



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

23 September 2014

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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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. Barry Lapthorne of 17 Lynton Street, Mount Hawthorn – Item 14.1

- I note a revised submission has been received for the development at 24 Lynton Street, Mount Hawthorn. I would like to re-affirm the position of local residents and encourage Council to consider the broader context in respect to the Town Planning Scheme amendment to ban multiple dwellings in Mount Hawthorn, as well as the WAPC's proposed amendment to the R-codes initiated in May. If approved, this development will undermine the position of the Council, the Design Advisory Committee recommendations, the residents and our local Member of Parliament, Eleni Evangel, who has shown her full support for residents. With respect, I ask the Council to continue to pursue an outcome that is more in keeping with the expectations of the parties mentioned.
- More appropriate would be a townhouse style development that aligns with the current development in the area and meets urban infill requirements, which is not at the expense of the community or the amenity of Mount Hawthorn.

The Presiding Deputy Mayor Roslyn Harley thanked Mr Lapthorne for his comments.

2. Richard Morup of 50 Sasse Avenue, Mount Hawthorn – Item 14.1

- The proposal has considerable opposition from local residents. The current situation is a consequence of the Town Planning Scheme not providing adequate protection to character and streetscape in the Mount Hawthorn area. This seems to be an oversight that has existed since 2008 when the scheme was adopted and has subsequently continued after the WAPC modified the R-codes to enable multiple dwellings to be developed in areas like Mount Hawthorn. The Council's intention to modify the Town Planning Scheme is well received and we are very grateful for that. If you approve the Lynton Street development this evening, it is very likely the development industry will act to develop other sites in our suburb and that would have a significant detrimental effect.

The Presiding Deputy Mayor Roslyn Harley thanked Mr Morup for his comments.

3. Peter Hugg, Chief Executive of Football West – Item 9.4.1

- In support of Perth Soccer Club's submission for support for the upgrade of Dorrien Gardens.

Soccer is growing and one of the key issues is access to quality facilities across the State and the inner areas of Perth.
- By way of comparison, Victoria has forty to fifty synthetic soccer pitches, New South Wales has in the vicinity of ten to fifteen, but Western Australia has none. This is something we are working with the Department of Sport and Recreation and the WA Government to rectify. The development that is proposed for Dorrien Gardens by the Perth Soccer Club will be world's best practice and will be of great benefit to the local community and the City of Vincent.

The Presiding Deputy Mayor Roslyn Harley thanked Mr Hugg for his comments.

4. Carol Loucas of 22 Lynton Street, Mount Hawthorn – Item 14.1
- Speaking in opposition to the proposed two storey multiple dwelling development at 24 Lynton Street, Mount Hawthorn.
 - I formally object to this proposed development, including the balconies that will be built on the upper dwellings, which would allow the occupants to overlook my backyard. I have a young family and their protection and their privacy is one of my highest priorities.
 - I am concerned with the insufficient parking facilities available for the four dwellings, with already congested surrounding verges.
 - I attended the Council Meeting on 10 June where over 100 local residents signed a petition to oppose the development. The proposal was unanimously refused at that Council Meeting. I attend tonight to ask the members of Council what factors have changed to have this development reviewed again? My objection today to this development is my only way of seeking support to retain the safe community that we are privileged to live in.

The Presiding Deputy Mayor Roslyn Harley thanked Ms Loucas for her comments.

5. Brad Stewart of 16a Astone Lane, Perth – Item 9.1.3
- Speaking in support of the proposed dwelling. We hope to build our house in this location and to maximise use of our 124m² property.
 - We have made numerous revisions to our plans to accommodate City requirements.
 - Astone Lane is in a poor state, with broken fences and graffiti - we are hoping that our development will enhance the look of the Lane.

The Presiding Deputy Mayor Roslyn Harley thanked Mr Stewart for his comments.

6. Blake Hauber of 6/4 Kadina Street, North Perth – Item 9.1.2
- Speaking in support of the proposed dwelling. We submitted our plans earlier in the year, put them out to neighbours for comments and there were a few comments and Council issues regarding the design. We have worked closely with our Architect and the Town Planner to consider our neighbour's needs and the City's needs, we are not investors and we are here to build a life and future for us.

The Presiding Deputy Mayor Roslyn Harley thanked Mr Hauber for his comments.

7. Kirsten Campbell of 113 Kalgoorlie Street, Mount Hawthorn – Item 5.1 (Order of Business)
- We have come here tonight to listen to the reading of the petition we submitted. We did also submit extensive documentation to Council for review. We are not sure when discussions for that proposal will be undertaken but we are here following the process and will continue to see what unfolds.

The Presiding Deputy Mayor Roslyn Harley thanked Ms Campbell for her comments.

8. Debbie Saunders of 320 Oxford Street, Leederville

- I have a question regarding the Oxford Street Reserve - the total figures given in the Agenda, do they include the consultation figures for Blackwell and Associates?

The Presiding Member Deputy Mayor Roslyn Harley advised that the Question would be taken on Notice.

