



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

23 August 2022

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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 AUGUST 2022 AT 6.00PM**

PRESENT:	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Ron Alexander Cr Alex Castle Cr Dan Loden</p> <p>Cr Suzanne Worner Cr Jonathan Hallett Cr Ross Ioppolo Cr Ashley Wallace</p>	<p>Presiding Member South Ward North Ward North Ward North Ward (arrived at 6.01pm during Item 2) North Ward South Ward South Ward South Ward</p>
IN ATTENDANCE:	<p>David MacLennan John Corbellini</p> <p>Peter Varris</p> <p>Virginia Miltrup</p> <p>Lisa Williams</p> <p>Luke McGuirk</p> <p>Tara Gloster</p> <p>Joslin Colli</p> <p>Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Strategy & Development (arrived at 6.03pm during Item 3) (left at 9.02 after Item 17.1) A/Executive Director Infrastructure & Environment (left at 9.02 after Item 17.1) Executive Director Community & Business Services (left at 9.02 after Item 17.1) Manager Marketing & Partnerships (left at 8.33 after Item 12.3) Manager City Engineering (left at 7.35pm during Item 9.6) Manager Policy & Place (left at 8.11pm after Item 9.8) A/Manager Development & Design (left at 7.58pm after Item 9.6) Council Liaison Officer</p>
Public:	Approximately seven 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

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 Andrew Dilorito of Mt Hawthorn - Item 9.2

- Stated that he is the landowner for the development.
- Spoke in support of the recommendation.
- Mentioned that the design has full support from Administration and the Design Review Panel's heritage expert.
- Encouraged Council to approve the development.

The Presiding Member, Emma Cole, thanked Mr Dilorito for his comments.

3.2 Kevin van Bever of Perth

- Spoke about issues at Weld Square Park.
- Mentioned that in the last few years it is not safe in the area any longer, as the park is being frequented by blatant drug users, needles are discarded on the ground and antisocial behaviour has increased.
- Requested Council to take some action.

The Presiding Member, Emma Cole, thanked Mr van Bever for his comments and requested that he provide his details so that the City can contact him regarding this issue. The Presiding Member advised that Council decided to no longer have the food truck in Weld Square and believed that that had made a difference to the way the area was being used but advised that the City is happy to investigate if that is not the case.

3.3 Elio Amato of North Perth submitted written comments prior to the meeting and spoke to them.

- Spoke regarding the Charles Veryard Reserve floodlighting upgrade.
- Believes that the responses from the City do not answer his questions.
- Mentioned that works have continued, which was part of the \$25000 expenditure, which had not yet been sourced at the first quarter budget review.
- Stated that he does not believe there was enough justification to undertake this project.
- Believes that the Reserve is on the Municipal Heritage Inventory, which was not noted in any of the reports to Council, and no heritage impact statement has been undertaken despite the fact that the light towers detract from the park.
- Night games take place in the Reserve and the noise from the park affects the residents, the noise survey was 40 times over the statutory noise limits and this has not been addressed.
- Britannia Reserve is available in the evenings and could be used instead for night games, instead of upgrading the lighting at Charles Veryard.

Written comments submitted prior to the meeting

1. The floodlighting infrastructure located at Charles Veryard Reserve was completed in March 2016. In the project justification and report to council the project officer claimed the proposed new floodlighting for Charles Veryard Reserve was "the latest in floodlighting technology".

Since installation, the floodlighting has been in operation a mere 6 years and for all intents appears to be fully functional and operating as it was when installed in 2016.

Can Council please provide evidence, from a suitably qualified person, supporting the verbal claims made by CEO David MacLennan at the council meeting of the 21st June 2022 that "*the floodlights are dilapidated and in need of replacement*".

2. Can Council please provide an explanation as to why in 2020 it facilitated the works to redirect the floodlights on the South-East floodlighting tower, directing the floodlights away from the sporting field and instead directing it to the base of the pole?
3. What was the reason for deliberately reducing the illumination levels across the playing field when the proposed floodlight upgrade project claims to address the problem of inadequate light levels?
4. How has it been established that the existing lighting is inadequate to play ball sports?

The redirection of the floodlighting of the South-East tower resulted in an overall reduction in light levels across the playing field by 25% which could cause an uninformed observer that the lighting was not operating at its original design levels.

5. Further, can council please advise why it refused to respond and address community reports of the misdirected floodlighting on the South-East tower?
6. Can Council please provide evidence of the legal risk review associated the floodlighting upgrade proposal in particular, the stated purpose to allow the playing of organised sporting activities at Charles Veryard Reserve under at night, considering numerous noise complaints received by the City over the last 2-3 years from local residents living adjacent the reserve?

Note: Council health officers conducted noise testing at noise sensitive premises adjacent Charles Veryard Reserve and identified noise from sports activities played on the reserve received at noise sensitive premises was 40 times over the statutory noise limits contained in the Environmental Protection (Noise) Regulations.

7. How does Council propose to control noise originating from organised sporting activities at Charles Veryard Reserve received at the noise sensitive premises adjacent the reserve which exceeds statutory limits particularly after 7pm which are considered “quiet” periods when residents expect uninterrupted quiet enjoyment of their homes and outside living areas?
8. Charles Veryard Reserve appears on the State’s Heritage Register and is classified as Category “B” Management Category Heritage Place in the State Heritage register.

Can Council please provide details of the assessment undertaken to establish that the proposed upgrade of the floodlighting at Charles Veryard Reserve was in accordance with Planning and Development Regulations 2015 and City of Vincent planning policy 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties?

9. Further, can Council please provide details of any investigation or report assessing the impact the development will have on the heritage value of the park and how the development is sympathetic and respectful to the park and its surrounds?
10. Can Council please advise the processes and procedures associated with operation of and control of the floodlighting, in particular how lighting controls will be managed to ensure the floodlighting is not used outside organised sporting activities and not used at the 100lux output level when not required for match play?
11. Can Council please provide details of the standards and/or statutory requirements to which it refers dictating the requirement for 100lux light levels across the playing field noting that AS2560.2.3 – Sports lighting specific applications – Lighting for Football (all codes) is not a mandatory standard?
12. Can Council please provide technical details (lux plot) of the illumination levels (horizontal and vertical) across the playing field and surrounding areas based on the proposed LED lighting for both the 50lux and 100lux outputs.
13. Can Council please provide details of the footing reinforcement design produced by the City’s design consultant including the geotechnical investigation completed to identify the scope of reinforcement works.
14. Can Council advise the remediation works to be undertaken to correct the leaning floodlight poles whose footings have been disturbed by the recent footing reinforcement works?
15. Can Council please advise why works commenced on the excavation and reinforcement of the existing pole footings committing the City to \$25,000 of expenditure prior to the source funding having been identified and approved by council in the first quarter budget review?

16. Can Council please advise why an additional the pole footing reinforcement works was only identified after the installation works contract had been awarded when it should have been known that the existing pole footings were not capable of supporting the substantially increased sail area of upgraded lighting? If it was not known that the existing pole footing were not able to support the increased wind loads, why was this not identified by the design consultant prior to the tender and award of the contract?

Note. Advice of the proposed \$25,000 additional funding requirement was first included in the council briefing notes dated 19 July 2022, two months after the upgrade works contract was awarded and works scheduled to commence.

17. Can Council please provide an updated cost to completion of the proposed floodlight upgrade project including all contract, design consulting services, subcontractors and contract employee costs.
18. Can Council please advise why, based on the legal, environmental and corporate governance issues raised above, the proposed Charles Veryard Reserve lighting upgrade was not circulated in accordance with the City's Community and Stakeholder Engagement Policy seeking input from those residents directly and indirectly affected by the proposal?

The Presiding Member, Emma Cole, thanked Mr Amato for his comments and took his questions on notice.

3.4 Barbara Abbott of North Perth – Item 10.4

- Spoke against the recommendation, as she does not believe there is enough evidence to support not trialling the diagonal diversion.
- Stated that the recommendation is based on supposition and prediction which is not relevant.
- Mentioned that main streets were not considered as alternatives for traffic.
- Stated that she does not know what the best solution would be, but this trial is a potential solution.

The Presiding Member, Emma Cole, thanked Ms Abbott for her comments.

