



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

7 April 2020

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
E-MEETING, STREAMED LIVE VIA THE CITY'S WEBSITE
[HTTP://WEBCAST.VINCENT.WA.GOV.AU/](http://webcast.vincent.wa.gov.au)
ON TUESDAY, 7 APRIL 2020 AT 6PM**

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Joshua Topelberg Cr Sally Smith Cr Ashley Wallace	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward North Ward South Ward
IN ATTENDANCE:	David MacLennan Andrew Murphy Virginia Miltrup John Corbellini Meluka Bancroft Jay Naidoo Wendy Barnard	Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Community & Business Executive Director Strategy & Development Executive Manager Corporate Strategy & Governance Manager Development & Design Council Liaison Officer

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.02pm and read the following Acknowledgement of Country statement:

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging”.

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following questions and statements were submitted prior to the Meeting and were read out by the Chief Executive Officer. Administrations' responses will be provided in the Agenda for the 19 May Ordinary Council Meeting.

3.1 Colin Scott of North Perth

1. What sort of “rate relief” will ratepayers get in July/August (only 3 months away)?
2. What is Council doing about (temporarily) relieving some full time staff from their payroll and will these staff use up any accrued leave (including long service leave) while temporarily being off the payroll.

3.2 Marie Slyth of West Perth

Please let us know when action is going to be taken to deal with the speeding traffic in Colvin Lane. Although there aren't quite as many vehicles using the lane due to the corona virus, those which continue to use the lane still continue to speed.

A motion was put to Council at the Electors AGM on January 28, 2020 which was then brought up as Item 12.2 at Council Meeting on March 17, 2020, the outcome of which in the *Due Date/timeframe for completion section*, was simply recorded as TBC (to be confirmed).

As already described, there is only a small section of Colvin Lane which needs to be attended to – i.e. the section from the junction of the unnamed lane running at the rear of the houses at the Eastern end of Strathcona Street, to the entry/exit at Strathcona Street.

Our neighbours and I do not want to have our cars smashed into when exiting our garages on Colvin Lane, coupled with the fact that should this happen we have no legal recourse.

To finish, I am asking Council to PLEASE be responsible and do your best to protect your ratepayers from unnecessary INJURY, especially when you have been alerted to need in Colvin Lane.

3.3 Lisa Coyle of Mount Lawley – Item 12.3

I was only informed that Council was preparing to sell the land currently used for public recreation by telephone and follow up email on Friday 3.4.20.

My Heritage Listed home abuts this public recreation area. I understand that the Officers Recommendation to Council is that it approves that this 500 square metre lot be sold to allow 2 residences to be built, each up to three stories high.

I want to formally register my strong opposition to this recommendation.

Available land for public recreation within walkable distances from homes is in short supply in the City and with the proliferation of high density dwellings in nearby streets, this small plot provides an essential and safe space. I have lived next door for twenty years and over the decades, have watched as the small place constantly evolves with the diversity of the residents.

This park has been used by local families - some living in nearby high rise buildings - for celebrations (even a bridal shower), picnics, children learning to ride bicycles, bocce, cricket games and of course, a multitude of dog owners on a daily basis.

While the Council does maintain the property, I would hasten to add that local residents also contribute to ensuring that the property remains free of litter and graffiti. It has been an 'oasis' for our local community, bordered as it is by major City streets which require adults to accompany children to cross. It would be a travesty if its future use as a public recreation space by many existing residents and ratepayers is traded for the one-off benefit of just two future residents.

The City of Vincent prides itself on putting People before Profit and for protecting local amenity and sustainable, green land use options. The destruction of this public space does not achieve this lofty ideal. Nor would permitting two, three storey developments overlooking the back yards of nearby residents, meet accepted Department of Planning Design Principles in terms of maintaining the '*context and character*' of this quiet wedge of residential development bounded, as it is, by major roads.

As you would be aware, Design Principle 9 expounds on the need for development applications to respond to local community needs, including the facilitation of social interaction. This mere 500 square metre lot is the **only** area within this residential wedge which does, in fact, permit social interaction.

I urge Councillors not to take this public recreation space from our existing community for what really amounts to minimal short term, financial gain. There is no reversing such a short-sighted decision.

I would also like to express my disappointment at the lack of community consultation and adequate notice given for our small but united community to respond.

3.4 Norelle O'Neill of Mt Hawthorn – item 12.3

I wish to lodge my, and my family's, strong objection to the City even contemplating selling off parts of Brentham St Reserve, let alone actually allowing it to happen.

You have all been granted the privilege of being the custodians, not owners, of the City's much loved open spaces, so you can protect and nurture them for future generations.

What gives you, or the person/s who proposed their sale, the right to sell what doesn't belong to you? Open spaces belong to the community for healing, not profiteering developers.

Now more than ever people need the comfort and solace of space and nature and these regularly used precious green areas are the quiet home of massive mature native trees and their wild inhabitants.

To sell them for development is environmental vandalism.

Please vote against such an outrageous proposal to help restore faith in the City's decision-making processes.

3.5 Joyce Wolfe of North Perth - item 12.3

I suggest that those councillors inclined to approve the proposal to sell off 5760 sqm of land in Brentham Street (which is zoned for passive recreation and dotted with mature trees) take a long hard look at the following two documents:

- 1) City of Vincent Greening Plan 2018–2023
- 2) Public Open Space Strategy Dec 2018 (Don't skim over Table 6)

3.6 Peter Le of Highgate – Item 12.3

Why is the City selling off land?

I believe that the recommendations to sell blocks of land because they have no current strategic value does not make business sense, and does not make financial sense. Why is the City selling public open spaces, when the City goes to great lengths to close residents' streets to create open spaces?

I ask councillors to reject or defer the decision in order to get a better understanding of the city's financial future before making any rash decisions.

3.7 Sally Lake of Highgate – Item 12.3

I am concerned that the land, proposed for sale, on Beaufort and Brentham Streets is described as having "no current strategic use".

The Brentham Street land is parkland, which once lost, can never be restored. Parks are coming under increasing use, both during the current pandemic, but also as the city's residential population increases.

Until recent times, the carpark on Beaufort St was heavily used. Choosing to remove it at this unusual time of low demand, calls into question the Council's longer-term support for the re-establishment of a healthy business precinct. It is possible that in the very long-term, reliance on carparks may be able to be reduced. But this seems like a very inappropriate time to make that decision.

