



**CITY OF VINCENT**

**ORDINARY  
COUNCIL MEETING**

**Minutes**

**5 MAY 2015**

**ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY**

This document is available in other formats and languages.

**INDEX**  
**(5 MAY 2015)**

<b>ITEM</b>	<b>REPORT DESCRIPTION</b>	<b>PAGE</b>
<b>9.1 PLANNING SERVICES</b>		
9.1.1	No. 139 (Lots: 6 and 7 D/P 1346) Richmond Street, Leederville – Proposed Demolition of Existing Single House and Construction of Eight Multiple Dwellings (5.2015.65.1; PR25053)	29
9.1.2	No. 71 (Lot: 200; D/P 92012) Edward Street, Perth – Demolition of Existing Slumping Building and Construction of New Slumping Building (Hanson Concrete Batching Plant) (5.2014.704.1; PR52145)	48
9.1.3	No. 49 (Lot 86; D/P 6064) Milton Street, Mount Hawthorn – Proposed Demolition of Existing Single House and Construction of Four Two-Storey Grouped Dwellings (5.2014.645.1; PR50115)	44
9.1.4	No. 45 (Lot: 770 D/P: 301693) Cowle Street, West Perth – Proposed Demolition of Existing Single House and Construction of Four Storey Development (PRO3685, 5.2014.438.1)	23
9.1.5	Nos. 454 – 456 (Lot: 8; D/P: 1843) Fitzgerald Street, North Perth – Proposed Construction of Three Storey Commercial Building including Basement Car Parking (5.2014.689.1; PR53516)	33
9.1.6	No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development Under Construction (5.2015.42.1; PR19010)	22
9.1.7	Amendment No. 40 to Town Planning Scheme No. 1 – Prohibition of Multiple Dwellings in Mount Hawthorn (SC1988)	28
9.1.8	LATE ITEM: No. 174 (Lot: 4 D/P: 10539) Loftus Street, North Perth – Proposed Demolition of an Existing Single House and Construction of Nine (9) Multiple Dwellings and associated Car Parking (5.2014.609.1; PR14622)	16
<b>9.2 TECHNICAL SERVICES</b>		
9.2.1	Leederville Town Centre Enhancement Project – Newcastle Street and Carr Place Intersection Proposed Modifications – Further Report (SC1669)	55
9.2.2	<del>State Underground Power Program – Brookman Street and Moir Street Heritage Precinct Underground Power Project – Progress Report No. 4 (SC201)</del> <b>ITEM WITHDRAWN BY ADMINISTRATION</b>	14
9.2.3	Proposed Amendment to Section 5 “Guidelines and Policy Procedures for Rights of Way, Policy No. 2.2.8” - Naming of Rights of Way (ADM0023)	57
9.2.4	Proposed Fitzgerald Street Peak Period Bus Lanes (SC976, SC228)	58
9.2.5	Urgent Works: Air Conditioning Replacement – East Perth Football Club, Medibank Stadium (Leederville Oval) (SC641) <b>[Absolute Majority Decision Required]</b>	59
9.2.6	Vincent Greening Plan – 2015 Garden Competition (SC17)	8

**INDEX  
(5 MAY 2015)**

<b>ITEM</b>	<b>REPORT DESCRIPTION</b>	<b>PAGE</b>
<b>9.3</b>	<b>CORPORATE SERVICES</b>	
9.3.1	Investment Report as at 31 March 2015 (SC1530)	9
9.3.2	Authorisation of Expenditure for the Period 1 to 31 March 2015 (SC347)	54
9.3.3	Financial Statements as at 31 March 2015 (SC357)	10
9.3.4	Kidz Galore Request for Lease Extension - No. 13 (Lot 9) Haynes Street, North Perth (SC590)	52
9.3.5	Differential Rating Strategy 2015/16 (SC245)	53
<b>9.4</b>	<b>COMMUNITY SERVICES</b>	
9.4.1	<del>Proposed Amendment Policy No. 3.9.3 Parking Permits (SC2039)</del> <b>ITEM WITHDRAWN BY ADMINISTRATION</b>	15
9.4.2	Project Update – Mary Street Piazza (SC2075)	21
<b>9.5</b>	<b>CHIEF EXECUTIVE OFFICER</b>	
9.5.1	Use of the Council's Common Seal (SC406)	11
9.5.2	Strategic Plan 2013-2023 – Progress Report for the Period 1 January 2015 to 31 March 2015	12
9.5.3	Information Bulletin	13
<b>10.</b>	<b>COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	
	Nil	60
<b>11.</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)</b>	
	Nil	60
<b>12.</b>	<b>REPRESENTATION ON COMMITTEES AND PUBLIC BODIES</b>	
	Nil	60
<b>13.</b>	<b>URGENT BUSINESS</b>	
	Nil	60
<b>14.</b>	<b>CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“Behind Closed Doors”)</b>	
	Nil	60
<b>15.</b>	<b>CLOSURE</b>	60

## 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 5 May 2015, commencing at 6.00pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6.02pm 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:

Nil.

#### (b) Members on Approved Leave of Absence:

2.1 Cr John Pintabona on approved leave of absence.

#### (c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward (arrived 6.13pm)
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward (arrived 6.03pm)
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Rob Boardman	Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary
<u>Media</u>	
Sophie Gabrielle	Journalist – <i>"The Guardian Express"</i> (until 7.05. pm)

Approximately 23 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. Sandra Bransby of 4 Edison Way, Dianella – Item 9.1.8

- It has taken some months to get to the finished product and have achieved a good design outcome, in addition to now considering the increased rear setback.

*The Presiding Member Mayor Carey thanked Ms Bransby for her comments.*

2. Dean Cracknell of Beaufort Street, Network – Item 9.4.2

- Thanked the Council Members and City Officers for all their help and support on Beaufort Street over the last few years and have received great feedback from businesses and residents.
- Spoke in support of the Mary Street Piazza and the Beaufort Street Network strongly supported the Officer's Recommendation.

*The Presiding Member Mayor Carey thanked Mr Cracknell for his comments.*

3. Ian Mercer of 106 Broome Street, Highgate – Item 9.1.6

- Did not support the City of Vincent heritage guidelines as published on the website and in particular the conservation of older buildings. The development in question is already oversized and surely is big and bulky enough.

*The Presiding Member Mayor Carey thanked Mr Mercer for his comments.*

4. Joan Wilson of 30 Anzac Road, Mount Hawthorn – Item 9.1.7

- The area that she currently lives in is not listed in the Amendment as this area falls into the Leederville Precinct even though her property is in Mount Hawthorn.

*The Presiding Member Mayor Carey thanked Ms Wilson for her comments.*

5. Phil Zyotti of 422 Canning Highway, Attadale – Item 9.1.4

- Represented the landowners of 45 Cowle Street, West Perth.
- Supported the Officer's Recommendation for approval.

*The Presiding Member Mayor Carey thanked Mr Zyotti for his comments.*

6. David Rouse of 134 Richmond Street, Leederville – Item 9.1.1

- The front units extend the width of the complex and therefore provide some shielding effect. However with the width of the laneway being as it is and with the required setbacks when they are imposed, the viewing angle down the side of the complex may therefore open up more compared to a standard driveway.

*The Presiding Member Mayor Carey thanked Mr Rouse for his comments.*

7. Amanda Bruce of 145 Richmond Street, Leederville – Item 9.1.1

- The setback variations are considered to be excessive.

*The Presiding Member Mayor Carey thanked Ms Bruce for her comments.*

8. Ken Smith of 71 Cowle Street, West Perth – Item 9.1.4

- The current development still does not comply with Residential Design Codes - it has 4 compliant elements and 11 non-compliant elements and has not been granted design excellence.

*The Presiding Member Mayor Carey thanked Mr Smith for his/her comments.*

9. Richard Morup of 50 Sasse Avenue, Mount Hawthorn – Item 9.1.7

- Thanked the Mayor, Council Members and the City's Officers for their support throughout this process.

