



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

8 DECEMBER 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 8 December 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:

Cr Roslyn Harley was an apology.

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Mayor John Carey	Presiding Member
Cr Matt Buckels	North Ward (from 6.10pm until 7.47pm)
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Laine McDonald	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Ryan Hall	A/Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary
<u>Media</u>	
Sophie Gabrielle	Journalist – "The Guardian Express" (until approximately 8.55 pm)

Approximately 20 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. Joe Radici President of WA Italian Club – Item 9.2.2

- Does not support the proposal for paid parking in the Fitzgerald Street Carpark and South side of Lawley Street. From the Club's perspective the introduction of paid parking will have a significant financial impact on our members particularly the members who visit the club during the week who are seniors and concession cardholders.

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

2. Anita Radici of 7 Cumbrae Court, Dianella – Item 9.2.2

- The Club therefore ask that the Council not proceed with the proposed paid parking for the area or at the very least accept recommendations of its officers to defer the paid parking and issuing of permits until a review of the City's car parking strategy has been undertaken.

The Presiding Member Mayor Carey thanked Miss Radici for her comments.

3. Harold Payne of 22 Kale Street, North Perth – Item 9.1.1

- Did not support the Item and spoke against the proposal.

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

Cr Buckels arrived (6.10pm)

4. Anne Bate of 219 Loftus Street, Leederville – Item 9.1.7

- Spoke against the proposal.

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

5. Amanda Wood of 1 Salisbury Street, Leederville – Item 9.1.7

- Her main concern related to the traffic flow on Salisbury Street and the overflow of vehicles that would use the street for parking.
- Did not support the Item and spoke against the proposal.

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

6. Serena Serna of 209 Fitzgerald Street, Perth – Item 9.2.2

- Spoke against the proposal.

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

7. Phon Pham of 227 Loftus Street, Leederville – Item 9.1.7

- All the kitchen windows do not comply with the R codes, according to the architect I have been dealing with.
- How will the decision makers address the parking impact on the neighbourhood? What happens if there is an accident involving a child, who will take the responsibility?

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

8. Sarah Schlato of 121 Fitzgerald Street, North Perth – Item 9.1.4

- Her major concerns were traffic issues and the Right of Way, and the retaining wall built onto the Right of Way.
- The eastern side of the property has an unsafe unsightly fence.

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

9. Carlo Famiano of 16 Kent Way, Malaga – Item 9.1.6

- The development has been designed to meet the planning requirements of the R-Codes as well as the local planning policies.

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

10. Juan Castelino of 78 Paddington Street – Item 9.1.6

- His concerns related to the reduction of natural light to his property with this development along with concerns about the retaining wall.

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

11. Dudley Maier of 51 Chatsworth Road, Highgate – Items 9.1.9, 9.1.10, 9.3.3., 9.5.3 and 9.5.6

- Item 9.1.9 – urged the Council to open the competition to emerging artists as well as established artists, and commented that the choice of public art should be based on artistic merit and ability to deliver.
- Item 9.1.10 – believes the amendment is flawed, may not even be required and that more work needs to be done.
- Item 9.5.3 – I think the choice of the Ipad is very appropriate but I think in this era of accountability and transparency the breakdown of expenditure on the technology allowance should be made public.
- Item 9.5.6 – believes the surplus budget position is unacceptable and is an error that impacts on rates. Some of the money could have been put into the asset replacement reserve. Urged Council to look at the Capital financial statements for end of October, with a budget of \$6.6 million and yet at the end of October only \$2.1 million has been spent - so after four months the City is \$4.5 million under budget.
- Item 9.3.2 – money shouldn't have been taken from the senior's reserve.
- Item 9.3.3 – Believes there is an error of \$185,000 made in the carry over for the Scarborough Beach Road black spot project..

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

12. Brian Lord of 223 Loftus Street, Leederville – Item 9.1.7

- Objected the proposal and did not support it.

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

There being no further speakers, Public Question Time closed at approximately 6.32 pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Emma Cole requested leave of absence from 4 January 2016 to 22 January 2016 due to personal commitments.

Moved Cr McDonald, Seconded Cr Loden

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

CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

- 4.2 Cr Roslyn Harley requested leave of absence from 9 December 2015 to 9 February 2016 (inclusive) due to personal commitments.

Moved Cr Loden, Seconded Cr McDonald

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

CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 17 November 2015.

Moved Cr Loden, Seconded Cr Buckels

That the Minutes of the Ordinary Meeting of Council held on 17 November 2015 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (8-0)

(Cr Harley 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 Light Up Leederville

The Light up Leederville Carnival held on the weekend was a fantastic success and an incredible achievement of the local community and of Leederville Connect. The community in Leederville are positive about the future of the main street and this is reflected in the energy and the aspirations of the businesses and residents who live there.

I would like to thank Cr Jimmy Murphy who is the driving force behind the Carnival and a key contributor to Leederville Connect.

7.2 Notice of Motion 10.1

Administration is already working on this matter and, it is the intention of this Council and myself as Mayor to support the work and drive a new agenda that cuts red tape and regulation in relation to alfresco areas.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Susan Gontaszewski declared an Impartiality interest in Confidential Item 14.1 - CONFIDENTIAL REPORT: Design Advisory Committee (DAC) – Appointment of Panel Members. The extent of her interest being that she has a personal association with three of the applicants who have nominated for membership to the DAC.
- 8.2 Cr Emma Cole declared an Impartiality interest in Confidential Item 14.1 - CONFIDENTIAL REPORT: Design Advisory Committee (DAC) – Appointment of Panel Members. The extent of her interest being that two of the DAC nominees are personal friends through a mutual connection to her children's primary school.
- 8.3 Cr Jimmy Murphy declared a Financial interest in Confidential Item 14.2 - CONFIDENTIAL REPORT: Leederville Hotel, 742 Newcastle Street, Leederville - Removal of First Hour Free Parking and Renegotiate Terms of Agreement for Care, Control and Management of Car Park. The extent of his interest being that he occasionally has a financial relationship with the owner of the Leederville Hotel through his business operations.

9. REPORTS

As listed in the Index.

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

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

Items 9.1.1, 9.1.4, 9.1.6, 9.1.7, 9.1.9, 9.1.10, 9.2.2, 9.3.3, 9.5.3 and 9.5.6 (9.1.4, 9.5.3 and 9.5.6 requiring Absolute Majority decisions)

(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 9.1.3, 9.1.4, 9.3.2, 9.5.2, 9.5.3, 9.5.6, 10.2 and 14.2

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

Confidential Item 14.2 – Cr Jimmy Murphy

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)	An apology
Cr Buckels	Nil
Cr Cole	9.1.8 and 9.2.4
Cr Gontaszewski	Nil
Cr Loden	9.4.1
Cr McDonald	Nil
Cr Murphy	Nil
Cr Topelberg	9.1.5 and 9.2.1

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 9.1.2, 9.2.3, 9.3.1, 9.3.4, 9.3.5, 9.4.2, 9.5.1, 9.5.4, 9.5.5 and 9.5.7

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

Items 14.1, 14.2 and 14.3

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Loden, Seconded Cr Cole

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

Items 9.1.2, 9.2.3, 9.3.1, 9.3.4, 9.3.5, 9.4.2, 9.5.1, 9.5.4, 9.5.5 and 9.5.7

CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.2 FURTHER REPORT: No. 235 (Lot: 185; D/P: 7473) Charles Street, North Perth – Proposed Demolition of Existing Single House and Construction of a Multiple Dwelling Development comprising of Nine Two-Bedroom Multiple Dwellings and associated Car Parking

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	PR19597; 5.2014.498.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Marked up plans showing proposed versus required setbacks 4 – Design Advisory Committee Minutes 5 – Applicant’s further Justification 6 – Car and Bicycle Parking Tables		
Tabled Items:	Nil		
Reporting Officer:	P Stuart, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 BDC Group on behalf of the owner C J Su, for the proposed demolition of an existing Single House and construction of a Multiple Dwelling development comprising of Nine Two-Bedroom Multiple Dwellings and associated Car Parking at No. 235 (Lot: 185) Charles Street, North Perth as shown on plans date stamped 13 November 2015, included as Attachment 2, for the following reasons:

1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 233 and 237 Charles Street, in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. Car Parking and Access

- 2.1 A minimum of nine 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 bay and the reversing bay 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 Charles 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. **Verge Trees**

