

## **AGENDA**

# Ordinary Council Meeting 5 April 2022

Time: 6.00pm

**Location:** E-Meeting and at the Administration

and Civic Centre,

244 Vincent Street, Leederville

David MacLennan
Chief Executive Officer

#### **DISCLAIMER**

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#### PROCEDURE FOR PUBLIC QUESTION TIME

The City's Council Briefings, Ordinary Council Meetings, Special Council Meetings and Committee Meetings are held in the Council Chamber located upstairs in the City of Vincent Administration and Civic Centre. Physical distancing measures are in place. Meetings are also held electronically (as eMeetings), and live streamed so you can continue to watch our meetings and briefings online at <a href="https://www.vincent.wa.gov.au/council-meetings/livestream">https://www.vincent.wa.gov.au/council-meetings/livestream</a>

Public Questions will be strictly limited to three (3) minutes per person.

The following conditions apply to public questions and statements:

- 1. Members of the public present at Council Briefings will have an opportunity to ask questions or make statements during public question time. Questions and statements at Council Briefings must relate to a report contained in the agenda.
- 2. Members of the public present at Council Meetings, Special Council Meeting or Committee Meeting have an opportunity to ask questions or make statements during public question time in accordance with section 2.19(4) of the City's Meeting Procedures Local Law.
- 3. Questions asked at an Ordinary Council Meeting must relate to a matter that affects the City of Vincent.
- 4. Questions asked at a Special Council Meeting or Committee Meeting must relate to the purpose for which the meeting has been called.
- 5. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.
- 6. Where in-person meetings are not permitted due to a direction issued under the *Public Health Act* 2016 or the *Emergency Management Act* 2005 questions and/or statements may be submitted in writing and emailed to <a href="mailto:governance@vincent.wa.gov.au">governance@vincent.wa.gov.au</a> by 3pm on the day of the Council proceeding. Please include your full name and suburb in your email.
- 7. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name and the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located and Agenda Item number (if known).
- 8. Questions/statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
- 9. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be "taken on notice" and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
- 10. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act* 1995 or the *Freedom of Information Act* 1992 (FOI Act). The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

For further information, please view the Council Proceedings Guidelines.

#### RECORDING AND WEBSTREAMING OF COUNCIL MEETINGS

- All Council proceedings are recorded and livestreamed in accordance with the <u>Council Proceedings</u> Recording and Web Streaming Policy.
- All recordings are retained as part of the City's records in accordance with the State Records Act 2000.
- All livestreams can be accessed at https://www.vincent.wa.gov.au/council-meetings/livestream
- All live stream recordings can be accessed on demand at https://www.vincent.wa.gov.au/council-meetings
- Images of the public gallery are not included in the webcast, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns with the live streaming of meetings, please contact the City's Governance Team on 08 9273 6500.

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

"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

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

#### 3.1 David Collins of Leederville – Item 5.4

As a long term resident of the area in question and an interested and willing community participant, I would like to make the following observations regarding the proposed works to be undertaken in the green parkland area at the bottom of Wylie and Bennelong Place.

- with the expansion of residential buildings into this area (townhouses off Brentham St currently under construction), a large proportion of the community that use this area are concerned of it just becoming another built up area, especially with the council scoping costs to put a footpath the whole length of this green area. This has been suggested before and is in line with the City's Greening Strategy but why can't the council think outside the box and actually use the space on offer to turn it into a green corridor with large trees planted. This is a great opportunity to link this area to central Leederville, rather than just putting in more lights and concrete paths. There is such an opportunity here with the green way in this area predominately used by residents of the area to walk to/from Leederville and for walking dogs out to Brentham Street Reserve. Think outside the box, a green corridor has huge benefits for biodiversity, climate mitigation and general health and well-being.
- 100k doesn't seem like it is much value for money for a new playground. Leave the playground as it is it is fine and doesn't need 100k of rate payers money put into it. Furthermore, the playground in question is used by a lot of adults in the area to exercise as it has the appropriately heightened metal bars to exercise off of. What consultation was undertaken with these members of the community?

Finally, a proper community consultation on what actually benefits this community should be initiated. New drinking fountains and a footpath through a green area is not exactly what we want, I would expect more from the city of Vincent council.

The City's proposal provides an opportunity for people of all abilities to be able enjoy and navigate the green corridor through from Wylie Place to Bourke Street. The initial proposal includes lighting, footpath and an estimated \$25,000 towards planting and reticulation to surround the new pathway.

The current playground is limited to upper primary school aged children and the replacement will provide a K-Y6 play opportunity incorporating landscaping elements and benches. Community consultation will occur with the local community and the adjoining school. This will be done prior to designing the playground, so that the City will be informed of any needs and requests regarding the specifics of the play equipment.

The consultation for the play equipment will also address the surrounding area improvements. This will provide the City with feedback regarding the drinking fountains and landscaping.

#### 3.2 Dudley Maier of Highgate

1. Does Medibank still have the naming rights for Leederville Oval? If not, when did they relinquish them, and what has the Administration done to find another organisation willing to pay for the naming rights? How much did Medibank pay in the last year they had naming rights?

The sponsorship agreement with Medibank expired on 31 December 2016. Medibank advised they were not intending to continue the sponsorship due to a change in corporate direction, and also

discontinued sponsorship of the West Coast Eagles and the City to Surf at the same time. In the final year the payment was \$103,421.35

A tender process was prepared in late 2016 and inviting tenders for the naming rights sponsorship prior to the finalisation of the WAFL fixtures in mid-January 2017. This tender was unsuccessful as no submissions were received.

The City then worked with the WAFL clubs in 2017 to prepare a sponsorship booklet for all parties to use when approaching likely sponsors.

In 2018 the sponsorship booklet was again revised, reflecting feedback from the market, and sent to relevant stakeholders and potential sponsors. The CEOs of the two WAFL clubs agreed to utilise their commercial networks to promote the naming rights and seek prospective sponsors. The WA Football Commission also agreed to utilise their commercial networks and existing sponsorship arrangements to promote the opportunity. Feedback at the time was that securing sponsorship in the economic climate was challenging, and administration explored the option of appointing an Agent to market the naming rights opportunity more directly. These options were actively explored over the next 12 months.

In early 2020 Administration identified a potential naming rights sponsor and prepared a detailed proposal. However, this was put on hold by the other party in response to the COVID pandemic in March 2020.

In 2021/22 the City prioritised the seeking of grant funding for Leederville Oval, which we were recently advised was successful, and added a further \$340,000 to the capital works budget to support this lighting upgrade. Leederville Oval lighting upgrade will allow the venue to be better utilised and provide a superior offering to sell to potential sponsors. With the lighting upgrade now assured, the sponsorship proposal is being refreshed. The City will be working with the two football clubs on the proposal and may seek an agent to help identify and secure potential sponsors.

2. The CEO didn't properly answer my questions about the promotion of the AGM. My questions were about whether he thought the meeting was 'adequately promoted', not whether the minimum requirements were met, and whether placing ads at the back of local newspapers constituted an efficient and cost-effective means of communicating with the community. His response simply said that promotional requirements were met. So I ask again, does he feel that the promotion was adequate, rather than just meeting the bare minimum requirements, and was it an effective and cost effective use of ratepayers' money?

The Annual Meeting of Electors was attended by 22 electors, the same number as those attending the 2021 Meeting. Other past attendances are 2020-11, 2019-11, 2018-4 and 2017-4. The Annual Meeting of Electors is a statutory requirement and while the advertising and promotion for the Annual Meeting of Electors was beyond the minimum statutory requirements the City acknowledges that there are opportunities for improvement in the timing, placement and content of promotional material for the meeting. The City is pursuing these currently so that it will be better prepared for future meetings.

Promotion for this year's meeting initiatives were:

#### 1. The City of Vincent Webpage

News story - 21 December 2021 Added as an event to our events page - 19 January

#### 2. Facebook

Posts - 9 January and 14 January Posted promotion and added as an event - 19 January

#### 3. Public notice placed in both Community Newspapers

Perth Now 27 Jan The Voice 22 Jan

#### 4. Public notice on display

Display in the Library building - 19 January
Display in the City Administration building - 19 January

5. E-mail Invitation

Invite sent via email to all residents subscribed to our e-mailing list -19 January

6. Newspaper Advertisement

Inclusion in the January monthly newspaper advert - 29 January

7. Promotional screens

Screen at Beatty Park - 28 January Screen at the Library - 28 January

8. Invite sent to list of key stakeholders including:

Town Teams - 25 January Community Engagement Panel - 25 January Community Groups - 25 January

All of these materials contained information on how to contact the City for more information at <a href="mailto:governance@vincent.wa.gov.au">governance@vincent.wa.gov.au</a>

In respect to outcomes, fifteen motions were carried at the meeting with nearly all those in attendance taking the opportunity to raise matters with the City. This suggests that the promotion was cost effective.

3. The Local Government Property Local Law contains a clause which defines, in part, a garden on a verge as being 'waterwise or native' [9.4 (a) (i)]. However, the terms 'waterwise' and 'native' are not defined. Does the City believe that they will be able to mount a successful prosecution if a verge garden contains plants that are both exotic (i.e. not native) and not waterwise without those terms being clearly defined? If it is unlikely to mount a successful prosecution, is the inclusion of this clause little more than a feelgood statement rather than an enforceable requirement? Did the City seek legal advice on the validity of this clause?

Failure to install or maintain a verge in accordance with the local laws is subject to a modified penalty of \$250.

The City has obtained legal advice on the Local Law and comments from the Department of Local Government, Sport and Cultural Industries, neither of which identified this definition as contentious or ambiguous.

4. The Mid-Year Budget Review (Item 11.4) shows the budget for the 'Leederville Oval Stadium – Electrical renewal – 3 boards' being reduced from \$298,088 to \$198,088. Following an aborted tender, the City has committed \$119,953 on the project. Will the City spend \$198,000 this financial year as implied by the budget review? If not, why wasn't the budget amended in the mid-year review?

The balance of the funds associated with the project was reallocated as part of the mid-year review process & the funds will be expended on other projects.

5. Why does the administration no longer include the monthly budget verses capital expenditure graphs in the monthly financial statements? Can you provide me with the total YTD capital expenditure budget for the months of February to June 2022.

The monthly budget verses capital expenditure graphs were withdrawn as they were incorrect and misleading, in that they suggested capex spend is evenly distributed across the year.

The YTD capex expenditure budget for the months of February to June 2022 is not available. Projects are being closely managed by the CEO to ensure delivery in complex market conditions that are impacting the cost, supply, and resourcing of projects. An agile approach is being taken across the Capital Budget portfolio, and the planned project spend is being adjusted on a week-to-week basis to manage project constraints as they arise.

6. Did the City specify the installation of an electrical sub-meter in the recent tender for the Hyde Park kiosk? If not, why not?

The electrical sub-meter was not included in the recent tender. Nevertheless, a small sub-meter will be installed on the Kiosk distribution board as part of the project & funded through the sustainability budget at minor cost.

7. How many Place Maker FTEs are there, including any supervisory positions, and what is the 2021-2022 employee cost budget for those positions? What did those employees do in 2021?

There are six FTE Place Planners who are supervised by 1 FTE Coordinator Place. The employee cost of this team is \$628,624.88 per annum. These employees are responsible for the City's five town centres as well as the Pickle District and supporting the businesses and community within these areas. This includes visiting the towns centres and the businesses to understand what support they need. Throughout 2021 this included facilitating parklet applications, developing and distributing the City's business e-news, assisting businesses navigate the various state government COVID-19 directions and ensuring that economic activity continued throughout what was a challenging year for some of Vincent's businesses. It also included reaching out to the community and visitors to understand what they want to see in their town centres.

The Place Planners are also responsible for the City's Place Plans. During 2021, the Place Planners drafted the Leederville Town Centre Place Plan, Beaufort Street Town Centre Place Plan, and Pickle District Place Plan managing the consultation of these plans, amending the plans based on community feedback to ensure they reflect the community's needs and aspirations and having these plans finalised and endorsed by Council. The Place Planners also reviewed the existing Mount Hawthorn Town Centre Place Plan, North Perth Town Centre Place Plan and Vincent Town Centre Place Plan. The Place Planners are responsible for the delivery of many actions within these Place Plans, some of the actions that were completed in 2021 include:

- Installing planter boxes in the Leederville and North Perth Town Centres.
- Naming of Electric Lane in Leederville through Landgate
- Reviewing the hire fees and creating free online booking options for town centre public spaces.
- Implementing lighting improvements in Mount Hawthorn Town Centre car parks.
- Receiving a WAPOL anti-graffiti grant and utilising this along William Street.
- Working with the City's engineering team to coordinate the Cleaver Street upgrade in the Pickle District.
- Applying for many grants to help facilitate improvement within the town centres. A successful grant was through RAC to complete a trial pedestrian zone on Grosvenor Road which will be delivered in 2022.
- Initiating the Containers for Change program and developing a prototype. This will be installed in trial location in 2022.

In addition to this, the Place Planners manage the City's recreation, arts, transport, economic development, business engagement and place measurement portfolios. This included the following outputs in 2021:

- Manage the City's <u>Accessible City Strategy</u> including drafting the strategy, managing the consultation of this strategy, amending the strategy to ensure it reflects community comments and is best practice and having this strategy finalised and endorsed by Council.
- Commence the actions within the City's Accessible City Strategy including:
  - o Research, analysis and development of the City's Wayfinding Plan.
  - O Advocacy efforts to progress the City of Vincent to 40km/hr within residential areas.
  - o Draft and initial consultation of the City's Vibrant Public Spaces Policy.
- Manage the City's <u>Asset Management Sustainability Strategy</u> including drafting the strategy, managing the consultation of this strategy, amending the strategy to ensure it reflects community comments and having this strategy finalised and endorsed by Council.
- Manage the City's arts portfolio including:
  - o Deliver 13 arts projects across the City through the Covid-19 grant funding.
  - Coordinate an art piece for Pride WA.
  - Coordinate the Beatty Park Leisure Centre tile artwork.
  - Develop and distributing an expression of interest for <u>Arts Rebound: Town Centre</u>
     <u>Artworks</u>, coordinating the assessment of these artworks, having these approved by
     Council and awarding the contracts to the successful artists.
  - Coordinate the Arts Advisory Group and the associated meetings.
  - Deliver the City of Vincent film project with Revelation Film Festival.

- Review and assessment of all Percent for Art Applications.
- Work with the other inner City local governments on the Making Space for Culture project to enable creative spaces in the inner city.
- Review of the City's Arts Development Action Plan 2020.
- Manage the <u>Britannia North West Reserve Development Plan</u> and <u>Litis Stadium</u> Changeroom Design including:
  - Work the City's Design Review Panel to develop the plan, managing the consultation of this plan, amending the plan based on community feedback and having this plan finalised and endorsed by Council.
  - Manage the design of the changerooms of Litis Stadium based on the endorsed Britannia Reserve Development Plan including working the City's Design Review Panel to develop the changeroom design, managing the consultation of this design, amending the design based on community feedback and having this design finalised and endorsed by Council.
  - Work with the federal government to understand and begin the process for using this plan and design to obtain the \$3 million grant funding.
- Coordinate the Mount Hawthorn Skate Park Working Group and the associated meetings.
- Manage the <u>Woodville Reserve Landscape Plan</u> including developing the plan, managing the consultation of this plan, amending the plan based on community feedback and having this plan finalised and endorsed by Council.
- Manage the Haynes Street Reserve Development Plan including working with the current tenants of the site, amending the transition plan based on tenant requirements and having this approved by the attorney general.
- Managed the <u>Vincent Rebound Plan</u> including coordinating all implementation items across the City.
- Coordinate the Rebound Roundtable and the associated meetings with town team representatives.
- Successfully applied for the <u>Small Business Development Corporation Small Business</u> Friendly Approvals Program.
- 8. At the February Council meeting, the Director was asked about the budget for the Monmouth Street Park. His response at the meeting included that "the \$10,000 was already on the budget", "when council made the decision not to sell the land administration were instructed to use the budget" and "it was already on the budget". The decision not to sell the land was made in March 2021. The only budget entry is 'new capital' in the 2021-22 budget, after it was decided not to sell the land. On 9 February I sent the Director an email asking him to justify what he had told the council. I still have not had a response. Did Director mislead the council in his response to a councillor's question?

In March 2021 when Council approved the continued use of 10 Monmouth Street as public open space, \$10,000 was listed in the Capital Works Programme for 2021/22 for the Monmouth Street project as noted in the Council decision. Therefore the project was "budgeted for" albeit it in a capital works program that is subject to annual Council approval. Subsequently, in February 2022 when Council made the decision to proceed with eco-zoning at 10 Monmouth Street the existence of the project budget was confirmed in the report to Council. The Director does not accept that he misled Council when providing the answer which was given in good faith.

#### 3.3 Wayne Bayliss of North Perth

- Asked why the petition is being ignored?
- Queried how the refurbishment money would be recovered if the kiosk operator went bankrupt
- Would you allow the food trucks back in in that circumstance?

Council acknowledged the petition at the December 2021 Council meeting and the sentiments of the petitioners were recognised in Council's debate on the whether to accept the tender for the kiosk in Hyde Park. The City expects to recover the pre-fit out costs for the kiosk through the current rental (or rental from future lessees should that be the circumstance). Should the Hyde Park kiosk not have a tenant the return of mobile food vendors would be subject to further consideration and a Council decision.

#### 4 APPLICATIONS FOR LEAVE OF ABSENCE

Mayor Emma Cole requests a leave of absence from 11 – 14 April 2022 inclusive.

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

5.1 Petition with four (4) signatures received from Victoria Anderson of West Perth requesting that Council re-zone parking on Prospect Place, West Perth.

We, the undersigned residents of Prospect Place, West Perth, request the City of Vincent give strong consideration to converting our street from 2-hour parking bays into a permit only zone, so residents are able to park their vehicles when returning home.

The Department of Training and Workforce Development has recently leased-out two additional floors, resulting in increased employees coming in and out of their building and needing car bays. In turn, this has greatly impacted the 4 properties on Prospect Place that only have street parking and made it often impossible to find a park during the week.

Many residents on our street have young children, and if the car bay opposite their house has been used by an office worker then they are forced to park several streets away and walk with their babies, grocery bags and other items through the streets to get to their home. This is highly frustrating and inconvenient.

We strongly urge the City of Vincent to convert the street parking on Prospect Place from a 2 hour zone to a permit only zone, so the four houses that are impacted on this street are able to avoid the daily anxiety of where to park when they travel back to their homes.

Clause 2.24 'Petitions' of the City of Vincent Meeting Procedures Local Law 2008 provides the following –

- (2) Every petition complying ... shall be presented to the Council by the CEO.
- (3) The presentation of a petition shall be confined to the reading of the petition.
- (4) The only motions that are in order are:
- (a) that the petition be received; or
- (b) that the petition be received and a report be prepared; or
- (c) that the petition be received and be referred to a committee for consideration and report; or
- (d) that the petition be received and be dealt with by the Council.
- 5.2 Petition with thirty six (36) signatures from Sophie Fernandez of Mt Hawthorn requesting that Council prohibit Western Diagnostic Pathology from operating a COVID testing drive through clinic at 391 Oxford Street, Mt Hawthorn.

The utilisation of Fairfield Street, along with access lanes/easements of the residential properties have been severely impacted. Traffic congestion, obstruction of driveways and street parking, idling cars contributing to noise and air pollution, as well as restricted access for visitors, services, trades and deliveries will be a continued problem regardless of any traffic management plans that are put in place. We therefore request its relocation to a non-residential area or a return to its standard walk in facility.

Since the previous meeting between the residents and council held on the 21<sup>st</sup> March, there has been no improvement in the situation at Fairfield street and Western Diagnostic's use of it, as a COVID drive through clinic.

It is noted that City of Vincent has implemented it's own exemptions in addition to:

the exemptions introduced by the City, the Minister for Planning issued a Notice of Exemption on 8 April 2020 (and updated on 30 April 2020) in response to COVID-19. This outlines a range of temporary exemptions from the need to obtain planning approval which go beyond the City's exemptions. Planning approval is temporarily not required for the following:

1.1 The use of, or undertaking of works on, land, where the use or works relate to medical or health related activities associated with a response to the COVID-19 pandemic. This is subject to

confirmation being Last reviewed August 2020 Page 2 of 4 provided by the Department of Health that the activities are necessary in response to the COVID-19 pandemic.

It is also noted that:

#### COVID-19 RELIEF AND RECOVERY COMMITTEE MINUTES 21 APRIL 2020

2. NOTES that the investigation of concerns or complaints received by the City in relation to the matters covered within the Notice of Exemption will be undertaken on a case-by-case basis and having regard to the risk to people and property and the reasonableness of the complaint, before deciding whether to pursue legal proceedings in accordance with the City's Policy No.4.1.22 – Prosecution and Enforcement.

As our local government we would expect your duty of care is to support, protect and manage your electorate and the respective community. We the residents of Fairfield Street feel that the City of Vincent has failed to constructively and actively involve itself in managing the current issue with Western Diagnostic Pathology and do not see there will be any resolution until Western Diagnostic is instructed by City of Vincent or the State Government to cease operating it's drive through facility.

In addition to the issues of traffic congestion, idling cars, obstruction of driveways, street parking and general access to the street and the associated properties there is a big concern regarding our physical and mental health. This drive through centre has brought enormous stress, anger and frustration to the residents. Every day we must endure living amongst a traffic jam, we have to ask strangers to get out of our way so we can leave and enter our own premise's. We have to close our windows as all we can smell are car fumes. We have to stop our children from playing out the front of our house's as we no longer feel it is a safe street. Is this the kind of community your government wants to be known for? By deflecting responsibility your answer to us is YES. We don't want to hear the words "We hear you, we understand" we want action, we want City of Vincent to take a stand and show leadership, integrity and respect. We want our street back!

Clause 2.24 'Petitions' of the City of Vincent Meeting Procedures Local Law 2008 provides the following –

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- (a) that the petition be received; or
- (b) that the petition be received and a report be prepared; or
- (c) that the petition be received and be referred to a committee for consideration and report; or
- (d) that the petition be received and be dealt with by the Council.

#### 6 CONFIRMATION OF MINUTES

Ordinary Meeting - 8 March 2022

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

#### 8 DECLARATIONS OF INTEREST

- 8.1 Cr Ron Alexander declared a proximity interest in Item 10.3 Proposed Lease of Hyde Park Kiosk to Veggie Mama Pty Ltd and Item 12.5 Responses to motions carried at the Annual Meeting of Electors 2 February 2022 (specifically motion 12). The extent of his interest is that he lives opposite Hyde Park. He is seeking approval to participate in the debate and participate in the vote.
- 8.2 Cr Jonathan Hallett declared a proximity interest in Item 12.6 Vincent Underground Power Project (VUPP). The extent of his interest is that his partner's property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. He is not seeking approval to participate in debate and vote in the matter.

- 8.3 Cr Suzanne Worner declared a proximity interest in Item 12.6 Vincent Underground Power Project (VUPP). The extent of her interest is that her property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. She is seeking approval to participate in debate and vote in the matter.
- 8.4 Cr Ron Alexander declared a proximity interest in Item 12.6 Vincent Underground Power Project (VUPP). The extent of her interest is that his property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. He is seeking approval to participate in debate and vote in the matter.
- 8.5 Cr Ashley Wallace declared a proximity interest in Item 12.6 Vincent Underground Power Project (VUPP). The extent of her interest is that his property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. He is seeking approval to participate in debate and vote in the matter.

#### 9 STRATEGY & DEVELOPMENT

9.1 NO. 128A (LOT: 2; STR: 80812) HAROLD STREET, MOUNT LAWLEY - PROPOSED ALTERATIONS AND ADDITIONS TO GROUPED DWELLING

Ward: South

Attachments:

- 1. Location Plan 🌡 🖫
- 2. Final Development Plans J
- 3. Superseded Plans Plans Originally Submitted 4
- 4. Summary of Submissions Administration's Response 1 🖺
- 5. Summary of Submissions Applicant's Response J
- 6. Determination Advice Notes J

#### **RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for alterations and additions to grouped dwelling at No. 128A (Lot: 2; S/P: 80812) Harold Street, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

#### 1. Development Plans

This approval is for alterations and additions as shown on the approved plans dated 21 February 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 use of the terrace, 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 antennaes, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

#### 4. Visual Privacy

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

#### 5. Colours and Materials

Prior to the lodgement of a building permit, a schedule detailing the colour and texture of the building materials, including privacy screening, must be submitted to and approved by the City. The development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, prior to use of the terrace; and

#### 6. 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.

#### **PURPOSE OF REPORT:**

To consider an application for development approval for alterations and additions to an existing grouped dwelling at No. 128A Harold Street, Mount Lawley (the subject site).

#### PROPOSAL:

The application proposes to extend the first floor of the dwelling over the existing garage at the rear in order to construct a new terrace addition with a deck and a pool.

The proposed terrace addition includes a skillion roof over the terrace, leaving the pool without cover. The terrace would be screened on its sides by privacy screens.

The existing first floor bedroom wall and window facing north east is to be removed and replaced with an aluminium framed sliding door to provide direct access to the terrace area from the bedroom.

The proposed development plans are included as Attachment 2.

#### **BACKGROUND:**

Landowner:	Lawrence Game
Applicant:	Anthony Rechichi Architect
Date of Application:	5 June 2021
Zoning:	MRS: Urban
	LPS2: Zone: Residential R Code: R50
Built Form Area:	Residential
Existing Land Use:	Grouped Dwelling
Proposed Use Class:	Grouped Dwelling
Lot Area:	231m²
Right of Way (ROW):	Yes
	North-east – 3 metres wide, sealed and drained, and City owned.
Heritage List:	No

#### Site Context and Zoning

The subject site is bound by Harold Street to the south-west, a two storey grouped dwelling to the west, three single storey single houses across the ROW to the north-east and a single storey single house to the south-east. A location plan is included as **Attachment 1**.

The subject site and all adjoining properties are zoned Residential R50 under the City's Local Planning Scheme No. 2 (LPS2). The subject site and all adjoining properties are also located within the Residential built form area and have a permitted building height of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy).

The subject site is 6.1 metres wide and accommodates a two storey dwelling. The subject site dwelling shares a common boundary wall with another two storey grouped dwelling at No. 128b Harold Street that is to the west of the site which was simultaneously constructed and is a mirror image of the subject dwelling.

#### **DETAILS:**

#### **Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2, the City's Built Form Policy and the State Government's Residential Design Codes (R Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Street Setback	✓	
Lot Boundary Setbacks/Boundary Wall		<b>√</b>
Building Height/Storeys	✓	
Outdoor Living Areas	✓	
Visual Privacy	<b>√</b>	
Solar Access	<b>√</b>	

#### **Detailed Assessment**

The Built Form Policy and R Codes have two pathways for assessing and determining a development application. These are through design principles and local housing objectives, or through deemed-to-comply standards.

Design principles and local housing objectives are qualitative measures which describe the outcome that is sought rather than the way that it can be achieved.

The deemed-to-comply standards are one way of satisfactorily meeting the design principles or local housing objectives and are often quantitative measures.

If a planning element of an application meets the applicable deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.

If a planning element of an application does not meet the applicable deemed-to-comply standard/s then Council's discretion is required to decide whether this element meets the design principles and local housing objectives.

The planning elements of the application that do not meet the applicable deemed-to-comply standards and require the discretion of Council are as follows:

Lot Boundary Setbacks/Boundary Wall				
Deemed-to-Comply Standard	Proposal			
R Codes – Clause 5.1.3				
Boundary wall length Maximum permitted length of 22.2 metres	First floor terrace north western boundary wall length of 31.3 metres			
Boundary wall height Maximum permitted height of 3.5 metres	First floor terrace north western boundary wall height of 6.1 metres (inclusive of screen panels)			
Lot boundary setback 2.6 metre setback for a building with a maximum height of 7.1 metres to the top of skillion roof over the terrace, and a total length of 19.5 metres inclusive of the existing dwelling wall	First floor terrace south eastern boundary setback of 1.1 metres			

The above planning element of the proposal does not meet the specified deemed-to-comply standards. This planning element has been assessed against the design principles and local housing objectives in the Comments section below.

#### **CONSULTATION/ADVERTISING:**

Community consultation was undertaken for the plans as originally lodged and included as **Attachment 3** in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days from 27 July 2021 to 9 August 2021. The method of consultation included a notice on the City's website and five letters being sent to all owners and occupiers adjoining the subject site, as shown in **Attachment 1** and in accordance with the City's (former) Policy No. 4.1.5 – Community Consultation.

Seven submissions were received at the conclusion of the community consultation period, all of which objected to the proposal. One of these submissions contained seven signatories that opposed the proposed development. Administration contacted each of these objectors and confirmed their comments of objection as contained in the document.

Second and third rounds of community consultation were subsequently undertaken in accordance with the City's Community Engagement and Stakeholder Policy. This was based on amended plans and supporting information submitted by the applicant to address concerns raised. These amended plans were re-advertised to owners/occupiers who had previously provided a submission. In respect to this:

- The second community consultation period was for seven days from 29 October 2021 to 5 November 2021. Three submissions were received, all of which objected to the proposal.
- The third community consultation period was for seven days from 8 March 2022 to 15 March 2022. Three submissions were received, all of which objected to the proposal. The City erroneously advertised the south eastern lot boundary deemed-to-comply setback as 2.1 metres. Upon identifying the error, this was communicated to all previous submitters by the City via email.

Across the three community consultation periods, the concerns raised with the proposed terrace are summarised as follows:

- Building bulk impacts to neighbouring properties;
- Access to sunlight restricted to adjoining properties;
- Dominance of the Harold Street streetscape and right of way;
- Overlooking from a retractable staircase; and
- Relocation of the existing air conditioning units upon construction of the terrace.

The applicant made the below changes in response to the community concerns. These changes are reflected in the final set of development plans that are the subject of Council's determination included as **Attachment 2**.

- Increased setback of privacy screen on first floor terrace to south eastern boundary from 0.645 metres to 1.1 metres; and
- Removal of the proposed retractable staircase located to the east of the existing bedroom on the first floor.

A summary of submissions received across the three consultation periods along with Administration's responses to each comment is provided in **Attachment 4**. The applicant's response to the submissions received are provided as **Attachment 5**.

#### **Design Review Panel (DRP):**

Referred to DRP: Yes

The proposal was referred to the City's DRP member on two occasions for comment on the development plans. These referrals were for the second iteration of the plans and the final set of plans submitted.

In relation to the final set of development plans included as **Attachment 2**, a summary of the DRP member's comments are that:

- The increased setback to the roof terrace is an improvement and reduces the impact to the adjoining properties and ROW. It is noted that it does not meet R Codes deemed to comply provisions, but it is consistent with the setback to the upper storey wall along this side. The transition to a lightweight privacy screen at 1.6 metre height further mitigates bulk/scale impacts.
- The lightweight perforated privacy screen treatments proposed is supported in principle based on colours and materials and subject to further detailed review at Building Permit stage. Colour proposed should ideally be neutral and perforations compliant with privacy provisions of the R Codes.
- The removal of landscaping above the eastern boundary wall is appropriate because there would have been practical difficulties accessing this area for maintenance.
- The proponent could still have planter or pot plants along the inside of the screen on the terrace. This could possibly grow through the privacy screen as well to soften this interface.
- The increased setback to the eastern lot boundary should provide a reduction in the shadow cast over

the eastern property and the privacy screen having a height of 1.6 metres to this location.

Prior to this, the DRP member had previously raised concerns and made suggestions on the previous iteration of plans, as summarised below.

- The upper floor setback to the eastern lot boundary directly impact on perceived visual bulk and scale of the addition. Consider greater separation of the south eastern screen wall from the lot boundary. Also consider the introduction of a greater setback for the screen from the western lot boundary.
- There is minimal information of colours and materials on the proposed plans for privacy screening.
   Recommend the architect provides further clarification on materials and colours proposed to ensure the R Codes requirement relating to obscurity is achieved with the privacy screening.
- The location of the landscaping on the eastern lot boundary setback would be difficult to access and maintain without going onto adjoining property resulting in potential overlooking concerns.
- The retractable staircase is discouraged as it poses a safety and overlooking issue that would impact the amenity of the adjoining neighbour. Recommend removal of the retractable staircase and emergency access.

The applicant made the below changes in response to the DRP member's previous comments and recommendations. These changes are reflected in the final set of development plans that are the subject of Council's determination included as **Attachment 2**.

- Increased setback of privacy screen on first floor terrace to south eastern boundary from 0.645 metres to 1.1 metres;
- Removal of planting area along the 1.1 metre setback on top of the garage roof to the eastern boundary; and
- Removal of the proposed retractable staircase located to the east of the existing bedroom on the first floor.

#### LEGAL/POLICY:

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 7.3 Residential Design Codes Volume 1;
- Community Engagement and Stakeholder Policy (formerly Policy No. 4.1.5 Community Consultation);
   and
- Policy No. 7.1.1 Built Form.

#### Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes)*Regulations 2015 and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

#### **Delegation to Determine Applications:**

This matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to applications for development approval that received more than five objections during the City's community consultation period.

#### **RISK MANAGEMENT IMPLICATIONS:**

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community.

#### SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the City's Policy No. 7.1.1 – Built Form. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

#### **PUBLIC HEALTH IMPLICATIONS:**

This report has no implication on the priority health outcomes of the City's Public Health Plan 2020 - 2025.

#### FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budged implications from this report.

#### **COMMENTS:**

#### Lot Boundary Setback to South East

The R Codes deemed to comply standard sets out the wall on the first floor to be setback 2.6 metres from the south eastern lot boundary.

A privacy screen is being proposed to the south east of the first floor terrace that would be on top of an existing wall. This privacy screen would measure 7.6 metres in length and 1.6 metres in height. This privacy screen addition would result in a continuation of the existing dwelling first floor wall along the south eastern boundary by 7.6 metres, to a total height of 5.1 metres and setback 1.1 metres to this side boundary. The roof over the terrace would be 7.1 metres in height. The remainder of the existing dwelling first floor wall to this south eastern boundary is 11.9 metres in length, 6.6 metres in height and setback 1.1 metres.

The proposed lot boundary setback satisfies the design principles of the R Codes and local housing objectives of the Built Form Policy for the following reasons:

#### Mitigating Building Bulk:

- The top of the privacy screen would be 5.1 metres in height measured from natural ground level which is 1.5 metres less than the existing south eastern first floor wall of the dwelling that it would adjoin. The stepping down of height would assist in reducing the impact of the building bulk associated with the first floor wall to the south eastern adjoining property:
- The proposed aluminium privacy screening on the first floor would provide a contrast in colours and materials from the existing ground and first floors when viewed from the adjoining property. The privacy screens would be a neutral colour tone. The existing dwelling is constructed from white rendered brick wall and face brick boundary walls. This contrast would successfully delineate and distinguish the first floor from the ground floor to assist in reducing the extensions bulk impact. The view from the eastern adjoining property to the area where the terrace is proposed is currently the roof of a garage, air conditioner and parapet blade wall beyond;
- The roof over the terrace area to a height of 7.1 metres would contribute minimal bulk as it is open sided and not enclosed;
- The massing associated with the remainder of the existing first floor wall is effectively reduced through existing window openings and has previously been approved; and
- The DRP member noted that the transition between the existing first floor brick wall and light weight privacy screening would mitigate the impact of building bulk.

#### Visual Privacy:

- The proposed privacy screening is 1.6 metres in height measured from the terrace floor level. This would restrict views from the terrace area to the adjoining properties and complies strictly with the deemed-to-comply standards of the R Codes in relation to visual privacy. A condition of approval has been recommended requiring privacy screening to be installed prior to use of the terrace area; and
- Views from the raised deck area on the proposed terrace would be restricted. The deck is approximately 1 metre by 1 metre in dimensions and is to facilitate access into and out of the pool. To the east in the direction of No. 126 Harold Street, the 7.5 metre deemed-to-comply cone of vision prescribed for an R50 site under the R Codes would primarily fall over the terrace area

itself and would be restricted by the privacy screen to the eastern portion of the terrace. The 7.5 metre cone of vision would not fall onto outdoor living areas or major openings of the adjoining property.

#### Solar Access:

- The proposal complies with the deemed-to-comply standard of the R Codes relating to solar access for adjoining properties. Overshadowing of the existing dwelling inclusive of the proposed terrace is 20.4 percent of the adjoining site's area. This is less than the 50 percent overshadowing permitted for R50 coded properties under the R Codes deemed-to-comply standard. Overshadowing is assessed under the R Codes based on shadow cast to the south on 21 June during winter. This is when the sun is at its lowest in the sky and would cast the greatest shadow during the course of a year when the sun's angle is at 34 degrees. The subject site is oriented such that the shadow cast in a south direction is angled which assists in reducing the amount of overshadowing on the adjoining property; and
- The proposed terrace would result in an additional 7.2 square metres of shadow cast onto the adjoining property and equates to 1.5 percent of the adjoining property's site area. This is calculated based on when overshadowing is at its worst on 21 June as per the R Codes. The shadow cast onto the adjoining property would fall over a portion of the south eastern property's kitchen window and outdoor living area. Access to direct sunlight would still be maintained to the adjoining property.
- <u>Ventilation:</u> The proposed setback of 1.1 metres between the proposed privacy screen and the south eastern lot boundary provides separation to allow for sufficient ventilation to the subject site and adjoining property.
- <u>Streetscape:</u> The proposed lot boundary setback would not have an adverse impact on the Harold Street streetscape. It is located towards the rear of the site and would be obstructed from view by the existing dwelling.

#### **Boundary Wall to North West**

The R Codes deemed to comply standard permits boundary walls to two sides with a height of 3.5 metres and length of 22.2 metres, being two thirds the balance of the lot boundary behind the front setback.

The privacy screen proposed to the north west of the first floor terrace is 7.6 metres in length and 1.3 metres in height and would be on top of an existing parapet wall. The proposed privacy screen to the first floor terrace would extend the existing boundary wall along the north western lot boundary by 7.6 metres to a total boundary wall length of 31.3 metres. The proposed privacy screen would also result in a 1.3 metre increase to the existing boundary wall height for this portion of the boundary to a height of 6.1 metres.

The proposed boundary wall extension satisfies the design principles of the R Codes and local housing objectives of the Built Form Policy for the following reasons:

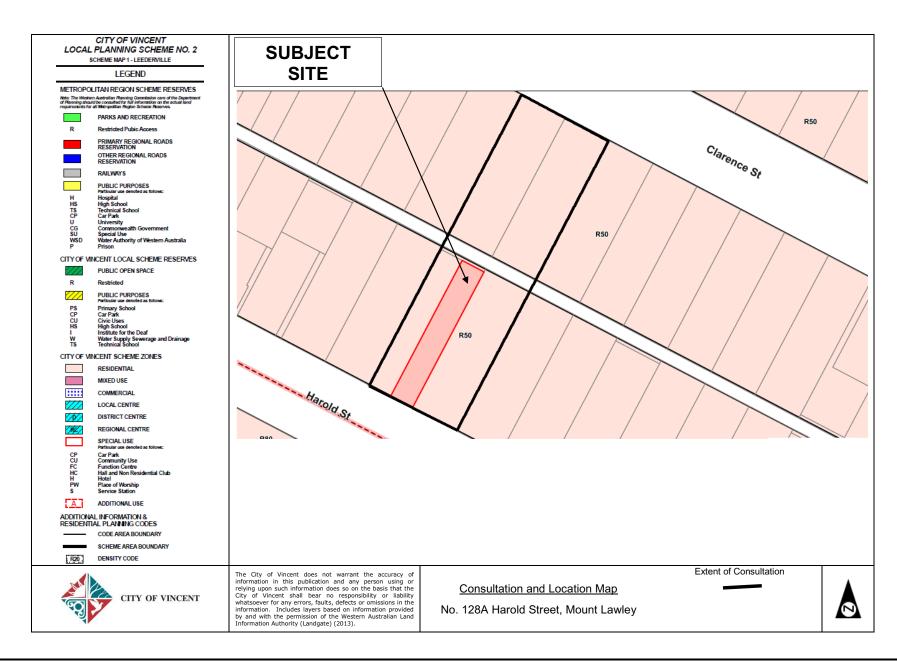
#### Mitigating Building Bulk:

- The boundary wall extension would abut the garage of the adjoining property to the north-west.
   This would limit the impact associated with building bulk, as this area is void of any habitable rooms and living spaces; and
- The proposed increase of 1.3 metres in height of the existing boundary wall would be due to the installation of aluminium privacy screening. The screen would be of varying material and colour to the existing parapet wall that would assist with breaking up the mass, reducing the appearance of blank walls and creating visual interest.

#### Visual Privacy:

- The proposed privacy screening on top of the existing parapet wall would restrict views west from the terrace area and assists in making more effective use of the proposed outdoor living area. The screening would be 2.7 metres in height measured from the terrace floor level and meets the deemed-to-comply standard of the R Codes in relation to visual privacy; and
- Views from the raised deck area on the proposed terrace would be restricted. The deck is approximately 1 metre by 1 metre in dimensions and is to facilitate access into and out of the pool. To the west, the 7.5 metre deemed-to-comply cone of vision prescribed for an R50 site under the R Codes would fall over the garage roof of No. 128A Harold Street and views to the rear backyard of No. 130 Harold Street would be restricted by the garage parapet wall of No. 128A Harold Street.
- <u>Ventilation:</u> The proposed boundary wall extension abuts the roof area of the adjoining property's garage to the north west. The boundary wall would not restrict ventilation to any windows or living areas of the subject site or adjoining property.

- <u>Solar Access:</u> The proposed boundary wall extension does not restrict direct sunlight to the north western adjoining property including its highlight window to bed 3 on the first floor. This is because the shadow cast from the boundary wall and as measured in accordance with the R Codes would be cast to the south onto the proposed terrace area and subject site itself. The proposed boundary wall extension would not contribute to additional overshadowing of any of the adjoining properties.
- Streetscape:
  - The proposed boundary wall extension would not have an adverse impact on Harold Street, as it is located away from this street towards the rear of the site and obscured from view by the existing dwelling; and
  - The proposed boundary wall extension would not detrimentally impact the streetscape quality of the right of way (ROW). The ROW to the rear of the site is characterised by garage doors, boundary fences and examples of existing two storey buildings with blank upper floor facades.



Item 9.1- Attachment 1 Page 22

**ORDINARY COUNCIL MEETING AGENDA** 



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Item 9.1- Attachment 1 Page 23

> NEW POOL TERRACE F.F.L 13.250

> > EXIST BED F.F.L 13.336

EXIST UPPER FLOOR TO REMAIN AS IS.

128B HAROLD

PROPOSED UPPER FLOOR PLAN

1:100

STREET MT.

