



CITY OF VINCENT

COUNCIL BRIEFING

Notice of Meeting and Agenda

26 APRIL 2016

Notice is hereby given that a Council Briefing will be held at the City of Vincent Administration and Civic Centre, at 244 Vincent Street (corner Loftus Street), Leederville, on **Tuesday 26 April 2016** at 6:00pm.

Len Kosova
CHIEF EXECUTIVE OFFICER

20 April 2016

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

This document is available in other formats and languages.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the City of Vincent (City) for any act, omission, statement or intimation occurring during Council Briefings or Council Meetings. The City disclaims any liability for any loss however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during Council Briefings or Council Meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Briefing or Council Meeting does so at their own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning or development application or application for a licence, any statement or intimation of approval made by an Elected Member or Employee of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. The City advises that anyone who has any application lodged with the City must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Council in respect of the application.

Copyright

Any plans or documents contained within this Agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

COUNCIL BRIEFING PRINCIPLES:

The following rules and principles apply to the City of Vincent Council Briefings:

1. Unless otherwise determined by Council, Council Briefings will be held in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting, to provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week.
2. The Council Briefing is not a decision-making forum and the Council has no power to make decisions at the Briefing.
3. In order to ensure full transparency, Council Briefings will be open to the public to observe the process and to ask Public Questions, similar to the Council Meeting process.
4. Where matters are of a confidential nature, they will be deferred to the conclusion of the Briefing and at that point, the Briefing will be closed to the public.
5. The reports provided to Council Briefings are the reports that the Administration intends to submit to Council formally in the subsequent week. While it is acknowledged that Elected Members may raise issues that have not been considered in the formulation of the report or its recommendation, and these may be addressed in the subsequent report to Council, Council Briefings cannot be used as a forum for Elected Members to direct Officers to alter their opinions or recommendations. However, having regard to any questions or clarification sought by Elected Members, the Chief Executive Officer and Directors may choose to amend Administration reports, or withdraw and not present certain items listed on the Council Briefing Agenda to the subsequent Council Meeting in the following week.
6. Council Briefings will commence at 6.00 pm and will be chaired by the Mayor or in his/her absence the Deputy Mayor. In the absence of both, Councillors will elect a chairperson from amongst those present. In general, Standing Orders will apply, except that Members may speak more than once on any item. There is no moving or seconding items.
7. Members of the public present at Council Briefings may observe the process and will have an opportunity to ask Public Questions relating only to the business on the agenda.
8. Where an interest is declared in relation to an item on the Council Briefing Agenda, the same procedure which applies to Ordinary Council meetings will apply. All interests must be declared in accordance with the City's Code of Conduct. The Briefing will consider items on the agenda only and will proceed to deal with each item as it appears in the Agenda. The process will be for the Presiding Member to call each item number in sequence and invite questions or requests for clarification from Elected Members. Where there are no questions regarding the item, the Briefing will proceed to the next item.
9. Notwithstanding 8. above, the Council Briefing process does not and is not intended to prevent an Elected Member from raising further questions or seeking further clarification after the Council Briefing and before or at the Council Meeting in the subsequent week.
10. While every endeavour is made to ensure that all items to be presented to Council at the Ordinary Council Meeting are included in the Council Briefing papers, there may be occasions when, due to necessity, items will not be ready in time for the Council Briefing and will instead be included on the Council Meeting Agenda to be presented directly to Council for determination.
11. There may also be occasions when items are tabled at the Council Briefing rather than the full report being provided in advance. In these instances, Administration will endeavour to include the item on the Council Briefing agenda as a late item, noting that a report will be tabled at the meeting.
12. Unless otherwise determined by the Presiding Member, deputations will generally not be heard at Council Briefings and will instead be reserved for the Ordinary Council meeting, consistent with the City's Standing Orders Local Law.
13. The record of the Council Briefing session will be limited to notes regarding any agreed action to be taken by Administration or Elected Members. The Council Briefing is not a decision-making forum and does not provide recommendations to Council as a Committee might and, as such, the action notes from Council Briefings will be retained for administrative purposes only and will not be publicly distributed unless authorised by the Chief Executive Officer.

PROCEDURE FOR PUBLIC SPEAKING TIME

The City of Vincent Local Law Relating to Standing Orders prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, or (where applicable) does not relate to an item of business on the meeting agenda, the Presiding Member, he may ask the person speaking to promptly cease.
6. In the case of the Ordinary and Special Council Meetings, Questions/statements and any responses will be summarised and included in the Minutes of the Council Meeting. Questions/Statements will not be summarised or included in the notes of any Council Briefing unless Administration to take action in response to the Question/Statement which could include, but is not limited to provide further commentary or clarification in the report to Council to address the question/statement.
7. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer or relevant Director to the person asking the question. In the case of the Ordinary and Special Council Meetings, copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
8. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

RECORDING OF COUNCIL MEETINGS

- ◆ All Council Briefings, and Ordinary and Special Council Meetings are electronically recorded (both visual and audio), except when the Council resolves to go behind closed doors;
- ◆ All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- ◆ A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 - Council Meetings – Recording and Access to Recorded Information.