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

5. **Car Parking Permits**

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

6. **Retention of Existing Trees**

6.1 The existing mature trees along the northern and western boundaries shall be retained and the following shall not occur beneath the drip line of the trees in order to protect the trees during construction:

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

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

7.1 **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;

7.2 **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:

- 7.2.1 The location and type of existing and proposed trees and plants;
- 7.2.2 Screening trees along the southern lot boundary are to be evergreen;
- 7.2.3 Areas to be irrigated or reticulated;
- 7.2.4 The removal of redundant crossovers;
- 7.2.5 The existing trees as identified on the approved plans along the eastern lot boundary and the northern lot boundary to be retained and protected; and
- 7.2.6 All proposed treatments of the verge;

7.3 **Schedule of External Finishes**

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

7.4 Construction Management Plan

A Construction Management Plan that:

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

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

shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan; and

7.5 Waste Management

7.5.1 A bin storage area of a size that meets the City's requirements shall be provided to the satisfaction of the City;

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

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

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

8.1 Clothes Drying Facility

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

8.2 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;

8.3 Stormwater

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

8.4 Acoustic Report Certification

With reference to Condition 7.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

8.5 Landscape Plan and Verge Upgrade Plan

With reference to Condition 7.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

8.6 Bicycle Bays

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

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 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;
3. 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;
4. A 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. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Charles Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
5. With reference to Condition 7.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If 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. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
7. With reference to Condition 8.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;

8. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The Applicant is requested to liaise with the City in this regard during the building permit process;
 9. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
 10. With reference to Condition 7.1 the acoustic report is required to take traffic noise from Charles Street into consideration;
 11. The minimum distance a building can be to the centre of a Water Corporation sewer easement is 1 metre with piling and 2.5 metres without piling and any building is required to have a head room clearance within this area of 2.4 metres;
 12. With reference to Condition 7.1, the Acoustic Report is required to include a full and robust transport noise assessment in accordance with the guidelines of the WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" as, Charles Street is identified as a Primary Freight Road in Schedule 1 of the State Planning Policy 5.4; and
 13. Main Roads WA has advised that the following requirements apply:
 - 13.1 No Earthworks shall encroach onto the Charles Street road reserve;
 - 13.2 No stormwater drainage shall be discharged onto the Charles Street road reserve;
 - 13.3 The existing levels on the Charles Street road reserve boundary are to be maintained as existing; and
 - 13.4 The proposed structure, in its entirety, shall be setback from the Charles Street Lot boundary to the satisfaction of the City of Vincent to preserve minimum sight lines for vehicles exiting the site. Minimum sight distance required should be determined pursuant to Austroads Standards Part 4A: Unsignalised and Signalised Intersections.
-

COUNCIL DECISION ITEM 9.1.2

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Harley was an apology for the Meeting.)

9.2.3 Foreshore Restoration – Banks Reserve Foreshore Stage 2 Funding Submission, Progress Report No. 1

Ward:	South	Date:	19 November 2015
Precinct:	Precinct 15 - Banks	File Ref:	SC541
Attachments:	1 – Banks Reserve Foreshore Map 2 – Proposed Project Figures		
Tabled Items:	Nil		
Reporting Officers:	S Hill, Project Officer – Parks and Environment J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the;
 - 1.1 City of Vincent has been offered a grant of \$85,000 by Department of Parks and Wildlife for Riverbank Funding in 2016/17 for Stage 2 of the Banks Reserve, Swan River foreshore restoration as shown at Attachment 1; and
 - 1.2 estimated cost of the restoration project is \$180,300;
2. **LISTS** for consideration an amount of \$95,300 for consideration in the Draft 2016/17 Capital Works Budget for Banks Reserve Foreshore Restoration; and
3. **ADVISES** Department of Parks and Wildlife that it will consider the funding proposal upon finalisation of it 2016/17 budget in June/July 2016.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.3.1 Financial Statements as at 31 October 2015

Ward:	Both	Date:	20 November 2015
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 October 2015 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.3.4 Investment Report as at 30 November 2015

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

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.3.4

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.3.5 Authorisation of Expenditure for the Period 1 to 26 November 2015

Ward:	Both	Date:	30 November 2015
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report – Payments by EFT 2 – Creditors Report – Payments by Cheque 3 – Credit Card Transactions		
Tabled Items:	-		
Reporting Officers:	R Tang, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the list of accounts paid under Delegated Authority for the period 1 November to 26 November 2015 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 79080 - 79254	\$216,644.74
EFT Documents 1865 - 1874	\$2,827,023.09
Payroll	\$1,030,689.64
Direct Debits	
• Lease Fees	\$3,544.11
• Loan Repayment	\$144,403.51
• Bank Fees and Charges	\$10,280.06
• Credit Cards	\$10,880.17
Total	\$169,107.85
Total Accounts Paid	\$4,243,465.32

COUNCIL DECISION ITEM 9.3.5

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Harley was an apology for the Meeting.)

9.4.2 Write-off Infringement Notices/Charges from 1 July 2015 to 31 October 2015

Ward:	Both	Date:	20 November 2015
Precinct:	All	File Ref:	SC210
Attachments:	1 – Pound Fees Modified 2 – Ranger Adjustments 3 – Individual Parking Infringements Withdrawn 4 – Pie Chart: Write-off of Infringements by Report Period 5 – Graph: Write-off of Infringements by Report Period 6 – Table: Write-off of Infringements by Report Period 7 – Guidelines: Appeal of a Parking Infringement 8 – Policy No. 3.9.2 Parking Enforcement and Review/Appeal of Infringement Notices		
Tabled Items:	Nil		
Reporting Officer:	P Morrice, Team Leader Ranger Administration		
Responsible Officer:	R Hall, A/Director Community Services		

OFFICER RECOMMENDATION:

That Council:

- ENDORSES** the Withdrawal of Infringement Notices for the period 1 July 2015 to 31 October 2015, as shown in Attachments 1, 2 and 3; and
- APPROVES** to write-off Infringement Notices/Charges to the value of \$58,408 for the reasons as detailed below:

Description	Amount
Breakdown/Stolen (Proof Produced)	\$1,315
Details Unknown/Vehicle Mismatched	\$485
Equipment Faulty (Confirmed by Technicians)	\$1,370
Failure to Display Resident or Visitor Permit	\$12,950
Interstate or Overseas Driver	\$9,950
Ranger/Administrative Adjustment	\$15,030
Signage Incorrect or Insufficient	\$1,800
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$4,995
Other (Financial Hardship, Disability, Police On-duty, Etc.)	\$9,865
Pound Fees Modified	\$648
TOTAL	\$58,408

COUNCIL DECISION ITEM 9.4.2

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	20 November 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 November 2015.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Harley was an apology for the Meeting.)

**9.5.4 Strategic Plan 2013-2023 – Progress Report for the Period
1 August 2015 – 31 October 2015**

Ward:	-	Date:	20 November 2015
Precinct:	-	File Ref:	-
Attachments:	1 – Strategic Plan Quarterly Progress Report		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council RECEIVES the progress report on the Strategic Community Plan 2013 - 2023 (SCP) for the period 1 August 2015 – 31 October 2015 (Attachment 1).

COUNCIL DECISION ITEM 9.5.4

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.5.5 Proposed Revocation and Replacement of Policy No. 4.1.10 'Use of Common Seal'

Ward:	-	Date:	20 November 2015
Precinct:	-	File Ref:	SC406
Attachments:	1 – Policy No 4.1.10 – Use of Common Seal (current) 2 – Revised Policy No. 4.1.10 – Execution of Documents (draft)		
Tabled Items:	Nil.		
Reporting Officer:	R Hall, Project Manager – Business Improvement		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **REVOKES** Policy No. 4.1.10 – Use of Common Seal (Attachment 1) and **ADOPTS** in its place Revised Policy No. 4.1.10 – Execution of Documents (Attachment 2); and
2. **DETERMINES** that it is not necessary to carry out public consultation on the revocation of existing Policy No. 4.1.10 and replacement with revised Policy No. 4.1.10, included as Attachments 1 and 2 respectively, as the proposed changes relate exclusively to the City's administrative process for execution of documents and comply with the provisions of the *Local Government Act 1995*.

COUNCIL DECISION ITEM 9.5.5

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Harley was an apology for the Meeting.)