LAWLEY

BED 3

BED 2

LOT 2 F.F.L 13.386

LVL PITCHING BEAM OVER TO ENG'S DETAILS

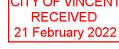
SELECTED 500D METAL HOOD

PFC TO EDGE OF TRUSS TEC SYSTEM

BED 2

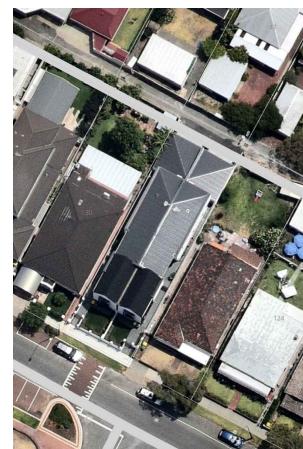
LOT 1 F.F.L 13.386

EXISTING HOUSE UPPER FLOOR PLAN



TOTAL GROSS EXISTING HOUSE	265 m2	
AREA CALCULATION	AREA (m2)	CAR PKING
EXISTING UPPER FLOOR		
Net area	105 m2	
PROPOSED ADDITIONS		1 00
Pool Terrace	41 m2	2 Bays
Total Area Upper floor	150 m2	<del>                                     </del>
Total Area House	310 m2	





**AERIAL PHOTO** NTS

## CITY OF VINCENT

#### AREA CALCULATION

TOTAL GROSS EXISTING HOUSE	265 m2		
AREA CALCULATION	AREA (m2)		CAR PKING
EXISTING UPPER FLOOR Net area PROPOSED ADDITIONS Pool Terrace	105 m2 41 m2		2 Bays
Total Area Upper floor	150 m2		
Total Area House	310 m2		

LIMESTONE RETAINING WALL NOTES:

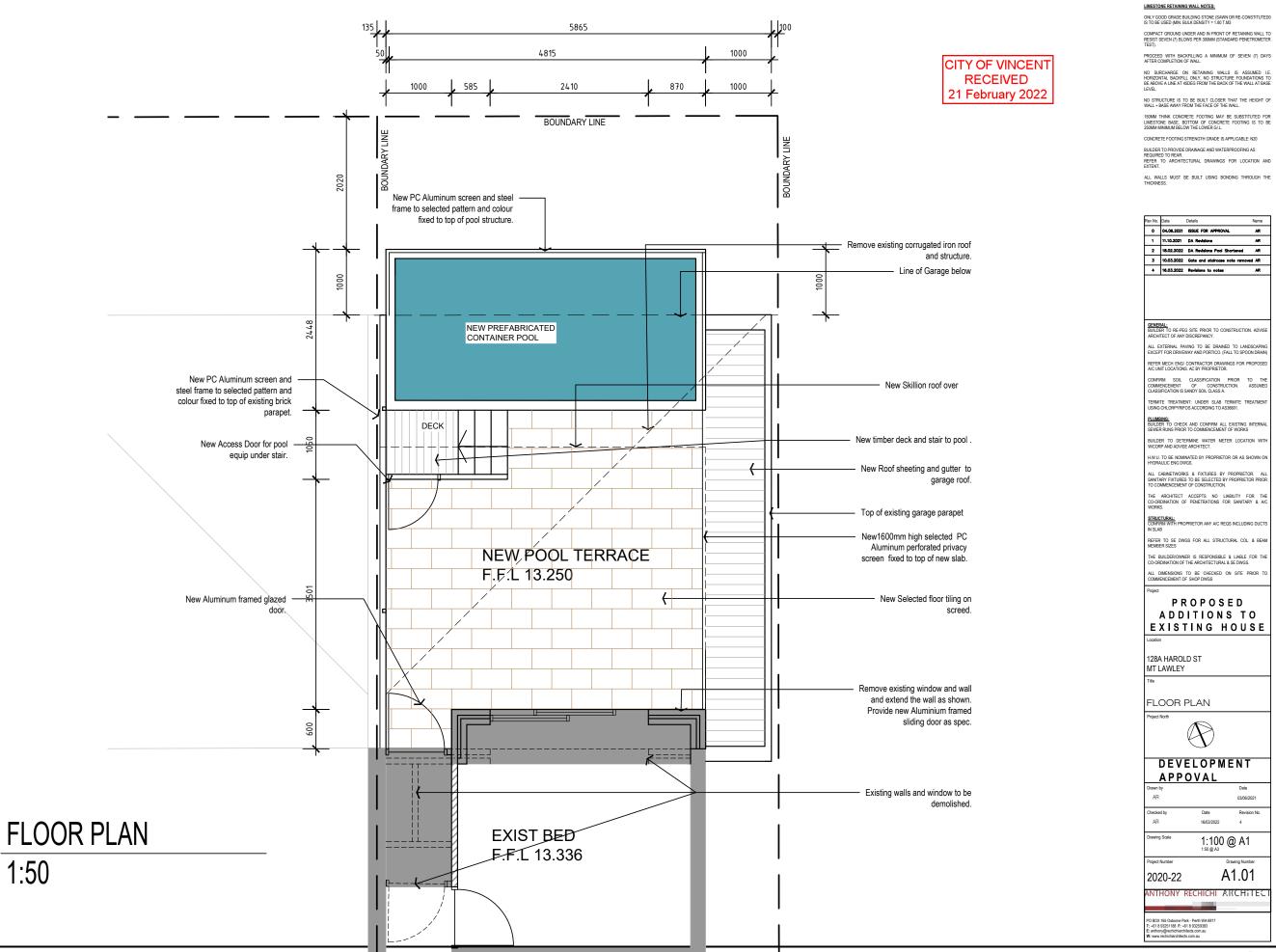
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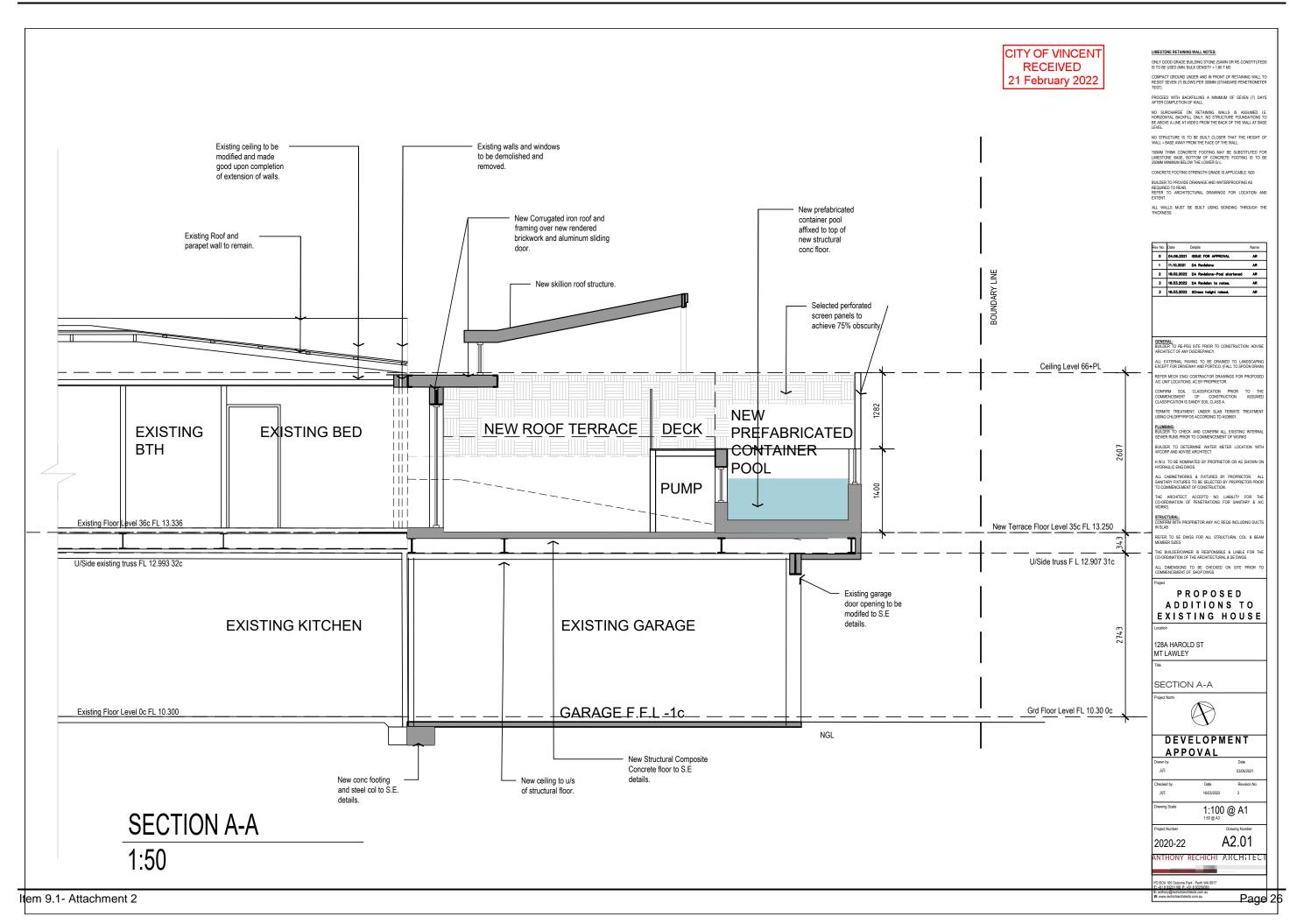
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REFER TO ARCHITECTURAL DRAWINGS FOR LOCATION AND

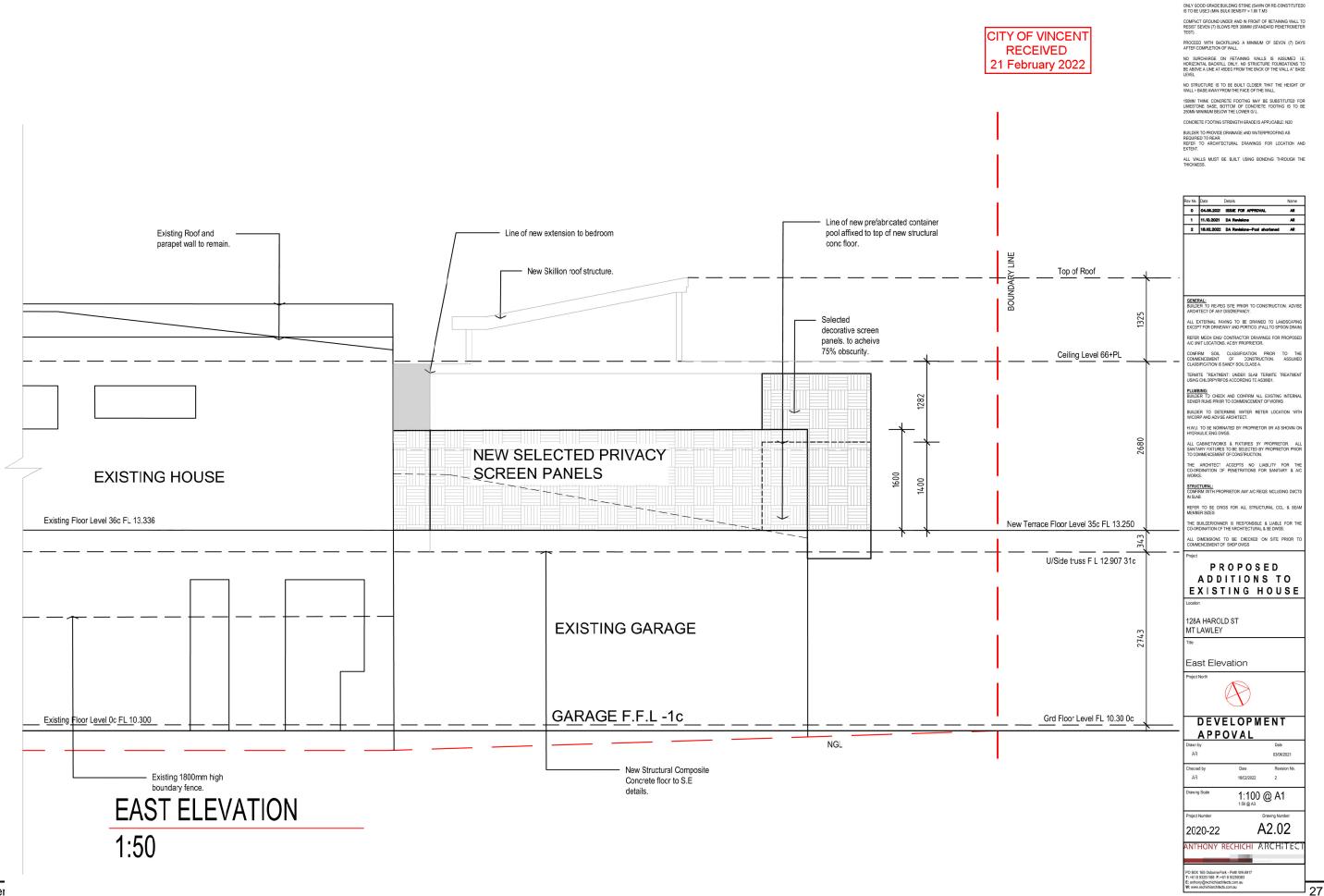
Rev No.	Date	Details	Name	
0	16.02.2021	PRELIMINARY ISSUE	AR	
1	03.06.2021	ISSUE FOR APPROVAL	AR	
2	11.10.2021	DA Revisions	AR	
3	18.02.2022	DA Revisions Pool Shortened	AR	
4	16.03.2022	DA Revision to notes.	AR	
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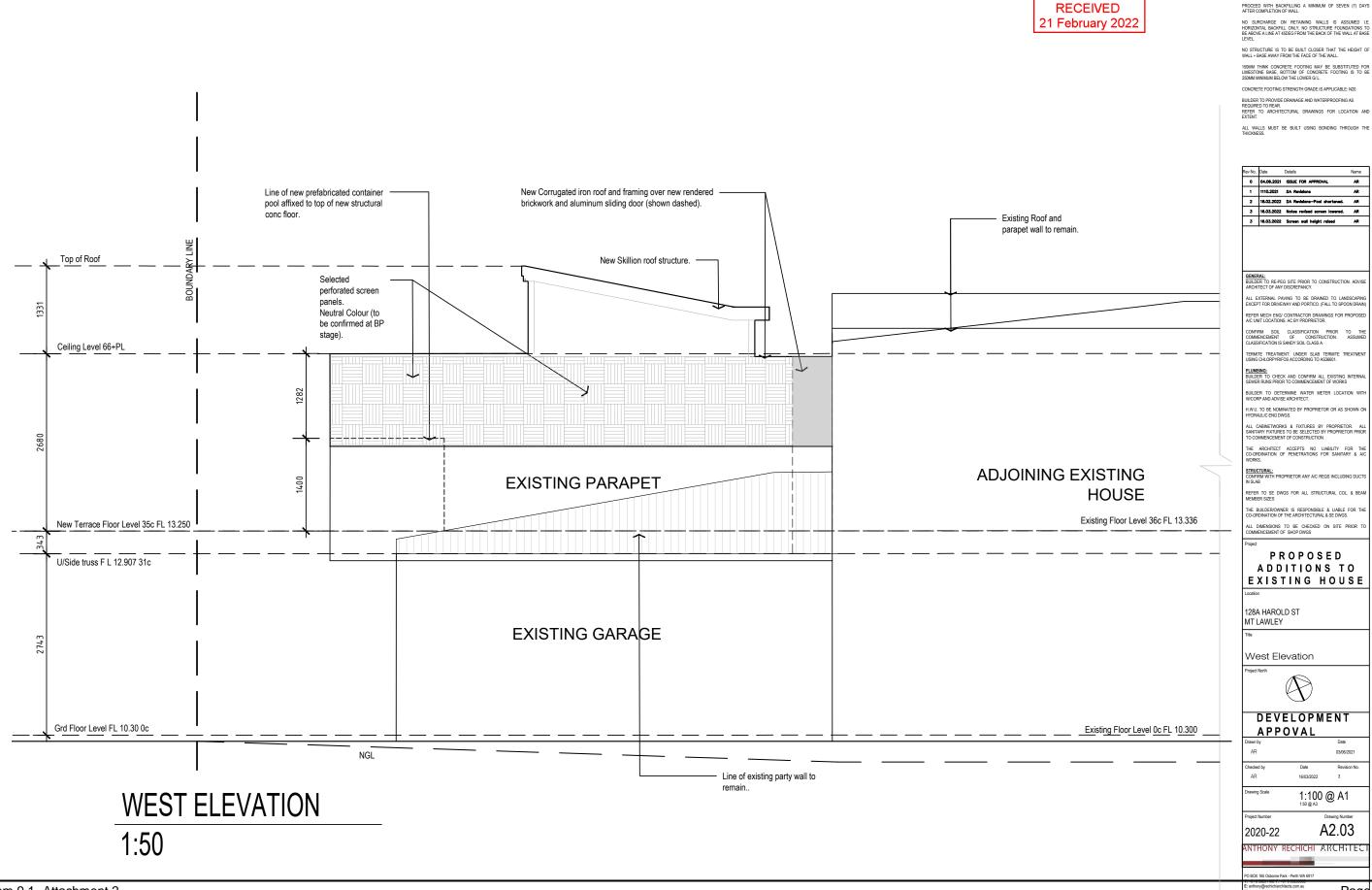
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LIMESTONE RETAINING WALL NOTES:





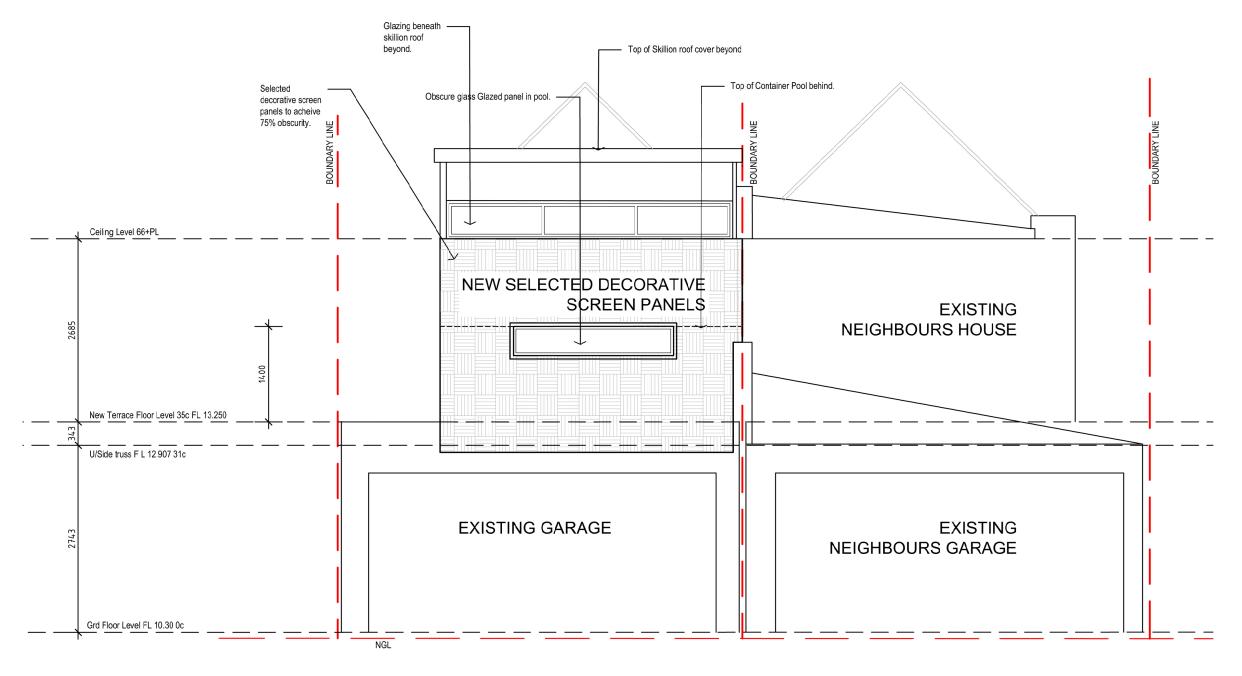
#### LIMESTONE RETAINING WALL NOTES:

CITY OF VINCENT

ONLY GOOD GRADE BUILDING STONE (SAWN OR RE-CONSTITUTEDO IS TO BE USED (MIN. BULK DENSITY = 1.80 T.M3

Page 28

> CITY OF VINCENT RECEIVED 21 February 2022



NORTH ELEVATION

1:50

#### LIMESTONE RETAINING WALL NOTES:

0	04.08.2021	ISSUE FOR APPROVAL	AR
1	11.10.2021	DA Revisions	AR
2	18.02.2022	DA Revisions -Pool Shortened	AR

#### GENERAL: BUILDER TO RE-PEG SITE PRIDR TO CONSTRUCTION. ADVI ARCHITECT OF ANY DISCREPANCY.

#### PROPOSED ADDITIONS TO EXISTING HOUSE

128A HAROLD ST MT LAWLEY

NORTH ELEVATION



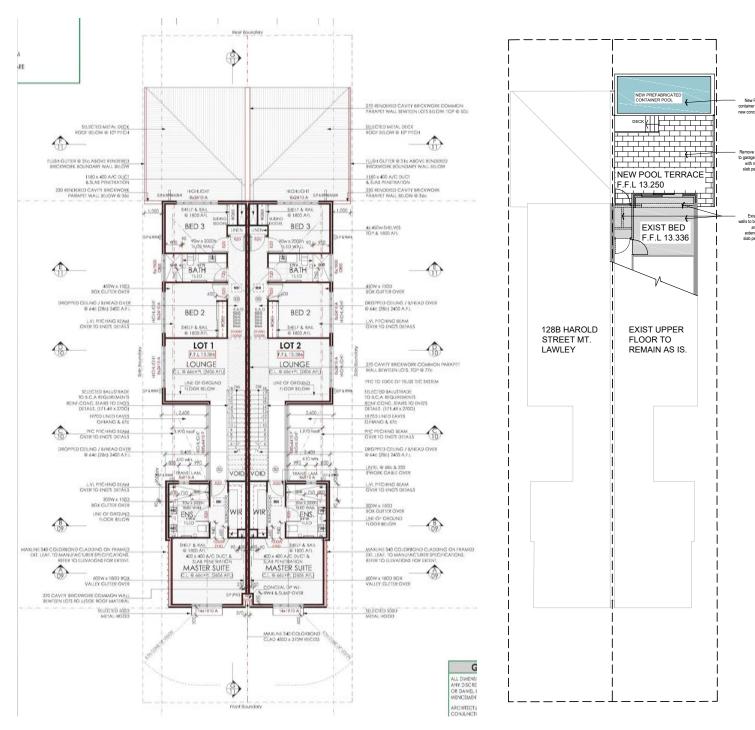
#### DEVELOPMENT <u>APPO</u>VAL

1:100 @ A1

2020-22

A2.04

## **SUPERSEDED**



EXISTING HOUSE UPPER FLOOR PLAN 1:100

PROPOSED UPPER FLOOR PLAN

**AERIAL PHOTO** 

#### AREA CALCULATION

TOTAL GROSS EXISTING HOUSE	265 m2	
AREA CALCULATION	AREA (m2)	CAR PKII
EXISTING UPPER FLOOR Net area PROPOSED ADDITIONS Pool Terrace	105 m2 45 m2	2 Bays
Total Area Upper floor	150 m2	
Total Area House	310 m2	



#### LIMESTONE RETAINING WALL NOTES:

BUILDER TO PROVIDE DRAINAGE AND WATERPROOFING AS REQUIRED TO REAR.
REFER TO ARCHITECTURAL DRAWINGS FOR LOCATION AND EXTENT.

ALL WALLS MUST BE BUILT USING BONDING THROUGH THE THICKNESS.

THICKNESS.	. MUSI BI	E BUILT USING	BUNDING IN	KOOGH INE		
Rev No. Da		Details		Name		
-		PRELIMINARY IS		AR AR		
CENEDAL						
BUILDER	GENERAL: BUILDER TO RE-PEG SITE PRIOR TO CONSTRUCTION. ADVISE ARCHITECT OF ANY DISCREPANCY. ALL EXTERNAL PAVING TO BE DRAINED TO LANDSCAPING					
REFER ME	OR DRIVEVI	AY AND PORTIC	O. (FALL TO SPO	OON DRAIN)		
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PLUMBING	3:			INTERNAL		
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THE AR	CO-ORDINATION OF PENETRATIONS FOR SANITARY & A/C					
STRUCTUI CONFIRM IN SLAB	STRUCTURAL: CONFIRM WITH PROPRIETOR ANY A/C REQS INCLUDING DUCTS IN SLAB					
REFER TO SE DWGS FOR ALL STRUCTURAL COL. & BEAM MEMBER SIZES						
THE BUILDER/OWNER IS RESPONSIBLE & LIABLE FOR THE CO-ORDINATION OF THE ARCHITECTURAL & SE DWGS.						
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF SHOP DWGS						
A E X	PROPOSED ADDITIONS TO EXISTING HOUSE					
Location						
128A F	IAROL	D ST MT L	.AWLEY			
Title			<u>-</u>	<u> </u>		
	SITE PLAN / AERIAL					
T TOJOUT TOTAL	Project North					
	Development Approval					
Drawn by			Date 06/06			
Checked by	,	Date 03/06202		ision No.		
Drawing Sci	ale	1:10	00 @ A	1		
Project Nun	nber	1:200 @	A3 Drawing Nu	mber		
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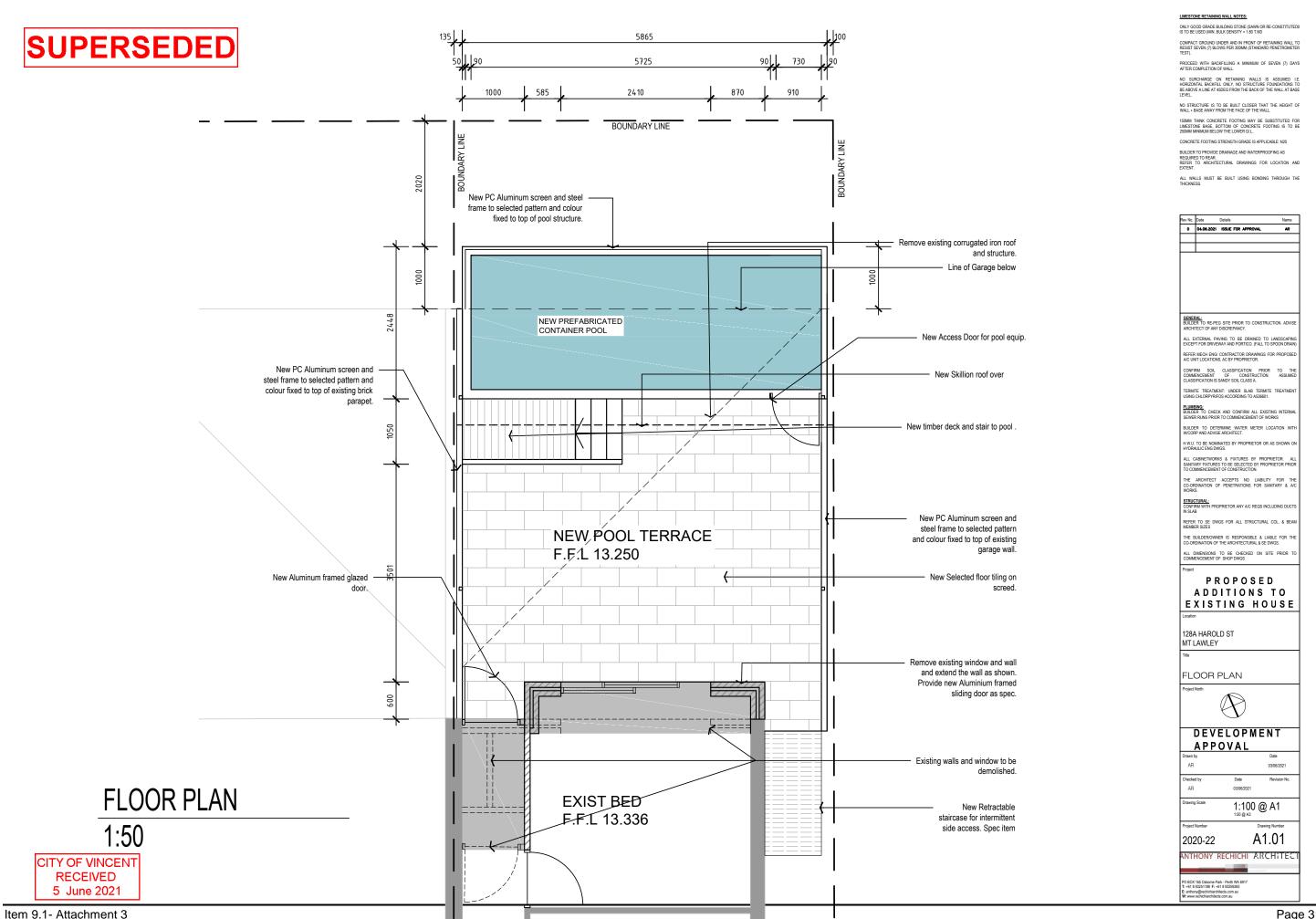
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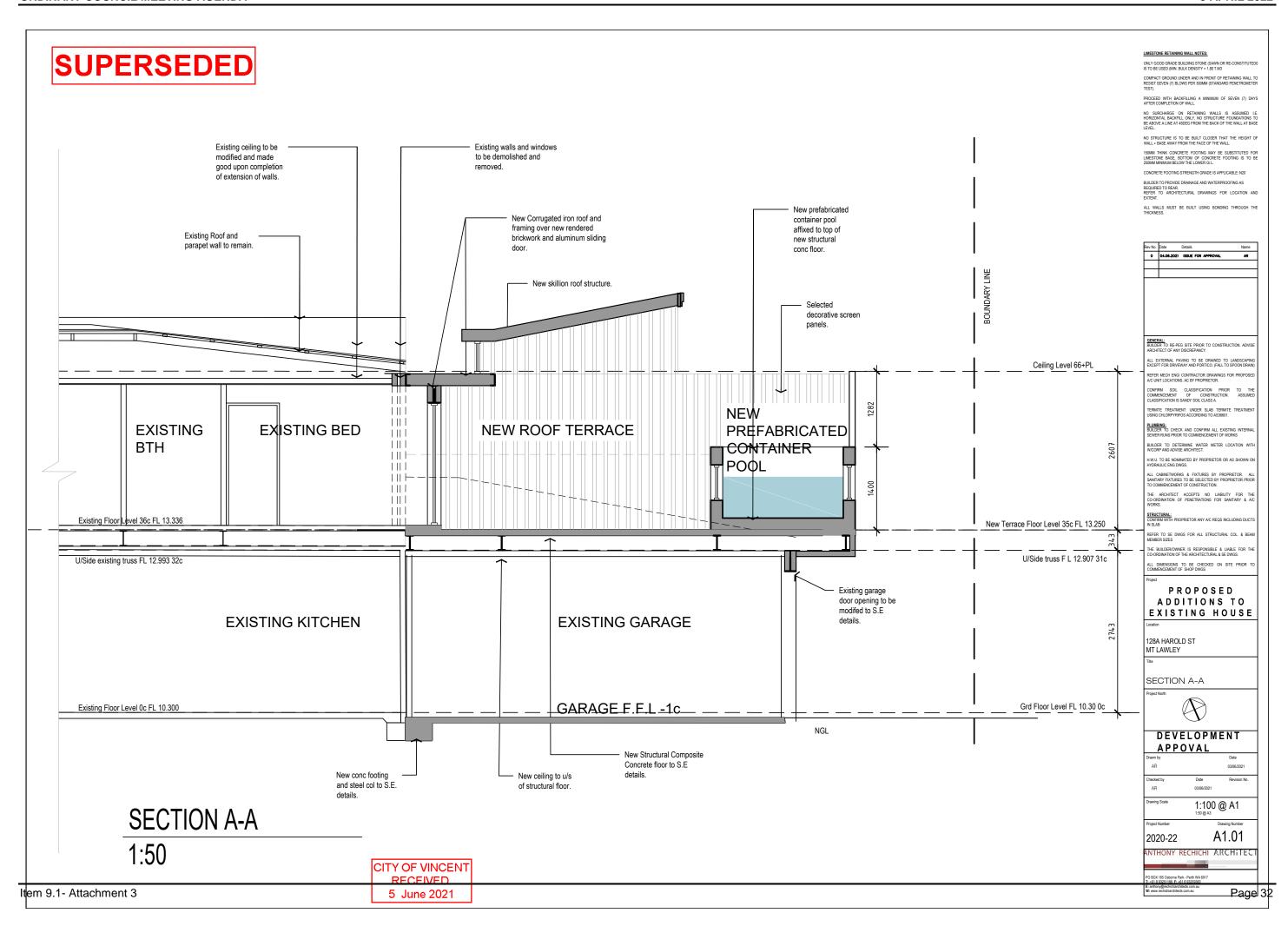
5 June 2021

Item 9.1- Attachment 3

CITY OF VINCENT

RECEIVED

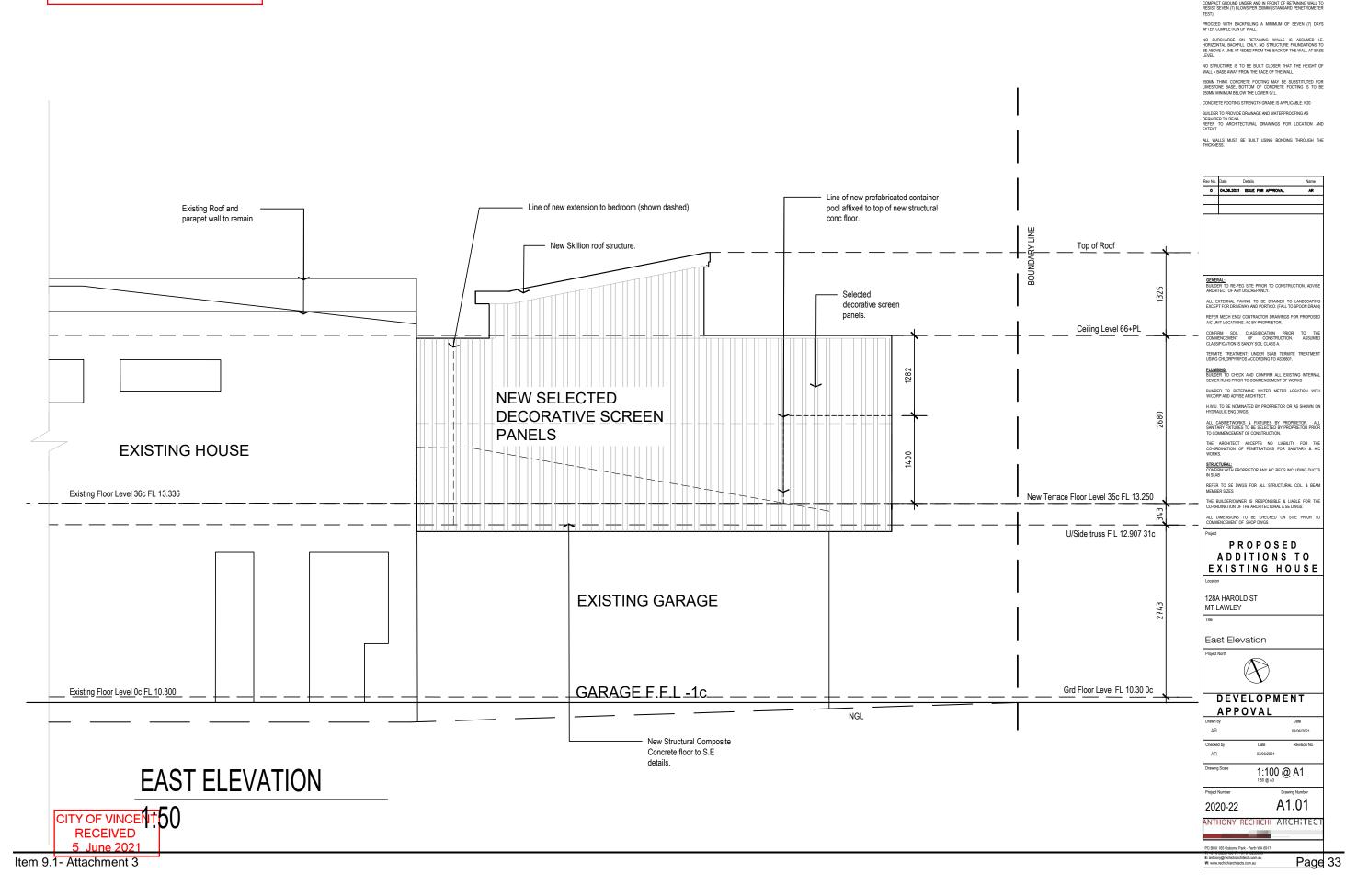




LIMESTONE RETAINING WALL NOTES:

ONLY GOOD GRADE BUILDING STONE (SAWN OR RE-CONSTITUTEDO IS TO BE USED (MIN. BULK DENSITY = 1.80 T.M3

## SUPERSEDED



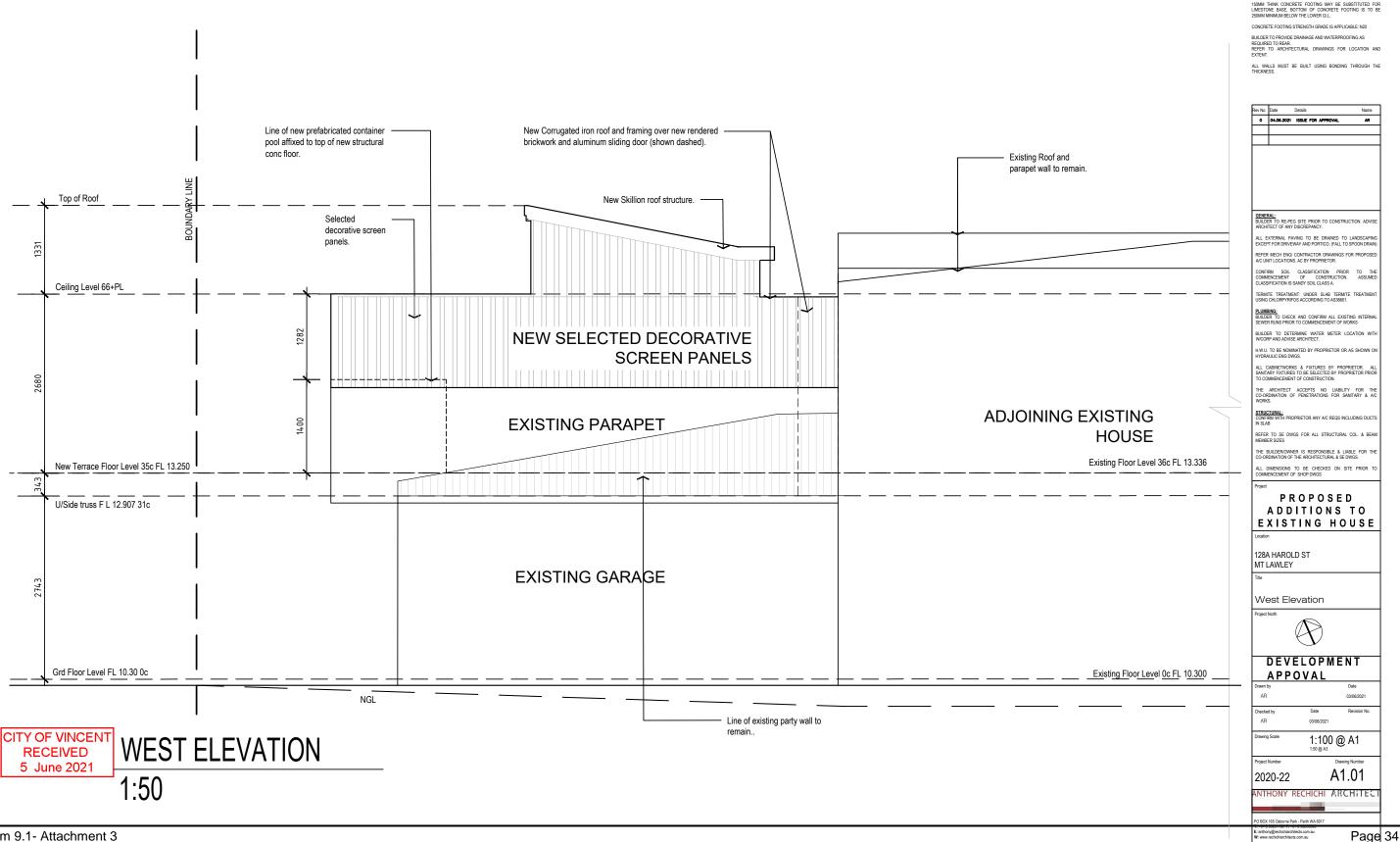
LIMESTONE RETAINING WALL NOTES:

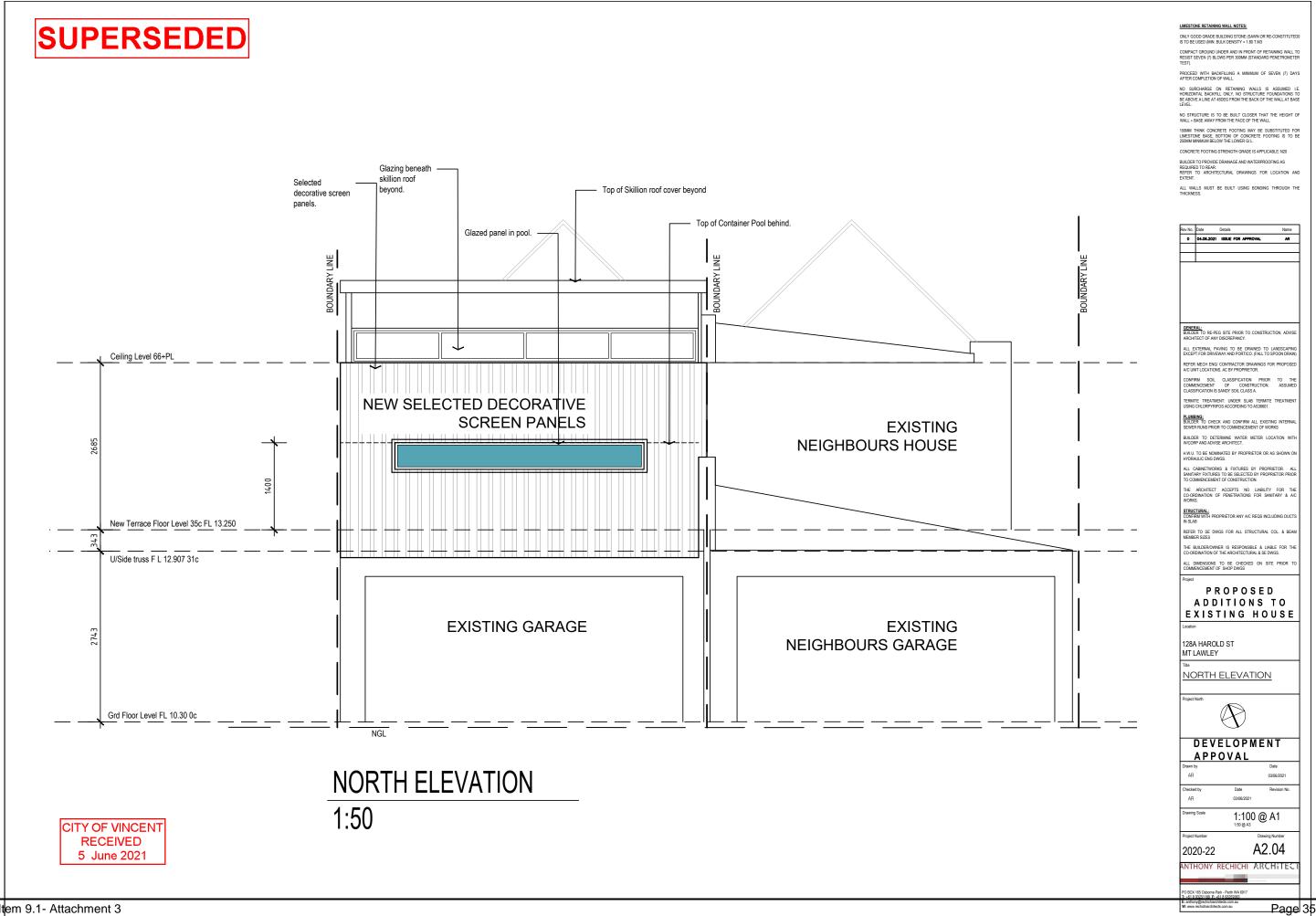
ONLY GOOD GRADE BUILDING STONE (SAWN OR RE-CONSTITUTEDO IS TO BE USED (MIN. BULK DENSITY = 1.80 T.M3

PROCEED WITH BACKFILLING A MINIMUM OF SEVEN (7) DAYS AFTER COMPLETION OF WALL.

