



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

7 APRIL 2015

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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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 7 April 2015, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6.02pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward (from 6.04pm)
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 8.30 pm)
<u>Media</u>	
David Bell	Journalist – <i>"The Perth Voice"</i> (until approximately 8.00 pm)

Approximately 14 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. Prue Roberts of 142A Richmond Street, Leederville – Item 9.1.4

- Objects to the proposed development due to a perceived lack of parking.

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

2. Marguerite Howell of 138 Richmond Street, Leederville – Item 9.1.4

- Objects to the proposed development as Richmond Street is narrow and the development will generate added parking and traffic issues.

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

3. Amanda Bruce of 145 Richmond Street, Leederville – Item 9.1.4

- Concerned with the plot ratio of the development, which is due to amalgamation of the lots.

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

4. Paul Ashbolt of 26 Mackenzie Street, Wembley – Item 5.2

- He has put forward a petition requesting that the Leederville Farmers Market be moved to a section of the Frame Court carpark.

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

5. Siaolin Kek of 1/133 Richmond Street, Leederville – Item 9.1.4

- Owns the property adjacent to the proposed development and objects to the proposal on the grounds of traffic, plot ratio, building height and the ability for emergency services vehicles to access the street if traffic and parking congestion increase.
- Her main concern related emergency service vehicles accessing portions of Richmond Street in particular where the 10 metre road reserve.

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

6. David Rouse of 134 Richmond Street, Leederville – Item 9.1.4

- Objects to the proposed development and supported the views expressed by other Richmond Street residents.

The Presiding Member Mayor Carey thanked Ms Rouse for his comments.

7. Sonia Danny of 118 Richmond Street, Leederville – Item 9.1.4

- Objects to the three storeys part of the proposed development and the traffic that it would generate.

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

8. Max Leveridge of 147 Richmond Street, Leederville – Item 9.1.4

- Objects to the proposed development.

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

9. Mario Sequera of 148 Scarborough Beach Road, Mount Hawthorn– Item 9.1.3

- As the applicant for this proposal spoke in support of the item.

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

10. Stuart Lofthouse of 123 Oxford Street, Leederville

- Expressed concern about the band that played on Oxford Street, near his business, on Good Friday night in Leederville. The band was loud and impacted on customers to his business.

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

11. Jackie O’ Hara of 148 Scarborough Beach Road, Mount Hawthorn – Item 9.1.3

- Spoke in support of the application and commented that the reason for applying for a tavern/liquor licence is purely to facilitate and meet the needs of the people in the community.

The Presiding Member Mayor Carey thanked Ms O’Hara for her comments.

12. Dudley Maier of 51 Chatsworth Road, Highgate – Items 9.1.7, 9.3.4, 9.4.1 & 9.4.2

- Item 9.1.7 – Expressed his opposition to the proposed policy amendment.
- Item 9.3.4 - Vincent Street Land sale; fundamentally the primary goal should be to ensure the best long term outcome for Leederville Town Centre.
- Item 9.4.1 – Laneway lighting; there was money on the budget a few years ago for this laneway and his understanding was that it was taken off as it is a three metre wide laneway and you cannot get light poles in there.
- Item 9.4.2 – FORM 2015 the reason for not having a closing party is not because the Policy requires consultation, it is because Community Development did not start the consultation two months ago when the Item was approved.
- He received an email regarding the Neighbour’s Day street party on 29 March, that mentioned “*access without barriers have been extremely generous and will be installing a temporary ramp on the day to increase the accessibility to all the action.*” If the Oxford Street Park is not universally accessible somebody should be held to account.

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

13. Chris Lukes of 132 Richmond Street, Leederville – Item 9.1.4

- Spoke in support of other landowners in Richmond Street who object to the proposal.

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

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

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Joshua Topelberg requested leave of absence from 27 July 2015 – 8 August 2015 due to personal commitments.
- 4.2 Cr John Pintabona requested leave of absence from 30 April 2015 to the 6 May 2015 due to personal commitments.

Moved Cr Harley, Seconded Cr Buckels

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

CARRIED UNANIMOUSLY (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Ms J Wilson of Anzac Road, Mount Hawthorn along with 25 signatures from residents in the surrounding area, requesting that Council include their Precinct in Amendment 40; that being the Mount Hawthorn community bounded by Oxford Street (east side), Scarborough Beach Road (south side), Loftus Street (west side) and Anzac Road (north side), as they believe exclusion from Amendment 40 would be to their disadvantage as they feel they would likely be targeted by multiple dwelling developers.
- 5.2 Petition received from Mr P Ashbolt for Farmers Market Pty Ltd, T/A Leederville Farmers Market, along with 133 signatures, requesting approval for the relocation of the Leederville Farmers Market from the Leederville Village site to the City owned car park directly abutting the newly revitalised Oxford Street Reserve, Leederville.

Moved Cr Harley, Seconded Cr McDonald

That the petition be received as recommended.

CARRIED UNANIMOUSLY (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 10 March 2015.

Moved Cr Pintabona, Seconded Cr Cole

That the Minutes of the Ordinary Meeting of Council held on 10 March 2015 be confirmed as a true and correct record, subject to the reference to the 26 April in Item 12.1 being amended to refer to 26 April 2017.

CARRIED UNANIMOUSLY (9-0)

- 6.2 Minutes of the Special Meeting of Council held on 31 March 2015.

Moved Cr Pintabona, Seconded Cr Cole

That the Minutes of the Special Meeting of Council held on 31 March 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor John Carey made the following announcements;

7.1 Scarborough Beach Road Bike Lanes

This week begins construction on the Scarborough Beach Road bike lanes, which is the next phase of the City's \$2.4 million bike program. These are to be protected and dedicated bike lanes.

What is great about these bike lanes is they will narrow the road and with tree planting effectively also slow traffic. This is a program that is going through to September.

7.2 Oxford Street Reserve

Oxford Street Reserve continues to be a hit and if people did not know the WA Weekender Channel Seven travel show did a story about the new Oxford Street Reserve, the rejuvenation and how it was a great family-friendly venue.

7.3 40 KPH

It is great to see the Guardian Newspaper publicly declare today in the newspaper that it is getting behind a campaign to reduce the speed on local roads to 40kph. The schools, in particular Aranmore College, are strongly supportive of Oxford Street reducing to 40kph, which is the first phase of our campaign to get lower speed limits on those two critical streets.

7.4 Mayoral Calendar of Events

The Mayor tabled the following list of his function and event attendance for the months of January, February and March 2015.

