



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

30 JUNE 2015

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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(30 JUNE 2015)

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ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 30 June 2015, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6.07 pm 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:

Cr John Pintabona was an apology due to being unwell.

(b) Members on Approved Leave of Absence:

Cr Matt Buckels on approved leave of absence from 26 June to 27 July due to personal commitments.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Rob Boardman	Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary
<u>Media</u>	
Sophie Gabrielle	Journalist – <i>"The Guardian Express"</i> (until approximately 8.56 pm)

Approximately 22 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. Jonathen Riley of 6B Wavertree Place, Leederville – Item 9.1.4

- Spoke in support of the proposed wall and disagreed with the Officer's report which suggests that the wall is not in keeping with the local surroundings.

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

2. John Kestel of 125 Brown Street, Mount Hawthorn – Item 9.1.1

- He is the architect for the development at Nos. 33-35 Mary Street and spoke in support of the proposal.

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

3. Jonathan Eastow of 34 Chatsworth Road, Highgate – Item 9.1.1

- Some discussions have been held in relation to the matter and the real issue of concern is the Right of Way.

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

4. Euan Blair of 41 Purslow Street, Mount Hawthorn

- Advised that there is an issue of concern at the intersection of Purslow and Brady Street, Mount Hawthorn, with 6 out of 7 residents having experienced traffic accidents.

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

5. Isabel Nash of 56 Bourke Street, Leederville – Item 9.2.1

- Supported the Officer's Recommendation to support the third speed hump in the street.

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

6. Robena McAdam of 4 Auckland Street, North Perth – Item 9.1.3

- Objected to the proposed development. Her main concern related to the parking in the street.

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

7. Isabella Andrews of 10 Ardross Crescent, Menora – Item 9.3.5

- Representing Jigsaw Search and Contact WA inc., spoke in relation to that group's interest in Lee Hops Cottage.

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

8. Kim Doepel of 61 Forrest Street, Subiaco – Item 14.2

- Spoke as the architect/applicant in favour of this development.

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

9. Mark Byrne – Item 9.1.5

- Objected to the Policy proposal to heritage list buildings without landowner's consent.

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

10. Andrea Brazini of 78 Harold Street, Dianella– Item 9.1.3

- As the designer of the project, spoke in support of the proposed development.

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

11. Dudley Maier of 51 Chatsworth Road, Highgate

- In relation to Item 9.5.2 – Council Member Developer Register and the Council's from the Council Meeting Agenda of 2 June 2015, wanted to reiterate his view that advertising of the Policy would have been beneficial prior to adoption.

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

There being no further speakers, Public Question Time closed at approximately 6.31 pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Mayor John Carey requested leave of absence from 13 July to 20 July due to personal commitments.
- 4.2 Cr Matt Buckels requesting leave of absence from 26 June to 27 July due to personal commitments.
- 4.3 Cr Joshua Topelberg requesting leave of absence from 8 July to 10 July due to work commitments.

Moved Cr Cole, Seconded Cr Harley

That Mayor Carey, Cr Buckels and Cr Topelberg's requests for leave of absence be approved.

CARRIED UNANIMOUSLY (7-0)

**(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)**

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Ms J Glare of Purslowe Street, Mt Hawthorn, along with 22 signatures from residents in the area, concerned about the large volume of traffic incidents occurring due to the black spot area between Purslowe and Brady Street, Mount Hawthorn and requesting Council support for this area to be listed in the Main Roads Black Spot Program.
- 5.2 Petition received from Mr J Matthews of Mount Hawthorn, along with 91 signatures, relating to the proposed change of use application for 174-176 Anzac Road, Mount Hawthorn and in particular outlining concerns relating to parking and traffic impact to this section of Anzac Road, if the proposed change of use application is approved.
- 5.3 Petition submitted by Mr A Yusen Ley and Ms A Gamboa Rocha of Pennant Street, North Perth, with 14 signatures in support from neighbouring residents of Pennant Street, relating to the alleged unauthorised development within the front setback area (cubby house) of their property in Pennant Street, North Perth which states that *"We, adjacent neighbours to 38 Pennant Street in North Perth, consider that the recent addition of the cubby house to the premises harmonises with the existing streetscape, complements the character of their house and does not impact our streetscape in a negative way."*

Moved Cr Peart, Seconded Cr McDonald

That the petition be received as recommended.

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 2 June 2015.

Moved Cr Topelberg, Seconded Cr Cole

That the Minutes of the Ordinary Meeting of Council held on 2 June 2015 be confirmed as a true and correct record, subject to inclusion of the times when Cr Topelberg left and re-entered the Chamber before and after the vote on Item 9.5.2.

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor John Carey made the following announcements;

7.1 Braithwate Park

A fantastic opening for the new Nature Playground at Braithwate Park. It is an incredibly popular community project; this is the best of Vincent and what we stand for.

7.2 North Perth Community Garden

There is a space behind the North Perth Community Garden, which is bituminised and vacant and the North Perth Community Garden ran a design competition with Curtin University Master of Architect students. There were more than 20 submissions as part of the competition and as a consequence there were some fantastic concepts produced.

7.3 Cr James Peart Final Council Meeting

This is Cr James Peart's final meeting and I do want to recognise his contribution to the City and to Council. He was heavily involved in the Vincent to Perth campaign, he did not have any commercial interest, there was no financial gain, he was passionate and committed about our community and he was an incredible force within that campaign as a volunteer and if anyone remembers he was riding around on his cargo bike all over Vincent with a sign attached saying "Vincent to Perth".

He made a significant contribution, it was from that that James came to run for Council, taking up my position following my election to Mayor since that time. Cr Peart has also made a great contribution to two areas in particular - on the planning side but also in the review of our cycling plans and he has been a constant voice regarding how we can improve the plans.

We are sorry to see him go. I would love to see Cr Peart running for Election again in October, but that is not to be. On behalf of Council I wish you all the best and hope that you enjoy your time in France, however long that may be.

8. DECLARATIONS OF INTERESTS

8.1 Cr Topelberg declared an Impartiality interest in Item 9.1.1 - Nos. 33 – 35 (Lots: 53 & 350; D/P: 672 & 302361) Mary Street, Highgate – Proposed Additions and Alterations of an Existing Eight Multiple Dwelling Development to a Seven Multiple Dwelling Development and Construction of Two Grouped Dwellings. The extent of his interest being that the owner is a professional acquaintance of Cr Topelberg and has previously represented him in a property transaction. At a chance meeting in May the owner mentioned the upcoming development proposal and he suggested a meeting with the owner and the CEO. At no time were plans or details discussed and the first time that Cr Topelberg viewed the plans were with the publication of the Briefing Agenda for last week's meeting.

8.2 Cr Peart declared an Impartiality interest in Item 9.1.3 - No. 6 (Lot 22 D/P 167) London Street, corner Haynes Street, North Perth – Proposed Demolition of Existing Building and Construction of a Mixed Use Development, comprising of 3 Shops, 3 Offices, 1 Eating House, 23 Multiple Dwellings, 10 One Bedroom Dwellings, 11 Two Bedroom Dwellings, 2 Three Bedroom Dwellings and Associated Basement Car Parking. The extent of his interest being that he is a neighbour of the landowner and has had several brief discussions of a general nature relating to the development in passing on the street. Cr Peart had not viewed the plans prior to their publication in the Council Briefing Agenda for last week's meeting.

- 8.3 Cr McDonald declared a Financial and Proximity interest in Item 9.2.2 - Traffic Related Matters – Lindsay and Lake Streets, Perth, West Parade, Perth and Violet Street, West Perth. The extent of her interest being that she lives and owns a property at 55 West Parade.
- 8.4 Cr Cole declared an Impartiality interest in Item 9.2.3 - Brentham Street Reserve – Request to Use a Portion of the Reserve for Reinjection of Groundwater. The extent of her interest being that Cr Cole advised that she is an owner/occupier of a residence within 200 metres of the site and is potentially affected by dewatering of the site and has had her bore tested by the applicant.
- 8.5 Cr Peart declared an Impartiality interest in Item 9.5.2 - Resignation of Cr James Peart. The extent of his interest being that he is the subject of Item one of the Officer Recommendation and considers it would be inappropriate for him to vote on the matter.
- 8.6 Chief Executive Officer Mr Kosova declared an Impartiality interest in Item 9.5.3 - Chief Executive Officer's Performance Review 2014/15 – Appointment of Human Resources Consultant. The extent of his interest being that the consultant would be appointed to work with Council to conduct his performance review.
- 8.1 Cr Topelberg declared an Impartiality interest in Item 14.2 - LATE ITEM: CONFIDENTIAL REPORT: No. 45 (Lot: 770 D/P: 301693) Cowle Street, West Perth – Proposed Demolition of Existing Single House and Construction of Four Storey Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004. The extent of his interest being that in his role as an Elected Member he met twice with the architect in January and February 2015 and on both occasions the City's Director Planning Services was present.