9.5.7 Information Bulletin

Ward:	-	Date:	1 December 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 1 December 2015 as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.7

Moved Cr Loden, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Harley was an apology for the Meeting.)

9.2.2 Proposed Change to Existing Time Restrictions in the Fitzgerald Street Car Park and Introduction of Time Restrictions on South Side of Lawley Street, West Perth

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 12 - Hyde Park	File Ref:	SC1072
Attachments:	1 – Consultation Comments 2 – Plan A 3 – Plan No. 3027-PP-01A		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services S Butler, Manager Ranger and Community Safety		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. NOTES;

- 1.1 the comments received during the recent public consultation period as shown in Attachment 1 and the results of the parking survey as outlined in the report; and
- 1.2 Plan No. A, at Attachment 2, which shows all the existing parking restrictions along the streets and in carpark/s in the vicinity of Lawley Street and the Fitzgerald Street Car Park;

2. DEFERS consideration of the;

- 2.1 introduction of paid parking in both Lawley Street and the Fitzgerald Street Car Park until the review of the Car Parking Strategy, has been undertaken; and
- 2.2 requests for parking permits until a review of the City's current approach to parking control and the issuance of parking permits has been undertaken and completed;

3. APPROVES;

- 3.1 the introduction of 3P parking restrictions, 8am to 5.30pm Monday to Friday, in the existing angle parking located on the southern side of Lawley Street, as shown on attached Plan No 3027-PP-01A at Attachment 3; and
- 3.2 amending the existing restriction in the Fitzgerald Street Car Park from '3P, 8am to 12 Noon Monday to Friday', to '3P, 8am to 5.30pm Monday to Friday' as shown on attached Plan No. 3027-PP-01A at Attachment 3; and

4. ADVISES the respondents of its decision.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Topelberg, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Buckels

That Recommendation 3.2 be amended to read as follows:

- 3.2 amending the existing restriction in the Fitzgerald Street Car Park from '3P, 8am to 12 Noon Monday to Friday', to '3P, 4P 8am to 5.30pm Monday to Friday' as shown on attached Plan No. 3027-PP-01A at Attachment 3; and**

AMENDMENT PUT AND LOST (3-5)

For: Cr Buckels, Cr Murphy and Cr Topelberg

Against: Presiding Member Mayor Carey Cr Cole, Cr Loden, Cr McDonald and Cr Gontaszewski

(Cr Harley was an apology for the Meeting.)

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

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

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	PR22498; 5.2015.361.1
Attachments:	1 – Consultation Map 2 – Amended Development Application Plans 3 – Car Parking and Bicycle Tables 4 – Marked up plans showing proposed versus required setbacks 5 – Extract of Design Advisory Committee Minutes and Comments		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Noma Studio on behalf of the owner Elenora Holdings 2007 Pty Ltd, for the proposed Demolition of an existing Single House and construction of a two storey Development comprising of eight Multiple Dwellings and associated car parking at No. 20 (Lot: 200; D/P: 7473) Kayle Street, North Perth as shown on amended plans date stamped 2 November 2015, included as Attachment 2, subject to the following conditions:

1. Car Parking and Accessways

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

2. External Fixtures

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

3. Verge Trees

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

4. **Car Parking Permits**

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

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

5.1 **Acoustic Report**

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

5.2 **Landscape and Reticulation Plan**

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

- 5.2.1 The location and type of existing and proposed trees and plants;
- 5.2.2 Areas to be irrigated or reticulated;
- 5.2.3 The removal of redundant crossovers;
- 5.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 5.2.5 All proposed treatments of the verge;

5.3 **Schedule of External Finishes**

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

5.4 **Construction Management Plan**

A Construction Management Plan that:

- 5.4.1 details how the construction of the development will be managed to minimise the impact on the surrounding area; and
- 5.4.2 includes certification from a Geotechnical Engineer that the proposed method of construction for the proposed works is appropriate for the prevailing soil conditions onsite;

shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan; and

5.5 **Waste Management**

- 5.5.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;
- 5.5.2 A bin store area of sufficient size to accommodate the City's bin requirements shall be provided, to the satisfaction of the City; and
- 5.5.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan; and

6. **Prior to occupation of the development, the following shall be completed to the satisfaction of the City:**
- 6.1 **Clothes Drying Facility**
- Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes;
- 6.2 **Car Parking**
- The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;
- 6.3 **Stormwater**
- All storm water produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;
- 6.4 **Acoustic Report Certification**
- With reference to Condition 5.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;
- 6.5 **Landscape Plan and Verge Upgrade Plan**
- With reference to Condition 5.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and
- 6.6 **Bicycle Bays**
- A minimum of three resident bays and one visitor bay is to be provided 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.

ADVICE NOTES:

1. **With reference to Condition 1.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;**
2. **With reference to Condition 1.6, all new crossovers to the development site are subject to a separate application to be approved by the City;**
3. **A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;**

4. With reference to Condition 5.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) 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. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
6. With reference to Condition 6.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
7. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Applicant is requested to liaise with the City in this regard during the building permit process; and
8. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Buckels, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

Cr Loden departed the Chamber at 6.52pm.

Cr Loden returned to the Chamber at 6.54pm.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.7 No. 225 (Lot: 34; D/P: 2358) Loftus Street, Leederville – Proposed Demolition of Existing Single House and Construction of Eight Multiple Dwellings

Ward:	North	Date:	20 November 2015
Precinct:	Precinct 3 – Leederville	File Ref:	PR14675; 5.2015.195.1
Attachments:	<ul style="list-style-type: none"> 1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Car Parking and Bicycle Tables 5 – Marked up plans showing proposed versus required setbacks 6 – Extract of Design Advisory Committee Minutes and Comments 		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Acting Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 Mark Anthony Design on behalf of the owner D Condidorio, for the proposed demolition of an existing single house and the construction of a three storey Multiple Dwelling Development comprising of eight multiple dwellings and Associated Car Parking at No. 225 (Lot: 34; D/P: 2358) Loftus Street, Leederville as shown on amended plans date stamped 5 November 2015, included as Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 227 Loftus Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1 A minimum of eight 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 Loftus and Salisbury 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. **Verge Trees**

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

5. **Car Parking Permits**

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

6. 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 Verge Upgrade 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;

6.2.3 The removal of redundant crossovers; and

6.2.4 All proposed treatments of the verge;

6.3 **Schedule of External Finishes**

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

6.4 **Construction Management Plan**

A Construction Management Plan 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; and

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

7. Prior to 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;

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

7.4 Acoustic Report Certification

With reference 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

With reference 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 applicant's expense;

7.6 Bicycle Bays

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

7.7 Privacy Screening

All privacy screening denoted on the proposed plans installed to the satisfaction of the City.

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 2.6, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
3. With reference to Condition 2.5, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

5. With reference to Condition 6.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If 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. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
7. With reference to Condition 7.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
8. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process; and
9. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

COUNCIL DECISION ITEM 9.1.7

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

Cr Murphy departed the Chamber at 6.57pm.

Cr Murphy returned to the Chamber at 7.00pm.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.4 Nos. 394-398 (Lot: 58; D/P: 1823) Newcastle Street, West Perth – Proposed Construction of a Hand Car Wash (Unlisted Use) and Eating House

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 13 – Beaufort	File Ref:	PR51861; 5.2015.335.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Submission 4 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Acting Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 Lee and Bill Investment Group Pty Ltd on behalf of the owner Vandar Properties Pty Ltd, for the proposed construction of a Hand Car Wash (Unlisted Use) and Eating House at Nos. 394 - 398 (Lot: 90; D/P: 62522) Newcastle Street, West Perth as shown on plans date stamped 27 July 2015 (feature survey plan and elevation plans) and amended plans date stamped 2 November 2015 (site plan), included as Attachment 2, subject to the following conditions:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 400 Newcastle Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork to the satisfaction of the City;

2. Hours of Operation

The hours of operation of the Hand Car Wash and the Eating House shall be restricted to:

Monday to Sunday, 7.00am – 8.00pm;

3. Car Parking and Access

- 3.1 A minimum of ten car bays shall be provided onsite;
- 3.2 The car park shall be used only by visitors directly associated with the development;
- 3.3 The car parking and access areas are to comply with the requirements of AS2890.1; and
- 3.4 Vehicle and pedestrian access points are required to match into existing footpath levels;

4. Interactive Front

Windows and doors fronting Newcastle Street shall maintain an active and interactive relationship with the street;

5. **External Fixtures**

All external fixtures shall not be visually obtrusive from Newcastle 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;

6. **Verge Trees**

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

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

7.1 **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;

7.2 **Landscape and Verge Upgrade 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:

- 7.2.1 The location and type of existing and proposed trees and plants;
- 7.2.2 Areas to be irrigated or reticulated;
- 7.2.3 The rear landscaped area includes five 500 litre mature trees;
- 7.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 7.2.5 All proposed treatments of the verge;

7.3 **Schedule of External Finishes**

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

7.4 **Construction Management Plan**

A Construction Management Plan that details 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;

7.5 **Waste Management**

- 7.5.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved; and
- 7.5.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan; and

7.6 Waste Water Management

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

7.6.2 Waste water management for the development shall thereafter comply with the approved Waste Water Management Plan; and

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

8.1 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;

8.2 Stormwater

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

8.3 Acoustic Report Certification

With reference to Condition 7.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

8.4 Landscape Plan and Verge Upgrade Plan

With reference to Condition 7.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

8.5 Bicycle Bays

A minimum of one class 1 or 2 bay and one class 3 bicycle bay is to be provided onsite. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3.