JANUARY 2015	FUNCTION/EVENT
6 Jan	JDAP Meeting
7 Jan	City of Perth Act Advisory Group - First Meeting
12 Jan	Backlot Studio – Opening Launch
15 Jan	City of Perth Act Advisory Group – 2nd Meeting
16 Jan	JDAP Meeting
18 Jan	Vincent Tennis Cup Presentation – Leederville Tennis Club
20 Jan	JDAP Meeting Council Meeting
22 Jan	Mindarie Rural Council Strategic Workshop – Town of Cambridge
23 Jan	City of Perth Act Advisory Group
26 Jan	Australia Day Citizenship Ceremony City of Vincent
27 Jan	City of Perth Act Advisory Group City of Vincent – AGM + Council Forum
28 Jan	Leederville Connect AGM - Speech Reform Information Meeting
29 Jan	Meeting - Hon. Colin Barnett, MLA, Premier of Western Australia
31 Jan	Mt Hawthorn Community Stall - R40 Amendment Consultation
FEBRUARY 2015	
2 Feb	South Vincent Precinct Group Meeting
3 Feb	City of Perth Act Advisory Group Meeting JDAP Meeting Council Briefing Special Council Meeting
4 Feb	Hon. Mark McGowan - Meeting re: Local Government Reform
7 Feb	R40 Community Consultation - Mt Hawthorn Stall
9 Feb	Leederville Town Centre Enhancement Working Group Meeting
10 Feb	Council Meeting

11 Feb	Britannia Reserve Masterplan Reference Group
12 Feb	Min. Tony Simpson – Meeting re Local Government Reform
	JDAP Meeting
	Tamala Park Regional Council Meeting
15 Feb	PRIDE Fairday & Dog Show - Speech
17 Feb	Council Forum
19 Feb	JDAP Meeting
	Council Meeting
21 Feb	Summer Concert – Banks Reserve - Speech
22 Feb	LGBTI - Birthday Party
	Perth Chinese New Year Fair - Cocktail Reception
23 Feb	Mt Hawthorn P.S. P & C AGM
24 Feb	Audit Committee Meeting

MARCH 2015

3 Mar	Council Briefing
4 Mar	Safer Vincent Crime Prevention Partnership (SVCPP) Meeting
5 Mar	Meeting with Vine Street Residents
6 Mar	St Patrick's Festival Launch Night - Speech
8 Mar	Summer Concert Braithwaite Park & Thank You BBQ
9 Mar	Rodney Tolley Presentation - Speech
10 Mar	Council Meeting
12 Mar	JDAP Meeting
	ABC Bike Forum
	Leederville Gardens Board Meeting
13 Mar	Manna Food Distribution – Weld Square
14 Mar	Aqua Balance Class – Community Meeting – Beatty Park
	Welcome Dinner Project WA Launch
15 Mar	St Patrick's Day Parade & Festival - Speech
	Prize Giving - Giro D'Perth
16 Mar	St Patrick's Day Reception
17 Mar	Council Forum
22 Mar	Summer Concert – Hyde Park - Speech
24 Mar	Property Industry Workshop with Green Gurus - Speech
25 Mar	Launch - Arts & Culture in Local Government Report
27 Mar	Foyer Oxford Tour
28 Mar	Meeting – Transition Town Mount Hawthorn
29 Mar	CoV Neighbour Day Event
31 Mar	Special Council Meeting
	Council Briefing

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Cole declared an Impartiality interest in Item 9.1.3 - No. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn – Proposed Change of Use from Eating House to Tavern. The extent of her interest being that she is an employee of the Drug and Alcohol Office, which provides advice to the Department of Racing, Gaming and Liquor on matters relevant to liquor licencing. Cr Cole advised that she does not work within the area of the Drug and Alcohol Office that is responsible for the provision of advice to Racing Gaming and Liquor on liquor licencing matters. Cr Cole will consider the matter on its merits and vote accordingly.

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 9.1.3, 9.1.4, 9.1.7, 9.3.4, 9.4.1, 9.4.2 and 10.1 (9.3.4 and 9.4.1 Absolute Majority Decision).

(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 9.1.1, 9.3.4, 9.4.1 and 9.5.2

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

Nil.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	Nil
Cr Harley (Deputy Mayor)	9.2.4
Cr Buckels	9.1.5
Cr Cole	Nil
Cr McDonald	Nil
Cr Peart	Nil
Cr Pintabona	Nil
Cr Topelberg	9.1.2
Cr Wilcox	Nil

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

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

Items 9.2.2, 9.2.3, 9.2.5, 9.2.6, 9.3.1, 9.3.2, 9.3.3, 9.4.3, 9.5.1 and 9.5.3

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

Nil.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Topelberg, Seconded Cr McDonald

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

Items 9.2.2, 9.2.3, 9.2.5, 9.2.6, 9.3.1, 9.3.2, 9.3.3, 9.4.3, 9.5.1 and 9.5.3

CARRIED UNANIMOUSLY (9-0)

9.2.2 Proposed Parking Restrictions – Little Walcott Street, North Perth

Ward:	South	Date:	20 March 2015
Precinct:	Norfolk (10)	File Ref:	SC859; SC228
Attachments:	001 – Summary of Comments 002 – Proposed Plan No. 3185-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of parking restrictions in Little Walcott Street, North Perth, as shown in the Summary of Comments (Attachment 001);
2. **APPROVES** the implementation of a six (6) months trial of 2P time restrictions 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday and 'No Stopping' on both sides of Little Walcott Street, North Perth, as shown on the attached Plan No. 3185-PP-01 (Attachment 002);
3. **CONSULTS** with residents at the conclusion of the trial;
4. **RECEIVES** a further report following the further consultation; and
5. **ADVISES** respondents of its decision.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.2.3 Proposed 'No Stopping' Restrictions – Eton Street, North Perth

Ward:	South	Date:	20 March 2015
Precinct:	North Perth (8)	File Ref:	SC776; SC228
Attachments:	001 – Summary of Comments 002 – Proposed Plan No. 3175-CP-01A		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of a 'No Stopping' restriction on Eton Street, North Perth, as shown in the Summary of Comments (Attachment 001);
2. **APPROVES** the implementation of the 'No Stopping' restriction on both sides of Eton Street, North Perth from Gill Street over the crest of the hill to adjacent house number seventy nine (79), as shown on the attached Plan No. 3175-CP01A (Attachment 002); and
3. **ADVISES** respondents of its decision.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.2.5 Proposed Parking Changes – Leederville Town Centre