ORDER OF BUSINESS

1. (a) **Declaration of Opening**

(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**

Nil.

3. **Public Question Time and Receiving of Public Statements**

4. **Declarations of Interest**

5. **Reports**

| ITEM | REPORT DESCRIPTION | PAGE |
|------------|--|------|
| 5.1 | DEVELOPMENT SERVICES | |
| 5.1.1 | No. 46 (Lot: 100; D/P 1985) Money Street, Perth – Proposed Change of Use from Single House and Short Term Accommodation (Unlisted Use) to Single House, Short Term Accommodation (Unlisted Use) and Office (PR23723; 5.2016.27.1) [Absolute Majority Decision Required] | 1 |
| 5.1.2 | No. 1/257-261 (Lot: 1; D/P: 59624) Oxford Street, Leederville – Proposed Change of Use from Shop (Tattoo Studio) to Shop (Tattoo Studio) and Ancillary Art Gallery (Unlisted Use), and Associated Signage (PR52203; 5.2015.533.1) [Absolute Majority Decision Required] | 9 |
| 5.1.3 | No. 17 (Lots: 1-16; D/P: 59813) Harwood Place, Perth – Change of Use from Multiple Dwellings to Serviced Apartments (Retrospective) (PR53599; 5.2015.568.1) | 14 |
| 5.1.4 | Nos. 334-338 (Lot: 500; D/P: 47986) Fitzgerald Street, North Perth – Proposed Change of Use from Showroom, Office and Warehouse to Recreational Facility (PR21109; 5.2016.70.1) | 23 |
| 5.1.5 | No. 25 (Lot: 24; D/P: 1657) Camelia Street, North Perth – Proposed Demolition of Existing Single House and Construction of Single House (PR19472; 5.2015.583.1) | 30 |
| 5.2 | TECHNICAL SERVICES | |
| 5.2.1 | Salisbury Street, Leederville - Proposed Parking Restrictions, Shakespeare Street to Loftus Street (SC935, SC1201) | 43 |
| 5.2.2 | Nova Lane, North Perth – Proposed Staged Works, Parking Restrictions and Streetscape Improvements (SC902, SC1201) | 46 |
| 5.2.3 | Washing Lane, Perth - Proposed Parking Restrictions and Streetscape Improvements (SC1075, SC1201) | 49 |
| 5.2.4 | Oxford Street Reserve – Proposed Accessible Ramp (SC564) | 52 |
| 5.3 | CORPORATE SERVICES | |
| 5.3.1 | Investment Report as at 31 March 2016 (SC1530) | 55 |

| | | |
|------------|--|----|
| 5.3.2 | Authorisation of Expenditure for the Period 1 March 2016 to 31 March 2016 (SC347) | 58 |
| 5.3.3 | Variation of Lease & Car Parking Licence for Dental Health Services, Shalom Coleman Dental Clinic – No 31 (Lot 100) Sydney Street, North Perth (SC584) | 61 |
| 5.3.4 | Portion of Grandstand Mezzanine, Aerobics Room and old Administration Offices - Beatty Park Leisure Centre – WA Swimming Association Inc – Request for Variation of Lease (SC372) | 66 |
| 5.3.5 | Beatty Park Geothermal and HVAC System Review Proposed Rectification Works (SC371) | 69 |
| 5.4 | COMMUNITY SERVICES | |
| 5.4.1 | Nyoongar Outreach Services – Reduction of Patrol Service Provision and Review of Ongoing Funding (SC1856) | 76 |
| 5.5 | CHIEF EXECUTIVE OFFICER | |
| 5.5.1 | Information Bulletin | 79 |
| 6. | Motions of which Previous Notice has been given | |
| 6.1 | NOTICE OF MOTION: Cr Joshua Topelberg – Request to obtain clarity on the future of the Concrete Batching Plants | 80 |
| 7. | Representation on Committees and Public Bodies | |
| | Nil | 81 |
| 8. | Confidential Items/Matters (“Behind Closed Doors”) | |
| 8.1 | CONFIDENTIAL REPORT: No. 208 (Lot: 20; D/P: 2440) Loftus Street, North Perth – Proposed Demolition of Existing Single House and Construction of Five Multiple Dwellings – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 451 of 2015) (PR14658; 5.2015.299.1) | 81 |
| 8.2 | CONFIDENTIAL REPORT: Leederville Gardens Retirement Village – Board Appointments (SC1670; SC313) | 82 |
| 9. | Closure | 82 |
