



## CITY OF VINCENT

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**9 SEPTEMBER 2014**

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## ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 9 September 2014, commencing at 6.00pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6.02 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:

Nil.

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

2.1 Cr Laine McDonald on approved leave of absence from 21 August 2014 – 17 September 2014 (inclusive)

2.2 Cr Pintabona on approved leave of absence 9 September 2014.

#### (c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward (arrived 6.25 pm)
Cr Emma Cole	North Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Julie Lennox-Bradley	Acting Executive Assistant, Minutes Secretary
<u>Media</u>	
David Bell	Journalist – <i>"The Perth Voice"</i> (until approximately 7.24 pm)

Approximately 12 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. David Caddy (Managing Director of TPG), of 182 St Georges Terrace, Perth – Item 9.1.1:

- The existing building is being undermined by the construction that is occurring on the adjoining property. The building has been secured to address trespassing and unauthorised entry, but this security keeps getting breached.
- On 20 March 2014, we lodged a development application for a two storey building but that plan has been revised and a four storey mixed use development is now proposed, which will be considered by the Design Advisory Committee on 1 October 2014.
- I request that Council remove condition 2.1 from the recommendation, which requires a development application to be approved for a replacement building prior to a demolition permit being granted. I ask that that condition be deleted on the basis that the application for the four storey mixed use development is well and truly in the pipe line.

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

2. Lesley Thomas of 123 Grosvenor Road, Mount Lawley – Item 9.1.5:

- As a resident of Mount Lawley and a member of the Beaufort Street Network, I support the proposed Art Market, which will support and promote emerging and established artists by offering a venue to display and sell their work at a very low fee of ten (10) dollars per piece; no commission will be asked.
- We want to encourage people to come to Mount Lawley by providing a free outdoor activity focusing on the arts and each month there will be different interactive displays happening again, very much focussed on the community. This will also increase activity on Beaufort Street on Sundays, to the benefit of local businesses.
- We want to also support local businesses in the area like the coffee shops and restaurants, there will be no food offered at the Art Markets it's purely a core art focused event. The Art Market will enhance the profile of Mount Lawley and hopefully attract more tourists and visitors to the area. Every month a free stall place will be offered to a local community, a high school or someone who can use it as a fund raising venture.
- As part of the Art Market, artists would hang their art on the exterior walls of the carpark, with a total of twenty (20) stalls in the middle. Young artists are also encouraged to display their art from a suitcase, for a reduced rate of fifteen (15) dollars.

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

3. Kevin Di Prinzio of 2 Cnr Britannia Road and The Boulevarde, Mt Hawthorn – Item 10.1:

- Despite some concern and controversy that might exist in the community regarding multiple dwelling developments in R30 coded areas of Mount Hawthorn, these proposals should be given the chance to be assessed on their merits based on good planning principles and policies, with Council input and community consultation. Although multiple dwellings may result in a higher density of development than traditionally permitted group dwelling developments, the scale and bulk of the development is in fact less intrusive to the streetscape due to the lower plot ratio and site coverage permitted under the R30 coding.
- With the medium house price now in Mount Hawthorn reaching \$852,000, affordability is becoming a real concern. Multiple dwelling development will provide an affordable housing option. This is consistent with one of the City's planning objectives to encourage the provision of affordable housing, including a wide variety of dwelling types for a range of household types.

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

4. Mike Georgiadis (from GDD Design Group) of 161 Loftus Street, Leederville – Item 9.1.3:
- We are grateful for the recommendation for approval of our application, but would just point out that condition 7.1.1 relating to the percent for public art is incorrect and we request that it is amended.

*The Presiding Member Mayor Carey advised Mr Georgiadis the amendment has been made.*

5. Debbie Saunders of 320 Oxford Street, Leederville – Item 9.4.3:
- It seems inconsistent that changes to the City's public art policies to delete community consultation were not advertised for public comment in some instances but were advertised for public comment in other instances. Do you consider that the removal of community consultation for public art is a minor change or a major change?

*The Presiding Member Mayor Carey responded, that Council has already dealt with the issue as part of its community consultation policies and considered your petition at that time. It would seem redundant to me that once you have already gone out as part of an exhaustive community consultation process on whether to consult on public art or not, to make that change, and then to put out a second policy dealing with the same matter, so I don't consider it a significant change because it was already dealt with.*

- Did Council consider whether people knew that was being removed when it wasn't shown as a change in the policy?

*The Presiding Member Mayor Carey responded, Council's position on public art has been focussed on getting a better process in place because some people were dissatisfied with the former process for selecting public art.*

- The other proposed change in the policy to allow the developer to choose whether to place the art on their own land or on public land seems a bit strange, when what developer is going to use their own land when they can use public land?

*The Presiding Member Mayor Carey responded, that developers regularly use their own land for public art. The City can provide numerous examples of where public art exists on private land, in the City of Vincent.*

- I don't want to look in hindsight I am talking about in the future now that you are changing the policy to allow them to put it on public land without any consultation to be had with the community at all.

*The Presiding Member Mayor Carey responded, there are lots of choices with public art on private land and public land.*

- You're the one that says art is subjective, but in effect, by allowing the City to have total control over what art goes where, you are taking away all subjectivity.

*The Presiding Member Mayor Carey responded, no that is not true because Council will actually be relying on an expert panel.*

- Can I just ask the Acting Director of Community Services, the Acting Manager of Community Development and a Leederville enhancement group member, what qualifications do they have in the Art world?

