



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

26 JULY 2016

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 26 July 2016, commencing at 6:35pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6:35pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr McDonald will be arriving late.
Cr Dan Loden will be arriving late.

(b) Members on Approved Leave of Absence:

Cr Gontaszewski is on approved leave of absence until 14 August 2016 (inclusive) due to personal commitments.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Dan Loden	North Ward (from 7:00pm)
Cr Laine McDonald	South Ward (from 6:47pm)
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Gabriela Poezyn	Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Geoff Garside	Manager Financial Services
Priyamvada Rasal	Governance & Council Support Officer
Media	Nil

Approximately 25 Members of the Public.

3. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

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. Molly Tiffing of 29 Florence Street, West Perth – Item 9.5.2

- Spoke in support of the budget submission on 8.3 relating to installation of a pedestrian crossing on Vincent Street. She also requested for median strips on the eastern side of Cleaver Street to ensure safe crossing for small children.

The Presiding Member Mayor Carey thanked Ms Tiffing for her comments.

2. Genevieve Sadler of 105, Carr Street, West Perth – Item 9.5.2

- Spoke in support of the budget submission on 8.3 relating to installation of a pedestrian crossing on Vincent Street.

The Presiding Member Mayor Carey thanked Ms Sadler for her comments.

3. Hazel Swift of 3/19 Birrell Street, Mt Hawthorn – Item 9.1.5

- Spoke against the application.

The Presiding Member Mayor Carey thanked Ms Swift for her comments.

4. Dale Kent of 7A Morrison Street, North Perth– Item 9.5.2

- Spoke in support of the budget submission on 8.13 relating to installation of fencing at Charles Veryard Reserve to create an enclosed, dedicated space for dogs.

The Presiding Member Mayor Carey thanked Ms Kent for her comments.

5. Ben Smith of 7A Morrison Street, North Perth– Item 9.5.2

- Spoke in support of the budget submission 8.13 relating to installation of fencing at Charles Veryard Reserve to create an enclosed, dedicated space for dogs.

The Presiding Member Mayor Carey thanked Ms Smith for her comments.

6. Carlo Famiano of 14 Brady Street Mt Hawthorn– Item 9.1.5

- Spoke in support of the recommendation.

The Presiding Member Mayor Carey thanked Mr Famiano for his comments.

7. Max Burnett of 10 Vincent Street Mt Lawley– Item 9.1.9

- Spoke against the application.

The Presiding Member Mayor Carey thanked Mr Burnett for his comments.

8. Vivienne Langham of 6 Vincent Street Mt Lawley– Item 9.1.9

- Spoke against the application.

The Presiding Member Mayor Carey thanked Ms Langham for her comments.

Cr McDonald arrived at 6:47pm.

9. Olive Langham of 47, Drew Road, Andross– Item 9.1.9

- Spoke against the application.

The Presiding Member Mayor Carey thanked Ms Langham for her comments.

10. Michael Payne of 6 Vincent Street Mt Lawley – Item 9.1.9

- Spoke in favour of the application.

The Presiding Member Mayor Carey thanked Mr Payne for his comments.

11. Mary Cropley of 40 Vincent Street Mt Lawley – Item 9.1.9

- Spoke against the application.

The Presiding Member Mayor Carey thanked Ms Cropley for her comments.

12. Carli Keane of 45, Lawler Street, North Perth – Item 9.5.2

- Spoke in favour of the following budget submissions and thanked the Council and the Administration for their support.
 - 3.1 – Audit and upgrade Kyilla Park Toilet Block and Pavilion early in the 10 year program to support the Kyilla Community Farmers' Market;
 - 6.5 – Establish a register of community groups who provide community events and services;
 - 6.6 – Invite and involve local schools in Town Teams and Precinct Groups;
 - 9.1 – Provide signage and a storage area to support Kyilla Community Farmers' Market to further activate the space.

The Presiding Member Mayor Carey thanked Ms Keane for her comments.

Cr Loden arrived at 7:00pm.

13. Melanie McInerney of 2 Egina Street, Mt Hawthorn – Item 9.1.11

- Spoke against the recommendation.

The Presiding Member Mayor Carey thanked Ms McInerney for her comments.

14. Alex Helmsley of Claremont, Copey Road – Item 9.1.6

- Spoke in favour of the application.

The Presiding Member Mayor Carey thanked Mr Helmsley for his comments.

There being no further speakers, Public Question Time closed at approximately at 7:11 pm.

(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 Deputation:

Item 9.1.6 – Mr Tim Hughes, co-owner of No. 21 Harley Street, made a deputation in relation to this item and spoke against the application, in particular for reasons of:

- 1) Inadequate consideration was given to the qualitative performance based measures written in to the Residential Design Elements (RDE) Policy.
- 2) The policy clearly states that where a new two-storey development or extension is proposed it must be demonstrated by the applicant that the impact of the development will not unduly affect the streetscape. The applicant has not addressed this aspect of the policy.

(A copy of the deputation report/notes which were recited and circulated to Council Members at the meeting and a copy of the slideshow provided at the meeting are available upon request).

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held on 28 June 2016.

Moved Cr McDonald, Seconded Cr Harley

CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor Carey made the following announcement:

7.1 Item 9.1.12

The City of Vincent is undertaking substantial planning reform which is taking longer than anticipated. However, hopefully by the end of this year we will see a whole new set of policies to guide development from single storey up to large multi dwelling developments. In the meantime while it was driven by Council members and recognised by Cr Topelberg and Cr Cole, there was concern regarding further delays. One of the changes that is being made tonight is that we will increase soft landscaping. Soft landscaping is green space within a building and at the moment there is requirement for only ten percent. The City has recommended twenty percent but an amendment is being moved which is twenty five percent. As a part of that we will be excluding some things, including the illustration which is a green wall. We have seen developers time and time again trying to meet our percentage requirement to actually seek to do green walls. (*Referred to the illustration of a dead soft landscaping.*)

7.2 Budget

Tonight we will adopt our budget and there are couple of key things in this budget. The first is financial prudence. We have established a clear asset management plan for the organisation and our reserve. This hasn't been done in the past for the City of Vincent and it should be for any Local Government in the twenty first century. We are putting a sizable amount of money away so that we ensure that we renew our assets into the future. It is just good management and the City should have done it in the past. It is part of our continued reform of our City of Vincent. There are no big capital works like the City has done in the previous years like public spaces and big bike

plan and infrastructure projects but there is one area that I would like to focus on and that is pedestrian safety and amenity. Great cities around the world are great neighbourhoods and defined by liveable streets and the ability of the people to walk, to cycle and to move around without the fear of being knocked over by car. I am proud of the budget this year. I hope that it continues into the future, prioritizes pedestrian safety and amenity. This is a budget for getting people to walk with three new intersections with green man crossings. It is unbelievable how many in Vincent are not yet done. We are spending \$440,000. The State Government should fund it because we have to upgrade the green man crossing. We are doing it without the funding from the Government. We are replacing eleven footpaths at a cost of \$ 322,000. We are re-asphalting the Hyde Park Path which is getting weary and is popular within senior for a walk. We are doing a whole new pedestrian crossing around Mt Hawthorn Primary School. New parks and pedestrian measures on Vincent Street are all part of that package of improving pedestrian amenity. In the newspaper last week we actually ran a story about introducing the pedestrian crossing with a green man at the Bulwer and William Street intersection and about three residents have contacted us about their personal experiences on that intersection. *(The Mayor read one of the personal experiences of the resident who unfortunately met with an accident on the Bulwer Street.)*

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Jimmy Murphy declared a financial interest in Item 9.1.11 - Outcomes of Advertising – Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of his interest being that the property he owns has metal sheet fencing along the side boundary in the front setback area.
- 8.2 Cr Jimmy Murphy declared a financial interest in Item 9.1.3 - No. 459 (Lot: 8; D/P 1647) Fitzgerald Street, North Perth – Amendment to Existing Approval: Alterations and Additions to Existing Hotel. The extent of his interest being that the business that he is part owner of does contract work for the hotel.
- 8.3 Cr Daniel Loden declared a financial interest in Item 9.1.11 - Outcomes of Advertising – Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of his interest being that the property he owns has metal sheet fencing along the side boundary in the front setback area.
- 8.4 Cr Emma Cole declared a financial interest in Item 9.1.11 - Outcomes of Advertising – Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of her interest being that the property that she owns has metal sheet fencing along the side boundary in the front set back area.
- 8.5 Cr Joshua Topelberg declared an impartiality interest in Item 9.1.9 – Nos. 2 and 4 (Lots: 33 and 34; D/P 2861) Vincent Street, Mount Lawley – Proposed Construction of Eight Multiple Dwellings. The extent of his interest being that he had previously engaged the Architect to undertake design work for him personally.

