



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**4 April 2023**

## Table of Contents

1	Declaration of Opening / Acknowledgement of Country.....	3
2	Apologies / Members on Leave of Absence .....	3
3	(A) Public Question Time and Receiving of Public Statements .....	4
4	Applications for Leave of Absence .....	10
5	The Receiving of Petitions, Deputations and Presentations .....	11
6	Confirmation of Minutes .....	11
7	Announcements by the Presiding Member (Without Discussion) .....	12
7.1	Events .....	12
8	Declarations of Interest .....	12
	reports.....	12
	Items Approved " <i>En Bloc</i> ": .....	13
9.1	No. 81 (Lot: 117; D/P: 2099) East Street, Mount Hawthorn - Proposed Alterations and Additions to Single House.....	14
9.3	RAC Reconnect WA 2022/23 - View Street Car Park, North Perth.....	15
9.4	Rent Review Request Beatty Park Physiotherapy Pty Ltd .....	16
10.1	Advertising of amended policy - Closed Circuit Television.....	17
11.1	Financial Statements as at 28 February 2023 .....	18
11.2	Authorisation of Expenditure for the Period 1 February 2023 to 28 February 2023.....	19
11.3	Investment Report as at 28 February 2023 .....	20
11.4	Advertising of amended policy - Purchasing Policy .....	21
12.1	Information Bulletin .....	22
17.1	Tamala Park Regional Council Establishment Agreement: Proposed Changes .....	23
	Reports with Discussion.....	24
9.5	Proposed Lease of Portion of No. 41 (Lot 31) Britannia Road, Leederville at Britannia Reserve for a Telecommunications Facility .....	24
10.2	Introduction of \$1 First Hour Fee in Car Parks - Analysis .....	27
10.3	Undertakings relating to the Animal Local Law 2022 [ABSOLUTE MAJORITY DECISION REQUIRED].....	33
13.1	Cr Gontaszewski - Notice of Motion - Alma/Leake Intersection Diagonal Diversion .....	34
9.2	Review of Design Guidelines .....	35
13	Motions of Which Previous Notice Has Been Given.....	38
14	Questions by Members of Which Due Notice Has Been Given (Without Discussion).....	38
15	Representation on Committees and Public Bodies .....	38
16	Urgent Business .....	38
17	Confidential Items/Matters For Which the Meeting May be Closed .....	38
18	Closure .....	39

**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, 4 APRIL 2023 AT 6.00PM**

<b>PRESENT:</b>	Cr Susan Gontaszewski	South Ward (Acting Presiding Member)
	Cr Ron Alexander	North Ward (electronically, joined at 6.12pm during Item 3(A))
	Cr Alex Castle	North Ward
	Cr Dan Loden	North Ward
	Cr Suzanne Worner	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Ashley Wallace	South Ward
<b>IN ATTENDANCE:</b>	David MacLennan	Chief Executive Officer
	Peter Varris	A/Executive Director Infrastructure & Environment
	Rhys Taylor	Chief Financial Officer (left at 7.45pm during Item 10.3)
	Jay Naidoo	Manager Development & Design (left at 7.43pm during Item 10.3)
	Tara Gloster	Executive Manager Urban Design & Strategic Projects (Left at 8.02pm after Item 9.2)
	Joslin Colli	A/Executive Manager Corporate Strategy & Governance
	Chris Dixon	Project and Strategy Officer (left at 7.51pm after Item 13.1)
	Luke McGuirk	Manager Engineering
	Wendy Barnard	Council Liaison Officer

**Public:** Approximately 13 members of the public.

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

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

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

## **2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE**

Mayor Emma Cole on approved leave of absence from 28 March 2023 to 24 April 2023.

Cr Ross Ioppolo is 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. For full details please review the recording, available on our website.

#### 3.1 Norelle O'Neill of Mt Hawthorn – Item 9.5

- Spoke in support of the officer recommendation
- Noted previous consultation processes and how this has informed the current location
- Concerned about the location impacting existing footpath and access to the pump track
- Offered opinions on consultation processes undertaken by the City and concerns about transparency and integrity
- Does not support the scale of the proposed tower or the justification provided for potential consideration

*The Presiding Member, Susan Gontaszewski, thanked Ms O'Neill for her comments.*

#### 3.2 Greg Curtis of Northbridge

- Stated that he owns a property in Money Street, Northbridge
- Queried if the City acknowledges that the safety and security of residents has worsened since the establishment of the homeless shelter at 41 Money Street?

*The Presiding Member, Susan Gontaszewski, thanked Mr Curtis for his comments and advised that the City is aware of the concerns raised by residents around safety and security, and is scheduling a meeting with the WA Police, Department of Communities and the Office of Homelessness to discuss concerns around antisocial behaviour in the Money Street precinct.*

#### 3.3 Shawn Offer of Mt Lawley – Item 10.2

- Stated he is from Fresh Provisions
- Spoke against recommendations
- Mentioned he is very concerned about the impact the \$1 charge has had on his business
- Urges Council to reinstate the first hour free parking, especially in Mt Lawley

*The Presiding Member, Susan Gontaszewski, thanked Mr Offer for his comments.*

#### 3.4 Linda Harris of Leederville

- Raised concerns about the response to petition in last month's agenda, regarding installing signage at Britannia Reserve, to read "Pedestrians Only"
- Mentioned that the area is dangerous for some pedestrians, due to people on e-scooters and bicycles speeding through

*The Presiding Member, Susan Gontaszewski, thanked Ms Harris for her comments and advised that the matter of access and safety improvements in this area is something that will be considered in the annual budget process. A condition report is being prepared which will outline potential areas that could be improved in relation to inform safety and pedestrian amenity.*

**3.5 Greg Johnson of Mt Hawthorn – Item 9.5**

- Stated he is the owner of Treadway Shoes
- Extended thanks to Cr Worner, Cr Alexander and A/Executive Director Infrastructure & Environment for engaging with him on this issue
- Queried if Council is going to go back to the guarantee that the Mayor gave them that the status quo would be resumed? There would be no further \$1 fee, and it would return to 1 hour free. If not, is that in breach of faith with the ratepayers?

