



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

9 FEBRUARY 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 9 February 2016, commencing at 6:00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6:07pm 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:

Mr John Paton, Director Corporate Services; and

Cr Roslyn Harley will be arriving late.

(b) Members on Approved Leave of Absence:

Cr Laine McDonald on approved leave of absence until (and including) 7 April 2016 due to personal commitments.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward (from 6:21pm)
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
Geoff Garside	Manager Financial Services
Ryan Hall	A/Director Community Services
Anita Radici	A/Executive Assistant, Minutes Secretary
<u>Media</u>	
Sophie Gabrielle	Journalist – <i>"The Guardian Express"</i> (until approximately 7:31pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (until approximately 7:25pm)

Approximately 4 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. Mrs Kellie Dobbie of 10 Richmond Street, North Perth – Item 9.1.2

- Spoke in support of the application and recommendation.
- Mrs Dobbie explained the background to the legal agreement and caveat from when they purchased the property in 2001.
- Mrs Dobbie confirmed her and her husband agree to bear any legal costs associated with revoking of the existing agreement and listing of their property on the City's Municipal Heritage Inventory and that they are in agreement with the conditions laid out relating to the provisions of the Town of Planning Scheme.

The Presiding Member Mayor Carey thanked Mrs Dobbie for her comments.

2. Stuart Lofthouse of 123 Oxford Street, Leederville

Mr Lofthouse asked the following questions of the Mayor:

Mr Lofthouse: Mayor are you aware of the outcome of the court case between WA Police and myself last November?

Mayor Carey responded: By third person.

Mr Lofthouse: What prior knowledge did you have meeting memo conversation of what was planned on that evening prior to the actual Council Meeting?

Mayor Carey responded: Sorry I don't understand that.

Mr Lofthouse: Were you involved in any meeting or have any conversation with anyone regarding what was to happen at the Council Meeting in regards to removing Deb or I?

Mayor Carey responded: No, not that I am aware of.

Mr Lofthouse: Ok I should have said with strong reference to what five prosecuting witnesses stated.

Mr Lofthouse: Do you recall the speech you gave post Council Meeting?

Mayor Carey responded: No.

Mr Lofthouse thanked the Mayor.

There being no further speakers, Public Question Time closed at approximately 6:12pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Loden requested leave of absence from 22 February 2016 to 8 March 2016 (inclusive) due to personal commitments.

Moved Cr Topelberg, Seconded Cr Gontaszewski

That Cr Loden's request for leave of absence be approved.

CARRIED UNANIMOUSLY (7-0)

(Cr Harley had not yet arrived at the Meeting.)

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

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Mr Karel Osten – Item 9.1.5. Mr Osten made a deputation with Powerpoint presentation in support of his application for No. 46 Richmond Street, North Perth.

Cr Harley arrived at 6:21pm.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 8 December 2015

Moved Cr Loden, Seconded Cr Cole

That the Minutes of the Ordinary Meeting of Council held on 8 December 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (8-0)

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

- 6.2 Minutes of the Special Meeting of Council held on 15 December 2015

Moved Cr Harley, Seconded Cr Murphy

That the Minutes of the Special Meeting of Council held on 15 December 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (8-0)

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

- 6.3 Minutes of the Annual General Meeting of Electors held on 2 February 2016

Moved Cr Loden, Seconded Cr Harley

That the Minutes of the Annual General Meeting of Electors held on 2 February 2016 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (8-0)

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

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor John Carey made the following announcements;

7.1 Heritage Calendar

There has been a great Heritage Calendar released by Vincent for this year. If you have not seen it, it is wonderful. It includes local residents who are passionate about where they live and the restorations that they have undertaken.

7.2 Council Member Strategic Workshop

On the weekend, Council Members held a Strategic Workshop to develop our working priorities for the coming year to provide focus and vision to what we do. The outcomes of this Workshop will be reported to Council shortly for formal consideration. The revision of the budget process was also discussed, with a view to now inviting submissions prior to drafting the new budget, rather than residents making comments on the draft budget at the end of the process. This will allow Council to consider budget issues earlier in the process.

Importantly, this exercise in developing our working priorities will not replace the Strategic Community Plan, which is out of date and needs to better reflect the direction of Vincent and its ratepayers. We will be working towards a new Strategic Community Plan for the Organisation over the coming year. On this matter, for the first time in the Organisation's history, there will be a coherent Asset Management Plan and Capital Works Plan for the next 10 years, which makes absolute sense and will ensure prudent financial planning for the City of Vincent.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Emma Cole declared an Impartiality interest in Item 9.1.1 – No. 99 (Lot: 437; D/P: 2334) Hobart Street, Mount Hawthorn – Proposed Change of Use from Single House to Short Term Accommodation (Unlisted Use). The extent of her interest being that she is an acquaintance of the applicant through their children attending the same kindergarten class in 2015.