ADVICE NOTES:

- 1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;**
- 2. With reference to Condition 3.4, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;**
- 3. A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;**

4. With reference to Condition 7.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
6. With reference to Condition 8.2, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
7. 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;
8. With reference to condition 7.6, all waste water associated with the car wash shall be collected in retention tanks, processed and recycled. Detail of the waste water processing procedure and mechanism specific to this site shall be submitted and approved to the satisfaction of the City; and
9. With reference to condition 7.2 planting is required along all boundaries as shown on the site plan (Drawing No 02 dated 6/10/2015 and with the City's date stamp of 2/11/2015).

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-8)

(Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.4

ALTERNATIVE RECOMMENDATION:

Moved Cr Topelberg, Seconded Cr Buckels

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 Lee and Bill Investment Group Pty Ltd on behalf of the owner Vandar Properties Pty Ltd, for the proposed construction of a Hand Car Wash (Unlisted Use) and Eating House at Nos. 394 - 398 (Lot: 90; D/P: 62522) Newcastle Street, West Perth as shown on plans date stamped 27 July 2015 (feature survey plan and elevation plans) and amended plans date stamped 2 November 2015 (site plan), included as Attachment 2, for the following reasons:

1. The use is inappropriate in this area.
2. The use will have an unacceptable impact on the amenity of the area due to traffic, access and noise.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Buckels

That a new reason for refusal be inserted to read as follows:

3. Availability of the same service in close proximity to the site.

Debate ensued.

The Mover Cr Topelberg withdrew his amendment.

ALTERNATIVE MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.6 No. 80 (Lots: 169 and 170; D/P: 3784) Paddington Street, North Perth – Proposed Construction of Four Multiple Dwellings and Alterations and Additions to existing Dwelling (Grouped Dwelling)

Ward:	North	Date:	20 November 2015
Precinct:	Precinct 8 – North Perth	File Ref:	PR15772; 5.2015.446.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Car and Bicycle Parking Tables 5 – Extract of Design Advisory Committee Minutes and Comments		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Senior Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 Urban and Rural Perspectives on behalf of the owner JVP2 Pty Ltd, for the proposed construction of a two storey development comprising of four Multiple Dwellings and alterations and additions to an existing Dwelling (Grouped Dwelling) at No. 80 (Lots: 169 and 170; D/P: 3784) Paddington Street, North Perth as shown on plans date stamped 13 November 2015, included as Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 442 Charles Street and No. 78A Paddington Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

2.1 A minimum of:

2.2.1 Four resident and one visitor bay shall be provided onsite for the multiple dwelling component of the development; and

2.2.2 One resident bay shall be provided onsite for the existing dwelling;

2.2 The car park shall be used only by residents and visitors directly associated with the development;

2.3 The visitor bay is 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 Paddington 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. **Verge Trees**

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

5. **Car Parking Permits**

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

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

6.1 **Amalgamation**

Lots 169 and 170 shall be amalgamated into one lot on Certificate of Title to the satisfaction of the City;

6.2 **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;

6.3 **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:

- 6.3.1 The location and type of existing and proposed trees and plants;
- 6.3.2 Areas to be irrigated or reticulated;
- 6.3.3 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 6.3.4 All proposed treatments of the verge; and
- 6.3.5 The inclusion of a minimum of three mature trees (minimum 500 litres) and three smaller trees (minimum 300 litres);

6.4 **Schedule of External Finishes**

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

6.5 **Construction Management Plan**

A Construction Management Plan that details 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;

6.6 Waste Management

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

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

6.7 Revised Plans

Revised Plans to be provided denoting the following:

6.7.1 Privacy

The kitchen windows of Units 3 and 4 being screened in accordance with the Residential Design Codes to the satisfaction of the City; and

6.8 Legal Agreement

A Caveat shall be registered on the Certificate of Title of the subject land, to conserve the existing dwelling on the site to the City's satisfaction at the expense of the applicant/owner(s); and

7. Prior to 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;

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

7.4 Acoustic Report Certification

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

7.5 Landscape Plan and Verge Upgrade Plan

With reference to Condition 6.3, 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 applicant's expense; and

7.6 Bicycle Bays

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

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 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;
3. 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;
4. A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
5. With reference to Condition 6.1, as an alternative, the owner(s) 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 Certificate(s) 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;
6. With reference to Condition 6.3, the City 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, 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. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;

8. With reference to Condition 7.3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
 9. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process;
 10. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site; and
 11. Any new street/front wall, fence and gate within the Paddington Street setback areas, including along the side boundaries within this street setback area, shall comply with the City's Policy No. 7.2.1 – Residential Design Elements relating to Street Walls and Fences.
-

COUNCIL DECISION ITEM 9.1.6

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.9 Final Adoption of Proposed Amendment to Policy No. 7.5.13 – Percent for Art

Ward:	All	Date:	20 November 2015
Precinct:	All	File Ref:	SC436
Attachments:	1 – Draft Amended Policy No. 7.5.13 – Percent for Art (as advertised) 2 – Draft Amended Policy No. 7.5.13 – Percent for Art (for adoption) 3 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	T Elliott, Strategic Planning Officer Y Coyne, Coordinator Arts & Creativity		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council:

1. **ADOPTS** Policy No. 7.5.13 – Percent for Art as shown in Attachment 2;
2. **NOTES** the submissions received in relation to the advertising of draft amended Policy No. 7.5.13 – Percent for Art, included as Attachment 3 and **ENDORSES** Administration’s responses to those submissions; and
3. **AUTHORISES** the Chief Executive Officer to advertise the final version of Policy No. 7.5.13 – Percent for Art (Attachment 2) pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.1.9

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

9.1.5 No. 28 (Lot: 800; D/P: 37552) Knutsford Street, North Perth – Construction of a Mixed Use Development Comprising 25 Multiple Dwellings (Including 15 Single Bedroom Dwellings and 10 Two-Bedroom Dwellings), Four Offices, One Eating House and Associated Car Parking (Amendment to Approval)

Ward:	North	Date:	20 November 2015
Precinct:	Precinct 8 – North Perth	File Ref:	PR28047; 5.2015.405.1
Attachments:	1 – Consultation Map 2 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Acting Co-ordinator Statutory Planning		
Responsible Officer:	G Poczyn, Director Development 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 to amend planning approval reference number 5.2007.488.1 submitted by the owner Dancer Enterprise Pty Ltd, for the proposed Construction of a Mixed Use Development Comprising 25 Multiple Dwellings (Including 15 Single Bedroom Dwellings and 10 Two-Bedroom Dwellings), Four Offices, One Eating House and Associated Car Parking (Amendment to Approval) at No. 28 (Lot: 800; D/P: 37552) Knutsford Street, North Perth as shown on plans date stamped 16 September 2015, included as Attachment 2, subject to compliance with all conditions of approval imposed with the planning approval reference number 5.2007.488.1 approved by Council on 27 May 2008.

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Cole

That the following words be added to the end of the Officer Recommendation:

“plus a new condition as follows – “this approval is valid for a period of two years from the date of this decision. If the development is not substantially commenced in that period in accordance with Council’s current adopted policy then the approval shall lapse and cease to be valid.””

AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Harley was an apology for the Meeting.)

