



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

18 May 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, 18 MAY 2021 AT 6.00PM**

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Joshua Topelberg Cr Ashley Wallace	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
IN ATTENDANCE:	David MacLennan Andrew Murphy John Corbellini Virginia Miltrup Jordan Koroveshi Jay Naidoo Tara Gloster Craig Wilson Marnie Herrington	Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Strategy & Development Executive Director Community & Business Services A/Executive Manager Corporate Strategy & Governance Manager Development & Design Manager Policy & Place Manager Engineering Land Management Officer
Public:	Approximately fourteen members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Sally Smith was an apology for this meeting.

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 John Viska of North Perth – Item 12.3

- Spoke against the proposal
- Stated that the park is a place to get away from commercial activities
- Mentioned that there are strong smells in the area proposed for the kiosk
- Advises that there is a zone of considerable significance
- Urges Council to reject the proposal

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

3.2 Jocelyn O'Donnell of Perth – Item 5

- Spoke against the decision to stop collecting commercial waste
- Representative for a new owner on Lord Street, in a complex of 16 strata commercial suites
- The site has only 3 red bins, no recycling bins or green waste bins, so the impost on the Council is low
- Mentioned that she has audited the bins and the amount of waste does not support commercial collections
- Commercial bins are bigger and attract misuse
- Stated that some of that waste could come from passing traffic or from HBF Arena visitors

The Presiding Member, Mayor Cole, thanked Ms O'Donnell for her comments.

3.3 Rodney O'Brien of West Perth – Item 12.3

- Spoke against the proposal
- Mentioned that he believes there is a document that states the park is not a trading zone

The Presiding Member, Mayor Cole, thanked Mr O'Brien for his comments.

3.4 Simon Chester of Mt Lawley – Item 12.3

- Spoke against the proposal
- Mentioned that no administrative costs, for preparing business cases, prepare tender documents, do appraisals and reviews, etc have been included, so the costs would be higher than suggested
- Suggested that maintenance will be expensive
- Urges Council to reject the proposal

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

3.5 Melissa Ledger of Mt Hawthorn – Item 9.1

- Spoke in opposition to the proposal
- Mentioned she is a public health professional working in cancer prevention
- Listed the products that would be on sale in the shop
- Mentioned various illnesses caused by smoking and is the leading cause of preventable death and disease in Australia
- Evidence suggests that e-cigarettes are a gateway for non smokers and a dual use product for current smokers
- Water pipe use can increase the risk of 16 types of cancer, including bystanders
- Stated that the proposal does not meet a key tenet of the Town Planning Scheme and is at odds with the Public Health Plan
- Urges Council to reject the application

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

3.6 Islam Bouyahia of Perth – Item 12.3

- Spoke against the proposal
- Owns and operates the food truck "What the Flip"
- Suggested it was not appropriate to allow a private commercial entity in a public place
- Mentioned using the kiosk as a library or for educational purposes
- Suggested that, if approved, the lessee should give part of their income to maintain the park

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

3.7 Dudley Maier of Highgate

- 1 Will the proposal to take out a \$7.5 million loan affect the ability of the City to borrow money for other potential future projects such as underground power – is there an externally applied cap on borrowings?
- 2 Can you confirm that, contrary to the City's Consultation Policy, the City has not advertised the annual budget for community review, before adoption, for the last three years at least?
- 3 Given that the city proposes to stop collecting commercial waste from 1 July, and given that FOGO won't start until late October, what will happen, in the period between 1 July and the introduction of FOGO, to the city's staff and machinery that currently collect commercial waste?
- 4 In March the administration has stated that it was in the process of visiting all businesses to provide guidance and information about the collection of commercial waste. When you say 'visit' does this mean face-to-face contact or simply dropping off a flyer or anonymously placing a sticker on the bins? How many businesses have been visited as of today, 18 May, just six weeks before collection will stop?
- 5 In March the administration said it was investigating a micro-business three bin system to be introduced with FOGO. What is the estimate of the number of businesses that could take advantage of such a system? When will they be informed of this alternative? What are they supposed to do in the period between 1 July and the introduction of FOGO?

I've spoken to over 80 businesses about this issue. People were angry and confused – most could not understand why the city could not just continue with the current system because their needs were very similar to residential properties.

I'm not going to go through all the issues they raised because they would be more eloquent and authentic. But if I needed to summarise the overall underlying issues they would be: the city does not understand the business community, especially the small businesses which probably account for 85% of businesses; and the consultation and communication has been appalling.

The lack of proper consultation can be explained by the fact that the Manager Waste and Recycling actually told one business, by email, that because the impact of the City's actions were anticipated to be minimal, further consultation prior to the council decision [to stop collecting waste] was not deemed necessary. Also, you've been communicating for seven months, and the first question most people asked me was 'why are they doing it', so I'd suggest that the communication has failed.

There are only six weeks to go, and you need to do something soon, unless you want to see bags of rubbish left on the footpath like the result of some European garbage strike. It might require a rescission motion and it might require a special council meeting, but you need to do something soon.

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

3.8 Vern Gardam of Mt Lawley – Item 3B

- Spoke about the response to his question taken on notice at the 27 April 2021 Ordinary Council meeting, included in the agenda
- Mentioned that only one appendix is referred to in the consultant's report, on page 16, paragraph 3.
- Stated that his question "(v) what, if any, feedback did Administration provide to the panel. And if feedback was provided, when was it provided?" was not answered.
- Stated he believes that feedback was provided to 14 December 2020 meeting by Administration on 16 February 2021 and went out without its only attachment
- Referred to the consultant's report which said problem/definition – (a) there is a trust by Elected Members in the community engagement activities undertaken by Administration, which impacts on decision making by the Council. Under What's Working Well it says "Elected Members were most

concerned with the following elements” and the third one was “the process being followed.” This report listed as a challenge “in house skills and training around neutral survey design.”

- Noted that the mini roundabout survey was the first that did not contain leading questions.

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

3.9 Robert Pintabona of Perth – Item 5

- Queried where did the figures to compensate small business for removal of commercial waste come from and what does small business pay towards the Council?
- Also queried if small business is subsidising residential rates?
- Mentioned that there has been no communication from the City

The Presiding Member, Mayor Cole, thanked Mr Pintabona for his comments and advised that she is happy to meet with him privately to discuss.

3.10 David Basell of Perth – Item 5

- States that there is a difference between domestic waste and industrial and commercial waste
- States that City should not deal with industrial waste, but commercial waste is normal rubbish from an office
- Most commercial waste is from retail food and beverage industries
- Stated that the City has been collecting waste for some time and a precedent has been set
- Queried how the service can be removed with no corresponding reduction in rates
- Queried if businesses have been categorised as to what they produce and how much rubbish they produce?
- How many of the 2,000 businesses are retail, food and beverage establishments that produce the most amount of commercial rates?
- Proposed deferring the introduction of the changes until there is a microbusiness service plan when FOGO is implemented in October 2021

The Presiding Member, Mayor Cole, thanked Mr Basell for his comments

The following questions and statements were submitted prior to the Meeting and were read out by the A/Executive Manager Corporate Strategy & Governance. Administrations' responses will be provided in the Agenda for the 22 June 2021 Ordinary Council Meeting.

3.11 Milly Main of North Perth

Can you please consider implementing a cat curfew in city of Vincent.

Many councils have brought in cat curfews to prevent nuisance cats from wandering at night, disturbing people on their own property and stalking and killing native animals.

I live on Fitzgerald Street and we often hear cat fights at night.

We have up to five cats that regularly wander onto our property. We own a small dog who becomes disturbed and barks all night, and wakes up our four month old baby.

We are not allowed to let our dog wander onto other people's property at night and it does not seem right that cats can be allowed to trespass on ours?

Can you please confirm the council's position on this?

3.12 Geraldine Box of North Perth - Item 10.1 Public Consultation Results: Mini Roundabout Survey Report

I read with interest the Report by Council Officers based on the results of the Survey conducted regarding the proposed Mini Roundabout Trial on Norfolk and other streets.

Reading through the 73 responses, I compared the figures of those who Support, Oppose and are Unsure provided in the Report with those I calculated from the actual written responses provided in the Item 6.1.

I can only comment on the total responses, as there is no way for me to separate out those who live in the areas proposed to have mini roundabouts directly near their houses from those who live in other areas of Vincent.