*The Presiding Member Mayor Carey thanked Mr Morup for his comments.*

10. Louise Wilson of 64 Brady Street, Mount Hawthorn – Items 9.1.1, 9.1.3, 9.1.7, 9.1.8, 9.3.2 and 9.3.5

- The community is opposed to over-development but there are a number of planning applications that proposed yet more over development.
- Mount Hawthorn public consultation clearly did not consult Mount Hawthorn ratepayers in general, just a select few. *“why is this?”*
- *Are the significant costs of planning consultations funded entirely by the developers or are private citizens subsidising these?*
- The City seems to have forgotten that its main duty is to provide services to its residents. Comparisons to industry standards have no place on the agenda.
- *“Does value of portfolio managed or resident’s satisfaction play any part in the remuneration of City employees or officials?”*
- *“Where is the fees and charges schedule referred to in the budget commentary?”*
- *“Why doesn’t the City slug profit driven developers via charges rather than ratepayers via minimum rates?”*
- It seems that if Planning Services want more staff then the developers should pay for these and not private ratepayers.
- A lot of money was spent on mini excavators last month. I was advised that there are no experts within the City, however when driving down Oxford Street during the recent bike lane developments I noticed a mini digger with City of Vincent on the side of it. *“Please explain this discrepancy?”*
- \$30,000 has been spent on handyman services this month. *“How many subcontractors does it take to change a light bulb and at what cost to Vincent ratepayers?”*

*The Presiding Member Mayor Carey thanked Ms Wilson for her comments.*

11. Kevin Di Prinzio of 2 the Boulevarde, Mount Hawthorn – Item 9.1.7

- Did not support the current proposal.

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

12. Dudley Maier of 51 Chatsworth Road, Highgate – Item 9.4.2 and 9.3.5
- Supported the Mary Street Piazza. The Community has not been consulted about the plan, there was consultation about the concept of the Piazza but not on this particular plan.
  - The bigger issue concerns the turning circle - the Council last September asked the staff to investigate the feasibility of the turning circle, the idea being that you could possibly close the street to traffic.
  - With regards to Differential Rates, there is no case presented to charge business's more.

*The Presiding Member Mayor Carey thanked Mr Maier for his comments.*

13. Debbie Saunders of 150 Oxford Street, Leederville – Items 9.3.5, 9.3.2 and 9.2.1
- With regards to the Differential Rates, it is not the landlord's that pay the rates it is the Commercial Tenants so you are really only hurting the residents who live in Vincent and not affecting the landlords.
  - Regarding the expenditure, "*Council paying for an overseas person who obviously works at the Council visa and is that standard practice? And why has that been done when you have people that live, who here are obviously looking for work?*"
  - Item 9.2.1, "*I have concerns that after it has been out for consultation changes have been made and it is not going out for consultation again.*"
  - "*Why is there no directional traffic flow noted on the plans, arrows etc. to show which way traffic can go and I ask if you are coming from Carr Place are you able to turn right onto Newcastle Street?*"
  - "*Are these plans drawn to scale?*"
  - "*The Community Consultation for Sale of the Vincent Street properties, I put a consultation in but was not included in the report and I received a response saying it was received?*"

*The Presiding Member Mayor Carey thanked Ms Saunders for her comments.*

14. Martin Richardson of 57 Federation Street, Mount Hawthorn – Item 9.1.7
- There were 280 submissions in favour from the Community for this and the Community has sent a message that Yes we do need development.

*The Presiding Member Mayor Carey thanked Mr Richards for his comments.*

There being no further speakers, Public Question Time closed at approximately 6.30 pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Mayor John Carey requesting leave of absence from 6 May 2015 – 10 May 2015 due to personal commitments.
- 4.2 Cr Laine McDonald requested leave of absence for Tuesday 21 July 2015 due to personal commitments.

**Moved Cr Harley, Seconded Cr Topelberg**

**That Mayor Carey and Cr McDonald's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Pintabona was on approved leave of absence.)**

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

- 6.1 Minutes of the Ordinary Meeting of Council held on 7 April 2015.

**Moved Cr Buckels, Seconded Cr Harley**

**That the Minutes of the Ordinary Meeting of Council held on 7 April 2015 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Pintabona was on approved leave of absence.)**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

The Presiding Member Mayor John Carey made the following announcements;

**7.1 9 May 2015**

On the 9 May 2015 the City of Vincent will be celebrating its 20 years as a Council. Despite the Local Government Reform process, I am pleased to say that we have made it to 20 years and particularly now that we are going through a key reform process.

We will be organising a function with invited guests and community members to thank them for the support and contribution over the past 20 years. At this stage we're aiming to hold the function in June.

**7.2 Mount Hawthorn Festival**

Congratulations to our Place Making team, the Mount Hawthorn Hub and Jimmy Murphy for the highly successful and inaugural Mount Hawthorn Streets and Laneway Festival, it had a really lovely feel to it.

## 8. DECLARATIONS OF INTERESTS

- 8.1 Cr Topelberg declared an Impartiality interest in Item 9.1.4 - No. 45 (Lot: 770 D/P: 301693) Cowle Street, West Perth – Proposed Demolition of Existing Single House and Construction of Four Storey Development. The extent of his interest being that in his role as an Elected Member he met twice with the architect in January and February of this year and on both occasions the City's Director of Planning was present.
- 8.2 Cr Topelberg declared an Impartiality interest in Item 9.1.6 - No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development Under Construction. The extent of his interest being that in 2014 he undertook renovations at his residence. His builder hired scaffolding from the applicant at full commercial rates and he was invoiced accordingly.
- 8.3 Cr Topelberg declared an Impartiality interest in Item 9.3.4 - Kidz Galore Request for Lease Extension - No. 13 (Lot 9) Haynes Street, North Perth. The extent of his interest being that his son formerly attended this childcare facility.
- 8.4 Cr Cole declared an Impartiality interest in Item 9.1.7 - Amendment No. 40 to Town Planning Scheme No. 1 – Prohibition of Multiple Dwellings in Mount Hawthorn. The extent of her interest being that she is an owner/occupier of an R30 zoned property in Mount Hawthorn.
- 8.5 Cr Wilcox declared an Impartiality interest in Item 9.1.7 - Amendment No. 40 to Town Planning Scheme No. 1 – Prohibition of Multiple Dwellings in Mount Hawthorn. The extent of her interest being that she owns a property in Mount Hawthorn.
- 8.6 Cr Wilcox declared an Impartiality interest in Item 9.3.4 - Kidz Galore Request for Lease Extension - No. 13 (Lot 9) Haynes Street, North Perth. The extent of her interest being that her child attends this facility.

## 9. REPORTS

As listed in the Index.

The Presiding Member, Mayor John Carey, requested that the Chief Executive Officer advise the meeting of:

- (a) **Items which are the subject of a question or comment from Members of the Public and the following was advised:**

Items 9.1.1, 9.1.3 9.1.4, 9.1.6, 9.1.7, 9.1.8, 9.2.1, 9.3.2, 9.3.5 & 9.4.2

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

Item 9.2.5

- (c) **Items which Council Members/Officers have declared a financial or proximity interest and the following was advised:**

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:**

<b>COUNCIL MEMBER</b>	<b>ITEMS TO BE DISCUSSED</b>
Mayor John Carey	Nil
Cr Harley (Deputy Mayor)	9.3.2
Cr Buckels	Nil
Cr Cole	9.2.3 and 9.2.4
Cr McDonald	Nil
Cr Peart	9.1.2
Cr Pintabona	On approved leave of absence
Cr Topelberg	9.1.5 and 9.3.4
Cr Wilcox	Nil

The Presiding Member, Mayor John Carey, requested that the Chief Executive Officer advise the meeting of:

- (e) **Unopposed items which will be moved “En Bloc” and the following was advised:**

Items 9.2.6, 9.3.1, 9.3.3, 9.5.1, 9.5.2 and 9.5.3

- (f) **Confidential Reports which will be considered behind closed doors and the following was advised:**

Nil.

**ITEMS APPROVED “EN BLOC”:**

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

**Moved Cr Cole, Seconded Cr McDonald**

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

**Items 9.2.6, 9.3.1, 9.3.3, 9.5.1, 9.5.2 and 9.5.3**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Pintabona was on approved leave of absence.)**

**9.2.6 Vincent Greening Plan - 2015 Garden Competition**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC17
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES** that the 'City of Vincent Garden Awards Advisory Group' met on 8 April 2015 to discuss the format and to finalise dates for the 2015 City of Vincent Garden Competition;
2. **APPROVES** the;
  - 2.1 continuation of the Garden Competition in 2015 as outlined in the report, with entries to close on 2 October 2015, and the final judging to be undertaken on 10 October 2015;
  - 2.2 final judging panel shall comprising of the Deputy Mayor Cr Roslyn Harley, Cr John Pintabona and Cr Laine McDonald, Director Technical Services, Manager Parks and Property Services, Adele Gismondi (Water Corporation) and Community Judge Genevieve Mifsud (winner 2014 Best Rear Garden);
  - 2.3 removal of all existing Best Kept Street/Part Street signage awarded prior to 2012 and any new signage for Best Kept Street/Part Street being removed after two years;
3. **NOTES** that Administration will arrange a Vincent Greening Garden Awards Function to be held at the City of Vincent Administration and Civic Centre on 11 November 2015 commencing at 6.00pm with invitees including competition entrants/partners and sponsors.