Cr Buckels departed the Chamber and the Meeting at 7.47pm and did not return.

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

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 9.1.5

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application to amend planning approval reference number 5.2007.488.1 submitted by the owner Dancer Enterprise Pty Ltd, for the proposed Construction of a Mixed Use Development Comprising 25 Multiple Dwellings (Including 15 Single Bedroom Dwellings and 10 Two-Bedroom Dwellings), Four Offices, One Eating House and Associated Car Parking (Amendment to Approval) at No. 28 (Lot: 800; D/P: 37552) Knutsford Street, North Perth as shown on plans date stamped 16 September 2015, included as Attachment 2, subject to compliance with all conditions of approval imposed with the planning approval reference number 5.2007.488.1 approved by Council on 27 May 2008 plus a new condition as follows – “this approval is valid for a period of two years from the date of this decision. If the development is not substantially commenced in that period in accordance with Council’s current adopted policy then the approval shall lapse and cease to be valid.”

9.3.2 City of Vincent Aged Persons and Senior Citizens Reserve

Ward:	North	Date:	27 November 2015
Precinct:	Leederville - 3	File Ref:	SC313/SC308
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** that the surplus funds transferred to the City by Leederville Gardens (Inc) in accordance with clause 39(3) of its Constitution is transferred in 'trust';
2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with section 6.8(1) of the *Local Government Act 1995* the unbudgeted transfer of \$889,803 from the City's Municipal fund into the Aged Persons and Senior Citizens Reserve, to reimburse \$745,352 transferred from the Reserve in 2014/15 together with accrued interest;
3. **NOTES** the Annual Financial Report for the year ended 30 June 2015 has been amended on the advice of the City's Auditor to reflect the movement of \$875,631 (\$745,352 plus interest to 30 June 2015) from Unrestricted Cash to Restricted Cash, effectively neutralising the transfer approved by the Council on 18 November 2014; and
4. **NOTES** that a further report will be provided to Council to advise on the broader requirements for the management of the funds held in trust in the Aged Persons and Senior Citizens Reserve.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Cole, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.5.3 Tablet Computers for Council Members

Ward:	All	Date:	20 December 2015
Precinct:	Both	File Ref:	SC1689
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the provision of up to nine (9) tablet devices for official use by Council Members in accordance with clause 3.1(e) of Policy No. 4.2.7 'Council Members – Allowances, Fees and Reimbursement of Expenses'; and
2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8(1) of the *Local Government Act 1995*, the purchase of nine iPad Pro 32GB (Wi-Fi only) devices with keyboard case at an estimated cost of \$12,105 to be funded from the Electronic Equipment Reserve.

Moved Cr Murphy, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr McDonald

That Recommendation 2 be amended to read as follows:

2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8(1) of the *Local Government Act 1995*, the purchase of up to nine iPad Pro 32GB (Wi-Fi only) devices with keyboard case at an estimated cost of up to \$12,105 to be funded from the Electronic Equipment Reserve.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 9.5.3

That Council:

1. **APPROVES** the provision of up to nine (9) tablet devices for official use by Council Members in accordance with clause 3.1(e) of Policy No. 4.2.7 'Council Members – Allowances, Fees and Reimbursement of Expenses'; and
2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8(1) of the *Local Government Act 1995*, the purchase of up to nine iPad Pro 32GB (Wi-Fi only) devices with keyboard case at an estimated cost of up to \$12,105 to be funded from the Electronic Equipment Reserve.

9.5.6 Audit Committee Minutes and Annual Financial Report 2014/2015

Ward:		Date:	24 November 2015
Precinct:		File Ref:	SC243
Attachments:	1 – Audit Committee Minutes 2 – Annual Financial Report 2014/2015		
Tabled Items:	Nil		
Reporting Officer:	Len Kosova, Chief Executive Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** the unconfirmed Minutes of the Audit Committee Meeting held on 24 November 2015, as shown in Attachment 1;
2. **BY ABSOLUTE MAJORITY ACCEPTS** the Annual Financial Report of the City of Vincent for the financial year ending 30 June 2015 and associated Auditor’s Report, as shown in Attachment 2, noting that it differs from the version presented to the Audit Committee in respect to the following adjustments:
 - An amendment to the Rate Setting Statement (page 11 & 12) to include an additional line item “Aged Persons and Senior Citizens Funds Adjustment” of (\$875,631) under the heading ‘Adjustment for Cash Budget Requirements’, together with the consequential adjustments to totals and resulting amendment to the ‘Less Surplus/(Deficit) for 30 June 2015 C/Fwd’ to reduce it to \$1,007,891;
 - Amendment to the Surplus listed on Note 3(c) (page 33) to reduce it to \$1,007,891;
 - Amendment to Note 12 (page 42) to reduce ‘Unrestricted’ by \$875,631 to \$5,905,820 and increase ‘Restricted’ by \$875,631 to \$8,547,436;
 - Amendment to Note 37 (page 78) to reduce the Current Ratio from 1.12 to 1.04;and
3. **APPOINTS BY AN ABSOLUTE MAJORITY** Mr Anthony Macri of Macri Partners as the City of Vincent Auditor for the one year period, 2015/16 financial year, pursuant to section 7.3 of Division 2 of Part 7 of the *Local Government Act 1995*.

COUNCIL DECISION ITEM 9.5.6

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.1.10 Final Adoption of Proposed Amendment to Policy No. 7.7.1 – Parking and Access

Ward:	All	Date:	20 November 2015
Precinct:	All	File Ref:	SC436
Attachments:	<p>1 – Draft Amended Policy No. 7.7.1 – Parking and Access (as advertised)</p> <p>2 – Draft Amended Policy No. 7.7.1 – Parking and Access (showing amendments following advertising)</p> <p>3 – Draft Amended Policy No. 7.7.1 – Parking and Access (for adoption)</p> <p>4 – Summary of Submissions</p>		
Tabled Items:	Nil		
Reporting Officer:	T Elliott, Strategic Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council:

1. **ADOPTS** Policy No. 7.7.1 – Parking and Access as amended and shown in Attachment 3;
2. **NOTES** the submissions received in relation to the advertising of Draft Policy No. 7.7.1 – Parking and Access, included as Attachment 4 and **ENDORSES** Administration’s responses to those submissions; and
3. **AUTHORISES** the Chief Executive Officer to advertise the final version of Policy No. 7.7.1 – Parking and Access (Attachment 3) pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.1.10

Moved Cr Loden, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-1)

For: Presiding Member Mayor Carey, Cr Cole, Cr Gontaszewski, Cr Loden, Cr Murphy and Cr McDonald

Against: Cr Topelberg

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.1.3 Nos. 590 & 596 (Lot: 48, 49 & 50; D/P: 692) Beaufort Street, Corner Barlee Street, Mount Lawley – Proposed Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park) – Reconsideration of Conditions of Planning Approval No 5.2014.391.1

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 1 – Mount Lawley Centre	File Ref:	PR18411; 5.2015.470.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification dated 25 September 2015 4 – Applicant’s Submission dated 15 May 2014		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 P Herron for the Beaufort Street Network Inc. on behalf of the owners, G & T Palassis and the City of Vincent for the Proposed Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park) – Reconsideration of Conditions at Nos. 590 & 596 (Lot: 48, 49 & 50; D/P: 692) Beaufort Street, Corner Barlee Street, Mount Lawley as shown on plans date stamped 19 October 2015, included as Attachment 2, subject to the following conditions:

- A. 1. **Hours of Operation**
- 1.1 Stallholder “set-up” shall occur no earlier than 7.00am;
 - 1.2 Public access and sales shall only be conducted between 8.00am and 1.00pm;
 - 1.3 Stallholder “pack-up” shall be concluded by 2.00pm on market days after which time the car park shall be entirely available for vehicle parking; and
 - 1.4 The Art Market is to only operate on one Sunday of every month;
- 2. This approval for the Art Market is valid until 31 December 2017 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
 - 3. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. Notification shall be distributed five days prior to the commencement of each market day;
 - 4. The Art Market is to operate in accordance with the Operational Guidelines dated 15 May 2014 (Attachment 4);

5. The type of stalls shall be limited to those specified in the Applicant's submission dated 15 May 2014;
 6. A responsible representative of the Art Market shall be present on-site during the operation of the market (i.e. 7.00am to 2.00pm) to respond to any complaints or concerns; and
 7. The applicant enters into a licence agreement with the City to address issues relating to the use of the land and in recognition of the City's contribution to provide the land free of charge; and
- B. **AUTHORISES** the Chief Executive Officer to act in regard to the licence agreement on behalf of the City.

