



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**18 August 2020**

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**MINUTES OF CITY OF VINCENT  
ORDINARY COUNCIL MEETING  
HELD VIA E-MEETING AND  
AT THE ADMINISTRATION AND CIVIC CENTRE  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 18 AUGUST 2020 AT 6PM**

<b>PRESENT:</b>	<b>Mayor Emma Cole</b>	<b>Presiding Member (arrived at 6.32pm during Item 10.4)</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward (Presiding Member until 6.32pm)</b>
	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Sally Smith</b>	<b>North Ward</b>
	<b>Cr Ashley Wallace</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>Andrew Murphy</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>Virginia Miltrup</b>	<b>Executive Director Community &amp; Business Services</b>
	<b>Jay Naidoo</b>	<b>A/Executive Director Strategy &amp; Development</b>
	<b>Meluka Bancroft</b>	<b>Executive Manager Corporate Strategy &amp; Governance</b>
	<b>Mark Fallows</b>	<b>Manager Built Environment &amp; Wellbeing</b>
	<b>Joslin Colli</b>	<b>A/Manager Development &amp; Design</b>
	<b>Wendy Barnard</b>	<b>Council Liaison Officer</b>
<b>Public:</b>	Approximately three members of the public.	

## **1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member, Cr Susan Gontaszewski, declared the meeting open at 6.00pm 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**

Mayor Emma Cole was an apology until 6.32pm. She arrived during Item 10.4.

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

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of questions and comments made at the meeting.

### **3.1 Robert Gemelli of Mount Hawthorn**

- Stated that the trees on the verge are too high, and impacting sunlight received by his solar panels.
- Stated that he believes that the current policy on tree cutting is outdated.
- Requested that the trees should be cut back on a case by case basis, so residents are able to get full use of their solar panels.

The Presiding Member, Cr Susan Gontaszewski, thanked Mr Gemelli for his comments.

The following questions and statements were submitted prior to the Meeting and were read out by the Executive Manager Corporate Strategy & Governance:

### **3.2 Sally Lake of Highgate – Item 12.6**

The answer to Andrew Main's question of 28<sup>th</sup> July about street trees says the staff use the Street Tree Selection Tool together with the current policy and consultation and they act on a case by case basis. On Page 22 of the Four Year Capital Works Program (Item 12.6 in this agenda) it shows future expenditure will be determined on a "re-assessment of the Street Tree masterplan".

1. Is there an existing Street Tree masterplan?
2. If yes, is it currently used to assist in decision-making?
3. Will the City make the Street Tree Selection Tool available to the community for their own use (e.g. place it on the web site)?

### **3.3 Dudley Maier of Highgate**

1. At the last meeting I asked about one of the typos in the Built Form policy which resulted in council approving the policy with ambiguous lot setbacks. The response was that it is a typo which will be corrected without coming back to council.
  - 1.1. Why is the administration assuming what council intended rather than bringing the change back to council for clarification?
  - 1.2. While in this instance it would not be logical for somebody to appeal in relation to this clause, if there was an appeal, would the City's response be "it's the vibe your honour"?
2. At the last meeting I asked about requirements of the Built Form Policy for all applicants to submit an Urban Design Study and meet specified 'sustainability performance standards'. The answer said that the administration has been advising proponents of the requirements rather than saying that they are mandatory.
  - 2.1. How many development applications submitted since 11 July 2020 have provided an Urban Design Study and demonstrated the required 'sustainability performance standards'?
  - 2.2. How many development applications approved since 11 July 2020 have provided an Urban Design Study and demonstrated the required 'sustainability performance standards'?
3. The reason that I ask is that I have heard on the grapevine that: 1 – some staff do not support these requirements for all DAs and feel that they are imposed by council; and 2 – staff are ignoring these requirements for applications that can be decided under delegation.
  - 3.1. Will all future Development Applications be required to adhere to these two requirements or do the staff have some internal guidelines which indicate when they will turn a blind eye?
4. At the last meeting I asked if recent Percent for Art grants conformed to the 'Newbury Principles'. The answer said that the imposed condition was consistent with those principles. However my question was about the application of the condition, rather than the imposition of that condition. There is a nexus between the planning condition and the Percent for Art Policy - the policy is explicitly mentioned in the standard condition.

The Policy gives a clear indication that projects should result in tangible, physical works of art which 'improve the quality of the City's built environment' (Objective 2).

I am not questioning whether some of the projects are worthy or not as arts projects per se – it is about whether the use of developer’s contributions are in accordance with the policy, or whether the Percent for Art is just used as a tax on development.

- 4.1. Do all recently funded projects comply with clause 2.5 of the Percent for Arts Policy and the definition of Professional Artist?
  - 4.2. When were the ABNs for each of the artists made active?
  - 4.3. What is the postcode of each artist's home address?
  - 4.4. Prior to today, was clause 3.5 of the policy complied with, and if the response refers to the COVID-19 Committee, when was the power to approve the projects delegated to that committee?
5. What council workshops have been held since 24 June and what topics were discussed at each workshop?

### **3.4 Andrew Main of North Perth – Item 10.4**

The aim of the Long Term Cycle Network (LTCN) should be to quickly increase the number cycling trips and people of all ages and abilities riding a bike. I do not believe it will achieve this.

One of my key concerns is the approach to place secondary routes on distributor roads with high volumes of vehicle traffic. Even if these routes were permitted by Main Roads WA, they will take a long time to build, are very expensive, and they are undesirable for bike riders due to conflicts with vehicle drivers, and the noise and air pollution from vehicles.

The solution is - wherever possible - to place these routes on roads designated as access roads in the State’s functional road hierarchy. The aim of the plan should be to minimise conflict between drivers and riders, because when you introduce conflict between motorists and bike riders the bike riders will always lose out

Placing the routes on access roads precludes the need for expensive ‘safe active street’ treatments of \$1million per km.

Instead, routes can be made safe by preventing drivers using local roads except for those that live on the street or are visiting people that do. This can be done through the use of a modal filtering approach - examples of which are already present in the City. This approach is far less expensive and quicker to implement.

#### **Comments on specific routes.**

Bourke St should not be a secondary route as it is a distributor road with high volumes of traffic. The secondary route should be placed on Emmerson and Richmond Street.

View Street should not be a secondary route as it is a distributor road with high volumes of traffic and is also on a steep hill which makes it very undesirable to ride on. Claverton Street should be the preferred route.