*The Presiding Member, Susan Gontaszewski, thanked Mr Johnson for his comments and advised that Council is a group of 9 people, and decisions are made as a group. The Presiding Member encouraged Mr Johnson to submit any further questions in writing, and advised he is welcome to attend any further meetings.*

**3.6 Lesley Florey of Mt Hawthorn**

- Stated that she no longer has a family home, she only has a piece of land with a stormwater pipe running through it, for which she carries the restrictions and easements imposed by the City
- Requested a copy of the City's main stormwater and drainage system plans used and held prior to the stormwater pipe being discovered on her property, which was around June 2021
- Queried if the grates placed in Sasse Ave, Mt Hawthorn, approximately 2 years ago, feed into the main stormwater pipe that is on her property

*The Presiding Member, Susan Gontaszewski, thanked Ms Florey for her comments and advised that a response would be provided in the agenda for the next meeting.*

**3.7 Dudley Maier of Highgate – Item 10.2, 10.3 and 13.1****Item 10.2**

- Stated that the revenue collected for the first hour jumps from \$250,000 to \$435,000 without any explanation.
- Noted table 2 in the report hasn't been changed and still shows \$250,000. Considers the recommendation is inconsistent with the data presented.
- Mentioned that his analysis shows that the number of stays dropped by approximately 122,000 and not 50,000 that is claimed.
- Stated that the report does not reflect the potential loss of parking revenue from the 50,000 or 120,000 people who may have stayed longer than that first hour.
- Urged Council to reinstate the \$1 free.

**Item 10.3**

- Mentioned that three Local Laws have been rejected by the Joint Standing Committee since 2019.

**Item 13.1**

- Concerned trial has been a waste of money
- Raised concern with the design
- Queried the cost of barriers and solutions implemented raised concern with managing budget of project
- Queried approval process for measures implemented

*The Presiding Member, Susan Gontaszewski, thanked Mr Maier for his comments and advised that during discussion on the item she will ask for an explanation of the changes in the report.*

**3.8 Leon Firios of North Perth – Item 13.1 and 5**

- Spoke in relation to the petition included in the agenda, on the same topic as the Notice of Motion
- Requested the urgent early conclusion of the trial, as there are safety issues at the site and the surrounding streets

*The Presiding Member, Susan Gontaszewski, thanked Mr Firios for his comments.*

**3.9 Vern Gardam of Mt Lawley - Item 10.2**

- Spoke against the recommendation
- Stated that the report was not well written and queried its accuracy

*The Presiding Member, Susan Gontaszewski, thanked Mr Gardam for his comments and encouraged Mr Gardam to provide further feedback in writing.*

The following questions and statements were submitted prior to the Meeting.

**Geoff Cole of Mt Hawthorn**

I am writing to the City of Vincent with regard to car park lighting at the Britannia Road Reserve. A pair of very bright spot lights are installed on the southern end of the carpark, elevated on a pole of approximately 10m height, adjacent to the Leederville Cricket Club clubrooms. Their location is shown by the yellow circle in the figure below.

These lights operate all night and shine into nearby properties (including my own) impacting their amenity. I am writing to ask whether the council could install a timer function on this light so that it goes out at a reasonable time, such as 9:00pm.

**Dudley Maier of Highgate**

1. The Revenue and Rating Plan 2023-2026, which was adopted by Council on 20 September 2022 says that in 2022/23 Vincent expects to receive \$3million in grant funding to improve community facilities at Litis Stadium. The Four Year Capital Works Program 2022/23 – 2025/26, which was approved at the same meeting, does not show any significant work on the facility. When will the city receive the grant, why isn't it in the Capital Works Program, and what is the status of the project?

2. The supporting documents for the 2022/23 Budget showed an amount of \$250,000 for staff benchmarking (market adjustment).
- How much has been committed for this benchmarking this financial year?
  - How many staff members have benefitted from this initiative?
  - What is the average benefit paid, the lowest benefit paid, and the highest benefit paid?
  - How much of that has been paid to members of the Executive Management Committee?
  - How much of that has been paid to staff designated Manager or above?
3. The Mid-Year Budget Review reduced the 2022/23 expected capital expenditure from \$20.1 million to \$17 million. The financial statements for the period ending 28 February show a YTD Budget of \$15.7 million and YTD expenditure of \$5.5 Million (i.e. 35% of YTD budget). Monthly financial statements also show that in February only \$351,000 out of a monthly budget of \$1.17 million was spent. What is the current estimate of the amount of capital expenditure that will be carried forward to next financial year?
4. At the last Council meeting I asked some questions about the removal of the artworks produced by Martin Keil and Henrik Mayer and installed in 2012. In the response to my question the Administration has suggested that the artworks may have been removed prior to the adoption of the Public Art Policy on 22 August 2017. The implication being that the works were removed prior to the adoption of a policy that said that artists should be consulted before works are disposed of. Can you confirm that Policy 3.10.7 (Art Policy) was in force prior to 22 August 2017; that the Objectives of that policy made it clear that it referred to public art; that the policy stated that artists would be consulted on the procedures for disposal; and that works that have been de-accessioned will be offered the work.
5. Tables 5 and 6 of Item 10.2 (\$1 First Hour) show total parking durations and average length of stay from both APARC data and Easypark data. The number of stays/visits can be deduced by dividing the total duration by the associated average stay. The aggregation of APARC and Easypark data shows approximately 608,000 stays in 2021-22 compared with approximately 485,000 stays in 2022-23. This is a drop of approximately 123,000 and represents a 20.2% drop in stays (see below) Why is the data which can be deduced from Tables 5 and 6 significantly different from the data deduced from Tables 1 and 2 (i.e. the drop in visits of 123,000 rather than 50,000 as shown in Tables 1 and 2)?

	2021-2022				2022-2023			
	Hours	Average (h:mm)	Average (Dec)	Visits	Hours	Average (h:mm)	Average (Dec)	Visits
APARC	753,085	1:39	1.65	456,415	585,780	1:58	1.97	297,854
Easypark	258,202	1:42	1.70	151,883	309,404	1:39	1.65	187,517
				608,298				485,371

Administrations' responses will be provided in the Agenda for the 16 May 2023 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.30pm.

**(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****Lesley Florey of Mt Hawthorn**

- Stated that she has lived in Mt Hawthorn for a long time, and has witnessed the flooding of her front and back yards

*Noted*

- Mentioned that she believes the flooding is related to the stormwater pipes and lack of maintenance

*Noted. Flooding can be caused by a number of contributing factors which can include maintenance and infrastructure failure, as well as performance capacity being exceeded due to extraordinary storm events.*

- Stated that there is a stormwater pipe which crosses at an angle in her property, the City has the benefit and she has the burden of these pipes

*Noted. The drainage system within the City of Vincent benefits the wider community of the City of Vincent and surrounding districts*

- Why is the City spending \$425,000 on an international consultant (GHD) to map drainage in the City?

*The City of Vincent is not spending \$425K on an international consultant (GHD) to map drainage in the City. The procurement process to appoint a contractor is currently underway.*

- Why does the City not have drainage records?

*The City has some drainage records however there are current gaps within this information which is planned to be updated. Some of this can be attributed to 'loss' of records through the creation of the Vincent municipality from the 'break up' of the City of Perth in 1995*

- Why do City engineers not do the work?