NO STRUCTURE IS TO BE BUILT CLOSER THAT THE HEIGHT OF WALL + BASE AWAY FROM THE FACE OF THE WALL.

## **SUPERSEDED**





Item 9.1- Attachment 3

#### **Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Administration Comment:		
Building Bulk and Overshadowing			
Concerns regarding the pool terrace boundary wall height and length due to the dominance and ability to reduce direct sunlight.	Boundary Wall to North West		
<ul> <li>The proposed height of the boundary wall is too high in relation to the requirements.</li> <li>North-western boundary wall height and length will negatively impact the</li> </ul>	The proposed privacy screen to the first floor terrace would extend the boundary wall to the north west by 7.6 metres in length and 1.3 metres in height.		
<ul> <li>streetscape and is considered excessively bulky for the lot size.</li> <li>The boundary wall would dominate the outdoor living areas of the adjoining properties and would create an adverse impact of bulk.</li> </ul>	Inclusive of the existing boundary wall of the dwelling to the first floor, it would result in a total boundary wall length of 31.3 metres and 6.1 metres in height, in lieu of the deemed-to-comply standard of 22.2 metres length and 3.5 metres height.		
	The proposed boundary wall extension satisfies the design principles of the R Codes and local housing objectives of the Built Form Policy.		
	The privacy screen extension on top of the existing parapet wall between the dwelling on the subject site and the dwelling to the north west is being proposed to restrict overlooking from the terrace.		
	The proposed privacy screen directly adjoins the garage to the rear of the adjoining property and does not abut any major openings, habitable rooms or living spaces.		
	The shadow cast from the privacy screen would fall onto the subject site itself and not the adjoining property due to the orientation of the lot and would not create an adverse impact of shadow to the adjoining property to the north west.		
	The visual contrast of varying material between the existing parapet (rendered brick) and privacy screening (aluminium) would assist with breaking up the mass, reducing the appearance of blank walls and creating visual interest. reduces the impact of blank walls when viewed from the right of way and adjoining properties. The boundary wall extension would not be visible from Harold Street as it is located to the rear of the existing two storey dwelling and would not have a detrimental impact to the existing streetscape.		
	Wall to South-East		
	Through the course of the application, the applicant provided amended plans increasing the setback of the privacy screen to the south-eastern boundary		

Page 1 of 3

Item 9.1- Attachment 4 Page 36

# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
	from 0.645 metres to 1.1 metres. This brings the setback in line with the existing dwelling setback of the first floor bedroom.
	The proposed privacy screen to the first floor terrace would extend the boundary wall to the south-east by 7.6 metres in length and additional 1.6 metres in height.
	Inclusive of the existing wall of the dwelling it would sit on top, it would be a total height of 5.1 metres measured from natural ground level. It would also be a continuation on from the existing dwelling first floor wall to this south-eastern boundary that is 11.9 metres in length, 6.6 metres in height and setback 1.1 metres. The proposed boundary wall extension satisfies the design principles of the R Codes and local housing objectives of the Built Form Policy
	The stepping down in height by 1.5 metres of the privacy screen from the existing dwelling first floor wall that it would continue on from would assist in reducing the impact of the building bulk to the south-eastern adjoining property.
	The proposed aluminium privacy screening on the first floor would provide a contrast in materials from the painted white render of the existing ground and first floors when viewed from the adjoining property that would assist in reducing building bulk.
	The proposal complies with the deemed-to-comply standard of the R Codes relating to solar access for adjoining properties. Overshadowing of the existing dwelling inclusive of the proposed terrace is 20.4% of the adjoining site's area. This is less than the 50% overshadowing permitted for R50 coded properties under the R Codes deemed-to-comply standard. The proposed terrace would result in an additional 7.2 square metres of shadow cast onto the adjoining property and equates to 1.5 percent of the adjoining property's site area.
The skillion roof exceeds the deemed-to-comply requirement of 6 metres to 7 metres and would result in increased visual bulk and shadow.	Skillion Roof
	The proposed skillion roof height meets the deemed-to-comply standard of the Built Form Policy. The deemed-to-comply standard height measured to top of skillion roof is 8 metres. The proposed height of the skillion roof over the terrace is a maximum of 7.1 metres.
Visual Privacy	
The proposed screen walls are not high enough to restrict views from the pool terrace.	Privacy screening to all sides of the proposed terrace area meet the visual privacy deemed-to-comply standards of the R Codes. The deemed-to-comply standard of the R Codes sets out screening to a height of a minimum of 1.6 metres in height from the terrace floor level. A 1.6 metre high privacy

Page 2 of 3

Item 9.1- Attachment 4 Page 37

# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
	screen to the south-east, a 1.2 metre privacy screen on top of an existing 1.4 metre high boundary wall (2.6 metres high in total) to the north-west and a 2.6 metre high privacy screen facing the right of way is proposed.
	A condition of approval has been recommended requiring privacy screening to be installed prior to use of the terrace area.
Landscaping	
Concerns regarding the proposed vertical garden/landscaping strip within the proposed non-compliant setback area. Maintenance of the area would result in overlooking into the south-eastern adjoining property.	The planting area along the 1.1 metre setback on top of the garage roof to the south-eastern boundary has been removed from the proposed development in subsequent amended plans submitted by the applicant.
Retractable Staircase	
<ul> <li>Concerns regarding the impact of the retractable staircase, particularly in relation to overlooking of adjoining properties when utilised.</li> <li>Concerns regarding the bulk impact of the staircase when viewed above the dividing fence line from the adjoining property.</li> <li>Request further details on any motorised aspect to the staircase and the noise impact it may generate.</li> </ul>	The retractable staircase has been removed from the proposed development in subsequent amended plans submitted by the applicant.

Comments Received Expressing Concern:	Administration Comment:
Air Conditioning Unit Relocation	
The proposed development would replace the location of the existing air conditioning unit external fixtures. Concerns that the proposed development will require the relocation of the units to an undesirable location. Request further details regarding this relocation.	The proposed air conditioning units would be required to be moved to a location that is not visible from the street or appropriately screened from adjoining properties. The applicant has indicated that the air conditioning units would be relocated behind the existing first floor master bedroom and is indicated on the final development plans.
	A condition of approval has been recommended requiring the appropriate placement of air conditioners to ensure this.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Page 3 of 3

Item 9.1- Attachment 4 Page 38

# **Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the Applicant's response to each comment.

Comments Received in Objection: Applicant Comment	
Building Bulk and Overshadowing	
<ul> <li>Concerns regarding the pool terrace boundary wall height and length due to the dominance and ability to reduce direct sunlight.</li> <li>The proposed height of the boundary wall is too high in relation to the requirements.</li> <li>North-western boundary wall height and length will negatively impact the streetscape and is considered excessively bulky for the lot size.</li> <li>The boundary wall would dominate the outdoor living areas of the adjoining properties and would create an adverse impact of bulk.</li> </ul>	The proposal has been amended to be setback approx.1.2m from the side (south-eastern) boundary and in line with the existing houses' external walls. The screening has been reduced in height to 1.6m and has eliminated the vertical garden.  The roof has also been reduced to 1.2m setback.  The transparency is 75% obscure 25% transparent to further assist with privacy concerns.  There is very little impact on the adjoining neighbour's access to northern light given the lots' north-south (approx.) orientation.
<ul> <li>The lot boundary setback would substantially adversely impact the adjoining properties through loss of sunlight and privacy.</li> <li>The pool terrace boundary wall is a total height of 6.1 metres to 7.4 metres located on the south-eastern lot boundary. This reduced setback increases the shadow and reduces direct sunlight into the adjoining property's north facing windows and backyard. It also would create an impact of visual building bulk when viewed from the adjoining property to the south-east.</li> <li>The pool terrace wall is setback 0.645 metres in lieu of 1.2 metres from the south-eastern lot boundary. This reduced setback increases the shadow and reduces direct sunlight into the adjoining property's north facing windows and backyard.</li> </ul>	
The skillion roof exceeds the deemed-to-comply requirement of 6 metres to 7 metres and would result in increased visual bulk and shadow.	The skillion roof is a small, roofed area of a dimension of 4.0 x 4.8, It is pitched at a similar roof pitch to main roof of the house and a small potion extends above the existing roof height by approximately 400mm.  It provides necessary roof cover of the terrace area to allow for an extended and purposeful usage of the outdoor living space. Without it the space becomes virtually futile.
Visual Privacy	
The proposed screen walls are not high enough to restrict views from the pool terrace.	The north-western wall to the proposed terrace and pool sits atop the common parapet wall between the two residences that separates the two garages. The consultant appears to be referring to the north-eastern wall facing the laneway

Page **1** of **2** 

Item 9.1- Attachment 5

Comments Received in Objection:	Applicant Comment
	which is fully screened to 75% obscurity 25% transparency and to a height of 2.8m. A partial glimpse of a view when standing on the 1m x 1m wide landing to get into the pool may be possible, which is an insignificant occurrence. The screen walls on the north-west and south-east boundaries are 1.6m high to the same transparency levels thereby effectively minimising overlooking and maintaining privacy to the neighbouring property.
Landscaping	
Concerns regarding the proposed vertical garden/landscaping strip within the proposed non-compliant setback area. Maintenance of the area would result in overlooking into the south-eastern adjoining property.	The vertical garden has been eliminated.
Retractable Staircase	
<ul> <li>Concerns regarding the impact of the retractable staircase, particularly in relation to overlooking of adjoining properties when utilised.</li> <li>Concerns regarding the bulk impact of the staircase when viewed above the dividing fence line from the adjoining property.</li> <li>Request further details on any motorised aspect to the staircase and the noise impact it may generate.</li> </ul>	The retractable staircase has been eliminated.

Comments Received Expressing Concern:	City Comment
Air Conditioning Unit Relocation	
The proposed development would replace the location of the existing air conditioning unit external fixtures. Concerns that the proposed development will require the relocation of the units to an undesirable location. Request further details regarding this relocation.	The air-conditioner will be relocated to the roof behind the front parapet wall. It will not be seen from the street or front the neighbours.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Item 9.1- Attachment 5 Page 40

#### **Determination Advice Notes:**

- 1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws
- 2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- 4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
- 5. In relation to Advice Note 2 a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020.
- 6. This is approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
- The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- 8. No verge trees shall be REMOVED. The verge trees shall be RETAINED and PROTECTED from any damage including unauthorized pruning.
- 9. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to commencement of all building/development works, and shall be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond must be made in writing. This bond is non-transferable.
- 10. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
- 11. With reference to Condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
- 12. With reference to Condition 4 Clause 5.4.1 C1.2 Visual Privacy requirements of the R codes states that screening devices such as obscure glazing, timber screens, external blinds, window hoods and shutters are to be at least 1.6m in height, at least 75 percent obscure, permanently fixed, made of durable material and restrict view in the direction of the overlooking into any adjoining property.
- 13. In regards to Condition 6, all storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.

Page 1 of 1

Item 9.1- Attachment 6 Page 41

# 9.2 NO. 4 (LOT: 235; D/P: 1237) ETHEL STREET, NORTH PERTH - PROPOSED TWO GROUPED DWELLINGS

#### Ward: South

Attachments:

- 1. Consultation and Location Map 🗓 🖫
- 2. Lodged Development Plans J
- 3. Final Development Plans J
- 4. Administration Streetscape Analysis 🗓 🖺
- 5. Administration Shadow Diagram J
- 6. Urban Design Study  $\downarrow$
- 7. Environmentally Sustainable Design Report and Template 🗓 🖺
- 8. Summary of Submissions Administration's Response 1
- 9. Summary of Submissions Applicant's Response J
- 10. Determination Advice Notes J

#### 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 Two Grouped Dwellings at No. 4 (Lot: 235; D/P: 1237) Ethel Street, North Perth in accordance with the plans shown in Attachment 3, subject to the following conditions, with the associated determination advice notes in Attachment 10:

## 1. Development Plans

This approval is for Two Grouped Dwellings as shown on the approved plans dated 21 February 2022 and 31 March 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 antennaes, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

# 4. Visual Privacy

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

# 5. Colours and Materials

- 5.1 Prior to first 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; and
- 5.2 The metre boxes are to be painted the same colour as the wall they are attached to so as to not be visually obtrusive, to the satisfaction of the City;

### 6. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 21 February 2022 and 31 March 2022;

#### 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

Walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect, with the exception of:

- One pier at max 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

# 9. Car Parking and Access

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

# **PURPOSE OF REPORT:**

To consider an application for development approval for two grouped dwellings at No. 4 Ethel Street, North Perth (subject site).

#### PROPOSAL:

Details of the proposed two grouped dwellings are as follows:

- Unit 1 is oriented to face Ethel Street, with vehicle access provided via a single width crossover. A mature tree is located within the verge and is to be retained:
- Unit 2 is oriented to face the right of way (ROW) to the rear, with a single width crossover for access. Unit 2 is located at the end of the ROW, which terminates at the rear of the subject site;
- A 1.5 metre wide common property pedestrian access leg is provided along the northern lot boundary for pedestrian access and servicing to Unit 2; and
- Each dwelling is two storeys in height, has one car parking garage, and contains three bedrooms.

Following the Council Briefing on 29 March 2022, the applicant modified the development as follows:

• Addition of a Capital Pear tree to the front setback area of Unit 1;

- Addition of two Cottonwood Hibiscus trees to the ROW setback of Unit 2 in front of the first floor living/dining room window; and
- Provision of a 1.6 metre high fixed obscure glass balustrading in front of the living/dining room opening to the first floor of Unit 2, facing the ROW.

These changes were proposed by the applicant to provide greater on site canopy coverage and to ameliorate perceived overlooking across the ROW.

The proposed development plans have been included as **Attachment 3**.

#### **BACKGROUND:**

Landowner:	Mimi Ferguson	
Applicant:	Steve Irvine	
Date of Application:	23 March 2021	
Zoning:	MRS: Urban	
	LPS2: Residential R Code: Residential R40	
Built Form Area:	Residential	
Existing Land Use:	Vacant	
Proposed Use Class:	Grouped Dwelling	
Lot Area:	534m²	
Right of Way (ROW):	4 metres, City of Vincent owned	
Heritage List:	No	

## Site Context and Zoning

The subject site is bound by Ethel Street to the west, single houses to the north and south, and a 4.0 metre ROW to the east. The land of the subject site is currently cleared and vacant. A copy of the location plan is included as **Attachment 1**.

The subject site and all adjoining properties are zoned Residential R40 under the City's Local Planning Scheme No. 2 (LPS2). The subject site and all adjoining properties are within the Residential built form area and have a building height standard of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy). The site is also subject to Clause 26(6) of LPS2 which permits a maximum of two dwellings per lot.

The prevailing streetscape context is a series of 13.3 metre to 14.1 metre wide lots to Ethel Street. These dwellings are single and two storeys in height with double garages which are accessed from the ROW. The 4 metre ROW at the rear provides vehicle access for properties on Ethel Street, Raglan Road and Grosvenor Road, with open space areas for these properties located adjacent to the ROW also.

Properties along the Ethel Street streetscape are over 400 square metres in area and would be capable of meeting the 180 square metre minimum and 220 square metre average lot sizes for subdivision under the R Codes to accommodate two dwellings. The streetscape is transitioning with subdivision to create two lots and new dwellings occurring at Nos. 3, 5 and 7 Ethel Street within the last 15 years.

The subject site is oriented east to west. Three lots with a north-south orientation are located immediately to the south of the site, with Grosvenor Road located further to the south serving as their primary frontage. Existing houses on these three lots are single and two storeys in height. Due to the orientation, the backyards of these three properties are located immediately to the south of the subject site.

#### Demolition

A demolition permit was issued by the City on 20 August 2021 for the demolition of the previous single storey dwelling and associated structures on the site. The subject site is now cleared. The previous dwelling was not heritage-listed and was exempt from the need to obtain development approval for its demolition.

## Subdivision

No subdivision application has been lodged with or approved by the Western Australian Planning Commission (WAPC) for the creation of two lots to accommodate the proposed two dwellings. The applicant has confirmed that a subdivision application would be lodged with the WAPC following development approval.

#### **DETAILS:**

#### **Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local LPS2, the City's Built Form Policy and the State Government's Residential Design Codes (R Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Street Setback		<b>√</b>
Front Fence		✓
Building Setbacks/Boundary Wall	✓	
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas		✓
Landscaping (R Codes)	<b>✓</b>	
Privacy	<b>✓</b>	
Parking & Access	<b>✓</b>	
Sight Lines		✓
Solar Access	<b>✓</b>	
Site Works/Retaining Walls	<b>✓</b>	
Essential Facilities		✓
External Fixtures	<b>✓</b>	
Surveillance		✓

#### **Detailed Assessment**

The Built Form Policy and R Codes have two pathways for assessing and determining a development application. These are through design principles and local housing objectives, or through deemed-to-comply standards.

Design principles and local housing objectives are qualitative measures which describe the outcome that is sought rather than the way that it can be achieved.

The deemed-to-comply standards are one way of satisfactorily meeting the design principles or local housing objectives and are often quantitative measures.

If a planning element of an application meets the applicable deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.

If a planning element of an application does not meet the applicable deemed-to-comply standard/s then Council's discretion is required to decide whether this element meets the design principles and local housing objectives.

The planning elements of the application that do not meet the applicable deemed-to-comply standards and require the discretion of Council are as follows:

Street Setback		
Deemed-to-Comply Standard	Proposal	
Built Form Policy Volume 1 Clause 5.1		
Upper Floors		
Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line	The first floor of Unit 1 is setback 1.6 metres behind the ground floor	

Balconies  Balconies on upper floors setback a minimum of 1 metre behind the ground floor predominant building line	The balcony on the first floor of Unit 1 projects 0.7 metres forward of the ground floor	
	and Fences	
Deemed-to-Comply Standard	Proposal	
Built Form Policy Volume 1 Clause 5.9		
Solid walls permitted to 1.2 metres in height above natural ground level	Fence to Unit 2 facing the ROW incorporates solid portions of wall 1.8 metres in height	
Outdoor L	iving Areas	
Deemed-to-Comply Standard	Proposal	
R Codes Clause 5.3.1		
Located behind front setback area	The outdoor living area of Unit 1 would be located within the front setback area	
Sight Lines		
Deemed-to-Comply Standard	Proposal	
Built Form Policy Volume 1 Clause 5.8  Walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points	Units 1 and 2 provide sightlines of 0.5 metres by 1.5 metres to Ethel Street and ROW	
	d Facilities	
Deemed-to-Comply Standard	Proposal	
R Codes Clause 5.4.4		
Store room for each grouped dwelling that is 4 square metres minimum area and 1 metre minimum dimension	Units 1 and 2 do not provide designated store rooms	
Street Surveillance		
Deemed-to-Comply Standard	Proposal	
Built Form Policy Volume 1 Clause 5.6		
The primary street elevation of the dwelling is to address the street and shall include the main entry (front door) of the dwelling	Main entry of Unit 2 does not address the ROW	
The street elevation of the dwelling to address the street with clearly defined entry points visible and accessed from the street	Entry of Unit 2 partially concealed from Ethel Street pedestrian access leg	

The above planning elements of the proposal do not meet the specified deemed-to-comply standards. These planning elements have been assessed against the design principles and local housing objectives in the Comments section below.

#### **CONSULTATION/ADVERTISING:**

Community consultation was undertaken for the plans as originally lodged and included as **Attachment 2** in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days from 14 May 2021 to 27 May 2021. The method of consultation included a notice on the City's website and letters sent to all owners and occupiers adjoining the subject site, as shown in **Attachment 1** and in accordance with the City's (former) Policy No. 4.1.5 – Community Consultation.

31 submissions were received at the conclusion of the community consultation period, all of which objected to the proposal.

Second, third and fourth rounds of community consultation were subsequently undertaken in accordance with the City's Community Engagement and Stakeholder Policy. This was based on amended plans and supporting information submitted by the applicant to address concerns raised. These amended plans were re-advertised to owners/occupiers who had previously provided a submission. In respect to this:

- The second community consultation period was for 14 days from 20 August 2021 to 2 September 2021. 19 submissions were received, all of which objected to the proposal.
- The third community consultation period was from 3 December 2021 to 31 January 2022. This was an extended advertising period to account for the City's advertising black out period that occurs over the Christmas and New Year period from 18 December to 8 January, as specified in the Community and Stakeholder Engagement Policy. Where any consultation falls within this period, the number of days is to be added on to the required consultation period. Administration mail out and notification errors also resulted in this advertising period being extended. 10 submissions were received, all of which objected to the proposal.
- The fourth and final community consultation period was for 14 days from 23 February 2022 to 8 March 2022. Five submissions were received, all objecting to the proposal.

A summary of the key concerns raised with the proposed development across all four community consultation periods is as follows:

- Balconies overlook directly into neighbouring properties;
- Adverse amenity impacts to adjoining properties, including overlooking and overshadowing which falls to outdoor living areas and reduces access to sunlight for the dwellings;
- The proposed shadow would impact current and future occupants and liveability of their homes by further reducing limited access to natural sunlight. The shadow impacts would be exacerbated by the impact from boundary walls, setbacks and a lack of open space;
- Development scale and bulk is not in keeping with the established built form character of North Perth and the areas R40 density coding;
- There is a lack of deep soil zones and canopy cover which indicates that the site is being overdeveloped;
- Precedent would be set for future two storey development and long-term impacts on the precinct; and
- Setback of development to the ROW does not provide adequate privacy, sound proofing or security for neighbours.

A summary of submissions received across the four consultation periods along with Administration's responses to each comment is provided in **Attachment 8**. The applicant's response to the submissions received are provided as **Attachment 9**.

Prior to Council's Briefing Session, the City received a late submission of support for the final development plans was received from the neighbour to the north. No comments were provided in this submission.

Following Council's Briefing Session on 29 March 2022, amended plans were submitted to provide additional landscaping and window glazing treatment. The changes were not re-advertised for the following reasons:

- The landscaping would increase canopy coverage for Units 1 and 2 from that previously proposed; and
- The obscure screening introduced to the first floor opening of Unit 2 facing the ROW would provide fixed screening to address perceived overlooking.

The modifications do not result in any new or further departures to the deemed-to-comply standards, and would not have an impact on the community or the amenity of the locality. This is consistent with the City's Community and Stakeholder Engagement Policy.

A copy of the final set of development plans to be determined by Council is included within **Attachment 3**.

# Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred to the City's DRP member on four occasions for comment on the development plans. These referrals were for the plans originally lodged and each set of amended plans submitted by the applicant.

The DRP member also met with the applicant and the City's officers during the course of the application on two occasions to elaborate on their comments.

A summary of all of the DRP member's comments on the proposal are included below.

- The front and side balconies make sense for amenity to the occupants but see a loss of privacy to the neighbours to the south and north;
- The projection forward of the upper floor alignment appears inconsistent with existing surrounding upper storey development;
- The muted/darker tones of the upper floor should help the dwellings recede a little within the streetscape to counteract the balcony projections;
- Development is at odds stylistically with surrounding development but materials proposed are appropriate and assist in tying back to surrounding context;
- Opportunity to reduce scale of the rooms to improve setbacks to side boundaries;
- Recessed walls should be explored to further improve articulation and assist with reducing perceived bulk;
- Well-articulated and landscaped courtyards with substantial tree canopy are proposed in front of the streetscape massing;
- There is sufficient surveillance and streetscape interaction from the development;
- The separation of the two units in the middle by the roof terrace allows light and air to permeate into the southern adjoining neighbouring lots;
- Landscaping buffers soften impact of development to adjoining dwellings;
- The concealed roof forms are tempered by the use of traditional materials such as face brickwork, timber cladding and metal roof claddings. Roof forms reduce perceptions of bulk and scale through reductions in overall height; and
- The front and rear units have been given a slightly different appearance in relation to both size and material use to provide a separate identity and read as separate dwellings.

In response to comments and recommendations received from the DRP member from referrals, the applicant made the following key changes over the course of the application process:

- Lot boundary wall heights reduced to 3.5 metres or less;
- Lot boundary setbacks increased;
- Boundary wall length reduced by 6.6 metres;
- Removal of internal two storey boundary walls;
- 3.3 metre internal building separation of Unit 1 and Unit 2;
- Open space to Unit 1 increased by 8 percent and open space to Unit 2 increased by 7.3 percent;
- Dimensions of Unit 2 outdoor living area increased;
- Deep soil area to Unit 1 increased by 8.5 percent;
- Balconies to the southern and northern elevations of Unit 1 and Unit 2 removed;
- Unit 2 balcony to ROW removed; and
- Pedestrian access leg relocated to northern lot boundary.

The DRP member provided the following comments in respect to the final set of amended plans:

- A full separation of dwellings and the introduction of more internal landscaping assists with reducing the perceived bulk, scale and massing of the proposed development;
- The rear dwelling is lower than the front and this stepping of height further assists with articulation and separation of form;
- Variations in cladding and articulation between the two dwellings provides individual design expression;
- Consider increased setback to the ground floor of Unit 2 to allow for a strip of garden to the eastern boundary to still be available to the dwelling after future ROW widening; and
- Consider maintaining face brickwork to the eastern boundary wall of Unit 1 on the ground floor. On the upper floor, consider wrapping painted render to the bed 3 to WIR portion of the wall and cladding detail on the balcony to create a more interlocking material palette to improve articulation.

In response to these final recommendations from the DRP member, the applicant made the changes in the materiality of the boundary wall of Unit 1. The final set of development plans that reflect this change and that is the subject of Council's determination has been included as **Attachment 3**.

#### LEGAL/POLICY:

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 7.3 Residential Design Codes Volume 1;
- Planning Bulletin 33/2017: Rights of Ways or Laneways in Established Areas;
- Community Engagement and Stakeholder Policy (formerly Policy No. 4.1.5 Community Consultation);
   and
- Policy No. 7.1.1 Built Form.

## Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, and Part 14 of the *Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

#### Planning and Development (Local Planning Scheme) Regulations 2015

The City is to have due regard to the matters set out in Schedule 2, Clause 67 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (LPS Regulations) in determining an application. The due regard matters relevant to this application are:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (g) any local planning policy for the Scheme area;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following
  - (i) environmental impacts of the development;
  - (ii) the character of the locality; and
  - (iii) social impacts of the development;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (y) any submissions received on the application;
- (zb) any other planning consideration the local government considers appropriate; and
- (zc) any advice of the Design Advisory Committee.

Consideration of these matters is provided included in the Comments section of this report

## Local Planning Scheme No. 2

The objectives of the Residential zone under LPS2 are a relevant consideration for the application. These objectives are:

To provide for a range of housing and a choice of residential densities to meet the needs of the

- community;
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas:
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development;
- To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling;
- To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas;
- To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles; and
- To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.

## **Delegation to Determine Applications:**

This matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to applications for development approval that received more than five objections during the City's community consultation period.

#### **RISK MANAGEMENT IMPLICATIONS:**

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

## STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community.

## SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the City's Built Form Policy. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

## **PUBLIC HEALTH IMPLICATIONS:**

This report has no implication on the priority health outcomes of the City's Public Health Plan 2020 – 2025.

## FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

#### **COMMENTS:**

An assessment against the discretionary aspects of the application is set out below. These relate to consideration against the State Government's R Codes and City's Built Form Policy, as well as other matters under the LPS Regulations to be considered by local government.

#### Street Setback

The Built Form Policy street setback deemed-to-comply standard is for upper floor walls to be setback a minimum of 2 metres behind the ground floor building line and balconies to be setback 1 metre behind the building line.

The first floor of Unit 1 would be setback 1.6 metres behind the ground floor predominant building line and the balcony would project 0.7 metres forward of the ground floor.

## Applicant's Justification

- The stepping and projections are consistent with the surrounding properties along Ethel Street;
- Upper floor of Unit 1 is appropriately stepped back from the street boundary in comparison to neighbouring development at No. 164 Grosvenor Road. This provides a graduated development outcome from the street corner;
- Differences in the materiality and colours of significant sections of the upper floor compared with the ground floor creates visual interest within the streetscape. The materials and colours proposed for the design of the dwellings are consistent with those within the surrounding locality;
- The proposed encroachments and projections provide for an articulated façade that engages with the streetscape in a positive manner that contributes to the overall improvement of the streetscape; and
- The existing tree at the front of the property along Ethel Street will conceal the dwelling. This means any perceived impact of the bulk and scale of the streetscape will be mitigated by the street tree.

#### Administration's Assessment

The proposed street setback satisfies the design principles of the R Codes and local housing objectives of the Built Form Policy for the following reasons:

- Varied Street Setbacks in Established Streetscape: The Ethel Street streetscape is characterised by older existing single storey dwellings with varied street setbacks. A copy of Administration's streetscape review is included as Attachment 4. The proposed dwellings would sit appropriately within the established streetscape and would not detract from the street as:
  - <u>Setbacks in Immediate Streetscape:</u> There are varied street setbacks for dwellings in the immediate streetscape. The immediate streetscape for Ethel Street extends from Grosvenor Street to Raglan Road. There are five properties on either side of Ethel Street that have a frontage to this street.
    - On the eastern side of Ethel Street, the street setback of dwellings for Nos. 6, 8 and 10 Ethel Street that face this street vary from 3.4 metres to 5.4 metres. No. 164 Grosvenor Road sides onto Ethel Street and the dwelling has a nil setback to Ethel Street. The subject site is the fifth property on this side of the road; and
    - On the western side of Ethel Street, the street setback of dwellings for Nos. 3, 5, 7 and 9 Ethel Street that face this street vary from 1.5 metres to 4.5 metres. No. 166 Grosvenor Road sides onto Ethel Street and the dwelling has a 1.0 metre setback to Ethel Street;
  - Stepping of Building Setbacks: The street setback of the first floor of the Unit 1 dwelling provides an appropriate streetscape transition and stepping between the properties immediately to the north and south of the site. The dwelling on the property immediately to the south of the site at No. 164 Grosvenor Road has a nil dwelling setback to Ethel Street that occupies 11.7 metres of its frontage and a 1.0 metre garage setback to Ethel Street that occupies 5.6 metres of its frontage. The dwelling on the property immediately to the north of the site at No. 6 Ethel Street has a 5.4 metre setback to Ethel Street that occupies 11.7 metres of its frontage;
  - Street Setback of Southern Property: The nil setback of the dwelling immediately to the south at No. 164 Grosvenor Road was not factored into the five properties aside used to calculate the average street setback deemed-to-comply standard for the ground floor that then establishes the setting back of upper floors. This is because the dwelling setback of the property immediately to the south of the site sides onto Ethel Street which is its secondary street frontage. This adjoining property has its primary frontage instead oriented towards Grosvenor Road. The ground floor of Unit 1 meets the deemed-to-comply average street setback. The dwelling is proposed to be setback 4.5 metres from Ethel Street in lieu of the 4.3 metre average setback deemed-to-comply standard;
  - Upper Floor Alignment: The 1.6 metre stepping back of the upper floor and projection of the balcony would not result in visual bulk to the street that is commonly associated with unarticulated and blank two storey walls. There are two, two storeys dwellings within the immediate streetscape between Grosvenor Road and Raglan Road.
    - No. 3 Ethel Street across the road has an upper floor in line with the ground floor below and does not provide any articulation; and
    - No. 164 Grosvenor Road immediately to the south of the site has an upper floor in line with the ground floor. This is a nil setback of both the ground and upper floors to Ethel Street and does not provide articulation;

- Broader Streetscape: The broader streetscape of Ethel Street to the south of the site from Grosvenor Road to Vincent Street consists of eight dwellings that are predominantly single storey. These dwellings side onto Ethel Street with it serving as their secondary street. This portion of the street is characterised by garages and street walls with a nil to 1 metre setback. To the north of the site from Raglan Road to Alma Road, Ethel Street is characterised by predominantly single storey homes that face onto this street with varying setbacks, parking in the front setback area and low street walls and fences;
- Open Streetscape:
  - Ethel Street is characterised by single storey dwellings with open front yards and landscaping. The open nature of the first floor balcony and its glass balustrade would contribute towards the open and interactive frontages within the established streetscape;
  - Streetscape interaction and engagement of the dwelling would be unimpeded due to the provision of open fencing. Ancillary structures and projections, such as carports, porches and solid walls are provided within the front setback area of neighbouring properties. These structures contribute massing closer to the street;

#### Mitigating Building Bulk:

- The first floor is clearly distinguishable from the ground floor through the balcony overhang and the use of different colours and materials. The ground floor is proposed to be finished with face brick and the first floor finished with vertical cladding. The use of varying colours and materials and the inclusion of major openings proposed to the living/dining and master rooms ensures that Unit 1 would not present to Ethel Street with unarticulated and blank solid double storey walls;
- The front setback area provides 33.9 square metres of deep soil area and a Chinese Elm and a Capital Pear tree. This is consistent with the landscaped front setback areas of surrounding properties. The landscaping as proposed within the front setback area would assist in reducing the impact of building bulk from the first floor on the streetscape;
- <u>Definable Entry Point:</u> The upper floor does not affect legibility of the entry to the dwelling. The entry point to Unit 1 would be clearly visible from Ethel Street:
- <u>Surveillance and Interaction:</u> The open aspect to the balcony together with major openings from the living/dining spaces on the ground floor and master bedroom on the first floor providing visual connectivity and surveillance with the street;
- <u>Urban Design Study</u>: The applicant has submitted an urban design study included as **Attachment 6**.
  This sets out how the proposed dwellings have been designed to reflect the architectural language of Ethel Street. Stepping of ground and upper floors and a mix of materials such as contrasting render, face brick and cladding reflect a development form that is consistent with the street and neighbouring properties; and
- <u>Design Review Panel:</u> The City's DRP member noted the balcony projection was not a predominant streetscape feature however was appropriate. This is due to the colour and material selection which assists in tying the development back to the surrounding context and established streetscape rhythm.

## Street Walls and Fences

The deemed-to-comply standards of the Built Form Policy permit solid street walls and fences to 1.2 metres in height.

The fence to Unit 2 that faces the ROW has portions of solid wall to 1.8 metres in height.

#### Applicant's Justification

- The partially solid walls are appropriate to the right of way boundary to mitigate noise impacts and privacy issues;
- Fencing style maintains privacy to the dwelling whilst also providing passive surveillance to the streetscape associated with the right of way. The design of the front fence design ensures that the relationship between the public and private realm is maintained; and
- Solid walls to the boundary are already evident within the right of way due to existing solid fencing and garage structures.

## Administration's Assessment

The street wall and fence satisfies the local housing objectives of the Built Form Policy for the following reasons:

• <u>Visual Permeability:</u> The proposed fence would be constructed using concrete panelling while the remainder of the fence would be permeable wrought iron detailing. The use of mixed materials would

- ensure that portions of the wall are visually permeable to allow for surveillance and interaction. These material finishes would also contribute positively to the existing ROW streetscape which is characterised by solid fibre cement fences, garage doors and vehicle access points; and
- <u>Privacy:</u> Areas of usable open space and outdoor living areas for the future occupants of Unit 2 are located adjacent to the ROW. This is to maximise access to the northern aspect of the site and winter sunlight. The portion of the 1.8 metre high wall would occupy 3.9 metres of the lot's 13.3 metre ROW frontage. The proposed solid portions of wall would provide adequate privacy for the occupants of the dwelling when using this space, whilst still allowing for surveillance and interaction with visually permeable portions of the fence.

#### Outdoor Living Areas

The deemed-to-comply standards of the R Codes requires 20 square metres of outdoor living area with a minimum dimension of 4 metres to be provided behind the street setback area. The primary outdoor living area of Unit 1 is proposed within the front setback area.

## Applicant's Justification

- The outdoor living area for the front dwelling is capable of use in conjunction with the living and dining area of the dwelling as it located adjacent to these areas. The outdoor living area is accessible from the living/dining area via a door and acts as an extension to these habitable rooms;
- The location of the outdoor living area within the front setback allows for a larger, more useable outdoor area for the dwelling; and
- Location of the outdoor living area within the lot provides for access to northern sunlight and provides for passive surveillance to the street.

#### Administration's Assessment

The proposed outdoor living area satisfies the relevant design principles of the R Codes for the following reasons:

- <u>Functionality:</u> The primary outdoor living area is accessible from habitable rooms of the dwelling, being the kitchen. living and dining to optimise its function and use;
- <u>Surveillance</u>: The outdoor living area within the front setback area provides engagement of the dwelling with the public realm. The outdoor living area increases actual and perceived passive surveillance of the street:
- <u>Size</u>: The size of the outdoor living area is a usable extension of the habitable rooms. The outdoor living area minimum dimension is 4.5 metres which meets the 4 metre minimum dimension under the R Codes deemed-to-comply standard. The outdoor living area is 33.6 square metres in area, satisfying the minimum 20 square metres R Codes deemed-to-comply standard;
- <u>Second Outdoor Living Area</u>: The balcony serves as a second outdoor living area. It is accessible from the master bedroom and is 11.4 square metres in area. The total area of the ground and upper floor outdoor living areas for active and passive use would be 45.0 square metres;
- Weather Protection: The balcony from the first floor above cantilevers 0.7 metres forward of the ground floor, providing 14.1 square metres of covered outdoor living area. This would support the use of the space all year round. The remainder of the outdoor living area is open to allow for sufficient access to sunlight and ventilation to the dwelling and its occupants, enhanced by the northern aspect of the space; and
- <u>Privacy</u>: The primary outdoor living area is not raised above natural ground level and meets the visual privacy deemed-to-comply standards of the R Codes.

## Landscaping

In addition to the deemed-to-comply standards of the R Codes, the application has also been assessed against the landscaping provisions of the Built Form Policy that sets out deemed-to-comply standards. The deemed-to-comply landscaping standards set out in the Built Form Policy have not yet been approved by the WAPC and as such, these provisions are given regard only in the assessment of the application and do not have the same weight as other policy provisions.

The Built Form Policy deemed-to-comply standard requires 30 percent of lots to be provided as canopy coverage at maturity. Unit 1 initially proposed 14.7 percent canopy coverage at maturity. After the 29 March 2022 Council Briefing Session, the applicant submitted amended plans with an additional Capital

Pear tree in the front setback area of Unit 1. Unit 1 would now provide 18.6 percent canopy coverage at maturity.

## Applicant's Justification

- The proposed tree within the front setback is co-located with the dwelling's outdoor area and will make a positive contribution to the streetscape.
- Landscaping to Unit 1 not only provides for shade and softscape for the dwelling but will grow to a
  height that is consistent with existing trees within the street; and
- The provision of a large tree within the front setback also compliments the existing street tree at the front of the property along Ethel Street.

#### Administration's Assessment

The proposed landscaping would satisfy the local housing objectives of the Built Form Policy for the following reasons:

- <u>Deep Soil Zones and Planting Areas:</u> Unit 1 provides 21.2 percent deep soil zones and planting areas, greater than the 12 percent and 3 percent required respectively by the Built Form Policy. The deep soil zones and planting areas offer additional opportunities for canopy and smaller planting across the site by the occupants;
- <u>Canopy Coverage:</u> Tree species proposed are capable of providing between 3 and 6 metres of canopy width each at maturity. The width, spacing and location of deep soil zones and canopy trees would ensure landscaping proposed is capable of growing to full maturity, which has also been reviewed and supported by the City's Parks team;
- <u>Canopy Opportunities:</u> The existing canopy of the established Queensland Box tree in the verge already extends into within the front setback area of Unit 1. Tree planting would not be practical in the deep soil areas on the northern boundary of the dwelling next to the living/dining due to the balcony and void area above. Additional canopy would also not be practical to the south from the laundry and ensuite due to the 1.5 metre minimum dimension and hardstand required for the functionality of the drying court area;
- <u>Species Selection:</u> The deciduous nature of the Chinese Tallow and Frangipani trees would allow for increased light filtration to openings and neighbouring development during the winter and autumn months to support access to sunlight and ventilation; and
- <u>Streetscape Benefits:</u> The mature verge tree to Ethel Street is retained and planting of a Chinese Elm provides landscaping in the front setback that would be consistent with the streetscape.

## Sight Lines

The deemed-to-comply standards of the Built Form Policy require a 1.5 metre by 1.5 metre truncation to be provided where a driveway intersects a street or right of way. Unit 1 and Unit 2 provides 0.5 metre by 1.5 metre sight lines from the respective access points.

Units 1 and 2 provide 0.5 metre by 1.5 metre sightlines from the respective access points.

## Applicant's Justification

- The existing solid fence of the adjacent properties obstruct the views of the driveway from both Ethel Street and the ROW. The space between the driveway and fence is limited; and
- Due to the nature of Ethel Street and the ROW, manoeuvring in and out of the driveway will occur at low speed which allows for safe vehicle movement between the driver and pedestrians along the path.

## Administration's Assessment

The proposed sightlines satisfy the local housing objectives of the Built Form Policy for the following reasons:

- <u>Safety</u>: The garages of the dwellings are setback adequately from the street and ROW. This ensures safe vehicle movements out of the site are provided with adequate opportunities to view oncoming vehicles and pedestrians on the footpath:
- Reduced Traffic Volumes to ROW: The accepted engineering practice within the City for sightlines to ROWs is a 1.0 metre by 1.0 metre truncation area. This is due to reduced traffic volumes. The ROW to access Unit 2 terminates at the southern boundary of the subject property. This means that this section of this ROW would be primarily used by the occupants of Unit 2 to access the dwelling and can only be

approached from the north of the ROW. Unit 2 provides a 2.0 metre by 2.0 metre truncation area to the northern side of the driveway for sightlines. 0.5 metre by 1.5 metre truncation area to the southern side of the driveway would be acceptable given that there would be no vehicles approaching from the south of the ROW; and

 <u>Manoeuvring</u>: The setback of the garage meets the vehicle manoeuvring requirements, as per the Australian Standards (AS2890.1). The City's Engineering team has confirmed vehicles could safely enter and exit from the vehicle access points.