Angove Street should not be a secondary route for the same reasons as View St. Albert Street should be considered as the secondary route instead.

Vincent Street should not be a secondary route as it runs along the footpath, crosses many roads and driveways and there is conflict with pedestrians. Emmerson/Richmond Sts should be the preferred route.

Norfolk Street. I do not support the new idea to turn into Raglan Street then onto Ethel. Raglan is a narrow street on a steep hill. If it must turn off Norfolk, then Chelmsford or the lane behind, would be better options. However, my preference is that there be a shared path built on the northern boundary of Hyde Park taking riders to Throssell. This path would also benefit other uses of the park including accessibility for people in wheelchairs and pushing prams.

*The Executive Director Infrastructure & Environment advised that Mr Main was involved in the community consultation.*

Administrations' responses will be provided in the Agenda for the 15 September 2020 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.13pm.

## **(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**These questions were taken on notice at the Ordinary Council Meeting on 28 July 2020.**

### **3.1 Andrew Main of North Perth**

1. Yesterday I met with the CEO to discuss my concerns with the lack of, and the inadequate nature of, community consultation undertaken by the City for a number of projects. Some of my questions follow on from this meeting.

For each of the projects listed below can you please advise the following:

- Was community engagement conducted? If so:
- When did this occur?
- Were all residents and ratepayers aware or advised that they could be involved in the consultation process?
- How were residents and ratepayers notified that a consultation process was occurring?
- How was this engagement undertaken, for example written submissions, forums or other.
- How many people participated in the consultation process?
- What was the response of council following the feedback received, for example did the project scope change?
- What was the cost of each project?
- Was consultation in accordance with the City's community consultation policy?

The projects are as follows:

- Beatty Park Reserve
- Demolition of Pavilion
- Replacement of Bollards
- Use of grassed area for car parking
- New landscaping on demolished Pavilion site
- Leake Street open space
- Replacement of bollards
- Landscaping at southern end

Other projects

- Construction of Roundabout at intersection of Lincoln and Wright Streets, Highgate
- Protected bike lane project Carr St West Perth
- Construction of protected bike lane Loftus St Leederville
- Construction of shared path Keith Frame Reserve

*The level of detail requested in this question could not be collated in the time available. A detailed response will be provided to Andrew Main directly once all the information is collated.*

2. In relation to 'black spot' road funding in general, how and when are residents and ratepayers of the city involved in the process to determine which projects the city involved in the process to determine which projects the city seeks funding for?

*Black Spot nominations are based purely upon the accident history of the location for the last 5 years as provided by the police/MRWA. If a resident or a ratepayer is concerned about accidents at a location the City is able to advise if that particular location has been identified as an accident hotspot, meets the Black Spot criteria and is the subject of an application.*

3. In answer to a question I asked at the council meeting on May 19 2020, the City advised that the already overdue consultation for the North Perth traffic calming project would occur 'this financial year'. Given that we are now in a new financial year, and this consultation has not taken place, can you advise when this consultation will occur?

*Whilst the consultation package, including the Imagine Vincent engagement page had largely been prepared the consultation was deferred due to the COVID-19 Pandemic. The funds on budget (\$50,000) were carried forward to 20/21 and it is intended to consult in the coming weeks (September) with a view to taking a report to Council by the end of the year.*

4. **Street tree replacement process**

The City's approach to the replacement of street trees appears ad-hoc and without reference to a publicly available plan to guide decisions. This can lead to sub-optimal outcomes. I note that other councils have developed and endorsed plans which detail the tree species that will be planted on each street within their district. In my opinion this enables transparency and good decision making processes. Will the City consider adopting a similar approach?

*The City has developed a Street Tree Selection Tool which is applied when selecting tree species to replant in streets. The tool provides a list of both native and exotic street trees that are most suitable given a specific streetscape typology. The tool together with consideration of our current street tree policy and consultation determines what will be replanted. On that basis the City does not intend to detail specific tree species for any one street within the City but will act on a case by case basis as required using the approach detailed above.*

5. **Vincent St bike path damage**

Weeks ago concrete was removed and gravel put in its place opposite the intersection with Cleaver St. There are no warning signs and it is dangerous. When will it be repaired?

*The area of path in question required replacement and the work was completed in the week beginning 3 August 2020.*

### **3.3 Dudley Maier of Highgate**

#### **Built Form Policy**

1. Tables on pages 21, 47 and 60 specify lot boundary setbacks for lots that are less than or equal to 14 metres wide, and lots that are greater than or equal to 14 metres wide. So what boundary setback applies to lots that are exactly 14m?

*The applicable boundary setback is 3 metres for lots that are exactly 14 metres wide. This is an error in drafting and will be rectified when the Built Form Policy is graphically designed.*

2. Local Housing Objective P1.8.6 on page 33 requires that developments for single houses and grouped dwellings must demonstrate the capacity to meet a specified sustainability performance standard. The standards shown are the 'global warming potential' and 'net fresh water use'.

Given that the 'global warming standard' for single houses and group dwellings is "less than 2,250kg CO2 equivalent per occupant, per year", how will the City determine at the planning stage how many people will occupy the building, and therefore what the total CO2 equivalent may be?

*There is a statistical average occupancy rate based on the number of bedrooms in a dwelling based on the Australian Bureau of Statistics. This is built into the life cycle*

assessment methodology that the City requires applicants to follow in order to produce evidence to address local housing objective P1.8.6 of the Built Form Policy.

3. What physical infrastructure, other than the bare minimum required by the National Construction Code, will influence CO2 equivalent emissions?

*Everything that goes into constructing and operating the building will influence the CO2 equivalent emissions. Life cycle assessment takes into account the greenhouse gas emissions for the entire life cycle of the building from extraction and transportation of the raw materials, to manufacturing of building products/fixtures/fittings, to maintenance and replacement of materials and eventual demolition and disposal. Plug-in loads (i.e. electrical appliances purchased by residents after construction) are excluded, but everything that is installed at the time of construction (carpets, air conditioners, fans, lighting, hot water systems, solar PV etc.) are included in the emission calculations.*

*Supporting information sheets relating to Environmentally Sustainable Design to supplement the Built Form Policy have been prepared by the City and are available on the City's website.*

4. Given that the 'net fresh water usage' standard for single house and group dwellings is "less than 57 cubic metres per occupant per year" how will the City determine, at the planning stage, how many people will occupy a building and therefore what the net fresh water use may be?

