



CITY OF VINCENT

**ORDINARY
COUNCIL MEETING**

Minutes

23 AUGUST 2016

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 23 August 2016, commencing at 6:05pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6:05pm 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

Nil.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward (from 6:07pm)
Cr Emma Cole	North Ward
Cr Dan Loden	North Ward
Cr Susan Gontaszewski	South Ward
Cr Laine McDonald	South Ward (from 6:06pm)
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Paola Di Perna	Acting Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Priyamvada Rasal	Governance & Council Support Officer
<u>Media</u>	
Giovanni Torre	Journalist – "The Guardian Express" (Until approximately 7:48 pm)

Approximately 10 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. Rachael Bott of 31 Vine Street, North Perth – Item 9.3.4

- Thanked the Administration for the extensive report. However, raised concern on how the City will assess each bank's social and environmental responsibility ratings and queried whether the new sustainable environmental strategy will contain a set of specific guidelines by which each institution will be rated. Also queried whether the City will use its own set for the rating or will it be combining its research with other third party organisations?

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

Cr McDonald arrived at 6:06pm.

Cr Buckels arrived at 6:07pm.

2. Dudley Maier of 51 Chatsworth Road, Highgate

- Submitted a written list of 35 questions which were taken on notice.

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

3. John Russell of 156 Chelmsford Road, North Perth – Item 9.2.5

- Requested residential parking on the north side of the Chelmsford Road so that the vehicles can be parked beneath the trees.

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

There being no further speakers, Public Question Time closed at approximately 6:12pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Loden requested leave of absence from 13 September 2016 to 1 October 2016 (inclusive) due to personal commitments.

Moved Cr Harley, Seconded Cr Gontaszewski

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

CARRIED UNANIMOUSLY (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held on 26 July 2016.

Moved Cr Loden, Seconded Cr McDonald

That the Minutes of the Ordinary Meeting of Council held on 26 July 2016 be confirmed as a true and correct record of that meeting, subject to the Minutes being amended as follows:

Page 3 – Correcting the name and address of the public speaker to read as follows:

13. **Melanie McInerney of 2 Egina Street**, Mt Hawthorn – Item 9.1.11

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

Page 26 – In relation to Agenda item 9.3.4, deleting the words “That the recommendation be adopted.” and “Debate ensued.” where they appear immediately after PROPOSED AMENDMENT 2 was moved and seconded.

Page 44 – In relation to Agenda item 9.1.12, inserting the words “Debate ensued.” immediately before the vote on PROPOSED AMENDMENT 2 and deleting the words “Debate ensued.” where they appear immediately before the introduction of PROPOSED AMENDMENT 3.

Page 45 – In relation to Agenda item 9.1.12, by inserting the words “Debate ensued.” immediately before the vote on PROPOSED AMENDMENT 3 and also immediately before the vote on PROCEDURAL MOTION and deleting the words “Debate ensued.” where they appear immediately before the introduction of the PROCEURAL MOTION and PROPOSED AMENDMENT 4.

Page 46 – In relation to Agenda item 9.1.12, inserting the following words after recommendation 1.3:

“1.4 Amending Clause 4.2.2 of Policy 7.4.8 to read as follows:”

CARRIED UNANIMOUSLY (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor Carey made the following announcement:

7.1 Opening of Charles Veryard Clubroom

The Mayor acknowledged the presence of Cr Cole at the opening of the refurbished Charles Veryard Reserve Clubrooms.

The project was in the making for a long time and it demonstrates the change and the focus of the City of Vincent. In terms of our investment in sporting and recreational facilities, it is focused on our junior sports. We are also looking at upgrading Menzies Reserve, which we recognise was only used by the Cardinals. We had suggested that they move part of their operations to Charles Veryard Reserve so that we can upgrade the facilities at that Reserve for three sporting groups that is the Tuart Hill Cricket Club, the Cardinals Junior Football Club and the Modernians Hockey Club. It is part of that significant investment and we have upgraded the clubrooms for those three clubs. We are putting in new sport lighting and there will be some further work. Overall it demonstrates the new direction that the City wants, which clearly is that we want to invest in facilities for junior sports but we also want to invest in facilities where there are shared spaces. It is obvious that we will have optimum benefit when we have three sporting clubs using the same facility.

7.2 Announcement regarding Cr McDonald

The Mayor acknowledged that Cr McDonald has indicated her intention to resign to take up a position in the Upper House of Parliament. He also acknowledged Cr McDonald’s public service over the last three years at the City of Vincent and thanked Cr McDonald for her commitment and energy to the reforms that have

been pursued at the City of Vincent. The Mayor mentioned that there were some tough decisions that previously needed to be made about the future direction of the City, particularly about the appointment of the new Chief Executive Officer and Cr McDonald contributed in those decisions. Mayor Carey thanked Cr McDonald for her persistence in carrying out the reforms at the City of Vincent and congratulated her on her intended new position in the Upper House of Parliament.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Emma Cole - Declared a proximity interest in Item 9.2.4 - Proposed Traffic Calming - Anzac Road, Mount Hawthorn. The extent of her interest being that she lives on Anzac Road where she is an owner/occupier of her primary (and only) dwelling.

