



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

23 March 2021

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 23 MARCH 2021 AT 6.00PM**

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
	Virginia Miltrup	Executive Director Community & Business Services (electronically)
	John Corbellini	Executive Director Strategy & Development
	Meluka Bancroft	Executive Manager Corporate Strategy & Governance
	Jay Naidoo	Manager Development & Design
	Wendy Barnard	Council Liaison Officer

Public: Approximately 26 members of the public.

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.01pm 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 received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

3.1 Damien Caraher of Mt Hawthorn – Item 9.2 and 9.3

- Lives in Egina Street
- Spoke against the applications
- Thanked Council for their support over the last three years

The Presiding Member, Mayor Cole, thanked Mr Caraher for his comments.

3.2 Barbara Joan Martin of Clarkson - Item 5

- Spoke against the imminent closure of the North Perth Special Needs Dental Clinic
- Stated she has presented a petition with 387 signatures
- Stated that at the time of collecting the signatures she was not aware of the background.
- Mentioned that the Department of Health, as current lessee, has applied to Council for an extension of the lease as they are struggling to find an alternative location
- Mentioned that the clinic is the only one in WA
- Stated that most clients of the clinic do not cope well with change
- Appeals to Council on compassionate grounds that a variation is sought to the Haynes Street Development Plan to allow the clinic to remain until 2025, so they only have to move once
- Stated that she is aware that this would require the approval of the Attorney General, and that it would impact the City's Long Term Financial Plan

The Presiding Member, Mayor Cole, thanked Ms Martin for her comprehensive and well-informed comments, and mentioned that the City was also informed about the end of the lease at the last moment. The City is compassionate to the issue and are liaising with Department of Health to find an alternative arrangement.

3.3 Mary Butterworth of Melville – Item 5

- Stated that she is the CEO of Developmental Disability WA
- Stressed the importance of maintaining the current arrangements until an alternative location is available, as change is not handled well by their clients

The Presiding Member, Mayor Cole, thanked Ms Butterworth for her comments.

3.4 Dudley Maier of Highgate – Item 12.7

1. What Council Workshops have been held since 24 November 2020 and what items were presented at each workshop?
2. Why has the time taken for the letter concerning the Uluru Statement blown out to three months?
3. With regards to the demolition of the Alfred Spencer Pavilion, how do you reconcile the claim that “all bricks, concrete, masonry, metals and wood were recovered for recycling”, with the statement from the workers doing the demolition that they were only recovering the aluminium, window frames and copper pipes. Again, did the contract have a requirement to recover as much as possible, yes or no?
4. Given that Beatty Park Reserve is on the state register of heritage places, place number 3553. Was approval sought from the Heritage Council before the Alfred Spencer Pavillion was demolished? If yes, when was it obtained?
5. Last month I asked questions about two grants for street Christmas parties, to the value of \$2,776 and \$2,582 and specifically what the payments were for. I got what I found was an evasive answer saying it was for Christmas parties, which is something I had already identified. So what exactly were those grants spent on? For example, food, beverages, etc and how much was spent on each element? Why wasn't I provided with the correct answer the first time?
6. Were people that moved motions at the AGM notified that responses to their motions are on tonight's agenda?
7. On page 79 of the agenda the report concerning waste strategy project refers to a community engagement panel. Who was on that panel, when was it established and when have they met?
8. Does the CEO take responsibility for the Community Consultation Policy review/Community Engagement Framework taking over two years so far? If he is not responsible for the long time frame, who is?

In terms of the responses to the AGM motions, I think the response to my motion about the City not being engaging and accountable does not address the issues I raised, which is that in my opinion Administration is not engaging and accountable. All the response contained what I considered to be annoying management speak. I think the fact that the Administration started working on the Community Consultation Policy review

over two years ago and doesn't have much to show for it so far is just a clear indication of the priority that the Administration puts on community consultation and engagement.

The Presiding Member, Mayor Cole, thanked Mr Maier for his comments. Responses will be provided in the 27 April 2021 Council Agenda.

3.5 Lisa Mazzalla of Mt Hawthorn – Item 9.7

- Lives on The Boulevarde
- Spoke in support of the policy
- Stated that few people want the ugly developments which are proposed from time to time, but without this policy there is not a way to oppose them
- Stressed the need to protect character from 1920 and 1930 for future generations

The Presiding Member, Mayor Cole, thanked Ms Mazzalla for her comments.

3.6 David Wilson of Mt Hawthorn – Items 9.2 and 9.3

- Lives on Egina Street
- Spoke against the development
- Objects to the lot boundary increasing to 16.5m, stated this does not comply with the residential codes
- Mentioned his property has a mature tree close to the boundary which will be impacted
- Stated that his deck will be unwelcoming if a concrete wall is built next to it
- Requests that Council requires an amendment to the application before it is approved, particularly moving the boundary wall
- Stated that the current application is proposing 21% canopy, not the 30% required

The Presiding Member, Mayor Cole, thanked Mr Wilson for his comments.

3.7 Marie Slyth of West Perth – Item 9.7

- Stated that the Cleaver Street precinct is being affected by the policy
- Requested that Council start working on the Cleaver precinct and Mt Hawthorn at the same time

The Presiding Member, Mayor Cole, advised that nominations for only two streets are outstanding and they are close to getting action. Administration will contact Ms Slyth with more detail.

3.8 Corey Freeman of Mt Hawthorn – Items 9.2 and 9.3

- Lives on Egina Street
- Spoke against the application
- Queried what level of consultation is planned for the construction management plan for these dwellings, if approved? All aspects, including noise dust, working hours and traffic management should be discussed with the residents to ensure they are not negatively impacted, particularly around vehicle parking on an already busy thoroughfare

The Presiding Member, Mayor Cole, thanked Mr Freeman for his comments.

3.9 Name Withheld of Mt Lawley – Item 12.6

- Lives on Monmouth Street
- Thanked Council for the addition of an upgrade option to the recommendation
- Stated that the proposed layout is not appropriate, for example the seating is in the incorrect position for the elderly or disabled to access, as it is at the back, over gravel, with no shade
- Requests a shade tree in the middle of the park be considered
- Requests that the type of gravel is specified

- Queried if the fall in the land in the front to the rear of 1.5m has been considered, as that could make the park dangerous, especially in the rain.

The Presiding Member, Mayor Cole, thanked the resident and advised that she expected a lot of discussion on this item.

3.10 Matt Erkens of Mt Lawley – Item 12.6

- Stated that he is happy that the area will be kept as green space

The Presiding Member, Mayor Cole, thanked Mr Erkens for his comments.

3.11 Martin McNiff of Mt Hawthorn – Item 9.7

- Lives on The Boulevard
- Spoke in support of the policy

The Presiding Member, Mayor Cole, thanked Mr McNiff for his comments.

3.12 Nicole Cummins of Osborne Park - Items 9.2 and 9.3

- Spoke on behalf of the applicant, Integrity Developments.
- Spoke in support of the applications
- Stated that the current designs are much different to the original plans, changes have been made to address concerns of neighbours. The upper floor has been set back considerably and the houses are smaller than originally proposed. The double garage has been changed to a single car garage
- Stated that the designs are fully compliant with R Codes and Built Form Policy and complies with Deemed to Comply provisions of both policies
- Highlighted that the boundary wall is 5cm on average higher than the maximum allowable height.
- Encouraged Council to support the application

The Presiding Member, Mayor Cole, thanked Ms Cummins for her comments.

3.13 Colin Slattery of Mt Hawthorn – Item 9.7

- Lives in Kalgoorlie Street north of Ashby Street
- Spoke in support of policy
- Stated that he is in the process of gathering support to nominate that portion of Kalgoorlie Street

The Presiding Member, Mayor Cole, thanked Mr Slattery for his comments.

3.14 Alex Hemsley of Nedlands – Item 9.1

- Director of Hemsley Planning
- Stated that the Union is seeking approval to facilitate the removal of their headquarters to this location
- The plan achieves a 4 star environmental rating
- Building is architecturally designed and on a plot that has been empty for 12 years.
- Encouraged Council to approve the application

The Presiding Member, Mayor Cole, thanked Mr Hemsley for his comments.

3.15 George Athanasiou of Mt Hawthorn – Item 9.7

- Spoke in opposition to the Policy
- Queries if residents had been properly engaged, and how Council can be satisfied that those who signed the petition years ago are fully aware of the details of what is proposed

- Takes issue that only 40% of land owners are needed to start the process
- Stated that non-resident land owners should not be included in formal tallying of responses
- Requests Council to consider the negative financial impact on existing property owners
- Mentioned that a prospective buyer may take prospective restrictions on the building into consideration when purchasing
- Stated that the community is divided, the policy has created disharmony

The Presiding Member, Mayor Cole, thanked Mr Athanasiou for his comments.

3.6 Andrew Main of Item 12.7 and Item 12.9

- Identified some errors in Item 12.9 Local Government Compliance Audit Return
- Queried Motion 13 of the AGM minutes, in particular the admission that “we do not always get it right, we sometimes will make mistakes, and we are always open to how we can improve”
- Spoke about the lack of community engagement and accountability, mentioning multiple projects that he thought did not have the required community engagement
- Mentioned that in the Accountability section on the City’s website some of the registers do not seem to be up to date

The Presiding Member, Mayor Cole, thanked Mr Main for his comments.

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

Ross Tolley of Mt Hawthorn – Item 9.7

I have sought and obtained legal advice in relation to the inclusion of Kalgoorlie Street in the Character Retention Policy.

I, along with other residents of Kalgoorlie Street oppose the inclusion of Kalgoorlie Street on the basis that Kalgoorlie Street is no longer supported by the 40% requirement and pose the following question to Council: Can the Council please consider applying clause 3.4 of LPP 7.5.15 to abandon Kalgoorlie Street from the policy in light of the prevailing views that the residents of Kalgoorlie Street on clear evidence presented in the briefing meeting and other consultative opportunities no longer wish to proceed with the Character Retention policy for our street?

Administrations’ responses will be provided in the Agenda for the 27 April 2021 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.46pm.

The following statements were submitted prior to the meeting and circulated to Elected Members:

Sue Rizzi of Mt Hawthorn – Item 9.7

I support the character retention policy for The Boulevard, Mt Hawthorn.

Name Withheld of Mt Hawthorn – Item 9.7

I support the Character Retention Policy for The Boulevard.

Name Withheld of Mt Hawthorn – Item 9.7

I support the Character Retention proposal for The Boulevard, Mount Hawthorn.

Name Withheld of Mt Hawthorn – Item 9.7

This email is to confirm that we fully support the character retention policy for The Boulevard.

Name Withheld of Mt Hawthorn – Item 9.7

As a ratepayer, I support the idea of retaining the character of houses in The Boulevard and nearby streets. I'm sure it will become an even better location and improve values.

Name Withheld of Mt Hawthorn – Item 9.7

I would like to register my support for a character retention policy for The Boulevard Mount Hawthorn.

Name Withheld of Mt Hawthorn – Item 9.7

I am a resident of The Boulevard Mount Hawthorn and would like to put in writing my support for the Character Retention Policy.

Name Withheld of Mt Hawthorn – Item 9.7

I am writing to strongly support the proposed character retention policy for the Boulevard. The amendments to the original proposal have made this policy far stronger, and I believe it is in the best interests of my street, and the suburb, to have this policy in place. Thank you for supporting this important change.

