.

**COUNCIL DECISION ITEM 9.7**

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

**That the recommendation be adopted.**






**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

**9.8 OUTCOME OF PUBLIC NOTICE - PROPOSED MAJOR LAND TRANSACTION, LEEDERVILLE**

- Attachments:
1. Business Plan - Leederville Car Parks Major Land Transaction 
  2. Proposed Concept and Vision - Appendix 1 of Business Plan - Leederville Car Parks Major Land Transaction 
  3. Head of Agreement Key Terms 
  4. Summary of Submissions - Administration's Comment 
  5. Proposed Additional Public Car Parks in Leederville 

**RECOMMENDATION:**

That Council:

1. **BY ABSOLUTE MAJORITY**, having considered the submissions made, pursuant to Section 3.58 (3) of the *Local Government Act 1995*, **PROCEEDS** with the Major Land Transaction included in the Business Plan included in Attachments 1 and 2 in accordance with the Key Terms included in Attachment 3 and the Heads of Agreement with Hesperia Pty Ltd, pursuant to Section 3.59 (5) of the *Local Government Act 1995*, for the reason that it would improve the Leederville Town Centre, and **AUTHORISES** the Mayor and Chief Executive Officer to enter into, sign and seal the transaction documents;
2. **AUTHORISES** and **DELEGATES** to the Chief Executive Officer the performance of the City's rights, functions and obligations in any signed transaction documents in relation to the agreement that will need to be made between the City and Leederville Asset Pty Ltd as to the plans and specifications for the new multi storey car park to be constructed by Leederville Asset Pty Ltd or its builder on part of the Frame Court site;
3. **DETERMINES** that the City of Vincent Parking Local Law applies to the car park located on the northern and eastern side of No. 164 Oxford Street, Leederville (Oxford Street SIDE Car Park), between the hours of 4:00pm and 7:00am Monday to Friday and on Saturday, Sunday and Public Holidays, and is to be controlled and managed by the City of Vincent as a parking station, subject to the agreement in writing of the owners of that land and pursuant to Clause 1.5(3)(b) of that Local Law. The use of any portion of No. 629 Newcastle Street, Leederville as a public carpark (and the associated terms) are subject to final approval from the Water Corporation Executive;
4. **DETERMINES** that the City of Vincent Parking Local Law applies to the car park located at No. 629 Newcastle Street, Leederville and No. 40 Frame Court, Leederville (Newcastle Street Car Park), and is to be controlled and managed by the City of Vincent as a parking station, subject to the agreement in writing of the owners of that land and pursuant to Clause 1.5(3)(b) of that Local Law;
5. **AUTHORISES** and **DELEGATES** to the Chief Executive Officer the authority to negotiate and approve agreements between the City of Vincent and the owners for the care, control and management of the Newcastle Street Car Park subject to the following:
  - 5.1 The distribution of parking ticket revenue being split after expenses once the City of Vincent has fully recouped the cost of constructing the parking station on that owner's land, until which time all revenue to be retained exclusively by the City of Vincent;
  - 5.2 Revenue from infringements and any other penalties issued at the Newcastle Street Car Park to be retained exclusively by the City;
  - 5.3 Specified costs including the construction of the car park (demolition, removal of fences, grading, surfacing, drainage and installation of a crossover, landscaping, line marking, lighting, signage and ticket issuing machines) and replacement of boundary fencing and associated work for No. 40 Frame Court post use as a public car park, to be funded exclusively by the City of Vincent;
  - 5.4 Specified costs including the maintenance and repair of the car park and crossover surface, drainage, landscaping, line marking, lighting, signage and ticket issuing



machines will be split between the City and owners; and

- 5.5 The owners reserving the right to allow all or part of their land to be used in agreed circumstances, subject to notice being provided to the City of Vincent; and
6. NOTES that adequate funding exists in the Cash-in-Lieu of Car Parking Reserve to fund the construction of the parking stations and that funding of this project would be considered by Council as part of the Mid Year and 2023/24 Budget.

**COUNCIL DECISION ITEM 9.8**

**Moved: Cr Castle, Seconded: Cr La Fontaine**

That the recommendation be adopted.