And for both proposed land sales, I consider that consulting with the residential and business community is necessary to establish the community's views.

3.8 Andrew Main of North Perth

Issue 1

I spoke at the council meeting in March about the continual vandalism of the property at 54 Cowle St West Perth, and my frequent requests to the City over the past 4 years to ask that the owner of this heritage listed property, one of the oldest dwellings in the City with connections to the pioneering Gallop family, protect it from vandalism and damage.

I specifically mentioned that part of the roof was missing and that damage from rain entering the building would further damage the building.

I would like to report that the roof remains open, and ask the City whether it has or will demand that the owner repair the roof?

Furthermore, if a request has been made to the owner to repair, when was this request made, and what commitment has the owner made to City particularly in terms of when the repairs will be made?

Issue 2

In November 2019, I wrote to the CEO about various concerns I have with the decision making process and outcome of works and activities carried out at Beatty Park Reserve over the past few years. Almost 5 months later, I have yet to receive a written response to this correspondence. Could you please advise when I am likely to receive a response to my correspondence?

Issue 3

In June 2018, the City commenced development of an integrated transport plan. Can the City please advise when it anticipates this plan will be finalised? Is it intended that the plan will be made available for public consideration and feedback prior to its finalisation? If so when does the City anticipate that this consultation process will take place?

Issue 4

I refer to the 'North Perth traffic calming' project that has been underway since May 2018, when the City received a petition from local residents. The last time that the Council considered this matter was in June 2019, when the item was deferred so that further engagement of the community could take place prior to a final approach being adopted.

Can the City advise when this consultation is likely to take place? In December 2019, the ED Infrastructure and Environment advised that 'the whole process should be completed this financial year'. Is this still the case?

I note that since this issue was first raised by local residents, a roundabout has been installed on Wright/Lincoln Streets Highgate, and funding is also being sought, through the black spot program, for seagull islands at the west and east side intersections of Chelmsford Rd and Fitzgerald St North Perth. This latter project will have impacts on the North Perth traffic calming project and I ask whether these have, or will be considered? Are the two projects going to be combined as one, or remain separate? What is the likely timing of installation of the Chelmsford road seagull island? Will they be installed prior to further works undertaken as part of the North Perth project?

3.9 Dudley Maier of Highgate - item 12.3**Statement**

I would urge council members to reject the recommendation outright, or at least defer a decision until such time as the administration makes public their predictions for the impact of the current situation on the city's finances, and demonstrates what alternatives have been considered.

The report is one of the worst that I have ever seen given its importance and potential impact on the city's finances. The fact that there is no justification other than the vague statement that the sale '*could aid the City's financial Stability*' concerns me. It's not even definitive, and there is no discussion of alternatives. The impact of selling part of the Barlee Street car park is not discussed, or even mentioned. I see no evidence that the administration has even considered it – if they have, why didn't they mention it? I do acknowledge that they may have touched on it when they said they believed that the land has 'no current strategic use'. Tell that to the Beaufort Street traders.

The proposed sale of part of the Brentham Street Reserve speaks volumes. The Public Open Space Strategy did not give any indication that the reserve is excessive in size. The change in the recommendation from the Briefing has nothing to do with a change of heart – it is just acknowledging the requirements of the Act.

I contacted a local real estate agent with more than 20 years' experience in the area. They said it is not a healthy time to sell land, and there are cashed up developers looking for bargains. You'll easily sell the land, but you won't get the best financial outcome for the city, and you won't get a good outcome for the Beaufort Street traders.

I'd remind council that you are here for the community's benefit, both immediate and long term. You are not here just to tick-the-box and make life easy for the administration.

Questions

1. Has the Beaufort Street Network been informed of the intention to sell part of the Barlee Street Carpark, and if so, on what date and at what time was this done?
2. On what date and time was the chair of the Leederville Gardens Retirement Village Board informed of the intention to use \$1 million from the Trust?
3. Has the city considered asking the Department of Local Government, Sport and Cultural Industries to defer the payment of the \$558,000 rental incentive for 246 Vincent Street? If not, why not? If so, when?
4. Has the City stood down any employees, or have any employees been forced to use up accrued leave?
5. What items were discussed or presented at the council workshop of 24 March?
6. Given that section 3.58 of the Act does not require public notice to be given if assets are disposed of by auction or public tender, can you confirm that the disposal of 590 Beaufort Street will not be the subject of any public notice?
7. Who prepared the report for Item 12.3 – Sale of Land?

There being no further questions, Public Question Time closed at approximately 6.15pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were taken on notice at the 17 March 2020 Ordinary Council Meeting.

Responses to questions from Dudley Maier of Highgate:

1. At the last meeting I asked what items were presented to the Council Workshop held on 28 January 2020. The response I received via email on the 18 February listed nine items that were discussed. The answer included in this week's agenda just lists two of the nine. What is the reason for the discrepancy? What items were discussed or presented at the council workshops of 28 January and 25 February?

The email dated 18 February 2020 listed the items discussed at the 28 January workshop. These items all related to the 2020/21 budget and the Long Term Financial Plan, as stated in the response to the question in the 17 March 2020 Council Agenda. Further details of the individual items discussed is below:

- *Local Government Performance Excellence Benchmarking Results;*
- *Long Term Financial Plan;*
- *New Budget Initiatives for 2020/21;*
- *Asset Strategy;*
- *Waste;*
- *Property Management Framework;*
- *Budget Timelines;*
- *Governance Framework update; and*
- *Enterprise Agreement Negotiations.*

The items discussed at the 25 February 2020 Council Workshop were:

- *MRC RRF Strategy;*
- *Integrated Transport Strategy;*
- *Introduction of an Animal Local Law;*
- *City's Public Health Plan;*
- *Britannia North West Reserve (Litis Stadium) Development Plan;*
- *Robertson Park Development Plan;*
- *Professional Development Policy;*
- *Elected Member Event Attendance Policy;*
- *Updated Risk Policy and Risk Appetite and Tolerance Statements;*
- *Solar PV Feasibility study options;*
- *Development on City owned and managed land;*
- *Advisory Group review update;*
- *Carr Street bike land consultation update;*
- *YMCA – funding agreement;*
- *Event funding principles 2020/21;*

- *Youth Action Plan;*
- *WALGA State Council Meeting - 4 March 2020;*
- *Recording of Public Question Time; and*
- *National Redress Scheme.*

2. At the last meeting I asked when changes to the Design Guidelines for William Street and Design Guidelines for Perth were advertised. The response is that they were advertised between 23 October and 11 December 2018. I make copies of all items that are advertised on a weekly basis, and have access to copies of the Voice. While the Built Form Policy was advertised in that period, the design guidelines were not mentioned anywhere in the material concerning the Built Form Policy. • What documentary evidence can you provide to show that they were advertised when you say they were? • And if you can't, why was I provided with an answer which is not correct and is misleading? For the purpose of clarity this is not about the relevance of the design guidelines but about the response from the administration.