#### Street Surveillance

The deemed-to-comply standards of the Built Form Policy and the R Codes require the primary street elevation of the dwelling, inclusive of the front door, to address the street. The street elevation of the dwelling is also required to provide clearly defined entry points visible and accessed from the street.

The main entry of Unit 2 is provided via a 1.5 metre wide pedestrian access leg from Ethel Street, and a front door which is partially not visible on approach.

#### Applicant's Justification

- The awning/canopy provides a feature for the entry of Unit 2; and
- The width of the pathway to Unit 2 and landscaping provides an attractive pedestrian setting.

#### Administration's Assessment

The proposal satisfies the design principles and local housing objectives of the Built Form Policy and R Codes relating to street surveillance for the following reasons:

- <u>Entry Canopy:</u> The entry canopy of Unit 2 provides a defined entry feature which is legible as viewed on approach from Ethel Street;
- <u>Unimpeded Pedestrian Access:</u> No fencing is proposed to the pedestrian access leg to Unit 2, providing unimpeded access and line of sight to the rear dwelling. This would reduce opportunities for concealment and entrapment; and
- Visitor Access: Visitors to Unit 2 would not be able to park on the driveway of Unit 2 or park along the ROW. The 4 metre width and configuration of the ROW does not support parking of vehicles along the ROW, and the 2.0 metre driveway length of Unit 2 does not provide sufficient depth to accommodate the parking of a vehicle. Visitors would park on Ethel Street and use the pedestrian access leg to visit Unit 2. Pedestrian access from Ethel Street and orientation of the main entry would support this arrangement.

## **Utilities and Facilities**

The R Codes deemed-to-comply standard sets out a 4 square metre dedicated store room is to be provided to each grouped dwelling that are externally accessible.

Units 1 and 2 do not propose dedicated store rooms that are externally accessible.

## Applicant's Justification

- Internal storage areas are provided to each dwelling. This enhances the usability of the outdoor living areas by creating space for deep soil areas for trees. This in turn enhances the amenity of both streetscapes;
- The front dwelling is provided with a cumulative storage area of 4.0 square metres and the rear dwelling is provided with a cumulative storage area of 4.0 square metres, within each dwelling. This means that each dwelling is provided with sufficient space to store items; and
- The provision of internal storage areas allows for a reduction in the overall bulk for each development.

## Administration's Assessment

The proposal would satisfy the design principles of the R Codes for the following reason:

• <u>Garage Area</u>: The internal dimensions of the garages to Units 1 and 2 exceed the minimum Australian Standards. This would provide approximately 1 square metre of storage within the garage for occupants

to use.

It is noted that the provision of an external store would not be required under the R Codes should the site be subdivided to create two single houses. Separately, the applicant's justification that there are storage areas internal to the dwellings to cater to the needs of future occupants is noted.

## **Developments to Rights of Way**

Clause 5.13 of the Built Form Policy relating to development to ROWs sets out local housing objectives to be achieved and does not prescribe deemed-to-comply standards.

The local housing objectives seek for development on ROW's to be setback 1.0 metre. This setback is measured from the lot boundary following any road widening being applied.

The ground floor of Unit 2 would have a nil setback from the ROW, assuming that a 1.0 metre widening is applied.

The WAPC's Planning Bulletin No. 33 Right of Ways or Laneways in Established Areas (PB33) provides guidance on the ceding of land for ROW widening. The extent of any ROW widening needed is determined by the WAPC during the subdivision process having regard to PB33.

For a 4 metre wide ROW and where widening is required, this varies between 0.5 metres and 1.0 metre to achieve a 5.0 metre or 6.0 metre width. This requirement would be applied as a condition of subdivision approval for the land to be ceded for widening purposes.

There is no current subdivision application or approval for the subject site.

#### Applicant's Justification

- Street and lot boundary setbacks are in compliance with the deemed-to-comply standards of the R Codes. The rear building has been positioned closer to the ROW boundary in order to create a clear break between the two proposed units, which helps to reduce bulk/scale/mass and reduce overshadowing to the adjoining properties;
- There are numerous local examples of buildings fronting the ROW with nil or minimal setbacks;
- Visual privacy provisions are in accordance with deemed-to-comply standards of the R Codes; and
- The rear building site introduces significant landscaping provision.

#### Administration's Assessment

The proposed ROW setbacks satisfy the local housing objectives of the Built Form Policy and are acceptable for the following reasons:

- <u>Vehicle Access:</u> Vehicle access to Unit 2 is provided via the ROW located to the east of the subject site. This ROW is 4 metres in width and accounting for a 2.0 metre garage entrance setback, there would be sufficient vehicle manoeuvring space;
- <u>Dwelling Setback:</u> Should a maximum 1.0 metre of ROW widening be applied, there would be a nil setback to the bed 2 and ensuite portion of the Unit 2 dwelling. Landscaping, the garage and the upper floor would provide for a 1.0 metre setback in this scenario of ROW widening;
- <u>Existing ROW Development</u>: The ROW setbacks would be consistent with the nil setbacks of adjacent properties and outbuildings to the ROW boundary:
- <u>Service Access</u>: The proposed development provides necessary pedestrian access to Ethel Street for postal, rubbish collection and public utilities, and would not be affected by any future ROW widening; and
- <u>Future Subdivision</u>: Preliminary comments from the Department of Planning, Lands and Heritage note that as the portion of the ROW would be limited in servicing the subject lot, it would likely not require any ROW widening subject to the dwelling providing the appropriate setback and turning circles. The merits of a subdivision application would be considered and determined by the WAPC on receipt of a complete application.

### **Environmentally Sustainable Design**

Clause 5.11 of the Built Form Policy relating to environmentally sustainable design sets out local housing objectives to be achieved and does not prescribe deemed-to-comply standards.

The applicant has submitted a life cycle assessment report which is included in **Attachment 7**. The report and development plans identify the following built form and site planning measures that would be implemented to satisfy the local housing objectives of the Built Form Policy:

- Unit 1 would provide a 51 percent net use of fresh water saving that meets the target of 50 percent, an
   81 percent global warming potential reduction exceeding the target of 50 percent, and a 6 star
   NatHERS rating through the sustainable design measures;
- Unit 2 would provide a 50 percent net use of fresh water saving that meets the target of 50 percent, an 86 percent global warming potential reduction exceeding the target of 50 percent, and a 6 star NatHERS rating through the sustainable design measures;
- Deciduous trees to be provided for natural shading during summer months, and to allow for low winter sun to penetrate and heat internal spaces in the winter months;
- Upper floors constructed of lightweight timber framed construction and lightweight cladding:
- Openable windows on opposing walls to facilitate cross ventilation;
- · Roof overhangs and eave details to minimise excess solar gains in summer; and
- North facing habitable rooms and outdoor spaces for access to natural sunlight.

The applicant has confirmed that the recommendations of the report would be implemented into the development.

Administration has reviewed the proposal against the Built Form Policy local housing objectives and is satisfied that the development has incorporated environmentally sustainable design features to meet the intended built form outcomes of development within the City.

#### Matters to be Considered by Local Government

Clause 67(2) of the LPS Regulations contains matters that must be given due regard in considering this application. Administration has undertaken an assessment of these matters below.

Impact on Amenity and Community – LPS2 Residential Zone Objectives and Clauses 67(2)(m), (n) and (x) of the LPS Regulations

The LPS Regulations defines amenity as 'means all those factors which combine to form the character of an area and include the present and likely future amenity'.

The Residential Zone objectives of LPS2 seek 'to enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas'.

The character and existing amenity of Ethel Street is reflective of its location as an inner city residential setting that provides a mix of single and grouped dwelling development. The area is located between the commercial and district centre settings of Fitzgerald Street and Beaufort Street and is also within close proximity to the North Perth town centre.

The following comments are provided in relation to the compatibility of the development and its impact on the amenity of the adjoining properties:

# Compatibility of Development

The proposal provides for a development that is consistent with the objectives of LPS2 by achieving a high quality design outcome in relation to its setting and to tie in with the established and emerging Ethel Street streetscape context.

The proposal facilitates grouped dwelling development which is responsive to the size and geometry of the site, scale and design of neighbouring dwellings with the orientation of one lot to Ethel Street and the other to the ROW.

The proposed 255 square metre and 246 square metre lot sizes of the dwellings meet the minimum (180 square metres) and average (220 square metres) lot sizes for R40 development under the R Codes. As per Clause 26(6) of the City's Local Planning Scheme No. 2 (LPS2) only two dwellings are permitted per lot. The proposed development is consistent with this.

As per comments from the DRP member, the development is compatible with the local context through the consideration of the height of the dwellings along with the site planning, and provision of landscaping and open space.

The development is sympathetic to the scale of the street and surrounding buildings in a predominantly single storey streetscape which is undergoing transition as a two storey built form area. The proposed development is compatible within its current setting, as well as existing and future amenity and character of the area.

## Bulk & Scale

The lot boundary setbacks, lot boundary walls, building height and open space meet the deemed-to-comply standards of the R Codes and Built Form Policy. These matters are key considerations in informing the bulk and scale of the proposed development, and how it would present to adjoining properties and to the street.

The boundary wall length and heights are partially aligned with abutting outbuildings of neighbouring lots. The lot boundary setbacks meet the deemed-to-comply standards of the R Codes. The setbacks provide articulation of the buildings and landscaping to side boundaries. This assists with mitigating the perceived scale of the two storey development which would not overwhelm or dominate existing development.

Openings and balconies provide visual relief to the development and reduce the extent of blank, solid walls that are commonly associated with bulk and mass. The dwellings would provide visual interest to all elevations with vertical and horizontal cladding, muted grey and neutral tones, face brick and permeable fencing. The colours and materials of the dwellings are proposed to reference the built form cues and character of the area, and to mitigate bulk and scale of development.

The 6.5 metre building height would be less than the permitted 8.0 metre concealed height standard of the Built Form Policy. The 3.3 metre physical separation of Unit 1 and Unit 2 in the middle of the lot means the dwellings read as two separate developments as viewed from neighbouring properties.

Modulation of wall heights and lengths, physical separation of the two dwellings and stepping of development would not result in an adverse impact on the residential amenity of neighbouring dwellings and the street.

# Visual Privacy

The proposed development meets the deemed-to-comply visual privacy standards of the R Codes. This is because openings to habitable rooms and raised active spaces such as balconies are setback to meet the cone of vision setbacks or provide appropriate screening to limit actual and perceived overlooking to the adjoining dwellings. This would not impact the privacy or amenity of adjoining properties.

After the 29 March 2022 Council Briefing Session, the applicant revised the plans to provide 1.6 metres high obscure glass balustrading to the opening of the living/dining room on the first floor of Unit 2 facing the right of way. The screening treatment would address perceived overlooking to neighbouring outdoor living areas and open space, and to increase the privacy of the occupants to Unit 2.

#### Solar Access

The R Codes permit 35 percent overshadowing to southern adjoining properties for residential development with a density code of R40. The proposed dwellings would result in a total shadow cast to the southern properties of 15.6 percent. The amount of shadowing to the southern properties comprises of:

- 13.2 percent of shadowing to No. 160 Grosvenor Road;
- 15.6 percent of shadowing to No. 162 Grosvenor Road; and
- 18.0 percent of shadowing to No. 164 Grosvenor Road;

The shadow cast by this development is within the deemed-to-comply standards.

Due to the east-west orientation of the subject lot, shadowing to the adjoining properties to the south is inevitable. Shadow cast from the dwellings would fall to the southern properties at Nos. 160, 162 and 164 Grosvenor Road that are coded R40. These properties each have their outdoor living areas located to the north of the site. This means that each of these areas would be affected by overshadowing from the proposed development. As per the R Codes, R40 development is required to provide a minimum of 20 square metres of outdoor living areas to each dwelling.

Administration has prepared shadow diagrams included as **Attachment 5**, which should be read in conjunction with the shadow commentary below. This details the extent and location of the shadow cast to the neighbours located to Nos. 160, 162 and 164 Grosvenor Road.

The shadow would not unreasonably impact the neighbouring properties because the shadow location and extent of the proposal allows neighbouring properties to maintain areas of open space and outdoor living areas that are unimpeded by the shadow at all times. All habitable rooms of neighbouring dwellings remain unshadowed by the development.

Shadow also falls to portions of existing covered open space, outdoor living areas and outbuildings of neighbouring development.

Overshadowing is assessed under the R Codes based on shadow cast to the south on 21 June during winter. This is when the sun is at its lowest in the sky and would cast the greatest shadow during the course of a year when the sun's angle is at 34 degrees.

The location and extent of the shadow cast onto the adjoining properties outdoor living areas, open space and habitable rooms is outlined below.

- No. 160 Grosvenor Road: The shadow falls to the covered alfresco and grassed open space at the rear of the lot. The outdoor living area of the lot is 102.6 square metres in area and includes paved and grassed open space, a 7.7 square metre verandah and 21.5 square metre alfresco area which is accessible from the dining and living rooms. The alfresco and verandah spaces are covered. 5.9 square metres of the covered alfresco would be shadowed. The proposed dwellings would result in 64.7 square metres of shadow fall to the outdoor living area which equates to 63 percent of the total outdoor living area at winter solstice. The worst case shadow from the dwellings would provide 37.9 square metres of uncovered outdoor living and open space that would not be in shadow, ensuring sufficient access to direct sun and ventilation for the neighbouring occupants;
- No. 162 Grosvenor Road: Shadow falls to the outbuilding and grassed open space at the rear of the lot. The outdoor living area of the lot is 118 square metres in area and includes grass, paving and a covered verandah accessed from the kitchen which is 17 square metres in area. 65.9 square metres of shadow or 55 percent of the property's total outdoor living area at winter solstice would be shadowed. The worst case shadow from the proposed dwellings would provide 52.1 square metres of uncovered outdoor living and open space that would be without shadow; and
- No. 164 Grosvenor Road: Shadow falls to the double garage (outbuilding) and paved open space at the rear of the lot. The open space and extent of outdoor living area at the rear of the lot is 129 square metres in area. No covered outdoor living areas are affected by the shadow. 61.3 square metres or 47.5 percent of the rear open space would be shadowed at winter solstice.

The proposed development provides for building heights, building setbacks and boundary walls to the southern elevation that satisfy the deemed-to-comply standards of the R Codes. The physical break between the proposed two dwellings with tree planting along the southern lot boundary of the dwellings would also aid in reducing the shadow cast from the proposal. The proposed development has been designed to reduce impacts of the location and extent of shadow cast to neighbouring development.

The proposed development takes into account north facing major openings and active habitable spaces of neighbouring dwellings, and this access to northern sunlight would be maintained. No solar collectors would be affected by the dwellings. Installation of solar panels to neighbouring dwellings in future would not be inhibited by shadow cast.

The resultant outcome is a development which results in unshadowed portions of the northern aspect and outdoor living areas of Nos. 160, 162 and 164 Grosvenor Road. The extent of the shadow would not result in an unacceptable amenity impact on these adjoining properties.

Aims and Objectives of LPS2 and Local Planning Strategy – Clause 67(2)(a) of the LPS Regulations

LPS2 provides broader aims applicable to the entire Scheme area and aims applicable to the Residential zone.

The proposal would provide for a development that is consistent with the objectives of LPS2 by achieving high quality design in its setting. The street setbacks, lot boundary setbacks, site cover and overall scale of the proposal are the key considerations in the appropriateness of the scale of the proposed dwellings. The complimentary built form of the proposal is supported by the comments from the DRP member.

The R40 density coding and two storey building height provides opportunities for grouped dwelling developments within North Perth. The proposed grouped dwelling development would contribute to infill dwelling type and choice for the community.

Orderly and Proper Planning – Clause 67(2)(b) of the LPS Regulations

Orderly and proper planning requires the consideration of whether an application is consistent with the objectives of the Scheme and relevant planning policies.

The Development Assessment Panel Practice Notes: Making Good Planning Decisions 2017 in referencing a State Administrative Tribunal decision provides the following clarification on the basis of which orderly and proper planning decisions should be made:

"...considerations are irrelevant unless they manifest in a physical impact on amenity. If a use is permitted under the scheme, and is not illegal in a general sense, then there are no grounds to refuse it on that basis alone. That said, a development application can be refused provided the decision is made on proper planning grounds.... it should [not] turn its back on considerations of urban amenity and aesthetics"

As detailed in this report, the suitability of the proposed development has been considered against the relevant scheme objectives, the City's local planning framework and the impact of the proposed development on the local amenity and neighbouring properties, consistent with the principles of orderly and proper planning.

Local and State Planning Policies – Clause 67(2)(c) and (g) of the LPS Regulations

The proposal has been assessed in accordance with the R Codes and the City's Built Form Policy and the development is consistent with the deemed to comply standards, design principles and local housing objectives, as detailed in this report.

Landscaping – Clause 67(p) of the LPS Regulations

The landscaping has been considered against the deemed-to-comply standards of the R Codes and the City's Built Form Policy. The landscaping meets the deemed-to-comply standards of the R Codes, and the design principles and local housing objectives of the Built Form Policy. This is detailed earlier in this report.

Submissions Received – Clause 67(y) of the LPS Regulations

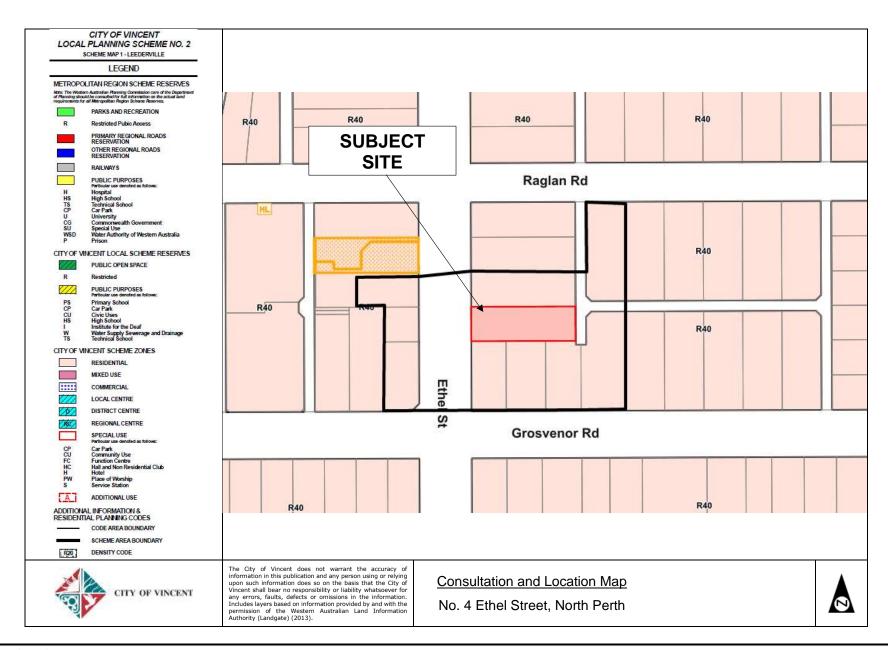
The City received submissions during the four community consultation periods. A summary of submissions is provided as **Attachment 8** and Administration has provided a response to the each of the issues raised. The issues raised in the submissions have been considered as part of Administration's assessment of the application.

DRP Advice - Clause 67(zc) of the LPS Regulations

The proposal has been referred to the DRP member throughout the assessment process to seek feedback in order to ensure that the proposed development would be responsive and appropriate to the site context and its impact on the streetscape and adjoining properties.

The recommendations and comments from the DRP member have been implemented by the applicant as outlined earlier in this report, and the development would achieve an appropriate built form response to its setting.

ORDINARY COUNCIL MEETING AGENDA



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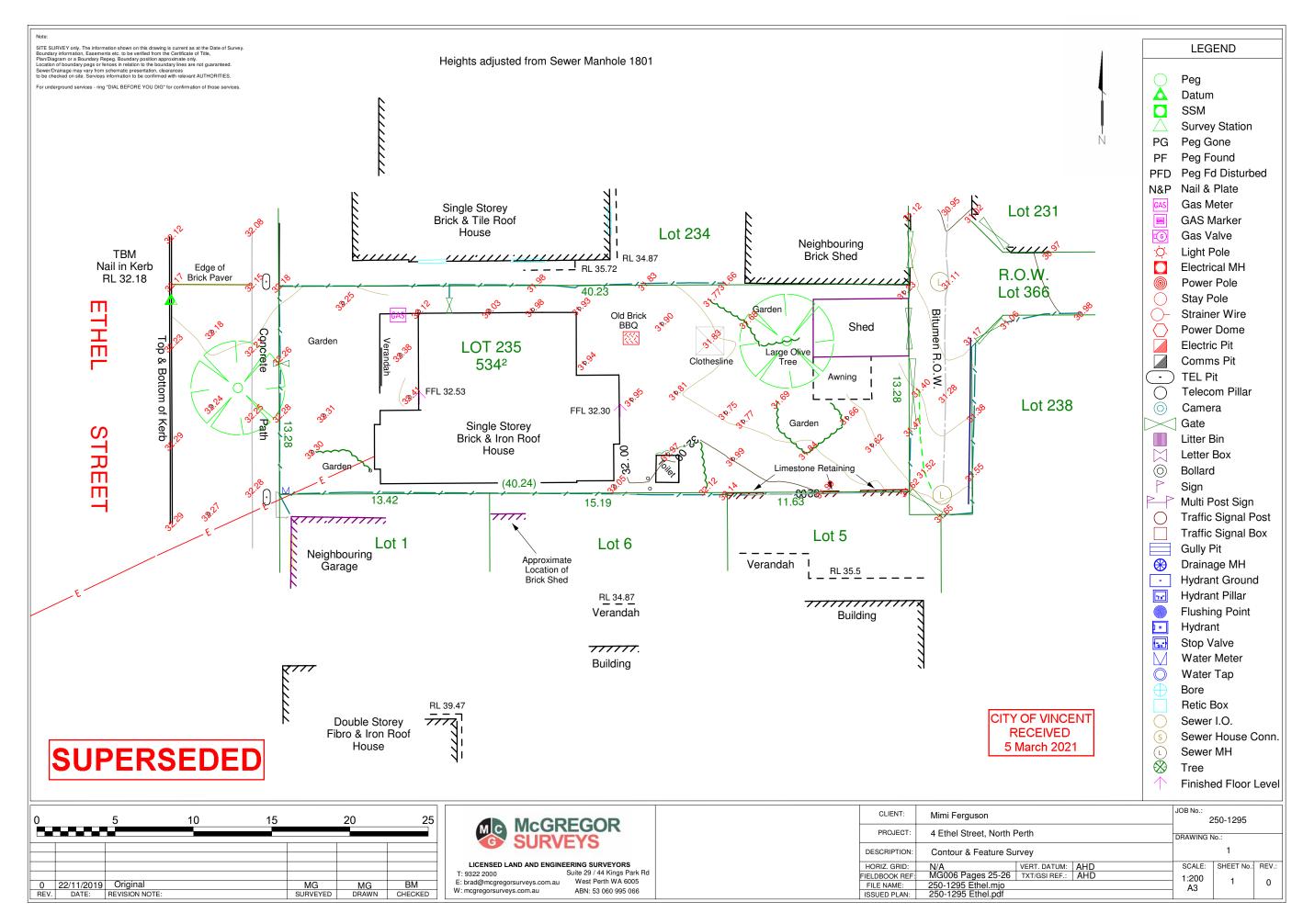


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No. 4 Ethel Street, North Perth

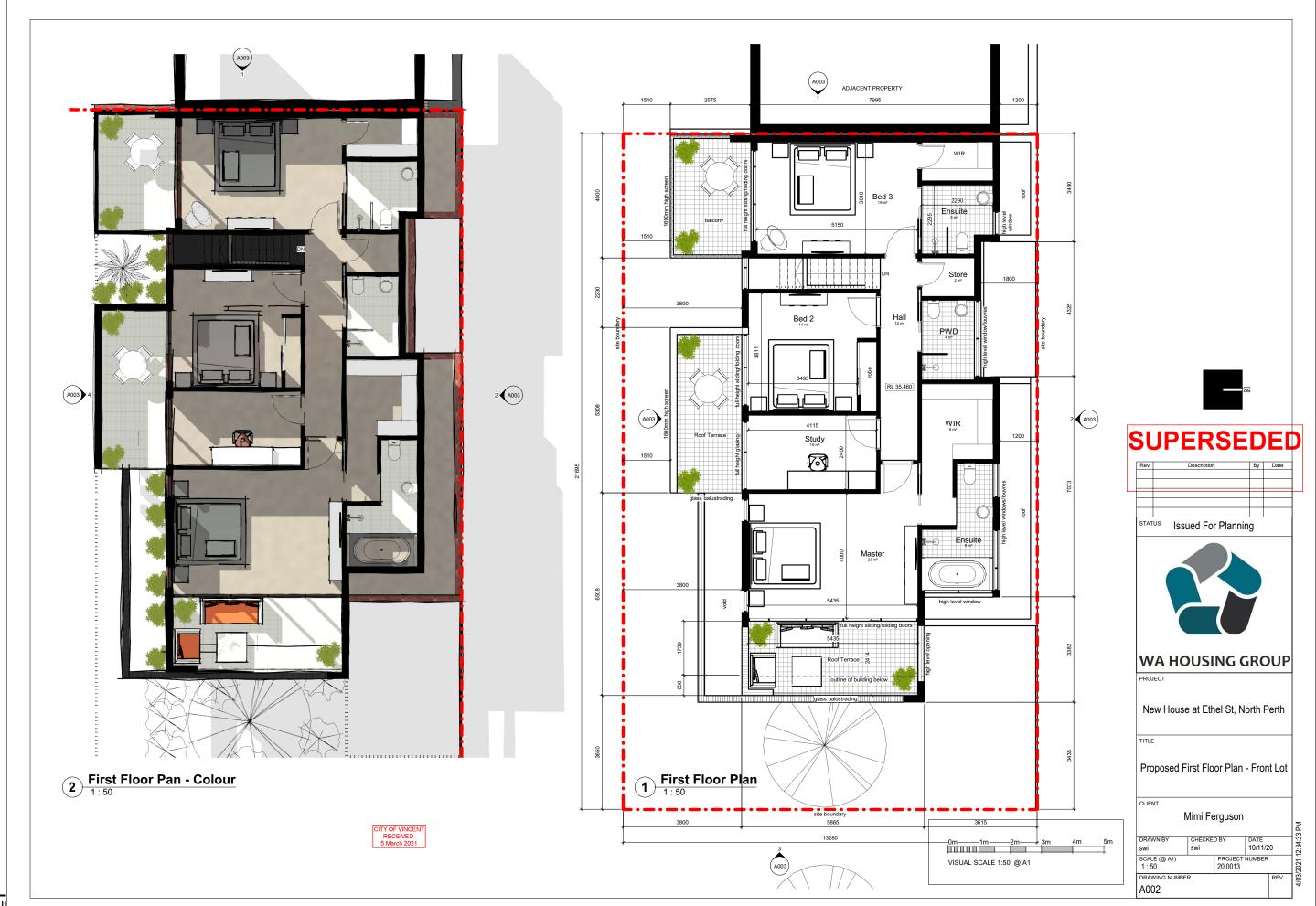


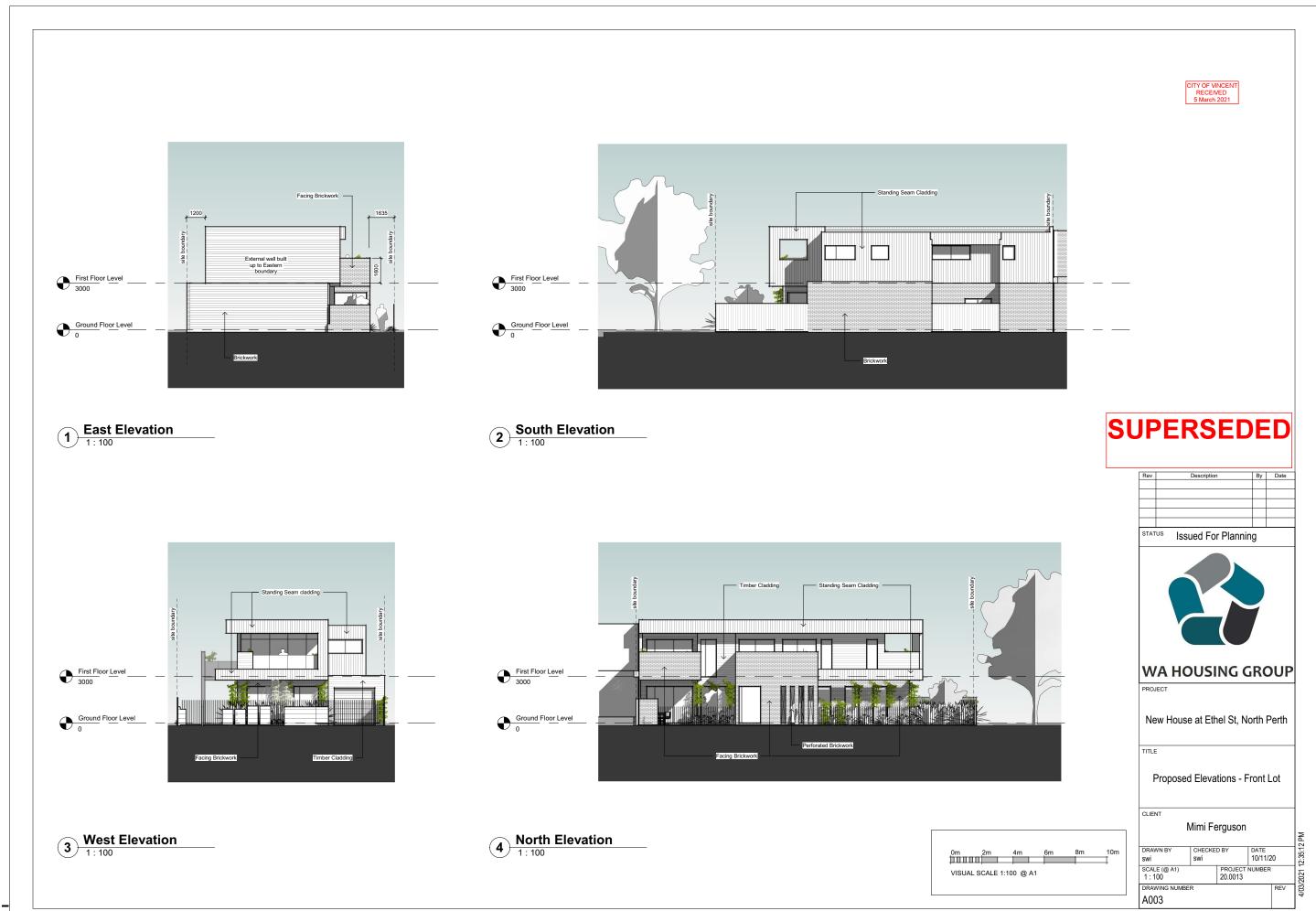
Item 9.2- Attachment 1 Page 62



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1 3D Street View 1





3 Street View 3



CITY OF VINCENT RECEIVED 5 March 2021

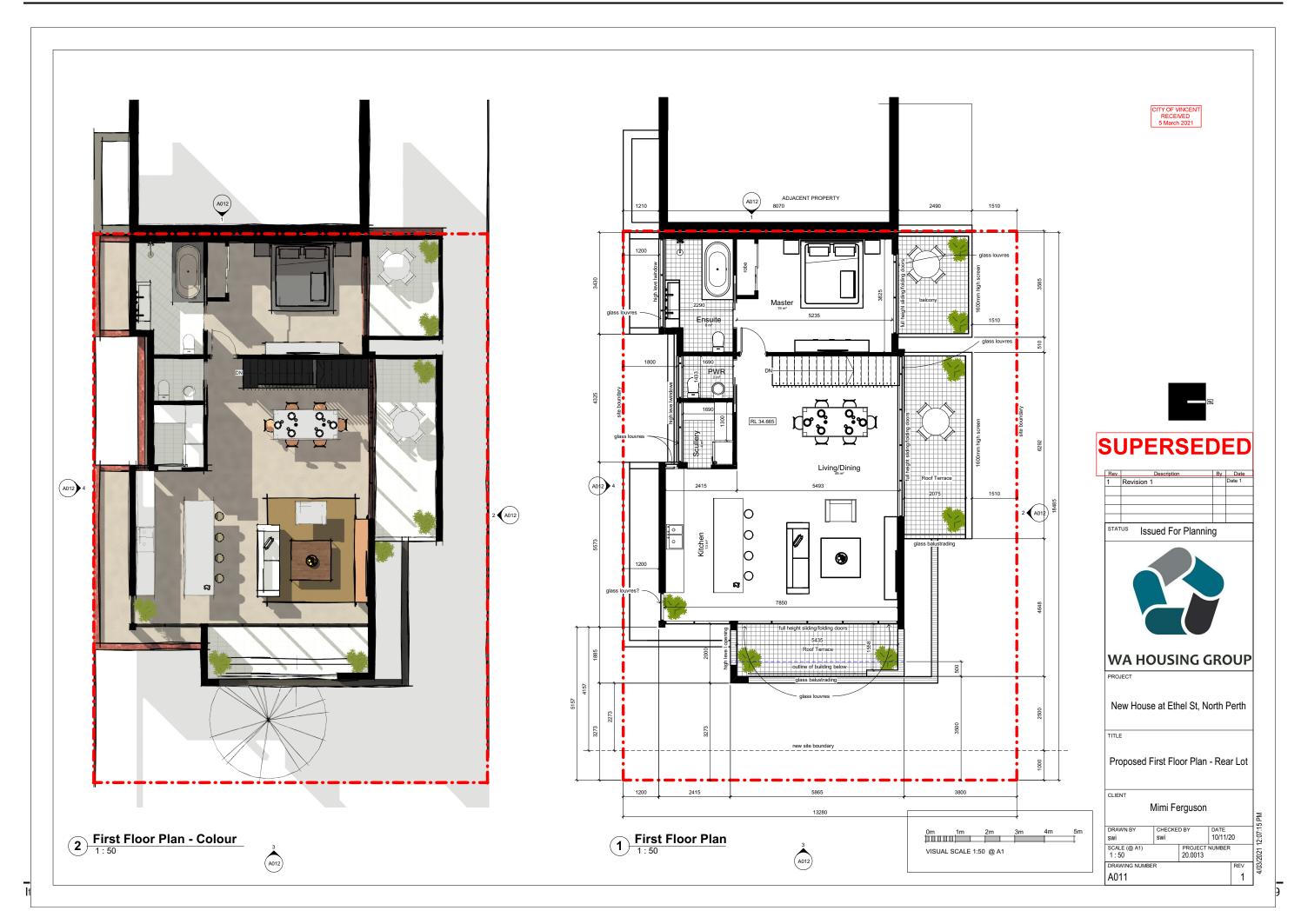


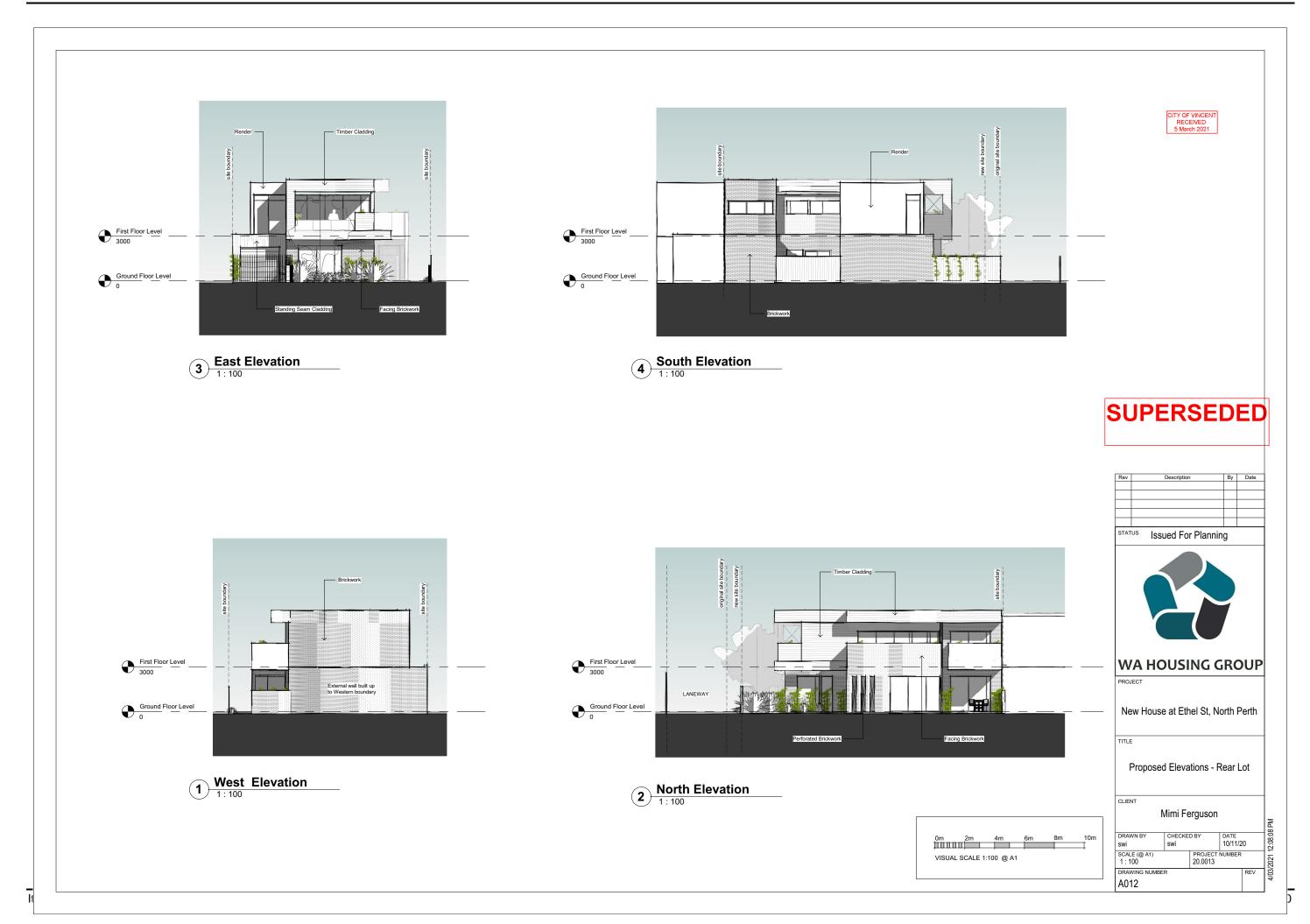
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2 3D Street View 2

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1 3D Street View 1



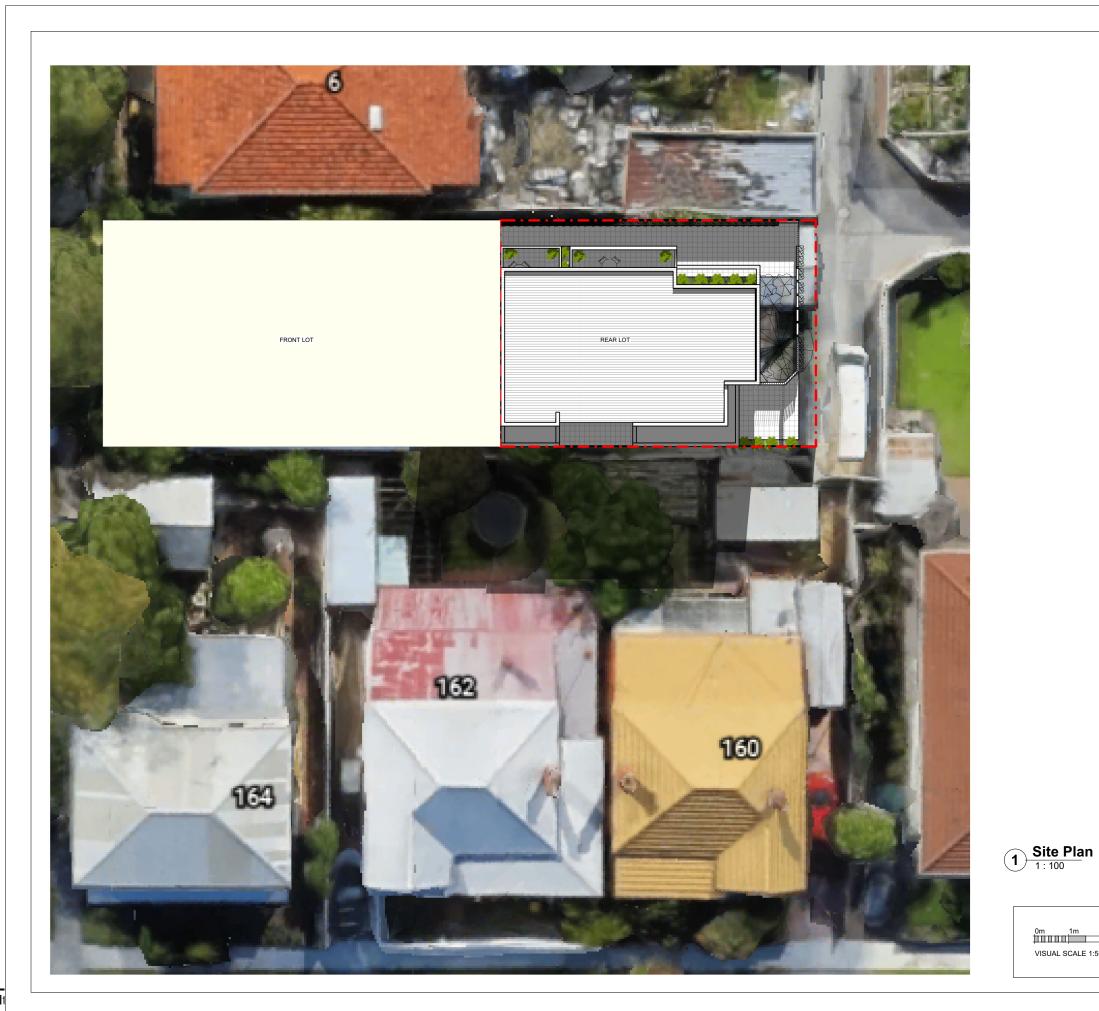
3 3D Street View 3



SUPERSEDED

CITY OF VINCENT RECEIVED 5 March 2021









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STATUS Issued For Planning



## WA HOUSING GROUP

New House at Ethel St, North Perth

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Proposed Site Plan Showing Shadows Cast at Midday on 21 June REAR LOT