*City engineers manage and coordinate drainage works which is outsourced in full to contractors. The City of Vincent is currently looking into a broader overall drainage strategy which has some of the outsourced works potentially being delivered in-house.*

- How can GHD see the condition of the pipes, when the pipes are covered in over 80 years of silt, dirt and debris?

*GHD has not reviewed any condition surveys of the pipes. Condition reporting will be undertaken on the drainage system which will include internal camera inspections.*

- When will the final GHD Drainage report be available?

*It is not anticipated that a 'final' document will be produced. The City's approach is –*

- *Data Capture - 2022/2023 & 2023/2024*
- *Hydraulic Modelling - 2023/2024*
- *10 year plan to address Drainage Infrastructure Capital Works – 2024/2025*

- Will the ratepayers have access to the final GHD Drainage Report, or will it be confidential?

*The GHD report was added to the December Council Item as a confidential item in December 2022 (OCM). It is not anticipated to be made public.*

## Dudley Maier of Highgate

In November 2012 the City installed artworks created by Martin Keil and Henrik Mayer working under the name Reingunschellschaft. This was done as part of the Vincent Artist in Residence Programme. The final artwork consisted of street signs which were developed after engaging with the Vincent community. Copyright of the artwork was held jointly by the artists and the City. In recent years these signs have been removed.

- When were the signs removed and who authorised the removal?
- Were the artists consulted about the removal prior to the works being removed?
- Were the Arts Advisory Group consulted about the decision prior to the work being removed as required by the City's policy, and if so, when?
- Has the City offered the work back to the artists as required by the City's policy? If so, when?

*Artists Martin Keil and Henrik Mayer, collectively known as REINIGUNGSGESELLSCHAFT (RG), were successful in City of Vincent's Artist in Residence Programme. The residency commenced in October 2012 and one of the outcomes was a series of street signs with new street names, which were installed in November 2012.*

*The Artist in Residence Agreement for this particular residency, executed in June 2012, states that the City of Vincent is the owner of the artwork, and that the copyright of the artwork is held jointly between the Artists and the City. The Agreement does not address the process of removal of the artworks.*

*Administration has looked into the City's records and have used online maps to determine that the signs were removed within 2018. There is not a record of who authorised the removal of the artworks, or if the artists or the arts advisory group were consulted at this time.*

1. Reference has been made to the fact that there is a 'cap' on how much the City may borrow. Where exactly is this 'cap' defined (e.g. Act or Regulation)?  
What are the parameters that are used to determine what the cap is?

What was the cap as at 1 March 2023?

*The Department of Local Government, Sport and Cultural Industries provides an additional debt calculator for Local Governments to use when assessing future borrowing capacity with the Western Australian Treasury Corporation. The calculator provides a 10 year view of borrowing limits for Local Governments based on their Long Term Financial Plan and current debt levels. The Debt Service Coverage and Net Debt ratio are two key elements in the calculator used to determine a Local Government's future borrowing capacity.*

*The City currently has no additional borrowing capacity for 2022/23 which improves in later years as existing debt reduces and City's financial position improves in line with the adopted Long Term Financial Plan.*

2. In response to a question I asked on 21 June 2022, the Administration stated that the City borrowed \$843,000 to fund the Highgate East Underground Power project.  
Can you confirm that the City actually borrowed \$3,758,380; that this was for a period of 4 years commencing on 15 February 2007; was at an interest rate of 6.51%; and that this was paid for by property owners in the Highgate East area?

Why did the Administration provide the wrong figure when I asked last June?

*The amount previously provided was not correct and related to the additional debt required as included as an amendment to the Annual Budget 2006/07.*

*The City borrowed \$3,758,380 for 4 years at 6.51% as confirmed in the 2006/07 annual financial statements which was paid by the property owners included in the Highgate East Underground Power Project.*

3. On 23 August 2022 the Council approved a 6-month trial of a 'diagonal diversion' at the corners of Leake and Alma. The report to Council listed 3 methods of providing the temporary diversion. The third option was to use temporary water filled barriers at a cost of \$30,000 to \$40,000.
- Who decided to implement the full concrete diversion – was it the Acting Executive Director or the Manager Engineering?  
*Councils decision was;  
"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."  
The decision to implement the full concrete diversion was made by Administration in consultation with Main Roads WA and based on traffic safety considerations.*
  - How much did this solution cost and what will be the cost of removing it if the trial is not made permanent?  
*The detail 1 solution was estimated at a cost of \$35-\$60K, the final cost has not yet been determined. A high level estimate for removal could be between \$10 - \$20K.*
  - Why did the Administration implement the most costly alternative rather than use water filled barriers which was the normal, cost effective way of implementing trials in the past?  
*The Australian Standard AS/NZS 3845.1:2015, defines a temporary road safety barrier system to be "a road safety barrier system used at roadworks, emergencies or other situations for limited durations". It also notes that "its purpose is to redirect an impacting vehicle so as to minimise damage to the vehicle and injury to the occupants, while providing protection for workers or other road users. Administration did not use the water filler barriers as the function of these devices are not designed to be used over a long period. It was also noted that the full concrete diversion (detail 1) once approved by MRWA could be used as a permanent solution were as the water filled barriers could not.*
  - How is the estimate of \$30,000 to \$40,000 for the temporary water filled barriers broken down?  
*The cost estimate was a high-level cost estimate based on having water filled barriers for the required period of the trial. There was no detailed breakdown of costs.*
4. The Mid-Year Budget Review shows a transfer of \$1,250,000 to the Tamala Park Reserve. There was a comment at the Briefing that the amount had originally been in the budget but had been removed at the First Quarter Budget Review. As it was not done at the First Quarter Budget Review it was probably done as part of a confidential item at the December meeting.
- Was the removal of the funds explicitly approved by Council at that meeting?  
The Budget shows Income from Tamala Park as being \$1,848,288 yet only \$1,250,000 is intended to be transferred to the Tamala Park Reserve. Where has the rest gone?  
*The transfer of \$1,250,000 was approved by Council as a confidential item at the November 2022 meeting.*  
*The amount of \$1,848,288 relates to the equity accounted share of profit and not the distribution budgeted to be received by the City. The City included total distributions of \$1,666,666 in the Annual Budget 2022/23 adopted by Council, with \$1,250,000 budgeted to be transferred to reserves and the remaining amount used to fund the budget.*

#### 4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

A petition with 96 signatures was received from Leon Firios of North Perth, requesting that Council end the trial of the diagonal diversion on Leake Street and Alma Road, and reinstate the road to its previous condition, having regard for the disproportionate negative consequences of the diversion on local residents and the 466 signatures in opposition to the diversion in the online petition, the results of which are incorporated by reference into this petition.