ADVICE NOTES:

1. Prior to the commencement of the art market use:
 - 1.1 All temporary food stalls and vans shall obtain a Special Events Permit from the City's Health Services. Application forms together with the relevant fees shall be submitted at least 14 days prior to the commencement of trade;
 - 1.2 All temporary structures are subject to independent engineering certification being provided at the completion of construction, prior to the event. Note: this relates to all temporary structures greater than 9 square metres; and
 - 1.3 All temporary electrical installations to be certified by a licensed electrical contractor. A Form 5 – *Certification of Electrical Compliance* must be completed by the electrical contractor at the completion of installation.
-

COUNCIL DECISION ITEM 9.1.3

Moved Cr McDonald, **Seconded** Cr Murphy

That the recommendation be adopted.

Debate ensued.

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.1.8 Nos. 388 & 396 (Lot: 64 & 65; D/P 613) William Street, Perth – Proposed Periodic Theatre and Associated Activities on Existing Car Park

Ward:	South	Date:	20 November 2015
Precinct:	Precinct 13 – Beaufort	File Ref:	PR27241; 5.2015.482.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification 4 – Applicant’s Response to Submissions		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development 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 Ligerwood of Strut and Fret Production House Pty Ltd on behalf of the owner S-I Chen, for the proposed periodic Theatre and associated activities on an existing Car Park at Nos. 388 & 396 (Lot: 64 & 65; D/P: 613) William Street, Perth as shown on plans date stamped 28 October 2015, included as Attachment 2, subject to the following conditions:

1. Approval Period

This approval is only valid until 31 July 2017 and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply and obtain approval from Council prior to continuation of the use;

2. Maximum Number of Persons

The maximum number of people permitted in the event space shall not exceed 630 persons.

3. Minimum Site Facilities

The following minimum facilities shall be provided for each event on site to the satisfaction of the City:

- 3.1 Enclosed event space;
- 3.2 Ablution facilities;
- 3.3 Fencing of the perimeter of the site;
- 3.4 Signage;
- 3.5 Lighting;
- 3.6 Office; and
- 3.7 Waste Storage

4. Days and Hours of Operation

The hours of operation of any event shall be restricted to:

Sunday to Thursday: 12noon - 10pm; and
Friday & Saturday: 12noon – midnight.

5. **Notification of Residents/Businesses**

The applicant shall notify the all residents and operating businesses within a 100 metre radius of the site via letter drop no later than 7 calendar days prior to the start of an event. The letter shall provide details of the event and a contact telephone number to notify the event organisers of any problems arising;

6. **Ticket Pricing**

This development is approved with a shortfall of 63 parking bays on the proviso that performances may only be conducted if all tickets are sold in a package which includes free public transport within the Perth Metropolitan Area, given the area is well serviced by convenient public transport;

7. **Condition of Site**

The event area and all associated facilities shall at all times be maintained in a clean and tidy condition at the operator's cost to a standard that is to the satisfaction of the City;

8. **External Finishes**

All external finishes shall not contain material of an offensive nature, or be a colour, style or form detrimental to the amenity of the immediate surrounds;

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

9.1 **Revised plans:**

A bin storage area of adequate size to accommodate the City's bin requirements;

10. 14 days prior to the commencement of each event the following shall be submitted to and approved by the City:

10.1 **Event Management Plan**

An Event Management Plan in accordance with the City's Policy No. 7.5.7 – Licensed Premises to the satisfaction of the City;

10.2 **Waste Management Plan**

10.2.1 A Waste management Plan prepared to the satisfaction of the City; and

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

11. At all times during the event periods the following is required:

11.1 **Event Management Plan**

Compliance with the Event Management Plan approved by the City;

11.2 Responsible Representative

A responsible representative of Strut & Fret Production House shall be present on-site for the full duration of the event to respond to any complaints or concerns;

11.3 Complaints

A complaints "Hot-Line" phone number shall be made available to the public throughout the duration of the events to members of the public to seek information or lodge any complaints; and

11.4 Light

There shall be no light spillage beyond the boundaries of the event site; and

12. With reference to Condition 6 arrangements for free public transport ticketing must be made with the Public Transport Authority (WA).

ADVICE NOTES:

1. All Noise Management requirements are undertaken in line with the Noise Management Plan, and Sound levels created shall not exceed the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*;
2. The venue is required to comply with the *Health (Public Buildings) Regulations 1992*;
3. All temporary food stalls and vans shall obtain a Special Events Permit from the City. Application forms together with the relevant fee. The Applicant shall ensure that temporary food stall application forms are submitted to the City at least seven days prior to the event; and
4. With reference to Condition 2, the maximum patronage capacity shall be subject to an assessment in accordance with *the Health (Public Buildings) Regulations 1992*.

Moved Cr Cole, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

AMENDMENT:

Moved Cr Cole, Seconded Cr McDonald

That a new Condition 3.8 be inserted to read, as follows:

"3.8 32 temporary Class 3 bicycle bays;"

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 9.1.8

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 Ligerwood of Strut and Fret Production House Pty Ltd on behalf of the owner S-I Chen, for the proposed periodic Theatre and associated activities on an existing Car Park at Nos. 388 & 396 (Lot: 64 & 65; D/P: 613) William Street, Perth as shown on plans date stamped 28 October 2015, included as Attachment 2, subject to the following conditions:

1. **Approval Period**

This approval is only valid until 31 July 2017 and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply and obtain approval from Council prior to continuation of the use;

2. **Maximum Number of Persons**

The maximum number of people permitted in the event space shall not exceed 630 persons.

3. **Minimum Site Facilities**

The following minimum facilities shall be provided for each event on site to the satisfaction of the City:

- 3.1 Enclosed event space;
- 3.2 Ablution facilities;
- 3.3 Fencing of the perimeter of the site;
- 3.4 Signage;
- 3.5 Lighting;
- 3.6 Office;
- 3.7 Waste Storage; and
- 3.8 32 temporary Class 3 bicycle bays;

4. **Days and Hours of Operation**

The hours of operation of any event shall be restricted to:

Sunday to Thursday: 12noon - 10pm; and
Friday & Saturday: 12noon – midnight.

5. **Notification of Residents/Businesses**

The applicant shall notify the all residents and operating businesses within a 100 metre radius of the site via letter drop no later than 7 calendar days prior to the start of an event. The letter shall provide details of the event and a contact telephone number to notify the event organisers of any problems arising;

6. **Ticket Pricing**

This development is approved with a shortfall of 63 parking bays on the proviso that performances may only be conducted if all tickets are sold in a package which includes free public transport within the Perth Metropolitan Area, given the area is well serviced by convenient public transport;

7. **Condition of Site**

The event area and all associated facilities shall at all times be maintained in a clean and tidy condition at the operator's cost to a standard that is to the satisfaction of the City;

8. External Finishes

All external finishes shall not contain material of an offensive nature, or be a colour, style or form detrimental to the amenity of the immediate surrounds;

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

9.1 Revised plans:

A bin storage area of adequate size to accommodate the City's bin requirements;

10. 14 days prior to the commencement of each event the following shall be submitted to and approved by the City:

10.1 Event Management Plan

An Event Management Plan in accordance with the City's Policy No. 7.5.7 – Licensed Premises to the satisfaction of the City;

10.2 Waste Management Plan

10.2.1 A Waste management Plan prepared to the satisfaction of the City; and

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

11. At all times during the event periods the following is required:

11.1 Event Management Plan

Compliance with the Event Management Plan approved by the City;

11.2 Responsible Representative

A responsible representative of Strut & Fret Production House shall be present on-site for the full duration of the event to respond to any complaints or concerns;

11.3 Complaints

A complaints "Hot-Line" phone number shall be made available to the public throughout the duration of the events to members of the public to seek information or lodge any complaints; and

11.4 Light

There shall be no light spillage beyond the boundaries of the event site; and

12. With reference to Condition 6 arrangements for free public transport ticketing must be made with the Public Transport Authority (WA).

