



**CITY OF VINCENT**

**ORDINARY  
COUNCIL MEETING**

**Minutes**

**31 MAY 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 31 May 2016, commencing at 6:04pm.

### 1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 6:04pm 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 (from 6:06)
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 (from 6:08)
Cr Jimmy Murphy	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Gabriela Poezyn	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>	
Julian Wright	Journalist – " <i>Guardian Express</i> " (until approximately 9:57pm)

Approximately 40 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. Tim Carvholth of 114 Egina Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

2. Ellen Clancy of 114 Egina Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

3. John Moretta of 15 Maple Hill Court, Woodvale – Item 9.1.1

- Spoke against the application and recommendation.

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

4. Ralph James of 4 Sekem Street, North Perth – Item 9.1.7

- Spoke against the application and recommendation.

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

5. Melanie McInerney of 2 Egina Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

6. Tracey Desmond of 20 Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

7. Ross Luppino of 3 Seabrook Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

8. Michael Tudorowski of 4a Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

9. Aston Rosam of 104 Anzac Road, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

10. Michelle Cross of 45 Harold St, Mount Lawley – Item 9.1.3

- Spoke against the application and recommendation.
- Requested Council to consider adding conditions for the screening of balconies on the development.

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

11. Elizabeth Pestell of 47 Harold Street, Mount Lawley – Item 9.1.3

- Spoke in support of the application and recommendation.

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

12. Debbie Saunders of 123 Oxford Street, Mount Hawthorn – Item 9.2.2

- Asked for the results of the Oxford Street road safety community consultation to be made available to the public.

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

*The Presiding Member Mayor Carey requested the CEO to include the results in the Minutes of the meeting in response to Ms Saunders question.*

13. Margaret Swinton of 4 Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

14. Anne Green of 7 Seabrook Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

15. John Farrell of 1a Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

16. Myf Zrinski of 47 Blackbird Avenue, Gwelup – Item 9.1.3 and 9.1.9

- Spoke in support of the recommendation for item 9.1.9.
- Spoke in support of the application and recommendation for item 9.1.3

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

17. Gary Shire of 7 Seabrook Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

18. Vanessa Roberts of 4A Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

19. Kylie Harrison of GHO Woodhead of 999 Hay Street, Perth – Item 9.1.8

- Requested deferral of the item.

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

20. Steven Taylor of 13 Seabrook Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

21. Rachel Marie of GHO Woodhead of 999 Hay Street, Perth – Item 9.1.8

- Requested deferral of the item.
- Spoke in support of the application and recommendation.

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

22. Diane Walton of 98 Anzac Road, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

23. Matt Walton of 98 Anzac Road, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

24. Jodie Catlin of 71A Anzac Road, Mount Hawthorn – Item 9.1.8

- Requested deferral of the item.

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

25. Marcus Bosworth of 4/180 Scarborough Beach Road, Mount Hawthorn – Item 9.1.8

- Spoke in support the application and recommendation.

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

26. Margaret Blott of 9 Seabrook Street, Perth – Item 9.1.8

- Spoke against the application and recommendation.

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

27. Roy Burton of 333 West Coast Drive, Trigg – Item 9.1.8

- Spoke in support of the application and recommendation.

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

28. Dijon Summers of 127 Dunedin Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

29. Alexandra Bak of 127 Dunedin Street, Mount Hawthorn – Item 9.1.8

- Spoke in support of the application and recommendation.

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

30. John Bettles of 1B Coogee Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

31. Kara Shead of 109 Anzac Road, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

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

32. Narelle O'Neil of 1 Matlock Street, Mount Hawthorn – Item 9.1.8

- Spoke against the application and recommendation.

*The Presiding Member Mayor Carey thanked Ms O'Neil for her comments.*

33. David Reynolds of 187 Roberts Road, Subiaco – Item 9.1.1

- Spoke against the application and recommendation.

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

There being no further speakers, Public Question Time closed at approximately 7:16pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

4.1 Cr McDonald requested leave of absence from 3 July 2016 to 11 July 2016 (inclusive) due to personal commitments.

**Moved Cr Loden, Seconded Cr Buckels**

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

**CARRIED UNANIMOUSLY (9-0)**

4.2 Cr Gontaszewski requested leave of absence from 5 July 2016 to 14 August 2016 (inclusive) due to personal commitments.

**Moved Cr McDonald, Seconded Cr Buckels**

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

**CARRIED UNANIMOUSLY (9-0)**

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

- 5.1 Petition received from Mr G Shier of Mount Hawthorn, along with 74\* signatures, respectfully requesting that Council "reject the application to increase the maximum number of patrons allowed at any one time in the proposed shop/eating house at No. 2 Coogee Street, Mount Hawthorn, when this item is discussed at the next City of Vincent Council Meeting scheduled for 31 May 2016. We strongly opposing any increase in the maximum number of patrons because of the adverse impact it will have on local residents due to increased vehicle traffic, noise, parking problems and lower property values. The proposed shop/eating house is in a residential zone."

Further email received at 2.41pm from additional resident requesting that name be added to petition.

**Moved Cr McDonald, Seconded Cr Cole**

**That the Petition be received.**

**CARRIED UNANIMOUSLY (9-0)**

- 5.2 Mr Alan Skinner – Item 9.1.6. Mr Alan Skinner made a deputation speaking against the application.

**Cr Murphy departed the Chamber at 7:35pm.**

## 6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 3 May 2016

**Moved Cr Loden, Seconded Cr Harley**

**That the Minutes of the Ordinary Meeting of Council held on 3 May 2016 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Murphy was absent from the Chamber and did not vote.)**

**Cr Murphy returned to the Chamber at 7:37pm.**

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

The Presiding Member Mayor Carey made the following announcements:

- 7.1 2016/17 Budget Process

The Council has changed the way that it develops its budget this year. For the first time, the City has called for public submissions and received 52 separate, detailed submissions, commenting on 32 different proposals. Following this process, the City will consider those submissions as input into the budget adoption. I believe this is a far better process for having sought public input.

The second part of that is that for the first time the City has developed an Asset Management Plan for its facilities. There has been an audit of every facility which will feed into a 10-year capital works plan. As a result, the City will have a far more prudent, evidence-based approach to financial planning over 10 years.

I am very confident that this is setting the scene for a new financial era for the City.

7.2 Planter Boxes for Mount Hawthorn Main Street

As part of our place-making program, we are rolling out a number of initiatives and we currently have 30 large planter boxes which will be going out across key streets in Mount Hawthorn and we are asking residents to join in to help plant those boxes this Sunday at the Coogee Street car park. That is being organised by the Mount Hawthorn Hub.

**8. DECLARATIONS OF INTERESTS**

- 8.1 Cr Jimmy Murphy declared a financial interest in Item 9.4.1 - Festivals and Events Program Sponsorship 2016/2017. The extent of his interest being that he has indirectly paid for services to assist production of festivals via Upbeat Events.
- 8.2 The Chief Executive Officer declared a financial interest in Item 14.2 - Chief Executive Officer's Employment Contract and Key Performance Indicators. The extent of his interest being that it affects his contract of employment with the City.

**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 9.1.1, 9.1.3, 9.1.6, 9.1.7, 9.1.8, 9.1.9, 9.2.2

- (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, 9.2.3, 9.4.1, 12.1, 13.1

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

Item 9.4.1 and Item 14.2.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	Nil
Cr Harley (Deputy Mayor)	Nil
Cr Buckels	Nil
Cr Cole	9.2.6 and 9.4.1
Cr Loden	9.2.5
Cr Gontaszewski	Nil
Cr Laine McDonald	Nil
Cr Murphy	Nil
Cr Topelberg	9.1.4

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

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

Items 9.1.2, 9.1.5, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.5.1 and 9.5.2.

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

Items 14.1 and 14.2.

