



**CITY OF VINCENT**

**ORDINARY  
COUNCIL MEETING**

**Minutes**

**27 OCTOBER 2015**

**ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY**

This document is available in other formats and languages.

**INDEX  
(27 OCTOBER 2015)**

<b>ITEM</b>	<b>REPORT DESCRIPTION</b>	<b>PAGE</b>
<b>9.1 PLANNING SERVICES</b>		
9.1.1	No. 20 (Lot: 200; D/P: 7473) Kayle Street, North Perth – Proposed Demolition of Existing Single House and Construction of Eight Multiple Dwellings (PR22498; 5.2015.361.1)	29
9.1.2	No. 50 (Lot: 10; D/P: 13828) Scarborough Beach Road, North Perth – Proposed Multiple Dwelling Development Comprising Five Multiple Dwellings with Undercroft Car Parking (PR16661; 5.2015.301.1)	8
9.1.3	No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth – Proposed Change of Use from Single House to Consulting Rooms (Medical-Dental Surgery) (PR53791; 5.2015.219.1)	22
9.1.4	No. 235 (Lot: 185; D/P: 7473) Charles Street, North Perth – Proposed Demolition of Existing Single House and Construction of a Nine Multiple Dwelling Development (PR19597; 5.2014.498.1) <b>[ITEM WITHDRAWN AT THE REQUEST OF THE APPLICANT]</b>	21
9.1.5	Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area (SC1601)	37
9.1.6	Extension of Period of Appointment of Panel on the City’s Design Advisory Committee (DAC) (SC338)	33
<b>9.2 TECHNICAL SERVICES</b>		
9.2.1	Proposed Traffic Calming – Bourke Street, Leederville - Further Report No. 2 (SC698, SC228)	39
9.2.2	Traffic Management – Proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth, Progress Report No. 4 (SC168, SC1248)	13
9.2.3	Proposed Bike Boulevard Project – Progress Report No. 1 (SC652)	25
<b>9.3 CORPORATE SERVICES</b>		
9.3.1	Investment Report as at 30 September 2015 (SC1530)	14
9.3.2	Authorisation of Expenditure for the Period 1 to 30 September 2015 (SC347)	34
9.3.3	Financial Statements as at 31 August 2015 (SC357)	15
9.3.4	Financial Statements as at 30 September 2015 (SC357)	16
9.3.5	Lease for Loton Park Tennis Club – Lease of Premises Corner Bulwer and Lord Streets, Perth (SC351/SC623)	17
9.3.6	Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sublease to Vincent Men’s Shed (Inc.) (SC351/SC2087)	27
9.3.7	Disposal of Property at Lot 140 Brentham Street, Mount Hawthorn (SC2328) <b>[Absolute Majority Decision Required]</b>	40
<b>9.4 COMMUNITY SERVICES</b>		
9.4.1	Community Support Grants (FY20-03, SC393)	35

---

<b>9.5</b>	<b>CHIEF EXECUTIVE OFFICER</b>	
9.5.1	Use of the Common Seal	18
9.5.2	Adoption of Minutes from Special Council Meeting held on 3 February 2015	19
9.5.3	Revised Terms of Reference for Various Advisory Groups	36
9.5.4	Appointment of Council Members to the City's Audit Committee (SC243-02) <b>[Absolute Majority Decision Required]</b>	41
9.5.5	Information Bulletin	20
<b>10.</b>	<b>COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	
10.1	NOTICE OF MOTION: Mayor John Carey – Request the review of the City's Parking Control Policy No. 3.9.5	42
10.2	NOTICE OF MOTION: Mayor John Carey – Review of Laws, Policies and Practices relating to the impact of construction activity, on the public realm	43
<b>11.</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b> (Without Discussion)	
		44
<b>12.</b>	<b>REPRESENTATION ON COMMITTEES AND PUBLIC BODIES</b>	
	Nil	44
<b>13.</b>	<b>URGENT BUSINESS</b>	
		44
<b>14.</b>	<b>CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b> ( <i>“Behind Closed Doors”</i> )	
14.1	CONFIDENTIAL REPORT: No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development- Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 300 of 2015) (PR19010; 5.2015.42.1)	45
14.2	LATE ITEM: CONFIDENTIAL REPORT: Leederville Gardens Retirement Village – Board Appointments (SC1670; SC313)	46
<b>15.</b>	<b>CLOSURE</b>	47

---

## 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 27 October 2015, commencing at 6.00pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Deputy Mayor Cr Roslyn Harley, declared the meeting open at 6.05pm 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 Mayor John Carey on approved leave of absence from Wednesday 21 October 2015 to Thursday 12 November 2015 (inclusive), due to personal commitments.

#### (c) Present:

Cr Roslyn Harley ( <i>Deputy Mayor</i> )	Presiding Member
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Laine McDonald	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
John Paton	Director Corporate Services
Ryan Hall	A/Director Community Services
Francois Sauzier	Travel Smart Officer (until 7.40pm)
Jerilee Highfield	Executive Assistant, Minutes Secretary
<u>Media</u>	
Sophie Gabrielle	Journalist – <i>"The Guardian Express"</i> (until approximately 9.00pm)

Approximately 18 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. Carmelina Seizer of 107 Shakespeare Street, Mount Hawthorn – Item 9.2.3

- I carried out a petition regarding the bike boulevard and 80% were against it, and 12% were unsure and 8% were in favour of the proposal. Some of the issues of concern were speeding traffic along Shakespeare Street, insufficient cyclists to warrant doing a bicycle boulevard, lack of consultation time and limits on residential and visitor parking.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Ms Zeiser for her comments.*

2. Robert Zeiser of 107 Shakespeare Street, Mount Hawthorn – Item 9.2.3

- Recommended investigating alternate streets for this concept, such as Anzac Road, Newcastle Street, Bourke Street, Charles Street and Fairfield Street.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Mr Zeiser for his comments.*

3. Jenny Hopwood of 20 Shakespeare Street, Leederville

- Represented the Claisebrook Catchment Group and presented a Cheque for \$1,375 to be used for the prize money for the Catchment friendly category in the City's Garden Competition

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Ms Hopwood.*

4. Lenone Ferrier of 9 Hyde Street, Mount Lawley – Item 9.3.6

- Asked for the Council to support the item.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Ms Ferrier for her comments.*

5. Mathew Daniels of 1 Gliebe Street, North Perth – Item 9.1.3

- North Perth Dental is a small family business that was started by my father over 30 years ago. Asked for the Council to support the Item.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Mr Daniels for his comments.*

6. Geoff Cooper of 3 Gliebe Street, North Perth – Item 9.1.3

- Spoke against the item. The applicant states that this area is already commercialised so to allow for another business is justified; this argument is based on false premises.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Mr Cooper for his comments.*

7. Linda Quinn of 109 Alma Road, North Perth – Item 9.1.3

- Did not support the Item and spoke against it.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Ms Quinn for her comments.*

8. Marion Cooper of 3 Gliebe Street, Mount Hawthorn – Item 9.1.3

- Did not support the Item and spoke against it and asked for Council to not support the Item.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Ms Cooper for her comments.*

9. Murray Castleton of TPG, level 7, 182 St George's Terrace, Perth – Item 9.1.3

- Asked for Council to support the Item on its facts and not the emotive arguments raised by the previous three speakers who.
- The proposal is not a non-compliant use, it is actually a use that can be approved.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Mr Castleton for his comments.*

10. Dudley Maier of 51 Chatsworth Road, Highgate – Items 9.1.3 & 9.2.3

- 9.2.3 – As a cyclist it did not strike me as an obvious route. Council may wish to consider an alternate road.
- 9.1.3 – A few years ago Council commissioned an economic development strategy and one of the recommendations was to try and keep commercial in the Town Centres.