The Report states (p.2 Item 6.1):

Support the proposed mini roundabouts 30 of 73 (41.1%)

Oppose the proposed mini roundabouts 30 of 73 (41.1%)

Unsure of this proposal 13 of 73 (17%)

On review, I found:

Support the proposed mini roundabouts 27 of 73 (37%)

Oppose the proposed mini roundabouts 40 of 73 (55%)

Unsure of the proposal 6 of 73 (8%)

My questions to Councillors are:

How arbitrary has been the process in assessing the support, opposition or uncertainty to the proposal of some respondents?

What attention have Council Officers given to the detailed responses, alternative suggestions, and other relevant queries raised by residents who opposed the proposal?

Rather than directing these questions back to Council Officers, I do hope that as our elected members you each would take a few minutes to look at this Report and assess whether the figures provided by Council Officers give an accurate overview of what residents who responded, actually want with regards to this proposal.

Thank you for taking time to read my correspondence and I do hope to hear from you with your assessment of the interpretation of this Survey.

There being no further speakers, Public Question Time closed at approximately 6.39pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were received at the Ordinary Council Meeting on 27 April 2021.

3.1 Gary Simmons of Perth – Item 9.1

In respect to the proposed removal of the heritage “Player huts” located on the northern section of the existing lawn tennis courts (which DPLH has approved subject to compliant photographic and written evidence) can Council please consider and direct its planners to amend the draft plan to retain these amenities so that they are congruent to the use of the adjacent proposed landscape area and proposed community garden. In my opinion this will provide for a shaded retreat for community members to relax and enjoy the sense of place that is being created and at the same time preserve the heritage aspect of these outbuildings. By all means still have them photographed and documented for precautionary reasons.

The possibility of utilising the huts for shade and relaxation will be included as a focus area in the community consultation process, to gather community feedback on this type of amenity. If there is strong support for this, the City will then investigate the feasibility of re-installing the huts in this way and if able to proceed, will amend the Development Plan accordingly.

3.2 Mary Collura-Oldham of Perth – Item 10.2

1. What strategies are in place to encourage activation of other parks within the City of Vincent and to also encourage/promote use of these parks for festivals and/or other community events?

The City assesses venue requests on a case by case basis, and will consider if the venue is suitable. For example, if there was a proposal for a large music festival (multi stages, drinking etc.), we would recommend moving the event to somewhere like Loton Park, Birdwood Square or Leederville Oval. For smaller community events and weddings etc., we wouldn't deter them from holding their event at Hyde Park as it has a stage and power for events.

All of the City's reserves, parks and facilities are promoted through website 'Space to Co'. We also offer free hire of our town squares (Leederville Village Square, North Perth Common and Mary Street Piazza) to encourage use of these spaces for events.

2. What strategies are in place to improve public transport to and from the park especially when there are festivals or events in place?

Event and festival organisers (ie larger scale events) are asked to promote public transport and other sustainable transport options, such as cycling.

3. What strategies and responsibilities are placed on organisers of such events to provide a parking strategy for volunteers and attendees and to also monitor and police potential congestion and parking issues?

Event organisers are asked in their applications to highlight other available parking spaces – for example, the Hyde Park Fair promotes and uses the Italian Club Parking. We also ask the organisers to notify local residents of these plans.

If the event involves large numbers of volunteers the City will work with organisers to arrange a suitable parking location nearby.

Rangers then monitor large scale events to ensure people are parking legally, and will respond to residents' requests if someone is parking in a driveway or no-standing zones.

4. Most importantly, will the council commit to ensuring that the increasing and competing demands for parking in this area will be managed with sensitivity to the needs of residents. We should not be forgotten.

An associated issue that has not really been given much discussion and consideration is the fact that Glendower Street – is both a busy thorough fare and parking lot and these two aspects often create a chaotic, unsafe and unpleasant ambience for all concerned.

The City will manage parking in accordance with the Accessible City Strategy.

3.3 Suzanne Burke – Emmerson St, North Perth – Item 13.1

The recent decision to use and retain woodchips has been made despite residents providing historical evidence of woodchips blocking drains during significant rain events and subsequently causing flooding to homes on Emmerson St on more than one occasion.

Can you please provide more details on who has made this decision? Is it the CEO? The Mayor? Was it voted on by councillors? If there was a vote, what exactly was voted on, and who cast their vote and which way.

I believe we are entitled to know who has provided support and who hasn't. In the interests of full transparency this information must be provided."

The decision was made by the CEO.

In addition, the letter from the CEO states that the woodchips do not increase the flood risk to our properties. How can the CEO come to this conclusion when the evidence clearly contradicts this?

The City does not agree with calculation of risk put forward by Ms. Burke in relation to the use of wood mulch and the risk of property flooding. This has been communicated consistently through a series of communications.

It is my understanding that the Hydraulic Report in 2017 prepared by external consultants showed water coming across the park from all directions. However, I have not been able to verify this, because despite requesting a copy of this report on multiple occasions I am still waiting to receive it. Is there a reason why COV administration cannot release a copy of this report which is a public document? If not, can you please provide it as requested? If this does indeed show water coming from the Charles/Vincent corner of the park, which it has been proven that woodchips float across on, will the CEO reverse this decision?

All documents requested have been provided. As above, the City does not agree with calculation of risk put forward by Ms. Burke.

3.4 Vern Gardam of Mt Lawley – Item 9.2

The Briefing notes to Councillors summarised my comments at the Briefing session as: "*Mentioned that there are errors in the report and attachment.*"

This is incorrect. I have viewed the tape and I said there are errors in the report and there is a missing Attachment which was identified. It is an appendix Attached to the Consultant's report. This attachment is referred to in the Consultant's report - page 16 para 3. The Appendix was not attached to the Consultant's report that went to the Briefing session. It does not form part of the Consultant's report that council has before it this evening.

At the Briefing session I requested information about the Community Consultation panel. In particular

- (i) the how many panellists,
- (ii) how were they selected,
- (iii) how many attended the meeting with the consultant
- (iv) what feedback did the Community panel provide the Consultant
- (v) what, if any, feedback did administration provide to the panel. And if feedback was provided when was it provided?

The appendices are the last two pages of the Consultant's Report (tables detailing administration and community response to IAP2 Spectrum of Public Participation).

The Report has been updated to confirm the date of each workshop, how community members were selected, who and how many turned up and what was discussed.

3.5 Ben McLaughlin of Perth – Item 9.1

Would the council consider allocating a set number of parking bays for staff?

Parking will be a key focus of community consultation to understand the parking requirements in the area.

3.6 Dudley Maier of Highgate

1. What council workshops have been held since 23 March 2021 and what items were presented at each workshop?

There has been one Workshop since 23 March 2021, which was on 13 April 2021 and the following items were discussed:

- *Underground Power*
- *Phase 2 COVID-19 Art Relief Grant Funding – Medium Scale Town Centre Artworks*
- *Woodville Reserve Landscape Plan*
- *Review of Local Planning Scheme No 2 (Norfolk Precinct)*
- *Review of the Graffiti Removal Service in City Owned Rights of Way*
- *Advocacy Agenda – Q1 2021 Update*
- *CEO KPIs 2020 – 2021: 7 Strategic Projects Monthly Update*
- *Smoke Free Town Centres Project*

- *Amendments to the Local Government Property Local Law – Smoke Free Areas*
- *Leederville Gardens Inc – Request for remittance of funds due to overpayment*
- *Operating Expenses - Labour*

2. Prior to September 2019, monthly financial statements and expenditure were included in the agendas for the following month. When the council had two meetings a month the expenditure figures were included in the first meeting of the following month, and the financials were included in the second. The Director has said that the extra month is required to make adjustments and prepare reports. Why was it possible to provide the reports in a more timely manner before September 2019, but not since? Given that the staff said that the proposed meeting cycle would increase transparency around financial statements, thus tying transparency to timeliness, do you agree that the city is less transparent than it was prior to September 2019? Why isn't expenditure available immediately after the end of the month?

Regulation 34 of the Local Government (Financial) Regulations requires the financial statements to be presented to the OCM within 2 months of the end of the month. This month's report is compliant with that requirement.

This reporting cycle provides sufficient time for the City to review the financial statements, process end of month journals, and prepare commentary for Council.

Other adjoining business processes, staffing and service levels have been developed to fit with this cycle.

The reporting cycle provides adequate time for managerial review. Transparency is enhanced when the City provides accurate reports with appropriate explanatory commentary.

Timeliness is not an issue given we are working within statutory timelines. There are no plans to change the reporting cycle.

3. What was the cost of traffic management at the recent plant sale?

The total cost of the Traffic Management at the plant sale was \$1665.50 ex GST.

4. Were council members made aware that \$45,000 for the demolition of the Beatty Park Pavilion was included in the 2018/19 Operating Budget before they approved that budget?