**ITEMS APPROVED “EN BLOC”:**

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

**Moved Cr Buckels, Seconded Cr Cole**

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

**Items 9.1.2, 9.1.5, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.5.1 and 9.5.2.**

**CARRIED UNANIMOUSLY (9-0)**

**9.1.2 No. 146 (Lot: 93; D/P: 2001) East Parade, East Perth – Proposed Extension of Term of Approval: Demolition of Existing Single House and Construction of Six Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 15 – Banks	<b>File Ref:</b>	PR20844; 5.2016.137.1
<b>Attachments:</b>	<a href="#">1</a> – Development Application Plans <a href="#">2</a> – Plans and Conditions of Development Approval 5.2014.297.1 <a href="#">3</a> – Car Parking and Bicycle Tables		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Wright, Senior Statutory Planning Officer		
<b>Responsible Officer:</b>	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 the extension of the term of approval of the existing planning approval granted on 9 September 2014 numbered 5.2014.297.1 for the proposed demolition of existing Single House and construction of a three storey development comprising of six Multiple Dwellings at No. 146 (Lot: 93; D/P: 2001) East Parade, East Perth on plans date stamped 14 April 2016, as shown on Attachment 1, subject to the following:

1. All conditions and advice notes detailed on the previous approval number 5.2014.297.1 of 9 September 2014 shall apply.

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**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Buckels, Seconded Cr Cole**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

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**9.1.5 Nos. 168-172 (Lots: 3 & 4; D/P: 1084) Charles Street, West Perth – Proposed Four Grouped Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park	<b>File Ref:</b>	PR19734; 5.2015.452.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Statutory Planning Officer		
<b>Responsible Officer:</b>	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 the application for the proposed four two storey Grouped Dwellings at Nos. 168-172 (Lots: 3 & 4; D/P: 1084) Charles Street, West Perth on plans date stamped 27 April 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 Nos. 155-166 Charles Street and 1 Violet Street in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

2. **Car Parking and Access**

- 2.1 The car parking and access areas are to comply with the requirements of AS2890.1; and
- 2.2 Vehicle and pedestrian access points are required to match into existing footpath levels;

3. **Charles Street**

- 3.1 No earthworks shall encroach onto the Charles Street Road Reserve; and
- 3.2 The existing levels on the Charles Street reserve boundary are to be maintained as existing;

4. **External Fixtures**

All external fixtures shall not be visually obtrusive from Charles 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;

5. **Verge Trees**

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

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

6.1 **Amalgamation of Lots**

Lots 3 and 4 shall be amalgamated into one lot on a certificate of title to the satisfaction of the City;

6.2 **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:

6.3 **Section 70A Notification under the *Transfer of Land Act 1893***

The applicant agrees in writing to a notification being lodged under Section 70A of the *Transfer of Land Act 1893*; and to include a condition in the Sales Contract, notifying proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by traffic noise;

6.4 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

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

6.4.2 Areas to be irrigated or reticulated; and

6.4.3 The removal of redundant crossovers;

6.5 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

6.6 **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. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

6.7 **Waste Management**

6.7.1 A Waste Management Plan prepared to the satisfaction of the City detailing:

- (a) that waste collection is taken from the Right of Way at the rear of the property and collection is not permitted from the Charles Street road reserve; and

- (b) a bin store shall be provided to the satisfaction of the City to accommodate the City's specified bin requirement; and

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

6.8 **Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

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 produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City. No stormwater drainage shall be discharged onto the Charles Street road reserve;

7.2 **Acoustic Report Certification**

With reference to Condition 6.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City and thereafter maintained;

7.3 **Landscape Plan and Verge Upgrade Plan**

With reference to Condition 6.4, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

7.4 **Right of Way (ROW)**

The full length and width of the adjacent Right of Way from Violet Street to the southern most boundary of the development lot, shall be sealed and drained in accordance with the City's specification, at the full cost of the developer; 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 6.1, all costs associated with this condition shall be borne by the applicant/owner. Amalgamation of the lots is not required if it can be demonstrated that the proposed development complies with the relevant requirements of the National Construction Code Series;

3. A bond for the sum of \$12,000, shall be lodged with the City by the applicant, prior to the issue of a building permit to provide for the following:

- 3.1 \$2,000 for a road and verge security bond; and  
3.2 \$10,000 to ensure the sealing of the Right of Way (ROW).

This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Bulwer Street, including verge trees, has been repaired/reinstated to the satisfaction of the City and the ROW has been sealed. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

4. With reference to Condition 6.2, the development is to comply with WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" and implement Noise insulation "deemed-to-comply" packages for this residential development;
5. 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;
6. 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; and
7. With reference to Condition 7.3, the City encourages landscaping methods and species selection which do not rely on reticulation.

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**COUNCIL DECISION ITEM 9.1.5**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (9-0)**

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**9.2.4 Proposed Traffic Calming – Carr Street, Florence Street and Strathcona Street, West Perth**

<b>Ward:</b>	Both	<b>Date:</b>	12 May 2016
<b>Precinct:</b>	Precinct 5 - Cleaver	<b>File Ref:</b>	SC653, SC735
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>1 – Community Consultation Summary</li> <li>2 - Bus Bridge Proposal (Plans A to E)</li> <li>3 – Plan No. 3268-CP-01A (updated plan)</li> <li>4 – Plan No. 3268-CP-02A (updated plan)</li> <li>5 – Plan No. 3268-CP-03A (updated plan)</li> <li>6 – Plan No. 3264-CP-01A (updated plan)</li> </ul>		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

That Council:

**1. NOTES:**

- 1.1 that Main Roads WA has agreed to fund the proposed traffic management works in the Cleaver Precinct area estimated to cost \$170,000 and the project will be included in the 2016/17 draft budget;
  - 1.2 the results of the recent public consultation as contained in Attachment 1; and
  - 1.3 that the Public Transport Authority and Main Roads WA have invited the City’s Director Technical Services to be a member of the ‘Charles Street Bus Bridge and Busway Stakeholder Construction Reference Group’;
2. APPROVES the implementation of the traffic management proposals as shown on attached Plan Nos 3268-CP-01A, 02A, 03A at Attachments 3, 4 and 5); and
  3. ADVISES the Department of Transport, Main Roads WA and the respondents of its decision.

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**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

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**9.3.1 Investment Report as at 30 April 2016**

<b>Ward:</b>	Both	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1530
<b>Attachments:</b>	<a href="#">1</a> – Investment Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**RECOMMENDATION:**

That Council **NOTES** the Investment Report for the month ended 30 April 2016 as detailed in Attachment 1.

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**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

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**9.3.2 Authorisation of Expenditure for the Period 1 April 2016 to 30 April 2016**

<b>Ward:</b>	Both	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC347
<b>Attachments:</b>	<a href="#">1</a> – Creditors Report – Payments by EFT <a href="#">2</a> – Creditors Report – Payments by Cheque <a href="#">3</a> – Credit Card Transactions		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	A Siapno, A/Accounts Payable Officer; G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**RECOMMENDATION:**

That Council: **RECEIVES** the list of accounts paid under Delegated Authority for the period 01 April 2016 to 30 April 2016 as detailed in Attachment 1, 2 and 3 as summarised below:

<b>Cheque numbers 79681 - 79847</b>	\$133,282.10
<b>Cancelled Cheques</b>	- \$406.54
<b>EFT Documents 1921 - 1933</b>	\$3,747,432.77
<b>Payroll</b>	\$1,168,101.45
 <b>Direct Debits</b>	
• <b>Lease Fees</b>	\$8,075.12
• <b>Loan Repayment</b>	\$145,732.42
• <b>Bank Fees and Charges</b>	\$8,383.49
• <b>Credit Cards</b>	\$7,137.27
<b>Total Direct Debit</b>	\$169,328.30
<b>Total Accounts Paid</b>	<b>\$5,217,738.08</b>

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (9-0)**

**9.3.3 Financial Statements as at 31 March 2016**

<b>Ward:</b>	Both	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">1</a> – Financial Reports		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer G Garside, Manager Financial Services		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

**RECOMMENDATION:**

That Council **RECEIVES** the Financial Statements for the month ended 31 March 2016 as shown in Attachment 1.

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**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr Buckels, Seconded Cr Cole**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (9-0)**

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**9.5.1 Review of City of Vincent Membership of the WA Local Government Association (WALGA)**

<b>Ward:</b>	Both	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1684
<b>Attachments:</b>	<a href="#">1</a> – WALGA 2014/15 Expenditure & Savings		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Tim Evans, Manager Governance & Risk Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**RECOMMENDATION:**

That Council RECEIVES this report relating to Administration's review of the City's Membership of the Western Australian Local Government Association (WALGA), in response to Council's decision at the Ordinary Council Meeting held on 9 February 2016 (Item 10.3).