*The Presiding Member Deputy Mayor Cr Roslyn Harley thanked Mr Maier for his comments.*

There being no further speakers, Public Question Time closed at approximately 6.35 pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

5.1 Petition received from Mr N Phillips of Lawler Street, North Perth along with 14 signatures from the property owners of 63 to 77 Lawler Street, North Perth, requesting amendment of the streetscape policy for 63-77 Lawler Street, North Perth.

5.2 Petition received from Ms C Zeiser of Shakespeare Street, Mount Hawthorn, along with 49 signatures, opposing the proposed Bike Boulevard project for Shakespeare Street, Mount Hawthorn.

**Moved Cr Topelberg, Seconded Cr McDonald**

**That the petitions be received.**

**CARRIED UNANIMOUSLY (8-0)**

**(Mayor Carey was on approved leave of absence.)**

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

6.1 Minutes of the Ordinary Meeting of Council held on 22 September 2015.

**Moved Cr Cole, Seconded Cr Topelberg**

**That the Minutes of the Ordinary Meeting of Council held on 22 September 2015 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Mayor Carey was on approved leave of absence.)**

6.2 Minutes of the Special Meeting of Council held on 13 October 2015.

**Moved Cr McDonald, Seconded Cr Cole**

**That the Minutes of the Special Meeting of Council held on 13 October 2015 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Mayor Carey was on approved leave of absence.)**

6.3 Minutes of the Special Meeting of Council held on 19 October 2015.

**Moved Cr Buckels, Seconded Cr Cole**

**That the Minutes of the Special Meeting of Council held on 19 October 2015 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Mayor Carey was on approved leave of absence.)**

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

The Presiding Member Deputy Mayor Cr Roslyn Harley made the following announcements;

**7.1 Welcome and Farwell of old and new Council Members**

I would like to formally welcome to the first Ordinary Council Meeting, Cr Jimmy Murphy, Cr Dan Loden and Cr Susan Gontaszewski. I would also like to acknowledge outgoing Councillors, Cr Julia Wilcox who retired from Council and Cr John Pintabona, who was not re-elected after serving a 4 year term as a Councillor for the South Ward

**7.2 Launch of Community Safety and Crime Prevention Plan 2015 – 2018**

Thank you to the Councillors who attended the event held on Monday 26 October 2015. To launch the City's Community Safety and Crime Prevention Plan 2015-2018. It is a fantastic plan for those of you who have not yet had an opportunity to look at it - it is a real collaboration between the City, our community and our partners. Our staff have worked very hard to bring all that consultation together and in doing the presentation on the night.

**7.3 City of Vincent – Transparency Reforms**

We are aiming to be at the forefront in local government to lead transparency reforms in our sector. Those of us who were up for re-election took this position to the community and prior to that this Council made decisions about the steps we are going to make in this regard. The Gifts and Benefits Register is already online, as is our developers register and at the request of the Council the CEO is working with staff to look at all other registers that can be made available online.

## 8. DECLARATIONS OF INTERESTS

- 8.1 Cr Susan Gontaszewski declared a financial interest in Item 9.1.5 - Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of her interest being that the property she resides in, which is owned by her parents, has metal sheet fencing along the side boundary in the front setback area that she now realises is non-compliant with the policy provision which is now proposed to be amended. If Council decides to pursue and ultimately adopt the Policy amendment then the fencing on her property will be compliant and her parents and she will avoid any expense associated with having to bring the fence into compliance with the current Policy. Conversely, if the Policy is not amended and enforcement action is taken by the City in respect of the fence on my property, then she or her parents will incur some expense for having to bring the property into compliance with the Policy.
- 8.2 Cr Jimmy Murphy declared a financial interest in Item 9.1.5 - Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of his interest being that the property he owns has metal sheet fencing along the side boundary in the front setback area that is non-compliant with the policy provision which is now proposed to be amended. If Council decides to pursue and ultimately adopt the Policy amendment then the fencing on his property will be compliant and he will avoid any expense associated with having to bring the fence into compliance with the current Policy. Conversely, if the Policy is not amended and enforcement action is taken by the City in respect of the fence on is property, then he will incur some expense for having to bring the property into compliance with the Policy.
- 8.3 Cr Daniel Loden declared a financial interest in Item 9.1.5 - Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of his interest being that the property he owns has metal sheet fencing along the side boundary in the front setback area that is non-compliant with the policy provision which is now proposed to be amended. If Council decides to pursue and ultimately adopt the Policy amendment then the fencing on his property will be compliant and he will avoid any expense associated with having to bring the fence into compliance with the Current policy. Conversely, if the Policy is not amended and enforcement action is taken by the City in respect of the fence on my property, then he will incur some expense for having to bring the property into compliance with the Policy.
- 8.4 Cr Matt Buckels declared a Proximity Interest in Item 9.2.1 - Proposed Traffic Calming – Bourke Street, Leederville - Further Report No. 2. The extent of his interest being that he lives on Bourke Street.
- 8.5 Cr Emma Cole declared an Impartiality Interest in Item 9.1.5 - Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area. The extent of her interest being her residential property at 83 Anzac Road, Mount Hawthorn has fibre cement sheet fencing along the side boundary in the front setback area that is non-compliant with the current policy provision. Whilst Administration is not proposing any change to this aspect of the Policy, Cr Cole alerted Council to the fact that if a Council Member moves an Amendment to the Motion to also relate to fibre cement sheeting then her interest in this matter will become a Financial Interest and she would need to separately disclose that interest prior to any discussion on that Amendment.

