



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

28 JULY 2015

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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**INDEX
(28 JULY 2015)**

ITEM	REPORT DESCRIPTION	PAGE
9.1	PLANNING SERVICES	
9.1.1	No. 560 (Lot: 4 D/P 692) Beaufort Street, Mount Lawley – Proposed Change of Use from Small Bar to Tavern (PR18393; 5.2015.152.1)	24
9.1.2	No. 341-345 (Lot: 888 D/P: 47169) Charles Street, North Perth – Proposed Change of Use from Showroom and Associated Education Centre to Shop and Associated Demonstration Area and Storage (PR52023; 5.2015.201.1)	28
9.1.3	No. 131 (Lot: 361 & 364 D/P: 2355) Walcott Street, Mount Lawley – Proposed Construction of Four Grouped Dwellings (PR26730; 5.2015.169.1)	7
9.1.4	Leederville Farmers' Market – Request to Use Frame Court Car Park, Leederville Town Centre (PR52592; 5.2015.206.1)	26
9.1.5	No. 44 (Lot: 382 D/P: 2334) Shakespeare Street and No. 19 (Lot: 352 D/P: 2334) Dunedin Street, Mount Hawthorn – Proposed Addition to Dividing Fence (PR16793/PR12261; 5.2015.246.1)	27
9.2	TECHNICAL SERVICES	
9.2.1	State Underground Power Program – Brookman Street and Moir Street Heritage Precinct Underground Power Project – Progress Report No. 4 (SC201)	33
9.2.2	Brentham Street Reserve – Request to Use a Portion of the Reserve for the Reinjection of Groundwater – Further Report (PR11095, SC544, DD6.2014.161.1)	35
9.2.3	Proposed On Road Parking Changes – Olive Street and Albert Street, North Perth (SC904, SC656, SC1201)	10
9.2.4	Vincent Bike Network Plan 2013 – Bulwer Street Bike Lanes Phase 2 (SC423)	11
9.2.5	Charles Veryard Reserve – Sports Lighting Upgrade (SC531)	12
9.2.6	Tender No. 500/15 -Traffic Management Services (SC2387)	13
9.2.7	Tender No. 501/15 – Supply and Laying of Kerbing (SC2388)	14
9.2.8	Tender No. 502/15 – Clearing and Mowing of Specified Areas (SC2392)	15
9.2.9	Tender No. 503/15 – Maintenance of Bores, Pumps and Associated Works (SC2393)	16
9.2.10	Tender No. 505/15 – Removal of Trees and Pruning of Trees within Parks and Reserves (SC2395)	17
9.2.11	Tender No. 504/15 – Tree Watering and Tree Planting Services (SC2394)	18
9.3	CORPORATE SERVICES	
9.3.1	Investment Report as at 30 June 2015 (SC1530)	19
9.3.2	Authorisation of Expenditure for the Period 1 to 30 June 2015 (SC347)	20
9.3.3	Financial Statements as at 30 June 2015 (SC357)	21

9.4	COMMUNITY SERVICES	
9.4.1	The Urban Roller Club – Request to Use Frame Court Car Park, Leederville Town Centre	32
9.5	CHIEF EXECUTIVE OFFICER	
9.5.1	Use of the Council’s Common Seal (SC406)	22
9.5.2	Information Bulletin	23
10.	COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
10.1	NOTICE OF MOTION: Cr Roslyn Harley – Review of Advisory and Working Groups and Committees	37
11.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)	
		38
12.	REPRESENTATION ON COMMITTEES AND PUBLIC BODIES	
		38
13.	URGENT BUSINESS	
		38
14.	CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“Behind Closed Doors”)	
14.1	CONFIDENTIAL REPORT: Nos. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn – Proposed Change of Use from Eating House to Tavern – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 145 of 2015) (PR50735; 5.2014.456.1)	39
15.	CLOSURE	41

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 28 July 2015, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6.07pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Members on Approved Leave of Absence:

2.1 Cr Joshua Topelberg on approved leave of absence from 27 July to 8 August 2015 due to personal commitments.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward (from 6.25pm)
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr John Pintabona	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Joshua O'Keefe	Acting Director Planning Services
John Paton	Director Corporate Services
Rob Boardman	Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

Media

Nil.

Approximately 32 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. Marissa Kelly of 16 Albert Street, North Perth – Petition 5.1

- Expressed she was disappointed at the lack of consultation regarding fencing of the North Perth Primary School oval.

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

2. Nikki Graski of 88 Blanco Street, West Leederville – Item 9.4.1

- As Managing Director of the Event Agency, encouraged Council to support their proposed Urban Roller Club.

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

3. Carol Marshall of 26/190 Little Marine Parade, Cottesloe – Item 9.4.1

- The Urban Roller Club will receive over \$1 million dollars' worth of publicity and reach out to thousands of happy families around the community.

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

4. Norelle O'Neal of Matlock Street, Mount Hawthorn

- Attended the meeting as the community representative of the Britannia Reserve Masterplan Working Group and Reference Group and thanked the City for its support and commitment to the Britannia Reserve Masterplan, in particular to Mayor Carey, Cr Buckels, Cr Harley, the Director Technical Services, Manager Parks and Reserves and all of their staff.

The Presiding Member Mayor Carey thanked Ms O'Neal for her comments.

5. Judith Gauntet of Angove Street, North Perth – Petition 5.1

- Opposed to fencing of North Perth Primary School oval.

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

6. Bruce Arnold of 10 Blake Street North Perth – Item 9.1.1

- We need to reinvent our marketing and are trying to get more people in so we can arrange large functions and weddings.
- Requested Council's reconsideration of the need for an acoustic report and cash-in-lieu of parking.

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

7. Steve Pritchard of 30 Iolanthe Street, Bassendean – Item 9.1.5

- The higher fence proposed will completely blockout any winter sunlight to the courtyard of three apartments and this will have a major impact on the amenity of those units and it will affect the potential rental values and sale costs.

