



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

20 JANUARY 2015

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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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. Geoff Cooper of 3 Gliebe Street, North Perth

- Expressed concern that the house at 107 Alma Road is being used as a lodging house rather than a dwelling house. Most of the clientele that use the property are backpackers. The City's Compliance Officers have been monitoring the situation.

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

2. Linda Quinn of 109 Alma Road, North Perth

- Expressed concern regarding use of the house at 107 Alma Road and commented that although the Compliance Officer has attended the property and was advised that only 5-6 people reside in the property, this is not the case.

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

3. Carol Pestinger of 105 Alma Road, North Perth

- Spoke in support of both the previous speakers and expressed concern at the subject owner's compliance with the City's requirements.

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

4. Jeremy Hoffland of Roe Group – Level 3, 369 Newcastle Street, Northbridge – Confidential Item 14.1

- Mr Hoffland thanked the City's Planning Staff for their assistance and Cr Emma Cole for her involvement in the mediation process.
- The proposal has been amended to address the reasons for Council's decision. Following discussion with the City's staff two different management options have been prepared, which would ensure that the IGA customers would be able to access the car parking.

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

5. Dudley Maier of 51 Chatsworth Road, Highgate – Item 9.1.2, 9.1.3 and 10.1

- At the December Forum there was a presentation of Naming of Rights of Way, it was stated that only one consultation and 700 letters had been sent out with only one response.
- Item 7.1.2 and 7.1.3 are both amendments to the Policy Manual yet the recommendations are in different styles.
- Item 9.1.2, the Staff advice is misleading in saying that the driver for this is the changes to the R-Codes and the R80 change.
- Item 9.1.3 and the fact that decisions are made purely on ownership rather than the heritage values, it seems to be almost a populist approach.
- The register of contacts to limit it just to applicants and not to other concerned parties is a bit short-sighted.

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

6. Larah Dwyer of 63 Kingston Avenue – Item 9.1.1

- As a proprietor of Urban Soul Collective, spoke in support of the proposal before Council.

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

7. Debbie Saunders of 320 Oxford Street, Leederville

- The On-Road Café (ORC) signage outside Foam Café is only half the size of an A4 piece of paper. I just want to know is this going to be changed or is this it?

The Presiding Member Mayor Carey advised Ms Saunders that Administration would review this issue and provide her with a response.

- Ms Saunders advised that Foam Café is still putting things on the ORC tables, which does not comply with the Policy.
- Ms Saunders queried the fees payable for outdoor eating areas.

The Chief Executive Officer advised that he had been in frequent contact with Ms Saunders regarding this issue in late 2014. In summary, the fees listed on the City's website are the current fees payable for outdoor eating areas, which includes a renewal fee and a charge per square metre.

- Ms Saunders commented that the City's Budget (shown on the website) specifies fees for outdoor eating areas that are different to the fees and charges quoted elsewhere on the website.

The Chief Executive Officer advised that Council amended the Budget fees and charges in August 2014.

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

There being no further speakers, Public Question Time closed at approximately 6.20pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Ms D Saunders Questions taken on Notice at Ordinary Meeting of Council held on 16 December 2014.

4. APPLICATIONS FOR LEAVE OF ABSENCE

4.1 Cr Julia Wilcox requested leave of absence for 3 February 2015 (inclusive), due to personal commitments.

Moved Cr McDonald, Seconded Cr Pintabona

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

CARRIED UNANIMOUSLY (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 Petition received from Ms L Quinn on behalf of residents of Alma Road, Glebe and Leake Streets, North Perth, along with 12 signatures, relating to No. 107 Alma Road, North Perth being run as Back Packers' accommodation contrary to the residential zoning and requesting that Council acts immediately to stop this breach.

Moved Cr Topelberg, Seconded Cr Harley

That the petition be received as recommended.

CARRIED UNANIMOUSLY (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Minutes of the Ordinary Meeting of Council held on 16 December 2014.

Moved Cr Pintabona, Seconded Cr Harley

That the Minutes of the Ordinary Meeting of Council held on 16 December 2014 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor John Carey tabled the following Mayoral Calendar of Events:

7.1 Mayor Calendar of Events – November, December 2014 and January 2015

NOVEMBER 2014

- 20 Nov Salvation Army High Tea & Official Opening of new building
- 21 Nov Councils for Democracy Meeting, South Perth
- 24 Nov JDAP Mediation
- 25 Nov Planning Committee Meeting – Swan Chamber of Commerce
- 25 Nov Citizenship Ceremony
- 26 Nov Britannia Reserve Masterplan Reference Group
- 27 Nov Relationship Declaration
- 28 Nov CoV Christmas 'Thank you' Sundowner
- 29 Nov City of Stirling Mayoral Black Tie Christmas Dinner

DECEMBER 2014

- 2 Dec Council Meeting
- 3 Dec Light Up Leederville Launch
- 4 Dec Integrated Transport Advisory Group Meeting
- 5 Dec Thank a Volunteer Day BBQ – North Perth Men's Shed
- 7 Dec Light Up Leederville Carnival – Fireworks Launch
- 8 Dec Luncheon - US Consul General in honour of Andrew "Drew" Curiel, Australian Desk Officer
- Audit Committee Meeting
- 9 Dec Council Forum

- 10 Dec Leederville Gardens Christmas Luncheon
JDAP Meeting
Norfolk Precinct Group Meeting
Safer Vincent Crime Prevention Meeting
- 11 Dec Yr 6 Graduation Ceremony – Mt Hawthorn P.S.
Seniors Christmas Luncheon – CoV

7.2 **City of Perth Act**

The Government has indicated it wants to get the City of Perth Act into the Parliament early in February.