### PETITION

### COUNCIL DECISION

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

**That the petition be received and a report be prepared to the 16 May 2023 Ordinary Council meeting.**

**CARRIED (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

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

**That the minutes of the Ordinary Meeting held on 14 March 2023 be confirmed.**

**CARRIED (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

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

The Presiding Member, Cr Susan Gontaszewski made the following announcement:

### 7.1 EVENTS

This weekend marked the transition to Djeran, the Noongar season that heralds the break in the hot weather, with cooler nights and overnight dew on the plants. The start of Djeran would have been celebrated by keen Vincent gardeners, some of whom were at the successful native plant sale at North Perth Common on the weekend. The Presiding Member thanked City staff for a great event and for being in attendance to provide advice.

Youth Week is 14 – 21 April 2023 and is a celebration of young people across WA. Residents are encouraged to look at the City's website, on the events calendar, for details of what is happening. Some activities on offer are music workshops, skate sessions, including sessions for women and girls, free movie screenings, weaving and gaming workshops and also Free to be You at the Freedom Centre and Yarn Youth Festival at the YHQ. This is in addition to the fantastic school holiday activities throughout Vincent.

There will also be a taster of Mt Hawthorn markets on 14 April in preparation for a successful season launch in September.

## 8 DECLARATIONS OF INTEREST

Cr Susan Gontaszewski declared a proximity interest in Item 9.2 Review of Design Guidelines. The extent of her interest is that she resides within the area impacted by the Highgate Design Guidelines which are proposed for revision.

## REPORTS

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

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 9.5, 10.2, 10.3 and 13.1.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 10.3.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 9.2.

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

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

Nil

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

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.1, 9.3, 9.4, 10.1, 11.1, 11.2, 11.3, 11.4, 12.1, 13.1 and 17.1
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Items 17.1.

**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, 10.1, 11.1, 11.2, 11.3, 11.4, 12.1 and 17.1**

**CARRIED (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**9.1 NO. 81 (LOT: 117; D/P: 2099) EAST STREET, MOUNT HAWTHORN - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE****Ward:** North

- Attachments:**
1. Consultation and Location Map 
  2. Development Plans 
  3. Summary of Submissions - Applicant's Response 
  4. Summary of Submissions - Administration's Response 
  5. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for and Alterations and Additions to Single House at No. 81 (Lot: 117; D/P: 2099) East Street, 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 Alterations and Additions to a Single House as shown on the approved plans dated 16 March 2023. No other development forms part of this approval;

**2. 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;

**3. Colour and Materials**

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

**4. 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 face brick consistent with the approved plans dated 16 March 2023, or material as otherwise approved, to the satisfaction of the City;

**5. 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; and

**6. Landscaping**

Prior to occupation of the development, all landscaping works shall be undertaken in accordance with the approved plans dated 16 March 2023, to the satisfaction of the City.

**COUNCIL DECISION ITEM 9.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**9.3 RAC RECONNECT WA 2022/23 - VIEW STREET CAR PARK, NORTH PERTH****Attachments:** 1. RAC Reconnect WA 2022/23 - Proposed Carpark Reconfiguration **RECOMMENDATION:**

That Council **AUTHORISES** Administration to implement the 'Car Park to Great Place – View Street, North Perth' project in the Rosemount Hotel Car Park, View Street Car Park and North Perth Common as per the outcomes of the Stakeholder Reference Group.

**COUNCIL DECISION ITEM 9.3****Moved: Cr Loden, Seconded: Cr Castle**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**9.4 RENT REVIEW REQUEST BEATTY PARK PHYSIOTHERAPY PTY LTD****Attachments: 1. Profit & Loss Statement - FY21/22 & YTD 31.01.23 - Confidential****RECOMMENDATION:****That Council:**

- 1. APPROVES a variation of lease with Beatty Park Physiotherapy Pty Ltd (ACN 614 728 095) located at a portion Beatty Park Leisure Centre, 220 Vincent Street, North Perth to reflect rent reduction of 15 per cent of current rent per annum plus GST (equating to \$13,793.60 per annum) for a period of three (3) years or an alternative period as agreed by the Chief Executive Officer (CEO) and Beatty Park Physiotherapy Pty Ltd to commence from the date of Council's approval; and**
- 2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and CEO to execute the Deed of Variation of Lease in accordance with the Execution of Documents Policy.**

**COUNCIL DECISION ITEM 9.4****Moved: Cr Loden, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED UNANIMOUSLY "EN BLOC" (7-0)****(Mayor Cole was on approved leave of absence for the Meeting.)****(Cr Ioppolo was an apology for the Meeting.)**

**10.1 ADVERTISING OF AMENDED POLICY - CLOSED CIRCUIT TELEVISION**

- Attachments:
1. Closed Circuit Television (CCTV) Policy 2023 
  2. Policy 3.9.12 - Closed Circuit Television (CCTV) 

**RECOMMENDATION**

That Council:

1. **APPROVES** the proposed amendments to the Closed Circuit Television Policy, at Attachment 1, for the purpose of public notice, which is proposed to replace Policy 3.9.12 Closed Circuit Television (CCTV) at Attachment 2;
2. **AUTHORISES** the Chief Executive Officer to provide local public notice of the proposed new policy and invite public comments for a period of at least 21 days; and
3. **NOTES** that at the conclusion of the public notice period any submissions received will be presented to Council for consideration.

**COUNCIL DECISION ITEM 10.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

11.1 FINANCIAL STATEMENTS AS AT 28 FEBRUARY 2023

Attachments: 1. Financial Statements as at 28 February 2023 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 28 February 2023 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” (7-0)

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 FEBRUARY 2023 TO 28 FEBRUARY 2023**

- Attachments:
1. Payments by EFT and Payroll February 23 
  2. Payments by Cheque February 23 
  3. Payments by Direct Debit February 23 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2023 to 28 February 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$4,394,032.72
Cheques	\$469.30
Direct debits, including credit cards	\$607,884.95
<b>Total payments for February 2023</b>	<b>\$5,002,386.97</b>

**COUNCIL DECISION ITEM 11.2**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

11.3 INVESTMENT REPORT AS AT 28 FEBRUARY 2023

Attachments: 1. Investment Statistics as at 28 February 2023 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 28 February 2023 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" (7-0)

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**11.4 ADVERTISING OF AMENDED POLICY - PURCHASING POLICY**

Attachments: 1. Amended Purchasing Policy 

**RECOMMENDATION**

That Council PREPARES an amendment to Purchasing Policy, included in Attachment 1, for the purpose of community consultation, pursuant to the City's Policy Development and Review Policy and Community Stakeholder Engagement Policy.