- I am not happy with the answers given as to the removal of Community Consultation for Public Art. The North Perth Public Art Project on this Agenda has not been the subject of community consultation. I have had responses from the CEO and they do not address the questions I have.
- When the Leederville Hotel redeveloped 'The Garden', it was intended to install a water feature as their public art. So, why has there been no public art provided for that development?

The Presiding Member Deputy Mayor Roslyn Harley advised that the Question would be taken on Notice.

Through the Presiding Member, the CEO responded to Ms Saunders:

The Mayor has previously addressed some of Ms Saunders' questions about Council's previous decision to change the process for approving public art; that decision was made at the December 2013 Council meeting. If Ms Saunders wishes, Administration can provide the Minute references to when the decision was made by Council to change the relevant Policy.

I will also add that in relation to Ms Saunders being dissatisfied with any responses that she has received to date, I am happy to have a further conversation with Ms Saunders to better understand whether the answers provided do not address the questions, or whether Ms Saunders just disagrees with the responses that have been provided to those questions. These are two separate issues.

The Presiding Member Deputy Mayor Roslyn Harley thanked the CEO, and advised Ms Saunders the CEO will be in contact with her to progress that discussion.

There being no further speakers, Public Question Time closed at approximately 6.21pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

- 3.1 Letter was provided to Ms D Saunders relating to her various questions taken on notice at the Ordinary Meeting of Council held on 9 September 2014.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 Petition received from Mr and Mrs Campbell of Kalgoorlie Street, Mount Hawthorn, along with 24 signatures, requesting that the Council reject the application to rezone Nos. 115-117 Kalgoorlie Street, Mount Hawthorn from R30 to RC80 for reasons including, but not limited to:

- The street and its immediate surrounds are not a commercial precinct;
- Residential/Commercial zoning potentially permits commercial operations that are disruptive and incongruous with the residential environment; and
- 3 storey buildings and high density housing is incongruous with the "prevailing residential character of the street".

The Presiding Member Deputy Mayor Harley advised that the petition will be considered as a submission on Council's Draft Town Planning Scheme 2.

Moved Cr Topelberg Seconded Cr Buckels

That the petition be received as recommended.

CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

5.2 Deputation received from Jason and Gary Marocchi in support of the Perth Soccer Club's CSRFF submission regarding the Perth Community Playing Fields (Item 9.4.1). For Deputation notes refer to Attachment [001](#).

The Presiding Deputy Mayor Harley thanked Mr Marocchi for his comments.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Special Meeting of Council held on 3 September 2014.

Moved Cr Buckels, Seconded Cr Pintabona

That the Minutes of the Special Meeting of Council held 3 September 2014 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

6.2 Minutes of the Ordinary Meeting of Council held on 9 September 2014.

Moved Cr Topelberg Seconded Cr Buckels

That the Minutes of the Ordinary Meeting of Council held 9 September 2014 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Deputy Mayor Roslyn Harley made the following announcements:

7.1 **Hyde Park Lakes Restoration Project**

The City of Vincent is pleased to announce that contractors Advantearing Civil Engineers and GHD have won two joint awards at this year's WA Engineering Excellence Awards for their work on the City's Hyde Park lakes restoration project. We can be extremely proud of that project and the work that our staff put into it. The Awards were won because the Hyde Park treatment train is the largest bio retention system in Perth and the only one that is being retrofitted to an existing and well established park. I am sure you will all agree that Hyde Park is a significant community asset.

The City of Vincent's Hyde Park Lakes Restoration Working Group investigated quite a few options to ensure the park did not continue to be a casualty of the declining water levels. The Master Plan was approved in July 2012 and shortly afterwards, Council awarded the restoration project to Advantearing Civil Engineers and the works were concluded in June 2013. The winners from the WA Engineering Awards will be entered into the National Awards to be held at Convention 2014, which is expected to be the largest Engineering event ever held in the Southern Hemisphere, from 24 – 28 November in Melbourne.

On behalf of the Council I would like pass on our congratulations to Advantearing and GHD and everyone who previously contributed to or was involved in this important project and in particular all the City's staff that were involved. It predated my time on Council, but it was completed under the term of this Council. Everyone should be really proud of that work.

7.2 **The Oxford Reserve**

The Oxford Reserve area has transformed the southern end of Oxford Street. It is a completely different area which is being extremely well utilised - particularly the raised lawn areas - with people reading books, mothers with babies and office workers all enjoying the space. As the weather warms up, I am sure we will see quite a lot more use in the evening. There have been a couple of comments on the City's Facebook page, which I will share with you -

One Mother said "wow there is actual dirt in the playground" and an older Vincent resident said "she loved the enthusiasm and focus of our younger Council" and "Jack Marks would love it". I am really proud of that project and I know others are too. If you haven't been down there recently then I encourage you to go down and have a look.

7.3 **Bike Path on Oxford Street**

I am pleased to advise that cutting out and line markings are being completed. Staff have spent a lot of time on Oxford Street reviewing the plan, amending where necessary to make it as efficient as possible, including identifying where more car bays can be saved or created and planting more healthy trees. Staff have been extremely responsive to the enquiries from the local business. Councillors have also been sending through quite a few queries and staff have been liaising and listening to the businesses and residents. A lot of work has been done and it is exciting to see that happening. There is a bulletin that has been distributed to affected properties to let them know when the works are starting, which will be forwarded on to Councillors.