Name Withheld of Mt Hawthorn – Item 9.7

I emailing my support of the character retention policy for The Boulevard in Mount Hawthorn.

Name Withheld of Mt Hawthorn – Item 9.7

I fully support the character retention policy for The Boulevard.

Name Withheld of Mt Hawthorn – Item 9.7

We are owner/occupiers on The Boulevard, Mt Hawthorn and support the proposal to include the Boulevard into the City's Character Retention Area Policy.

Name Withheld of Mt Hawthorn – Item 9.7

I wish to support the Character Retention Policy as proposed by the residents/owners of The Boulevard, Mt Hawthorn.

Dianne Forde of Mt Hawthorn – Item 9.7

I understand that the City of Vincent Council will shortly vote on the Mount Hawthorn Character Retention Policy. I strongly urge Council to endorse this policy, not only in Kalgoorlie Street where I am fortunate to reside, but across the suburb where character homes still battle the tide of development. Just as a home is so much more than just a house, a community is more than just buildings. Kalgoorlie Street, like other similar streets in Mount Hawthorn, is a friendly, accessible community-spirited environment, and much of this is created through the character and style of the houses that grace the Street. Open frontages, gardens and houses that reflect the history of this post and inter-war suburb generate a feeling of community. There is a reason why people are so keen to live in this area. By supporting the retention of character in Kalgoorlie Street and Mount Hawthorn, the Council is sending a message that it recognises the importance of community, history and the deep affection its existing ratepayers have for their environs. It will be too late to lament the loss of character in Mount Hawthorn when it is indistinguishable from countless other suburbs of Perth. There is much criticism of how the beautiful city of Perth, a city older and arguably more beautiful than Melbourne, was largely destroyed to create a "modern city, made of concrete and glass". Does anyone really want the same fate for our community?

My understanding is that character retention has generated much discussion within the community. Please support your constituents and endorse the Character Retention Policy for Mount Hawthorn. I am happy to be involved in any further discussion or development on this issue.

Name and Address Withheld – Item 9.7

We object to the character retention changes being proposed for The Boulevard at next Tuesday's council meeting.

Name Withheld of Mt Hawthorn – Item 9.7

I would like to support the character retention policy for The Boulevard.

Gail Clark of Mt Hawthorn – Item 9.7

A quick email to say that I support character retention in Kalgoorlie Street.

Name Withheld of Mt Hawthorn – Item 9.7

We object to the character retention changes being proposed at next Tuesday's Council meeting.

Jim and Belinda Pearce of Mt Hawthorn – Item 9.7A

Please accept this as my support for the Kalgoorlie street character retention - it's appalling that this is being voted on today without informing those involved because the council have not retained the information from 2 years ago on those that provided feedback. I believe it should be supported and due to lack of consultation on this should at least be deferred for those to respond

Name Withheld of Mt Hawthorn – Item 9.7

As a resident of Kalgoorlie Street, Mount Hawthorn, I would like to note my support of character retention in our street.

Name Withheld of Mt Hawthorn – Item 9.7

Thank you for taking the time to listen to our concerns at the recent council briefing session on 16th March pertaining to character retention, Agenda item 5.7. We are opposed to our house falling under this amended scheme.

In addition to what we raised, please allow us to pose a few further questions and comments.

1. Looking through the report again, the numbers just don't add up. For instance, on page 411 the question 'Which streets do you support being included in the guidelines' with reference to the 4 streets originally nominated, resulted in 41 overall submissions. Out of these 41 submissions, 19 were from submitters outside of the guideline area. If you remove those submissions, then you have 8 supporters in the affected area and 14 against. We cannot understand with such minimal support presented how this issue has been pursued to this point and how Council could possibly look to vote in favour.
2. Further to this point, please explain how people outside of the affected areas were allowed to have a say?
3. After attending the council briefing session on Tuesday 16th March, we became aware of a possible conflict of interest, as declared. We query whether it is standard practice to have councillors involved and/or available to vote in issues where they have family members who are in vocal support of an issue? How does Council intend to address this issue, to ensure impartiality?
4. Councillor Loden suggested on Tuesday night that Kalgoorlie Street also be removed along with Buxton Street from the scheme due to lack of support. We now have a tiny portion of Matlock left and a portion of The Boulevard. This begs the question, why persist?
5. There are individuals who wish to retain their character architectural preferences above all else and we are in no way wishing to stand in their way. Is it possible that those that have been vocal in maintaining their character style could nominate their individual properties to come under the scheme and leave the rest of us to follow Council Guidelines as all other residents in our suburb?

6. Issues such as this need to be pursued as a 'whole' community whereby all residents are treated fairly and equally. Like we raised in our speech, our views may be different if our whole suburb was included in some form of character retention. Without a global approach the council is being divisive and discriminatory. We are very disappointed with this lack of insight and look to Council to stop this amendment.

Name Withheld of Mt Hawthorn – Item 9.7

We support the character retention policy.

Name Withheld of Mt Hawthorn – Item 9.7

A quick email to say that I support character retention in Kalgoorlie Street.

Name Withheld of Mt Hawthorn – Item 9.7

I am writing to advise that I support the Character retention policy for The Boulevarde, Mount Hawthorn.

I understand that you will be voting on this soon, please ensure my support as a home owner on the street is taken into consideration. I live next door to an ugly modern house that was built in 2012 / 2013, despite the objections of many residents who were relying on the council to ensure that street character was retained. I therefore hope that this new policy will prevent this from happening again.

Mary Rautao-Seth of Mt Hawthorn – Item 9.7

I just wanted to email on behalf of my husband and I in support of the character retention scheme for our suburb please.

Robert Gemelli of Mt Hawthorn – Item 9.7

I would like to register to you that I AM AGAINST THE PROPOSED CHANGES.

My Name is Robert Gemelli, from The Boulevarde, Mount Hawthorn and I DO NOT support the character retention policy for The Boulevarde. Please make known that I object to Kalgoorlie Street as well.

How dare the council even consider this ridiculous change. It surely cannot be legal to have different rules for different streets. My home is my home and when I want to develop it, I should be allowed to build my dream home within normal rules as is now.

Retaining the character is rubbish. If others want to do it, good luck however this change is not needed and should not be street individualized. Absolutely outrageous.

I apologise that I may have missed a meeting or the opportunity to vote or be surveyed but I would like to raise concern over the ruling.

Name Withheld of Mt Hawthorn – Item 9.7

There are some properties that have been built that I wholeheartedly think are *ridiculous* however - some are in my opinion quite nice and aren't offensive to me, don't hinder the street scape or the line of sight.

I think neighbours wanting to dictate how we have fences, whether we can have a carport or a second story is really restrictive. Design is subjective.

I really want a carport (in keeping with the house design) but am worried it will be blocked by this new policy – despite saving water, keeping 2 cars off the street and using my block space sensibly.

If this new policy would be that prohibitive – I do not agree with it. I am open to discussion however. (I might be too late though!)

Name Withheld of Mt Hawthorn – Item 9.7

We reside on the Boulevarde. We do not support the character retention policy for the Boulevarde.

Name Withheld of Mt Hawthorn – Item 9.7

Owners on The Boulevarde are in favour of the character retention proposal.

Name Withheld of Mt Hawthorn – Item 9.7

We wish to advise Council that we **DO NOT Support the character retention policy for The Boulevarde.**

We thought this had been dealt with previously and are annoyed that a small group within the neighbourhood continue to agitate within Council on this matter.

I asked another Mount Hawthorn resident about this today (stranger at the hair dressers) who lives in Buxton St. He was aware of the character retention plans, but like me, recalls that it came up a few years ago and thought it had been finished with. Most residents live busy lives and do not pay much attention to “noise” from Local Council. I would like to think that Council would specifically canvas individual property owners who are affected by such a policy rather than rely on a determined minority to guide Council policy.

Council does a very good job within the existing building guidelines in maintaining the neighbourhood amenity for all. Council should focus on the quality of architecture. The architectural styles from the 1920's and 30's that character retention seeks to preserve are in many ways inappropriate. Simply from an energy consumption perspective the style and building materials have become inappropriate.

If Council would like to do something meaningful for the residents of The Boulevarde you could explore options to reduce the ever increasing traffic arising from the restrictions that have been placed on the surrounding streets which make The Boulevarde a convenient “rat run” for vehicles wishing to avoid the commercial hub and/or drive their children to school.

The other thing you could focus on is putting the power underground as was planned 25 years ago when we purchased our property.

We were away for the Council briefing last Tuesday (16th) but look forward to seeing you on the 23rd.

Name Withheld of Mt Hawthorn – Item 9.7

My husband and I are owner occupiers of The Boulevarde, Mt Hawthorn. Our home is a new construction, one that we are extremely proud of, and one that we fought very hard to come to fruition (namely due to the same community led minority leading this push for character retention.) It is the same house that has featured in the community newspaper and on the City of Vincent website in relation to this proposed policy in such a negative light, and quite frankly was insulting and slanderous.

We have more than doubled the value of the property since we first purchased the land, therefore adding value to the street and suburb. We have had many compliments from passers-by on what a beautiful home we have, and we agree. We have managed to fit a lot onto a small block, which in essence is inner city living and progress. We love that it is unique. We love that we have room for our kids to grow in this home well beyond their teenage years.

The fact that this minority group is leading this push for what is now a small section of only three streets in the entire City of Vincent is absolutely ludicrous, and as a ratepayer, I am disappointed to see it go this far. Every homeowner has the right to renovate or build on their land, within the existing council guidelines. Singling out only three streets (and not the entirety of these streets!) is penalising these homeowners, subjecting them to harsher guidelines than the rest of the suburb, potentially de-valuing their properties for future buyers who do not want restrictions on having to build a faux-federation home or renovation.

We noted in the recent council briefing that there were a number of supporters who don't even live in the guideline area, so how is their opinion even valid? (thus also bringing down the number of supporters.)

When we initially took the survey we were less informed, but we would like it noted that we are against the policy proposal, especially now that it is so selective it carries no merit, merely showing the architectural preferences of a select few.

Name Withheld of Mt Hawthorn – Item 9.7

Please be advised that we support the character retention policy for The Boulevard, Mt Hawthorn. We are residents on this street and would hate to see the character be degraded by new builds ill-fitting with the area.

Name and Address Withheld – Item 9.7

We have been residents of The Boulevard for 20 years and have been involved with providing feedback since the concept was first raised with residents. We are keen to see the character retention policy for our street finally implemented.

Geoffrey Weekes of Mt Hawthorn – Item 9.7

I wish to voice my wholehearted support for the Character Retention Policy that is being proposed for The Boulevard, Mount Hawthorn.

Name Withheld of Mt Hawthorn – Item 9.7

I refer to the upcoming council sessions on the character retention proposal for Mt Hawthorn. I am a resident on Kalgoorlie St.