9. REPORTS

As listed in the Index.

The Presiding Member, Mayor John Carey, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**

Items 9.1.5, 9.1.6, 9.1.9, 9.1.11 and 9.5.2.

- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**

Items 9.1.1, 9.1.2, 9.3.4 and 9.5.1.

- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**

Item 9.1.11.

Presiding Member, Mayor John Carey, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	9.1.12, 9.2.1 and 9.2.2
Cr Harley (Deputy Mayor)	Nil
Cr Buckels	Nil
Cr Cole	Nil
Cr Loden	Nil
Cr Gontaszewski	Nil
Cr Laine McDonald	Nil
Cr Murphy	Nil
Cr Topelberg	Nil

The Presiding Member, Mayor John Carey therefore advised the meeting of:

- (e) **Unopposed items which will be moved “En Bloc”, being:**

Items 9.1.4, 9.1.7, 9.1.8, 9.1.10, 9.2.3, 9.2.4, 9.2.5, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.5.3, 10.1 and 10.2.

- (f) **Confidential Reports which will be considered behind closed doors, being:**

Item 14.1

ITEMS APPROVED “EN BLOC”:

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

Moved Cr McDonald Seconded Cr Harley

That the following unopposed items be adopted “En Bloc”, as recommended:

Items 9.1.4, 9.1.7, 9.1.8, 9.1.10, 9.2.3, 9.2.4, 9.2.5, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.5.3, 10.1 and 10.2.

CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.4 No. 62 (Lot: 1; D/P: 44480) Cheriton Street, Perth – Proposed Demolition of Existing Grouped Dwelling

Ward:	South	Date:	8 July 2016
Precinct:	Precinct 15 - EPRA	File Ref:	PR50888; 5.2015.552.1
Attachments:	1 – Consultation Map 2 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, pursuant to its powers under the Local Government (Change of District Boundaries) Order 2007 and the *Local Government (Constitution) Regulations 1998*, Regulation 5(4)(c), allowing the City of Vincent to, in effect, administer the City of Perth Town Planning Scheme as if it were its own Scheme, and in accordance with the provisions of the Metropolitan Region Scheme, the Council APPROVES the application for a demolition of an Existing Grouped Dwelling at No. 62 (Lot: 1; D/P: 44480) Cheriton Street, Perth in accordance with plans date stamped 7 December 2015, as shown on Attachment 2, subject to the following conditions:

1. This approval is only valid for the period of the validity of the planning approval for the redevelopment of the site dated 1 April 2015 numbered 5.2014.706.1;
2. Prior to the issue of a Demolition Permit, the following shall be submitted to and approved by the City:
 - 2.1 The design and wording of an interpretative plaque or another appropriate form of interpretation that recognises the heritage significance of No. 62 (Lot: 1; D/P: 44480) Cheriton Street, Perth, which is prepared in accordance with the City’s Policy No. 7.6.4 relating to Heritage Management – Interpretive Signage;
 - 2.2 An Archival Record prepared in accordance with the State Heritage Office “Guide to Preparing an Archival Record”;
 - 2.3 A Demolition Management Plan, detailing how the demolition of the development will be managed to minimise the impact on the surrounding area; and
 - 2.4 The owner entering into a written agreement with the City that provides that the approved interpretative plaque or another appropriate form of interpretation that recognises the heritage significance of No. 62 (Lot: 1; D/P: 44480) Cheriton Street, Perth shall be installed at the owner(s)/occupier(s) expense in a location that is to the satisfaction of the City and thereafter maintained by the owner(s)/occupier(s).
3. **Street Verge Trees**
The verge tree shall be retained and protected from any damage including unauthorised pruning and no verge tree shall be removed.

ADVICE NOTES:

1. With reference to Condition 1 above, the planning approval for the redevelopment of the site granted on 1 April 2015 numbered 5.2014.706.1 currently lapses on 1 April 2017; and
2. A Demolition Permit for the subject site shall be obtained from the City prior to commencement of any demolition works on the site.

COUNCIL DECISION ITEM 9.1.4

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.7 No. 216 (Lot: 16; D/P 2440) Loftus Street, North Perth – Amendment to Existing Approval: Proposed increased height of fence in front setback area and dividing fence for multiple dwelling development

Ward:	North	Date:	8 July 2016
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	PR14666; 5.2016.131.1
Attachments:	1 – Consultation Map 2 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application to amend the existing planning approval granted on 7 October 2014 numbered 5.2014.347.1 for the proposed increased height of a portion of the fence within the front setback area and a dividing fence, at No. 216 (Lot: 16; D/P: 2440) Loftus Street, North Perth in accordance with plans date stamped 7 April 2016, as shown on Attachment 2, subject to the following conditions:

1. The planning approval relates only to the portions of fencing denoted along the northern boundary; and
2. Compliance with the conditions of the previous approval dated 7 October 2014 numbered 5.2014.347.1.

COUNCIL DECISION ITEM 9.1.7

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.8 No. 2 (Lot: 1; STR: 66931) Edward Street, Perth – Reconsideration of Condition of Planning Approval to Proposed Roof Signage Addition to Existing Mixed Use Development

Ward:	South	Date:	8 July 2016
Precinct:	East Perth Redevelopment Authority	File Ref:	PR54506; 5.2016.229.1
Attachments:	1 - Location Map 2 - Development Application Plans 3 - Applicant's Submission 4 - Planning Approval numbered 5.2015.493.1		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9 Clause 77(4)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, REFUSES the application for Reconsideration of Condition 1 of Planning Approval numbered 5.2015.493.1 granted on 16 March 2016 for the proposed Roof Signage Addition to an existing Mixed Use Development at No.2 (Lot: 38; D/P: 28) Edward Street, Perth in accordance with plans date stamped 9 June 2016, as shown on Attachment 2, for the following reasons:

1. The proposal is contrary to the orderly and proper planning of the area for the following reasons:
 - 1.1 The scale of the proposed signage will have a negative visual impact and detract from the amenity of the surrounding area; and
 - 1.2 The LED signage has the potential to endanger safety of the public using Graham Farmer Freeway;
2. The non-compliance with the requirements of East Perth Redevelopment Authority Scheme No .1 and its Planning Policy 1.13-Advertising Signs; and
3. The sign constitutes a Large Format Digital Sign (LFDS) which Main Roads WA does not support.