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

6.25pm – Cr Buckels entered the Council Chamber

8. Tony Reid of 44 Shakespeare Street, Mount Hawthorn – Item 9.1.5

- The wall will exist inside the existing colorbond fence and will be installed at no cost to the developer of 86 Hobart Street.

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

9. Jason Michael - Anchak of 61 Monmouth Street, North Perth – Item 9.1.4

- Regardless of the parking issue, the Council should look at the amount of money being charged for the Leederville Markets.

The Presiding Member Mayor Carey thanked Mr Michael-Anchak for his comments.

10. Bruce Webber of 19 Dunedin Street, Mount Hawthorn – Item 9.1.5

- I will simply reiterate the previous speaker's statement that any concerns about the proposed privacy wall reducing light in the development courtyards are utterly unfounded.

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

11. Simon White of 7/7 Brentham Street, Leederville – Item 9.1.4

- Spoke in support of the Leederville Farmers Market.

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

12. Brett Thompson of 47 Shakespeare Street, Mount Hawthorn – Item 9.1.5

- Spoke in support of the application for a privacy wall.

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

13. Nicholas Bond of 106, 130 and 229 Oxford Street, Leederville – Item 9.1.4

- Spoke in support of the application.

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

14. Dudley Maier of 51 Chatsworth Road, Highgate – Items 9.1.1, 9.1.5 and 9.2.1

- 9.2.1 – He emphasised that this will be a lost opportunity if Council accepts the Officer Recommendation.
- 9.1.1 – Stated that on 2 June Council refused an application at 145 Oxford Street, reason being that there was not enough parking.
- 9.1.5 – On page 32 of the report it incorrectly refers to the R-Codes requiring a maximum wall height of 3 metres and an average of 3.5 metres. This is mathematically impossible.

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

15. Paul Ashbolt of 26 Mckenzie Street, Wembley – Item 9.1.4

- Thanked the City's Administration for all their help.

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

There being no further speakers, Public Question Time closed at approximately 6.45 pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Joshua Topelberg requesting leave of absence from 22 September 2015 to 24 September 2015 due to work commitments.

Moved Cr Harley, Seconded Cr Pintabona

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

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition to the City of Vincent, Department of Education and Training (DET) and Eleni Evangel MLA, State Member for Perth, received from Ms S Kirwan of North Perth, along with 76 signatures, on behalf of the local community and people who use the North Perth School Oval/Park, concerned about the proposed fencing of North Perth Primary School Oval along Albert and Olive Streets and asking that the proposed fencing is reviewed and that community consultation, in line with Department of Education and Training guidelines is undertaken to reach a mutually agreeable solution to all parties affected by the current proposal.

Administration sought advice from North Perth Primary School and the following response was received:

- We have tried various strategies to improve student safety including; bollards, signs, road markings, crossing lines, speaking with unauthorised visitors and articles in the newsletter. Unfortunately, it is a common belief that the school oval and the car park that connects Olive Street to Albert Street is not part of the school and may be used at any time by community members. Some community members are continuing to disregard our requests not to enter the school site during school hours.
- The fence proposed for the north side of the oval will have a 5m unfenced section near the green power boxes on Albert Street and the entry from Peach Street will remain unfenced. Community members will still be able to access the oval and climbing dome outside of school hours.
- The fence proposed for the north and south end of the school car park will include gates on the footpaths and across the vehicle entries. Signs will be fitted to the footpath gates advising people they are entering the school grounds and need to sign in at the school office.

Moved Cr Harley, Seconded Cr McDonald

That the petition be received as recommended.

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held on 30 June 2015.

Moved Cr Pintabona, Seconded Cr Harley

That the Minutes of the Ordinary Meeting of Council held on 30 June 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

6.2 Special Meeting of Council held on 7 July 2015.

Moved Cr Cole, Seconded Cr Pintabona

That the Minutes of the Special Meeting of Council held on 7 July 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor John Carey made the following announcements;

7.1 Greening Program – Britannia Reserve

The event was held on the weekend and had an incredible turnout and was one of the biggest in Perth, we planted 7,000 plants and many community members attended.

7.2 Spirits of the Street Choir

I attended a rehearsal of the Spirits of the Street Choir today. It is actually a non-profit choir that is for people who are isolated in our community, people who perhaps have disability, suffer mental illness and has been held in Vincent for the last six years.

My offer to them is that we are going to try and facilitate any way we can to include them in City of Vincent life and including performing at any City of Vincent events.

7.3 School Fence – North Perth Primary School

The community sentiment on the fencing of the school oval is noted and I agree the school could have carried out better consultation and engagement with the community regarding its intentions.

8. DECLARATIONS OF INTERESTS

8.1 Mayor John Carey declared an Impartiality interest in Item 9.1.1 - No. 560 (Lot: 4 D/P 692) Beaufort Street, Mount Lawley – Proposed Change of Use from Small Bar to Tavern. The extent of his interest being that one of the owners of the business subject of the application is a close personal friend.

9. REPORTS

As listed in the Index.

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

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

Items 9.1.1, 9.1.4, 9.1.5, 9.2.1 and 9.4.1

- (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:**

Nil.

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

Nil.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	Nil
Cr Harley (Deputy Mayor)	10.1
Cr Buckels	9.4.1
Cr Cole	9.1.2 and 9.2.2
Cr McDonald	Nil
Cr Pintabona	Nil
Cr Topelberg	On Approved leave of absence
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 9.1.3, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.2.9, 9.2.10, 9.2.11, 9.3.1, 9.3.2, 9.3.3, 9.5.1 and 9.5.2

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

Item 14.1

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Cole, Seconded Cr McDonald

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

Items 9.1.3, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.2.9, 9.2.10, 9.2.11, 9.3.1, 9.3.2, 9.3.3, 9.5.1 and 9.5.2