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 or comment from Members of the Public, being:**

Items 9.1.2 and 9.1.5.

- (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, 9.1.7, 9.2.2, 9.2.6, 13.1 and 14.1.

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

Nil.

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	Nil
Cr Harley (Deputy Mayor)	Nil
Cr Buckels	Nil
Cr Cole	Items 9.1.5 and 9.2.5
Cr Gontaszewski	Item 9.2.2
Cr Loden	Nil
Cr McDonald	On leave
Cr Murphy	Nil
Cr Topelberg	Item 9.1.3

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, 9.2.1, 9.2.3, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.4.1, 9.4.2, 9.5.1 and 9.5.2.

- (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 Buckels, Seconded Cr Murphy

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

Items 9.1.4, 9.2.1, 9.2.3, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.4.1, 9.4.2, 9.5.1 and 9.5.2.

CARRIED UNANIMOUSLY (8-0)

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

9.1.4 No. 7 (Lot: 1; D/P: 43011) Galwey Street, Leederville – Proposed Alterations and Three Storey Addition to Existing Single Dwelling

Ward:	North Ward	Date:	15 January 2016
Precinct:	Precinct 3 – Leederville	File Ref:	PR27785; 5.2015.396.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Marked up plans showing proposed versus required setbacks 5 – Overshadowing Diagram		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER 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 submitted by D & N Limond on behalf of the owner N J Limond, for the proposed Alterations including three storey addition to an Existing Single Dwelling at No. 7 (Lot: 1; D/P: 43011) Galwey Street, Leederville as shown on plans date stamped 5 January 2016, included as Attachment 2, subject to the following conditions:

1. **External Fixtures**

All external fixtures shall not be visually obtrusive from Galwey 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;

2. **Verge Trees**

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

3. **Stormwater**

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

4. **Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:**

4.1 **Revised Plan**

The applicant shall provide revised plans denoting the following:

4.1.1 **Visual Privacy**

All openings on the first and second levels comply with the privacy requirements of the Residential Design Codes to the satisfaction of the City; and

5. **Prior to occupation of the development, all privacy screening shall be installed to the satisfaction of the City.**

ADVICE NOTES:

1. With reference to Condition 3 above, please note that no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings;
2. A Road and Verge security bond for the sum of \$2000, 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;
3. 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 a request to erect scaffolding, site fencing etc. or if building materials is 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
4. Any new street/front wall, fence and gate within the Galwey 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 9.1.4

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

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

9.2.1 Proposed Traffic Management Improvement - Intersection of Angove and Woodville Streets, North Perth, Report No 2

Ward:	North	Date:	15 January 2016
Precinct:	Precinct 9 - North Perth Centre	File Ref:	SC1005, SC671
Attachments:	1 – Plan No 3236-CP-01A 2 – Alternative Proposal Plan No 3236-01B 3 – Consultation Summary		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the implementation of the traffic improvements at the intersection of Woodville Street and Angove Street estimated to cost \$35,000, as shown on Plan No 3236-CP-01B at Attachment 2; and
2. **ADVISES** the respondents of its decision.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.2.3 Little Walcott Street, North Perth Proposed Parking Restrictions

Ward:	South	Date:	15 January 2016
Precinct:	Precinct 10 - Norfolk	File Ref:	SC859; SC228
Attachments:	1 – Consultation Summary 2 – Proposed Plan No 3185-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of parking restrictions in Little Walcott Street, North Perth, as shown in the Summary of Comments (Attachment 1);
2. **APPROVES** the retention of 2P time restrictions 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday and 'No Stopping' on the south side of Little Walcott Street, North Perth, as shown on the attached Plan No 3185-PP-01 (Attachment 2); and
3. **ADVISES** the respondents of its decision.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

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

9.2.4 Galwey Street, Leederville Proposed Parking Restrictions

Ward:	North	Date:	15 January 2016
Precinct:	Precinct 3 – Leederville	File Ref:	SC1847, SC800
Attachments:	1 - Consultation Summary 2 - Plan No. 3261-PP-01		
Tabled Items:	Nil		
Reporting Officers:	A Brown, Engineering Technical Officer		
Responsible Officer	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of parking restrictions in Galwey Street, Leederville, as shown in Attachment 1;
2. **APPROVES** the introduction of 2P parking restrictions 8am to 5.30pm Monday to Friday, in Galwey Street, Leederville, Oxford to Scott Streets, as shown on attached Plan No 3261-PP-01 (Attachment 2); and
3. **ADVISES** the residents of Galwey Street, and other respondents of its decision.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.3.1 Investment Report as at 31 December 2015