9. REPORTS

As listed in the Index.

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

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

Items 9.1.1, 9.1.3, 9.1.4, 9.1.5, 9.2.1, 9.3.5 and 14.2

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

Items 9.3.6 and 9.4.3

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

Item 9.2.2

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	9.5.2
Cr Harley (Deputy Mayor)	10.1 an 10.2
Cr Buckels	On approved leave
Cr Cole	9.1.2 and 9.1.7
Cr McDonald	Nil
Cr Peart	9.2.3
Cr Pintabona	Apology
Cr Topelberg	Nil
Cr Wilcox	Nil

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

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

Items 9.1.6, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.5.1, 9.5.3, 9.5.4 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 Topelberg, Seconded Cr Harley

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

Items 9.1.6, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.5.1, 9.5.3, 9.5.4 and 9.5.5.

CARRIED UNANIMOUSLY (7-0)

**(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)**

9.1.6 Outcomes of Advertising and Final Adoption of Draft Planning Policy No. 7.7.2 – Car Sharing

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC1677
Attachments:	1 – Draft Car Sharing Policy 2 – Summary of Submissions 3 – Changes to the Draft Policy		
Tabled Items:	Nil		
Reporting Officers:	A Marriott, Sustainability Officer J O’Keefe, Manager Strategic Planning Sustainability and Heritage Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. **ADOPTS** the draft Policy No. 7.7.2 – Car Sharing Policy as shown in Attachment 1 – pursuant to Clause 47 of the City’s Town Planning Scheme No. 1; and
2. **NOTES** the amounts below are listed in the City’s Schedule of Fees and Charges for 2015-2016 as follows:

Item	Fee
Space marking & signage of car share space	\$800 per car bay
Making good of car bays after cessation of use for car sharing	\$700 per car bay

COUNCIL DECISION ITEM 9.1.6

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.2.4 Proposed Closure and Subsequent Disposal of Portion of Right of Way named Merlo Lane, North Perth

Ward:	South Ward	Date:	3 June 2015
Precinct:	Precinct 9 - North Perth Centre	File Ref:	SC182, TES0276
Attachments:	1 – Location of Proposed Closure		
Tabled Items:			
Reporting Officer:	A Munyard, Senior Technical Officer – Land and Development		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** that a request has been received from the owner of No.11 Glebe Street, North Perth, to purchase a portion of Right of Way, named Merlo Lane, as shown in Attachment 1;
2. **AUTHORISES** the Director Technical Services to commence the;
 - 2.1 process to close, and dispose of, the portion of Right of Way named Merlo lane, North Perth, as shown in Attachment 1, in accordance with section 52(1)(b) of the Land Administration Act 1997; and
 - 2.2 statutory advertising and consultation process; and
3. **RECEIVES** a further report at the conclusion of the advertising period should any comments be received.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.3.1 Investment Report as at 31 May 2015

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Act. Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.3.2 Authorisation of Expenditure for the Period 1 to 31 May 2015

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report 2 – Credit Card Report		
Tabled Items:	-		
Reporting Officers:	R Tang, Accounts Payable Officer; Geoff 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 May 2015 as detailed in Attachment 1 and 2 and as summarised below:

Cheque numbers 78293-78444	\$308,198.50
EFT Documents 1775 – 1786	\$2,860,871.12
Payroll	\$1,026,516.86
Credit Cards	\$11,168.56
Direct Debits	
• Lease Fees	\$7,172.65
• Loan Repayment	\$144,044.83
• Bank Fees and Charges	\$1,063.66
• Reject Fees	\$17.50
Total Accounts Paid	\$4,359,053.68

COUNCIL DECISION ITEM 9.3.2

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.3.3 Financial Statements as at 31 May 2015

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Tabled Items:	-		
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 Financial Statements for the month ended 31 May 2015 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.3.4 Portion of 1 (Lot 33) The Avenue, Leederville – Proposed Lease area for Telstra Corporation Limited

Ward:	South Ward	Date:	12 June 2015
Precinct:	Precinct 4 - Oxford Centre	File Ref:	PR52590
Attachments:	1 - Map of Proposed Lease area		
Tabled Items:			
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** advertising under the provisions of section 3.58(3) of the *Local Government Act 1995* the proposal for the lease of a portion of the premises located at 1 (Lot 33) The Avenue, Leederville with Telstra Corporation Limited;
2. **NOTES** the proposed lease is for the period 1 July 2015 to 30 June 2020 with two further five year options, as per Attachment 1, as follows:
 - 2.1 **Term:** five years plus two further five year option periods;
 - 2.2 **Rent:** \$27,500 per annum plus GST indexed to CPI;
 - 2.3 **Outgoings:** to be paid by the Lessee;
 - 2.4 **Rates & Taxes:** to be paid by the Lessee;
 - 2.5 **Permitted Use:** in accordance with Telecommunications Act;
 - 2.6 **Redevelopment Clause:** twelve (12) month notice of any potential redevelopment;
3. **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 listed in 2 above; and
4. Subject to the lease being approved by the Chief Executive Officer, **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the lease.

COUNCIL DECISION ITEM 9.3.4

Moved Cr Topelberg, **Seconded** Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

9.5.1 Delegated Authority Review

Ward:	-	Date:	23 June 2015
Precinct:	-	File Ref:	
Attachments:	1 – Delegated Authority Register 2015 - 2016		
Tabled Items:	Nil		
Reporting Officer:	R Hall, Project Manager – Business Improvement		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the annual review of its Delegations of Authority in accordance with Section 5.46(2) of the *Local Government Act 1995*, as outlined in this report and summarised in Attachment 1; and
2. **REVOKES** the following Delegations of Authority for the reasons summarised in Attachment 1:
 - 1.1 Provision of Services and/or Facilities
 - 1.2 Amending and Updating Policies and Policy Manuals
 - 1.4 Appointment of Employees and Determination of an Organisational Structure
 - 1.5 Appointment of Consultants and Contractors
 - 1.8 Legal Representation – Council Members and Employees
 - 1.9 Obtaining Legal Advice
 - 1.10 Use of Corporate Logo
 - 1.11 Receptions, Civic Functions and Use of Administration and Civic Centre
 - 1.12 Preparation of Annual Report
 - 1.13 Preparing and Issuing the City’s Newsletter
 - 1.15 Purchase and Provision of Vehicles for the City
 - 2.2 Performing Its Executive functions Outside the City District
 - 3.4 Amending the Rate Record
 - 3.12 Revocation of Instalment Options for Rates or Service Charges
 - 3.15 Preparation of Monthly financial Statements and Reports
 - 3.16 Disposal of Surplus Plant, Equipment or Materials
 - 3.17 Signing of Requisitions and Purchase Orders
 - 3.19 Issue of Petty Cash Advances
 - 3.20 Submission of Grants and Subsidy Applications
 - 3.21 Negotiating Terms and Conditions for Leases and Properties
 - 8.1 Disturbing Local Government Land or Anything On It
 - 8.2 Obstructing A Public Thoroughfare
 - 8.3 Encroaching A Public Thoroughfare
 - 8.4 Offences Relating to the Repair of Gates and Fences
 - 8.5 Dangerous Excavation in or Near Public Thoroughfare

- 8.6 Crossing from Public Thoroughfare to Private Land or Private Thoroughfare Without Approval
- 8.7 Requirement to Construct and Repair a Crossover
- 8.8 Private Works On, Over or Under Public Place
- 8.9 Offences Relating to Watercourses, Drains, Tunnels and Bridges
- 8.10 Offences Relating to the Protection of Thoroughfares from Water Damage
- 8.11 Action Against Persons in Relation to Wind Erosion and Sand Drifts
- 9.1 Parks and Reserves – Allocation, Use, Banners, Recovery of Costs, Use of Alcohol
- 9.2 Street Trees – Management, Planting, Pruning and Removal
- 9.3 Halls, Parks and Reserves – Hire, Fees, Selling of Goods
- 9.4 Traffic Management Treatments/Local Traffic Management Schemes/Referrals to the City’s Integrated Transport, Traffic and Road Safety Advisory Group
- 9.5 Unauthorised works in a Street – Serving of Notices
- 9.6 Works in the Street
- 9.7 Materials to be Used in the Road Reserve
- 9.8 Reinstatements of Roads and Footpaths
- 9.9 Approval of Works Orders to Public Utility Service Authorities
- 9.10 Upgrading of Existing Street Lighting and Underground Power
- 9.11 Location of Bus Shelters and Seats
- 9.12 Footpaths – Prevention of Damage to
- 9.13 Approval of Design Projects
- 9.14 Laneways and Rights of Way – Closure, Part closure, Amalgamation, Paving, Drainage and Obstruction of
- 9.15 Approval of ACROD Car Parking Bays
- 9.16 Recovery of Overdue Library Books and Other Loaned Items
- 9.17 Approval of Grants, Donations, Sponsorship and Waiver of Fees and Charges
- 10.2 Stadium (Medibank) Management Committee
- 10.3 Leederville Masterplan Management Committee

3. NOTES that further reports will be submitted to Council to consider:

a) changes to existing Delegations of Authority which are not being revoked by 2 above; and

b) any new Delegations of Authority

being proposed by Administration.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.5.3 Chief Executive Officer's Performance Review 2014/15 – Appointment of Human Resources Consultant

Ward:	-	Date:	12 June 2015
Precinct:	-	File Ref:	PR25043; 5.2014.540.1
Attachments:	1 — Request for Quotation		
Tabled Items:	Nil		
Reporting Officer:	L Kosova, Chief Executive Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council **APPOINTS** Portland Broome to conduct the Chief Executive Officer's Performance Review 2014/15 as outlined in this report and in its confidential response to the City's Request for Quotation.