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**COUNCIL DECISION ITEM 9.2.6**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

(Cr Pintabona was on approved leave of absence.)

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**9.3.1 Investment Report as at 31 March 2015**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1530
<b>Attachments:</b>	<a href="#">1</a> – Investment Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

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

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**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

**(Cr Pintabona was on approved leave of absence.)**

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**9.3.3 Financial Statements as at 31 March 2015**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">1</a> – Financial Reports		
<b>Tabled Items:</b>	<a href="#">2</a> – Significant Accounting Policies		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

**(Cr Pintabona was on approved leave of absence.)**

**9.5.1 Use of the Council's Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	SC406
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council **NOTES** the use of the Council's Common Seal on the documents listed in this report, for the month of April 2015.

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**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

(Cr Pintabona was on approved leave of absence.)

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**9.5.2 Strategic Plan 2013-2023 – Progress Report for the Period  
1 January 2015 – 31 March 2015**

<b>Ward:</b>	-	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">1</a> – Strategic Plan Quarterly Progress Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council RECEIVES the progress report on the Strategic Community Plan 2013 2023 (SCP) for the period 1 January 2015 – 31 March 2015 (Attachment 1).

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**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

(Cr Pintabona was on approved leave of absence.)

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**9.5.3 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">1</a> – Information Bulletin		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council RECEIVES the Information Bulletin dated 17 April 2015 as distributed with the Agenda.

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**COUNCIL DECISION ITEM 9.5.3**

**Moved Cr Cole, Seconded Cr McDonald**

That the recommendation be adopted.

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

(Cr Pintabona was on approved leave of absence.)

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**9.2.2 State Underground Power Program – Brookman Street and Moir Street  
Heritage Precinct Underground Power Project – Progress Report No. 4**

**ITEM WITHDRAWN BY ADMINISTRATION.**

**9.4.1 Proposed Amendment – Policy No. 3.9.3 Parking Permits**

**ITEM WITHDRAWN BY ADMINISTRATION.**

**9.1.8 LATE ITEM: No. 174 (Lot: 4 D/P: 10539) Loftus Street, North Perth – Proposed Demolition of an Existing Single House and Construction of Nine (9) Multiple Dwellings and associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	1 May 2015
<b>Precinct:</b>	Precinct 6 – Smith’s Lake	<b>File Ref:</b>	5.2014.609.1; PR14622
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Car Parking and Bicycle Table <a href="#">4</a> – Design Advisory Committee Comments <a href="#">5</a> – Applicant’s Report <a href="#">6</a> – Marked up plans showing proposed versus required setbacks <a href="#">7</a> – Previous Plans dated 18 February 2015		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Wright, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning 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 Sandra Bransby on behalf of the owner West Leederville Investments Pty Ltd, for the proposed Demolition of an Existing Single House and Construction of a Three Storey Development Comprising of Nine (9) Two-bedroom Multiple Dwellings and Associated Car Parking at No. 174 (Lot: 4 D/P: 10539) Loftus Street, North Perth as shown on plans date stamped 21 April 2015, included as Attachment 2, subject to the following conditions:

**1. Demolition**

A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;

**2. Car Parking and Accessways**

**2.1 A minimum of seven (7) resident and two (2) 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 bays are 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; and**

**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 Loftus 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. **Existing Verge Tree**

The existing verge tree shall not be removed. The verge tree 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 **Section 70A Notification under the *Transfer of Land Act 1893***

The owner shall agree in writing to:

5.1.1 A notification being lodged under section 70A of the *Transfer of Land Act 1893* notifying proprietors and/or (prospective) purchasers of the property; and

5.1.2 A notice being placed on the Sales Contract to alert prospective purchasers of the following:

- (a) The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling;

5.2 **Acoustic Report**

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

5.3 **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:

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

5.3.2 Areas to be irrigated or reticulated; and

5.3.3 The removal of the redundant crossover;

5.4 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) is to be provided to and approved by the City;

5.5 **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, 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;

**5.6 Waste Management**

**5.6.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;**

**5.6.2 A bin store area of sufficient size to accommodate the City's bin requirements shall be provided, to the satisfaction of the City; and**

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

**6. PRIOR TO OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:**

**6.1 Clothes Drying Facility**

**Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes of WA 2013;**

**6.2 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;**

**6.3 Stormwater**

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

**6.4 Acoustic Report Certification**

**In relation to condition 5.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;**

**6.5 Section 70A Notification under the *Transfer of Land Act 1893* lodgement and registration**

**In relation to condition 5.1, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;**

**6.6 Landscape Plan and Verge Upgrade Plan**

**In relation to condition 5.3, 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;**

**6.7 Bicycle Bays**

**A minimum of three (3) resident bays and one (1) visitor bay is to be provided on-site. 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**

**6.8 Vehicular Entry Gate**

**The proposed vehicular entry gate shall be at least 50% permeable.**

**ADVICE NOTES:**

1. With regard 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;
2. With reference to condition 2.6 the new crossover to the development site is subject to a separate application to be approved by the City;
3. A Road and Verge security bond for the sum of \$3000 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
4. With regard to condition 5.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
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 1.5m) 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's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate; and

6. With reference to condition 6.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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.
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**COUNCIL DECISION ITEM 9.1.8**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Peart, Seconded Cr Harley**

That a new condition 7 be inserted as follows:

7. The lounge room window on the ground floor fronting Loftus Street be extended down to finished floor level

**AMENDMENT PUT AND LOST (2-6)**

**For:** Cr Harley and Cr Peart

**Against:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr McDonald, Cr Topelberg and Cr Wilcox

**(Cr Pintabona was on approved leave of absence.)**

**MOTION PUT AND CARRIED (7-1)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley, Cr McDonald, Cr Topelberg and Cr Wilcox

**Against:** Cr Peart

**(Cr Pintabona was on approved leave of absence.)**

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**9.4.2 Project Update – Mary Street Piazza**

<b>Ward:</b>	South Ward	<b>Date:</b>	29 April 2015
<b>Precinct:</b>	Mt Lawley Centre (11)	<b>File Ref:</b>	SC2075
<b>Attachments:</b>	<a href="#">1</a> – Proposed Piazza Footprint - 9 September 2014 (Council Report) <a href="#">2</a> – Mary Street Piazza Concept Design One <a href="#">3</a> – Mary Street Piazza Concept Design Two <a href="#">4</a> – Mary Street Piazza Comparison Plan <a href="#">5</a> – Confidential Attachment – Estimate Costs Breakdown		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **APPROVES** the Mary Street Piazza Concept Plan 1 prepared by Landscape Architect Consultants ‘Place Laboratory’, as shown in Attachment 2;
2. **LISTS FOR CONSIDERATION** the allocation of an additional \$165,000 in the Draft 2015/2016 Budget for the Mary Street Piazza project;
3. **ADVISES** the local community, ‘Beaufort Street Network’ and business owners of its decision.

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**COUNCIL DECISION ITEM 9.4.2**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

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**9.1.6 No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development Under Construction**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 14 – Forrest	<b>File Ref:</b>	5.2015.42.1; PR19010
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Peter Stuart, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	Gabriela Poezyn, Director Planning 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 Domination Homes on behalf of the owner Baker Investments P/L, for the Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development Under Construction at No. 110 (Lot 31) Broome Street, Highgate as shown on plans date stamped 3 February 2015, included as Attachment 2, for the following reasons:

1. The proposed balcony extension does not comply with Clause SADC (5) of Policy No. 7.2.1 – Residential Design Elements as the reduced upper floor balcony setback will have a negative impact on the streetscape;
2. The development is not consistent with the City’s Policy relating to the Forrest Precinct (Precinct 14) particularly in regard to maintaining a relationship with the existing heritage buildings within close proximity to the subject property; and
3. The proposed balcony would create an undesirable precedent for the development of the surrounding lots, which is not in the interests of orderly and proper planning for the locality.