9. REPORTS

As listed in the Index.

The Presiding Member, Mayor John Carey, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**

Items 9.2.5 and 9.3.4.

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

Items 9.1.1 and 9.1.2.

- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**

Item 9.2.4.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	9.1.3
Cr Harley (Deputy Mayor)	9.5.1
Cr Buckels	Nil.
Cr Cole	9.2.3
Cr Loden	Nil.
Cr Gontaszewski	Nil.
Cr Laine McDonald	9.2.5
Cr Murphy	9.1.5 and 9.1.6
Cr Topelberg	9.4.1

The Presiding Member, Mayor John Carey therefore advised the meeting of:

- (e) **Unopposed items which will be moved "En Bloc", being:**

Items 9.1.4, 9.2.1, 9.2.2, 9.3.1, 9.3.2, 9.3.3, 10.1 and 10.2.

- (f) **Confidential Reports which will be considered behind closed doors, being:**

Item 14.1.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Loden, Seconded Cr Harley

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

Items 9.1.4, 9.2.1, 9.2.2, 9.3.1, 9.3.2, 9.3.3, 10.1 and 10.2.

CARRIED UNANIMOUSLY (9-0)

9.1.4 No. 104 (Lot: 26; D/P: 2359) Chelmsford Road, Mount Lawley – Retrospective Amendment to Previous Approval: Alterations and Additions to an Existing Single House

Ward:	South Ward	Date:	5 August 2016
Precinct:	Precinct 10 – Norfolk	File Ref:	PR19917; 5.2015.567.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Copy of Planning Approval granted 20 April 2015 & Plans 4 – Comparison Table 5 – Applicant’s Justification		
Tabled Items:	Nil		
Reporting Officer:	A Spicer, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the retrospective application to an existing planning approval granted on 20 April 2015 numbered 5.2015.16.1 for alterations and additions to an existing Single House at No. 104 (Lot: 26; D/P: 2359) Chelmsford Road, Mount Lawley on plans date stamped 3 August 2016, as shown on Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 102 Chelmsford Road in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Carport**

The carport shall be 100% open on all sides and at all times except where it abuts a dwelling or a property boundary on one side;

3. **Car Parking and Access**

The car parking and access areas are to comply with the requirements of AS2890.1;

4. **External Fixtures**

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

5. **Verge Trees**

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

6. Within twenty-eight (28) days of the issue date of this 'Approval to commence development, the owners or the applicant on behalf of the owners are required to:

6.1 **Front Fence – Pier Modifications**

6.1.1 Submit a plan together with the application for Building Approval Certificate, which identifies the front fence pier accommodating the letterbox be positioned to the western side of the pedestrian access gate to the satisfaction of the City ; and

6.1.2 The constructed front fence pier as depicted on the plan dated 3 August 2016 which currently accommodates the letterbox (positioned on eastern side of the pedestrian access gate) is to be reinstated to be a maximum width of 355mm x 355mm and be a maximum height of 1.8 metres as measured from the footpath level to the satisfaction of the City;

6.2 **Building Approval Certificate**

Submit a BA13-Application for Building Approval Certificate, which should be accompanied by a BA18-Certificate of Building Compliance, signed by a registered Building Surveyor;

6.3 **Window Modifications**

6.3.1 All north and west facing windows on the upper floor shall be fitted with obscure glazing to the satisfaction of the City; and

6.3.2 All north and west facing windows on the upper floor shall:

- (a) be modified so that awning windows have a maximum awning opening of 125mm; and
- (b) all other windows are to be permanently fixed to a height of 1.6 metres;

7. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

7.1 **Stormwater**

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

8. 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.

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 2, open style gates/panels with a visual permeability of 80 per cent are permitted;

3. With reference to Condition 6.1, standard 'Visual Truncations', in accordance with the City's Policy 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings;
4. With reference to Condition 6.3, the obscure glazing is required for the full extent of the window panels;
5. With reference to Condition 7.1, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
6. The Right of Way (ROW) shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The ROW surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the ROW condition has deteriorated, or become impassable as a consequence of the works the applicant/developer shall make good the surface to the full satisfaction of the City; and
7. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.2.1 Road Safety Advisory Group Meeting July 2016