- 8.6 Cr Susan Gontaszewski declared an Impartiality Interest in Item 9.2.3 – Shakespeare Street Bike Boulevard. The extent of her interest being that she has an association with a resident of Shakespeare Street, Mount Hawthorn, namely Neil Keen whom she works with at the WA Health Department.
- 8.7 Cr Matt Buckels declared an Impartiality Interest in Item 9.3.6 – Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sublease to Vincent Men’s Shed (Inc.). The extent of his interest being that he was a member of the Men’s Shed in its first year of operation, but is no longer a member.
- 8.8 Cr Susan Gontaszewski declared an Impartiality Interest in Item 9.3.6 – Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sublease to Vincent Men’s Shed (Inc.). The extent of her interest being that she has a personal association with two members of the Men’s Shed Committee – namely Lenone Ferrier and Jake Schapper.
- 8.9 Cr Daniel Loden declared an Impartiality Interest in Item 9.3.6 - Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sublease to Vincent Men’s Shed (Inc.). The extent of his interest being that he is friends with a member of the Group.
- 8.10 Cr Susan Gontaszewski declared an Impartiality Interest in Item 9.4.1 – Community Support Grants. The extent of her interest being that her child attends school with the children of the Director of Homeless Healthcare namely Anne Maree Ferguson, and they have a personal friendship.
- 8.11 Cr Jimmy Murphy declared an Impartiality Interest in Item 9.4.1 – Community Support Grants. The extent of his interest being that he is friends with Anne-Marie Ferguson from Homeless Healthcare through Highgate Primary School.
- 8.12 Cr Josh Topelberg declared an Impartiality Interest in Item 9.1.3 - No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth – Proposed Change of Use from Single House to Consulting Rooms (Medical-Dental Surgery). The extent of his interest being that he was a patient of the proponent’s current dental practice for a short period approximately 5 years ago.
- 8.13 Cr Matt Buckels declared an Impartiality Interest in Item 9.1.3 - No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth – Proposed Change of Use from Single House to Consulting Rooms (Medical-Dental Surgery). The extent of his interest being that he has a personal acquaintance with the applicant’s planning consultant.
- 8.14 Cr Josh Topelberg declared an Impartiality Interest in Confidential Item 14.1 - CONFIDENTIAL REPORT: No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development- Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004. The extent of his interest being that the applicant has previously provided scaffolding to a builder undertaking renovations at his primary residence. This was invoiced at full commercial rates.

**9. REPORTS**

As listed in the Index.

The Presiding Member, Deputy Mayor Cr Roslyn Harley, 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 9.1.3, 9.2.3 and 9.3.6

- (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:**

Items 9.3.7 and 9.5.4

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

Item 9.1.5 and 9.2.1

Presiding Member, Deputy Mayor Cr Roslyn Harley,, 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	On Approved Leave of Absence
Cr Harley (Deputy Mayor)	9.3.2
Cr Buckels	9.1.1
Cr Cole	9.4.1 and 9.5.3
Cr Gontaszewski	Nil
Cr Loden	Nil
Cr Murphy	Nil
Cr McDonald	Nil
Cr Topelberg	9.1.6

The Presiding Member, Deputy Mayor Cr Roslyn Harley,, 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 9.1.2, 9.2.2, 9.3.1, 9.3.3, 9.3.4, 9.3.5, 9.5.1, 9.5.2 and 9.5.5.

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

Items 14.1 and 14.2.

**ITEMS APPROVED “EN BLOC”:**

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

**Moved Cr McDonald, Seconded Cr Topelberg**

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

**Items 9.1.2, 9.2.2, 9.3.1, 9.3.3, 9.3.4, 9.3.5, 9.5.1, 9.5.2 and 9.5.5.**

**CARRIED UNANIMOUSLY (8-0)**

**(Mayor Carey was on approved leave of absence.)**

**9.1.2 No. 50 (Lot: 10; D/P: 13828) Scarborough Beach Road, North Perth – Proposed Multiple Dwelling Development Comprising Five Multiple Dwellings with Undercroft Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 8 – North Perth	<b>File Ref:</b>	PR16661; 5.2015.301.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Planning Report <a href="#">4</a> – Applicant’s Justification <a href="#">5</a> – Car Parking Table <a href="#">6</a> – Marked up plans showing proposed versus required setbacks <a href="#">7</a> – Design Advisory Committee Comment		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Statutory Planning Officer		
<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 Design Right on behalf of the owner G & LJ Radisich, for the proposed Two Storey Multiple Dwelling Development Comprising Five Multiple Dwellings with Undercroft Car Parking at No. 50 (Lot: 10; D/P: 13828) Scarborough Beach Road, North Perth as shown on plans date stamped 4 July 2015 and amended plans date stamped 4 September 2015, included as Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 44-48 Scarborough Beach Road in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1 A minimum of five resident and one 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;
- 2.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications; and
- 2.7 Any modification to the existing street layout, must be completed at the applicant’s costs to the satisfaction of the City;

3. **External Fixtures**

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

4. **Verge Trees**

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

5. **Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

6. **Retention of Existing Tree**

6.1 The Olive Tree located in the north western corner of the site shall be retained and the following shall not occur beneath the drip line of the tree in order to protect the tree during construction:

- Storage of materials;
- Mixing of materials;
- Parking of plant, machinery, vehicles, trailers etc.;
- Erection of temporary structures;
- Any in-ground or other intrusions such as trenching;
- Damage to the tree in any form e.g. sign erection/cable attachment;
- Placement of fill/soil and/or grade changes; and
- Any other activities or otherwise that may affect the structure and health of the tree;

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

7.1 **Revised Plans**

Revised Plans to be provided denoting the following:

7.1.1 **Privacy**

The northern elevation of the alfresco areas of Unit 3 and Unit 5 and the eastern elevation of the balcony of Unit 2 being screened in accordance with the Residential Design Codes to the satisfaction of the City; and

7.1.2 **Front Fencing**

Any new street/front wall, fence and gate within the Scarborough Beach Road setback areas, including along the side boundaries within this street setback area, shall comply with the City's Policy No. 7.2.1 – Residential Design Elements relating to Street Walls and Fences;

**7.2 Landscaping**

A detailed landscape plan for the development site drawn to a scale of 1:100 shall show the following to the satisfaction of the City:

- 7.2.1 The location and type of existing and proposed trees and plants;
- 7.2.2 All vegetation including lawns;
- 7.2.3 Retention of existing olive tree in the north-western corner of the property;
- 7.2.4 Areas to be irrigated or reticulated and such method;
- 7.2.5 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 7.2.6 Separate soft and hard landscaping plans (indicating details of materials to be used); and
- 7.2.7 The redundant crossover being removed and landscaped in accordance with the landscaping proposed for the remainder of the verge;

**7.3 Acoustic Report**

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

**7.4 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, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction and management of the site shall thereafter comply with the approved Construction Management Plan; and

**7.5 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;

8. Prior to occupation of the development, the following shall be completed to the satisfaction of the City;

**8.1 Clothes Drying Facilities**

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

**8.2 Carparking**

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;

**8.3 Stormwater**

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

**8.4 Acoustic Report Certification**

With reference to Condition 7.3, certification from an acoustic consultant, that the recommended measures have been undertaken shall be provided to the City;