COUNCIL DECISION ITEM 9.1.8

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.10 Amendment to Policy No. 7.6.9 – Heritage Assistance Fund

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC196
Attachments:	1 – Amended Policy No. 7.6.9 - Heritage Assistance Fund		
Tabled Items:	Nil		
Reporting Officer:	H Au, Heritage Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council:

1. **Amends Policy No. 7.6.9 – Heritage Assistance Fund as shown by strikethrough in Attachment 2; and**
2. **DETERMINES that it is not necessary to carry out public consultation for amended Policy No. 7.6.9 – Heritage Assistance Fund included as Attachment 1, as the proposed changes relate exclusively to the City’s administrative process for the Heritage Assistance Fund.**

COUNCIL DECISION ITEM 9.1.10

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.2.3 Tender No. 514/16 – Supply and Delivery of One 22/23m³ Side Loading Automatic Bin Lifter Refuse Truck

Ward:	Both	Date:	7 July 2016
Precinct:	All	File Ref:	SC2595
Attachments:	Confidential Attachment - Pricing Schedule		
Tabled Items:	Nil		
Reporting Officer:	Con Economo, Manager Engineering Operations		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council **ACCEPTS** Tender No 514/16 from Truck Centre for the supply and delivery of one 22/23m³ side loading automatic bin lifter refuse truck with a Bucher compactor unit, for the contract price of \$358,000 (excluding GST) as per the pricing schedule (Confidential Attachment) in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.3

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.2.4 Tender No 519/16 – Provision of General Cleaning Services for the City of Vincent’s Administration and Civic Centre and Library and Local History Centre

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC2649
Attachments:	1 – Tender Evaluation Ranking Confidential Attachment - Pricing Schedule		
Tabled Items:	Nil		
Reporting Officer:	J Hopper, Property Maintenance Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council **ACCEPTS** Tender No 519/16 from Academy Services for the supply of cleaning services to the Administration and Civic Centre and Library and Local History Centre for the period of three years, for the fixed annual price of \$111,797.16 (excluding GST) as per the pricing schedule (Confidential Attachment 2) in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.4

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.2.5 Tender No 520/16 – Provision of General Cleaning Services for the City of Vincent’s Depot, Public Toilets, Halls/Pavilions and Health Clinics

Ward:	Both	Date:	29 June 2016
Precinct:	All	File Ref:	SC2666
Attachments:	1 – Tender Evaluation Ranking Confidential Attachment - Pricing Schedule		
Tabled Items:	Nil		
Reporting Officer:	J Hopper, Property Maintenance Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council **ACCEPTS** Tender No 520/16 from Academy Services for the supply of general cleaning services for the Depot, Public Toilets, Halls/Pavilions and Health Clinics for the period of three years, for the fixed annual price of \$246,636.52 (excluding GST) as per the pricing schedule (Confidential Attachment 2) in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.5

Moved Cr McDonald, **Seconded** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.3.1 Investment Report as at 30 June 2016

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 30 June 2016 as detailed in Attachment 1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.3.2 Authorisation of Expenditure for the Period 1 June 2016 to 30 June 2016

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report – Payments by EFT 2 – Creditors Report – Payments by Cheque 3 – Credit Card Transactions		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **RECEIVES** the list of accounts paid under Delegated Authority for the period 01 June 2016 to 30 June 2016 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 79970 - 80059	\$101,180.23
Cancelled Cheques	- \$140
EFT Documents 1944 - 1955	\$3,936,329.56
Payroll	\$1,067,740.95

Direct Debits

• Lease Fees	\$5,780.98	
• Loan Repayment	\$145,734.61	
• Bank Fees and Charges	\$15,826.10	
• Credit Cards	\$6,822.10	
Total Direct Debit		\$174,163.79
Total Accounts Paid		\$5,279,274.53

COUNCIL DECISION ITEM 9.3.2

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.3.3 Financial Statements as at 31 May 2016

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	B Wong, Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 May 2016 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.3

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.4.1 Unrecoverable Parking Infringements Write-Off

Ward:	Both	Date:	11 July 2016
Precinct:	All	File Ref:	SC210
Attachments:	1 – Table: Infringements for Write-Off		
Tabled Items:	Nil		
Reporting Officer:	P Morrice, Team Leader Ranger Administration G Garside, Manager Financial Services		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council **APPROVES** the write-off of Parking Infringement Notices totalling \$253,660.89 that have been withdrawn by the Fines Enforcement Registry, as identified within Attachment 1.

COUNCIL DECISION ITEM 9.4.1

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.5.3 Information Bulletin

Ward:	-	Date:	8 July 2016
Precinct:	-	File Ref:	-
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	Pia Rasal, Governance & Council Support Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 26 July 2016 as distributed with the Agenda.

DETAILS:

COUNCIL DECISION ITEM 9.5.3

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Gontaszewski was on approved leave of absence.)

10.1 NOTICE OF MOTION: Mayor John Carey and Cr Emma Cole – New Public Space for the North Perth Town Centre

That Council REQUESTS the Chief Executive Officer to develop and implement a plan and schedule to establish a new public space in the North Perth Town Centre in line with Draft Corporate Business Plan Item 9.7, to include (but not be limited to) consideration of the following:

- A location near Fitzgerald Street between Angove Street and Alma Road;
- Potential to create an adjacent shared space for pedestrians, motorists and cyclists;
- Creation of a space that is safe, flexible and adaptable to encourage its use and enjoyment by the community for a variety of different purposes;

with the community consultation on the project to commence no later than January 2017.

COUNCIL DECISION ITEM 10.1

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

**10.2 NOTICE OF MOTION: Mayor John Carey and Cr Emma Cole –
Fitzgerald Street Median Strip Vegetation Replacement**

That Council **REQUIRES** the existing median strip vegetation on Fitzgerald Street, between Angove Street and Chelmsford Road to be removed and replaced with native plants more suitable for a harsh urban environment, and which require less maintenance and upkeep, with works to be funded from the Town Centre Capital Works Budget and completed no later than 1 September 2016.

COUNCIL DECISION ITEM 10.2

Moved Cr McDonald, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.5.2 Community Budget Submissions 2016/2017

Ward:	-	Date:	8 July 2016
Precinct:	-	File Ref:	SC2611
Attachments:	1 – Community Budget Submissions 2016/2017		
Tabled Items:	Nil		
Reporting Officer:	Ryan Hall, Project Manager – Business Improvement		
Responsible Officer:	Len Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council:

1. **RECEIVES** the public submissions from the community and **ENDORSES** Administration’s assessment of the ‘Community Budget Submissions 2016/17’ as detailed in Attachment 1; and
2. Subject to the adoption of the 2016/17 Annual Budget, **NOTIFIES** the submitters (community members who made a submission) on the outcome of their proposal.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.3.4 Adoption of 2016/2017 Annual Budget

Ward:	Both	Date:	11 July 2016
Precinct:	All	File Ref:	SC245
Attachments:	1 – Draft Budget Commentary 2 – Statutory Statements 3 – Draft Capital budget 4 – Summary of Income and Expenditure by Service Unit 5 - Supporting Schedules 6 - Fees and Charges 7 – 2016 - 17 Capital Works Schedule		
Tabled Items:	-		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council, BY ABSOLUTE MAJORITY:

1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the Local Government Act 1995 and Part 3 of the *Local Government (Financial Management) Regulations 1996*, **ADOPTS** the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2016/17 financial year, which includes:

- 1.1 **Statement of Comprehensive Income by Nature and Type** showing a net result for that year of \$2,286,641 as detailed on Attachment 2 page 2.1;
- 1.2 **Statement of Comprehensive Income by Program** showing a net result for that year of \$2,286,641 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 **Rate setting Statement** showing an amount required to be raised from rates of \$31,075,530 as detailed on Attachment 2 page 2.4;
- 1.4 **Statement of Cash Flows** showing a net cash provided by operations of \$9,069,624 and net decrease in cash held of \$1,634,837 as detailed on Attachment 2 page 2.5;
- 1.5 **Notes to and Forming Part of the Budget** as detailed on Attachment 2 pages 2.6 – 2.41;
- 1.6 **Transfers to / from Reserves** as detailed on the Reserve Fund Statement as detailed on Attachment 2 page 2.30; and
- 1.7 **Capital Works Program** showing a total of \$13,761,598 (including 2015/16 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8.