Ward:	South	Date:	20 March 2015
Precinct:	Oxford Centre (4)	File Ref:	SC1669
Attachments:	001 – Proposed Parking Changes Plan No. 3180-PP-01A		
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 following parking changes, in the Leederville Town Centre, as shown on Plan No. 3180-PP-01A (Attachment 001);
 - 1.1 existing loading zones at No. 109 Oxford Street and No. 747 Newcastle Street being converted to ‘dual use’, operating as loading zone from 8.00am to 7.00pm and paid ticket parking from 7.00pm to midnight;
 - 1.2 ‘emergency vehicles only’ bay adjacent to 121 Oxford Street being deleted and replaced with two, ¼ P bays;
 - 1.3 existing loading zone adjacent No. 196 Oxford Street ‘the Foyer’ being replaced with two, ¼ P bays 9.00am to 7.00pm, and paid ticket parking from 7.00pm to midnight;
 - 1.4 existing ‘Cadillac’ Bike Rack being relocated from outside No. 711 Newcastle Street to the Loading Zone adjacent the Oxford Street Reserve and the existing parking space outside No. 711 Newcastle Street to revert to ticket parking, to match the adjacent restrictions;
 - 1.5 a new loading zone being installed in Newcastle Street, east of Carr Place, from 8.00am to 8.00pm and then ‘free’ general parking after 8.00pm to match the existing restrictions in Newcastle Street east of Carr Place; and
 - 1.6 creation of two new paid parking spaces, 1P 8.00am to 7.00pm and paid ticket parking from 7.00pm to midnight, adjacent No. 663 Newcastle Street, in the space previously occupied by a bus zone; and
2. **ADVISES** all businesses within the Leederville Town Centre and those at No. 196 Oxford Street “the Foyer” of its decision.

COUNCIL DECISION ITEM 9.2.5

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.2.6 Proposed Parking Restriction - Mitchell Street, Mount Lawley

Ward:	South	Date:	20 March 2015
Precinct:	Banks (15)	File Ref:	SC885, SC1211
Attachments:	001 – Summary of Comments 002 – Proposed Plan No. 3159-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- 1 **NOTES** the comments received regarding the implementation of parking restrictions in Mitchell Street, Mount Lawley, as shown in the Summary of Comments (Attachment 001);
2. **APPROVES** the introduction of 3P Parking Restrictions, 8.00am to 5.30pm Monday to Friday in Mitchell Street, Mount Lawley from the existing 'No Stopping' zone at the Swan River end to Joel Terrace, as shown on attached Plan No. 3159-PP-01 (included in Attachment 002); and
3. **ADVISES** respondents and the City of Bayswater of its decision.

COUNCIL DECISION ITEM 9.2.6

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.3.1 Investment Report as at 28 February 2015

Ward:	Both	Date:	20 March 2015
Precinct:	All	File Ref:	SC1530
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant B C Tan, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 28 February 2015 as detailed in Attachment 001.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.2 Authorisation of Expenditure for the Period 1 to 28 February 2015

Ward:	Both	Date:	20 March 2015
Precinct:	All	File Ref:	SC347
Attachments:	001 – Creditors Report 002 – Credit Card Report		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **CONFIRMS** the:

1. **Schedule of Accounts for the period 1 February to 28 February 2015 and the list of payments including credit cards;**
2. **Direct lodgement of payroll payments to the personal bank account of employees;**
3. **Direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **Direct lodgement of Child Support to the Australian Taxation Office;**
5. **Direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **Direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

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

COUNCIL DECISION ITEM 9.3.2

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.3 Financial Statements as at 28 February 2015

Ward:	Both	Date:	20 March 2015
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant B Tan, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 28 February 2015 as shown in Attachment 001.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.4.3 LATE ITEM: PARKlet Designs - Mount Hawthorn and Perth

Ward:	Both	Date:	2 April 2015
Precinct:	All	File Ref:	SC226
Attachments:	001 – Final Designs PARKlet 002 - Locations		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts and Creativity J Anthony, Manager Community Development		
Responsible Officers:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council **APPROVES** the designs and locations for two new PARKlets, as shown in Attachments 001 and 002.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	20 March 2015
Precinct:	-	File Ref:	SC406
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.5.1

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.5.3 Information Bulletin

Ward:	-	Date:	20 March 2015
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 20 March 2015, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.3

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.1.1 No. 5 (Lot: 30; D/P: 1879) Turner Street, Highgate – Proposed Change of Use from Residential to Residential and Bed and Breakfast (Unlisted Use)

Ward:	South	Date:	20 March 2015
Precinct:	Precinct 14 – Forrest	File Ref:	5.2015.24.1; PR26074
Attachments:	001 – Consultation Map 002 – Development Application Plans and Code of Conduct 003 – Applicant Statement 004 – Car Parking Calculation		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Acting Senior Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY**, the application submitted by the owner, K Sealey, for the proposed change of use from Residential to Residential and Bed and Breakfast (Unlisted Use) at No. 5 (Lot 30; D/P: 1879) Turner Street, Highgate as shown on plans date stamped 23 January 2015, included as Attachment 002, subject to the following conditions:

1. The approval for the Bed and Breakfast use is valid for a period of three years from the date of the issue of this planning approval;
2. There shall be no more than six guests accommodated at the Bed and Breakfast any one time;
3. Guests are not permitted to stay at the subject Bed and Breakfast for a continuous period longer than six months within any 12 month period;
4. The keeper of the Bed and Breakfast must reside on site at all times while the Bed and Breakfast is in operation;
5. Breakfast (and any other meals) must be provided to Bed and Breakfast guests only;
6. The Code of Conduct shall be displayed in a prominent position within the premises at all times, and the applicant shall be liable to ensure compliance at all times;
7. Access to a dining area, bathroom and laundry facilities must be available for Bed and Breakfast guests; and
8. All external fixtures shall not be visually obtrusive from Turner 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. In reference to condition 1, should the applicant wish to continue the Bed and Breakfast use beyond the date of validity of this approval a fresh application for planning approval must be made before this approval expires;
2. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage; and
3. The existing crossover is non-compliant and must be reduced to 5.0 metres in width should any future modifications to the building be proposed.

Moved Cr Topelberg, Seconded Cr Peart

That the recommendation be adopted.

Debate ensued.