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**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Buckels, Seconded Cr Cole**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY "EN BLOC" (9-0)**

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**9.5.2 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Pia Rasal, Governance & Council Support Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated 31 May 2016 as distributed with the Agenda.

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**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (9-0)**

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**9.1.8 No. 2 (Lot: 1; D/P: 3785) Coogee Street, Mount Hawthorn – Proposed Reconsideration of Condition: Change of Use from Local Shop/Residential to Local Shop/Eating House including Alterations and Additions**

<b>Ward:</b>	North	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	PR11888; 5.2016.72.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Car Parking and Bicycle Tables		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**RECOMMENDATION:**

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, REFUSES the application for reconsideration of Condition 3.2 of existing planning approval granted on 2 December 2014 numbered 5.2014.429.1 to increase patron numbers from 15 to 40 at No. 2 (Lot: 1; D/P: 3785) Coogee Street, Mount Hawthorn on plans date stamped 29 February 2016, as shown on Attachment 2, for the following reasons:

1. **Car Parking**

The proposal does not meet the onsite car parking requirements as stipulated in the City’s Policy No. 7.7.1 – Parking and Access;

2. The increased patronage is not compatible with the surrounding residential land uses; and

3. The proposed maximum patron number will adversely impact on the amenity of the residents on Anzac Road and Coogee Street by virtue of noise and parking.

**Moved Cr Harley, Seconded Cr Cole**

That the recommendation be adopted.

**PROCEDURAL MOTION:**

**Moved Cr Harley Seconded Cr McDonald**

That the item be deferred.

**PROCEDURAL MOTION PUT AND LOST UNANIMOUSLY (0-9)**

*Debate ensued.*

**PROPOSED AMENDMENT:**

**Moved Cr Topelberg, Seconded Cr Cole**

That a new reason for refusal be inserted into the recommendation as number 2 as follows and the remaining reasons be renumbered accordingly:

**“2. The proposed increase in the intensity of the use is incompatible with the residential R30 Zoning of the subject property;”**

*Debate ensued.*

**AMENDMENT PUT AND CARRIED (8-1)**

**For:** Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Gontaszewski, Cr Loden, Cr McDonald, Cr Murphy, and Cr Topelberg

**Against:** Cr Harley

*Debate ensued.*

**MOTION AS AMENDED PUT AND CARRIED (8-1)**

**For:** Presiding Member Mayor John Carey, Cr Cole, Cr Gontaszewski, Cr Loden, Cr McDonald, Cr Buckels, Cr Murphy, and Cr Topelberg

**Against:** Cr Harley

**COUNCIL DECISION ITEM 9.1.8**

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, REFUSES the application for reconsideration of Condition 3.2 of existing planning approval granted on 2 December 2014 numbered 5.2014.429.1 to increase patron numbers from 15 to 40 at No. 2 (Lot: 1; D/P: 3785) Coogee Street, Mount Hawthorn on plans date stamped 29 February 2016, as shown on Attachment 2, for the following reasons:

1. **Car Parking**

The proposal does not meet the onsite car parking requirements as stipulated in the City's Policy No. 7.7.1 – Parking and Access;

2. The proposed increase in the intensity of the use is incompatible with the residential R30 Zoning of the subject property;

3. The increased patronage is not compatible with the surrounding residential land uses; and

4. The proposed maximum patron number will adversely impact on the amenity of the residents on Anzac Road and Coogee Street by virtue of noise and parking.

**9.1.3 No. 124 (Lot: 41; D/P: 1879) Wright Street, Highgate – Proposed Six Single Bedroom Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 14 – Forrest	<b>File Ref:</b>	PR27428; 5.2016.58.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Marked up plans showing proposed versus required setbacks <a href="#">5</a> – Applicant’s response to submissions <a href="#">6</a> – Letter of support from owner at No. 15 Phelps Lane		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Statutory Planning Officer		
<b>Responsible Officer:</b>	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** the application for six two storey Single Bedroom Dwellings at No. 124 (Lot: 41; D/P: 1879) Wright Street, Highgate on plans date stamped 29 March 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) wall facing No. 15 Phelps Lane in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork to the satisfaction of the City;

**2. Car Parking and Access**

- 2.1 A minimum of six resident bays shall be provided onsite;
- 2.2 The car park shall be used only by residents directly associated with the development;
- 2.3 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.4 Vehicle and pedestrian access points are required to match into existing footpath levels;
- 2.5 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications; and
- 2.6 The area 500mm in width adjacent to Phelps Lane is required to be sealed, drained and graded to match into the level of the existing road and remain free of any structures;

**3. External Fixtures**

All external fixtures shall not be visually obtrusive from Wright Street, Phelps Lane 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. Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

**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 and thereafter maintained;

**5.2 Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

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

5.2.2 Areas to be irrigated or reticulated;

5.2.3 The removal of redundant crossover; and

5.2.4 The location of two 500L Chinese Tallow (*Sapium Sebiferum*) within the Wright Street verge area;

**5.3 Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

**5.4 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. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

**5.5 Waste Management**

5.5.1 A Waste Management Plan prepared to the satisfaction of the City detailing:

(a) that waste collection is taken from the Wright Street road reserve; and

(b) a bin store shall be provided to the satisfaction of the City to accommodate the City's specified bin requirement; and

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

6. Prior to occupation or use of the development the following shall be completed to the satisfaction of the City:
- 6.1 **Clothes Drying Facility**
- Each dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes;
- 6.2 **Car Parking**
- The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;
- 6.3 **Stormwater**
- All storm water produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;
- 6.4 **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
- 6.5 **Landscape Plan and Verge Upgrade Plan**
- With reference to Condition 5.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; 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 reference to Condition 1, the owner of the subject land shall obtain the consent of the owner(s) of relevant adjoining property before entering the property in order to make good the boundary walls;
2. With reference to Condition 2.4, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
3. With reference to Condition 2.5, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

5. With reference to Condition 5.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
6. 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;
7. With reference to Condition 6.3, 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;
8. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process; and
9. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

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**COUNCIL DECISION ITEM 9.1.3**

**Moved Cr Topelberg, Seconded Cr Gontaszewski**

That the recommendation be adopted.

*Debate ensued.*

Cr Harley departed the Chamber at 8:23pm.  
Cr Buckels departed the Chamber at 8:24pm.

*Debate ensued.*

Cr Harley returned to the Chamber at 8:26pm.  
Cr Buckels returned to the Chamber at 8:26pm.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

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**9.1.6 No. 92 (Lot: 58; D/P: 18024) Sydney Street, North Perth – Retrospective Amendment to Previous Approval: Construction of Single House**

<b>Ward:</b>	North	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 8 – North Perth	<b>File Ref:</b>	PR17028; 5.2015.584.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plan <a href="#">3</a> – Site Survey detail provided by the Applicant <a href="#">4</a> – Independent Site Survey <a href="#">5</a> – Original Site Plan <a href="#">6</a> – Levels Comparison Tables		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Sullivan, Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**RECOMMENDATION:**

That Council, in accordance with the Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application for retrospective approval for an amendment to wall height for a two storey Single House at No. 92 (Lot: 58; D/P: 18024) Sydney Street, North Perth on plans date stamped 17 December 2015, as shown on Attachment 2, subject to the following conditions:

1. **Limitation of Approval**

This approval relates only to the amendments denoted on the approved plans;

2. **External Fixtures**

All external fixtures shall not be visually obtrusive from Sydney 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;

3. **On an ongoing basis prior to occupation of the development, the following shall be completed to the satisfaction of the City:**

3.1 **Stormwater**

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

4. **Within 28 days of the issue date of this ‘Approval to Commence Development’, the owners or the applicant on behalf of the owners shall comply with the following requirements:**

4.1 **Building Approval Certificate**

A Building Approval Certificate application along with structural details certified by a Practising Structural Engineer, including plans and specifications of the subject unauthorised development, shall be submitted to and approved by the City of Vincent Building Services as required under Sections 51, 52 & 54 of the Building Act 2011, and Regulation 4 of the Building Regulations 2012.

