



**CITY OF VINCENT**

**ORDINARY  
COUNCIL MEETING**

**Minutes**

**7 OCTOBER 2014**

**ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY**

This document is available in other formats and languages.

## INDEX (7 OCTOBER 2014)

ITEM	REPORT DESCRIPTION	PAGE
<b>9.1</b>	<b>PLANNING SERVICES</b>	
9.1.1	No. 216 (Lot 16; D/P 2440) Loftus Street, North Perth – Proposed Construction of Three Storey Multiple Dwelling Comprising of Four Multiple Dwellings and Associated Car Parking (PR14666; 5.2014.347.1)	15
9.1.2	LATE ITEM: Nos. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley – Proposed Addition of Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park) (PRO1751; 5.2014.391.1)	21
<b>9.2</b>	<b>TECHNICAL SERVICES</b>	
9.2.1	Traffic Management – Proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth, Progress Report No. 3 (SC168, SC1248)	9
9.2.2	Lynton Street Reserve Proposed extension of Western Boundary Fencing – Consideration of submissions (SC486)	20
<b>9.3</b>	<b>CORPORATE SERVICES</b>	
9.3.1	Financial Statements as at 31 August 2014 (SC357)	10
9.3.2	Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth (SC351/SC621)	11
<b>9.4</b>	<b>COMMUNITY SERVICES</b>	
9.4.1	Vincent Accord Party Bus Registration Scheme Fee Implementation (SC1479) <b>[Absolute Majority Decision Required]</b>	28
9.4.2	Beaufort Street Festival – Parking Requirements (CMS0110; CMS0130)	22
9.4.3	Mount Hawthorn Hawkers Market (SC1243)	25
9.4.4	Angove Street Festival – Use of View Street Car Park (SC389)	12
9.4.5	No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 6 (PRO5055/SC1550) <b>[Absolute Majority Decision Required]</b>	29
<b>9.5</b>	<b>CHIEF EXECUTIVE OFFICER</b>	
9.5.1	Use of the Council's Common Seal (SC406)	13
9.5.2	Information Bulletin	14
<b>10.</b>	<b>COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	
	Nil.	30
<b>11.</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b> (Without Discussion)	
	Nil.	30

---

<b>12.</b>	<b>REPRESENTATION ON COMMITTEES AND PUBLIC BODIES</b>	
	Nil.	30
<b>13.</b>	<b>URGENT BUSINESS</b>	
	Nil.	30
<b>14.</b>	<b>CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“Behind Closed Doors”)</b>	
14.1	CONFIDENTIAL ITEM: Nos. 7/565-567 (Lot: 7 STR: 21608) Beaufort Street, Mount Lawley – Proposed Change of Use From Office to Recreational Facility and Office - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 for the Review of Condition 4 (DR 251 of 2014) (PRO3753; 5.2014.4.1)	32
14.2	CONFIDENTIAL ITEM: No. 393 (Lot 2: D/P 1283) Bulwer Street, Corner Gallop Street, West Perth – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 209 of 2014) (PRO6191; 5.2014.108.1)	33
14.3	CONFIDENTIAL ITEM: No. 277 (Lot: 19 D/P: 1561) Vincent Street, Leederville – Proposed Multiple Dwellings – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 142 of 2014) (PRO3238; 5.2013.553.1)	34
<b>15.</b>	<b>CLOSURE</b>	35

---

## ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 7 October 2014, commencing at 6.00pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 5.59 pm and read the following Acknowledgement of Country Statement:

### (b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

### 2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

#### (a) Apologies:

2.1 Cr Buckels was an apology due to being unwell.

#### (b) Members on Approved Leave of Absence:

2.2 Cr Emma Cole on approved leave of absence from 10 September 2014 to 10 October 2014 (inclusive).

#### (c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward (until 7.12 pm)
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward (from 6.01 pm)
Len Kosova	Chief Executive Officer
Mike Rootsey	Director Corporate Services
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
Jacinta Anthony	Acting Director Community Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

#### Employee of the Month Recipient

Nil.

#### Media

Sophie Gabrielle Journalist – *"The Guardian Express"* (until approximately 7.30 pm)

Approximately 13 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. Tracy Wilcox of 214 Loftus Street, North Perth – Item 9.1.1

Mrs Wilcox and her husband Scott, object to the current proposed development of 216 Loftus Street for the following reasons:

- The building height is inconsistent with the height of the existing buildings in the locality and will have an adverse impact on the adjoining properties;
- It will impact on our solar access. Overshadowing will occur on one hundred percent of our habitable living space;
- Overshadowing will affect around fifty percent of our outdoor living area.

*The Presiding Member Mayor Carey thanked Ms Wilcox for her comments.*

2. Scott Wilcox of 214 Loftus Street, North Perth – Item 9.1.1

Mr Wilcox objected to the proposed development of 216 Loftus Street for the following reasons:

- The overshadowing will adversely affect their living areas and garden;
- Parking is likely to be an issue as only four bays are proposed (one for each dwelling), whereas the occupancy average for Vincent is 2.2 persons per dwelling.