7.4 **The Retirement of Director of Corporate Services**

I would like to announce the retirement of Director of Corporate Services, Mr Mike Rootsey. The CEO advised me and Councillors today of Mr Rootsey's intended retirement and that he therefore tendered his resignation to the City of Vincent. Mr Rootsey's last day with the City of Vincent will be on 7 November 2014. Mr Rootsey has been a loyal and hard working servant of the City for the past fifteen (15) years and on behalf of the Council, I want to thank him for his efforts and wish him every success in his retirement.

Received with Acclamation!

8. DECLARATIONS OF INTERESTS

Nil.

9. REPORTS

As listed in Index.

The Presiding Member, Deputy Mayor Roslyn Harley, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.2, 9.1.3, 9.4.1 (Absolute Majority Decision), 14.1 (confidential report to be dealt with behind closed doors).

(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:**

Item 9.1.1.

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

Nil.

Presiding Member, Deputy Mayor Roslyn Harley, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	On approved leave of absence
Cr Harley (Deputy Mayor)	9.4.3
Cr Buckels	Nil
Cr Cole	On approved leave of absence
Cr McDonald	Nil
Cr Peart	On approved leave of absence
Cr Pintabona	Nil
Cr Topelberg	9.1.6, 9.3.3, 9.3.5, 9.4.2
Cr Wilcox	Nil

The Presiding Member, Deputy Mayor Roslyn Harley, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.4, 9.1.5, 9.1.7, 9.2.1, 9.2.2, 9.3.1, 9.3.2, 9.3.4, 9.3.6, 9.5.1.

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

Items 14.1 and 14.2.

The Presiding Member, Deputy Mayor Roslyn Harley ruled that the Items identified for discussion and those identified by Council Members are to be considered in the following order after the items to be approved “en bloc” – Item 9.1.1, 9.1.2, 9.1.3, 9.4.1, 9.1.6, 9.3.3, 9.3.5, 9.4.2, 9.4.3.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr McDonald, Seconded Cr Buckels

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

Items 9.1.4, 9.1.5, 9.1.7, 9.2.1, 9.2.2, 9.3.1, 9.3.2, 9.3.4, 9.3.6, 9.5.1.

CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.4 No. 78B (Lot: 1 STR: 66198) Carr Street, West Perth – Proposed Construction of a Three-Storey Grouped Dwelling

Ward:	South	Date:	17 September 2014
Precinct:	Cleaver; P5	File Ref:	PRO6374; 5.2014.251.1
Attachments:	002 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	P Stuart, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, APPROVES the application submitted by Rare Constructions Pty Ltd on behalf of the owner, J Slater, for the Proposed Construction of a Three-Storey Grouped Dwelling at No. 78B (Lot: 1 STR: 66198) Carr Street, West Perth as shown on plans stamp dated 7 May 2014, included as Attachment 002, 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. 78A Carr Street, West Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;

2. **PRIOR TO THE ISSUE OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:**

2.1 **Privacy Screening**

The second floor window to the southern elevation encompassing the retreat room shall be screened to a minimum of 1.6 metres above the finished first floor level with permanent obscure material and be non-openable; and

2.2 **Driveway**

The driveway truncation at the entry point of the garage is to be relocated to the property boundary to allow vehicles to turn and manoeuvre, as marked in handwriting on the attached plans;

3. **Building Appearance**

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

4. **Stormwater**

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

5. Verge Treatment

- 5.1 No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning; and
- 5.2 The applicant shall liaise with the City to have existing signage relocated and the street car parking bays linage to be moved to allow a crossover entrance.

ADVICE NOTES:

1. With regard to condition No. 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. In reference to Condition 2.1, a permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR be made to comply with the privacy provisions of the R-Codes;
 3. All new crossovers to lots are subject to a separate application to be approved by the City's Technical Services Directorate; and
 4. With reference to Condition 4, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
-

COUNCIL DECISION ITEM 9.1.4

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.5 No. 124 (Lot 57; D/P 1034) Richmond Street, Leederville – Proposed Demolition of an Existing Single House and Construction of A Two Storey Building Comprising of Four (4) Multiple Dwellings and Associated Car Parking

Ward:	South	Date:	17 September 2014
Precinct:	Leederville, P3	File Ref:	PRO6236; 5.2014.102.1
Attachment:	002 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Perth Residential Developments on behalf of owner, T Vlahos for the proposed Demolition of an Existing Single House and construction of a Two Storey Building comprising of four (4) Multiple Dwellings and associated car parking at No. 124 (Lot 57; D/P 1034) Richmond Street, Leederville, as shown on amended plans date-stamped 26 August 2014, included as Attachment 002, 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. 122 Richmond Street, West Leederville, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

2. **Verge Treatment**

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

3. **Car Parking and Accessways**

- 3.1 A minimum of three (3) residential car bays and one (1) visitor bay, are to be provided on site for the development;
- 3.2 The car park shall be used only by residents and visitors directly associated with the development; and
- 3.3 The car park area for visitors shall be shown as common property on any strata plan;