**ADVICE NOTES:**

1. With reference to Condition 3.1, 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.

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**COUNCIL DECISION ITEM 9.1.6**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**PROCEDURAL MOTION:**

**Moved Cr Harley, Seconded Cr Buckels**

That the item be deferred in order to obtain further information in relation soil levels, the impact of the approval on Lot 200 and commentary on the discrepancy between the results of the site surveys.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

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**9.1.1 No. 264 (Lots: 111 and 107; D/P 30685) Lord Street, Perth – Proposed Unlisted Use (Car Wash) and Associated Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 5 of 2016)**

<b>Ward:</b>	South	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	Precinct 15 – Banks	<b>File Ref:</b>	PR23388; 5.2015.194.1
<b>Attachments:</b>	<a href="#">1</a> – Revised Development Application Plan <a href="#">2</a> – Applicant’s Operational Management Plan <a href="#">3</a> – Car Parking Table <a href="#">4</a> – Acoustic Report and Additional Information to Acoustic Report <a href="#">5</a> – Road Reserve Land Showing Lord Street Reservation <a href="#">6</a> – State Administrative Tribunal Orders		
<b>Tabled Items:</b>	Nil		
<b>Consultant:</b>	A Butterworth, Allerdingle & Associates		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**RECOMMENDATION:**

That Council, in accordance with s31 of the State Administrative Tribunal Act 2004 reconsiders its decision dated 17 November 2015 and 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 the proposed Unlisted Use (Car Wash) and associated development at No. 264 (Lots: 111 & 107; D/P: 30685) Lord Street, Perth as shown on plans date stamped 13 April 2016, included as Attachment 1 and operational management plan included as Attachment 2, subject to the following conditions:

**1. Operational Management**

The development shall, at all times, comply with the requirements of the Operational Management Plan. The operation shall be limited to the following and the Operational Management Plan shall be modified within 28 days of the date of this approval to state that:

- 1.1 Washing and cleaning of vehicles shall only occur in the 5 bays identified on the approved plan;
- 1.2 The maximum number of staff employed onsite shall not exceed seven staff at any one time;
- 1.3 The hours of operation shall be limited to 8:00am to 6:00pm seven days a week;
- 1.4 Installation and operation of an illuminated sign stating “No Vacancy” to be located alongside the Summers Street frontage, close to the crossover, which shall be controlled by the cashier which can be lit up when bookings are full;
- 1.5 Operation of hoses for cleaning vehicles shall be limited to no nozzles or use of wide angled or fan spray nozzles, in accordance with the recommendations contained in the recommendations of the acoustic assessment and additional information dated 12 April 2016;

1.6 All vacuum machinery and water treatment shall be located within a plant room within the existing building, as shown on the plans. Construction of the plant room shall be in accordance with the recommendations as detailed in the additional information from the acoustic assessment dated 12 April 2016, with underground ducting/piping being provided to the vacuuming and washing bays; and

1.7 No degreasing or engine detailing is to occur onsite;

2. **Amalgamation**

Lots 107 and 111 shall be amalgamated into one lot on Certificate of Title to the satisfaction of the City;

3. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 146 Summers Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork to the satisfaction of the City;

4. **Car Parking and Access Ways**

4.1 A minimum of four parking car bays shall be provided onsite and these bays shall not be used for washing or cleaning or storage purposes;

4.2 The car park shall be used only by staff and customers directly associated with the business;

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

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

4.5 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;

5. **Interactive Front**

Windows, doors and adjacent areas fronting Lord and Summers Streets shall maintain an active and interactive relationship with the street;

6. **External Fixtures**

All external fixtures shall not be visually obtrusive from Lord and Summers Streets 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;

7. **Road Reservation**

Improvements to the site shall be removed at the expense of the applicant/owner at the time when the reserved land is required for the upgrading of Lord Street intersection and no compensation shall be payable;

8. The following is to form part of the application for a Building Permit, the following shall be submitted to and approved by the City:

8.1 **No Vacancy Sign**

Details of the “No vacancy” sign including details of the location and materials and form of the sign;

8.2 **Landscape and Verge Upgrade Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

8.2.1 The location and type of proposed trees and plants in the landscape areas including at least three trees with a minimum size of 500 litres;

8.2.2 Areas to be irrigated or reticulated; and

8.2.3 The removal of any redundant crossover and the verge reinstated to the satisfaction of the City;

8.3 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) is to be provided to and approved by the City;

8.4 **Construction Management Plan**

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

8.5 **Waste Management**

8.5.1 A Waste Management Plan; and

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

8.6 **Waste Water Management**

8.6.1 A Waste Water Management Plan; and

8.6.2 Waste water management for the development shall thereafter comply with the approved Waste Water Management Plan;

8.7 **Acoustic Report**

A revised Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation. This is to incorporate the additional detail provided in the letter dated 12 April 2016. The recommended measures of the report shall be implemented;

**8.8 Lighting Plan**

A lighting plan, prepared by an appropriately qualified person, being submitted demonstrating that any lighting proposed onsite complies with the requirements of Australian Standard AS1158; and

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

**9.1 No Vacancy Sign**

The “No Vacancy” sign referred in 8.1 shall be installed in accordance with the approved plans and maintained thereafter to the satisfaction of the City, at the applicant’s expense;

**9.2 Car Parking**

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

**9.3 Stormwater**

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

**9.4 Landscape Plan and Verge Upgrade Plan**

With reference to Condition 8.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant’s expense; and

**9.5 Acoustic Report Certification**

With reference to Condition 8.7, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City.

**ADVICE NOTES:**

1. With reference to Condition 2, amalgamation of the lots is not required if it can be demonstrated that the proposed development complies with the relevant requirements of the National Construction Code Series;
2. With reference to Condition 3, 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;
3. With reference to Condition 4.4, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City’s specification for reinstatement of concrete paths;
4. With reference to Condition 4.5, all new crossovers to the development site are subject to a separate application to be approved by the City;

5. A Road and Verge security bond for the sum of \$4,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the satisfaction of the City, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
6. With reference to Condition 8.2, the City encourages landscaping methods and species selection which do not rely on reticulation;
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;
8. With reference to Condition 9.3, 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;
9. As this application did not provide full details in regard to signage, this approval does not relate to any of the signage proposals identified on the plans. 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 Building Permit application, being submitted to and approved by the City prior to the erection of the signage;
10. With reference to Condition 8.6, all waste water associated with the car wash shall be collected in retention tanks, processed and recycled. Details of the waste water processing procedure and mechanism specific to this site shall be submitted and approved to the satisfaction of the City;
11. The applicant is encouraged to provide bicycle parking facilities for use by staff; and
12. The applicant is advised that an Occupancy permit is required to be obtained from the City prior to the commencement of operations.

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**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Buckels, Seconded Cr McDonald**

**That the recommendation be adopted.**

***Debate ensued.***

**MOTION PUT AND CARRIED (8-1)**  
**BY AN ABSOLUTE MAJORITY**

**For:** Cr Cole, Cr Gontaszewski, Cr Harley, Cr Loden, Cr McDonald, Cr Buckels, Cr  
Murphy, and Cr Topelberg

**Against:** Presiding Member Mayor John Carey

**Cr McDonald departed the Chamber at 8:46pm.**

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**9.1.7 No. 6 (Lot: 888; D/P: 405492) Sekem Street, North Perth – Amendment to Previous Approval: Construction of a Grouped Dwelling**

<b>Ward:</b>	North	<b>Date:</b>	16 May 2016
<b>Precinct:</b>	Precinct 6 – Smiths Lake	<b>File Ref:</b>	PR54061; 5.2016.74.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Sullivan, Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**RECOMMENDATION:**

That Council, in accordance with the Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application to amend an existing planning approval granted on 10 March 2015 numbered 5.2014.598.1 to construct a proposed three storey Grouped Dwelling at No. 6 (Lot: 888; D/P: 405492) Sekem Street, North Perth on plans date stamped 25 February 2016, as shown on Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on the previous approval number 5.2014.598.1 dated 10 March 2015 shall apply.

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**COUNCIL DECISION ITEM 9.1.7**

**Moved Cr Buckels, Seconded Cr Cole**

That the recommendation be adopted.