This is consuming an enormous amount of time and resources for myself and the CEO, which makes the job difficult to get on with reforming the Council. We have to do it as we need to ensure that the final outcome is in the interests of City of Vincent ratepayers and also in the interests of a new City of Perth authority that really is innovative, different and is a facilitator for change.

Whether it can be done within that amount of time frame is another a question - we are at the table, we are not walking away, because to do so would mean that there is only one party there dictating the terms.

I do also want to put one thing on the public record and that is the City of Perth did come out with a 150 page report, we don't have the same resources or capacity to produce a 150 report, but we also didn't have the same level of expectations; we did not believe that the Government was going to empower the new City of Perth or its Act with incredible new powers and a range of other things, including lifting the gifts threshold.

But one of the key issues is the idea of One Vote One Value. There is a very clear difference of opinion between the City of Perth and the City of Vincent over this issue and I think it is a fundamental principle; the City of Perth has in its report and has also made it clear that it believes that businesses make a significant contribution to the City Authority and therefore they should be afforded more votes. I agree that businesses and small business play an important role in our City's authority and at the City of Vincent.

That the Lord Mayor of Sydney actually believes in the One Vote One Value principle is relevant and I just want to read "*a key principle of Democracy is that all members of a community have equal access to the political process, regardless of how much money they earn, one vote one value, no matter how much tax each person pays there say on the polling page should be equal.*"

It also should be noted that the most recent Victorian Local Government Electoral review panel led by the former Federal Liberal Member, Petro Georgio adopted a similar approach "*the entitlements of corporations should be brought in mind, with how the franchise is applied to other persons, just as individuals are given only one vote in each Council corporations would have the ability to nominate one representative in the Council to exercise their entitlement, this would apply to the City of Melbourne where currently companies are able to appoint two voting representatives despite the vote being derived from one legal entity*". That is a principle that we have already adopted at a previous Council Meeting and will continue to advocate for in the City of Perth Act.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Harley declared an Impartiality Interest in Item 9.1.1 No. 6 (Lot 123) Church Street, Perth – Proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) – Retrospective Approval. The extent of her interest being that one of the submitters opposed to the retrospective application is known to her personally. As a consequence, Cr Harley has declared that there may be a perception that her impartiality may be affected and declared that she will consider the matter on its merits and vote accordingly.
- 8.2 Mayor Carey declared a Financial Interest in Item 9.1.1 No. 6 (Lot 123) Church Street, Perth – Proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) – Retrospective Approval. The extent of his interest being that he has an association with two of the objectors relating to this matter, both of whom are known to him personally and one of which is his house mate with whom he has a financial tenant/landlord relationship. Mayor Carey is not seeking any approval to participate in the debate or to remain in Chambers or vote on the matter.
- 8.3 Cr Wilcox declared an Impartiality interest in Item 9.3.4 Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville. The extent of her interest being that her children may attend the Kindergarten in the future. As a consequence there may be a perception that her impartiality may be affected. Cr Wilcox declared that she will consider the matter on its merits and vote accordingly.
- 8.4 Cr Cole declared an Impartiality interest in Item 9.3.4 Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville. The extent of her interest being that one of her children will be attending the Kindergarten this year. As a consequence there may be a perception that her impartiality may be affected. Cr Cole declared that she will consider the matter on its merits and vote accordingly.

9. REPORTS

As listed in 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, 9.1.2, 9.1.3, 10.1 and 14.1

- (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 9.1.4, 9.5.2 and 14.2

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

Mayor John Carey declared a financial interest in Item 9.1.1

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	9.3.3
Cr Harley (Deputy Mayor)	Nil.
Cr Buckels	Nil
Cr Cole	9.2.2 & 9.3.4
Cr McDonald	Nil
Cr Peart	Nil
Cr Pintabona	Nil
Cr Topelberg	Nil
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 9.2.1, 9.2.3, 9.3.1, 9.3.2 and 9.5.1

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

Item 14.1, 14.2 and 14.3

The Presiding Member, Mayor Carey ruled that the Items identified for discussion and those identified by Council Members are to be considered in the following order:

ITEMS APPROVED “EN BLOC”:

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

Moved Cr McDonald, Seconded Cr Pintabona

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

Items 9.2.1, 9.2.3, 9.3.1, 9.3.2 and 9.5.1

CARRIED UNANIMOUSLY (9-0)

9.2.1 Proposed Amendments to Parking Bays - Angove Street, North Perth from Fitzgerald to Woodville Streets

Ward:	North	Date:	9 January 2015
Precinct:	North Perth Centre (9)	File Ref:	SC976, SC228
Attachments:	001 – Proposed Plan No. 3175-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** Option 2 which includes amending the existing 30min parking restrictions, including two (2) of the existing 15 min restricted bays, to 1P 8am to 5.30pm Monday to Friday and 8am to 12 noon Saturday and retaining one of the existing 15min parking bays closest to Fitzgerald Street on the North Side of Angove Street between Woodville and Fitzgerald Street, North Perth as shown on Plan No. 3175-PP-01 included as Attachment 001; and
2. **PLACES** a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signage.

COUNCIL DECISION ITEM 9.2.1

Moved Cr McDonald, **Seconded** Cr Pintabona

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.2.3 Proposed Installation of Traffic Calming Measures in Tasman, Federation and Egina Streets, Mount Hawthorn - Outcome of Public Consultation

Ward:	North	Date:	9 January 2015
Precinct:	Mount Hawthorn (1)	File Ref:	SC960, SC768, SC782, SC228
Attachments:	001 – Plan No. 3172-CP-01A - Location of Proposed Speed Humps		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the outcome of the public consultation regarding the proposed installation of traffic calming measures in Tasman, Federation and Egina Streets, Mount Hawthorn;
2. **LISTS** for consideration on the 2015/16 draft Budget on amount of \$20,000 for the traffic calming proposal for Tasman, Federation and Egina Streets, Mount Hawthorn, as shown on Plan No. 3172-CP-01A (with the actual speed hump design/location located outside 131 Egina Street to be determined on site), included as Attachment 001; and
3. **ADVISES** the respondents of its decision.