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 1 – Mt Hawthorn Precinct 8 – North Perth	File Ref:	SC1134, SC701, SC770, SC803, SC180
Attachments:	1 – Plan Nos 3348-CP-01, 3349-CP-01 & 3370-CP-01 2 – Plan No 3359-CP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **APPROVES** the implementation of the following works as recommended by the Road Safety Advisory Group at its meeting held on 18 July 2016:
 - 1.1 **Safety improvements in Brady Street, Mount Hawthorn, estimated to cost \$20,000, as shown on attached Plan Nos 3348-CP-01, 3349-CP-01 and 3370-CP-01 Attachment 1;**
 - 1.2 **Traffic management improvements in Gill Street, North Perth estimated to cost \$20,000 as shown on attached Plan No 3359-CP-01 Attachment 2; and**
 - 1.3 **Pedestrian/Cycling improvements in Ellesmere Street, Mount Hawthorn, estimated to cost \$40,000 as discussed in the report;**
2. **REFERS** the Beaufort / Walcott Street intersection to the Road Safety Advisory Group to reconsider the following:
 - 1.1 **Permanently banning the right turn movements at the intersection;**
 - 1.2 **Installation of a ‘red light’ traffic camera; and**
 - 1.3 **The provision of Parallel pedestrian walk phasings with 10 second phase;**
3. **ADVISES** residents from Brady Street, Gill Street and Ellesmere Street of the respective proposals as per 1 above; and
4. **RECEIVES** a further report once the Road Safety Advisory Group has considered the Beaufort/ Walcott Street intersection.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.2.2 Proposed Pedestrian Safety Improvements - Vincent Street, West Perth

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 5 – Cleaver Precinct 6 – Smith’s Lake	File Ref:	SC979, SC1680, SC2353
Attachments:	1 – Plan No 3358-DC-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **APPROVES** the implementation of the pedestrian safety improvement works in Vincent Street, West Perth between Florence and Cleaver Streets estimated to cost \$25,000, as shown on attached Plan No 3358-DC-01 Attachment 1;
2. **ADVISES** the residents, who made a budget submission requesting pedestrian safety improvement on Vincent Street, of its decision; and
3. **RECEIVES** a further report on progress regarding longer term improvement measures on Vincent Street in the vicinity of the Beatty Park Leisure Centre.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.1 Investment Report as at 31 July 2016

Ward:	Both	Date:	5 August 2016
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 31 July 2016 as detailed in Attachment 1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.2 Authorisation of Expenditure for the Period 1 July 2016 to 31 July 2016

Ward:	Both	Date:	5 August 2016
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 01 July 2016 to 31 July 2016 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 80060 - 80189	\$281,177.67
Cancelled Cheques	- \$700.00
EFT Documents 1957 - 1968	\$3,671,450.53
Payroll	\$1,053,090.10

Direct Debits

- **Lease Fees** \$183,547.14
- **Loan Repayment** \$202,845.27
- **Bank Fees and Charges** \$14,849.42
- **Credit Cards** \$13,077.26

Total Direct Debit	\$414,319.09
Total Accounts Paid	\$5,419,337.39

COUNCIL DECISION ITEM 9.3.2

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3.3 Provisional Financial Statements as at 30 June 2016

Ward:	Both	Date:	8 August 2016
Precinct:	All	File Ref:	SC357
Attachments:	1 - Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **RECEIVES** the Provisional Financial Statements for the month ended 30 June 2016 as shown in Attachment 1.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

10.1 NOTICE OF MOTION: Councillor Laine McDonald – Request to consider Pedestrian Safety on Beaufort Street, Highgate between Broome Street and Walcott Street

That Council:

1. REQUESTS the Chief Executive Officer to write to Main Roads Western Australia seeking its support to implement improved pedestrian safety measures along Beaufort Street, Highgate between Broome Street and Walcott Street, including but not limited to zebra crossings, increased median widths and dedicated pedestrian crossing signals; and
2. RECEIVES a report to consider the City's further options once a response has been received from Main Roads Western Australia in response to 1 above.

COUNCIL DECISION ITEM 10.1

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

10.2 NOTICE OF MOTION: Mayor John Carey – Community Development Initiative for Isolated Seniors

That Council REQUESTS the Chief Executive Officer to:

1. Investigate the potential establishment of a community development initiative that facilitates connections between isolated seniors in our community and nearby residents, including the creation of a contact register and funded police checks, to enable such meetings and activities to occur; and
2. Report back to Council with recommendations relating to this community development initiative for isolated seniors no later than December 2016.

COUNCIL DECISION ITEM 10.2

Moved Cr Loden, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.3.4 Review of Investment Policy

Ward:	Both	Date:	8 August 2016
Precinct:	All	File Ref:	SC1408
Attachments:	1 – 1.2.4 Investment Policy		
Reporting Officers:	G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council:

1. **ADOPTS** the amended Policy *1.2.4 Investment Policy* included as Attachment 1; and agrees that public advertising and community consultation is not required;
2. **REQUESTS** Administration to seek validation from the major banks of their social and environmental responsibility policies and performance and report the results to the Ordinary Council Meeting on 13 December 2016;
3. **REQUESTS** The *WA Local Government Association (WALGA)* to lobby the major banks on behalf of all local governments in Western Australia to improve their social and environmental responsibility performance; and
4. **RESOLVES** to incorporate further review of the Investment Policy into the development of the next Sustainable Environment Strategy.

Moved Cr Loden, Seconded Cr Murphy

That the recommendation be adopted.

PROPOSED AMENDMENT

Moved Cr Loden, Seconded Cr Buckels

That a new Recommendation 5 be inserted as follows:

5. GIVES CONSIDERATION to including a provisional amount of \$80,000 in the 2017/18 budget for investment in carbon abatement initiatives within the City of Vincent.