AMENDMENT:

Moved Cr McDonald, Seconded Cr Harley

That Condition 1 be deleted and the remaining Conditions be renumbered:

~~“1. The approval for the Bed and Breakfast use is valid for a period of three years from the date of the issue of this planning approval;”~~

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (9-0)**

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 BY ABSOLUTE MAJORITY**, the application submitted by the owner, K Sealey, for the proposed change of use from Residential to Residential and Bed and Breakfast (Unlisted Use) at No. 5 (Lot 30; D/P: 1879) Turner Street, Highgate as shown on plans date stamped 23 January 2015, included as Attachment 002, subject to the following conditions:

1. There shall be no more than six guests accommodated at the Bed and Breakfast any one time;
2. Guests are not permitted to stay at the subject Bed and Breakfast for a continuous period longer than six months within any 12 month period;
3. The keeper of the Bed and Breakfast must reside on site at all times while the Bed and Breakfast is in operation;
4. Breakfast (and any other meals) must be provided to Bed and Breakfast guests only;
5. The Code of Conduct shall be displayed in a prominent position within the premises at all times, and the applicant shall be liable to ensure compliance at all times;
6. Access to a dining area, bathroom and laundry facilities must be available for Bed and Breakfast guests; and
7. All external fixtures shall not be visually obtrusive from Turner 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 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage; and
2. The existing crossover is non-compliant and must be reduced to 5.0 metres in width should any future modifications to the building be proposed.

9.1.2 No. 6 (Lot: 6; D/P: 4004) Church Street, Highgate – Proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) Extension to approved Hours of Operation

Ward:	South	Date:	20 March 2015
Precinct:	Precinct 13 – Beaufort	File Ref:	5.2015.87.1; PR20004
Attachments:	001 – Consultation Map 002 – Development Application Plans		
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 L Dwyer on behalf of the owner M Allmark, for the proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) – Extension to approved Hours of Operation at No. 6 (Lot 6; D/P: 4004) Church Street, Perth as shown on plans date stamped 24 February 2015, included as Attachment 002, subject to the following conditions:

1. **Superseded Approval**

This approval for a Proposed Change of Use from Warehouse to Recreational Facility (Yoga Studio) Extension to approved Hours of Operation supersedes the approval granted by Council at its meeting on 10 February 2015 and issued to the applicant under cover of the planning approval letter dated 19 February 2015;

2. **Validity of Approval**

The approval for the recreational facility (Yoga Studio) is valid for a period of twelve (12) months from the date of the issue of this planning approval;

3. **Use of the Premises**

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

3.2 The hours of operation shall be limited to:

- Monday – Friday: 6:00am – 8.30pm; and
- Saturday/Sunday: 8:00am – 6:00pm;

4. **Building**

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

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

5. **Signage**

Any new signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage;

6. **Parking**

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

7. **Waste**

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

8. Prior to the issue of an occupancy permit the following shall be provided:

8.1 **Bicycle Facility**

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

ADVICE NOTES

1. In reference to condition 2, should the applicant wish to continue the recreational facility use (Yoga Studio) beyond the date of validity of this approval a fresh application for planning approval must be made before this approval expires; and
2. In regard to condition 6, adequate space shall be provided to accommodate a 240 litre general waste bin and 360 litre recycling bin, and adequate space to allow for movement of the bins.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Topelberg, **Seconded** Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, **Seconded** Cr Buckels

That Condition 2 of the Officer Recommendation be amended as follows:

2. **Validity of Approval**

The approval for the recreational facility (Yoga Studio) is valid for a period of ~~twelve~~ **Thirty six (42 36)** months from the date of the issue of this planning approval;

Debate ensued.

AMENDMENT PUT AND LOST (3-6)

For: Cr Buckels, Cr Topelberg and Cr Peart

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

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.1.3 No. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn – Proposed Change of Use from Eating House to Tavern

Ward:	North	Date:	20 March 2015
Precinct:	Precinct 2 – Mt Hawthorn Centre	File Ref:	5.2014.456.1
Attachments:	001 – Consultation Map 002 – Development Application Plans 003 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	T Wright, 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 Hospitality Total Services (Aus) Pty Ltd on behalf of the owners, Hyde Park Management Ltd, for the Proposed Change of Use from Eating House to Tavern at No. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn as shown on plans date stamped 11 November 2014, included as Attachment 002, subject to the following conditions:

1. Trading Hours

1.1 The trading hours shall be:

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

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

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

2. Use

- 2.1 The premises shall have food available from opening until half an hour before close and shall provide breakfast, lunch and dinner services;**
- 2.2 Functions are limited to 150 patrons at any one time and shall only occur within the premises and not in the alfresco area; and**
- 2.3 Seating in the form of tables and chairs within the premises shall be provided at all times except for when there is a pre-booked function;**

3. Alfresco Areas

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

4. **Prohibited Activity**

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

5. **Management Plan**

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 that the Tavern shall take all practical measures to:

- (i) Reduce the likelihood of excessive noise intrusion on residents and businesses in the locality;
- (ii) Prevent the likelihood of rowdy or antisocial behaviour;
- (iii) 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
- (iv) Ensure the above management measures (prior to, during and post trading hours) are included as part of all staff induction and training programs;

6. **Construction Management Plan**

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

7. **Active Relationship**

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

COUNCIL DECISION ITEM 9.1.3

Moved Cr Harley, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Harley, Seconded Cr

That the item be DEFERRED for further consideration.

PROPOSED DEFERRAL LAPSED FOR WANT OF A SECONDER

Debate ensued.

PROCEDURAL MOTION

Moved Cr Topelberg, Seconded Cr McDonald

That the item be DEFERRED to allow the applicant to address the issues raised.

PROCEDURAL MOTION PUT AND LOST (2-7)

For: Cr McDonald and Cr Topelberg

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

OFFICER RECOMMENDATION PUT AND LOST (1-8)

For: Cr Pintabona

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

REASONS FOR REFUSAL OF OFFICER RECOMMENDATION:

The proposed change of use to a Tavern is considered undesirable in the family-friendly environment of this shopping centre and, if approved, would entitle the operator to apply for and obtain a Tavern liquor licence.

The operator's existing extended trading permit(s) appear to already provide the opportunity for functions and events, without converting the use to a Tavern.

Refer also to Item 13 of these Minutes.