*The Presiding Member Mayor Carey thanked Mr Wilcox for his comments.*

3. Leanne Kerworth of U8/64 Brady Street, Mount Hawthorn – Item 9.2.2

- The footpath that runs through 'Brady Gardens' between Brady Street and Lynton Street Reserve has been used as an escape route for criminal and anti-social behaviour.
- Homeswest landscaped the footpath which has provided a physical/safety barrier to protect Brady Gardens residents from criminal and anti-social behaviour.

*The Presiding Member Mayor Carey thanked Ms Kerworth for her comments.*

4. Peter Taylor of 281 Vincent Street, Leederville – Item 14.3

- I note that the development of 277 Vincent Street, Leederville is subject to State Administrative Tribunal (SAT) re consideration. My question simply is, is it likely that the Council will make a decision tonight? and will the information then be made available.

*The Presiding Member Mayor Carey advised Mr Taylor that he couldn't pre-empt whether Council tonight would make a decision on this matter. But, if a decision is made, Mr Taylor would be notified in due course.*

*The Chief Executive Officer, Mr Kosova, added that depending on the outcome of Council's Decision, the City's Director Planning Services, Ms Gabriela Poezyn, may be able to provide Mr Taylor with further advice.*

*The Presiding Member, Mayor Carey thanked Mr Taylor for his comments.*

5. Dudley Maier of 51 Chatsworth Road, Highgate

- Council does not need to withdraw \$745,000 from the seniors reserve because there was a mistake in the rates notices that went out.
- 389 rates notices were sent out that were not budgeted for, equating to a GRV of \$12.8 million and \$740,000 in rates. If the right numbers had been used when the budget was adopted, it would have included 16,300 properties that would have had an average rate bill that was \$45 less.
- The June financial figures provided some useful information about carryovers that matched in with the July figures and at the budget meeting I highlighted some errors; the first one was the Leederville streetscape where it is proposed to carry \$1.6 million of the \$1.7 million across yet most of the work had been done.
- There was a figure of \$217,160 for Scarborough Beach Road blackspot, and a figure of \$217,160 for Beaufort Street, so when you look at the 30 June figures, the Beaufort Street figure is out by \$100.
- Agenda Item 9.2.1 (Richmond Street seagull) is asking Council to approve something that was already approved less than two months ago. I have seen the corrected report and understand why, but it seems sloppy.
- Item 9.2.2 recommends listing money on the budget yet on page 21 of the report says it would not recommend it. This has been corrected but it still seems sloppy.

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

6. Debbie Saunders of 320 Oxford Street, Leederville

- I would just like to second Dudley's observations. "Why should I be paying my rates, when there are mistakes and you have overcharged people? Why are you taking money from the seniors reserve when you have an extra \$700,000 in rates, because my rates are wrong?"

*The Presiding Member Mayor Carey advised that the Question would be Taken on Notice.*

- Water mains were burst due to digging, my property had no water for two hours associated with the Oxford Street Bike Lanes. As a result when the water came back on it was brown and disgusting.
- Yesterday, opposite my property at 320 Oxford Street, there were six bins lined up in the holes where the embayed parking is meant to go, because there is no space for those bins to go other than the footpath. I am worried about the management of the Oxford Street Bike Lanes project
- There have been two major traffic accidents/incidents on Oxford Street at the corner of the old Police Station, which has caused the scaffolding to fall down.
- At the Mt Hawthorn IGA there is a sign saying 'No to flats in Mt Hawthorn', I would like to know why that sign has been allowed to remain and why they are not being threatened with massive fines?

*The Presiding Member Mayor Carey advised Ms Saunders that he was not aware of the sign.*

- It is not on private property it is on public property it is on the middle of the footpath.

*The Presiding Member Mayor Carey advised that the Question would be Taken on Notice.*

- Why was there no indication that the Agenda for the upcoming meetings would not be out until the Friday instead of the Wednesday?

*The Presiding Member Mayor Carey advised Ms Saunders that the CEO is reviewing them with greater scrutiny.*

- That seems a bit sloppy.

*The Presiding Member Mayor Carey thanked Mr Saunders for her comments.*

7. Dan Sanbrook of 216 Loftus Street, North Perth – Item 9.1.1

Representing Aztech Architects.

- The subject site has an R60 zoning allowing a three storey development height. We have proposed five parking bays (not four), being one bay for each unit plus one visitor's bay.
- To our knowledge and according to the City's Planning Officer, the overshadowing as it stands is compliant, with R-Code requirements.

*The Presiding Mayor Carey thanked Mr Sanbrook for his comments.*

There being no further speakers, Public Question Time closed at approximately 6.20 pm.