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

9.1.3 No. 131 (Lot: 361 & 364 D/P: 2355) Walcott Street, Mount Lawley – Proposed Construction of Four Grouped Dwellings

Ward:	South	Date:	10 July 2015
Precinct:	Precinct 10 – Norfolk	File Ref:	PR26730; 5.2015.169.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Marked up plans showing proposed versus required setbacks		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
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 Stannard Group Pty Ltd on behalf of the owners L Galic, R Nadalini, M Tonizzo and L Nadalini, for the proposed Demolition of Existing Single House and Construction of Four Two-Storey Grouped Dwellings at No. 131 (Lot 361 & 364) Walcott Street, Mount Lawley as shown on plans date stamped 10 April 2015, included as Attachment 2, subject to the following conditions:

1. **Amalgamation**

No. 131 (Lots 361 and 364) Walcott Street, Mount Lawley shall be amalgamated into one lot on a Certificate of Title to the satisfaction of the City;

2. **Building Appearance**

All external fixtures shall be integrated with the design of the development and shall not be visually obtrusive from Walcott 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. **Street Trees**

No street trees on Walcott Street shall be removed. The street trees are to be retained and protected from any damage including unauthorised pruning;

4. **Car Parking and Accessways**

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

4.2 Standard ‘Visual Truncations’, in accordance with the City’s Policy No. 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings;

5. **Dilapidation Report**

Prior to the commencement of demolition or within 28 days of the issue of a Demolition Permit, whichever occurs first, the applicant shall provide a Dilapidation Report at the applicant’s cost to the satisfaction of the City for the adjacent heritage listed property located at No. 12 Monmouth Street, Mount Lawley;

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

6.1 Landscaping

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

- 6.1.1 The location and type of existing and proposed trees and plants;
- 6.1.2 All vegetation including lawns;
- 6.1.3 Areas to be irrigated or reticulated and such method;
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 6.1.5 Separate soft and hard landscaping plans (indicating details of materials to be used);
- 6.1.6 The redundant crossover being landscaped in accordance with the landscaping proposed for the remainder of the verge; and
- 6.1.7 The area between the front boundary and the proposed visitor car bay within the street setback area being provided with mature landscaping to screen its view from Walcott Street;

6.2 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; and

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

7.1 Car Parking

The car parking bays shall be line marked in accordance with the approved plans and maintained thereafter by the owners/occupiers to the satisfaction of the City;

7.2 Acoustic Report

With reference to Condition 6.2, certification from an acoustic consultant, that the recommended measures have been undertaken shall be provided to the City;

7.3 Stormwater

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

7.4 Landscaping

With reference to Condition 6.1, 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.

ADVICE NOTES:

1. With reference to Condition 1 the owners shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the City, which is secured by a caveat on the Certificates of Title of the subject land, prepared by the City's solicitors or other solicitors agreed upon by the City, undertaking to amalgamate the subject land into one lot within six months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owners. Amalgamation of the lots is not required if it can be demonstrated that the proposed development complies with the relevant requirements of the National Construction Code Series;
 2. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
 3. With reference to Condition 7.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
 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 6.1, Council encourages landscaping methods and species selection which do not rely on reticulation; and
 6. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent.
-

COUNCIL DECISION ITEM 9.1.3

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.3 Proposed On Road Parking Changes – Olive Street and Albert Street, North Perth

Ward:	North	Date:	10 July 2015
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	SC904, SC656, SC1201
Attachments:	1 – Olive Street: Proposed Plan No. 3200-PP-01A 2 – Summary of Comments, Olive Street 3 – Albert Street: Proposed Plan No. 3225-PP-01		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the introduction of;
 - 1.1 the following parking restrictions in Olive Street, North Perth, between View Street and the North Perth Primary School as shown on attached Plan No. 3200-PP-01A (Attachment 1); and

West Side:	½ hour parking from 8.00am to 9.30am and from 2.30pm to 4.00pm and 2P between 9.30am to 2.30pm Monday to Friday
East Side:	10min parking from 8.00am to 9.30am and from 2.30pm to 4.00pm and 2P between 9.30am to 2.30pm Monday to Friday
East Side, angle parking:	3hour parking 8.00am to 4.00pm Monday to Friday.

- 1.2 3P parking restriction 8.00am to 5.30pm Monday to Friday in Albert Street, North Perth, between Olive and Angove Streets in the existing on-road parking area adjacent North Perth Primary School as shown on the attached Plan No. 3225-PP-01 (Attachment 3);

2. **ADVISES** all respondents of its decision.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.4 Vincent Bike Network Plan 2013 – Bulwer Street Bike Lanes Phase Two

Ward:	South	Date:	10 July 2015
Precinct:	Precinct 12 – Hyde Park Precinct 14 – Forrest Precinct 13 – Beaufort	File Ref:	SC423
Attachments:	1 - AURECON letter 2 - Plan No.s 3193-CP-01, 02 & 03 3 - Plan No.s 3193-CP-03, 04 & 05 4 - Plan No.s 3193-CP-03A & 04A 5 - Plan No.s 3193-CP-05, 06, 07 & 08 6 - On Street Parking Survey Bulwer Street Palmerston to Lord 7 - Off Street Parking Survey Bulwer Street Palmerston to Lord		
Tabled Items:	Nil		
Reporting Officers:	F Sauzier, Travel Smart Officer R Lotznicker, Director Technical Services		
Responsible Officer	R Lotznicker, Director Technical Services		

That Council:

1. **CONSULTS with the owners and occupiers of properties on Bulwer Street, between Palmerston Street and Lord Street and the owners and occupiers of all properties, within approximately 100 metres either side of the section Bulwer Street, between Palmerston Street and Lord Street, seeking their comments on the following ‘On Road’ bike lane proposals;**
 - 1.1 **Palmerston Street to William Street as shown on Plan No.s 3193-CP-01, 02 and 03 – Attachment 2;**
 - 1.2 **William Street to Beaufort Street;**
 - 1.2.1 **Option 1 as shown on Plan No.s 3193-CP-03, 04 and 05 - Attachment 3; and**
 - 1.2.1 **Option 2 as shown on Plan No.s 3193-CP-03A and 04A – Attachment 4; and**
 - 1.3 **Beaufort Street to Lord Street, as shown on Plan No.s 3193-CP-05, 06, 07 and 08 - Attachment 5; and**
2. **RECEIVES a further report at the conclusion of the public consultation period outlining the preferred option/s, project staging, timeline and estimated costs.**

COUNCIL DECISION ITEM 9.2.4

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.5 Charles Veryard Reserve – Sports Lighting Upgrade, Further report

Ward:	North	Date:	10 July 2015
Precinct:	Smith's Lake (6)	File Ref:	SC531
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council APPROVES a variation of \$79,640 to the contract with Stiles Electrical for the Supply and Installation of Sports Lighting at Charles Veryard Reserve North Perth - Tender No. 469/15 to provide improved light tower footings.