3.5 Geraldine Box of North Perth – Item 10.4

- Spoke against the recommendation.
- Mentioned that the recommendation does not consider what local streets are supposed to be about – a 'terminal' destination function for local traffic.
- Stated that the vehicle flow is not more important than pedestrians and cyclists, which is not included in the report.
- Mentioned that the report is confusing, lacks clarity and is designed to confuse the reader. Unhappy with digital resolution of documents online.
- Queried why her comments are not reflected in the report and stated that she believes other residents' comments have not been included.
- Encourages Council to support a trial of the diagonal diversion, which will improve safety and amenity.

The Presiding Member, Emma Cole, thanked Ms Box for her comments.

3.6 Amanda Coventry of Perth

- Resides near Villa Nightclub, which is in a densely populated residential area.
- Mentioned that there have been serious incidents in the area recently.
- Mentioned that she has submitted complaints previously, as the noise is overwhelming.
- Stated that the nightclub is open from 10pm to 5am.
- Queried if some action could be taken.

The Presiding Member, Emma Cole, thanked Ms Coventry for her comments and asked the Executive Director Strategy & Development if any complaints have been received on this matter. He advised that he is

not aware of any ongoing complaints but will investigate. The Presiding Member asked the Executive Director Strategy & Development to put Ms Coventry in touch with a member of the compliance team who can investigate.

The following questions were submitted in writing prior to the Meeting.

Dudley Maier of Highgate – Item 11.2

The list of expenditure for the period ending 30 June 2022 shows three payments of \$10,000 each made to Vincent Town Teams on 30 June – the last day of the financial year. (i.e. Beaufort Street Network, North Perth Business and Community Association and Pickle District)

1. Given that these are described as “Town team grant 2021/22” what expenditure from 2021/22 are these payments supposed to cover?
2. Are there any restrictions as to what these funds may be spent on?
3. Is it envisaged that these three Town Teams will be eligible for an additional \$10,000 grant in 2022/23?
4. Were the Town Teams required to apply for the funds?
5. Are the Town Teams required to acquit these payments, and if so, by when, and who is responsible for checking the acquittals?
6. If they are required to acquit the payments will the details of the acquittals be available for inspection by ratepayers so that we can see what the money was spent on?
7. Who approved/authorised these payments?
8. Why were these payments made on the last day of the financial year?

Note: Administrations’ responses will be provided in the Agenda for the 20 September 2022 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.20pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Andrew Main of North Perth – Item 6

At the budget meeting held on 5 July 2022, Cr Ioppolo sought Council’s approval to adjourn the meeting so that further detailed information about capital works expenditure could be provided to Council by the administration. In response to this suggestion, the Mayor made the following statement to Council:

“We can’t adjourn the meeting because we’ve already started the new financial year, we have to send out rate notices. We’ve got deadlines from our printer in order to issue rates notices. I’m just saying deferral is not an option given we’ve already commenced, we’ve already pushed the budget as far as we could. We’ve had extra workshops and we’ve had additional information provided, but we can’t defer tonight because we commenced the new financial year.”

However, *Section 6.2 (1) of the Local Government Act 1995* prescribes that budgets can be adopted by a Council no later than 31 August each year.

My questions are as follows:

- Were the comments made by the Mayor about the adoption date of the budget incorrect or misleading?
- Did the Mayor know that her comments may have been incorrect or misleading?
- Were members of Council influenced by her statements and therefore they rejected out of hand the suggestion by Cr Ioppolo to adjourn discussion of the budget until more detailed information was available to council?
- Why didn’t the CEO or other senior executive staff present at the 5 July meeting intervene and provide accurate advice about the date by which a local government is able to adopt its budget?

Mayor Cole has provided the following:

The statutory deadline for adoption of the budget was not being disputed.

- *The date of the Special Council Meeting was raised with all of Council in advance of the meeting being convened.*
- *Administration's clear and consistent advice to Council was for Council to adopt the annual budget by this time at the latest in order to issue rates notices, commence implementation of the City's projects, programs and services and ensure the capital works program could commence as soon as possible.*
- *The City's 2021-22 Budget was adopted on 22 June 2021. The City budgets for a 12 month period and an extension to 31 August would have significant financial and operational implications.*
- *All Council Members were aware of the rationale and the City of Vincent's context in setting this timeframe.*

Shawn Offer of Mt Lawley – Item 9.7

In relation to item 9.7 on this evening's agenda I submit the following:

At the Briefing session there was discussion about the bluntness of the consultation by the CoV Management. I had previously forwarded my contact details to the Place Planner for Beaufort Street. I received an email back asking to complete a survey, to quote "I would appreciate your input to inform the early planning of this project and advise Council of the best approach". After completing this survey, I was followed up for a meeting. To which I was told a trial would be occurring regardless of the feedback received by this consultation. As much as the Management rephrased my perceptions last week, the fact remains that I was told the trial would proceed regardless. As my message from last week said "**it became clear that we had to manage the situation without being oppositional.**" So yes I had to adapt to the changing landscape. It now seems the trial is yet to be approved.

The statement that further traffic studies would cost \$25k for the City. It will cost many business in the area much more collectively. This trial is not just two phases. It is three in a two month period:

1. Total closure during the 16 days to build it – the most disruptive as the council works take up twice the work area
2. Phase one – total closure trial
3. Phase two – one way trial for one month.

Are council aware that via the Main Roads data that Beaufort Street is busiest north of Chelmsford's Road than any other part of the strip north of Bulwer Street. Thousands of cars come into it from Vincent Street.

Did Management use the same Main Roads data to ensure they did their testing at peak periods? I know that April, when the first testing was done, is a shoulder time as is October. When the trial will be. School holidays are also quiet traffic times. The peak periods are when the problems will occur and when businesses draw their most business from this arterial road. Not everyone accesses Mt Lawley from Walcott Street. Traffic out of the City is a vital feed to this area. Look at the data.

How are other malls in the suburbs going – North Perth Piazza, never used. Mary Street rarely used. High Street Freo – do you want that in Mt Lawley?

There is one business that activates on to this section of Grovesnor Road – I don't understand the logic? Why do we need to lose over five car parking bays? I do not support this plan. It is going to create drama in the carparks.

At its [22 June 2021 Ordinary Meeting \(Item 12.1\)](#), Council considered the results of community consultation on the future of the Barlee Street Car Park. This community consultation indicated that a large proportion of the community wanted to see a, town square, park or more pedestrian friendly areas in the Beaufort Street Town Centre. At this meeting the Council requested that the CEO provide a report on potential public or shared spaces within Beaufort Street including the potential for trialling pedestrian spaces at Grosvenor Road or Barlee Street. Action 2.3 'Trial pedestrian spaces at Grosvenor Road or Barlee Street.' was subsequently included within the Beaufort Street Town Centre Place Plan (BSTCPP). At its [14 September 2021 Ordinary Meeting \(Item 9.9\)](#), Council adopted the [Beaufort Street Place Plan](#), Volume 5, following community engagement. Administration has progressed to scope and secure funding to deliver Action 2.3.

Administration is aware of the traffic volumes on Beaufort Street of 19,921 average vehicles from Monday to Friday, of which 92.6% are cars and 7.4% trucks. Traffic data for Beaufort Street is collected by Main Roads WA.

The City undertook traffic counts of Raglan, Chelmsford and Grosvenor Roads from 9 to 16 December 2021 which is considered a 'peak period'. The results show low volumes of vehicle movements within these side streets, indicating the majority of vehicle movement travelling along Beaufort Street northbound continue

north or west along Walcott Street. A public life audit was conducted in the area on 18 March 2022, which focused on understanding how the area was used by pedestrians.

There will not be a loss of five 15-minute parking bays. The loading bay/taxi zone and one 15-minute vehicle bay will be temporarily relocated on Grosvenor Road close to its current position. The three existing 15-minute parking bays on Grosvenor Road will be available during the trial from 17 October to 14 November 2022. The additional bay nearby will remain, creating a new 15-minute bay during this period.

The urban public spaces of North Perth Common, Mary Street Piazza and Leederville Square located in the City's town centres experience varied levels of use. They are places that provide pedestrian amenity and are used as rest points or meeting points. They are also spaces that are utilised by community groups for activations and events, which increase pedestrian activity and linger time in the area. There has been a reduction of events across the City in the past two years due to impacts of the COVID-19 pandemic. There are signs things are improving, and the City has recently approved funding to community groups, showing there will be more activity in the town centres in the near future.