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was absent from the Chamber and did not vote)

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**9.1.9 Response to Notice of Motion (Item 10.6 from OMC 5 April 2016) – Request for a Further Review of the City of Vincent Town Planning Scheme No. 2**

<b>Ward:</b>	Both	<b>Date:</b>	15 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC2652
<b>Attachments:</b>	<a href="#">1</a> – 2015 Residential Design Codes Amendments <a href="#">2</a> – WA Planning Commission Planning Bulletin 113/2015		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Smith, Coordinator Policy & Place		
<b>Responsible Officer:</b>	G Poezyn, Director Development Services		

**RECOMMENDATION:**

That Council **NOTES** Administration's response to the Notice of Motion presented at the Ordinary Council Meeting of 5 April 2016 (Item 10.6) and **TAKES NO ACTION** under Regulation 30 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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**COUNCIL DECISION ITEM 9.1.9**

**Moved Cr Topelberg, Seconded Cr Cole**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr McDonald was absent from the Chamber and did not vote)

Cr McDonald returned to the Chamber at 8:50pm.

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**9.1.4 No. 62 (Lot: 1; D/P: 9454) Robinson Avenue, Dual Frontage to Brisbane Terrace, Perth – Proposed Four Grouped Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	16 May 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park	<b>File Ref:</b>	PR25219; 5.2015.166.1
<b>Attachments:</b>	<a href="#">1</a> – Consultation Map <a href="#">2</a> – Development Application Plans <a href="#">3</a> – Applicant’s Justification <a href="#">4</a> – Drainage Plan <a href="#">5</a> – Marked up plans showing proposed versus required setbacks		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Statutory Planning Officer		
<b>Responsible Officer:</b>	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** the application for the proposed construction of Four Three Storey Grouped Dwellings at No. 62 (Lot: 1; D/P: 9454) Robinson Avenue, Dual Frontage to Brisbane Terrace, Perth on plans date stamped 10 April 2016 and 13 May 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 Nos. 64A Robinson Avenue and 3 Brisbane Place in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

**2. Car Parking and Access**

- 2.1 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.2 Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.3 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

**3. External Fixtures**

All external fixtures shall not be visually obtrusive from Robinson Avenue, Brisbane Terrace 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. **Car Parking Permits**

The applicant is to agree in writing that a notice is placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the dwellings under Policy No. 3.9.3 – Parking Permits;

6. 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:

6.1 **Revised Plans**

6.1.1 The proposed floor level of the Unit 3 tandem garage area shall be no higher than 13.65RL;

6.1.2 The proposed crossovers shall have a minimum width of 3 metres and be at right angle to the street;

6.2 **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 and thereafter maintained;

6.3 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan shall be drawn to a scale of 1:100 and show the following:

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

6.3.2 Areas to be irrigated or reticulated; and

6.3.3 The removal of redundant crossover;

6.4 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

6.5 **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 and shall include the following:

6.5.1 Dilapidation Reports at the applicant's cost to the satisfaction of the City for the following heritage listed properties:

(a) Nos. 7 – 32 Brookman Street, Perth;

(b) Nos. 8 – 28 Moir Street, Perth;

(c) Nos. 43-45 and 51-53 Robinson Avenue, Perth;

(d) No. 427 William Street, Perth; and

(e) Nos. 165-171 Brisbane Street, Perth;

Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

**6.6 Waste Management**

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

**6.6.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan;**

**6.7 Drainage Infrastructure**

**The City's existing drainage infrastructure that traverses the site shall be replaced at the applicant's costs to the satisfaction of the City; and**

**6.8 Heritage Significance**

**An interpretative plaque or another appropriate form of interpretation that recognises the history of the place at No. 62 Robinson Avenue, Perth, shall be provided in accordance with the City's Policy No. 7.6.4 – Heritage Management – Interpretive Signage;**

**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 produced on the subject land shall be retained onsite, by suitable means unless otherwise approved by to the satisfaction of the City;**

**7.2 Acoustic Report Certification**

**With reference to Condition 6.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;**

**7.3 Landscape Plan and Verge Upgrade Plan**

**With reference to Condition 6.3, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and**

**7.4 Heritage Significance**

**The approved interpretative plaque or another appropriate form of interpretation that recognises the heritage significance of No. 62 Robinson Avenue, Perth shall be installed at the owners/occupiers expense prior to occupation and thereafter maintained by the owners/occupiers; 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 2.2, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;**
3. **With reference to Condition 2.3, all new crossovers to the development site are subject to a separate application to be approved by the City;**
4. **A security bond for the sum of \$4,000 shall be lodged with the City by the applicant, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;**
5. **With reference to Condition 6.3, the City encourages landscaping methods and species selection which do not rely on reticulation;**
6. **Any new street/front wall, fence and gate within the Robinson Avenue and Brisbane Terrace setback areas including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;**
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;**
7. **With reference to Condition 6.7, if there is a need to repair or replace the infrastructure once the existing pipe has been exposed and examined, the final design shall be approved by the City prior to any works commencing; and**
8. **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.**

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Topelberg, Seconded Cr Cole**

**That the recommendation be adopted.**

***Debate ensued.***

**MOTION PUT AND CARRIED (8-1)**

**For:** Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Gontaszewski, Cr Loden, Cr McDonald, Cr Murphy

**Against:** Cr Topelberg

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**9.2.2 Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 1**

<b>Ward:</b>	South	<b>Date:</b>	12 May 2016
<b>Precinct:</b>	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	<b>File Ref:</b>	SC466
<b>Attachments:</b>	1 – Proposed Trial Area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

That Council:

1. **ADVISES Main Roads WA and the Commissioner of Road Safety that it supports, in principle, undertaking a 40kph Area Wide Speed Zone Trial in the area bounded by Charles Street, Vincent Street, Beaufort Street, Walcott Street, Guildford Road, Stanley Street and Mitchell Street, as shown in Attachment 1, subject to the State Government, through Main Roads WA, the Office of Road Safety, or other relevant State Agency or Agencies;**
  - 1.1 **partnering with the City of Vincent to undertake community consultation with residents and ratepayers in the affected, area, in accordance with the City’s Consultation Policy, for a minimum period of four weeks;**
  - 1.2 **advertises the proposal to conduct a trial, including the lowering of the existing school zones from 40kph to 30kph within the trial area;**
  - 1.3 **bearing, or substantially contributing to the funding of all works associated with the consultation, design and, if approved, implementation of the trial;**
  - 1.4 **providing a report, to Council, at the conclusion of the consultation period outlining the comments received and recommendations thereon; and**
  - 1.5 **should the trial proceed, undertaking a formal independent assessment/review of its effectiveness; and**
2. **NOTES that a further report will be presented, to Council on this matter, once a formal response to recommendation 1, has been received.**

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Cole, Seconded Cr Buckels**

**That the recommendation be adopted.**

***Debate ensued.***

**MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

**9.2.5 Review of Waste Management Practices in the City of Vincent – Progress Report No 6**

<b>Ward:</b>	Both	<b>Date:</b>	12 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1181
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Manager Asset and Design Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

**That Council NOTES:**

1. the information in the report that, while not widely advertised, residents can already request a 360 litre Mobile Recycling Bin (MRB) in-lieu of a 240 litre MRB and conversely a 140 litre Mobile Garbage Bin (MGB) in-lieu of a 240 litre MGB; and
2. to introduce a 360 litre MRB service across the City at this time would have significant budget implications, as discussed in the report, which would need to be considered in the context of the 2016/17 budget deliberations.