COUNCIL DECISION ITEM 9.5.3

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.5.4 City of Perth Bill

Ward:	All	Date:	17 June 2015
Precinct:		File Ref:	
Attachments:	1 – City of Perth Bill 2015		
Tabled Items:	Nil		
Reporting Officer:	Len Kosova, Chief Executive Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **REAFFIRMS** its position adopted on 20 January 2015 that any change to the City of Perth's boundaries under a new *City of Perth Act* should reference the existing provisions of the *Local Government Act 1995* or require a change to the boundaries depicted in the *City of Perth Act* through the normal Parliamentary process; and
2. **ADVISES** all Members of the Parliament of Western Australia that Section 37 of the *City of Perth Bill* is of such concern to the City of Vincent Council that it should be deleted from the Bill.

COUNCIL DECISION ITEM 9.5.4

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

9.5.5 Information Bulletin

Ward:	-	Date:	12 June 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 12 June 2015 as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.5

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.4.1 Leederville Town Centre Enhancement Working Group Abolishment

ITEM WITHDRAWN BY ADMINISTRATION.

9.4.2 North Perth Tennis Club – Funding Allocation

ITEM WITHDRAWN BY ADMINISTRATION.

9.1.4 No. 6B (Lot: 901 D/P: 59128) Wavertree Place, Leederville – Proposed Fence Addition to Existing Single House

Ward:	North	Date:	12 June 2015
Precinct:	Precinct 3 – Leederville	File Ref:	PR51906; 5.2015.149.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Development Application Letter 4 – Development Application Justification (Rosewood Facility)		
Tabled Items:	Nil		
Reporting Officer:	M Tarca, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by Jonathen Riley on behalf of the owners Jonathen Riley and Leanne Helman, for the proposed Front Fence Addition to an existing Single House at No. 6B (Lot 901) Wavertree Place, Leederville as shown on plans date stamped 1 April 2015, included as Attachment 2, for the following reasons:

1. The proposal is contrary to orderly and proper planning as it is:
 - 1.1 non-compliant with Clause SADC 13 of the Residential Design Elements Policy and Clause 5.2.4 of the 2013 Residential Design Codes; and
 - 1.2 out of character with the existing streetscape which is characterised by open front setback areas that contribute to the streetscape;
2. The City has consistently required compliance with the visual permeability provisions for fences; and
3. The proposal does not present any moderating circumstances that would justify a variation.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Cole, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (4-3)

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

**(Cr Buckels was on approved leave of absence.)
 (Cr Pintabona was an apology for the Meeting.)**

9.1.1 Nos. 33 – 35 (Lots 53 & 350; D/P: 672 & 302361) Mary Street, Highgate – Proposed Additions and Alterations of an Existing Eight Multiple Dwelling Development to a Seven Multiple Dwelling Development and Construction of Two Grouped Dwellings

Ward:	South	Date:	12 June 2015
Precinct:	Precinct 12 – Hyde Park	File Ref:	PR23873; 5.2014.716.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant Submission 4 – Applicant Justification 5 – Heritage Impact Statement 6 – Heritage Assessment from Applicant 7 – Marked up plans showing proposed versus required setbacks 8 – 3D Perspectives 9 – Design Advisory Committee Comments		
Tabled Items:	Nil		
Reporting Officer:	A Dyson – Planning Officer (Statutory)		
Responsible Officer:	G Poezyn – Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by John Kestel Architect on behalf of the owner L & P Squire, for the proposed additions and alterations of an existing eight Multiple Dwelling development to a seven Multiple Dwelling development and construction of Two Grouped Dwellings at Nos. 33 & 35 (Lots 53 & 350) Mary Street, Highgate as shown on plans date stamped 24 December 2014 (site survey and existing floor plan) and amended plans date stamped 27 February 2015 (Shadow Plan) and 2 June 2015 (undercroft floor plan, ground and upper floor plans, elevation plans, Strata Plans), included as Attachment 2, subject to the following conditions:

1. **Amalgamation**

Nos. 33-35 (Lots 53, and 350) Mary Street, Highgate shall be amalgamated into one lot on a Certificate of Title to the satisfaction of the City;

2. **Legal Agreement**

The owners shall enter into a legal agreement secured by a caveat on the Certificate of Title of the amalgamated lot, for the conservation of the existing multiple dwellings to the satisfaction of the City;

3. **Boundary Walls**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 31 (Lot 51) and 37 (Lot 54) Mary Street, Highgate, in a good and clean condition. The finish of the walls is to be to the satisfaction of the City and can either be fully rendered or face brickwork;

4. **Building Appearance**

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

5. **Street Trees**

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

6. **On-Site Parking Provision**

The following minimum number of car bays shall be provided

- 6.1 Five car bays for the residents of the multiple dwelling component;
- 6.2 Two visitor car bays for the multiple dwelling component; and
- 6.3 Two car bays for the grouped dwelling component;

7. **Car Parking and Accessways**

- 7.1 The car parking and access areas are to comply with the requirements of AS2890.1;
- 7.2 The car park areas for visitors shall be shown as common property on any strata plan; and
- 7.3 Vehicle and pedestrian access points are required to match into existing right-of-way levels;

8. **Car Parking Permits**

A notice being 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 dwelling;

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

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

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

- a. The use or enjoyment of the property may be affected by traffic, car parking and other impacts associated with nearby commercial and non-residential activities;

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

10.1 Revised Plans

The applicant to provide revised plans denoting the following:

10.1.1 Visual Privacy

The southern façade of the balconies to units 8 & 9 shall comply with the requirements of the 2013 Residential Design Codes in relation to privacy provisions to the satisfaction of the City to prevent overlooking of Nos. 31 (Lot 51) and 37 (Lot 54) Mary Street, Highgate;

10.1.2 Bicycle Bays

Three residential and one visitor bicycle bays respectively for the residents and visitors of the development, shall be provided. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development and bicycle bays for the residents and employees must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

10.1.3 Bin Store

A bin store is required to be provided, of a sufficient size to accommodate the City's maximum bin requirement, as assessed by the City;

10.2 Landscaping

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

- 10.2.1 The location and type of existing and proposed trees and plants;
- 10.2.2 All vegetation including lawns;
- 10.2.3 Areas to be irrigated or reticulated and such method;
- 10.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 10.2.5 Separate soft and hard landscaping plants (indicating details of materials to be used);

10.3 Vehicle Entry Gate – Management Plan

The proposed vehicular entry gate to the car parking area shall have a minimum 50% visual permeability or a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors to the units at all times;

10.4 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

10.5 Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, 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

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

11.1 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;

11.2 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the 2013 Residential Design Codes;

11.3 Acoustic Report

With reference to Condition 10.4, certification from an acoustic consultant, that the recommended measures have been undertaken shall be provided to the City;

11.4 Section 70 A notification under the *Transfer of Land Act 1893*

With reference to Condition 8.1, this notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

11.5 Stormwater

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

11.6 Landscaping

With reference to Condition 10.2 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.

ADVICE NOTES:

1. With regard 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 6 months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owner(s). 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. With regard to Condition 2, all costs associated with this condition shall be borne by the applicant/owners;

3. With regard to Condition 3, 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;
4. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
5. With regard to Condition 11.5, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
6. A Road and Verge security bond for the sum of \$3,000, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
7. With regard to Condition 7.3, 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;
8. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
9. With regard to Condition 10.1.3, the bins access pathway is to be ramped or a mechanical lift to be fitted to allow waste and recycle bins to be taken to Mary Street for collection.
10. With regard to Condition 10.1.2, the bicycle bays are to be incorporated into the development.
11. Please note that any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Please liaise with the City in this regard during the building permit process;
12. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation. All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owners/occupiers; and
13. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.