*The Presiding Member Mayor Carey requested the Chief Executive Officer to provide a brief response to Mr Dudley Maier's comments on the Rates Notices.*

The Chief Executive Officer advised that:

- There does not appear to be any error with the Rates or the Revenue that has been calculated; the situation is simply that at the time the Rate Model was prepared in April this year, which became the basis for the Rate Setting statement in the budget, there were an estimated 16,906 Rateable Properties within the City of Vincent, with a total Gross Rental Value (GRV) of approximately \$456 million.
- When the Rates Notices were issued, after adoption of the Budget, the number of Rateable Properties had actually increased, which increased the overall GRV value to \$465 million. Now, much of that increase in value was attributed to the triennial GRV revaluation by the Valuer Generals Office, but as Dudley did point out there were also additional properties created.
- The City cannot control the number of rateable properties that are brought online throughout the year. Given the amount of development that has been occurring within the City of Vincent and that the budget estimate was taken from a point of time in April we are talking about an increase in the number of rateable properties at the time the Rates and model was run versus when the Rates were issued.
- Council will have the opportunity to consider what to do with any additional revenue, having regard to any surplus or deficit position, when it considers the midyear Financial Review, as well as proposed use of five year's worth of accumulated interest on the Seniors Reserve.
- Those matters will come before Council to address all of the facts and information will be available for Council, at that time, to determine what to and do with the relevant revenue and expenditure situations.

The Presiding Member Mayor Carey added to the CEO comments, that he will be asking the CEO to review all of Council's reserve funds. The Presiding Member Mayor Carey stated that ratepayers have a right to question why we are building up reserve funds of \$8 million and we are not spending them, but we are increasing rates?.

The presiding Member Mayor Carey added that the Board of the Leederville Gardens Retirement Village asked us not to proceed with a redevelopment of the village, in the direct response to a request from the residents of the village.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

3.1 Letter was provided to Ms D Saunders relating to her questions taken on notice at the Ordinary Meeting of Council held on 23 September 2014.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**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 23 September 2014.

**Moved Cr Harley, Seconded Cr McDonald**

**That the Minutes of the Ordinary Meeting of Council held on 23 September 2014 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (7-0)**

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

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

The Presiding Member Mayor John Carey made the following announcements;

**7.1 Ordinary Meeting of Council 21 October 2014**

I will be providing a brief progress report to Council given that it will be one year since we have been in place as the new Council and Mayor. I will also be providing an overview of the cycling and public realm initiatives, that I experienced on my recent personal leave, which included visits to New York, Portland, San Francisco, Montreal and Vancouver, where I met with City Councillors and cycling groups.

**8. DECLARATIONS OF INTERESTS**

Nil.

**9. REPORTS**

As listed in 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, 9.2.2 and 14.3 (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 9.4.1 and 9.4.5

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

Nil.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	Nil
Cr Harley (Deputy Mayor)	9.4.3
Cr Buckels	Apology
Cr Cole	On Approved Leave
Cr McDonald	Nil
Cr Peart	9.1.2 & 9.4.2
Cr Pintabona	Nil
Cr Topelberg	Nil
Cr Wilcox	Nil

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

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

Items 9.2.1, 9.3.1, 9.3.2, 9.4.4, 9.5.1 and 9.5.2

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

Items 14.1, 14.2 and 14.3.

**The Presiding Member, Mayor Carey ruled that the Items identified for discussion and those identified by Council Members are to be considered in the following order – Items: 9.2.1, 9.3.1, 9.3.2, 9.4.4, 9.5.1 and 9.5.2.**

**ITEMS APPROVED “*EN BLOC*”:**

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

**Moved Cr Topelberg, Seconded Cr Pintabona**

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

**Items: 9.2.1, 9.3.1, 9.3.2, 9.4.4, 9.5.1 and 9.5.2.**

**CARRIED UNANIMOUSLY (7-0)**

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

**9.2.1 Traffic Management – Proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth - Progress Report No. 3**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Smiths Lake (6)	<b>File Ref:</b>	SC168, SC1248
<b>Attachments:</b>	<a href="#">001</a> - Plan No 3087-CP-01 <a href="#">002</a> – Summary of Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council:

1. **NOTES** that while there was a mixed response from residents regarding the proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth, implementing the trial is worthwhile due to the high number of accidents recorded at this intersection;
2. **APPROVES** undertaking a six (6) month trial of a left in/left out only ‘Seagull’ island at the intersection of Richmond Street and Loftus Street as shown on attached Plan No. 3087-CP-01;
3. **UNDERTAKES** a detailed traffic assessment of Richmond, Thompson, Barnet and Morrision Streets before and during the trial;
4. **CONSULTS** with residents in Thompson Street and in Richmond Street, between Loftus and Barnet Streets, regarding implementing appropriate parking restrictions in these streets;
5. **RECIEVES** further progress reports on the results of the consultation as per clause 4 above and at the conclusion of the ‘Black Spot’ Treatment Trial; and
6. **ADVISES** all respondents of its decision.