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.3.4

That Council:

1. **ADOPTS** the amended Policy *1.2.4 Investment Policy* included as Attachment 1; and agrees that public advertising and community consultation is not required;
2. **REQUESTS** Administration to seek validation from the major banks of their social and environmental responsibility policies and performance and report the results to the Ordinary Council Meeting on 13 December 2016;

3. **REQUESTS** The *WA Local Government Association (WALGA)* to lobby the major banks on behalf of all local governments in Western Australia to improve their social and environmental responsibility performance; and
 4. **RESOLVES** to incorporate further review of the Investment Policy into the development of the next Sustainable Environment Strategy.
 5. **GIVES CONSIDERATION** to including a provisional amount of \$80,000 in the 2017/18 budget for investment in carbon abatement initiatives within the City of Vincent.
-

9.2.5 Proposed Parking Restriction Trial – Chelmsford Road, Leake Street and Grosvenor Road, North Perth

Ward:	South	Date:	8 August 2016
Precinct:	Precinct 6 – Smith's Lake	File Ref:	SC738, SC850, SC811, SC1201
Attachments:	1 – Plan No 3311-PP-01 2 – Plan No 3311-PP-01B 3 – Consultation Summary		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the proposal, as shown on Plan No 3311-PP-01, Attachment 1, for 'trial' parking restrictions in Chelmsford and Grosvenor Roads (east and west of Fitzgerald Street), and Leake Street, south of Grosvenor Road, as per Attachment 3, and the outcomes of the public meeting held on 13 July 2016;
2. **APPROVES** the introduction of a 12 month parking restriction 'trial' as shown on Plan 3311-PP-01B, Attachment 2, as summarised below;

Location	Proposal
Plan No 3311-PP-01B - Attachment 2	
Chelmsford Road, west of Fitzgerald Street	<ul style="list-style-type: none"> • TRIAL - 'Residential Only Parking' 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the south side of the street and for the two (2) existing bays on the north side of the street nearest Leake Street ; and • Maintain the existing 'No Parking' restriction on the north side of the street.
Leake Street, south of Grosvenor Road	<ul style="list-style-type: none"> • TRIAL - 'Residential Only Parking' 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the west side of the street; and • TRIAL - 'No Parking' restriction on the east side of the street.
Grosvenor Road, west of Fitzgerald	<ul style="list-style-type: none"> • TRIAL - 'No Parking' restriction on the south side of the street; and • Maintain the status quo in Grosvenor Road west of Fitzgerald Street, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street.
Chelmsford and Grosvenor Roads, east of Fitzgerald Street	<ul style="list-style-type: none"> • Maintain the status quo, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street and unrestricted parking on the south side of the street.
Fitzgerald Street between Vincent Street and Raglan Road	<ul style="list-style-type: none"> • Mark bays on road both side of Fitzgerald Street to be 2P outside of AM and PM clearway hours.

3. **ADVISES** all respondents and attendees to the public meeting of its decision;
4. **CONSULTS** with residents in July 2017 seeking further comments regarding the outcomes of the trial prior to the matter being further considered; and
5. **RECEIVES** a further report at the conclusion of the trial period

Moved Cr Topelberg, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT

Moved Cr Topelberg, Seconded Cr Loden

That Recommendation 2 be amended to read as follows:

2. **APPROVES** the introduction of a 12 month parking restriction ‘trial’ as shown on Plan 3311-PP-01B, Attachment 2, as summarised below;

Location	Proposal
Plan No 3311-PP-01B - Attachment 2	
Chelmsford Road, west of Fitzgerald Street	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the south side of the street and for the two (2) existing bays on the north side of the street nearest Leake Street ; and • Maintain the existing ‘No Parking’ restriction on the north side of the street.
Leake Street, south of Grosvenor Road	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the west side of the street; and • TRIAL - ‘No Parking’ restriction on the east side of the street.
Grosvenor Road, west of Fitzgerald	<ul style="list-style-type: none"> • TRIAL - ‘No Parking’ restriction on the south side of the street; and • Maintain the status quo in Grosvenor Road west of Fitzgerald Street, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street.
Chelmsford and Grosvenor Roads, east of Fitzgerald Street	<ul style="list-style-type: none"> • Maintain the status quo, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street and unrestricted parking on the south side of the street.
Fitzgerald Street between Vincent Street and Raglan Road	<ul style="list-style-type: none"> • Mark bays on road both side of Fitzgerald Street to be 2P outside of AM and PM clearway hours.

and a new Recommendation 3 be inserted as follows, with the remaining Recommendations renumbered accordingly:

3. Defers consideration of further parking restrictions on Chelmsford Road, east of Fitzgerald Street until a further report is provided to the Council no later than October 2016.

- 34. ADVISES all respondents and attendees to the public meeting of its decision;
- 45. CONSULTS with residents in July 2017 seeking further comments regarding the outcomes of the trial prior to the matter being further considered; and
- 56. RECEIVES a further report at the conclusion of the trial period.