9.1.4 No. 125 & 127 (Lot: 12 & 102 D/P: 854 & 49899) Richmond Street, Leederville – Proposed Demolition of Existing Single House and Construction of 17 Multiple Dwellings

Ward:	South	Date:	20 March 2015
Precinct:	Precinct 3 – Leederville	File Ref:	PR25043; 5.2014.540.1
Attachments:	001 – Consultation Map 002 – Development Application Plans 003 – Development Report 004 – Neighbourhood Context Report 005 – Applicant’s Justification 006 – Extract Design Advisory Committee Meeting Minutes 007 – Heritage Comments 008 – Arboricultural Report 009 – Car Parking Calculation		
Tabled Items:	Nil		
Reporting Officer:	A Groom, 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 Cedar Property Group on behalf of the owner Rainday Holdings Pty Ltd, for the proposed demolition of an Existing Single House and construction of a Three (3) Storey Multiple Dwelling development comprising of eight Two-Bedroom and nine One-Bedroom Multiple Dwellings and Associated Car Parking at No. 125-127 (Lot: 12 & 102 D/P: 854 & 49899) Richmond Street, Leederville as shown on plans date stamped 9 December 2014, included as Attachment 002, subject to the following conditions:

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

2. **Boundary Wall**
 The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 123 Richmond Street and No. 24 Melrose Street, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

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

4. **Retention of Existing Trees**
 - 4.1 The Flooded Gum Tree 500mm within the lot boundaries of No. 127 Richmond Street shall be retained and protected during construction and suitable measures put in place to restore the tree to good health;

 - 4.2 The two mature trees located along the western boundary shall be retained to become part of the proposed landscaping for the development and protected during construction; and

4.3 Protection of the trees during construction requires that the following shall not occur beneath the drip line of the trees to be protected and maintained:

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

5. **Car Parking and Accessways**

- 5.1 A minimum of 17 residential car bays and four visitor bays, shall be provided on site;
- 5.2 The car park shall be used only by residents and visitors directly associated with the development;
- 5.3 The car parking area for visitors shall be shown as common property on the strata plan; and
- 5.4 All pedestrian access and vehicle driveway/crossover levels shall match into the existing footpath and Right-of-Way levels to the satisfaction of the City;

6. **Easement**

Where the proposed development is to be built over the City's twin drainage pipes that run through the property from Richmond Street to Melrose Street, the applicant at their full cost and to the satisfaction of the City shall:

- 6.1 Engage a suitably qualified Consulting Engineer to design, document and create an appropriate engineering solution to protect the drains and ensure that future access to the City's infrastructure remains available; and
- 6.2 Grant an easement over the full length of the existing drainage infrastructure within the property to the benefit of the City;

7. **Building Appearance**

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

8. 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:

8.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$30,000, being the equivalent value of one per cent (1%) of the estimated cost of the development (\$3,000,000), is to be allocated towards the public art;

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

9.1 **Waste Management**

- 9.1.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;
- 9.1.2 A bin store of sufficient size to accommodate the City's specified bin requirement shall be provided, to the satisfaction of the City; and
- 9.1.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan;

9.2 **Revised Plans showing:**

9.2.1 **Visual Privacy**

The balcony for Unit 9, 11, 14, 15 and 17 at any point within the cone of vision less than 6 metres from a neighbouring boundaries, shall be screened to the satisfaction of the City in accordance with the requirements of the Residential Design Codes;

9.2.2 **Front Fence**

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

9.2.3 **Crossover Width**

The proposed crossover width is to be reduced to ensure the retention of the verge tree;

9.3 **Landscape and Reticulation Plan**

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

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

- 9.3.1 The location and type of existing and proposed trees and plants;
- 9.3.2 All vegetation including lawns;
- 9.3.3 Areas to be irrigated or reticulated;
- 9.3.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 9.3.5 The removal of redundant crossovers; and
- 9.3.6 The retention of the two trees on the western boundary incorporated into the landscape strip along the proposed driveway and carparking area;

9.4 Acoustic Report

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

9.5 Construction Management Plan

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

9.6 Storm Water

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

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

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

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

10. Prior to the submission of an occupancy permit, the following shall be completed to the satisfaction of the City;

10.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility to be incorporated into the development in accordance with the City's Policy No. 7.4.8 relating to Development Guidelines for Multiple Dwellings and the Residential Design Codes of WA 2013;

10.2 Car Parking

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

10.3 Management Plan-Vehicular Entry Gates

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

10.4 Landscaping

With regard to condition 9.3, all works shall be undertaken in accordance with the approved plans, and maintained thereafter to the satisfaction of the City at the owner's expense;

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

With regard to condition 9.7, this notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

10.6 Residential Bicycle Bays

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

10.7 Acoustic Report

With regard to condition 9.4, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

ADVICE NOTES:

1. With regard to condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. In reference to condition 8.1 relating to Public Art the applicant has the following options:
 - 2.1 Option 1

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

Provide cash-in-lieu of an art project. Payment must be made to the City prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);
3. With regard to condition 9.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
4. A Road and Verge security bond for the sum of \$4,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and
5. With regard to condition 9.6, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

OFFICER RECOMMENDATION PUT AND LOST UNANIMOUSLY (0-9)

COUNCIL DECISION ITEM 9.1.4

ALTERNATIVE RECOMMENDATION:

Moved Cr Topelberg, Seconded Cr Harley

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 Cedar Property Group on behalf of the owner Rainday Holdings Pty Ltd, for the proposed demolition of an Existing Single House and construction of a Three (3) Storey Multiple Dwelling development comprising of eight Two-Bedroom and nine One-Bedroom Multiple Dwellings and Associated Car Parking at No. 125-127 (Lot: 12 & 102 D/P: 854 & 49899) Richmond Street, Leederville as shown on plans date stamped 9 December 2014, included as Attachment 002, for the following reasons:

1. Non-compliant front setbacks;
2. Unacceptable articulation of both the Northern and Southern elevations;
3. Excessive plot ratio; and
4. Non-compliant visitor car parking.

Debate ensued.

Presiding Member Mayor Carey vacated the Chair and departed the Chamber at 7.48pm.

Deputy Mayor Cr Harley assumed the Chair at 7.48pm.

Deputy Mayor Cr Harley vacated the Chair at 7.50pm.

Presiding Member Mayor Carey returned to the Chamber and assumed the Chair at 7.50pm.

Cr Topelberg departed the Chamber at 7.53pm.

Cr Topelberg returned to the Chamber at 7.54pm.