Mimi Ferguson

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**Amended Plan** 

CITY OF VINCENT RECEIVED 21 February 2022

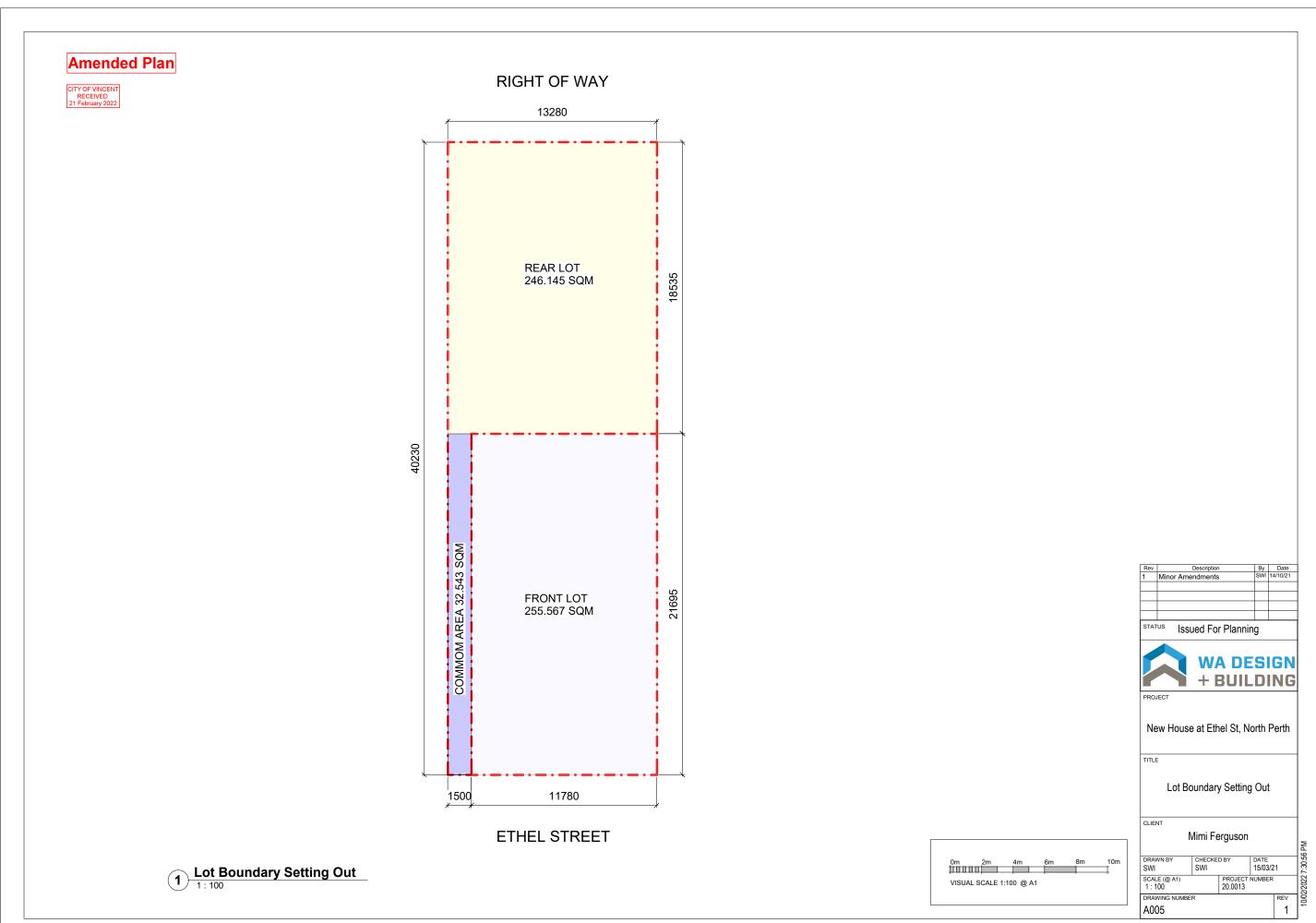




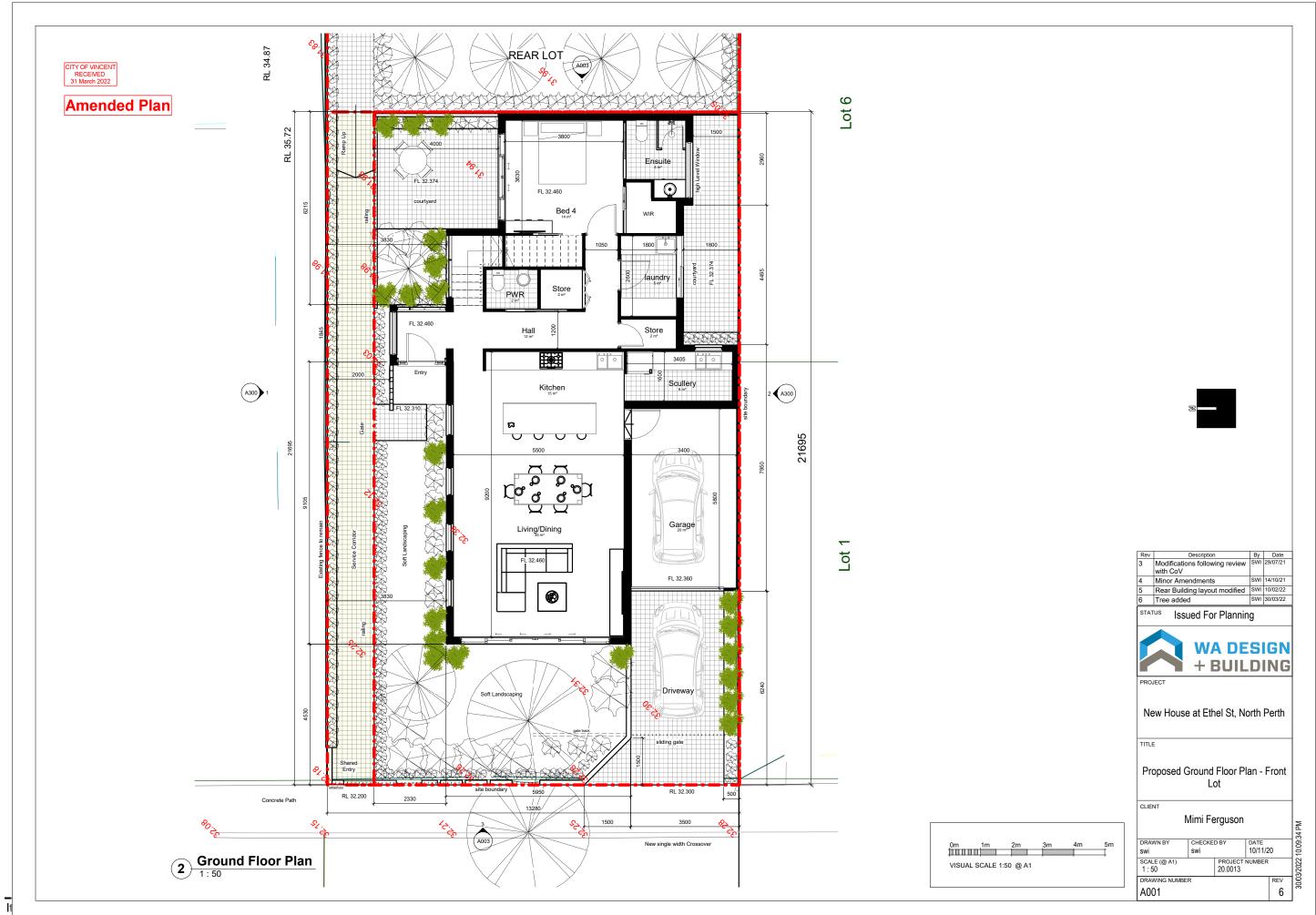


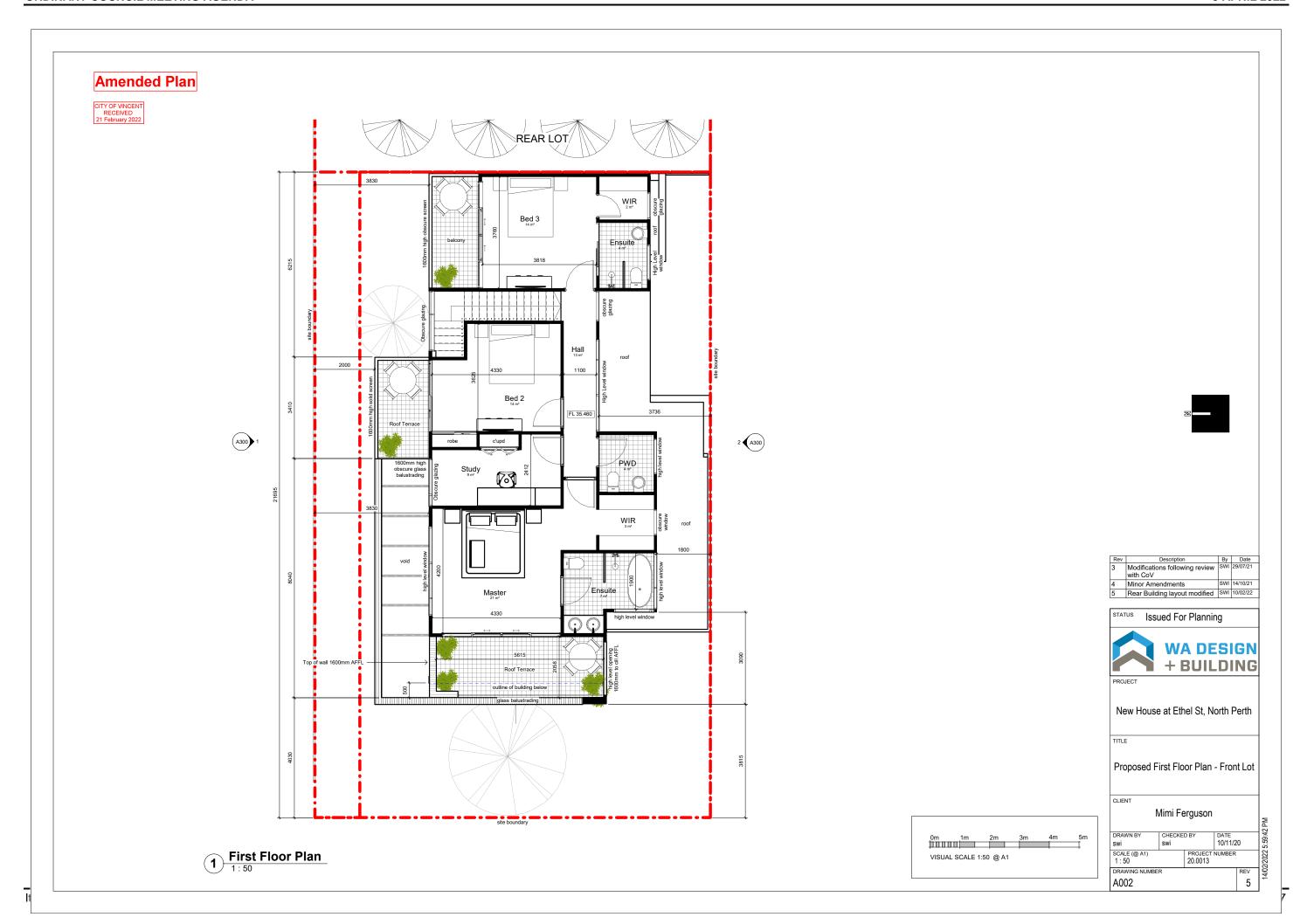
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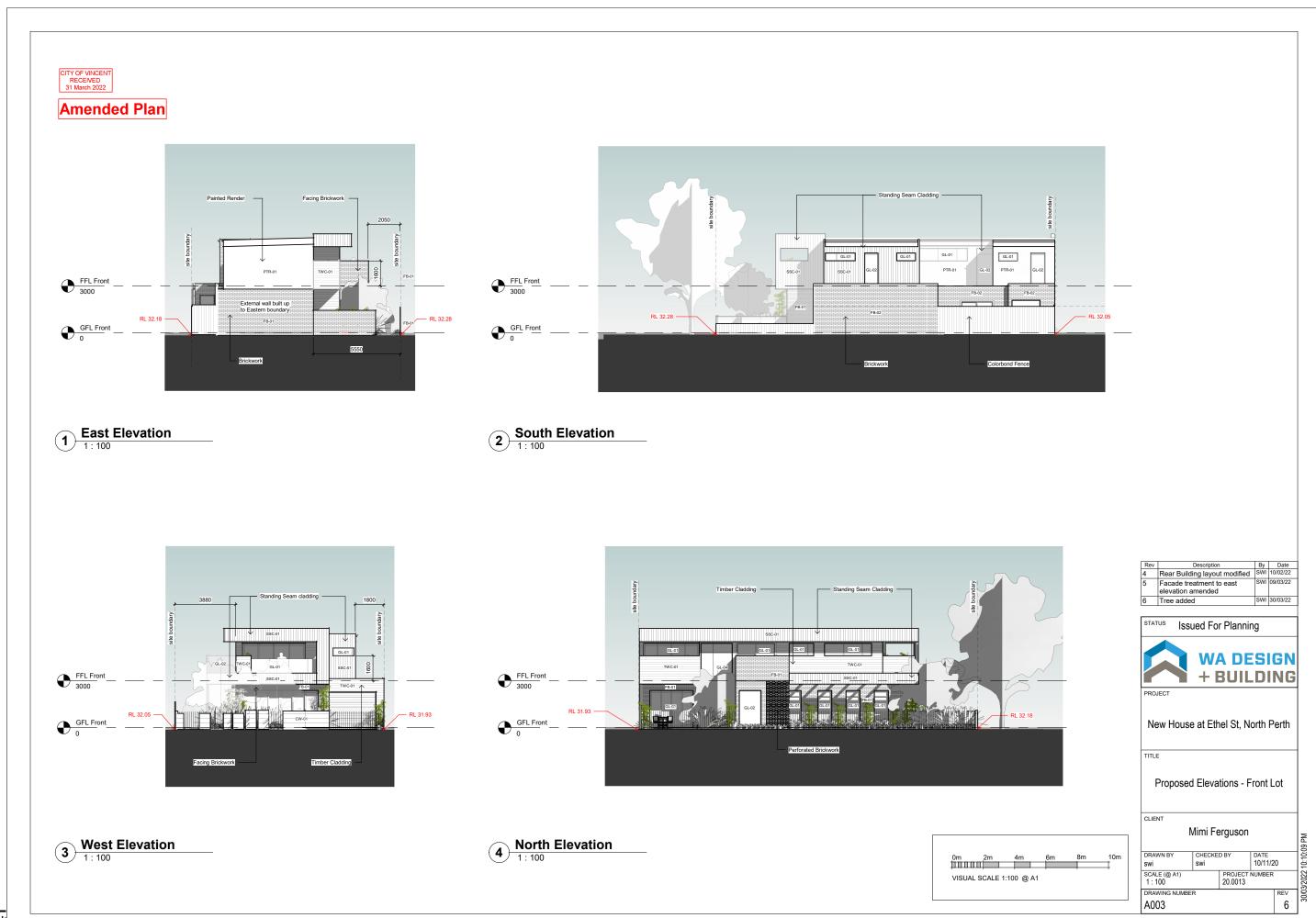
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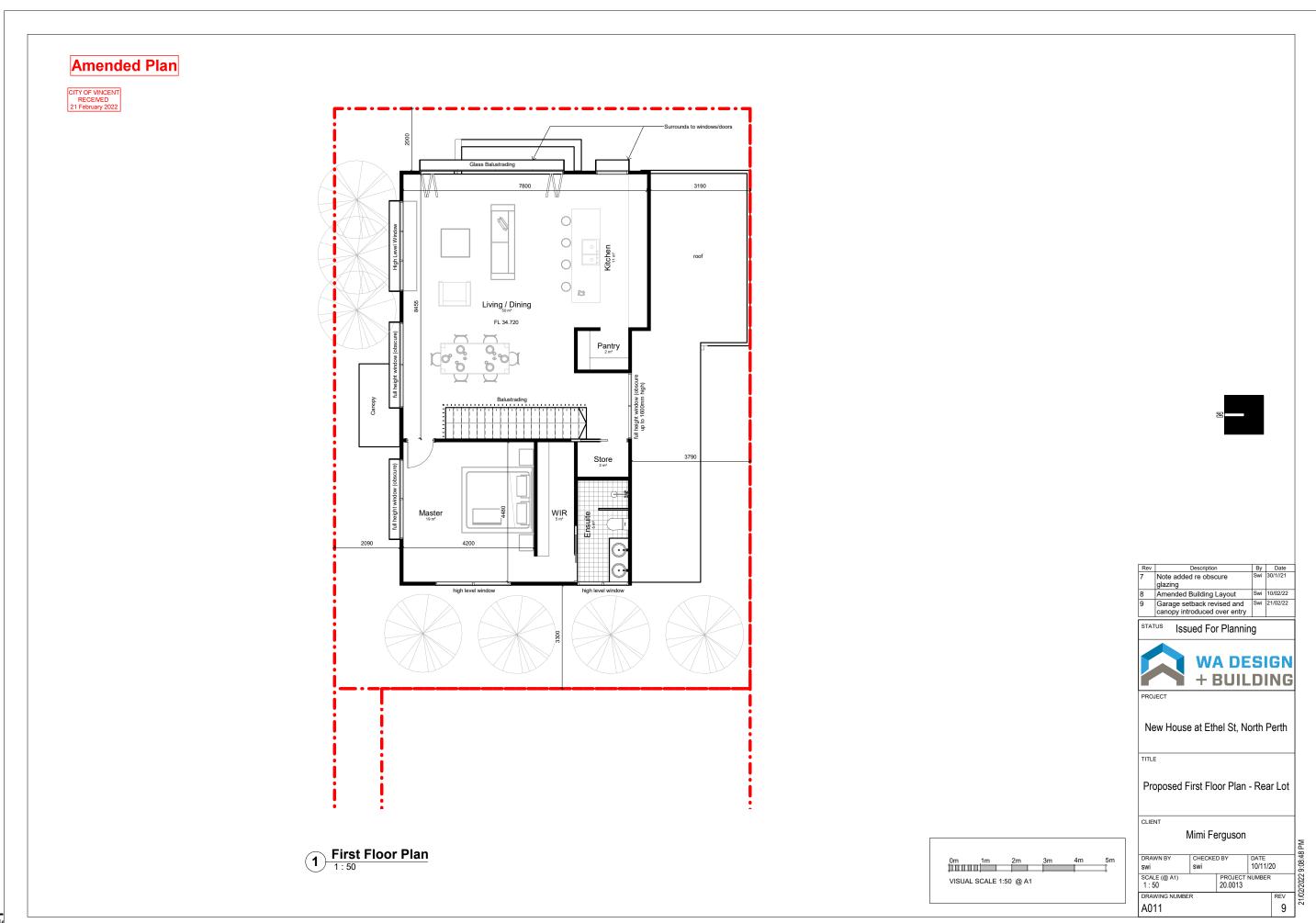






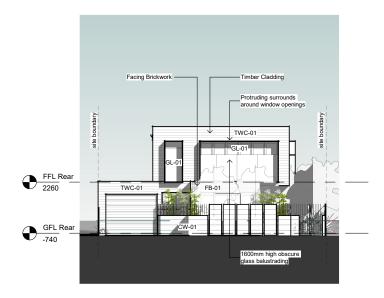
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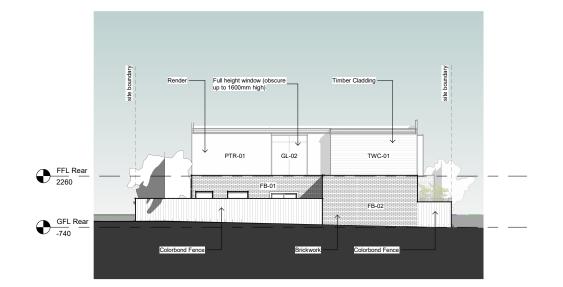




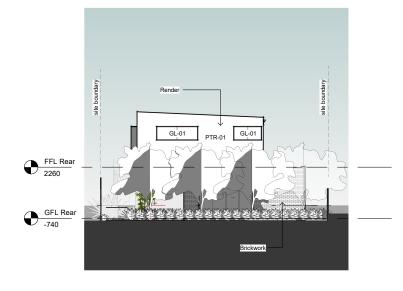
## **Amended Plan**



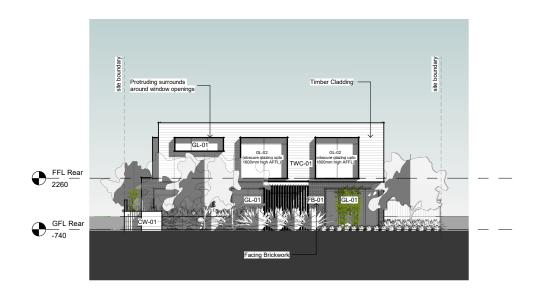
1 East Elevation



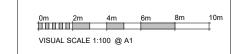
2 South Elevation



West Elevation



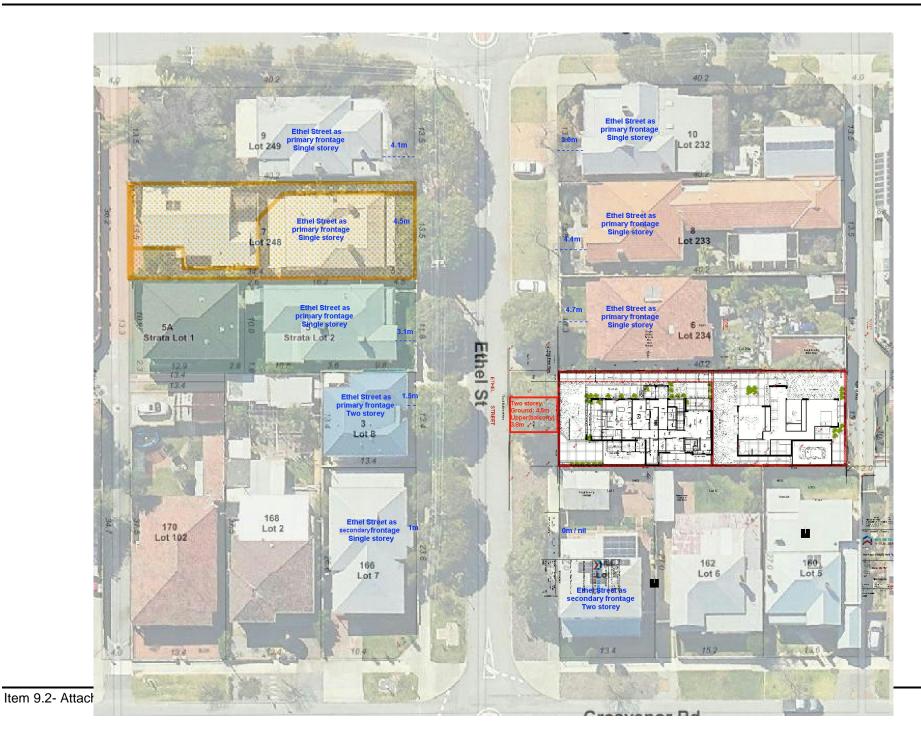
North Elevation
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## **Ethel Street Streetscape Review**

A number of dwellings are oriented with their primary frontage to other streets, these include Grosvenor Road, Raglan Road and Alma Road which are permitted a 1m setback to the secondary street.

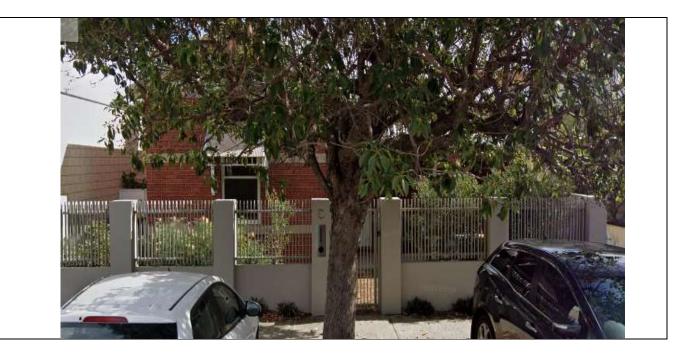
#### 3 Ethel Street

- Primary Street setback: 1.5m (former secondary street from 166 Grosvenor)
- Street walls and fences to boundary
- Garage aligned with ground floor
- Upper floor aligned with ground floor
- Grey/muted tones



## 5 Ethel Street

- Primary 3.8m setback
- Street walls and fences to boundary
- Single storey dwelling
- No on site carports/ garages
- Red brick material
- Gable and finial details



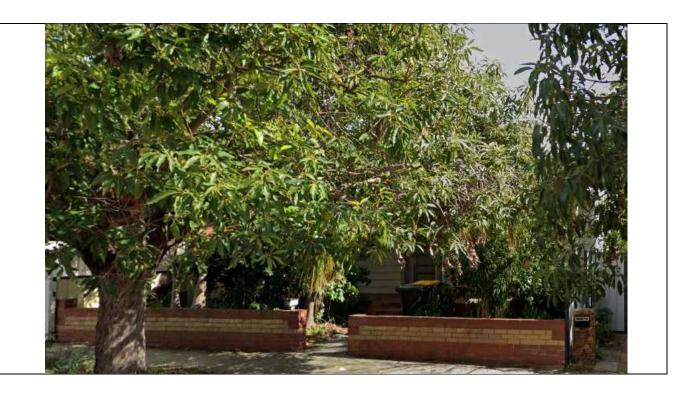
## 6 Ethel Street

- Single storey pitched roof
- Red face brick and neutral render



## 7 Ethel Street

- Single storey dwelling
- Horizontal cladding
- Light colour palette and face brick detailing
- Low fencing / walls



## 8 Ethel Street

- Pitched roof
- Solid and permeable
- fencing
- Gable and roof awning details
- Neutral colour palette



## 9 Ethel Street

- Single storey development
- Bullnose verandah and window awnings
- Light / cream colour palette



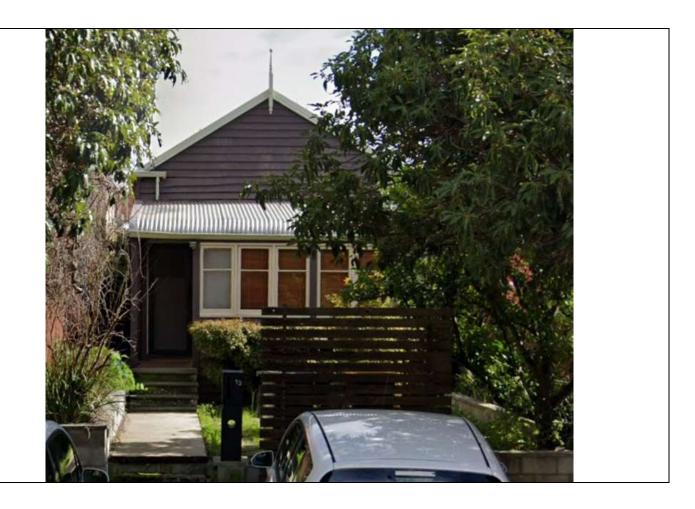
## 10 Ethel Street

- Face brick finish
- Bullnose verandah
- Contrast window detailing and finials
- Solid walls to the street



## 13 Ethel Street

- Horizontal cladding
- Darker tones / materiality
- Contrast window detailing



## 16 Ethel Street

- Pitched roof and gable details
- Dark charcoal colour palette
- Open and interactive frontage



## 24 Ethel Street

- Single storey pitched roof dwelling
- Light grey colour palette
- Roof awning details
- Open and interactive street façade / setback



## 18 Ethel Street

- Solid street walls
- Limited streetscape surveillance
- Neutral colour palette



## 164 Grosvenor Road

- Secondary street
- Development to boundary
- Garage to 1m setback
- Upper floor aligned
- White and light grey colour palette
- Pitched roof
- Cladding to all facades



## 165 Grosvenor Road

- Nil setback to primary and secondary street
- Concrete materiality
- Concealed roof

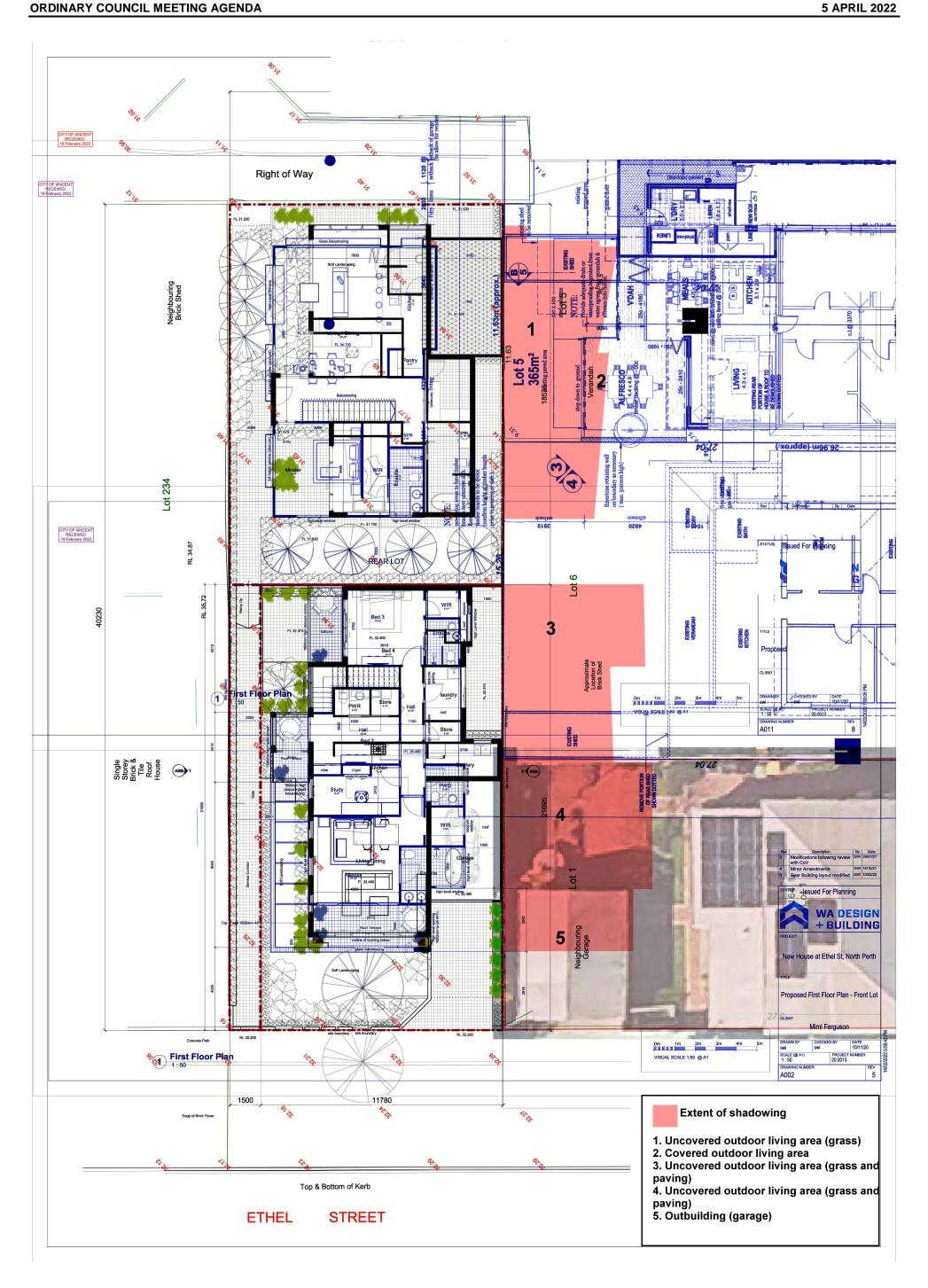


## 166 Grosvenor Road

- Single storeyPitched roof and red brick elements
- Porch/verandah detailing

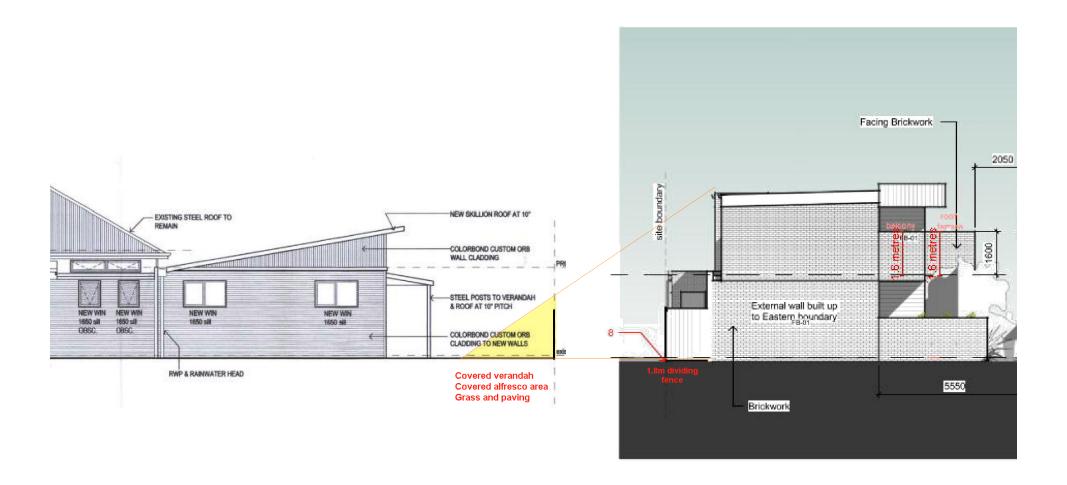


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Page 98 Item 9.2- Attachment 5

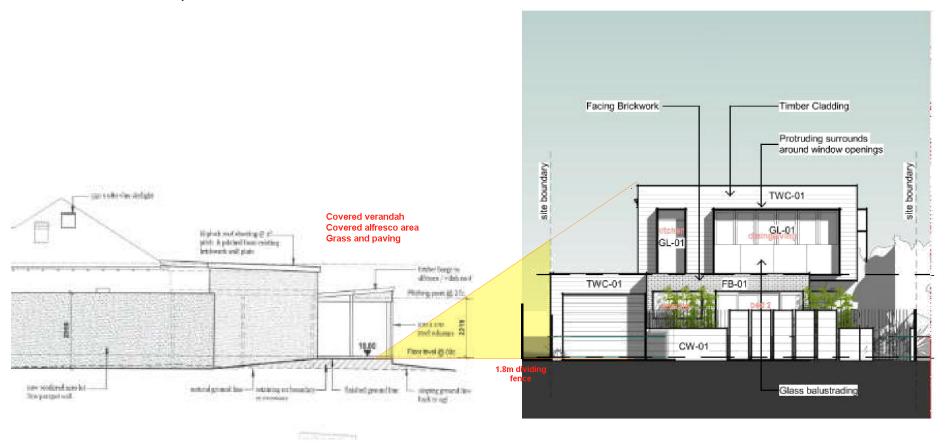
## 160 Grosvenor Road, North Perth



CITY OF VINCENT VERTICAL SHADOW DIAGRAMS

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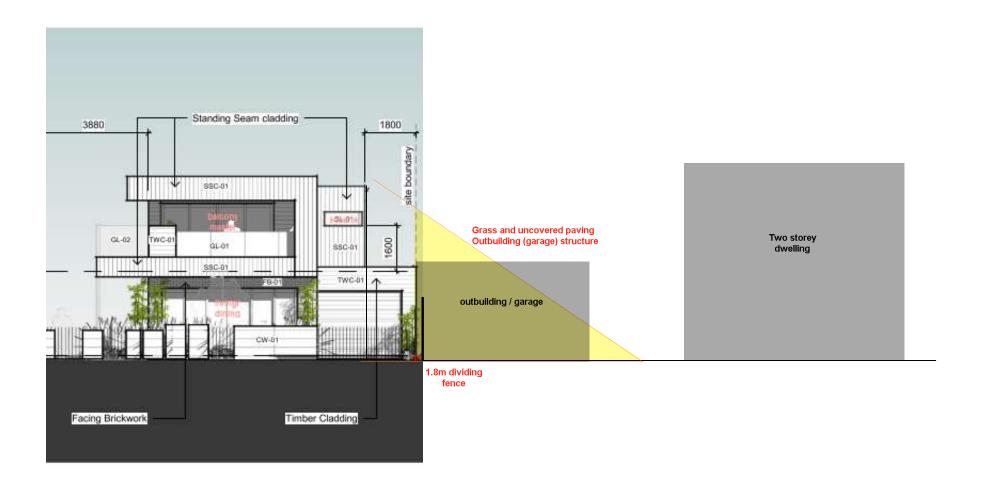
## 162 Grosvenor Road, North Perth



CITY OF VINCENT VERTICAL SHADOW DIAGRAMS

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## 164 Grosvenor Road, North Perth



## **Urban Design Study:**

Please outline how each of the following elements have been addressed and attach any relevant or supporting photos, images, diagrams or drawings where applicable.

Description	Applicant comment				
Context & Character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.					
Demonstrate how you have reviewed the natural environment including topography, local flora and fauna.	The proposed development proposes generous landscaping, including the provision of a tree in the front garden of both site. The buildings are situated as close as possible to the southern boundary in order to maximise the open space/vegetation to the east, west and north frontages.				
Demonstrate consideration of the site's streetscape character.	The contemporary design has a simple architectural language, utilising a complimentary pallet of materials.				
Demonstrate review of the built and natural environment of the local context to a radium of 400m – 1000m.	A desktop study was initially carried out using google earth street view to get an understanding of the local characteristics and context. This was then followed up with a site visit which included a review and analysis of the local environ.				
Demonstrate how the site's context and character influenced the development.  Consider the following:  History of the local area;  Heritage listed buildings in the area;  High quality contemporary buildings in the area;  Materials, textures, patterns from high quality heritage / character as well as contemporary buildings in the area; and  Movement patterns / laneways.	Whilst the historical North Perth vernacular typically comprises single storey pitched tiled roofs, brick walls and picket fences, it is evident that newer developments are of a more contemporary style.  The high quality contemporary building designs proposed have a simple, understated architectural language, which is in-keeping with the character of the local environment. The use of a small pallet of modern complimentary materials, high quality landscaping to the front courtyards, and generous roof terracing, creates activated, vibrant green frontages, which will compliment and enhance the current streetscape.				
Landscape quality  Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.					
Demonstrate review of the existing landscaping of the site and the street including mature trees, species and natural features	The existing vegetation will be removed to accommodate the new buildings. However, the new building designs integrates the landscaping much better than previous and strategically places new trees to enhance passive solar design initiatives.				
Demonstrate how the landscape quality of the streetscape and surrounding context has been incorporated into the building and landscape design.	The provision of a mature deciduous tree in both front and rear courtyards as well as high levels of soft landscaped areas ensure a 'green' streetscape. Roof terracing and balconies have been introduced at upper levels which provide opportunity for the placement of potted plants, which will further enhance the streetscape, which is supplemented by the existing large mature trees currently located on the verge directly in front of the Ethel Street frontage.				

CITY OF VINCENT 2 / 4

#### **Description** Applicant comment **Built Form & Scale** Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area. What is the building massing and The building height/massing/setbacks are in accordance with the R-Codes. The existing single storey dwelling is replaced with double storey buildings which is more in-keeping height of the streetscape? How with the future character of the local area. Roof terracing and balconies have been introduced to provide architectural interest whilst providing additional outdoor living space has this been incorporated into and in turn enhancing activation to the street whilst providing natural surveillance. the design? How does the development The proposed building architectural design will enhance the character of the streetscape. The form and scale of the buildings have been carefully considered to maximise the impact of respond and contribute to the built Passive Solar Design, whilst maximising opportunities for outdoor living and provision of high form and scale of the streetscape? levels of landscaping. The provision of high quality landscaping to the front courtyards, and generous roof terracing, creates activated, green and vibrant frontages to Ethel Street and the rear laneway. The provision of garages Demonstrate how the development encourages an activated and vibrant and driveways contained within the site boundary helps to reduce the need for on-street parking and in turn enhances the attractiveness of the streetscape when compared to the current conditions streetscape environment. Functionality & Build Quality Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle. Demonstrate how the proposed The existing building does not meet modern day operational requirements. The new 'open plan' building designs provides flexible, inclusive living. Maximising natural ventilation and design complements the use of light creates an inviting internal space whilst maintaining high levels of thermal comfort. the building. Sustainability Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes. Demonstrate how the building The buildings have been orientated on an east-east axis which maximises the opportunities for Passive Solar Design principles. Generous provisions of glazing and glass louvres maximises natural light and cross ventilation. The provision of a mature deciduous tree in both courtyards performance has been optimised provides natural shading for the high summer sun, and allows the lower winter sun to penetrate the internal spaces in the cooler months. Generous roof overhangs also provide high levels of shading. using suitable orientation and layout of internal spaces. Amenity Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive. The design comprises high levels of landscaping, generous outside living spaces (including Demonstrate how the development balconies & roof terracing), open plan internal living arrangements and high levels of natural optimises amenity for occupants, light and cross ventilation which provides high levels of amenity for occupants, visitors and adjoining neighbours and onlookers neighbours. Legibility

Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.

Demonstrate how the design allow users and visitors to navigate through the development.

The building designs create a clear identity, with clear access points into the lots from both Ethel St and the rear laneway. The front entry portals are visible from the street/laneway and provide easy navigation from the respective lot boundaries. The boundary fence/wall to both Ethel Street and the laneway, create architectural interest as well as a good balance between privacy and permeability.

#### Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Demonstrate how the layout of buildings on site provides safe and high level of amenity for residents.

Generous glazing provision, balcony and roof terracing space provides high levels of natural surveillance.

CITY OF VINCENT 3 / 4

#### **Description**

## **Applicant comment**

#### Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Demonstrate how the development contributes to a sense of community, encouraging social engagement and enabling stronger communities. The existing dwelling is not fit for modern inclusive use. The new building designs will be DDA compliant and provide inclusive access and circulation and promate modern day living. Provision of generous open balconies activates the street and laneway frontages and encourages social engagement and surveillance.

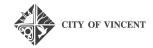
#### **Aesthetics**

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Demonstrate how the surrounding context and character has been incorporated into the design of the development. The proposed contemporary building design has a simplistic architectural language, which is in-keeping with the local environment. The use of a simple complimentary pallet of materials, high quality landscaping to the front courtyards, and generous roof terracing, creates activated, green frontages to Ethel Street and the rear laneway. The provision of garages and driveways contained within the site boundary helps to reduce the need for on-street parking and in turn enhances the attractiveness of the streetscape when compared to the current conditions.

Please complete all sections of this application and send to mail@vincent.wa.gov.au along with all relevant attachments. Alternatively, you can submit your application in person at our Administration Centre (244 Vincent Street, Leederville) or post to PO Box 82, Leederville, 6902.

CITY OF VINCENT 4 / 4



What does this mean and how can I achieve this?

Applicant Comment – How I have achieved this objective

#### **Environmental Impact**

Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.

The environmental impact of developments can be impact by considerations such as building orientation, design and construction materials. Construction materials which are durable and are low maintenance generally have a low environmental impact.