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.2.5

That Council:

- 1. NOTES the comments received regarding the proposal, as shown on Plan No 3311-PP-01, Attachment 1, for ‘trial’ parking restrictions in Chelmsford and Grosvenor Roads (east and west of Fitzgerald Street), and Leake Street, south of Grosvenor Road, as per Attachment 3, and the outcomes of the public meeting held on 13 July 2016;
- 2. APPROVES the introduction of a 12 month parking restriction ‘trial’ as shown on Plan 3311-PP-01B, Attachment 2, as summarised below;

Location	Proposal
Plan No 3311-PP-01B - Attachment 2	
Chelmsford Road, west of Fitzgerald Street	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the south side of the street and for the two (2) existing bays on the north side of the street nearest Leake Street ; and • Maintain the existing ‘No Parking’ restriction on the north side of the street.
Leake Street, south of Grosvenor Road	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the west side of the street; and • TRIAL - ‘No Parking’ restriction on the east side of the street.
Grosvenor Road, west of Fitzgerald	<ul style="list-style-type: none"> • TRIAL - ‘No Parking’ restriction on the south side of the street; and • Maintain the status quo in Grosvenor Road west of Fitzgerald Street, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street.
Grosvenor Road, east of Fitzgerald Street	<ul style="list-style-type: none"> • Maintain the status quo, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street and unrestricted parking on the south side of the street.

Fitzgerald Street between Vincent Street and Raglan Road	• Mark bays on road both side of Fitzgerald Street to be 2P outside of AM and PM clearway hours.
---	---

3. **Defers consideration of further parking restrictions on Chelmsford Road, east of Fitzgerald Street until a further report is provided to the Council no later than October 2016.**
 4. **ADVISES all respondents and attendees to the public meeting of its decision;**
 5. **CONSULTS with residents in July 2017 seeking further comments regarding the outcomes of the trial prior to the matter being further considered; and**
 6. **RECEIVES a further report at the conclusion of the trial period.**
-

9.1.5 Town Centre Place Plans

Ward:	All	Date:	20 July 2016
Precinct:	Precinct 2 – Mount Hawthorn Precinct 4 – Oxford Precinct 9 – North Perth Precinct 11 – Mount Lawley Precinct 13 – Beaufort	File Ref:	SC2681 SC2680 SC2679 SC2678 SC2677
Attachments:	1 – Town Centre Boundaries Plan 2 – Place Management Evolution Diagram 3 – Town Centre Performance Measurement Strategy		
Tabled Items:	Nil		
Reporting Officer:	D Doy, Place Manager G Lawrence, Place Manager J O’Keefe, Manager Policy & Place		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council **ENDORSES** Administration’s approach to progress and prepare Town Centre Place Plans for each of the City’s five Town Centres as outlined in this report.

COUNCIL DECISION ITEM 9.1.5

Moved Cr Murphy, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.1.6 Review of Various Health and Ranger Services Policies

Ward:	Both	Date:	5 August 2016
Precinct:	All	File Ref:	SC393
Attachments:	<ul style="list-style-type: none"> 1 – Policy No. 3.8.1 – Outdoor Eating Areas (Alfresco) 2 – Policy No. 3.8.2 – Liquor Licensing Act 1988 – Issue of Section 39 Certificates 3 – Policy No. 3.8.5 – Substandard Buildings & Vacant Land 4 – Policy No. 3.8.11 – Shade and SunSmart 5 – Policy No. 3.8.12 – Mobile Food Vendor 6 – Policy No. 3.9.10 – Display of Goods on a Footpath 7 – Policy No. 3.9.11 – Display of Signs on a Footpath 8 – Alfresco, Goods Displays and Signs Obligations 9 – Managing Unoccupied Properties Guidelines 		
Tabled Items:	Nil		
Reporting Officer:	W Pearce, Manager Health Services		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council:

1. **REVOKES** the following policies as shown in Attachments 1, 2, 3, 6 and 7:
 - 1.1 **Policy No. 3.8.1 – Outdoor Eating Areas (Alfresco);**
 - 1.2 **Policy No. 3.8.2 – Liquor Licensing Act 1988 – Issue of Section 39 Certificates;**
 - 1.3 **Policy No. 3.8.5 – Substandard Buildings & Vacant Land;**
 - 1.4 **Policy No. 3.9.10 – Display of Goods on a Footpath; and**
 - 1.5 **Policy No. 3.9.11 – Display of Signs on a Footpath;**

2. **ADOPTS** the changes in Policy No. 3.8.12 – Mobile Food Vendor as shown in Attachment 5; and

3. **NOTES** the:
 - 3.1 **review of Policy No. 3.8.11 – Shade and SunSmart as shown in Attachment 4; and**

 - 3.2 **‘Alfresco, Goods Displays and Signs Obligations’ as shown in Attachment 8 and the new application process for Alfresco, Goods Displays and Signs permits.**

COUNCIL DECISION ITEM 9.1.6

Moved Cr Topelberg, Seconded Cr Gontaszewski

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.1.3 No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth – Proposed Extension to the Term of Approval: Three Storey Grouped Dwelling