Ward:	Both	Date:	15 January 2016
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer B Wong, A/Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 31 December 2015 as detailed in Attachment 1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.3.2 Authorisation of Expenditure for the Period 27 November to 31 December 2015

Ward:	Both	Date:	15 January 2015
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:	R Tang, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the list of accounts paid under Delegated Authority for the period 27 November to 31 December 2015 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 79125 - 79396	\$257,384.36
EFT Documents 1875 - 1887	\$5,207,987.46
Payroll	\$1,556,674.07

Direct Debits

- Lease Fees \$12,651.13
- Loan Repayment \$144,404.46
- Bank Fees and Charges \$9,413.35
- Credit Cards \$6,947.04

Total Direct Debit	\$173,415.98
Total Accounts Paid	\$7,195,461.87

COUNCIL DECISION ITEM 9.3.2

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.3.3 Financial Statements as at 30 November 2015

Ward:	Both	Date:	15 January 2016
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 30 November 2015 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.3.4 Financial Statements as at 31 December 2015

Ward:	Both	Date:	15 January 2016
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 December 2015 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.4

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.3.5 LATE ITEM: Investment Report as at 31 January 2016

Ward:	Both	Date:	2 February 2016
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, A/Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council NOTES the Investment Report for the month ended 31 January 2016 as detailed in Attachment 1.

COUNCIL DECISION ITEM 9.3.5

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.4.1 Vincent Accord Party Bus Registration Scheme Fee

Ward:	Both	Date:	25 January 2016
Precinct:	All	File Ref:	SC1479
Attachments:	1 – Map Showing Designated Party Bus Parking Bays		
Tabled Items:	Nil		
Reporting Officer:	K Allen, A/Coordinator Safer Vincent		
Responsible Officer:	R Hall, A/Director Community Services		

OFFICER RECOMMENDATION:

That Council;

1. **ABOLISHES** the Vincent Accord Party Bus Registration Scheme Fee;
2. **APPROVES** the removal of the dedicated Party Bus areas and the reinstatement of standard on road parking to comply with existing restrictions, where appropriate at the following locations as shown in Attachment 1;
 - 2.1 **Pick up/set down areas at:**
 - 2.1.1 **Frame Court Car Park, Leederville;**
 - 2.1.2 **Axford Park, Hobart Street, Mount Hawthorn;**
 - 2.1.3 **Newcastle Street (near Carr Place), Leederville; and**
 - 2.1.4 **Vincent Street, Leederville;**
 - 2.2 **Lay-over area at Cleaver Street, West Perth; and**
3. **ADVISES** the relevant Party Bus companies of its decision.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.4.2 Parking and Parking Facilities Local Law 2007 – Proposed Amendment to Parking Permits

Ward:	Both	Date:	21 January 2016
Precinct:	All	File Ref:	SC112
Attachments:	1 – Proposed Amendments to Parking and Parking Facilities 2007 Local Law 2 – Draft Amended – Parking and Parking Facilities Local Law 2007 (As Amended)		
Tabled Items:	Nil		
Reporting Officer:	S Butler, Manager Ranger & Community Safety Services		
Responsible Officer:	R Hall, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** in accordance with Section 3.12(3) of the *Local Government Act 1995*, the advertising of the City of Vincent’s proposal to amend the **Parking and Parking Facilities Local Law 2007** as shown in Attachment 2;
 - 1.1 Giving Statewide public notice stating that the local government proposes to make a local law the purpose and effect of which is summarized in the notice and for no less than six weeks;
 - 1.2 The proposed local law be available for inspection at the City’s Offices and a copy be provided to any person requesting it; and
 - 1.3 A copy of the proposed local law and a copy of the notice be provided to the Minister for Local Government and Communities; and
2. **NOTES** that the results of the public submissions will be presented to Council to consider.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.5.1 Council Recess Period 2015-2016 - Receiving of Reports

Ward:	-	Date:	1 February 2016
Precinct:	-	File Ref:	ADM0018
Attachments:	1 – Delegated Authority Reports		
Tabled Items:	-		
Reporting Officer:	Len Kosova Chief Executive Officer		
Responsible Officer:	Len Kosova Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council RECEIVES the items approved under Delegated Authority over the period 16 December 2015 to 29 January 2016, as shown in Attachment 1.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

9.5.2 Information Bulletin

Ward:	-	Date:	15 January 2016
Precinct:	-	File Ref:	-
Attachments:	1 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 15 January 2016 as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

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

**9.1.6 Metropolitan Region Scheme (MRS) Amendment 1199/41 – West Perth
Regeneration Precinct**

ITEM WITHDRAWN BY ADMINISTRATION.