The draft amendments to the Design Guidelines for William Street and Design Guidelines for Perth should have been advertised with Amendment 1 to the Built Form Policy but following this question it has been noted that there were inadvertently left out of the advertisement. The City will now advertise these draft amendments to the Design Guidelines for William Street and Design Guidelines for Perth.

3. At the last meeting I asked if a business in the Mt Lawley – Highgate Town Centre wanted to significantly increase patron numbers, but was not proposing a change of use, would they need to seek development approval? The answer is that they don't.

- Given that the council decision of 23 July 2019 only related to a change of use, what statutory authority are the administration relying on to ignore normal planning requirements?
- What other policies are the staff ignoring?

The response provided to question 9 asked on 11 February 2020 was incorrect. Any substantial change to an existing development approval would require the development approval to be amended. Staff use all relevant policies when making decisions.

4. Given that the planning condition imposed by the WAPC on the office building at 246 Vincent Street states the "building shall only be used for the purposes associated directly with the management and administration of sport and recreation" will the city be applying for a change of use if staff members of the department involved in local government or cultural industries wish to use the building?

Won't it set a bad example to the rest of the community if a change of use is not applied for?

The Department of Local Government, Sport and Cultural Industries is a single entity and is responsible for the management and administration of sport and recreation. The tenant is responsible for ensuring it is complying with all applicable planning requirements. The Western Australian Planning Commission, through the Department of Planning, Lands and Heritage, is responsible for regulating planning requirements at the property as it sits on land reserved as Parks and Recreation under the Metropolitan Region Scheme.

Response to question from Andrew Main of Leederville

I have been liaising with City Officers and selected EMs about the condition of the heritage listed property at 54 Cowle Street. This is an A Grade property on the City's Heritage List. Over the last 4 years it has been constantly vandalised and I have been bringing it to the attention of Officers. It is full of graffiti, the back door is often open, the roof is now off and we have had a lot of rain. I just don't think that Council are taking it seriously. I have spoken to the Heritage Council about this and they say that Council can use work orders. I just think that given what happened to the property on that block that burnt down a number of years ago, the owners of the property are not acting as good corporate citizens and I would urge Council to take stronger action and not rely on the owner to do the right thing, as they clearly haven't.

An Emergency Building Order was issued under the Building Act 2011 immediately following damage to the roof sheeting due to a storm at the end of February 2020. The majority of the roof sheets were replaced by 12 March 2020. The owner has advised that they are currently working through some "height and access" constraints as well as other factors associated with the COVID-19 State of Emergency to finalise the repair

work. The City will be following this through to ensure the building is protected until the redevelopment is undertaken.

The City is currently considering the most effective way of ensuring conservation of the heritage property. A Heritage Conservation Notice is one option cannot be enforced by the City as it is not an offence to fail to comply with such a Notice. The City will continue to liaise with the owner of the property and determine what course of action would deliver an improved maintenance regime.

The following questions were submitted to the 30 March 2020 Special Council Meeting. The complete summary of responses provided at and following the meeting are provided below.

Response to questions from Dudley Maier of Highgate

Item 6.1 COVID-19 Relief Measures

1. Clause 1: Attachment 1 point 3: The 'Relief Measure' refers to the waiving of interest on outstanding rates but the 'Comment' states 'immediately applies a waiver on outstanding rates from 23 March'. Should this be 'immediately applies a waiver on the interest on outstanding rates' or 'immediately defers collection of outstanding rates'?

The relief measure is intended to focus on the interest that is applied to rates in arrears, but not to interest on rates for people on a payment plan. Interest calculations were suspended from 23 March. This measure applies to a waiver on applying interest on outstanding rates, calculated on or after 23 March.

2. Will the waiving of interest on outstanding rates be extended to 2020-21 rates?

This relief measure will be in place for at least 6 months and then reviewed.

3. Clause 2: In her letter, the Minister states "Specifically, I would encourage all local governments to fast-track the assessment of development applications for non-controversial development" (Attachment 2). Why is the City simply removing the need to get approval rather than actually fast tracking the assessment process as is done by other local governments such as the City of Perth?

The City decided that the best way to fast track specific types of development applications was to remove the need for approval.

4. Why aren't the delegations referred to in Clause 3 of the recommendation time-limited in a similar manner to the changes proposed in Clause 2 of the recommendation?

The urgent relief package will apply for at least the next six months and will be reported to Council on a regular basis. At the end of six months the City will conduct a review of delegations to see if still required and will report to Council.

The temporary development determination requires a timeframe while the delegation decision does not. Delegations are reviewed annually with the next review due before July 2020.

5. Given that waiving of interest on outstanding rates has budget implications, why isn't there wording in the recommendation indicating that the council approves the change by an absolute majority as there is for Clause 3 of the same recommendation?

The City are revising the budget urgently and will seek Council approval in May 2020. That process will address some of the specifics in this question.

Item 6.2 Arts Relief Funding

6. Why doesn't Clause 5 of the recommendation clearly state that the funds will only be available to 'City of Vincent artists and creatives' as is indicated under the 'Background' section and reiterated in 'Details' section of the report?

The Arts Relief Working Group can make recommendations on how the Vincent community is best supported by this funding. This may include, but not be limited to, directly supporting City of Vincent artists and creatives.

7. Can you confirm that the funds will only be made available to artists/creatives living in the City of Vincent?

The intent is to support City of Vincent residents, artists and creatives. The Arts Relief Working Group can make recommendations on how the Vincent community is best supported by this funding. This may include, but not be limited to, directly supporting City of Vincent artists and creatives. The purpose of the funds in reserve is to support the creation of public art.

8. Why doesn't the Arts Relief Working Group contain any community members with expertise in the field such as members of the former Arts Advisory Group?

The Working Group will consider this question.

Item 7.2 COVID-19 Relief and Recovery Committee

9. Why aren't the delegations in Clause 5 by an absolute majority as required by Section 5.16 of the Act?

This was an oversight by Administration. A replacement page was added to the Special Council Meeting Agenda prior to the meeting, which updated the recommendation to include recommendation 5 as an absolute majority decision.