Council was aware of this operating initiative when approving the budget.

5. Why does the press release about the film project, published on 1 April, say that the project is in its fourth year when in reality the project has been going since 2005?

The press release was referring to the fourth year of the project being run by Revelation Film Festival. The City of Vincent Film Project was previously managed by a company called FTI which no longer exists.

6. How many members of the public, apart from the presenters/facilitators, participated in the Mighty Raw COVID Arts project, and when were the commentaries for the two live AFL games provided?

One workshop has taken place with 12 participants, apart from the presenters/facilitators. The commentary events have not yet taken place. The City agreed with the artists that this project was best delivered during the AFL season and the artists are currently planning the events, with dates to be confirmed but delivered this financial year.

7. How many of the '16 public artworks in six months', as listed in the press release of 6 July 2020, were actually delivered in the six months?

Six of the total 16 funded projects were delivered within the six months. The press release of July 2020 reflected the information at that time. As the City of Vincent finalised the projects with artists, more flexibility was created for artists to deliver this financial year.

8. How many times has the community engagement panel met since its inception? Given that membership of advisory groups and committees is made public, why isn't membership of the engagement panel made public? Who is on the panel? The answer to a previous question about

the waste strategy project indicated that 43 members were invited and that 20 registered. Why weren't the number that actually participated provided? How many actually participated?

The community panel have met four times since inception. They were due to meet a fifth time but this was cancelled during COVID-19 lockdown in 2020.

The community panel is not a formal Advisory Group appointed by Council. From an invitation and EOI process, the panel is randomly selected against a set of demographic indicators to ensure a representative spread of our community. The selection is made by an independent company and the names and contact details of panel members are not made available to Elected Members or the public, as is commonly the case with establishing a community panel. We have also not sought permission from panel members to make their details public.

20 people registered and out of these 13 attended the workshop.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Wallace

That Cr Alex Castle's request for leave of absence from 13 – 18 July 2021 for personal reasons be approved.

CARRIED UNANIMOUSLY (8-0)

(Cr Smith was an apology for the Meeting.)

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Castle, Seconded: Cr Fotakis

That Cr Jonathan Hallett request for leave of absence from 19 – 23 May 2021 for business reasons be approved.

CARRIED UNANIMOUSLY (8-0)

(Cr Smith was an apology for the Meeting.)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

At 6.39pm, Cr Joshua Topelberg left the meeting.

- 5.1 Cam Sinclair submitted a petition with 101 signatures requesting that Council reconsider the discontinuation of commercial waste collections for the 2,111 small businesses in our community who rely on it every week; and look at a range of alternatives such as the City acting as an agent to purchase the services required by local businesses.

Every petition complying with sub-clause (1) shall be presented to the Council by the CEO. (3) The presentation of a petition shall be confined to the reading of the petition.

PETITION

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Castle

That the petition be received and a report be prepared.

CARRIED UNANIMOUSLY (8-0)

(Cr Smith was an apology for the Meeting.)

5.2 Nick Catania submitted a petition with 273 signatures requesting that Council withdraw their decision to cease collection of waste/rubbish from the business premises in the green and yellow wheelie bins because:

- These bins are the same as these used by residences and do not require any additional vehicles for the collection,
- The businesses will be burdened by extra costs to employ waste collectors,
- Private waste collectors will add to the busy Vincent streets, especially around town centres,
- Private contractors will also dump their waste in landfill and cause environment damage,
- Businesses will be paying the same rates and will receive no waste collection services,
- The City of Vincent has offered no assistance to the businesses that have suffered greatly as a result of the COVID-19 restrictions and indeed are adding cost pressures to these vulnerable establishments.

PETITION

COUNCIL DECISION

Moved: Cr Castle, Seconded: Cr Wallace

That the petition be received and a report is prepared.

CARRIED UNANIMOUSLY (8-0)

(Cr Smith was an apology for the Meeting.)

Mayor Cole mentioned that the City of Vincent froze commercial rates this financial year and it is proposed to freeze commercial rates again this year. This is contained in the differential rate setting statement that will be discussed later this evening and is proposing an increase for residential ratepayers with no increase for commercial ratepayers. The commercial rate in the dollar is falling in relation to the residential rate in the dollar and CPI. There is also an one off rebate will go to all commercial ratepayers which was calculated by working out the total number of landlords in the City and giving an equal amount to all ratepayers. The rebate will appear on the rates notice and be deducted from the total.

Residential waste subsidises commercial waste, this will be made clearer in the report.

Executive Director Infrastructure and Environment said:

Shortly after the decision by Council to discontinue the service a letter was sent to all affected commercial ratepayers, asking the landlords to let tenants know. Since then staff have visited 1748 businesses in person to explain the reasoning for the change. During those visits the bin 4066 bins were stickered for removal.

Some businesses have already transitioned to a new service. Information about how businesses can find out about how to be considered for the microbusiness service after the move to FOGO will be added to our website shortly. At present 15 business are being considered for that service. Those businesses will need to

fit in with domestic service, for example which will be 140 litre rubbish bin that will be collected once a fortnight and will be a charged service.

An explanation of why the City did not go out to tender to service existing businesses was provided at the AGM. Further information will be included in the report.

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Fotakis, Seconded: Cr Loden

That the minutes of the Ordinary Meeting held on 27 April 2021 be confirmed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member, Mayor Cole made the following announcement:

7.1 CONSULTATION

There is a lot of consultation happening at the moment, including:

- Community and Stakeholder Engagement Framework
- Design Leederville – which includes the Leederville Precinct Plan and Place Plan for Leederville, which includes significant decisions around density, heights, zonings, etc in Leederville
- Robertson Park Development Plan
- Liveability Census
- Beaufort Street Town Centre Plan
- Smoke Free Town Centres
- Vibrant Places Policy
- Signs and Advertising Policy
- Assets Sustainability and Management Strategy

The City is holding an information session at the Administration Centre on the morning of Saturday 29 May 2021, where Elected Members and staff will be in attendance to answer questions.

There are engagement sessions in parklets, parks, Tennis Centre and in Leederville as well.

8 DECLARATIONS OF INTEREST

8.1 Cr Sally Smith declared an impartiality interest in item 12.4 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.

8.2 Cr Ashley Wallace declared a financial interest in item 11.1 Authorisation of Expenditure 1 March 2021 to 31 March 2021. The extent of his interest is that a payment was made to GHD a "Beatty Park leisure pool assessment." He is employed by GHD, who were engaged by the Project

Consultant (Ninnes Fong) to scan and core drill the indoor pool shell to ensure its integrity, which resulted in that payment. He is not seeking approval to participate in the debate or to remain in Chambers or to vote on the matter.

- 8.3 Cr Joshua Topelberg declared a proximity interest in item 10.1 Public Consultation Results – Mini-roundabout pilot project. The extent of his interest is that his primary residence is located within the proposed trial area. He is not seeking approval to participate in the debate or to remain in Chambers or to vote on the matter.
- 8.4 Cr Joshua Topelberg declared a financial interest in Item 5.1 The Receiving of Petitions, Deputations and Presentations. The extent of his interest is that he operates a business which will be directly affected by the proposed changes. He will not remain in Chambers while this matter is discussed.

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, 10.1 and 12.3.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 11.5.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 10.1 and 11.1.

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	10.2
Cr Hallett	9.3, 13.1
Cr Loden	10.3
Cr Topelberg	12.2

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 10.4, 11.2, 11.3, 12.1, 12.5 and 12.6
- (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:

RECOMMENDATION

**That the following unopposed items be adopted “En Bloc”, as recommended:
Items 10.4, 11.2, 11.3, 12.1, 12.5 and 12.6**

10.4 E-PERMITS IMPLEMENTATION PROGRESS REPORT

Attachments: Nil

RECOMMENDATION:

That Council NOTES the progress in the implementation of the E-Permit system.

COUNCIL DECISION ITEM 10.4

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Smith was an apology for the Meeting.)

11.2 INVESTMENT REPORT AS AT 31 MARCH 2021

Attachments: 1. Investment Statistics as at 31 March 2021 

RECOMMENDATION:

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

COUNCIL DECISION ITEM 11.2

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Smith was an apology for the Meeting.)

11.3 FINANCIAL STATEMENTS AS AT 31 MARCH 2021

Attachments: 1. Financial Statements as at 31 March 2021 

RECOMMENDATION:

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

COUNCIL DECISION ITEM 11.3

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Smith was an apology for the Meeting.)