*As per a previous response, there is a statistical average occupancy rate based on the number of bedrooms in a dwelling. This is built into the life cycle assessment methodology that the City requires applicants to follow in order to produce evidence of expected net fresh water usage.*

5. How can the design possibly affect the amount of fresh water consumed per resident and what physical infrastructure, as opposed to behaviours, impact water usage?

*Similar to greenhouse gas emissions, all fresh water use is included in the life cycle assessment. This includes water used to manufacture the materials, fixtures and fittings (embodied water), as well as the water used by the occupants themselves (operational water use).*

*Design impacts water use by affecting occupant behaviour. For example, kitchens, bathrooms and laundries located further from hot water systems use more water. It takes longer for hot water to arrive at taps/showers in distant locations, causing occupants to run the water for longer while waiting for it to warm up. This can be mitigated by design features such as separate hot water systems for distant locations, cold water recirculation devices and insulation of hot water pipes.*

*Physical infrastructure such as high efficiency tapware and toilets can significantly reduce water use without behaviour change. Plumbed-in rainwater systems, greywater systems, toilet/sink combinations, sub-surface drip irrigation and automated controls linked to soil moisture sensors are other examples of physical infrastructure that significantly reduce water use.*

*Supporting information sheets relating to Environmentally Sustainable Design to supplement the Built Form Policy have been prepared by Administration and are available on the City's website.*

6. Have all development applications submitted after 17 June 2020 been required to demonstrate adherence to P1.8.6? If not, why not?

*Since 16 June 2020 when the Council decision to adopt the amended Built Form Policy was made, the City has been advising proponents of development proposals that local housing objectives P1.8.6 apply in the consideration of development applications.*

*The Planning and Development (Local Planning Schemes) Regulations 2015 sets out that a local planning policy has effect once a notice is published in a newspaper that circulates the district. Consistent with this, the amended Built Form Policy came into effect upon notice of*



*the amendment in the Perth Voice and Eastern Reporter on 11 July 2020.*

7. Given that the policy states that “*an urban design study is to be submitted with the development application*” has the City been requiring all development applications submitted since 17 June 2020 to include such a document? If not, why not?

*Similar the previous response, the City has been advising proponents of development proposals of the need to submit an Urban Design Study in the consideration of development applications since Council adopted the amended Built Form Policy on 16 June 2020. The amended Built Form Policy took effect under the Planning and Development (Local Planning Schemes) Regulations 2015 and is the date that notice of the amended Built Form Policy was published in the Perth Voice and Eastern Reporter.*

#### **Other Questions**

8. The City’s Code of Conduct says that “*in order to ensure the Code remains current and relevant it will be reviewed and presented to Council for re adoption no more than three months after each ordinary election.*” Why has the Administration failed to do this, particularly given that the three month expired well before COVID-19 became an issue.

*The Chief Executive Officer advised at the Council Meeting on 28 July 2020 that changes to the Local Government Act passed last year includes a mandatory Code of Conduct for Elected Members, so that means that Council does not need to approve its own Code of Conduct.*

*Administration provides the following further information.*

*The Department of Local Government is currently preparing a mandatory code of conduct for Elected Members, in line with the changes to the Local Government Act 1995 which were approved on 27 June 2020. The Department sought comments on the proposed Code of Conduct last year, with submissions closing on 6 December 2019. Over 400 submissions were received, and the Department is reviewing these and drafting the regulations, which includes the mandatory Code of Conduct, based on these. Further details on the Department’s review and preparation of the mandatory Code of Conduct is available here: <https://www.dlgsc.wa.gov.au/department/news/news-article/2019/09/24/383a0f7b-206f-4964-8e4a-394d3ab02a27>.*

*The City has undertaken a review of the City’s Code of Conduct in anticipation of the implementation of the mandatory Code of Conduct, and has developed a draft Code of Conduct specifically for staff members and contractors at the City. Once the mandatory Code of Conduct is released Administration will prepare a new Code of Conduct to be observed by Elected Members, committee members and candidates that incorporates the mandatory Code of Conduct. Both the Code of Conduct for Elected Members, committee members and candidates and the Code of Conduct for staff members and contractors will be presented to Council for consideration and are proposed to replace the current collective Code.*

9. Given that case law and legal advice, and the ‘Newbury Principles’, which states that planning conditions must be imposed for a planning purpose, must fairly and reasonably relate to a development and must be reasonable, can the City confirm that all the recently funding projects funded by the Percent for Art contributions have conformed to the ‘Newbury Principles’, in particular the free sports casting workshops for Footy Diehards, the Absurdist video game and the music video/documentary.

*The application or ‘test’ against the Newbury Principles is relevant at the stage of determining the validity of imposing a condition of planning approval. All instances where a condition of planning approval was imposed requiring Percent for Art contribution was done so in accordance with the Newbury Principles. That is, it directly related to the development proposed, it was imposed for a planning purpose, and it was not unreasonable in nature. Consistent with the City’s Percent for Art Policy, the planning condition requires a developer to make a minimum one percent contribution based on the cost of the proposed development. The proponent can elect to provide this as either public art or paying cash-in-lieu.*

*In cases where the developer elects to pay cash-in-lieu, the City collects the money in a fund. The Percent for Art Policy guides the City's expenditure of the money in the cash-in-lieu fund and the Arts Relief Grants were awarded in a manner consistent with the Percent for Art Policy.*

*Mr Maier has identified some of the innovative ways the City is fostering a diverse range of artistic expressions, via performance and new media, to connect to wider audiences in different ways. Some of these initiatives demonstrate community engaged art works. They also demonstrate how some art works can adapt within an environment of social distancing. The creation and performance/installation of art works will be curated and accessible to a wider range of community members through interviews, photos and video. This was a criteria included in the EOI for the grant.*

*This curated material will also be made available to the Local History Centre and State Library to capture this unique time in history for future generations.*

10. Why does the answer to one of my previous questions about the DSR lease say that “the Administration did not engage an external property consultant to assist the least discussion when the payment of \$8,800 was made on 28 November 2019 to Knight Frank (Pty) Ltd for “lease negotiations for 246 Vincent Street.