- The original survey some 2 years ago was not understood and the survey was about a new property being proposed at the top of Kalgoorlie St. The survey was done on a Sunday afternoon over people's front fence with no details other than what I mentioned.
- The original survey had 47% support 16 out of 34 residents (on little detail of what they actually signed)
- After another consultation session not one resident in Kalgoorlie St support it out of the 8 responses
- Administration then say that 3 changed their support which is now only 38% being 13 out of 34 residences. This is now below the threshold of 40%, however administration still include the original (2 years old) data in the outcome
- I thought councillors are supposed to represent the residents of the area and it is clear the residents on Kalgoorlie St do not want this character retention
- At the briefing session at ANZAC house not one person in Mount Hawthorn showed support for the policy (a resident from North Perth supported but not sure how you can take that into consideration when it doesn't impact them)
- Kalgoorlie St should be removed from the policy
- Unfortunately I cannot attend the two upcoming council sessions on this matter

Lisa Coyle of Mt Lawley – Item 12.6

Thank you for the opportunity to address the Council in response to our local park at 10 Monmouth Street. We appear to have a reprieve but understand that your 'solution' also paves the way for the potential sale of our precious green space further down the track. This is a sleight of hand that is not appreciated by electors. Instead, we strongly urge the council to commit to this designated 'valued local public open space' and provide a park that we can use fully, not the bare minimum as proposed.

While I thank councillors for your prompt and courteous responses to my concerns in the past, we remain unhappy with the poor handling of the issue by your 'backbench'. The administration failed us in every way.

This includes using biased wording, major omissions of key facts and general inaccuracies in communications to residents (and council). Email responses to me personally were dismissive, curt and at times nonsensical. They deserve to be censured – or at least to have better training.

A second disappointment was the disregard shown to our submissions to save the park. It is my understanding that each of our detailed, well-researched and data-supported submissions to council, which took weeks to prepare, were 'summarised' to a few sentences. Then we discovered that councillors received

only the emailed survey responses due to 'privacy' reasons. This shocking disregard of our views and opinions has left me shaking my head in disbelief – and certainly diminished my trust in the democratic process.

Thirdly, the physical structure of the proposed 'future' park is barely adequate. Gravel that presents a hazard to children and people with limited mobility renders half the park unusable. Excessive planting (albeit of native shrubs) that further diminishes the dog exercise area and resident communal activity area. A single bench.

The obvious omission is the option of developing the park to its full potential – advanced shade trees, ample seating and a drinking fountain for people and dogs. This is what residents have asked for, and what we deserve — as well, of course, as long-term security. Any lurking plan to sell the park at some time in the future would be a gross violation of our trust.

As mentioned many times, the park is in a small self-contained area of the city surrounded by major roads, too hazardous for families and pets to cross easily to reach more distant parks. We stress, NO ALTERNATIVE SITE would meet the legitimate needs and desires of residents in this residential pocket.

Name Withheld of Mt Hawthorn – Item 9.7

This email is in regards to Appendix 5 of the draft policy for the Proposed Mount Hawthorn Character Retention Area. In its current form we are opposed and withdraw any support given the current included Statement of Character, Development Objectives and subsequent clauses incorporated in Appendix 5.

We, in principle are fully supportive of the retention and encouragement thereof to retain original structures from the initial development of the suburb in terms of the housing itself and the style/method in which it was constructed from a street perspective. Contextually however, the complete disregard within Appendix 5 for the existing requirements of modern lifestyles and considerations including previously approved development of properties on our own street, specifically the west side is hypocritical and detrimental to residents with a desire to enhance the liveability and quality of life on their own properties.

The Statement of Character summarisation includes relevant and pertinent points in terms of the interwar period of construction in which many of these dwellings were originally built. This is in reference to a built environment however and there are many factors which are in a constant state of flux influencing the requirements and best practice of the built environment in terms of at what point of history we live in.

A lack of resources, understanding by way of education, time and money dictates just as much as tastes and trends of the time. The front garden characteristics listed were as much dependent on what was available and usage practises of the time as were the tastes and style of the period.

There was scant consideration of the original native flora or fauna and the requirements of our unique environment and ecological systems. It had all been cleared. This is now understood to be a mistake in terms of the environmental impact and subsequently the verge policy of revegetating has been developed and hopefully will continue to be developed. Personally, myself and my wife will be removing the verge grass/weeds at some point to do the same. There are already a number of native plants in our front yard and they will continue to be added to. Compromise, as always, is a consideration and off street parking on our front verge for one vehicle is a major consideration in addition to the revegetation. Our desire long term is to have a front verge and garden with low permeable fence in between that link to assist supporting the local ecology . It will also assist us by way of the cooling effect with transpiration and shading and lack of water requirements. Open, low gardens often dry out and assist little by way of shade or encourage fauna. The garden will influence the liveability of a house to a degree. Ours will look nothing like the generalisation of prevailing character of a front garden in the Statement of Character and while I read that as being completely open to interpretation and variation I see little point in its inclusion. If someone would like to implement the growing of a garden such as mentioned specifically it certainly could be used as a guide, I trust this is the only intention.

Within the Development Objectives:

I am concerned that there has not been broad enough scope applied to the intent and impact of the subsequent clauses following from the stated objectives and the conflict which arises in the decision making. This is primarily in the case of the sightlines from the street. Our entire north facing and some of the south aspect can be viewed from the street and has a range of issues relating primarily to the functionality and performance of the original building materials within our climate. We are happy to incorporate materials with

alterations we intend to make which relate to the original construction but if the aesthetics based on character are the primary driver this will severely limit the options. This area I know can be open and quite grey. How far back are sightlines going to impact the continuation and refinement in the usage and maintenance of our house which has undergone changes throughout its 85 year lifespan to date with various owners? I believe sightlines in terms of visual coherence overall from street perspective regarding the houses along it should be restricted to the frontage viewed perpendicular to the house from the street only. Many properties have very narrow corridors down one side which could be utilised in a more productive manner if within the resources of the owners by way of reinterpretation and development. In conjunction with the use of modern building methods and materials, which do not detract from the landscape, as a whole, but enhance it and maximise the usage of space under-utilised and neglected. Often there is nothing there, especially in untouched original examples of houses in many of the older suburbs including Mount Hawthorn, many traditionally were gated off at each end with neglected sand, weeds, and some paving.

This does not benefit anyone or anything. I understand the myriad of requirements that impact on a small space such as this on a boundary line, I am concerned of a layer of regulations due to the possibility of someone passing by being able to see down the side of another person's property. It is privately owned space and yes encouraging a high standard of architecture and sustainable design solutions for new development and additions to existing development benefits everyone but not if overridden by a possible sightline from a particular angle primarily driven by the addition work not being in character with the rest of the house from 80-90 years prior. This space was never considered originally except for utility and services positioning. Vertical and horizontal gardens, water storage, passive shading, overlaying the brick with lightweight more thermally efficient material are completely realistic and possible alterations with multiple benefits in this type of space and none of it would have been a consideration when the houses were first constructed. I realise that this could possibly fall under the protection and enhancement of the original streetscape character by way of the term enhancement but if these spaces are considered then they will change substantially in appearance. Is there potential conflict here which is not necessary? Retention of visual character of the early twentieth century interwar styles of architecture should be restricted primarily to the front facade/entrance.

Development to the rear of a dwelling where not visible from the street may be contemporary in style, respecting the scale and bulk of the prevailing character.

Again, from which point of observation is this determined by way of visibility? This is a moderately to wholly unworkable scenario for many of the properties on the street if it is based on anything you can see down the side of the houses by way of renovation/addition work. Any new addition at the rear of the property is going to have a different aesthetic irrespective if it is a slavish copy of the original style which in itself holds little merit. The manner and style of construction will be different simply due to materials and the more comprehensive guidelines for the built form and its relationship to the environment and the ability to implement these contributing factors, not to mention how people live in current times. Our relationship with the outdoor and indoor spaces is very fluid now and the connections between spaces inside and outside the house have shifted dramatically to be intimately intertwined. The demarcation between the character retention and development I believe needs to more rigorously defined by way of definition.

Protection and enhancement of the original street scape character.

Maintain the absence of and promote the removal of visually intrusive car parking structures.

- O 4.1 Carports and garages should be located so as to maintain the absence of car parking facilities within the streetscape
- O 4.2 Car parking facilities located within the front setback areas should ensure that the predominant character elements of the dwelling are visible and unobstructed.
- C 4.3 Carports may be considered in front setback areas but only where no alternative location exists and a minimum setback of 1.5m from the primary street is maintained. Such carports shall not be fitted with any style of roller or tilt up panel door.
- C 4.7 Carports located within front setback areas shall have a maximum width of 5.5metres (internal) or one-third the frontage of the lot, whichever is the lesser.

We would like to park our two vehicles off the street and under shelter from the elements in an open carport at some point. The current position of our crossover and driveway dictate the location as does the front entrance of the house. The drive runs along the South side fence boundary to the rear of the property.

This would assist in the Protection and enhancement of the original streetscape character by removing parking congestion from the road/verge and also helping to comply with O 4.1. In order to facilitate this a 5.5m wide structure from the South side boundary needs to be constructed for side by side parking. Parking end to end would result in a structure in excess of eleven metres long with no facility for the parked in vehicles driver to exit as the car would be between the house and the fence.

C4.7 also states that the carport needs to be of a width which is the lesser between 5.5m and one- third the frontage of the lot. As with the majority of our neighbours the front boundary is around twelve metres wide. A 4m wide carport is completely unworkable for two vehicles. A 4m wide carport would spatially bear poor relationship to the primary building, the house. Structure for it would be positioned too close to the front entrance steps for practical purposes and not be visually or physically integrated.

C4.3 a minimum setback of 1.5m from the primary street is maintained. The distance from our front boundary to the frontage of the house is 6.12m approx. Remove the setback and a 4.62m length structure is left. My vehicle is 5.2m long and when the rear door is open closer to 6.8m. This is not unusual for vans or 4wds. I use my vehicle for work as I am self-employed which dictates the size and requirements and need it to be able to fit the carport we would like to construct out the front of our property. The carport needs to be secured with an open gate/door. There is little point having a portion of the vehicle sticking out the other end or not having the room to manoeuvre the vehicles to park effectively side by side.

There are already a dozen open carports structures on our side of the street with the vast majority over the one-third width frontage rule and nearly all not compliant with a 1.5m setback. The majority are between 300-600mm. This is a precedence already set through council driven guidelines and manifested in the street. Practical, current lifestyles and usage have driven this requirement and all the current examples have complimentary colours, materials and details which are in keeping with the respective properties.

I am majorly concerned with the requirements of freestanding carports in terms of suitability of size being consistent with use for modern cars. This could potentially impact people with infirmity or disability as well. They need to be sheltered and have space to move for safety considerations and possible modifications to vehicles for their own use.

I have had to rush through some of the points made here and if I have misinterpreted elements of the policy would be happy to be guided on this.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

These questions were received at the 16 February 2021 Ordinary Council Meeting.

Dudley Maier of Highgate

1. Who was given the contract to demolish the Alfred Spencer Pavilion in Beatty Park Reserve and how much were they paid? Did the demolition contract contain any clause that required them to recover as much of the resources as they could, such as timber and bricks, or were they simply allowed to take everything to landfill?

The demolition was carried out by Devco and materials were recovered as part of the process. The total cost was \$32,538, including asbestos removal. All bricks, concrete, masonry metals and wood were recovered for recycling.

2. Expenditure reports up until 31 December 2020 show that 13 of the 16 COVID Arts projects have been paid in full including one that was paid twice the agreed amount; 2 have received no payments; and one has received half payment. Given that on page 513 of the agenda it says that only 4 of 16 projects have been completed, is it the acceptable practice to pay for projects before the project was complete? Is this treatment extended to any other suppliers? Who approved the payments?

The Artist Agreements for the 16 Arts Relief projects all state that artists must provide an invoice for the full grant amount within 30 days of the Agreement being executed.