12.1 QUARTERLY UPDATE OF 26 STRATEGIC PROJECTS OUTLINED IN CORPORATE BUSINESS PLAN 2020/21 - 2023/24

Attachments: 1. 26 Strategic Projects Update - Corporate Business Plan 2020/21 - 2023/24



RECOMMENDATION:

That Council NOTES the updates to the 26 Strategic Projects outlined in the Corporate Business Plan 2020/21 – 2023/24 as at Attachment 1.

COUNCIL DECISION ITEM 12.1














Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Smith was an apology for the Meeting.)

12.5 INFORMATION BULLETIN

- Attachments:
1. Unconfirmed Minutes Arts Advisory Group (AAG) 7 April 2021 
 2. Unconfirmed Minutes Children and Young People's Advisory Group 21 April 2021 
 3. Unconfirmed Minutes of Tamala Park Regional Council Meeting held on 15 April 2021 
 4. Unconfirmed Minutes of Mindarie Regional Council Special Meeting held on 29 April 2021 
 5. Director General signed Endorsement letter - City of Vincent's Waste Plan - 2021 
 6. Statistics for Development Services Applications as at April 2021 
 7. Quarterly Street Tree Removal Information 
 8. Register of Legal Action and Prosecutions Monthly - Confidential
 9. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 29 April 2021 
 10. Register of Applications Referred to the MetroWest Development Assessment Panel - Current 
 11. Register of Applications Referred to the Design Review Panel - Current 
 12. Register of Petitions - Progress Report - April 2021 
 13. Register of Notices of Motion - Progress Report - April 2021 
 14. Register of Reports to be Actioned - Progress Report - April 2021 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated May 2021.

COUNCIL DECISION ITEM 12.5

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Smith was an apology for the Meeting.)

12.6 REQUEST FROM THE PUBLIC TRANSPORT AUTHORITY - TRANSFER AND DEDICATION OF PORTION OF SUMMERS STREET, EAST PERTH

- Attachments:
1. Intramaps image of PTA portion of Summer Street 
 2. Deposited Plan 
 3. Intramaps image of Summers Street (current) 
 4. Transfer of Land Form 

RECOMMENDATION:

That Council:

1. **APPROVES** the Public Transport Authority's (PTA) request to transfer a portion of Summers Street, East Perth (Road), as identified on the Intramap annexure at Attachment 1 and Deposited Plan, at Attachment 2 to the City;
2. **NOTES** the transfer will be in accordance with section 168(5) of the *Planning and Development Act 2005*, pursuant to which the Road will:
 - 2.1 Be dedicated to public use; and
 - 2.2 Form part of road reserve of Summers Streetupon the transfer being registered;
3. **NOTES** the PTA will pay the City's legal fees (capped at \$1,000) associated with preparing verification of identity statements to allow registration of the transfer at Landgate; and
4. **AUTHORISES** the Chief Executive Officer and the Mayor to affix the common seal and execute the Transfer of Land form in respect of the Road.

COUNCIL DECISION ITEM 12.6

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




That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Smith was an apology for the Meeting.)

REPORTS WITH DISCUSSION

12.3 RESULTS OF CONSULTATION - PROPOSAL FOR A COMMERCIAL KIOSK AT HYDE PARK

- Attachments:
1. Summary Diagrams of Hyde Park Kiosk Consultation Results 
 2. Detail of Hyde Park Kiosk Consultation Results 
 3. Community Consultation Additional Comments 

RECOMMENDATION:

That Council:

1. **NOTES** the results of the consultation on the proposal to install a commercial kiosk at Hyde Park, as summarised at Attachment 2;
2. **INVITES** public tender submissions for the operation of the commercial kiosk for a period of 4 weeks, including the following criteria:
 - 2.1 Proposed commercial lease terms including lease term, rent and rent reviews;
 - 2.2 A business case to support the business model/proposal (including forecast customer numbers);
 - 2.3 Estimated cost of the applicant installing a warm kitchen/alternative facilities in the shed and proposed internal fit out and layout of the kiosk;
 - 2.4 How customer traffic/queuing will be managed by the kiosk operator to avoid any significant plantings and trees surrounding the kiosk;
 - 2.5 Plans of the proposed aesthetic elements/design of the kiosk to ensure that it fits within the Park's current aesthetic;
 - 2.6 Food/menu options (including a range of healthy foods) that will be available for purchase at the kiosk and how the applicant will comply with the City's Public Health Plan or (if a café/kiosk is not proposed) the service(s) or products proposed to be sold from the shed;
 - 2.7 Proposed price points for products sold at the kiosk;
 - 2.8 How rubbish and rubbish disposal will be managed by the kiosk (e.g. location of additional public bins, who will be responsible for emptying the bins and how the kiosk will arrange for its waste and rubbish to be collected);
 - 2.9 Proposed hours of operation for kiosk;
 - 2.10 Environmental and sustainable operation options (e.g. no plastics, bio-degradable utensils and cups, emphasis on re-usable coffee cups etc.); and
 - 2.11 A plan for managing the environmental impact of the kiosk on the Park in compliance with the Hyde Park Conservation Plan.
3. **NOTES** that the public tender submissions will be assessed and presented to Council for a decision on the operation of the commercial kiosk; and
4. **REQUESTS** the Chief Executive Officer to provide advice to Council on the future operation of food vans within Hyde Park in the same report responding to Recommendation 3 above with advice on the nature of the preferred proposal for a potential commercial kiosk. This advice should consider whether the preferred commercial kiosk proposal should have exclusive use of Hyde Park or be in addition to the operation of food vans. If food vans are recommended to continue in Hyde Park then further advice should be provided on:

- 4.1 Locations of existing power sources and potential locations of new power sources;
- 4.2 Preferred trading locations for any mobile food vendors, considering proximity to other infrastructure such as amenities;
- 4.3 Annual fees for mobile food vending permits;
- 4.4 Vehicular access to trading locations; and
- 4.5 Other factors that could impact the implementation of Policy No. 3.8.12 – Mobile Food Vendors.

Moved: Cr Loden, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

AMENDMENT

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

That a new recommendation 3 be added as follows:

3. **NOTES that the proposed tender requirements are to be reviewed by the Mayor and CEO prior to public tender submissions being invited.**

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

REASON:

To ensure the public tender is prepared in accordance with Council's intent.

COUNCIL DECISION ITEM 12.3

That Council:

1. **NOTES the results of the consultation on the proposal to install a commercial kiosk at Hyde Park, as summarised at Attachment 2;**
2. **INVITES public tender submissions for the operation of the commercial kiosk for a period of 4 weeks, including the following criteria:**
 - 2.1 **Proposed commercial lease terms including lease term, rent and rent reviews;**
 - 2.2 **A business case to support the business model/proposal (including forecast customer numbers);**
 - 2.3 **Estimated cost of the applicant installing a warm kitchen/alternative facilities in the shed and proposed internal fit out and layout of the kiosk;**
 - 2.4 **How customer traffic/queuing will be managed by the kiosk operator to avoid any significant plantings and trees surrounding the kiosk;**
 - 2.5 **Plans of the proposed aesthetic elements/design of the kiosk to ensure that it fits within**

the Park's current aesthetic;

- 2.6 Food/menu options (including a range of healthy foods) that will be available for purchase at the kiosk and how the applicant will comply with the City's Public Health Plan or (if a café/kiosk is not proposed) the service(s) or products proposed to be sold from the shed;
 - 2.7 Proposed price points for products sold at the kiosk;
 - 2.8 How rubbish and rubbish disposal will be managed by the kiosk (e.g. location of additional public bins, who will be responsible for emptying the bins and how the kiosk will arrange for its waste and rubbish to be collected);
 - 2.9 Proposed hours of operation for kiosk;
 - 2.10 Environmental and sustainable operation options (e.g. no plastics, bio-degradable utensils and cups, emphasis on re-usable coffee cups etc.); and
 - 2.11 A plan for managing the environmental impact of the kiosk on the Park in compliance with the Hyde Park Conservation Plan.
3. NOTES that the proposed tender requirements are to be reviewed by the Mayor and CEO prior to public tender submissions being invited.
 4. NOTES that the public tender submissions will be assessed and presented to Council for a decision on the operation of the commercial kiosk; and
 5. REQUESTS the Chief Executive Officer to provide advice to Council on the future operation of food vans within Hyde Park in the same report responding to Recommendation 3 above with advice on the nature of the preferred proposal for a potential commercial kiosk. This advice should consider whether the preferred commercial kiosk proposal should have exclusive use of Hyde Park or be in addition to the operation of food vans. If food vans are recommended to continue in Hyde Park then further advice should be provided on:
 - 5.1 Locations of existing power sources and potential locations of new power sources;
 - 5.2 Preferred trading locations for any mobile food vendors, considering proximity to other infrastructure such as amenities;
 - 5.3 Annual fees for mobile food vending permits;
 - 5.4 Vehicular access to trading locations; and
 - 5.5 Other factors that could impact the implementation of Policy No. 3.8.12 – Mobile Food Vendors.