*The CEO advised at the 28 July 2020 Meeting that the response included in the 28 July 2020 Agenda to the question submitted at the 16 June 2020 Council Meeting should have stated that the City did engage an external property consultant to assist with the lease discussion. Knight Frank was engaged to provide the market valuation and assist with the initial lease negotiations. The Minutes of the 28 July 2020 Council Meeting have been updated to reflect this (as shown in red and strikethrough in the minutes).*

### **3.2 Peter Jeffries of Mount Lawley**

Mr Jeffries did not apply to be a member of the Arts Advisory Group within the timeframe due to technology issues. He requested that his application be considered by Council at the meeting. He is a former member of the Arts Advisory Group and Coordinator of the Vincent Writers Centre.

*Mr Jeffries' nomination was discussed behind closed doors as part of Item 12.3. Council resolved that Mr Jeffries' application was not successful. Mr Jeffries was advised as part of the normal process for nominees.*

## **4 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

Nil

## **6 CONFIRMATION OF MINUTES**

### **COUNCIL DECISION**

**Moved: Cr Hallett, Seconded: Cr Loden**

**That the minutes of the Ordinary Meeting held on 28 July 2020 be confirmed.**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr

Wallace

**Against:** Nil

**(Mayor Cole was an apology for the Meeting.)**

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

Nil

## **8 DECLARATIONS OF INTEREST**

- 8.1** Cr. Joshua Topelberg declared a proximity interest In Item 9.4, Extension Of Temporary Change Of Use Planning Exemptions. The extent of his interest is that a family member has utilised the exemptions in order to change the use of a property they own at 301 Fitzgerald Street, West Perth. He is not seeking approval to participate in the debate or to remain in Chambers or vote in the matter.

## **REPORTS**

The Presiding Member, Cr Susan Gontaszewski, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 12.6 and 10.4.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 9.3, 12.3 and 12.4.
- (c) **Item which Council Members/Officers have declared a financial or proximity interest, being:**  
Item 9.4.

The Presiding Member, Cr Susan Gontaszewski, requested Council Members to indicate:

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

<b>COUNCIL MEMBER</b>	<b>ITEMS TO BE DISCUSSED</b>
Cr Hallett	9.2, 12.1 and 12.7
Cr Topelberg	10.1, 12.2, 12.3 and 12.5

The Presiding Member, Cr Susan Gontaszewski, therefore requested the Chief Executive Officer, David MacLennan, to advise the meeting of:

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.1, 10.2, 11.1, 11.2 and 11.3
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Nil

**ITEMS APPROVED "EN BLOC":**

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

**COUNCIL DECISION**

**Moved: Cr Fotakis, Seconded: Cr Castle**

**That the following unopposed items be adopted "En Bloc", as recommended:  
Items 9.1, 10.2, 11.1, 11.2 and 11.3**

**CARRIED UNANIMOUSLY (8-0)**








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

**Against:** Nil

**(Mayor Cole was an apology for this item)**

**9.1 NO. 173 (LOT: 7; D/P: 867) OXFORD STREET, LEEDERVILLE - CHANGE OF USE FROM RESTAURANT/CAFE AND SINGLE HOUSE TO SMALL BAR AND SINGLE HOUSE**

**Ward:**

- Attachments:**
1. **Location and Consultation Map** 
  2. **Development Plans** 
  3. **Venue Management Plan** 
  4. **Acoustic Report** 
  5. **Previously Approved Development Plans and Delegated Approval Notice** 
  6. **Summary of Submissions - Administration's Response** 
  7. **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 a proposed Change of Use from a Restaurant/Cafe and Single House to Small Bar and Single House at No. 173 (Lot: 7; D/P: 867) Oxford Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following Conditions, with the associated determination advice notes in Attachment 7:

1. All conditions, requirements and advice notes detailed on development approval 5.2020.81.1 dated 24 July 2020 continue to apply to this approval, except as follows:
  - 1.1 Conditions 1 and 2 of the development approval are deleted and replaced with the following condition:
    - “1. Use of Premises
      - 1.1 This approval relates to a Change of Use from Restaurant/Café and Single House to Small Bar and Single House as depicted on the plans dated 16 July 2020. It does not relate to any other development on the site;
      - 1.2 The hours of operation shall be limited to:
        - 6:00am to 12:00am Monday to Saturday;
        - 6:00am to 10:00pm Sunday; and
        - 6:00am to 12:00am Sunday where followed by a public holiday; and
      - 1.3 A maximum of 55 persons shall occupy the Small Bar at any one time.”.

**COUNCIL DECISION ITEM 9.1**

**Moved: Cr Fotakis, Seconded: Cr Castle**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Mayor Cole was an apology for this item)**

**10.2 TENDER RFT IE69/2020 – BULK GREEN WASTE VERGE COLLECTIONS – APPOINTMENT OF SUCCESSFUL TENDERER**

**Attachments: 1. Evaluation Worksheet - Confidential**

**RECOMMENDATION:**

**That Council ACCEPTS the tender submitted by Steann Pty Ltd for Tender IE69/2020 for Green Waste Verge Collection.**

**COUNCIL DECISION ITEM 10.2**

**Moved: Cr Fotakis, Seconded: Cr Castle**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Mayor Cole was an apology for this item)**

**11.1 INVESTMENT REPORT AS AT 30 JUNE 2020**

**Attachments: 1. Investment Statistics as at 30 June 2020** 

**RECOMMENDATION:**

**That Council NOTES the Investment Statistics for the month ended 30 June 2020 as detailed in Attachment 1.**

**COUNCIL DECISION ITEM 11.1**



**Moved: Cr Fotakis, Seconded: Cr Castle**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Mayor Cole was an apology for this item)**

**11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JUNE 2020 TO 30 JUNE 2020**

- Attachments:
1. Payments by EFT and Payroll June 20 
  2. Cancelled Cheques June 20 
  3. Payments by Direct Debit June 20 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 June 2020 to 30 June 2020 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,673,389.46
Cancelled cheques	-\$3,442.81
Direct debits, including credit cards	\$167,283.76
Total payments for June 2020	<b>\$5,837,230.41</b>

**COUNCIL DECISION ITEM 11.2**

**Moved: Cr Fotakis, Seconded: Cr Castle**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Mayor Cole was an apology for this item)