10. Given that the terms of reference state that members of the public are required to submit any questions for COVID-19 Relief Committee meetings at least 3 hours before a meeting, when will agendas for the committee meeting be made public so that community members have sufficient time to read the agenda and submit questions?

It is planned that the papers for a Tuesday meeting will be published by the previous Friday.

11. Will members of the public be able to make statements, as opposed to asking questions, about items on the committee agenda? If so, what is the mechanism?
Yes. The same process will apply as for public questions.

12. Given that the published meeting schedule for the committee shows 8 of the 13 committee meetings coinciding with dates for council meetings, briefings or workshops; and given that all meetings will be conducted electronically; and given that most council members are likely to be confined to home, why isn't the city simply scheduling special council meetings at which all community representatives (i.e. council members) can participate and at which some decisions can be made straight away without needing to come back to a council meeting?

The relief and recovery efforts of the City require swift decision making by Council over several months. The Committee structure and weekly meeting schedule will provide proper Council oversight of the COVID-19 response and transparency and participation by the community. The Committee can provide advice to Council on COVID-19 issues as required. Scheduling ad hoc Special Council Page 9 Meetings would not provide predictable decision making and oversight by Council, which is necessary for the City to effectively manage its COVID-19 relief and recovery.

Item 7.3 Leederville Gardens Trust Money

13. Given that the Rules of Association for Leederville Gardens stipulates that the trust money can only be disbursed to public benevolent institutions which are located in the city why does the EOI simply state that they must be 'active' in the city?

The original Constitution was drafted in 1991 and there have been many changes since then, including the split of the City of Perth. In the current context, it is considered a reasonable interpretation of 'located' is that the PBI has or can provide services located within the City, not necessarily be headquartered within the City.

14. Will projects be limited to those where 100% of the funds are spent in the City?

The EOI specifies that the funds are being made available "for the provision of relief and support of residents (including homeless residents) within the municipality of Vincent".

15. Was the Board of the Leederville Gardens given the courtesy of being informed of the intention to use the trust money in the proposed manner?

The CEO met with the Chairperson of the Leederville Gardens Trust Board and officers to advise that this was under active consideration and to ensure that they were aware of this Special Council Meeting.

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

RECEIVES the petition from Ms Anne Chapple of Bayswater, along with 694 signatures, requesting that Council "Bring Back the Friends of ANZAC Cottage Inc". This means reinstating community engagements for the historical house, including monthly open days, wartime commemorations and educational visits for schools and social groups.

COUNCIL DECISION ITEM 5

Moved: Cr Hallett, Seconded: Cr Smith

That the petition be received and a report be prepared.

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

6 CONFIRMATION OF MINUTES

COUNCIL DECISION ITEM 6.1

Moved: Cr Loden, Seconded: Cr Hallett

That the minutes of the Ordinary Meeting of Council held on 17 March 2020 be confirmed.

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

COUNCIL DECISION ITEM 6.2

Moved: Cr Smith, Seconded: Cr Fotakis

That the minutes of the Special Meeting of Council held on 30 March 2020 be confirmed.

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member, Mayor Emma Cole, made the following announcement:

7.1 COVID-19 UPDATE

The pace of announcements from State Government has slowed, the most significant announcement this week was the closure of the Western Australian border and the regional borders. Today there was an announcement from the Prime Minister regarding landlords and rents. Our Policy and Place team are reviewing the details of that announcement and will update Council and the local business community.

The first meeting of the COVID-19 Relief and Recovery Committee was held earlier tonight. As part of the City's response, playgrounds have been cable tied shut and signage displayed, and one way pathways are being investigated for heavily utilised areas. Rangers are taking a more community safety and education role, with parking rangers reallocated to monitoring social distancing measures. They do not have special powers, but are responding where needed.

Easter is this weekend and good weather is forecast. Please note that social distancing guidelines should still be adhered to. Western Australia has a small number of COVID-19 positive cases, as does the City of Vincent, and we wish those community members well. Thank you to all community members who have accepted the new measures which are impacting everybody's lives, it is making a big difference.

8 DECLARATIONS OF INTEREST

Nil

REPORTS

The Presiding Member, Mayor Emma Cole, advised the meeting of:

(a) **Items which are the subject of a question, comment or deputation from members of the public, being:**

Items 12.3

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

Nil

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

Nil

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Fotakis	9.1 and 9.2
Cr Hallett	11.4 and 12.4
Cr Smith	12.3

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

- (e) **Unopposed items which will be moved “En Bloc”, being:**
Items 9.3, 11.1, 11.2, 11.3, 12.1 and 12.5
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Nil

ITEMS APPROVED “EN BLOC”:

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Wallace

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

Items 9.3, 11.1, 11.2, 11.3, 12.1, 12.5

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

9.3 NO. 382 (LOT: 4; S/P: 11770) NEWCASTLE STREET, WEST PERTH - CHANGE OF USE TO UNLISTED USE (SHORT TERM DWELLING) AND MULTIPLE DWELLING

Ward: South

- Attachments:
1. Consultation and Location Map 
 2. Development Plans 
 3. Management Plan and Code of Conduct 
 4. Applicant Additional Information 
 5. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for the Change of Use to Unlisted Use (Short Term Dwelling) and Multiple Dwelling at No. 382 (Lot: 4; S/P: 11770) Newcastle Street, West Perth, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Use of Premises

- 1.1 This approval relates to a Change of Use to Unlisted Use (Short Term Dwelling) and Multiple Dwelling as shown on the plan dated 3 January 2020. It does not relate to any other development on the site;
- 1.2 The Short Term Dwelling shall only be used in accordance with its definition in the City's Policy No. 7.4.5 – Temporary Accommodation as follows:

“means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.”;
- 1.3 The Short Term Dwelling shall only operate within the marked area identified as 'Short Term Dwelling Area' as shown on the approved plan;

2. Operation of Use

- 2.1 The Short Term Dwelling shall operate in accordance with the Management Plan dated 3 January 2020, or any revised Management Plan approved by the City, to the satisfaction of the City. The Management Plan shall be reviewed every 12 months, with any changes identified during this review by the owner/operator or by the City, being incorporated into an updated Management Plan approved by the City as part of the review;
- 2.2 The Code of Conduct and The Manual (guest information) contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area to the dwelling, to the satisfaction of the City;
- 2.3 The maximum number of guests accommodated within the Short Term Dwelling shall be no more than two (2) persons; and
- 2.4 The minimum length of stay for guest(s) shall be two nights; and

3. Building Design

- 3.1 Doors and windows and adjacent areas fronting Newcastle Street on the ground floor shall maintain an active and interactive relationship to the street to the satisfaction of the City; and
- 3.2 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobstructed visibility. Darkened, obscured, mirrored or tinted glass or other

similar materials as considered by the City is prohibited.