**8.5 Landscape Plan and Verge Upgrade Plan**

With reference to Condition 7.2, all such works shown shall be undertaken in accordance with the approved plan and maintained thereafter, to the satisfaction of the City, by the owners/occupiers; and

**8.6 Bicycle Bays**

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

**ADVICE NOTES:**

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 1.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
3. With reference to Condition 1.6, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$2,000 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;
5. With reference to Condition 7.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If 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;

7. **With reference to Condition 8.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;**
  8. **Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process;**
  9. **A Demolition Permit application shall be obtained from the City prior to commencement of any demolition works on the site; and**
  10. **With reference to Condition 2.7, the City is currently installing protected bicycle lanes in Scarborough Beach Road and the proposal may result in the need to modify any road islands.**
- 

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr McDonald, Seconded Cr Topelberg**

**That the recommendation be adopted.**

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

**(Mayor Carey was on approved leave of absence.)**

---

---

**9.2.2 Traffic Management – Proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth, Progress Report No. 4**

<b>Ward:</b>	South	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 3 - Smiths Lake	<b>File Ref:</b>	SC168, SC1248
<b>Attachments:</b>	<a href="#">1</a> - Plan No. 3087-CP-01 <a href="#">2</a> – Traffic Data Plan <a href="#">3</a> – Plan No. 3087-PP-01 <a href="#">4</a> – Plan No. 3098-CP-02 <a href="#">5</a> – Summary of Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	A Brown, Engineering Technical Officer R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **NOTES** the comments received at the conclusion of the Traffic Management trial and consultation period as per Attachment 5;
2. **APPROVES** implementing the following;
  - 2.1 formalising the left in/left out ‘Seagull’ island at the intersection of Richmond Street and Loftus Street, as shown on attached Plan No. 3087-CP-01 at Attachment 1;
  - 2.2 installing a left out only ‘1/2 Seagull’ island at the intersection of Thompson Street and Loftus Street as shown on attached Plan No. 3098-CP-02 at Attachment 4;
  - 2.3 introducing a 3P Parking restrictions 8am-5.30pm Monday to Friday, in Thompson Street as shown on attached Plan No. 3098-CP-02 at Attachment 4; and
  - 2.4 introducing a 3P parking restrictions 8am-5.30pm Monday to Friday along the southern side of Richmond Street from Loftus Street to Barnet Street, as shown on attached plan 3087-PP-01 at Attachment 3; and
3. **ADVISES** all respondents of its decision;

---

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.3.1 Investment Report as at 30 September 2015**

<b>Ward:</b>	Both	<b>Date:</b>	9 October 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 G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **NOTES** the Investment Report for the month ended 30 September 2015 as detailed in Attachment 1.

---

**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

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

<b>Ward:</b>	Both	<b>Date:</b>	9 Oct 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">1</a> – Financial Reports		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant G Garside, 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 August 2015 as shown in Attachment 1.

---

**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.3.4 Financial Statements as at 30 September 2015**

<b>Ward:</b>	Both	<b>Date:</b>	9 Oct 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">1</a> – Financial Reports		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

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

---

**COUNCIL DECISION ITEM 9.3.4**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.3.5 Loton Park Tennis Club – Lease of Premises Corner Bulwer and Lord Streets, Perth**

<b>Ward:</b>	North	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	SC351/SC623
<b>Attachments:</b>	<a href="#">1</a> – Map of proposed leased area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Paton, Director Corporate Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

1. That Council **APPROVES** a lease from 1 November 2015 to Loton Park Tennis Club over the premises located at the corner of Bulwer and Lord Streets, Perth, on the following key terms:
  - 1.1 **Term:** five years plus two five year options;
  - 1.2 **Permitted Use:** Sporting Facility;
  - 1.3 **Rent:** \$1,000 plus GST per annum (indexed by CPI);
  - 1.4 **Statutory Compliance:** Lessee responsibility;
  - 1.5 **Rates & Taxes:** to be paid by the Lessee;
  - 1.6 **Outgoings:** to be paid by the Lessee;
  - 1.7 **Repair & maintenance:** Lessee to keep, maintain and substantially repair;
  - 1.8 **Lessor's Covenants:**
    1. to grant the Lessee quiet enjoyment of the premises; and
    2. repairs to major structural elements of the clubhouse.
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the lease in 1 above.

---

**COUNCIL DECISION ITEM 9.3.5**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

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

<b>Ward:</b>	-	<b>Date:</b>	21 October 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 months of September and October 2015.

---

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.5.2 Adoption of Minutes from Special Council Meeting held on 3 February 2015**

<b>Ward:</b>	-	<b>Date:</b>	12 October 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">1</a> – Special Council Meeting Minutes		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council **CONFIRMS** the Minutes of the Special Council Meeting held on 3 February 2015 as shown in Attachment 1.

---

**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.5.5 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	9 October 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 9 October 2015 as distributed with the Agenda.

---

**COUNCIL DECISION ITEM 9.5.5**

**Moved Cr McDonald, Seconded Cr Topelberg**

That the recommendation be adopted.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.1.4 No. 235 (Lot: 185; D/P: 7473) Charles Street, North Perth – Proposed Demolition of Existing Single House and Construction of a Nine Multiple Dwelling Development**

**ITEM WITHDRAWN AT THE REQUEST OF THE APPLICANT.**

**9.1.3 No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth – Proposed Change of Use from Single House to Consulting Rooms (Medical–Dental Surgery)**

<b>Ward:</b>	South	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 6 – Smith’s Lake	<b>File Ref:</b>	PR53791; 5.2015.219.1
<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> – Applicant’s response to neighbour concerns		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	P Stuart, Statutory Planning Officer		
<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 the owner Niyati Shah, for the proposed Change of Use from Single House to Consulting Rooms (Medical-Dental Surgery) at No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth as shown on plans date stamped 21 June 2015, included as Attachment 2, subject to the following conditions:

**1. Consulting Rooms Use**

- 1.1 The approval is for Consulting Rooms (Medical–Dental Surgery) only;
- 1.2 The use shall not include massage activity of a sexual nature, prostitution, as a brothel business, as an agency business associated with prostitution, as an escort agency business, or the like; and
- 1.3 The use shall be limited to a maximum of one dentist operating from these premises at any one time. Any increase in the number of consulting rooms/consultants shall require Planning Approval to be applied for and obtained from the City;

**2. Operating Hours**

The hours of operation shall be limited to the following times:

- Monday to Friday: 8.00am to 6.00pm;
- Saturday: 8.00am – 3.00pm; and
- Not open on Sundays or Public Holidays;

**3. Interactive Relationship with Street**

Doors, windows and adjacent floor areas fronting Glebe and Alma Streets shall maintain an active and interactive relationship with the streets; and

**4. External Fixtures**

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

**ADVICE NOTES:**

1. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application; and
2. An Occupancy Permit will be required for the Change of Use/Class to comply with Class 6. A Building Permit will be required for any proposed internal fit-out work or upgrade work to comply with Class 6. All proposed works must be privately certified as per the *Building Regulations 2012*.