**11.3 PROVISIONAL FINANCIAL STATEMENTS AS AT 30 JUNE 2020**

**Attachments: 1. Provisional Financial Statements as at 30 June 2020** 

**RECOMMENDATION:**

**That Council RECEIVES the Provisional Financial Statements for the month ended 30 June 2020 as shown in Attachment 1.**

**COUNCIL DECISION ITEM 11.3**

**Moved: Cr Fotakis, Seconded: Cr Castle**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

**(Mayor Cole was an apology for this item)**

**ITEMS WITH DISCUSSION****12.6 ADOPTION OF THE LONG TERM FINANCIAL PLAN FOR THE PERIOD 2020/21 - 2029/30**

- Attachments:
1. Draft Long Term Financial Plan 2020/21 - 2029/30 
  2. Draft Capital Works Program - Appendix B to Corporate Business Plan 2020/21 - 2023/24 

**RECOMMENDATION:**

That Council:

1. **ADOPTS** the Long Term Financial Plan 2020/21 to 2029/30 and **NOTES** endorsement for the base version as detailed in Attachment 1;
2. **AUTHORISES** the Chief Executive Officer to forward the City of Vincent Long Term Financial Plan in 1) above to the Department of Local Government, Sport and Cultural Industries.

**COUNCIL DECISION ITEM 12.6**

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

That the recommendation be adopted.








**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

**(Mayor Cole was an apology for this item)**

**10.4 DEPARTMENT OF TRANSPORT LONG TERM CYCLE NETWORK CONSULTATION RESPONSES**

- Attachments:
1. Updated draft Long Term Cycle Network 
  2. Survey Overview Department of Transport Long Term Cycle Network Consultation 
  3. Detailed Survey Responses Department of Transport Long Term Cycle Network 
  4. Email Response 1 & 2 Department of Transport draft Long Term Cycle Network Consultation 
  5. Administration Response to Department of Transport Long Term Cycle Network Consultation Comments 
  6. Long Term Cycle Network Community Forum Discussion Points Maps 
  7. Community Forum Summary Department of Transport Draft Long Term Cycle Network 

**RECOMMENDATION:**

That Council:

1. **NOTES** the results of the Department of Transport Draft Long Term Cycle Network Consultation as shown in Attachments 2 and 3;
2. **ENDORSES** the updated Long Term Cycle Network (LTCN) as shown in Attachment 1 provided by the Department of Transport incorporating the key proposed changes from the community consultation with City of Vincent residents;
3. **NOTES** that the LTCN is aspirational in nature, subject to change and there is no obligation on the City to construct all the routes contained in the plan;
4. **CONFIRMS** support for Local and State Government agencies to work together in delivering a LTCN including a priority of a Safe Active Street project for Norfolk Street which the Department of Transport have offered the City 50:50 matched funding for feasibility and preliminary concept development in 2020-2021;
5. **NOTES** that there will be further consultation on the LTCN as part of the City's Bike Network Plan review that is scheduled to take place in 2021/22; and
6. **INFORMS** the Department of Transport of the City's decision.

**Moved: Cr Fotakis, Seconded: Cr Hallett**

That the recommendation be adopted.

**AMENDMENT**

**Moved: Cr Fotakis, Seconded: Cr Gontaszewski**

That the recommendation be amended to include the following additional resolution:

7. **REQUESTS** that WALGA advocate to the State Government to increase the portion of grant funding available to local governments through the Western Australian Bicycle Network (WABN) grants program from 50 per cent of the total project cost to 75 per cent of the total project cost –to provide additional local economic and community support during the State's recovery from the impact of COVID-19.

**REASON:**

1. Grants available through the Western Australian Bicycle Network (WABN) grants program limit the portion of funding available to local governments to 50% of the total project cost. This places a disproportionate and unfair level of burden on ratepayers to fund the Network, especially the primary and secondary routes, that in many instances are used mostly by residents from outside their LGA;
2. Local governments have been severely impacted by COVID-19 coming on top of 2 years of economic downturn. Increased costs and revenue losses have forced many Councils to cut or postpone major projects. Without additional financial assistance, much of the proposed LTCN is at risk not being delivered or substantially delayed.

**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

**That Council:**

1. **NOTES the results of the Department of Transport Draft Long Term Cycle Network Consultation as shown in Attachments 2 and 3;**
2. **ENDORSES the updated Long Term Cycle Network (LTCN) as shown in Attachment 1 provided by the Department of Transport incorporating the key proposed changes from the community consultation with City of Vincent residents;**
3. **NOTES that the LTCN is aspirational in nature, subject to change and there is no obligation on the City to construct all the routes contained in the plan;**
4. **CONFIRMS support for Local and State Government agencies to work together in delivering a LTCN including a priority of a Safe Active Street project for Norfolk Street which the Department of Transport have offered the City 50:50 matched funding for feasibility and preliminary concept development in 2020-2021;**
5. **NOTES that there will be further consultation on the LTCN as part of the City's Bike Network Plan review that is scheduled to take place in 2021/22; and**
6. **INFORMS the Department of Transport of the City's decision.**
7. **REQUESTS that WALGA advocate to the State Government to increase the portion of grant funding available to local governments through the Western Australian Bicycle Network (WABN) grants program from 50 per cent of the total project cost to 75 per cent of the total project cost –to provide additional local economic and community support during the State's recovery from the impact of COVID-19.**

**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

**9.2 DRAFT PUBLIC HEALTH PLAN 2020-2025**

Attachments: 1. Draft Public Health Plan 2020 - 2025 

**RECOMMENDATION:**

That Council:

1. APPROVES the draft Public Health Plan 2020-2025 at Attachment 1 for public comment for a period of 21 days in accordance with the City's Policy No. 4.1.5 – Community Consultation in Attachment 1; and
2. NOTES:
  - 2.1 a further report will be presented to the Ordinary Meeting of Council in October 2020 detailing any submissions received during the public comments period; and
  - 2.2 the draft Public Health Plan 2020–2025 will be subject to further formatting, styling and graphic design as determined by the Chief Executive Officer prior to publication.

**Moved: Cr Hallett, Seconded: Cr Topelberg**

That the recommendation be adopted.

**AMENDMENT 1**

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

That the recommendation be amended as follows:

1. APPROVES the draft Public Health Plan 2020-2025 at Attachment 1, for public comment for a period of 21 days in accordance with the City's Policy No. 4.1.5 – Community Consultation in Attachment 1; **subject to**
  - 1.1 **amending the target to read “smoke free town centres by 2025”; and**

**AMENDMENT CARRIED (9-0)**

**REASON:**

The recommended target was set with implementation in mind, but the target should be aspirational, and projects set in place to enable completion of this target.