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 5 – Cleaver	File Ref:	PR53341; 5.2016.264.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Copy of Planning Approval granted 23 September 2014 & Plans		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application for an extension of the term of the existing planning approval granted on 23 September 2014, numbered 5.2014.251.1 for the proposed construction of a three-storey grouped dwelling at No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth on plans date stamped 28 June 2016, as shown on Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on the previous approval dated 22 July 2014 numbered 5.2014.116.1;
2. All windows depicted on the approved plans with stippling shall comply with the privacy requirements of the Residential Design Codes to the satisfaction of the City; and
3. Where any of the conditions referred to in Condition 1 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.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.2.3 Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 2

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 11 – Mount Lawley Centre, Precinct 12 – Hyde Park, Precinct 13 – Beaufort Precinct 14 – Forrest, Precinct 15 – Banks, Precinct – MRA, Precinct 16 – EPRA, Precinct – EPRA 15	File Ref:	SC466
Attachments:	1 – Proposed Trial Area		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **NOTES** the:
 - 1.1 Responses received from both Main Roads WA and the Road Safety Commission to Council’s decision of 31 May 2016, as contained in the report; and
 - 1.2 Funds allocated in the 2016/17 Budget of \$150,000, for the installation of 40kph signs/poles, includes a 50% contribution from Main Roads WA which, they have indicated, they will not provide;
2. **AUTHORISES** the Chief Executive Officer to liaise with both Main Roads WA and the Road Safety Commission in preparing a consultation pack to be sent to residents / businesses in the area bounded by Charles, Vincent, Beaufort and Walcott Streets, Guildford Road, Stanley and Mitchell Streets, by no later than 30 November 2016, seeking their views on undertaking a 40kph Area Wide Speed Zone Trial in streets as shown in Attachment 1; and
3. **RECEIVES** a further report at the conclusion of the advertising period.

Moved Cr Gontaszewski, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

PROPOSED AMENDMENT

Moved Cr Gontaszewski, Seconded Cr Cole

That Recommendation 2 be amended as follows:

2. **AUTHORISES** the Chief Executive Officer to liaise with ~~both~~ Main Roads WA, and the Road Safety Commission and other relevant agencies/organisations to:
 - 2.1 Prepare in preparing a consultation pack to be sent to residents / businesses in the area bounded by Charles, Vincent, Beaufort and

Walcott Streets, Guildford Road, Stanley and Mitchell Streets, by no later than 30 November 2016, seeking their views on undertaking a 40kph Area Wide Speed Zone Trial in streets as shown in Attachment 1; and

- 2.2** **Clearly define each agency/organisation's roles, responsibilities, costs, outcomes and deliverables in undertaking a proposed 40kph Area Wide Speed Zone Trial; and**

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.2.3

That Council:

1. **NOTES** the:
 - 1.1 Responses received from both Main Roads WA and the Road Safety Commission to Council's decision of 31 May 2016, as contained in the report; and
 - 1.2 Funds allocated in the 2016/17 Budget of \$150,000, for the installation of 40kph signs/poles, includes a 50% contribution from Main Roads WA which, they have indicated, they will not provide;
 2. **AUTHORISES** the Chief Executive Officer to liaise with Main Roads WA, the Road Safety Commission and other relevant agencies/organisations to:
 - 2.1 Prepare a consultation pack to be sent to residents / businesses in the area bounded by Charles, Vincent, Beaufort and Walcott Streets, Guildford Road, Stanley and Mitchell Streets, by no later than 30 November 2016, seeking their views on undertaking a 40kph Area Wide Speed Zone Trial in streets as shown in Attachment 1; and
 - 2.2 Clearly define each agency/organisation's roles, responsibilities, costs, outcomes and deliverables in undertaking a proposed 40kph Area Wide Speed Zone Trial; and
 3. **RECEIVES** a further report at the conclusion of the advertising period.
-

9.2.4 Proposed Traffic Calming - Anzac Road, Mount Hawthorn

Ward:	North	Date:	8 August 2016
Precinct:	Precinct 1 – Mt Hawthorn	File Ref:	SC673
Attachments:	<u>1</u> – Plan No 3338-CP-01 <u>2</u> – Plan No 3338-CP-02		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

- SUPPORTS** a possible staged approach to traffic calming in Anzac Road, Mount Hawthorn, between Oxford Street and Sasse Avenue as follows;

Proposal	Plan No
Removal of the existing speed cushions near Egina Street.	3338-CP-01 (Attachment 1)
Undertake line marking to delineate parking bays resulting in 2.1m wide parking bays with a 5.8m carriageway.	3338-CP-01 (Attachment 1)
Install strategically placed low profile speed humps.	3338-CP-01 (Attachment 1)
Possible stage two improvement (2017/18) to include nibs constructed at intersections with a low profile raised plateau installed at the intersection of Anzac Road and Fairfield Street.	3338-CP-02 (Attachment 2)

- CONSULTS** with the residents of Anzac Road seeking their comments regarding the proposal as outlined on Plan No 3338-CP-01 Attachment 1 and advises them that a possible Second Stage improvement proposal, as outlined on attached Plan No 3338-CP-02 Attachment 2, may be considered in the future; and
- RECEIVES** a further report at the conclusion of the public consultation period.