The Grosvenor Road project is being conducted as a trial to make informed decisions for place planning and investment within the town centre, through the prioritisation of pedestrians and activity in the space. The prioritisation of pedestrians aligns with the City's Accessible City Strategy 2020-2030 (ACS). The ACS has the vision of; The City of Vincent puts people first. Getting around is safe, easy, environmentally friendly, and enjoyable.

Vincent community has identified a preference for prioritising pedestrians and better connections with cycling and public transport facilities. A future transport hierarchy of use must therefore preference mobility for people, not cars, through greatly improved pedestrian, cycle, and public transport infrastructure. The hierarchy is based on a people first philosophy, which prioritises vulnerable people and supports active and sustainable modes of transport before traditional considerations of private vehicle movement.

While the City works to minimise any inconvenience caused by capital works, it is necessary on occasion for the City to undertake construction, maintenance or other works that may cause some disruption to surrounding businesses. The works at the corner of Grosvenor Road and Beaufort Street are being undertaken for a beneficial purpose, being to improve connectivity and pedestrian safety. The footpath upgrade should ultimately increase foot traffic to and past businesses in the area with the improvement of walkability. Changes in traffic movements will be appropriately and extensively advertised and signposted.

Dudley Maier of Highgate – Item 11.6 and others

1. Can you confirm that the 2019/2020 capital budget had \$225,000 for “Co-location of reception to library”, plus \$35,000 for “Library - Reception Desk Fit-out Renewal”; and the 2020/2021 capital budget had \$50,000 for “Upgrade Library counter to enhance customer service delivery”

This question references two distinct projects. Project 1 is complete. Project 2 has been carried forward to FY23. It was initially delayed due to COVID and was a lower priority during the capital works program in FY22.

Project 1:

Date	Description	Budget	Actual Spend
1 July 2019 2019/20	Co-location of reception to Library Corporate Business Plan 2019/20: “Delivering a new Community Hub”. Involved moving Rangers from the Depot to the Library and moving customer service functions to the Library. May Budget Review (May 2020) notes the Capital Works are completed	\$225,000	\$204,927

Project 2:

Date	Description	Budget	Actual Spend
1 July 2019	Library – Reception Desk Fit Out Renewal	\$35,000	
19 May 2020	Plan drawn up. Project deferred due to COVID.		\$1,486
28 July 2020	C/F FY21 Upgrade Library Counter	\$50,000	
22 June 2021	C/F FY 22 Upgrade Library Counter	\$48,500	

5 July 2022 C/F FY 23 Upgrade Library Counter \$48,500

2. How much was actually spent on moving the Customer Service hub to the library?

\$204,927 was spent. This project involved multiple streams of work that extended beyond 'co-location of reception to Library', including moving Rangers from the Depot to the Library and moving some (not all) reception and customer service functions to the Library.

3. Did the administration involve the council before making the decision to transfer the customer service centre?

Delivering a new Community Hub at the Library was identified as a major project in the 2019/20 Corporate Business Plan, which was approved by Council.

4. Can you confirm that the customer service desk will be moved back to the Admin Centre in order to deliver a better customer service experience, commensurate to the one experienced prior to the move to the library?

In the 2020/21 Corporate Business Plan the City included a Customer Service Improvement Project on the annual plan as the City seeks to continuously improve how it delivers services to its customers. Customers and staff have suggested improvements across all customer channels, including Web, messenger, social media, email and face-to-face.

Options under consideration are to increase the number of customer service staff at the Admin Centre including relocation of the customer service call centre. During COVID the customer service mix between different channels has changed and there is more customer service activity occurring in the customer service back office. The back-office team requires more space than is available in the back office of the Library and they also need to interact with the customer front office. Therefore, part or all of the team may be relocated to the Admin Centre to reflect these process changes.

5. Which member of the Executive Team takes responsibility for the ill-fated movement of the customer service centre which represents a significant waste of ratepayer's money?

The majority of the costs outlined above related to the re-location of the Rangers Team from the City's depot in Osborne Park to the Library which has been very well received.

Rangers are now based and patrol from within the City of Vincent compared to the time and cost wasted in multiple vehicle movements to and from Osborne Park.

Rangers can also now provide an in-person service to residents and ratepayers from the Library which was not an option when the entire team was based at the depot in Osborne Park. This was invaluable during the introduction of the e-permit system.

Rangers also have the option to patrol on e-bikes from the Library location.

Rangers can attend to urgent calls and requests much faster from the Library compared to their former depot location – and can now be at a resident's property within minutes.

The community has welcomed the increased visibility and presence of the Rangers since their relocation, particularly in Leederville.

The Rangers being based at the Library has provided an additional and welcome level of security to Library staff particularly outside normal business hours.

There have been no identified downsides to this change.

All administrative functions are the responsibility of the Chief Executive Officer including the initiative to relocate the Rangers from the depot in Osborne Park to the Library.

6. At the 21 June meeting asked why the City did not consider taking out short term loans to cover the bridging costs of underground power (Question 4). I asked 'why', but no reason was given in the answer provided, just that this could be an option in the future. Again, I ask why the City did not

recommend this option? And further, what options were considered in order to cover the bridging costs, why weren't these included in the report to Council?

The City is currently in the very early stages of the underground power project and are waiting on detailed costing estimates from Western Power. Over the next few months when further information and more accurate project costs are available, the City will be able to model various options to fund the project and provide ratepayers with longer payback periods. All options will be considered which could include a combination of both debt and reserves to manage cash flow requirements.

7. The approval for the underground project included an area of 144 metres covering approximately 80 properties in the Mt Hawthorn Town Centre without providing any map or clear details. What area does this encompass (either street numbers or map)?

Please find the area marked in green on below map:



8. Can you confirm that the dates shown in the Project on a Page for the Underground Power Project are incorrect and are out by a year (e.g. the MoU was supposed to be signed by March 2022 and not March 2023 as shown)?

Yes, we can confirm that the dates in the Project on a Page for the Underground Power Project as attached to the Council Agenda on 17 May 2022 are incorrect and out by a year as described above. Where the timeline says FY 2022/23 it should say FY 2021/22 and follow on from there.

9. Given that Clause 5 (b) of the MoU with Western Power said that the MoU was to remain confidential, did the City obtain permission from Western Power to make the MoU public before it was included in the Agenda documents? For the avoidance of doubt, I congratulate the City for making the document public.

Yes, we consulted with Western Power prior to publishing the report to Council to ensure it did not include any commercial in confidence information.

10. Does the CEO think it is reasonable that somebody who just wants to see answers to Questions on Notice in the agenda must download a 367MB document in order to see those answers?

The increased digital file size of online Council Meeting Agenda and Minutes is generally related to the use of graphics and images to supplement and inform reports. The City will investigate opportunities to reduce the digital size to assist accessibility of those documents. The City will also establish a process where a response to a question taken on notice is provided direct to the questioner where a postal or email address is provided.

11. Does he accept that the agendas developed by Vincent's original CEO, and which contained all reports and links to all attachments were generally 1 to 2 MB in size, even though the agendas contained more items per meeting?

Please refer to the above response.

Ben Farrell of Perth

On 5 July 2022, after viewing [Attachment 2 - Capital Budget 2022/23](#) of Item 5.1 Adoption of the Annual Budget 2022/23, I asked questions regarding the following Stuart Street Reserve line item in the Capital Budget 2022/23 (page 57):

Parks - Playground/Exercise Equipment Renewal Program		Carry Forward 2022/23	New Capital 2022/23	Total Budget 2022/23
Stuart Street Reserve – remove playground and reinstate reserve	Renewal, Renewal	\$60,000	\$10,000	\$70,000

The reference to remove the playground came as a disappointing surprise. The playground is well utilised by locals and to my knowledge no community consultation or user analysis was undertaken to justify its removal. As such, I asked the following questions and on 25 July 2022 was provided the response below in blue italics.

1. When was the decision to remove the Stuart Street Reserve playground made and was there any consultation with the surrounding community?
2. Is there an opportunity to reconsider the playground removal?