---

**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

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

---

**9.3.1 Financial Statements as at 31 August 2014**

<b>Ward:</b>	Both	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">001</a> – Financial Reports		
<b>Tabled Items:</b>	<a href="#">002</a> – Significant Accounting Policies		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer; B Wong, Accountant; B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

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

---

**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

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

---

**9.3.2 Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth**

<b>Ward:</b>	North	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	SC351/SC621
<b>Attachments:</b>	<a href="#">001</a> – Map of proposed leased area <a href="#">002</a> – Letter from North Perth Tennis Club		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

1. That Council APPROVES a lease from 1 April 2015 to 31 March 2020 with a further five (5) year option over the premises at 10 Farmer Street, North Perth being granted to the North Perth Tennis Club, as defined by the area bounded in red on Attachment 001, as follows:

- |     |                |  |
|-----|----------------|--|
| 1.1 | Term:          | five (5) years plus five (5) year option;  |
| 1.2 | Rent:          | \$1,000 per annum plus 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 9.3.2**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

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

---

**9.4.4 Angove Street Festival – Use of View Street Car Park**

<b>Ward:</b>	North	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	North Perth Centre (9)	<b>File Ref:</b>	SC389
<b>Attachments:</b>	<a href="#">001</a> - Angove Street Festival Event Plan <a href="#">002</a> - Angove Street Festival Event Map		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Y Coyne, Coordinator Arts and Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council **APPROVES** the closure of the View Street Car Park, North Perth as shown in Attachment 002, from 8pm Saturday 25 October to 6pm Sunday 26 October, for use as part of the Angove Street Festival on Sunday 26 October 2014.

**COUNCIL DECISION ITEM 9.4.4**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

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

**9.5.1 Use of the Council's Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	SC406
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	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 September 2014.

---

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

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

---

**9.5.2 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Lennox-Bradley, Acting Executive Assistant		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council RECEIVES the Information Bulletin dated 26 September 2014, as distributed with the Agenda.

---

**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

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

---

**9.1.1 No. 216 (Lot 16; D/P 2440) Loftus Street, North Perth – Proposed Construction of Three Storey Multiple Dwelling Comprising Four Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	24 September 2014
<b>Precinct:</b>	Smith's Lake; P6	<b>File Ref:</b>	PR14666; 5.2014.347.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Applicant Justification Submission <a href="#">004</a> – Car and Bicycle Parking Calculations <a href="#">005</a> – DAC comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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 Aztec Architects Pty Ltd, for the Proposed Construction of a Three Storey Multiple Dwelling Comprising of Four Multiple Dwellings and Associated Car Parking at No. 216 (Lot 16; D/P2440) Loftus Street, North Perth as shown on amended plans date-stamped 18 September 2014 and 25 September 2014 and 6 October 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. 218 Loftus Street, North Perth, 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 Loftus Street and the surrounding properties;

5. **Demolition**

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

6. **Right of Way**

6.1 All permanent structures including retaining shall be offset 0.5 metre from the rear property boundary abutting the Right of Way to facilitate a future Right of Way widening; and

6.2 This area referred to above shall be sealed, bituminised and drained in accordance to the City's specifications by the developer's cost as part of the building programme;

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

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

7.1.1 **Privacy Screening**

The balcony of Unit 2 on the south 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;

7.1.2 **Bin Store**

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

7.1.3 **Pedestrian Access/Vehicle driveway**

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

7.2 **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:

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

7.2.2 All vegetation including lawns;

7.2.3 Areas to be irrigated or reticulated;

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 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used);

**7.3 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 and the recommended measures of the acoustic report shall be implemented;

**7.4 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;

**7.5 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; and

**7.6 Section 70A Notification under the Transfer of Land Act**

The owner(s) shall agree in writing to a notification being lodged 1) under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property and 2) being placed on the Sales Contract to alert prospective purchasers to the following:

7.6.1 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling. The on-site car parking was in accordance with the requirements of the Residential Design Codes;

**8. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, 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 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;

**8.2 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;

**8.3 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;

**8.4 Landscaping**

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

**8.5 Section 70A Notification under the Transfer of Land Act**

With regard to condition 7.6, this notification shall be lodged and registered in accordance with the Transfer of Land Act;

**8.6 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; and

**8.7 Acoustic Report**

With regard to condition 7.3, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

**ADVICE NOTES:**

1. With regard to condition 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 7.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
3. A Road and Verge security bond for the sum of \$3000 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. Any new street/front wall, fence and gate within the Loftus setback area, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;
5. In relation to the road widening reserve for Loftus Street the land owners shall not seek from either the City or the Western Australian Planning Commission compensation for any loss, damage or expense to remove the approved works (landscaping and paving) which encroaches the Other Regional Road reservation/road widening requirement when the road reservation/road widening/road upgrade is required;
6. With regard to condition 7.1, all the privacy screening shown on the floor and elevation plans shall comply with the requirements of the Residential Design Codes WA 2013; and