Cr Cole had declared a proximity interest in Item 9.2.4 and departed the Council Chamber at 7:15pm.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Topelberg, **Seconded** Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

(Cr Cole was absent from the Chamber and did not speak or vote on this matter.)

9.1.1 No. 39 (Lot: 44; D/P 1035) Bruce Street, Leederville – Proposed Change of Use from Single House to Single House and Bed and Breakfast (Unlisted Use)

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 3 – Leederville	File Ref:	PR19053; 5.2016.179.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant’s Justification and Management Plan 4 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poezyn, 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 BY ABSOLUTE MAJORITY** the application for a proposed Change of Use from Single House to Single House and Bed and Breakfast (Unlisted Use) at No. 39 (Lot: 44; D/P: 1035) Bruce Street, Leederville on plans date stamped 10 May 2016, as shown on Attachment 2, subject to the following conditions:

1. Limitation on Use

1.1 Area

1.1.1 The Bed and Breakfast use shall be limited to the area shown hatched on the approved plans;

1.2 Maximum Number of Occupants/duration

1.2.2 There shall be no more than two guests accommodated at the Bed and Breakfast at any one time; and

1.2.3 Guests are not permitted to stay at the subject Bed and Breakfast for a continuous period longer than six months within any 12 month period;

1.3 Management Plan/ Code of Conduct

1.3.1 The bed and breakfast shall operate in accordance with the Code of Conduct date stamped 10 May 2016; and

1.3.2 The terms and conditions outlined in the Code of Conduct shall be provided to occupants of the Bed and Breakfast at the time of check-in and displayed in a prominent location within the entrance of the area of the bed and breakfast area; and

1.4 Other

1.4.1 The keeper of the Bed and Breakfast must reside on site at all times while the Bed and Breakfast is in operation;

1.4.2 **Breakfast (and any other meals) must be provided to Bed and Breakfast guests only: and**

1.4.3 **Access to a dining area, bathroom and laundry facilities must be available for Bed and Breakfast guests; and**

2. External Fixtures

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

ADVICE NOTE:

1. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application.

Cr Cole returned to the Chamber at 7:19pm.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)
BY AN ABSOLUTE MAJORITY

9.1.2 Nos. 470-472 (Lots: 8 and 9; D/P 5365) William Street, Perth – Proposed Change of Use from Art Gallery (Unlisted Use) to Art Gallery (Unlisted Use) and Recreational Facility (Yoga Studio)

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 12 – Hyde Park	File Ref:	PR27285; 5.2016.122.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Car Parking and Bicycle Tables		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poczyn, 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 BY ABSOLUTE MAJORITY** the application for Proposed Change of Use from Art Gallery (Unlisted Use) to Art Gallery (Unlisted Use) and Recreational Facility (Yoga Studio) at Nos. 470-472 (Lots: 8 and 9; D/P: 5365) William Street, Perth on plans date stamped 2 June 2016, as shown on Attachment 2, subject to the following conditions:

1. Use

1.1 Recreation Facility (Yoga Studio)

1.1.1 A maximum of 20 persons shall be accommodated at any one time;

1.1.2 The proposed hours of operation shall be limited to:

Monday to Saturday – 6:00am – 7:30am and 6:00pm – 7:30pm;
and

1.2 Art Gallery

1.2.1 The existing Art Gallery use shall continue to operate in accordance with the Conditions as listed on the approval dated 6 December 2005 (5.2005.3135.1); and

1.2.2 The hours of operation shall exclude:

Monday to Saturday – 6:00am – 7:30am and 6:00pm – 7:30pm;
and

2. Car Parking and Access

2.1 A minimum of eleven car bays shall be provided onsite;

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

2.3 The car parking and access areas are to comply with the requirements of AS2890.1; and

2.4 Vehicle and pedestrian access points are required to match into existing footpath levels;

3. **External Fixtures**

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

4. **Verge Trees**

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

5. The following is to form part of the application for a Building Permit and shall be approved by the City prior to commencement of the development:

5.1 **Acoustic Report**

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

5.2 **Waste Management**

5.2.1 A Waste Management Plan prepared to the satisfaction of the City detailing a bin store to accommodate the City's specified bin requirement; and

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

5.3 **Bicycle Bays**

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

6. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

6.1 **Acoustic Report Certification**

With reference to Condition 5.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City; and

7. 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.