2. RATES:

For the purpose of yielding up the deficiency disclosed by the Budget adopted in 1 above, Council pursuant to Sections 6.32, 6.33 and 6.35 of the Local Government Act 1995, **IMPOSES** the following differential general rates and minimum payments on Gross Rental Values:

- 2.1 **General Rates**
 - Residential 6.124 cents in the dollar
 - Commercial Vacant 11.914 cents in the dollar
 - Other 6.463 cents in the dollar
- 2.2 **Minimum Payments**
 - Residential \$1,007
 - Commercial Vacant \$1,414

- Other \$1,007
- 2.3 RATE PAYMENT OPTIONS:

Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the following due dates for payment in full by instalments:

	INSTALMENT	DATE
(a)	Due Date/First instalment	14 September 2016
(b)	Second instalment	14 November 2016
(c)	Third instalment	16 January 2017
(d)	Fourth instalment	20 March 2017

2.4 INSTALMENT AND ARRANGEMENTS ADMINISTRATION FEES AND INTEREST CHARGES:

2.4.1 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an instalment administration charge of \$13.00 per instalment for payment of rates by instalments, to apply to the second, third and fourth instalment; and

2.4.2 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, ADOPT an interest rate of 5.5% where the owner has elected to pay rates through an instalment option;

2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continues until the date of payment on overdue:

2.5.1 rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, subject to Section 6.51(4) of the *Local Government Act 1995*; and

2.5.2 amounts due to the City in accordance with Section 6.13 of the *Local Government Act (1995)*;

Excluded are deferred rates, instalment current amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

3. RUBBISH CHARGE:

Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, ADOPTS the following annual charges for the removal of domestic waste and recycling for all non rateable properties receiving the service:

- 240L weekly waste collection \$350
- 140L weekly waste collection \$220
- 240L fortnightly recycling collection \$95
- 360L fortnightly recycling collection \$125

4. REPORTING OF BUDGET VARIANCES:

Pursuant to Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, **ADOPTS** the monthly reporting variance for the 2016/17 financial year of 10% or more, where that variance is also more than \$10,000;

5. RESERVES

5.1 Pursuant to Section 6.11(1) of the *Local Government Act 1995*, **APPROVES** the establishment of the 'Percentage for Public Art Reserve', with the following purpose:

"This Reserve is established from payment of public art contributions from development applicants and is to be used for the acquisition and provision of Public Art and associated infrastructure."

5.2 **NOTES** the transfer of the balance from the Aged Persons and Senior Citizens Reserve to Trust and **APPROVES** the closure of the Reserve.

6. FEES AND CHARGES

Pursuant to Section 6.16 of the *Local Government Act 1995*, **ADOPTS** the Schedule of Fees and Charges included in Attachment 6.

7. CAPITAL WORKS IMPLEMENTATION SCHEDULE

NOTES the proposed implementation schedule for the Capital Works Program listed in the 2016/17 Capital Works Schedule as detailed in Attachment 7.

Moved Cr Cole, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT 1

Moved Cr Cole, Seconded Cr Harley

RECOMMENDATION:

That Recommendation 6 be amended to read as follows:

6. FEES AND CHARGES

Pursuant to Section 6.16 of the *Local Government Act 1995*, **ADOPTS** the Schedule of Fees and Charges included in Attachment 6, subject to inclusion of the following new bond amount:

	2015/16	2016/17	GST
BONDS (*GST applies when bond is claimed by Council)			
City of Vincent Non profit/Community organisations/Schools			
All activities conducted by City of Vincent based not-for-profit community organisations and schools within Council managed halls and community centres	-	\$300.00	N

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PROPOSED AMENDMENT 2

Moved Cr Cole, Seconded Cr Harley

That Recommendation 1 be amended to read as follows:

RECOMMENDATION:

That Council, BY ABSOLUTE MAJORITY:

1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the Local Government Act 1995 and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2016/17 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$2,286,641 as detailed on Attachment 2 page 2.1;
- 1.2 Statement of Comprehensive Income by Program showing a net result for that year of \$2,286,641 as detailed on Attachment 2 page 2.2 and 2.3;
- 1.3 Rate setting Statement showing an amount required to be raised from rates of \$31,075,530 as detailed on Attachment 2 page 2.4;
- 1.4 Statement of Cash Flows showing a net cash provided by operations of \$9,069,624 and net decrease in cash held of \$1,634,837 as detailed on Attachment 2 page 2.5;
- 1.5 Notes to and Forming Part of the Budget as detailed on Attachment 2 pages 2.6 – 2.41;
- 1.6 Transfers to / from Reserves as detailed on the Reserve Fund Statement as detailed on Attachment 2 page 2.30; and
- 1.7 Capital Works Program showing a total of \$13,761,598 (including 2015/16 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8. Subject to the following amendments to the Capital Works Program as detailed on Attachment 3:

Deletions-

• <u>Traffic Management – Ellesmere Street</u>	<u>\$40,000</u>
• <u>Traffic Management – Joel Terrace</u>	<u>\$20,000</u>
• <u>Streetscape Improvements – Install p/points Oxford St Re</u>	<u>\$15,000</u>
	<u>\$75,000</u>

Additions-

• <u>Ellesmere Street Path (including kerbing)</u>	<u>\$40,000</u>
• <u>Charles Veryard Reserve – Full or Partial Dog Exercise Fence and landscaping</u>	<u>\$15,000</u>
• <u>Green Street – Verge</u>	<u>\$5,000</u>
• <u>Britannia Reserve – Mulch area</u>	<u>\$3,000</u>
• <u>Misc Traffic Improvements (increase)</u>	<u>\$12,000</u>
	<u>\$75,000</u>

Noting that the Charles Veryard Reserve Item listed above will be subject to Community Consultation and a Council decision before proceeding.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

MOTION AS AMENDED PUT AND CARRIED (8-0)
BY AN ABSOLUTE MAJORITY

(Cr Gontaszewski was on approved leave of absence.)

COUNCIL DECISION ITEM 9.3.4

That Council, BY ABSOLUTE MAJORITY:

1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the Local Government Act 1995 and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 2 and 3 for the 2016/17 financial year, which includes:

- 1.1 Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$2,286,641 as detailed on Attachment 2 page 2.1;
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- 1.6 Transfers to / from Reserves as detailed on the Reserve Fund Statement as detailed on Attachment 2 page 2.30; and
- 1.7 Capital Works Program showing a total of \$13,761,598 (including 2015/16 carry forward projects) as detailed on Attachment 3 pages 3.1 – 3.8. Subject to the following amendments to the Capital Works Program as detailed on Attachment 3:

Deletions-

• Traffic Management – Ellesmere Street	\$40,000
• Traffic Management – Joel Terrace	\$20,000
• Streetscape Improvements – Install p/points Oxford St Re	\$15,000
	\$75,000

Additions-

• Ellesmere Street Path (including kerbing)	\$40,000
• Charles Veryard Reserve – Full or Partial Dog Exercise Fence and landscaping	\$15,000
• Green Street – Verge	\$5,000
• Britannia Reserve – Mulch area	\$3,000
• Misc Traffic Improvements (increase)	\$12,000
	\$75,000

Noting that the Charles Veryard Reserve Item listed above will be subject to Community Consultation and a Council decision before proceeding.

2. RATES:

For the purpose of yielding up the deficiency disclosed by the Budget adopted in 1 above, Council pursuant to Sections 6.32, 6.33 and 6.35 of the Local Government Act 1995, IMPOSES the following differential general rates and minimum payments on Gross Rental Values:

2.1 General Rates

- Residential 6.124 cents in the dollar
- Commercial Vacant 11.914 cents in the dollar
- Other 6.463 cents in the dollar

2.2 Minimum Payments

- Residential \$1,007
- Commercial Vacant \$1,414
- Other \$1,007

2.3 RATE PAYMENT OPTIONS:

Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, ADOPTS the following due dates for payment in full by instalments:

	INSTALMENT	DATE
(a)	Due Date/First instalment	14 September 2016
(b)	Second instalment	14 November 2016
(c)	Third instalment	16 January 2017
(d)	Fourth instalment	20 March 2017

2.4 INSTALMENT AND ARRANGEMENTS ADMINISTRATION FEES AND INTEREST CHARGES:

2.4.1 Pursuant to Section 6.45(3) of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, ADOPT an instalment administration charge of \$13.00 per instalment for payment of rates by instalments, to apply to the second, third and fourth instalment; and

2.4.2 Pursuant to Section 6.45(3) of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996, ADOPT an interest rate of 5.5% where the owner has elected to pay rates through an instalment option;

2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continues until the date of payment on overdue:

2.5.1 rates in accordance with Section 6.51(1) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, subject to Section 6.51(4) of the Local Government Act 1995; and

2.5.2 amounts due to the City in accordance with Section 6.13 of the Local Government Act (1995);

Excluded are deferred rates, instalment current amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

3. RUBBISH CHARGE:

Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, ADOPTS the following annual charges for the removal of domestic waste and recycling for all non rateable properties receiving the service:

- 240L weekly waste collection \$350
- 140L weekly waste collection \$220
- 240L fortnightly recycling collection \$95
- 360L fortnightly recycling collection \$125

4. REPORTING OF BUDGET VARIANCES:

Pursuant to Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the monthly reporting variance for the 2016/17 financial year of 10% or more, where that variance is also more than \$10,000;

5. RESERVES

5.1 Pursuant to Section 6.11(1) of the *Local Government Act 1995*, APPROVES the establishment of the 'Percentage for Public Art Reserve', with the following purpose:

"This Reserve is established from payment of public art contributions from development applicants and is to be used for the acquisition and provision of Public Art and associated infrastructure."