7. With regard to condition 7.5, 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.

*Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

---

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Peart, Seconded Cr Topelberg**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

**(Cr Buckels was an apology for the Meeting.)**

**(Cr Cole was on approved leave of absence.)**

---

**9.2.2 Lynton Street Reserve Proposed Extension of Western Boundary Fencing – Consideration of Submissions**

<b>Ward:</b>	North	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Mt Hawthorn	<b>File Ref:</b>	SC486
<b>Attachments:</b>	<a href="#">001</a> – Summary of Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **NOTES** the submissions received in relation to the possible extension of the western boundary fence at Lynton Street Reserve, Mount Hawthorn;
2. **DOES NOT PROCEED** with the proposal to extend or install any additional fencing around the existing reserve;
3. **AUTHORISES** the Director Technical Services to **LIAISE** with the various stakeholders regarding implementing appropriate safety and amenity improvements, including but not limited to:
  - 3.1 the Strata Managers of Brady Gardens and the Department of Housing providing appropriate lighting in the vicinity of the privately owned common property pathway within the Brady Gardens property;
  - 3.2 the Strata Managers of Brady Gardens and the Department of Housing undertaking regular pruning and possible replacement of the existing shrubbery along both sides of the privately owned common property pathway through Brady Gardens; and
  - 3.3 the Water Corporation of Western Australia implementing measures to restrict access from their infrastructure onto the adjacent property; and
4. ~~LISTS an amount of \$7,000 for consideration in the 2015/16 Draft Budget to install lighting within Lynton Street park; and~~
5. 4. **ADVISES** all of the respondents including the Strata Managers of Brady Gardens, the Department of Housing and Works, Water Corporation and residents of its decision.

*Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

---

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

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

---

**9.1.2 LATE ITEM: Nos. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley – Proposed Addition of Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park)**

<b>Ward:</b>	South	<b>Date:</b>	7 October 2014
<b>Precinct:</b>	Mount Lawley Centre; P1	<b>File Ref:</b>	PRO1751; 5.2014.391.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Anthony, A/Director Community Services		
<b>Responsible Officer:</b>	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 AN ABSOLUTE MAJORITY the application submitted by L Thomas for the Beaufort Street Network on behalf of the owners, G & T Palassis and the City of Vincent for the Proposed Temporary Additional Use of an Existing Car Park as an Unlisted Use (Art Market) at Nos. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley as shown on plans date-stamped 7 July 2014, included as Attachment 001, subject to the following conditions:

1. The hours of operation for the Art Market shall be as follows:
  - 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; and
  - 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market day after which time the car park shall be entirely available for vehicle parking;
2. This approval for the Art Market is valid for Sunday, 12 October 2014 only; and
3. This approval is subject to and not limited to all conditions as approved by Council at the Ordinary Meeting of Council held on 9 September 2014.

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr McDonald, Seconded Cr Peart**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

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

**9.4.2 Beaufort Street Festival – Parking Requirements**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Forrest (14); Beaufort (13) & Hyde Park (12)	<b>File Ref:</b>	CMS0110; CMS0130
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Butler, Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council **APPROVES** the following parking arrangements for the 2014 Beaufort Street Festival:

1. In relation to Forrest Park -
  - 1.1 The use of Forrest Park as a parking area to accommodate parking for the Beaufort Street Festival on Saturday, 15 November 2014;
  - 1.2 Highgate Primary School Parents and Citizen’s Committee (P&C) being appointed to manage parking on Forrest Park;
  - 1.3 The operating hours for the parking facility to be from 7am to 12 midnight on Saturday, 15 November 2014;
  - 1.4 A \$10.00 fee being charged and retained by the Highgate Primary School P&C for each vehicle that uses the facility;
  - 1.5 Beaufort Street Festival Organisers being required to notify intending Festival patrons of the parking facility; and
  - 1.6 Beaufort Street Festival Organisers being required to conduct a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure the community is aware of the use of Forrest Park as a parking area on Saturday, 15 November 2014.
  
2. In relation to nib Stadium Parking Restrictions -
  - 2.1 The suspension of existing nib stadium parking restrictions from Lincoln Street to Harold Street on Saturday, 15 November 2014; and
  - 2.2 Residents in the nib Stadium Residential Parking Permit Areas 4 and 5 being advised of the temporary arrangements specified in clause 2.1 above; and
  
3. In relation to Barlee Street Car Park -
  - 3.1 The use of Barlee Street Car Park during the Beaufort Street Festival on Saturday, 15 November 2014, for the purpose of an ‘Up-cycle Bar’ designed by sponsor James Squire;

- 3.2 Barlee Street Car Park to be closed to the public from 6am on Friday, 14 November 2014 until 12 midnight on Sunday, 16 November 2014, to accommodate set up and take down periods and Festival activities; and
- 3.2 Barlee Street Car Park to be cleared, swept and re-opened for use by the public by 6am on Monday, 17 November 2014.