Some examples of building materials and design choices with reduced environmental impacts include:

- Incorporating an east-west orientation (where possible);
- Minimising the extent of the building footprint;
- Incorporating good solar-passive design:
- Reverse brick veneer (internal thermal mass, external insulation);
- Low emission concrete;
- Lightweight, recycled, non-toxic, minimally processed and recyclable materials;
- Gabion walls filled with demolition waste;
- High quality (durable), energy and water saving fixtures and fittings (such as reversible ceiling fans, water efficient taps and toilets); and
- Installation of appropriate and effective insulation.

The dwellings are situated in an east-west orientation in order to maximise the effects of Passive Solar Design initiatives. The buildings have been situated as close to the southern boundary as possible in order to 'open up' the buildings to the west, east and northern frontages.

The building designs are compact in order to minimise the footprint of the buildings.

Large roof overhangs have been provided where possible to provide shading and to minimise excess solar gains in the summer.

Provision of a deciduous tree in the front courtyards of both dwellings provides natural shading and allows the lower winter sun to penetrate and heat the internal spaces in winter months. Upper floors will consist of lightweight timber framed

construction with high levels of insulation.

Locally sourced, high quality, sustainable materials will be sourced wherever possible.

Generous provision of glazing maximises natural daylight. Glass louvres are proposed in strategic location to maximise and natural cross ventilation. An open plan internal arrangement also encourages internal air flow.

Energy efficient appliances ands water efficient sanitary ware will be specified.

Reversible ceiling fans are proposed.

#### Thermal Performance

Development that optimises thermal performance of the building throughout the year through design elements and material selection.

Thermal performance relates to the efficiency of buildings and materials to retain or transmit heat. In summer, a development with poor thermal performance will often absorb and retain more heat, resulting in the inside of the building feeling hotter.

Design elements which can assist with achieving a high level of thermal performance relate to solar-passive design and includes the orientation and layout of the building, the placement of thermal mass, and the use of insulation.

Material selection which can assist with achieving a high level of thermal performance can include those which have thermal mass (such as concrete, brick, tile, rammed earth) and insulation properties (such lightweight cladding, wood, recycled plastic composite, range of insulation materials, strategic use of air gaps).

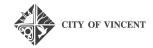
The dwellings are situated in an east-west orientation, and provided with generous roof overhangs, and cross ventilation in order to maximise the effects of Passive Solar Design initiatives.

Walls and roofs will be provided with high levels of insulation in order to enhance the thermal performance of the buildings.

The provision of concrete floors at ground and first floor levels and facing brickwork to the exterior walls to the lower levels will provide good levels of thermal mass.

Upper floors will consist of lightweight timber framed construction with lightweight cladding.

INFORMATION SHEET CITY OF VINCENT | 2



What does this mean and how can I achieve this?

Applicant Comment – How I have achieved this objective

#### **Solar Passive Design**

Development shall incorporate site planning principles that maximise solar passive design opportunities for both summer and winter

Where the long axis of building runs eastwest, the majority of glazing being provided to the north, with limited glazing provided to the east and west; and/or

The inclusion of a central light well or courtyard can help to maximise access to northern light.

The dwellings are situated in an east-west orientation to maimiose access to northern light. Generous roof overhangs and natural cross ventilation maximise the effects of Passive Solar Design initiatives. Glazing facing east & west are shaded by generous roof overhangs and tree shading.

#### **Sunlight and Ventilation**

The provision of natural ventilation and daylight penetration to reduce energy consumption

- Rooms provided with ventilation openings on both sides to allow cross-flow of air;
- Maximum glazing provided to northfacing living areas;
- Bedrooms being located on the south; and/or
- Utility rooms and garages being located on east and west sides of a dwelling.

Glass louvres and operable windows are provided where possible to encourage cross flow of air through internal spaces.

The garages are located on the eastern and western sides of the dwellings.

Glazing has been maximised to the northern facade.

#### Solar Heating

The provision of daytime areas with north-facing glazing to allow passive solar heating during winter

 Up to 80% of the glazing provided to north facing living areas being unshaded in winter, and fully shaded by external structures in summer.

Generous roof overhangs provides shading to the northern glazing in the summer months, whilst allow penetration of solar gains in the winter months.

#### **Cross Ventilation**

The provision of openable windows and/or ceiling fans to habitable rooms or occupied spaces that allow natural and cross ventilation

- Windows located on north and south side of the dwelling being openable to utilise cooling breezes in summer; and/or
- Reversible ceiling fans facilitate cooling in summer and improve air dispersion for more efficient heating in winter.

Glass louvres and operable windows are provided where possible to encourage cross flow of air through internal spaces.

Reversible ceiling fans are currently proposed.

#### Water Re-use

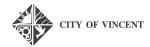
The provision of recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications

- Rainwater captured in tank/s above or below ground and plumbed into toilet and laundry;
- Greywater used for garden irrigation, or hand basin draining into toilet cistern for flushing; and/or
- Soft landscaping is maximised to increase on-site stormwater infiltration.

Soft landscaping is maximised to increase on-site stormwater infiltration.

The rear dwelling has been set back considerably more than the minimum setbacks in order to maximise the soft landscaping between the dwellling and the property boundary.

INFORMATION SHEET CITY OF VINCENT | 3



What does this mean and how can I achieve this?

Applicant Comment – How I have achieved this objective

#### Solar Gain

Incorporation of shading devices to reduce unwanted solar gain in summer and increase passive solar gain in winter

- Eaves, pergolas and other external shade structures designed to the correct depth to provide 0% shading in mid-winter and 100% shading in mid-summer.
- Such structures may also be movable, (e.g. mobile screens and adjustable pergolas) to allow increased control over light and heat gain.

Large roof overhangs have been provided where possible to provide shading and to minimise excess solar gains in the summer.

Provision of a deciduous tree in the front courtyards of both dwellings provides natural shading and allows the lower winter sun to penetrate and heat the internal spaces in winter months.

#### **Energy Consumption**

Integration of renewable energy and energy storage systems to optimise energy consumption.

- Solar photovoltaic system (with or without battery storage) for electricity generation;
- Solar or heat pump hot water system; and/or
- Smart-wired home to enable automated diversion of excess solar energy to power air conditioners and other appliances and reduce energy use at other times.

Specifications are still under review with the client.

#### Solar Absorptance

**Flat roof** structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4

or

**Pitched roof** structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study

Solar absorptance rating is a measure of how much solar energy a material absorbs and therefore how hot it gets when exposed to the sun. A rating of zero means no absorption and the material remains cool. A rating of 1 is 100% absorption and the material becomes very hot.

As a general rule, light roof colours have lower absorptance values than dark roof colours. Roofing material suppliers can provide the absorptance values of their colour range.

Roofs that are visible from the street or adjacent properties are permitted a higher absorptance value because lighter colours (which have lower absorptance values) may be visually less comfortable for some neighbours. Light coloured roof materials will be specified to have low solar absorptance values. High levels of insulation will be provided in the roof build on to minimise solar absorptance.

INFORMATION SHEET CITY OF VINCENT | 4



What does this mean and how can I achieve this?

Applicant Comment – How I have achieved this objective

#### **Environmental Performance**

Demonstrate that the development is capable of achieving the following performance standards when compared against the Perth statistical average for residences:

- 50% reduction in global warming potential (greenhouse gas emissions); and
- 50% reduction in net fresh water use.

The acceptable method for demonstrating this is an independently reviewed EN15978 compliant Target Setting life cycle assessment (LCA) with a 20% factor of safety applied to improvement strategies

Applications for new Single Houses and Grouped Dwellings should be accompanied by a target setting LCA which measures the environmental performance of the building over its lifetime, to understand how the design contribute towards reduced environmental impacts.

You can find an LCA assessor by contacting the Australian Life Cycle Assessment Society (ALCAS) or by doing a general internet search. Please ensure that you or the assessor you engage use methodologies compliant with:

- Environmental standard EN15978 –
   Sustainability of construction works –
   Assessment of environmental performance of buildings Calculation method; and
- That the system boundary includes all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to non-integrated energy (plug loads).

As an alternative to the LCA for Single and Grouped Dwellings, the City may accept an 8 star NatHERS rating, in conjunction with the development meeting the other local housing objectives listed above.

The City can also consider other environmental sustainable design reports, however it is recommended these be discussed with the City prior to engaging someone, to ensure that the report will be accepted by the City.

A specialist consultant is currently preparing the LCA for both dwellings. The assessment will be forwarded to the City upon completion.

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INFORMATION SHEET CITY OF VINCENT | 5



- O ARCHITECTURAL DESIGNER
- O BUILDING SURVEYOR
  O BUILDING ENERGY CERTS
- O ENERGY CONSULTATIONS
- O COUNCIL SUBMISSIONS ABN: 9562 7621845

# Life Cycle Assessment (LCA)

Date: 28.03.21

Compliance assessment of: Single dwelling (NCC Class 1)

Project address: #4a Ethel st, North Perth BCA Climate Zone 5

**Prepared BY: Luke Kellett** 

BSc. Architectural Design MSc. CAD & Construction

Like Kellet

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# **Compliance Checklist**

# **Performance Summary**



Global Warming Potential, GWP (Life Cycle)



81% Saving against a target of 50%



Net use of fresh water, FW (Life Cycle)



51% Saving against a target of 50%

# Performance Detail

	Internal Material & Construction	Use Stage Materials & Construction	Integrated Energy Use	Plug Load Energy Use	Water Supply & Treatment	End of Life	Recycling & Energy Export	Total
Global Warming Potential,	GWP (kg CO <sub>2</sub> eq / occup	pant / year)						
Benchmark	865.7	542.9	939.5	822	165.5	135.2	-75.82	3395
Proposed Design	633.3	416.5	-313.9	625	90.11	116	-929.5	637.5
Difference	232.3	126.4	1253	197	75.48	19.16	853.7	2757
Life Cycle Savings	7%	4%	37%	6%	2%	1%	25%	81%
Net use of fresh water, FW	/ (kg / occupant / year)							
Benchmark	3754	1804	1202	1757	83170	616	-286	92019
Proposed Design	2706	2008	-1037	1336	41993	465.7	-2471	45001
Difference	1047	-203.9	2240	421.3	41177	150.3	2185	47018
Life Cycle Savings	1%	0%	2%	0%	45%	0%	2%	51%

# **Building Attributes**

Highlighted information denotes that changes were made from the "baseline design" and should be an area of focus for compliance checks.



# Energy Supply and Efficiency Attributes

Electricity Supply:	Mains Connected
Thermal Rating:	NatHERS 6.0 Star
Energy Monitoring:	Integrated
Natural Lighting:	Limited

## Water Supply and Efficiency Attributes

Water Supply:	Mains Supply
Water Treatment:	Mains Connected
Shower Heads:	4 star (4.5 - 6L/m plus spray force and coverage tests)
Toilets:	4 star (4.7L/flush, 3.2/half flush, 3.5L/average flush)
Tapware:	6 star (1.0 - 4.5L/min)
Washing Machine:	5.0 star (7.5L/kg clothing washed)
Dishwasher:	5.0 star (8.57L/wash for 10 place setting dishwasher)
Garden Type:	Dripper garden bed and sprinkler lawn irrigation
Rainwater Pump Type:	Medium or high pressure and flow with pressure vessel

# **Building Components**

Highlighted information denotes that changes were made from the "baseline design" component type, or changes were made to the default quantities and should be an area of focus for compliance checks.

## **Integrated Services**

Component Type	Quantity	
Cooking Appliances		
Cooking, Res Gas Stove Electric Oven Op&Em	1 # Households cooking ener	
Hot Water System		
Gas Instantaneous Hot Water System (HWS_App)	1 Gas instantaneous hot wat	
Indoor Lighting Fitout		
LED Residential Lighting (Standard Efficiency)	1 Household	
Cooling System		
Split System Air Source Heat Pump for Cooling (MEPs Average, R32)	1 heat pump(s) 5kW	
Heating System		
Split System Air Source Heat Pump for Heating (MEPs Average, R32)	1 heat pump(s) 5kW	

## Plug Loads

Component Type	Quantity
Refrigeration	
Refrigeration, Residential Well Ventilated Fridge Recess (AUS)	1 Refrigeration Energy Use
Dwellings	
Appliances Residential Average (AUS)	1 eTool: Average Household

## **Outdoor Services**

Component Type	Quantity
Renewable Generation	
Solar PV System Residential - Zone 3 (Perth Sydney etc)	6.6 kW
Outdoor Lighting Fitout	
LED Outdoor Lighting (Residential - Standard Efficiency), m2	35 m2 of outdoor lit area
Swimming Pool Temperature Control	
Swimming Pool Seasonal Temperature Control - No Pool Cover - Gas	0 Pool Surface Area
Swimming Pool Filtering	
Swimming Pool - Pumps and Filters Ultra Efficient	0 m2 surface area
Swimming Pool Structure	
Pool Structure - Concrete	0 m2 pool surface area

## Structure

Component Type	Quantity
Ground Floor Area	
Concrete Floor - 100mm slab on ground 30MPa 3.8% reo (Portland Cement)	168.9 eTool: m2 of floor slab
Upper Floor Area	
Concrete Floor - 172mm elevated slab, 40MPa, 3.8% reo	143.1 m2 of floor slab
Stairs	
Staircase, Concrete (40Mpa, 2% reo by volume)	1 m stair rise
External Wall Area	
Wall, External, Masonry, double brick 90-50-90 insulated with foundations and finishes	155.31
Glazed Area	
Windows Residential Aluminium Single Glaze fly screen	61.08
Roof Area	
Roof - TimberTruss/SteelSheeting/10°Pitch/plbrd finish	194.24
Entry Doors	
Door - SolidCoreTimber/WoodenJam/Painted	2 Door (1.68m2)
Internal Doors	
Door - HollowCoreTimber/SteelJam/Painted	10.5 Door
External Wall Area	
Wall, External, Framed, Timber 90mm studs with battens, insulation, plasterboard and paint internal finish, fibre cement clad Hardie Axon™ (9mm)	127.16
Internal Wall Area	
Wall Internal Type 1, Masonry, Single Brick Wall (90mm) uninsulated with foundations and finishes	123.1
Internal Wall Area	
Wall, Internal, Framed, Timber Stud Plasterboard and paint finish	100.74

## **Finishes**

Component Type	Quantity
Living Areas	
Floor Covering - 12mm timber, Glue Down (Substructure)	106.13
Kitchens Dining Areas	
Floor Covering - Tiles (ceramic/5mm)	130.01 eTool: m2 of internal flo
Wet Areas	
Floor Covering - Tiles (ceramic/5mm)	29.16 eTool: m2 of internal flo
Bedroom Areas	
Floor Covering - Carpet (glue down/Nylon)	72.58 eTool: m2 of internal flo



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# Life Cycle Assessment (LCA)

Date: 28.03.21

Compliance assessment of: Single dwelling (NCC Class 1)

Project address: #4b Ethel st, North Perth BCA Climate Zone 5

**Prepared BY: Luke Kellett** 

BSc. Architectural Design MSc. CAD & Construction

Like Kellet

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# **Compliance Checklist**

# **Performance Summary**



Global Warming Potential, GWP (Life Cycle)



86% Saving against a target of 50%



Net use of fresh water, FW (Life Cycle)



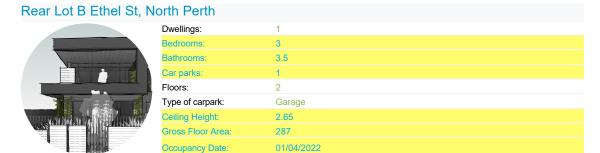
50% Saving against a target of 50%

# Performance Detail

	Internal Material & Construction	Use Stage Materials & Construction	Integrated Energy Use	Plug Load Energy Use	Water Supply & Treatment	End of Life	Recycling & Energy Export	Total
Global Warming Potential,	GWP (kg CO <sub>2</sub> eq / occup	pant / year)						
Benchmark	865.7	542.9	939.5	822	165.5	135.2	-75.82	3395
Proposed Design	775.6	521.1	-505.3	676.6	92.97	141.7	-1212	490.2
Difference	90.13	21.86	1444	145.4	72.62	-6.553	1136	2905
Life Cycle Savings	3%	1%	43%	4%	2%	0%	33%	86%
Net use of fresh water, FV	/ (kg / occupant / year)							
Benchmark	3754	1804	1202	1757	83170	616	-286	92019
Proposed Design	3312	2497	-1474	1446	42814	570.2	-3217	45949
Difference	441.2	-693.6	2677	310.9	40356	45.82	2931	46069
Life Cycle Savings	0%	-1%	3%	0%	44%	0%	3%	50%

# **Building Attributes**

Highlighted information denotes that changes were made from the "baseline design" and should be an area of focus for compliance checks.



# **Energy Supply and Efficiency Attributes**

Electricity Supply:	Mains Connected
Thermal Rating:	NatHERS 6.0 Star
Energy Monitoring:	Integrated
Natural Lighting:	Limited

## Water Supply and Efficiency Attributes

Water Supply:	Mains Supply
Water Treatment:	Mains Connected
Shower Heads:	4 star (4.5 - 6L/m plus spray force and coverage tests)
Toilets:	4 star (4.7L/flush, 3.2/half flush, 3.5L/average flush)
Tapware:	6 star (1.0 - 4.5L/min)
Washing Machine:	5.0 star (7.5L/kg clothing washed)
Dishwasher:	5.0 star (8.57L/wash for 10 place setting dishwasher)
Garden Type:	Dripper garden bed and sprinkler lawn irrigation
Rainwater Pump Type:	Medium or high pressure and flow with pressure vessel

# **Building Components**

Highlighted information denotes that changes were made from the "baseline design" component type, or changes were made to the default quantities and should be an area of focus for compliance checks.

## **Integrated Services**

Component Type	Quantity	
Cooking Appliances		
Cooking, Res Gas Stove Electric Oven Op&Em	1 # Households cooking ener	
Hot Water System		
Gas Instantaneous Hot Water System (HWS_App)	1 Gas instantaneous hot wat	
Indoor Lighting Fitout		
LED Residential Lighting (Standard Efficiency)	1 Household	
Cooling System		
Split System Air Source Heat Pump for Cooling (MEPs Average, R32)	1 heat pump(s) 5kW	
Heating System		
Split System Air Source Heat Pump for Heating (MEPs Average, R32)	1 heat pump(s) 5kW	

## Plug Loads

Component Type	Quantity
Refrigeration	
Refrigeration, Residential Well Ventilated Fridge Recess (AUS)	1 Refrigeration Energy Use
Dwellings	
Appliances Residential Average (AUS)	1 eTool: Average Household

## **Outdoor Services**

Component Type	Quantity
Renewable Generation	
Solar PV System Residential - Zone 3 (Perth Sydney etc)	6.6 kW
Outdoor Lighting Fitout	
LED Outdoor Lighting (Residential - Standard Efficiency), m2	30 m2 of outdoor lit area
Swimming Pool Temperature Control	
Swimming Pool Seasonal Temperature Control - No Pool Cover - Gas	0 Pool Surface Area
Swimming Pool Filtering	
Swimming Pool - Pumps and Filters Ultra Efficient	0 m2 surface area
Swimming Pool Structure	
Pool Structure - Concrete	0 m2 pool surface area

## Structure

Component Type	Quantity
Ground Floor Area	
Concrete Floor - 100mm slab on ground 30MPa 3.8% reo (Portland Cement)	155.9 eTool: m2 of floor slab
Upper Floor Area	
Concrete Floor - 172mm elevated slab, 40MPa, 3.8% reo	131.1 m2 of floor slab
Stairs	
Staircase, Concrete (40Mpa, 2% reo by volume)	1 m stair rise
External Wall Area	
Wall, External, Masonry, double brick 90-50-90 insulated with foundations and finishes	145.65
Glazed Area	
Windows Residential Aluminium Single Glaze fly screen	56.18
Roof Area	
Roof - TimberTruss/SteelSheeting/10°Pitch/plbrd finish	179.29
Entry Doors	
Door - SolidCoreTimber/WoodenJam/Painted	2 Door (1.68m2)
Internal Doors	
Door - HollowCoreTimber/SteelJam/Painted	8.5 Door
External Wall Area	
Wall, External, Framed, Timber 90mm studs with battens, insulation, plasterboard and paint internal finish, fibre cement clad Hardie Axon™ (9mm)	119.26
Internal Wall Area	
Wall Internal Type 1, Masonry, Single Brick Wall (90mm) uninsulated with foundations and finishes	113.24
Internal Wall Area	
Wall, Internal, Framed, Timber Stud Plasterboard and paint finish	92.66

## **Finishes**

Component Type	Quantity
Living Areas	
Floor Covering - 12mm timber, Glue Down (Substructure)	97.11
Kitchens Dining Areas	
Floor Covering - Tiles (ceramic/5mm)	118.96 eTool: m2 of internal flo
Wet Areas	
Floor Covering - Tiles (ceramic/5mm)	26.68 eTool: m2 of internal flo
Bedroom Areas	
Floor Covering - Carpet (glue down/Nylon)	66.4 eTool: m2 of internal flo

## **Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Administration Comment:
Subdivision	
<ul> <li>Allowing this subdivision and development will have a very negative impact on neighbouring properties.</li> <li>Subdividing this lot will result in overdevelopment of the area by having two large houses cramped into a space previously occupied by only one house. This is not in keeping with housing density in the area.</li> <li>There is no need for properties in this area to be further subdivided. Development does not enhance the character of Vincent and will do nothing for the value of the properties.</li> <li>One house replaced by two houses is not desirable. Neighbouring properties were purchased by their owners with the expectation the outlook and the surroundings to remain more or less as they were.</li> <li>Subdivision should not be allowed to occur on the site.</li> <li>Development is not compatible with the size and type of dwellings in the area.</li> <li>R40 development was never meant to increase density at the detriment of neighbouring properties.</li> </ul>	<ul> <li>Subdivision applications are submitted to and approved by the WAPC. The City is only a referral authority. The applicant has not yet lodged a subdivision application.</li> <li>The proposed 255 square metre and 246 square metre lot sizes of the dwellings meet the minimum (180 square metres) and average (220 square metres) lot sizes for R40 development under the R Codes.</li> <li>As per Clause 26(6) of the City's Local Planning Scheme No. 2 (LPS2) only two dwellings are permitted per lot. The proposed development is consistent with this clause.</li> <li>Property values are not a relevant planning consideration.</li> </ul>
<ul> <li>Do not support the bulldozing of existing Federation houses that give the suburb character.</li> <li>The neighbourhood has many restored heritage houses and we should be supporting and encouraging the preservation and restoration of the existing buildings.</li> </ul>	<ul> <li>The dwelling on the subject site was not heritage-listed and was exempt from requiring development approval for its demolition.</li> <li>The subject site and surrounding area is not located within a Character Retention or Heritage area. There are no planning requirements which would require the restoration of existing dwellings over the construction of new development.</li> </ul>
Lot Configuration	
<ul> <li>The option of having two properties side by side off Ethel St should be considered. This option could resolve many issues such as a balcony overlooking a neighbouring backyard, non-compliance in street setback allowances, open space and landscaping and overshadowing.</li> <li>The proposed developments reverse living (upstairs kitchen/dining/living) with balconies is not suited for laneway development where other neighbour's privacy is severely compromised.</li> <li>Where existing houses are demolished, it should be mandated that they are side by side rather than front/rear subdivided.</li> </ul>	<ul> <li>A side by side lot configuration was not pursued by the applicant as part of the application process. There is no standard within the City's planning framework requiring side-by-side lot configurations.</li> <li>The development complies with the deemed-to-comply visual privacy setbacks and solar access standards under the R Codes. The open space and landscaping proposed would allow for a separation of the two dwellings on the lot, and as viewed from neighbouring properties. The built form standards in the planning framework relate building bulk, overshadowing and overlooking to adjoining properties to moderate amenity impacts from the proposed development, whether that be in a side by side or front and rear dwelling configuration.</li> </ul>

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
Building Height	
<ul> <li>Two storeys is too high for the area.</li> <li>Height restrictions should be considered for rear properties to ensure amenity and solar access of residents with backyard.</li> </ul>	<ul> <li>The City's Built Form Policy permits a building height of two storeys in this area. The proposed 6.5 metre building height would be less than the permitted 8.0 metre concealed height standard of the Built Form Policy.</li> <li>Stepping of the dwellings, reduced lot boundary wall lengths and heights, as well as articulation of walls are measures used by the applicant to reduce impacts from overshadowing and perceived building bulk of the development. The dwellings have been sited and designed to provide building separation from neighbouring properties to the south to assist in protecting amenity, solar access and privacy of the occupants.</li> </ul>
<u>Overdevelopment</u>	
<ul> <li>Overdevelopment</li> <li>Shadow, lot boundary walls and setbacks, in addition to departures to visual privacy and open space are matter which amount to overdevelopment of the site.</li> <li>Development is non-compliant with the R40 zoning and outcomes expected.</li> <li>Proposal does not keep in character of the existing neighbourhood and is a significant overdevelopment of the site at the expense of environmental sustainability.</li> <li>This excessive overdevelopment consists of seven large bedrooms, six full bathrooms, nine toilets, two large studies, two large sculleries, four car bays and six second-storey balconies/roof terrace.</li> <li>A single storey, environmentally sustainable and R Code compliant development is the only viable and reasonable option.</li> <li>Far too much development bulk on one residential block.</li> <li>Dense development reduces the quality of life for residents in North Perth.</li> <li>The bulk and scale of two double storey homes on one block ruins the local landscape. Development is creating high density living in an area filled with beautiful character homes on original blocks.</li> </ul>	<ul> <li>Throughout the assessment of the application the applicant has provided amended plans to reduce the number and extent of departures to the R Codes and Built Form Policy deemed-to-comply standards. As a result of made over the course of the application process, there are no departures proposed to overshadowing, boundary wall and side boundary setbacks, visual privacy and open space deemed-to-comply standards of the R Codes and Built Form Policy. These planning elements assist in informing whether a site is overdeveloped.</li> <li>The building form, scale and colours and materials of the development would ensure the proposal has been designed to tie into the established and emerging streetscape character, and consistent with objectives of the Residential zone under LPS2 to contribute towards housing choice by providing a grouped dwelling housing typology that can meet the needs of the community.</li> <li>The City's Built Form Policy provides local housing objectives to address environmentally sustainable design (ESD). An ESD report was submitted as part of the application identifying measures to facilitate sustainable development. These measures include providing openable windows for cross ventilation, north facing openings for natural sunlight and deciduous trees for natural shading.</li> <li>Throughout the course of the application process, the plans have been amended to reduce the building footprint. The application now proposes for each dwelling one on-site parking bay, three bedrooms, three bathrooms and three balcony areas to Unit 1 and nil balcony areas to Unit 2. The dwellings satisfy the 45 percent deemed-to-comply standard of the R Codes in relation to open space.</li> <li>It is open to the applicant to seek approval for grouped dwellings to a</li> </ul>
	two storey building height. The City is required to consider and determine the application as proposed by the applicant based on the planning framework that applies.

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
	<ul> <li>The subject site is capable of accommodating two dwelling as each lot meets the minimum and average lot sizes of the R Codes.</li> <li>The immediate and broader streetscape does not form part of a Character Retention or Heritage area. The previous dwelling was not heritage-listed.</li> </ul>
<u>Noise</u>	
<ul> <li>Projection of noise from Unit 2 balcony facing the ROW if this space is used frequently for entertaining will be an issue.</li> <li>Rear openings and terraces will project noise directly into neighbouring backyard.</li> </ul>	Owners and occupiers of residential properties are responsible for ensuring that noise generated from dwellings is to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> at all times.
Street Setback and Streetscape	
<ul> <li>The design does not comply to the street setback requirements.</li> <li>The proposed development is inconsistent with the existing character of the area, resulting in a negative visual impact on the streetscape.</li> <li>Council should not be supporting development that discourages young families from coming into or staying in the area.</li> <li>Development will encroach onto the street frontage.</li> <li>Development sets a bad precedent for development in North Perth</li> <li>Amended plans have not changed the development in any way. Still not a good outcome for the area.</li> <li>The design does not comply with the street setback or the lot boundary setbacks. All measurements are below the minimum allowance.</li> <li>The overhanging balcony of Unit 2 does not meet the intent of the local town planning scheme and is not in keeping with the surrounding landscape. The balcony is dominant and should be setback behind the ground floor.</li> <li>Development is not true to the history and original character of North Perth.</li> </ul>	<ul> <li>Unit 1 to Ethel Street meets the deemed-to-comply street setback standard related to the ground floor. The upper floor does not meet the deemed-to-comply standard related, as this is setback 1.6 metres behind the ground floor in lieu of 2 metres, and the balcony projects 0.7 metres forward of the ground floor in lieu of being setback 1 metre.</li> <li>The proposed upper floor setback is consistent with relevant design principles and local housing objectives as:         <ul> <li>Major openings, minor projections, eaves and ancillary roof forms ameliorate the imposition of perceived and actual bulk and provide interaction with the street;</li> <li>Upper floor stepping creates articulations of walls as viewed form the street and on approach;</li> <li>Incorporation of landscaping within the front setback area contributes to urban greening in the prevailing streetscape; and</li> <li>The use of dark and light tones, timber cladding and face brick and permeable fencing tie in within the established and emerging residential character.</li> </ul> </li> <li>The dwelling is not located within a Character Retention area or listed as</li> </ul>
<ul> <li>The neighbourhood has many restored heritage houses and we should be supporting and encouraging the preservation and restoration of the existing buildings.</li> <li>Development style is inconsistent with the area.</li> </ul>	<ul> <li>a heritage property. Demolition is permitted of the dwelling. As the lot sizes meet the minimum and average lot sizes of the R Codes, the site is capable of accommodating two dwellings.</li> <li>The City's DRP member has advised the changes to the colour, materiality setbacks and site coverage of the development have been adjusted to better reflect these built form aspects of neighbouring dwellings, and facilitate a built form outcome which would be compatible</li> </ul>
	within the current streetscape.

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
Open Space and Outdoor Living Areas     The proposed development lacks open space, creating a significant bulk.     Development doesn't meet the green requirements or outdoor space minimums.     Open space variations would contribute excessive level of bulk and scale in proximity to neighbouring dwellings, outdoor living areas and open space.  Landscaping	<ul> <li>Through the course of the application process, the applicant provided amended plans which increased the amount of open space to meet the deemed-to-comply standard of the R Codes which is 45 percent. The open space provided on-site assists with increasing separation of buildings from the boundary, street and neighbouring development, and moderating impacts of building bulk.</li> <li>Both Unit 1 and Unit 2 meet the outdoor living area deemed-to-comply standards of the R Codes in relation to minimum size and dimension. This ensures that adequate external space is provided for the development. The departure to deemed-to-comply R Codes standard for Unit 1 outdoor living area results from it being located in the front setback area.</li> </ul>
<ul> <li>Development will remove the chance of ecology and lose the vibe of the area, and doesn't provide a benefit to the streetscape.</li> <li>Limited landscaping adds to increasing temperatures in the area for neighbouring properties and have an overall negative impact.</li> <li>Demolition and clearing of the block would see removal of large trees and landscaping for the local wildlife.</li> <li>The proposed reduction of green space limits the already reduced capacity to provide the cooling benefit of soft landscaping &amp; green canopy.</li> <li>Larger hard surface area compared to the existing home will see increased radiant heat and reduce the comfort and amenity of the adjoining homeowners as well as adding heat load to our environment.</li> <li>14.7% canopy coverage to the front lot instead of 30% of the required canopy coverage is not sufficient and will not address concerns with heat island effect.</li> <li>Canopy is vital for privacy for the occupants of these developments and surrounding neighbours, softening the projection of noise and can contribute to reducing the urban heat island effect.</li> <li>The design has outline the planting of 4 Chinese Tallows. This plant species is known to be an invasive environmental weed of water courses and native vegetation according to the Department of Primary Industries in NSW.</li> </ul>	<ul> <li>Through the application process, the deep soil area of Unit 1 and Unit 2 has been increased to 21.2 percent and 14.7 percent, which satisfies the deemed-to-comply standard of the Built Form Policy. The extent of canopy coverage of Unit 1 would be 18.6 percent which is less than the 30 percent deemed-to-comply standard under the Built Form Policy. Unit 2 would provide for 34 percent canopy coverage.</li> <li>After Council's 29 March 2022 Briefing Session, the applicant submitted amended plans with an additional Capital Pear tree in the front setback area of Unit 1. Canopy coverage for Unit 1 would increase to 18.6 percent, a 3.9 percent increase from that previously proposed.</li> <li>The mature tree at the rear of the lot is not listed on the City's Trees of Significance Inventory and does not require development approval to be removed. The tree was removed as part of the demolition works which occurred in January 2022.</li> <li>The application proposes four Native Frangipani, four Chinese Tallow, two Cottonwood Hibiscus, one Capital Pear and one Chinese Elm trees across the development site. The inclusion of these trees ensures that an effective contribution is made to the City's green canopy and that the appearance of the development is softened. The established verge tree is being retained to Ethel Street.</li> <li>The City's Parks team has reviewed the proposal and confirmed the location and size of landscaping areas would be enable canopy to grow to maturity.</li> <li>Chinese Tallow trees are a recommended species on the City's landscaping list and are invasive in New South Wales but not Western</li> </ul>

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
<u>Visual Privacy</u>	
<ul> <li>Balconies being positioned on the side of the house will have full view into neighbouring properties.</li> <li>Two storey development and balconies will provide a direct line of sight into neighbouring backyards.</li> <li>The living area and roof terraces to the upper floor of Unit 2 will be looking directly into the backyards of the adjacent properties.</li> <li>Unit 2 balcony is a large enough space for entertaining and does not need to be so large.</li> <li>Glass balustrading to the rear balcony will allow clear view into the backyard of neighbouring properties across the laneway.</li> <li>Revised proposal does not address privacy and issues with overlooking other properties from roof terraces and balconies.</li> <li>Roof terraces to the southern boundary will look directly over neighbouring open space, impacting the privacy.</li> <li>Concern with proximity and height of windows.</li> <li>Regardless of what the design codes are, every surrounding neighbour will be severely and negatively impacted by privacy issues.</li> <li>The proposed 2 metre setback of the first floor of Unit 2 from the ROW is not enough to alleviate the privacy and noise issues.</li> <li>Although not defined as a balcony, full height glass doors off the living/dining area can be completely opened allowing the overlooking of backyards and living space of neighbouring properties.</li> <li>Would like to see more details in the type of windows (GL-01) the owner is proposing for the living/dining and kitchen area, as it has not been indicated if these windows are to be obscured or frosted.</li> </ul>	<ul> <li>The applicant removed the proposed balcony of Unit 2 adjacent to the ROW.</li> <li>The applicant removed proposed balconies and major openings on upper floors to the northern and southern lot boundaries. The remaining major openings and balconies to the dwellings meet the deemed-to-comply visual privacy standards of the R Codes, through either achieving the prescribed setback distance or being screened. Screening is integrated in the dwelling's design to reduce impact on neighbour's amenity.</li> <li>After Council's 29 March 2022 Briefing Session, the applicant revised their plans to provide a 1.6 metre high fixed obscure glass balustrading in front of the living/dining room opening of Unit 2 facing the ROW. The applicant also introduced the planting of two Cottonwood Hibiscus trees in front of this window further assist in mitigating perceived overlooking to the ROW and abutting properties. The obscure glazing and landscaping screening provide measures to address perceived overlooking to neighbouring outdoor living areas and open space, and increase the privacy of the occupants to Unit 2.</li> <li>The framing to the glazing of the living/dining spaces and kitchen is a feature protruding window and not an accessible space or balcony. All openings to the rear from the living/dining and kitchen meet the deemed-to-comply standards under the R Codes relating to visual privacy setbacks.</li> <li>The glazing to the living/dining rooms on the upper floor of Unit 2 are not obscured. These major openings achieve the required 6 metre visual privacy deemed-to-comply setback from neighbouring development, as prescribed under the R Codes.</li> <li>The R Codes seeks to control overlooking of primary living spaces, and active habitable spaces between the development site and neighbouring development for the privacy and amenity of their occupants. Perceived overlooking to the southern and eastern properties is managed through the installation of screening, greater than deemed-to-comply lot boundary setbacks and landsc</li></ul>
<u>Car Parking</u>	
<ul> <li>This laneway was never designed for the heavier traffic that may result from this proposal.</li> <li>Only single carpark proposed for the rear unit. Concerns the ROW will be used for parking.</li> </ul>	The subject site is a 'Location A' area under the R Codes for the purposes of prescribing car parking provision. This means it is located within 250 metres of a high frequency bus route (Fitzgerald Street). The one on-site parking bay provided per dwelling meets the deemed-to-comply standards for parking in the R Codes.    December 10.

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
	<ul> <li>Parking is not permitted within the ROW.</li> <li>The ROW would provide access to the rear dwelling and this traffic generation can be accommodated within its capacity and without adversely impacting on the ROW.</li> </ul>
Boundary Fencing	
Developer has not confirmed the height and the material used for the fence.	It is understood that the developer is not seeking to modify the existing boundary fence. Notwithstanding this, dividing fences are not dealt with by the planning framework and not within the scope of this application. Dividing fences are to be in accordance with the <i>Dividing Fences Act 1961</i> .
Setbacks to ROW	
<ul> <li>Concerns for proximity of development to the ROW. This has a negative impact to the future owners of the rear lot and No. 158 Grosvenor Road.</li> <li>Setback does not allow for any privacy, sound proofing or security which can be achieved by the plantation of trees or use of other fencing materials.</li> </ul>	The proposed ROW setbacks satisfy the relevant local housing objectives of the Built Form Policy. The vehicle access, landscaping and upper floor of Unit 2 would maintain a clear setback from any future widening. Suitable provision has also available for service areas and waste management, with pedestrian access provided from this Unit 2 to Ethel Street.  Major openings to the ROW meet the deemed-to-comply visual privacy setbacks under the R Codes.
Building Bulk and Scale	
<ul> <li>Not supportive of this scale of development in what is a charming, old fashioned suburban area.</li> <li>Two storey height and scale of the development will mean we will no longer have view of the sky from our property.</li> <li>The height, bulk and modern design of the proposed development would adversely affect the visual harmony of the street.</li> <li>Boundary set back regulations have been developed primarily for neighbouring houses parallel to each other, rather than neighbouring houses that are perpendicular (i.e. T Junction of backyard and neighbouring building). Due to the way properties intersect, a multistorey development is going to detrimentally impact properties.</li> <li>Location of the proposed parapet wall on the southern boundary will result in an unacceptable level of overshadowing to outdoor living areas, resulting in a loss of amenity of existing outdoor living space.</li> <li>Proximity and height of the development is too close to the boundary.</li> <li>Through the multiple submissions of this project the plans have not addressed primary concerns regarding the scale and bulk, the</li> </ul>	<ul> <li>The 6.5 metre building height proposed is below the permitted two storey concealed roof 8.0 metre heights that are permitted for this site under the Built Form Policy. This assists in mitigating building bulk and scale. The reduced building height also offers increased opportunities to sunlight, ventilation and view lines from the street and neighbouring properties.</li> <li>Administration understands the orientation of the subject lot and the relationship to neighbouring properties. The orientation of the lots and proposed dwelling configuration does not change how lot boundary setbacks are assessed under the R Codes.</li> <li>The ground and upper floor setbacks of the dwellings meet and exceed deemed-to-comply lot boundary setbacks under the R Codes. Upper floor walls are stepped from the side boundaries, and articulated from ground floor below to provide mitigate building height and scale.</li> <li>Boundary wall and building heights remain compliant with the deemed-to-comply standards of the R Codes. These heights assist with moderating the scale and massing of the development, to preserve</li> </ul>
addressed primary concerns regarding the scale and bulk, the overshadowing and the impact that this development will have on the local community.  Overbearing second storey and large parapet walls will reduce views to sky and northern aspect.	<ul> <li>moderating the scale and massing of the development, to preserve visual and residential amenity of the street and neighbouring properties.</li> <li>Through the course of the application process, the applicant has provided amended plans to address concerns related to bulk and scale. This has included providing 3.3 metres of separation between Units 1</li> </ul>

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# **Summary of Submissions:**

Comments Received in Objection:	Administration Comment:
The building of 6 metres high walls will be visible and impactful to neighbouring Grosvenor Road properties.	and 2. The break between the dwellings would reduce impacts of building bulk, shadow and provide additional opportunities for open space and landscaping. The building break also assists with access to sunlight, ventilation and view lines of neighbouring dwellings.
Lot Boundary Setbacks and Boundary Walls	
<ul> <li>A 6 metre high wall to the southern boundary would fall immediately to neighbouring north facing rear boundary / courtyards their small rear gardens would be transformed into dark, claustrophobic spaces.</li> <li>The boundary walls to abutting properties is of a great concern.</li> <li>Extensively long parapet walls and the over bearing second stories have serious negative impacts to the local properties.</li> <li>Unreasonable bulk and scale reducing quality of the surrounding properties and neighbourhood.</li> <li>Parapet walls and minimal upper floor setback will appear unsightly from the adjacent outdoor areas, and are inconsistent with the predominant built form of the locality.</li> <li>Lack of ventilation likely resulting in the sea breeze skipping over neighbouring properties and creating a heat trap.</li> <li>The proposal provides minimal setbacks from the upper floor living area to my backyard.</li> <li>Boundary walls to Grosvenor Road properties on the south (Nos. 160, 162, 164) are not appropriate.</li> </ul>	<ul> <li>The Built Form Policy permits boundary walls to a maximum height of 3.5 metres and total length of 23.9 metres. The first, second and third advertising plans proposed boundary walls to a cumulative 20.4 metres in length. Final set of plans have reduced the boundary walls to the south to a total length of 13.8 metres. The boundary walls to the garages are 3.1 and 3.3 metres in height.</li> <li>To mitigate bulk impacts from boundary walls, these have been located so as to abut neighbouring outbuildings and garages where possible. Boundary walls are otherwise adjacent to areas of extensive rear open space which do not form part of the primary outdoor living area for adjoining properties.</li> <li>The development provides for upper floor side setbacks which meets and exceed the deemed-to-comply setbacks. Upper floors are also articulated from the ground floor below to mitigate perceived bulk. A mix of colours, materials and glazing is used to break down bulk and scale and to avoid blank unarticulated double storey walls.</li> <li>Lot boundary setbacks provided consistent with R Codes deemed-to-comply standards would allow for adequate separation to maintain ventilation between neighbouring dwellings.</li> </ul>
Incompatible Development - Clause 67 of Planning and Development (Local	
Planning Scheme) Regulations 2015	
The sum of the proposed variations to the Built Form Policy and R Codes result in an unacceptable level of bulk and scale and will negatively impact both surrounding properties and the visual amenity of the streetscape.	The proposed development is consistent with the Regulations in respect to its compatibility with the streetscape and impact on the amenity of adjoining properties for the following reasons:
The proposed development is inconsistent with clause 67(2) subclauses (m) and (n) Schedule 2 Part 9 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> , as it has a poor relationship to existing development on adjoining land, and will negatively impact the amenity of adjoining properties and the streetscape for the following reasons:  The proposed development is incompatible with its setting as it does not consider its relationship to the surrounding properties.  The location of the parapet walls on the southern boundary of the subject site, and excessive bulk and scale of the proposed group	<ul> <li>The lot boundary setbacks and walls, building height and open space meet the deemed-to-comply standards which are relevant measures in informing bulk and scale. The dwellings would not result in unacceptable amenity impacts on the residential amenity of adjoining properties and the streetscape.</li> <li>The development is compliant with the deemed-to-comply visual privacy standards of the R Codes which is a relevant measure in considering impact on adjoining properties. Openings to habitable rooms and raised active spaces are setback or screened to limit actual and perceived overlooking.</li> </ul>

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# **Summary of Submissions:**

Coi	nments Received in Objection:	Ad	ministration Comment:
	dwellings resulting from a lack of open space.		
	Substantial overshadowing of the outdoor living area.	•	Development provides for building heights, side boundary setbacks and boundary walls to the southern elevation that are less than the prescribed deemed-to-comply standards in an effort to reduce impacts of the location and extent of shadow cast to neighbouring development. The resultant extent of shadow cast to the southern adjoining properties would allow for access to northern sunlight for neighbouring properties, recognising that the orientation of the sites mean that any development proposed under the policy framework would result in shadow cast to the backyards of adjoining properties.
Sha	<u>idow</u>		
•	Rear gardens of Grosvenor Road properties would have virtually no natural sunlight from mid-late morning until night and rendered unliveable. Shadow from development will diminishes the environmentally effective design and planning of southern properties.	•	Overshadowing to the southern property meets the deemed-to-comply standards of the R Codes. As per the R Codes, the extent of shadow calculated demonstrates the worst case scenario at the winter solstice on 21 June when the sun is at its lowest angle.
•	Planning laws relating to shadowing of adjacent properties are seriously flawed. The importance of shadowing should be concentrated on its effect on open areas such as gardens.  Due to the orientation of the lot the proposed development results in	•	Throughout the application process, the applicant has provided amended plans to revise and reduce the location and extent of shadow on neighbouring developments to the south. The proposed development would overshadow 13.2 percent, 15.6 percent and 18 percent of the
	overshadowing of several outdoor living areas to the south.  Shadow is compliant however does not negate the significant amenity impact the proposal will have on the primary outdoor living areas of		adjoining properties at Nos. 160, 162 and 164 Grosvenor Road respectively. The R Codes deemed-to-comply standard permits 35 percent overshadowing.
•	neighbouring properties which are both covered and uncovered spaces. Shadow from the development would substantially affect neighbouring propertied access to light, solar gain from north facing openings and living spaces. This would undermine the thermal efficient, and solar passive design of dwellings.	•	Given the orientation of the subject and adjoining southern properties, it is acknowledged shadow would fall to the northern aspect of these properties, which includes primary outdoor living areas and habitable rooms. As a result of development being stepped along the southern boundary, increased lot boundary setbacks and reduced building
•	Development will completely shadow three neighbouring properties and lose any access to northern sun.		heights, the extent and location of the shadow to Nos. 160, 162 and 164 Grosvenor Road has been reduced. Advertising of plans during the first
•	Shadow would eliminate any chance of solar energy production of neighbouring properties.		three advertising periods proposed overshadowing which fell over the entire uncovered and covered outdoor living areas of the neighbouring properties, limiting access to sunlight, ventilation and comfortable living.
•	Main family living and outdoor area on the rear will be significantly impacted.	•	The shadow from the dwellings would ensure more than 47 percent of the outdoor living areas of the adjoining properties remain without
•	Backyards and lawn will be hugely impacted by this design as it will be totally overshadowed by this building.		shadow as measured on 21 June to limit detrimental impact of the use and amenity of these adjoining outdoor living areas.
•	Backyards will be fully shadowed in the months of May, June, July and heavily shadowed in April and August in the coolest months of the year.	•	The proposed dwellings have been articulated from the southern boundary and designed to more responsive to the orientation of the
•	The development does not take into consideration the unique layout of the block with three backyards aligned with this one block and our solar		subject and neighbouring properties.
•	access rights with the proposal shadowing the majority of our backyard. Significant loss/lack of solar gain to outdoor areas during the winter	•	The applicant has revised the lot boundary setbacks, lot boundary wall lengths and provided between 1.8 metres and 3.7 metres separation of the upper floor of dwellings from the southern lot boundary to assist in

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# **Summary of Submissions:**

Comments Received in Objection:		Administration Comment:	
	months.		reducing the shadow cats to the three adjoining southern properties.
•	Significant loss of solar gain into our house which we rely on to reduce winter heating bills.	•	As per the applicant's shadow diagrams and Administration's shadow modelling, overshadowing from the development would fall to existing
•	Revised development will still impact adjacent properties totally blocking sun and ventilation every day of the year and dramatically reducing the value of their properties.		outbuildings (garages and sheds), grassed and landscaped area and portions of covered and uncovered outdoor living areas. There are now no major openings to habitable rooms which are affected by the worst-
•	Revised proposal does nothing to address overshadowing and environmental impacts.		case scenario of overshadowing on 21 June. The abutting dwellings maintain solar access to these habitable rooms.
•	Regardless of what the design codes are, every surrounding neighbour will be severely and negatively impacted, either by excessive year round shadowing or privacy issues.		
•	The overshadowing has not been reduced across neighbouring properties. For No. 160 Grosvenor Rd, from the drawings supplied, overshadowing of the rear garden has increased.		
•	Compared with previous designs, shadow calculations show only minimal benefit to overshadowing.		
•	The 3.3 metre split between buildings only marginally addresses overshadowing – only beneficial at 12 noon when sun is North – for the rest of time there is little benefit – and trees will overshadow.		
•	New plans only mentioned the solar access to our house but what about our backyard which will be covered with a shadow.		