COUNCIL DECISION ITEM 9.2.3

Moved Cr McDonald, Seconded Cr Pintabona

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.3.1 Investment Report as at 30 November 2014

Ward:	Both	Date:	9 January 2015
Precinct:	All	File Ref:	SC1530
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officer:	N Makwana, Acting Accountant		
Responsible Officer:	B Tan, A/Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 30 November 2014 as detailed in Attachment 001.

COUNCIL DECISION ITEM 9.3.1

Moved Cr McDonald, Seconded Cr Pintabona

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.2 Authorisation of Expenditure for the Period 1 – 30 November 2014

Ward:	Both	Date:	9 January 2015
Precinct:	All	File Ref:	SC347
Attachments:	001 – Creditors Report 002 – Credit Card Report		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; B Tan, A/Director Corporate Services		
Responsible Officer:	B Tan, A/Director Corporate Services		

OFFICER RECOMMENDATION:

That Council CONFIRMS the:

1. Schedule of Accounts for the period 1 November – 30 November 2014 and the list of payments including credit cards;
2. direct lodgement of payroll payments to the personal bank account of employees;
3. direct lodgement of PAYG taxes to the Australian Taxation Office;
4. direct lodgement of Child Support to the Australian Taxation Office;
5. direct lodgement of creditors payments to the individual bank accounts of creditors; and
6. direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;

paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 as shown in Attachment 001.

COUNCIL DECISION ITEM 9.3.2

Moved Cr McDonald, Seconded Cr Pintabona

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.5.1 Information Bulletin

Ward:	-	Date:	9 January 2015
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 9 January 2015, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.1

Moved Cr McDonald, Seconded Cr Pintabona

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.1.1 No. 6 (Lot 123) Church Street, Perth – Proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) – Retrospective Approval

Ward:	South	Date:	9 January 2015
Precinct:	Beaufort (P13)	File Ref:	5.2014.606.1; PR20004
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Car Parking Table 004 – Technical Services Comments		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Acting Senior Planning Officer (Statutory)		
Responsible Officer:	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 H Woschnak on behalf of the owner M Allmark, for the proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) at No. 6 (Lot 123) Church Street, Perth as shown on plans stamp dated 18 November 2014, included as Attachment 002, subject to the following conditions:

1. Use of the Premises

1.1 A maximum of twenty (20) persons shall be on the site for the use at any one time; and

1.2 The hours of operation shall be limited to:

- Monday – 6am – 7am and 6pm – 7pm;
- Tuesday – 6am – 7am, 9.30am – 10.30 am and 6pm – 7pm;
- Wednesday – 6am – 7am, 9.30am – 10.30am and 6pm – 7pm;
- Thursday – 6am – 7am, 9.30am -10.30am and 6pm – 7pm;
- Friday – 6am – 7am and 9.30am – 10.30am; and
- Saturday/Sunday – 8am – 9am;

2. Building

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

2.2 The windows, doors and adjacent floor area facing Church Street shall maintain an active and interactive frontage to this street with clear glazing provided;

3. Signage

Any new 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 Building Permit application, being submitted and approved prior to the erection of the signage;

4. The existing kerbing shall be modified to the City's requirements at the applicant/owner cost to allow vehicles to enter the property and park the vehicles at 90 degrees to the street alignment;

5. **Waste**

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

6. **PRIOR TO THE ISSUE OF AN OCCUPANCY PERMIT** the following shall be provided:

6.1 **Bicycle Facility**

One (1) Class 1 or 2 bicycle facility shall be installed within the building in accordance with the City's Policy No. 7.7.1 relating to Parking and Access.

ADVICE NOTES:

1. In regard to condition 5 adequate space shall be provided to accommodate a 240 litre general waste bin and 360 litre recycling bin, and adequate space to allow for movement of the bins.

Mayor Carey vacated the Chair due to his Financial Interest in this matter and departed the Chamber at 6.30pm.

Deputy Mayor Cr Harley assumed the Chair at 6.30pm.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Topelberg, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Topelberg, **Seconded** Cr Cole

That a new Condition 1.3 be inserted as follows:

"1.3 The Recreation Facility (Yoga Studio) use be limited to a period of twelve (12) months. Further Planning Approval shall be required after that time period;"

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (8-0)

(Mayor Carey was absent from the Chamber and did not vote.)

Debate ensued.

AMENDMENT 2

Moved Cr Peart, Seconded Cr

That Condition 1.2 be amended to read as follows:

1.2 The hours of operation shall be limited to:

- ~~Monday – 6am – 7am and 6pm – 7pm~~ **Monday – Friday 6am – 7pm**
- **Tuesday – 6am – 7am, 9.30am – 10.30 am and 6pm – 7pm;**
- **Wednesday – 6am – 7am, 9.30am – 10.30am and 6pm – 7pm;**
- **Thursday – 6am – 7am, 9.30am -10.30am and 6pm – 7pm;**
- **Friday – 6am – 7am and 9.30am – 10.30am; and**
- ~~Saturday/Sunday – 8am – 9am~~ **8am -5pm;**

PROPOSED AMENDMENT LAPSED FOR WANT OF A SECONDER

PROCEDURAL MOTION

Moved Cr Cole, Seconded Cr McDonald

That the item be DEFERRED for further consideration and subsequently reported to the Ordinary Meeting of Council on 10 February 2015.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-1)

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

(Mayor Carey was absent from the Chamber and did not vote.)

