



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

4 APRIL 2017

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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ORDINARY COUNCIL MEETING MINUTES

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 4 April 2017, commencing at 6.06pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Emma Cole, declared the meeting open at 6.06pm 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 and we acknowledge elders past, present and emerging".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Jonathan Hallett

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Mayor Emma Cole	Presiding Member
Cr Roslyn Harley	North Ward (from 6.19pm)
Cr Matt Buckels	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
John Corbellini	Director Development Services
John Paton	Director Corporate Services
Michael Quirk	Director Community Engagement
Tim Evans	Manager Governance & Risk
Emma Simmons	Governance & Council Support Officer
<u>Media</u>	
Julian Wright	Journalist – "The Guardian Express" (until approximately 9pm)

Approximately 16 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. Peter Mrdja (address not supplied) – Item 9.1.3

- Spoke in favour of the proposal and requested deletion of the requirement for an acoustic report.

The Presiding Member Mayor Cole thanked Mr Mrdja for his comments.

2. Dudley Maier of Highgate – Item 9.3.4

- Expressed disappointment that the Policy had not been made available for public consultation.
- Stated that, in his view, the proposed ICT allowance was too high and did not provide value for money for the community.

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

3. Jason Collins (address not supplied) – Item 9.1.1

- Spoke in support of the application.

The Presiding Member Mayor Cole thanked Mr Collins for his comments.

4. Reid Ballantine of Mt Lawley - Item 9.1.5

- Spoke in support of the officer's recommendation which contains a revised condition 2 that was negotiated through State Administrative Tribunal (SAT) mediation.
- Mr Ballantine requested that the recommendation be supported by Council without amendments.

The Presiding Member Mayor Cole thanked Mr Ballantine for his comments.

5. Alf Parolo of West Perth

- Mr Parolo, Chair of the Cleaver Precinct Action Group spoke in opposition to the proposed Rosewood Care Group six storey development at 67 Cleaver Street, West Perth which has been deferred by the Metro West Development Assessment Panel (DAP).

The Presiding Member Mayor Cole thanked Mr Parolo for his comments.

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

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Loden requested leave of absence from 5 April 2017 to 20 April 2017 (inclusive) due to personal and work commitments.

Moved Cr Gontaszewski, Seconded Cr Buckels

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

CARRIED UNANIMOUSLY (6-0)

**(Cr Hallett was an apology for the Meeting.)
(Cr Harley had not yet arrived at the Meeting.)**

- 4.2 Cr Hallett requested leave of absence for 4 April 2017 due to work commitments.

Moved Cr Loden, Seconded Cr Buckels

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

CARRIED UNANIMOUSLY (6-0)

**(Cr Hallett was an apology for the Meeting.)
(Cr Harley had not yet arrived at the Meeting.)**

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 7 March 2017.

Moved Cr Buckels, Seconded Cr Gontaszewski

That the Minutes of the Ordinary Meeting of Council held on 7 March 2017 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (6-0)

**(Cr Hallett was an apology for the Meeting.)
(Cr Harley had not yet arrived at the Meeting.)**

- 6.2 Minutes of the Special Council Meeting held on 28 March 2017.

Moved Cr Loden, Seconded Cr Murphy

That the Minutes of the Special Council Meeting held on 28 March 2017 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (6-0)

**(Cr Hallett was an apology for the Meeting.)
(Cr Harley had not yet arrived at the Meeting.)**

Cr Harley arrived in Council Chambers at 6.19pm during Item 7.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor Emma Cole made the following announcements:

- 7.1 Mayor Cole spoke in response to Mr Parolo's statement regarding the proposed Rosewood Care Group six storey development at 67 Cleaver Street, West Perth. Mayor Cole advised that a leaflet had been distributed from the Cleaver Precinct to residents within the South Ward regarding the Rosewood Care Group application, which contained several errors of fact that the Mayor had addressed in a letter to Mr Parolo this afternoon.

Mayor Cole advised that while the leaflet stated that the "development was approved by Council" this was not the case. She further advised that the Council (the Council being the Elected Members) has not made any decision on the proposal and has no ability to determine this application. The State Government's *Planning and Development (Development Assessment Panels) Regulations 2011* make it clear that this application is the responsibility of the Joint Development Assessment Panel (JDAP) to determine, not Council.

The City's role in the process is to advertise the application, undertake the technical planning assessment of the proposal, make a recommendation, and provide this to the JDAP. In this instance the City's Officers recommended the JDAP approve the application, subject to conditions, given the results of its technical planning assessment. The Council has no role to play in this process, cannot influence the recommendation made by the City's Officers, and has not approved this development or indicated any support or otherwise for the proposal.

In response to Mr Parolo's comments that the application was 'rushed through Council' Mayor Cole advised Mr Parolo of the City's process in relation to planning applications. She further advised that in relation to public consultation the advertising process itself was comprehensive and included:

- A total of 446 letters being mailed directly to owners and occupiers within a 150 metre radius of the subject site;
- A sign being placed on the site that was visible from Cleaver Street for the duration of the consultation period;
- An advertisement being placed in the Perth Voice newspaper; and
- Details of the application being placed on the City's website for the duration of the consultation period.