**ALTERNATIVE RECOMMENDATION
PUT AND CARRIED UNANIMOUSLY (9-0)**

9.1.5 No. 20 (Lot: 450 D/P: 302403) Burgess Street, Leederville – Proposed Demolition of an Existing Single House and Construction of Eight Multiple Dwellings

Ward:	South	Date:	20 March 2015
Precinct:	Precinct 3 – Leederville	File Ref:	5.2014.687.1
Attachments:	001 – Consultation Map 002 – Development Application Plans 003 – Car Parking and Bicycle Tables 004 – Design Advisory Committee Comments		
Tabled Items:	Nil		
Reporting Officer:	T Wright, 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 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 3 March 2015, included as Attachment 002, 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. Prior to the issue of a building permit the following shall be submitted to and approved by the City:

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

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

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

5.2 **Acoustic Report**

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

5.3 **Landscape and Reticulation Plan**

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

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

5.3.2 Areas to be irrigated or reticulated; and

5.3.3 The removal of redundant crossovers;

5.4 **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;

5.5 **Construction Management Plan**

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

5.6 **Waste Management**

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

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

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

6. Prior to the occupation of the development the following shall be completed to the satisfaction of the City:
- 6.1 **Clothes Drying Facility**
- Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes of WA 2013;
- 6.2 **Car Parking**
- The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;
- 6.3 **Stormwater**
- All storm water produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City;
- 6.4 **Acoustic Report Certification**
- In relation to condition 5.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;
- 6.5 **Section 70A Notification under the *Transfer of Land Act 1893* lodgement and registration**
- In relation to condition 5.1, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;
- 6.6 **Landscape Plan and Verge Upgrade Plan**
- In relation to condition 5.3, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the owners' expense;
- 6.7 **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;
- 6.8 **Vehicular Entry Gate**
- The proposed vehicular entry gate shall be at least visually 50% permeable.

ADVICE NOTES:

1. With regard to condition 2.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;

2. With reference to condition 2.6 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 5.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If 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 6.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

Moved Cr Buckels, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

Cr Pintabona departed the Chamber at 7.58pm.

Cr Pintabona returned to the Chamber at 8.00pm.

Debate ensued.

OFFICER RECOMMENDATION PUT AND LOST (1-8)

For: Presiding Member Mayor Carey

Against: Cr Buckels, Cr Cole, Cr Harley, Cr McDonald, Cr Peart, Cr Pintabona, Cr Topelberg and C Wilcox

ALTERNATIVE RECOMMENDATION

Moved Cr Buckels, Seconded Cr Topelberg

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 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 3 March 2015, included as Attachment 002, for the following reasons:

1. Non-compliant front setback;
2. Non-compliant building setback; and
3. Visitor car parking in front setback

Debate ensued.

AMENDMENT 1

Moved Cr Peart, Seconded Cr Pintabona

That a new reason for refusal 4 be added as follows:

4. Non-compliant plot ratio

AMENDMENT 1 PUT AND CARRIED (7-2)

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

Against: Presiding Member Mayor Carey, Cr Topelberg

AMENDMENT 2

Moved Cr Peart, Seconded Cr Topelberg

That a new reason for refusal 5 be added as follows:

5. Visual dominance of the carparking.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)

ALTERNATIVE RECOMMENDATION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.1.5

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES 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 3 March 2015, included as Attachment 002, for the following reasons:

1. Non-compliant front setback;
2. Non-compliant building setback;
3. Visitor car parking in front setback;
4. Non-compliant plot ratio; and
5. Visual dominance of the car parking.

9.1.6 No. 174 (Lot: 4 D/P: 10539) Loftus Street, North Perth – Proposed Demolition of an Existing Single House and Construction of Nine (9) Multiple Dwellings

ITEM WITHDRAWN AT APPLICANT'S REQUEST.

9.1.7 Proposed Amendment to Policy No. 7.7.1 – Parking and Access

Ward:	Both Wards	Date:	20 March 2015
Precinct:	All Precincts	File Ref:	SC436
Attachments:	001 – Draft Amended Policy No. 7.7.1: Parking and Access		
Tabled Items:	Nil		
Reporting Officers:	T Elliott, Strategic Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to advertise the proposed amendments to Policy No. 7.7.1 – Parking and Access, as shown in Attachment 001, pursuant to Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 – Community Consultation.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr McDonald departed the Chamber at 8.15pm.

Cr McDonald returned to the Chamber at 8.17pm.

AMENDMENT:

Moved Cr Harley, Seconded Cr McDonald

That the Officer Recommendation be amended to read as follows:

“That Council **AUTHORISES** the Chief Executive Officer to advertise the proposed amendments to Policy No. 7.7.1 – Parking and Access, as shown in Attachment 001, pursuant to Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 – Community Consultation, subject to the following amendment:

1. New Clause 2.2.8 being inserted as follows and the remaining clauses be renumbered:

2.2.8 Cash-in-lieu of car parking will not be required where the proposal is a use of less than 100 square metres NLA. In the case of Eating House and Small Bar, 100 square metres is based on the PFA.”

Debate ensued.

AMENDMENT PUT AND CARRIED (8-1)

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

Against: Cr Buckels

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

COUNCIL DECISION ITEM 9.1.7

That Council **AUTHORISES** the Chief Executive Officer to advertise the proposed amendments to Policy No. 7.7.1 – Parking and Access, as shown in Attachment 001, pursuant to Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 – Community Consultation, subject to the following amendment:

1. **New Clause 2.2.8 being inserted as follows and the remaining clauses be renumbered:**

2.2.8 Cash-in-lieu of car parking will not be required where the proposal is a use of less than 100 square metres NLA. In the case of Eating House and Small Bar, 100 square metres is based on the PFA.

9.2.1 Proposed Parking Restrictions – Alma Road, Hutt Street and Raglan Road, Mount Lawley, Progress Report No. 1

Ward:	South	Date:	20 March 2015
Precinct:	Hyde Park (12)	File Ref:	SC847; SC228
Attachments:	001 – Summary of Comments 002 – Proposed Plan No. 3182-PP-01 003 – Proposed Plan No. 3182-PP-01A		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the implementation of various parking restrictions in Alma Road, Hutt Street and Raglan Road, Mount Lawley as shown in the Summary of Comments (Attachment 001);
2. **DOES NOT PROCEED** with the implementation of the proposal shown on attached Plan No. 3182-PP-01 (Attachment 002) for the reasons outlined in the report; and
3. **ADVISES** respondents of its decision.

Moved Cr Topelberg, **Seconded** Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Cole departed the Chamber at 8.30pm.

Cr Cole returned to the Chamber at 8.33pm.

Debate ensued.

OFFICER RECOMMENDATION PUT AND LOST UNANIMOUSLY (0-9)

COUNCIL DECISION ITEM 9.2.1

ALTERNATIVE RECOMMENDATION:

Moved Cr Topelberg, **Seconded** Cr Buckels

That Council:

1. **NOTES** the comments received regarding the implementation of various parking restrictions in Alma Road, Hutt Street and Raglan Road, Mount Lawley as shown in the Summary of Comments (Attachment 001);
2. **APPROVES** the implementation of a six months trial which includes a 2P restriction 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday in Alma Road between William Street and Walcott Street and in Raglan Road between William Street and Hutt Street, excluding the existing No Stopping area on the south side of Alma Road between Hutt Street and Walcott Street, and in Hutt Street between Alma Road and Raglan Road, as shown on attached Plan No. 3182-PP-01A (Attachment 003);
3. **ADVISES** the respondents of its decision; and
4. **RECEIVES** a further report at the conclusion of the trial following consultation with residents.