This was to ensure the artists had cash flow to undertake the work.

3. Can you confirm that work 'Big Blue Head' was allocated an amount of \$655 yet the payment made to the 'artist' on 22 October 2020 was for \$755.58? Why the difference?

This payment consisted of \$655 for the Arts Relief Grant and \$120.58 for Fitness Instructor fees for 28.9.20 and 30.9.20

4. Can you confirm that the “looking for eye contact” project was allocated \$5,000 but the artist received two payments of \$5,000 on 26 November 2020? Why the double payment?

These payments related to two projects, each paid \$5,000 each. ‘Looking for eye contact’ and ‘Mighty Raw – Social Commentary Box’. Grant acquittal terms are defined in the grant contract and are strictly adhered to.

5. Can you confirm that in 2019/20 street Christmas parties were funded under ‘Community Support Grants’ and that two grants were made for \$283 and \$132?

Refer to the answer at Q7.

6. Can you confirm that in 2020/21 street Christmas parties were funded under ‘Festival and Events’ and received grants of \$84, \$84, \$944, \$2,776 and \$2,582? Why the change of grant category?

Street parties are funded under Community Support Grants; the funding category has not changed. We note the grants register has an incorrect category and this has been corrected.

7. What exactly were the grants for \$2,776 and \$2,582 for, and were they assessed by the Arts Advisory Group as required by the policy? Who approved these two grants?

These grants were for local Street parties in line with the Street Activation Policy. As stated above, it has been noted that the funding was placed in the wrong category on the grants register. This has since been updated. Given these grants were funded under the Community Support Grants, they were not required to be assessed by the Arts Advisory Group.

8. Can you confirm that the process followed for naming the Leedy Laneway is not consistent with the city’s policies, guidelines and procedures? Given that the organisers have been working with the administration why has the ‘Vincent Identity’ category been dropped from the list of acceptable names, and why will Aboriginal words only be accepted from members of the Noongar community? Will the name suggested by the organiser be submitted to community feedback as required by the policy and guidelines? Who in the administration approved this process?

The process followed for naming the Leedy Laneway is consistent with the City’s policies, guidelines and procedures.

The organiser will be required to submit names to the City through the road name request form, as per the City’s road naming procedure. The City will then ensure suitability of the names submitted, including sufficient supporting documentation, prior to beginning community consultation. Community members will have the opportunity to comment on each name, and to submit suitable alternatives in line with the City’s procedure. These submissions will not be subject to the competition guidelines, but rather to the City’s. As such, a submission under Vincent Identity would be acceptable. Aboriginal words will still require consent of Traditional Owners as per the City’s road naming procedure.

9. Can you confirm that the “Guide to the Preparation of Agendas and Minutes”, issued by the department of Local Government, Sports and Cultural Industries states that the minimum standard for reports to councils and committees should include the author’s name and position, and the reports should be authorised by a senior officer? Why does the city continue to ignore these minimum standards?

Yes the DLGSC guideline does provide that the person “responsible” for reports / recommendations to Council should be included in the report.

The CEO is responsible for all the City’s reports and recommendations. Council Agendas list items under the relevant Directorate and the responsible Executive Director attends all Council Meetings to respond to questions raised by Elected Members or members of the public.

Council reports represent the City’s view as a whole and not that of any individual officer.

There is a risk that a disgruntled applicant or member of the public who does not agree with a recommendation to Council could unfairly target a junior officer identified as being involved in preparing only some part of a Council report.

All questions and comments about Council agendas should be directed to the CEO as the authorising officer and/or the responsible Executive Director.

10. The Reports to be Actioned in the Information Bulletin states that support for the Uluru Statement, which was approved on 15 December 2020, will not be completed until 15 February 2021. Why has it taken the administration 2 months to write a simple letter?

The responsible staff members were on leave and Council was in recess in January.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Hallett

That Mayor Cole's request for leave of absence from Thursday 8 April to Friday 16 April 2021 inclusive be approved.

CARRIED UNANIMOUSLY (9-0)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

RECEIVES the petition from Barbara Joan Martin of Clarkson, along with 387 signatures, requesting that the City rescind the decision that the Special Needs Dental Clinic at 31 Sydney Street, North Perth must be vacated by 30th June 2021 and instead extend the lease until 2025, to mirror that of our adjoining neighbours at Kidz Galore.

PETITION

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Castle

That the petition be received and a report be prepared for the 27 April 2021 Ordinary Council Meeting.

CARRIED UNANIMOUSLY (9-0)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Wallace, Seconded: Cr Fotakis

That the minutes of the Ordinary Meeting held on 16 February 2021 be confirmed, with the changes shown in red.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 ASSET SUSTAINABILITY MANAGEMENT STRATEGY

The City is releasing the Asset Sustainability Management Strategy tomorrow for community consultation and is keen to engage with residents on the management of major facilities such as Beatty Park, Leederville Oval and Litis Stadium and what the priorities are in terms of buildings and facilities. The City will hold pop up sessions to meet with residents face to face and there will be an online survey, please participate.

8 DECLARATIONS OF INTEREST

- 8.1 Mayor Emma Cole declared an impartiality and possible financial interest in Item 9.7 Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention and Heritage Areas. Relating to Guidelines for The Boulevarde, Kalgoorlie Street, Matlock Street and Buxton Street. The extent of her interest is that she has family members living at a residence on The Boulevarde. She sought advice from WA Local Government Association to clarify the potential extent of her interest, and a financial interest between us may be possible or perceived. She is not seeking approval to participate in the debate or to vote in the matter.
- 8.2 Mayor Emma Cole declared an Impartiality Interest in Item 9.1 No. 38 (Lot: 18; D/P: 2001) Summers Street, East Perth - Proposed Office. The extent of her interest is that there may be a perception that her husband is associated with the WA Prison Officer's Union, however he has not worked for the WA Prison Union there for more than three years.
- 8.3 Cr Dan Loden declared an impartiality interest in Item 9.2 No. 48 (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn - Proposed Single House and Item 9.3 No. 48A (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn - Proposed Single House. The extent of his interest is that he has a personal association with affected residents through his involvement in the Fathering Project.
- 8.4 Cr Sally Smith declared an impartiality interest in Item 12.9 Report and Minutes of the Audit Committee Meeting held on 2 March 2021. The extent of her interest is that her husband is a member of the Audit Committee.
- 8.5 Cr Joshua Topelberg declared a financial interest in the commercial waste portion of Item 12.8 Minutes and motions from the Annual General Meeting of Electors held on 9 February 2021. The extent of his interest is that he operates a business in the City that is directly impacted by the proposed changes to Commercial waste collections. He is seeking approval to participate in the debate in respect to Motion 2 (commercial waste) and is not seeking to vote.
- 8.6 Cr Jonathan Hallett declared an impartiality interest in Item 9.1 No. 38 (Lot: 18; D/P: 2001) Summers Street, East Perth - Proposed Office. The extent of his interest is that he is on the UnionsWA Executive in an unpaid role and WAPOU is a member union.
- 8.7 Cr Alex Castle declared an impartiality interest in Item 9.7 Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention and Heritage Areas. Relating to Guidelines for The Boulevarde, Kalgoorlie Street, Matlock Street and Buxton Street. The extent of her interest is that she is friends or acquaintances with several of the residents in the affected areas.

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 9.1, 9.2, 9.3, 9.7, 12.6, 12.7, 12.9
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 9.6, 11.6, 12.1, 12.4.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.7 and 12.8.

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 Gontaszewski	10.3
Cr Hallett	9.6
Cr Loden	10.1
Cr Topelberg	10.2, 12.4

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

- (e) **Unopposed items which will be moved “En Bloc”, being:**
Items 9.4, 9.5, 9.8, 11.1, 11.2, 11.3, 11.4, 11.5, 12.2 and 12.10
- (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 Loden

**That the following unopposed items be adopted “En Bloc”, as recommended:
Items 9.4, 9.5, 9.8, 11.1, 11.2, 11.3, 11.4, 11.5, 12.2 and 12.10**

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

9.4 NO. 104 (LOT: 79; D/P: 555) ETON STREET, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (CARPORT)**Ward:** North

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Applicant's Supporting Documentation 
 4. Administration's Streetscape Analysis 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **REFUSES** the application for proposed Alterations and Additions to Single House (Carport) at No. 104 (Lot: 79; D/P: 555) Eton Street, North Perth, as shown in the plans in Attachment 2, for the following reasons:

1. The proposed street and lot boundary setbacks of the carport do not satisfy the Local Housing Objectives of Clause 5.2 and 5.4 of the City's Policy No. 7.1.1 – Built Form and the Design Principles of Clauses 5.1.2, 5.1.3 (P3.2) and 5.2.1 of State Planning Policy 7.3: Residential Design Codes – Volume 1. The bulk, scale and setback of the carport would not be consistent with the established streetscape, would detract from the character of the streetscape and the appearance of the dwelling, and would not preserve or enhance the visual character of the existing streetscape;
2. The proposed carport does not satisfy the Design Principles of Clause 5.3.4 and 5.3.5 of State Planning Policy 7.3: Residential Design Codes – Volume 1 relating to the design of car parking spaces and vehicle access. The carport and driveway do not comply with the Australian Standards (AS2890.1) and would result in an insufficient vehicle manoeuvring area which is not capable of being conveniently accessed by current and/or future occupants of the dwelling. It would result in a driveway and crossover with insufficient separation from the street corner which would compromise safety for vehicle access and movement; and
3. As a consequence of the street and lot boundary setbacks of the carport, the proposal:
 - 3.1 Would not be compatible with its setting (Clause 67(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 3.2 Would detract from the amenity and character of the locality (Clause 67(n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - 3.3 Would not enhance the amenity and character of the existing neighbourhood and is not compatible with the established area (objective of the Residential zone under Clause 16 of the Local Planning Scheme No. 2).

COUNCIL DECISION ITEM 9.4**Moved:** Cr Fotakis, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.5 COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANTS APPLICATION – FORREST PARK CROQUET CLUB

Attachments: 1. 2021 CSRFF Small Grants Application Form Forrest Park Croquet Club 

RECOMMENDATION:

That Council:

1. **NOTES** the Community Sporting and Recreation Facilities Fund Small Grant submission received from Forrest Park Croquet Club and **ENDORSES** Administration's assessment of the submission;
2. **SUPPORTS IN PRINCIPLE** the Forrest Park Croquet Club's Community Sporting and Recreation Facilities Fund Small Grant application included as Attachment 1 subject to:
 - 2.1 The application being successful in obtaining funding from the Department of Local Government, Sport and Cultural Industries; and
 - 2.2 Including \$16,438.07 ex GST in the City's budget for the 2021/2022 financial year to fund one third of the project; and
3. **NOTES** that following Council support, Administration will forward the submission to the Department of Local Government, Sport and Cultural Industries for consideration.

COUNCIL DECISION ITEM 9.5

Moved: Cr Fotakis, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.8 CITY OF VINCENT REBOUND PLAN - QUARTERLY UPDATE

- Attachments:
1. Vincent Rebound Plan - Implementation Framework 
 2. Rebound Roundtable Forward Agenda 

RECOMMENDATION:

That Council **NOTES** the quarterly update on the City of Vincent Rebound Plan implementation included as Attachment 1, and the monthly reporting to the Rebound Roundtable.