The City received 105 separate submissions. The details of this process and the submissions received were also set out in the report presented to the JDAP on 15 February 2017.

Mayor Cole noted that after considering the application and all relevant information, the JDAP resolved to defer the application in order for the applicant to address a number of issues. The applicant subsequently applied to the State Administrative Tribunal (SAT) to have the matter reviewed as the proposal was not determined within the 90 day statutory timeframe set out in the State Government's Regulations.

Mayor Cole advised that the City's Officers have been invited to attend the mediation and their role will be to provide technical advice to the JDAP when requested.

Mayor Cole noted that Council is constrained by the planning system and also bound by a code of conduct. She advised that where Council Members have been able to assist and guide they have done so. She further stated that she would continue to advocate for Council's right for involvement in all development applications, including with the new Minister for Planning, the Hon. Rita Saffioti MLA.

7.2 Mayor Cole advised that the community budget submission period closed on 31 March 2017. The City received 51 applications which is similar to last year. She further advised that last year the City received some fantastic submissions which have since been funded and she is looking forward to reviewing this year's submissions and seeing some of the wonderful ideas that our community members have come up with.

7.3 Mayor Cole advised that 'Bike Week' ran from 17 March 2017 to 26 March 2017 and acknowledged that the City ran and sponsored a series of fantastic events this year. She extended a special thanks to Francois Sauzier, the City's Travel Smart Officer.

Mayor Cole stated that in the lead up to 'Bike Week' the City held a number of bike maintenance sessions, a 'Bike Swap Meet' on 18 March 2017 and also held a 'Bike Breakfast' followed by bike wash events during the week. The festivities were concluded with a 'Transition Town Bike Parade' on 26 March 2017.

8. DECLARATIONS OF INTERESTS

8.1 Len Kosova, Chief Executive Officer declared an impartiality interest in Item 9.5.2 – Audit Committee Minutes and Appointment of External Auditor. The extent of his interest being that he is acquainted with Mr Shaun Williams, an auditor who works with Moore Stephens (the recommended External Auditor). Mr Williams does not work in the Local Government division of Moore Stephens.

8.2 Cr Emma Cole – Declared an impartiality interest on item 14.1 - Confidential Item: Consideration of Ex Gratia Payment. The nature of her interest is that the persons affected have an association with a local community group with which she occasionally has an involvement in her role as a member of Council. She will consider the matter on its merits and vote accordingly.

8.3 Cr Jimmy Murphy – Declared an impartiality interest on item 14.1 - Confidential Item: Consideration of Ex Gratia Payment. The nature of his interest is that the persons affected are involved with a local community group to whom his company, Upbeat Events, has contracted its services for event management. He will consider the matter on its merits and vote accordingly.

8.4 Cr Roslyn Harley – Declared a proximity interest on item 9.1.2 - No. 43 (Lot: 65 D/P: 1106) Chatsworth Road, Highgate Section 31 Reconsideration – Proposed Additions and Alterations to Existing Single House. The nature of her interest is that she is the owner of a property adjacent to the subject site. Cr Harley did not seek approval to participate in the debate or to remain in the Council Chamber or vote on the matter.

9. REPORTS

As listed in the Index.

The Presiding Member, Mayor Emma Cole, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.1, 9.1.3, 9.1.5 and 9.3.4.

- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment and the following was advised:**

Item 9.5.2.

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

Item 9.1.2.

Presiding Member, Mayor Emma Cole, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor Emma Cole	Nil
Cr Harley (Deputy Mayor)	9.1.4
Cr Buckels	Nil
Cr Gontaszewski	Nil
Cr Loden	Nil
Cr Murphy	Nil
Cr Topelberg	9.1.4, 9.4.1

The Presiding Member, Mayor Emma Cole, 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 9.3.1, 9.3.2, 9.3.3 and 9.5.1.

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

Items 14.1, 14.2.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Gontaszewski, Seconded Cr Topelberg

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

Items 9.3.1, 9.3.2, 9.3.3, 9.5.1.

CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

9.3.1 Investment Report as at 28 February 2017

Ward:	Both	Date:	17 March 2017
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 28 February 2017 as detailed in Attachment 1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Gontaszewski, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Hallett was an apology for the Meeting.)

9.3.2 Authorisation of Expenditure for the Period 15 February 2017 to 13 March 2017

Ward:	Both	Date:	17 March 2017
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report – Payments by EFT 2 – Creditors Report – Payments by Cheque 3 – Credit Card Transactions		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under Delegated Authority for the period 15 February 2017 to 13 March 2017 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 80654, 8033–80844, 80890 – 80993	\$150,412.89
Cancelled Cheques 70941, 79514, 80934, 80935	-\$7,683.60
EFT Documents 2051-2058	\$2,971,817.07
Payroll	\$1,101,126.03

Direct Debits

• Lease Fees	\$1,002.28
• Loan Repayment	\$147,108.46
• Bank Fees and Charges	\$18,917.39
• Credit Cards	\$4,994.77
• Total Direct Debit	\$172,022.90
• Total Accounts Paid	\$4,387,695.29

COUNCIL DECISION ITEM 9.3.2

Moved Cr Gontaszewski, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Hallett was an apology for the Meeting.)