4. **Building Appearance**

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

5. **Demolition**

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

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

6.1 The owner or the applicant on behalf of the owner shall provide the City with amended plans to address the following:

6.1.1 Sewer Line

The City's drainage infrastructure located along the western boundary of the development lot is required to be surveyed by a licensed surveyor and a design for its protection submitted and approved by the City;

6.1.2 Privacy Screening

The balcony of Unit 2 on the east facing elevation, and kitchen/dining window of Unit 2 on the north facing elevation being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level, any point within the cone of vision less than 6 metres and 4.5 metres respectively from a neighbouring boundary;

All the privacy screening shown on the floor and elevations plans shall comply with the requirements of the Residential Design Codes WA 2013;

6.1.3 Residential Bicycle Bays

A minimum of two (2) residential bicycle bays and one (1) visitor bay to be provided on-site. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;

6.1.4 Bin Store

A bin store is to be provided to the satisfaction of the City; and

6.1.5 Pedestrian Access/Vehicle driveway

All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and Right of Way levels to the satisfaction of the City's Technical Services Directorate;

6.2 Landscape and Reticulation Plan

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

For the purpose of this condition, a detailed landscape and irrigation 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 All vegetation including lawns;**
- 6.2.3 Areas to be irrigated or reticulated;**
- 6.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and**
- 6.2.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used);**

6.3 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken shall be provided prior to the first occupation of the development;

6.4 Construction Management Plan

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

6.5 Storm Water

All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City's Technical Services Directorate. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings; and

7. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, 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 to be incorporated into the development in accordance with the City's Policy No. 7.4.8 relating to Development Guidelines for Multiple Dwellings and the Residential Design Codes of WA 2013;

7.2 Car Parking

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

7.3 Management Plan-Vehicular Entry Gates

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

7.4 Landscaping

With regard to landscaping, all works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

7.5 Section 70A Notification under the Transfer of Land Act

A notification shall be lodged on the Certificate(s) of Title under Section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

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

7.5.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units. The on-site car parking accords with the requirements of the Residential Design Codes of WA 2013; and

7.6 Easement

An easement in favour of the City shall be granted free of cost, for the protection of the City's drainage infrastructure along the western boundary of the property to the satisfaction of the City;

ADVICE NOTES:

1. With regard 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 regard to condition 6.1.3, Class three bicycle facilities are facilities to which the bicycle frame and wheels can be locked. Generally in the form of an upside down 'U' shaped bar.
3. With regard to condition 6.2, Council encourages landscaping methods and species selection which do not rely on reticulation.
4. A Road and Verge security bond for the sum of \$2500 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.

COUNCIL DECISION ITEM 9.1.5

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.7 Amendment No. 128 to Planning and Building Policies – Rescission of Policy No. 7.4.7 – Single Bedroom Dwellings

Ward:	Both Wards	Date:	12 September 2014
Precinct:	All Precincts	File Ref:	SC1520
Attachment:	001 – Policy No. 7.4.7 – Single Bedroom Dwellings		
Tabled Items:	Nil		
Reporting Officer:	T Elliott, Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council;

1. **RESCINDS** Policy No. 7.4.7 – Single Bedroom Dwellings as shown in Attachment 001; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final rescission of Policy No. 7.4.7 – Single Bedroom Dwellings in accordance with Clause 47(6) of the City of Vincent Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 9.1.7

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.2.1 Proposed Renaming of Wade Street Reserve to 'Tự Do Park'

Ward:	South	Date:	12 September 2014
Precinct:	Hyde Park (12)	File Ref:	SC1686
Attachment:	Nil		
Tabled Items:	Nil		
Reporting Officers:	J Parker, 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. **CONSIDERS** the submissions received (attached) in relation to the proposed renaming of Wade Street Reserve to 'Tự Do Park';
2. **APPROVES** the name 'Tự Do Park'; and
3. **ADVISES** the Vietnamese Community, the Geographic Naming Committee and all respondents of its decision.

COUNCIL DECISION ITEM 9.2.1

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.2.2 Tender No. 487/14 - Appointment of Approved Maintenance Contractors

Ward:	Both	Date:	12 September 2014
Precinct:	All	File Ref:	SC1876
Attachment:	001 – Confidential Attachment		
Tabled Items:	-		
Reporting Officers:	S Mckahey, Property Maintenance Officer J van den Bok, Manager Parks and property Services B Wong, Accountant R Lotznicker; Director Technical Services		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That Council APPOINT the following Maintenance Contractors to undertake specified works throughout the City in accordance with the specifications detailed in Tender No. 487/14 and as contained in the Confidential Attachment 9.2.2;

	TRADE	RECOMMENDED CONTRACTOR
(a)	<u>Plumbing & Gas Fitting</u>	Oasis Plumbing Services Add Plumbing
(b)	<u>Roof Plumbing</u>	Devco Builders CS Industries WA Pty Ltd
(c)	<u>Electrical Services</u>	Boyan Electrical Services Downer Engineering Electrical Pty Ltd MMJ Electrical Pty Ltd
(d)	<u>Painting Services</u>	North Perth Painting Services Workzone Pty Ltd Devco Builders
(e)	<u>Glazing Services</u>	All Suburbs Glass and Glazing Pty Ltd
(f)	<u>Drafting Services</u>	Australian HVAC Services Pty Ltd
(g)	<u>Air-Conditioning</u>	Australian HVAC Services Pty Ltd
(h)	<u>Pest Control</u>	The Pest Guys Pty Ltd
(i)	<u>General Building Maintenance</u>	Devco Builders Add Carpentry CS Industries WA Pty Ltd Walshy All Round Tradesman
(j)	<u>Handyman Services</u>	Devco Builders Sam's Repairs and Maintenance Add Carpentry CS Industries WA Pty Ltd Walshy All Round Tradesman