COUNCIL DECISION ITEM 9.8

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.1 MANAGEMENT AGREEMENT - LEEDERVILLE TOY LIBRARY - PORTION OF THE LOFTUS COMMUNITY CENTRE, 99 LOFTUS STREET, LEEDERVILLE.

Attachments: 1. Community Centre Floor Plan 

RECOMMENDATION:

That Council:

1. **APPROVES** a Management Agreement for the use of a portion of the Loftus Community Centre, 99 Loftus Street, Leederville to the Leederville Toy Library (LTL) on the following key terms, which align with the terms for a Category One (1) tenant under the City's Property Management Framework:
 - 1.1 **Term:** five years;
 - 1.2 **Option term:** 2 x five-year options at City's sole discretion;
 - 1.3 **Lease fee:** \$104 (excluding GST), which includes a 50% community benefit rebate, indexed at CPI (if option exercised);
 - 1.4 **Outgoings:** payable by the City;
 - 1.5 **Public liability:** LTL to effect and maintain current public liability insurance of not less than \$20,000,000 (per claim);
 - 1.6 **Building insurance:** payable by the City, with excess on any claim payable by LTL;
 - 1.7 **Maintenance/repairs:**
 - a) the City will be responsible for maintenance of roofing, mechanical services and the main structure (unless damage caused by tenant) as well as capital renewal of existing assets and re-painting of premises as required; and
 - b) LTL to maintain the property in good repair, as detailed in the property condition report. LTL is also responsible for general minor maintenance such as replacement of fittings (e.g. globes) and for cleaning;
 - 1.8 **Capital upgrades:** capital upgrade and capital expansion of all assets within the leased area at the City's discretion;
 - 1.9 **Inspections:** the City will inspect the premises annually (or as required);
 - 1.10 **Pest Control:** payable by the City;
 - 1.11 **Bins:** payable by the City;
 - 1.12 **ESL:** payable by LTL; and
 - 1.13 **Statutory Compliance:** payable by the City; and
 - 1.14 **Termination:** by mutual agreement in writing; and
2. **Subject to final satisfactory negotiations being carried out between Leederville Toy Library and the Chief Executive Officer, AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the management agreement in recommendation 1. above.

COUNCIL DECISION ITEM 11.1

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.2 ADOPTION OF COMMUNITY FUNDING POLICY - STUDENT CITIZENSHIP AWARDS

- Attachments:
1. Community Funding Policy - Updated Version 
 2. Community Funding Policy - New Version 
 3. City of Vincent Student Citizenship Award Policy 4.1.2 

RECOMMENDATION:

That Council:

1. NOTES that no submissions were received during the advertising of the draft Community Funding Policy comment period;
2. ADOPTS the Community Funding Policy at Attachment 2; and
3. REPEALS the City's Policy 4.1.2 - City of Vincent Student Citizenship Award, at Attachment 3.

COUNCIL DECISION ITEM 11.2

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

11.3 INVESTMENT REPORT AS AT 31 JANUARY 2021

Attachments: 1. Investment Statistics as at 31 January 2021 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 January 2021 as detailed in Attachment 1.




COUNCIL DECISION ITEM 11.3

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.4 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JANUARY 2021 TO 31 JANUARY 2021

- Attachments:
1. Payments by EFT and Payroll January 2021 
 2. Payments by Cheque January 2021 
 3. Payments by Direct Debit January 2021 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2021 to 31 January 2021 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$3,508,420.87
Cheques	\$274.35
Direct debits, including credit cards	\$276,783.35
Total payments for January 2021	\$3,785,478.57

COUNCIL DECISION ITEM 11.4

Moved: Cr Fotakis, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

11.5 FINANCIAL STATEMENTS AS AT 31 JANUARY 2021

Attachments: 1. Financial Statements as at 31 January 2021 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 January 2021 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.5

Moved: Cr Fotakis, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.2 AMENDMENT OF FRAUD AND CORRUPTION PREVENTION POLICY

- Attachments:
1. Fraud and Corruption Prevention Policy - draft 
 2. Fraud and Corruption Prevention Policy - current 

RECOMMENDATION:

That Council:

1. **APPROVES** the new Fraud and Corruption Prevention Policy, at Attachment 1, for the purpose of public notice, which is proposed to replace Policy 4.1.17 – Fraud and Corruption Prevention Policy, at Attachment 2;
2. **AUTHORISES** the Chief Executive Officer to provide local public notice of the proposed new policy and invite public comments for a period of at least 21 days; and
3. **NOTES** that at the conclusion of the public notice period any submissions received would be presented to Council for consideration.

COUNCIL DECISION ITEM 12.2

Moved: Cr Fotakis, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.10 INFORMATION BULLETIN

- Attachments:
1. Minutes of the Tamala Park Regional Council Meeting held on 18 February 2021 
 2. Statistics for Development Services Applications as at January and February 2021 
 3. Quarterly Street Tree Removal Information 
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of Legal Action - Orders and Notices Quarterly - Confidential
 6. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 3 March 2021 
 7. Register of Applications Referred to the MetroWest Development Assessment Panel - Current 
 8. Register of Applications Referred to the Design Review Panel - Current 
 9. Register of Petitions - Progress Report - February 2021 
 10. Register of Notices of Motion - Progress Report - February 2021 
 11. Register of Reports to be Actioned - Progress Report - February 2021 
 12. Minutes Reconciliation Action Plan Working Group (RAPWG) 15 February 2021 
 13. Minutes of the Arts Advisory Group held on 24 February 2021 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2021.

COUNCIL DECISION ITEM 12.10

Moved: Cr Fotakis, Seconded: Cr Loden









That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.5 ADOPTION OF ELECTION SIGNS POLICY – WITHDRAWN BY ADMINISTRATION

This item was withdrawn by Administration.

ITEMS WITH DISCUSSION**9.2 NO. 48 (LOT: 202; D/P: 413236) EGINA STREET, MOUNT HAWTHORN - PROPOSED SINGLE HOUSE****Ward:** North

- Attachments:**
1. Consultation and Location Map 
 2. Lodged Development Plans 
 3. Development Plans 
 4. Environmentally Sustainable Design Report & Template 
 5. Urban Design Study 
 6. Administration Streetscape Analysis 
 7. Summary of Submissions - Administration's Response 
 8. 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 development application for Single House at No. 48 (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn in accordance with the plans in Attachment 3, subject to the following conditions, with the associated advice notes in Attachment 8:

1. Development Plans

This approval is for a Single House as shown on the approved plans dated 4 February 2021. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

3. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

4. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 of the Residential Design Codes (Visual Privacy) deemed to comply provisions, to the satisfaction of the City;

5. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval;

6. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 4 February 2021, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.5 metre of where:

- Walls, letterboxes or fences adjoin vehicular access points to the site; or
- A driveway meets a public street; or
- two streets intersect;

Unless otherwise approved by the City of Vincent;

9. Car Parking and Access

- 9.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;
- 9.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;
- 9.3 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided; and
- 9.4 Prior to the first occupation of the development, redundant or 'blind' crossovers to Egina Street shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense; and

10. Construction Management Plan

A Construction Management Plan shall be lodged with and approved by the City prior to issue of a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Notification to affected land owners;
- Construction times; and
- Measures to ensure the protection of the existing trees along the northern boundary of No. 46 Egina Street that are located adjacent to the proposed northern lot boundary wall.

The approved Construction Management Plan shall be complied with for the duration of the construction of the development.

COUNCIL DECISION ITEM 9.2

Moved: Cr Loden, Seconded: Cr Gontaszewski









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 Wallace and Cr Smith

Against: Nil

9.3 NO. 48A (LOT: 201; D/P: 413236) EGINA STREET, MOUNT HAWTHORN - PROPOSED SINGLE HOUSE**Ward: North**

- Attachments:**
1. Consultation and Location Map 
 2. Lodged Development Plans 
 3. Development Plans 
 4. Environmentally Sustainable Design Report and Template 
 5. Urban Design Study 
 6. Administration Streetscape Analysis 
 7. Summary of Submissions - Administration's Response 
 8. 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 development application for Single Dwelling at No. 48A (Lot: 201; D/P: 413236) Egina Street, Mount Hawthorn in accordance with the plans in Attachment 3, subject to the following conditions, with the associated advice notes in Attachment 8:

1. Development Plans

This approval is for a Single House as shown on the approved plans dated 4 February 2021. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

3. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

4. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 of the Residential Design Codes (Visual Privacy) deemed-to-comply provisions, to the satisfaction of the City;

5. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval;

6. Landscaping

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

6.2 A minimum of one Weeping Peppermint Tree of a 45 litre capacity shall be planted within the road verge adjacent to the subject site as shown in the approved plans at the expense of the owners/occupiers, prior to occupancy or use of the development and to

the City's satisfaction;

7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.5 metre of where:

- Walls, letterboxes or fences adjoin vehicular access points to the site; or
- A driveway meets a public street; or
- two streets intersect;

Unless otherwise approved by the City of Vincent;

9. Car Parking and Access

9.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;

9.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and

9.3 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided; and

10. Construction Management Plan

A Construction Management Plan shall be lodged with and approved by the City prior to issue of a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Notification to affected land owners; and
- Construction times.

The approved Construction Management Plan shall be complied with for the duration of the construction of the development.

COUNCIL DECISION ITEM 9.3

Moved: Cr Castle, 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 Wallace and Cr Smith

Against: Nil

At 7.13pm Mayor Cole left the Chamber. Cr Gontaszewski (Deputy Mayor) commenced as Presiding Member.

9.7 AMENDMENT NO. 4 TO LOCAL PLANNING POLICY NO. 7.5.15 - CHARACTER RETENTION AND HERITAGE AREAS. RELATING TO GUIDELINES FOR THE BOULEVARDE, KALGOORLIE STREET, MATLOCK STREET AND BUXTON STREET

- Attachments:**
1. Summary of Submissions 
 2. Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Tracked Changes from Advertised Version) 
 3. Table of Modifications 
 4. Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention Areas and Heritage Areas 
 5. Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention and Heritage Areas - Cr Loden Amendment 

RECOMMENDATION:

That Council **PROCEEDS** with Amendment No. 4 to Local Planning Policy No. 7.5.15 – Character Retention Areas and Heritage Areas with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at Attachment 4.

Moved: Cr Loden, **Seconded:** Cr Castle

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Loden, **Seconded:** Cr Castle

That the Recommendation be amended as follows:

That Council **PROCEEDS** with Amendment No. 4 to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at **Attachment 4 Attachment 5**.

REASON:

Due to the number of objections received during the formal advertising period, Kalgoorlie Street should be excluded from the Mount Hawthorn Character Retention Area.

AMENDMENT CARRIED (8-0)

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

Against: Nil

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

AMENDMENT 2

Moved: Cr Castle, **Seconded:** Cr Topelberg

That the recommendation be amended as follows:

That Council **PROCEEDS** with Amendment No. 4 to Local Planning Policy No. 7.5.15 – Character Retention Areas and Heritage Areas with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at Attachment 5,

subject to the removal of Matlock Street from the Mount Hawthorn Character Retention Area.

REASON:

Not much community engagement and no demonstrated support by the community in Matlock Street, so Matlock Street should also be removed from the Character Retention Area.

AMENDMENT LOST (2-6)

For: Cr Castle and Cr Topelberg

Against: Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Wallace and Cr Smith

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

COUNCIL DECISION ITEM 9.7

That Council PROCEEDS with Amendment No. 4 to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at Attachment 5.