9.3.3 Financial Statements as at 28 February 2017

Ward:	Both	Date:	17 March 2017
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	S Teoh, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 28 February 2017 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Gontaszewski, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Hallett was an apology for the Meeting.)

9.5.1 Information Bulletin

Ward:	-	Date:	28 March 2017
Precinct:	-	File Ref:	-
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	E Simmons, Governance & Council Support Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 4 April 2017.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Gontaszewski, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Hallett was an apology for the Meeting.)

9.1.3 No. 39 (Lot: 2; D/P: 9083) Cowle Street, West Perth – Proposed Four Grouped Dwellings

Ward:	South	Date:	17 March 2017
Precinct:	Precinct 12 – Hyde Park	File Ref:	5.2016.437.1
Attachments:	1 – Location and Consultation Map 2 – Development Application Plans (updated) 3 – Applicant’s Justification 4 – Determination Advice Notes		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Statutory Planning Officer		
Responsible Officer:	J Corbellini, Director Development Services		

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 development application for Four Grouped Dwellings at No. 39 (Lot: 2; D/P: 9083) Cowle Street, West Perth in accordance with the plans as shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary walls facing Nos. 37 and 41 Cowle Street and Nos. 1-8/26 Carr Street, West Perth in a good and clean condition prior to the use or occupation of the development to the satisfaction of the City. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. Car Parking and Access

- 2.1 The car park shall be used only by residents and visitors directly associated with the development;
- 2.2 Vehicle and pedestrian access points are required to match into existing footpath levels;
- 2.3 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to occupancy or use of the development; and
- 2.4 All redundant crossovers shall be removed and the verge reinstated to the City’s satisfaction prior to the occupation or use of the development;

3. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings;

4. Privacy

The proposed screening devices depicted on the balconies on the first floor to the western elevations of Units 2 and 3 are to be screened in accordance with State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development;

5. **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be lodged with and approved by the City prior to commencement of the development. All recommended measures in the report shall be undertaken in accordance with the report to the City's satisfaction, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. **Landscape and Reticulation Plan**

6.1 A detailed landscape and reticulation plan for the development site and adjoining road verge is be lodged with and approved by the City prior to commencement of the development. The 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 Areas to be irrigated or reticulated;

6.1.3 The provision of 9.4% of the site area as deep soil zones;

6.1.4 21.5% of the site area as canopy cover at maturity; and

6.1.5 The details associated with the establishment and maintenance of vegetation on and over the steel arbors shown on the approved plans;

6.2 All works shown in the plans as identified in Condition 6.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

7. **Verge Trees**

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City; and

8. **Schedule of External Finishes**

Prior to the commencement of development a detailed schedule of external finishes (including elevation plans that depict materials and colour schemes and details of all structures including the dwellings, front fencing, front gate and arbors) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

9. **Construction Management Plan**

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Managements Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

10. **Clothes Drying Facility**

Each dwelling shall be provided with a clothes drying facility screened from Cowle Street and the internal access way in accordance with the State Planning Policy 3.1: Residential Design Codes prior to occupancy or use of the development. The clothes drying facility shall be maintained thereafter to the satisfaction of the City;

11. **Stormwater**

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

12. **General**

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

Moved Cr Loden, Seconded Cr Topelberg

That the recommendation be adopted.

PROPOSED AMENDMENT:

Moved Cr Topelberg, Seconded Cr Buckels

That condition 5 be deleted and the remaining conditions be renumbered accordingly.

AMENDMENT PUT AND LOST (2-5)

For: Cr Buckels and Cr Topelberg

Against: Presiding Member Mayor Cole, Cr Harley, Cr Gontaszewski, Cr Loden and Cr Murphy

(Cr Hallett was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.3

That the recommendation be adopted.

CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

9.3.4 Review of Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses

Ward:	Both	Date:	22 March 2017
Precinct:	All	File Ref:	SC2639
Attachments:	<p>1 - Amended Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses 2 - Current Policy 4.2.6 - Council Members – Purchase Of Items and Equipment Upon Retirement 3 - Current Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses –Marked Up 4 - Current Policy 4.2.8 - Council Members – Acknowledgement of Service and Purchase of Retirement Gift 5 - Council Member ICT Allowance Calculation</p>		
Tabled Items:	Nil.		
Reporting Officer:	T Evans, Manager Governance and Risk		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council:

1. **REVOKES Policy 4.2.6 – Council Members – Purchase of Items and Equipment upon Retirement;**
2. **REVOKES Policy 4.2.8 – Council Members – Acknowledgement of Service and Purchase of Retirement Gift; and**
3. **ADOPTS the amended Policy 4.2.7 – Council Members - Allowances, Fees and Re-imbusement of Expenses, as shown on Attachment 1, and agrees that public advertising and community consultation is not required.**

Moved Cr Gontaszewski, Seconded Cr Loden

That the recommendation be adopted.

PROPOSED AMENDMENT 1:

Moved Cr Loden, Seconded Cr Murphy

That Recommendation 3 be amended as follows:

3. **ADOPTS the amended Policy 4.2.7 – Council Members - Allowances, Fees and Re-imbusement of Expenses, as shown on Attachment 1, and agrees that public advertising and community consultation is not required, subject to the following changes:**

3.1 That clause 10 be amended as follows:

"10. ACKNOWLEDGEMENT OF SERVICE AND RETIREMENT GIFTS

Council acknowledges that Council Members work in a largely voluntary capacity and recognises that no financial reward of gift can adequately acknowledge this service given by Council Members.