**COUNCIL DECISION ITEM 11.4**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**12.1 INFORMATION BULLETIN**

- Attachments:
1. Unconfirmed Minutes Children and Young People Advisory Group (CYPAG) 8 February 2023 
  2. Unconfirmed Minutes Arts Advisory Group - 22 February 2023 
  3. Statistics for Development Services Applications as at the end of March 2023 - will be uploaded for the Council Meeting 
  4. Register of Legal Action and Prosecutions Monthly - Confidential
  5. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 17 March 2023 
  6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
  7. Register of Applications Referred to the Design Review Panel - Current 
  8. Register of Petitions - Progress Report - March 2023 
  9. Register of Notices of Motion - Progress Report - March 2023 
  10. Register of Reports to be Actioned - Progress Report - March 2023 
  11. Council Workshop Items since 1 March 2023 
  12. Council Meeting Statistics 
  13. Council Briefing Notes - 7 March 2023 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated March 2023.

**COUNCIL DECISION ITEM 12.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

**17.1 TAMALA PARK REGIONAL COUNCIL ESTABLISHMENT AGREEMENT: PROPOSED CHANGES**

- Attachments:
1. Establishment Arrangement with Proposed Tracked Changes - Confidential
  2. Establishment Agreement Schedule of Amendments - Confidential
  3. Detailed comment on clauses with substantial amendment - Confidential

**RECOMMENDATION:**

That Council:

1. **SUPPORT** modifying the Tamala Park Regional Council Establishment Agreement (EA) as detailed in Attachment 1 of this report;
2. **AUHTHORISE** the Chief Executive Officer to approve any non-material changes requested by the Department of Local Government, Sport and Cultural Industries; and
3. **AUTHORISE** the Mayor and Chief Executive Officer to affix the common seal and execute the Establishment Agreement in accordance with the Executive of documents policy.

**COUNCIL DECISION ITEM 17.1**

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

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Mayor Cole was on approved leave of absence for the Meeting.)

(Cr Ioppolo was an apology for the Meeting.)

## REPORTS WITH DISCUSSION

### 9.5 PROPOSED LEASE OF PORTION OF NO. 41 (LOT 31) BRITANNIA ROAD, LEEDERVILLE AT BRITANNIA RESERVE FOR A TELECOMMUNICATIONS FACILITY

- Attachments:
1. Options 1 and 2 tower locations 
  2. Location Plan & Drawings - Telecommunication Facility 
  3. ATN response to SPP5.2 
  4. Market Valuation - Britannia Reserve (14 Sept 2022) - Confidential

#### RECOMMENDATION:

#### That Council:

1. APPROVES giving public notice and inviting submissions under the provisions of section 3.58(3) of the *Local Government Act 1995* for the proposed lease of a portion of the land located at No. 41 (Lot 31) Britannia Road, Leederville at Britannia Reserve with Indara Corporation Pty Ltd (ACN 643 875 165) subject to the following key terms:
  - 1.1 Initial Term: Ten (10) years
  - 1.2 Option Term: Two x Five (5) year terms
  - 1.3 Rent: \$48,000 per annum (plus GST)
  - 1.4 Rent Review: CPI on 1 July annually
  - 1.5 Market Rent Review: as per Administration's recommendation but not agreed by Indara:  
  
Market rent review at each Option Term which is to be undertaken 6 – 9 months before commencement of each Option Term.
  - 1.6 Outgoings: Lessee's responsibility
  - 1.7 Rates & Taxes: Lessee's responsibility
  - 1.8 Permitted Use: For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service including but not limited to accessing, installing, storing, operating, repairing, maintaining, altering, removing, adding and replacing telecommunications equipment consistent with the evolving nature of telecommunications services
  - 1.9 Maintenance of leased area: Lessee's responsibility
  - 1.10 Redevelopment clause: City will have ability to require Indara to relocate after ten (10) years provided the City provides Indara with twenty four (24) months' written notice;
2. If no submissions are received as a result of public notice period in Recommendation 1. above, AUTHORIZES the:
  - 2.1 Chief Executive Officer to enter into the lease in Recommendation 1. above, and
  - 2.2 Mayor and Chief Executive Officer to affix the common seal and execute the lease in accordance with the Execution of Documents Policy;
3. NOTES that if any submissions are received as a result of the public notice period in Recommendation 1. above, the Chief Executive Officer will provide the submissions to Council for consideration and Council will determine whether to proceed with the proposed lease.

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

**That the recommendation be adopted.**

**AMENDMENT**

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

**That a recommendation be added as follows:**

**That Council:**

- 4. APPROVES the rent from the lease relating to the telecommunications facility of portion of Lot 41 (31) Britannia Road, Leederville to be applied to the Public Open Space Reserve.**

**REASON:**

The revenue from the telecommunications tower over the next 10 years is significant exceeding half a million dollars. Given the impact from the telecommunications tower occurs in public open space it is appropriate that the revenue generated should be spent on public open space. Allocating these funds into the public open space reserve will allow this to occur. This will also provide an ongoing funding source for public open space without the need to sell other parcels of land within the city.

**ADMINISTRATION'S COMMENT:**

The report currently states that the rent received will be held in Municipal Funds, this is consistent with the City's usual approach to lease income.

The City's Finance team have advised that the inclusion of funds within the POS reserve can be considered as part of the Annual Budget process if the lease is approved and the commencement of the lease term and payment is more certain and imminent.

**AMENDMENT CARRIED (6-1)**

**For:** Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Wallace

**Against:** Cr Alexander

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**COUNCIL DECISION ITEM 9.5**

That Council:

1. **APPROVES** giving public notice and inviting submissions under the provisions of section 3.58(3) of the *Local Government Act 1995* for the proposed lease of a portion of the land located at No. 41 (Lot 31) Britannia Road, Leederville at Britannia Reserve with Indara Corporation Pty Ltd (ACN 643 875 165) subject to the following key terms:
  - 1.1 **Initial Term:** Ten (10) years
  - 1.2 **Option Term:** Two x Five (5) year terms
  - 1.3 **Rent:** \$48,000 per annum (plus GST)
  - 1.4 **Rent Review:** CPI on 1 July annually
  - 1.5 **Market Rent Review:** as per Administration's recommendation but not agreed by Indara:  
  
Market rent review at each Option Term which is to be undertaken 6 – 9 months before commencement of each Option Term.
  - 1.6 **Outgoings:** Lessee's responsibility
  - 1.7 **Rates & Taxes:** Lessee's responsibility
  - 1.8 **Permitted Use:** For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service including but not limited to accessing, installing, storing, operating, repairing, maintaining, altering, removing, adding and replacing telecommunications equipment consistent with the evolving nature of telecommunications services
  - 1.9 **Maintenance of leased area:** Lessee's responsibility
  - 1.10 **Redevelopment clause:** City will have ability to require Indara to relocate after ten (10) years provided the City provides Indara with twenty four (24) months' written notice;
2. **If no submissions are received as a result of public notice period in Recommendation 1. above, AUTHORISES** the:
  - 2.1 **Chief Executive Officer to enter into the lease in Recommendation 1. above, and**
  - 2.2 **Mayor and Chief Executive Officer to affix the common seal and execute the lease in accordance with the Execution of Documents Policy;**
3. **NOTES** that if any submissions are received as a result of the public notice period in Recommendation 1. above, the Chief Executive Officer will provide the submissions to Council for consideration and Council will determine whether to proceed with the proposed lease.
4. **APPROVES** the rent from the lease relating to the telecommunications facility of portion of Lot 41 (31) Britannia Road, Leederville to be applied to the Public Open Space Reserve.