---

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT:**

**Moved Cr Topelberg, Seconded Cr Cole**

That a new Condition 5 be inserted and existing Advice Note 1 be deleted and replaced with a new Advice Note as follows:

**“5. Signage**

Any signage on the property is to be consistent with a Home Occupation use as identified in the City's Signs and Advertising Policy 7.5.2; Clause 2 (iii); namely:

**Standards for Signs on Residential Properties and Buildings (including Home Occupation):**

**All advertising signs located on a residential property or building are to:**

- a) not exceed 0.2 square metres in area and only for the purpose of identifying the name of the dwelling and/or nature of an approved home occupation operating from the dwelling; and
- b) not exceed 500 millimetres in height for dwelling/building name signs on grouped dwellings, multiple dwellings and special purpose dwellings developments where they are of a single line of letters fixed to the facade of a building.

**All other signs are not permitted on a residential building or property, without the prior approval of the City of Vincent.”**

Delete existing Advice Note 1 and replace with:

- “1. In relation to Clause 5, at the time of proposing the Change of Use the applicant's representative asserted that "its scale would be comparable to a Home Occupation".”

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

(Mayor Carey was on approved leave of absence.)

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

(Mayor Carey was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.3**

**ALTERNATIVE RECOMMENDATION:**

**Moved Cr Buckels, 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 the owner Niyati Shah, for the proposed Change of Use from Single House to Consulting Rooms (Medical-Dental Surgery) at No. 1 (Lot: 52; D/P: 76486) Glebe Street, North Perth as shown on plans date stamped 21 June 2015, included as Attachment 2, for the following reason:

1. Encroachment of the commercial use into a residential zone.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.2.3 Proposed Bike Boulevard Project**

<b>Ward:</b>	Both	<b>Date:</b>	8 October 2015
<b>Precinct:</b>	Precinct 3 – Leederville Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	SC652
<b>Attachments:</b>	1 – Proposed Demonstration Bike Boulevard Location		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, TravelSmart Officer R Lotznicker, Director Technical Services		
<b>Responsible Officer</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **ADVISES** the Department of Transport that in principle it has no objection to the Department’s proposal to develop a ‘Demonstration Bike Boulevard along Shakespeare Street, Mount Hawthorn, south of Green Street, as shown in Attachment 1, subject to the Department of Transport:
  - 1.1 **UNDERTAKING** all public consultation with residents in the affected, area, in accordance with the City’s Consultation Policy, for a minimum period of four weeks and including conducting a Community Consultation Forum on the proposal;
  - 1.2 **FULLY** funding all works associated with the consultation, design and, if approved, implementation of the project; and
  - 1.3 **PROVIDING** a detailed report to the City at the conclusion of the consultation period outlining the comments received and recommendations thereon; and
2. **ADVISES** the Department of Transport that Council’s in principle no objection to the Department’s demonstration Bike Boulevard does not guarantee and should not be misconstrued as Council’s approval for the Department to carry out any works along Shakespeare Street, which is a local road under the care, control and management of the City of Vincent;
3. **RECEIVES** a further report on the Department of Transport’s demonstration Bike Boulevard Project at the conclusion of the public consultation period referred to in 1.1 above.

---

**Moved Cr Cole, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT:**

**Moved Cr Cole, Seconded Cr Buckels**

That Recommendation 2 be amended to read, as follows:

"2. **ADVISES** the Department of Transport that Council's in principle 'no objection' to the Department's demonstration Bike Boulevard project does not guarantee and should not be misconstrued as Council's approval for the Department to carry out any works along Shakespeare Street, because:

**2.1 Shakespeare Street** is a local road under the care, control and management of the City of Vincent; and

**2.2 Council's decision on the Bike Boulevard Project will be guided by the outcomes of the community consultation exercise referred to in 1 above.**"

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

(Mayor Carey was on approved leave of absence.)

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

(Mayor Carey was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.2.3**

That Council:

1. **ADVISES** the Department of Transport that in principle it has no objection to the Department's proposal to develop a 'Demonstration Bike Boulevard along Shakespeare Street, Mount Hawthorn, south of Green Street, as shown in Attachment 1, subject to the Department of Transport:

1.1 **UNDERTAKING** all public consultation with residents in the affected, area, in accordance with the City's Consultation Policy, for a minimum period of four weeks and including conducting a Community Consultation Forum on the proposal;

1.2 **FULLY** funding all works associated with the consultation, design and, if approved, implementation of the project; and

1.3 **PROVIDING** a detailed report to the City at the conclusion of the consultation period outlining the comments received and recommendations thereon; and

2. **ADVISES** the Department of Transport that Council's in principle 'no objection' to the Department's demonstration Bike Boulevard project does not guarantee and should not be misconstrued as Council's approval for the Department to carry out any works along Shakespeare Street, because;

2.1 **Shakespeare Street** is a local road under the care, control and management of the City of Vincent; and

2.2 **Council's decision on the Bike Boulevard Project will be guided by the outcomes of the community consultation exercise referred to in 1 above;**

3. **RECEIVES** a further report on the Department of Transport's demonstration Bike Boulevard Project at the conclusion of the public consultation period referred to in 1.1 above.

**9.3.6 Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sublease to Vincent Men’s Shed (Inc.)**

<b>Ward:</b>	North	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	North Perth (P8)	<b>File Ref:</b>	SC351/SC2087
<b>Attachments:</b>	<a href="#">1</a> – Woodville Reserve Masterplan <a href="#">2</a> – Aerial plan of site		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council:

1. Subject to the approval of the Minister for Lands, APPROVES entering into a 10 year Sublease commencing 2 October 2015, with Vincent Men’s Shed (Inc.) over an area of approximately 325m<sup>2</sup> at No. 10 (Lot 2545) Farmer Street, North Perth as follows:
  - 1.1 Term: Ten years;
  - 1.2 Permitted Use: Community Activities – Men’s Shed;
  - 1.3 Rent: \$1 for first two years, then \$500 plus GST per annum (indexed by CPI);
  - 1.4 Statutory Compliance: Lessee responsibility;
  - 1.5 Rates & Taxes: to be paid by the Lessee;
  - 1.6 Outgoings: to be paid by the Lessee;
  - 1.7 Repair & maintenance: Lessee to keep, maintain and substantially repair; and
  - 1.8 Lessor’s Covenants: to grant the Lessee quiet enjoyment of the premises; and
  
2. Subject to the Minister’s approval in 1 above and final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the Sublease.