**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

**9.4 GREENTRACK INCENTIVES FOR ENVIRONMENTALLY SUSTAINABLE DESIGNED DEVELOPMENTS**

- Attachments:
1. Amended Fees and Charges 2023/2024 (pages 15-16) 
  2. RapidLCA City of Vincent Case Study 

**RECOMMENDATION:**

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.16 of the *Local Government Act 1995*, to adopt the following amendment to the Schedule of Fees and Charges 2022/2023 and as shown in red text in Attachment 1:
  - 1.1 To reduce development application fees for Single House and Grouped Dwelling proposals, including alterations and additions, that submit a Lifecycle Assessment Report in accordance with Local Housing Objectives of Policy No. 7.1.1 – Built Form. The development application fee shall be reduced by the cost incurred by the proponent to obtain the Life Cycle Assessment Report, capped at a maximum reduction of \$200.00 per development application;
2. **SUPPORTS** Administration to implement a trial pre-lodgement consultation service until the end of the 2023/24 financial year for homeowners, developers and designers to receive advice from a member of the City’s Design Review Panel on how they can improve energy efficiency in their design; and
3. **SUPPORTS** Administration to implement a Priority Assessment Process where Single House and Grouped Dwelling proposals submit an eligible Lifecycle Assessment Report in accordance with Local Housing Objectives of Policy No. 7.1.1 – Built Form.

**COUNCIL DECISION ITEM 9.4**

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

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (8-0)**





**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

At 7.20pm Manager Development & Design left the meeting and did not return  
At 7.20pm Coordinator Planning Services left the meeting and did not return

**11.4 FIRST QUARTER BUDGET REVIEW 2023-2024**

- Attachments:**
1. Statement of Comprehensive Income 2023/24 
  2. Rate Setting Statement 2023/24 
  3. Reserves 2023/24 
  4. Capital Works Budget 2023/24 

**RECOMMENDATION:**

That Council **BY ABSOLUTE MAJORITY APPROVES** the following amendments to the 2023/2024 Annual Budget:

1. A net decrease in the Operating result of \$1,819,530 as per Attachment 1;
2. An increase to Cash Backed Reserves of \$586,684 as per Attachments 2 and 3;
3. A net increase in the Capital Expenditure Budget of \$681,538 as per Attachment 4; and
4. A net increase in the closing surplus of \$1,908,932 resulting in a forecast year end surplus at 30 June 2024 of \$1,954,040 as per Attachment 2.

**COUNCIL DECISION ITEM 11.4**

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

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

## 12.1 COUNCIL BRIEFING AND ORDINARY MEETING OF COUNCIL DATES FOR 2024

Attachments: 1. Council Briefing and Ordinary Meeting of Council Dates 2024 

## RECOMMENDATION:

That Council:

- ADOPTS the 2024 monthly cycle of Council Briefings and Ordinary Meetings of Council, each commencing at 6:30pm and held at the City of Vincent Council Chambers, 244 Vincent Street, Leederville, as listed below and shown in the calendar at Attachment 1; and

Council Briefing	Ordinary Meeting of Council
6 February	13 February
12 March	19 March
16 April	23 April
14 May	21 May
11 June	18 June
16 July	23 July
13 August	20 August
10 September	17 September
15 October	22 October
12 November	19 November
3 December	10 December

- PROVIDES local public notice of the Council Briefing and Ordinary Meeting of Council dates, time and place, as listed in Recommendation 1. above.

Moved: Cr Castle, Seconded: Cr Worner

That the recommendation be adopted.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Woolf

- ADOPTS the 2024 monthly cycle of Council Briefings and Ordinary Meetings of Council, each commencing at ~~6:30pm~~ 6.00pm and held at the City of Vincent Council Chambers, 244 Vincent Street, Leederville, as listed below and shown in the calendar at Attachment 1; and

CARRIED (8-0)

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

(Cr Alexander was an apology for the Meeting.)

That Council:

- ADOPTS the 2024 monthly cycle of Council Briefings and Ordinary Meetings of Council, each commencing at 6:00pm and held at the City of Vincent Council Chambers, 244 Vincent Street,

Leederville, as listed below and shown in the calendar at Attachment 1; and

<b>Council Briefing</b>	<b>Ordinary Meeting of Council</b>
6 February	13 February
12 March	19 March
16 April	23 April
14 May	21 May
11 June	18 June
16 July	23 July
13 August	20 August
10 September	17 September
15 October	22 October
12 November	19 November
3 December	10 December

2. **PROVIDES local public notice of the Council Briefing and Ordinary Meeting of Council dates, time and place, as listed in Recommendation 1. Above**

**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

**(Cr Alexander was an apology for the Meeting.)**

**12.2 APPOINTMENT OF COUNCIL MEMBERS AND COMMUNITY REPRESENTATIVES TO THE CITY OF VINCENT AUDIT COMMITTEE**

Attachments:       1.     Resume - Applicant 1 - Confidential  
                          2.     Resume - Applicant 2 - Confidential  
                          3.     Resume - Applicant 3 - Confidential