ADVICE NOTES:

1. With regards to Condition 1, the Art Gallery and Recreation Facility (Yoga Studio) are approved on a reciprocal basis and shall not operate at the same time. Any changes will require further approval; and

2. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Loden, Seconded Cr McDonald

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)
BY AN ABSOLUTE MAJORITY

9.4.1 Waiver of Reserve Booking Fees – Lincoln Stewart Fitness

Ward:	South	Date:	9 August 2016
Precinct:	Cleaver (5)	File Ref:	FY19-04
Attachments:	1 – Aerial View and Map Beatty Park Reserve 2 – Aerial View and Map Mick Michael Reserve		
Tabled Items:	Nil		
Reporting Officer(s):	J van den Bok, Manager Parks and Property Services G Nicholas, Halls and Reserve Booking Officer		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council:

1. **APPROVES** the waiving of reserve booking fees up to the amount of \$2,740 for Lincoln Stewart Fitness to utilise Beatty Park Reserve and Mick Michael Reserve for free group fitness sessions from 1 September 2016 to 31 August 2017; and
2. **NOTES** that the waiver of reserve booking fees for Lincoln Stewart Fitness remains subject to their adherence to the City's reserve booking terms and conditions, provision of participation statistics, effective promotion and community awareness, and all such group fitness sessions being delivered free of charge to residents throughout the 12 month period.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Cole, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-9)

9.4.2 Appointment of Council Member to Parks Working Group

Ward:	-	Date:	9 August 2016
Precinct:	-	File Ref:	SC1861
Attachments:	1 – Parks Working Group Terms of Reference		
Tabled Items:	Nil		
Reporting Officer:	K Allen, A/Coordinator Safer Vincent		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council **APPOINTS** the following Council Member as its representative on the Parks Working Group for the term 23 August 2016 to 20 October 2017;

Parks Working Group (PWG) (1 Council Member)

Member:

- 1. Cr Matt Buckels**

COUNCIL DECISION ITEM 9.4.2

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

9.5 CHIEF EXECUTIVE OFFICER

9.5.1 Information Bulletin

Ward:	-	Date:	5 August 2016
Precinct:	-	File Ref:	-
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	Pia Rasal, Governance & Council Support Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 23 August 2016 as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Harley, Seconded Cr Loden

That the recommendation be adopted.

Cr McDonald departed the Chamber at 7:40pm.

Cr McDonald returned to the Chamber at 7:42pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

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

PROCEDURAL MOTION

At 7:50pm Moved Cr Cole, Seconded Cr Loden

Pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors”, to consider the confidential report relating to Item 14.1.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

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 Dan Loden	North Ward
Cr Susan Gontaszewski	South Ward
Cr Laine McDonald	South Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Paola Di Perna	Acting Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Priyamvada Rasal	Governance & Council Support Officer
Media	Nil.

No members of the public were present.

14.1 CONFIDENTIAL REPORT: Belgravia Leisure Option to Renew Loftus Recreation Centre Lease

Ward:	South	Date:	10 August 2016
Precinct:	Oxford Centre	File Ref:	SC379
Attachments:	Confidential Attachment - Loftus Centre Plan Confidential Attachment - Strategic Ten year Vision Confidential Attachment - Business Plan 2016/17 Confidential Attachment - Contract Objectives Review		
Tabled Items:	Nil		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

- (c) *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.;*

LEGAL:

The *Local Government Act 1995*, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

"2.14 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

COUNCIL DECISION ITEM 14.1

Moved Cr Topelberg, Seconded Cr Buckels

That Council:

- GRANTS an extension of the Deed of Contract for the operational management of the Loftus Recreation Centre and associated Lease with Belgravia Health & Leisure Group Pty Ltd (ACN 005 087 463) for the Further Term of 5 years commencing 1 January 2017 and expiring 31 December 2021 in accordance with clause 4.2 of the Deed of Contract and clause 19.1 of the Lease, subject to:**

- a. The provision of a Bank Guarantee to the value of \$250,000 to secure the performance of the Guarantor's Covenants in accordance with clause 43 of the Deed of Contract;
2. **AUTHORISES** the Chief Executive Officer to prepare a Deed of Extension to facilitate 1) above, subject to including the following amendments:
 - a. To recognise the company name change of the Contractor from Belgravia Leisure Group Pty Ltd (ACN 005 087 463) to Belgravia Health & Leisure Pty Ltd (ACN 005 087 463);
 - b. To delete the amount of "\$500,000" and replace it with "\$250,000" in the definition of Bank Guarantee within clause 1.1 Definitions of the Deed of Contract;
 - c. In clause 26.1(a) of the Deed of Contract, delete reference to section "5.9(2)(c)" of the Act and replace it with "5.9(2)(e)".
3. **AUTHORISE** the Mayor and Director Corporate Services to sign the Deed of Extension to the Contract and Lease and affix the Common Seal.

CARRIED UNANIMOUSLY (9-0)

PROCEDURAL MOTION:

At 8:10pm Moved Cr Cole, Seconded Cr McDonald

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

15. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 8:10pm 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 Dan Loden	North Ward
Cr Susan Gontaszewski	South Ward
Cr Laine McDonald	South Ward
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Paola Di Perna	Acting Director Development Services
Rick Lotznicker	Director Technical Services
Mick Quirk	Director Community Engagement
John Paton	Director Corporate Services
Tim Evans	Manager Governance & Risk
Priyamvada Rasal	Governance & Council Support Officer
Media	Nil.

No members of the public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 23 August 2016.

Signed: Mayor John Carey.

Dated this day of 2016.