*The Presiding Member Mayor Carey responded, I will take that on Notice.*

- In the response to my questions taken on notice, you have again put my private business PO Box address which I don't state in the meetings on top of a letter which caused an issue last time, which was removed and now it's back up there again.

*The Presiding Member Mayor Carey responded, if that is an error we can rectify that.*

- In the minutes of the Safer Vincent meeting it states that there has been a lot of break-ins to Oxford Street shop fronts. I personally know that as I have seen 3 ram-raids in the last few years. Knowing that, I find it strange that top of the list to redeem some of the budget is to take away CCTV cameras from Leederville.

*The Presiding Member Mayor Carey responded, your comments are noted.*

4. Lesley Thomas (Member of the Beaufort Street Network) of 123 Grosvenor Road, Mount Lawley – Item 9.4.1:
  - The Beaufort Street Network thanks and commends the City for its work to trial the Mary Street Piazza before making a final decision on creating a permanent piazza. This is an excellent way to engage with the community and to demonstrate what the space could be in the future.
  - The Mary Street Piazza would support the City's strategy to promote local town centres and will benefit local businesses by providing another reason to visit Mount Lawley.

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

There being no further speakers, Public Question Time closed at approximately 6.17pm.

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

- 3.1 Letter to Ms D Saunders relating to her various questions taken on notice at the Ordinary Meeting of Council held on 26 August 2014. – sent by email

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

4.1 Nil.

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

5.1 Nil.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Minutes of the Ordinary Meeting of Council held on 26 August 2014

**(Cr Buckels was a late arrival for the Meeting.)**

**Moved Cr Topelberg, Seconded Cr Cole**

**That the Minutes of the Ordinary Meeting of Council held 26 August 2014 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (6-0)**

**(Cr Pintabona and Cr McDonald were 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 Cultural Celebrations in our Community**

There have been some significant cultural celebrations in our community. The Deputy Mayor and I have attended two functions for the 80<sup>th</sup> anniversary celebrations of the Italian Club, where we represented the City and wish to publicly congratulate the Club on its achievement.

**7.2 Independence Day Celebrations for the Macedonian Community**

We held the Independence Day celebrations for the Macedonian community yesterday. More than one hundred guests and dignitaries attended, celebrating the Independence of the Republic of Macedonia. It was a wonderful community event and it was great to see the building alive with people celebrating this day.

**7.3 Mount Lawley Markets**

I just want to congratulate the Beaufort Street Network which is an example of a positive and constructive community group. It is so much easier to stand by the side lines and be negative and snipe but not do anything; that's the easy position, because you don't actually have to get involved in anything, you don't have to compromise in decisions. This is a group of businesses who looked beyond their own self-interest and have worked incredible hours with local residents for the benefit of the area. I want to also pay tribute to Leslie, who does not have any commercial interest in Beaufort Street - only a love for that community and to improve that area and she has put endless hours into making that market happen. This is what I love about the City of Vincent and our community, we have people like Leslie who are willing to work to make things happen, and this is what we are seeing not only in Beaufort Street but in North Perth Local, in Mount Hawthorn and with Leederville Connect and I want to congratulate them all.

**7.4 Local Government Reform**

There are endless rumours about when an announcement is going to happen about Local Government Reform and the latest we have heard is that it might be this week or next week. I just want to flag two things, first of all I want to thank the community again for its efforts, because we are now at the final stages. I think the thing that has defined this event the most has been that it has been an exhausting process. It doesn't matter where you sit, what you believe should happen to Vincent, people are exhausted by it and they want resolution about what is going to happen.

There are two key aspects that the community and what the Council was seeking to do -

the first was to ensure that Vincent is not split, that we are retained as a community. The second was that we ultimately allow the community to have their final say and determine their future. We genuinely believe that as a democratic society and community that ultimately it should be ratepayers who vote on their future. And if we do get that, there could be a situation where we have a full amalgamation with Perth which would mean the people can have a vote and I will abide by that decision and I think all Council will abide by that decision. We hope that the Board will make a recommendation for an amalgamation to give ratepayers that final say. We will all need to wait and see.

**8. DECLARATIONS OF INTERESTS**

Nil.

**9. REPORTS**

As listed in the Index

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

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

9.1.1, 9.1.3, 9.1.5, 9.4.1, 9.4.3, 10.1

**(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:**

9.1.4, 9.1.5, 9.2.3

**(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:**

<b>COUNCIL MEMBER</b>	<b>ITEMS TO BE DISCUSSED</b>
Mayor John Carey	Nil
Cr Buckels	Nil
Cr Cole	Nil
Cr Harley (Deputy Mayor)	9.4.4
Cr McDonald	Approved leave of absence
Cr Peart	Nil
Cr Pintabona	Approved leave of absence
Cr Topelberg	9.4.2
Cr Wilcox	Nil

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

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

Items 9.1.2, 9.2.1, 9.2.2, 9.5.1, 9.5.2.

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

Item 14.1.

**New Order of Business:**

The Chief Executive Officer advised the meeting of the New Order of business, in which the items will be considered, as follows:

**(a) Unopposed items moved *En Bloc*;**

Items 9.1.2, 9.2.1, 9.2.2, 9.5.1, 9.5.2

**(b) Those being the subject of a question and/or comment by members of the public during "Question Time";**

Items 9.1.1, 9.1.3, 9.1.5, 9.4.1, 9.4.3, 10.1

**(c) Those items identified for discussion by Council Members;**

Items 9.4.2, 9.4.4

The remaining Items identified for discussion were considered in numerical order in which they appeared in the Agenda.