Note: Submissions are considered and assessed by issue rather than by individual submitter.

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## **Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the Applicants response to each comment.

Comments Received in Objection:	Applicant Comment:
The bulk and scale of two double storey homes on one block ruins the local landscape and are creating high density living in an area filled with beautiful character homes on original blocks. The development does not take into consideration the unique layout of the block with three backyards aligned with this one block. The height of the proposal significantly impacts both our privacy in our own backyard and also our solar access rights with the proposal shadowing the majority of our backyard.  Height restrictions should be considered for rear of properties to ensure amenity and solar access of residents with backyard.	<ul> <li>The lot is designated as an Urban R40 zone, with 2 storey building height. Clause 26(6) of the LPS2, states that a maximum of two dwellings will be permitted per lot.</li> <li>In accordance with the Local Planning Scheme No.2 and Local Planning Strategy, the proposed two-storey sub-division development supports the City's vision of providing higher density development to meet density targets set by the State Government.</li> <li>The upper floor design for the front dwelling is appropriately stepped back from street boundary in comparison with the existing development at 164 Grosvenor Road. This provides for a 'graduated' development outcome from the street corner.</li> <li>Differences in the materiality and colours of significant sections of the upper floors compared with the ground floors creates visual interest within the streetscape. The materials and colours proposed for the design of the dwellings are consistent with those within the surrounding locality.</li> <li>The proposed encroachments and projections provide for an articulated façade that engages with the streetscape in a positive manner that contributes to the overall improvement of the streetscape.</li> <li>Notwithstanding the location of the dwelling on the site, it should also be noted that the existing tree at the front of the property, along Ethel Street will conceal the dwelling. This means any perceived impact of the bulk and scale of the streetscape will be mitigated by the street tree.</li> <li>Previous comments from the City's Design Review Panel (DRP) noted that "the proposals are well-articulated, and from an architectural/design point of view the proposals are fine and should fit in sufficiently well, is largely acceptable"</li> <li>Recent comments from the DRP on the current plans (08 March 22), state the following:</li> <li>Full separation of dwellings and introduction of more internal landscaping assists with reducing the perceived scale, bulk, and massing of the proposed development;</li> <li>The rear dwelling is lower than</li></ul>

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# **Summary of Submissions:**

Comments Received in Objection:	Applicant Comment:	
	<ul> <li>reduces the overshadowing.</li> <li>The overshadowing is compliant and significantly less than the minimum DTC requirements of the R-Codes</li> <li>The current proposals reduce the total overshadowing (to all 3 southern adjoining properties) by 107sqm when compared to our original scheme, achieving a total overshadowing of 14.8%, which is well below the 35% allowed in the R-Codes. Breakdown as follows: <ul> <li>Lot 1 - 17.7% (was 20.7%)</li> <li>Lot 6 - 15.8% (was 31%)</li> <li>Lot 5 - 10% (was 19%)</li> </ul> </li> <li>We have made considerable improvements to the scheme to minimise any negative impacts on the neighbouring properties.</li> <li>Lot setbacks are generally greater than DTC requirements.</li> </ul>	
Developments on Rights of Way		
<ul> <li>Open plan living area with glass balustrading of Unit 2 looks over entire backyard and into rear living &amp; kitchen of 158 Grosvenor. Kitchen window also looks directly into our backyard. Noise generated from living area will be projected into our back garden. Minimal setback from laneway.</li> <li>No ability to plant trees to the ROW to provide some obscuring of the bulk of the property and the balcony</li> <li>Not clear from plans if overlooking windows will be clear or opaque glass. Overlooking windows must be opaque.</li> </ul>	<ul> <li>Visual privacy provisions are in accordance with DTC requirements of the R-Codes.</li> <li>Street and Lot boundary setbacks are in accordance with DTC requirements of the R-Codes.</li> <li>The rear building has been positioned closer to the RoW boundary in order to create a clear break between the two proposed units, which helps to reduce bulk/scale/mass and reduce overshadowing to the adjoining properties.</li> <li>Planting is provided between the building and the ROW as indicated on the plans and elevations.</li> <li>The elevations and plans indicate whether windows are high level, full height, or obscure glazing. All windows are compliant.</li> </ul>	
Fencing Material		
Developer has not spoken to us about the height and the material used for the fence	Existing lot boundary fence to remain as existing.	
Canopy Coverage		
<ul> <li>The front lot has a proposed canopy coverage of 14.7% (17sqm), which is less than half of the required canopy coverage. Although both developments are compliant to the open space allowances, canopy coverage is vital for privacy for the occupants of these developments and surrounding neighbours, softening the projection of noise and can contribute to reducing the urban heat island effect.</li> <li>The design has outline the planting of 4 Chinese Tallows. This plant</li> </ul>	<ul> <li>Although the proposed tree canopy cover is 14.7% in lieu of 30%, the proposed tree within the front setback that is co-located with the dwelling's outdoor area will make a positive contribution to the Ethel Street streetscape. This is because the tree not only provides for shade and softscape for the dwelling but will grow to a height that is consistent with existing trees within the street.</li> <li>The provision of a large tree within the front setback also compliments the</li> </ul>	

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# **Summary of Submissions:**

Comments Received in Objection:	Applicant Comment:	
species is known to be an invasive environmental weed of water courses and native vegetation according to the Department of Primary Industries in NSW and they do not recommend the sale of this plant. Would like to see the use of more native plant species that would be beneficial to the surrounding environment, especially in a design that has incorporated minimal landscaping. This is in line with the City of Vincent's 2018-2023 Greening Plan which aims to promote enhance habitat and biodiversity and the greening of private land and new development	existing mature street tree located at the front of the property along Ethel Street.  To say our proposals have minimal landscaping is not accurate. The current proposal demonstrates a significant amount of soft landscaping, which is not comparable with any other recent development in the locality, which generally have very minimal landscaping provision.  The Open Space provision is compliant and greater than the minimum DTC requirements of the R-Codes (45%).  Considerably more landscaping has been introduced to the rear block.  Open Space to the rear block is 53.5%.  Open Space to the front block is 48%.  Chinese Tallows are identified as suitable trees in the City's 'Choosing a Tree for Property' brochure.	
Alternative Lot Configuration	Numerous entine have been provided by evaluated. The site is too provided	
<ul> <li>Has the option of having 2 properties side by side, frontages off Ethel St even been considered. This option could resolve many issues such as; a balcony overlooking a neighbouring backyard, noncompliance in street setback allowances and landscaping.</li> <li>The proposed developments Reverse living (upstairs kitchen/dining/living) with balconies is not suited for laneway development where other neighbour's privacy is severely compromised</li> <li>Where existing houses are demolished, it should be mandated that they are side by side rather than front/rear subdivided</li> </ul>	<ul> <li>Numerous options have been previously explored. The site is too narrow to subdivide the lot along the east west axis.</li> <li>Visual privacy provisions are in accordance with DTC requirements of the R-Codes.</li> <li>Street and Lot boundary setbacks are in accordance with DTC requirements of the R-Codes.</li> <li>There is no balcony provision to the rear building.</li> <li>The lot is designated as an Urban R40 zone, with 2 storey building height. Clause 26(6) of the LPS2, states that a maximum of two dwellings will be permitted per lot.</li> <li>In accordance with the Local Planning Scheme No.2 and Local Planning Strategy, the proposed two-storey sub-division development supports the City's vision of providing higher density development to meet density targets set by the State Government.</li> </ul>	
Shadow		
<ul> <li>The overshadowing has been 'reduced across neighbouring properties'. It has not. Overshadowing of the rear garden has increased</li> <li>Compared with previous designs, shadow calculations show only minimal benefit to overshadowing.</li> <li>The 3.3m split between buildings only marginally addresses overshadowing – Clearly only beneficial at 12 noon when sun is North – for the rest of time there is little benefit – and trees will overshadow whatever.</li> <li>New plans only mentioned the solar access to our house, but what about our back yard which clearly seen on the plans will be covered with a shadow. The lack of solar access will not only mean the death of our</li> </ul>	<ul> <li>The overshadowing is compliant and significantly less than the minimum DTC requirements of the R-Codes</li> <li>Overshadowing has been greater reduced as a result of introducing a gap between both buildings.</li> <li>The current proposals reduce the total overshadowing (to all 3 southern adjoining properties) by 107sqm when compared to our original scheme, achieving a total overshadowing of 14.8%, which is well below the 35% allowed in the R-Codes.</li> <li>The overshadowing as indicated on the diagrams occurs at the winter solace (21 June) when generally people do not utilise their gardens. For</li> </ul>	

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# **Summary of Submissions:**

Comments Received in Objection:	Applicant Comment:
plants and lawn but also emotional stress from not being able to sit in our backyard to both enjoy the sunshine and to do so in privacy  Precedent  This development sets a precedent for future DA's that prioritises developers over resident's privacy in their own backyard. Councils should be protect people's privacy, green space, and backyards	<ul> <li>most of the year there is little to no overshadowing to the abutting properties and therefore the neighbour's amenity will not be impacted</li> <li>The lot is designated as an Urban R40 zone, with 2 storey building height. Clause 26(6) of the LPS2, states that a maximum of two dwellings will be permitted per lot.</li> <li>In accordance with the Local Planning Scheme No.2 and Local Planning Strategy, the proposed two-storey sub-division development supports the City's vision of providing higher density development to meet density target set by the State Government.</li> <li>Visual privacy provisions are in accordance with DTC requirements of the R-Codes.</li> </ul>
<ul> <li>Privacy</li> <li>The proposed 2m setback of the first floor for the Rear lot from the ROW is not enough to alleviate the privacy and noise issues</li> <li>The ROW setback is even less than what was previously proposed in the plans dated 10/11/2021, which had a 2.9m setback from the ROW. The previous plans also had soft landscaping proposed between the development and ROW allowing a buffer for privacy and noise.</li> <li>Although it is now not defined as a balcony, there is still full height glass doors (GL-01) off the living/dining area that can be completely opened and glass balustrading allowing the overlooking of backyards and living space of neighbouring properties.</li> <li>Would like to see more details in the type of windows (GL-01) the owner is proposing for the living/dining and kitchen area, as it has not been indicated if these windows are to be obscured or frosted.</li> <li>The proposed balcony is off the open planned living/dining and kitchen area this will be a highly active space. Therefore, not only does this breach our privacy, there is still a concern regarding the projection of noise as this active space would be used frequently.</li> </ul>	<ul> <li>There are no privacy issues. Visual privacy provisions are in accordance with DTC requirements of the R-Codes.</li> <li>Street and Lot boundary setbacks are in accordance with DTC requirements of the R-Codes. The rear building has been positioned closer to the RoW boundary in order to create a clear break between the two proposed units, which helps to reduce bulk/scale/mass and reduce overshadowing to the adjoining properties.</li> <li>Visual privacy provisions are in accordance with DTC requirements of the R-Codes.</li> <li>The elevations and plans indicate whether windows are high level, full height, or obscure glazing. All windows are compliant.</li> <li>There is no balcony provision to the rear building.</li> </ul>

Note: Submissions are considered and assessed by issue rather than by individual submitter.

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#### **Determination Advice Notes:**

- This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
- With reference to Condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls:
- 3. With reference to Condition 4, the visual privacy requirements of Clause 5.4.1 C1.2 of the R Codes Volume 1 states that "screening devices such as obscure glazing, timber screens, external blinds, window hoods and shutters are to be at least 1.6m in height, at least 75 percent obscure, permanently fixed, made of durable material and restrict view in the direction of the overlooking into any adjoining property".
- 4. With reference to Condition 6, the City encourages landscaping methods and species selection which do not rely on reticulation.
- With reference to Condition 7, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
- With reference to Condition 9, all new crossovers to the development site are subject to a separate application to be approved by the City.
- 7. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths.
- 8. A Road and Verge security bond for the sum of \$2,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
- 9. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.
- 10. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process.
- 11. The applicant and landowner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the grouped dwellings in accordance with the City's Policy No. 3.9.3 Parking Permits. The applicant is advised that this restriction only applies to grouped dwellings in accordance with this Policy, and if the approved dwellings became single houses in the future then this restriction would not apply.

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# 9.3 PROPOSED AMENDMENT NO. 9 TO LOCAL PLANNING SCHEME NO. 2 - NO. 21 (LOT: 373; D/P: 1939) EUCLA STREET, MOUNT HAWTHORN

Ward: North

Attachments: 1. Location Map 🗓 🛣

- 2. Proposed Scheme Amendment Map J
- 3. Applicant's Scheme Amendment Report and Justification U

#### RECOMMENDATION:

#### That Council:

- 1. ADOPTS Amendment No. 9 to Local Planning Scheme No. 2, included as Attachment 2, pursuant to Section 75 of the *Planning and Development Act 2005*;
- 2. ADVISES the Western Australian Planning Commission that Amendment No. 9 to Local Planning Scheme No. 2 is considered a standard amendment pursuant to Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the amendment:
  - Is consistent with the City's Local Planning Strategy on the basis that it does not represent an expansion of the commercial area into the residential area given that it provides consistent zoning over the entire landholding and better reflects the longstanding approved commercial use of the subject site;
  - Is consistent with the intent of the Urban zone under the Metropolitan Region Scheme to provide for a range of commercial and residential activities;
  - Would have minimal impact on land in the scheme area that is not the subject of the amendment as a future commercial development would be assessed against the relevant planning framework to ensure that it responds to the surrounding context appropriately;
  - Does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
  - Is not a complex or basic amendment;
- 3. REFERS Amendment No. 9 to Local Planning Scheme No. 2 to the Environmental Protection Authority, pursuant to Section 81 of the *Planning and Development Act 2005*; and
- 4. Subject to the approval of the Environmental Protection Authority, ADVERTISES Amendment No. 9 to Local Planning Scheme No. 2 for public comment for a period of 42 days, pursuant to Regulation 47(2) of the *Planning and Development (Local Planning Schemes)*Regulations 2015

## **PURPOSE OF REPORT:**

To consider the adoption of proposed Amendment No. 9 to the Local Planning Scheme No. 2 (LPS2) for the purposes of advertising in accordance with Section 75 of the *Planning and Development Act 2005*.

#### PROPOSAL:

The local planning scheme sets out the way land is to be used and developed. When a change is made to the local planning scheme, it is known as a scheme amendment.

Scheme amendments occur for different reasons. This scheme amendment would change the zoning of the land to accommodate development.

The scheme amendment that is the subject of this report proposes to rezone No. 21 Eucla Street, Mount Hawthorn (the subject site) from Residential R30 to Commercial under LPS2. It is being requested by the landowner.

#### **BACKGROUND:**

Landowner:	Carlo Diego Nominees Pty Ltd		
Applicant:	Rowe Group		
Date of Application:	10 February 2022		
Zoning:	MRS: Urban		
	LPS2: Zone: Residential R Code: R30		
Built Form Area:	Residential		
Existing Land Use: Car Park (Non-Conforming Use)			
Lot Area:	564m²		
Right of Way (ROW):	No		
Heritage List:	No		

### Site Context and Zoning

The subject site and the adjoining property to the north at Nos. 251-257 Scarborough Beach Road are both under the same ownership and operated by an information and communications technology (ICT) infrastructure and services company called CDM Australia. The subject site was purchased by the current owner on 25 July 1983 and has been utilised by CDM Australia for car parking purposes since then and associated with the development on the adjoining property to the north.

The subject site is 12.2 metres wide and has a depth of 46.4 metres.

The subject site is bound by Eucla Street to the east, a commercial warehouse to the north (CDM Australia) and single houses to the west and south. The property on the opposite side of Eucla Street to the east are single storey consulting rooms (Urology Services) with on-site car parking at the rear accessed via Eucla Street.

The subject site and adjoining properties to the west and south are zoned Residential R30 under LPS2 and the adjoining property to the north is zoned Commercial under LPS2. The property on the opposite side of Eucla Street to the east is zoned Mixed Use R80 under LPS2.

The subject site and adjoining properties to the west and south are located within the Residential built form area and have a permitted building height of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy). The adjoining property to the north and the property on the opposite side of Eucla Street to the east are located within the Activity Corridor built form area and have a permitted building height of four storeys under the Built Form Policy.

The subject site was part of the City of Perth until the creation of the Town of Vincent on 1 July 1994.

A location plan is included as Attachment 1.

Previous Approvals & Compliance Matters

The table below details the previous approvals and compliance history for the subject site and Nos. 251-257 Scarborough Beach Road.

Date	Details
28 February 1991	The (former) City of Perth Council resolved to forward a development application for a Car Park at the subject site to the Minister of Planning, seeking written consent to approve the land use.
	Car Park was an 'X' use (prohibited) within the Residential Zone but Clause 26(2) of the operative Planning Scheme provided the ability for the (former) City of Perth Council to approve an 'X' use in the instance that prior written authority was given by the Minister for Planning.

Date	Details
31 May 1991	The Minister for Planning wrote to the (former) City of Perth advising that the request
or may 1001	for consent to approve the Car Park 'X' use was refused on four grounds:
	Detraction from residential amenity.
	Commercial encroachment into residential area.
	De facto rezoning from residential to commercial.
	4. Increasing development potential.
1 July 1991	The (former) City of Perth Council resolved to request that the Minister for Planning
	reconsider the refusal dated 31 May 1991.
10 October 1991	The Minister for Planning wrote to the (former) City of Perth advising that the request has been reconsidered and written consent granted to approve.
18 November 1991	The (former) City of Perth Council resolved to approve the development application for a Car Park at the subject site.
15 November 1993	The (former) City of Perth Council resolved to grant conditional approval for
	alterations and additions to the existing showroom and warehouse at the subject site
	and Nos. 251-257 Scarborough Beach Road. The addition was a single storey extension to the building.
	The conditions of the approval required the three lots (Lots 1, 372 and 373) to be amalgamated into one lot.
8 September 1994	The State Planning Commission granted conditional approval for the amalgamation
	of the subject site and Nos. 251-257 Scarborough Beach Road. The conditional
	approval was never enacted.
15 November 1995	The 1993 approval for alterations and additions which was valid for a period of two
	years expired. No works had commenced prior to the expiration.
February 2000	Unauthorised construction works commenced at the subject site and Nos. 251-257
	Scarborough Beach Road. The works were for alterations and additions as set out in
24 December 2006	the 1993 development approval.
24 December 2006	Shipping containers for storage purposes first appear on the subject site in aerial
16 May 2018	imagery. The City's LPS2 is gazetted.
10 May 2010	The Oily 3 Li Oz 13 gazettou.
	The subject site remains Residential Zone with a density coding of R30.
	Non-conforming use rights under Clause 22 of LPS2 is applicable to the site. This allows for the continued operation of the previously approved car park land use.
4 January 2021	A compliance investigation into the subject site was commenced by the City as a
4 January 2021	result of concerns raised by local residents.
	The concern raised was that the car parking bays at the subject site were being used
	for storage purposes.
	During the course of the investigation the City also identified that the February 2000
	construction works were not undertaken in accordance with the 1993 approval plans.
25 June 2021	The City sent the letter to the business operator, requesting that the following actions
	be undertaken to resolve the following non-compliances at the subject site:
	Lodgement of a development application for retrospective approval of the
	unauthorised works undertaken in February 2000.
	Lodgement of an application with the Western Australian Planning Commission
	(WAPC) for the amalgamation of the subject site and Nos. 251-257 Scarborough Beach Road.
	<ul> <li>Lodgement of a Scheme amendment to rezone the subject site from Residential R30 to Commercial under LPS2.</li> </ul>
30 September 2021	The City approved a development application for the unauthorised alterations and additions constructed in February 2000.
10 November 2021	The WAPC granted conditional approval for the amalgamation of the subject site and
	Nos. 251-257 Scarborough Beach Road. The conditional approval did not include any
	conditions that require clearance by the City.

#### **DETAILS:**

Amendment No. 9 to LPS2 proposes to rezone the subject site from Residential R30 to Commercial to match the existing zoning and density of the adjoining land to the north at Nos. 251-257 Scarborough Beach Road.

The applicant has advised that the intent of the proposal is to better reflect the historical and continued use of the subject site for commercial purposes and to facilitate the resolution of the ongoing compliance matter in accordance with the City's letter dated 25 June 2021.

The applicant has advised that the property owner has no plans to redevelop the site at this stage.

A copy of the Amendment No. 9 to LPS2 map is included as **Attachment 2**.

Applicant's Written Justification

The applicant has submitted written justification in support of the proposed scheme amendment which is included in **Attachment 3**. The applicant's written justification outlines that the proposal would be consistent with the City's Local Planning Strategy (Strategy) and the objectives of the Commercial Zone under LPS2.

The applicant's justification for the scheme amendment is summarised as follows:

- The subject site has been used as a private carpark associated with the commercial premises at Nos. 251-257 Scarborough Beach Road since at least March 1965. Some of the land uses that have operated from the site in this time include service station, shop, showroom, warehouse and office.
- The amendment would provide consistent zoning over the entire landholding and would better reflect the long-standing approved commercial use of the subject site.
- The amendment would make it permissible for the property owner to continue to use a portion of the subject site for the purposes of storage which would support the existing business, CDM Australia.
- The amendment would be consistent with the City's Local Planning Strategy for the following reasons, it would:
  - be consistent with the strategic intent for Scarborough Beach Road to develop as an Activity Corridor with a concentration of mixed use and commercial developments.
  - not adversely impact or change the existing low density Residential zoned land to the south of the subject site.
  - be consistent with the strategic intent to provide commercial development nodes along Scarborough Beach Road.
- The amendment would not result in any significant environmental, social, economic or governance impacts on the surrounding properties or area.
- The amendment does not propose to change the current operations at the subject site. The continued operation of the commercial use at the subject site would not detrimentally affect the amenity of the surrounding area with respect to traffic, parking or noise.
- The amendment has been requested by the City as an aspect of the resolution to the ongoing compliance matter.

The applicant is of the view for the abovementioned reasons that the proposed scheme amendment would be a standard amendment as defined under Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* 

### CONSULTATION/ADVERTISING:

If Council resolves that Amendment No. 9 to LPS2 is a standard amendment, the proposal must be advertised for public consultation in accordance with Regulation 47(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015.* The amendment would also need to be referred to the Environmental Protection Authority (EPA) to assess the environmental impacts of the proposal and to determine whether any formal environmental assessment is necessary.

The standard amendment must be advertised for public comment for a period of 42 days. Advertising is to occur in the following manner, consistent with the requirements of Appendix 2 of the City's Community and Stakeholder Engagement Policy and the *Planning and Development (Local Planning Schemes) Regulations* 2015:

Advertisement in the Eastern Reporter or Perth Voice local newspapers;

- Letters being sent to all relevant stakeholders which has been determined to be landowners and occupiers within a 200 metre radius of the subject site;
- Display on the City's website and in the City's offices; and
- Placement of a sign on site, giving notice of the proposal.

Following the 42 day advertising period, a summary of submissions received and Administration's responses to those submissions would be included in a report to Council for consideration of whether to support or not support the amendment.

### **Design Review Panel (DRP):**

Referred to DRP: No

## LEGAL/POLICY:

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- City of Vincent Local Planning Scheme No. 2;
- Community and Stakeholder Engagement Policy; and
- Policy No. 7.1.1 Built Form.

<u>Planning and Development Act 2005 & Planning and Development (Local Planning Schemes) Regulations 2015</u>

Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a resolution of a local government to adopt an amendment to a local planning scheme which must specify if the amendment is a basic, standard or complex amendment. This is discussed later in the report.

If Council resolves to adopt the amendment for the purposes of advertising:

- The City would advise the Western Australian Planning Commission (WAPC) what type of amendment it is considered to be in accordance with Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and would forward the amendment documentation to the EPA in accordance with for its consideration in accordance Section 81 of the *Planning and Development Act 2005*. Advertising then commences.
- After the close of the advertising period, Administration will summarise all submissions received and prepare a report for Council's consideration at a future Council meeting. Council can determine to either adopt the scheme amendment for final approval, with or without modifications, or resolve to not support the amendment. Council's decision is then forwarded to the WAPC which considers the proposal and submissions before making a final recommendation to the Minister for Planning. The Minister may grant final approval to the scheme amendment, with or without modifications, or may refuse to approve the scheme amendment. The final decision rests with the Minister. If the Minister agrees to grant final approval, the City will then arrange for the scheme amendment to be published in the Government Gazette, at which point it legally comes into effect. A scheme amendment can take up to 12 months to complete.
- Initiation of the amendment does not bind Council to support final adoption of the amendment following advertising.

If Council resolves not to adopt the amendment for the purposes of advertising, the scheme amendment process would not proceed any further and there would be no State Administrative Tribunal (SAT) appeal rights available to the applicant. In this instance, it would be possible for the applicant to separately request that the Minister for Planning, Lands and Heritage order the City to adopt the scheme amendment in accordance with Section 76 of the *Planning and Development Act 2005*.

## **RISK MANAGEMENT IMPLICATIONS:**

There are minimal risks to Council and the City's business function to consider adopting Amendment No. 9 to LPS2 for the purposes of public consultation.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community.

#### SUSTAINABILITY IMPLICATIONS:

The Environmentally Sustainable Design (ESD) provisions of the City's Built Form Policy, which is informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024 is not applicable to this proposal.

Any future development applications lodged in relation to the subject site would be assessed against the relevant ESD standards of the City's Built Form Policy.

### **PUBLIC HEALTH IMPLICATIONS:**

This report has no implication on the priority health outcomes of the City's Public Health Plan 2020-2025.

### FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

#### **COMMENTS:**

## Acceptability of Proposal

In considering Amendment No. 9 to LPS2, Council is to consider its acceptability with respect to consistency with the City's Local Planning Strategy, objectives of the Commercial zone under LPS2, the existing Urban zoning under the Metropolitan Region Scheme (MRS), and the extent it would have a minimal impact on the surrounding area and would not result in any significant environmental, social, economic or governance impacts on the subject site or surrounding area. This is detailed below.

### Local Planning Strategy

The City's Local Planning Strategy outlines that the Commercial zoning for the existing commercial area between Brady and Eucla Streets is appropriate for that purpose and the expansion of the commercial area into residential areas is not appropriate.

The amendment would not represent an expansion of the commercial area into residential areas because:

- The site was approved for use as and continues to operate as a commercial car park since 1991;
- The amendment would provide consistent zoning over the entire landholding and would better reflect the long-standing approved commercial use of the subject site;
- The subject site has never been used for residential purposes;
- Commercial development is already permissible, existing and extends further south along Eucla Street
  than the subject site. The adjacent property on the opposite side of Eucla Street to the east at No. 249
  Scarborough Beach Road has operated as approved consulting rooms since 1988. This property
  extends further south than the subject site and could be redeveloped under the current planning
  framework to accommodate a four storey mixed use development with commercial uses; and
- The proposed extent of Commercial zoning would mirror a similar extension of the Commercial zone along Brady Street to the west and that similarly accommodates car parking associated with a commercial development located towards Scarborough Beach Road.

Objectives of the Commercial Zone under LPS2

Amendment No. 9 would be consistent with the objectives of the Commercial Zone under LPS2 because:

• It would facilitate a wide range of compatible commercial uses that support sustainable economic development within the City;

- Any future commercial development at the subject site would be assessed to ensure that it incorporates sustainability principles in accordance with the ESD standards of the City's Built Form Policy;
- It would not impact on the existing streetscape as the current approved car park land use would be retained. Any future commercial development would be assessed to ensure that the built form outcome responds to the surrounding context appropriately with respect to scale, height, style, materials, street alignment and design of facades; and
- It would not be detrimental to the amenity of adjoining owners or residential properties in the locality because the scale and intensity of any future commercial development at the subject site could be effectively moderated through the development application process.

### Urban Zone under the MRS

The MRS Urban Zone is an area in which a range of activities are undertaken, including residential, commercial, recreational and light industry. Amendment No. 9 would be consistent with the purpose of the MRS Urban Zone as it would allow for commercial activities at the subject site.

#### Land Use Permissibility

The scheme amendment from Residential R30 to Commercial would enable additional permissible land uses (permitted 'P', discretionary 'D' or advertising 'A' uses) at the subject site under the LPS2 Zoning Table.

The land use opportunities at the subject site would be acceptable for the following reasons:

- The works component for any future commercial development at the subject site would require a development application to be approved by the City prior to commencement. The built form of any future development would be assessed against the City's Built Form Policy to ensure that it responds to the surrounding context. There are 21 additional land uses that could be contemplated and that would form part of any such development application for works. All but three of these uses would need the City to exercise its discretion in approving the land use. The three 'P' permitted land uses are bulky good showroom, lunch bar and trade display;
- All of the additional land uses that could be contemplated are already permissible at the adjoining property to the north. The potential additional impact of the current proposal on the streetscape and surrounding area would not be significant in this way; and
- The property owner has indicated that the intent of the proposed amendment is to facilitate to continued operation of CDM Australia from the adjoining property to the north and the subject site by allowing the consideration of a warehouse/storage land use at the subject site.

## Orderly and Proper Planning

In the instance that the property owner had fulfilled the terms of the 1993 development approval and amalgamated the subject site with Nos. 251-257 Scarborough Beach Road, it would have created one lot. It is likely that the subject site would have been rezoned from Residential R30 to Commercial when LPS2 was gazetted in 2018, as it would have formed one landholding with the Commercial zoned portion to the north. This means that the entire amalgamated lot would have been zoned Commercial.

## **Standard Amendment**

Under the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is required to consider whether the amendment is basic, standard or complex. A standard amendment is the default amendment process for scheme amendments.

The amendment should be a standard amendment for the following reasons:

- The amendment would be consistent with the City's Local Planning Strategy and the objectives of the Commercial zone under LPS2 for the reasons outlined earlier in this report;
- The amendment is consistent with and does not propose to alter the Urban zoning under the MRS;
- The amendment would have minimal impact on the existing residential properties to the south in relation to future development outcomes. The subject site would continue to be located within the Residential built form area with a two storey building height limit under the City's Built Form Policy and the built form of any future redevelopment of the subject site would be assessed to ensure that it responds to the surrounding context;

- The amendment would not result in any significant environmental, social, economic or governance impacts; and
- The amendment is not considered to be a basic or complex amendment, as defined within the *Planning and Development (Local Planning Schemes) Regulations 2015*:
  - A basic amendment would be one that is administrative such as the correction of an error in the LPS or the creation of consistency between LPS2 and other planning legislation including the *Planning and Development (Local Planning Schemes) Regulations 2015*, a State Planning Policy, a structure plan or a local development plan; and
  - A complex amendment would be one that is not consistent with the City's Local Planning Strategy
    or would have a significant impact relative to the development in locality.

## Built Form Policy

If ultimately approved by the Minister, the subject site would be zoned Commercial. It would remain within the Residential built form area while the adjoining properties to the north would be within the Activity Corridor built form area.

It would be appropriate for the subject site to continue to be located within the Residential built form area with a two storey height limit. This is because it would facilitate a sensitive transition between the Commercial Zone and Residential Zone in the instance that the subject site is redeveloped in the future.

## Ongoing Compliance Matter - Shipping Containers

Shipping containers first appeared on the subject site in aerial imagery in December 2006.

In January 2021 the City was made aware of concerns raised by local residents that some of the car parking bays at the subject site were being used for storage purposes. The City investigated these concerns and determined that there were a total of four shipping containers located on the subject site. Two of these containers were removed from the subject site in May 2021 following discussions between the City and the business operator.

During discussions with the City the business operator advised that the two remaining containers were used to store pallets of computers before they are taken into the adjacent buildings at Nos. 251-257 Scarborough Beach Road for assembly, with deliveries occurring once a month. It was advised that removal of the two remaining containers would result in increased use of off-site storage which would require an additional four to five deliveries to the site per day.

The City's letter to the business operator dated 25 June 2021 advised that no further compliance action would be taken in relation to the two remaining containers at that stage. This was provided that the use of the subject site for staff car parking continued to be maximised and that a scheme amendment be lodged to rezone the subject site from Residential R30 to Commercial.

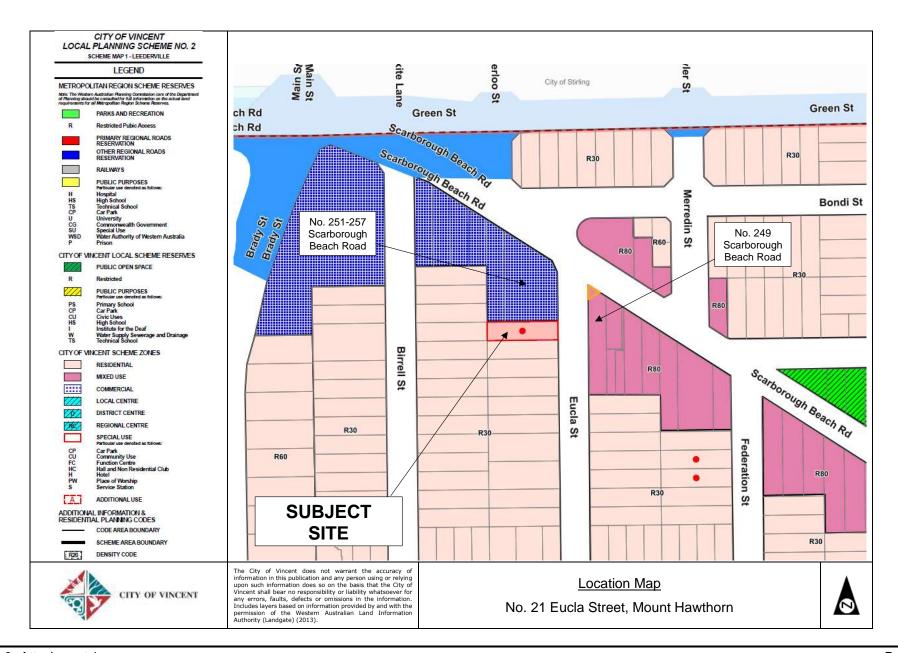
A warehouse/storage use class is an 'X' use in the Residential zone under the City's LPS2. This means that it is not permitted.

A warehouse/storage use class is a 'D' use in the Commercial zone which means that it is permissible but requires the exercise of discretion and development approval from the City.

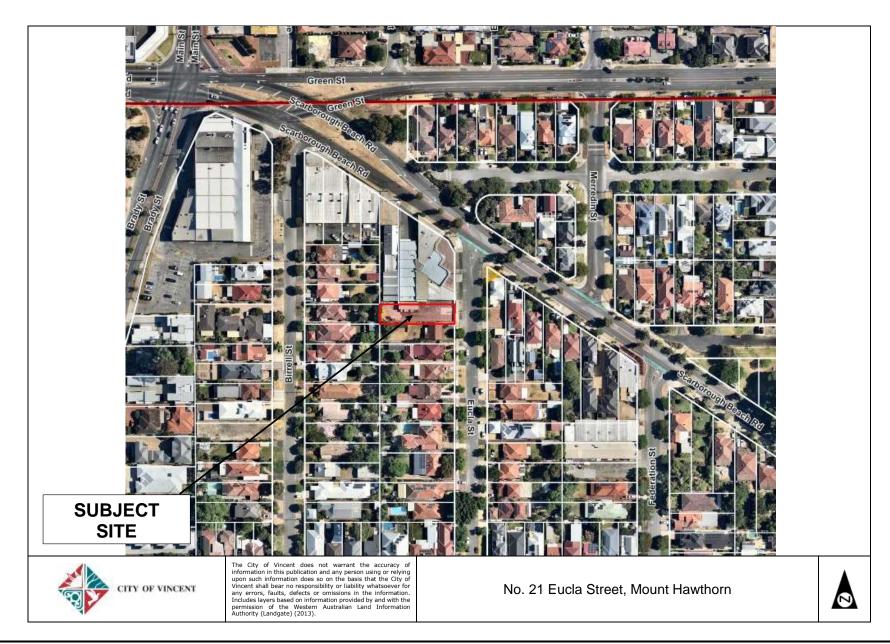
In the instance that the applicant is successful in having the site rezoned to Commercial, the property owner would then be required to submit a development application to the City for consideration of approval of the two remaining containers. Any future development application would be assessed against the relevant standards of the City's Built Form Policy including street setback, landscaping and façade design. Modifications to the containers could be sought if deemed necessary through the City's assessment of any such application or through the imposition of conditions in the instance that the City granted approval.