COUNCIL DECISION ITEM 9.3

Moved: Cr Loden, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.1 INVESTMENT REPORT AS AT 29 FEBRUARY 2020

Attachments: 1. Monthly Investment Report 29 February 2020 

RECOMMENDATION:

That Council NOTES the Investment Report for the month ended 29 February 2020 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.1

Moved: Cr Loden, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 FEBRUARY 2020 TO 29 FEBRUARY 2020

- Attachments:
1. Payments by EFT, BPAY and Payroll February 20 
 2. Payments by Cheque February 20 
 3. Payments by Direct Debit February 20 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2020 to 29 February 2020 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT and BPAY payments, including payroll	\$6,372,823.68
Cheques	\$1,886.75
Direct debits, including credit cards	\$167,871.83
Total payments for February 2020	\$6,542,582.26

COUNCIL DECISION ITEM 11.2

Moved: Cr Loden, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.3 FINANCIAL STATEMENTS AS AT 29 FEBRUARY 2020

Attachments: 1. Monthly Financial statements as at February 2020 

RECOMMENDATION:

That Council RECEIVES the financial statements for the month ended 29 February 2020 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.3

Moved: Cr Loden, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.1 RESULTS OF THE FY19 AUSTRALASIAN LG PERFORMANCE EXCELLENCE PROGRAM

Attachments: 1. City of Vincent's FY19 LG Performance Excellence Report 

RECOMMENDATION:

That Council RECEIVES the City of Vincent's FY19 Australasian LG Performance Excellence Report at Attachment 1.










COUNCIL DECISION ITEM 12.1

Moved: Cr Loden, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

12.5 INFORMATION BULLETIN

- Attachments:
1. Quarterly Street Tree Removal Information 
 2. Confirmed Minutes of the Design Review Panel Meeting held on 4 March 2020 
 3. Statistics for Development Applications as at end of March 2020 
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 23 March 2020 
 6. Register of Applications Referred to the MetroWest Development Assessment Panel - Current 
 7. Register of Applications Referred to the Design Review Panel - Current 
 8. Register of Petitions - Progress Report - March 2020 
 9. Register of Notices of Motion - Progress Report - March 2020 
 10. Register of Reports to be Actioned - Progress Report - March 2020 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2020.

COUNCIL DECISION ITEM 12.5

Moved: Cr Loden, **Seconded:** Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

- 12.2 LICENCE OVER PORTION OF ROAD RESERVE ADJACENT TO LOTS 90 AND 91 (NO 122) ANGOVE STREET, NORTH PERTH - MIDNIGHT EXPRESS CAFE - WITHDRAWN BY ADMINISTRATION

This item was withdrawn by Administration prior to the meeting.

ITEMS WITH DISCUSSION**12.3 SALE OF MISCELLANEOUS PORTIONS OF CITY FREEHOLD LAND**

- Attachments:
1. Summary of sale options for Lots 
 2. Valuation report for Lots - Confidential
 3. Register of Lots with sale potential 

RECOMMENDATION:**That Council:**

1. **AGREES** to the sale of the following land parcels, **SUBJECT TO** the Chief Executive Officer determining the appropriate timing and method for the sales, and providing public notice of the proposed sale in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:
 - 1.1 Lot 12 on Deposited Plan 1151 (No. 150) Charles Street, West Perth;
 - 1.2 Lot 59 on Deposited Plan 34088 (No. 10) Monmouth Street, North Perth;
 - 1.3 Lot 43 on Plan 3204 (No. 202) Vincent Street, North Perth; and
 - 1.4 Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley;
2. **NOTES** that any submissions received as a result of the Chief Executive Officer providing public notice of the proposed sales in recommendation 1. above will be presented to Council for consideration.
3. **APPROVES** the Chief Executive Officer engaging a suitably qualified real estate agent to assist in the sale of the lots identified in Recommendation 1. above.
4. **REQUESTS** the Chief Executive Officer to provide public notice of the potential sale of portions of the Brentham Street Reserve, which comprises Lots 37, 74, 75 and 101 Brentham Street, Leederville.
5. **NOTES** that any submissions received as a result of the public notice in Recommendation 4. above will be presented to Council for consideration, and determination of the timing and method for the sale of any portions of the Brentham Street Reserve, which will be in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:
6. **NOTES** that scheme amendments will be prioritised and undertaken for the Lots referred to at Recommendations 4 above, prior to sale.

COUNCIL DECISION ITEM 12.3

Moved: Cr Gontaszewski, **Seconded:** Cr Hallett

That the recommendation be adopted.

LOST UNANIMOUSLY (0-9)

For: Nil

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith, Cr Wallace

ALTERNATIVE RECOMMENDATION

Moved: Cr Gontaszewski, Seconded: Cr Fotakist

That an alternative recommendation be presented, with amendments shown in red:

That Council:

1. AGREES to the sale of the following land parcels, SUBJECT TO the **COVID-19 Relief and Recovery Committee** ~~Chief Executive Officer~~ determining the appropriate timing, **minimum price** and method for the sales, and **the Chief Executive Officer** providing public notice of the proposed sale in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:
 - 1.1 Lot 12 on Deposited Plan 1151 (No. 150) Charles Street, West Perth; **and**
 - ~~1.2 Lot 59 on Deposited Plan 34088 (No.10) Monmouth Street, North Perth;~~
 - 1.2 Lot 43 on Plan 3204 (No. 202) Vincent Street, North Perth.; ~~and~~
 - 1.3 ~~Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley;~~
2. NOTES that any submissions received as a result of the Chief Executive Officer providing public notice of the proposed sales in recommendation 1. above will be presented to Council for consideration.
3. APPROVES the Chief Executive Officer engaging a suitably qualified real estate agent to assist in the **valuation and** sale of the lots identified in Recommendation 1. above.
4. REQUESTS the Chief Executive Officer to provide public notice of the potential sale ~~portions of the Brentham Street Reserve, which comprises Lots 37, 74, 75 and 101 Brentham Street, Leederville~~ **of the following lots:**
 - 4.1 **Lot 59 on Deposited Plan 34088 (No 10) Monmouth Street, North Perth**
 - 4.2 **Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley;**
 - 4.3 **Lot 37 on Plan 2554 (No 26) Brentham Street, Leederville; and**
 - 4.4 **Portion of Lot 75 on Plan 10804, Brentham Street Reserve, Brentham Street, Leederville, adjacent to 26 Brentham Street, Leederville;**
5. NOTES that any submissions received as a result of the public notice in Recommendation 4. above will be presented to Council for consideration, and determination of the timing and method for the sale of any portions of the Brentham Street Reserve, which will be in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate;
6. NOTES that **a** scheme amendment will be prioritised and undertaken for **the portion of Lot 75** ~~the Lots~~ referred to at Recommendations 4.4 above, prior to sale; and
7. **NOTES that the proceeds of the land sale will be held in reserve, to be determined by Council when the 2020/21 budget is adopted.**