9.1.2 No. 10 (Lot: 616; D/P: 25762) Richmond Street, North Perth – Proposed Alterations and Additions to Existing House and revoking of existing Legal Agreement which includes Removal of Caveat

Ward:	South	Date:	15 January 2016
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	PR25091; 5.2015.454.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification dated 8 October 2015 4 – Deed of Covenant dated 16 August 2001 5 – City’s Heritage Assessment		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council:

1. **AGREES TO** revoke the existing Legal Agreement between Brian Scott Dobbie and Kellie Anne Dobbie and the City of Vincent dated 9 August 2001 and allows the withdrawal of a caveat from the title of No. 10 (Lot: 616; D/P: 25762) Richmond Street, North Perth subject to the following conditions:
 - 1.1 all costs in this regard will be borne by B & K Dobbie; and
 - 1.2 the existing dwelling being placed on the City’s Municipal Heritage Inventory (MHI) as ‘Category B – Conservation Recommended’ before the caveat is withdrawn; and

2. In accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by B & K Dobbie as owners for the proposed Alterations and Additions to existing Single House at No. 10 (Lot: 616; D/P: 25762) Richmond Street, North Perth as shown on plans date stamped 8 October 2015 and amended plans dated 3 November 2015, included as Attachment 2, subject to the following conditions:
 - 2.1 **Boundary Wall**
 The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 12 Richmond 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;

 - 2.2 **External Fixtures**
 All external fixtures shall not be visually obtrusive from Richmond 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;

 - 2.3 **Verge Trees**
 No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning; and

 - 2.4 **Stormwater**
 All storm water produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City.

ADVICE NOTES:

1. With reference to Condition 2.1 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 Road and Verge security bond for the sum of \$1,000 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; and
 3. With reference to Condition 2.4, 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.
-

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)

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

9.1.5 No. 46 (Lot: 33; D/P: 1777) Richmond Street, North Perth – Proposed Demolition of Existing Single House and Construction of a Two Storey Single House

Ward:	South	Date:	15 January 2016
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	PR25135; 5.2015.290.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Marked up plans showing proposed versus required setbacks 4 – Plan showing possible manoeuvring for garage accessed from Right of Way		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER 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 submitted by Home Builders Advantage on behalf of the owner K J & S Osten, for the proposed demolition of an existing single House and the construction of a two storey single house at No. 46 (Lot: 33; D/P: 1777) Richmond Street, Leederville as shown on plans date stamped 29 June 2015, included as Attachment 2, for the following reasons:

1. The proposal does not comply with the City’s Policy No. 7.2.1 – Residential Design Elements Clause SADC 8. Setback of Garages and Carports which requires that vehicle access and parking to the site shall be provided from a Right of Way (ROW) where available; and
2. Providing vehicle access and onsite car parking from Richmond Street rather than the available ROW renders the development:
 - 2.1 Inconsistent with the objectives and intentions of the City of Vincent Planning Scheme 1 to ensure a high level of amenity of the locality; and
 - 2.2 Contrary to orderly and proper planning and the preservation of the amenity of the locality.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-8)

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

COUNCIL DECISION ITEM 9.1.5

ALTERNATIVE RECOMMENDATION:

Moved Cr Topelberg, Seconded Cr Buckels

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 submitted by Home Builders Advantage on behalf of the owner K J & S Osten, for the proposed demolition of an existing single House and the construction of a two storey single house at No. 46 (Lot: 33; D/P: 1777) Richmond Street, Leederville as shown on plans date stamped 29 June 2015, included as 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) wall facing No. 48 Richmond Street, North Perth in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork to the satisfaction of the City;

2. External Fixtures

All external fixtures shall not be visually obtrusive from Richmond 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. Verge Trees

The verge tree shall be retained and protected from any damage including unauthorised pruning and the verge tree shall not be removed;

4. Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:

4.1 The crossover shall have a maximum width of 3 metres to the satisfaction of the City;

4.2 Fencing adjacent the crossover and driveway shall comply with the City's Policy No. 2.2.7 – Visual Truncation to the satisfaction of the City;

4.3 All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and right of way (ROW) levels to the satisfaction of the City; and

4.4 Any new street/front wall, fence and gate within the Richmond 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 to the satisfaction of the City; and

5. Prior to occupation of the development, the following shall be completed to the satisfaction of the City:

5.1 Stormwater

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

ADVICE NOTES:

1. With reference to Condition 1 above, 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 5.1 above, please note that no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings;
3. A Road, ROW and Verge security bond for the sum of \$2000, 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;
4. 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 a request to erect scaffolding, site fencing etc. or if building materials is 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;
5. The ROW 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; and
6. Crossovers require a separate crossover application to be submitted to and approved by the City. The crossover shall be positioned and constructed with approved materials in accordance with the City's Standard Crossover Specifications, which also specifies that the portion of the existing footpath traversing the proposed crossover (subject to the footpath being in good condition as determined by the City), 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.