CARRIED (7-1)

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

Against: Cr Topelberg

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

At 8.10pm Mayor Cole returned to the Chamber, and resumed as Presiding Member.

12.6 RESULTS OF COMMUNITY CONSULTATION - FUTURE USE OF 10 MONMOUTH STREET, MOUNT LAWLEY

- Attachments:
1. Results of community consultation - survey responses 
 2. Summary of community comments and Administration's responses 
 3. Map of Public Open Space within the Mount Lawley, Highgate and North Perth area 
 4. Map of potential Local Open Space within the Mount Lawley, Highgate and North Perth area 
 5. Sketch of proposed eco-zoning of 10 Monmouth Street, Mount Lawley 

RECOMMENDATION:

That Council:

1. NOTES that public notice of the options for the future use of 10 Monmouth Street, Mount Lawley was provided from 17 October 2020 to 27 November 2020 via on site signage, notices in the local papers, on the City's website, social media and a locally distributed brochure;
2. CONSIDERS the 69 submissions received in response to the public notice, as included at Attachment 1 and summarised at Attachment 2;
3. APPROVES 10 Monmouth Street, Mount Lawley continuing as public open space;
4. NOTES that eco-zoning of 10 Monmouth Street, Mount Lawley is scheduled for 2021/22 which could include a grass (turf area), a street tree on the verge and several trees at the rear, native shrubs and ground covers, gravel hardstand and a bench, as shown in the indicative concept plan at Attachment 5;
5. NOTES that 10 Monmouth Street, Mount Lawley is currently providing a valued Local Level Public Open Space to the local community, but it is not in the optimum location or of the appropriate configuration to maximise accessibility and use by the community in the longer term;
6. AUTHORISES the Chief Executive Officer to express an interest in potentially acquiring a new Local Level Public Open Space site in the vicinity of the area bounded by William, Walcott, Beaufort and Vincent Streets, Mount Lawley, preferably in a location south of Alma Road and close to the location shown in Attachment 4, and preferably a corner lot to maximise accessibility and use, SUBJECT TO a report being presented to Council prior to a formal offer to purchase the land being made; and
7. NOTES that any future report to Council in relation to Recommendation 6. above would provide advice on whether any new Local Level Public Open Space site should be in addition to or replace 10 Monmouth Street, Mount Lawley in the longer term.

COUNCIL DECISION ITEM 12.6

Moved: Cr Gontaszewski Seconded: Cr Loden

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Topelberg, Seconded: Cr Hallett

That the recommendation be amended to delete Recommendations 6. and 7. as follows:

- ~~6. AUTHORISES the Chief Executive Officer to express an interest in potentially acquiring a new Local Level Public Open Space site in the vicinity of the area bounded by William, Walcott, Beaufort and Vincent Streets, Mount Lawley, preferably in a location south of Alma Road and close to the location shown in Attachment 4, and preferably a corner lot to maximise~~

~~accessibility and use, SUBJECT TO a report being presented to Council prior to a formal offer to purchase the land being made; and~~

- ~~7. NOTES that any future report to Council in relation to Recommendation 6. above would provide advice on whether any new Local Level Public Open Space site should be in addition to or replace 10 Monmouth Street, Mount Lawley in the longer term.~~

AMENDMENT CARRIED (7-2)

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

Against: Cr Gontaszewski and Cr Wallace

AMENDMENT 2

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

That Recommendation 4. be deleted and replaced as follows, and a new Recommendation 6. be added:

~~4. NOTES that eco-zoning of 10 Monmouth Street, Mount Lawley is scheduled for 2021/22 which could include a grass (turf area), a street tree on the verge and several trees at the rear, native shrubs and ground covers, gravel hardstand and a bench, as shown in the indicative concept plan at Attachment 5;~~

4. NOTES that there is a proposed allocation of funds in the 2021/22 budget to enhance the amenity of the open space at 10 Monmouth Street, Mt Lawley.

6. REQUESTS that the Chief Executive Officer consults with the local community on the enhancements to 10 Monmouth Street, Mount Lawley, and provides a report to Council to seek approval for any proposed works once a plan and community consultation has been finalised.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 12.6

1. NOTES that public notice of the options for the future use of 10 Monmouth Street, Mount Lawley was provided from 17 October 2020 to 27 November 2020 via on site signage, notices in the local papers, on the City's website, social media and a locally distributed brochure;
2. CONSIDERS the 69 submissions received in response to the public notice, as included at Attachment 1 and summarised at Attachment 2;
3. APPROVES 10 Monmouth Street, Mount Lawley continuing as public open space;
4. NOTES that there is a proposed allocation of funds in the 2021/22 budget to enhance the amenity of the open space at 10 Monmouth Street, Mt Lawley;
5. NOTES that 10 Monmouth Street, Mount Lawley is currently providing a valued Local Level Public Open Space to the local community, but it is not in the optimum location or of the appropriate configuration to maximise accessibility and use by the community in the longer term;

6. **REQUESTS** that the Chief Executive Officer consults with the local community on the enhancements to 10 Monmouth Street, Mount Lawley, and provides a report to Council to seek approval for any proposed works once a plan and community consultation has been finalised.











CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

9.1 NO. 38 (LOT: 18; D/P:2001) SUMMERS STREET, EAST PERTH - PROPOSED OFFICE

Ward: South

- Attachments:
1. Consultation and Location Map 
 2. Development Plans 
 3. 3D Perspective Image 
 4. Urban Design Study 
 5. Transport Impact Statement and Parking Management Plan 
 6. Acoustic Report 
 7. Sustainable Design Report 
 8. Waste Management Plan 
 9. 11 November 2020 Design Review Panel Minutes 
 10. 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 an Office at No. 38 (Lot: 18; D/P: 2001) Summers Street, East Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Plans

This approval is for an Office as shown on the approved plans dated 2 March 2021. No other development forms part of this approval;

2. Use of Premises

This approval is for an Office as defined in the City of Vincent Local Planning Scheme No. 2:

Office means premises used for administration, clerical, technical, professional or similar business activities.

3. Building Design

3.1 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited; and

3.2 All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;

4. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

5. Landscaping

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

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 14.1 percent deep soil area and 1.1 percent planting areas as defined by the City's Policy No. 7.1.1 – Built Form; and

- The provision of a minimum of 17 percent canopy coverage at maturity; and

5.2 Prior to the first occupation of the development, all works shown in the plans as identified in Condition 5.1 shall be undertaken in accordance with the approved plans and maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers;

6. Public Art

6.1 In accordance with City of Vincent Policy No. 7.5.13 – Percent for Art the application is required to make a public art contribution of \$15,000 being one percent of the \$1.5 million value of the development.

In order to comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration prior to the lodgement of a Building permit stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

Or

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15 percent discount on the Percent for Art contribution;

6.2 The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Policy No. 7.5.13 – Percent for Public Art:

(a) in conjunction with the above chosen option:

(1) Option 1:

prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

Or

(2) Option 2;:

prior to the issue of an Occupancy Permit pay the above cash-in-lieu contribution amount;

7. Car Parking, Access and Bicycle Facilities

7.1 Prior to the first occupation of the development, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner’s full expense;

7.2 Prior to the commencement of the approved use, nine car parking bays and related access ways as shown on the approved plans shall be constructed and thereafter maintained in accordance with Australian Standard AS2890.1. The allocation of car parking bays shall be in accordance with the approved Parking Management Plan;

7.3 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and

7.4 Prior to the commencement of the approved uses, bicycle facilities shall be designed and

installed on-site in accordance with AS2890.3 and installed in the following locations to the satisfaction of the City:

- One (1) short term bicycle facility provided on-site; and
- Four (4) long term bicycle facilities provided on-site;

8. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the issuing of a building permit (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours
- Noise control and vibration management
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the verge adjacent to the development site;

9. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

10. Signage

All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;

11. Acoustic Report

11.1 Prior to the issue of a Building Permit, a revised Acoustic Report shall be lodged with and approved by the City in accordance with the City's Policy 7.5.21 – Sound Attenuation. This revised Acoustic Report shall include, but is not limited to, addressing any change in materials for the external walls of the building; and

11.2 All of the recommended measures included in the approved Acoustic Report identified in Condition 11.1 shall be implemented prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

12. Waste Management

The approved Waste Management Plan prepared by Whitehaus Architects dated 11 December 2020 shall be implemented at all times to the satisfaction of the City;

13. Schedule of Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the

satisfaction of the City; and

14. Environmentally Sustainable Design

14.1 Prior to the issue of a Building Permit, a revised Sustainable Design Report shall be lodged with and approved by the City. This revised Sustainable Design Report shall include, but is not limited to, addressing any change in materials for the external walls of the building; and

14.2 All of the recommended measures included in the approved Sustainable Design Report identified in Condition 14.1 shall be implemented to achieve a 4 star Green Star rating, prior to the occupation or use of the development.

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be amended as follows:

That Condition 5.1 relating to landscaping have an additional condition added read as follows:

- **The provision of one additional street tree within the Summers Street verge adjoining the development site. The species of the new street tree shall be Tipuana tipu (Pride of Bolivia) and shall be a minimum of 200 litre capacity; and**

REASON:

To provide an additional street tree adjacent to the subject site and maximise landscaping provided in association with the development.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 9.1

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 an Office at No. 38 (Lot: 18; D/P: 2001) Summers Street, East Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Plans

This approval is for an Office as shown on the approved plans dated 2 March 2021. No other development forms part of this approval;

2. Use of Premises

This approval is for an Office as defined in the City of Vincent Local Planning Scheme No. 2:

Office means premises used for administration, clerical, technical, professional or similar business activities.

3. Building Design

- 3.1 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited; and
- 3.2 All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;

4. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

5. Landscaping

- 5.1 A detailed landscape and reticulation plan for the development site and adjoining road verge shall be lodged with and approved by the City prior to issue of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:
- The location and type of existing and proposed trees and plants;
 - Areas to be irrigated or reticulated;
 - The provision of a minimum of 14.1 percent deep soil area and 1.1 percent planting areas as defined by the City's Policy No. 7.1.1 – Built Form; and
 - The provision of a minimum of 17 percent canopy coverage at maturity; and
 - The provision of one additional street tree within the Summers Street verge adjoining the development site. The species of the new street tree shall be Tipuana tipu (Pride of Bolivia) and shall be a minimum of 200 litre capacity; and
- 5.2 Prior to the first occupation of the development, all works shown in the plans as identified in Condition 5.1 shall be undertaken in accordance with the approved plans and maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers;

6. Public Art

- 6.1 In accordance with City of Vincent Policy No. 7.5.13 – Percent for Art the application is required to make a public art contribution of \$15,000 being one percent of the \$1.5 million value of the development.