CARRIED (7-1)

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

Against: Cr Topelberg

(Cr Smith was an apology for the Meeting.)

9.1 NO. 1/278 (LOT: W108; D/P: 223022) BEAUFORT STREET, PERTH - UNAUTHORISED CHANGE OF USE TO RESTRICTED PREMISES**Ward:** South

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plan 
 3. Outline of Activities 
 4. Summary of Submissions - Administration's Response 
 5. Summary of Submissions - Applicant Response 
 6. Parking Management Plan 
 7. Determination Advice Notes 
 8. Beaufort Street Land Use Context Plan 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme:

1. **APPROVES** part of the application for unauthorised Change of Use to Restricted Premises and Signage at No. 1/278 Beaufort Street, Perth (Lot: W108; D/P: 223022), in accordance with the plans provided in Attachment 2, subject to the following conditions and advice notes included in Attachment 7:
 - 1.1 This approval is for Change of Use to Restricted Premises and Signage as shown on the approved plans dated 23 March 2021. No other development forms part of this approval;
 - 1.2 This approval is for Restricted Premises as defined in the City of Vincent Local Planning Scheme No.2. Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*;
 - 1.3 A minimum of three on-site parking bays shall be provided for use of the premises;
 - 1.4 A minimum of two short-term bicycle bays shall be provided within the verge adjoining the development. The bicycle bays shall be designed in accordance with AS2890.3 and installed within 28 days from the date of this determination to the satisfaction of the City;
 - 1.5 The proposed Restricted Premises shall be limited to the following hours of operation:
 - Monday to Sunday – 10:00am to 7:00pm;
 - 1.6 Doors and windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street. 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;
 - 1.7 Within 28 days from the date of this determination, all signage the subject of this approval is to be installed in accordance with Elevation 01 on the approved plans dated 23 March 2021. Thereafter the signage shall be:
 - 1.7.1 Kept in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;
 - 1.7.2 Kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and
 - 1.7.3 Be wholly contained within the subject lot; and
2. **REFUSES** part of the application for unauthorised roller shutters at No. 1/278 Beaufort Street, Perth (Lot: W108; D/P: 223022), in accordance with the plans provided in Attachment 2, for the

following reasons:

- 2.1 The development does not satisfy the objectives of the Commercial zone under Clause 16 of the City's Local Planning Scheme No. 2, as the roller shutters are incompatible with the design of facades within the streetscape. This is as a result of the roller shutters providing for reduced activation to the street frontage;
- 2.2 The development does not satisfy the Local Housing Objectives of Clause 1.13 Façade Design of the City's Policy No. 7.1.1 – Built Form Policy as:
 - 2.2.1 The appearance of the roller shutters as a security measure adversely impacts on and does not reflect the character of the local area;
 - 2.2.2 The roller shutters reduce activation provided to the street frontage, which reduces visibility of the internal use from the street; and
 - 2.2.3 As a result of the roller shutters, the use does not provide for a visual connection with the adjoining public spaces and does not adhere to the performance criteria of the Western Australian Planning Commissions, Designing Out Crime Planning Guidelines; and
- 2.3 As a consequence of the adverse appearance of the roller shutter addition and subsequent reduced street surveillance outlined in Refusal Reasons 1 and 2, the roller shutter additions:
 - 2.3.1 Are not compatible nor complimentary to the area in which it is located (Clause 67(2)(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - 2.3.2 Would detract from the amenity and character of the locality, and would set an undesirable precedence (Clause 67(2)(n)(ii) and (iii) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
- 2.4 Within 28 days from the date of this determination, the roller shutters must be removed from the façade and the affected areas of the façade made good, to the satisfaction of the City.

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

That the recommendation be adopted.

AMENDMENT

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

That Recommendation 1.7 be amended as follows:

~~1.7 Within 28 days from the date of this determination, all signage the subject of this approval is to be installed in accordance with Elevation 01 on the approved plans dated 23 March 2021. Thereafter the signage shall be:~~

~~1.7.1 Kept in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;~~

~~1.7.2 Kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and~~

~~1.7.3 Be wholly contained within the subject lot; and~~

1.7 Signage

1.7.1 Within 14 days from the date of this determination, an amended Elevation E01 plan shall be submitted to the City for approval. This plan shall:

- a) remove each of the four window signs; and**
- b) reduce the remaining extent of signage to be no more than 10 percent of the total area of the building façade, inclusive of the wall and awning, in accordance with the standard set out in the City's Policy No. 7.5.2 – Signs and Advertising;**

1.7.2 All signage indicated on the amended Elevation E01 plan is to be installed within 28 days from the date of the City's approval of this plan.

Thereafter the signage shall be:

- a) kept in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;**
- b) kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and**
- c) be wholly contained within the subject lot; and**

REASON:

The extent of signage area on the Beaufort Street facade is excessive, repetitive and superfluous. The extent of signage is not consistent with the intent of the City's Policy No. 7.5.2 – Signs and Advertising which seeks to allow for the display of advertisements on properties that provide an appropriate exposure of activities or services.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme:

- 1. APPROVES part of the application for unauthorised Change of Use to Restricted Premises and Signage at No. 1/278 Beaufort Street, Perth (Lot: W108; D/P: 223022), in accordance with the plans provided in Attachment 2, subject to the following conditions and advice notes included in Attachment 7:**
 - 1.1 This approval is for Change of Use to Restricted Premises and Signage as shown on the approved plans dated 23 March 2021. No other development forms part of this approval;**
 - 1.2 This approval is for Restricted Premises as defined in the City of Vincent Local Planning Scheme No.2. Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*;**

- 1.3 A minimum of three on-site parking bays shall be provided for use of the premises;
- 1.4 A minimum of two short-term bicycle bays shall be provided within the verge adjoining the development. The bicycle bays shall be designed in accordance with AS2890.3 and installed within 28 days from the date of this determination to the satisfaction of the City;
- 1.5 The proposed Restricted Premises shall be limited to the following hours of operation:
 - Monday to Sunday – 10:00am to 7:00pm;
- 1.6 Doors and windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street. 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;

17. Signage

- 1.7.1 Within 14 days from the date of this determination, an amended Elevation E01 plan shall be submitted to the City for approval. This plan shall:
 - a) remove each of the four window signs; and
 - b) reduce the remaining extent of signage to be no more than 10 percent of the total area of the building façade, inclusive of the wall and awning, in accordance with the standard set out in the City's Policy No. 7.5.2 – Signs and Advertising;
- 1.7.2 All signage indicated on the amended Elevation E01 plan is to be installed within 28 days from the date of the City's approval of this plan.

Thereafter the signage shall be:

- a) kept in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;
- b) kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and
- c) be wholly contained within the subject lot; and

2. REFUSES part of the application for unauthorised roller shutters at No. 1/278 Beaufort Street, Perth (Lot: W108; D/P: 223022), in accordance with the plans provided in Attachment 2, for the following reasons:

- 2.1 The development does not satisfy the objectives of the Commercial zone under Clause 16 of the City's Local Planning Scheme No. 2, as the roller shutters are incompatible with the design of facades within the streetscape. This is as a result of the roller shutters providing for reduced activation to the street frontage;
- 2.2 The development does not satisfy the Local Housing Objectives of Clause 1.13 Façade Design of the City's Policy No. 7.1.1 – Built Form Policy as:
 - 2.2.1 The appearance of the roller shutters as a security measure adversely impacts on and does not reflect the character of the local area;
 - 2.2.2 The roller shutters reduce activation provided to the street frontage, which reduces visibility of the internal use from the street; and
 - 2.2.3 As a result of the roller shutters, the use does not provide for a visual connection with the adjoining public spaces and does not adhere to the performance criteria of the Western Australian Planning Commissions, Designing Out Crime Planning

Guidelines; and

- 2.3 As a consequence of the adverse appearance of the roller shutter addition and subsequent reduced street surveillance outlined in Refusal Reasons 1 and 2, the roller shutter additions:**
- 2.3.1 Are not compatible nor complimentary to the area in which it is located (Clause 67(2)(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and**
- 2.3.2 Would detract from the amenity and character of the locality, and would set an undesirable precedence (Clause 67(2)(n)(ii) and (iii) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and**
- 2.4 Within 28 days from the date of this determination, the roller shutters must be removed from the façade and the affected areas of the façade made good, to the satisfaction of the City.**

CARRIED (6-2)






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

Against: Cr Gontaszewski and Cr Hallett

(Cr Smith was an apology for the Meeting.)