**(d) Confidential Items – to be considered ("Behind Closed Doors").**

**The Presiding Member, Mayor John Carey ruled that the Items identified for discussion are to be considered in the following order – Item 9.1.1, 9.1.3, 9.1.5, 9.4.1, 9.4.3, 10.1, 9.1.4, 9.2.3, 9.4.2, 9.4.4.**

**ITEMS APPROVED "*EN BLOC*":**

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

**(Cr Buckels was a late arrival for the Meeting.)**

**Moved Cr Cole Seconded Cr Wilcox**

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

**Items 9.1.2, 9.2.1, 9.2.2, 9.5.1, 9.5.2**

**CARRIED UNANIMOUSLY (6-0)**

**(Cr Pintabona and Cr McDonald were on approved leave of absence.)**

**9.1.2 No. 146 (Lot: 93 D/P: 2001) East Parade, East Perth – Proposed Demolition of Existing Single House and Construction of Three Storey Multiple Dwelling Comprising Five (5) One Bedroom One (1) Two Bedroom Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	P15 - Banks Precinct	<b>File Ref:</b>	PRO6143; 5.2014.297.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	P Stuart – Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting 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 Franco Carozzi Architects on behalf of the owners, G M Edwards & M F Newman for the Proposed Demolition of an existing single house and construction of a Three Storey Building Comprising Five (5) One Bedroom Multiple Dwellings, One (1) Two Bedroom Multiple Dwelling and Associated Car Parking at No. 146 (Lot: 93 D/P: 2001) East Parade, East Perth and as shown on plans date-stamped 28 May 2014, included as Attachment 001, 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. 150 East Parade, East 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. **Car Parking and Accessways**

2.1 A minimum of six (6) residential car bays and one (1) visitor bay, are to be provided on site for the development;

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

2.3 The car park area for visitors shall be shown as common property on any strata plan;

3. 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 Newcastle Street;

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

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

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

**6.1 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:

- 6.1.1 The location and type of existing and proposed trees and plants.
- 6.1.2 All vegetation including lawns.
- 6.1.3 Areas to be irrigated or reticulated.
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months.
- 6.1.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation;

**6.2 Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval, in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation. 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;

**6.3 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 Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

**6.4 Sustainability**

An ARActive Abode report shall be prepared and submitted demonstrating the following sustainability performance outcomes:

- 6.4.1 That the final design achieves a minimum 8 Star ARActive rating for Energy;
- 6.4.2 That the final design achieves a minimum 4 Star ARActive rating for Water and incorporates the highest efficiency WELS rated tap ware, toilets, showers and fixed appliances throughout; and
- 6.4.3 That the final design achieves a minimum 5 Star ARActive rating for Liveability.

The ARActive report is to list the design features and sustainability measures incorporated into the final design in order to achieve the above ARActive star ratings;

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 or the Residential Design Codes of WA 2013;
- 7.2 **Car Parking**
- The car parking area(s) 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 **Residential Bicycle Bays**
- A minimum of two (2) residential bicycle bays 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;
- 7.4 **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/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;
- 7.5 **Landscaping**
- With regard to condition 6.1, 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); and
- 7.6 **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:
- 7.6.1 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 the City's Policy No. 7.7.1 relating to Parking and Access;
8. **A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;**
9. **The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City;**

10. Redundant driveways shall be removed and the verge and its vegetation shall be made good at the full expense of the applicant. (Main Roads WA);
11. No Earthworks shall encroach onto the East Parade road reserve (Main Roads WA);
12. No stormwater drainage shall be discharged onto the East Parade road reserve (Main Roads WA); and
13. The existing levels on the East Perth road reserve boundary are to be maintained as existing. (Main Roads WA).

**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. A bin store is required to be provided, of sufficient size to accommodate the City's maximum bin requirement, as assessed by the City's Technical Services Directorate.
3. With reference to condition 6.2 an acoustic report must satisfy all provisions of the relevant State Planning Policy.

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (6-0)**

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.2.1 Proposed Traffic Calming – Angove Street, North Perth Progress Report No. 2**

<b>Ward:</b>	North	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Smith's Lake (6)	<b>File Ref:</b>	SC1201, SC671
<b>Attachments:</b>	<a href="#">001</a> – Proposed Plan No. 3155-CP-01		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Manager Asset and Design Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **APPROVES** the implementation of the proposed traffic calming for Angove Street, North Perth between Farmer and Daphne Streets, estimated to cost \$20,000, as shown on attached Plan No. 3155-CP-01;
2. **ADVISES** the respondents of its decision.

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (6-0)**

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.2.2 Tender No. 488/14 - Bi-annual Bulk Verge Green Waste and Annual Bulk Verge General Waste Collection**

<b>Ward:</b>	Both	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1516, SC1646
<b>Attachments:</b>	001 - Confidential		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Lotznicker; Director Technical Services C Wilson; Manager Asset and Design; M Dunne; Waste Management Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council **ACCEPTS** the tender from Steann Pty Ltd for the Bi-annual Bulk Verge Green Waste Collection and the Annual Bulk Verge General Waste Collection, in accordance with the terms and conditions detailed in Tender No 488/14 and as detailed in the Confidential Attachment.

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (6-0)**

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

<b>Ward:</b>	-	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<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 the report, for the month of August 2014.