9.1.2 Approval to Advertise Draft Character Retention Area Guidelines – Policy No. 7.1.8

Ward:	South Ward	Date:	9 January 2015
Precinct:	Hyde Park	File Ref:	SC1343
Attachments:	001 – Draft Character Retention Policy		
Tabled Items:	Nil		
Reporting Officer:	S Peters, Strategic Planning Officer J O’Keefe, Acting Manager Strategic Planning, Sustainability & Heritage Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to advertise the Draft Character Retention Area Guidelines - Policy No 7.1.8, as shown in Attachment 001 pursuant to Clause 47 of the City’s Town Planning Scheme No. 1 and the City’s Community Consultation Policy.

Mayor Carey returned to the Chamber and assumed the Chair at 6.45pm.

Deputy Mayor Cr Harley vacated the Chair at 6.45pm.

Moved Cr Buckels, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Buckels, Seconded Cr Topelberg

That the Officer recommendation be amended as follows:

That Council **AUTHORISES** the Chief Executive Officer to advertise the Draft Character Retention Area Guidelines - Policy No 7.1.8, as shown in Attachment 001 pursuant to Clause 47 of the City’s Town Planning Scheme No. 1 and the City’s Community Consultation Policy, subject to the following changes:

PART 1A – Amendment 1

1.2 Building Setbacks	
C1.2.1 Additions, garages and carports will only be supported behind the building setback line.	P1.2.1 Additions to dwellings are set back from the streetscape and visually subservient from the primary street so that the original roof form remains legible.
C1.2.2 Additions to the side of the original dwelling maybe supported where the applicant can demonstrate to the satisfaction of the Council that there are no adverse impacts on the original building façade and the character of the streetscape.	P1.2.2 Any additions to a dwelling shall not mimic any character style, must be identifiable as a contemporary structure and be visually subservient to the original character dwelling.
C1.2.3 Variations to side setbacks may be supported where they are in line with the existing dwelling and is in keeping with the existing streetscape.	

PART 1A – Amendment 2

1.3 Building Walls	
<p>C1.3.1 Where a new wall joins an existing wall of a heritage dwelling and is visible from the street, the intersection between the new and original walls shall be indicated by either:</p> <ul style="list-style-type: none"> • A recess, 500mm in depth and 1 meter wide in the new wall. • The use of different contrasting contemporary materials. <p>C1.3.21 Variations to the building wall height may be supported if the proposed height is a continuation of the existing dwelling, complies with the R-Codes and is in keeping with the existing streetscape.</p>	<p>P1.3.1 New walls are to be appropriate in both scale and bulk in relation to the original street pattern and maintain front and side setback patterns.</p>

PART 1A – Amendment 3

1.7 External Features and Decorative Treatments	
<p>C1.7.1 New development shall not replicate any traditional character features or materials of the existing dwelling and must be clearly distinguishable from the original dwelling.</p> <p>C1.7.2 Original and intact unpainted surfaces that should not be rendered or painted.</p> <p>C1.7.3 Removal of paint/render from originally unpainted/non-rendered masonry is supported.</p> <p>C1.7.4 The inclusion of decorative character features that have not previously been present, will not be supported.</p> <p>C1.7.54 Loft additions may be supported where the development is contained wholly within the roof space and where no visible change to the dwellings appearance from the street is made.</p>	<p>P1.7.1 Any additions to a dwelling shall not mimic any historical style, must be identifiable as a contemporary structure and be visually subservient to be designed to be sympathetic to bulk and scale of the original character dwelling <u>and not be visible from the street.</u></p>

PART 1A – Amendment 4

1.8 Roof Works	
<p>C1.8.1 Detailing to New roofing additions must be sympathetic to the existing roof form. and must be clearly distinguishable from the authentic heritage fabric</p>	<p>P1.8.1 New development shall not mimic any historic style, be identifiable as a contemporary structure and be visually subservient to the original dwelling <u>and must be consistent the bulk and scale of adjacent dwellings.</u></p>

Part 2A – Amendment 1

1.1 Demolition	
C1.1.1 Development Applications for full demolition of dwellings may be supported where the landowner has received the <u>positive recommendation of the City’s Design Advisory Committee.</u>	P1.1.1 To retain and conserve the appearance of dwellings within the Character Retention Area.

Part 2A – Amendment 2

1.2 Appearance of Additions & New Dwellings	
C1.2.1 New dwellings must be clearly identifiable as new additions in the streetscape and shall not replicate contributing dwellings.	P1.2.1 1 Any additions to a dwelling shall not mimic any historical style, must be identifiable as a contemporary structure and be visually subservient to the original character dwelling.
C1.2.21 New dwellings must address the street and be consistent with the bulk and scale of adjacent dwellings.	P1.2.21 A high standard of architectural and sustainable design is required for all proposed developments.

Debate ensued.

AMENDMENT PUT AND CARRIED (8-1)

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

Debate ensued.

AMENDMENT 2

Moved Cr Topelberg, Seconded Cr Buckels

“That C1.7.2 in the Draft Character Retention Area Guidelines be amended as follows:

C1.7.2 Original and intact unpainted surfaces ~~that~~ should not be rendered or painted.

AMENDMENT 2 PUT AND CARRIED (9-0)

AMENDMENT 3

Moved Cr Peart, Seconded Cr Topelberg

That Section 1.5 (C1.5.1) be amended to read as follows:

“C1.5.1 The removal of any on-site care bays is not supported.”