**CARRIED (6-1)**

**For:** Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Wallace

**Against:** Cr Alexander

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**10.2 INTRODUCTION OF \$1 FIRST HOUR FEE IN CAR PARKS - ANALYSIS**

- Attachments:
1. Leederville car park locations 
  2. Mount Lawley and Perth car park locations 
  3. North Perth car park locations 

**RECOMMENDATION:**

That Council:

1. **NOTES** the following key findings from the analysis of the implementation of the \$1 for first hour fee in the City's paid car parks:
  - 1.1 There was a reduction in overall carpark ticket transactions by approximately 50,000. Frame Court in Leederville was the only carpark to record an increase.
  - 1.2 The revenue collected from this first hour was approximately \$435,000 (equivalent to \$870,000 p.a).
  - 1.3 The overall average length of stay in the carparks has increased by approximately 20 minutes – and the overall average length of stay in revenue has also increased.
  - 1.4 There has been an increase of an average of 9 minutes per transaction between the two periods and an increase of approximately 56% in revenue per transaction.
  - 1.5 City Rangers have not observed any apparent reduction in the volume of vehicles in the car parks other than the View Street, Rosemount Hotel and Wasley Street car parks in North Perth.
  - 1.6 Short term parking bays (eg. 15 minute bays) are very well utilised since the introduction of \$1 for the first hour.
  - 1.7 Total parking time by patrons using the EasyPark app has increased.
  - 1.8 Consumer spending is growing consistent with inflation in Mount Hawthorn, Leederville and North Perth. Mount Lawley is showing negative growth against inflation.
  - 1.9 The slight reduction in parking transactions does not appear to have impacted consumer spending across the town centres with the average length of stay increasing (the exception being the Mount Lawley town centre).
  - 1.10 The implementation of \$1 for the first hour in the car parks has had a minimal impact to on-street paid parking bays in the vicinity of the car parks.
  - 1.11 There is no data to indicate that parking behaviour has moved from the car parks into on-street paid parking bays.
  - 1.12 The implementation of the \$1 for first hour has not resulted in an increase in complaints regarding parking behaviour;
2. **REQUESTS** that Administration liaises with Mount Lawley town centre retailers regarding their concerns relating to free short-term parking availability and considers increasing the availability and mix of free 15 and 30 minute bays at the Raglan Road and Chelmsford Road car parks; and
3. **REQUESTS** that the CEO addresses through the Precinct Parking Management Plan review the negative impact parking has had in residential streets in North Perth, in the vicinity of the View Street and Rosemount Hotel car parks.

**Moved:** Cr Worner, **Seconded:** Cr Loden

That the recommendation be adopted.

#### **AMENDMENT**

**Moved:** Cr Alexander, **Seconded:** Cr Worner

That a Recommendation 4 be inserted as follows:

**4. REQUESTS that the first hour free be reintroduced in the car parks listed in the report as soon as possible.**

#### **REASON:**

1. The removal of first hour free has been demonstrated to have a negative impact on non-hospitality businesses in town centres. The statistics show a 16% drop in potential customer numbers.
2. Indications are that this is mostly affecting businesses which tend to have customers who tend to stay a short period of time.
3. The removal of the first hour free has removed the competitive advantage that Vincent businesses have had.
4. The aggregated loss to businesses probably far exceeds the gain that the City has made from the \$1 fees.

#### **ADMINISTRATION'S COMMENT:**

Proposed Amendment:

#### **4.1 First hour free be reintroduced in the car parks listed in the report as soon as possible.**

At its Special Meeting of 5 July 2022 Council adopted the fees and charges for the full 2022/23 financial year. The following legislative requirements relate to the imposition and amendment of fees and charges –

Section 6.16 of the *Local Government Act 1995* provides –

*(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide other than a service for which a service charge is imposed.*

*\*Absolute majority required.*

Section 6.16 further notes-

*(3) Fees and charges are to be imposed when adopting the annual budget but may be -*

*(a) imposed\* during a financial year; and*

*(b) amended\* from time to time during a financial year.*

*\*Absolute majority required*

Section 6.19 of the *Local Government Act* provides-

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted, it must, before introducing the fees or charges, give local public notice of -*

*(a) its intention to do so; and*

*(b) the date from which it is proposed the fees or charges will be imposed.*

Therefore, to amend the 'first hour' car parking fee from \$1 to \$0 will require an absolute majority decision and be subject to the carrying out of a local public notice process.

Should this change be supported the City will need to reprogram the parking ticket machines (one week). Signage on the car park sites has been worded in a manner that it does not need to change to reflect movement in fees and charges.

Administration recommends that overall consideration of changing the parking fees should give due consideration to the current annual budget (2022/23) and forthcoming annual budget (2023/24).

The review of the number and mix of free 15 and 30 minute short term bays in each car park may be seen as a more tailored and responsive approach to address the needs of retailers and business owners in a changing economic environment.

The Amendment is not supported.

**CARRIED 4/3**

**For:** Cr Alexander, Cr Loden, Cr Worner and Cr Wallace

**Against:** Cr Gontaszewski, Cr Castle and Cr Hallett

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

At 7:33 pm, Cr Dan Loden left the meeting.

At 7:34 pm, Cr Dan Loden returned to the meeting.