Moved Cr Buckels, Seconded Cr Loden

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

Moved Cr Buckels, Seconded Cr Topelberg

That Item 1.3 in Recommendation 1 be amended as follows:

“1.3 Rent: ~~\$1 for each year of the ten year lease for first two years, then \$500 plus GST per annum (indexed by CPI);”~~ G

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

(Mayor Carey was on approved leave of absence.)

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

(Mayor Carey was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.3.6**

**That Council:**

1. **Subject to the approval of the Minister for Lands, APPROVES entering into a 10 year Sublease commencing 2 October 2015, with Vincent Men's Shed (Inc.) over an area of approximately 325m<sup>2</sup> at No. 10 (Lot 2545) Farmer Street, North Perth as follows:**
    - 1.1 **Term:** Ten years;
    - 1.2 **Permitted Use:** Community Activities – Men's Shed;
    - 1.3 **Rent:** \$1 for each year of the ten year lease;
    - 1.4 **Statutory Compliance:** Lessee responsibility;
    - 1.5 **Rates & Taxes:** to be paid by the Lessee;
    - 1.6 **Outgoings:** to be paid by the Lessee;
    - 1.7 **Repair & maintenance:** Lessee to keep, maintain and substantially repair; and
    - 1.8 **Lessor's Covenants:** to grant the Lessee quiet enjoyment of the premises; and
  
  2. **Subject to the Minister's approval in 1 above and final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the Sublease.**
-

**9.1.1 No. 20 (Lot: 200; D/P: 7473) Kayle Street, North Perth – Proposed Demolition of Existing Single House and Construction of Eight Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 6 – Smith’s Lake	<b>File Ref:</b>	PR22498; 5.2015.361.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Amended Development Application Plans <a href="#">3</a> – Extract of Design Advisory Committee Minutes and Comments <a href="#">4</a> – Car Parking Table (updated) <a href="#">5</a> – Marked up plans showing proposed versus required street setbacks and building heights		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Wright, Statutory Planning Officer		
<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 Noma Studio on behalf of the owner Elenora Holdings 2007 Pty Ltd, for the proposed demolition of an existing Single House and construction of a two storey development comprising of eight Multiple Dwellings and associated car parking at No. 20 (Lot: 200; D/P: 7473) Kayle Street, North Perth as shown on amended plans date stamped 3 September 2015, included as Attachment 2, subject to the following conditions:

**1. Car Parking and Accessways**

- 1.1 A minimum of eight resident and one visitor bays shall be provided onsite;
- 1.2 The car park shall be used only by residents and visitors directly associated with the development;
- 1.3 The visitor bay is to be marked accordingly;
- 1.4 The car parking and access areas are to comply with the requirements of AS2890.1;
- 1.5 Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 1.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

**2. External Fixtures**

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

**3. Verge Trees**

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

**4. Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

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

**5.1 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;

**5.2 Landscape and Reticulation Plan**

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

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

5.2.2 Areas to be irrigated or reticulated; and

5.2.3 The removal of redundant crossovers;

**5.3 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;

**5.4 Construction Management Plan**

A Construction Management Plan that:

5.4.1 details how the construction of the development will be managed to minimise the impact on the surrounding area; and

5.4.2 includes certification from a Geotechnical Engineer that the proposed method of construction for the proposed works is appropriate for the prevailing soil conditions onsite;

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;

**5.5 Waste Management**

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

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

5.5.3 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;

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 onsite, by suitable means to the satisfaction of the City;

6.4 Acoustic Report Certification

With reference to Condition 5.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

6.5 Landscape Plan and Verge Upgrade Plan

With reference to Condition 5.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

6.6 Bicycle Bays

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

ADVICE NOTES:

1. With reference to Condition 1.5, 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 1.6, 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 \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

4. With reference to Condition 5.2, the City 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 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
6. With reference to Condition 6.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
7. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process; and
8. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

---

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

Cr McDonald departed the Chamber at 7.55pm.

Cr McDonald returned to the Chamber at 7.57pm.

**PROCEDURAL MOTION:**

**Moved Cr Cole, Seconded Cr Topelberg**

That the item be DEFERRED for further consideration.

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

(Mayor Carey was on approved leave of absence.)

---

**9.1.6 Extension of Period of Appointment of Panel on the City's Design Advisory Committee (DAC)**

<b>Ward:</b>	Both	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	SC338
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	G Poezyn, Director Planning Services		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council APPROVES the continuation of the current Design Advisory Committee (DAC) Members from 1 November 2015 to 31 December 2015 to enable selection of a new panel.

---

**COUNCIL DECISION ITEM 9.1.6**

**Moved Cr Topelberg, Seconded Cr Loden**

That the recommendation be adopted.

*Debate ensued.*

Cr Buckels departed the Chamber at 8.05pm.

Cr Buckels returned to the Chamber at 8.06pm.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.3.2 Authorisation of Expenditure for the Period 1 to 30 September 2015**

<b>Ward:</b>	Both	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC347
<b>Attachments:</b>	<a href="#">1</a> – Creditors Report – Payments by EFT <a href="#">2</a> – Creditors Report – Payments by Cheque <a href="#">3</a> – Credit Card Transactions		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	R Tang, Accounts Payable Officer; G Garside, 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 September 2015 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 78822-78972	\$238,273.16
EFT Documents 1839-1850	\$4,756,907.20
Payroll	\$1,208,402.73
Credit Cards	\$6,084.68
Direct Debits	
• Lease Fees	\$8,100.12
• Loan Repayment	\$144,402.55
• Bank Fees and Charges	\$36,182.39
<b>Total Accounts Paid</b>	<b>\$6,398,352.83</b>

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Murphy, Seconded Cr Buckels**

That the recommendation be adopted.

*Debate ensued.*

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

**(Mayor Carey was on approved leave of absence.)**

### 9.4.1 Community Support Grants

<b>Ward:</b>	All	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	FY20-03, SC393
<b>Attachments:</b>	<a href="#">1</a> – Homeless Healthcare Funding Request		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	J Grundy, Community Development Officer		
<b>Responsible Officer:</b>	R Hall, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

- AUTHORISES** Administration’s expenditure of the Community Support Grants budget item in line with Policy No. 3.10.5-Donations and Sponsorship and Waiving of Fees and Charges and Policy No. 3.10.6-Community and Welfare Grants, which includes the Cultural Development Seeding Grants Programme;
- NOTES** that Administration intends to submit a further report to Council in 2016 reviewing Policy No. 3.10.5-Donations and Sponsorship and Waiving of Fees and Charges and Policy No. 3.10.6-Community and Welfare Grants; and
- NOTES** that Proposals for funding requests beyond the City’s Policy will be considered as part of the mid-year budget review and (in the longer term) a proposed Community Development Strategy and associated annual budget planning in future financial years.