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**COUNCIL DECISION ITEM 9.2.5**

**Moved Cr Loden, Seconded Cr Buckels**

**That the recommendation be adopted.**

**MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

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**9.2.3 Proposed Demonstration Bike Boulevard Project Shakespeare Street, between Green Street and Scarborough Beach Road, Mount Hawthorn – Progress Report No 3**

<b>Ward:</b>	Both	<b>Date:</b>	12 May 2016
<b>Precinct:</b>	Precinct 3 – Leederville Precinct 1 – Mount Hawthorn	<b>File Ref:</b>	SC1847, SC817
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

**That Council:**

1. **NOTES** that, as previously requested, the Department of Transport have:
  - 1.1 agreed to fully fund the Demonstration Bike Boulevard Project implementation in Shakespeare Street, between Green Street and Scarborough Beach Road, Mount Hawthorn including the detailed design and documentation and all associated construction costs estimated to be \$835,000 (plus GST);
  - 1.2 entered into a funding agreement with the City to deliver, the Demonstration Bike Boulevard Project; and
  - 1.3 advised all respondents of the project approval in collaboration with the City’s Chief Executive Officer;
2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.8 (1) of the *Local Government Act 1995*, the expenditure associated with the Bike Boulevard Project along Shakespeare Street, between Green Street and Scarborough Beach Road, Mount Hawthorn, estimated at \$835,000 (plus GST) to be fully funded by the Department of Transport in accordance with the terms of the funding agreement; and
3. **NOTES** the additional Budget amendment associated with Recommendation 2 above:

Project	Income (Grant)	Expenditure
Demonstration Bike Boulevard Project Shakespeare Street, between Green Street and Scarborough Beach Road, Mount Hawthorn	\$835,000	\$835,000

**COUNCIL DECISION ITEM 9.2.3**

**Moved Cr Topelberg, Seconded Cr Buckels**

**That the recommendation be adopted.**

*Debate ensued.*

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

**9.2.6 Leederville Town Centre – Removal or Relocation of Newcastle Street Taxi Rank**

<b>Ward:</b>	South	<b>Date:</b>	12 May 2016
<b>Precinct:</b>	Precinct 4 - Oxford Centre	<b>File Ref:</b>	SC1730
<b>Attachments:</b>	<a href="#">1</a> – Taxi Industry Forum of WA Inc. letter supporting the retention of the Taxi Rank		
<b>Tabled Items:</b>	Nil.		
<b>Reporting Officers:</b>	C Wilson, Manager Asset and Design		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

**That Council:**

1. **NOTES** the options discussed in the report to be incorporated in the Leederville 'Town Centre Place Plan' currently being prepared;
2. **DEFERS** making any changes to the Newcastle Street Leederville Taxi Rank, at this time, until the draft 'Leederville Town Centre Place Plan' has been adopted; and
3. **ADVISES** the Taxi Industry Forum of WA Inc. of its decision.

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**Moved Cr Topelberg, Seconded Cr Harley**

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND LOST (0-9)**

**ALTERNATE RECOMMENDATION:**

**Moved Cr Topelberg, Seconded Cr Buckels**

**That Council:**

1. **SUPPORTS IN PRINCIPLE** the relocation/removal of the existing Newcastle Street taxi rank to a more suitable location within the Leederville Town Centre;
2. **CONSIDERS** possible alternative options for the current taxi rank space to include either increasing the pedestrian space by widening the footpath, a short term parking/set down zone and/or other amenity improvements;
3. **CONSULTS** with Leederville Connect and local businesses regarding the possible relocation of the taxi rank to a more suitable location, including the alternative options for the space; and
4. **RECEIVES** a further report at the conclusion of the consultation.

*Debate ensued.*

**PROPOSED AMENDMENT 1:**

**Moved Cr Topelberg, Seconded Cr Buckels**

That Recommendation 3 be amended as follows:

3. **CONSULTS with Leederville Connect and local businesses regarding the possible relocation of the taxi rank to a ~~more suitable location~~, the parking bays on the north side of Newcastle Street, east of Carr Place and potential other suitable locations, including the alternative options for the existing taxi rank space; and**

*Debate ensued.*

**AMENDMENT 1 PUT AND LOST (2-7)**

**For:** Presiding Member Mayor John Carey and Cr Topelberg

**Against:** Cr Buckels, Cr Cole, Cr Gontaszewski, Cr Harley, Cr Loden, Cr McDonald and Cr Murphy

*Debate ensued.*

Due to confusion, the decision in relation to AMENDMENT 1 was REVOKED pursuant to Clause 10.1 of the City of Vincent Local Law Relating to Standing Orders.

PROPOSED AMENDMENT 1 was subsequently re-put to the vote by Presiding Member Mayor John Carey.

**AMENDMENT 1 PUT AND CARRIED (6-3)**

**For:** Presiding Member Mayor John Carey, Cr Cole, Cr Harley, Cr Loden, Cr Murphy and Cr Topelberg

**Against:** Cr Buckels, Cr Gontaszewski and Cr McDonald

**PROPOSED AMENDMENT 2:**

**Moved Cr Loden, Seconded Cr Cole**

That Recommendation 2 be altered as follows:

2. **CONSIDERS possible alternative options for the current taxi rank space to include either increasing the pedestrian space by widening the footpath, a short term parking/set down zone, ACROD bay and/or other amenity improvements.**

**AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)**

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

**COUNCIL DECISION ITEM 9.2.6**

That Council:

1. **SUPPORTS IN PRINCIPLE the relocation/removal of the existing Newcastle Street taxi rank to a more suitable location within the Leederville Town Centre;**
2. **CONSIDERS possible alternative options for the current taxi rank space to include either increasing the pedestrian space by widening the footpath, a short term parking/set down zone, ACROD bay and/or other amenity improvements;**
3. **CONSULTS with Leederville Connect and local businesses regarding the possible relocation of the taxi rank to the parking bays on the north side of Newcastle Street, east of Carr Place and potential other suitable locations, including the alternative options for the existing taxi rank; and**
4. **RECEIVES a further report at the conclusion of the consultation.**

**9.4.1 Festivals and Events Program Sponsorship 2016/2017**

<b>Ward:</b>	Both	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC392
<b>CONFIDENTIAL Attachments:</b>	CONFIDENTIAL Attachments – Proposals: CONFIDENTIAL – Staged on Beaufort CONFIDENTIAL – Revelation Film Festival CONFIDENTIAL – Lullaby Event CONFIDENTIAL – Light Up Leederville Carnival CONFIDENTIAL – Pride Fair Day CONFIDENTIAL – Hyde Park Fair CONFIDENTIAL – Mt Hawthorn Streets and Laneways Festival CONFIDENTIAL – St Patricks Day Parade and Family Fun Day		
<b>Attachments</b>	9 – Major Festivals and Events Guidelines and Application Form		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts and Creativity A Curtin, Administration Officer		
<b>Responsible Officer:</b>	M Quirk, Director Community Engagement		

**RECOMMENDATION:**

That Council:

- APPROVES** an amount of \$280,830 to be listed for consideration in the Draft 2016/2017 Draft Budget for Festival and Events Program Sponsorship, to be distributed as follows:

	Organisation	Event	2015/16		2016/17		Amount Recommended	In-Kind Support
			Amount Funded	Event Attendance (approx.)	Amount Requested	Event Attendance (projected)		
1	Beaufort Street Network	Staged on Beaufort	\$75,000	160,000	\$44,900	1,750	\$35,000	\$1,000
2	Revelation Film Festival	Revelation Film Festival	\$20,000	10,000	\$30,000	10,000	\$20,000	\$1,000
3	Awesome Arts	Lullaby Event	\$0	N/A	\$10,000	1,300	\$0	N/A
4	Leederville Connect	Light Up Leederville Carnival	\$50,000	55,000	\$65,000	55,000	\$50,000	\$10,500
5	Pride WA	Fair Day	\$15,000	2,500	\$20,000	3,000	\$15,000	\$7,250
6	Rotary Club of North Perth	Hyde Park Fair	\$20,000	50,000	\$33,000	55,000	\$30,000	\$27,000
7	Mt Hawthorn Hub	Streets & Laneways Festival	\$45,000	40,000	\$50,000	50,000	\$45,000	\$8,800
8	St Patrick's Day WA Inc.	Parade & Family Fun Day	\$20,000	20,000	\$20,000	25,000	\$20,000	\$10,280
<b>TOTAL (EX GST):</b>			<b>\$245,000</b>		<b>\$272,900</b>		<b>\$215,000</b>	<b>\$65,830</b>
<b>TOTAL OF SPONSORED AMOUNT (INCLUDING IN-KIND SUPPORT &amp; EX GST):</b>								<b>\$280,830</b>

2. **NOTES** all Festival and Events Sponsorship recipients in 2016/2017 remain subject to signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations; and
3. **APPROVES BY ABSOLUTE MAJORITY** the expenditure of \$20,000 for the sponsorship of the Revelation Film Festival to be held from 7 to 17 July 2016, in accordance with Section 6.8 (1) of the *Local Government Act 1995*.

Cr Murphy disclosed a financial interest in this matter and departed the Chamber at 9:21pm.