The decision to remove this playground comes from an asset management perspective and is supported by the City Asset Management and Sustainability Strategy (AMSS) and also the City's Public Open Space (POS) Strategy. It was made as part of the budget adoption process where Council considers assets that are end of life and require replacement or removal. (The budget is actually incorrect and should read \$10,000. This will be reduced at mid-year budget review as the remaining \$40,000 relates to another project and has been entered on the incorrect line).

The rationale behind this decision is the playground is end of life and is not considered safe to remain in use. Its removal has actually already been deferred from previous years but now requires to be removed. The decision not to replace it is because of the proximity to other (and more substantial) playgrounds including one a very short distance away in Robinson Park. Hyde Park with all its fantastic play equipment is also close to this reserve. The reserve is classified as a Local Public Open Space and the City's POS Strategy list play spaces as optional for this type of space. In addition the City's AMSS recognises that the City is struggling to meet the financial demand for the replacement of existing assets and that sometimes it is appropriate for assets to be removed and not replaced.

Taking all these factors into consideration, the City has made the decision to remove and not replace the playground in Stuart St Reserve. There will be a public engagement exercise to engage local residents on what will be placed in this space once the playground is removed. The Council can reconsider this decision at any point in time. Please note that the small playground in Keith frame Reserve is also scheduled for removal this year for similar reasons.

Since receiving this response, I've spoken to neighbours who use the playground equipment frequently. They have expressed equal surprise and disappointment with the response and lack of engagement, which is uncharacteristic of the City's usual practices. I have also read the City's POS

Strategy and AMSS and do not agree with the stated opinion that the decision to remove the playground is supported by these strategies. The POS Strategy includes:

- Objective 1 - Maximise the value of open spaces for the community through improved amenity and functionality;
- Objective 2 - Identify and respond to the impacts of development, population growth and demographic change on the open space network; and
- Key Action 13 - Prepare and implement a Playspace Strategy/Policy to ensure infrastructure provision aligns with community demographics.

The AMSS includes:

- Key Objective 4 - Making sure our assets meet current and emerging community needs; and
 - defines the ways an asset is managed including:
 - Dispose (including demolish, sell, remove, mothball an asset); and
 - Renew (including rehabilitate, resurface and refurbish an asset).
1. Given the Stuart Street Reserve item in the Capital Budget 2022/23 incorrectly noted renewal and was attributed the incorrect budget amount of \$70,000, did Council actually consider the removal of the playground? and has a legitimate decision on this item been made?
 2. The playground is used by the local community on a daily basis and does not appear to be unsafe, is there a condition report available documenting the state of the playground and the need to remove it?

The City has engaged a qualified consultant to carry out comprehensive inspections on the playground at Stuart Street reserve. The reports summarise that the playground looks fairly old and dated, however the equipment is in reasonable condition overall and suitable for use by the public.

3. POS Strategy Key Action 13 (Prepare and implement a Playspace Strategy/Policy to ensure infrastructure provision aligns with community demographics) includes the following tasks:
 - Undertake detailed audit of all playspace infrastructure including both condition and functionality.
 - Prepare a Playspace Strategy aligned with the POS hierarchy and levels of service, and local community demographics/profiles.
 - Undertake a strategic playspace replacement, rationalisation and upgrade program.
 - Directly engage with local children and young people and other relevant stakeholders to ensure POS functionality and amenity aligns with community needs.

Has the Playspace Strategy been prepared? If so, where is it available? If not, shouldn't the future of the Stuart Street Reserve playground be determined through the development of the Playspace Strategy to ensure it aligns with community needs?

Given the playground is still usable and currently open and accessible to the community, would it be prudent to retain the playground as is until the Playspace Strategy is complete?

Development of the Play Space Strategy is a key action within the Public Open Space Strategy and is due to commence and be completed within 2023/24.

Based on the playground inspection report, and community feedback, The City will be recommending that Council defer the decision to remove these playgrounds to first allow development of the Play Space Strategy. The proposal to defer and reallocate funding will be presented to Council for approval through the budget review process.

4. The adopted \$70,000 budget is comparable to the other playground renewal items listed in the Capital Budget 2022/23 (eg. Local POS – Ivy Park), could the \$70,000 funding be retained until user and needs analysis and consultation have been undertaken?

The \$70,000 listed for the removal of the playground at Stuart Street Reserve was incorrectly listed and should read \$10,000. The additional \$60,000 was for another project and therefore cannot be used to update the equipment at Stuart Street Reserve.

5. Understanding the City's financial difficulties regarding the replacement of assets, the decision to remove and not renew the playground seems to have been made without the correct information at hand, based on little or no analysis, and without consultation, communication or justification. To simply suggest there are other playgrounds within proximity, without accompanying analysis and prior to the

completion of the Playspace Strategy, is not proper planning and contrary to the City's existing strategies.

Can the City please reconsider the future of the playground with consideration to the development of the Playspace Strategy?

Answered above.

If a petition is required to demonstrate community support for the reconsideration of the future of the asset, this is something local residents would be happy to arrange.

The following response was provided at the Ordinary Council Meeting of 26 July 2022.

Executive Director Infrastructure & Environment advised that there will be public consultation on the removal of the playground, and these results will be referred to Council. The Presiding Member, Cr Susan Gontaszewski queried if there would be a sign in the playground advising of when the consultation is taking place and Executive Director Infrastructure & Environment confirmed that there would be.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Alexander

That Cr Suzanne Worner's request for leave of absence from 7 – 24 September 2022 be approved.

CARRIED UNANIMOUSLY (9-0)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Wallace, Seconded: Cr Ioppolo

That the minutes of the Ordinary Meeting held on 26 July 2022 be confirmed.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 STAFF ACHIEVEMENTS

Warm congratulations to Virginia Miltrup, Executive Director Community & Business Services, who has been appointed as CEO for the City of Karratha, which is a tremendous achievement.

The City has recently welcomed some new managers to the team: Jayde Robbins, Manager City Buildings & Asset Management, Luke McGuirk, Manager City Engineering and Lisa Williams, Manager Marketing and Partnerships.

Gus McGuire has been appointed as the City's Aboriginal Engagement Officer, which is a great addition to the team, particularly exciting as we are looking to adopt the Innovate Reconciliation Action Plan this evening.

8 DECLARATIONS OF INTEREST

- 8.1 Mayor Emma Cole declared an impartiality and Potential Financial interest in Item 9.2 No. 72 (Lot: 258; Plan: 3642) The Boulevarde, Mount Hawthorn - Proposed Single House. The extent of her interest in this matter is that she has family members living in a residence on The Boulevarde.

Given the close association of this family relationship, she sought additional advice from the WA Local Government Association to clarify the potential extent of her interest, and a financial interest may be possible or perceived.

On this basis, she will not participate in the debate or vote on this matter.

- 8.2 Cr Ross Ioppolo declared a financial interest in Item 17.1 Claim for Reimbursement – Legal Costs. The extent of his interest is that he stands to benefit financially from approval of this recommendation. He will not participate in the debate or vote on this matter.

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 9.2 and 10.4.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Nil.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.2 and 17.1.

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	9.6, 10.1 and 12.3
Cr Loden	11.4
Cr Hallett	9.7

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 9.1, 9.3, 9.4, 9.5, 10.2, 11.1, 11.2, 11.3, 12.1, 12.2, 12.4 and 12.5
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 17.1 and 17.2.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Castle

**That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.1, 9.3, 9.4, 9.5, 10.2, 11.1, 11.2, 11.3, 12.1, 12.2, 12.4 and 12.5**

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett,
+Cr Ioppolo and Cr Wallace

Against: Nil

9.1 NO. 357 (LOT: 3; D/P: 1879) LORD STREET, HIGHGATE - PROPOSED MIXED USE DEVELOPMENT**Ward:** South

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Shading, Solar and Ventilation Analysis 
 4. Acoustic Report 
 5. Environmentally Sustainable Design Report 
 6. Waste Management Plan 
 7. Summary of Submissions - Administration's Response 
 8. Summary of Submissions - Applicant's Response 
 9. Design Review Panel Minutes 20 April 2022 
 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 Mixed Use Development at No. 357 (Lot: 3; D/P: 1879) Lord Street, Highgate, 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 Mixed Use Development as shown on the approved plans dated 4 July 2022. No other development forms part of this approval;

2. Use of Commercial Tenancy

This approval is for a Restaurant/Café as defined in the City of Vincent Local Planning Scheme No. 2:

Restaurant/Café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the Liquor Control Act 1988;

3. Boundary Walls

The surface finish of boundary walls facing 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;

4. Visual Privacy

Prior to the occupation or use of the development, all privacy screening devices shown on the approved plans shall be installed in accordance with the details and annotations indicated on the approved plans, to the satisfaction of the City;

5. Colours and Materials

Prior to the occupation or use of the development, 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, and thereafter maintained, to the satisfaction of the City;

6. Landscaping

6.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plans dated 4 July 2022 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 10.4 percent deep soil areas, as defined by the Residential Design Codes Volume 2;
- The provision of a minimum of 6.6 percent on structure planting areas surrounding the roof terraces in accordance with the location and dimensions in the approved plans; and
- The provision of a minimum of 16 trees contributing towards canopy coverage within the deep soil and on structure planting areas provided. The tree species are to be in accordance with the City's recommended tree species list;

6.2 All works shown in the plans as identified in Condition 6.1 above shall be undertaken in accordance with the approved plans to the satisfaction of the City, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers; and

6.3 Prior to occupation or use of the development, two new verge trees shall be planted within the Broome Street verge adjacent to the subject site, at the expense of the applicant/owner, to the satisfaction of the City. The species of the new street trees shall be *Jacaranda mimosaeifolia* (Jacaranda) and they shall be a minimum of 35 litre capacity;

7. Car Parking, Access and Bicycle Facilities

7.1 Prior to occupation or use of the development, one visitor parking space, eight multiple residential parking spaces and one commercial tenancy parking space, shall be provided on site and are to be permanently marked for the exclusive use of visitor, multiple dwelling, and commercial tenancy parking in accordance with Australian Standard AS2890.1;

7.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved, line marked and allocated in accordance with the approved plans and with Australian Standard AS2890.1, prior to the occupation or use of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and

7.3 Prior to the occupation or use of the development, a minimum of two short-term bicycle parking bays and four long-term bicycle parking bays shall be provided on site in accordance with the approved plans to the satisfaction of the City. The design and construction of the bike bays shall be in accordance with Australian Standards AS2890.3: 2015 Parking Facilities Part 3: Bicycle Parking;

8. Building Design

8.1 The Restaurant/Café shall maintain an active and interactive relationship with Lord Street and Broome Street during the hours of operation, to the satisfaction of the City. Darkened, obscured, mirrored or tinted glass, roller shutters or the like are prohibited. Curtains, blinds and other internal treatments that obscure the view of the internal area from Lord Street and Broome Street are not permitted to be used during the hours of the Restaurant/Café's operation;

8.2 Ground floor glazing and/or tinting to the Restaurant/Cafe 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 are prohibited;

8.3 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;

8.4 Meter boxes and fire boosters shall be located behind the street setback area, not be visible from the street and where integrated into the building designed and located so as not to be visually obtrusive to the satisfaction of the City; and

8.5 The awning, outdoor terrace, balustrading and other structures located within the Lord Street Other Regional Road reservation shall be designed to be of a temporary nature and removable, and shall be removed at the time when the reserved land is required for the upgrading of the regional road, at expense of the owners/occupiers if required;

9. Acoustic Report

Prior to issue of a Building Permit, the submitted acoustic report (Acoustic Consultants Australia, 1 July 2022) shall be updated to demonstrate compliance with the City's Sound Attenuation Policy No. 7.5.21, namely in relation to Section 4.4 and demonstrating that all mechanical plant / equipment proposed to be installed would comply with the Environmental Protection (Noise) Regulations 1997. All recommended measures included in this updated report shall be implemented as part of the development and operated in accordance with, to the satisfaction of the City prior to the use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

10. Waste Management Plan

Prior to the occupation or use of the development, an updated Waste Management Plan shall be submitted to and approved by the City. The plan shall be in accordance with the City's Waste Management Guidelines and must include the following details to the satisfaction and specification of the City:

- The location of bin storage areas and bin collection areas;
- The number, volume and type of bins, and the type of waste to be placed in the bins;
- Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
- The service and frequency of bin collections;

The Waste Management Plan must be implemented at all times to the satisfaction of the City;

11. Construction Management Plan

Prior to the development commencing a Construction Management Plan shall be lodged with and approved by the City (including demolition and/or forward works). The Construction Management Plan is required to detail how the construction will be managed to minimise the impact on the surrounding area and shall include the following:

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

12. Public Art

- 12.1 In accordance with the City's 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 cost of 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; and

- 12.2 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 in conjunction with the above chosen option:**

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

Option 2 –

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

13. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes drying area screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City; and

14. 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.

COUNCIL DECISION ITEM 9.1

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.3 NO. 31 (LOT: 74; PLAN: 32) SMITH STREET, HIGHGATE - PROPOSED ALTERATIONS AND ADDITIONS TO PLACE OF WORSHIP

Ward: South

Attachments: 1. Consultation and Location Map 
2. Development Plans 
3. Heritage Impact Statement 
4. Development 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 Alterations and Additions to Place of Worship at No. 31 (Lot: 74; Plan: 32) Smith Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Development Plans

This approval is for Alterations and Additions to Place of Worship (Crucifix) as shown on the approved plans dated 1 April 2022 and 24 June 2022. No other development forms part of this approval; and

2. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details as indicated on the approved plans, to the satisfaction of the City.



COUNCIL DECISION ITEM 9.3

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

9.4 AMENDMENT TO THE TREES OF SIGNIFICANCE INVENTORY TO INCLUDE THE JACARANDA TREE AT NO. 81 COOGEE STREET, MOUNT HAWTHORN

- Attachments:
1. No. 81 Coogee Street, Mount Hawthorn Aerial Map 
 2. No. 81 Coogee Street, Mount Hawthorn Image 

RECOMMENDATION:

That Council APPROVES an amendment to the City's Trees of Significance Inventory to include the Jacaranda tree (*Jacaranda mimosifolia*) at No. 81 Coogee Street, Mount Hawthorn.




COUNCIL DECISION ITEM 9.4

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

9.5 ADVERTISING OF AMENDED CHARACTER AND HERITAGE AREAS POLICY - ORANGE AVENUE AND HOPE STREET

- Attachments:
1. Amendment 6 to Local Planning Policy: Character Areas and Heritage Areas 
 2. Draft Orange Avenue and Hope Street Character Area Guidelines 
 3. Comparison Table Proposed vs Existing Built Form Provisions 

RECOMMENDATION

That Council:

1. PREPARES the amendments to the Character Area and Heritage Areas Policy as included as Attachments 1 and 2 in accordance with Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. AUTHORISES the Chief Executive Officer to advertise the proposed amendments in accordance with Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.5

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

10.2 REVIEW OF POLICY NO. 2.2.11 - WASTE MANAGEMENT

Attachments: Nil

RECOMMENDATION:

That Council REPEAL Policy No. 2.2.11 – Waste Management.

COUNCIL DECISION ITEM 10.2

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.1 PRELIMINARY FINANCIAL STATEMENTS AS AT 30 JUNE 2022

Attachments: 1. Financial Statements as at 30 June 2022 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 30 June 2022 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JUNE 2022 TO 30 JUNE 2022

- Attachments:
1. Payments by EFT and Payroll Jun 22 
 2. Payments by Cheque Jun 22 
 3. Payments by Direct Debit Jun 22 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 June 2022 to 30 June 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$6,775,787.47
Cheques	\$1,395.32
Direct debits, including credit cards	\$193,380.71
Total payments for June 2022	\$6,970,563.50

COUNCIL DECISION ITEM 11.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.3 INVESTMENT REPORT AS AT 30 JUNE 2022

Attachments: 1. Investment Statistics as at 30 June 2022 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 30 June 2022 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.1 ADVERTISING OF AMENDED RISK MANAGEMENT POLICY

- Attachments:
1. Risk Management Policy (marked up) 
 2. Risk Management Procedure 
 3. Risk Appetite and Tolerance Statements 

RECOMMENDATION

That Council APPROVES the proposed amendments to the Risk Management Policy, at Attachment 1, for the purpose of community consultation.