COUNCIL DECISION ITEM 9.2.2

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.1 Investment Report as at 31 August 2014

Ward:	Both	Date:	12 September 2014
Precinct:	All	File Ref:	SC1530
Attachment:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council NOTES the Investment Report for the month ended 31 August 2014 as detailed in Attachment 001.

COUNCIL DECISION ITEM 9.3.1

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.2 Authorisation of Expenditure for the Period 1 – 31 August 2014

Ward:	Both	Date:	12 September 2014
Precinct:	All	File Ref:	SC347
Attachments:	001 – Creditors Report		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council CONFIRMS the;

1. **Schedule of Accounts for the period 1 August – 31 August 2014 and the list of payments;**
2. **direct lodgement of payroll payments to the personal bank account of employees;**
3. **direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **direct lodgement of Child Support to the Australian Taxation Office;**
5. **direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

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

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

COUNCIL DECISION ITEM 9.3.2

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.4 Financial Statements as at 31 July 2014

Ward:	Both	Date:	12 September 2014
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	Significant Accounting Policies		
Reporting Officers:	N Makwana, Accounting Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 July 2014 as shown in Attachment 001.

COUNCIL DECISION ITEM 9.3.4

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.6 Lease for Leederville Tennis Club – Lease of Premises at 150 Richmond Street, Leederville

Ward:	South	Date:	12 September 2014
Precinct:	Leederville (3)	File Ref:	SC351 & PR25077
Attachment:	001 – Map of proposed leased area		
Tabled Items:	Nil		
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

1. That Council APPROVES a lease from 1 September 2014 to 31 August 2019 with options for a further two periods of five (5) years over the premises at 150 Richmond Street, Leederville being granted to the Leederville Tennis Club, as per Attachment 001, as follows:

- 1.1 Term: five (5) years plus x2 five (5) year options;
- 1.2 Rent: \$1,025 per annum inc GST indexed to CPI;
- 1.3 Outgoings: to be paid by the Lessee;
- 1.4 Rates & Taxes: to be paid by the Lessee; and
- 1.5 Permitted Use: Sporting Facility.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

COUNCIL DECISION ITEM 9.3.6

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.5.1 Information Bulletin

Ward:	-	Date:	12 September 2014
Precinct:	-	File Ref:	-
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J Lennox-Bradley, Acting Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 29 August 2014, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.1

Moved Cr McDonald, Seconded Cr Buckels

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.1 No. 1F (Lot: 6 D/P: 24434) Robinson Avenue, Perth – Proposed Change of Use from Office to Pharmaceutical Compounding Dispensary (unlisted use) including Signage

Ward:	South	Date:	17 September 2014
Precinct:	Beaufort; P13	File Ref:	PRO6352; 5.2014.199.1
Attachment:	002 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	C Sullivan, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application submitted by D Sheth on behalf of the owner TCM Enterprises Pty Ltd for the proposed Change of Use from Office to Pharmaceutical Compounding Dispensary (unlisted use) including signage, at No. 1F (Lot: 6 D/P: 24434) Robinson Avenue, Perth and as shown on plans date-stamped 10 February 2014, included as Attachment 002, subject to the following conditions:

1. **Interactive Frontage**

- 1.1 The windows, doors and adjacent floor area facing Robinson Avenue shall maintain an active and interactive frontage to this street with clear glazing provided; and
- 1.2 No roller shutters shall be installed on any of the openings of the structure;

2. **Building Appearance**

- 2.1 Any new street/front wall, fence and gate within the Robinson Avenue setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences; and
- 2.2 All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Robinson Avenue;

3. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:**

3.1 **Cash-in-lieu**

Pay a cash-in-lieu contribution of \$208 for the equivalent value of 0.04 car parking spaces, based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget;

4. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT, the following shall be submitted to and approved by the City;**

4.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.22 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;

5. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City:**

5.1 **Car Parking Layout**

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

5.2 **Bicycle Bays**

One (1) class three and one (1) class one or two bicycle facilities shall be provided at a location to be agreed by the City. Details of the design and layout of bicycle parking facilities shall be submitted to and approved by the City prior to the installation of such facility; and

ADVICE NOTES:

1. In relation to Condition 3.2, the applicant alternatively may lodge an appropriate assurance bond/bank guarantee of a value of \$208 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

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

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

1.3 To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired; and

2. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Pintabona

That Condition 5.1 be amended as follows;

"5.1 A car parking plan shall ~~should~~ be submitted to and approved by the City and the car parking area on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans by the owner(s)/occupier(s) to the satisfaction of the City;" and