On retirement, a Council Member will be presented with a framed certificate identifying the name of the Council Member and the years of service to Council, signed by the Mayor and the Chief Executive Officer.

A retirement gift up to the value of \$100 may also be given to the retiring Council Member at the discretion of the Mayor.

The certificate and any gift shall be presented at a Council Meeting or at a function to be determined by the Mayor and Chief Executive Officer.

~~Despite the provisions of Local Government (Administration) Regulation 1996, Regulation 34AC, Council believe that the purchase of a retirement gift is an unnecessary use of public money and a retirement gift will not be given by the City."~~

AMENDMENT 1 PUT AND LOST (3-4)

For: Cr Buckels, Cr Loden and Cr Murphy

Against: Presiding Member Mayor Cole, Cr Gontaszewski, Cr Harley and Cr Topelberg,

(Cr Hallett was an apology for the Meeting.)

PROPOSED AMENDMENT 2:

Moved Cr Harley, Seconded Cr Gontaszewski

That Recommendation 3 be amended as follows:

3. **ADOPTS** the amended Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses, as shown on Attachment 1, and agrees that public advertising and community consultation is not required, subject to the following changes:

3.1 That a new clause 2.1(b) be inserted in the policy as follows and the subsequent items in 2.1 be renumbered accordingly:

- "(b) the allocation of sufficient finances and resources by Council to provide ongoing administrative support to the Mayor in the form of a personal assistant."~~(at the Ordinary Meeting of Council held on 3 December 2013 approved of a Personal Assistant for four (4) days a week);"~~

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

PROPOSED AMENDMENT 3:

Moved Cr Topelberg, Seconded Cr Harley

That Recommendation 3 be amended as follows:

3. **ADOPTS** the amended Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses, as shown on Attachment 1, and agrees that public advertising and community consultation is not required, subject to the following changes:

3.2 That clause 10 be amended as follows:

"10. **ACKNOWLEDGEMENT OF SERVICE AND RETIREMENT GIFTS**

~~Council acknowledges that Council Members work in a largely voluntary capacity and recognises that no financial reward of gift can adequately acknowledge this service given by Council Members.~~

On retirement, a Council Member will be presented with a framed certificate identifying the name of the Council Member and the years of service to Council, signed by the Mayor and the Chief Executive Officer.

The certificate shall be presented at a Council Meeting or at a function to be determined by the Mayor and Chief Executive Officer.

Despite the provisions of *Local Government (Administration) Regulation 1996, Regulation 34AC*, Council believe that the purchase of a retirement gift is an unnecessary use of public money and a retirement gift will not be given by the City."

AMENDMENT 3 PUT AND CARRIED (6-1)

For: Presiding Member Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Harley, Cr Loden, and Cr Topelberg

Against: Cr Murphy

(Cr Hallett was an apology for the Meeting.)

PROPOSED AMENDMENT 4:

Moved Cr Harley, **Seconded** Cr Gontaszewski

That Council Members have the option to be provided with a phone and an iPad with a data plan to be provided in lieu of the ICT allowance.

AMENDMENT 4 PUT AND LOST (1-6)

For: Cr Harley

Against: Presiding Member Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Loden, Cr Murphy and Cr Topelberg.

(Cr Hallett was an apology for the Meeting.)

At the request of Cr Harley, in accordance with clause 5.7 of the Standing Orders Local Law, the Presiding Member Mayor Cole put the amended recommendation in the form of three separate motions, as follows:

COUNCIL DECISION ITEM 9.3.4

That Council:

1. **REVOKES** Policy 4.2.6 – Council Members – Purchase of Items and Equipment upon Retirement.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.3.4

That Council:

2. **REVOKES** Policy 4.2.8 – Council Members – Acknowledgement of Service and Purchase of Retirement Gift;

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.3.4

That Council:

3. **ADOPTS** the amended Policy 4.2.7 – Council Members - Allowances, Fees and Reimbursement of Expenses, as shown on Attachment 1, and agrees that public advertising and community consultation is not required, subject to the following changes:

- 3.1 That a new clause 2.1(b) be inserted into the policy as follows and the subsequent items in 2.1 be renumbered accordingly:

"(b) the allocation of sufficient finances and resources by Council to provide ongoing administrative support to the Mayor in the form of a personal assistant."

- 3.2 That clause 10 be amended as follows:

"10. **ACKNOWLEDGEMENT OF SERVICE AND RETIREMENT GIFTS**

~~Council acknowledges that Council Members work in a largely voluntary capacity and recognises that no financial reward or gift can adequately acknowledge this service given by Council Members.~~

On retirement, a Council Member will be presented with a framed certificate identifying the name of the Council Member and the years of service to Council, signed by the Mayor and the Chief Executive Officer.

The certificate shall be presented at a Council Meeting or at a function to be determined by the Mayor and Chief Executive Officer.

Despite the provisions of *Local Government (Administration) Regulation 1996*, Regulation 34AC, Council believe that the purchase of a retirement gift is an unnecessary use of public money and a retirement gift will not be given by the City."