**RECOMMENDATION:**

That Council:

1.     In accordance with section 7.1A of the *Local Government Act 1995*, APPROVES BY ABSOLUTE MAJORITY the appointment of the following Council Members to the City's Audit Committee for the term 22 November 2023 to the date of the next ordinary local government election, 16 October 2025:

Mayor Alison Xamon;

Cr Ron Alexander;

Cr Alex Castle;

Cr Jonathan Hallett;

2.     In accordance with section 7.1A of the *Local Government Act 1995*, APPROVES BY ABSOLUTE MAJORITY the appointment of the following three external independent members details contained in Confidential Attachments 1, 2 and 3 to the City's Audit Committee for the term 22 November 2023 to the date of the next ordinary local government election, 16 October 2025:

- Applicant 1;
- Applicant 2;
- Applicant 3;

**COUNCIL DECISION ITEM 12.2**

**Moved:** Cr La Fontaine, **Seconded:** Cr Worner

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

(Cr Alexander was an apology for the Meeting.)

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

Nil

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

Nil

**15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED****17.1 UNDERTAKINGS RELATING TO THE PARKING LOCAL LAW 2023**

**Attachments:**

1. Letter from JSCDL requesting Council undertakings relating to the Parking Local Law 2023
2. Parking Amendment Local Law 2024
3. Parking Facilities under the care, control and management of the City

**RECOMMENDATION:**

That Council:

1. **RESPONDS** to the Joint Standing Committee on Delegated Legislation indicating its agreement to the following undertakings in respect to the City of Vincent Parking Local Law 2023:
  - 1.1 Provide feedback to the Committee by 27 November 2023, about how Australian Standard 1742.11-1999 and a symbol specified from time to time by Standards Australia for use in the regulation of parking can be accessed by the public free of charge;
  - 1.2 Within 6 months, amend clause 2.16 and correct typographical errors in clauses 1.6 and 2.6(1);
  - 1.3 Ensure the local law will not be enforced in a manner contrary to Recommendation 1.2;
  - 1.4 Ensure all consequential amendments arising from Recommendation 1.2 will be made; and
  - 1.5 Where the local law is made publicly available by the City, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.
2. **AUTHORISES** the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the *Local Government Act 1995*, for a period of at least 6 weeks, that:
  - 2.1 It is proposed to make the City of Vincent *Parking Amendment Local Law 2024* at Attachment 2;

- 2.2 the purpose of this amendment local law is to amend certain provisions of the City of Vincent *Parking Local Law 2023*;
  - 2.3 the effect of this amendment local law is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions;
  - 2.4 copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website.
3. NOTES that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed amendment local law and public notice will be provided to the Minister for Local Government;
  4. NOTES that any submissions received as a result of the public notice provided as set out in recommendation 2 above will be presented to Council for consideration; and
  5. APPROVES the amended days and times of operation of the Parking Facilities under the care, control and management of the City, as shown in Attachment 3.

### **COUNCIL DECISION**

**Moved:** Cr Castle, **Seconded:** Cr Woolf

That the recommendation be adopted.

**CARRIED (8-0)**

**For:** Mayor Xamon, Cr Castle, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

**Against:** Nil

(Cr Alexander was an apology for the Meeting.)



**189 CLOSURE**

There being no further business, the Presiding Member, Mayor Alison Xamon, declared the meeting closed at 7.32pm with the following persons present:

<b>PRESENT:</b>	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Suzanne Worner</b>	<b>North Ward</b>
	<b>Cr Nicole Woolf</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Ashley Wallace</b>	<b>South Ward</b>
	<b>Cr Sophie Greer</b>	<b>South Ward</b>
	<b>Cr Ashlee La Fontaine</b>	<b>South Ward</b>
	<b>Mayor Alison Xamon</b>	<b>Presiding Member</b>
<b>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>John Corbellini</b>	<b>Executive Director Strategy &amp; Development (arrived at 6.00pm, during Item 3A)</b>
	<b>Peter Varris</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>Rhys Taylor</b>	<b>Chief Financial Officer</b>
	<b>Joslin Colli</b>	<b>Executive Manager Corporate Strategy &amp; Governance</b>
	<b>Wendy Barnard</b>	<b>Council Liaison Officer</b>
<b>Public:</b>	<b>No members of the public.</b>	

These Minutes were confirmed at the 12 December 2023 meeting of Council as a true and accurate record of the Ordinary Meeting of the Council held on 21 November 2023.

Signed: Mayor Alison Xamon

Dated