Debate ensued.

AMENDMENT PUT AND CARRIED (6-3)

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

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.1.2

That Council **AUTHORISES** the Chief Executive Officer to advertise the Draft Character Retention Area Guidelines - Policy No 7.1.8, as shown in Attachment 001 pursuant to Clause 47 of the City's Town Planning Scheme No. 1 and the City's Community Consultation Policy, subject to the following changes:

PART 1A – Amendment 1

1.2 Building Setbacks	
<p>C1.2.1 Additions, garages and carports will only be supported behind the building setback line.</p> <p>C1.2.2 Additions to the side of the original dwelling maybe supported where the applicant can demonstrate to the satisfaction of the Council that there are no adverse impacts on the original building façade and the character of the streetscape.</p> <p>C1.2.3 Variations to side setbacks may be supported where they are in line with the existing dwelling and is in keeping with the existing streetscape.</p>	<p>P1.2.1 Additions to dwellings are set back from the streetscape and visually subservient from the primary street so that the original roof form remains legible.</p>

PART 1A – Amendment 2

1.3 Building Walls	
<p>C1.3.1 Variations to the building wall height may be supported if the proposed height is a continuation of the existing dwelling, complies with the R-Codes and is in keeping with the existing streetscape.</p>	<p>P1.3.1 New walls are to be appropriate in both scale and bulk in relation to the original street pattern and maintain front and side setback patterns.</p>

PART 1A – Amendment 3

1.7 External Features and Decorative Treatments	
<p>C1.7.2 Original and intact unpainted surfaces should not be rendered or painted.</p> <p>C1.7.3 Removal of paint/render from originally unpainted/non-rendered masonry is supported.</p> <p>C1.7.4 Loft additions may be supported where the development is contained wholly within the roof space and where no visible change to the dwellings appearance from the street is made.</p>	<p>P1.7.1 Any additions to a dwelling shall be designed to be sympathetic to bulk and scale of the original character dwelling and not be visible from the street.</p>

PART 1A – Amendment 4

1.8 Roof Works	
C1.8.1 New roofing additions must be sympathetic to the existing roof form.	P1.8.1 New development shall and must be consistent the bulk and scale of adjacent dwellings.

Part 2A – Amendment 1

1.1 Demolition	
C1.1.1 Development Applications for full demolition of dwellings may be supported where the landowner has received the positive recommendation of the City's Design Advisory Committee.	P1.1.1 To retain and conserve the appearance of dwellings within the Character Retention Area.

Part 2A – Amendment 2

1.2 Appearance of Additions & New Dwellings	
C1.2.1 New dwellings must address the street and be consistent with the bulk and scale of adjacent dwellings.	P1.2.1 A high standard of architectural and sustainable design is required for all proposed developments.

9.1.3 Amendment No. 132 to Planning and Building Policy Manual – Review of Heritage Policies

Ward:	Both	Date:	9 January 2015
Precinct:	All	File Ref:	SC1972
Attachments:	<p>001 – Draft Amended Policy No. 7.6.2 – Heritage Management - Assessment;</p> <p>002 – Current Policy No. 7.6.5 – Heritage Management – Amendments to Municipal Heritage Inventory (MHI) to be rescinded; and</p> <p>003 – New Draft Policy No. 7.6.5 – Heritage Management – Amendments to Municipal Heritage Inventory (MHI)</p>		
Tabled Items:	Nil		
Reporting Officer:	H, Au, Heritage Officer A Fox, Strategic Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to advertise the following proposals for public comment:

1. **Amendment to Policy No. 7.6.2 relating to Heritage Management – Assessment, as shown in Attachment 001;**
2. **Rescission of existing Policy No. 7.6.5 relating to Heritage Management – Amendments to Municipal Heritage Inventory (MHI), as shown in Attachment 002; and**
3. **Draft Policy No. 7.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Attachment 003;**

in accordance with Clause 47 of the City's Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Buckels, Seconded Cr Peart

That the recommendation be adopted.

Cr Cole departed the Chamber at 7.08pm.

Cr Cole returned to the Chamber at 7.10pm.

Debate ensued.

MOTION PUT AND CARRIED (8-1)

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

Against: Cr Buckels

9.1.4 CEEP Progress Report and Termination of Funding Agreement

Ward:	Both Wards	Date:	9 January 2015
Precinct:	All Precincts	File Ref:	SC489
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	A Marriott, Sustainability Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** the progress report on Community Energy Efficiency Program (CEEP) activities;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 Terminate the CEEP Funding Agreement by mutual agreement with the Department of Industry and return unspent grant funding to the Department;
 - 2.2 Defer the geothermal heating ventilation air conditioning (HVAC) upgrade of Beatty Park Leisure Centre until the existing geothermal pool heating system is operating effectively, to the Chief Executive Officer's satisfaction;
 - 2.3 Complete the lighting and energy monitoring projects commenced under CEEP using the residual funds within the City's 2014-2015 CEEP Budget account; and
3. **APPROVES BY ABSOLUTE MAJORITY** the reallocation savings resulting from the termination of the CEEP Funding Agreement and deferment of the geothermal HVAC upgrade (approximately \$241,126) toward an independent audit of the pool heating system and subsequent rectification works.

Moved Cr Buckels, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Harley

"That Recommendation 3 be amended as follows:

3. ~~**APPROVES BY ABSOLUTE MAJORITY**~~ **NOTES** there will be the reallocation savings resulting from the termination of the CEEP Funding Agreement and deferment of the geothermal HVAC upgrade (approximately \$241,126).