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

**Against:** Nil

**AMENDMENT 2**

**Moved: Cr Hallett, Seconded: Cr Fotakis**

That the recommendation be amended as follows:

1. APPROVES the draft Public Health Plan 2020-2025 at Attachment 1 for public comment for a period of 21 days in accordance with the City's Policy No. 4.1.5 – Community Consultation in Attachment 1; **subject to**
  - 1.2 **The term ‘lifestyle choice’ being replaced with either ‘health behaviours’ or ‘behavioural**

**determinants', where applicable dependent on context; and**

**REASON:**

"The use of 'lifestyle choice' to describe these behaviours has often led to 'victim blaming', distracting from the root causes of poor health (Kelly et al., 2008). 'Victim blaming' occurs when individuals are blamed for their poor health, instead of recognising the significant environmental, social and systemic factors that affect health outcomes (Hoek & Jones, 2011). Health promoting and compromising behaviours (Watt & Sheihan, 2012) are formed over time, deeply embedded in an individual's cultural and environmental context (National Institute for Health and Care Excellence, 2007; Prochaska & Diclemente, 1986) and history. They are not 'solely the result of current conditions and individual lifestyle choices' (Sundmacher, Scheller-Kreinsen & Busse, 2010, p. 2)."

Ref: Hallett, et al. 2016. "Behavioural, nutritional and environmental determinants and public health. "In Public Health: Local and Global Perspectives Liamputtong, P., 113-131 Port Melbourne, Victoria, Australia: Cambridge University Press.

**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 9.2**

**That Council:**

1. **APPROVES the draft Public Health Plan 2020-2025 at Attachment 1 for public comment for a period of 21 days in accordance with the City's Policy No. 4.1.5 – Community Consultation in Attachment 1; subject to**
  - 1.1 **amending the target to read "smoke free town centres by 2025"; and**
  - 1.2 **the term 'lifestyle choice' being replaced with either 'health behaviours' or 'behavioural determinants', where applicable dependent on context.**
2. **NOTES:**
  - 2.1 **a further report will be presented to the Ordinary Meeting of Council in October 2020 detailing any submissions received during the public comments period; and**
  - 2.2 **the draft Public Health Plan 2020–2025 will be subject to further formatting, styling and graphic design as determined by the Chief Executive Officer prior to publication.**

**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 MINOR STRATEGIC REVIEW 2020 - STRATEGIC COMMUNITY PLAN 2018-2028**

- Attachments:**
1. Implementation Audit and Two Year Review 
  2. Modified Strategic Community Plan 2018-2028 

**RECOMMENDATION:**

**That Council:**

1. **ADOPTS BY ABSOLUTE MAJORITY** the modified Strategic Community Plan 2018-2028 at Attachment 2, resulting from the minor strategic review conducted in accordance with Regulation 19C of the *Local Government (Administration) Regulations 1996*; and
2. **NOTES** that the revised Strategic Community Plan 2018-2028 will be graphically designed prior to publishing.

**COUNCIL DECISION ITEM 9.3**

**Moved:** Cr Topelberg, **Seconded:** Cr Gontaszewski

**That the recommendation be adopted.**

**CARRIED BY ABSOLUTE MAJORITY (9-0)**

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

**Against:** Nil

At 7.09pm, Cr Joshua Topelberg left the meeting.

#### 9.4 EXTENSION OF TEMPORARY CHANGE OF USE PLANNING EXEMPTIONS

Attachments: Nil

#### RECOMMENDATION

That Council AGREES that temporary uses and temporary changes to uses shall be permitted to operate up to three months after the State of Emergency declared for Western Australia has ended, without the requirement for development approval, pursuant to Schedule 2, Part 7, Clause 61(2)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following:

1. The subject property is zoned commercial, mixed use, district centre, regional centre, or local centre under the City's Local Planning Scheme No. 2;
2. The proposed land use is permissible in Table 1 of Local Planning Scheme No. 2;
3. Not more than two food businesses are registered at the property;
4. Business owners provide written notification of the change to the use and details of modified operation to residents prior in accordance with 1.3 of Appendix 3 of the City's Community Consultation Policy to the use commencing. Written notification shall include the business owner's contact details in the case of any issues arising; and
5. Written notification is provided to the City prior to the use commencing, detailing the extent of changes to the operations that are being introduced in response to COVID-19.

#### COUNCIL DECISION ITEM 9.4

Moved: Cr Gontaszewski, Seconded: Cr Wallace

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

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

**Against:** Nil

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

At 7.10pm, Cr Joshua Topelberg returned to the meeting.



**10.1 UPDATE ON HOMELESSNESS SUPPORT**

- Attachments:
1. Western Australia's 10-Year Strategy on Homelessness 2020-2030 
  2. City Homeless Framework Committee Action Plan 

**RECOMMENDATION:****That Council NOTES:**

1. This update on the implementation of the City Homeless Framework Committee Action Plan and the broader Western Australian 10-Year Strategy on Homelessness;
2. This update on the use of Weld Square by Manna Inc. to deliver a free meal service to people who are experiencing or at risk of homelessness;
3. That Manna Inc. continues to provide a free lunch meal service at Weld Square in accordance with the recommendations adopted at the Ordinary Council Meeting of 12 November 2019;
4. That Administration continues to engage with Manna Inc. and Uniting WA (formerly Uniting Care West) and other stakeholders to explore opportunities to transition the Weld Square meal service to Tranby Centre or other suitable location(s) identified during the current approval period and will provide a further update to Council on the progress of this action before the end of the current approval period (30 November 2020);
5. That Administration, as per the adopted recommendations, will not consider any applications for additional goods and services for people who are experiencing homelessness or at risk of homelessness at Weld Square during the current approval period; and
6. The further actions and initiatives currently being undertaken by Administration to support the ongoing provision and coordination of homeless service provision within the inner City area.