**Moved** Cr Loden, **Seconded** Cr Buckels

That the recommendation be adopted.

*Debate ensued.*

**PROPOSED AMENDMENT 1:**

**Moved** Cr Cole, **Seconded** Cr Harley

That Recommendation 1 be amended as follows:

1. **APPROVES** an amount of \$270,830 to be listed for consideration in the Draft 2016/2017 Draft Budget for Festival and Events Program Sponsorship, to be distributed as follows:

	Organisation	Event	2015/16		2016/17		Amount Recommended	In-Kind Support
			Amount Funded	Event Attendance (approx.)	Amount Requested	Event Attendance (projected)		
1	Beaufort Street Network	Staged on Beaufort	\$75,000	160,000	\$44,900	1,750	\$35,000	\$1,000
2	Revelation Film Festival	Revelation Film Festival	\$20,000	10,000	\$30,000	10,000	\$20,000	\$1,000
3	Awesome Arts	Lullaby Event	\$0	N/A	\$10,000	1,300	\$0	N/A
4	Leederville Connect	Light Up Leederville Carnival	\$50,000	55,000	\$65,000	55,000	\$50,000	\$10,500
5	Pride WA	Fair Day	\$15,000	2,500	\$20,000	3,000	\$15,000	\$7,250
6	Rotary Club of North Perth	Hyde Park Fair	\$20,000	50,000	\$33,000	55,000	<del>\$30,000</del> \$20,000	\$27,000
7	Mt Hawthorn Hub	Streets & Laneways Festival	\$45,000	40,000	\$50,000	50,000	\$45,000	\$8,800
8	St Patrick's Day WA Inc.	Parade & Family Fun Day	\$20,000	20,000	\$20,000	25,000	\$20,000	\$10,280
<b>TOTAL (EX GST):</b>			<b>\$245,000</b>		<b>\$272,900</b>		<del><b>\$215,000</b></del> <b>\$205,000</b>	<b>\$65,830</b>
<b>TOTAL OF SPONSORED AMOUNT (INCLUDING IN-KIND SUPPORT &amp; EX GST):</b>								<del><b>\$280,830</b></del> <b>\$270,830</b>

*Debate ensued.*

**AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (8-0)**

Cr Murphy was absent from the Chamber and did not vote.

**PROPOSED AMENDMENT 2:**

**Moved Cr McDonald, Seconded Cr Gontaszewski**

That Recommendation 1 be amended as follows:

1. **APPROVES** an amount of \$280,830 to be listed for consideration in the Draft 2016/2017 Draft Budget for Festival and Events Program Sponsorship, to be distributed as follows:

	Organisation	Event	2015/16		2016/17		Amount Recommended	In-Kind Support
			Amount Funded	Event Attendance (approx.)	Amount Requested	Event Attendance (projected)		
1	Beaufort Street Network	Staged on Beaufort	\$75,000	160,000	\$44,900	1,750	<del>\$35,000</del> \$45,000	\$1,000
2	Revelation Film Festival	Revelation Film Festival	\$20,000	10,000	\$30,000	10,000	\$20,000	\$1,000
3	Awesome Arts	Lullaby Event	\$0	N/A	\$10,000	1,300	\$0	N/A
4	Leederville Connect	Light Up Leederville Carnival	\$50,000	55,000	\$65,000	55,000	\$50,000	\$10,500
5	Pride WA	Fair Day	\$15,000	2,500	\$20,000	3,000	\$15,000	\$7,250
6	Rotary Club of North Perth	Hyde Park Fair	\$20,000	50,000	\$33,000	55,000	\$20,000	\$27,000
7	Mt Hawthorn Hub	Streets & Laneways Festival	\$45,000	40,000	\$50,000	50,000	\$45,000	\$8,800
8	St Patrick's Day WA Inc.	Parade & Family Fun Day	\$20,000	20,000	\$20,000	25,000	\$20,000	\$10,280
<b>TOTAL (EX GST):</b>			<b>\$245,000</b>		<b>\$272,900</b>		<del><b>\$205,000</b></del> <b>\$215,000</b>	<b>\$65,830</b>
<b>TOTAL OF SPONSORED AMOUNT (INCLUDING IN-KIND SUPPORT &amp; EX GST):</b>								<del><b>\$280,830</b></del> <b>\$270,830</b>

2. **NOTES** all Festival and Events Sponsorship recipients in 2016/2017 remain subject to signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations; and
3. **APPROVES BY ABSOLUTE MAJORITY** the expenditure of \$20,000 for the sponsorship of the Revelation Film Festival to be held from 7 to 17 July 2016, in accordance with Section 6.8 (1) of the *Local Government Act 1995*.

*Debate ensued.*

Cr Loden departed the Chamber at 9:38pm.  
Cr Loden returned to the Chamber at 9.39pm.

**AMENDMENT 2 PUT AND LOST (2-6)**

**For:** Cr Gontaszewski and Cr McDonald  
**Against:** Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Harley, Cr Loden and Cr Topelberg

(Cr Murphy was absent from the Chamber and did not vote.)

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**  
**BY AN ABSOLUTE MAJORITY**

(Cr Murphy was absent from the Chamber and did not vote.)

Cr Murphy returned to the Chamber at 9:39pm.

**COUNCIL DECISION ITEM 9.4.1**

That Council:

- APPROVES** an amount of \$270,830 to be listed for consideration in the Draft 2016/2017 Draft Budget for Festival and Events Program Sponsorship, to be distributed as follows:

	Organisation	Event	2015/16		2016/17		Amount Recommended	In-Kind Support
			Amount Funded	Event Attendance (approx.)	Amount Requested	Event Attendance (projected)		
1	Beaufort Street Network	Staged on Beaufort	\$75,000	160,000	\$44,900	1,750	\$35,000	\$1,000
2	Revelation Film Festival	Revelation Film Festival	\$20,000	10,000	\$30,000	10,000	\$20,000	\$1,000
3	Awesome Arts	Lullaby Event	\$0	N/A	\$10,000	1,300	\$0	N/A
4	Leederville Connect	Light Up Leederville Carnival	\$50,000	55,000	\$65,000	55,000	\$50,000	\$10,500
5	Pride WA	Fair Day	\$15,000	2,500	\$20,000	3,000	\$15,000	\$7,250
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7	Mt Hawthorn Hub	Streets & Laneways Festival	\$45,000	40,000	\$50,000	50,000	\$45,000	\$8,800
8	St Patrick's Day WA Inc.	Parade & Family Fun Day	\$20,000	20,000	\$20,000	25,000	\$20,000	\$10,280
<b>TOTAL (EX GST):</b>			<b>\$245,000</b>		<b>\$272,900</b>		<b>\$205,000</b>	<b>\$65,830</b>
<b>TOTAL OF SPONSORED AMOUNT (INCLUDING IN-KIND SUPPORT &amp; EX GST):</b>								<b>\$270,830</b>

- NOTES** all Festival and Events Sponsorship recipients in 2016/2017 remain subject to signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations; and

3. **APPROVES BY ABSOLUTE MAJORITY** the expenditure of \$20,000 for the sponsorship of the Revelation Film Festival to be held from 7 to 17 July 2016, in accordance with Section 6.8 (1) of the *Local Government Act 1995*.
-

**9.2.1 Fitzgerald Street Peak Period Bus Lanes – Progress Report No 2**

**(ITEM WITHDRAWN BY ADMINISTRATION)**

**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**

**12.1 Appointment of Members for WALGA Central Metropolitan Zone**

<b>Ward:</b>	-	<b>Date:</b>	26 May 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	SC1684
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

**COUNCIL DECISION ITEM 12.1**

**Moved Cr Buckels, Seconded Cr Gontaszewski**

That Council APPROVES BY AN ABSOLUTE MAJORITY the appointment of:

1. Councillor Buckels;

as its Member for the Western Australian Local Government Association (WALGA) Central Metropolitan Zone until 21 October 2017 (*unless otherwise specified*), due to the resignation of the Council's previously appointed Members, Deputy Mayor Councillor Roslyn Harley and Mayor John Carey.