---

**Moved Cr Harley, Seconded Cr Pintabona**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Harley, Seconded Cr Peart**

That a new Clause 1.7 be inserted as follows:

**“1.7 Both the Technical Services and the Community Development Directorates review Forrest Park after the festival to identify any damage that may have occurred from vehicles and provide a report back to Council;”**

*Debate ensued.*

**AMENDMENT PUT AND CARRIED (5-2)**

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

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

**MOTION AS AMENDED PUT AND CARRIED (6-1)**

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

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

**COUNCIL DECISION ITEM 9.4.2**

That Council APPROVES the following parking arrangements for the 2014 Beaufort Street Festival:

1. In relation to Forrest Park -
  - 1.1 The use of Forrest Park as a parking area to accommodate parking for the Beaufort Street Festival on Saturday, 15 November 2014;
  - 1.2 Highgate Primary School Parents and Citizen’s Committee (P&C) being appointed to manage parking on Forrest Park;
  - 1.3 The operating hours for the parking facility to be from 7am to 12 midnight on Saturday, 15 November 2014;

- 1.4 **A \$10.00 fee being charged and retained by the Highgate Primary School P&C for each vehicle that uses the facility;**
  - 1.5 **Beaufort Street Festival Organisers being required to notify intending Festival patrons of the parking facility; and**
  - 1.6 **Beaufort Street Festival Organisers being required to conduct a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure the community is aware of the use of Forrest Park as a parking area on Saturday, 15 November 2014.**
  - 1.7 **Both the Technical Services and the Community Development directorates review Forrest Park after the festival to identify any damage that may have occurred from vehicles and provide a report back to Council;**
2. **In relation to nib Stadium Parking Restrictions -**
- 2.1 **The suspension of existing nib stadium parking restrictions from Lincoln Street to Harold Street on Saturday, 15 November 2014; and**
  - 2.2 **Residents in the nib Stadium Residential Parking Permit Areas 4 and 5 being advised of the temporary arrangements specified in clause 2.1 above; and**
3. **In relation to Barlee Street Car Park -**
- 3.1 **The use of Barlee Street Car Park during the Beaufort Street Festival on Saturday, 15 November 2014, for the purpose of an 'Up-cycle Bar' designed by sponsor James Squire;**
  - 3.2 **Barlee Street Car Park to be closed to the public from 6am on Friday, 14 November 2014 until 12 midnight on Sunday, 16 November 2014, to accommodate set up and take down periods and Festival activities; and**
  - 3.2 **Barlee Street Car Park to be cleared, swept and re-opened for use by the public by 6am on Monday, 17 November 2014.**
-

**9.4.3 Mount Hawthorn Hawker Market**

<b>Ward:</b>	North	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Mt Hawthorn Centre (2)	<b>File Ref:</b>	SC1243
<b>Attachments:</b>	<a href="#">001</a> - Market Proposal from Local Arts and Community Events Inc.		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts and Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **RECEIVES** the proposal from Local Arts and Community Events Inc. received 19 September 2014 to establish a regular Hawker Market at Axford Park;
2. **AUTHORISES** the Chief Executive Officer to advertise the intent for the Mount Hawthorn Hawker Market, as detailed in Attachment 001 for public comment for a period of twenty-one (21) days inviting written submissions from the public in accordance with the City's Policy No. 4.1.5 relating to Community Consultation;
3. **GRANTS** a temporary permit Local Arts and Community Events Inc. to hold the Mount Hawthorn Hawker Market on Friday 7 November 2014; and
4. **APPROVES BY AN ABSOLUTE MAJORITY** the waiving of park hire and waste management fees and charges in accordance with Policy No. 3.10.5 'Donations, Sponsorships and Waiving of Fees and Charges' in relation to the Mount Hawthorn Hawker Market, to be held on Friday 7 November 2014.

*Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

Moved Cr Harley, Seconded Cr Wilcox

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT 1**

Moved Cr Harley, Seconded Cr Peart

That Clause 1 be amended as follows:

1. **RECEIVES** the proposal from Local Arts and Community Events Inc. received 19 September 2014 to establish a regular Friday Hawker Market at Axford Park commencing 7 November 2014 until 27 March 2015;

*Debate ensued.*

**AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)**

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

**AMENDMENT 2**

**Moved Cr Harley, Seconded Cr .....**

That Clause 2 be amended as follows:

2. **AUTHORISES** the Chief Executive Officer to advertise the intent for the Mount Hawthorn Hawker Market, as detailed in Attachment 001 for public comment for a period of twenty-one (21) days inviting written submissions from the public in accordance with the City's Policy No. 4.1.5 relating to Community Consultation;

Cr Harley WITHDREW her amendment.