**COUNCIL DECISION ITEM 9.1.6**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED (6-2)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley, Cr McDonald and Cr Wilcox

**Against:** Cr Peart and Cr Topelberg

**(Cr Pintabona was on approved leave of absence.)**

**9.1.4 No. 45 (Lot: 770 D/P: 301693) Cowle Street, West Perth – Proposed Demolition of Existing Single House and Construction of Four Storey Development**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 12 – Hyde Park	<b>File Ref:</b>	PRO3685, 5.2014.438.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Development Context Report dated 8 August 2014 <a href="#">4</a> – Applicant’s Submission dated 13 October 2014 <a href="#">5</a> – Design Advisory Committee Minutes dated 21 January 2015 <a href="#">6</a> – Summary of DAC Comments from previous meetings <a href="#">7</a> – Plans that were initially advertised <a href="#">8</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning 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 Doepel Marsh Architects on behalf of the owner Desert Rose Investments, for the proposed Demolition of an Existing Single House and Construction of a Four Storey Development comprising Two One-Bedroom and Seven Two-Bedroom Multiple Dwellings and Associated Car Parking at No. 45 (Lot 770) Cowle Street, West Perth as shown on plans date stamped 7 April 2015 and 14 April 2015, included as Attachment 2, subject to the following conditions:

1. **Demolition**  
A Demolition Permit shall be obtained from the City prior to commencement of any works on site;
2. **Boundary Wall**  
The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 47 Cowle Street, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;
3. **Car Parking and Accessways**
  - 3.1 A minimum of eight residential car bays and two visitor bays, shall be provided on site;
  - 3.2 The car park shall be used only by residents and visitors directly associated with the development;
  - 3.3 The car parking area for visitors shall be shown as common property on the strata plan; and
  - 3.4 All pedestrian access and vehicle driveway/crossover levels shall match into the existing footpath and Right-of-Way levels to the satisfaction of the City;
4. **Building Appearance**  
All external fixtures shall not be visually obtrusive from Cowle 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;

5. Within 28 days of the issue date of this 'Approval to Commence Development', the owner or the applicant on behalf of the owner shall comply with the following requirements:

5.1 Percent for Public Art

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$15,000, being the equivalent value of one per cent (1%) of the estimated cost of the development (\$1,500,000), is to be allocated towards the public art;

6. Prior to the issue of a building permit, the following shall be submitted to and approved by the City;

6.1 Waste Management

6.1.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;

6.1.2 A bin store of sufficient size to accommodate the City's specified bin requirement shall be provided, to the satisfaction of the City; and

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

6.2 Revised Plans

6.2.1 Front Fence

The solid portion of the front fence (including along the side boundaries within the front setback area) shall not exceed a height of 1.2 metres. Above 1.2 metres the fence is to be 50 percent visually permeable to a maximum height of 1.8 metres;

6.2.2 Boundary Wall

The height of the boundary wall on the north-west lot boundary shall not exceed an average height of 6 metres; and

6.2.3 Privacy Screening

Unit 1 balcony shall be screened to the satisfaction of the City, at any point within the cone of vision less than 6 metres from a neighbouring boundary;

6.3 Landscape and Reticulation Plan

A detailed landscape and reticulation plan in accordance with the requirements of the Multiple Dwelling Policy No. 7.4.8 for the development site and adjoining road verge shall be submitted to the City for assessment and approval;

For the purposes of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

- 6.3.1 The location and type of existing and proposed trees and plants;
- 6.3.2 All vegetation including lawns;
- 6.3.3 Areas to be irrigated or reticulated;
- 6.3.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.3.5 The removal of redundant crossovers;

**6.4 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted and the recommend measures of the acoustic report shall be implemented;

**6.5 Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, 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;

**6.6 Stormwater**

All stormwater produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City; and

**6.7 Section 70A Notification under the *Transfer of Land Act 1893***

The owner shall agree in writing to a notification being lodged under Section 70A of the *Transfer of Land Act 1893* and a condition being included on the Sales Contract notifying proprietors and/or (prospective) purchasers of the property that:

6.7.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling; and

7. Prior to the submission of an occupancy permit, 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 to be incorporated into the development in accordance with the City's Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings and the Residential Design Codes of WA 2013;

**7.2 Car Parking**

The car parking area 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 Management Plan-Vehicular Entry Gates**

Any proposed vehicular entry gates to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gates, to ensure access is readily available for residents at all times, shall be submitted to and approved by the City;

**7.4 Landscaping**

With regard to condition 6.3, all works shall be undertaken in accordance with the approved plans, and maintained thereafter to the satisfaction of the City at the owner's expense;

**7.5 Section 70A Notification under the *Transfer of Land Act 1893***

With regard to condition 6.7, this notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

**7.6 Residential Bicycle Bays**

A minimum of three residential bicycle bays and one visitor bicycle bays shall be provided on-site. 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;

**7.7 Acoustic Report**

With regard to condition 6.4, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City; and

**7.8 Privacy Screening**

All visual privacy screening to be implemented to the satisfaction of the City.

**ADVICE NOTES:**

1. With regard 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;
2. In reference to condition 5.1 relating to Public Art the applicant has the following options:
  - 2.1 Option 1  
Prior to the issue of a Building Permit for the development, obtain the City's approval for the Public Art Project and associated Artist; or
  - 2.2 Option 2  
Provide cash-in-lieu of an art project. Payment must be made to the City prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);
3. With regard to condition 6.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
4. A Road and Verge security bond for the sum of \$4,000 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
5. With regard to condition 6.6, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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 Cole, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Buckels**

That a new Condition 6.2.4 be inserted as follows:

**6.2.4 On-site landscaping complying with the requirements of the City's landscaping Policy.**

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (6-2)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr McDonald, Cr Peart,  
Cr Topelberg and Cr Wilcox

**Against:** Cr Cole and Cr Harley

(Cr Pintabona was on approved leave of absence.)

**MOTION PUT AND LOST (3-5)**

**For:** Presiding Member Mayor Carey, Cr Buckels and Cr Topelberg

**Against:** Cr Cole, Cr Harley, Cr McDonald, Cr Peart and Cr Wilcox

(Cr Pintabona was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.4**

**ALTERNATIVE RECOMMENDATION:**

**Moved Cr Cole, Seconded Cr Peart**

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 Doepel Marsh Architects on behalf of the owner Desert Rose Investments, for the proposed Demolition of an Existing Single House and Construction of a Four Storey Development comprising Two One-Bedroom and Seven Two-Bedroom Multiple Dwellings and Associated Car Parking at No. 45 (Lot 770) Cowle Street, West Perth as shown on plans date stamped 7 April 2015 and 14 April 2015, included as Attachment 2, for the following reasons:

1. Bulk and Scale of the building is considered to be excessive;
2. Lack of car parking; and
3. Lack of Landscaping

**ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (6-2)**

**For:** Presiding Member Mayor Carey, Cr Cole, Cr Harley, Cr McDonald, Cr Peart and  
Cr Wilcox

**Against:** Cr Buckels and Cr Topelberg

(Cr Pintabona was on approved leave of absence.)

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**9.1.7 Amendment No. 40 to Town Planning Scheme No. 1 – Prohibition of Multiple Dwellings in Mount Hawthorn**

<b>Ward:</b>	North Ward	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	SC1988
<b>Attachments:</b>	<a href="#">1</a> – Scheme Amendment Report (updated) <a href="#">2</a> – Summary of Submissions		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J O’Keefe, A/Manager Strategic Planning, Sustainability and Heritage Services T Elliott, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **ADOPTS** Amendment No. 40 to the City of Vincent Town Planning Scheme No. 1 as contained in Attachment 1, to:
  - 1.1 **Include Clause 20(4)(h)(ii) as follows:**  
*‘Multiple Dwellings are not permitted on land coded R30 and below’;*
  - 1.2 **Amend Scheme Map 1 – Mount Hawthorn to include in the additional information text box the following:**  
*‘Multiple Dwellings are not permitted on land coded R30 and below’;*
2. **NOTES** the submissions received in relation to the advertising of amendment No. 40 to Town Planning Scheme No. 1, included as Attachment 2 and **ENDORSES** Administration’s responses to those submissions;
3. **AUTHORISES** the Chief Executive Officer to forward the signed Scheme Amendment No. 40 documentation to the Western Australian Planning Commission in accordance with Section 75 of the *Planning and Development Act 2005* with a recommendation that the Minister makes the following modifications:
  - 3.1 **Excludes** the following properties from the Amendment area:
    - No. 135 (Lot: 2 D/P: 11538) Dunedin Street, Mount Hawthorn;
    - No. 27-27A (Lot: 2 D/P: 11538) Green Street, Mount Hawthorn; and
    - No. 29 (Lot: 1 D/P: 11538) Green Street, Mount Hawthorn’. And
  - 3.2 **includes** a portion of Precinct 3 – Leederville bounded by Scarborough Beach Road, Oxford Street, Anzac Road and Loftus Street be included as part of Amendment 40.

**COUNCIL DECISION ITEM 9.1.7**

**Moved** Cr Cole, **Seconded** Cr Harley

That the recommendation be adopted.

*Debate ensued.*

Cr Buckels Departed the Chamber at 7.18pm.