That Council:

1. **NOTES** the following key findings from the analysis of the implementation of the \$1 for first hour fee in the City's paid car parks:
  - 1.1 There was a reduction in overall carpark ticket transactions by approximately 50,000. Frame Court in Leederville was the only carpark to record an increase.
  - 1.2 The revenue collected from this first hour was approximately \$435,000 (equivalent to \$870,000 p.a).
  - 1.3 The overall average length of stay in the carparks has increased by approximately 20 minutes – and the overall average length of stay in revenue has also increased.
  - 1.4 There has been an increase of an average of 9 minutes per transaction between the two periods and an increase of approximately 56% in revenue per transaction.
  - 1.5 City Rangers have not observed any apparent reduction in the volume of vehicles in the car parks other than the View Street, Rosemount Hotel and Wasley Street car parks in North Perth.
  - 1.6 Short term parking bays (eg. 15 minute bays) are very well utilised since the introduction of \$1 for the first hour.
  - 1.7 Total parking time by patrons using the EasyPark app has increased.
  - 1.8 Consumer spending is growing consistent with inflation in Mount Hawthorn, Leederville and North Perth. Mount Lawley is showing negative growth against inflation.
  - 1.9 The slight reduction in parking transactions does not appear to have impacted consumer spending across the town centres with the average length of stay increasing (the exception being the Mount Lawley town centre).
  - 1.10 The implementation of \$1 for the first hour in the car parks has had a minimal impact to on-street paid parking bays in the vicinity of the car parks.
  - 1.11 There is no data to indicate that parking behaviour has moved from the car parks into on-street paid parking bays.
  - 1.12 The implementation of the \$1 for first hour has not resulted in an increase in complaints regarding parking behaviour;
2. **REQUESTS** that Administration liaises with Mount Lawley town centre retailers regarding their concerns relating to free short-term parking availability and considers increasing the availability and mix of free 15 and 30 minute bays at the Raglan Road and Chelmsford Road car parks; and
3. **REQUESTS** that the CEO addresses through the Precinct Parking Management Plan review the negative impact parking has had in residential streets in North Perth, in the vicinity of the View Street and Rosemount Hotel car parks.
4. **REQUESTS** that the first hour free be reintroduced in the car parks listed in the report as soon as possible.

**LOST (4-3) ABSOLUTE MAJORITY NOT OBTAINED**

**For:** Cr Alexander, Cr Loden, Cr Worner and Cr Wallace

**Against:** Cr Gontaszewski, Cr Castle and Cr Hallett

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**NOTE:** As the decision requires an Absolute Majority (i.e. 5 in the affirmative) the substantive motion was LOST

**NOTE:** As the amended substantive was lost, it was proposed that the original recommendation become the substantive.

### **COUNCIL DECISION ITEM 10.2**

#### **ORIGINAL RECOMMENDATION**

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

That Council,

1. **NOTES** the following key findings from the analysis of the implementation of the \$1 for first hour fee in the City's paid car parks:
  - 1.1 There was a reduction in overall carpark ticket transactions by approximately 50,000. Frame Court in Leederville was the only carpark to record an increase.
  - 1.2 The revenue collected from this first hour was approximately \$435,000 (equivalent to \$870,000 p.a).
  - 1.3 The overall average length of stay in the carparks has increased by approximately 20 minutes – and the overall average length of stay in revenue has also increased.
  - 1.4 There has been an increase of an average of 9 minutes per transaction between the two periods and an increase of approximately 56% in revenue per transaction.
  - 1.5 City Rangers have not observed any apparent reduction in the volume of vehicles in the car parks other than the View Street, Rosemount Hotel and Wasley Street car parks in North Perth.
  - 1.6 Short term parking bays (eg. 15 minute bays) are very well utilised since the introduction of \$1 for the first hour.
  - 1.7 Total parking time by patrons using the EasyPark app has increased.
  - 1.8 Consumer spending is growing consistent with inflation in Mount Hawthorn, Leederville and North Perth. Mount Lawley is showing negative growth against inflation.
  - 1.9 The slight reduction in parking transactions does not appear to have impacted consumer spending across the town centres with the average length of stay increasing (the exception being the Mount Lawley town centre).
  - 1.10 The implementation of \$1 for the first hour in the car parks has had a minimal impact to on-street paid parking bays in the vicinity of the car parks.
  - 1.11 There is no data to indicate that parking behaviour has moved from the car parks into on-street paid parking bays.
  - 1.12 The implementation of the \$1 for first hour has not resulted in an increase in complaints regarding parking behaviour;
2. **REQUESTS** that Administration liaises with Mount Lawley town centre retailers regarding their concerns relating to free short-term parking availability and considers increasing the availability and mix of free 15 and 30 minute bays at the Raglan Road and Chelmsford Road car parks; and
3. **REQUESTS** that the CEO addresses through the Precinct Parking Management Plan review the negative impact parking has had in residential streets in North Perth, in the vicinity of the View Street and Rosemount Hotel car parks.

**CARRIED (4-3)**

**For:** Cr Gontaszewski, Cr Castle, Cr Loden and Cr Hallett

**Against:** Cr Alexander, Cr Worner and Cr Wallace

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**10.3 UNDERTAKINGS RELATING TO THE ANIMAL LOCAL LAW 2022**

Attachments: 1. Letter from JSCDL on undertakings of Animal Local Law 2022 - Confidential

**RECOMMENDATION:**

That Council:

1. **RESPONDS** to the Joint Standing Committee on Delegated Legislation indicating its agreement to the following undertakings in respect to the City of Vincent Animal Local Law 2022:
  - 1.1 Provide feedback to the Committee by 14 April 2023, about how clause 3.2(2)(a) would operate in practice, including consideration of the *Animal Welfare Act 2002*;
  - 1.2 Within 6 months, repeal the local law and make a new local law complying with all requirements in section 3.12 of the *Local Government Act 1995* which does not contain a provision equivalent to clause 3.7(1)(b);
  - 1.3 Ensure the local law will not be enforced in a manner contrary to Recommendation 1.2;
  - 1.4 Ensure all consequential amendments arising from Recommendation 1.2 will be made; and
  - 1.5 Where the local law is made publicly available by the City, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.
2. **NOTES** that Administration will provide a further report to Council to approve the commencement of advertising the Animal Local Law 2023 (including repeal of the 2022 Local Law), once drafted.

**COUNCIL DECISION ITEM 10.3**

**Moved:** Cr Hallett, **Seconded:** Cr Wallace

That the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

At 7.43pm Manager Development and Design left the meeting and did not return.

At 7.45 Chief Financial Officer left the meeting and did not return.

**13.1 CR GONTASZEWSKI - NOTICE OF MOTION - ALMA/LEAKE INTERSECTION DIAGONAL DIVERSION**

That Council REQUESTS the CEO present a report to the May 2023 Ordinary Council Meeting on the outcomes to date of the Alma Road / Leake Street Diagonal Diversion trial, including the results of community consultation, collected traffic data and safety assessment.

**COUNCIL DECISION ITEM 13.1**

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

That the recommendation be adopted.

**CARRIED (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

At 7.51pm Project and Strategy Officer left the meeting and did not return.