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (6-0)**

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.5.2 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>			
<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 Council RECEIVES the Information Bulletin dated 29 August 2014, as distributed with the Agenda.

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (6-0)**

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.1.1 No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley – Demolition of Existing Office Building**

<b>Ward:</b>	South	<b>Date:</b>	3 September 2014
<b>Precinct:</b>	Mount Lawley Centre; P11	<b>File Ref:</b>	PRO2199; 5.2014.433.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Demolition Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Sullivan, 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 the Metropolitan Region Scheme, **APPROVES** the application submitted by TPG Town Planning and Urban Design on behalf of South Como Pty Ltd for the proposed Demolition of an Existing Office at No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley, and as shown on plans date-stamped 8 August 2014, included as Attachment 001, subject to the following conditions:

1. A Demolition Permit shall be obtained from the City prior to commencement of any demolition work on the site;
2. **PRIOR TO THE ISSUE OF A DEMOLITION PERMIT:**
  - 2.1 A redevelopment proposal for the subject property shall be submitted to and approved by Council. A building permit for this development must have been issued and the applicant must demonstrate to the satisfaction of Council that this development will commence;
  - 2.2 A Demolition Management Plan, detailing how the demolition of the development will be managed to minimise the impact on the surrounding area, including a site plan to indicate all infrastructural features located on the verge and indicate the access and travel path of demolition traffic entering and exiting the site, shall be submitted to and approved by the City;
  - 2.3 A detailed Vacant Lot Management Plan, prepared in consultation with the City’s Health Services, Parks and Property Services and Planning and Building Services for the site at No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley shall be submitted to and approved by the City to ensure that the property is maintained in a safe, secure and tidy manner in the interest of the community. The vacant Lot shall thereafter be maintained to the City’s satisfaction in accordance with the Vacant Lot Management Plan;
  - 2.4 A bond of \$2,000 shall be paid by the owner(s) to ensure the Vacant Lot Management Plan is implemented after the demolition of the building to the satisfaction of the City’s Chief Executive Officer; and
3. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning.

**ADVICE NOTES:**

1. The City’s approval of the development application to demolish the premises is not to be construed as support for the Planning Approval/Building Permit application for the redevelopment proposal for the subject property;

2. Demolition of the existing structure will make the property ineligible for any development bonuses under the City of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing buildings valued by the community;
3. With reference to Condition 2.3, the management plan shall include details of the proposed treatment of the vacant site which covers fencing, maintenance, rubbish collection, weed control, and the like. The vacant lot shall be maintained in accordance with the Management Plan, until redevelopment works are carried out on site; A Management of Vacant Land – An Owner’s Guide can be found on the City’s website; and
4. With reference to Condition 2.4, in the event that the bond is drawn upon, such bond shall be maintained at a level of \$2,000 dollars until the redevelopment works are commenced. In the event that the property changes ownership, the new owner(s) of the whole or part of the lot(s), shall be required to pay in pro rata the Vacant Lot Management Bond, on the settlement date of the property, prior to any money being refunded to the original owner(s).

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(Cr Buckels was a late arrival for the Meeting.)

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Cole, Seconded Cr Topelberg**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Cole**

That Condition 2.1 be deleted.

**AMENDMENT PUT AND LOST (1-6)**

**For:** Cr Topelberg

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.1.3 No. 161 (Lots: 14 & 15 D/P: 1509) Loftus Street, Leederville – Proposed Demolition of Existing Single House Construction of Three Storey Multiple Dwelling Comprising Ten (10) Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Leederville ; P3	<b>File Ref:</b>	PRO6241; 5.2014.311.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans		
<b>Tabled Items</b>	Nil		
<b>Reporting Officer:</b>	P Stuart, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting 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 GDD Design Group on behalf of the owner Patrick Doran-Wu, for the Proposed Demolition of an Existing Single House and Construction of a Three (3) Storey Multiple Dwelling Development Comprising Ten (10) Multiple Dwellings and Associated Car Parking at No. 161 (Lots 14 & 15; D/P 1509) Loftus Street, Leederville and as shown on amended plans date-stamped received 19 August 2014, included as Attachment 001, 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. 159 Loftus Street, Leederville 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. **Car Parking and Accessways**

2.1 A minimum of ten (10) residential car bays and two (2) visitor bays, are to be provided on site for the development;

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

2.3 The car park area for visitors shall be shown as common property on any strata plan;

3. 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 Newcastle Street;

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

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

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

6.1 **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:

- 6.1.1 The location and type of existing and proposed trees and plants;
- 6.1.2 All vegetation including lawns;
- 6.1.3 Areas to be irrigated or reticulated;
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.1.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used);

The Council encourages landscaping methods and species selection which do not rely on reticulation;

6.2 **Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval, in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation. 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;

6.3 **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 Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

6.4 **Sustainability**

An ARCActive Abode report shall be prepared and submitted demonstrating the following sustainability performance outcomes:

- 6.4.1 That the final design achieves a minimum 8 Star ARCActive rating for Energy;
- 6.4.2 That the final design achieves a minimum 4 Star ARCActive rating for Water and incorporates the highest efficiency WELS rated tap ware, toilets, showers and fixed appliances throughout; and
- 6.4.3 That the final design achieves a minimum 5 Star ARCActive rating for Liveability.