---

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Cole, Seconded Cr Loden**

**PROCEDURAL MOTION**

**Moved Cr Cole, Seconded Cr McDonald**

That the item be DEFERRED to allow the Chief Executive Officer to arrange for a Council Member Workshop to be held.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.5.3 LATE ITEM: Revised Terms of Reference for Various Advisory Groups**

<b>Ward:</b>	-	<b>Date:</b>	15 September 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">1</a> – Revised Terms of Reference for Arts Advisory Group <a href="#">2</a> – Revised Terms of Reference for Children and Young People Advisory Group <a href="#">3</a> – Revised Terms of Reference for Road Safety Advisory Group <a href="#">4</a> – Revised Terms of Reference for Environmental Advisory Group <a href="#">5</a> – Revised Terms of Reference for Business Advisory Group		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council **ADOPTS** the Revised Terms of Reference included as Attachments 1-5 (respectively) for the following Advisory Groups:

- **Arts Advisory Group;**
- **Children and Young People Advisory Group;**
- **Road Safety Advisory Group;**
- **Environmental Advisory Group; and**
- **Business Advisory Group.**

---

**COUNCIL DECISION ITEM 9.5.3**

**Moved Cr Topelberg, Seconded Cr Loden**

**PROCEDURAL MOTION**

**Moved Cr Topelberg, Seconded Cr Loden**

That the item be **DEFERRED** for further consideration and subsequently reported to the Ordinary Meeting of Council to be held on 17 November 2015.

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.1.5 Proposed Amendment to Policy No. 7.2.1 – Residential Design Elements to Modify Provisions for Fencing in the Primary Street Setback Area**

<b>Ward:</b>	All	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1601
<b>Attachments:</b>	<a href="#">1</a> – Pages 26-28 of Policy No. 7.2.1 – Residential Design Elements With Proposed Amendment (track changes) (updated)		
<b>Tabled Items:</b>	<a href="#">2</a> – Full Copy of Policy No. 7.2.1 – Residential Design Elements With Proposed Amendment (track changes) (updated)		
<b>Reporting Officer:</b>	S Smith, Acting Manager Policy & Place		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council **ADVERTISES** the proposed amendment to Clause SADC 13(a) in the City’s Policy No. 7.2.1 – Residential Design Elements included as Attachment 1 for a period of 21 days, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Cr Loden, Cr Murphy and Cr Gontaszewski had all declared financial interests in this item and all departed the Chamber at 8.25pm.

**Moved Cr Topelberg, Seconded Cr McDonald**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT:**

**Moved Cr Cole, Seconded Cr McDonald**

That Recommendation be amended to read, as follows:

“That Council **ADVERTISES** the proposed amendment to Clause SADC 13(a) in the City’s Policy No. 7.2.1 – Residential Design Elements included as Attachment 1 for a period of 21 days, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following:

**1. Clause SADC 13(a)(2) being amended to read as follows:**

“Street walls and fences on the side boundaries only within the primary street setback area constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.”

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (5-0)**

(Mayor Carey was on approved leave of absence.)

(Cr Loden, Cr Murphy and Cr Gontaszewski was absent from the Chamber and did not vote.)

**MOTION AS AMENDED PUT AND CARRIED (4-1)**

**For:** Presiding Member Deputy Mayor Cr Roslyn Harley, Cr Buckels, Cr Cole, Cr McDonald

**Against:** Cr Topelberg

(Mayor Carey was on approved leave of absence.)

(Cr Loden, Cr Murphy and Cr Gontaszewski were absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 9.1.5**

That Council **ADVERTISES** the proposed amendment to Clause SADC 13(a) in the City's Policy No. 7.2.1 – Residential Design Elements included as Attachment 1 for a period of 21 days, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following:

1. Clause SADC 13(a)(2) being amended to read as follows:

Street walls and fences on the side boundaries only within the primary street setback area constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

---

**9.2.1 Proposed Traffic Calming – Bourke Street, Leederville - Further Report No. 2**

<b>Ward:</b>	Both	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 4 - Oxford Centre, Precinct 3 - Leederville	<b>File Ref:</b>	SC698; SC228
<b>Attachments:</b>	<a href="#">1</a> - Plan No. 2648-CP-01 (approved 30 June 2015) <a href="#">2</a> - Plan No. 2648-CP-01A (approved 10 March 2015) <a href="#">3</a> - Proposed Plan No. 2648-CP-01B		
<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 installation of an additional speed hump on Bourke Street between Scott Street and Fleet Street, Leederville as shown on attached Plan No. 2648-CP-01B (Attachment 3); and
2. **ADVISES** residents of its decision.

---

Cr Loden, Cr Murphy and Cr Gontaszewski returned to the Chamber at 8.40pm.

Cr Buckels had declared a proximity interest in this item and departed the Chamber at 8.40pm.

**COUNCIL DECISION ITEM 9.2.1**

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

That the recommendation be adopted.

*Debate ensued.*

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

(Mayor Carey was on approved leave of absence.)  
(Cr Buckels was absent from the Chamber and did not vote.)

---

**9.3.7 Disposal of Property at Lot 140 Brentham Street, Mount Hawthorn**

<b>Ward:</b>	North	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 1 – Mt Hawthorn	<b>File Ref:</b>	SC2328
<b>Attachments:</b>	<a href="#">1</a> – Site Plan <a href="#">2</a> – 1929 Resumption Plan <a href="#">3</a> – Diagram 29775 <a href="#">4</a> – Certificate of Title 1389/164		
<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 Council:

1. **APPROVES** advertising a local public notice in accordance with section 3.58(3) of the *Local Government Act 1995* with an invitation for public comment on a proposal for the disposal of Lot 140 Brentham Street, Mount Hawthorn to the owner of the adjoining Lot 139 Brentham Street, Mount Hawthorn; and
2. **DELEGATES BY ABSOLUTE MAJORITY** to the Chief Executive Officer, the power to consider any submissions received in response to the Local Public Notice in 1 above and determine whether to proceed with the proposed disposition as presented in the Local Public Notice.

---

Cr Buckels returned to the Chamber at 8.41pm.

**COUNCIL DECISION ITEM 9.3.7**

**Moved** Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

*Debate ensued.*

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

**(Mayor Carey was on approved leave of absence.)**

---

**9.5.4 Appointment of Council Members to the City's Audit Committee**

<b>Ward:</b>	-	<b>Date:</b>	21 October 2015
<b>Precinct:</b>	-	<b>File Ref:</b>	SC243-02
<b>Attachments:</b>	<a href="#">1</a> – Audit Committee Terms of Reference		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Paton, Director Corporate Services		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That Council in accordance with section 5.10(1)(a) of the *Local Government Act 1995*, APPROVES BY ABSOLUTE MAJORITY the APPOINTMENT of the following Council Members to the City's Audit Committee for the term 28 October 2015 to 21 October 2017:

**Audit Committee (9 Council Members)**

**Members:**

1. Mayor John Carey
2. Cr Buckels
3. Cr Cole
4. Cr Gontaszewski
5. Cr Harley
6. Cr Loden
7. Cr McDonald
8. Cr Murphy
9. Cr Topelberg

---

**COUNCIL DECISION ITEM 9.5.4**

**Moved Cr Topelberg, Seconded Cr McDonald**

That the recommendation be adopted.