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.1.4

That Council:

- 1. RECEIVES the progress report on Community Energy Efficiency Program (CEEP) activities;**
 - 2. AUTHORISES the Chief Executive Officer to:**
 - 2.1 Terminate the CEEP Funding Agreement by mutual agreement with the Department of Industry and return unspent grant funding to the Department;**
 - 2.2 Defer the geothermal heating ventilation air conditioning (HVAC) upgrade of Beatty Park Leisure Centre until the existing geothermal pool heating system is operating effectively, to the Chief Executive Officer's satisfaction;**
 - 2.3 Complete the lighting and energy monitoring projects commenced under CEEP using the residual funds within the City's 2014-2015 CEEP Budget account; and**
 - 3. NOTES there will be savings resulting from the termination of the CEEP Funding Agreement and deferment of the geothermal HVAC upgrade (approximately \$241,126).**
-

9.2.2 Hyde Street Reserve, Mount Lawley – Requested Improvements

Ward:	South	Date:	9 January 2015
Precinct:	Norfolk (10)	File Ref:	SC2000
Attachments:	001 –Proposed Closure Plan No. 3181-CP-01		
Tabled Items:	Nil.		
Reporting Officers:	R Lotznicker, Director Technical Services J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- DOES NOT SUPPORT** the request received to extend and make a number of improvements to the Hyde Street Reserve at the corner of Forrest Street and Hyde Street, Mount Lawley, for the reasons outlined in the Officer’s Report;
- LISTS FOR CONSIDERATION** in the 2015/16 draft budget the following improvements requested by residents; and

Residents Requests	Estimated Cost
Additional Traffic calming in Forrest Street	\$20,000
Traffic Calming in Hyde Street adjoining the Reserve	\$10,000
Provision of children crossing Signage on Forrest Street and Alma Road (to be actioned by MRWA)	N/A
Lighting of reserve	\$20,000
Replacing ‘asbestos’ fencing (50% contribution)	\$3,000
Planting of additional trees	\$1,000
Artwork on the wall	\$5,000
Additional swings	\$9,000
TOTAL	\$68,000

- ADVISES** the respondent of its decision.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Cole, Seconded Cr Harley

That Recommendation 1 be amended and a new Recommendation 4 be inserted as follows:

- ~~**DOES NOT SUPPORT**~~ **NOTES** the request received to extend and make a number of improvements to the Hyde Street Reserve at the corner of Forrest Street and Hyde Street, Mount Lawley, for the reasons outlined in the Officer’s Report;
- ~~**RECEIVES**~~ **a further report to provide a detailed costing of a potential extension to the park.**

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (9-0)

AMENDMENT 2

Moved Cr McDonald, Seconded Cr Cole

That a new Recommendation 5 be inserted as follows:

- 5. RECEIVES a further report to provide a detailed costing and recommendations in relation to the asbestos fence by the next Council Meeting.**

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)

AMENDMENT 3

Moved Cr Wilcox, Seconded Cr Cole

That Recommendation 1 be amended as follows:

- 1. NOTES the request received to extend and make a number of improvements to the Hyde Street Reserve at the corner of Forrest Street and Hyde Street, Mount Lawley; ~~for the reasons outlined in the Officer's Report;~~**

AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.2.2

That Council:

- 1. NOTES the request received to extend and make a number of improvements to the Hyde Street Reserve at the corner of Forrest Street and Hyde Street, Mount Lawley;**
- 2. LISTS FOR CONSIDERATION in the 2015/16 draft budget the following improvements requested by residents;**

Residents Requests	Estimated Cost
Additional Traffic calming in Forrest Street	\$20,000
Traffic Calming in Hyde Street adjoining the Reserve	\$10,000
Provision of children crossing Signage on Forrest Street and Alma Road (to be actioned by MRWA)	N/A
Lighting of reserve	\$20,000
Replacing 'asbestos' fencing (50% contribution)	\$3,000
Planting of additional trees	\$1,000
Artwork on the wall	\$5,000
Additional swings	\$9,000
TOTAL	\$68,000

- 3. ADVISES the respondent of its decision;**
- 4. RECEIVES a further report to provide a detailed costing of a potential extension to the park; and**
- 5. RECEIVES a further report to provide a detailed costing and recommendations in relation to the asbestos fence by the next Council Meeting.**

9.3.3 Financial Statements as at 30 November 2014

Ward:	Both	Date:	9 January 2015
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	N Makwana, Acting Accountant;		
Responsible Officer:	B C Tan, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 30 November 2014 as shown in Attachment 001.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, **Seconded** Cr Harley

That the recommendation be adopted.

Cr Buckels departed the Chamber at 8.05pm.

Cr Buckels returned to the Chamber at 8.06pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.3.4 Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville

Ward:	South	Date:	9 January 2015
Precinct:	Oxford Centre (4)	File Ref:	SC351/SC589
Attachments:	001 – Map of proposed leased area		
Tabled Items:	Nil		
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	J Anthony, A/Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** a lease from 1 February 2015 to 31 July 2020 with a further five (5) year option over the premises at 45 Richmond Street, Leederville being granted to Department of Education on behalf of Margaret Kindergarten, for the area depicted in Attachment 001, and subject to the following minimum conditions:
 - 1.1 **Term:** five (5) years plus five (5) year option;
 - 1.2 **Rent:** \$4,200 per annum inc GST indexed to CPI;
 - 1.3 **Parking Permits:** Payment of \$1,650 per annum per bay
Maximum six (6) bays to be used weekdays between 8am and 5pm;
 - 1.4 **Outgoings:** to be paid by the Lessee;
 - 1.5 **Rates & Taxes:** to be paid by the Lessee;
 - 1.6 **Permitted Use:** Child Care Facility; and
2. **APPROVES** twenty (20) car parking bays on the western-most side of the Loftus Centre car park (abutting Margaret Kindergarten, as shown in Attachment 001) being designated and sign-posted as being “ticket exempt 8.30am - 9.00am and 2.30pm – 3.00pm weekdays” with all associated costs to be paid by the Department of Education.
3. **AUTHORISES** the Chief Executive Officer to finalise negotiations with the Department of Educations, consistent with 1 and 2 above, and to executive the lease documentation accordingly.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