COUNCIL DECISION ITEM 9.2.5

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.6 Tender No. 500/15 - Traffic Management Services

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2387
Attachments:	1 – Confidential Attachment		
Tabled Items:	Nil		
Reporting Officers:	C Economo, Manager Engineering Services G Dennison, Depot Purchasing Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No. 500/15 from Vigilant Traffic Services, WARP Group and Evolution Traffic Control for the Supply of Traffic Management for a period of three years, from 1st August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.6

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.7 Tender No. 501/15 - Supply and Laying of Kerbing

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2388
Attachments:	1 – Confidential Attachment		
Tabled Items:	Nil		
Reporting Officers:	Con Economo, Manager Engineering Services George Dennison, Depot Purchasing Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No. 501/15 from Kerbing West for the Supply and Laying of Kerbing for a period of three years from 18 August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.7

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.8 Tender No. 502/15 - Clearing and Mowing of Specified Areas

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2392
Attachments:	1 – Confidential Attachment		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manger Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No. 502/15 from Turfmaster for the Clearing and Mowing of Specified Areas for a period of three years, from 1 August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.8

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.9 Tender No. 503/15 - Maintenance of Bores, Pumps and Associated Works

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2393
Attachments:	1 – Confidential Attachment		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manger Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No. 503/15 from K. S. Black Pty Ltd for the Maintenance of Bores, Pumps and Associated Works for a period of three years, from 1 August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.9

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.10 Tender No. 505/15 - Removal of Trees and Pruning of Trees within Parks and Reserves

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2395
Attachments:	1 – Confidential Attachment		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manger Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No.505/15 from Beaver Tree Services and Dickies Tree Service for the Removal of Trees and Pruning of Trees within Park and Reserves for a period of three years, from 1 August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.10

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.2.11 Tender No. 504/15 - Tree Watering and Tree Planting Services

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC2394
Attachments:	1 - Confidential		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manger Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Tender No. 504/15 from Leo Heaney and Brian Perich for the provision of Tree Watering and Tree Planting Services for a three year period from 1 August 2015 as per the schedule of rates in the tender submission and general conditions of tendering.

COUNCIL DECISION ITEM 9.2.11

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg was on approved leave of absence.)

9.3.1 Investment Report as at 30 June 2015

Ward:	Both	Date:	10 July 2015
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.3.1

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.3.2 Authorisation of Expenditure for the Period 1 to 30 June 2015

Ward:	Both	Date:	8 July 2015
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report – Payments by EFT 2 – Creditors Report – Payments by Cheque 3 – Credit Card Transactions for the period 9 May 2015 to 5 June 2015		
Tabled Items:	-		
Reporting Officers:	R Tang, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

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

EFT Documents 1799-1812	\$4,274,376.51
Cheque numbers 78444-78567	\$151,274.90
Payroll	\$1,535,604.40
Credit Cards	\$12,865.37
Direct Debits	
• Lease Fees	\$8,606.70
• Loan Repayment	\$164,244.83
• Bank Fees and Charges	\$5,335.20
• Reject Fees	\$7.50
Total Accounts Paid	\$6,152,315.41

COUNCIL DECISION ITEM 9.3.2

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.3.3 Financial Statements as at 30 June 2015

Ward:	Both	Date:	15 July 2015
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Finance Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.3.3

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg was on approved leave of absence.)

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	10 July 2015
Precinct:	-	File Ref:	SC406
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	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 June and July 2015.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg was on approved leave of absence.)

9.5.2 Information Bulletin

Ward:	-	Date:	10 July 2015
Precinct:	-	File Ref:	-
Attachments:	1 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 10 July 2015 as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Cole, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg was on approved leave of absence.)

9.1.1 No. 560 (Lot: 4 D/P 692) Beaufort Street, Mount Lawley – Proposed Change of Use from Small Bar to Tavern

Ward:	South	Date:	10 July 2015
Precinct:	Precinct 11 – Mount Lawley Centre	File Ref:	PR18393, 5.2015.152.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Submission 4 – Car Parking Table 5 – Applicant’s Letter responding to Submissions		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Statutory Planning Officer		
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 Bruce Arnold Architects on behalf of the owner M D’Aurizio, for the proposed Change of Use from Small Bar to Tavern at No. 560 (Lot 4) Beaufort Street, Mount Lawley as shown on plans date stamped 1 April 2015, included as Attachment 2, subject to the following conditions:

1. **Number of Patrons**

The maximum number of patrons for the Tavern excluding the alfresco area within the road reserve of Beaufort Street shall be 180 persons at any one time;

2. **Trading Hours**

The trading hours shall be:

- Monday to Saturday: 6.00am – 12.00 midnight;
- Sunday: 10.00am – 10.00pm;

3. **Prohibited Activities**

The following activities shall not be permitted:

3.1 the sale of packaged liquor for consumption off the premises; and

3.2 TAB facilities to operate from the premises;

4. **Acoustic Report**

An Acoustic report in accordance with the City’s Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted to the satisfaction of the City;

5. **Active Frontage**

Windows, doors and adjacent areas shall activate Beaufort Street;

6. **External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street, and shall be designed integral to the building, and be located so as not to be visually obtrusive adjoining properties; and

7. Within 28 days of the issue date of this approval to commence development, the owner or the applicant on behalf of the owner shall comply with the following requirements:

7.1 **Cash-in-Lieu for Car Parking**

Pay a cash-in-lieu contribution for the shortfall of 4.85 car bays, based on the cost of \$5,400 per bay as set out in the City's 2015/2016 Schedule of Fees and Charges being a contribution of \$26,190; and

7.2 **Acoustic Report**

With reference to Condition 4, the recommended measures of the acoustic report shall be implemented.