COUNCIL DECISION ITEM 12.1

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

**12.2 PROPOSED REPEAL OF POLICY NO. 4.1.33 - THIRD PARTY MEDIATION – CITIZENS
ADVICE BUREAU**

Attachments: 1. Policy No. 4.1.33 - Third Party Mediation – Citizens Advice Bureau 

RECOMMENDATION:

That Council REPEAL Policy No. 4.1.33 – Third Party Mediation – Citizens Advice Bureau at Attachment 1.

COUNCIL DECISION ITEM 12.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.4 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 9 AUGUST 2022

Attachments: 1. Audit Committee Minutes - 9 August 2022 
 2. Attachments to Audit Committee Meeting - 9 August 2022 - Confidential

RECOMMENDATION:

That Council:

- **RECEIVES** the minutes of the Audit Committee Meeting of 9 August 2022, as at Attachment 1 and **ENDORSES** the recommendations.
- **ENDORSES** the recommendations of the 15 February 2022, 16 March 2022 and 3 May 2022 Audit Committee Meetings.

COUNCIL DECISION ITEM 12.4

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.5 INFORMATION BULLETIN

- Attachments:
1. **Statistics for Development Services Applications as at the end of August 2022** 
 2. **Register of Legal Action and Prosecutions Monthly - Confidential**
 3. **Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 4 August 2022** 
 4. **Register of Applications Referred to the MetroWest Development Assessment Panel - Current** 
 5. **Register of Applications Referred to the Design Review Panel - Current** 
 6. **Register of Petitions - Progress Report - July 2022** 
 7. **Register of Notices of Motion - Progress Report - July 2022** 
 8. **Register of Reports to be Actioned - Progress Report - July 2022** 
 9. **Council Workshop Items since June 2022** 
 10. **Council Meeting Statistics** 
 11. **Council Briefing Notes - June 2022** 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated August 2022.

COUNCIL DECISION ITEM 12.5

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

That the recommendation be adopted.








CARRIED UNANIMOUSLY “EN BLOC” (9-0)

REPORTS WITH DISCUSSION

At 6:28 pm, Mayor Emma Cole left the meeting having previously declared a financial interest. Cr Gontaszewski assumed the Chair.

9.2 NO. 72 (LOT: 258; PLAN: 3642) THE BOULEVARDE, MOUNT HAWTHORN - PROPOSED SINGLE HOUSE

Ward: North

- Attachments:
1. Consultation and Location Map 
 2. Development Plans 
 3. Summary of Submissions - Administration's Response 
 4. Summary of Submissions - Applicant's Response 
 5. Determination Advice Notes 
 6. Superseded Development Plans 
 7. Applicant's Design Principles Assessment for Northern Elevation of Upper Floor 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a Single House at No. 72 (Lot: 258; Plan: 3642) The Boulevard, Mount Hawthorn in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Development Plans

This approval is for a Single House as shown on the approved plans dated 19 July 2022. 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. 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;

5. 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 (Visual privacy) of the Residential Design Codes Volume 1 deemed-to-comply provisions, to the satisfaction of the City;

6. Landscaping

- 6.1 All landscaping works shall be undertaken in accordance with the approved plans dated 19 July 2022; and

- 6.2 Prior to occupation or use of the development, two new verge trees (*Melaleuca viridiflora*) shall be planted within the Larne Street verge adjacent to the subject site, at the expense of the applicant/owner, to the satisfaction of the City;

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

- 8.1 Walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where The Boulevard and Larne Street intersect and Larne Street and the right of way intersect, with the exception of:

- One pier with a maximum width of 0.4 metres x 0.4 metres and height of 1.8 metres, with decorative capping permitted to 2.0 metres;
- Infill that provides a clear sight line; and
- If a gate is proposed:
 - When closed: a minimum of 50 percent unobstructed view;
 - When open: a clear sightline;

Unless otherwise approved by the City of Vincent; and

- 8.2 Walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1 metre of where the driveway meets the right of way;

9. Car Parking and Access

- 9.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1; and

- 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;

10. Minor Projections

The eaves to the northern elevation of the dwelling shall project no more than 0.75 metres into the setback area, in accordance with Clause 5.1.3 C3.1 (Lot boundary setback) of the Residential Design Codes Volume 1; and

11. Existing Crossover Removal

Prior to the first occupation of the development, the crossover to Larne Street shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's expense.

COUNCIL DECISION ITEM 9.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED (8-0)








For: Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

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

At 6:31 pm, Mayor Emma Cole returned to the meeting and resumed the Chair.

10.4 OUTCOME OF CONSULTATION: 12 MONTH DIAGONAL DIVERSION TRIAL/PROPOSED REDUCTION OF SPEED LIMIT WITHIN AREA BOUNDED BY CHARLES, FITZGEARLD, ANGROVE AND VINCENT STREETS

- Attachments:
1. Consultation Report Raw Data 
 2. Consultation Report Online Survey 
 3. Traffic Data 2018 - 2022 - Alma Road Leake Street. 
 4. Traffic Flow Diagram Alma Road and Leake Street 
 5. Traffic Flow Diagram to Coles 
 6. Item 10.4 North Perth Traffic Calming - Public Consultation Results 
 7. Proposed Design Options for Diagonal Closure 

RECOMMENDATION:

That COUNCIL:

1. NOTES the outcome of the consultation in regard to:
 - 1.1 a proposed 12 month trial of a 'diagonal diversion' at the intersection of Alma Road and Leake Street,
 - 1.2 the proposed reduction of the speed limit to 40 kph on local roads within the area bounded by Charles, Fitzgerald, Angrove and Vincent Streets; and
2. NOT PROCEED with the 12 month trial of the 'diagonal diversion' (closure) of Leake Street and Alma Road, North Perth and NOTES that Administration will continue to work with Main Roads Western Australia (MRWA) on alternate traffic calming treatments; and
3. ENDORSES progression of a formal application to Main Roads Western Australia (MRWA) for the approval of a 40km/h zone in North Perth area bounded by Charles Street (West), Angrove Street (North), Fitzgerald Street (East) and Vincent Street (South); and
4. ENDORSES, subject to MRWA approval, Administration to progress the project with MRWA and commence preparation of the signage plans and engagement with the community to advertise the speed zoning changes, noting that this will need to be completed prior to the formal enactment of the new speed zones.

Moved: Cr Loden, Seconded: Cr Worner

That the recommendation be adopted.

During debate on this item –

At 7:08 pm, Executive Director Strategy & Development left the meeting.

At 7:09 pm, Executive Director Strategy & Development returned to the meeting.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Wallace

That the following Recommendation be added as point 3 and the subsequent points be renumbered:

- 5. PROCEEDS with the construction of a 4 way plateau on the intersection of Alma Road and Leake Street, North Perth; and**

REASON:

So that there is an option for some traffic management treatment at this intersection.

CARRIED (8-1)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Cr Hallett

COUNCIL DECISION ITEM 10.4

That COUNCIL:

1. NOTES the outcome of the consultation in regard to:
 - 1.1 a proposed 12 month trial of a 'diagonal diversion' at the intersection of Alma Road and Leake Street,
 - 1.2 the proposed reduction of the speed limit to 40 kph on local roads within the area bounded by Charles, Fitzgerald, Angove and Vincent Streets; and
2. NOT PROCEED with the 12 month trial of the 'diagonal diversion' (closure) of Leake Street and Alma Road, North Perth and NOTES that Administration will continue to work with Main Roads Western Australia (MRWA) on alternate traffic calming treatments; and
3. PROCEEDS with the construction of a 4 way plateau on the intersection of Alma Road and Leake Street, North Perth; and
4. ENDORSES progression of a formal application to Main Roads Western Australia (MRWA) for the approval of a 40km/h zone in North Perth area bounded by Charles Street (West), Angove Street (North), Fitzgerald Street (East) and Vincent Street (South); and
5. ENDORSES, subject to MRWA approval, Administration to progress the project with MRWA and commence preparation of the signage plans and engagement with the community to advertise the speed zoning changes, noting that this will need to be completed prior to the formal enactment of the new speed zones.