The ARCActive report is to list the design features and sustainability measures incorporated into the final design in order to achieve the above ARCActive star ratings; and

**6.5 Underground Power**

In keeping with the City's Policy No. 2.2.2 relating to Undergrounding of Power, the power lines along the Loftus Street frontage of the development shall be placed underground at the Developer's full cost. The developer is required to liaise with both the City and Western Power to comply with their respective requirements;

7. **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:**

**7.1 Percent for Public Art**

The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers, including:

7.1.1 Elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of ~~\$29,568~~ ~~\$300,000~~ (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development ~~\$2,956,800~~ ~~\$30,000,000~~; and

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 or the Residential Design Codes of WA 2013;

**8.2 Car Parking**

The car parking area(s) 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 Residential Bicycle Bays**

A minimum of three (3) 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;

**8.4 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/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;

**8.5 Landscaping**

With regard to condition 6.1, 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); and

**8.6 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:

8.6.1 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 the City's Policy No. 7.7.1 relating to Parking and Access;

9. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site; and
10. The development is to comply with all Building, Health and Engineering Services conditions and requirements 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; and
2. A bin store is required to be provided, of sufficient size to accommodate the City's maximum bin requirement, as assessed by the City's Technical Services Directorate.
3. With reference to condition 6.2 an acoustic report must satisfy all provisions of the relevant State Planning Policy.

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

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**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Buckels, Seconded Cr Harley**

That Condition 6.5 be deleted as follows:

**~~6.5~~ Underground Power**

~~In keeping with the City's Policy No. 2.2.2 relating to Undergrounding of Power, the power lines along the Loftus Street frontage of the development shall be placed underground at the Developer's full cost. The developer is required to liaise with both the City and Western Power to comply with their respective requirements;~~

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.3**

That Council:

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by GDD Design Group on behalf of the owner Patrick Doran-Wu, for the Proposed Demolition of an Existing Single House and Construction of a Three (3) Storey Multiple Dwelling Development Comprising Ten (10) Multiple Dwellings and Associated Car Parking at No. 161 (Lots 14 & 15; D/P 1509) Loftus Street, Leederville and as shown on amended plans date-stamped received 19 August 2014, included as Attachment 001, 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. 159 Loftus Street, Leederville 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. **Car Parking and Accessways**

- 2.1 A minimum of ten (10) residential car bays and two (2) visitor bays, are to be provided on site for the development;
- 2.2 The car park shall be used only by residents and visitors directly associated with the development; and
- 2.3 The car park area for visitors shall be shown as common property on any strata plan;

3. 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 Newcastle Street;

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

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

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

6.1 **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:

- 6.1.1 The location and type of existing and proposed trees and plants;
- 6.1.2 All vegetation including lawns;
- 6.1.3 Areas to be irrigated or reticulated;
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.1.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used);

The Council encourages landscaping methods and species selection which do not rely on reticulation;

**6.2 Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval, in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation. 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;

**6.3 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 Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

**6.4 Sustainability**

An ARCActive Abode report shall be prepared and submitted demonstrating the following sustainability performance outcomes:

6.4.1 That the final design achieves a minimum 8 Star ARCActive rating for Energy;

6.4.2 That the final design achieves a minimum 4 Star ARCActive rating for Water and incorporates the highest efficiency WELS rated tap ware, toilets, showers and fixed appliances throughout; and

6.4.3 That the final design achieves a minimum 5 Star ARCActive rating for Liveability.

The ARCActive report is to list the design features and sustainability measures incorporated into the final design in order to achieve the above ARCActive star ratings; and

**7. 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:**

**7.1 Percent for Public Art**

The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers, including:

7.1.1 Elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$29,568 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development \$2,956,800; and

**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 or the Residential Design Codes of WA 2013;

**8.2 Car Parking**

The car parking area(s) 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 Residential Bicycle Bays**

A minimum of three (3) 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;

**8.4 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/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;

**8.5 Landscaping**

With regard to condition 6.1, 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); and

**8.6 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:

8.6.1 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 the City's Policy No. 7.7.1 relating to Parking and Access;

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

10. The development is to comply with all Building, Health and Engineering Services conditions and requirements 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; and

2. A bin store is required to be provided, of sufficient size to accommodate the City's maximum bin requirement, as assessed by the City's Technical Services Directorate.

3. With reference to condition 6.2 an acoustic report must satisfy all provisions of the relevant State Planning Policy.

**9.1.5 No. 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>	29 August 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>	A Groom, Planning Officer (Statutory) C Sullivan, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, A/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 No. 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;
  - 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
  - 1.4 The Art Market is to only be in operation the first Sunday of every month;
2. A maximum of 20 stalls shall be in operation at any one time;
3. This approval for the Art Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
4. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;
5. **PRIOR TO THE COMMENCEMENT OF THE ART MARKET USE**, the Applicant shall:
  - 5.1 Submit Operational Guidelines and Market Rules to the City in accordance with the City’s Policy *Guidelines for Markets in the City of Vincent*;
  - 5.2 Apply to the City’s Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and
  - 5.3 Submit a Waste Management Plan to the City for approval, to the satisfaction of the City’s Director of Technical Services;

6. The type of stalls shall be limited to those specified in the Applicants submission;
7. A responsible representative of the Art Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and
8. Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.

**ADVICE NOTES:**

1. The Applicant shall;
  - 1.1 Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;
  - 1.2 Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade;
  - 1.3 Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;
  - 1.4 Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:
    - 1.4.1 be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);
    - 1.4.2 not use inappropriate language, material, etc;
    - 1.4.3 remain within the subject site while undertaking their act;
    - 1.4.4 not impede or prevent any persons or pedestrians from going about their normal business; and
    - 1.4.5 not restrict ready access to the premises;
  - 1.5 Ensure that any "A" frame signage placed on any land under the care, control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;
2. The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City by 2:00pm on market days; and
3. The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.