ADVICE NOTES:

1. With reference to Condition 1 any further increase in the number of patrons of the proposed Tavern will require approval of a further development application; and
2. With reference to Condition 7.1:
 - 2.1 the cash-in-lieu amount may be reduced if additional car bays are provided on-site or in conjunction with any other arrangement acceptable to the City;
 - 2.2 alternatively the lodgement of an appropriate assurance bond/bank guarantee of the above value to the satisfaction of the City can be undertaken. This assurance bond/bank guarantee will only be released in the following circumstances:
 - 2.2.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or
 - 2.2.2 To the owner/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
 - 2.2.3 To the owner/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.
 - 2.3 the applicant may request the City to approve a payment plan.

The Presiding Member Mayor Carey vacated the Chair and departed the Chamber at 6.52pm.

Deputy Mayor Cr Roslyn Harley assumed the Chair at 6.52pm.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

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

9.1.4 Leederville Farmers' Market – Request to Use Frame Court Car Park, Leederville Town Centre

Ward:	South	Date:	10 July 2015
Precinct:	Precinct 4 – Oxford Centre	File Ref:	PR52592; 5.2015.206.1
Attachments:	1 – Proposed Leederville Farmers' Market Location 2 – Correspondence Leederville Connect		
Tabled Items:	Nil		
Reporting Officers:	D Doy, Place Manager J O'Keefe, Manager Policy and Place J Paton, Director Corporate Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. **AUTHORISES** the Chief Executive Officer to negotiate a licence agreement with Paul Ashbolt as the organiser of the Farmers' Market to enable the relocation of the Leederville Farmers' Market to a portion of the Frame Court Car Park subject to the following minimum conditions:
 - 1.1 the licence agreement shall not exceed 18 months;
 - 1.2 the Market is permitted to use the space Sundays only between 6.30am and 12.30pm;
 - 1.3 a fee of \$19,305 is payable;
 - 1.4 the costs of all utilities are to be borne by the Market;
 - 1.5 payment of a bond as determined by the City;
 - 1.6 all relevant default, penalties and indemnity clauses;
 - 1.7 any other condition deemed to be appropriate by the City;
2. **REQUIRES** planning approval being processed in accordance with Town Planning Scheme No 1, noting that an agreement under condition 1 does not guarantee that planning approval will be granted;
3. **INSTRUCTS** Administration to commence an investigation to develop a new policy to address the manner in which the City will deal with requests for the use of Council owned land for purposes other than the City's use of the land.

Deputy Mayor Cr Harley vacated the Chair at 7.00 pm.

The Presiding Member Mayor Carey returned to the Chamber and assumed the Chair at 7.00 pm.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Harley, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

9.1.5 No. 44 (Lot: 382 D/P: 2334) Shakespeare Street and No. 19 (Lot: 352 D/P: 2334) Dunedin Street, Mount Hawthorn – Proposed Addition to Dividing Fence

Ward:	North	Date:	21 July 2015
Precinct:	Precinct 1 – Mount Hawthorn	File Ref:	PR16793/PR12261; 5.2015.246.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Proposed Development on Adjoining Property		
Tabled Items:	Nil		
Reporting Officer:	G Poezyn, Director Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Officer		

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 owners Bruce Webber and Tony Reed, for the proposed Addition to the Dividing Fence at No. 44 (Lot 382) Shakespeare Street and No. 19 (Lot 352) Dunedin Street, Mount Hawthorn as shown on plans date stamped 2 June 2015, included as Attachment 2, subject to the following conditions:

1. The existing dividing fence shall not be removed; and
2. The height of the proposed wall shall not exceed the height of the existing dividing fence in the area that is adjacent to the outdoor areas of proposed Units 4 and 5 at No. 86 Hobart Street, Mount Hawthorn.

Moved Cr Harley, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT:

Moved Cr Harley, Seconded Cr Cole

That Condition 2 be deleted, as follows:

~~“2. The height of the proposed wall shall not exceed the height of the existing dividing fence in the area that is adjacent to the outdoor areas of proposed Units 4 and 5 at No. 86 Hobart Street, Mount Hawthorn.”~~

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.5

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by the owners Bruce Webber and Tony Reed, for the proposed Addition to the Dividing Fence at No. 44 (Lot 382) Shakespeare Street and No. 19 (Lot 352) Dunedin Street, Mount Hawthorn as shown on plans date stamped 2 June 2015, included as Attachment 2, subject to the following condition:

1. The existing dividing fence shall not be removed.

9.1.2 No. 341-345 (Lot: 888 D/P: 47169) Charles Street, North Perth – Proposed Change of Use from Showroom and Associated Education Centre to Shop and Associated Demonstration Area and Storage

Ward:	North Ward	Date:	10 July 2015
Precinct:	Precinct 7 – Charles Centre	File Ref:	PR52023; 5.2015.201.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Car Parking Calculation (Updated)		
Tabled Items:	Nil		
Reporting Officer:	C Sullivan, Statutory Planning Officer		
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 Milton Green Pty Ltd trading as “Beyond Skateboarding” on behalf of the owner Triple Version Pty Ltd, for the proposed Change of Use from Showroom and Associated Education Centre to Shop and Associated Demonstration Area and Storage at Nos. 341-345 (Lot: 888 D/P: 47169) Charles Street, North Perth as shown on plans date stamped 7 May 2015, included as Attachment 2, subject to the following conditions:

1. Use of Premises

1.1 The maximum gross floor areas shall be limited as follows:

1.2.1 Shop – 490 square metres;

1.2.2 Storage – 430 square metres; and

1.2.4 Skateboard Course Area – 265 square metres; and

1.2 The skateboard course area shall not be operated or let independently of the shop use;

2. Building

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

2.2 Windows, doors and adjacent areas fronting Charles Street and Howlett Street shall maintain an active and interactive relationship with the street;