At 7:51 pm, Cr Joshua Topelberg left the meeting.

10.1 PUBLIC CONSULTATION RESULTS - MINI-ROUNABOUT PILOT PROJECT

- Attachments:
1. Plan of Proposed Locations of Mini-Roundabouts 
 2. Map of Proposed Project Area 
 3. Letter - Mini Roundabouts URSP Consultation - Resident Letter 
 4. Mini-roundabout Correspondence Responses 
 5. Monash Institute of Transport Study - Understanding Safety and Driver Behaviour Impacts of Mini-roundabouts on Local Roads 

RECOMMENDATION:

That Council:

1. **NOTES** the public consultation results on the 'mini roundabout' pilot program contained in this report.
2. **APPROVES** the implementation of the Urban Road Safety Program 'mini roundabout' pilot project within the area bounded by Raglan Road, Hyde, Vincent and Fitzgerald Streets, North Perth/Mt Lawley in May/June 2021, as shown on Plan 3612-CP, Attachment 1.
3. **NOTES** that the pilot project will be fully funded by Main Roads WA.
4. **APPROVES** the subject area moving from 50kmh to 40kmh during the pilot project period in liaison with Main Roads WA as shown in Attachment 2.
5. **REQUESTS** Administration to inform the respondents of Council's decision.

Moved: Cr Loden Seconded: Cr Castle

That the recommendation be adopted.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Gontaszewski

That the recommendation be amended as follows:

That Council:

1. **NOTES** the public consultation results on the 'mini roundabout' pilot program contained in this report.
2. **APPROVES** the implementation of the Urban Road Safety Program 'mini roundabout' pilot project within the area bounded by Raglan Road, Hyde, Vincent and Fitzgerald Streets, North Perth/Mt Lawley in May/June 2021, as shown on Plan 3612-CP, Attachment 1.
3. **NOTES** that the pilot project will be fully funded by Main Roads WA.
4. ~~**APPROVES** the subject area moving from 50kmh to 40kmh during the pilot project period in liaison with Main Roads WA as shown in Attachment 2.~~ **APPROVES for advertising to residents of the impacted streets the subject area moving from 50kmh to 40kmh in liaison with Main Roads WA.**
5. **REQUESTS** Administration to inform the respondents of Council's decision.

REASON:

This was not part of the consultation process and is a change impacting local residents; therefore, requires further consultation.

AMENDMENT CARRIED (7-0)

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

Against: Nil

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

(Cr Smith was an apology for the Meeting.)

COUNCIL DECISION ITEM 10.1

That the Recommendation be amended as follows:

That Council:

- 1. NOTES the public consultation results on the ‘mini roundabout’ pilot program contained in this report.**
- 2. APPROVES the implementation of the Urban Road Safety Program ‘mini roundabout’ pilot project within the area bounded by Raglan Road, Hyde, Vincent and Fitzgerald Streets, North Perth/Mt Lawley in May/June 2021, as shown on Plan 3612-CP, Attachment 1.**
- 3. NOTES that the pilot project will be fully funded by Main Roads WA.**
- 4. APPROVES for advertising to residents of the impacted streets the subject area moving from 50kmh to 40kmh in liaison with Main Roads WA.**
- 5. REQUESTS Administration to inform the respondents of Council’s decision.**

CARRIED (5-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis and Cr Wallace

Against: Cr Hallett and Cr Loden

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

(Cr Smith was an apology for the Meeting.)

At 8:10 pm, Cr Joshua Topelberg returned to the meeting.

9.2 DRAFT PICKLE DISTRICT PLACE PLAN**Attachments:** 1. Draft Pickle District Place Plan **RECOMMENDATION:****That Council:**

1. **ENDORSES** the Draft Volume 7: Pickle District Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation; and
2. **NOTES** that the outcomes of advertising and Draft Volume 7: Pickle District Place Plan will be presented to Council for endorsement following the 42 day advertising period.

Moved: Cr Gontaszewski, Seconded: Cr Wallace

That the recommendation be adopted.

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

That the recommendation be amended as follows:

1. **ENDORSES** the Draft Volume 7: Pickle District Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation, **subject to:**
 - 1.1 **the amendment of the following actions:**
 - **Action 3.1: Manage the Town Team Grant Program and support the Pickle District to become recognised as precinct that is synonymous with creative events.**
 - **Action 5.1: Host a visioning workshop for owners and occupiers of the Pickle District and analyse the findings to develop a vision and objectives for the future and to help inform the most appropriate planning instrument to pursue this with.**
 - **Action 6.1: Work with inner city local governments and State and Federal Governments to identify incentives and support mechanisms to retain and establish creative spaces, creative industries and live music in the Pickle District; and**

REASON:

The Place Plan enables a range of initiatives identified in the City's suite of informing strategies and plans, and The Pickle District's Action Plan, to be prioritised and resourced appropriately.

Some of the City's informing strategies and plans provide high level guidance for the direction and type of initiatives the City should be undertaking, while others provide specific actions.

Additional information has been added to actions 3.1, 5.1 and 6.1 to provide additional guidance with regards to the action and work that will be undertaken.

AMENDMENT CARRIED (8-0)**For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg and Cr Wallace**Against:** Nil

(Cr Smith was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.2

1. **ENDORSES** the Draft Volume 7: Pickle District Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation, subject to:
 - 1.1 the amendment of the following actions:
 - **Action 3.1: Manage the Town Team Grant Program and support the Pickle District to become recognised as precinct that is synonymous with creative events.**
 - **Action 5.1: Host a visioning workshop for owners and occupiers of the Pickle District and analyse the findings to develop a vision and objectives for the future and to help inform the most appropriate planning instrument to pursue this with.**
 - **Action 6.1: Work with inner city local governments and State and Federal Governments to identify incentives and support mechanisms to retain and establish creative spaces, creative industries and live music in the Pickle District; and**
2. **NOTES** that the outcomes of advertising and Draft Volume 7: Pickle District Place Plan will be presented to Council for endorsement following the 42 day advertising period.



CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

9.3 ACCESSIBLE CITY STRATEGY - OUTCOMES OF ADVERTISING

- Attachments:
1. Submission Report 
 2. Accessible City Strategy 

RECOMMENDATION:

That Council:

1. **ADOPTS** the Accessible City Strategy 2020-2030; and
2. **NOTES** the adopted Accessible City Strategy 2020-2030 will be subject to further formatting, styling and graphic design as determined by the Chief Executive Officer prior to publication.

Moved: Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

AMENDMENT 1

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

That the recommendation be amended as follows:

1. **ADOPTS** the Accessible City Strategy 2020-2030, **subject to removing the words “and new roundabouts (where deemed appropriate)” from Action 1.2.3.**

AMENDMENT LOST (1-7)

For: Cr Loden

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

(Cr Smith was an apology for the Meeting.)

AMENDMENT 2

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

That Recommendation 1 be amended as follows:

1. **ADOPTS** the Accessible City Strategy 2020-2030, **subject to:**
 - 1.1 **Inclusion of the following action, associated explanation, and subsequent renumbering of actions included under Objective 3 of the Strategy;**

“Consultation identified the need for a better and more consistent approach to be applied to issues raised by residents and ratepayers around traffic volumes, speed, and parking matters throughout Vincent. The effective management of this can ensure that we achieve peak network function and that the network provides a higher level of safety for all users.

Action 3.3.3: Develop, document, and implement a transparent process for the assessment of resident and ratepayer concerns relating to traffic volume, speed, and parking matters.”; and

REASON:

There have been previous resident/ratepayer concerns raised relating to traffic volume, speed, and parking. At present the City does not have a process outlining how these complaints are to be managed. This has resulted in an inconsistent approach being taken and a lack of community expectation management.

There is an opportunity for an action to be added to the Accessible City Strategy which will result in the development of a transparent process for the assessment of resident and ratepayer concerns relating to traffic volume, speed, and parking matters. The intent of this amendment is to create a consistent approach and better manage community expectations.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.3

1. ADOPTS the Accessible City Strategy 2020-2030, subject to:

1.1 Inclusion of the following action, associated explanation, and subsequent renumbering of actions included under Objective 3 of the Strategy;

“Consultation identified the need for a better and more consistent approach to be applied to issues raised by residents and ratepayers around traffic volumes, speed, and parking matters throughout Vincent. The effective management of this can ensure that we achieve peak network function and that the network provides a higher level of safety for all users.