Moved Cr Cole, Seconded Cr Peart

That the recommendation be adopted.

Debate ensued.

Cr Cole departed the Chamber at 7.10pm.

Cr Cole returned to the Chamber at 7.13pm.

Debate ensued.

AMENDMENT

Moved Cr Harley, Seconded Cr McDonald

That a new Advice Note be inserted as follows:

- 14. The applicant shall pay a laneway security bond in the amount determined by the Director of Technical Services, prior to the issue of a building permit.**

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

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

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.1

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 John Kestel Architect on behalf of the owner L & P Squire, for the proposed additions and alterations of an existing eight Multiple Dwelling development to a seven Multiple Dwelling development and construction of Two Grouped Dwellings at Nos. 33 & 35 (Lots 53 & 350) Mary Street, Highgate as shown on plans date stamped 24 December 2014 (site survey and existing floor plan) and amended plans date stamped 27 February 2015 (Shadow Plan) and 2 June 2015 (undercroft floor plan, ground and upper floor plans, elevation plans, Strata Plans), included as Attachment 2, subject to the following conditions:

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6.3 Two car bays for the grouped dwelling component;

7. **Car Parking and Accessways**

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

7.2 The car park areas for visitors shall be shown as common property on any strata plan; and

7.3 Vehicle and pedestrian access points are required to match into existing right-of-way levels;

8. **Car Parking Permits**

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

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

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

a. The use or enjoyment of the property may be affected by traffic, car parking and other impacts associated with nearby commercial and non-residential activities;

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

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10.1.3 Bin Store

A bin store is required to be provided, of a sufficient size to accommodate the City's maximum bin requirement, as assessed by the City;

10.2 Landscaping

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

- 10.2.1 The location and type of existing and proposed trees and plants;
- 10.2.2 All vegetation including lawns;
- 10.2.3 Areas to be irrigated or reticulated and such method;
- 10.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 10.2.5 Separate soft and hard landscaping plants (indicating details of materials to be used);

10.3 Vehicle Entry Gate – Management Plan

The proposed vehicular entry gate to the car parking area shall have a minimum 50% visual permeability or a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors to the units at all times;

10.4 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

10.5 Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, 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

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

11.1 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;

11.2 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the 2013 Residential Design Codes;

11.3 Acoustic Report

With reference to Condition 10.4, certification from an acoustic consultant, that the recommended measures have been undertaken shall be provided to the City;

11.4 Section 70 A notification under the *Transfer of Land Act 1893*

With reference to Condition 8.1, this notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

11.5 Stormwater

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

11.6 Landscaping

With reference to Condition 10.2 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.

ADVICE NOTES:

1. With regard 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 6 months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owner(s). 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. With regard to Condition 2, all costs associated with this condition shall be borne by the applicant/owners;

3. With regard to Condition 3, 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;
4. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
5. With regard to Condition 11.5, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
6. A Road and Verge security bond for the sum of \$3,000, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
7. With regard to Condition 7.3, 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;
8. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
9. With regard to Condition 10.1.3, the bins access pathway is to be ramped or a mechanical lift to be fitted to allow waste and recycle bins to be taken to Mary Street for collection.
10. With regard to Condition 10.1.2, the bicycle bays are to be incorporated into the development.
11. Please note that any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Please liaise with the City in this regard during the building permit process;
12. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation. All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owners/occupiers; and
13. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.
14. The applicant shall pay a laneway security bond in the amount determined by the Director of Technical Services, prior to the issue of a building permit.

9.2.1 Proposed Traffic Calming – Bourke Street, Leederville, Further Report

Ward:	Both	Date:	11 June 2015
Precinct:	Precinct 4 - Oxford Centre, Precinct 3 - Leederville	File Ref:	SC698; SC228
Attachments:	1 – Proposed Plan No. 2648-CP-01A 2 – Proposed Plan No. 2648-CP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the implementation of an additional speed hump at Scott Street, Leederville as shown on attached Plan No. 2648-CP-01 (Attachment 2);
2. **NOTES** that \$25,000 has been included in the 2015/2016 draft budget for Traffic Management in Bourke Street, Leederville; and
3. **ADVISES** residents of its decision.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Topelberg, **Seconded** Cr Peart

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.1.3 No. 6 (Lot 22 D/P 167) London Street, corner Haynes Street, North Perth – Proposed Demolition of Existing Building and Construction of a Mixed Use Development, comprising of 3 Shops, 3 Offices, 1 Eating House, 23 Multiple Dwellings, 10 One Bedroom Dwellings, 11 Two Bedroom Dwellings, 2 Three Bedroom Dwellings and Associated Basement Car Parking

Ward:	North	Date:	12 June 2015
Precinct:	Precinct 8 – North Perth	File Ref:	PR14706; 5.2014.20.1
Attachments:	<p>1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Letter 4 – Car and Bicycle Parking Table 5 – Marked up plans showing proposed versus required setbacks (updated) 6 – Minutes of the Design Advisory Committee 7 – Sound Feature Wall, Northern Perspective and Site Plan showing development of adjoining northern lot</p>		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by the owner Nicotra Developments Pty Ltd , for the proposed demolition of existing building and construction of a Mixed Use Development comprising of 3 shops, 3 offices, 1 eating house, 23 Multiple Dwellings, 10 one bedroom dwellings, 11 two bedroom dwellings, 2 three bedroom dwellings and Associated Basement Car Parking at No. 6 (Lot 22 D/P 167) London Street, corner Haynes Street, North Perth as shown on amended plans date stamped 13 May 2015, included as Attachment 2, subject to the following conditions:

1. **Demolition**

A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
2. **Interactive Front**

Windows, doors and adjacent areas fronting London Street and Haynes Street shall maintain an active and interactive relationship with the street;
3. **On-Site Parking Provision**
 - 3.1 **Residential**

A minimum of 21 car bays for the residents and six visitor car bays are to be provided on site for the residential component; and
 - 3.2 **Commercial**

A minimum of 19 car bays is to be provided for the commercial component. The one on-site car parking bays provided for the commercial component shall be available for the occupiers of the residential component outside normal business hours;

4. **External Fixtures**

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

5. **Floor Area/Number of Persons**

The proposal is restricted to the following:

- The net lettable area for Offices shall be limited to 160 square metres;
- The net lettable area for Shop shall be limited to 232 square metres; and
- The maximum number of persons for the eating house including the alfresco shall be 94;

6. **Verge Trees**

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

7. **Car Parking and Accessways**

- 7.1 The car park shall be used only by owners, visitors and tenants directly associated with the development;
- 7.2 The car parking and access areas are to comply with the requirements of AS2890.1;
- 7.3 The car park areas for visitors of the residential component, eating house, shop and offices shall be shown as common property on a strata plan;
- 7.4 Vehicle and pedestrian access points are required to match into existing verge, footpath and road levels;
- 7.5 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications; and
- 7.6 The type and installation of the proposed car stackers shall be to the satisfaction of the City;

8. **Sustainability**

All of the City's sustainability conditions shall be complied with and supporting documentation as evidence of such compliance is to be supplied for the approval of the City as and when required;

9. **Car Parking Permits**

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;

10. 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:

10.1 Percent for Public Art

Advise the City how the proposed development will comply with the City's Policy No. 7.5.13 – Public Art. A value of \$52,000, being the equivalent value of one per cent (1%) of the estimated total cost of the development (\$5,200,000), is to be allocated towards the public art; and

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

Agree in writing to a notification being lodged under section 70A of the *Transfer of Land Act 1893* notifying proprietors and/or (prospective) purchasers of the property that:

- (a) The use or enjoyment of the property may be affected by traffic, car parking and other impacts associated with nearby commercial and non-residential activities;

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

11.1 Revised Plans

Revised plans are to be provided which show:

(a) Driveway Ramp

The first metre of the access driveway ramp shall be modified to allow safe and compliant access to the 2 visitor parking bays at the Haynes Street frontage;

(b) Privacy

The proposed balconies to Units 8 and 18 on the eastern elevation shall comply with the privacy requirements of the 2013 Residential Design Codes to the satisfaction of the City;

(c) Stores

The eight undersized stores shall be allocated to the single bedroom dwellings; and

(d) Sound Wall

A new sound acoustic feature wall to a maximum height of 1.8 metres from natural ground level along the northern boundary in relation to the BBQ area to the satisfaction of the City;

11.2 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;

11.3 Landscaping Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge drawn to a scale of 1:100 shall show the following:

- (a) Areas to be irrigated or reticulated;
(b) Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
(c) The details of plant species and materials to be used; and
(d) The removal of redundant crossovers;

11.4 Schedule of External Finishes

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

11.5 Vehicle Entry Gate – Management Plan

Any proposed vehicular entry gate to the car parking area shall have a minimum 50% visual permeability and be subject to a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential and commercial units at all times;

11.6 Construction Management Plan

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

11.7 Sustainability Report

A follow-up sustainability report using the same assessment framework as the sustainability report submitted with the Development Application shall be submitted to the City. This follow-up report shall confirm the specific sustainability measures that will be implemented to achieve the sustainability rating provided in the Development Application (equivalent to 4 Star Green star) and show the rating score awarded for each of the confirmed sustainability measures. Sustainability management measures to be employed during the demolition/construction phase that contribute to the development's overall sustainability score shall be described in relevant management plans appended to the follow-up sustainability report;

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

12.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the 2013 Residential Design Codes;

12.2 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;

12.3 Stormwater

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

12.4 Installation of Public Art

In relation to Condition 10.1, the approved public art work shall be installed and thereafter maintained by the owner/occupiers. All costs associated with this condition shall be borne by the applicant/owners;

12.5 Acoustic Report Certification

In relation to Condition 11.2, certification from an acoustic consultant, that the recommended measures have been undertaken, shall be provided to the City;

12.6 Landscape Plan

In relation to Condition 11.3, all works shown shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense;

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

In relation to Condition 10.2, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

12.8 Bicycle Bays

A minimum of eight residential and three visitor bicycle bays for the residential component are to be provided on-site;

Four Class 1 or 2 and Eight Class 3 bicycle bays are to be provided for the office component; and

12.9 Sustainability Report

With regard to Condition 11.7, sustainability management measures that are to be deployed post-occupancy but which contribute to the development's overall sustainability score shall be supported by relevant management plans and/or builder user guides appended to the follow-up sustainability report.

ADVICE NOTES:

1. Any new street/front wall, fence and gate within the London and Haynes Streets setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to street walls and fences.
2. With regard to Condition 5, any increase in net lettable area of office and shop, increase in the number of people for the eating house or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
3. A Road and Verge security bond for the sum of \$6,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.

4. In reference to Condition 10.1 relating to Public Art the applicant has the following options:
 - 4.1 Option 1

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

Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);
5. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Applicant is requested to liaise with the City in this regard during the building permit process;
6. With regard to Condition 11.3 Council encourages landscaping methods and species selection which do not rely on reticulation;
7. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, the matter will be assessed by the City once a formal request has been received 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;
8. With reference to Condition 12.3, no further consideration will 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;
9. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted and approved prior to the erection of the signage;
10. With reference to Condition 7.5 all new crossovers to lots are subject to a separate application to be approved by the City;
11. An Occupancy Permit is required prior to the occupation of the building; and
12. With reference to Condition 2 please note that tinted or obscure glazing is not acceptable.

Moved Cr Peart, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT:

Moved Cr Harley, Seconded Cr Cole

That new Conditions 11.1(e) and 11.3(e) be inserted as follows:

“11.1 (e) Existing Brick Wall

The existing brick wall located on the common boundary between this lot and 7 Auckland Street shall not be removed;”

“11.3 (e) Mature trees in the proposed landscaping strip along the northern and eastern boundaries to the satisfaction of the City;”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

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

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.3

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 Nicotra Developments Pty Ltd , for the proposed demolition of existing building and construction of a Mixed Use Development comprising of 3 shops, 3 offices, 1 eating house, 23 Multiple Dwellings, 10 one bedroom dwellings, 11 two bedroom dwellings, 2 three bedroom dwellings and Associated Basement Car Parking at No. 6 (Lot 22 D/P 167) London Street, corner Haynes Street, North Perth as shown on amended plans date stamped 13 May 2015, included as Attachment 2, subject to the following conditions:

1. Demolition

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

2. Interactive Front

Windows, doors and adjacent areas fronting London Street and Haynes Street shall maintain an active and interactive relationship with the street;

3. **On-Site Parking Provision**

3.1 **Residential**

A minimum of 21 car bays for the residents and six visitor car bays are to be provided on site for the residential component; and

3.2 **Commercial**

A minimum of 19 car bays is to be provided for the commercial component. The one on-site car parking bays provided for the commercial component shall be available for the occupiers of the residential component outside normal business hours;

4. **External Fixtures**

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

5. **Floor Area/Number of Persons**

The proposal is restricted to the following:

- The net lettable area for Offices shall be limited to 160 square metres;
- The net lettable area for Shop shall be limited to 232 square metres; and
- The maximum number of persons for the eating house including the alfresco shall be 94;

6. **Verge Trees**

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

7. **Car Parking and Accessways**

7.1 The car park shall be used only by owners, visitors and tenants directly associated with the development;

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

7.3 The car park areas for visitors of the residential component, eating house, shop and offices shall be shown as common property on a strata plan;

7.4 Vehicle and pedestrian access points are required to match into existing verge, footpath and road levels;

7.5 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications; and

7.6 The type and installation of the proposed car stackers shall be to the satisfaction of the City;

8. **Sustainability**

All of the City's sustainability conditions shall be complied with and supporting documentation as evidence of such compliance is to be supplied for the approval of the City as and when required;

9. **Car Parking Permits**

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;

10. 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:

10.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City's Policy No. 7.5.13 – Public Art. A value of \$52,000, being the equivalent value of one per cent (1%) of the estimated total cost of the development (\$5,200,000), is to be allocated towards the public art; and

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

Agree in writing to a notification being lodged under section 70A of the *Transfer of Land Act 1893* notifying proprietors and/or (prospective) purchasers of the property that:

(a) The use or enjoyment of the property may be affected by traffic, car parking and other impacts associated with nearby commercial and non-residential activities;

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

11.1 **Revised Plans**

Revised plans are to be provided which show:

(a) **Driveway Ramp**

The first metre of the access driveway ramp shall be modified to allow safe and compliant access to the 2 visitor parking bays at the Haynes Street frontage;

(b) **Privacy**

The proposed balconies to Units 8 and 18 on the eastern elevation shall comply with the privacy requirements of the 2013 Residential Design Codes to the satisfaction of the City;

(c) **Stores**

The eight undersized stores shall be allocated to the single bedroom dwellings; and

(d) **Sound Wall**

A new sound acoustic feature wall to a maximum height of 1.8 metres from natural ground level along the northern boundary in relation to the BBQ area to the satisfaction of the City;

(e) **Existing Brick Wall**

The existing brick wall located on the common boundary between this lot and 7 Auckland Street shall not be removed;”

11.2 **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;

11.3 **Landscaping Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge drawn to a scale of 1:100 shall show the following:

- (a) Areas to be irrigated or reticulated;
- (b) Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- (c) The details of plant species and materials to be used; and
- (d) The removal of redundant crossovers;
- (e) Mature trees in the proposed landscaping strip along the northern and eastern boundaries to the satisfaction of the City;”

11.4 **Schedule of External Finishes**

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

11.5 **Vehicle Entry Gate – Management Plan**

Any proposed vehicular entry gate to the car parking area shall have a minimum 50% visual permeability and be subject to a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential and commercial units at all times;

11.6 **Construction Management Plan**

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

11.7 **Sustainability Report**

A follow-up sustainability report using the same assessment framework as the sustainability report submitted with the Development Application shall be submitted to the City. This follow-up report shall confirm the specific sustainability measures that will be implemented to achieve the sustainability rating provided in the Development Application (equivalent to 4 Star Green star) and show the rating score awarded for each of the confirmed sustainability measures. Sustainability management measures to be employed during the demolition/construction phase that contribute to the development's overall sustainability score shall be described in relevant management plans appended to the follow-up sustainability report;

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

12.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the 2013 Residential Design Codes;

12.2 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;

12.3 Stormwater

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

12.4 Installation of Public Art

In relation to Condition 10.1, the approved public art work shall be installed and thereafter maintained by the owner/occupiers. All costs associated with this condition shall be borne by the applicant/owners;

12.5 Acoustic Report Certification

In relation to Condition 11.2, certification from an acoustic consultant, that the recommended measures have been undertaken, shall be provided to the City;

12.6 Landscape Plan

In relation to Condition 11.3, all works shown shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense;

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

In relation to Condition 10.2, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

12.8 Bicycle Bays

A minimum of eight residential and three visitor bicycle bays for the residential component are to be provided on-site;

Four Class 1 or 2 and Eight Class 3 bicycle bays are to be provided for the office component; and

12.9 Sustainability Report

With regard to Condition 11.7, sustainability management measures that are to be deployed post-occupancy but which contribute to the development's overall sustainability score shall be supported by relevant management plans and/or builder user guides appended to the follow-up sustainability report.