Debate ensued.

ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

Reason: Council was satisfied that justifiable reasons existed to exercise discretion and support this application, as outlined in Mr Osten's deputation and presentation to Council.

9.1.3 Nos. 115 – 117 (Lot: 302; D/P: 27241) Kalgoorlie Street, Mount Hawthorn – Proposed Alterations and Additions to Existing Single House to create Two Grouped Dwellings and Construction of a Third Grouped Dwelling

Ward:	North	Date:	15 January 2016
Precinct:	Precinct 1 – Mount Hawthorn	File Ref:	PR14395; 5.2015.460.1
Attachments:	<ul style="list-style-type: none"> 1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Marked up plans showing proposed versus required setbacks 5 – Subdivision Plan 6 – Heritage Impact Statement 		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER 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 submitted by D Evans on behalf of the owners D Evans & M Ranaldi, for the proposed alterations and additions to existing Single House to create two Grouped Dwellings and construction of a third Grouped Dwelling at Nos. 115-117 (Lot: 302; D/P: 27241) Kalgoorlie Street, Mount Hawthorn as shown on plans date stamped 4 February 2016, included as Attachment 2, subject to the following conditions:

1. **Legal Agreement**

The owners shall enter into a legal agreement secured by a caveat on the Certificate of Title, that requires that the external built form of the existing Heritage Building is retained and maintained to the satisfaction of the City;

2. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 201 Scarborough Beach Road and No. 113 Kalgoorlie 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;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Kalgoorlie 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. Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:

5.1 Revised Plans

The applicant shall provide revised plans denoting the following:

5.1.1 Visual Privacy

The windows for the bedroom and living area on the first floor located on the northern elevation of Dwelling 2 shall comply with the requirements of the Residential Design Codes in relation to privacy provisions to the satisfaction of the City to prevent overlooking of No. 201 Scarborough Beach Road, Mount Hawthorn; and

5.2 Landscape and Reticulation Plan

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

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

5.2.2 Areas to be irrigated or reticulated; and

5.2.3 The removal of redundant crossovers; and

6. Prior to occupation of the development, the following shall be completed to the satisfaction of the City:

6.1 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;

6.2 Stormwater

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

6.3 Landscape Plan and Verge Upgrade Plan

With reference to Condition 5.2, 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 applicant's expense.

ADVICE NOTES:

1. With reference to Condition 1, all costs associated with this condition shall be borne by the applicant/owners of the land;
2. With reference to Condition 2, 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;
3. With reference to Condition 5.2.3, all new crossovers to the development site are subject to a separate application to be approved by the City;

4. Any new street/front wall, fence and gate within the Kalgoorlie 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;
5. A Road and Verge security bond for the sum of \$2,000 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;
6. With reference to Condition 5.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
7. 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;
8. With reference to Condition 6.2, 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; and
9. 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.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

9.1.7 Amendment to Fees and Charges 2015/2016

Ward:	Both	Date:	22 January 2016
Precinct:	All	File Ref:	SC245
Attachments:	1 – Fees & Charges Comparison & Rationale 2 – Track Change Fees and Charges 2015/2016 (pages 7.3, 7.18 and 7.23-7.26 inclusive)		
Tabled Items:	Nil		
Reporting Officer:	S Smith, Coordinator Policy & Place		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY** in accordance with Section 6.16 of the *Local Government Act 1995* to adopt the amendments to the Schedule of Fees and Charges 2015/2016, as shown in Attachment 1; and
2. **ADVERTISES** the fees in Attachment 1 to be included in the City's schedule of Fees and Charges, pursuant to section 6.19 of the *Local Government Act 1995*.