ALTERNATIVE RECOMMENDATION PUT AND CARRIED UNANIMOUSLY (9-0)

9.2.4 Proposed Timed Parking Restriction Changes - Wilberforce Street, Faraday Street and Oxford Street Carpark Mount Hawthorn

Ward:	North	Date:	20 March 2015
Precinct:	Leederville (3)	File Ref:	SC997; SC228
Attachments:	001 – Summary of Comments 002 – Existing Parking Plan No. 3189-PP-01 003 – Proposed Plan No. 3189-PP-02 004 – Proposed Plan No. 3189-PP-02A		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES that:**
 - 1.1 a petition was received requesting that the existing parking restrictions, 2P at all times, in Wilberforce Street be removed, and that this be trialled for six months; and
 - 1.2 residents in the street were consulted regarding the proposal with a mixed response (refer Attachment 001);
2. **APPROVES** changing the parking restrictions as shown on attached Plan No. 3189-PP-02 (Attachment 003) in;
 - 2.1 both Wilberforce and Faraday from 2P at ALL times to 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturdays this would free up the street for residents and their visitors at all other times; and
 - 2.2 the Oxford Street carpark from 'unrestricted paid parking' at all times, to 'paid parking' 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturdays and unrestricted free parking at all other times; and
3. **ADVISES** the author of the petition of its decision.

Moved Cr Harley, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1:

Moved Cr Harley, Seconded Cr Topelberg

That Clause 2.2 of the Officer Recommendation be amended to read as follows:

That Council:

1. **NOTES that:**
 - 1.1 a petition was received requesting that the existing parking restrictions, 2P at all times, in Wilberforce Street be removed, and that this be trialled for six months; and
 - 1.2 residents in the street were consulted regarding the proposal with a mixed response (refer Attachment 001);
2. **APPROVES** changing the parking restrictions as shown on attached amended Plan No. 3189-PP-02A (Attachment 004) in;
 - 2.1 both Wilberforce and Faraday from 2P at ALL times to 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturdays this would free up the street for residents and their visitors at all other times; and

~~2.2 the Oxford Street carpark from 'unrestricted paid parking' at all times, to 'paid parking' 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturdays and unrestricted free parking at all other times; and~~

2.2. the Oxford Street carpark from 'unrestricted paid parking' at all times, to '3P free parking' 7.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturdays and unrestricted free parking at all other times.

3. ADVISES the author of the petition of its decision.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (9-0)

Debate ensued.

AMENDMENT 2:

Moved Cr Harley, Seconded Cr Topelberg

That Items 2.1 and 2.2 of the Recommendation be further amended to read as follows:

2.1 both Wilberforce and Faraday from 2P at ALL times to 8.00am to 5.30pm Monday to Friday and ~~8.00am to 12noon Saturdays~~ this would free up the street for residents and their visitors at all other times; and

2.2. the Oxford Street carpark from 'unrestricted paid parking' at all times, to '3P free parking' 7.00am to 5.30pm Monday to Friday and ~~8.00am to 12noon Saturdays~~ and unrestricted free parking at all other times.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)

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

COUNCIL DECISION ITEM 9.2.4

That Council:

1. NOTES that:

1.1 a petition was received requesting that the existing parking restrictions, 2P at all times, in Wilberforce Street be removed, and that this be trialled for six months; and

1.2 residents in the street were consulted regarding the proposal with a mixed response (refer Attachment 001);

2. APPROVES changing the parking restrictions as shown on attached amended Plan No. 3189-PP-02A (Attachment 004) in;

2.1 both Wilberforce and Faraday from 2P at ALL times to 8.00am to 5.30pm Monday to Friday this would free up the street for residents and their visitors at all other times; and

2.2. the Oxford Street carpark from 'unrestricted paid parking' at all times, to '3P free parking' 7.00am to 5.30pm Monday to Friday and unrestricted free parking at all other times.

3. ADVISES the author of the petition of its decision.

9.3.4 Disposal of the Property at No. 291 (Lot 7) and No. 295 (Lot 6) Vincent Street, Leederville – Major Land Transaction

Ward:	South	Date:	20 March 2015
Precinct:	Oxford Centre (4)	File Ref:	SC2084
Attachments:	001 – Business Plan		
Tabled Items:	Nil.		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the public submissions received in response to the invitation published in the Business Plan advertised in the Western Australian Newspaper on Wednesday 18 February 2015 and **ENDORSES** the Administration comments provided in response to the public submissions in the consultation/advertising section of the report;
2. **APPROVES BY ABSOLUTE MAJORITY** the disposal of No. 291 and No. 295 Vincent Street, Leederville, subject to:
 - 2.1 Arrangements being made to the satisfaction of the Chief Executive Officer for the imposition of a 4.0 metre wide drainage easement and public access easement on the certificate of title of Lot 6 (295) Vincent Street, Leederville prior to settlement on the sale. The easements shall extend for the length of the property along the alignment of the City’s drainage infrastructure, shall be set back 2.0 metres from the western boundary of Lot 6 and (the public access easement) shall extend vertically 4.0 metres above the easement applying to the ground below it; and
3. **APPROVES** the appointment of Knight Frank as the selling agent for the disposal in 2 above, which will be undertaken by public tender; and
4. **DELEGATES BY ABSOLUTE MAJORITY** to the Chief Executive Officer, the power to accept the tender listed in 3 above, in accordance with Section 5.42 (1) of the Local Government Act 1995 to a maximum value of \$3,500,000, subject to the settlement date for the sale of Lots 6 (295) and 7 (291) Vincent Street, Leederville being no later than Tuesday 30 June 2015.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Cole, Seconded Cr Buckels

That Officer Recommendation 2.1 be amended to read as follows:

“2.1 Arrangements being made to the satisfaction of the Chief Executive Officer for the imposition of a ~~4.0~~ 6.0 metre wide drainage easement and public access easement on the certificate of title of Lot 6 (295) Vincent Street, Leederville prior to settlement on the sale. The easements shall extend for the length of the property along the alignment of the City’s drainage infrastructure, shall be set back ~~2.0 metres~~ 1.0 metre from the western boundary of Lot 6 and (the public access easement) shall extend vertically ~~4.0~~ 4.5 metres above the easement applying to the ground below it; and”

AMENDMENT 1 PUT AND LOST (3-6)

For: Cr Cole, Cr Peart and Cr Wilcox

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

AMENDMENT 2

Moved Cr Buckels, Seconded Cr Cole

That Officer Recommendation 2.1 be amended to read as follows:

“2.1 Arrangements being made to the satisfaction of the Chief Executive Officer for the imposition of a ~~4.0~~ 5.0 metre wide drainage easement and public access easement on the certificate of title of Lot 6 (295) Vincent Street, Leederville prior to settlement on the sale. The easements shall extend for the length of the property along the alignment of the City’s drainage infrastructure, shall be set back ~~2.0 metres~~ 1.0 metre from the western boundary of Lot 6 and (the public access easement) shall extend vertically ~~4.0~~ 4.5 metres above the easement applying to the ground below it; and”

Debate ensued.