That Advice Note 1. be amended to refer to Condition 3.1, instead of Condition 3.2, as follows:

"ADVICE NOTES:

1. In relation to Condition ~~3.2~~ 3.1, the applicant alternatively may lodge an appropriate assurance bond/bank guarantee of a value of \$208 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:"

AMENDMENT PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (6-0)**

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.1

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application submitted by D Sheth on behalf of the owner TCM Enterprises Pty Ltd for the proposed Change of Use from Office to Pharmaceutical Compounding Dispensary (unlisted use) including signage, at No. 1F (Lot: 6 D/P: 24434) Robinson Avenue, Perth and as shown on plans date-stamped 10 February 2014, included as Attachment 002, subject to the following conditions:

1. **Interactive Frontage**
 - 1.1 The windows, doors and adjacent floor area facing Robinson Avenue shall maintain an active and interactive frontage to this street with clear glazing provided; and
 - 1.2 No roller shutters shall be installed on any of the openings of the structure;
2. **Building Appearance**
 - 2.1 Any new street/front wall, fence and gate within the Robinson Avenue setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences; and

- 2.2 All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Robinson Avenue;
3. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:**
 - 3.1 **Cash-in-lieu**

Pay a cash-in-lieu contribution of \$208 for the equivalent value of 0.04 car parking spaces, based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget;
4. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT, the following shall be submitted to and approved by the City;**
 - 4.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.22 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;
5. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City:**
 - 5.1 **Car Parking Layout**

A car parking plan shall be submitted to and approved by the City and the car parking area on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans by the owner(s)/occupier(s) to the satisfaction of the City;
 - 5.2 **Bicycle Bays**

One (1) class three and one (1) class one or two bicycle facilities shall be provided at a location to be agreed by the City. Details of the design and layout of bicycle parking facilities shall be submitted to and approved by the City prior to the installation of such facility; and

ADVICE NOTES:

1. In relation to Condition 3.1, the applicant alternatively may lodge an appropriate assurance bond/bank guarantee of a value of \$208 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:
 - 1.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or

- 1.2 To the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
 - 1.3 To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired; and
 2. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.
-

9.1.2 No. 16 (Lot: 2 D/P: 59505) Astone Lane, Perth – Proposed Construction of a Two-Storey Grouped Dwelling with a Roof Top Terrace

Ward:	South	Date:	17 September 2014
Precinct:	Hyde Park; P12	File Ref:	PRO6089; 5.2014.70.1
Attachment:	002 – Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and Metropolitan Region Scheme, APPROVES the application submitted by Home Builders Advantage on behalf of the owners, S Neave and B Hauber, for the Proposed Construction of a Two-Storey Grouped Dwelling with a Roof Top Terrace at No. 16 (Lot: 2 D/P: 59505) Astone Lane, Perth as shown on amended plans date stamped 5 September 2014, included as Attachment 002, 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. 13 Baker Avenue, Perth, and No. 16A Astone Lane, Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the City's satisfaction;

2. PRIOR TO THE ISSUE OF A BUILDING PERMIT, the following shall be submitted to and approved by the City:

2.1 Construction Management Plan

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

2.2 Landscaping and Reticulation Plan

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City's Parks and Property Services for assessment and approval.

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

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

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

3. **Building Appearance**

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

4. **Verge Trees**

No street verge tree(s) on Baker Avenue shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning.

ADVICE NOTES:

1. With regard to condition No. 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; and
 2. With regard to condition No. 2.2, the City encourages landscaping methods and species selection which do not rely on reticulation.
-

COUNCIL DECISION ITEM 9.1.2

Moved Cr Buckels, Seconded Cr Topelberg

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.3 No. 16A (Lot: 3 D/P: 59505) Astone Lane, Perth – Proposed Construction of a Two-Storey Grouped Dwelling with a Roof Top Terrace

Ward:	South	Date:	17 September 2014
Precinct:	Hyde Park; P12	File Ref:	PRO6116; 5.2013.595.1
Attachments:	002 - Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and Metropolitan Region Scheme, APPROVES the application submitted by Home Builders Advantage on behalf of the owners, B & P Nodari-Stewart, for the Proposed Construction of a Two-Storey Grouped Dwelling with a Roof Top Terrace at No. 16A (Lot: 3 D/P: 59505) Astone Lane, Perth as shown on amended plans date stamped 5 September 2014, included as Attachment 002, 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. 17 Baker Avenue, Perth, and No. 16 Astone Lane, Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the City's satisfaction;

2. **PRIOR TO THE ISSUE OF A BUILDING PERMIT, the following shall be submitted to and approved by the City:**

2.1 **Construction Management Plan**

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

2.2 **Landscaping and Reticulation Plan**

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City's Parks and Property Services for assessment and approval.

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

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

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

3. **Building Appearance**

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

4. **Verge Trees**

No street verge tree(s) on Baker Avenue shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning.