5.2 NOTES the transfer of the balance from the Aged Persons and Senior Citizens Reserve to Trust and APPROVES the closure of the Reserve.

6. FEES AND CHARGES

Pursuant to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges included in Attachment 6, subject to inclusion of the following new bond amount:

	2015/16	2016/17	GST
BONDS (*GST applies when bond is claimed by Council)			
City of Vincent Non profit/Community organisations/Schools			
All activities conducted by City of Vincent based not-for-profit community organisations and schools within Council managed halls and community centres	-	\$300.00	N

7. CAPITAL WORKS IMPLEMENTATION SCHEDULE

NOTES the proposed implementation schedule for the Capital Works Program listed in the 2016/17 Capital Works Schedule as detailed in Attachment 7.

9.1.6 No. 14 (Lot: 51 D/P: 1106) Harley Street, Highgate - Proposed Two Storey Single House

Ward:	South	Date:	8 July 2016
Precinct:	Precinct 12 – Hyde Park	File Ref:	PR22071; 5.2016.144.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Marked up plans showing proposed versus required setbacks		
Tabled Items:	Nil		
Reporting Officer:	C Sullivan, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

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 for the construction of a Two Storey Single House at No. 14 (Lot: 51; D/P: 1106) Harley Street, Highgate on plans date stamped 5 May 2016, as shown on Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 10 and 16 Harley Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

The car parking and access areas are to comply with the requirements of AS2890.1;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Harley Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

5. The following is to form part of the application for a Building Permit and shall be approved by the City prior to commencement of the development:

5.1 **Revised Plans**

To show, to the satisfaction of the City, a raised level within the paved driveway area located parallel to the Right of Way, to prevent potential flooding of the driveway and garage from the Right of Way.

6. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

6.1 **Stormwater**

All storm water collected on the subject land shall be retained onsite, by suitable means to the satisfaction of the City; and

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

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. A security bond for the sum of \$2000, shall be lodged with the City by the applicant, prior to the issue of a building permit. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Bulwer Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
3. Standard 'Visual Truncations', in accordance with the City's Policy 2.2.6 and/or to the satisfaction of the City's Technical Services Directorate are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings;
4. The Right of Way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The Right of Way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the Right of Way condition has deteriorated, or become impassable as a consequence of the works the applicant/developer shall make good the surface to the full satisfaction of the City's Technical Services Directorate;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate; and
6. With reference to Condition 5.1, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION:

Moved Cr Buckels, Seconded Cr Topelberg

That the item be deferred.

PROCEDURAL MOTION PUT & LOST (2-6)

For: Cr Buckels and Cr Topelberg

Against: Presiding Member Mayor John Carey, Cr Cole, Cr Harley, Cr Loden, Cr McDonald and Cr Murphy

(Cr Gontaszewski was on approved leave of absence.)

Debate ensued.

MOTION PUT & LOST (0-8)

(Cr Gontaszewski was on approved leave of absence.)

Cr Buckels departed the Chamber at 8:11pm.

Cr Buckels returned to the Chamber at 8:13pm.

ALTERNATIVE RECOMMENDATION:

Moved Cr Harley, Seconded Cr Cole

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application for the construction of a Two Storey Single House at No. 14 (Lot: 51; D/P: 1106) Harley Street, Highgate on plans date stamped 5 May 2016, as shown on Attachment 2, for the following reasons:

1. The street setback variations are unacceptable and non-compliant with Policy No. 7.2.1 – Residential Design Elements Clauses SADC 5 and SPC 5;
2. The roof form is unacceptable and non-compliant with Policy No. 7.2.1- Residential Design Elements Clauses BDADC 3 and BDPC 3;
3. The bulk and scale of the second storey has a negative impact on the streetscape;
4. The building setbacks and boundary walls are unacceptable and non-compliant with R-Codes clause 5.1.3 and Policy No.7.2.1 - Residential Design Elements Clauses P3.1 and P3.2;
5. The proposed dwelling design is not in keeping with or complimentary to the streetscape of Harley Street;
6. Harley Street is proposed to become a Character Retention Area.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.6

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application for the construction of a Two Storey Single House at No. 14 (Lot: 51; D/P: 1106) Harley Street, Highgate on plans date stamped 5 May 2016, as shown on Attachment 2, for the following reasons:

1. The street setback variations are unacceptable and non-compliant with Policy No. 7.2.1 – Residential Design Elements Clauses SADC 5 and SPC 5;
2. The roof form is unacceptable and non-compliant with Policy No. 7.2.1- Residential Design Elements Clauses BDADC 3 and BDPC 3;
3. The bulk and scale of the second storey has a negative impact on the streetscape;
4. The building setbacks and boundary walls are unacceptable and non-compliant with R-Codes clause 5.1.3 and Policy No.7.2.1 - Residential Design Elements Clauses P3.1 and P3.2;
5. The proposed dwelling design is not in keeping with or complimentary to the streetscape of Harley Street;
6. Harley Street is proposed to become a Character Retention Area.

Reason: Council was not prepared to approve the proposal with the variations listed above, due to the adverse impact that would have on the streetscape and surrounding properties.

9.1.5 No. 14 (Lot: 70; D/P 6049) Brady Street, Mount Hawthorn – Proposed Construction of Six Multiple Dwellings

Ward:	North	Date:	8 July 2016
Precinct:	Precinct 1 – Mount Hawthorn	File Ref:	PR50066; 5.2016.153.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Car Parking and Bicycle Tables 5 – Marked up plans showing proposed versus required setbacks 6 – Extract of Design Advisory Committee Minutes and Comments		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

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 for the proposed construction of six multiple dwellings at No. 14 (Lot: 70; D/P: 6049) Brady Street, Mount Hawthorn on plans date stamped 13 June 2016, as shown on Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 16 Brady Street and No. 267 Scarborough Beach Road in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1 A minimum of six resident and two visitor bays shall be provided onsite;
- 2.2 The car park shall be used only by residents and visitors directly associated with the development;
- 2.3 The visitor bay is to be marked accordingly;
- 2.4 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.5 Vehicle and pedestrian access points are required to match into existing footpath levels;
- 2.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Brady Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

5. **Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings under Policy No. 3.9.3 – Parking Permits;

6. The following is to form part of the application for a Building Permit and shall be approved by the City prior to commencement of the development:

6.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation. The recommended measures of the report shall be implemented;

6.2 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

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

6.2.2 A minimum of five mature canopy trees (minimum 500 litres);

6.2.3 Areas to be irrigated or reticulated; and

6.2.4 The removal of any redundant portions of crossover;

6.3 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

6.4 **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. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

6.5 **Waste Management**

6.5.1 A Waste Management Plan prepared to the satisfaction of the City detailing a bin store to accommodate the City's specified bin requirement; and

6.5.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan; and

7. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

7.1 **Clothes Drying Facility**

Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes;

7.2 Car Parking

The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;

7.3 Stormwater

All storm water collected on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;

7.4 Acoustic Report Certification

With reference to Condition 6.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

7.5 Landscape Plan and Verge Upgrade Plan

With reference to Condition 6.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

7.6 Bicycle Bays

A minimum of two resident bays and one visitor bay is to be provided onsite. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

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

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 2.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
3. With reference to Condition 2.6, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$2,500 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

5. With reference to Condition 6.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
7. With reference to Condition 7.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
8. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process; and
9. Any new street/front wall, fence and gate within the Brady Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences.