*Debate ensued.*

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

**(Mayor Carey was on approved leave of absence.)**

---

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

### 10.1 NOTICE OF MOTION: Mayor John Carey – Review of the City’s Parking Control Policy No. 3.9.5

That Council REQUESTS the Chief Executive Officer to initiate a review of the City’s Parking Control Policy No. 3.9.5 to provide a simpler, more streamlined and contemporary approach to parking control and the issuance of parking permits.

Moved Cr Loden, Seconded Cr Topelberg

That the recommendation be adopted.

*Debate ensued.*

Cr Cole departed the Chamber at 9.00pm.

Cr Cole returned to the Chamber at 9.02pm.

#### AMENDMENT

Moved Cr Topelberg, Seconded Cr Buckels

That the Officer Recommendation be amended to read as follows:

That Council REQUESTS the Chief Executive Officer to initiate a review of the City’s Parking Control Policy No. 3.9.5 to provide a simpler, more streamlined and contemporary approach to parking control and the issuance of parking permits with a report to be submitted to Council no later than May 2016.

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

(Mayor Carey was on approved leave of absence.)

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

(Mayor Carey was on approved leave of absence.)

#### COUNCIL DECISION ITEM 10.1

That Council REQUESTS the Chief Executive Officer to initiate a review of the City’s Parking Control Policy No. 3.9.5 to provide a simpler, more streamlined and contemporary approach to parking control and the issuance of parking permits with a report to be submitted to Council no later than May 2016.

**10.2 NOTICE OF MOTION: Mayor John Carey – Review of Laws, Policies and Practices relating to the impact of construction activity on the public realm**

That Council REQUESTS the Chief Executive Officer to initiate a review of the City's laws, policies and practices relating to the impact of construction activity on the public realm with a report and recommendations on the same to be presented to Council by May 2016.

---

**COUNCIL DECISION ITEM 10.2**

**Moved Cr Topelberg, Seconded Cr Cole**

**That the recommendation be adopted.**

*Debate ensued.*

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

**(Mayor Carey was on approved leave of absence.)**

---

**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”)**

**PROCEDURAL MOTION**

At 9.15pm **Moved Cr Buckels, Seconded Cr Topelberg**

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 (8-0)**

**(Mayor Carey was on approved leave of absence.)**

**There were no members of the public present.**

**PRESENT:**

Cr Roslyn Harley ( <i>Deputy Mayor</i> )	Presiding Member
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Laine McDonald	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Development Services
John Paton	Director Corporate Services
Ryan Hall	A/Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

**14.1 CONFIDENTIAL REPORT: No. 110 (Lot: 31, D/P 18903) Broome Street, Highgate – Proposed Balcony Extension to Unit Two of a Nine Unit Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 300 of 2015)**

<b>Ward:</b>	South	<b>Date:</b>	9 October 2015
<b>Precinct:</b>	Precinct 14 – Forrest	<b>File Ref:</b>	5.2015.42.1; PR19010
<b>Attachments:</b>	Confidential – Development Application Plans (Originally Refused) Confidential – State Administrative Tribunal Orders Confidential – Applicant’s Justification and Plans dated 2 October 2015 Confidential – Marked up plans showing proposed versus required setbacks Confidential – Alternative option to extend balcony as proposed by Council Officers		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Rasiah, Acting Manager Planning and Building Services		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**COUNCIL DECISION ITEM 14.1**

**Moved Cr Buckels, Seconded Cr Topelberg**

That the recommendation be adopted.

*Debate ensued.*

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 2 October 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, and increase the development height impact;
2. The development is not consistent with the City’s Policy No. 7.1.14 – Forrest Precinct (Precinct 14) particularly in regard to maintaining a relationship with the existing heritage buildings within close proximity to the subject property;
3. The proposed balcony extension with the balustrade will result in a detrimental impact on the ground unit’s private outdoor living space; and
4. The proposed balcony extension 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.

**MOTION PUT AND CARRIED ON THE CASTING VOTE OF THE PRESIDING MEMBER (5-4)**

**For:** Presiding Member, Deputy Mayor Cr Roslyn Harley (two votes – deliberative and casting vote), Cr Cole Cr Gontaszewski and Cr Murphy

**Against:** Cr Buckels, Cr Loden, Cr McDonald and Cr Topelberg

**(Mayor Carey was on approved leave of absence.)**

**14.2 CONFIDENTIAL REPORT: Leederville Gardens Retirement Village – Board Appointments**

<b>Ward:</b>	North	<b>Date:</b>	5 October 2015
<b>Precinct:</b>	Leederville	<b>File Ref:</b>	SC1670; SC313
<b>Attachments:</b>	Confidential – Leederville Gardens Inc. Board Member Nominations		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Hall, Acting Director Community Services		

**COUNCIL DECISION ITEM 14.2**

**Moved Cr Topelberg, Seconded Cr Cole**

*Debate ensued.*

**PROCEDURAL MOTION**

**Moved Cr Topelberg, Seconded Cr Cole**

That the item be DEFERRED for further consideration and subsequently reported to the Ordinary Meeting of Council to be held on 17 November 2015.

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

**(Mayor Carey was on approved leave of absence.)**

**PROCEDURAL MOTION**

At 9.45pm **Moved Cr Topelberg, Seconded Cr Cole**

**That the Council resume an “open meeting”.**

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

**(Mayor Carey was on approved leave of absence.)**

**15. CLOSURE**

**There being no further business, the Presiding Member, Deputy Mayor Cr Roslyn Harley, declared the meeting closed at 9.45pm with the following persons present:**

- |  |  |
|--|--|
| Cr Roslyn Harley ( <i>Deputy Mayor</i> ) | Presiding Member                       |
| Cr Matt Buckels                          | North Ward                             |
| Cr Emma Cole                             | North Ward                             |
| Cr Susan Gontaszewski                    | South Ward                             |
| Cr Dan Loden                             | North Ward                             |
| Cr Jimmy Murphy                          | South Ward                             |
| Cr Laine McDonald                        | South Ward                             |
| Cr Joshua Topelberg                      | South Ward                             |
| Len Kosova                               | Chief Executive Officer                |
| Rick Lotznicker                          | Director Technical Services            |
| Gabriela Poezyn                          | Director Development Services          |
| John Paton                               | Director Corporate Services            |
| Ryan Hall                                | A/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 27 October 2015.

Signed: ..... Mayor John Carey.

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