ADVICE NOTES:

1. All Noise Management requirements are undertaken in line with the Noise Management Plan, and Sound levels created shall not exceed the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*;
 2. The venue is required to comply with the *Health (Public Buildings) Regulations 1992*;
 3. All temporary food stalls and vans shall obtain a Special Events Permit from the City. Application forms together with the relevant fee. The Applicant shall ensure that temporary food stall application forms are submitted to the City at least seven days prior to the event; and
 4. With reference to Condition 2, the maximum patronage capacity shall be subject to an assessment in accordance with *the Health (Public Buildings) Regulations 1992*.
-

9.2.1 Proposed Charles Street Bus Bridge and Associated Works

Ward:	Both	Date:	20 November 2015
Precinct:	Precinct 5 - Cleaver	File Ref:	SC653, SC735
Attachments:	1 - Bus Bridge Proposal (Plans A to E) 2 - Plan No. 3268-CP-01 3 - Plan No. 3268-CP-02 4 - Plan No. 3268-CP-03 (updated plan) 5 - Plan No. 3264-CP-01 (updated plan)		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the proposal by Main Roads WA to construct a 'Bus Bridge', south of Newcastle Street, including the construction of dedicated bus lanes on Charles Street, as shown on attached Plans A to E in Attachment 1;
2. **REQUESTS** Main Roads WA to fund Traffic Management works, estimated to cost \$170,000, in the streets within the Cleaver Precinct, potentially affected by the 'Bus Bridge' project, as shown in Attachment 1 to 5;
3. **CONSULTS** with residents within the Cleaver Precinct regarding the Traffic Management proposals as shown in Attachments 1 to 5; and
4. **RECEIVES** a further report at the conclusion of the community consultation.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.2.4 Proposed Parking Restriction Trial at the Flinders Street and Coogee Street Car Parks, Mount Hawthorn

Ward:	North	Date:	23 November 2015
Precinct:	Precinct 1 - Mount Hawthorn	File Ref:	SC2453, SC2517, SC2518
Attachments:	1 - Plan No. 3269-PP-01 2 - Plan No. 3270-PP-01 3 - Observational Car Parking Study		
Tabled Items:	Nil		
Reporting Officers:	G Lawrence, Place Manager J O'Keefe, Manager Policy and Place		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the introduction of a six month trial of 3P Parking Restrictions, 8am to 5.30pm Monday to Friday in the Coogee Street Car Park and Flinders Street Car Park, Mount Hawthorn, as shown in Attachment 1 and 2; and
2. **RECEIVES** a further report at the completion of the trial period.

Moved Cr Cole, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Cole, Seconded Cr Loden

That a new Recommendation 2 be inserted as follows and the remaining Recommendations be renumbered:

That Council:

1. **APPROVES** the introduction of a six month trial of 3P Parking Restrictions, 8am to 5.30pm Monday to Friday in the Coogee Street Car Park and Flinders Street Car Park, Mount Hawthorn, as shown in Attachment 1 and 2; and
2. **INFORMS** the residents of Coogee Street and Flinders Street, between Scarborough Beach Road and Anzac Road, of the proposed six month trial, advising that a comprehensive car parking audit will be undertaken in early 2016 and that Administration will provide a point of contact for any parking related issues, affecting their street; and
- ~~2.3~~ **RECEIVES** a further report at the completion of the trial period.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 9.2.4

That Council:

1. **APPROVES** the introduction of a six month trial of 3P Parking Restrictions, 8am to 5.30pm Monday to Friday in the Coogee Street Car Park and Flinders Street Car Park, Mount Hawthorn, as shown in Attachment 1 and 2; and
 2. **INFORMS** the residents of Coogee Street and Flinders Street, between Scarborough Beach Road and Anzac Road, of the proposed six month trial, advising that a comprehensive car parking audit will be undertaken in early 2016 and that Administration will provide a point of contact for any parking related issues, affecting their street; and
 3. **RECEIVES** a further report at the completion of the trial period.
-

9.4.1 Cat and Dog Sterilisation Program 2015/2016

Ward:	Both Wards	Date:	20 November 2015
Precinct:	All Precincts	File Ref:	SC212; SC213
Attachments:	1 – Cats and Dogs Sterilisation Microchipping Quotes Received		
Tabled Items:	Nil		
Reporting Officer(s):	P Morrice, Team Leader Ranger Administration S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	R Hall, A/Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the Dog and Cat Sterilisation Program to be conducted for the remainder of the 2015/2016 financial year, comprising:
 - 1.1 “My Best Friend” Veterinary Centre as the nominated provider of the 2015/2016 Dog and Cat Sterilisation Program within the City of Vincent;
 - 1.2 A subsidised the sterilisation cost of \$55 per dog (irrespective of gender) and \$33 per cat (irrespective of the gender); and
 - 1.3 A subsidised micro-chipping cost of \$25 per animal; and
2. **NOTES** the Dog and Cat Sterilisation Program and micro-chipping will cease at the end of the 2015/2016 financial year.

Moved Cr Loden, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

AMENDMENT:

Moved Cr Loden, Seconded Cr Murphy

That The Officer Recommendation be amended to read as follows:

That Council:

1. **APPROVES** the Dog and Cat Sterilisation Program to be conducted for the remainder of the 2015/2016 financial year, comprising:
 - 1.1 “My Best Friend” Veterinary Centre as the nominated provider of the 2015/2016 Dog and Cat Sterilisation Program within the City of Vincent;
 - 1.2 A subsidised the sterilisation cost of \$55 per dog (irrespective of gender) and \$33 per cat (irrespective of the gender); and
 - 1.3 A subsidised micro-chipping cost of \$25 per animal; and
2. **NOTES** the Dog and Cat Sterilisation Program and micro-chipping will cease at the end of the 2015/2016 financial year and CONSIDERS a dog sterilisation subsidy as part of the 2016/17 budget process.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 9.4.1

That Council:

- 1. APPROVES the Dog and Cat Sterilisation Program to be conducted for the remainder of the 2015/2016 financial year, comprising:**
 - 1.1 “My Best Friend” Veterinary Centre as the nominated provider of the 2015/2016 Dog and Cat Sterilisation Program within the City of Vincent;**
 - 1.2 A subsidised the sterilisation cost of \$55 per dog (irrespective of gender) and \$33 per cat (irrespective of the gender); and**
 - 1.3 A subsidised micro-chipping cost of \$25 per animal; and**
 - 2. NOTES the Dog and Cat Sterilisation Program and micro-chipping will cease at the end of the 2015/2016 financial year and CONSIDERS a dog sterilisation subsidy as part of the 2016/17 budget process.**
-

9.3.3 Carry Forwards Adjustment Report

Ward:	Both	Date:	25 November 2015
Precinct:	All	File Ref:	SC357
Attachments:	1 – 2015/16 Carry-Forward Budget Review		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** the list of reviewed Carry-Forwards as shown in Attachment 1;
2. **APPROVES** a reduction of the total Capital Expenditure Budget for 2015/16 by \$319,356 to \$12,337,991, as per the individual line-item adjustments listed in Attachment 1; and
3. **APPROVES** a reduction of \$31,361 in Transfers from Reserves in the 2015/16 Budget.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Murphy, Seconded Cr Cole

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

9.5.2 Council Recess Period 2015-2016 Allowing Delegated Authority to the Chief Executive Officer

Ward:	-	Date:	20 November 2015
Precinct:	-	File Ref:	ADM0018
Attachments:	Nil		
Tabled Items:	-		
Reporting Officer:	Jerilee Highfield, Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council **APPROVES BY ABSOLUTE MAJORITY**, pursuant to Section 5.42 of the *Local Government Act 1995* to delegate authority to the Chief Executive Officer to deal with any items of business that may arise from 16 December 2015 to 29 January 2016, and which are not otherwise the subject of delegated authority already granted by Council, subject to:

1. Reports being issued to all Elected Members for a period of three (3) business days prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Elected Members;
2. Reports being displayed on the City's website for a period of three (3) business days prior to the delegated decision being made;
3. A report summarising the items of business dealt with under delegated authority being submitted for information to the Council at its Ordinary meeting to be held on 9 February 2016; and
4. A Register of Items Approved under Delegated Authority being kept and made available for public inspection on the City's website during the period that the delegation applies.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

Cr Loden departed the Chamber at 8.41pm.

Cr Loden returned to the Chamber at 8.42pm.

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

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Mayor John Carey – Review of Outdoor Eating Area Rules

That Council REQUESTS the Chief Executive Officer to review the City's rules and requirements relating to outdoor eating areas, to investigate the possibility of removing the need for the City's approval of those areas, and report back to Council by May 2016.