ADVICE NOTES:

1. Any new street/front wall, fence and gate within the London and Haynes Streets setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to street walls and fences.
2. With regard to Condition 5, any increase in net lettable area of office and shop, increase in the number of people for the eating house or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
3. A Road and Verge security bond for the sum of \$6,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
4. In reference to Condition 10.1 relating to Public Art the applicant has the following options:
 - 4.1 Option 1

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

Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);
5. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Applicant is requested to liaise with the City in this regard during the building permit process;
6. With regard to Condition 11.3 Council encourages landscaping methods and species selection which do not rely on reticulation;
7. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, the matter will be assessed by the City once a formal request has been received 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;

8. **With reference to Condition 12.3, no further consideration will 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;**
 9. **All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted and approved prior to the erection of the signage;**
 10. **With reference to Condition 7.5 all new crossovers to lots are subject to a separate application to be approved by the City;**
 11. **An Occupancy Permit is required prior to the occupation of the building; and**
 12. **With reference to Condition 2 please note that tinted or obscure glazing is not acceptable.**
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9.3.5 Further Report: Approval Of Disposition - Lee Hops Cottage No. 176 (Lot 1) Fitzgerald Street, Perth

Ward:	South	Date:	12 June 2015
Precinct:	Hyde Park (12)	File Ref:	SC351
Attachments:	1 – Submission from Department for Child Protection & Family Support 2 – Aerial Photograph of Lee Hops Cottage & Surrounds 3 – Street view of Lee Hops Cottage		
Tabled Items:	Nil		
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** the further report on the disposition options for Lee Hop's Cottage;
2. **APPROVES** a five year lease from 1 July 2015 to 30 June 2020 for the premises located at 176 Fitzgerald Street, Perth, being granted to Department for Child Protection and Family Support, as per Attachment 1, as follows:
 - 2.1 **Term:** five years plus five year option;
 - 2.2 **Rent:** \$15,000 per annum ex GST indexed to CPI;
 - 2.3 **Outgoings:** to be paid by the Lessee;
 - 2.4 **Rates & Taxes:** to be paid by the Lessee;
 - 2.5 **Permitted Use:** Enhanced Contact Centre; and
3. 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.

Moved Cr Topelberg, **Seconded** Cr Harley

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-7)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.3.5

ALTERNATIVE RECOMMENDATION

Moved Cr Topelberg, **Seconded** Cr Harley

That Council **REQUIRES** the Chief Executive Officer to invite expressions of interest via local public notice for the leasing of Lee Hops Cottage.

ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.1.5 Outcomes of Advertising and Final Adoption – Heritage Policies

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC1972
Attachments:	1 – Summary of Submissions (updated) 2 – Current Policy No. 7.6.5 – Heritage Management - Amendments to the Municipal Heritage Inventory (MHI); and 3 – Amended Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI)		
Tabled Items:	Nil		
Reporting Officers:	J O’Keefe, Manager Strategic Planning, Sustainability and Heritage Services H Au, Heritage Officer A Fox, Strategic Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the submissions received in relation to the advertising of review of heritage policies, included as Attachment 1 and **ENDORSES** Administration’s responses to those submissions;
2. **DOES NOT PROCEED** with the draft amendment to Policy No. 7.6.2 – Heritage Management – Assessment in accordance with Clause 47(5) of Town Planning Scheme No. 1;
3. **RESCINDS** existing Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Attachment 2; and
4. **ADOPTS** Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Attachment 3.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

Cr McDonald departed the Chamber at 7.40pm.

Cr McDonald returned to the Chamber at 7.40pm.

Cr Peart departed the Chamber at 7.42pm.

Cr Peart returned to the Chamber at 7.42pm.

Debate ensued.

AMENDMENT:

Moved Cr Cole, Seconded Cr Topelberg

That a new Recommendation 5 be inserted as follows:

“5. REQUESTS that Administration investigates the inclusion of additional measures in the draft local planning policies currently being progressed to protect the streetscapes of town centres.”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

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

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.5

That Council:

1. **NOTES** the submissions received in relation to the advertising of review of heritage policies, included as Attachment 1 and **ENDORSES** Administration’s responses to those submissions;
 2. **DOES NOT PROCEED** with the draft amendment to Policy No. 7.6.2 – Heritage Management – Assessment in accordance with Clause 47(5) of Town Planning Scheme No. 1;
 3. **RESCINDS** existing Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Attachment 2;
 4. **ADOPTS** Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Attachment 3; and
 5. **REQUESTS** that Administration investigates the inclusion of additional measures in the draft local planning policies currently being progressed to protect the streetscapes of town centres.
-

9.1.2 No. 16 (Lot: 13 D/P: 613) Wellman Street, Perth – Proposed Renewal of Approval for Existing Meat Packing Facility (Retrospective)

Ward:	South	Date:	12 June 2015
Precinct:	Precinct 13 – Beaufort	File Ref:	PR26808; 5.2014.638.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Letter 4 – Car Parking Assessment		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provision of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by R Dong on behalf of the owner Galaxy Group Pty Ltd, for the proposed Renewal of Approval for Existing Meat Packing Facility (Retrospective) at No. 16 (Lot: 13 D/P 613) Wellman Street, Perth as shown on plans stamp dated 13 November 2014, included as Attachment 2, subject to the following conditions:

1. **Active Street Front**

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

2. **Gross Floor Areas**

The Gross Floor Areas shall be limited to a maximum of 560 square metres for the Light Industry component. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;

3. **Hours of Operation**

3.1 The hours of operation shall be limited to 8.00am to 5.00pm Monday to Friday and closed on Saturdays, Sundays, and Public Holidays; and

3.2 Deliveries to the site are to occur during the permitted hours of operation only;

4. **Deliveries**

All deliveries involving meat to and from the site shall be:

4.1 loaded and unloaded within the warehouse and no delivery vehicles shall be permitted to park outside of the warehouse; and

4.2 the engines of the delivery vehicles shall be turned off while being loaded or unloaded;

5. **Lighting**

Any lighting used on the lot shall not spill into the adjoining residential area;

6. **Sale Limitations**

No sale of goods directly from the warehouse is permitted;

7. **Landscaping**

Existing landscaping within the front setback area between the car bays and warehouse including trees and shrubs shall be maintained to the satisfaction of the City;

8. **Bollard**

The bollard required for the disabled shared access car bay shall only be lowered to allow for the delivery vehicle to access the warehouse for loading and unloading, and must be up at all other times; and

9. **External Fixtures**

All external fixtures shall not be visually obtrusive from Wellman 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.

ADVICE NOTES:

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

Moved Cr Cole, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1:

Moved Cr Cole, Seconded Cr Topelberg

That a new Condition 10 be inserted as follows:

“10. Approval Period

This Planning Approval is for a time-limited term of three years from the date of issue of the letter of approval. The Approval will cease to be valid after the expiry of this term.”

AMENDMENT 1 PUT AND CARRIED (6-1)

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

Against: Cr Peart

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

AMENDMENT 2:

Moved Cr Topelberg, Seconded Cr Cole

That a new Advice Note be inserted as follows:

2. The three year term of approval relates to the proposed use being an X use under proposed Town Planning Scheme 2.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

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

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.2

That Council, in accordance with the provision of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by R Dong on behalf of the owner Galaxy Group Pty Ltd, for the proposed Renewal of Approval for Existing Meat Packing Facility (Retrospective) at No. 16 (Lot: 13 D/P 613) Wellman Street, Perth as shown on plans stamp dated 13 November 2014, included as Attachment 2, subject to the following conditions:

1. **Active Street Front**

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

2. **Gross Floor Areas**

The Gross Floor Areas shall be limited to a maximum of 560 square metres for the Light Industry component. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;

3. **Hours of Operation**

3.1 The hours of operation shall be limited to 8.00am to 5.00pm Monday to Friday and closed on Saturdays, Sundays, and Public Holidays; and

3.2 Deliveries to the site are to occur during the permitted hours of operation only;

4. **Deliveries**

All deliveries involving meat to and from the site shall be:

4.1 loaded and unloaded within the warehouse and no delivery vehicles shall be permitted to park outside of the warehouse; and

4.2 the engines of the delivery vehicles shall be turned off while being loaded or unloaded;

5. **Lighting**

Any lighting used on the lot shall not spill into the adjoining residential area;

6. **Sale Limitations**

No sale of goods directly from the warehouse is permitted;

7. **Landscaping**

Existing landscaping within the front setback area between the car bays and warehouse including trees and shrubs shall be maintained to the satisfaction of the City;

8. **Bollard**

The bollard required for the disabled shared access car bay shall only be lowered to allow for the delivery vehicle to access the warehouse for loading and unloading, and must be up at all other times; and

9. **External Fixtures**

All external fixtures shall not be visually obtrusive from Wellman 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.