AMENDMENT 1

Moved Cr Cole, Seconded Cr Wilcox

That Recommendation 1 be amended as follows:

1. **APPROVES** a lease from 1 February 2015 to 31 July 2020 with two (2) further five (5) year options to 31 July 2025 and 31 July 2030 respectively, over the premises at 45 Richmond Street, Leederville being granted to Department of Education on behalf of Margaret Kindergarten, for the area depicted in Attachment 001, and subject to the following minimum conditions:
 - 1.1 **Term:** five (5) years with two (2) further five (5) year options to 31 July 2025 and 31 July 2030 respectively;
 - 1.2 **Rent:** \$4,200 per annum inc GST indexed to CPI;
 - 1.3 **Parking Permits:** Payment of \$1,650 per annum per bay
Maximum six (6) bays to be used weekdays between 8am and 5pm;
 - 1.4 **Outgoings:** to be paid by the Lessee;

- 1.5 Rates & Taxes: to be paid by the Lessee;
1.6 Permitted Use: Child Care Facility; and

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (9-0)

Debate ensued.

AMENDMENT 2

Moved Cr Topelberg, Seconded Cr Harley

That recommended lease condition 1.2 be amended and a new lease condition 1.7 be inserted under Recommendation 1, as follows:

- 1.2 Rent: \$4,200 per annum inc GST indexed to CPI for the first five year period;
1.7 A review of the rental amount at the end of the first five year period;

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.3.4

That Council:

1. **APPROVES** a lease from 1 February 2015 to 31 July 2020 with two (2) further five (5) year options to 31 July 2025 and 31 July 2030 respectively, over the premises at 45 Richmond Street, Leederville being granted to Department of Education on behalf of Margaret Kindergarten, for the area depicted in Attachment 001, and subject to the following minimum conditions:
 - 1.1 Term: five (5) years with two (2) further five (5) year options to 31 July 2025 and 31 July 2030 respectively;
 - 1.2 Rent: \$4,200 per annum inc GST indexed to CPI for the first five year period;
 - 1.3 Parking Permits: Payment of \$1,650 per annum per bay Maximum six (6) bays to be used weekdays between 8am and 5pm;
 - 1.4 Outgoings: to be paid by the Lessee;
 - 1.5 Rates & Taxes: to be paid by the Lessee;
 - 1.6 Permitted Use: Child Care Facility; and
 - 1.7 A review of the rental amount at the end of the first five year period;subject to final satisfactory negotiations being carried out by the Chief Executive Officer.
2. **APPROVES** twenty (20) car parking bays on the western-most side of the Loftus Centre car park (abutting Margaret Kindergarten, as shown in Attachment 001) being designated and sign-posted as being "ticket exempt 8.30am - 9.00am and 2.30pm - 3.00pm weekdays" with all associated costs to be paid by the Department of Education.
3. **AUTHORISES** the Chief Executive Officer to finalise negotiations with the Department of Educations, consistent with 1 and 2 above, and to executive the lease documentation accordingly.

9.4 COMMUNITY SERVICES

Nil.

9.5.2 LATE ITEM: Proposed Amendment to “Policy No. 4.2.3 – Council Meetings and Forums – Format, Procedures and Maximum Duration” – Recognition of Council Briefings

Ward:	-	Date:	20 January 2015
Precinct:	-	File Ref:	ADM0016 & ADM0066
Attachments:	001 – Council Meetings and Forums – Format, Procedures And Maximum Duration Policy No. 4.2.3		
Tabled Items:	-		
Reporting Officer:	L Kosova, Chief Executive Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **ENDORSES** the Council Briefing guidelines outlined in the ‘Details’ section of this report to apply to City of Vincent Council Briefings;
2. **BY ABSOLUTE MAJORITY DELEGATES AUTHORITY** to the Chief Executive Officer to amend “Policy No. 4.2.3 – Council Meetings and Forums – Format, Procedures and Maximum Duration” to incorporate the guidelines relating to Council Briefings, as outlined in the ‘Details’ section of this report, including for those provisions to supersede any contradicting or competing provisions of the current Policy; and
3. **DETERMINES** that it is not necessary to carry out public consultation on amending Policy No. 4.2.3 to include the Council Briefing guidelines endorsed in accordance with 1 above, as the proposed changes are not considered to be significant enough to warrant public consultation in accordance with Appendix 2 of Policy No. 4.1.5, given the changes relate exclusively to the City’s administrative process and principles for running Council Briefings and would actually increase public visibility of discussion on items being presented to Council and would increase opportunities for Elected Members and members of the public to ask questions on items intended to be presented to Council for determination.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Harley, Seconded Cr McDonald

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Mayor John Carey – Enhancing Governance and Transparency in Council Member dealings with Developers

That Council REQUESTS the Chief Executive Officer to present a report to a Council Forum to consider introducing a public register of all Council Member meetings and telephone conversations with developers and applicants regarding planning and development proposals within the City of Vincent.

Moved Cr Harley, Seconded Cr Topelberg

That the motion be adopted.