Cr Buckels returned to the Chamber at 7.19pm.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

**9.1.1 No. 139 (Lots: 6 and 7 D/P 1346) Richmond Street, Leederville – Proposed Demolition of Existing Single House and Construction of Eight Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 3 – Leederville	<b>File Ref:</b>	5.2015.65.1; PR25053
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Planning Report <a href="#">4</a> – Design Advisory Committee Comments <a href="#">5</a> – Car Parking and Bicycle Tables <a href="#">6</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Wright, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning 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 PB Designs on behalf of the owner Beverley and Douglas Gordon, for the proposed demolition of an existing Single House and construction of a two storey Development comprising of eight One Bedroom Multiple Dwellings and associated car parking at No. 139 (Lots: 6 and 7) Richmond Street, Leederville as shown on plans date stamped 10 April 2015, included as Attachment 2, subject to the following conditions:

1. **Demolition**  
A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
2. **Amalgamation**  
Lots 6 and 7 shall be amalgamated into one lot on a Certificate of Title;
3. **Boundary Wall**  
The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 141A Richmond Street, 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;
4. **Car Parking and Accessways**
  - 4.1 A minimum of six (6) resident and two (2) visitor bays shall be provided onsite;
  - 4.2 The car park shall be used only by residents and visitors directly associated with the development;
  - 4.3 The visitor bays are to be marked accordingly;
  - 4.4 The car parking and access areas are to comply with the requirements of AS2890.1;
  - 4.5 Vehicle and pedestrian access points are required to match into existing footpath and ROW levels; and
  - 4.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

5. **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;

6. Prior to the issue of a building permit, the following shall be submitted to and approved by the City:

6.1 **Section 70A Notification under the *Transfer of Land Act 1893***

The owner shall agree in writing to a notification being lodged under Section 70A of the *Transfer of Land Act 1893* and a condition being included on the Sales Contract notifying proprietors and/or (prospective) purchasers of the property that:

6.1.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling; and

6.2 **Acoustic Report**

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

6.3 **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:

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

6.3.2 Large mature trees in the communal open space area within the front setback; and

6.3.3 Areas to be irrigated or reticulated;

6.4 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) is to be provided to and approved by the City;

6.5 **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, 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;

6.6 **Waste Management**

6.6.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;

6.6.2 A bin store area of sufficient size to accommodate the City's bin requirements shall be provided, to the satisfaction of the City; and

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

7. **Prior to occupation 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 of WA 2013;

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 stormwater produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City;

7.4 **Acoustic Report Certification**

In relation to condition 6.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

7.5 **Section 70A Notification under the *Transfer of Land Act 1893* lodgement and registration**

In relation to condition 6.1, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

7.6 **Landscape Plan and Verge Upgrade Plan**

In relation to condition 6.3, 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; and

7.7 **Bicycle Bays**

A minimum of three (3) resident bays and one (1) visitor bay is to be provided on-site. 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.

**ADVICE NOTES:**

1. With regard to condition 4.5, 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;
2. With reference to condition 4.6 all new crossovers to the development site are subject to a separate application to be approved by the City;

3. A Road and Verge security bond for the sum of \$3,500 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
4. With regard to condition 6.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
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 1.5m) 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's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate; and
6. With reference to condition 7.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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.

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**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED (5-3)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Peart and Cr Wilcox  
**Against:** Cr Harley, Cr McDonald and Cr Topelberg

**(Cr Pintabona was on approved leave of absence.)**

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**9.1.5 Nos. 454 – 456 (Lot: 8; D/P: 1843) Fitzgerald Street, North Perth – Proposed Construction of Three Storey Commercial Building including Basement Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 9 – North Perth Centre	<b>File Ref:</b>	5.2014.689.1; PR53516
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification dated 25 March 2015 <a href="#">4</a> – Marked up plans showing proposed versus required setbacks <a href="#">5</a> – Car Parking Table		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning 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 Kitis Nominees Pty Ltd for the Construction of Three Storey Commercial Building including Basement, Ground Floor Shop and Two (2) Levels of Office Space at Nos. 454-456 (Lot 8; D/P: 1843) Fitzgerald Street, North Perth as shown on plans date stamped 9 December 2014, included as Attachment 2, subject to the following conditions:

1. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Fitzgerald 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. **Street Interaction**

The doors, windows and adjacent floor areas on the ground floor fronting Fitzgerald Street shall maintain an active and interactive relationship with this street;

3. **Floor Area**

The maximum net lettable floor area of the shop and office shall be limited to 187.22 square metres and 439.5 square metres respectively;

4. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 452 and 458-460 Fitzgerald Street, North Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

5. **Awning**

- 5.1 The proposed awning to be a minimum height of 2.75 metres above the level of the footpath;
- 5.2 The awning shall be capable of being removed in the event of future road widening of Fitzgerald Street;
- 5.3 If and when the awning is required to be removed it is to be at the applicant's expense;

6. **Car Parking**

- 6.1 The car parking and access areas are to comply with the requirements of AS2890.1;
- 6.2 The car park areas for use shall be shown as common property on any strata plan;
- 6.3 All pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath, right-of-way and road levels; and
- 6.4 All permanent structures are to be setback a minimum of 0.5 metres from the rear property abutting the ROW to facilitate future ROW widening;

7. **Stormwater**

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

8. **Signage**

All signage that does not comply with the City's Policy relating to 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;

- 9. Within 28 days of the issue date of this 'Approval to Commence Development', the owner or the applicant on behalf of the owner shall comply with the following requirements:

9.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$19,000, being the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,900,000), is to be allocated towards the public art; and

9.2 **Cash-in-lieu**

Pay a cash-in-lieu contribution of \$17,513.60 for the equivalent value of 3.368 car parking spaces, based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget; Or lodge an appropriate assurance bond/bank guarantee of a value of \$17,513.60 to the satisfaction of the City;

10. Prior to the submission of a Building Permit application, the following shall be submitted to and approved by the City:

10.1 **Construction Management Plan**

A Construction Management Plan, which stipulates that prior to the commencement of any earthworks or construction the following shall be submitted to the City's satisfaction:

10.1.1 Certification from a Practising Structural Engineer that the proposed method of excavation, retaining and construction is appropriate given the age of neighbouring buildings, will cause no damage to the adjoining properties and is adequate to support the proposed development;

10.1.2 Geotechnical Engineer

a. to certify that the proposed method of construction is appropriate for the soil conditions that prevail for the full depth of the proposed works on site and within the area that will be disturbed on the adjoining properties and that the proposed method will be suitable for the subgrade soil condition affected by the any proposed underpinning, so that the works will not adversely impact on adjoining properties; and

b. to prescribe the type of compaction equipment to be used to ensure that adjoining properties are protected from damaging ground vibrations;

10.1.3 Dilapidation reports at the applicant's cost to the satisfaction of the City for the adjoining Heritage listed properties located at:

a. No. 452 (Lot 7) Fitzgerald Street, North Perth (Municipal Heritage Inventory); and

b. No. 459 (Lot 8) Fitzgerald Street, North Perth (Municipal Heritage Inventory);

10.1.4 A works strategy outlining measures to be taken to ensure the protection of the heritage buildings; and

10.1.5 A vibration management plan that includes a program of monitoring any structural movement and potential vibration impacts on Nos. 452 and 459 Fitzgerald Street, with the approved program of monitoring being implemented at the commencement of works;

The management of the site shall thereafter comply with the approved Construction Management Plan;

10.2 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted and the recommend measures of the acoustic report shall be implemented;

**10.3 Waste Management**

**10.3.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;**

**10.3.2 A bin store of sufficient size to accommodate the City's maximum bin requirement shall be provided, to the satisfaction of the City; and**

**10.3.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan;**

**10.4 Schedule of External Finishes**

**A detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted; and**

**11. Prior to the first occupation of the development, the following shall be completed to the satisfaction of the City:**

**11.1 Car Parking**

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

**11.2 Bicycle Parking Facilities**

**Three class one or two and six class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility;**

**11.3 Vehicle Entry Gate - Management Plan**

**The proposed vehicular entry gate to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the units at all times, shall be submitted to an approved by the City; and**

**11.4 Acoustic Report**

**With regard to condition 10.2, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.**

**ADVICE NOTES:**

- 1. With reference to condition 3 any increase in floor space or change of use from the uses approved for the subject land shall require Planning Approval to be applied from the City;**
- 2. With regard to condition 4, the owners of the subject land shall obtain the consent of the owners of the relevant adjoining properties before entering those properties in order to make good the boundary walls;**

3. **With reference to condition 7 no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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;**
4. **In reference to condition 9.1 relating to Public Art the applicant has the following options:**
  - 4.1 **Option 1**  
**Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; or**
  - 4.2 **Option 2**  
**Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment;**
5. **In relation to condition 9.2, a contribution of \$17,513.60 is to be paid for the equivalent of 3.368 car parking bays. This amount may be reduced if additional car bays are provided on-site.**

**If the option to lodge an appropriate assurance/bank guarantee is taken, the bond will be released subject to the following conditions:**

- 5.1 **To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or**
- 5.2 **To the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or**
- 5.3 **To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.**

**The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;**

6. A Road, ROW and Verge security bond for the sum of \$3,500 shall be lodged with the City by the applicant, 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and
7. In relation to condition 10.1.5 should any structural movement or vibration impact occur at the adjoining and adjacent heritage properties work is to cease immediately and not recommence until the City has been advised of a course of action as approved by a qualified Structural Engineer.