COUNCIL DECISION ITEM 9.1.7

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

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

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

9.1.1 No. 99 (Lot: 437; D/P: 2334) Hobart Street, Mount Hawthorn – Proposed Change of Use from Single House to Short Term Accommodation (Unlisted Use)

Ward:	North	Date:	15 January 2016
Precinct:	Precinct 1 – Mount Hawthorn	File Ref:	PR14030; 5.2015.328.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Management Plan including Code of Conduct		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER 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 submitted by M Baynes on behalf of the owners S E & M L Baynes, for the proposed change of use from Single House to Short Term Accommodation (Unlisted Use) at No. 99 (Lot: 437; D/P: 2334) Hobart Street, Mount Hawthorn as shown on plans date stamped 1 July 2015, included as Attachment 2, subject to the following conditions:

1. Limitation on Use

1.1 Approval Period

The approval for Short Term Accommodation is for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use;

1.2 Maximum Accommodation

There shall be no more than four adults and four children (related) accommodated at the property at any one time;

1.3 Maximum Stay

Guests are not permitted to stay at the subject property for a continuous period longer than six months within any 12 month period; and

1.4 Management Plan

The short term accommodation shall operate in accordance with the Management Plan submitted with this application dated 21 July 2015 to the satisfaction of the City;

2. Code of Conduct

The Code of Conduct dated 21 July 2015 is to be displayed in a prominent location in the house to the satisfaction of the City and be provided to all prospective tenants;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from Hobart Street, Edinboro 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; and

4. **Verge Trees**

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

ADVICE NOTES:

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; and
 2. With reference to Condition 1.2 this property may not be used by more than six unrelated persons.
-

COUNCIL DECISION ITEM 9.1.1

Moved Cr Buckels, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-1)

For: Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Gontaszewski,
Cr Loden, Cr Murphy and Cr Topelberg

Against: Cr Harley

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

9.2.2 Baker Avenue, Perth Proposed Parking Changes

Ward:	South	Date:	15 January 2016
Precinct:	Precinct 14 – Forrest Precinct 13 - Beaufort	File Ref:	SC681, SC423
Attachments:	1 – Plan No 3262-CP-01A 2 – Plan No 3262-CP-01B		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer	R Lotznicker, Director Technical Services		

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the implementation of the angle parking in Baker Avenue estimated to cost \$75,000, to be funded from the Cash in lieu for Parking Reserve as shown on attached Plan No 3262-CP-01A (Attachment 1);
2. **DEFERS** the introduction of paid parking in Baker Avenue and reviews the matter in 12 months' time; and
3. **ADVISES** the respondents of its decision.

Moved Cr Gontaszewski, Seconded Cr Buckels

That the recommendation be adopted.

PROPOSED AMENDMENT 1

Moved Cr Gontaszewski, Seconded Cr Harley

That Recommendation 1 be amended as follows:

- “1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the implementation of the angle parking in Baker Avenue estimated to cost ~~\$75,000~~, \$105,000 to be funded from the Cash in lieu for Parking Reserve as shown on attached Plan No ~~3262-CP-01A~~ 3262-CP-01B (Attachment 4 2);”

Debate ensued.

AMENDMENT 1 PUT AND CARRIED (7-1)

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

Against: Cr Buckels

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

Debate ensued.

PROPOSED AMENDMENT 2

Moved Cr Buckels, Seconded Cr Loden

That Recommendation 2 be deleted and the remaining Recommendation be renumbered.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (8-0)

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

Reason: Deleting (and therefore not adopting) Recommendation 2 has the same effect as deferring or not introducing the paid parking referred to in that Recommendation.

Debate ensued.

PROPOSED AMENDMENT 3

Moved Cr Harley, Seconded Cr Gontaszewski

That Recommendation 1 be amended as follows:

“That Council:

1. **APPROVES BY ABSOLUTE MAJORITY, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the implementation of the angle parking in Baker Avenue estimated to cost ~~\$75,000~~, \$130,000 to be funded from the Cash in lieu for Parking Reserve as shown on attached Plan No ~~3262-CP-04A~~ 3262-CP-01C (Attachment 4 3);”**

Debate ensued.

AMENDMENT 3 PUT AND LOST (3-5)

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

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

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)

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

COUNCIL DECISION ITEM 9.2.2

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the implementation of the angle parking in Baker Avenue estimated to cost \$105,000 to be funded from the Cash in lieu for Parking Reserve as shown on attached Plan No 3262-CP-01B (Attachment 2); and**
 2. **ADVISES the respondents of its decision.**
-