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Presiding Member Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Loden, Cr Murphy and Cr Topelberg

Against: Cr Harley

(Cr Hallett was an apology for the Meeting.)

9.1.1 Nos. 36-38 (Lots: 3 & 4; D/P: 1346) Melrose Street, Leederville – Proposed Five Grouped Dwellings

Ward:	South	Date:	17 March 2017
Precinct:	Precinct 3 – Leederville	File Ref:	5.2016.36.1
Attachments:	1 – Location and Consultation Map 2 – Development Application Plans 3 – Summary of Submissions 4 – Extract of Design Advisory Committee Minutes and Comments 5 – Determination Advice Notes		
Tabled Items:	Nil		
Reporting Officer:	R Sklarski, Senior Planning Officer		
Responsible Officer:	J Corbellini, Director Development Services		

RECOMMENDATION:

That Council, under Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application for Five Grouped Dwellings at Nos. 36-38 (Lots: 3 & 4; D/P: 1346) Melrose Street, Leederville in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary walls facing Nos. 40 and 34 Melrose Street, Leederville in a good and clean condition prior to use or occupation of the development to the satisfaction of the City. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. Car Parking and Access

- 2.1 The car park shall be used only by residents and visitors directly associated with the development;
- 2.2 The visitor bay is to be marked accordingly;
- 2.3 Vehicle and pedestrian access points are required to match into existing footpath levels;
- 2.4 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development; and
- 2.5 All redundant crossovers shall be removed and the verge area reinstated to the City's satisfaction prior to the occupation or use of the development;

3. Right of Way

- 3.1 The Right of Way widening of 0.5m, as depicted on the approved plan, is to be ceded free of cost at the time of subdivision (including built strata subdivision) of the development to the satisfaction of the City;
- 3.2 The Right of Way widening of 0.5m, as depicted on the approved plan, shall be sealed, drained and graded to match into the level of the existing Right of Way to the satisfaction of the City prior to the occupation or use of the development; and

4. **External Fixtures**

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings to the satisfaction of the City;

5. **Privacy**

The proposed screening devices depicted on the balconies on the first floor to the western elevation of Unit 1 and eastern elevation of units 3 and 5 are to be screened in accordance with the Residential Design Codes of WA prior to the use or occupation of the development to the satisfaction of the City;

6. **Acoustic Report**

6.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning, shall be lodged with and approved by the City prior to the commencement of the development. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development, to the satisfaction of the City prior to the use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6.2 Prior to the use or occupation of the development, a notification shall be lodged under Section 70A of the Transfer of Land Act 1893 notifying proprietors and/or (prospective) purchasers of the property of the following:

“The lots are situated in the vicinity of a transport corridor and is currently affected or may in future be affected by transport noise.”

This notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

7. **Landscape and Reticulation Plan**

7.1 A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

7.1.1 The location and type of existing and proposed trees and plants, including the retention of the existing Frangipani tree within the street setback area;

7.1.2 Areas to be irrigated or reticulated; and

7.1.3 The provision of mature tree planting with a canopy cover, at maturity, of 39% of the site area, and the provision of landscaping comprised of 16% of the site area in the nominated deep soil zones on the approved plans;

7.2 All works shown in the detailed landscape and reticulation plan shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to the use or occupancy of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. **Verge Trees**

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

9. **Schedule of External Finishes**

Prior to commencement of development a detailed schedule of external finishes (including elevation plans that depict materials and colour schemes and details) shall be submitted to, and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

10. **Construction Management Plan**

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

11. **Clothes Drying Facility**

All external clothes drying areas shall be adequately screened in accordance with the Residential Design Codes prior to the use or occupation of the development and shall be completed to the satisfaction of the City;

12. **Stormwater**

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

13. **Amalgamation**

The existing lots that are the subject of this application being amalgamated prior to the commencement of the development; and

14. **General**

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

Cr Harley departed the Council Chamber at 7.19pm.
Cr Buckels departed the Council Chamber at 7.19pm.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Topelberg, **Seconded** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY (5-0)

(Cr Buckels and Cr Harley were absent from the Council Chamber and did not vote.)
(Cr Hallett was an apology for the Meeting.)

9.1.5 Nos. 338-342 (Lots: 9 and 10; D/P: 2287) Oxford Street, Leederville – Proposed Change of Use from Educational Establishment to Place of Public Worship

Ward:	North	Date:	17 March 2017
Precinct:	Precinct 3 – Leederville	File Ref:	5.2016.305.1
Attachments:	1 – Location and Consultation Map 2 – Approved Development Application, including Parking and Traffic Management Plan Approved 3 – Previous Development Approval and Plans 4 – Parking and Bicycle Tables		
Tabled Items:	Nil		
Reporting Officer:	G Hajjgabriel of Rowe Group, Consultant acting on behalf of Council		
Responsible Officer:	J Corbellini, Director Development Services		

RECOMMENDATION:

That Council, in accordance with the Orders made by the State Administrative Tribunal, Section 31 of the *State Administrative Tribunal Act 2004 (WA)*, VARIES its decision of 13 December 2016 for the proposed Change of Use from Educational Establishment to Place of Worship at Nos. 338-342 (Lots: 9 and 10; D/P: 2287) Oxford Street, Leederville, as shown on plans included as Attachment 3, by replacing Condition 2.2 with the following condition:

“2.2 Five years after the date of occupancy and every five years thereafter the City will review the maximum number of persons and the hours of operation permitted on the site as outlined in Condition No. 2.1 in consultation with the landowner, and the City acting reasonably may alter the maximum number of persons and/or the hours of operation permitted on the site. Any alteration to the permitted number of persons shall not exceed the maximum numbers prescribed in Condition No. 2.1 and shall be incorporated into a revised version of the Parking and Traffic Management Plan by the landowner. The landowner shall demonstrate compliance with any alteration to the maximum number of persons and/or the hours of operation within 120 days from the date when the required alteration is communicated by the City to the landowner”.