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**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Cole**

That Condition 2 be deleted and the remaining conditions be renumbered accordingly.

~~2. A maximum of 20 stalls shall be in operation at any one time;~~

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.5**

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES 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 No. 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;
  - 1.3 Stallholder "pack- up" shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
  - 1.4 The Art Market is to only be in operation the first Sunday of every month;
2. This approval for the Art Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
3. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;

4. **PRIOR TO THE COMMENCEMENT OF THE ART MARKET USE, the Applicant shall:**
  - 4.1 **Submit Operational Guidelines and Market Rules to the City in accordance with the City's Policy *Guidelines for Markets in the City of Vincent*;**
  - 4.2 **Apply to the City's Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and**
  - 4.3 **Submit a Waste Management Plan to the City for approval, to the satisfaction of the City's Director of Technical Services;**
5. **The type of stalls shall be limited to those specified in the Applicants submission;**
6. **A responsible representative of the Art Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and**
7. **Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.**

**ADVICE NOTES:**

1. **The Applicant shall;**
  - 1.1 **Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;**
  - 1.2 **Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade;**
  - 1.3 **Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;**
  - 1.4 **Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:**
    - 1.4.1 **be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);**
    - 1.4.2 **not use inappropriate language, material, etc;**
    - 1.4.3 **remain within the subject site while undertaking their act;**
    - 1.4.4 **not impede or prevent any persons or pedestrians from going about their normal business; and**
    - 1.4.5 **not restrict ready access to the premises;**
  - 1.5 **Ensure that any "A" frame signage placed on any land under the care, control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;**

2. **The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City by 2:00pm on market days; and**
  
  3. **The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.**
-

**9.4.1 Beaufort Street Enhancement Project Progress Report No.12**

<b>Ward:</b>	South Ward	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Mt Lawley Centre (11)	<b>File Ref:</b>	SC1493
<b>Attachments:</b>			
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **NOTES** the 302 submissions received in relation to the Mary Street Piazza proposal and **ENDORSES** Administration's comments in response to those submissions;
2. **AUTHORISES** the Chief Executive Officer to:
  - 2.1 to call an Expression of Interest for qualified design consultants to design the Mary Street Piazza;
  - 2.2 Appoint a qualified design consultant to design the Mary Street Piazza;
  - 2.3 to seek Council's final approval of the design once submitted by the appointed design consultant; and
3. **ADVISES** the local community, 'Beaufort Street Network' and business owners of its decision.

---

**Moved Cr Peart, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT:**

**Moved Cr Harley, Seconded Cr Wilcox**

That Item 2.3 of the recommendation be amended to read as follows:

"2.3 to investigate the inclusion of a turning circle at the end of Mary Street and to seek Council's final approval of the design once submitted by the appointed design consultant."

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

**COUNCIL DECISION ITEM 9.4.1**

**That Council;**

- 1. NOTES the 302 submissions received in relation to the Mary Street Piazza proposal and ENDORSES Administration's comments in response to those submissions;**
  - 2. AUTHORISES the Chief Executive Officer to:**
    - 2.1 to call an Expression of Interest for qualified design consultants to design the Mary Street Piazza;**
    - 2.2 Appoint a qualified design consultant to design the Mary Street Piazza; and**
    - 2.3 to investigate the inclusion of a turning circle at the end of Mary Street and to seek Council's final approval of the design once submitted by the appointed design consultant; and**
  - 3. ADVISES the local community, 'Beaufort Street Network' and business owners of its decision.**
-

**9.4.3 Percent for Public Art Guidelines and Policy Review**

<b>Ward:</b>	All	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1562
<b>Attachments:</b>	<a href="#">001</a> - Percent for Public Art Guidelines for Developers <a href="#">002</a> - Percent for Public Art Policy		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council **RECEIVES** and **APPROVES** the amended **Percent for Public Art Guidelines and Policy** as attached to the report in Attachment **001** and **002**.

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**COUNCIL DECISION ITEM 9.4.3**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**10.1 NOTICE OF MOTION: Mayor John Carey – Multiple Dwelling Developments in Mount Hawthorn on Residential land coded R30 and below**

That Council **REQUIRES** Administration to submit a report to Council to consider initiating an amendment to Town Planning Scheme No. 1 for the purpose of prohibiting multiple dwellings in Mount Hawthorn on Residential zoned lots coded R30 and below.

**COUNCIL DECISION ITEM 10.1**

**Moved** Cr Buckels, **Seconded** Cr Harley

That the motion be adopted.