9.2.5 Salisbury Street, Leederville Proposed Parking Restrictions

Ward:	North	Date:	15 January 2016
Precinct:	Precinct 3 – Leederville	File Ref:	SC935, SC1201
Attachments:	1 – Consultation Summary 2 – Plan No 3271-PP-01 3 – Plan No 3271-PP-02		
Tabled Items:	Nil		
Reporting Officers:	A Brown, Engineering Technical Officer R Lotznicker, Director Technical Services		
Responsible Officer	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of parking restrictions in Salisbury Street, Leederville, as shown in Attachment 1;
2. **APPROVES** the introduction of 2P parking restrictions 8am to 5.30pm Monday to Friday, in Salisbury Street, Leederville, Oxford to Shakespeare Streets, as shown on attached Plan No 3271-PP-01 (Attachment 2); and
3. **ADVISES** the residents of Salisbury Street, and other respondents, of its decision.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

PROPOSED AMENDMENT:

Moved Cr Topelberg, Seconded Cr Loden

That a new Recommendation 3 be inserted as follows and the remaining Recommendation be renumbered:

“3. CONSULTS with residents east of Shakespeare Street regarding implementing 2P parking restrictions 8am to 5.30pm Monday to Friday between Shakespeare Street and Loftus Street as shown on attached Plan No 3271-PP-02 (Attachment 3); and”

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)

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

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)

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

COUNCIL DECISION ITEM 9.2.5

That Council:

1. **NOTES** the comments received regarding the implementation of parking restrictions in Salisbury Street, Leederville, as shown in Attachment 1;
 2. **APPROVES** the introduction of 2P parking restrictions 8am to 5.30pm Monday to Friday, in Salisbury Street, Leederville, Oxford to Shakespeare Streets, as shown on attached Plan No 3271-PP-01 (Attachment 2);
 3. **CONSULTS** with residents east of Shakespeare Street regarding implementing 2P parking restrictions 8am to 5.30pm Monday to Friday between Shakespeare Street and Loftus Street as shown on attached Plan No 3271-PP-02 (Attachment 3); and
 4. **ADVISES** the residents of Salisbury Street, and other respondents, of its decision.
-

9.2.6 Vincent Greening Plan Proposed 2016 Local Plant Sales

Ward:	Both	Date:	15 January 2016
Precinct:	All	File Ref:	SC1293
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	S Hill, Project Officer Parks and Environment		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council;

1. **APPROVES BY ABSOLUTE MAJORITY to adopt the additions to the Schedule of Fees and Charges 2015/16 as shown below;**

Item	Sale Price
Native Tube Stock (various species)	\$1.00
Kangaroo Paws (130mm pots)	\$5.00
Native Fertiliser (500g tub)	\$5.00

2. **NOTES that Local Plant Sales will be held on Saturday 16 April 2016 and 6 August 2016 commencing at 8.00 am outside the City's Library and Local History Centre; and**
3. **ADVERTISES and PROMOTES the sales to the Vincent community.**

COUNCIL DECISION ITEM 9.2.6

Moved Cr Buckels, Seconded Cr Loden

That the recommendation be adopted.

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

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

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Councillor Dan Loden – Request the Investigation into the Introduction of 360 Litre Recycling Mobile Garbage Bins to Residential properties

That Council REQUESTS the Chief Executive Officer to investigate and provide a report to Council by May 2016 on the implications/benefits of introducing a program to allow residents to exchange their 240L recycling Mobile Garbage Bin for a 360L recycling Mobile Garbage Bin in exchange for either a reduction in frequency of domestic waste collection (fortnightly collections) or being provided with a reduced size of domestic rubbish bin from the existing 240L to 140L Mobile Garbage Bin.

COUNCIL DECISION ITEM 10.1

Moved Cr Loden, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

10.2 NOTICE OF MOTION: Councillor Joshua Topelberg – Request To Consider Relocation Of Leederville Taxi Rank

That Council REQUESTS the Chief Executive Officer to provide a report to Council by May 2016 outlining options and implications for removing or relocating the Leederville taxi rank to another location in the Leederville town centre.

COUNCIL DECISION ITEM 10.2

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

10.3 NOTICE OF MOTION: Mayor John Carey – Request Review of City of Vincent Membership to the WA Local Government Association (WALGA)

That Council REQUESTS the Chief Executive Officer to provide a report to Council by May 2016 reviewing the costs, benefits, advantages and disadvantages of the City of Vincent continuing to be a member of the Western Australian Local Government Association (WALGA).

COUNCIL DECISION ITEM 10.3

Moved Cr Harley, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

10.4 NOTICE OF MOTION: Councillor Joshua Topelberg – Interpretation of application of Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings

That Council **REQUIRES** Administration to apply the provisions of Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings in relation to rear setbacks to any new development where multiple dwellings are the predominant land use by floor area.