**AMENDMENT 3**

**Moved Cr Topelberg, Seconded Cr Harley**

That Clause 2 be amended as follows:

2. **AUTHORISES** the Chief Executive Officer to advertise the intent for the Mount Hawthorn Hawker Market, as detailed in Attachment 001 for public comment for a period of twenty-one (21) days commencing 1 November 2014 inviting written submissions from the public in accordance with the City's Policy No. 4.1.5 relating to Community Consultation;

*Debate ensued.*

**AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (7-0)**

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

**AMENDMENT 4**

**Moved Cr Topelberg, Seconded Cr Harley**

That Clauses 3 and 4 be amended as follows:

3. **GRANTS** a temporary permit Local Arts and Community Events Inc. to hold the Mount Hawthorn Hawker Market on Friday 7, 14 and 21 November 2014; and
4. **APPROVES** the waiving of park hire and waste management fees and charges in accordance with Policy No. 3.10.5 'Donations, Sponsorships and Waiving of Fees and Charges' in relation to the Mount Hawthorn Hawker Market, to be held on Friday 7, 14 and 21 November 2014.

**AMENDMENT 4 PUT AND CARRIED UNANIMOUSLY (7-0)**

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

*Debate ensued.*

**AMENDMENT 5**

**Moved Cr Harley, Seconded Cr Topelberg**

That Clauses 3 and 4 be amended as follows:

3. **GRANTS** a temporary permit Local Arts and Community Events Inc. to hold the Mount Hawthorn Hawker Market on Friday 7, 14, 21 and 28 November 2014; and
4. **APPROVES** the waiving of park hire and waste management fees and charges in accordance with Policy No. 3.10.5 'Donations, Sponsorships and Waiving of Fees and Charges' in relation to the Mount Hawthorn Hawker Market, to be held on Friday 7, 14, 21 and 28 November 2014.

**AMENDMENT 5 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Buckels was an apology for the Meeting.)

(Cr Cole was on approved leave of absence.)

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

(Cr Buckels was an apology for the Meeting.)

(Cr Cole was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.4.3**

That Council;

1. **RECEIVES** the proposal from Local Arts and Community Events Inc. received 19 September 2014 to establish a regular Friday Hawker Market at Axford Park commencing 7 November 2014 until 27 March 2015;
  2. **AUTHORISES** the Chief Executive Officer to advertise the intent for the Mount Hawthorn Hawker Market, as detailed in Attachment 001 for public comment for a period of twenty-one (21) days commencing 1 November 2014 inviting written submissions from the public in accordance with the City's Policy No. 4.1.5 relating to Community Consultation;
  3. **GRANTS** a temporary permit Local Arts and Community Events Inc. to hold the Mount Hawthorn Hawker Market on Friday 7, 14, 21 and 28 November 2014; and
  4. **APPROVES** the waiving of park hire and waste management fees and charges in accordance with Policy No. 3.10.5 'Donations, Sponsorships and Waiving of Fees and Charges' in relation to the Mount Hawthorn Hawker Market, to be held on Friday 7, 14, 21 and 28 November 2014.
-

**9.4.1 Vincent Accord Party Bus Registration Scheme Fee Implementation**

<b>Ward:</b>	Both	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1479
<b>Attachment:</b>	All		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Hill, Customer Service Officer Ranger and Community Safety Services S Butler, Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	J. Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council APPROVES BY AN ABSOLUTE MAJORITY;

1. The implementation of a Registration Fee for the Vincent Accord Party Bus Scheme operating within the City of Vincent; and
2. The inclusion in the City's Fees & Charges for 2014/2015 of a Registration Fee for that Scheme of \$100.00 per bus per annum, effective on a pro rata basis from 1 January 2015.

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the recommendation be adopted.

*Debate ensued.*

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

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

**9.4.5 No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 6**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	EPRA (16)	<b>File Ref:</b>	PR52300 (PRO5055), SC1550,
<b>Attachments:</b>	<a href="#">001</a> – NNA Community Centre Development Project Status Report (31 May - 4 August)		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	G Pieraccini, Director Special Projects		
<b>Responsible Officer(s):</b>	G Pieraccini, Director Special Projects J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **RECEIVES** Progress Report No. 6 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **DEFERS** the refurbishment works at No. 34 (Lot 1) Cheriton Street, Perth to the 2015/16 financial year;
3. **BY ABSOLUTE MAJORITY LISTS** for consideration in the 2015/2016 Draft Budget amounts of \$653,000 (comprising municipal funding of \$381,553, subject to the balance of funds being provided from sources other than the City of Vincent) for the refurbishment of No. 34 (Lot 1) Cheriton Street, Perth and \$30,000 for on-going operational costs;
4. **DOES NOT ACCEPT** any tender received in response to Tender No. 489/14 Refurbishment of No. 34 Cheriton Street, Perth;
5. **AUTHORISES THE CHIEF EXECUTIVE OFFICER** to:
  - 5.1 write to LotteryWest requesting the deferment of funding to the next financial year;
  - 5.2 write to the Minister for Regional Development and Lands to request an extension of the timeframe to complete the refurbishment and activation of the community facility within the next financial year; and
  - 5.3 formally advise the NNA and CIT of the deferment of the refurbishment works to the next financial year; and
6. **NOTES** that a further progress report will be presented to Council once responses have been received from LotteryWest and the Minister for Regional Development and Lands.