AMENDMENT 2 PUT AND CARRIED (8-1)

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

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (9-0)**

COUNCIL DECISION ITEM 9.3.4

That Council:

1. **NOTES** the public submissions received in response to the invitation published in the Business Plan advertised in the Western Australian Newspaper on Wednesday 18 February 2015 and **ENDORSES** the Administration comments provided in response to the public submissions in the consultation/advertising section of the report;
2. **APPROVES BY ABSOLUTE MAJORITY** the disposal of No. 291 and No. 295 Vincent Street, Leederville, subject to:
 - 2.1 Arrangements being made to the satisfaction of the Chief Executive Officer for the imposition of a 5.0 metre wide drainage easement and public access easement on the certificate of title of Lot 6 (295) Vincent Street, Leederville prior to settlement on the sale. The easements shall extend for the length of the property along the alignment of the City’s drainage infrastructure, shall be set back 1.0 metre from the western boundary of Lot 6 and (the public access easement) shall extend vertically 4.5 metres above the easement applying to the ground below it; and
3. **APPROVES** the appointment of Knight Frank as the selling agent for the disposal in 2 above, which will be undertaken by public tender; and
4. **DELEGATES BY ABSOLUTE MAJORITY** to the Chief Executive Officer, the power to accept the tender listed in 3 above, in accordance with Section 5.42 (1) of the Local Government Act 1995 to a maximum value of \$3,500,000, subject to the settlement date for the sale of Lots 6 (295) and 7 (291) Vincent Street, Leederville being no later than Tuesday 30 June 2015.

9.4.1 Vincent Light Up Laneway Grant

Ward:	South	Date:	20 March 2015
Precinct:	Mount Lawley	File Ref:	SC1966
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	C Grossetti, Coordinator Safer Vincent S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** grant funding of \$22,704 from the WA Police Community Crime Prevention Fund;
2. **APPROVES BY ABSOLUTE MAJORITY** the unbudgeted expenditure of \$22,704 for the Vincent Light Up Laneway Project in accordance with Section 6.8 (1) of the Local Government Act 1995; and
3. **NOTES** the following budget reallocation to recognise the increase in revenue and expenditure detailed in clauses 1 and 2 above.

Account No.	Description	\$
6300.110.21	Grant	(22,704)
	Vincent Light Up Laneway Project	22,704

COUNCIL DECISION ITEM 9.4.1

Moved Cr Peart, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (9-0)

9.4.2 FORM PUBLIC Festival 2015 – Progress Report

Ward:	South	Date:	27 March 2015
Precinct:	Oxford Centre (4)	File Ref:	SC2072
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council APPROVES the following amended list of deliverables associated with its sponsorship of FORM Public Festival 2015 previously adopted by Council at its meeting on 10 February 2015 (Item 9.4.1):

1. A minimum of 10 highly visible murals in the Leederville Town Centre;
2. Three symposium tickets;
3. An urban art walk for up to 15 Town Team members; and
4. Supporting Partner sponsorship benefits.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Peart, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.5.2 Audit Committee – Terms of Reference

Ward:	-	Date:	20 March 2015
Precinct:	-	File Ref:	SC243-02
Attachments:	001 – Terms of Reference		
Tabled Items:	Nil.		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **DELEGATES BY ABSOLUTE MAJORITY to the Audit Committee the responsibility to meet with the City’s Auditor in accordance with section 7.12A (2) of the *Local Government Act 1995*; and**
2. **ADOPTS the revised Terms of Reference for the Audit Committee as detailed in Attachment 001.**

COUNCIL DECISION ITEM 9.5.2

Moved Cr Topelberg, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Buckels

That a new Item 3 be added to the Recommendation as follows:

3. **APPROVES Membership of the Audit Committee to consist of the Mayor and all nominated Council Members**

AMENDMENT PUT AND LOST (3-6)

For: Cr Buckels, Cr Topelberg and Cr Wilcox

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

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Mayor John Carey – Survey regarding possible 40kph speed zone on Vincent streets

That Council REQUESTS the Chief Executive Officer to carry out a Vincent-wide survey to gauge community opinion on whether the City should consider requesting the State Government to reduce the speed zone on local Vincent streets to 40kph.

COUNCIL DECISION ITEM 10.1

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

13.1 URGENT BUSINESS: Consideration of reasons for refusal - Peasant's Table - change of use to a Tavern

ITEM 9.1.3 REFERS

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 Hospitality Services (Aus) Pty Ltd on behalf of the owners, Hyde Park Management Ltd, for the Proposed Change of Use from Eating House to Tavern at No. 148-158 (Lot: 600 D/P: 47025) Scarborough Beach Road, Mount Hawthorn as shown on plans date stamped 11 November 2014, included as Attachment 002, for the following reasons:

1. The proposed 'Tavern' use is not considered to be in keeping with the context and amenity of its shopping centre setting;
2. Notwithstanding the proponent's comments that the 'Tavern' use is being pursued to provide flexibility for holding functions and events, if that use is approved it will entitle the proponent to apply for and obtain a Tavern licence from the Department of Racing Gaming and Liquor and thereafter to operate in accordance with that licence. This has the potential to cause conflict and contradiction between planning approval and liquor licensing conditions; and
3. The proponent could achieve the same or similar flexibility for holding functions and events with their existing Extended Trading Permit and/or with a different, less objectionable land use category.

COUNCIL DECISION ITEM 13.1

Moved Cr Harley, Seconded Cr Peart

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-2)

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

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

Nil.

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9.35pm with the following persons present:

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

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 7 April 2015.

Signed: Mayor John Carey.

Dated this day of 2015.