3. Prior to the issue of an Occupancy Permit, the following shall be provided:

3.1 Bicycle Facility

A minimum of eight Class 3 bicycle facilities and four Class 1 or 2 should be installed to the City’s satisfaction in accordance with the City’s Policy No. 7.7.1 – Parking and Access; and

3.2 End of trip facilities in accordance with the City’s Policy No. 7.7.1 – Parking and Access;

4. Within 28 days of the issue date of this approval to commence development, the owner or the applicants on behalf of the owner shall comply with the following requirements:

4.1 **Cash-in-Lieu for Car Parking**

Pay a cash-in-lieu contribution for the shortfall of 4.4 car bays, based on the cost of \$5,400 per bay as set out in the City's 2015/2016 Schedule of Fees and Charges being a contribution of \$23,760; and

5. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage subject to a separate Building Permit application shall be submitted to and approved by the City prior to the erection of the signage.

ADVICE NOTES:

1. With reference to Condition 1.2, any increase in net lettable area of the retail floor area, or any change of use in the tenancy shall require Planning Approval from the City;

2. With reference to Condition 4.1:

2.1 the cash-in-lieu amount may be reduced if additional car bays are provided on-site or in conjunction with any other arrangement acceptable to the City;

2.2 alternatively to the payment of cash-in-lieu, the lodgement of an appropriate assurance bond/bank guarantee of the above value to the satisfaction of the City can be undertaken. This assurance bond/bank guarantee will only be released in the following circumstances:

2.2.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or

2.2.2 To the owner/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or

2.2.3 To the owner/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired; and

2.3 the applicant may request the City to approve a payment plan.

Moved Cr Buckels, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT 1:

Moved Cr Buckels, Seconded Cr Cole

That Condition 4 and Advice Note 2 be deleted, as follows:

~~“4. Within 28 days of the issue date of this approval to commence development, the owner or the applicants on behalf of the owner shall comply with the following requirements:~~

~~4.1 Cash-in-Lieu for Car Parking~~

~~Pay a cash-in-lieu contribution for the shortfall of 4.4 car bays, based on the cost of \$5,400 per bay as set out in the City’s 2015/2016 Schedule of Fees and Charges being a contribution of \$23,760; and”~~

~~“2. With reference to Condition 4.1:~~

~~2.1 the cash-in-lieu amount may be reduced if additional car bays are provided on-site or in conjunction with any other arrangement acceptable to the City;~~

~~2.2 alternatively to the payment of cash-in-lieu, the lodgement of an appropriate assurance bond/bank guarantee of the above value to the satisfaction of the City can be undertaken. This assurance bond/bank guarantee will only be released in the following circumstances:~~

~~2.2.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or~~

~~2.2.2 To the owner/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner/applicant and stating that they will not proceed with the subject ‘Approval to Commence Development’; or~~

~~2.2.3 To the owner/applicant where the subject ‘Approval to Commence Development’ did not commence and subsequently expired; and~~

~~2.3 the applicant may request the City to approve a payment plan.”~~

AMENDMENT PUT AND CARRIED (6-1)

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

Against: Cr Pintabona

(Cr Topelberg was on approved leave of absence.)

AMENDMENT 2:

Moved Cr Buckels, Seconded Cr Harley

That a new Condition 4 be added as follows:

4. This approval is personal to “Beyond Skateboarding” and is not transferrable or assignable to any other person or property.

AMENDMENT PUT AND LOST UNANIMOUSLY (0-7)

(Cr Topelberg was on approved leave of absence.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.2

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 Milton Green Pty Ltd trading as "Beyond Skateboarding" on behalf of the owner Triple Version Pty Ltd, for the proposed Change of Use from Showroom and Associated Education Centre to Shop and Associated Demonstration Area and Storage at Nos. 341-345 (Lot: 888 D/P: 47169) Charles Street, North Perth as shown on plans date stamped 7 May 2015, included as Attachment 2, subject to the following conditions:

1. Use of Premises

1.1 The maximum gross floor areas shall be limited as follows:

1.2.1 Shop – 490 square metres;

1.2.2 Storage – 430 square metres; and

1.2.4 Skateboard Course Area – 265 square metres; and

1.2 The skateboard course area shall not be operated or let independently of the shop use;

2. Building

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

2.2 Windows, doors and adjacent areas fronting Charles Street and Howlett Street shall maintain an active and interactive relationship with the street;

3. Prior to the issue of an Occupancy Permit, the following shall be provided:

3.1 Bicycle Facility

A minimum of eight Class 3 bicycle facilities and four Class 1 or 2 should be installed to the City's satisfaction in accordance with the City's Policy No. 7.7.1 – Parking and Access; and

3.2 End of trip facilities in accordance with the City's Policy No. 7.7.1 – Parking and Access;

4. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage subject to a separate Building Permit application shall be submitted to and approved by the City prior to the erection of the signage.

ADVICE NOTES:

1. With reference to Condition 1.2, any increase in net lettable area of the retail floor area, or any change of use in the tenancy shall require Planning Approval from the City.

9.4.1 The Urban Roller Club – Request to Use Frame Court Car Park, Leederville Town Centre

Ward:	South	Date:	17 July 2015
Precinct:	Precinct 4 – Oxford Centre	File Ref:	SC1897
Attachments:	1 – Urban Roller Club Application 2 – Frame Court Car Park Event Site Plan 3 – Correspondence Leederville Connect		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity R Boardman, Director Community Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

- 1 **AGREES IN PRINCIPLE** to The Event Agency Australia Pty Ltd holding The Urban Roller Club in a portion of the Frame Court Car Park and Oxford Reserve, subject to:
 - a) **Planning Approval** being sought and obtained for that activity from the City of Vincent; and
 - b) The Event Agency Pty Ltd entering into a licence agreement to use the space for a period not exceeding 22 days, on terms to be determined by Council;
- 2 **ADVISES** The Event Agency Pty Ltd that Council’s Agreement in principle does not guarantee that a Planning Approval will be issued for the proposed activity and will not prejudice Council’s decision in respect of the planning application or any future licence agreement for The Urban Roller Club proposal.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Buckels, **Seconded** Cr Harley

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Cole, **Seconded** Cr McDonald

That the item be DEFERRED for further consideration.