Cr Buckels returned to the Council Chamber at 7.21pm.

Cr Harley returned to the Council Chamber at 7.22pm.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Cr Loden departed the Council Chamber at 7.25pm and returned at 7.26pm.

PROPOSED AMENDMENT:

Moved Cr Harley, Seconded Cr Gontaszewski

That the Recommendation be amended as follows:

“That Council, in accordance with the Orders made by the State Administrative Tribunal, Section 31 of the *State Administrative Tribunal Act 2004 (WA)*, VARIES its decision of 13 December 2016 for the proposed Change of Use from Educational Establishment to Place of Worship at Nos. 338-342 (Lots: 9 and 10; D/P: 2287) Oxford Street, Leederville, as shown on plans included as Attachment 3, by replacing Condition 2.2 with the following condition:

“2.2 Five years after the date of occupancy and every ~~five~~ three years thereafter the City will review the maximum number of persons and the hours of operation permitted on the site as outlined in Condition No. 2.1 in consultation with the landowner, and the City acting reasonably may alter the maximum number of persons and/or the hours of operation permitted on the site. Any alteration to the permitted number of persons shall not exceed the maximum numbers prescribed in Condition No. 2.1 and shall be incorporated into a revised version of the Parking and Traffic Management Plan by the landowner. The landowner shall demonstrate compliance with any alteration to the maximum number of persons and/or the hours of operation within 120 days from the date when the required alteration is communicated by the City to the landowner.”

AMENDMENT PUT AND CARRIED (5-2)

For: Presiding Member Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Harley and Cr Topelberg

Against: Cr Loden and Cr Murphy

(Cr Hallett was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.5

That the Recommendation be amended as follows:

That Council, in accordance with the Orders made by the State Administrative Tribunal, Section 31 of the *State Administrative Tribunal Act 2004 (WA)*, VARIES its decision of 13 December 2016 for the proposed Change of Use from Educational Establishment to Place of Worship at Nos. 338-342 (Lots: 9 and 10; D/P: 2287) Oxford Street, Leederville, as shown on plans included as Attachment 3, by replacing Condition 2.2 with the following condition:

“2.2 Five years after the date of occupancy and every three years thereafter the City will review the maximum number of persons and the hours of operation permitted on the site as outlined in Condition No. 2.1 in consultation with the landowner, and the City acting reasonably may alter the maximum number of persons and/or the hours of operation permitted on the site. Any alteration to the permitted number of persons shall not exceed the maximum numbers prescribed in Condition No. 2.1 and shall be incorporated into a revised version of the Parking and Traffic Management Plan by the landowner. The landowner shall demonstrate compliance with any alteration to the maximum number of persons and/or the hours of operation within 120 days from the date when the required alteration is communicated by the City to the landowner.”

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

(Cr Hallett was an apology for the Meeting.)

9.1.4 No. 360 (Lots: 71 & 73; D/P: 35384) Stirling Street, Highgate – Proposed Amendment to Previous Approval: Change of Use from Shop and Single House to Eating House including Alfresco Area, Single House and Associated Additions and Alterations

Ward:	South	Date:	17 March 2017
Precinct:	Precinct 14 – Forrest	File Ref:	5.2016.318.1
Attachments:	1 – Location and Consultation Map 2 – Previous Development Approval and Plan (updated) 3 – Applicant’s Justification 4 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Statutory Planning Officer		
Responsible Officer:	J Corbellini, Director Development Services		

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 development application to amend the conditions for development approval 5.2012.51.1 granted on 12 March 2012 for a Change of Use from Shop and Single House to Eating House including Alfresco Area, Single House and Associated Additions and Alterations at No. 360 (Lots: 71 & 73; D/P: 35384) Stirling Street, Highgate, subject to the following:

1. All conditions and advice notes detailed on development approval 5.2012.51.1 granted on 12 March 2012 included in Attachment 2 continue to apply to this approval, except as follows:
 - a) Condition 1.3 of the development approval is amended as follows:
 - “1.3 (a) The hours of operation of the eating house shall be limited to Monday to Saturday: 7:00am to 9:00pm and Sunday: 9:00am to 9:00pm”;
 - (b) The use of the outdoor alfresco associated with the eating house as depicted on the approved plans shall be limited to Monday to Saturday: 7:00am to 7:00pm and Sunday: 9:00am to 7:00pm; and
 - (c) Within 28 days of the date of this approval, a noise management plan is to be submitted to and approved by the City which shall provide strategies to adequately manage noise generating activities at the premises including, but not limited to the following:
 - Operating Hours;
 - Hours of use and style of amplified music;
 - Speaker location, type and size in outdoor dining area;
 - Waste collection;
 - Deliveries; and
 - Community relations.”