ADVICE NOTES:

1. With regard 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; and
 2. With regard to Condition 2.2, the City encourages landscaping methods and species selection which do not rely on reticulation.
-

COUNCIL DECISION ITEM 9.1.3

Moved Cr Buckels, Seconded Cr McDonald

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.4.1 Community Sporting and Recreation Facility Fund (CSRFF) – Grant Application

Ward:	South Ward	Date:	12 September 2014
Precinct:	Hyde Park (12)	File Ref:	SC1493
Attachments:	001 – CONFIDENTIAL: Perth Soccer Club CSRFF application		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council APPROVES BY ABSOLUTE MAJORITY;

1. The lodgement of the following application to the Department of Sport and Recreation (DSR) to benefit from the Community Sport and Recreation Facility Fund (CSRFF); and

Ranking	Facility	Project	Amount
1	Perth Soccer Club	Replacement of natural turf on main pitch and warm up pitches with FIFA 1 certified synthetic turf, upgrade of lighting to minimum standards, development of base and surrounds and the addition of further change rooms	\$3,086,500 (exclusive of GST)

2. LISTS for consideration an amount of \$250,000 (excl. GST) on the Draft Budget 2015/2016, subject to matching funds being approved by DSR.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (6-0)**

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.1.6 Amendment No. 126 to Planning and Building Policies – New Policy No. 7.5.9 – ‘Home Business, Home Occupation and Home Office’

Ward:	Both Wards	Date:	12 September 2014
Precinct:	All Precincts	File Ref:	SC1316
Attachment:	001 – Policy No. 7.5.9 – ‘Home Business, Home Occupation and Home Office’		
Tabled Items:	Nil		
Reporting Officer:	M Tarca, Planning Officer (Strategic)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council;

1. **ADOPTS** the final amended version of Policy No. 7.5.9 relating to Home Business, Home Occupation and Home Office as shown in Attachment 001;
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 7.5.9 relating to Home Business, Home Occupation and Home Office in accordance with Clause 47(6) of the City of Vincent Town Planning Scheme No. 1;
3. **INITIATES** an amendment to Policy No. 7.5.1 relating to minor nature development to delete the provisions relating to ‘Home Occupation’ and include ‘Home Office’ as being exempt from planning approval; and
4. **AUTHORISES** the Chief Executive Officer to advertise the amended policy in accordance with Clause 47(6) of the City of Vincent Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 9.1.6

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Buckels departed the Chamber at 7.15pm.

Cr Buckels returned to the Chamber at 7.16pm.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.3 Estimated Financial Statements as at 30 June 2014

Ward:	Both	Date:	12 September 2014
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	Significant Accounting Policies		
Reporting Officers:	N Makwana, Accounting Officer; B Wong, Accountant; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council RECEIVES the Estimated Financial Statements for the month ended 30 June 2014 as shown in Attachment 001.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.3.5 Lease for Multicultural Services Centre of WA Inc – Lease a portion of the property at Woodville Reserve (10 Farmer Street, North Perth)

Ward:	North	Date:	12 September 2014
Precinct:	North Perth (8)	File Ref:	SC351 & SC608
Attachments:	001 – Floor Plan of proposed leased area		
Tabled Items:	Nil		
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

1. That Council **APPROVES** a five (5) year lease from 1 September 2014 to 31 August 2019 over a portion of the premises at Woodville Reserve, 10 Farmer Street, North Perth being granted to the Multicultural Services Centre of WA Inc, as per Attachment 001, as follows:

- 1.1 **Term:** five (5) years;
- 1.2 **Rent:** \$4,255 per annum inc GST indexed to CPI;
- 1.3 **Outgoings:** to be paid by the Lessee;
- 1.4 **Rates & Taxes:** to be paid by the Lessee; and
- 1.5 **Permitted Use:** Community Activities.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

COUNCIL DECISION ITEM 9.3.5

Moved Cr Buckels, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.4.2 Major Artwork for North Perth Town Centre – Progress Report No. 1

Ward:	South	Date:	12 September 2014
Precinct:	Oxford Centre (4)	File Ref:	SC660
Attachments:	001 – CONFIDENTIAL: Buffy and Ben Jones Public Art submission for North Perth Town Centre (Council Members Only)		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council;

1. **RECEIVES** Progress Report No. 1 relating to the North Perth Town Centre Major Artwork;
2. **APPROVES**;
 - 2.1 The appointment of the Artist Team Buffy and Ben Jones, as the successful tender; and
 - 2.2 The commissioning of the Public Art Concept as detailed in Confidential Attachment 9.4.2 (001) and Attachment 9.4.2 (004) for the North Perth Town Centre Major Artwork;
3. **NOTES** that a further report will be presented to Council once further work has been progressed on the project.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Topelberg, **Seconded** Cr Buckels

That the recommendation be adopted.

PROCEDURAL MOTION

Moved Cr Topelberg, **Seconded** Cr Wilcox

That the item be **DEFERRED** to the Ordinary Meeting of Council on 21 October 2014 for further information regarding the structural adequacy of all the proposed artworks.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (5-1)

For: Presiding Member, Deputy Mayor Roslyn Harley, Cr Buckels, Cr McDonald, Cr Topelberg, Cr Wilcox.