COUNCIL DECISION ITEM 9.1.5

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.9 Nos. 2 and 4 (Lots: 33 and 34; D/P 2861) Vincent Street, Mount Lawley – Proposed Construction of Eight Multiple Dwellings

Ward:	South	Date:	8 July 2016
Precinct:	Precinct 10 – Norfolk	File Ref:	PR26239; 5.2016.35.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Car Parking and Bicycle Tables 4 – Marked up plans showing proposed versus required setbacks 5 – Extract of Design Advisory Committee Minutes and Comments		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Senior Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **REFUSES** the application for the proposed construction of eight multiple dwellings at Nos. 2 and 4 (Lots: 33 and 34; D/P: 2861) Vincent Street, Mount Lawley in accordance with plans date stamped 2 February 2016, as shown on Attachment 2, subject to the following reasons:

1. The proposal does not satisfy:
 - 1.1 The provisions of the City of Vincent Town Planning Scheme No. 1 relating to dwelling density;
 - 1.2 The provisions of the City’s Policy No. 7.4.8 Development Guidelines for Multiple Dwellings relating to building height, landscaping and building interface; and
 - 1.3 The Deemed to Comply provisions and Design Principles of the Residential Design Codes relating to plot ratio, car parking and outdoor living areas.
2. The height, bulk, scale and density of the proposal is incompatible with development on adjoining residentially zoned land and will impact the amenity and character of the locality; and
3. The proposal is contrary to the orderly and proper planning of the locality.

COUNCIL DECISION ITEM 9.1.9

Moved Cr Buckels, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

9.1.2 No. 114 (Lot: 5; D/P: 2251) Lincoln Street, Highgate – Retrospective Change of Use from Single House to Short Term Dwelling (Unlisted Use)

Ward:	South	Date:	8 July 2016
Precinct:	Precinct 14 – Forrest	File Ref:	PR23082; 5.2016.177.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Management Plan and House Rules dated 7 July 2016		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Senior Statutory Planning Officer		
Responsible Officer:	G Poczyn, Director Development Services		

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 for the retrospective change of use from single house to short term dwelling (Unlisted Use) at No. 114 (Lot: 5; D/P: 2251) Lincoln Street, Highgate in accordance with plans date stamped 9 May 2016, as shown on Attachment 2, subject to the following conditions:

1. Limitation on Use

1.1. Maximum Lease

The short term accommodation residents may stay at the subject short term dwelling for a continuous period of less than six months within any twelve month period;

1.2 Maximum Number of Tenants – Short Term Dwelling

The short term dwelling shall accommodate a maximum of six persons at any one time;

1.3 Management Plan – Short Term Dwelling

1.3.1 The short term dwelling shall continue to operate in accordance with the Management Plan dated 7 July 2016; and

1.3.2 The terms and conditions outlined in the Management Plan shall be provided to occupants of the short term accommodation at the time of check-in and displayed in a prominent location within the entrance area of the short term accommodation; and

2. External Fixtures

All external fixtures shall not be visually obtrusive from Lincoln Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like.

ADVICE NOTE:

- 1. All signage that does not comply with the City’s Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.**

COUNCIL DECISION ITEM 9.1.2

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)
BY AN ABSOLUTE MAJORITY

(Cr Gontaszewski was on approved leave of absence.)

9.1.1 No. 399 (Lot: 1; STR: 44491) William Street, Perth – Proposed Alfresco Area Addition to Existing Small Bar

Ward:	South	Date:	8 July 2016
Precinct:	Precinct 13 – Beaufort	File Ref:	PR28182; 5.2016.108.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

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 for the proposed alfresco area addition to the existing Small Bar (Unlisted Use) at No. 399 (Lot: 1; STR: 44491) William Street, Perth in accordance with plans date stamped 29 March 2016, as shown on Attachment 2, subject to the following conditions:

1. **Use of the Premises**

- 1.1 The maximum public floor area of the alfresco area shall be limited to 35.29 square metres;
- 1.2 The maximum number of patrons to occupy the small bar (including alfresco area) at any one time shall be 84 persons;
- 1.3 Packaged liquor is not to be sold at the premises; and
- 1.4 Any proposed increase to the number of patrons of the Small Bar will require a further development application;

2. **Hours of Operation**

The hours of operation shall be limited to:

Alfresco area:

- Monday to Saturday: 7:00am to Midnight; and
- Sunday: 10:00am to 10:00pm; and

3. **Building**

The windows, doors and adjacent floor area facing William Street shall maintain an active and interactive frontage to William Street.

ADVICE NOTE:

1. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)
BY AN ABSOLUTE MAJORITY

(Cr Gontaszewski was on approved leave of absence.)

9.1.12 Outcomes of Advertising – Proposed Amendment to Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations & Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC2626
Attachments:	<p>1 – Advertised Draft Amended Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings; 2 – Advertised Draft Amended Policy No. 7.5.11 – Exercise of Discretion for Development Variations; 3 – Advertised Draft Amended Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments; 4 – Revised Draft Amended Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings; 5 – Revised Draft Amended Policy No. 7.5.11 – Exercise of Discretion for Development Variations; 6 – Revised Draft Amended Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments; 7 – Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings – Adopted 8 October 2013; 8 – Summary of Submissions; and 9 – Summary of Administration recommended modifications.</p>		
Tabled Items:	Nil		
Reporting Officer:	S Schreck, Strategic Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council:

1. **ADOPTS** amendments to Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments included as Attachments 4, 5 and 6 and shown by strike through and underline, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. **NOTES:**
 - a) The submissions received in relation to the advertising of draft Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments, included as Attachment 8, and **ENDORSES** Administration’s responses to those submissions;
 - b) that the City will forward the amendments to the landscaping requirements in draft Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings to the Western Australian Planning Commission for consent prior to advertising the final version included as Attachment 4, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
 - c) that the City will advertise the final version of Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments, included as Attachments 5 and 6, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT 1:

Moved Cr Topelberg, Seconded Cr Cole

That Recommendation 1 be amended to read as follows:

1. **ADOPTS amendments to Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments included as Attachments 4, 5 and 6 and shown by strike through and underline, pursuant to Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015 subject to:**

- 1.1 **The soft landscaping requirement in Policy 7.4.8 and Policy 7.5.12 to be increased from 20% to 25%.**

PROPOSED AMENDMENT 1 PUT AND CARRIED (7-1)

For: Presiding Member Mayor John Carey, Cr Cole, Cr Harley, Cr Loden, Cr McDonald, Cr Murphy and Cr Topelberg

Against: Cr Buckels

(Cr Gontaszewski was on approved leave of absence.)

Debate ensued.

PROPOSED AMENDMENT 2:

Moved Cr Topelberg, Seconded Cr Cole

To insert a new Recommendation 1.2 as follows:

- 1.2 **The definition of soft landscaping in each of the policies is to exclude artificial turf.**

Debate ensued.

PROPOSED AMENDMENT 2 PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PROPOSED AMENDMENT 3:

Moved Cr Topelberg, Seconded Cr Cole

That a new Recommendation 1.3 be inserted as follows:

- 1.3 **After the words “Scheme Map” in Policy 7.5.11 paragraph 2 of the introduction, the following new Paragraph is to be inserted:**

Applicants seeking further discretion than what is contemplated by this policy are expected at a minimum to satisfy the “Essential Criteria” and “Additional

Requirements” provisions of this policy, relevant to their current permitted height.

Debate ensued.

PROPOSED AMENDMENT 3 PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PROCEDURAL MOTION:

Moved Cr Buckels, Seconded Cr McDonald

That Cr Topelberg be allowed to speak again.