In order to comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration prior to the lodgement of a Building permit stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

Or

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15 percent discount on the Percent for Art contribution;

- 6.2 The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of

Vincent Policy No. 7.5.13 – Percent for Public Art:

(a) in conjunction with the above chosen option:

(1) Option 1:

prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

Or

(2) Option 2;:

prior to the issue of an Occupancy Permit pay the above cash-in-lieu contribution amount;

7. Car Parking, Access and Bicycle Facilities

- 7.1 Prior to the first occupation of the development, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner’s full expense;
- 7.2 Prior to the commencement of the approved use, nine car parking bays and related access ways as shown on the approved plans shall be constructed and thereafter maintained in accordance with Australian Standard AS2890.1. The allocation of car parking bays shall be in accordance with the approved Parking Management Plan;
- 7.3 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and
- 7.4 Prior to the commencement of the approved uses, bicycle facilities shall be designed and installed on-site in accordance with AS2890.3 and installed in the following locations to the satisfaction of the City:
- One (1) short term bicycle facility provided on-site; and
 - Four (4) long term bicycle facilities provided on-site;

8. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the issuing of a building permit (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours
- Noise control and vibration management
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;

- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the verge adjacent to the development site;

9. **Stormwater**

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

10. **Signage**

All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;

11. **Acoustic Report**

11.1 Prior to the issue of a Building Permit, a revised Acoustic Report shall be lodged with and approved by the City in accordance with the City's Policy 7.5.21 – Sound Attenuation. This revised Acoustic Report shall include, but is not limited to, addressing any change in materials for the external walls of the building; and

11.2 All of the recommended measures included in the approved Acoustic Report identified in Condition 11.1 shall be implemented prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

12. **Waste Management**

The approved Waste Management Plan prepared by Whitehaus Architects dated 11 December 2020 shall be implemented at all times to the satisfaction of the City;

13. **Schedule of Colours and Materials**

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City; and

14. **Environmentally Sustainable Design**

14.1 Prior to the issue of a Building Permit, a revised Sustainable Design Report shall be lodged with and approved by the City. This revised Sustainable Design Report shall include, but is not limited to, addressing any change in materials for the external walls of the building; and

14.2 All of the recommended measures included in the approved Sustainable Design Report identified in Condition 14.1 shall be implemented to achieve a 4 star Green Star rating, prior to the occupation or use of the development.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

12.9 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2020**Attachments:** 1. Compliance Audit Return 2020 **RECOMMENDATION:**

That Council:

1. NOTES that the City of Vincent's Compliance Audit Return for the period 1 January 2020 to 31 December 2020 was reviewed by the Audit Committee at its 2 March 2021 Meeting;
2. ADOPTS the Compliance Audit Return for the period 1 January 2020 to 31 December 2020, at Attachment 1, noting the two areas of non-compliance reported, ; and
3. AUTHORISES the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

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

That the recommendation be adopted.

COUNCIL DECISION ITEM 12.9**AMENDMENT****Moved:** Cr Topelberg, **Seconded:** Cr Fotakis

That the recommendation be amended as follows:

2. ADOPTS the Compliance Audit Return for the period 1 January 2020 to 31 December 2020, at Attachment 1, noting the two areas of non-compliance reported, and noting that the response to the questions in relation to:
 - Finance Category Question 1 - response to the City's compliance with section 7.1A of the *Local Government Act 1995* should be "yes" not "N/A";
 - Tenders for Providing Goods and Services Category – question 24 – response to the City's compliance with section 24A1 of the *Local Government (Functions and General) Regulations 1996* should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 21 – response to the City's compliance with section S24AH(1), of the *Local Government (Functions and General) Regulations 1996* should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 22 – response to the City's compliance with section 24AH(3), of the *Local Government (Functions and General) Regulations 1996* should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 13 – response to the City's compliance with section S23(1) & (2), of the *Local Government (Functions and General) Regulations 1996* should be "N/A" instead of "yes", and

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

COUNCIL DECISION ITEM 12.9

That Council:

1. **NOTES** that the City of Vincent's Compliance Audit Return for the period 1 January 2020 to 31 December 2020 was reviewed by the Audit Committee at its 2 March 2021 Meeting;
2. **ADOPTS** the Compliance Audit Return for the period 1 January 2020 to 31 December 2020, at Attachment 1, noting the two areas of non-compliance reported, and noting that the and noting that the response to the questions in relation to:
 - Finance Category Question 1 - response to the City's compliance with section 7.1A of the *Local Government Act 1995* should be "yes" not "N/A";
 - Tenders for Providing Goods and Services Category – question 24 – response to the City's compliance with section 24AI of the Local Government (Functions and General) Regulations 1996 should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 21 – response to the City's compliance with section S24AH(1), of the Local Government (Functions and General) Regulations 1996 should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 22 – response to the City's compliance with section 24AH(3), of the Local Government (Functions and General) Regulations 1996 should be "N/A" instead of "yes",
 - Tenders for Providing Goods and Services Category – question 13 – response to the City's compliance with section S23(1) & (2), of the Local Government (Functions and General) Regulations 1996 should be "N/A" instead of "yes", and
3. **AUTHORISES** the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

In accordance with clause 2.17 of the Meeting Procedures Local Law and section 5.68(1) of the Local Government Act 1995 Council may consider and determine Cr Topelberg's request to participate in the debate on this particular item, except for Motion 2, which related to his financial interest disclosure, providing it does so while Cr Topelberg is not in the Council Chamber.

At 8.37pm Cr Topelberg left the meeting.

Moved: Cr Castle Seconded: Cr Loden

That in accordance with section 5.68(1)(a) and (b)(i) and (ii)(l) of the Local Government Act 1995 Council ALLOWS Cr Topelberg to remain in the Council Chamber and participate in the debate, except for Motion 2 (Commercial Waste) only but not to vote on Item 9.4.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

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

At 8.38pm Cr Topelberg returned to the meeting.

At 8.45pm Cr Topelberg left the meeting.

12.7 MINUTES AND MOTIONS FROM THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 9 FEBRUARY 2021

Attachments: 1. Minutes of Annual General Meeting of Electors - corrections marked up 

RECOMMENDATION:

That Council:

- 1. RECEIVES the Minutes of the Annual General Meeting (AGM) of Electors held on Tuesday 9 February 2021, included at Attachment 1; and**
- 2. NOTES and ENDORSES the responses provided by Administration to the General Business motions carried at the Annual General Meeting of Electors held on Tuesday 9 February 2021 for the reasons outlined in the report.**

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Hallett, Seconded: Cr Gontaszewski

That Recommendations 3 and 4 be added as follows:

That Council:

- 3. ACKNOWLEDGES that whilst the City's current financial priority is dealing with renewal of major building assets, the City requires a contemporary position on underground power.**
- 4. REQUESTS the CEO:**
 - 4.1 Develop an affordable financial model to support the City's competitive participation in future SUPP funding rounds where there is community support;**

- 4.2 Consider the feasibility of a City funded underground power program, where State funding opportunities are limited or absent, noting impacts on the City's Long Term Financial Plan, rates revenue and borrowing capacity;
- 4.3 Consider the current technological landscape and understand the potential disruption caused by increasing battery use on the network;
- 4.4 Present a high level report to Council on the above by November 2021 Ordinary Meeting of Council to form the basis of engagement with the community on underground power in Vincent.

REASON:

The City of Vincent does not currently have a policy or contemporary position on underground power and this makes it very difficult to respond to community inquiries on this matter, or to gauge the level of community support for pursuing underground power in the City of Vincent broadly, on a precinct or neighbourhood level or not at all.

The report to Council states that "[t]he City remains engaged in the future of the SUPP and is open to participation in subsequent rounds. Participation in the future SUPP rounds would depend on the level of community support to pay for the cost to underground power."

This amendment seeks for the CEO to develop the necessary background information to enable the City to understand potential funding models and to engage with community members on pursuing underground power through SUPP funding or an alternative model.

AMENDMENT CARRIED (8-0)

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

Against: Nil

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

COUNCIL DECISION ITEM 12.9**That Council:**

1. RECEIVES the Minutes of the Annual General Meeting (AGM) of Electors held on Tuesday 9 February 2021, included at Attachment 1; and
2. NOTES and ENDORSES the responses provided by Administration to the General Business motions carried at the Annual General Meeting of Electors held on Tuesday 9 February 2021 for the reasons outlined in the report.
3. ACKNOWLEDGES that whilst the City's current financial priority is dealing with renewal of major building assets, the City requires a contemporary position on underground power.
4. REQUESTS the CEO:
 - 4.1 Develop an affordable financial model to support the City's competitive participation in future SUPP funding rounds where there is community support;
 - 4.2 Consider the feasibility of a City funded underground power program, where State funding opportunities are limited or absent, noting impacts on the City's Long Term Financial Plan, rates revenue and borrowing capacity;
 - 4.3 Consider the current technological landscape and understand the potential disruption caused by increasing battery use on the network;
 - 4.4 Present a high level report to Council on the above by November 2021 Ordinary Meeting

of Council to form the basis of engagement with the community on underground power in Vincent.

CARRIED UNANIMOUSLY (8-0)







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

Against: Nil

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

Cr Topelberg returned to the Chamber at 8.53pm.

9.6 AMENDMENT NO. 6 TO LOCAL PLANNING SCHEME NO. 2 AND AMENDMENT NO. 1 TO LOCAL PLANNING POLICY NO. 7.4.5 - TEMPORARY ACCOMMODATION

- Attachments:
1. Amendment No. 6 to Local Planning Scheme No. 2 
 2. Summary of Submissions 
 3. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (Tracked Changes from Advertised Version) 
 4. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (Modified from Advertised Version) 
 5. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (Alternative Policy Amendment) 
 6. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (2nd Alternative Policy Amendment) 

RECOMMENDATION:

That Council:

1. **ENDORSES** the Administration response to submissions, included at Attachment 3, received during advertising of Amendment No. 6 to Local Planning Scheme No. 2 and Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation;
2. **SUPPORTS** Standard Amendment No. 6 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 1;
3. **FORWARDS** Standard Amendment No. 6 to Local Planning Scheme No. 2 included as Attachment 1 and any required documentation to the Western Australian Planning Commission pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. **PROCEEDS** with Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation with modifications pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 4; and
5. **NOTES** that Administration will notify submitters of Council's decision but will not publish notices of adoption until after the Western Australian Planning Commission has determined Amendment No. 6 to Local Planning Scheme No. 2.

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

That the recommendation be adopted.

AMENDMENT

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

That Recommendation 4 be amended as follows:

4. **PROCEEDS with Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation with modifications pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 4 Attachment 6.**

REASON:

This modification reduces the potential for negative amenity impact to adjoining neighbours resulting from Short Term Accommodation uses by:

1. Ensuring a code of conduct and management plan is required for all exemptions;

2. Reinstating the requirement for a minimum 2-night stay; and
3. Reinstating the requirement for distance to outdoor living areas to be considered.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 9.6

That Council:

1. **ENDORSES** the Administration response to submissions, included at Attachment 3, received during advertising of Amendment No. 6 to Local Planning Scheme No. 2 and Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation;
2. **SUPPORTS** Standard Amendment No. 6 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 1;
3. **FORWARDS** Standard Amendment No. 6 to Local Planning Scheme No. 2 included as Attachment 1 and any required documentation to the Western Australian Planning Commission pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. **PROCEEDS** with Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation with modifications pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 6; and
5. **NOTES** that Administration will notify submitters of Council's decision but will not publish notices of adoption until after the Western Australian Planning Commission has determined Amendment No. 6 to Local Planning Scheme No. 2.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

10.2 WASTE STRATEGY PROJECT - 2 BULK HARD WASTE OPTIONS APPRAISAL

- Attachments:
1. Community Consultation Survey Results 
 2. WMRC Verge Valet Presentation 

RECOMMENDATION:

That Council:

1. NOTES the feedback from the Community Consultation; and
2. APPROVES:
 - 2.1 the adoption of an 18 month trial of an on-request collection service (uncontained with a limited volume) from January 2022; and
 - 2.2 one final scheduled collection in July 2021,
3. NOTES that the costs of the final collection and the trial will be included in the annual budget for 2021/22 and the Long Term Financial Plan.
4. NOTES that Administration will prepare a further report on the progress and the community feedback on the trial to be presented to Council in March 2023.