*Debate ensued.*

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

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

**Against:** Cr Buckels

**(Cr Pintabona and Cr McDonald were on approved leave of absence.)**

**9.1.4 No. 459 (Lot: 9,10,11,12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth – Proposed Addition of Temporary Vintage Market (Unlisted Use) to Existing Hotel (Rosemount Hotel Car Park Area)**

<b>Ward:</b>	North	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	North Perth Centre; P9	<b>File Ref:</b>	PRO0315; 5. 2014. 344.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Planning Officer (Statutory) C Sullivan, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, A/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 H-J Ayres on behalf of the owners, Tegra Pty Ltd, Argyle Holdies Pty Ltd, Yalaba Pty Ltd, Silverjay Nominees Pty Ltd and Alcal Lauren Pty Ltd, for the Proposed Temporary Additional Use of Existing Car Park as Unlisted Use (Vintage Market) at No. 459 (Lot: 9, 10, 11, 12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth as shown on plans date-stamped 16 June 2014, included as Attachment 001, subject to the following conditions:

1. The hours of operation for the Vintage 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 9:00am and 1:00pm;
  - 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
  - 1.4 The Vintage Market is to only be in operation the last Sunday of every month;
2. A maximum of 45 stalls shall be in operation at any one time;
3. This approval for the Vintage Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
4. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;

5. **PRIOR TO THE COMMENCEMENT OF THE VINTAGE MARKET USE, the Applicant shall:**
  - 5.1 **Submit Operational Guidelines and Market Rules to the City in accordance with the City's Policy *Guidelines for Markets in the City of Vincent*;**
  - 5.2 **Apply to the City's Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and**
  - 5.3 **Submit a Waste Management Plan to the City for approval, to the satisfaction of the City's Director of Technical Services;**
6. **The type of stalls shall be limited to those specified in the Applicants submission;**
7. **A responsible representative of the Vintage Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and**
8. **Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.**

**ADVICE NOTES:**

1. **The Applicant shall;**
  - 1.1 **Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;**
  - 1.2 **Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade;**
  - 1.3 **Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;**
  - 1.4 **Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:**
    - 1.4.1 **be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);**
    - 1.4.2 **not use inappropriate language, material, etc;**
    - 1.4.3 **remain within the subject site while undertaking their act;**
    - 1.4.4 **not impede or prevent any persons or pedestrians from going about their normal business; and**
    - 1.4.5 **not restrict ready access to the premises;**

- 1.5 Ensure that any "A" frame signage placed on any land under the care, control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;
2. The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City, by 2:00pm on market days; and
3. The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.

---

Moved Cr Topelberg, Seconded Cr Cole

That the recommendation be adopted.

*Debate ensued.*

**AMENDMENT**

Moved Cr Topelberg, Seconded Cr Cole

That Condition 2 be deleted and the remaining conditions be renumbered accordingly.

2. ~~A maximum of 45 stalls shall be in operation at any one time;~~

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.4**

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 H-J Ayres on behalf of the owners, Tegra Pty Ltd, Argyle Holdies Pty Ltd, Yalaba Pty Ltd, Silverjay Nominees Pty Ltd and Alcal Lauren Pty Ltd, for the Proposed Temporary Additional Use of Existing Car Park as Unlisted Use (Vintage Market) at No. 459 (Lot: 9, 10, 11, 12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth as shown on plans date-stamped 16 June 2014, included as Attachment 001, subject to the following conditions:

1. The hours of operation for the Vintage 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 9:00am and 1:00pm;

- 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
  - 1.4 The Vintage Market is to only be in operation the last Sunday of every month;
2. This approval for the Vintage Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
3. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;
4. **PRIOR TO THE COMMENCEMENT OF THE VINTAGE MARKET USE, the Applicant shall:**
  - 4.1 Submit Operational Guidelines and Market Rules to the City in accordance with the City’s Policy *Guidelines for Markets in the City of Vincent*;
  - 4.2 Apply to the City’s Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and
  - 4.3 Submit a Waste Management Plan to the City for approval, to the satisfaction of the City’s Director of Technical Services;
5. The type of stalls shall be limited to those specified in the Applicants submission;
6. A responsible representative of the Vintage Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and
7. Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.

**ADVICE NOTES:**

1. The Applicant shall;
  - 1.1 Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City’s Health and Compliance Services Section;
  - 1.2 Obtain a Special Events Permit from the City’s Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade;

- 1.3 **Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;**
  - 1.4 **Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:**
    - 1.4.1 **be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);**
    - 1.4.2 **not use inappropriate language, material, etc;**
    - 1.4.3 **remain within the subject site while undertaking their act;**
    - 1.4.4 **not impede or prevent any persons or pedestrians from going about their normal business; and**
    - 1.4.5 **not restrict ready access to the premises;**
  - 1.5 **Ensure that any “A” frame signage placed on any land under the care, control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;**
  2. **The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City, by 2:00pm on market days; and**
  3. **The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.**
-

**9.2.3 Correction/Rescission Motion - Braithwaite Park Design and Construct a Nature Play Area (with a water element) - Tender No. 485/14**

<b>Ward:</b>	North	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Mount Hawthorn (1)	<b>File Ref:</b>	SC1489, SC577
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	J van den Bok, Manager Parks and Property Services R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **NOTES** that Council at its Ordinary Meeting held on 24 June 2014 (Item No. 9.2.2), resolved as follows;

“That Council;

1. **ACCEPTS** the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;
  2. **AUTHORISES** the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and
  3. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”
2. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, three Elected Members, namely Cr....., Cr ..... and Cr ....., being one third of the number of offices of members of Council, **SUPPORT** this motion to revoke or change part of the Council decision reproduced in 1 above;
3. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, the Council **RESOLVES BY AN ABSOLUTE MAJORITY** that clause 1 of Council’s Decision of 24 June 2014 (Item No. 9.2.2) be amended to read as follows and that clauses 2 and 3 remain unchanged;

“ACCEPTS the tender submitted by Phase 3 (Option 1) with the inclusion of a zip line structure as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;”

**COUNCIL DECISION ITEM 9.2.3**

Relative to Recommendation 2, Cr Cole, Cr Wilcox and Cr Harley indicated their support for the motion to revoke.