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

### 13. URGENT BUSINESS

#### 13.1 URGENT BUSINESS: Buy-out of Leased Multifunction Print Devices

<b>Ward:</b>	Both	<b>Date:</b>	26 May 2016
<b>Precinct:</b>	All	<b>File Ref:</b>	SC2522
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	C Arambage, A/Manager of Information Technology T Evans, Manager Governance and Risk		
<b>Responsible Officer:</b>	J Paton, Director Corporate Services		

#### RECOMMENDATION:

That Council:

1. pursuant to Section 6.8(1)(b) of the Local Government Act 1995 APPROVES BY AN ABSOLUTE MAJORITY the unbudgeted expenditure of \$5,270 (plus GST) in order to buy-out the residual value of three leased multifunction print devices from Macquarie Equipment Leasing; and
2. NOTES that funds will be reallocated from the CEO's Management Initiatives operating budget to facilitate the expenditure in 1 above.

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#### COUNCIL DECISION ITEM 13.1

Cr Cole departed the Chamber at 9:41pm.

Moved Cr Topelberg, Seconded Cr Loden

That the recommendation be adopted.

*Debate ensued.*

**MOTION PUT AND CARRIED UNANIMOUSLY (8-0)**  
**BY AN ABSOLUTE MAJORITY**

(Cr Cole was absent from the Chamber and did not vote.)

Cr Cole returned to the Chamber at 9:47pm.

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**13.2 URGENT BUSINESS: Vincent Bike Network Plan – Bulwer Street Bike Lanes ‘Phase Two’**

<b>Ward:</b>	South	<b>Date:</b>	26 May 2016
<b>Precinct:</b>	Precinct 12 – Hyde Park Precinct 14 – Forrest Precinct 13 - Beaufort	<b>File Ref:</b>	SC423
<b>Attachments:</b>	<a href="#">1</a> – Plan No 3336-CP-01B <a href="#">2</a> – Plan No 3336-CP-01 <a href="#">3</a> – Plan No 3336-CP-01A		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer</b>	R Lotznicker, Director Technical Services		

**RECOMMENDATION:**

That Council:

1. **APPROVES** the proposed amendments to the Bulwer Street on-road bike lanes on the north side of the street, east of Grant Street and west of Beaufort Street, comprising the installation of three embayed parking bays as indicated on Plan No. 3336-CP-01B (Attachment 1);
2. **NOTES** that the proposed changes, estimated to cost \$18,000, if approved, can be absorbed in the existing 2016/17 Bulwer Street Bike lanes budget allocation; and
3. **ADVISES** the affected residents of its decision.

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**COUNCIL DECISION ITEM 13.2**

**Moved Cr Buckels, Seconded Cr Gontaszewski**

**That the recommendation be adopted.**

***Debate ensued.***

**Cr Topelberg departed the Chamber at 9:52pm.  
Cr Topelberg returned to the Chamber at 9:54pm.**

***Debate ensued.***

**MOTION PUT AND CARRIED (7-2)**

**For: Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr Gontaszewski, Cr Murphy, Cr McDonald and Cr Topelberg**  
**Against: Cr Harley and Cr Loden**

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

**PROCEDURAL MOTION**

At 9:57pm Moved Cr Topelberg, 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 reports relating to Item 14.1 and 14.2.

**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
Gabriela Poezyn	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

**14.1 CONFIDENTIAL REPORT: Appointment of Community Representatives to the City of Vincent Reconciliation Action Plan Working Group**

<b>Ward:</b>	All	<b>Date:</b>	13 May 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	SC1216
<b>Attachments:</b>	Confidential – Nominations Confidential – Assessment Matrix		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	L Keillor, Community Development Officer		
<b>Responsible Officer:</b>	M Quirk, Director Community Engagement		

**DETAILS:**

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

- (b) *the personal affairs of any person.*

**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.

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**COUNCIL DECISION ITEM 14.1**

**Moved Cr Harley, Seconded Cr Cole**

**That Council APPOINTS:**

- 1. Two Council Members to the City's Reconciliation Action Plan Working Group for the 2016/2017 term (until 30 June 2017, unless otherwise specified):**

**Cr Harley (Chairperson);**

**Cr Loden and;**

- 2. Six Community Representatives to the City's Reconciliation Action Plan Working Group for the 2016/2017 term (until 30 June 2017, unless otherwise specified):**

**2.1 Paul Willaway;**

- 2.2 Donna Czekalowski;
- 2.3 Sarah Janali;
- 2.4 Marilyn Lyford;
- 2.5 Veronica Divincenzo; and
- 2.6 Kathy Kickett

**MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

**All employees with the exception of the Chief Executive Officer departed the Chamber at 10:04pm.**

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**14.2 CONFIDENTIAL REPORT: Chief Executive Officer's Employment Contract and Key Performance Indicators**

<b>Ward:</b>		<b>Date:</b>	18 May 2016
<b>Precinct:</b>	-	<b>File Ref:</b>	P/F
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Len Kosova, Chief Executive Officer		
<b>Responsible Officer:</b>	Len Kosova, Chief Executive Officer		

***Disclosure of Interest – The Chief Executive Officer, Len Kosova has disclosed a direct financial interest in this matter as it affects his contract of employment with the City.***

**DETAILS:**

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

- (a) a matter affecting an employee or employees;

**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.

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.

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**COUNCIL DECISION ITEM 14.2**

**That Council:**

1. **APPROVES** the following amendments to the CEO's employment contract with the City of Vincent and **AUTHORISES** the Mayor to execute the duly amended contract of employment with the CEO:
  - 1.1 **Clause 2.2 (Contract Term) being amended to specify a five (5) year term from the date of this decision, with a contract end date of 31 May 2021;**
  - 1.2 **Clause 3.3(b) being amended to require a review of the CEO's performance to be conducted "in August each year", instead of "on June 1" as currently specified;**

- 1.3 Clause 5.3(a) being amended to delete reference to the specific vehicle purchased for the CEO in 2014 (Volkswagen Passat 130TDI station wagon, at a cost to the City of \$41,410) and inserting in its place the following:
- “A vehicle at a maximum purchase price to the City of \$41,410 (excl. GST), with a private use valued at \$11,847 [and the City will pay all expenses in connection with the motor vehicle, such as servicing, and provide you with a fuel card] in accordance with the relevant City policy”.*
- 1.4 Clause 5.7 (Remuneration Review) being amended to require a remuneration review “in August each year”, instead of “on June 1” as currently specified;
- 1.5 Clause 5.10 (Professional Development) being amended to insert a new sub-clause (c) as follows:
- “Relative to sub-clause 5.10(b)(iv) above, Council approves of your enrolment to complete the Company Director’s Course offered through the Australian Institute of Company Directors in the 2016/17 financial year, through either the Five Day or Correspondence formats.”*
- 1.6 Sub-clause 5.10(b)(iii) being amended to read as follows: *“your attendance at intra and interstate conferences for professional development purposes relevant to your duties.”*
- 1.7 Amending the CEO’s Position Description included as Schedule 1 to the employment contract by:
- (a) Deleting the words “proposed council amalgamations” from the second dot-point under Item 2 and replacing them with the words “the City”; and
- (b) Deleting the words “in any amalgamation process” from the first dot-point under Item 5.3.”
2. **ADOPTS** the Key Performance Indicators included in Confidential Attachment 2 as forming part of the CEO’s amended contract of employment with the City of Vincent, subject to:
- 2.1 A new KPI 3.5 being included to *“Maintain positive and effective communications and relationships between Council and Administration”* with a corresponding Measurement (to be numbered 3.5.1) of *“To be ascertained through Council Member feedback as part of the CEO’s Annual Performance Review process.”*
3. **ESTABLISHES** a CEO Performance Review Panel comprised of Mayor John Carey, Cr Harley, Cr Cole, Cr Gontaszewski and Cr Topelberg to manage and have oversight of the CEO’s Annual Performance Review Process, including preparing a consultancy brief to engage a consultant to assist in conducting the review, assessing submissions received, making a recommendation to Council to appoint a consultant, and managing the consultant on Council’s behalf.

**MOTION PUT AND CARRIED UNANIMOUSLY (9-0)**

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**PROCEDURAL MOTION:**

**At 10:34pm** Moved Cr Cole, Seconded Cr Gontaszewski

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 10:34pm 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

No members of staff were present.

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 31 May 2016.

Signed: ..... Mayor John Carey.

Dated this ..... day of ..... 2016.