10. **Approval Period**

This Planning Approval is for a time-limited term of three years from the date of issue of the letter of approval. The Approval will cease to be valid after the expiry of this term.

ADVICE NOTES:

1. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage.
 2. The three year term of approval relates to the proposed use being an 'X' (prohibited) use under proposed Town Planning Scheme 2.
-

9.1.7 LATE ITEM: No. 176 (Lot: 164 D/P 1659) Anzac Road, Mount Hawthorn – Proposed Change of Use from Shop (Garden Centre) and Ancillary Eating House (Tearoom) to Eating House

Ward:	North Ward	Date:	25 June 2015
Precinct:	Precinct 1 – Mount Hawthorn	File Ref:	PR10365; 5.2015.58.1
Attachments:	1 – Consultation Map 2 – Development Application Plans and Information 3 – Car Parking Calculation		
Tabled Items:	Nil		
Reporting Officer:	C Sullivan, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by N Karnovsky on behalf of the owner A Begos for the proposed Change of Use from Shop (Garden Centre) and Ancillary Eating House (Tearoom) to Eating House at No. 176 (Lot 164) Anzac Road, Mount Hawthorn as shown on plans date stamped 1 April 2015, included as Attachment 2, subject to the following conditions:

1. Use of the Premises

- 1.1 The maximum number of patrons for the eating house at any one time shall be limited to 32 persons;
- 1.2 The proposed hours of operation are restricted to 6.30am to 5.00pm Monday to Saturday, and 7.30am to 4.00pm on Sundays; and
- 1.3 The entrance gates to the rear parking area are to be closed and securely locked during the hours that the eating house is closed;

2. Building

- 2.1 All external fixtures shall not be visually obtrusive from Anzac 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;
- 2.2 The windows, doors and adjacent floor area facing Anzac Road shall maintain an active and interactive frontage to this street with clear glazing provided;
- 2.3 Any additional structures in relation to the rear alfresco area, toilets, car parking or bin store, will require additional approval;
- 2.4 A separate outdoor eating area licence is required to be sought for any seating areas within the Anzac Road reserve area; and
- 2.5 No music is to be played or speakers are installed in the outdoor areas;

3. Management Plan

A Management Plan shall be prepared, submitted and approved by the City. The requirements of the plan shall thereafter be adhered to. The Management Plan shall document all practical measures that the proposed Eating House will take to:

- 3.1 Reduce the likelihood of excessive noise intrusion on residents and businesses in the locality;
- 3.2 Prevent the likelihood of rowdy or antisocial behaviour;

- 3.3 Install adequate signage to the satisfaction of the City to inform customers of the parking location and requirements for noise consideration;
- 3.4 Consult directly with affected persons, residents and/or businesses to resolve any noise issues, and rowdy or antisocial behaviour or any other issues that may arise; and
- 3.5 Ensure the above management measures (prior to, during and post trading hours) are included as part of all staff induction and training programs; and
4. Prior to the issue of an Occupancy Permit, the following shall be provided:
- 4.1 **Car Parking**
- The car parking area and access which forms part of this approval shall be sealed, drained and paved and line marked in accordance with the approved plans and AS2890 and maintained thereafter by the owner/occupier to the satisfaction of the City;
- 4.2 **Bicycle Facility**
- Three Class 3 bicycle facilities should be installed to the rear of the property in accordance with the City's Policy No. 7.7.1 – Parking and Access;
- 4.3 **Bin Store**
- A bin store is to be provided in a location and with a capacity to the satisfaction of the City; and
- 4.4 **Signage**
- Signage detail relating to the car parking to the satisfaction of the City.

COUNCIL DECISION ITEM 9.1.7

Moved Cr Cole, **Seconded** Cr Harley

That the recommendation be adopted.

Moved Cr Cole, **Seconded** Cr Harley

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 28 July 2015.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-1)

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

Against: Cr Topelberg

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.2.2 Traffic Related Matters – Lindsay and Lake Streets, Perth, West Parade, Perth and Violet Street, West Perth

Ward:	Both	Date:	10 June 2015
Precinct:	Precinct 14 – Forrest, Precinct 6 - Smiths Lake	File Ref:	SC1199
Attachments:	<p>1 – West Parade: Proposed Plan No. 3203-PP-01 2 – Summary of Comments West Parade 3 – Violet Street: Proposed Plan No. 3202-PP-01 & 3202-PP-01A 4 – Summary of Comments Violet Street 5 – Lindsay Street: Proposed ACROD Bay Plan No. 3216-PP-01 6 – Lake Street: Proposed Loading Zone Plan No. 3217-PP-01</p>		
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;

- 1.1 introduction of a 2P parking restriction 8.00am to 5.30pm Monday to Friday and 8.00am to 12.00 Noon Saturday in West Parade, Perth between Cattle and Harold Streets, along the western or residential side as shown on attached Plan No. 3203-PP-01 (Attachment 1);
- 1.2 introduction of 2P parking restriction 8.00am to 5.30pm Monday to Friday in Violet Street, West Perth between Charles and Bulwer Streets, as shown on the attached Plan No. 3202-PP-01A (Attachment 3);
- 1.3 the installation of an on-road ACROD bay adjacent No.12 Lindsay Street, Perth as shown on attached Plan No. 3216-PP-01 (Attachment 5); and
- 1.4 the installation of an on-road loading zone in Lake Street, Perth adjacent No. 231-233 Bulwer Street, from 8.00am to 5.30pm Monday to Friday and 8.00am to 12.00 noon Saturday, as shown on attached Plan No. 3217-PP-01 (Attachment 6); and

2. ADVISES all respondents of its decision.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Cole, Seconded Cr Peart

That the recommendation be adopted.

Cr McDonald departed the Chamber at 7.54pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

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

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

9.2.3 Brentham Street Reserve – Request to Use a Portion of the Reserve for the ReInjection of Groundwater

Ward:	North	Date:	19 June 2015
Precinct:	Precinct 3 - Leederville	File Ref:	PR11095, DD6.2014.161.1, SC544
Attachments:	1 – Site Plan		
Tabled Items:	Nil		
Reporting Officers:	S Hill, Project Officer Parks and Environment J van den Bok, Manager Parks and Property Services R Lotznicker, Director Technical 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 of a portion of the Brentham Street Reserve for the reInjection of groundwater, as shown on Attachment 1, in accordance with the City’s Community Consultation Policy No. 4.1.5;
2. **RECEIVES** a further report from Administration 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 Council support for the proposal and will not prejudice Council’s decision on the matter after the advertising period.

Cr McDonald returned to the Chamber at 7.56pm.

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Cole

That the Officer Recommendation be amended as follows:

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 shown on Attachment 1;
2. In accordance with clause 7.3 of the City’s Community Consultation Policy No. 4.1.5 REQUIRES the applicant to hold a public meeting as part of the consultation process referred to in 1;
- ~~2.3.~~ **RECEIVES** a further report from Administration at the conclusion of the advertising period; and
- ~~3.4.~~ **ADVISES** MDW Environmental Services that advertising of its request pursuant to 1 and 2 above does not constitute Council support for the proposal and will not prejudice Council’s decision on the matter after the advertising period.

Moved Cr Harley, Seconded Cr Cole

That the item be DEFERRED for further consideration.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

9.3.6 Request to write off debt – North Perth Community Bank Sponsorship

Ward:	Both	Date:	12 June 2015
Precinct:	All	File Ref:	SC2185
Attachments:	1 – Copy of Tax Invoice		
Tabled Items:	Nil		
Reporting Officers:	G Wong, Accounts Receivable Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the current position in regard to the outstanding amount for sponsorship from North Perth Community Bank; and
2. **APPROVES BY ABSOLUTE MAJORITY** to “write-off” the amount of \$21,868.47 owed by North Perth Community Bank for Beatty Park Leisure Centre Sponsorship due to the reasons detailed in this report.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Harley

That Recommendation 2 be amended as follows:

2. **APPROVES BY ABSOLUTE MAJORITY** to “write-off” the amount of \$21,868.47 owed invoiced to by North Perth Community Bank for Beatty Park Leisure Centre Sponsorship due to the reasons detailed in this report.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.3.6

That Council:

1. **NOTES** the current position in regard to the outstanding amount for sponsorship from North Perth Community Bank; and
2. **APPROVES BY ABSOLUTE MAJORITY** to “write-off” the amount of \$21,868.47 invoiced to North Perth Community Bank for Beatty Park Leisure Centre Sponsorship due to the reasons detailed in this report.