**Moved Cr Cole, Seconded Cr Wilcox**

That the recommendation be adopted.

*Debate ensued.*

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

**That Council;**

1. **NOTES** that Council at its Ordinary Meeting held on 24 June 2014 (Item No. 9.2.2), resolved as follows;

**“That Council;**

1. ***ACCEPTS the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;***
  2. ***AUTHORISES the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and***
  3. ***APPROVES BY AN ABSOLUTE MAJORITY the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”***
2. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, three Elected Members, namely Cr Cole, Cr Wilcox and Cr Harley, being one third of the number of offices of members of Council, **SUPPORT** this motion to revoke or change part of the Council decision reproduced in 1 above;
  3. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, the Council **RESOLVES BY AN ABSOLUTE MAJORITY** that clause 1 of Council’s Decision of 24 June 2014 (Item No. 9.2.2) be amended to read as follows and that clauses 2 and 3 remain unchanged;

**“ACCEPTS the tender submitted by Phase 3 (Option 1) with the inclusion of a zip line structure as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;”**

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**9.4.2 RTRFM Music Festival - Location Change**

<b>Ward:</b>	North	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	North Perth Centre; P9	<b>File Ref:</b>	SC1525
<b>Attachments:</b>			
<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. **APPROVES** the venue change for the RTRFM Beaufort Street Music Festival from Beaufort Street venues to the Rosemount Hotel in North Perth, subject to the City receiving fifty (50) complimentary tickets for distribution to residents; and
2. **NOTES** that the event is now proposed to be a fully ticketed event.

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**COUNCIL DECISION ITEM 9.4.2**

**Moved** Cr Topelberg, **Seconded** Cr Peart

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND LOST (1-6)**

**For:** Cr Buckels

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**9.4.4 Light Up Leederville Carnival Parking – Use of Britannia Reserve**

<b>Ward:</b>	South	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Leederville (3)	<b>File Ref:</b>	SC1527
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council APPROVES the use of Britannia Road Reserve as a parking area, for use on Sunday 7 December, 2014 to accommodate parking for the Light Up Leederville Carnival, subject to the following conditions:

1. Operating hours for the parking facility to be set from 12 noon to 12 midnight on 7 December, 2014;
2. Flat-rate fee of \$10.00 be charged for each vehicle that uses the facility;
3. Light Up Leederville Carnival Organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility;
4. Light Up Leederville Carnival Organisers to undertake a letter drop to all properties bounding Britannia Road Reserve; Bourke Street, Brentham Street and Britannia Road, to ensure that the community is aware of the use of Britannia Road Reserve as a parking facility;
5. Light Up Leederville Carnival Organisers to maintain responsibility of and coordination of the temporary parking facility; and
6. Light Up Leederville Organisers are to ensure the appropriate allocation of ACROD parking is available in the temporary parking facility.

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**COUNCIL DECISION ITEM 9.4.4**

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

That the recommendation be adopted.

*Debate ensued.*

**PROCEDURAL MOTION**

**Moved Cr Harley, Seconded Cr Peart**

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 7 October 2014.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-1)**

**For:** Presiding Member Mayor Carey, Cr Harley Cr Buckels Cr Cole, Cr Peart, Cr Wilcox

**Against:** Cr Topelberg

**(Cr Pintabona and Cr McDonald were on approved leave of absence.)**

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

**10.1 NOTICE OF MOTION: Mayor John Carey – Multiple Dwelling Developments in Mount Hawthorn on Residential land coded R30 and below**

Item 10.1 was the subject of a comment from a Member of the Public, for Council Decision refer page 35.

**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”)**

14.1

**PROCEDURAL MOTION**

At 7.27.pm **Moved Cr Harley, Seconded Cr Cole**

**That the Council proceed “behind closed doors” to consider confidential item 14.1, as this matter contains 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 (7-0)**

**There were no members of the public present.**

**PRESENT:**

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr James Peart	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. 36 (Lot: 96 D/P: 1106) Cavendish Street, Highgate – Proposed Carport Addition to Existing Single House – Review State Administrative Tribunal (SAT) DR 231 of 2014**

<b>Ward:</b>	South	<b>Date:</b>	29 August 2014
<b>Precinct:</b>	Hyde Park, P12	<b>File Ref:</b>	PRO5449; 5.2014.166.1
<b>Attachments:</b>	Confidential – Property Information Report and Development Plans Confidential – Applicants Submission		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Laming, Planning Assistant (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director of Planning Services		

**OFFICER RECOMMENDATION:**

That Council:

1. 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 report, circulated separately to Council Members, relating to Proposed Carport Addition to Existing Single House - Review State Administrative Tribunal (SAT) DR 231 of 2014, at No. 36 (Lot: 96 D/P: 1106) Cavendish Street, Highgate and as shown on amended plans date-stamped 22 April 2014; and
2. AUTHORISES the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

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**COUNCIL DECISION ITEM 14.1**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

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

(Cr Pintabona and Cr McDonald were on approved leave of absence.)

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**PROCEDURAL MOTION**

At 7.30 pm **Moved Cr Buckels, Seconded Cr Wilcox.**

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

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

**15. CLOSURE**

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

Mayor John Carey	Presiding Member
Cr Roslyn Harley ( <i>Deputy Mayor</i> )	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr James Peart	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 9 September 2014.

Signed: .....Presiding Member John Carey.

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