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**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Harley, Seconded Cr McDonald**

That Condition 10 be amended as follows:

10. Prior to the submission of a Building Permit application, the proponent following shall be submitted the following for the City's approval to and approved by the City:

**MOTION PUT AND CARRIED (5-3)**

**For:** Presiding Member Mayor Carey, Cr Buckels, Cr Cole, Cr Harley and Cr Wilcox  
**Against:** Cr McDonald, Cr Peart and Cr Topelberg

(Cr Pintabona was on approved leave of absence.)

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

(Cr Pintabona was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.5**

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 Kitis Nominees Pty Ltd for the Construction of Three Storey Commercial Building including Basement, Ground Floor Shop and Two (2) Levels of Office Space at Nos. 454-456 (Lot 8; D/P: 1843) Fitzgerald Street, North Perth as shown on plans date stamped 9 December 2014, included as Attachment 2, subject to the following conditions:

1. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Fitzgerald 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. **Street Interaction**

The doors, windows and adjacent floor areas on the ground floor fronting Fitzgerald Street shall maintain an active and interactive relationship with this street;

3. **Floor Area**

The maximum net lettable floor area of the shop and office shall be limited to 187.22 square metres and 439.5 square metres respectively;

4. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 452 and 458-460 Fitzgerald Street, North Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

5. **Awning**

5.1 The proposed awning to be a minimum height of 2.75 metres above the level of the footpath;

5.2 The awning shall be capable of being removed in the event of future road widening of Fitzgerald Street;

5.3 If and when the awning is required to be removed it is to be at the applicant's expense;

6. **Car Parking**

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

6.2 The car park areas for use shall be shown as common property on any strata plan;

6.3 All pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath, right-of-way and road levels; and

6.4 All permanent structures are to be setback a minimum of 0.5 metres from the rear property abutting the ROW to facilitate future ROW widening;

7. **Stormwater**

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

8. **Signage**

All signage that does not comply with the City's Policy relating to 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;

9. Within 28 days of the issue date of this 'Approval to Commence Development', the owner or the applicant on behalf of the owner shall comply with the following requirements:

9.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$19,000, being the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,900,000), is to be allocated towards the public art; and

9.2 **Cash-in-lieu**

Pay a cash-in-lieu contribution of \$17,513.60 for the equivalent value of 3.368 car parking spaces, based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget; Or lodge an appropriate assurance bond/bank guarantee of a value of \$17,513.60 to the satisfaction of the City;

10. Prior to the submission of a Building Permit application, the proponent shall submit the following for the City's approval:

10.1 **Construction Management Plan**

A Construction Management Plan, which stipulates that prior to the commencement of any earthworks or construction the following shall be submitted to the City's satisfaction:

10.1.1 Certification from a Practising Structural Engineer that the proposed method of excavation, retaining and construction is appropriate given the age of neighbouring buildings, will cause no damage to the adjoining properties and is adequate to support the proposed development;

10.1.2 Geotechnical Engineer

- a. to certify that the proposed method of construction is appropriate for the soil conditions that prevail for the full depth of the proposed works on site and within the area that will be disturbed on the adjoining properties and that the proposed method will be suitable for the subgrade soil condition affected by the any proposed underpinning, so that the works will not adversely impact on adjoining properties; and
- b. to prescribe the type of compaction equipment to be used to ensure that adjoining properties are protected from damaging ground vibrations;

10.1.3 Dilapidation reports at the applicant's cost to the satisfaction of the City for the adjoining Heritage listed properties located at:

- a. No. 452 (Lot 7) Fitzgerald Street, North Perth (Municipal Heritage Inventory); and
- b. No. 459 (Lot 8) Fitzgerald Street, North Perth (Municipal Heritage Inventory);

10.1.4 A works strategy outlining measures to be taken to ensure the protection of the heritage buildings; and

10.1.5 A vibration management plan that includes a program of monitoring any structural movement and potential vibration impacts on Nos. 452 and 459 Fitzgerald Street, with the approved program of monitoring being implemented at the commencement of works;

The management of the site shall thereafter comply with the approved Construction Management Plan;

10.2 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted and the recommend measures of the acoustic report shall be implemented;

10.3 **Waste Management**

10.3.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;

10.3.2 A bin store of sufficient size to accommodate the City's maximum bin requirement shall be provided, to the satisfaction of the City; and

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

10.4 **Schedule of External Finishes**

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

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

11.1 **Car Parking**

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

11.2 **Bicycle Parking Facilities**

Three class one or two and six class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility;

**11.3 Vehicle Entry Gate - Management Plan**

The proposed vehicular entry gate to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the units at all times, shall be submitted to an approved by the City; and

**11.4 Acoustic Report**

With regard to condition 10.2, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

**ADVICE NOTES:**

1. With reference to condition 3 any increase in floor space or change of use from the uses approved for the subject land shall require Planning Approval to be applied from the City;
2. With regard to condition 4, the owners of the subject land shall obtain the consent of the owners of the relevant adjoining properties before entering those properties in order to make good the boundary walls;
3. With reference to condition 7 no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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;
4. In reference to condition 9.1 relating to Public Art the applicant has the following options:
  - 4.1 Option 1  

Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; or
  - 4.2 Option 2  

Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment;

5. In relation to condition 9.2, a contribution of \$17,513.60 is to be paid for the equivalent of 3.368 car parking bays. This amount may be reduced if additional car bays are provided on-site.

If the option to lodge an appropriate assurance/bank guarantee is taken, the bond will be released subject to the following conditions:

- 5.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or
- 5.2 To the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- 5.3 To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;

6. A Road, ROW and Verge security bond for the sum of \$3,500 shall be lodged with the City by the applicant, 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and
7. In relation to condition 10.1.5 should any structural movement or vibration impact occur at the adjoining and adjacent heritage properties work is to cease immediately and not recommence until the City has been advised of a course of action as approved by a qualified Structural Engineer.
-

**9.1.3 No. 49 (Lot 86; D/P 6064) Milton Street, Mount Hawthorn – Proposed Demolition of Existing Single House and Construction of Four Two-Storey Grouped Dwellings**

<b>Ward:</b>	North	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	5.2014.645.1; PR50115
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson - Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn - Director Planning 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 Sarris Enterprises on behalf of the owner Sarris Enterprises, for the Proposed Demolition of the Existing Single House and Construction of Four Two-Storey Dwellings at No. 49 (Lot: 86; D/P 6064) Milton Street, Mount Hawthorn as shown on amended plans date stamped 14 April 2015, included as Attachment 2, subject to the following conditions:

1. **Demolition**  
  
A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
  
2. **Boundary Walls**  
  
The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 51 Milton Street, Mount Hawthorn and 44 Tasman Street, Mount Hawthorn, in a good and clean condition. The finish of the walls is to be either fully rendered or face brickwork;
  
3. **Building Appearance**  
  
All external fixtures shall not be visually obtrusive from Milton 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. **Street Trees**  
  
No existing verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
  
5. **Car Parking and Accessways**
  - 5.1 A minimum of four resident shall be provided onsite;
  
  - 5.2 The car park shall be used only by residents and visitors directly associated with the development;

- 5.3 The visitor bays are to be marked accordingly;
- 5.4 The car parking and access areas are to comply with the requirements of AS2890.1;
- 5.5 Vehicle and pedestrian access points are required to match into existing footpath and ROW levels; and
- 5.6 All crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;
6. Prior to the submission of a Building Permit Application, the following shall be submitted to and approved by the City:
- 6.1 Revised Plans showing:
- 6.1.1 Front Garage Wall
- The proposed garage wall of Unit 1 fronting Milton Street is required to incorporate a minimum of two (2) significant design features. Examples of such features include significant open structures, recesses and/or planters facing the road at regular intervals, varying materials, finishes and/or colours, or attaching/integrating features into the walls design;
- 6.1.2 Front Fencing
- The front fencing to have a maximum pier height of 2.0 metres measured from natural ground level; and
- 6.1.3 Crossover
- The proposed crossover to be relocated 0.7 metres from the eastern boundary of the subject site to ensure access to the existing Water Corporation manhole is not affected;
- 6.2 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.
- For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:
- a. The location and type of proposed trees and plants;
  - b. All vegetation including lawns;
  - c. Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
  - d. Separate soft and hard landscaping plants (indicating details of materials to be used);
  - e. removal of redundant crossover;
- 6.3 Stormwater
- All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City; and

**6.4 Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction on an management of the site shall thereafter comply with the approved Construction Management Plan; and

7. Prior to the submission of an Occupancy Permit, the following shall be completed to the satisfaction of the City;

**7.1 Car Parking**

The car parking and driveway 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; and

**7.2 Landscaping**

With regard to condition 6.2, all works shall be undertaken in accordance with the approved plans, and maintained thereafter to the satisfaction of the City at the owner's expense.