REASON:

1. The preferred approach is to proceed with land sales that are deemed to be more urgent and incidental, with no current use, and to allow time for advertising and community comment on potential sales of freehold land that are currently utilised as public open space and car park, even where deemed to be underutilised.
2. Council should consider any further land sales in the context of understanding the 2020/21 budget and financial outlook, as impacted by COVID-19, before determining if sale of freehold land used as

parkland is required and to ascertain the purpose and where the funds will be held as part of the budget setting process. For example, in a newly established Public Open Space Reserve (in accordance with the Public Open Space Strategy) with restricted purpose for purchase or enhancement of public open space.

3. Lot 74 Brentham Reserve is an entry point to the reserve and to sell this lot would have an impact on the cohesiveness of, and access to, Brentham Reserve.
4. If land adjoining Brentham Reserve is to be proposed to be sold, part of the land resulting from the Aranmore Catholic Primary School land swap should first be considered. The land swap resulted in the City acquiring Lot 37 (music house lot) and the northern portion of Lot 75, which has resulted in the two portions of the Brentham Street Reserve becoming separated and no longer forming a cohesive part of the Reserve. Therefore Lot 37 and the northern portion of Lot 75, as shown in the plan **attached**, could be considered for sale and should be prioritised above the lots proposed by Administration for sale.
5. Sale of Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley should be advertised for comment, with an explanation to the community about the current leasing costs of the two privately owned lots which, together with 590 Beaufort Street, form the Barlee Street Carpark. The potential sale of this lot could be timed to coincide with the end of the lease over the two adjoining privately owned lots in February 2021 with advertising to include information on the lease affordability for the City coupled with pre-COVID-19 low occupancy in the carpark.

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith, Cr Wallace

Against: Nil

AMENDMENT TO ALTERNATIVE MOTION

Moved: Cr Gontaszewski, Seconded: Cr Castle

That the recommendation be amended as follows (in blue):

4. REQUESTS the Chief Executive Officer **consult with the community, including on-site signage, regarding to provide public notice** of the potential sale portions of the Brentham Street Reserve, which comprises Lots 37, 74, 75 and 101 Brentham Street, Leederville **of the following lots:**
 - 4.1 Lot 59 on Deposited Plan 34088 (No 10) Monmouth Street, North Perth
 - 4.2 Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley;
 - 4.3 Lot 37 on Plan 2554 (No 26) Brentham Street, Leederville; and
 - 4.4 Portion of Lot 75 on Plan 10804, Brentham Street Reserve, Brentham Street, Leederville, adjacent to 26 Brentham Street, Leederville, as shown in the attached plan.
5. NOTES that any submissions received as a result of the **public notice community consultation** in Recommendation 4. above will be presented to Council for consideration, and determination of the timing and method **of any for the sale of any portions of the Brentham Street Reserve**, which will be in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:

AMENDMENT CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith, Cr Wallace a

Against: Nil

COUNCIL DECISION ITEM 12.3

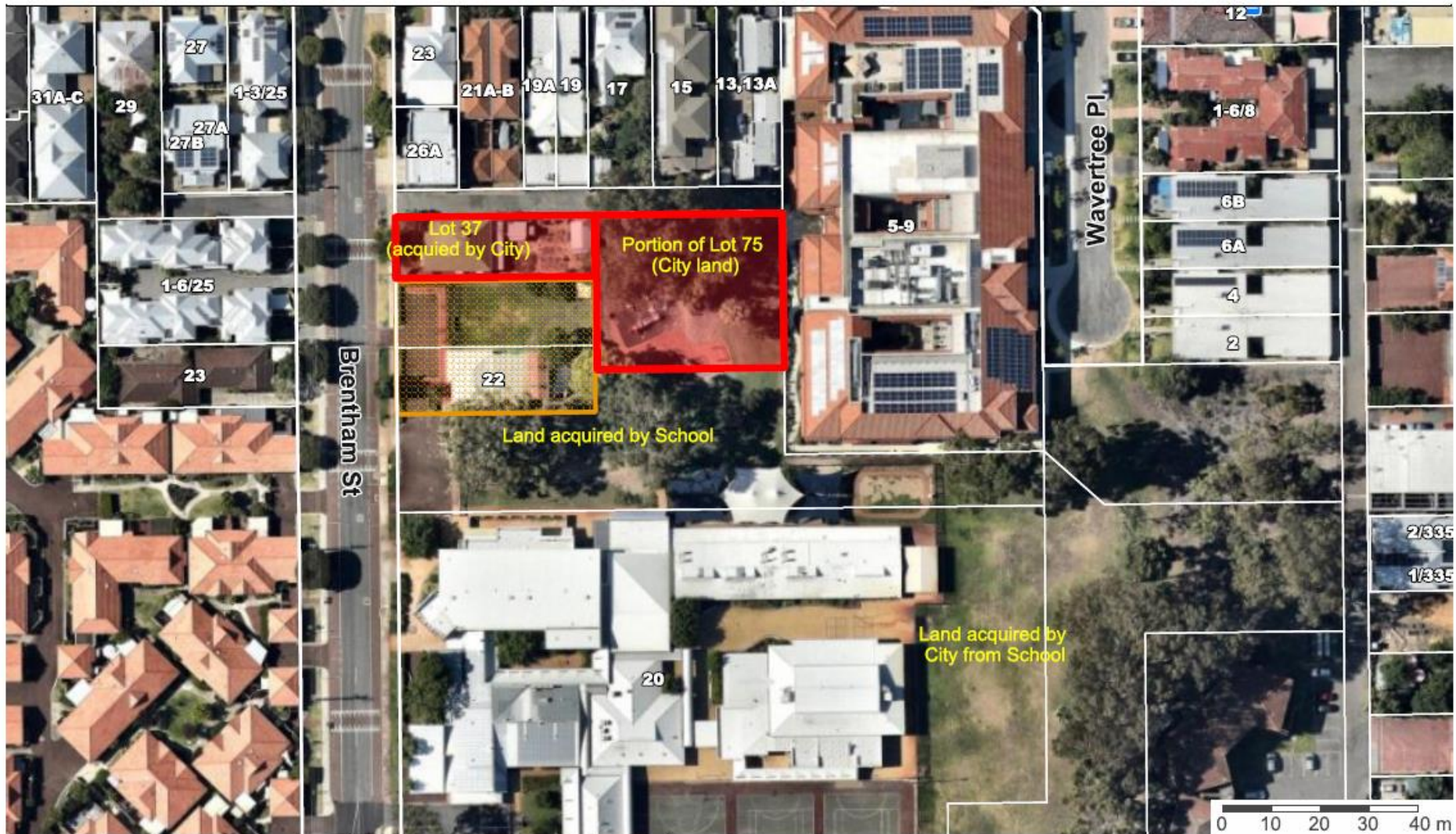
That Council:



1. **AGREES** to the sale of the following land parcels, **SUBJECT TO** the COVID-19 Relief and Recovery Committee determining the appropriate timing, minimum price and method for the sales, and the Chief Executive Officer providing public notice of the proposed sale in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:
 - 1.1 Lot 12 on Deposited Plan 1151 (No. 150) Charles Street, West Perth; and
 - 1.2 Lot 43 on Plan 3204 (No. 202) Vincent Street, North Perth.
2. **NOTES** that any submissions received as a result of the Chief Executive Officer providing public notice of the proposed sales in recommendation 1. above will be presented to Council for consideration.
3. **APPROVES** the Chief Executive Officer engaging a suitably qualified real estate agent to assist in the valuation and sale of the lots identified in Recommendation 1. above.
4. **REQUESTS** the Chief Executive Officer consult with the community, including on-site signage, regarding the potential sale of the following lots:
 - 4.1 Lot 59 on Deposited Plan 34088 (No 10) Monmouth Street, North Perth
 - 4.2 Lot 48 on Plan 692 (No. 590) Beaufort Street, Mount Lawley;
 - 4.3 Lot 37 on Plan 2554 (No 26) Brentham Street, Leederville; and
 - 4.4 Portion of Lot 75 on Plan 10804, Brentham Street Reserve, Brentham Street, Leederville, adjacent to 26 Brentham Street, Leederville, as shown in the attached plan.
5. **NOTES** that any submissions received as a result of the community consultation in Recommendation 4. above will be presented to Council for consideration, and determination of the timing and method of any sale, which will be in accordance with sections 3.58 or 3.59 of the *Local Government Act 1995*, as appropriate:
6. **NOTES** that a scheme amendment will be prioritised and undertaken for the portion of Lot 75 referred to at Recommendations 4.4 above, prior to sale; and
7. **NOTES** that the proceeds of the land sale will be held in reserve, to be determined by Council when the 2020/21 budget is adopted.

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil



 <p>CITY OF VINCENT</p>	<p>The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).</p>	<p>Plan showing portions of Brentham Street Reserve (Lot 37 and portion of Lot 75) that could be considered for sale</p>	<p>7/04/2020</p> <p>1:1129</p>	
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9.1 NO. 122 (LOT: 123; D/P: 2861) VINCENT STREET, NORTH PERTH - CHANGE OF USE TO UNLISTED USE (SHORT TERM DWELLING) AND SINGLE HOUSE**Ward:** South

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Management Plan and Code of Conduct 
 4. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for the Change of Use to Unlisted Use (Short Term Dwelling) and Single House at No. 122 (Lot: 123; D/P: 2861) Vincent Street, North Perth, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Use of Premises

- 1.1 This approval relates to a Change of Use to Unlisted Use (Short Term Dwelling) and Single House as shown on the plan dated 10 January 2020. It does not relate to any other development on the site;
- 1.2 The Short Term Dwelling shall only be used in accordance with its definition in the City's Policy No. 7.4.5 – Temporary Accommodation as follows:

“means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.”;
- 1.3 The Short Term Dwelling shall only operate within the marked area identified as 'indicates guest accommodation' and 'allocated open space for guests' as shown on the approved plan;

2. Operation of Use

- 2.1 The Short Term Dwelling shall operate in accordance with the Management Plan dated 12 March 2020, to the satisfaction of the City;
- 2.2 The Short Term Dwelling use shall operate for no more than 9 months within a 12 month period to the satisfaction of the City;
- 2.3 The Short Term Dwelling use is only permitted to operate when the owners of the Single House are residing at the property and are present for the duration of the guests' stay;
- 2.4 The applicant shall notify the City in writing confirming the dates the site has been used for the purpose of Short Term Dwelling every three months upon commencement of the use;
- 2.5 The maximum number of guests accommodated within the Short Term Dwelling shall be no more than four (4) persons;
- 2.6 The minimum length of stay for guest(s) shall be two nights;
- 2.7 The Code of Conduct and Guest Information contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area to the dwelling, to the satisfaction of the City; and
- 2.8 No residential parking permits shall be made available to or advertised for use by guests

of the Short Term Dwelling;

3. Time Limited Approval

This approval is granted for a term of 12 months from the date the Short Term Dwelling use commences; and

4. Time Period to Commence Use

The Short Term Dwelling use must commence by 7 April 2023, being three years from the date of this approval. If the Short Term Dwelling use the subject of this approval has not commenced within this period, the approval will lapse and have no further effect.

COUNCIL DECISION ITEM 9.1

Moved: Cr Fotakis, Seconded: Cr Topelberg

That the recommendation be adopted.

CARRIED (7-1)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Hallett, Cr Topelberg, Cr Smith and Cr Wallace

Against: Cr Fotakis

(Cr Loden was absent from the meeting and did not vote.)

At 7:19 pm, Cr Dan Loden left the meeting.

At 7:20 pm, Cr Dan Loden returned to the meeting.