Debate ensued.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PROPOSED AMENDMENT 4:

Moved Cr Buckels, Seconded Cr Loden

That a new Recommendation 1.4 be inserted as follows:

1.4 Amending Clause 4.2.2 of Policy 7.4.8 to read as follows:

“4.2.2 Multiple dwellings adjoining lower coded residential zones to the rear coded R60 and below must provide 2.4 metres of landscaping, including trees at a maximum of 3 metre spacing.”

PROPOSED AMENDMENT 4 PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 9.1.12

That Council:

1. **ADOPTS** amendments to Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments included as Attachments 4, 5 and 6 and shown by strike through and underline, pursuant to Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015 subject to:

1.1 The soft landscaping requirement in Policy 7.4.8 and Policy 7.5.12 to be increased from 20% to 25%.

1.2 The definition of soft landscaping in each of the policies is to exclude artificial turf.

1.3 After the words “Scheme Map” in Policy 7.5.11 paragraph 2 of the introduction, the following new Paragraph is to be inserted:

Applicants seeking further discretion than what is contemplated by this policy are expected at a minimum to satisfy the “Essential Criteria” and

“Additional Requirements” provisions of this policy, relevant to their current permitted height.

1.4 Amending Clause 4.2.2 of Policy 7.4.8 to read as follows:

“4.2.2 Multiple dwellings adjoining lower coded residential zones to the rear coded R60 and below must provide 2.4 metres of landscaping, including trees at a maximum of 3 metre spacing.”

2. NOTES:

- a) The submissions received in relation to the advertising of draft Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings, Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments, included as Attachment 8, and ENDORSES Administration’s responses to those submissions;**
 - b) that the City will forward the amendments to the landscaping requirements in draft Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings to the Western Australian Planning Commission for consent prior to advertising the final version included as Attachment 4, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**
 - c) that the City will advertise the final version of Policy No. 7.5.11 – Exercise of Discretion for Development Variations and Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments, included as Attachments 5 and 6, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
-

9.1.11 Outcomes of Advertising – Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC2500
Attachments:	1 – Draft Amended Policy No. 7.2.1 – Residential Design Elements (relevant pages as advertised); and 2 – Summary of Submissions.		
Tabled Items:	Nil		
Reporting Officer:	S Smith, Coordinator Policy & Place		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council:

- DOES NOT PROCEED** with amending Policy No. 7.2.1 – Residential Design Elements as shown in Attachment 1 pursuant to Schedule 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- NOTES** the submissions received in relation to the advertising of draft Policy No. 7.2.1 – Residential Design Elements, included in Attachment 2 and **ENDORSES** Administration’s responses to those submissions.

Cr Cole, Cr Loden and Cr Murphy had declared a financial interest in Item 9.1.11. They departed the Chamber at 9:03pm.

Moved Cr Buckels, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST (1- 4)

(Cr Cole, Cr Loden and Cr Murphy were absent from the Chamber and did not speak or vote on this matter.)

(Cr Gontaszewski was on approved leave of absence.)

For: Cr Topelberg

Against: Presiding Member Mayor John Carey, Cr Buckels, Cr Harley and Cr McDonald

Debate ensued.

ALTERNATIVE RECOMMENDATION:

Moved Cr Harley, **Seconded** Cr Buckels

That Council:

- ADOPTS** amendments to Policy No. 7.2.1 – Residential Design Elements included as Attachment 1 and shown by strike through and underlined, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- NOTES:**

- a) The submissions received in relation to the advertising of draft Policy No. 7.2.1 – Residential Design Elements, included as Attachment 2; and
- b) That the City will advertise the final version of Policy No. 7.2.1 – Residential Design Elements, included as Attachment 1, pursuant to Schedule 2, Part 2, Clause 5 of the pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

MOTION PUT AND CARRIED (4-1)

For: Presiding Member Mayor John Carey, Cr Buckels, Cr Harley and Cr McDonald
Against: Cr Topelberg

(Cr Cole, Cr Loden and Cr Murphy were absent from the Chamber and did not speak or vote on this matter.)

(Cr Gontaszewski was on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.11

That Council:

1. **ADOPTS** amendments to Policy No. 7.2.1 – Residential Design Elements included as Attachment 1 and shown by strike through and underlined, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. **NOTES:**
 - a) The submissions received in relation to the advertising of draft Policy No. 7.2.1 – Residential Design Elements, included as Attachment 2; and
 - b) That the City will advertise the final version of Policy No. 7.2.1 – Residential Design Elements, included as Attachment 1, pursuant to Schedule 2, Part 2, Clause 5 of the pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Reason: Council agreed with the advertised policy amendment to allow metal sheet fencing along the side boundary in the front setback area.

Cr Cole and Cr Loden returned to the Chamber at 9:22pm.

9.1.3 No. 459 (Lot: 8; D/P 1647) Fitzgerald Street, North Perth – Amendment to Existing Approval: Alterations and Additions to Existing Hotel

Ward:	North	Date:	8 July 2016
Precinct:	Precinct 8 – North Perth Centre	File Ref:	PR13473; 5.2016.117.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application to amend the existing planning approval granted on 13 March 2012 numbered 5.2011.614.1 for the proposed alterations and additions to an existing hotel at No. 459 (Lot: 8; D/P: 1647) Fitzgerald Street, North Perth in accordance with plans date stamped 1 April 2016 and 1 June 2016, as shown on Attachment 2, subject to the following conditions:

1. **New Bi-fold Door**

The finish of new bi-fold door shall match the existing building to the satisfaction of the City.

2. **External Fixtures**

All external fixtures shall not be visually obtrusive from Fitzgerald Street, Angove Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

3. **Interactive Front**

All windows, doors and adjacent areas fronting Fitzgerald Street and Angove Street shall maintain an active and interactive relationship with the street, except the timber bi- fold door proposed in this application. Darkened, obscured, mirror or tinted glass or the like is prohibited; and

4. **Management Statement**

Deliveries to the scissor lift via the public footpath are to be in accordance with the Management Statement submitted by FJM Property on 7 June 2016.

ADVICE NOTES:

1. The movement of all path users, with or without disabilities, within the public footpath shall not be impeded in any way during the course of deliveries; and
2. All signage that does not comply with the City’s Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted and approved prior to the erection of the signage.

Cr Murphy had declared a financial interest in Item 9.1.3 and was absent from the Chamber.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Murphy was absent from the Chamber and did not speak or vote on this matter.)

(Cr Gontaszewski was on approved leave of absence.)

Cr Murphy returned to the Chamber at 9.24pm.

9.2.1 Further Report No 3: Proposed Traffic Management Improvement – Intersection of Vincent and Norfolk Streets, North Perth/Mount Lawley

Ward:	South	Date:	4 July 2016
Precinct:	Precinct 10 - Norfolk	File Ref:	SC979; SC228
Attachments:	1 – Plan No 3347-CP-01 2 – Plan No 3144-CP-01B		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **NOTES** that an alternative option for traffic calming on Vincent Street, comprising the installation of strategically placed speed humps, as shown on Plan No 3347-CP-01 (Attachment 1), has been investigated and it is considered that the alternative solution may not mitigate future right hand turn accidents at the Norfolk and Vincent Street intersection, for the reasons outlined in the report;
2. **APPROVES** the installation of a permanent '½ seagull' island, and associated works, at the intersection of Norfolk and Vincent Streets as shown on attached Plan No. 3144-CP-01B estimated to cost \$15,000; and
3. **ADVISES** the respondents of its decision.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT:

Moved Cr McDonald, Seconded Cr Loden

That new Recommendations 3, 4, and 5 be inserted and existing Recommendation 3 be amended and renumbered as follows:

3. **APPROVES IN PRINCIPLE the installation of speed humps along Vincent Street as shown on attached Plan No 3347-CP-01A estimated to cost \$15,000;**
4. **CONSULTS with the residents adjacent to the proposed speed hump locations as shown on attached Plan No 3347-CP-01A;**
5. **PROCEEDS with the installation of the speed humps, should no adverse comments be received; and**
- 3.6 **ADVISES the respondents of its decision in relation to the installation of a permanent '½ seagull' island.**

PROPOSED AMENDMENT PUT AND CARRIED (7-1)

(Cr Gontaszewski was on approved leave of absence.)