Action 3.3.3: Develop, document, and implement a transparent process for the assessment of resident and ratepayer concerns relating to traffic volume, speed, and parking matters.”; and

2. NOTES the adopted Accessible City Strategy 2020-2030 will be subject to further formatting, styling and graphic design as determined by the Chief Executive Officer prior to publication.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

10.2 ADVERTISING OF NEW/AMENDED POLICY - MEMORIALS IN PUBLIC PLACES AND RESERVES (2.1.5)

- Attachments:
1. Memorials in Parks and Public Reserves Policy (2.1.5) - February 2010 
 2. Memorials in Parks and Public Reserves Policy (2.1.5) - Reviewed and amended April 2021 

RECOMMENDATION

That Council:

1. **APPROVES** the reviewed and updated Memorials in Public Places and Reserves Policy (2.1.5) as shown at Attachment 2, for the purpose of public notice.
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.

Moved: Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

PROCEDURAL MOTION**DEFERRED**

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

That the motion be deferred to allow more discussion on scattering of ashes, and if it causes any environmental issues. To be presented to Council before 31 December 2021.

CARRIED UNANIMOUSLY (8-0)




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

Against: Nil

(Cr Smith was an apology for the Meeting.)

At 8:35 pm, Cr Ashley Wallace left the meeting.

11.1 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MARCH 2021 TO 31 MARCH 2021

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

RECOMMENDATION:

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

EFT payments, including payroll	\$8,235,049.34
Cheques	\$715.15
Direct debits, including credit cards	\$123,757.69
Total payments for March 2021	\$8,359,522.18

COUNCIL DECISION ITEM 11.1

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED UNANIMOUSLY (7-0)

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

Against: Nil

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

(Cr Smith was an apology for the Meeting.)

At 8:35 pm, Cr Ashley Wallace returned to the meeting.

11.4 DIFFERENTIAL RATING STRATEGY 2021/22

Attachments: 1. Rate Setting Statement by Nature & Type 2021/2022 

RECOMMENDATION:

That Council:

1. **ADVERTISES** by local public notice for a period of 21 days, in accordance with Section 6.36(1) of the *Local Government Act 1995*, its intention to levy the following differential rates and minimum rates in 2021/2022 as set out in the Statement of Objects and Reasons for Differential Rates - 2021/2022;
2. **AUTHORISES** the Chief Executive Officer to invite submissions from electors and ratepayers on the below proposed differential rates and minimum payments for 2021/2022:

Rating Category	2021/2022	
	Rate in the Dollar	Minimum Rate
Residential	0.08012	\$1,247.05
Vacant-Residential	0.07460	\$1,160.00
Vacant-Commercial	0.12817	\$1,516.40
Other	0.06718	\$1,197.70

3. **NOTES** any public submissions received in response to 1 and 2 above will be presented to Council for consideration;
4. **NOTES** that Administration will be maintaining a funding of up to \$100,000, when finalising the 2021/2022 budget, to support the City in responding to ratepayers in financial crisis.

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That the recommendation be adopted.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be amended as follows:

That Council:

2. **AUTHORISES** the Chief Executive Officer to invite submissions from electors and ratepayers on the below proposed differential rates and minimum payments for 2021/2022:

Rating Category	2021/2022	
	Rate in the Dollar	Minimum Rate
Residential	0.07973	\$1,241.00
Vacant-Residential	0.07613	\$1,170.00
Vacant-Commercial	0.12817	\$1,516.40
Other	0.06718	\$1,197.70

REASON:

Request that the Differential Rates and Minimum Payments for 2021/2022 reflects a 2.4% rate increase for Residential rating category, in place of 2.9%. It is also requested that the Vacant-residential category is increased from 2.9% to 5.0%.

The reason for the amendment is to minimise the impact of rate increases on residential ratepayers and to encourage vacant residential development.

Prudent financial management will make this achievable. I note that the 2020-2021 carry forward will compensate for this amendment, as long as employee headcount increases are limited to Long Term Financial Plan projections and the capital works program is set at realistic and achievable levels.

AMENDMENT CARRIED (5-4)
PRESIDING MEMBER CASTING VOTE

For: Mayor Cole, Cr Castle, Cr Hallett and Cr Fotakis

Against: Cr Gontaszewski, Cr Loden, Cr Topelberg and Cr Wallace

(Cr Smith was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.4

That Council:

1. **ADVERTISES** by local public notice for a period of 21 days, in accordance with Section 6.36(1) of the *Local Government Act 1995*, its intention to levy the following differential rates and minimum rates in 2021/2022 as set out in the Statement of Objects and Reasons for Differential Rates - 2021/2022;
2. **AUTHORISES** the Chief Executive Officer to invite submissions from electors and ratepayers on the below proposed differential rates and minimum payments for 2021/2022:

Rating Category	2021/2022	
	Rate in the Dollar	Minimum Rate
Residential	0.07973	\$1,241.00
Vacant-Residential	0.07613	\$1,170.00
Vacant-Commercial	0.12817	\$1,516.40
Other	0.06718	\$1,197.70

3. **NOTES** any public submissions received in response to 1 and 2 above will be presented to Council for consideration;
4. **NOTES** that Administration will be maintaining a funding of up to \$100,000, when finalising the 2021/2022 budget, to support the City in responding to ratepayers in financial crisis.

CARRIED (6-2)

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

Against: Cr Loden and Cr Topelberg

(Cr Smith was an apology for the Meeting.)

11.5 MAY BUDGET REVIEW 2021/22

- Attachments:
1. Statement of Comprehensive Income by Nature and Type 
 2. Statement of Comprehensive Income by Program 
 3. Rate Setting Statement by Program 
 4. Capital Expenditure Report 
 5. Cash Backed Reserves 

RECOMMENDATION:

That Council **ADOPTS BY AN ABSOLUTE MAJORITY** the May budget review for the 2020/21 financial year as detailed in this report and Attachments 1 – 5, in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

COUNCIL DECISION ITEM 11.5

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

That the recommendation be adopted.





CARRIED BY ABSOLUTE MAJORITY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

12.2 NEW LEASE TO THE WESTERN AUSTRALIAN VOLLEYBALL ASSOCIATION INC.- PORTION OF 413 BULWER STREET, WEST PERTH

- Attachments:**
1. Premises plan 
 2. Market Rent Valuation Report - Confidential
 3. Maintenance Schedule 
 4. Volleyball WA 2020 Health Check 
 5. Proposed Lease Comparison with Property Management Framework 

RECOMMENDATION**That Council:**

1. **APPROVES a lease of part of 413 Bulwer Street, West Perth (Premises) to the Western Australian Volleyball Association Inc. (Tenant) on the following key commercial terms:**
 - 1.1. **Initial term:** two (2) years.
 - 1.2. **Option:** two x two (2) year terms, exercised upon mutual agreement by the City and the Tenant.
 - 1.3. **Premises area:** 452m² (buildings) and 1,200m² (volleyball courts).
 - 1.4. **Rent:** \$15,000 per annum (plus GST).
 - 1.5. **Rent Review:** CPI on 1 July each year of the term, commencing on 1 July 2021.
 - 1.6. **Outgoings:** the Tenant to pay all ESL, rubbish and recycling bin charges, utilities (including scheme water, electricity and gas) and minimum level of service statutory compliance testing (including RCD, DFES and pest inspection fees and charges), applicable to the Premises.
 - 1.7. **Insurance:** the Tenant to maintain a public liability insurance policy for not less than \$20million per one claim, in respect of the Tenant's use and occupation of the Premises and car park.

The Tenant to reimburse the City for the building insurance premium payable in regard to all buildings, structures and improvements within the Premises area. If the Tenant requests the City make a claim on the Tenant's behalf (under the building insurance policy) the City may require the Tenant to pay any excess payable in respect to that claim.
 - 1.8. **Repair/maintenance:** the Tenant is responsible for:
 - (a) general minor maintenance of premises which includes replacement of fittings and fixtures including light globes and taps;
 - (b) re-painting of painted surfaces within the premises to ensure they remain in good repair; and
 - (c) cleaning (including carpets annually),see the maintenance schedule at **Attachment 3** for more information.
 - 1.9. **Capital upgrades:** The Tenant is responsible for capital upgrade and capital expansion of all assets within the leased or licenced area and the maintenance of the Premises fit-out.
 - 1.10. **Inspections:** The City will inspect the premises annually or as required.
 - 1.11. **Responsibilities of the City:** The City is responsible for maintenance of roofing and main structure of the Premises (unless the damage is caused by the tenant) and the capital renewal and upgrade of existing assets at the City's discretion.