## 9.2 REVIEW OF DESIGN GUIDELINES

- Attachments:
1. Design Guideline Review 
  2. Summary of Submissions 
  3. Schedule of Modifications 
  4. Draft LPP Brookman & Moir Street Heritage Area 
  5. Draft LPP Lacey Street Character Area 
  6. Community and Stakeholder Engagement Policy - Tracked 

## RECOMMENDATION

That Council:

### 1. PREPARES:

- 1.1. An amendment to Appendix 6 – Brookman and Moir Streets Design Guidelines, included in Attachment 4, for the purpose of community consultation, pursuant to clause 5 of Schedule 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- 1.2. An amendment to Appendix 17 – Design Guidelines for Lacey Street, included as Attachment 5, for the purposes of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- 1.3. An amendment to Local Planning Policy No. 7.1.1 – Built Form to align building height requirements with the heights outlined in Appendix 18 – Design Guidelines for William Street, for the purpose of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- 1.4. A notice of revocation for the following appendices, for the purpose of community consultation, pursuant to clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
  - 1.4.1 Appendix 3 – Design Guidelines for Richmond on the Park;
  - 1.4.3 Appendix 12 – Elven on the Park Design Guidelines;
  - 1.4.4 Appendix 14 – Design Guidelines for No. 95 Chelmsford Road;
  - 1.4.5 Appendix 15 – Joel Terrace Design Guidelines;
  - 1.4.6 Appendix 16 – Design Guidelines Perth; and
  - 1.4.7 Appendix 18 – Design Guidelines for William;
2. PREPARES a notice of revocation for Appendix 8 – Highgate Design Guidelines, for the purpose of community consultation, pursuant to clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. PROPOSES designation of Brookman and Moir as a Heritage Area, for the purposes of community consultation, pursuant to clause 9 of Schedule 2, Part 3, Clause 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. PREPARES, DETERMINES and PROCEEDS an amendment to the Community and Stakeholder Engagement Policy, included as Attachment 6, as a minor amendment and proceeds with this pursuant to clauses 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
5. NOTES Administration will commence an administrative amendment to Local Planning Policy: Character Areas and Heritage Areas to move the Harley Street Heritage Area and Janet Street

**Heritage Area to a single, separate local planning policy relating to Heritage Areas along with the Brookman and Moir Streets Heritage Area.**

**NOTE:** The Presiding Member, Cr Gontaszewski, advised the motion would be decided in two parts, the first part excluding Recommendation 2, as she has declared a proximity interest in that item.

**MOTION**

**That the recommendation be adopted.**

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

**That the recommendation be adopted, excluding recommendation 2.**

**CARRIED (7-0)**

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

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Ioppolo was an apology for the Meeting.)**

**PROCEDURAL MOTION**

The Presiding Member nominated Cr Hallett as Presiding Member in her absence.

**CARRIED (7-0)**

At 8:00 pm, Cr Susan Gontaszewski left the meeting due to a previously declared proximity interest and Cr Hallett assumed the Chair.

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

**That recommendation 2 be adopted:**

**CARRIED (6-0)**

**For:** Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Wallace

**Against:** Nil

**(Mayor Cole was on approved leave of absence for the Meeting.)**

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

**(Cr Ioppolo was an apology for the Meeting.)**

At 8:02 pm, Cr Susan Gontaszewski returned to the meeting and resumed the Chair.

At 8.02pm Executive Manager Urban Design & Strategic Projects left the meeting and did not return.

**COUNCIL DECISION ITEM 9.2**

That Council:

1. **PREPARES:**

- 1.1. **An amendment to Appendix 6 – Brookman and Moir Streets Design Guidelines, included in Attachment 4, for the purpose of community consultation, pursuant to clause 5 of Schedule 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
- 1.2. **An amendment to Appendix 17 – Design Guidelines for Lacey Street, included as Attachment 5, for the purposes of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
- 1.3. **An amendment to Local Planning Policy No. 7.1.1 – Built Form to align building height requirements with the heights outlined in Appendix 18 – Design Guidelines for William Street, for the purpose of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
- 1.4. **A notice of revocation for the following appendices, for the purpose of community consultation, pursuant to clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:**
  - 1.4.1 **Appendix 3 – Design Guidelines for Richmond on the Park;**
  - 1.4.3 **Appendix 12 – Elven on the Park Design Guidelines;**
  - 1.4.4 **Appendix 14 – Design Guidelines for No. 95 Chelmsford Road;**
  - 1.4.5 **Appendix 15 – Joel Terrace Design Guidelines;**
  - 1.4.6 **Appendix 16 – Design Guidelines Perth; and**
  - 1.4.7 **Appendix 18 – Design Guidelines for William;**
2. **PREPARES a notice of revocation for Appendix 8 – Highgate Design Guidelines, for the purpose of community consultation, pursuant to clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
3. **PROPOSES designation of Brookman and Moir as a Heritage Area, for the purposes of community consultation, pursuant to clause 9 of Schedule 2, Part 3, Clause 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
4. **PREPARES, DETERMINES and PROCEEDS an amendment to the Community and Stakeholder Engagement Policy, included as Attachment 6, as a minor amendment and proceeds with this pursuant to clauses 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**
5. **NOTES Administration will commence an administrative amendment to Local Planning Policy: Character Areas and Heritage Areas to move the Harley Street Heritage Area and Janet Street Heritage Area to a single, separate local planning policy relating to Heritage Areas along with the Brookman and Moir Streets Heritage Area.**

**NOTE:** The Presiding Member, Cr Gontaszewski, advised the motion would be decided in two parts, the first part excluding Recommendation 2, as she has declared a proximity interest in that item.

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

This item was discussed earlier in the agenda as it was the subject of a public question.

**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**

This item was carried en-bloc.

**18 CLOSURE**

There being no further business, the Presiding Member, Cr Susan Gontaszewski, declared the meeting closed at 8.02pm with the following persons present:

<b>PRESENT:</b>	<b>Cr Susan Gontaszewski</b>	<b>South Ward (Acting Presiding Member)</b>
	<b>Cr Ron Alexander</b>	<b>North Ward (electronically)</b>
	<b>Cr Alex Castle</b>	<b>North Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Suzanne Worner</b>	<b>North Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Ashley Wallace</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>Peter Varris</b>	<b>A/Executive Director Infrastructure &amp; Environment</b>
	<b>Joslin Colli</b>	<b>A/Executive Manager Corporate Strategy &amp; Governance</b>
	<b>Luke McGuirk</b>	<b>Manager Engineering</b>
	<b>Wendy Barnard</b>	<b>Council Liaison Officer</b>
<b>Public:</b>	No members of the public.	

These Minutes were confirmed at the 16 May 2023 meeting of Council as a true and accurate record of the Ordinary Council Meeting held on 4 April 2023.

Signed: Cr Susan Gontaszewski

Dated