PROCEDURAL MOTION PUT LOST (2-5)

For: Cr Cole and Cr McDonald

Against: Presiding Member Mayor Carey, Cr Buckels, Cr Harley, Cr Pintabona and Cr Wilcox

(Cr Topelberg was on approved leave of absence.)

MOTION PUT AND LOST (2-5)

(Cr Topelberg was on approved leave of absence.)

For: Cr Buckels and Cr McDonald

Against: Presiding Member Mayor Carey, Cr Cole, Cr Harley, Cr Pintabona and Cr Wilcox

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

Ward:	South	Date:	10 July 2015
Precinct:	Precinct 12 - Hyde Park	File Ref:	SC201
Attachments:	1 – Consultation Letter Responses		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** that, as a result of a further survey conducted in June 2015, the majority of respondents indicated that they do not support paying the increased cost to underground the power in the Brookman Street and Moir Street Heritage Precinct area; and
2. **ADVISES** ratepayers within the project area, and Western Power that, on the basis of 1 above, it no longer intends to proceed with the Brookman Street and Moir Street Heritage Precinct Underground Power Project.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT

Moved Cr Cole, Seconded Cr McDonald

That a new Recommendation 3 be added as follows:

3. **REQUIRES the Chief Executive Officer to present a report to Council by November 2015 to form the basis for a review of Policy No. 2.2.2 - Undergrounding of Power, with the report to outline:**
 - a) **Funding options and implications for undergrounding of power in the City of Vincent;**
 - b) **Staging options and implications for undergrounding of power in the City of Vincent;**
 - c) **Capacity and resourcing issues affecting the undergrounding of power in the City of Vincent;**
 - d) **A community consultation plan for inviting community feedback by February 2016 on options for undergrounding of power in the City of Vincent.**

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

COUNCIL DECISION ITEM 9.2.1

That Council:

1. **NOTES** that, as a result of a further survey conducted in June 2015, the majority of respondents indicated that they do not support paying the increased cost to underground the power in the Brookman Street and Moir Street Heritage Precinct area; and
 2. **ADVISES** ratepayers within the project area, and Western Power that, on the basis of 1 above, it no longer intends to proceed with the Brookman Street and Moir Street Heritage Precinct Underground Power Project; and
 3. **REQUIRES** the Chief Executive Officer to present a report to Council by November 2015 to form the basis for a review of *Policy No. 2.2.2 - Undergrounding of Power*, with the report to outline:
 - a) **Funding options and implications for undergrounding of power in the City of Vincent;**
 - b) **Staging options and implications for undergrounding of power in the City of Vincent;**
 - c) **Capacity and resourcing issues affecting the undergrounding of power in the City of Vincent;**
 - d) **A community consultation plan for inviting community feedback by February 2016 on options for undergrounding of power in the City of Vincent.**
-

9.2.2 Brentham Street Reserve – Request to Use a Portion of the Reserve for the Reinjection of Groundwater – Further Report

Ward:	North	Date:	10 July 2015
Precinct:	Precinct 3 - Leederville	File Ref:	PR11095; SC544; DD6.2014.161.1
Attachments:	1 - Site Plan 2 - Cross Section of Reinjection Bores		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services S Hill, Project Officer Parks and Environment J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **ADVERTISES** the request from MDW Environmental Services, on behalf of Pindan, to use a portion of the Brentham Street Reserve for the reinjection of groundwater as a contingency measure, as shown on Attachment 1, in accordance with the City’s Community Consultation Policy No. 4.1.5;
2. **RECEIVES** a further report at the conclusion of the advertising period; and
3. **ADVISES** MDW Environmental Services that advertising of its request, pursuant to 1 above, does not constitute support for the proposal and will not prejudice Council’s decision on the matter following the advertising period.

Moved Cr Cole, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT:

Moved Cr Cole, Seconded Cr Harley

That Recommendation 1 be amended as follows:

That Council:

1. **ADVERTISES** the request from MDW Environmental Services, on behalf of Pindan, to use a portion of the Brentham Street Reserve for the reinjection of groundwater as a contingency measure, as shown on Attachment 1, in accordance with the City’s Community Consultation Policy No. 4.1.5, subject to the applicant:
 - 1.1 modifying the proposal to lay all of the proposed pipework, and associated infrastructure within the reserve, underground;
 - 1.2 agreeing to pay a \$20,000 (refundable) bond to ensure the reserve is returned to an acceptable standard to the City’s satisfaction, if the proposal is ultimately approved by Council;
 - 1.3 agreeing to undertake a dilapidation report of all properties adjoining the reserve before commencement of any works within the reserve and again within six weeks of the completion and decommissioning of the works post-injection; and
 - 1.4 noting that any approval by Council (if granted) will be subject to payment of a licence fee, to be determined by Council, for the use of the reserve;

2. **RECEIVES** a further report at the conclusion of the advertising period; and
3. **ADVISES MDW Environmental Services** that advertising of its request, pursuant to 1 above, does not constitute support for the proposal and will not prejudice Council's decision on the matter following the advertising period.

Cr McDonald departed the Chamber at 8.22pm.

Cr McDonald returned to the Chamber at 8.24pm.

Cr Wilcox departed the Chamber at 8.25pm.

Cr Wilcox returned to the Chamber at 8.26pm.