**ADVICE NOTES:**

1. With regard 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;
2. Any new street/front wall, fence and gate within the Milton 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;
3. The proposed letterbox within the front setback area to be a maximum solid height of 1.2 metres from natural ground level; and

4. A Road and Verge security bond for the sum of \$3,000, 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
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**Moved Cr Peart, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND LOST UNANIMOUSLY (0-8)**

(Cr Pintabona was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.3**

**ALTERNATIVE RECOMMENDATION:**

**Moved Cr Peart, 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 submitted by Sarris Enterprises on behalf of the owner Sarris Enterprises, for the Proposed Demolition of the Existing Single House and Construction of Four Two-Storey Dwellings at No. 49 (Lot: 86; D/P 6064) Milton Street, Mount Hawthorn as shown on amended plans date stamped 14 April 2015, included as Attachment 2, for the following reasons:

1. Street setbacks;
2. Rear setback; and
3. Lack of street interaction.

**ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

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**9.1.2 No. 71 (Lot: 200; D/P 92012) Edward Street, Perth – Demolition of Existing Slumping Building and Construction of New Slumping Building (Hanson Concrete Batching Plant)**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Precinct 15 – EPRA	<b>File Ref:</b>	5.2014.704.1; PR52145
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Plans <a href="#">3</a> – Applicant Submission <a href="#">4</a> – Applicant Justification <a href="#">5</a> – Development Background of Site <a href="#">6</a> – Marked up plans showing proposed versus existing development		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council, in accordance with the provisions of the East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Allarding and Associates on behalf of the owner Hanson Construction Materials Pty Ltd, for the Demolition of the Existing Slumping Building and Construction of a New Slumping Building to the Existing Concrete Batching Plant (Hanson Batching Plant) at No. 71 (Lot 200) Edward Street, Perth as shown on plans date stamped 18 December 2014, included as Attachment 2, subject to the following conditions:

1. **Demolition**  
 A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
  
2. **Stormwater**  
 All stormwater produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;
  
3. **Street Trees**  
 No existing verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
  
4. Prior to the issue of a Building Permit for this development, the following shall be submitted to and approved by the City:
  - 4.1 **Construction Management Plan**  
 A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, 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; and

**4.2 Revised Plans**

**4.2.1 Lord Street Boundary Wall – Western Elevation**

The proposed wall along the Lord Street frontage shall include the same architectural features as the current wall;

**4.2.2 Landscaping and Irrigation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge area shall be submitted to the City for approval.

For the purpose of this condition, a detailed landscape and reticulation plan shall be drawn to a scale of 1:100 and show the following:

- a. the location and type of existing and proposed trees;
- b. the provision of any new verge trees alongside the proposed feature wall to the satisfaction of the City;
- c. all vegetation including lawns;
- d. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- e. separate soft and hard landscaping plans (indicating details of materials to be used); and

**4.3 Acoustic Report**

An Acoustic report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted to the satisfaction of the City. The recommended measure of the acoustic report shall be implemented; and

5. Prior to the First Occupation of the Development, the following shall be submitted to and approved by the City:

**5.1 Acoustic Report**

In relation to condition 4.3, certification shall be provided that the measures recommended in the Acoustic Report approved for this development have been implemented;

**5.2 Lord Street Boundary Wall**

In relation to condition 4.2.1, the proposed boundary wall is to be maintained to the satisfaction of the City; and

**5.3 Landscaping**

In relation to condition 4.2.2, the landscaping is to be installed and maintained to the satisfaction of the City.

**ADVICE NOTES:**

1. This Concrete Batching Plant is approved to operate until 16 October 2017 as per the decision from the Minister for Planning; Culture and Arts; Science and Innovation on 21 May 2012;

2. The development must be carried out in accordance with the recommendations of the SVT Engineering Consultants Environmental Noise Assessment for the East Perth Concrete Batching Plant dated 21 April 2011, or other Noise Management Plan endorsed by the City, including in particular, but without limitation:
- 2.1 an updated Acoustic Report that demonstrates compliance with the *Environmental Protection (Noise) Regulations 1997*;
  - 2.2 operations at the premises are to maintain compliance with the 'East Perth Concrete Plant Management Plan' dated May 2014;
  - 2.3 control/reduction of noise emitted from the site and activities associated with the site;
  - 2.4 maintenance of plant/mechanical equipment and application of inspection schedules to ensure optimal, quiet working order;
  - 2.5 selection of equipment for onsite operations, including both prospective equipment, and retrofitting of existing equipment, to minimise individual and accumulative noise impacts from the site;
  - 2.6 induction and training of workforce to promote compliant operation, in accordance with the Noise Management Plan;
  - 2.7 detail the methods of on-going self-monitoring, including testing equipment, locations, frequency, technical parameters, interpretation of results, and periodic evaluation of the monitoring method (to account for further encroachment of residential development and changes to surrounding built environment over time);
  - 2.8 complaint response methods, including short and long term abatement measures and record keeping; and
  - 2.9 details of staff member(s) accountable for overseeing compliance with the Noise Management Plan;
3. Sound levels created shall not exceed the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. All construction work must be carried out in accordance with control of noise practices described in Section Six (6) of AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites":
- The equipment used for the construction work must be the quietest reasonably available;
  - Construction work is not to commence before 7.00am, or carry on after 7.00pm on Monday to Saturdays; and
  - No construction work is permitted on Sundays or Public Holidays.

Should work need to be undertaken out-of-hours, the builder/developer is to submit a Regulation 13 application to the City's Health Services, seeking approval for an exemption – the application is to be accompanied by a Noise Management Plan – exemptions will only be considered where a demonstrated need and justification exists (safety concerns with Main Roads etc.);

4. All mechanical devices/installations (i.e. roller doors, air conditioners, exhaust outlets, pool pumps, compressors etc.), to be located in a position that will not result in the emission of unreasonable noise, in accordance with the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*. Should you be uncertain as to whether compliance will be achieved, it is highly recommended that you contract the services of an Acoustic Consultant, as the City's Environmental Health Officers cannot provide technical advice in this regard. Section 80 of the *Environmental Protection Act 1986* places onus on the installer to ensure that noisy equipment is installed so as not to create unreasonable noise. It is important that you inform mechanical equipment installers of this requirement;
5. In relation to condition 2 above, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' 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;
6. Compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997 (WA)* by ensuring that during the period:
  - 6.1 7.00am to 10.00pm Monday to Saturday, two trucks are not simultaneously idling or moving between the filling and slumping stations for a period exceeding 24 minutes in any four hour period; and
  - 6.2 10.00pm and 7.00am Monday to Saturday only one truck is ever idling or moving between the filling and slumping stations at any one time and that such idling or movement does not exceed 24 minutes in any four hour period;
7. A Road and Verge security bond for the sum of \$4,000 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and
8. With regard to condition 5.3, all works shall be undertaken in accordance with the approved plans, and maintained thereafter to the satisfaction of the City at the owner's expense. Council encourages landscaping methods and species selection which do not rely on reticulation.

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**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Peart, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

Cr Harley Departed the Chamber at 8pm.

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Harley was absent from the Chamber and did not vote.)

(Cr Pintabona was on approved leave of absence.)

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**9.3.4 Kidz Galore Pty Ltd Request for Lease Extension - No. 13 (Lot 9)  
Haynes Street, North Perth**

<b>Ward:</b>	North	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	SC590
<b>Attachments:</b>	<a href="#">1</a> – Letter		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That the Council REFUSES the five year Lease extension from 31 December 2020 to 31 December 2025, for Kidz Galore Pty Ltd at the premises located at 13 Haynes Street, North Perth as per the letter received in Attachment 1.

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**COUNCIL DECISION ITEM 9.3.4**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

Cr Harley returned to the Chamber at 8.02pm.