For: Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Harley, Cr Loden, Cr McDonald and Cr Murphy
Against: Cr Topelberg

MOTION AS AMENDED PUT AND CARRIED (7-1)

(Cr Gontaszewski was on approved leave of absence.)

For: Cr Buckels, Cr Cole, Cr Harley, Cr Loden, Cr McDonald, Cr Murphy and Cr Topelberg
Against: Presiding Member Mayor John Carey

COUNCIL DECISION ITEM 9.2.1

That Council:

1. **NOTES** that an alternative option for traffic calming on Vincent Street, comprising the installation of strategically placed speed humps, as shown on Plan No 3347-CP-01 (Attachment 1), has been investigated and it is considered that the alternative solution may not mitigate future right hand turn accidents at the Norfolk and Vincent Street intersection, for the reasons outlined in the report;
 2. **APPROVES** the installation of a permanent '½ seagull' island, and associated works, at the intersection of Norfolk and Vincent Streets as shown on attached Plan No. 3144-CP-01B estimated to cost \$15,000; and
 3. **APPROVES IN PRINCIPLE** the installation of speed humps along Vincent Street as shown on attached Plan No 3347-CP-01A estimated to cost \$15,000;
 4. **CONSULTS** with the residents adjacent to the proposed speed hump locations as shown on attached Plan No 3347-CP-01A;
 5. **PROCEEDS** with the installation of the speed humps, should no adverse comments be received; and
 6. **ADVISES** the respondents of its decision in relation to the installation of a permanent '½ seagull' island.
-

9.2.2 Axford Park Upgrade - Progress Report

Ward:	North	Date:	8 July 2016
Precinct:	Precinct 2 - Mt Hawthorn Centre	File Ref:	SC2712
Attachments:	1 – Project Study Area 2 – Project Plan		
Tabled Items:	-		
Reporting Officers:	G Lawrence, Place Manager J O’Keefe, Manager Policy and Place J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council **NOTES** the progress on the development of a plan for the future redevelopment of Axford Park, as outlined in the report.

Moved Cr Harley, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT

Moved Cr Harley, Seconded Cr Cole

That Recommendation 1 be amended to read as follows:

That Council:

1. **NOTES;**
 - 1.1 the progress on the development of a plan for the future redevelopment of Axford Park, as outlined in the report; and
 - 1.2 that initial consultation with the community was undertaken in May 2016 at the Mount Hawthorn Streets and Laneways Festival; and
2. ADOPTS the Project Plan and Methodology, and Timeline, as outlined in Attachment 2 which includes, but not limited to, key stakeholder interviews to be conducted in October 2016, a key stakeholder and community engagement workshop to be held no later than December 2016.

PROPOSED AMENDMENT PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

MOTIONS AS AMENDED PUT AND CARRIED (8-0)

(Cr Gontaszewski was on approved leave of absence.)

COUNCIL DECISION ITEM 9.2.2

That Council:

- 1. NOTES;**
 - 1.1 the progress on the development of a plan for the future redevelopment of Axford Park, as outlined in the report; and**
 - 1.2 that initial consultation with the community was undertaken in May 2016 at the Mount Hawthorn Streets and Laneways Festival; and**
 - 2. ADOPTS the Project Plan and Methodology, and Timeline, as outlined in Attachment 2 which includes, but not limited to, key stakeholder interviews to be conducted in October 2016, a key stakeholder and community engagement workshop to be held no later than December 2016.**
-

9.5.1 Corporate Business Plan 2016/17-2019/20

Ward:	-	Date:	8 July 2016
Precinct:	-	File Ref:	SC2611
Attachments:	1 – Strategic Community Plan 2013 – 2023 & Corporate Business Plan 2013 – 2017 2 – Draft Corporate Business Plan 2016/17 – 2019/20 3 – Strategic Planning Framework 2016/17 (Diagrammatic Chart)		
Tabled Items:	Nil		
Reporting Officer:	Ryan Hall, Project Manager – Business Improvement		
Responsible Officer:	Len Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council:

1. **ADOPTS BY AN ABSOLUTE MAJORITY** the City of Vincent Corporate Business Plan 2016/17 – 2019/20 (as contained in Attachment 2);
2. **ACKNOWLEDGES** that a major review of the City’s Strategic Community Plan is required at least once every four years and that Administration has commenced this review which will be undertaken during 2016/17; and
3. **NOTES** that future reporting of the Corporate Business Plan will be on the basis of the 2016/17 – 2019/20 version as contained in Attachment 1, noting that the Corporate Business Plan 2016/17 – 2019/20 delivers on the Key Result Areas identified in the Strategic Community Plan 2013 – 2023, including a document that outlines how it is delivered (as contained in Attachment 2).

COUNCIL DECISION ITEM 9.5.1

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)
BY AN ABSOLUTE MAJORITY

(Cr Gontaszewski was on approved leave of absence.)

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

PROCEDURAL MOTION

At 9:30pm Moved Cr Cole, Seconded Cr Murphy

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”, to consider the confidential report relating to Item 14.1.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PRESENT:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Dan Loden	North Ward
Cr Laine McDonald	South Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Gabriela Poezyn	Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Priyamvada Rasal	Governance & Council Support Officer
Media	Nil.

No members of the public were present.

14.1 CONFIDENTIAL REPORT: Appointment of Community and Council Members to the City of Vincent Pedestrian and Cycling Advisory Group

Ward:	Both	Date:	8 July 2016
Precinct:	All	File Ref:	SC1814
Attachments:	1 – Pedestrian and Cycling Advisory Group Terms of Reference 2 – Advisory Group Policy 4.2.12 Confidential Attachment– Nominations		
Tabled Items:	Nil		
Reporting Officer:	Francois Sauzier, TravelSmart Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

DETAILS:

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

- (b) *the personal affairs of any person.*

LEGAL:

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

“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.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is 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 14.1

Moved Cr Buckels, Seconded Cr Loden

That Council:

- APPOINTS the following three COUNCIL MEMBERS as Council’s representatives on the Pedestrian and Cycling Advisory Group for the remainder of the 2015-2017 term [until 20 October 2017, unless otherwise specified]:**

Members:

- Mayor John Carey**
- Cr Buckels**

and;

the Chair of the Advisory Group be Mayor John Carey;

2. **APPOINTS** the following **COMMUNITY AND CYCLING NETWORK REPRESENTATIVES** to the City's Pedestrian and Cycling Advisory Group for the remainder of the 2015-2017 term (until 20 October 2017, unless otherwise specified) from the following nominees:

2.1 **Community Representatives (SIMPLE MAJORITY REQUIRED):**

1. Ms Geraldine Box;
2. Ms Courtney Weber;
3. Mr Sean Vincent;
4. Mr Andrew Main;
5. Mr Sam Laybutt;
6. Mr Paul Evans;
7. Ms Holly Taylor;
8. Mr Roger Highfield;
9. Ms Anne Bate; and

2.2 **one Cycling Network Representative (SIMPLE MAJORITY REQUIRED):**

1. Ms Sarah Smith (Westcycle); and

3. **EXPRESSES** its appreciation to all nominees for their nomination.

CARRIED UNANIMOSLY (8-0)

(Cr Gontaszewski was on approved leave of absence.)

PROCEDURAL MOTION:

At 9:40 pm Moved Cr McDonald, Seconded Cr Loden

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9:40pm with the following persons present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Dan Loden	North Ward
Cr Laine McDonald	South Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Gabriela Poezyn	Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Geoff Garside	Manager Financial Services
Priyamvada Rasal	Governance & Council Support Officer
Media	Nil.

No members of the public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 26 July 2016.

Signed: Mayor John Carey.

Dated this day of 2016.