AMENDMENT

Moved Cr Harley, Seconded Cr McDonald

In PRINCIPLE supports a ban on donations from property developers to candidates for local government elections and calls upon the State Government to introduce this ban through an amendment to the Local Government Act.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 10.1

That Council:

1. REQUESTS the Chief Executive Officer to present a report to a Council Forum to consider introducing a public register of all Council Member meetings and telephone conversations with developers and applicants regarding planning and development proposals within the City of Vincent; and
2. In PRINCIPLE supports a ban on donations from property developers to candidates for local government elections and calls upon the State Government to introduce this ban through an amendment to the Local Government Act.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

12.1 Nominations – Panel Members and Alternative Members for Local Government Development Assessment Panel

Ward:	-	Date:	9 January 2015
Precinct:	-	File Ref:	SC1016
Attachments:	001 – Panel Nomination Form		
Tabled Items:			
Reporting Officer:	G Poezyn, Director Planning Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That:

1. _____ and _____ be nominated as the Local Government Development Assessment Panel (DAP) Members;
2. _____ be nominated as the Local Government Development Assessment Panel (DAP) first Alternate Member; and
3. _____ be nominated as the Local Government Development Assessment Panel (DAP) second Alternative Member.

COUNCIL DECISION ITEM 12.1

Moved Cr Harley, Seconded Cr McDonald

That:

1. Mayor Carey and Cr Topelberg be nominated as the Local Government Development Assessment Panel (DAP) Members;
2. Cr Buckels be nominated as the Local Government Development Assessment Panel (DAP) first Alternate Member; and
3. Cr Harley be nominated as the Local Government Development Assessment Panel (DAP) second Alternative Member.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

13. URGENT BUSINESS

13.1 URGENT BUSINESS: Appointment of Member for the Tamala Park Regional Council (TPRC)

Ward:	-	Date:	20 January 2015
Precinct:	-	File Ref:	ORG0054
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	Len Kosova, Chief Executive Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

Due to the resignation of the Council's previously appointed Member, Cr. Joshua Topelberg, the Council APPROVES the appointment of Councillor to be its Member for the Tamala Park Regional Council commencing from 1 February 2015 until 18 October 2015.

COUNCIL DECISION ITEM 13.1

Moved Cr Harley, Seconded Cr Wilcox

Due to the resignation of the Council's previously appointed Member, Cr. Joshua Topelberg, the Council APPROVES the appointment of Mayor John Carey to be its Member for the Tamala Park Regional Council commencing from 1 February 2015 until 18 October 2015.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

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

PROCEDURAL MOTION

At 8.20pm Moved Cr McDonald, Seconded Cr Peart

Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports relating to Items 14.1, and 14.2

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

There were no members of the public present.

PRESENT:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Rob Boardman	Director Community Services
Gabriela Poczyn	Director Planning Services
Jacinta Anthony	Acting Director Corporate Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

14.1 CONFIDENTIAL ITEM: Nos. 169-173 (Lots: 5 and 99) Scarborough Beach Road and Nos. 60-62 (Lot 98) Coogee Street, Mount Hawthorn – Proposed Introduction of a Fee Paying Car Park to Existing Car Park – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 75 of 2014)

Ward:	North	Date:	9 January 2015
Precincts:	Mount Hawthorn Centre, P02 & Mount Hawthorn P01	File Ref:	PRO0156 and PRO3795; 5.2013.382.1
Attachments:	Confidential – Property Information Report Confidential – Development Application Plans Confidential – Applicant Parking Management Plan Confidential – DVC Review of Parking Survey Data Confidential – Parking Study Report Confidential – Letter from McLeods		
Tabled Items:	Nil		
Reporting Officer:	P Mrdja, Manager Planning Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the Officer Recommendation as detailed in this Confidential Report; and
2. **ADVISES** the State Administrative Tribunal of the decision.

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

LEGAL:

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

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

“2.14 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.”*

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

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

COUNCIL DECISION ITEM 14.1

Moved Cr Cole, Seconded Cr Pintabona

That the recommendation be adopted.

MOTION PUT AND CARRIED (7-2)

For: Presiding Member Mayor Carey, Cr Buckels, Cr Harley, Cr McDonald, Cr Peart, Cr Pintabona and Cr Topelberg

Against: Cr Cole and Cr Wilcox

14.2 CONFIDENTIAL ITEM: Disposal of the Property at No. 291 and 295 Vincent Street, Leederville – Major Land Transaction

Ward:	South	Date:	12 January 2015
Precinct:	Oxford Centre (4)	File Ref:	PRO0527 & PRO0631
Attachments:	001 – Confidential Major Land Transaction Business Plan 002 – Carr Place Precinct – Design Guidelines 003 – Site Photography of the property and laneway 004 – Proposed subdivision plan		
Tabled Items:	001 - Confidential Valuation Report January 2014 002 - Confidential Valuation Report October 2014		
Reporting Officer:	J Anthony, A/Director Corporate Services		
Responsible Officer:	L Kosova, Chief Executive Officer		

DETAILS:

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

- (e) *a matter that, if disclosed, would reveal;*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person.*

LEGAL:

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

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

“2.14 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

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

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, Council may wish to make some details available to the public.

COUNCIL DECISION ITEM 14.2

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

PROCEDURAL MOTION

At 9.30pm **Moved** Cr Pintabona, **Seconded** Cr Topelberg

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9.30pm 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 John Pintabona | South Ward |
| Cr Joshua Topelberg | South Ward |
| Cr Julia Wilcox | North Ward |
| Len Kosova | Chief Executive Officer |
| Rick Lotznicker | Director Technical Services |
| Rob Boardman | Director Community Services |
| Gabriela Poezyn | Director Planning Services |
| Jacinta Anthony | Acting Director Corporate 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 20 January 2015.

Signed: Mayor John Carey.

Dated this day of 2015.