LOST (4-5)

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

Against: Cr Ioppolo, Cr Worner, Cr Loden and Cr Hallett and Cr Alexander

ALTERNATE MOTION

Moved: Cr Loden, Seconded: Cr Worner

That Council:

1. NOTES the outcome of the consultation in regard to:
 - 1.1 a proposed 12 month trial of a 'diagonal diversion' at the intersection of Alma Road and Leake Street,
 - 1.2 the proposed reduction of the speed limit to 40 kph on local roads within the area bounded by Charles, Fitzgerald, Angove and Vincent Streets; and
2. PROCEEDS with a six month trial of the 'diagonal diversion' (closure) of Leake Street and Alma Road, North Perth with a report back to Council at the conclusion of the trial assessing the traffic management impacts and feedback from further community consultation; and
3. ENDORSES progression of a formal application to Main Roads Western Australia (MRWA) for the approval of a 40km/h zone in North Perth area bounded by Charles Street (West), Angove Street (North), Fitzgerald Street (East) and Vincent Street (South); and
4. ENDORSES, subject to MRWA approval, Administration to progress the project with MRWA and commence preparation of the signage plans and engagement with the community to advertise the speed zoning changes, noting that this will need to be completed prior to the

formal enactment of the new speed zones.

REASON:

The original request from community in 2018 was to address vehicle speed and vehicle volume and the proposal as it stands does not address the ongoing issue of traffic volume. Whilst these roads are rated to 3000 vehicle movements a day the community and Council have repeatedly reinforced that this is not acceptable in a local street and requires intervention.

The diagonal diversion will address the issue of vehicle movements on Alma St. It is recognised that this will shift cars to other streets but for cars travelling through the precinct this will overwhelmingly be to distributors. The cut through will occur however due to the winding back and forth nature of these cuts it will predominantly be vehicles from within the precinct which represent a much smaller volume of cars than those coming from outside the precinct.

Further this is a trial. As such if it is unsuccessful alternative measures can be undertaken to address the issue of number of vehicle movements in the street.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Wallace

That a recommendation be added as follows:

- 5. Should Main Roads WA not approve the diagonal diversion trial, Council APPROVES Administration to progress the implementation of the 4 way plateau on the intersection of Alma Road and Leake Street, North Perth.**

CARRIED (8-1)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Ioppolo and Cr Wallace

Against: Cr Hallett

REASON:

So that there is an option for some traffic management treatment at this intersection, and progress is made without returning to Council.

AMENDMENT

Moved: Cr Loden, Seconded: Cr Worner

That the trial be extended to 12 months and a recommendation be added as follows:

- 6. If a diagonal diversion not approved by Main Roads WA, REQUESTS Administration to identify additional options to address traffic volume in the precinct and provide a report to Council with the recommended options.**

REASON:

The original request from community in 2018 was to address vehicle speed and vehicle volume and the proposal as it stands does not address the ongoing issue of traffic volume. Whilst these roads are rated to 3000 vehicle movements a day the community and Council have repeatedly reinforced that this is not acceptable in a local street and requires intervention.

The diagonal diversion will address the issue of vehicle movements on Alma St. It is recognised that this will shift cars to other streets but for cars travelling through the precinct this will overwhelmingly be to distributors. The cut through will occur however due to the winding back and forth nature of these cuts it will predominantly be vehicles from within the precinct which represent a much smaller volume of cars than those coming from outside the precinct.

Further this is a trial. As such if it is unsuccessful alternative measures can be undertaken to address the issue of number of vehicle movements in the street.

LOST (4-5)

For: Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle and Cr Wallace

COUNCIL DECISION ITEM 10.4

That Council:

1. **NOTES the outcome of the consultation in regard to:**
 - 1.1 a proposed 12 month trial of a 'diagonal diversion' at the intersection of Alma Road and Leake Street,
 - 1.2 the proposed reduction of the speed limit to 40 kph on local roads within the area bounded by Charles, Fitzgerald, Angove and Vincent Streets; and
2. **PROCEEDS with a 6 month trial of the 'diagonal diversion' (closure) of Leake Street and Alma Road, North Perth with a report back to Council at the conclusion of the trial assessing the traffic management impacts and feedback from further community consultation.**
3. **ENDORSES progression of a formal application to Main Roads Western Australia (MRWA) for the approval of a 40km/h zone in North Perth area bounded by Charles Street (West), Angove Street (North), Fitzgerald Street (East) and Vincent Street (South); and**
4. **ENDORSES, subject to MRWA approval, Administration to progress the project with MRWA and commence preparation of the signage plans and engagement with the community to advertise the speed zoning changes, noting that this will need to be completed prior to the formal enactment of the new speed zones; and**
5. **Should Main Roads WA not approve the diagonal diversion trial, Council APPROVES Administration to progress the implementation of the 4 way plateau on the intersection of Alma Road and Leake Street, North Perth.**

CARRIED (6-3)

For: Cr Gontaszewski, Cr Alexander, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Mayor Cole, Cr Castle and Cr Wallace

9.6 ADVERTISING OF AMENDED POLICY - LOCAL PLANNING POLICY NO. 7.5.1 - MINOR NATURE DEVELOPMENT

- Attachments:
1. Draft Local Planning Policy: Planning Exemptions 
 2. Schedule of Modifications 

RECOMMENDATION

That Council PREPARES an amendment to Local Planning Policy No. 7.5.1 – Minor Nature Development, included in Attachment 1, for the purpose of community consultation, pursuant to Schedule 2, Part 2, Clause 5(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.6

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

That the recommendation be adopted.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

During debate on this item –

At 7:47 pm, Cr Dan Loden left the meeting.

At 7:48 pm, Cr Dan Loden returned to the meeting.

At 7:53 pm, Manager City Engineering left the meeting and did not return.

At 7:54 pm, Cr Ashley Wallace left the meeting.

At 7:56 pm, Cr Ashley Wallace returned to the meeting.

At 7:58pm, A/Manager Development & Design left the meeting and did not return.

9.7 ADVERTISING OF NEW POLICY - RESTRICTED PREMISES - SMOKING POLICY

Attachments: 1. Draft Restricted Premises - Smoking Local Planning Policy 

RECOMMENDATION

That Council PREPARES the Draft Restricted Premises – Smoking Local Planning Policy included in Attachment 1, for the purposes of community consultation, pursuant to Schedule 2, Part 2, Clause 4 (1)(2) of the *Planning and Development Act (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.7

Moved: Cr Hallett, Seconded: Cr Gontaszewski











That the recommendation be adopted.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

9.8 PLACE PLAN ANNUAL REVIEW

- Attachments:**
1. 2022 Volume 01 VTCP - Implementation Framework Progress Update - Review III 
 2. 2022 Volume 02 NPTCP - Implementation Framework Progress Update - Review III 
 3. 2022 Volume 03 MHTCP - Implementation Framework Progress Update - Review III 
 4. 2022 Volume 04 LTCPP - Implementation Framework Progress Update - Review I 
 5. 2022 Volume 05 BSTCP - Implementation Framework Progress Update - Review I 
 6. 2022 Volume 07 PDPP - Implementation Framework Progress Update - Review I 
 7. 2022 Volume 03 Mount Hawthorn Town Centre Place Plan Review III 
 8. 2022 Volume 04 Leederville Town Centre Place Plan Review I 
 9. 2022 Volume 05 Beaufort Street Town Centre Place Plan Review I 
 10. 2022 Volume 07 Pickle District Place Plan Review I 

RECOMMENDATION:

That Council:

1. **ENDORSES** the updated Volume 3: Mount Hawthorn Town Centre Place Plan, Volume 4: Leederville Town Centre Place Plan, Volume 5: Beaufort Street Town Centre Place Plan and Volume 7: Pickle District Place Plan, as shown in Attachments 7, 8, 9 and 10; and
2. **NOTES** the final review of Volume 1: Vincent Town Centre Place Plan and Volume 2: North Perth Town Centre Place Plan.

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

That the recommendation be adopted.

PROCEDURAL MOTION**DEFERRED**

Moved: Cr Alexander, **Seconded:** Cr Loden

That the motion be **DEFERRED** for further clarification at a Council Workshop and consideration at a future Council Meeting to approve the Place Plan Annual Review.

REASON:

This item has 134 pages of fine detail and the need to refer and research many other documents referred to in the 134 pages, stretching back to 2016. There is too much information to read/research and to carefully consider and vote in an informed manner.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

At 8:11pm Manager Policy and Place left the meeting and did not return.