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

**AMENDMENT**

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That the recommendation be amended as follows:

4. That Administration continues to engage with Manna Inc. and Uniting WA (formerly Uniting Care West) and other stakeholders to explore opportunities to transition the Weld Square meal service to Tranby Centre or other suitable location(s), **including the Moore Street precinct**, identified during the current approval period and will provide a further update to Council on the progress of this action ~~before the end of the current approval period (30 November 2020);~~ **at the next Ordinary Meeting of Council;**

**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 10.1****That Council NOTES:**

1. This update on the implementation of the City Homeless Framework Committee Action Plan

and the broader Western Australian 10-Year Strategy on Homelessness;

2. This update on the use of Weld Square by Manna Inc. to deliver a free meal service to people who are experiencing or at risk of homelessness;
3. That Manna Inc. continues to provide a free lunch meal service at Weld Square in accordance with the recommendations adopted at the Ordinary Council Meeting of 12 November 2019;
4. That Administration continues to engage with Manna Inc. and Uniting WA (formerly Uniting Care West) and other stakeholders to explore opportunities to transition the Weld Square meal service to Tranby Centre or other suitable location(s), including the Moore Street precinct, identified during the current approval period and will provide a further update to Council on the progress of this action at the next Ordinary Meeting of Council;
5. That Administration, as per the adopted recommendations, will not consider any applications for additional goods and services for people who are experiencing homelessness or at risk of homelessness at Weld Square during the current approval period; and
6. The further actions and initiatives currently being undertaken by Administration to support the ongoing provision and coordination of homeless service provision within the inner City area.

**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

**10.3 WASTE STRATEGY PROJECT 8 – COMMERCIAL WASTE COLLECTIONS (UPDATE) -  
WITHDRAWN BY ADMINISTRATION**

**This item was withdrawn by Administration.**

**12.1 PROGRESS UPDATE ON THE SUSTAINABLE ENVIRONMENT STRATEGY 2019-2024**

Attachments: 1. Progress update summary of implementation of SES 

**RECOMMENDATION:**

That Council RECEIVES the progress update on the City's Sustainable Environment Strategy 2019 – 2024, at Attachment 1.

**Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**AMENDMENT**

**Moved: Cr Hallett, Seconded: Cr Loden**

That the recommendation be amended to include the following additional resolutions:

- 2. SUPPORT the "Statement of Principles" announced by the Mayors of the C40 Climate Leadership Group with the goal to build a better, more sustainable, more resilient and fairer society out of the recovery from the COVID-19 crisis.**
- 3. REQUEST that the Mayor or CEO write to State and Federal representatives asking them to adopt these principles in recovery planning for COVID-19.**
- 4. REQUEST that WALGA consider the principles adopted in the "Statement of Principles" announced by the Mayors of the C40 Climate Leadership Group and adopt a position to put to Local Governments to support a similar COVID-19 recovery plan through action and advocacy.**
- 5. REQUESTS Administration ensure the Statement of Principles are considered as part of the implementation of the Sustainable Environment Strategy 2019-2024 and proposed Public Health Plan 2020-2025.**

**REASON:**

The C40 Mayors' Agenda for a Green and Just Recovery complement the City of Vincent's strategic direction set out in the Sustainable Environment Strategy (SES) and proposed draft Public Health Plan 2020-2025.

Council's approach is to support our residents and protect their health based on the guidance of expert advice. This is reflected in Council's SES, proposed draft Public Health Plan and COVID-19 Relief and Recovery Strategy.

The City of Vincent should continue to integrate public health, economic and environmental considerations in its planning and decision making.

The City of Vincent can support recovery efforts both through its own actions but also by joining advocacy efforts to promote the following C40 principles to State and Federal Government representatives as part of COVID-19 recovery:

- a. The recovery should not be a return to 'business as usual' – because that is a world on track for 3°C or more of over-heating;
- b. The recovery, above all, must be guided by an adherence to public health and scientific expertise, in order to assure the safety of those who live in our cities;
- c. Excellent public services, public investment and increased community resilience will form the most effective basis for the recovery;
- d. The recovery must address issues of equity that have been laid bare by the impact of the crisis – for example, workers who are now recognised as essential should be celebrated and compensated

accordingly and policies must support people living in informal settlements;

- e. The recovery must improve the resilience of our cities and communities. Therefore, investments should be made to protect against future threats – including the climate crisis – and to support those people impacted by climate and health risks;
- f. Climate action can help accelerate economic recovery and enhance social equity, through the use of new technologies and the creation of new industries and new jobs. These will drive wider benefits for our residents, workers, students, businesses and visitors;
- g. We commit to doing everything in our power and the power of our city governments to ensure that the recovery from COVID-19 is healthy, equitable and sustainable;
- h. We commit to using our collective voices and individual actions to ensure that national governments support both cities and the investments needed in cities, to deliver an economic recovery that is healthy, equitable and sustainable;
- i. We commit to using our collective voices and individual actions to ensure that international and regional institutions invest directly in cities to support a healthy, equitable and sustainable recovery.

### **COUNCIL DECISION ITEM 12.1**

#### **That Council:**

1. **RECEIVES** the progress update on the City's Sustainable Environment Strategy 2019 – 2024, at Attachment 1.
2. **SUPPORT** the "Statement of Principles" announced by the Mayors of the C40 Climate Leadership Group with the goal to build a better, more sustainable, more resilient and fairer society out of the recovery from the COVID-19 crisis.
3. **REQUEST** that the Mayor or CEO write to State and Federal representatives asking them to adopt these principles in recovery planning for COVID-19.
4. **REQUEST** that WALGA consider the principles adopted in the "Statement of Principles" announced by the Mayors of the C40 Climate Leadership Group and adopt a position to put to Local Governments to support a similar COVID-19 recovery plan through action and advocacy.
5. **REQUESTS** Administration ensure the Statement of Principles are considered as part of the implementation of the Sustainable Environment Strategy 2019-2024 and proposed Public Health Plan 2020-2025.