Against: Cr Pintabona

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

9.4.3 Perth International Arts Festival – Use of Weld Square and Birdwood Square

Ward:	South	Date:	12 September 2014
Precinct:	Beaufort (13)	File Ref:	SC1897
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	S Wilson, Community Development Officer A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council APPROVES:

1. The use of Weld Square from Friday 13 February to Sunday 15 February 2015, to house the Royal de Luxe’s Giants as part of Perth International Arts Festival; and
2. The use of Birdwood Square for patron and staff parking on Saturday 14 February 2015 subject to the following conditions:
 - 2.1 Operating hours for the parking facility to be set from 9am to 8pm on Saturday 14 February 2015;
 - 2.2 A flat-rate fee of \$10.00 is charged for each vehicle that uses the facility;
 - 2.3 The Perth International Arts Festival to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility;
 - 2.4 Festival Organisers to undertake a letter drop to all properties bounding Birdwood Square, to ensure that the community is aware of the use of Birdwood Square as a temporary parking facility on Saturday 14 February 2015;
 - 2.5 The City’s Rangers to maintain responsibility of and coordination of the temporary parking facility; and
3. Health conditions that will be applicable for the event as listed in the report.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-1)

For: Cr Buckels, Cr McDonald, Cr Pintabona, Cr Topelberg, Cr Wilcox
Against: Presiding Member Deputy Mayor Roslyn Harley

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

10.1 NOTICE OF MOTION: Cr Joshua Topelberg – Review of Policy 7.5.11 - Exercise of Discretion for Development Variations

That Council REQUESTS the Chief Executive Officer to conduct a review of Policy 7.5.11 - Exercise of Discretion for Development Variations.

COUNCIL DECISION ITEM 10.1

Moved Cr Topelberg, Seconded Cr Buckels

That the motion be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Cr Joshua Topelberg – Review of Policy 7.5.11 - Exercise of Discretion for Development Variations

For Council Decision refer page 38.

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 7.45.pm Moved Cr Buckels, Seconded Cr McDonald

That the Council proceed “behind closed doors” to consider confidential item 14.1 and 14.2, as these matters contain information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

There were no members of the public present.

PRESENT:

Cr Roslyn Harley (*Deputy Mayor*) North Ward

Cr Matt Buckels	North Ward
Cr Laine McDonald	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward

Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Julie Lennox-Bradley	Acting Executive Assistant, Minutes Secretary

14.1 CONFIDENTIAL REPORT: No. 24 (Lot: 12; D/P: 6152) Lynton Street, Corner of Ambleside Avenue, Mount Hawthorn – Proposed Demolition of an Existing Dwelling and the Construction of a Two (2) Storey Multiple Dwelling Development Comprising of Four (4) Multiple Dwellings and Associated Car Parking – Reconsideration under s31 of the State Administrative Tribunal Act 2004, DR 219 of 2014

Ward:	North	Date:	12 September 2014
Precinct:	Mount Hawthorn, P1	File Ref:	PRO5315; 5.2014.55.1
Attachments:	Confidential: Property Information Report and original Development Application Plans Confidential: Applicant Context Report Confidential: Amended Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	Nil		
Responsible Officer:	Steve Allarding – Allarding and Associates (Engaged Consultant)		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES** the Planning Consultant’s Recommendation as detailed in the Confidential Report; and
2. **ADVISES** the State Administrative Tribunal of the decision.

COUNCIL DECISION ITEM 14.1

Moved Cr Buckels, **Seconded** Cr Pintabona

That the recommendation be adopted.

Debate ensued.

Cr Topelberg departed the Chamber at 7.47pm.

Cr Topelberg returned to the Chamber at 7.48pm.

MOTION PUT AND CARRIED (5-1)

For: Presiding Member Deputy Mayor Roslyn Harley, Cr Buckels, Cr McDonald
Cr Topelberg, Cr Wilcox

Against: Cr Pintabona

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

14.2 CONFIDENTIAL ITEM: FURTHER REPORT: Nos. 60, 62 and 62A (Lot: 141 D/P: 32175, and Strata Lots 1 and 2 on Strata Plan 44480) Cheriton Street, Perth – Review (Appeal) State Administrative Tribunal (SAT) DR 95 of 2014 – Demolition of Existing Grouped Dwelling

Ward:	South	Date:	17 September 2014
Precinct:	EPRA (15)	File Ref:	DA 5.2013.438.1; PR50533, PR50888
Attachments:	Confidential – Planning Approval issued on 9 September 2014		
Tabled Items:	Nil		
Reporting Officer:	H Au, Heritage Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council;

1. **EXTENDS** the term of the subject Planning Approval endorsed at the Ordinary Meeting of Council on 26 August 2014 from two years to five years, from 9 September 2014 to 9 September 2019;
2. **ADVISES** the State Administrative Tribunal (SAT) of the Council's decision.

COUNCIL DECISION ITEM 14.2

Moved Cr Topelberg, Seconded Cr Buckels.

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-6)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

PROCEDURAL MOTION

At 8.03.pm **Moved** Cr Pintabona, **Seconded** Cr Buckels

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Mayor John Carey, Cr Cole and Cr Peart were on approved leave of absence.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 8.04 pm with the following persons present:

Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Laine McDonald	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Julie Lennox-Bradley	Acting 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 23 September 2014.

Signed:Deputy Mayor Roslyn Harley.

Dated this day of 2014.