9.4.3 Tender for the Construction of the Mary Street Piazza – Delegated Authority

Ward:	South	Date:	16 June 2015
Precinct:	Precinct 11 – Mt Lawley Centre	File Ref:	SC2075
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	D Doy, Place Manager J Anthony, Manager Community Development R Boardman, Director Community Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council **DELEGATES BY ABSOLUTE MAJORITY**, pursuant to Section 5.42 of the Local Government Act 1995, to the Chief Executive Officer to accept a tender for the construction of the Mary Street Piazza, to a maximum value of \$290,000.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

9.5.2 Resignation of Cr James Peart

Ward:	-	Date:	15 June 2015
Precinct:	-	File Ref:	SC278
Attachments:	Nil		
Tabled Items:	-		
Reporting Officer:	L Kosova, Chief Executive Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the resignation of Councillor James Peart effective from 6 July 2015 and **THANKS** Cr Peart for his service on Council since being elected in February 2014; and
2. In accordance with Section 4.17 (2) of the Local Government Act 1995 **ALLOWS** the South Ward vacancy created by Cr Peart's resignation to remain unfilled until the Ordinary Local Government Elections on 17 October 2015.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Harley, Seconded Cr McDonald

That the recommendation be adopted.

Cr Peart departed the Chamber at 8.36pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

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

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Mayor John Carey - Western Australian Local Government Annual General Meeting

That Council AUTHORISES the Mayor to submit the following motion to the Western Australian Local Government Association's Annual General Meeting on 5 August 2015:

"That the Western Australian Local Government Association:

1. *Advocates for reforms to the Local Government Act 1995 and related Regulations to enhance governance, transparency, accountability and consistency in Local Government, particularly in relation to:*
 - a) *Recording of Council Member contact with Developers;*
 - b) *Prohibition of donations from developers to local government election candidates;*
 - c) *Reporting and publicising of gifts and hospitality to Council Members and local government employees;*
 - d) *Reporting and publicising of travel undertaken by Council Members and local government employees;*
 - e) *Appointment and review of performance of the Chief Executive Officer and prescribed contract renewal procedures;*
 - f) *Any other areas which lead to improved governance and transparency.*
2. *Develops the suite of reforms referred to in 1. above in consultation with members by no later than 3 months before the February 2017 State Election for consideration by all political parties in Western Australia."*

Cr Peart returned to the Chamber at 8.38pm.

COUNCIL DECISION ITEM 10.1

Moved Cr Harley, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

10.2 NOTICE OF MOTION: Cr Roslyn Harley - Publication of Gift Register

That Council REQUESTS the Chief Executive Officer to, by 31 July 2015, make the City of Vincent's Register of Gifts and Hospitality to Council Members and Employees publicly accessible on the City's website.

COUNCIL DECISION ITEM 10.2

Moved Cr Harley, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Harley, Seconded Cr McDonald

That the Officer Recommendation be amended as follows:

That Council REQUESTS the Chief Executive Officer to:

1. By 31 July 2015, make the City of Vincent's Register of Gifts and Hospitality to Council Members and Employees publicly accessible on the City's website; and
2. Review other statutory and non-statutory registers maintained by the City and to submit a report to Council to consider making those registers available for public inspection on the City's Website".

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

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

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 10.2

That Council REQUESTS the Chief Executive Officer to:

1. **By 31 July 2015, make the City of Vincent's Register of Gifts and Hospitality to Council Members and Employees publicly accessible on the City's website; and**
2. **Review other statutory and non-statutory registers maintained by the City and to submit a report to Council to consider making those registers available for public inspection on the City's Website.**

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 8.56pm **Moved Cr Cole, Seconded Cr**

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 (7-0)

**(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)**

Media - Sophie Gabrielle

There were no members of the public present.

PRESENT:

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

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

14.1 CONFIDENTIAL REPORT: No. 20 (Lot: 450 D/P: 302403) Burgess Street, Leederville – Proposed Demolition of an Existing Single House and Construction of Eight Multiple Dwellings – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 133 of 2015)

Ward:	South	Date:	12 June 2015
Precinct:	Precinct 3 – Leederville	File Ref:	PR19453; 5.2014.687.1
Attachments:	Confidential – Amended Plans showing the revised proposal following SAT Mediation Confidential – Marked up plans showing proposed versus required setbacks Confidential – SAT Orders		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

The Presiding Member Mayor Carey vacated the Chair and departed the Chamber at 9.00pm.

Deputy Mayor Cr Harley assumed the Chair at 9.00pm.

COUNCIL DECISION ITEM 14.1

Moved Cr Topelberg, Seconded Cr Peart

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Harden Jones Architects on behalf of the owner, Palmgate Investments Pty Ltd, for the proposed demolition of an existing Single House and construction of a three storey Development comprising of eight Two Bedroom Multiple Dwellings and associated car parking at No. 20 (Lot: 450 D/P: 302403) Burgess Street, Leederville as shown on plans date stamped 2 June 2015, included as Attachment 1, subject to the following conditions:

1. **Demolition**
A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
2. **Car Parking and Accessways**
 - 2.1 A minimum of six resident and two visitor bays shall be provided onsite;
 - 2.2 The car park shall be used only by residents and visitors directly associated with the development;
 - 2.3 The visitor bays are to be marked accordingly;
 - 2.4 The car parking and access areas are to comply with the requirements of AS2890.1;
 - 2.5 Vehicle and pedestrian access points are required to match into existing footpath levels; and
 - 2.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

3. **External Fixtures**

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

4. **Existing Verge Trees**

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

5. **Car Parking Permits**

A notice being 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 dwelling;

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

6.1 **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;

6.2 **Landscape and Reticulation Plan**

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

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

6.2.2 Areas to be irrigated or reticulated; and

6.2.3 The removal of redundant crossovers;

6.3 **Schedule of External Finishes**

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

6.4 **Construction Management Plan**

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

6.5 Waste Management

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

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

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

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

7.1 Clothes Drying Facility

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

7.2 Car Parking

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

7.3 Stormwater

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

7.4 Acoustic Report Certification

In relation to Condition 6.1, certification from an acoustic consultant, that the recommended measures have been undertaken, shall be provided to the City;

7.5 Landscape Plan and Verge Upgrade Plan

In relation to Condition 6.2, 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 owners' expense;

7.6 Bicycle Bays

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

7.7 Vehicular Entry Gate

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

ADVICE NOTES:

1. With regard to Condition 2.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
2. With reference to Condition 2.6 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 \$5,000 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 regard to condition 6.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 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; and
6. With reference to Condition 7.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

Deputy Mayor Cr Harley vacated the Chair at 9.01pm.

The Presiding Member Mayor Carey returned to the Chamber and assumed the Chair at 9.01pm.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

**14.2 LATE ITEM: CONFIDENTIAL REPORT: No. 45 (Lot: 770 D/P: 301693)
Cowle Street, West Perth – Proposed Demolition of Existing Single
House and Construction of Four Storey Development –
Reconsideration under s31 of the State Administrative Tribunal (SAT)
Act 2004 (DR 178 of 2015)**

Ward:	South	Date:	25 June 2015
Precinct:	Precinct 3 – Leederville	File Ref:	PR25043; 5.2014.540.1
Attachments:	Confidential – State Administrative Tribunal Orders		
Tabled Items:	Nil		
Reporting Officer:	A Groom , Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

COUNCIL DECISION ITEM 14.2

ALTERNATIVE MOTION:

Moved Cr Harley, Seconded Cr Peart

That Council, REAFFIRMS its previous decision from 5 May 2015 under Town Planning Scheme No. 1 and the Metropolitan Region Scheme to refuse the application submitted by Doepel Marsh Architects on behalf of the owner Desert Rose Investments, for the proposed Demolition of an Existing Single House and Construction of a Four Storey Development comprising Two One-Bedroom and Seven Two-Bedroom Multiple Dwellings and Associated Car Parking at No. 45 (Lot 770) Cowle Street, West Perth as shown on plans date stamped 7 April 2015 and 14 April 2015, included as Attachment 2, and advises SAT accordingly.

ALTERNATIVE MOTION PUT AND CARRIED (5-2)

For: Cr Cole, Cr Harley, Cr McDonald, Cr Peart and Cr Wilcox

Against: Presiding Member Mayor Carey and Cr Topelberg

(Cr Buckels was on approved leave of absence.)

(Cr Pintabona was an apology for the Meeting.)

PROCEDURAL MOTION

At 9.25 pm **Moved Cr Cole, Seconded Cr Peart**

That the Council resume an "open meeting".

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9.25 pm with the following persons present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poczyn	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 30 June 2015.

Signed: Mayor John Carey.

Dated this day of 2015.