**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

**12.2 AMENDMENTS TO NEW LEASE TO HISP PTY LTD - BEATTY PARK CAFE, 220 VINCENT STREET, LEEDERVILLE**

Attachments: Nil

**RECOMMENDATION:**

That Council:

1. APPROVES the City entering into a lease of the café at Beatty Park Leisure Centre, 220 Vincent Street, Leederville to Hospitality Industry Service Providers (HISP) Pty Ltd (HISP) on the key terms as approved by the Council at its Ordinary Meeting of 10 December 2019 (Item 11.1) and amended by the Council at its Ordinary Meeting of 17 March 2020 (Item 12.1), subject to the following amendments to reflect the new lease commencement date and rent abatement period:

"1.1 Term: Three years, commencing on ~~25 1 May~~ **August 2020**;  
1.3 Rent: \$22,984 plus GST per annum, with no rent payable between ~~1 May~~ **25 August 2020 and 31 August 2020 31 January 2021** (inclusive) to allow for the café set up period **and to take into account the proposed renovations to the indoor pool at Beatty Park Leisure Centre potentially interrupting the tenant's use of and trade from the premises;**"

**2. NOTES:**

- 2.1 the proposed renovations of the Beatty Park Leisure Centre, 220 Vincent Street, Leederville (Centre) indoor swimming pool which are anticipated to commence late 2020 and take three to five months to complete;
- 2.2 that while the renovations are occurring, it is likely HISP's operations and trade at the café will be impacted to some degree; and
- 2.3 that a five month 1 week rent free period is appropriate to allow HISP time to set up the café and is provided in lieu of any compensation or rent abatement that HISP may be eligible for as a result of the disruption to its use of the café as a result of the indoor pool renovations.

**COUNCIL DECISION ITEM 12.2**

**Moved:** Cr Topelberg, **Seconded:** Cr Loden

That the recommendation be 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

**12.3 EXTENSION OF TERM OF COVID-19 RELIEF AND RECOVERY COMMITTEE AND AMENDMENT TO TERMS OF REFERENCE**

- Attachments:
1. Evaluation Report to COVID-19 Committee 21 July 2020 
  2. Amended Terms of Reference - mark-up 

**RECOMMENDATION:**

That Council:

1. **NOTES** the endorsed report to the COVID-19 Relief and Recovery Committee of 21 July 2020 providing an evaluation and review of the COVID-19 Relief and Recovery Strategy, at Attachment 1;
2. **APPROVES** the amendments to the COVID-19 Relief and Recovery Committee Terms of Reference to extend membership until 31 December 2020 and clarify the objectives and roles and responsibilities of the Committee, as shown marked up in Attachment 2;
3. In accordance with section 5.16(3)(b) of the *Local Government Act 1995* **REVOKES BY ABSOLUTE MAJORITY** the following power delegated to the COVID-19 Relief and Recovery Committee at the 30 March 2020 Ordinary Meeting of Council:
  - 3.1 grant licences under regulation 17 of the *Local Government (Uniform Local Provisions) Regulations 1996*.
4. In accordance with regulation 12(1) of the *Local Government (Administration) Regulations 1996*, **PROVIDES** local public notice of the dates, times and places of the COVID-19 Relief and Recovery Committee meetings.

**COUNCIL DECISION ITEM 12.3**

**Moved:** Cr Topelberg, **Seconded:** Cr Hallett


That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (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 AMENDMENT TO COUNCIL DELEGATIONS - DELEGATION TO ISSUE A HERITAGE CONSERVATION NOTICE**

Attachments: 1. Proposed Delegation 16.1.5 - Issue of Heritage Conservation Notice 

**RECOMMENDATION:**

That Council DELEGATES BY ABSOLUTE MAJORITY the power to issue a heritage conservation notice under clause 13(2), (3), (4) and (5) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Chief Executive Officer, as detailed in Attachment 1.

**COUNCIL DECISION ITEM 12.4**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Wallace

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (9-0)**

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

**Against:** Nil



**12.5 APPROVAL OF GOVERNANCE FRAMEWORK**

Attachments: 1. DRAFT - Governance Framework 

**RECOMMENDATION:**

That Council:

1. **ADOPTS** the Governance Framework at Attachment 1;
2. **NOTES** that the Chief Executive Officer will review the Governance Framework following each Ordinary Local Government election and provide a report to Council summarising the review and recommending any amendments be adopted by Council within 4 months of the election; and
3. **NOTES** that the Governance Framework will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication.

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

**AMENDMENT**

Moved: Cr Gontaszewski, Seconded: Cr Topelberg

That the recommendation be amended to include the following additional resolution:

4. **REQUEST that subject to the outcomes of the consultation on the Draft Public Health Plan the Governance Framework is amended to include public health impact assessment as part of Council and operational decision making.**

**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 12.5**

That Council:

1. **ADOPTS** the Governance Framework at Attachment 1;
2. **NOTES** that the Chief Executive Officer will review the Governance Framework following each Ordinary Local Government election and provide a report to Council summarising the review and recommending any amendments be adopted by Council within 4 months of the election; and
3. **NOTES** that the Governance Framework will be subject to further formatting and styling to be determined by the Chief Executive Officer, prior to publication.
4. **REQUEST** that subject to the outcomes of the consultation on the Draft Public Health Plan the Governance Framework is amended to include public health impact assessment as part of









**Council and operational decision making.**

**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

**12.7 INFORMATION BULLETIN**

- Attachments:**
1. **Statistics for Development Services Applications as at end of July 2020** 
  2. **Register of Legal Action and Prosecutions Monthly - Confidential**
  3. **Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 30 July 2020** 
  4. **Register of Applications Referred to the MetroWest Development Assessment Panel - Current** 
  5. **Register of Applications Referred to the Design Review Panel - Current** 
  6. **Register of Petitions - Progress Report - August 2020** 
  7. **Register of Notices of Motion - Progress Report - August 2020** 
  8. **Register of Reports to be Actioned - Progress Report - August 2020** 
  9. **Quarterly Street Tree Removal Information April - June 2020** 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated August 2020.

**COUNCIL DECISION ITEM 12.7**

**Moved:** Cr Hallett, **Seconded:** Cr Topelberg

That the recommendation be 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

**13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**18 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 7.43pm with the following persons present:

<b>PRESENT:</b>	<b>Mayor Emma Cole</b>	<b>Presiding Member</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Joanne Fotakis</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Sally Smith</b>	<b>North Ward</b>
	<b>Cr Ashley Wallace</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>Andrew Murphy</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>Virginia Miltrup</b>	<b>Executive Director Community &amp; Business Services</b>
	<b>Jay Naidoo</b>	<b>A/Executive Director Strategy &amp; Development</b>
	<b>Meluka Bancroft</b>	<b>Executive Manager Corporate Strategy &amp; Governance</b>
	<b>Wendy Barnard</b>	<b>Council Liaison Officer</b>
<b>Public:</b>	Approximately two members of the public.	

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 18 August 2020.

Signed: Mayor Emma Cole



Dated 15 September 2020