1.12. Special Condition:Car park licence

- (a) The City grants the Tenant a licence to use:
- (i) ten (10) car bays at the Premises for the Tenant's employees parking (Staff Car Bays); and
 - (ii) five (5) car bays at the Premises for tenant visitor car parking (Visitor Car Bays),
- as identified on the Premises plan (Licensed Area) between the hours of 8:00 am and 5:30pm Monday to Friday for the duration of the Term and at no extra cost to the Tenant (Licence).
- (b) A valid parking permit must be displayed in the front windscreen of all tenant employees' cars using the Staff Car Bays.
 - (c) A three-hour time limit applies to the Visitor Car Bays at all times.
 - (d) The Tenant must at all times keep and maintain the Licensed Area free of litter and in particular oil spillage or leakage and in a reasonable state of cleanliness.
 - (e) The Tenant indemnifies the City from and against all losses arising from damage to any property or the death of or injury to any person caused by:
 - (i) the Tenant or the Tenant's employees and visitors in a vehicle while on the Licensed Area; or
 - (ii) the use of the Licensed Area by the Tenant or the tenant's employees and visitors,except to the extent that the loss or damage is caused or contributed to by the City or the City's employees, agents or contractors.
 - (f) The Tenant must ensure its public liability insurance policy extends to cover public liability resulting from the use by the Tenant and the Tenant's employees and visitors of the Licensed Area.
 - (g) The Licence will come to an end upon the expiry or determination of this Lease.

Garage/shed

The parties acknowledge and agree that:

- (a) the external garage on the land has a large crack in its eastern wall;
- (b) the rent for the premises does not incorporate a charge for use of the garage by the Tenant;
- (c) if the garage become structurally unsound or unsafe during the Term of the Lease, the City may (in its absolute discretion) elect to either rectify the defect or demolish the garage entirely; and
- (d) if the City demolishes the garage (in accordance with this special condition), the Tenant has no right or entitlement to compensation or rent abatement due to the garage no longer being available for use.

- 2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the lease in recommendation 1. above.**

COUNCIL DECISION ITEM 12.2

Moved: Cr Topelberg, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

12.4 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 4 MAY 2021

- Attachments:
1. Audit Committee Meeting Minutes - 4 May 2021 
 2. Attachments to Audit Committee Minutes - 4 May 2021 

RECOMMENDATION:

That Council:

1. **RECEIVES** the City's Corporate Risk Register as at 8 October 2020; and
2. **APPROVES** the proposed risk management actions for the high and extreme risks, noting the suggested amendment that the City undertake a reassessment of the risks associated with the 3 grandstand structures (Leederville Oval, Litis Stadium and Beatty Park) using the broader consequence types, specifically to include people (safety) and reputation and present the findings to the next Audit Committee meeting; and
3. **NOTES** the proposed amendments to the City's Risk Management Policy, which will be subject to public notice and formal adoption by Council and **NOTES** that the Risk Management Policy and Procedure report was deferred to the next Audit Committee meeting;
4. **APPROVES** the Internal Audit Program 2021/22 – 2023/24 (noting the amendment) and **NOTES** that the Chief Executive Officer will engage a suitably qualified auditor to undertake the audits in accordance with the Internal Audit Program 2021/22 – 2023/24.
5. **NOTES** the findings from Office of the Auditor General's Application Controls Audit 2021;
6. **NOTES:**
 1. the status of the City's Audit Log as at 27 April 2021, at Attachment 1 and as summarised in the table below;
 2. **NOTES** that the completion date for the below items was previously extended:
 - 2.1 EA:2020/10 (1) (a) and (b) Office of the Auditor General Information Systems Audit – Confidential – extended from February 2021 to August 2021 and now on track for completion;
 - 2.2 EA:2020/10 (11) Office of the Auditor General Information Systems Audit – Confidential – extended from January 2021 to August 2021 and now on track for completion; and
 - 2.3 EA:2020/10 (12) Office of the Auditor General Information Systems Audit – Confidential – extended from February 2021 to December 2021, as it has been planned as a staged approach.
 3. **APPROVES** the amendment to the proposed completion date for the following items:
 - 3.1 EA:2019/7 Office of the Auditor General's Performance Audit 2019 - Fraud Prevention in Local Government - Findings and Recommendations – was proposed for closure at the 2 March 2021 meeting but reinstated until training has been completed. Due for completion May 2021; and
 - 3.2 EA:2020/10 (20) Office of the Auditor General Information Systems Audit – Business Continuity Plan – Testing was extended from March 2021 to April 2021 and now on track for completion.

COUNCIL DECISION ITEM 12.4

Moved: Cr Topelberg, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

13.1 NOTICE OF MOTION - CR JONATHAN HALLETT - LOCAL PLANNING SCHEME NO. 2 AMENDMENT REGARDING TOBACCO OUTLETS

That Council:

1. NOTES that:

- 1.1 31 May is *World No Tobacco Day* which is held annually to inform the public on the dangers of using tobacco, the business practices of tobacco companies, what the World Health Organization is doing to fight the tobacco epidemic, and what people around the world can do to claim their right to health and healthy living and to protect future generations; and
- 1.2 the promotion of tobacco use is inconsistent with the intent of the City of Vincent Public Health Plan 2020-2025, the State Government's Sustainable Health Review 2019, Western Australian Health Promotion Strategic Framework 2017-2021 and State Public Health Plan 2019-2024, the Federal Government's National Drug Strategy 2017-2026 and Draft National Preventive Health Strategy, and the *WHO Framework Convention on Tobacco Control* of which Australia is a signatory; and

2. REQUESTS the:

- 2.1 the Chief Executive Officer provide a report to Council by 31 October 2021 outlining options for changes to the planning framework to list smoking/cigar rooms, tobacconists, and other outlets whose primary purpose of the premises is where tobacco and other products to be used for smoking are offered for sale or consumed as uses that are not permitted in future developments; and
- 2.2 the Chief Executive Officer/Mayor advocate to the WA Departments of Health and Planning/Ministers for Health and Planning to instigate measures that reduce the number of outlets whose primary purpose of the premises is where tobacco and other products to be used for smoking are offered for sale or consumed.

COUNCIL DECISION ITEM 13.1

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

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

- Attachments:
1. Evaluation Worksheet - RFT IE105-2020 - Solar Panel RFT - Confidential
 2. Comparison table and relevant information - Confidential

RECOMMENDATION:

That Council:

1. 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.
2. **NOTES** the purchase and installation of solar PV systems in a City-owned premises under lease or licence will only proceed where:
 - a. The lease or licence holder (“lease holder”) agrees to fund the cost of purchase and installation, commensurate with the proportion of lease holder electricity utilisation, in return for achieving a reduction in utility expenses at the premises; and
 - b. payment terms and conditions are formally documented, with the City being able to recoup the costs of the system over its lifetime.

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

That the recommendation be adopted.

PROCEDURAL MOTION**MEETING BE NOW CLOSED**

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

That the meeting be now closed.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

At 9.37pm the livestream 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.

PROCEDURAL MOTION

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

That the Council resume an “open meeting”.

CARRIED UNANIMOUSLY (8-0)

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

Against: Nil

(Cr Smith was an apology for the Meeting.)

At 9.45pm the livestreaming recommenced.

COUNCIL DECISION 10.3

That Council:

1. 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.
2. **NOTES** the purchase and installation of solar PV systems in a City-owned premises under lease or licence will only proceed where:
 - a. The lease or licence holder (“lease holder”) agrees to fund the cost of purchase and installation, commensurate with the proportion of lease holder electricity utilisation, in return for achieving a reduction in utility expenses at the premises; and
 - b. payment terms and conditions are formally documented, with the City being able to recoup the costs of the system over its lifetime.

CARRIED (5-4)
PRESIDING MEMBER CASTING VOTE

For: Mayor Cole, Cr Castle, Cr Fotakis and Cr Topelberg

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

(Cr Smith was an apology for the Meeting.)

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

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

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

Nil

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.45pm with the following persons present:

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Joshua Topelberg Cr Ashley Wallace	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
IN ATTENDANCE:	David MacLennan Andrew Murphy John Corbellini Virginia Miltrup Jordan Koroveshi	Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Strategy & Development Executive Director Community & Business Services A/Executive Manager Corporate Strategy & Governance

Public: No members of the public.

These Minutes were confirmed at the 22 June 2021 meeting of Council as a true and accurate record of the Ordinary Council Meeting held on 18 May 2021.

Signed: Mayor Emma Cole



Dated: 22 June 2021