Moved Cr Topelberg, Seconded Cr Gontaszewski

That the recommendation be adopted.

PROPOSED AMENDMENT:

Moved Cr Topelberg, Seconded Cr Gontaszewski

That a new Recommendation b) be included as follows:

“b) **Condition 10 is included on the development approval as follows:**

“10. **This approval is personal to the applicant (E Vujcic) and is not transferable or assignable to any other person or entity. The applicant (E Vujcic) shall be the operator of the ‘Eating House’ at all times. This approval shall lapse and cease to remain valid upon any change in operator of the ‘Eating House’.**”

AMENDMENT PUT AND CARRIED (6-1)

For: Presiding Member Mayor Cole, Cr Gontaszewski, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg,

Against: Cr Buckels

(Cr Hallett was an apology for the Meeting.)

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** the development application to amend the conditions for development approval 5.2012.51.1 granted on 12 March 2012 for a Change of Use from Shop and Single House to Eating House including Alfresco Area, Single House and Associated Additions and Alterations at No. 360 (Lots: 71 & 73; D/P: 35384) Stirling Street, Highgate, subject to the following:

1. **All conditions and advice notes detailed on development approval 5.2012.51.1 granted on 12 March 2012 included in Attachment 2 continue to apply to this approval, except as follows:**

a) **Condition 1.3 of the development approval is amended as follows:**

1.3 (a) **The hours of operation of the eating house shall be limited to Monday to Saturday: 7:00am to 9:00pm and Sunday: 9:00am to 9:00pm”;**

(b) **The use of the outdoor alfresco associated with the eating house as depicted on the approved plans shall be limited to Monday to Saturday: 7:00am to 7:00pm and Sunday: 9:00am to 7:00pm; and**

(c) **Within 28 days of the date of this approval, a noise management plan is to be submitted to and approved by the City which shall provide strategies to adequately manage noise generating activities at the premises including, but not limited to the following:**

- **Operating Hours;**
- **Hours of use and style of amplified music;**
- **Speaker location, type and size in outdoor dining area;**
- **Waste collection;**
- **Deliveries; and**
- **Community relations.”**

b) **Condition 10 is included on the development approval as follows:**

“10. This approval is personal to the applicant (E Vujcic) and is not transferable or assignable to any other person or entity. The applicant (E Vujcic) shall be the operator of the ‘Eating House’ at all times. This approval shall lapse and cease to remain valid upon any change in operator of the ‘Eating House’.”

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

(Cr Hallett was an apology for the Meeting.)

9.4.1 Draft City of Vincent 'Reflect' Reconciliation Action Plan 2017/18

Ward:	Both	Date:	20 March 2017
Precinct:	All	File Ref:	SC1219
Attachments:	1 – Draft City of Vincent 'Reflect' Reconciliation Action Plan 2017/18		
Tabled Items:	Nil		
Reporting Officer(s):	K Schnitzerling, Manager Community Partnerships L Keillor, Community Development Officer		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council;

- ADOPTS** the City of Vincent 'Reflect' Reconciliation Action Plan 2017/18, included as Attachment 1, and **NOTES** that the Plan will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication.
- REQUESTS** that the Chief Executive Officer forward the City of Vincent 'Reflect' Reconciliation Action Plan 2017/18 to Reconciliation Australia for final endorsement.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Harley, **Seconded** Cr Loden

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

9.1.2 No. 43 (Lot: 65 D/P: 1106) Chatsworth Road, Highgate Section 31 Reconsideration – Proposed Additions and Alterations to Existing Single House

Ward:	South	Date:	17 March 2017
Precinct:	Precinct 12 – Hyde Park	File Ref:	5.2016.36.1
Attachments:	1 – Location and Consultation Map 2 – Development Application Plans 3 – Summary of Submissions 4 – Determination Advice Notes		
Tabled Items:	Nil		
Reporting Officer:	C Connor, Statutory Planning Officer		
Responsible Officer:	J Corbellini, Director Development Services		

RECOMMENDATION:

That the Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for Alterations and Additions to a Single House at No. 43 (Lot: 65; D/P: 1106) Chatsworth Street, Highgate in accordance with the plans as shown on Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. **Land Use**

- 1.1 This approval is for additions to a Single House only, as defined in State Planning Policy 3.1: Residential Design Codes. The 'PROPOSED STUDIO ADDITION' and 'COURTYARD' shall at all times be used together with the existing development on site as 'Single House' and 'Dwelling' as defined by the State Planning Policy 3.1: Residential Design Codes; and
- 1.2 The studio(s) shall only be occupied by person/s associated with the use of the single house on the subject property. The studio is not to be self-contained as defined by the *Health Act (Laundries and Bathroom) Regulations*;

2. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary walls facing Nos. 39-41 and 47 Chatsworth Road in a good and clean condition prior to the use or occupation of the development and thereafter maintained to the satisfaction of the City. The finish of the walls are to be fully rendered, face brickwork or other such finish to the satisfaction of the City;

3. **External Fixtures**

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings;