10.1 TENDER IE181/2022 WATER INGRESS WORKS TO THE FACADE AT BPLC**Attachments: 1. Evaluation Summary - Confidential****RECOMMENDATION:****That Council:**

- 1. NOTES the outcome of the evaluation process for Tender IE181/2022 Water Ingress Works to the Façade at BPLC; and**
- 2. ACCEPTS the tender submission of Buss Group for Tender IE181/2022 Water Ingress Works to the Façade at BPLC.**
- 3. NOTES additional funding of \$13,698 required for this project will be sourced through the budget review process.**

COUNCIL DECISION ITEM 10.1**Moved: Cr Gontaszewski, Seconded: Cr Wallace****That the recommendation be adopted.****CARRIED (9-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil

10.3 ADVERTISING OF AMENDED POLICY - 2.1.3 GRAFFITI CONTROL AND REMOVAL

- Attachments:
1. Graffiti Benchmark 
 2. Graffiti Control and Removal Policy 
 3. Draft Graffiti Management Policy 

RECOMMENDATION

That Council APPROVES the proposed amendments to the Graffiti Control and Removal Policy, at Attachment 1, for the purpose of community consultation.

Moved: Cr Wallace, Seconded: Cr Castle

That the recommendation be adopted.

AMENDMENT

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be amended as follows:

That Council:

APPROVES the proposed amendments to the Graffiti Control and Removal Policy, at Attachment 1, for the purpose of community consultation, **subject to the following change:**

Clause 2.3.1.4 under *Laneways and Rights of Way* to read –

2.3.1.4 In the case of property outlined in 2.3.1.3 above, where the graffiti vandalism is ~~on property or infrastructure directly adjacent to or opposite the complainant's property and negatively impacts the immediate visual amenity from said property~~ as determined by the City.

REASON:

There are laneways across Vincent where streetscapes are emerging, with houses fronting to the lane. This results in higher expectation of visual amenity for those residents and there are examples of laneways being vegetated, being well maintained by residents, and having curbing and lighting added. In order to maintain this amenity, a more flexible approach to removing impactful graffiti would be needed. The revised wording provides more flexibility around the management of graffiti in laneways where the graffiti negatively impacts the visual amenity of properties with frontage on the laneway, to better support emerging streetscapes.

AMENDMENT CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

COUNCIL DECISION ITEM 10.3

That Council:

APPROVES the proposed amendments to the Graffiti Control and Removal Policy, at Attachment 1, for the purpose of community consultation, subject to the following change:

Clause 2.3.1.4 under *Laneways and Rights of Way* to read –

2.3.1.4 In the case of property outlined in 2.3.1.3 above, where the graffiti vandalism negatively

impacts the visual amenity from said property as determined by the City.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

During debate on this item –

At 8:16pm Manager Marketing & Partnerships left the meeting.

At 8:17pm Executive Director Strategy & Development left the meeting.

At 8:17pm Manager Marketing & Partnerships returned to the meeting.

At 8:19pm Executive Director Strategy & Development returned to the meeting.

11.4 INNOVATE RECONCILIATION ACTION PLAN - OUTCOME OF ADVERTISING**Attachments:** 1. City of Vincent Innovate Reconciliation Action Plan **RECOMMENDATION:****That Council:**

1. **ADOPTS** the Innovate Reconciliation Action Plan 2022 – 2024; and
2. **NOTES** that the plan will include appropriate forewords and be subject to further formatting and design, as determined by the Chief Executive Officer, prior to publication.

COUNCIL DECISION ITEM 11.4**Moved: Cr Loden, Seconded: Cr Wallace****That the recommendation be adopted.****CARRIED (9-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil

12.3 PROPOSED REPEAL OF POLICY NO. 4.1.8 - NUCLEAR FREE ZONE**Attachments:** 1. Policy No. 4.1.8 - Nuclear Free Zone **RECOMMENDATION****That Council:**

1. REPEAL Policy NO. 4.1.8 – Nuclear Free Zone at Attachment 1; and
2. ENDORSES the City of Vincent becoming a signatory to the “Mayors for Peace” program.

COUNCIL DECISION ITEM 12.3**Moved: Cr Gontaszewski, Seconded: Cr Loden****That the recommendation be adopted.****LOST UNANIMOUSLY (0-9)****For:** Nil**Against:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**ALTERNATE MOTION****Moved: Cr Gontaszewski, Seconded: Cr Loden****That Council:**

1. RETAINS Policy NO. 4.1.8 – Nuclear Free Zone at Attachment 1; and
2. ENDORSES the City of Vincent becoming a signatory to the “Mayors for Peace” program.

CARRIED (9-0)**For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil**REASON:**

Council still supports this position statement and the symbolism it represents. The threat of nuclear weapons remains a present and real threat of our times.

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

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

At 8:32 pm, Cr Ross Ioppolo left the meeting due to a previously declared financial interest.

At 8.32pm the livestream was paused to consider 17.1 Claim for Reimbursement – Legal Costs and 17.2 Annual CEO Performance Review 2021-2022 And Key Performance Indicators 2022-2023

At 8.33pm Manager Marketing & Partnerships left the meeting and did not return.

17.1 CLAIM FOR REIMBURSEMENT – LEGAL COSTS

Attachments: 1. Cr Ioppolo Application for Legal Costs 2021

RECOMMENDATION:

That in accordance with policy 4.2.1 *Legal Representation for Council Members and Employees* Council:

1. **APPROVES** Cr Ioppolo's application for reimbursement of legal costs related to his summons to appear before the Court of Disputed Returns in November 2021; and
2. **LIMITS** reimbursement of costs in relation to Cr Ioppolo's application to \$2,376.

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

That the recommendation be adopted.

PROCEDURAL MOTION**DEFERRED**

Moved: Cr Castle, **Seconded:** Cr Wallace

That the motion be DEFERRED to the next Council Meeting, so that Cr Ioppolo can provide the application as prescribed by clause 3 of Policy 4.2.1 *Legal Representation for Council Members and Employees* and advice be provided in whether the matter can be dealt with in open meeting.

CARRIED (7-1)

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

Against: Cr Alexander

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

After consideration of Item 17.1 and prior to consideration of Item 17.2 -

At 9:00 pm, Cr Ross Ioppolo returned to the meeting.

At 9:02pm, Executive Director Strategy & Development and Executive Director Community & Business Services left the meeting and did not return.

At 9:04pm, A/Executive Director Infrastructure & Environment left the meeting and did not return.

17.2 ANNUAL CEO PERFORMANCE REVIEW 2021-2022 AND KEY PERFORMANCE INDICATORS 2022-2023

Attachments: 1. CEO Performance Review Summary Report

COUNCIL DECISION

Moved: Cr Gontaszewski, Seconded: Cr Castle

RECOMMENDATION:

That Council:

1. **RECEIVES** the Chief Executive Officer's Annual Performance (2021-2022) Report to Council included as Confidential Attachment 1;
2. **ENDORSES** the outcome of the performance review that the Chief Executive Officer has met the performance expectations of the position for the 2021-2022 review period;
3. **APPROVES** the outcome of the remuneration review that the CEO receive an additional 0.5% superannuation in line with the Superannuation Guarantee, effective 1 July 2022 and 3.5% salary increase from 18 October 2022;
4. **APPROVES** the draft CEO Key Performance Indicators for the 2022-2023 review period contained in Confidential Attachment 1;
5. **NOTES** that the CEO's 5-year employment contract expires on 17 October 2023 and that the CEO is required to notify Council in writing of their intention to seek a contract renewal by 17 April 2023; and
6. **NOTES** that further discussion with the CEO on his remuneration request could be considered as part of a contract extension request.

CARRIED (9-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

Against: Nil

At 9.09pm after consideration of Item 17.2 the livestream recommenced and the Presiding Member, Mayor Cole, advised of the below decisions, as carried behind closed doors.

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.12pm with the following persons present:

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Ron Alexander	North Ward
	Cr Alex Castle	North Ward
	Cr Dan Loden	North Ward
	Cr Suzanne Worner	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Ross Ioppolo	South Ward
	Cr Ashley Wallace	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Wendy Barnard	Council Liaison Officer

Public: No members of the public.

These Minutes were confirmed at the 20 September 2022 meeting of Council as a true and accurate record of the Ordinary Meeting of the Council Meeting held on 23 August 2022.

Signed: Mayor Emma Cole



Dated: 20 September 2022