COUNCIL DECISION ITEM 10.1

Moved Cr Topelberg, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

10.2 NOTICE OF MOTION: Cr Joshua Topelberg – Purchase of Mayoral Electric Bike

That Council:

1. APPROVES the purchase of an electric bike and associated equipment estimated at \$4,000 for the Mayor, to be used in the course of undertaking his official council functions; and
2. APPROVES BY ABSOLUTE MAJORITY in accordance with S6.8 (1) of the *Local Government Act 1995* the unbudgeted expenditure in 1 above to be funded from the City's Plant and Equipment Reserve.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

Cr Gontaszewski departed the Chamber at 8.46pm.

Cr Gontaszewski returned to the Chamber at 8.47pm.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Loden

That Recommendation 1 be amended to read as follows:

1. APPROVES the purchase of an electric bike and associated equipment estimated at ~~\$4,000~~ \$3,000 for the Mayor, to be used in the course of undertaking his official council functions; and

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)

(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 10.2

That Council:

1. APPROVES the purchase of an electric bike and associated equipment estimated at \$3,000 for the Mayor, to be used in the course of undertaking his official council functions; and
2. APPROVES BY ABSOLUTE MAJORITY in accordance with S6.8 (1) of the *Local Government Act 1995* the unbudgeted expenditure in 1 above to be funded from the City's Plant and Equipment Reserve.

10.3 NOTICE OF MOTION: Cr Joshua Topelberg – Nuisance or Dangerous Trees on Private Property

That Council REQUESTS the Chief Executive Officer to provide a report to Council by April 2016 to consider introducing Local Law and/or Policy provisions relating to the management or removal of nuisance or dangerous trees on private property.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Loden

That the Officer Recommendation be amended to read as follows:

That Council REQUESTS the Chief Executive Officer to provide a report to Council by April 2016 to consider introducing Local Law and/or Policy provisions relating to the management or removal of nuisance or dangerous trees on private property.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

COUNCIL DECISION ITEM 10.3

That Council REQUESTS the Chief Executive Officer to provide a report to Council by April 2016 to consider introducing Local Law and/or Policy provisions relating to the management of nuisance or dangerous trees on private property.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

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

PROCEDURAL MOTION

At 8.55pm Moved Cr Murphy, Seconded Cr Loden

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, 14.2 and 14.3.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

There were no members of the public present.

PRESENT:

Mayor John Carey	Presiding Member
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Laine McDonald	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Ryan Hall	A/Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

14.1 CONFIDENTIAL REPORT: Design Advisory Committee (DAC) – Appointment of Panel Members

Ward:	All	Date:	20 November 2015
Precinct:	All	File Ref:	SC338
Attachments:	Confidential – List of DAC Panel of Members for 2011 – 2013 Confidential – List of DAC Panel of Members for 2013 – 2015 Confidential – List of nominees for panel membership for the period to October 2017 Confidential – Questionnaire completed by Nominees Confidential – Outcome of Assessment		
Tabled Items:	Nil		
Reporting Officer:	G Poezyn, Director Development Services		
Responsible Officer:	G Poezyn, Director Development Services		

Cr Cole departed the Chamber at 9.00pm.

COUNCIL DECISION ITEM 14.1

Moved Cr Loden, Seconded Cr McDonald

That the Council APPOINTS:

- the following persons as members to the City’s Design Advisory Committee (DAC) for the period 1 January 2016 until 21 October 2017:

No.	Name
1.	Jeff Thierfelder
2.	Adrian Iredale
3.	Munira Mackay
4.	Joe Chindarsi
5.	Simon Venturi
6.	Damien Pericles
7.	Fred Chaney
8.	James Christou
9.	Mark Baker
10.	Sasha Ivanovich
11.	Matt Stack
12.	Carmel Van Ruth
13.	Stephen Carrick

- the following persons to the position of Chair of the City’s Design Advisory Committee periods as shown below:

No.	Name	Appointment Period
1.	James Christou	1 January 2016 – 31 July 2016
2.	Munira Mackay	1 August 2016 – 31 March 2017
3.	Sasha Ivanovich	1 April 2017 – 21 October 2017

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Harley was an apology for the Meeting.)
 (Cr Buckels departed the Meeting at 7.47pm and did not return.)
 (Cr Cole was absent from the Chamber and did not vote.)

14.2 CONFIDENTIAL REPORT: Leederville Hotel, 742 Newcastle Street, Leederville - Removal of First Hour Free Parking and Renegotiate Terms of Agreement for Care, Control and Management of Car Park

Ward:	South	Date:	20 November 2015
Precinct:		File Ref:	PR24034; SC1480
Attachments:	1 – Confidential Aerial Plan of Leederville Hotel and Plan of Car Park 2 – Leederville Hotel Car Park Revenue June 2012 – June 2015		
Tabled Items:	Nil		
Reporting Officer:	S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	R Hall, Acting Director Community Services		

Cr Murphy left the Chamber at 9.01pm.

Cr Cole returned to the Chamber at 9.01pm.

COUNCIL DECISION ITEM 14.2

Moved Cr Loden, Seconded Cr McDonald

That the recommendation be adopted.

That Council:

1. **AUTHORISES** the renegotiation of the terms of agreement between the City and the owners of the Leederville Hotel, governing the management of the Leederville Hotel Car Park (LHCP) subject to the following;
 - 1.1 The distribution of revenue is 60/40 in favour of the owners of the Leederville Hotel;
 - 1.2 A trial period of 12 months; and
 - 1.3 The removal of the first hour free provision, and
 - 1.4 The allocation of expenses to be 60% to be paid by the owners of the Leederville Hotel and 40% to be paid by the City.
2. **APPROVES BY ABSOLUTE MAJORITY** for the Leederville Hotel Car Park pursuant to Clause 6.16 (3)(b) of the Local Government Act 1995 to amend the City's Fees and Charges to reflect the removal of the first hour free.
3. **ADVERTISE** the change in the City's Fees and Charges pursuant to section 6.19 of the Local Government Act 1995.

MOTION AS AMENDED PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (5-1)

For: Presiding Member Mayor John Carey, Cr Cole, Cr Gontaszewski, Cr Loden and Cr Topelberg
Against: Cr McDonald

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)
(Cr Murphy was absent from the Chamber and did not vote.)

14.3 CONFIDENTIAL REPORT: Lease for Perth Soccer Club – Lease of Premises 3 Lawley Street, West Perth

Ward:	South	Date:	10 November 2015
Precinct:	Hyde Park Precinct - 12	File Ref:	SC529
Attachments:	1 – CONFIDENTIAL ATTACHMENT: Map of proposed leased area		
Tabled Items:	-		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

Cr Murphy returned to the Chamber at 9.10pm.

COUNCIL DECISION ITEM 14.3

Moved Cr Topelberg, **Seconded** Cr Loden

That the recommendation be adopted.

That Council:

1. **APPROVES** a lease from 1 January 2016 to Perth Soccer Club over the premises located at Dorrien Gardens, West Perth, on the following key terms:
 - 1.1 **Term:** Ten years plus a ten year option;
 - 1.2 **Permitted Use:** Sporting Facility and ancillary club requirements;
 - 1.3 **Community Access** the Club is required to grant access/hire the facility to other groups and individuals when not required by the Club, subject to lease conditions;
 - 1.4 **Rent:** \$50,000 plus GST per annum (indexed by CPI);
 - 1.5 **Statutory Compliance:** Lessee responsibility;
 - 1.6 **Rates & Taxes:** to be paid by the Lessee;
 - 1.7 **Outgoings:** to be paid by the Lessee;
 - 1.8 **Repair & maintenance:** Lessee fully responsible, including structural/capital repairs and maintenance; and
 - 1.9 **Lessor's Covenants:** to grant the Lessee quiet enjoyment of the premises; to grant an entitlement to naming rights to the facility subject to Council's approval; and
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the lease in 1 above.

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

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

PROCEDURAL MOTION

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

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Harley was an apology for the Meeting.)
(Cr Buckels departed the Meeting at 7.47pm and did not return.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 9.31pm with the following persons present:

Mayor John Carey	Presiding Member
Cr Emma Cole	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Laine McDonald	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
John Paton	Director Corporate Services
Ryan Hall	A/Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 December 2015.

Signed: Mayor John Carey.

Dated this day of 2015.