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

That the recommendation be adopted.

AMENDMENT 1

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

That the recommendation be amended as follows:

- 2.1 the adoption of an 18 month trial of **the Western Metropolitan Regional Council's Verge Valet service**, an on-request collection service (uncontained with a limited volume) from January 2022; and

REASON:

It is recommended in the body of the report.

AMENDMENT CARRIED (9-0)

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

Against: Nil

AMENDMENT 2

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

That a recommendations be added as follows:

- 2.2 waste shall not be permitted to be presented on the verge for more than three days;**

REASON:

To avoid the waste on the verge for too long a period.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 10.2

That Council:

1. **NOTES** the feedback from the Community Consultation; and
2. **APPROVES:**
 - 2.1 the adoption of an 18 month trial of the Western Metropolitan Regional Council's Verge Valet service (an on-request collection service uncontained with a limited volume) from January 2022; and
 - 2.2 waste would not be permitted to be presented on the verge for more than three days;
 - 2.3 one final scheduled collection in July 2021;
3. **NOTES** that the costs of the final collection and the trial will be included in the annual budget for 2021/22 and the Long Term Financial Plan.
4. **NOTES** that Administration will prepare a further report on the progress and the community feedback on the trial to be presented to Council in March 2023.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

10.3 E-PERMITS IMPLEMENTATION UPDATE**Attachments:** Nil**RECOMMENDATION:****That Council NOTES the progress in the implementation of the E-Permit system.****Moved: Cr Gontaszewski, Seconded: Cr Hallett****That the recommendation be adopted.****AMENDMENT****Moved: Cr Fotakis, Seconded: Cr Wallace****That a recommendation be added as follows:**








- 2. REQUESTS Administration provide a monthly report on the progress of the implementation system.**

AMENDMENT CARRIED (8-1)**For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Wallace and Cr Smith**Against:** Cr Topelberg**COUNCIL DECISION ITEM 10.3****RECOMMENDATION:****That Council:**

- 1. NOTES the progress in the implementation of the E-Permit system.**
- 2. REQUESTS Administration provide a monthly report on the progress of the Implementation system.**

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

11.6 MID YEAR BUDGET REVIEW

- Attachments:**
1. Statement of Comprehensive Income by Nature and Type 
 2. Statement of Comprehensive Income by Program 
 3. Rate Setting Statement 
 4. Cash backed reserves 
 5. Capital Budget excluding additional Capex 
 6. Additional Capital Expenditure 
 7. Operating Budget Analysis 

RECOMMENDATION:

That Council **BY ABSOLUTE MAJORITY APPROVES** the following amendments to the 2020/2021 Annual Budget:

- a) A net increase in the Operating Budget of \$1,065,454 as per Attachments 1 and 2;
- b) A net increase in Special Purpose Reserves totalling \$43,000 as per Attachments 3 and 4;
- c) A net increase in the Capital Expenditure Budget of \$174,406 as per Attachment 5;
- d) A net increase in the closing surplus of \$2,254,930, resulting in a forecast year end surplus at 30 June 2021 of \$1,687,205, as per Attachment 3;
- e) Further amendments to the 2020/2021 budget, totalling \$1,665,990, as detailed in Tables 6.1, 6.2, 6.3, 6.4 and 6.5 in Attachment 6 resulting in a net forecasted surplus of \$21,215.

COUNCIL DECISION ITEM 11.6

Moved: Cr Wallace, **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 Wallace and Cr Smith



Against: Nil

12.1 OUTCOME OF ADVERTISING AND ADOPTION OF NEW POLICY - ATTENDANCE AT EVENTS POLICY**Attachments:** 1. Attendance at Events Policy **RECOMMENDATION:****That Council:**

1. **NOTES** that at the conclusion of the local public notice period, no public submissions were received in relation to the Attendance at Events Policy; and
2. **ADOPTS BY ABSOLUTE MAJORITY** the Attendance at Events Policy as at Attachment 1.

COUNCIL DECISION ITEM 12.1**Moved:** Cr Topelberg, **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 Wallace and Cr Smith**Against:** Nil

12.3 REPEAL OF CITY OF VINCENT PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2020

- Attachments:
1. City of Vincent Parking and Parking Facilities Repeal Local Law 2020 advert 
 2. City of Vincent Parking and Parking Facilities Repeal Local Law 2020 

RECOMMENDATION:

That Council:

1. **NOTES** that public notice of the City of Vincent Parking and Parking Facilities Repeal Local Law 2020, as at Attachment 1, was provided for the period 16 January 2021 to 3 March 2021 and no submissions were received;
2. **APPROVES BY AN ABSOLUTE MAJORITY**, in accordance with section 3.12(4) of the *Local Government Act 1995*, making the City of Vincent Parking and Parking Facilities Repeal Local Law 2020, at Attachment 1, **SUBJECT TO** the Chief Executive Officer:
 - 2.1 publishing the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 in the *Government Gazette* in accordance with section 3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government;
 - 2.2 following Gazettal, providing local public notice that the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 has been published in the *Government Gazette*, in accordance with s3.12(6) of the *Local Government Act 1995*; and including the following details in the public notice:
 - a. stating the title of local law;
 - b. summarising the purpose and effect of the local law;
 - c. stating the day the local law comes into operation; and
 - d. advising that copies of the local law may be inspected and obtained from the City's office; and
 - 2.3 following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, providing a copy of the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 and duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

COUNCIL DECISION ITEM 12.3

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

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 Wallace and Cr Smith

Against: Nil

12.4 ADOPTION OF COUNCIL MEMBER, COMMITTEE MEMBER AND CANDIDATES CODE OF CONDUCT AND CEO STANDARDS AND APPROVAL OF AMENDMENTS TO THE COUNCIL ELECTION PERIOD POLICY

- Attachments:
1. CEO Standards 
 2. Code of Conduct (marked up) 
 3. Council Election Period Policy (marked up) 

RECOMMENDATION:

That Council:

1. **APPROVE BY ABSOLUTE MAJORITY**
 - 1.1 the adoption of the CEO Standards at Attachment 1; and
 - 1.2 the adoption of the Code of Conduct at Attachment 2;
2. **AUTHORISES** the Chief Executive Officer to publish a copy of the CEO Standards and Code of Conduct adopted in accordance with Recommendation 1. on the City's website;
3. **ACKNOWLEDGES** that the Chief Executive Officer will prepare and implement an Employee and Contractor Code of Conduct in accordance with the *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*;
4. **REPEALS** the City's Code of Conduct 2017;
5. **ADOPTS** the Council Election Period Policy, as at Attachment 3 (marked-up), which has been amended to remove the Voluntary Code of Conduct for Candidates, as candidate conduct is now covered by the Code of Conduct; and
6. **NOTES** that amendments to the Governance Framework are proposed to reflect content previously contained within the City's Code of Conduct 2017, and these will be presented to Council later this year.

COUNCIL DECISION ITEM 12.4

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

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 Wallace and Cr Smith

Against: Nil

12.8 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 2 MARCH 2021

- Attachments:
1. Audit Committee Meeting Minutes - 2 March 2021 
 2. Attachments to Audit Committee Minutes - 2 March 2021 

RECOMMENDATION:

That Council:

1. **RECEIVES** this report from the Audit Committee meeting of 2 March 2021 and the minutes of that meeting at Attachment 1;
2. **APPROVES** the recommendations of the Audit Committee as follows:
 - 2.1 **RECOMMENDS** that Council adopts the Local Government Statutory Compliance Audit Return for the period 1 January 2020 to 31 December 2020, noting the two areas of non-compliance and explanation for this non-compliance (refer to separate Item in Council Agenda).
 - 2.2 **RECEIVES** the report on the risks associated with three ageing sporting infrastructure assets being Leederville Oval Grandstand, Beatty Park Grandstand and Litis Stadium Grandstand; and **REQUESTS** a further report at the 4 May 2021 Audit Committee meeting detailing the associated non-structural risks relating to these three assets, including financial, reputational and strategic risks.
 - 2.3 **NOTES** the status of the City's Audit Log as at 23 February 2021 and the amendment to the proposed completion date for the following items:
 - (a) EA2020/10 (5) – register of operational ICT risks – delayed from January 2021 to February 2021 due to other ICT priorities;
 - (b) EA:2020/10 (7) Office of the Auditor General Information Systems Audit – Network Access Management delayed from January 2021 to March 2021 due to other ICT priorities;
 - (c) EA 2020/12 (13) - Preparation of internal audit program – delayed from 30 April 2021 to 4 May 2021 due to other priorities and to align with the next Audit Committee Meeting date.
 - 2.4 **NOTES** the review of the Western Australian Auditor General's (OAG) Report – Waste Management – Service Delivery and actions recommended as detailed in this report.

COUNCIL DECISION ITEM 12.8

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 Wallace and Cr Smith

Against: Nil

10.1 TENDER NO IE105/2020 DESIGN, SUPPLY AND INSTALL SOLAR PHOTOVOLTAIC SYSTEMS AT CITY OF VINCENT SITES

Attachments: 1. **Confidential Attachment 1 Evaluation Worksheet - RFT IE105-2020 - Solar Panel RFT - Confidential**

RECOMMENDATION:

That Council **ACCEPTS** the tender submitted by DNX Energy Pty Ltd for Tender No. IE105/2020 for the Design, Supply & Installation of Solar Photovoltaic Systems at various City of Vincent sites.

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

That the recommendation be adopted.

PROCEDURAL MOTION

Moved: Cr Loden, **Seconded:** Cr Castle

That the motion be adjourned to allow questions to be asked on the confidential attachment.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

PROCEDURAL MOTION

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

That the motion be now put.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

PROCEDURAL MOTION

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

Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the Meeting Procedures Local Law 2008, proceeds "behind closed doors" to discuss the confidential attachment to Item 10.1 Tender no IE105/2020 Design, Supply and Install Solar Photovoltaic Systems at City of Vincent Sites.

CARRIED UNANIMOUSLY (9-0)

At 9.33pm the livestreaming was stopped to discuss the confidential attachment to Item 10.1 Tender no IE105/2020 Design, Supply and Install Solar Photovoltaic Systems at City of Vincent Sites.

At 9.52pm the livestreaming recommenced.

COUNCIL DECISION 10.1

Moved: Cr Loden, Seconded: Cr Fotakis

That the motion be deferred.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

REASON:

To enable more detailed information to be provided in the attachment, specifically looking at size of each facility and what size of solar is proposed, what would the benefits be of a 10 v 20 year warranty, stipulate in the tender that they move the location of the solar arrays to meet heritage requirements to meet advice from consultation and include details of funding models for locations where City is not beneficiary of the solar saving.

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

96 URGENT BUSINESS

Nil

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

Nil

118 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.56pm 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
	Virginia Miltrup	Executive Director Community & Business Services (electronically)
	John Corbellini	Executive Director Strategy & Development
	Meluka Bancroft	Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer
Public:	No members of the public.	

These Minutes were confirmed at the 27 April 2021 meeting of Council as a true and accurate record of the Ordinary Meeting of the Council held on 23 March 2021.

Signed: Mayor Emma Cole

Dated