COUNCIL DECISION ITEM 10.3

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

The Presiding Member Mayor Carey departed the Chamber at 7:30pm. Deputy Mayor Cr Harley assumed the Chair.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(The Presiding Member, Mayor Carey was absent from the Chamber and did not vote.)
(Cr McDonald was on approved leave of absence for the Meeting.)

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (without discussion)

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

13.1 URGENT BUSINESS: Appointment of an Alternate Member for Mindarie Regional Council – 18 February 2016

Ward:	-	Date:	9 February 2016
Precinct:	-	File Ref:	SC1161
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	Len Kosova, Chief Executive Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council APPROVES BY AN ABSOLUTE MAJORITY the appointment of Councillor to be its Alternate Member (Deputy) for the Mindarie Regional Council Meeting to be held on 18 February 2016, due to the unavailability of the Council's appointed Member, Mayor John Carey.

Moved Cr Topelberg, Seconded Cr Buckels

Debate ensued.

The Presiding Member, Mayor Carey returned to the Chamber at 7.32pm. Deputy Mayor Cr Harley vacated the Chair.

Debate ensued.

The Presiding Member, Mayor Carey called for a nomination and Councillor Jimmy Murphy nominated.

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

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

COUNCIL DECISION ITEM 13.1

That Council APPROVES BY AN ABSOLUTE MAJORITY the appointment of Councillor Jimmy Murphy to be its Alternate Member (Deputy) for the Mindarie Regional Council Meeting to be held on 18 February 2016, due to the unavailability of the Council's appointed Member, Mayor John Carey.

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

PROCEDURAL MOTION

At 7:33pm Moved Cr Loden, Seconded Cr Gontaszewski

Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports relating to Item 14.1.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

There were no members of the public present.

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 Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
Geoff Garside	Manager Financial Services
Ryan Hall	A/Director Community Services
Anita Radici	A/Executive Assistant, Minutes Secretary

14.1 CONFIDENTIAL REPORT: Agreement for the City to Undertake the Care, Control and Management of Car Park Located at 375-393 William Street, Perth

Ward:	South	Date:	22 January 2016
Precinct:	Beaufort (13)	File Ref:	PR54093
Attachments:	Confidential – Aerial Plan of Car Park 375 William Street Perth		
Tabled Items:	Nil		
Reporting Officer:	S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	R Hall, Acting Director Community Services		

Moved Cr Cole, Seconded Cr Loden

COUNCIL DECISION ITEM 14.1

That Council:

1. DETERMINES pursuant to Clause 1.5 (4) of the City of Vincent's Parking and Parking Facilities Local Law 2007, the car park located at 375-393 William Street, Perth be under the care, control and management of the City;
2. AUTHORISES the Chief Executive Officer to finalise negotiations and approve the Agreement between the City of Vincent and Lukman Enterprise Pty Ltd and Lime Grove Pty Ltd to give effect to clause 1. above and in accordance with the following principles:
 - 2.1 50/50 split of costs and revenue;
 - 2.2 Revenue from infringements exclusively for City's benefit; and
 - 2.3 physical maintenance of car park itself will be responsibility of the owners Lukman Enterprises Pty Ltd and Lime Grove Pty Ltd;
3. APPROVES BY AN ABSOLUTE MAJORITY:
 - 3.1 Pursuant to section 6.8.1(b) of the Local Government Act 1995 the:
 - Capital expenditure of \$9,957 to purchase and install two parking machines and signage;
 - Operational expenditure of \$1,260; and
 - Operational revenue of \$54,500;
 for the car park at 375-393 William Street, Perth in the current financial year; and
 - 3.2 Pursuant to section 6.16(3)(b) of the Local Government Act 1995 to amend the City's Fees and Charges to include the parking fee of \$3.70 per hour from 8am to 10pm, with a 2P restriction between 8am and 7pm, 7 days a week for the Car Park at 375-393 William Street, Perth;
4. ADVERTISES the fees for the Car Park at 375-393 William Street, Perth to be included to be included in the City's Fees and Charges, pursuant to section 6.19 of the *Local Government Act 1995*;
5. NOTES the ongoing cost and revenue will be incorporated into annual operating Budgets; and
6. REVIEWS the City's position in relation to the Agreement no later than 5 years from the date of the Agreement to ensure that the agreement does not prejudice future development options of the site.

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

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

PROCEDURAL MOTION

At 7:35pm **Moved** Cr Cole, **Seconded** Cr Loden

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 7:35pm 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 Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
Geoff Garside	Manager Financial Services
Ryan Hall	A/Director Community Services
Anita Radici	A/Executive Assistant, Minutes Secretary

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 9 February 2016.

Signed: Mayor John Carey.

Dated this day of 2016.