9.2 NO. 66 (LOTS: 1 & 11; D/P: 5285) LINDSAY STREET, PERTH - PROPOSED SIX MULTIPLE DWELLINGS AND TWO HOME OFFICES (AMENDMENT TO APPROVED)**Ward:** South

- Attachments:**
1. Location Plan 
 2. Previous Determination Notice and Approved Plans 
 3. Development Plans 

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for development approval for six Multiple Dwellings and two Home Offices (Amendment to Approved) at No. 66 (Lots: 1 & 11; D/P: 5285) Lindsay Street, Perth, in accordance with the plans shown in Attachment 3 subject to the following conditions and associated determination advice notes:

1. All conditions and advice notes detailed on the development approval 5.2019.113.1 granted on 23 July 2019 continue to apply to this approval, except as follows:

- 1.1 Condition 2.1 is amended to read as follows:

The use of the two home offices on the ground floor level associated with Apartments 1 and 2 shall only be used in accordance with the definition of 'Home Office' within the City of Vincent Local Planning Scheme No. 2 as follows:

Home Office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation –

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

- 1.2 Condition 2.2 is deleted;

- 1.3 A new Condition 16 is imposed to read as follows:

16. Prior to the approval of the building permit, amended plans shall be submitted which demonstrate that the fire hydrant booster doors and raised planter boxes are fully contained within the subject site and not within the road reserve, to the satisfaction of the City;

- 1.4 Advice Note 16 is deleted and subsequent advice notes are renumbered accordingly; and

- 1.5 A new Condition 17 is imposed to read as follows:

17. The development must be substantially commenced by 23 July 2022, being three years from the date of the original approval. If the development the subject of this approval is not substantially commenced within this period, the approval will lapse and have no further effect.

COUNCIL DECISION ITEM 9.2

Moved: Cr Fotakis, **Seconded:** Cr Topelberg

That the recommendation be adopted.

CARRIED (7-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Hallett, Cr Loden, Cr Topelberg and Cr Smith

Against: Cr Fotakis and Cr Wallace

11.4 RECONCILIATION ACTION PLAN WORKING GROUP

- Attachments:
1. Terms of Reference - Reconciliation Action Plan Working Group 
 2. Reconciliation Action Plan Working Group Nominations - Confidential

RECOMMENDATION:

That Council:

1. **APPOINTS** the following three Elected Members as the City's representatives on the Reconciliation Action Plan Working Group (RAPWG) for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2021;

Cr Loden;

Cr Hallett; and

Cr Topelberg
2. **APPOINTS** the following six community members as the City's representatives on the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2020;
 1. Mikayla King
 2. Jodey Brockhurst
 3. Gordon Cole
 4. Maxine Brahim
 5. Roslyn Harley
 6. Ian Hale
3. **APPOINTS** Cr Loden as the Chair of the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2021.

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be adopted.

AMENDMENT

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be amended as follows:

That Council:

4. **AMENDS** the membership criteria in the Terms of Reference for the Reconciliation Action Plan Working Group such that the:
 - (a) Maximum number of members is 13; and
 - (b) Membership comprises up to Seven (7) Community Representatives.
5. **APPOINTS** a seventh community member as the City's representative on the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2020, as follows:
 7. Community Member 7

REASON:

Council notes the high quality submissions from community representatives to participate on the Reconciliation Action Plan Working Group and seeks to maximise community involvement.

AMENDMENT CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

COUNCIL DECISION ITEM 11.4

That Council:

1. **APPOINTS** the following three Elected Members as the City's representatives on the Reconciliation Action Plan Working Group (RAPWG) for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2021;

Cr Loden

Cr Hallett

Cr Topelberg

2. **APPOINTS** the following six community members as the City's representatives on the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2020;;

1. Mikayla King
2. Jodey Brockhurst
3. Gordon Cole
4. Maxine Brahim
5. Roslyn Harley
6. Ian Hale

3. **APPOINTS** Cr Loden as the Chair of the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2021.

4. **AMENDS** the membership criteria in the Terms of Reference for the Reconciliation Action Plan Working Group such that the:

- (a) Maximum number of members is 13; and
- (b) Membership comprises up to Seven (7) Community Representatives.

5. **APPOINTS** a seventh community member as the City's representative on the RAPWG for the term 1 April 2020 to the date of the next ordinary local government election, 16 October 2020, as follows:

7. Marilyn Lyford

CARRIED UNANIMOUSLY (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

Against: Nil

12.4 REVIEW OF GUIDELINES FOR ELECTRONIC COUNCIL PROCEEDINGS**Attachments:** 1. **Electronic Council Proceedings - Guidelines** **RECOMMENDATION:****That Council:**

1. **APPROVES** the Guidelines for Electronic Council Proceedings, at Attachment 1; and
2. **REQUESTS** the Chief Executive Officer to review and propose amendments to the City's Policy 4.2.3 – '*Council Briefings, Meetings & Forums – Format, Procedure and Maximum Duration*' to allow for electronic Council proceedings.

RECOMMENDATION**Moved:** Cr Hallett, **Seconded:** Cr Castle

That the recommendation be adopted.

AMENDMENT**Moved:** Cr Gontaszewski, **Seconded:** Cr Castle

That the recommendation be amended as follows:

That Council:

1. ~~APPROVES~~ **NOTES** the **draft** Guidelines for Electronic Council Proceedings, at Attachment 1;

AMENDMENT CARRIED (9-0)**For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace**Against:** Nil**COUNCIL DECISION ITEM 12.4****RECOMMENDATION:****That Council:**

1. **NOTES** the draft Guidelines for Electronic Council Proceedings, at Attachment 1; and
2. **REQUESTS** the Chief Executive Officer to review and propose amendments to the City's Policy 4.2.3 – '*Council Briefings, Meetings & Forums – Format, Procedure and Maximum Duration*' to allow for electronic Council proceedings.

CARRIED UNANIMOUSLY (9-0)**For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace**Against:** Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

Nil

11 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

12 URGENT BUSINESS

Nil

13 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 7.48pm with the following persons present:

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Alex Castle	North Ward
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward
	Cr Joshua Topelberg	South Ward
	Cr Sally Smith	North Ward
	Cr Ashley Wallace	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Andrew Murphy	Executive Director Infrastructure & Environment
	John Corbellini	Executive Director Strategy & Development
	Meluka Bancroft	Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 7 April 2020.

Signed: Mayor Emma Cole

Dated