4. **Privacy**

Adequate screening, in accordance with State Planning Policy 3.1: Residential Design Codes, shall be provided to prevent overlooking from the 'Desk'/ 'Alfresco' area into the active habitable spaces and outdoor living areas of the property to the west prior to the use or occupation of the development;

5. **Stormwater**

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

6. **General**

- 6.1 Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists; and
 - 6.2 This approval relates to the 'PROPOSED STUDIO ADDITION' and 'COURTYARD' indicated on the approved plans only and not to any other development on the lot.
-

Cr Harley declared a proximity interest in Item 9.1.2 and left the Council Chamber at 7.52pm prior to consideration of the item.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY (6-0)

(Cr Harley was absent from the Council Chamber and did not vote.)
(Cr Hallett was an apology for the Meeting.)

Cr Harley returned to the Council Chamber at 7.53pm.

9.5.2 Audit Committee Minutes and Appointment of External Auditor

Ward:	Both	Date:	22 March 2017
Precinct:	All	File Ref:	SC2639
Attachments:	1 – Unconfirmed Minutes Audit Committee 21 March 2017 2 – 08/17 - Request for Quotation document 3 – Confidential Attachment - Summary of Financial Evaluation 4 – Confidential Attachment - Draft External Audit Services Contract		
Tabled Items:	Nil.		
Reporting Officer:	T Evans, Manager Governance and Risk		
Responsible Officer:	L Kosova, Director Corporate Services		

RECOMMENDATION:

That Council:

1. **RECEIVES** the unconfirmed Minutes of the Audit Committee Meeting held on 29 November 2016, as shown in Attachment 1; and
2. **APPOINTS BY ABSOLUTE MAJORITY** David Tomasi, Wen-Shien Chai and Greg Godwin from Moore Stephens as the City’s external auditors for the term of the 2016/17 and 2017/18 financial years; and
 - 2.1 **ACCEPTS** the quote submitted by Moore Stephens for the provision of External Audit Services to the City for the 2016/17 – 2017/18 financial years with an option to extend the contract for a further one year; and
 - 2.2 **ENDORSES** the draft External Audit Services contract and authorise the Mayor to execute the contract on behalf of Council.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Loden, **Seconded** Cr Topelberg

That the recommendation be adopted.

Cr Murphy departed the Council Chamber at 7.53pm.

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

(Cr Hallett was an apology for the Meeting.)
(Cr Murphy was absent from the Council Chamber and did not vote.)

Cr Murphy returned to the Council Chamber at 7.55pm.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 7.56pm **Moved** Cr Topelberg, **Seconded** Cr Buckels

Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports relating to Items 14.1 and 14.2 as these matters contain information concerning a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

There were no members of the public present.

PRESENT:

Mayor Emma Cole	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
John Corbellini	Director Development Services
John Paton	Director Corporate Services
Michael Quirk	Director Community Engagement
Tim Evans	Manager Governance & Risk
Emma Simmons	Governance & Council Support Officer

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

14.1 CONFIDENTIAL ITEM: CONSIDERATION OF EX GRATIA PAYMENT

Ward:		Date:	
Precinct:		File Ref:	
Attachments:	Confidential Attachment 1		
Tabled Items:			
Reporting Officer:	L Kosova, Chief Executive Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

COUNCIL DECISION ITEM 14.1

Moved Cr Gontaszewski, Seconded Cr Loden

That Council, further to its decision relating to Item 14.2 from the Ordinary Council Meeting Agenda of 15 November 2016, **AUTHORISES** the Chief Executive Officer to execute an agreement to conclude this matter in accordance with the revised terms outlined in this report.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

14.2 CONFIDENTIAL ITEM: REQUEST FOR EX GRATIA PAYMENT

Ward:		Date:	
Precinct:		File Ref:	
Attachments:	Confidential Attachment 1 – Site Plan Confidential Attachment 2 – Safety Barrier Plan Confidential Attachment 3 – Photographs of Barrier Fencing		
Tabled Items:	Nil		
Reporting Officer:	L Kosova, Chief Executive Officer		
Responsible Officer:	L Kosova, Chief Executive Officer		

COUNCIL DECISION ITEM 14.2

Moved Cr Loden, Seconded Cr Gontaszewski

That Council **DECLINES** the request for an Ex Gratia Payment, as outlined in the Confidential Report and takes no further action on the matter.

MOTION PUT AND CARRIED (6-1)

For: Presiding Member Mayor Cole, Cr Buckels, Cr Gontaszewski, Cr Loden, Cr Murphy and Cr Topelberg

Against: Cr Harley

(Cr Hallett was an apology for the Meeting.)

PROCEDURAL MOTION

At 8.11pm

Moved Cr Topelberg, Seconded Cr Buckels

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Hallett was an apology for the Meeting.)

15. CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 8.12pm with the following persons present:

Mayor Emma Cole	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Susan Gontaszewski	South Ward
Cr Dan Loden	North Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
John Corbellini	Director Development Services
John Paton	Director Corporate Services
Michael Quirk	Director Community Engagement
Tim Evans	Manager Governance & Risk
Emma Simmons	Governance & Council Support Officer

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 4 April 2017.

Signed: Mayor Emma Cole.

Dated this day of 2017.