**COUNCIL DECISION ITEM 9.4.5**

**Moved Cr Topelberg, Seconded Cr McDonald**

That the recommendation be adopted.

(Cr Harley departed the Meeting at 7.12pm and did not return.)

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (6-0)**

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

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**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.

**PROCEDURAL MOTION:**

**At 7.14pm**      **Moved Cr Topelberg, Seconded Cr McDonald**

**Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports relating to Items 14.1, 14.2 and 14.3 as these matters relate to 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)**

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

**PRESENT:**

Mayor John Carey	Presiding Member
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

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

**14.1 CONFIDENTIAL ITEM: Nos. 7/565-567 (Lot: 7 STR: 21608) Beaufort Street, Mount Lawley – Proposed Change of Use From Office to Recreational Facility and Office - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 for the Review of Condition 4 (DR 251 of 2014)**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Mount Lawley, P11	<b>File Ref:</b>	PRO3753; 5.2014.4.1
<b>Attachments:</b>	Confidential – Property Information Report Confidential – Development Application Plans Confidential – Applicant justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council;

- 1. APPROVES the Officer Recommendation as detailed in this Confidential Report; and**
- 2. ADVISES the State Administrative Tribunal of the decision; and**
- 3. AUTHORISES the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.**

**COUNCIL DECISION ITEM 14.1**

**Moved Cr Topelberg, Seconded Cr Peart**

**That the recommendation be adopted.**

*Debate ensued.*

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (5-1)**

**For:** Presiding Member Mayor Carey, Cr McDonald, Cr Peart and Cr Pintabona and Cr Wilcox

**Against:** Cr Topelberg

**(Cr Buckels was an apology for the Meeting.)**

**(Cr Cole was on approved leave of absence.)**

**14.2 CONFIDENTIAL ITEM: - No. 393 (Lot 2: D/P 1283) Bulwer Street, Corner Gallop Street, West Perth – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 209 of 2014)**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Hyde Park, P12	<b>File Ref:</b>	PRO6191; 5.2014.108.1
<b>Attachments:</b>	Confidential – Property Information Report Confidential – Amended Development Application Plans Confidential – Previous Design Advisory Committee Comments dated 16 October 2013 Confidential – Details of Car and Bicycle Parking		
<b>Tabled Items:</b>	Nil		
<b>Responsible Officer:</b>	Steve Allarding – Allarding & Associates (Engaged Consultant)		

**OFFICER RECOMMENDATION:**

That Council;

1. **APPROVES** the Officer Recommendation as detailed in this Confidential Report; and
2. **ADVISES** the State Administrative Tribunal of the decision; and
3. **AUTHORISES** the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

---

**COUNCIL DECISION ITEM 14.2**

**Moved Cr Topelberg, Seconded Cr Peart**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (6-0)**

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

---

**14.3 CONFIDENTIAL ITEM: No. 277 (Lot: 19 D/P: 1561) Vincent Street, Leederville – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 142 of 2014) (PRO3238; 5.2013.553.1)**

<b>Ward:</b>	South	<b>Date:</b>	26 September 2014
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	PRO3238; 5.2013.553.1
<b>Attachments:</b>	Confidential – Property Information Report Confidential – Development Application Plans Confidential – Applicant letter dated 6 September 2014		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Rasiah- Coordinator Statutory Planning		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **APPROVES** the Officer Recommendation as detailed in this Confidential Report; and
2. **ADVISES** the State Administrative Tribunal of the decision; and
3. **AUTHORISES** the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

---

**COUNCIL DECISION ITEM 14.3**

**Moved Cr Topelberg, Seconded Cr McDonald**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED ON THE CASTING VOTE OF THE PRESIDING MEMBER (4-3)**

**For:** Presiding Member, Mayor John Carey (two votes – deliberative and casting vote), Cr McDonald and Cr Wilcox

**Against:** Cr Peart, Cr Pintabona and Cr Topelberg

**(Cr Buckels was an apology for the Meeting.)**

**(Cr Cole was on approved leave of absence.)**

---

**PROCEDURAL MOTION**

**At 7.30pm**      **Moved Cr Wilcox, Seconded Cr McDonald**

**That the Council resume an “open meeting”.**

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-0)**

**(Cr Harley departed the Meeting at 7.12pm and did not return.)  
(Cr Buckels was an apology for the Meeting.)  
(Cr Cole was on approved leave of absence.)**

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 7.30pm with the following persons present:**

Mayor John Carey	Presiding Member
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Jerilee Highfield	Executive Assistant, Minutes Secretary

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 7 October 2014.

Signed: ..... Mayor John Carey

Dated this ..... day of ..... 2014.