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

COUNCIL DECISION ITEM 9.2.2

That Council:

1. **ADVERTISES** the request from MDW Environmental Services, on behalf of Pindan, to use a portion of the Brentham Street Reserve for the reinjection of groundwater as a contingency measure, as shown on Attachment 1, in accordance with the City's Community Consultation Policy No. 4.1.5, subject to the applicant:
 - 1.1 modifying the proposal to lay all of the proposed pipework, and associated infrastructure within the reserve, underground;
 - 1.2 agreeing to pay a \$20,000 (refundable) bond to ensure the reserve is returned to an acceptable standard to the City's satisfaction, if the proposal is ultimately approved by Council;
 - 1.3 agreeing to undertake a dilapidation report of all properties adjoining the reserve before commencement of any works within the reserve and again within six weeks of the completion and decommissioning of the works post-injection; and
 - 1.4 noting that any approval by Council (if granted) will be subject to payment of a licence fee, to be determined by Council, for the use of the reserve;
 2. **RECEIVES** a further report at the conclusion of the advertising period; and
 3. **ADVISES MDW Environmental Services** that advertising of its request, pursuant to 1 above, does not constitute support for the proposal and will not prejudice Council's decision on the matter following the advertising period.
-

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Cr Roslyn Harley – Review of Advisory and Working Groups and Committees

That Council REQUESTS the Chief Executive Officer to review and submit a report to Council by September 2015 to consider:

1. The operation, purpose and intent of the City's various Working Groups, Advisory Groups and Committees and the potential for consolidation of those groups; and
2. Creation of a new or expanded group with a focus on cycling and cycling-related initiatives.

COUNCIL DECISION ITEM 10.1

Moved Cr Harley, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg 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 8.35pm **Moved Cr Cole, Seconded Cr McDonald**

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 report relating to Item 14.1.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

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 John Pintabona	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Joshua O’Keefe	Acting Director Planning Services
John Paton	Director Corporate Services
Rob Boardman	Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

14.1 CONFIDENTIAL REPORT: Nos. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn – Proposed Change of Use from Eating House to Tavern – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 145 of 2015)

Ward:	North	Date:	10 July 2015
Precinct:	Precinct 2 – Mt Hawthorn Centre	File Ref:	PR50735; 5.2014.456.1
Attachments:	Confidential – Additional Information Provided by Applicant after Mediation Confidential – Development Application Plans Confidential – Management Plan Confidential – SAT Orders		
Tabled Items:	Nil		
Reporting Officer:	R Rasiah, Co-ordinator Statutory Planning		
Responsible Officer:	G Poezyn, Director Planning Services		

COUNCIL DECISION ITEM 14.1

Moved Cr Harley, 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, APPROVES the application submitted by Hospitality Total Services (Aus) Pty Ltd on behalf of the owners, Hyde Park Management Ltd, for the Proposed Change of Use from Eating House to Tavern at Nos. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn as shown on plans date stamped 11 November 2014, included as Attachments 2 and 3, subject to the following conditions:

1. Trading Hours

1.1 The trading hours shall be:

- Monday to Wednesday: 6.00am – 10.00pm;
- Thursday to Saturday: 6.00am – 12.00 midnight; and
- Sunday: 10.00am – 10.00pm;

1.2 The trading hours in respect of public holidays shall be:

- New Year’s Eve (if it falls on a Sunday): 10.00am – 12.00 midnight and on New Year’s Day immediately after midnight on New Year’s Eve – 2.00am;
- Christmas Day and Good Friday: from 12.00 noon – 10.00pm where liquor is sold ancillary to a meal supplied by the licensee; and
- ANZAC Day: No liquor sale is permitted before 12.00 noon;

2. Use

- 2.1 The premises shall have food available from opening until half an hour before close and shall provide breakfast, lunch and dinner services;**
- 2.2 Functions are limited to 120 patrons at any one time and shall only occur within the premises and not in the alfresco area; and**
- 2.3 Seating in the form of tables and chairs within the premises shall be provided at all times except for when there is a pre-booked function;**

3. Alfresco Areas

- 3.1 Patrons within the alfresco areas are required to be seated at all times;**
- 3.2 The service of alcohol shall be by table service only by service staff; and**
- 3.3 Functions are prohibited from being held in the alfresco areas;**

4. **Prohibited Activity**

- 4.1 The sale of packaged liquor for consumption off the premises is not permitted;
- 4.2 TAB facilities are not permitted to operate from the premises; and
- 4.3 The licensee is prohibited from promoting or advertising the licensed premises as a Tavern;

5. **Management Plan**

The approved Management Plan shall be implemented to the satisfaction of the City and shall at all times ensure that measures are taken to:

- 5.1 Reduce the likelihood of excessive noise intrusion on residents and businesses in the locality;
- 5.2 Prevent the likelihood of rowdy or antisocial behaviour;
- 5.3 Consult directly with affected persons, residents and/or businesses to resolve any noise issues, rowdy or antisocial behaviour or any other issues that may arise; and
- 5.4 Ensure the above management measures (prior to, during and post trading hours) are included as part of all staff induction and training programs;

6. **Construction Management Plan**

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

7. **Active Relationship**

Windows, doors and adjacent areas shall maintain an active and interactive relationship with the adjacent outdoor space; and

8. **Lease/Sale Agreements**

Any existing lease/licence agreement for the tavern or future change of ownership documents of the tavern or shopping centre shall include the conditions of this planning approval.

- 9. This approval is personal to "Peasant's Table" and it is not transferrable or assignable to any other person or property.

MOTION AS AMENDED PUT AND CARRIED (4-3)

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

(Cr Topelberg was on approved leave of absence.)

PROCEDURAL MOTION

At 8.53pm **Moved** Cr Pintabona, **Seconded** Cr Buckels

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg was on approved leave of absence.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 8.53pm 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 John Pintabona | South Ward |
| Cr Julia Wilcox | North Ward |
| Len Kosova | Chief Executive Officer |
| Rick Lotznicker | Director Technical Services |
| Joshua O’Keefe | Acting Director Planning Services |
| John Paton | Director Corporate Services |
| Rob Boardman | Director Community Services |
| Jerilee Highfield | Executive Assistant, Minutes Secretary |

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 25 August 2015.

Signed: Mayor John Carey.

Dated this day of 2015.