**PROCEDURAL MOTION**

**Moved Cr Harley, Seconded Cr Buckels**

That the item be DEFERRED for further consideration.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

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**9.3.5 Differential Rating Strategy 2015/16**

<b>Ward:</b>	Both	<b>Date:</b>	24 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC245
<b>Attachments:</b>	<a href="#">1</a> – Draft Budget Commentary <a href="#">2</a> – Rate Setting Statement		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Paton, Director Corporate Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council:

- APPROVES** advertising by local notice, in accordance with Section 6.36(1) of the *Local Government Act 1995* its intention to levy the following Differential Rates and Minimum Rates in 2015/16 to include an invitation for submissions on the proposal from electors and ratepayers for a period of 21 days:

Rating Category	2015/16	
	Rate-in-\$	Minimum
Residential	0.05951	\$907
Commercial Vacant	0.11578	\$1,414
Other	0.06281	\$907

- NOTES** any public submissions received in response to the invitation will be presented to Council for consideration.

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**COUNCIL DECISION ITEM 9.3.5**

**Moved** Cr Cole, **Seconded** Cr Buckels

That the recommendation be adopted.

*Debate ensued.*

Cr McDonald Departed the Chamber at 8.13pm.

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McDonald was absent from the Chamber and did not vote.)  
(Cr Pintabona was on approved leave of absence.)

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**9.3.2 Authorisation of Expenditure for the Period 1 to 31 March 2015**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC347
<b>Attachments:</b>	<a href="#">1</a> – Creditors Report <a href="#">2</a> – Credit Card Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	O Dedic, Accounts Payable Officer; B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under Delegated Authority for the month of March 2015 as detailed in Attachment 1 and 2 and as summarised below:

Cheque numbers 77914 – 78078	\$178,928.64
EFT Documents 1765 – 1774	\$4,014,637.28
Payroll	\$1,034,859.31
Credit Cards	\$11,888.90
Direct Debits	
• Lease Fees	\$11,307.69
• Loan Repayment	\$164,253.83
• Bank Fees and Charges	\$6,534.91
<b>Total Accounts Paid</b>	<b>\$5,422,410.56</b>

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Harley, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

Cr Cole Departed the Chamber at 8.15pm.

Cr McDonald returned to the Chamber at 8.15pm.

Cr Cole returned to the Chamber at 8.17pm.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

**9.2.1 Leederville Town Centre Enhancement Project – Newcastle Street and Carr Place Intersection Proposed Modifications - Further Report**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	SC1669
<b>Attachments:</b>	<a href="#">1</a> – Plan No. 3064-CP-01B <a href="#">2</a> – Summary of Comments <a href="#">3</a> – Plan No. 3064-CP-01D <a href="#">4</a> – WA Taxi ‘best guide’ <a href="#">5</a> – Initial Artist Impression		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **APPROVES** the implementation of the upgrade of the Newcastle Street and Carr Place intersection as shown on attached Plan No. 3064-CP-01D (Attachment 3), estimated to cost \$310,000, which has been revised to include some suggestions/comments received from the community;
2. **NOTES** that \$180,000 is included in the 2014/2015 budget and agrees to list the remaining funds for consideration in the 2015/2016 draft budget; and
3. **ADVISES** all respondents of its decision.

**Moved Cr Harley, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Harley, Seconded Cr Peart**

That Item 1 of the Officer Recommendation be amended as follows:

“That Council:

1. **APPROVES** the implementation of the upgrade of the Newcastle Street and Carr Place intersection as shown on attached Plan No. 3064-CP-01D **E** (Attachment 3), estimated to cost \$310,000, which has been revised to include some suggestions/comments received from the community, **including**:
  - 1.1 **the inclusion of a turfed area;**
  - 1.2 **reduction of two parking bays in Carr Place; and**
  - 1.3 **a minor widening of the ‘on road’ cycle lane;**

2. **NOTES** that \$180,000 is included in the 2014/2015 budget and agrees to list the remaining funds for consideration in the 2015/2016 draft budget; and
3. **ADVISES** all respondents of its decision.”

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

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

(Cr Pintabona was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.2.1**

That Council:

1. **APPROVES** the implementation of the upgrade of the Newcastle Street and Carr Place intersection as shown on attached Plan No. 3064-CP-01 E (Attachment 3), estimated to cost \$310,000, which has been revised to include some suggestions/comments received from the community, including;
    - 1.1 the inclusion of a turfed area;
    - 1.2 reduction of two parking bays in Carr Place; and
    - 1.3 a minor widening of the ‘on road’ cycle lane;
  2. **NOTES** that \$180,000 is included in the 2014/2015 budget and agrees to list the remaining funds for consideration in the 2015/2016 draft budget; and
  3. **ADVISES** all respondents of its decision.
-

**9.2.3 Proposed Amendment to Section 5 “Guidelines and Policy Procedures for Rights of Way, Policy No. 2.2.8” - Naming of Rights of Way**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0023
<b>Attachments:</b>	<a href="#">1</a> – Draft Amended Policy <a href="#">2</a> – Draft Naming Guidelines		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Munyard, Senior Technical Officer- Land and Development		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **APPROVES IN PRINCIPLE** the proposed amendments to Section 5 of “Guidelines and Policy Procedures for Rights of Way, Policy No. 2.2.8” relating to naming Rights of Way shown in attachment 1;
2. **ADVERTISES** the amended Policy for a period of 14 days, seeking public comment; and
3. **RECEIVES** a further report at the conclusion of the advertising period.

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**COUNCIL DECISION ITEM 9.2.3**

**Moved** Cr Topelberg, **Seconded** Cr Cole

That the recommendation be adopted.

*Debate ensued.*

**PROCEDURAL MOTION**

**Moved** Cr Topelberg, **Seconded** Cr Buckels

That the item be DEFERRED for further consideration.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

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**9.2.4 Proposed Fitzgerald Street Peak Period Bus Lanes**

<b>Ward:</b>	Both	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Smith's Lake (6), North Perth (8), North Perth Centre (9), Norfolk (10), Hyde Park (12), Beaufort (13)	<b>File Ref:</b>	SC976, SC228
<b>Attachments:</b>	1 – PTA – Fitzgerald Street Bus Priority		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Manager Asset and Design Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **APPROVES IN PRINCIPLE** the installation of peak period bus lanes in Fitzgerald Street between Walcott and Newcastle Streets, as listed in the following table;

<b>Morning City bound</b>	<b>from 6.30am to 9.00am Monday to Friday</b>
<b>Afternoon outward bound</b>	<b>from 4.00pm to 6.00pm Monday to Friday</b>

subject to the Public Transport Authority agreeing to:

- 1.1 provide the City with final detailed design drawings of the proposal bus lanes north of Newcastle Street;
  - 1.2 fully fund all works associated with the proposal including, but not limited to, all changes to parking control signage/line marking;
  - 1.3 consult with all property owners, residents and businesses along Fitzgerald Street and to provide the City with results of the public consultation;
  - 1.4 change the existing Clearways to match the proposed peak period bus lanes; and
  - 1.5 provide a proposed bicycle parking station adjacent Woodville Reserve as shown in attachment 1; and
2. **RECEIVES** a further report once the Public Transport Authority has complied clauses 1 above.

Moved Cr Topelberg, Seconded Cr Peart

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND LOST UNANIMOUSLY (0-8)**

(Cr Pintabona was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.2.4**

**ALTERNATIVE RECOMMENDATION**

Moved Cr Topelberg, Seconded Cr Buckels

That Council **AUTHORISES** the Mayor to write to the Minister for Transport and Public Transport Authority seeking a coherent plan for public transport along Fitzgerald Street indicating the benefit to the North Perth community.

**ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Pintabona was on approved leave of absence.)

**9.2.5 Urgent Works: Air Conditioning Replacement – East Perth Football Club, Medibank Stadium (Leederville Oval)**

<b>Ward:</b>	South	<b>Date:</b>	17 April 2015
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	SC641
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Lotznicker, Director Technical Services S McKahey, Property Maintenance Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES** that urgent works are required to replace the air conditioning units in the East Perth Football Club's offices at Medibank Stadium estimated to cost \$8,200;
2. In accordance with Section 6.8(1) of the Local Government Act 1995, **APPROVES BY ABSOLUTE MAJORITY** to adjust the 2014/2015 annual budget by including a new budget item titled "Air-conditioning Replacement Leederville Oval" to the value \$8,200, to be funded from the Leederville Oval Reserve; and
3. **ADVISES** the East Perth Football Club that the City will be arranging for the works to be undertaken immediately.

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**COUNCIL DECISION ITEM 9.2.5**

**Moved Cr Topelberg, Seconded Cr Peart**

**That the recommendation be adopted.**

***Debate ensued.***

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

**(Cr Pintabona was on approved leave of absence.)**

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**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**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**

Nil.

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

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 8.37 pm 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 Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Rob Boardman	Director Community Services
Jerilee Highfield	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 5 May 2015.

Signed: ..... Mayor John Carey.

Dated this ..... day of ..... 2015.