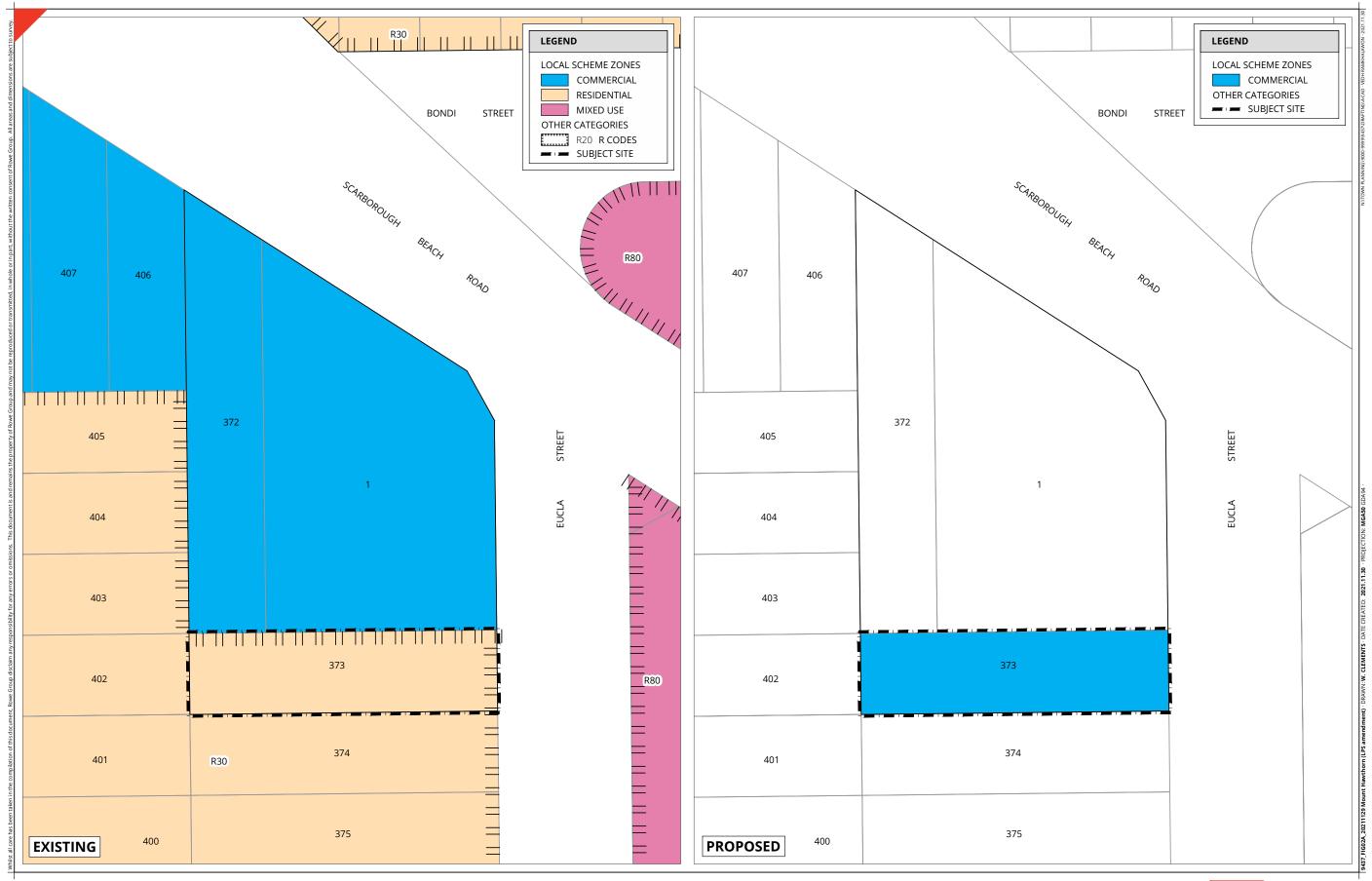
In the instance that Council resolve not to initiate the amendment and the applicant does not separately request that the Minister for Planning, Lands and Heritage order the City to adopt the scheme amendment then the scheme amendment process would not proceed any further. If this were the case, the City would continue to work with the property owner and business operator to resolve the compliance matter relating to the containers. The most likely outcome being the removal of the containers from the subject site.

ORDINARY COUNCIL MEETING AGENDA



**5 APRIL 2022** 





**LOCAL PLANNING SCHEME NO. 2 AMENDMENT** 

LOT 373 EUCLA STREET

MOUNT HAWTHORN

Job Ref: 9437 30 November 2021

Chief Executive Officer City of Vincent 244 Vincent Street LEEDERVILLE WA 6007

**Attention: Planning Services** 

Dear Sir/Madam

## Scheme Amendment Request - Rezoning Lot 373 (No.21) Eucla Street, Mount Hawthorn

Rowe Group acts on behalf of the landowner of Lot 373 (No. 21) Eucla Street, Mount Hawthorn (the 'subject site') with respect to the above. We have been requested to lodge a Scheme Amendment Request with the City of Vincent to rezone the southern portion of the lot from 'Residential' to 'Commercial' at the subject property. Further information in support of our request is detailed below.

The subject site is legally described as:

- Lot 373 on Plan 1939 Certificate of Title Volume 1036 Folio 373.

#### Refer Attachment 1 - Certificate of Title

#### **BACKGROUND**

History prior to 1991

The subject lot forms part of an overall landholding together with the following:

- Lot 1 (formerly Lots 369, 370 and 371) Scarborough Beach Road
- Lot 372 Scarborough Beach Road

The subject site has a total area of 1,652m<sup>2</sup>. The subject site is occupied by an existing commercial premises, comprising office, warehouse and showroom land uses. The commercial premises consists of several interconnected warehouses and office buildings, together with associated car parking.

A review of historical information and aerial imagery for the site outlines that the use of the subject site as a car park associated with commercial premises on the above lots dates back to at least March 1965. Approvals granted





Level 3 369 Newcastle Street Northbridge 6003 Western Australia

p: 08 9221 1991 f: 08 9221 1919 info@rowegroup.com.au rowegroup.com.au

Page 1 9437 21Nov01SA is



between 1972 and 1981 indicates that the above lots were used for various commercial activities including a Service Station, Retail Store, Showroom, Warehouse and Office.

#### 1991 approval to use of Lot 373 as a car park

An application was submitted on 30<sup>th</sup> October 1990 for the use of the subject site as a car park. The application was lodged with the (former) City of Perth, which was the operative Local Authority for the site at the time.

A report was prepared for consideration by Council at its February 1991 meeting. An extract from the staff report to Council stated as follows:

"It seems that the site has never been used for residential purposes. The Council's land use records indicate that at least since 1967 the property has been used for service industry, industry, car park and entrance to Scarborough Beach Road properties. Furthermore, should the property be used in future (after approval for any purpose other than car parking, a new application would be required. It would seem that approval of this situation would rationalise a long standing on-site situation."

Within the report, it was noted that a 'car park' was an 'X' use within the Residential zone, however Clause 26 of the operative Planning Scheme provided the ability for Council to approve an 'X' use subject to the prior written authority of the Minister for Planning. At the meeting, Council resolved to forward the application to the Hon. Minister to seek his written consent to determine the application.

In response, the Hon. Minister refused to grant consent and following consideration of this at its July 1991 meeting, Council resolved to request that the Hon. Minister reconsider his decision.

The Minister subsequently responded that he had "…reconsidered his previous decision and was now prepared to give consent to Council to approve the use of Lot 373 Eucla Street, Mount Hawthorn for car parking." The advice was presented to Council's October 1991 Council meeting, where it resolved to grant approval to the application.

Historical material associated with the 1991 approval to the use of the subject site as a car park, including the submitted application and extracts from Council minutes referenced above, is included at Attachment 2.

### 1993 approval for expansion of Showroom and Warehouse activities

A further application was submitted to the City of Perth in 1993 for the expansion of the existing showroom and warehouse on Lots 1 and 372. Approval was granted by the City of Perth on 25 November 1993 ('1993 Approval').

Aerial imagery indicates that construction works were undertaken between 6 February 1995 and 24 February 2000. The constructed extension departed from the 1993 Approval, with a nil setback to Eucla Street and a setback of approximately 2.5m to the southern boundary.

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#### Recent communication with City of Vincent

The property owner was contacted by the City's Compliance team in March 2021 regarding the positioning of sea containers within the subject site for storage purposes, which displaced car parking bays within this space. As part of this process it was also identified that the development at Lots 1 and 372 was constructed in a form which departed from the 1993 approval. Following communication involving the City's Executive Director, written advice from the City dated 25<sup>th</sup> June 2021 instructed the property owner to undertake the following:

- 1) Lodgement of an application for retrospective approval for unauthorised works;
- 2) Lodgement of an application to amalgamate Lots 1, 372 and 373 into a single lot; and
- 3) Lodgement of a request to amend the City of Vincent Local Planning Scheme No.2 as it relates to the subject Lot 373.

#### With respect to the above:

- The application for retrospective approval was submitted, with the City issuing its approval in correspondence dated 30<sup>th</sup> September 2021; and
- An application to amalgamate the identified lots was lodged with the WA Planning Commission and approved in correspondence dated 10<sup>th</sup> November 2021.

Accordingly, the proposed amendment to the City's LPS2 to rezone Lot 373 to 'Commercial' represents the final component of the City's instruction and will reflect the long standing use of the lot.

Refer Attachment 2 – Historical material associated with the 1991 approval to the use of the subject site as a car park.

### TOWN PLANNING CONSIDERATIONS

### Metropolitan Region Scheme

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme ('MRS').

#### City of Vincent Local Planning Scheme No.2

Under the provisions of the City of Vincent Local Planning Scheme No.2 ('LPS 2'), the subject site is zoned 'Commercial' and 'Residential' with a density coding of R30.

The objectives of the 'Commercial' Zone as outlined in LPS 2 are as follows (underlined for emphasis):

- To facilitate a <u>wide range of compatible commercial uses that support sustainable economic development</u> within the City.
- To ensure development <u>design incorporates sustainability principles</u>, with particular regard to waste management and recycling and including but not limited to solar passive design energy efficiency and water conservation.

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- To maintain <u>compatibility with the general streetscape</u>, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To ensure that development is <u>not detrimental to the amenity of adjoining owners or residential properties</u> in the locality.

The zoning table within LPS 2 identifies the current use 'warehouse' as a 'D' use within the 'Commercial' zone but is a 'X' use under the 'Residential' zone. The proposed Scheme Amendment is to ensure formality of the approved use at the subject site within the LPS2.

#### PROPOSED SCHEME AMENDMENT

This Scheme Amendment seeks to rezone Lot 373 (No. 21) Eucla Street, Mount Hawthorn from 'Residential' to 'Commercial' in LPS 2. Should the amendment be finalised as proposed, it would result in a consistent zoning over the entire landholding which reflects the long-standing commercial use of the premises.

The amendment consists of a modification to the Scheme Map to remove the 'Residential' zoning and associated R30 density coding, which is to be replaced with the 'Commercial' zoning as depicted in Figure 1. No further amendments to the text within the City's LPS 2 are proposed.

#### Refer Figure 1 - Plan showing existing and proposed zoning

#### RATIONALE, PLANNING JUSTIFICATION AND ASSESSMENT

The *Planning and Development (Local Planning Schemes) Regulations 2015* ('Regulations') sets out what constitutes a basic, standard and complex Scheme Amendment.

For amendments to a local planning scheme, the Regulations (refer Regulation 35(2) Part 5 Division 1) require the resolution of the local government to specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment and include an explanation for forming that opinion.

To assist the City of Vincent, the Applicant is of the view that the proposed Scheme Amendment is a standard amendment for the following reasons:

- The amendment is consistent with the City of Vincent Local Planning Strategy.
- The amendment would have minimal impact on land in the scheme area that is not the subject of this amendment.
- The amendment does not result in any significant environmental, social, economic or governance impacts on the land in the scheme area.

#### City of Vincent Local Planning Strategy

The Local Planning Strategy was endorsed by the Western Australian Planning Commission on 8 November 2016. The Strategy sets out the long-term strategic direction and rationale for the zones and other provisions

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outlined within LPS 2. The Strategy should be considered throughout the review of the scheme amendment request as it provides the planning context for the zones, reservations and statutory provisions contained in the Scheme.

The commercially zoned land identified at the site is subject to the Scarborough Beach Road Activity Corridor ('Corridor'). The Corridor project is an overarching transport and land use concept to be implemented overtime to improve the form and function of Scarborough Beach Road and its surrounds into the future. The scheme amendment to rezone the proposed use from residential to commercial is consistent with the following recommendation outlined within the Strategy.

Ensure that uses along Scarborough Beach Road are consistent with the principles of an Activity Corridor / Urban Corridor, with the concentration of mixed use and commercial development on the key nodes, and compatible commercial and residential use outside of the key nodes;

The subject site is located along Scarborough Beach Road east of the Mount Hawthorn Town Centre area. Mount Hawthorn is mostly characterised by low to medium density homes. The residential area located to the south of the subject is envisioned to be retained and remain the main dwelling type within Mount Hawthorn area. The larger lots which can accommodate additional housing and infill will be considered. The vision for housing density and urban design for Mount Hawthorn is outlines as;

Mount Hawthorn has retained its family-friendly feel and has maintained and enhanced its existing housing stock, density and streetscapes. New developments respect the current buildings and built forms, whilst embracing the principles of sustainability. Carefully designed, higher density residential developments in the town centre offers additional housing choices. Climate-sensitive designs combine with appropriate landscaping to provide award-winning, sustainable urban design.'

It is therefore noted that the proposed scheme amendment does not adversely impact and change the intent of the residential zoned land to the south of the subject site as outlined within Strategy. The proposed scheme is consistent with the intent of the commercial development nodes along Scarborough Beach Road.

#### Objectives of the Zone

As outlined above the subject site is currently used for car parking in association with commercial activities within a broader landholding. The 'Commercial' zone under LPS 2 reads as follows (underlined for emphasis):

- To facilitate a <u>wide range of compatible commercial uses that support sustainable economic development</u> within the City.
- To ensure development <u>design incorporates sustainability principles</u>, with particular regard to waste management and recycling and including but not limited to solar passive design energy efficiency and water conservation.
- To maintain <u>compatibility with the general streetscape</u>, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To ensure that development is <u>not detrimental to the amenity of adjoining owners or residential properties</u> in the locality.

Page 5 9437 21Nov01SA is





The Scheme Amendment for the rezoning of the 'Residential' land to 'Commercial' is consistent with the objectives described above for the following reasons:

- The inclusion of the use would be consistent with the objective of the current operating business and use within the zone;
- The continued operation of the 'Commercial' use does not detrimentally affect the amenity of the area through aspects such as vehicle traffic, noise or parking.
- The amendment does not change the current operations of the subject site.
- The amendment ensures compliance with the City's LPS 2.

#### Suitability of Use

As previously noted, the Scheme Amendment was requested by the City. The Scheme Amendment will provide consistency with the prior approval to the use of the site, the current operating and ongoing operations of the subject site. The proposed amendment will assist in formalising the commercial activities occurring within the landholding which are to be amalgamated into one (1) green title lot.

#### CONCLUSION

This Scheme Amendment Request seeks approval to rezone the portion of 'Residential' zoned land at Lot 373 (No. 21) Eucla Street, Mount Hawthorn from 'Residential' to 'Commercial'. The proposed Scheme Amendment is considered to be consistent with the objectives of the 'Commercial' zone of City of Vincent Local Planning Scheme No.2 and the City of Vincent Local Planning Strategy and will not adversely impact upon the amenity of the surrounding residential land.

On the basis of the information provided it is requested that the City of Vincent give support to the initiation of the Scheme Amendment, where it will be subject to public consultation prior to further consideration by the Council.

Should you require any further information or clarification in relation to this matter, please contact the undersigned or Mr Jake Spiteri on 9221 1991.

Yours faithfully,

**Jeremy Hofland** Rowe Group

> Page 6 9437\_21Nov01SA\_js





## **Attachment Two**

Historical material associated with the 1991 approval to the use of the subject site as a car park

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30 October 1990

Officer-in-Charge Planning Services City of Perth P O Box C120 PERTH W A 6001

Dear Sir/Madam 21

Re: LOT 373 EUCLA STREET, MT HAWTHORN



DESIGN AND DRAFTING CONSULTANT

S U I T.E. N I N E 20 GIBBERD RD. BALCATTA 6021 W E S T E R N A U S T R A L I A T E L : 3 4 5 4 5 4 0 F A X : 3 4 5 4 1 0 8

I am writing this letter of behalf of the owners of 372 Scarborough Beach Road, Lot 1 Cnr. Scarborough Beach Road and Eucla Street and Lot 373 Eucla Street, Mt Hawthorn.

They request that Lot 373 be approved for carparking only. The owners would also like to eventually have this site amalgamated with lots 1 and 372 so as to give these lots more building area for future development.

Since procuring this site in 1982 they have been using it for carparking and some occasional storage. They had a 1.800M high brick wall erected on the front boundary line so as to screen the parking from the street.

The two carpark areas on Lot 1 & Lot 372 Scarborough Beach Road are rarely used as exiting on to this busy road over the brow of a hill is hazardous and is avoided by most employees.

CITY OF POWER
RECEIVED
1 NOV 1990

Yours sincerely

B M JACKSON

Managing Director

B J. Service Drafting use recycled, acid free paper for their stationery requirements and urge their clients and suppliers to do the same.



28 FEBRUARY 1991

WPADPLAN/3611

\_ 43 -

SUBURB/LOCATION: Western side of Eucla Street south

of Scarborough Beach Road

WARD:

North Perth

FILE REF: REPORTING OFFICER: KB/wr; CP 5.4; B/Eucla

DEPARTMENT:

K Baguley

Planning

DATE:

22 February 1991

DEVELOPMENT APPLICATION - USE OF VACANT LAND FOR CAR PARKING AT LOT 373 (NO. 21) EUCLA STREET, MOUNT HAWTHORN (90/1627)

#### BACKGROUND:

The City Planner reports as follows in regard to the abovementioned application.  $% \left( \frac{1}{2}\right) =\frac{1}{2}\left( \frac{1}{2}\right) +\frac{1}{2}\left( \frac{1}{$ 

LANDOWNER: C Della-Maddalena

### TOWN PLANNING

## 28 FEBRUARY 1991

WPADPLAN/3611

APPLICANT:

\_\_\_\_\_

- 44 -

B J Drafting Service

ZONING:

Metropolitan Region Scheme - Urban

City Planning Scheme - Residential R30

#### **DETAILS:**

An application has been submitted seeking approval to use a vacant lot for car parking.

The car park is located next to a General Commercial zone which fronts Scarborough Beach Road. It will provide parking for 15 vehicles. In support of the proposed car park, the applicant has stated:-

"The two carpark areas on Lot 1 and Lot 372 Scarborough Beach Road are rarely used as exiting onto this busy road over the brow of a hill is hazardous and is avoided by most employees.

Since procuring this site in 1982, they (the owners) have been using it for car parking and some occasional storage. They had a 1.800 metre high brick wall erected on the front boundary line so as to screen the parking from the street.

They (the owners) request that Lot 373 be approved for car parking only. The owners would also like to eventually have this site amalgamated with Lots 1 and 372 so as to give these lots more building area for future development."

To the south of the property is a single residence with a 'super-six' fence constructed along the common boundary. Opposite the site is a consulting room and unit. The remainder of the area (apart from the commercial properties fronting Scarborough Beach Road) is characterised by single residential development.

#### COMMENTS:

Table No. 1 of the Scheme shows that a car park is an 'X' use in a Residential zone, that is, it is not permitted. It is, however, possible to approve of 'X' uses. Under Clause 26 of the Scheme, the Council may, with the prior written authority of the Minister and subject to the requirements of Clause 37 having been first complied with, approve an 'X' use if it is satisfied by an absolute majority that:-

- (a) the proposal will be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;
- (b) the use will not have any adverse effect upon the occupiers or users of the development or upon property in or the inhabitants of the locality or the likely future development of the locality.



## TOWN PLANNING

## 28 FEBRUARY 1991



WPADPLAN/3611 -

- 45 **-**

The applicant has successfully undertaken the advertising procedure in accordance with Clause 37 of the Scheme. The closing date for submissions is 26 February 1991. To date two written submissions have been received from the public. Any others received will be tabled at the Town Planning Committee meeting. One submission received objected to the proposal on the grounds that it should remain residential and would be used in the future for the expansion of the Scarborough Beach Road businesses. The other submission stated that although there were no real objections to the proposal, street parking in the area was a problem. The submission also raised other matters which are not related to this specific site but rather to the commercial properties on Scarborough Beach Road.

It seems that the site has never been used for residential purposes. The Council's land use records indicate that since at least 1967 the property has been used for service industry, industry, car park and entrance to Scarborough, Beach Road properties. Furthermore, should the property be used in future (after approval) for any purpose other than car parking, a new application would be required. It would seem that approval of this application would rationalise a long standing on-site situation.

In view of the above, the Town Planning Committee is requested to give consideration to the course of action outlined in the recommendations of this report.

The City Planner therefore recommended that:-

- (i) the report of the City Planner dated 22 February 1991 regarding the application submitted by B J Drafting Service on behalf of C Della-Maddalena to use vacant land for a car park at Lot 373 (No. 21) Eucla Street, Mount Hawthorn, as shown on plans dated 1 November 1990, be received;
- (ii) consideration be given to the following alternative recommendations:-
  - (a) that the application be forwarded to the Hon Minister for his written consent to the proposal;

OR

(b) that the application be refused.

#### DISCUSSION:

During discussion at the Town Planning Committee meeting held on 28 February 1991 members agreed to seek the Hon Minister's authority to determine the application.

# TOWN PLANNING

28 FEBRUARY 1991

WPADPLAN/3611

- 46 -

#### Resolved that:-

- the report of the City Planner dated 22 February 1991 regarding the application submitted by B J Drafting Service on behalf of C Della-Maddalena to use vacant land for a car park at Lot 373 (No. 21) Eucla Street, Mount Hawthorn, as shown on plans dated 1 November 1990, be received.
- (ii) the application be forwarded to the Hon Minister for his written consent to determine the proposal.

L CORRESPONDENCE 3 BE ADDRESSED TO CHIEF EXECUTIVE

EPLY PLEASE QUOTE

YOUR REF

853-2-1-2 CP 5.4

OUR REF Ms L Baxter:CS

DEPARTMENT OF
PLANNING AND URBAN DEVELOPMENT

May 31, 1991

Town Clerk City of Perth 27-29 St Georges Terrace PERTH WA 6000 CITY OF PERTH CENTRAL RECORDS RECEIVED - 5 JUN 1991

C.S.

B/EUCLA.

Dear Sir

REQUEST FOR MINISTERIAL AUTHORITY TO DETERMINE DEVELOPMENT APPLICATION - USE OF VACANT LAND FOR CAR PARK AT LOT 373 (NO 21) EUCLA STREET, MOUNT HAWTHORN

I refer to your letter dated March 7, 1991 and advise that the Hon Minister for Planning has resolved that permission pursuant to Clause 26(2) of the City of Perth City Planning Scheme, to the proposed use of Lot 373 Eucla Street, Mount Hawthorn as car parking serving adjoining commercial premises, be refused for the following reasons:

- The lot concerned is within a residential zone having frontage to a street servicing predominantly residential properties and the proposed use for car parking would continue to detract from the residential amenity and character of the street and other surrounding residential properties.
- The proposal if permitted, would result in a precedent for the further encroachment of commercial activities from Scarborough Beach Road, a major regional road, into residential side streets which compound the problems of concentrated commercial development alongside major traffic routes.
- 3. The proposal is expressed to be with the ultimate intention of amalgamating the lot with other adjoining commercial zoned lots to increase redevelopment potential of the land with the adverse results described in the foregoing reasons 1 and 2.
- 4. Approval to the proposal would result in a de facto rezoning of the land for commercial purposes which will impact adversely on the amenity of the nearby residential properties.

Yours faithfully

SARAH ARTHUR

SECRETARY

COMMITTEE FOR STATUTORY PROCEDURES

Tel (09) 264 7777 Fax (09) 321 1617 -

469-489 Wellington St. (Cnr. Forrest Place), Perth, Western Australia 6000

### TOWN PLANNING

1 JULY 1991

WPADPLAN/4046

- 30 -

SUBURB/LOCATION:

Near western corner of Eucla Street and Scarborough Beach Road, Mount

Hawthorn

WARD:

North Perth\_

FILE REF:

KB/wr; CP 5.4; B/Eucla

REPORTING OFFICER: DEPARTMENT:

K Baguley Planning

DATE:

26 June 1991

TP68/91 DEVELOPMENT APPLICATION - USE OF VACANT LAND FOR CAR PARKING AT LOT 373 (NO. 21) EUCLA STREET, MOUNT HAWTHORN (90/1627) (NORTH PERTH)

#### **BACKGROUND:**

The City Planner reports as follows in regard to the abovementioned application.

LANDOWNER:

C Della-Maddalena

APPLICANT:

BJ Drafting Service

ZONING:

Metropolitan Region Scheme - Urban

City Planning Scheme - Residential R30

In November 1990, an application was submitted to the Council seeking approval to use a vacant lot adjoining commercial premises for car parking.

According to Table No. 1 of the City Planning Scheme, a car park is an 'X' use (not permitted) in a Residential zone. Under Clause 26 of the Scheme however, 'X' uses may be approved by the Council if an advertising procedure is undertaken and written authority from the Minister for Planning is procedure. Minister for Planning is received.

The proposal was advertised in accordance with Clause 37 of the Scheme and was considered by the Town Planning Committee at its meeting held on 28 February 1991. The Committee resolved that the Minister's written authority to approve the application should be sought.

#### **DETAILS:**

As a result the Planning Department wrote to the Minister to request authority for the Council to determine the application. On 5 June 1991, a response from the Minister was received. The letter stated:-

# TOWN PLANNING

1 JULY 1991

WPADPLAN/4046

- 31 -

"...the Hon Minister for Planning has resolved that permission pursuant to Clause 26(2) of the City of Perth City Planning Scheme, to the proposed use of Lot 373 Eucla Street, Mount Hawthorn as car parking serving adjoining commercial premises, be refused for the following reasons:

- 1. The lot concerned is within a residential zone having frontage to a street servicing predominantly residential properties and the proposed use for car parking would continue to detract from the residential amenity and character of the street and other surrounding residential properties.
- 2. The proposal if permitted, would result in a precedent for the further encroachment of commercial activities from Scarborough Beach Road, a major regional road, into residential side streets which compound the problems of concentrated commercial development alongside major traffic routes.
- 3. The proposal is expressed to be with the ultimate intention of amalgamating the lot with other adjoining commercial zoned lots to increase redevelopment potential of the land with the adverse results described in the foregoing reasons 1 and 2.
- 4. Approval to the proposal would result in a de facto rezoning of the land for commercial purposes which will impact adversely on the amenity of the nearby residential properties."

#### **COMMENTS:**

When the application was assessed by the Planning Department, it was considered that the proposal could be supported. The Council's records indicate that the site has never been used for residential purposes and since at least 1967, has been used for service industry, industry, car park and entrance to adjoining Scarborough Beach Road properties. Approval of the application would rationalise a long-standing situation.

The Minister's decision is disappointing and his letter raises a number of issues which require clarification. The Minister's letter states that approval of the car park would continue to detract from the residential amenity and character of street. It is considered that by approving the car park, it would be possible to impose conditions, such as landscaping and screening, which would improve the existing situation. The car parking would act as a buffer between the commercial uses and adjacent residences.

### TOWN PLANNING

1 JULY 1991

WPADPLAN/4046

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The letter from the Minister further states that if the car park was permitted, it would create a precedent for further encroachment of commercial activities into residential side streets. The subject lot adjoins a commercial property which, like many properties fronting Scarborough Beach Road, has vehicular access from a side street. Therefore, Eucla Street, near Scarborough Beach Road, already has non-residential traffic entering it. In addition, that commercial building has doors which open directly onto the subject lot. Approving an existing car park could in no way be considered as setting a precedent for commercial encroachment.

The applicants stated in their application that it was intended to amalgamate this lot with the adjoining lots to allow for future development. It is unlikely that the amalgamation of this lot with the commercial land on Scarborough Beach Road would have any adverse impacts. Given the situation on-site, the amalgamation should possibly have been undertaken several years ago when extensions were approved. Amalgamating the subject lot with the adjoining property does not change the zoning or the approved use of the land.

Approval of an 'X' use under Clause 26 of the Scheme is not a de facto rezoning. If anything, it is more akin to the creation of a non-conforming use. The car park, which has been in existence for at least 24 years, does not appear to have had an adverse impact on the amenity of nearby residential properties. The Council's records do not reveal any complaints concerning the car park.

If approved, the use of the property, like the adjoining land would be subject to all the normal planning controls. Therefore, the amenity of the area could be protected from any other undesirable uses of the property.

In view of the Minister's stated reasons to refuse the Council the authority to approve the application and given the above comments, it is therefore recommended that the Minister be requested to reconsider the application. The Minister's attention should also be drawn to the points raised in this report.

### Resolved that the Hon Minister for Planning be:-

- (i) advised of the Committee's disappointment concerning his decision to refuse the Council the authority to approve the application submitted by B J Drafting Services on behalf of C Della-Maddalena for the use of vacant land as a car park at Lot 373 (No. 21) Eucla Street, Mount Hawthorn, as shown on plans dated 1 November 1990;
- (ii) requested to reconsider his decision regarding the above application in view of the comments contained in the report of the City Planner dated 26 June 1991.

### COUNCIL MINUTES

## 18 NOVEMBER 1991



**TP** - 13 -

### Moved by Cr Torre, seconded by Cr Pelczar

SUBURB/LOCATION:

Western corner of Eucla Street and

Scarborough Beach Road,

Hawthorn

WARD: North Perth FILE REF:

KB/wr; CP 5.4; B.Eucla

DEPARTMENT: Planning

DATE: 31 October 1991

DEVELOPMENT APPLICATION - USE OF VACANT LAND FOR CAR PARKING AT LOT 373 (NO. 21) EUCLA STREET, MOUNT HAWTHORN (90/1627) (NORTH PERTH)

#### **BACKGROUND:**

The City Planner reports as follows in regard to the abovementioned application.

LANDOWNER .

C Della-Maddalena

APPLICANT:

CDM Australia Pty Ltd

ZONING:

Metropolitan Region Scheme - Urban

City Planning Scheme - Residential R30

#### DETAILS:

In November 1990, an application was submitted to the Council seeking approval to use a vacant lot adjoining commercial premises for car parking.

According to Table No. 1 of the City Planning Scheme, a car park is an 'X' use (not permitted) in a Residential zone. Under Clause 26 of the Scheme however, 'X' uses may be approved by the Council if first an advertising procedure is undertaken and written authority from the Minister for Planning is received. The proposal was advertised in accordance with Clause 37 of the Scheme and was considered by the Town Planning Committee at its 28 February 1991 meeting. The Committee resolved that the Minister's written authority to approve the application should be sought.

As a result of the 28 February 1991 meeting, the Planning Department wrote to the Minister to request authority for the Council to determine the application. On 5 June 1991, a response from the Minister was received. request was refused on four grounds including detraction from residential amenity, encroachment into residential area, de facto rezoning and increasing redevelopment potential.

## COUNCIL

### 18 NOVEMBER 1991

WPADPLAN/4556

**TP** - 14 -

The Minister's decision was reported to the Town Planning Committee meeting held on 1 July 1991. It was considered that a number of issues raised in the Minister's letter required clarification and that the decision was disappointing. Approval of the application would have rationalised a long-standing situation. In view of this, the Town Planning Committee resolved to request that the Minister reconsider his decision and draw attention to the issues disputed by the Council.

#### **COMMENTS:**

On 10 October 1991, the Planning Department received a response from the Minister. The letter stated:-

"...It is advised that the Hon Minister for Planning has reconsidered his previous decision and is now prepared to give consent to Council to approve the use of Lot 373 Eucla Street, Mount Hawthorn for car parking."

It is considered that the car park (for 15 vehicles) will not have any adverse impact on the amenity of the adjoining residential properties and would be consistent with the orderly and proper planning of the locality. The Council's land use records indicate that the site has never been used for residential purposes and since at least 1967, has been used for service industry, industry, car park and entrance to adjoining Scarborough Beach Road properties.

The City Planner therefore recommended that in accordance with the provisions of the City Planning Scheme and the Metropolitan Region Scheme the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by CDM Australia Pty Ltd on behalf of C Della-Maddalena for the use of vacant land as a car park at Lot 373 (No. 21) Eucla Street, Mount Hawthorn, as shown on plans dated 1 November 1990, subject to the submission of a detailed landscaping plan to the Council's satisfaction.

#### DISCUSSION:

During discussion at the Town Planning Committee meeting held on 4 November 1991 members considered that the requirement for landscaping was excessively onerous and unnecessary.

That in accordance with the provisions of the City Planning Scheme and the Metropolitan Region Scheme the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by CDM Australia Pty Ltd on behalf of C Della-Maddalena for the use of vacant land as a car park at Lot 373 (No. 21) Eucla Street, Mount Hawthorn, as shown on plans dated 1 November 1990.

# COUNCIL MINUTES

18 NOVEMBER 1991

WPADPLAN/4556

**TP** - 15 -

Carried by an absolute majority

#### AMENDMENT TO THE CITY'S TREES OF SIGNIFICANCE INVENTORY TO INCLUDE THE 9.4 JACARANDA TREE AT NO. 54 LINCOLN STREET, HIGHGATE

Attachments:

1. No. 54 Lincoln Street, Highgate - Tree Photograph J



#### **RECOMMENDATION:**

That Council APPROVES an amendment to the City's Trees of Significance Inventory to include the Jacaranda tree (Jacaranda mimosifolia) at No. 54 Lincoln Street, Highgate.

#### **PURPOSE OF REPORT:**

For Council to consider an amendment to the Trees of Significance Inventory (the Inventory) to include the Jacaranda tree (Jacaranda mimosifolia) at No. 54 Lincoln Street, Highgate in accordance with Local Planning Policy No. 7.6.3 – Trees of Significance (the Policy).

#### **BACKGROUND:**

The Inventory was first adopted in 1997 and includes 27 sites containing approximately 300 significant trees. Its purpose is to identify and protect trees under Clause 61 of Local Planning Scheme No. 2 which states:

- Development for which development approval not required
  - (1) Development approval of the local government is not required for the following works
    - works to remove, destroy and/or interfere with any tree(s) where it is not listed on the City (k) of Vincent Trees of Significance Inventory."

Of the trees included in the Inventory, only seven are contained within private property.

Following its adoption, the Inventory underwent review in 2003, 2010 and 2013, during which time over 400 additional trees were identified, assessed by an Arborist and met the criteria for inclusion onto the Inventory.

The Policy was adopted on 27 March 2001 providing a framework for the management of trees included on the Inventory. The Policy was amended on 25 June 2013, with a noteworthy addition being the ability for private landowners to nominate trees within their property for inclusion onto the Inventory. Since that time, an additional four trees have been nominated and adopted onto the Inventory.

A tree may be considered to be significant and worthy of inclusion onto the Inventory if one or more of the following criteria are found to be present:

- a) outstanding aesthetic quality;
- outstandingly large height, trunk circumference or canopy spread: b)
- commemoration or association with particular historical or cultural events: c)
- association with a well known public figure or ethnic group; d)
- specimen of great age; e)
- outstanding example of a particular species; f)
- rare or unusual species; g)
- horticultural, genetic or propagative value; or h)
- likely to be a remnant or regrowth local native tree.

#### **DETAILS:**

The City received a nomination from the owner of No. 54 Lincoln Street, Highgate on 23 December 2021 to include the Jacaranda tree (Jacaranda mimosifolia) at the rear north/east corner of the property.

The property also contains a Federation Georgian cottage circa 1896 which is included on the City's Heritage List (Management Category A), however the subject tree is not specifically mentioned in the Statement of Significance and therefore not considered part of the heritage listing.

Item 9.4 Page 161 In assessing the tree in accordance with the process and selection criteria of the Policy, Administration has found the subject tree meets criteria: a) outstanding aesthetic quality and e) specimen of a great age.

The tree is large and is a good example of its species with well-structured crown and canopy spread, displaying a mass seasonal display of purple flowers. Examples of Jacaranda trees of similar size and quality are included on the Inventory, situated in Hyde Park and HBF Park (Perth Oval). Jacaranda trees have been identified in previous reviews of the Inventory as a valuable asset to the community from an aesthetic perspective given their vibrant floral display, providing seasonal colour to the landscape. The subject tree is considered to be of *outstanding aesthetic quality* for the aforementioned reasons.

The exact age of the tree is unknown, however the owner estimates it to be approximately 80 years old. An investigation of Landgate historic aerial maps shows the mature tree in situ in 1965 making it likely to be between 70 – 80 years old, meeting the criteria of a *specimen of a great age*.

The subject tree is also valued from an environmental perspective. Due to the impact of demolition and development on trees throughout developing areas of Vincent, retention of healthy, mature trees supports the City's objective of maintaining its urban tree canopy.

In accordance with the requirements of the Policy, the tree was assessed by arboriculturist Johnathan Epps having regard to its health and vitality as follows:

'All major branch unions appear sound. The foliage is of normal colour, size and density. It has a good form and is a good specimen.'

#### **CONSULTATION/ADVERTISING:**

Consultation is not required under the provisions of the Policy or any legislation.

#### LEGAL/POLICY:

- City of Vincent Local Planning Scheme No. 2; and
- Local Planning Policy No. 7.6.3 Trees of Significance

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to support the recommendation to adopt the tree situated at No. 54 Lincoln Street, Highgate onto the Trees of Significance Inventory.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

### Enhanced Environment

Our urban forest/canopy is maintained and increased.

#### Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

#### SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

Urban Greening and Biodiversity

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

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## FINANCIAL/BUDGET IMPLICATIONS:

Nil.

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# 54 LINCOLN STREET, HIGHGATE Trees of Significance nomination



- Jacaranda tree (Jacaranda mimosifolia) at the rear north/east corner of the property, nominated for inclusion on the Trees of significance Inventory.
- Estimated age between 70 80 years.
- The tree has been assessed by an arboriculturist and found to be in *good* form and a good specimen.
- Assessed as meeting the criteria a) outstanding aesthetic quality and
  e) specimen of a great age in accordance with Local Planning Policy Trees of Significance.







Lincoln Street 2021

#### 10 **INFRASTRUCTURE & ENVIRONMENT**

#### 10.1 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO MEMORIALS IN PUBLIC PLACES AND RESERVES POLICY

Attachments: Memorials in Public Places and Reserves Policy (2.1.5) 1 1

#### RECOMMENDATION:

That Council ADOPTS the Memorials in Public Places and Reserves Policy as per Attachment 1.

#### PURPOSE OF REPORT:

To present the outcome of community consultation and seek approval of the proposed Memorials in Public Places and Reserves Policy as per Attachment 1.

#### **BACKGROUND:**

At the 16 November 2022 Ordinary Council Meeting, Council approved conducting community consultation of its intention to amend the Memorials in Public Places and Reserves Policy

In accordance with the City's Community and Stakeholder Engagement Policy, community consultation was undertaken between 7 December 2021 until 7 January 2022 which is in excess of the 21 days required due to the Christmas holiday period.

The policy was advertised on the City of Vincent website, social media and local print media.

At the end of the consultation period no public submissions were received.

#### **DETAILS:**

The City receives several enquiries and requests for the placement of plaques and memorials on City owned or maintained land each year. In order for the City to maintain local amenity, ensure the safety of the community and minimise maintenance requirements, this policy consists of guidelines and criteria to assist in regulating the volume of memorial structures placed within the City's Parks and Reserves.

Main Roads WA will approve memorials on State Roads in a similar way to that proposed in this draft policy. The City needs to have a documented approach to roadside memorials to ensure a level of consistency across the network.

Administration proposed the following changes to the policy:

- Include confirmation that costs associated with replacement of lost or vandalised plaques would remain the responsibility of the applicant being clause 1.2(ix);
- Exclusion of memorial trees being identified by a plaque or other identification to maintain and enhance the City's public places and reserves, and for the safety of all users of the space being clause
- Not permitting plaques where there is a religious or political affiliation being clause 1.2(vii);
- Not permitting plaques if in the opinion of the City the plaque is offensive or has the potential to offend being clause 1.2(viii);
- Removing the necessity to report to Council for every memorial request in clause 2(i) as this administratively burdensome and unnecessary, except where there is a disagreement on the City's response. In these instances Council would have final approval, as clause 1.2(i) of the amended
- Distinguishing between City owned roads and roads under the control of Main Roads, and advising that all applications must be made to Main Roads should a person wish to erect a memorial on a Main Roads controlled road in clause 1.3.3: and
- Not allowing the scattering of ashes in public places and reserves given the availability of specialised facilities operated by the Metropolitan Cemeteries Board being clause 1.4.

Item 10.1 Page 165 At the Ordinary Meeting of Council 16 November 2021 Council approved the proposed amendments for the purpose of public notice with the following changes:

#### **DISTRIBUTION OF ASHES:**

- (a) Persons wishing to distribute the ashes of a deceased person on a public park or reserve may make application to the Chief Executive Officer for approval.
- (b) The Chief Executive Officer shall consider each application on its merits.
- (c) Where approval is granted, the ashes are to be distributed at a time and in a manner which causes minimal attention or disruption.

The above changes were made to draft policy which was then advertised for public comment on 7 December 2021 until 7 January 2022.

At conclusion of the consultation period no comments were received.

#### **CONSULTATION/ADVERTISING:**

No further consultation is required.

#### LEGAL/POLICY:

Section 2.7(2)(b) of the Act provides Council with the power to determine policies.

The City's Policy Development and Review Policy sets out the process for repealing and adopting policies.

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to adopt the proposed Policy.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Enhanced Environment (select the priority outcome below or delete if not applicable)

Our parks and reserves are maintained, enhanced and well utilised.

### SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however the ability to opt for a commemorative tree to be planted within a City owned or managed reserve assists in greening and tree canopy increase.

#### **PUBLIC HEALTH IMPLICATIONS:**

This is in keeping with the following priority health outcomes of the City's Public Health Plan 2020-2025:

Increased mental health and wellbeing

### FINANCIAL/BUDGET IMPLICATIONS:

There is negligible financial impact to the City. All associated costs of memorials shall be covered by the applicant.

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# MEMORIALS IN PUBLIC PLACES AND RESERVES CITY OF VINCENT



Legislation / local law requirements	Insert any legislation or local law that is relevant to the policy. Please Italicize legislation only (Acts and Regs). Please do not Italicize local laws, delegation clauses or policy.
Relevant delegations	Please reference the clause and title of any delegations that are relevant to the policy.
Related policies, procedures and supporting documentation	Please reference relevant policies, procedures, guidelines and other supporting documents. Please include CM reference number.

#### **PART 1 – PRELIMINARY**

### **INTRODUCTION**

The City of Vincent acknowledges the use of memorials as a means of assisting people to grieve for loved ones and to honour the past contributions of deceased persons within their local community.

Notwithstanding the above, it is also recognised that the installation of memorials within public open space must be managed in a way so as to maintain local amenity, ensure the safety of residents and minimise maintenance requirements.

It is the City's position that persons be encouraged to install memorials within designated memorial facilities, such as cemeteries or memorial parks. However, applications for the installation of suitable memorials, plaques, trees and furniture in public parks and reserves within the City may be considered in accordance with the conditions of this Policy.

### **PURPOSE**

The purpose of this policy is to provide guidelines for the installation of roadside memorials and memorials in parks and reserves, including planting of commemorative trees, memorial benches and other park furniture

#### **OBJECTIVE**

#### To:

- ensure the conservation of commemorative memorials within the City; and
- 2. to facilitate a consistent approach to the inclusion of commemorative memorials

### SCOPE

This policy provides guidance for commemorating deceased loved ones and to honour the past contributions of deceased persons through the planting of commemorative trees and park furniture.

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## MEMORIALS IN PUBLIC PLACES AND RESERVES CITY OF VINCENT



#### **PART 2 - POLICY PROVISIONS**

#### **POLICY** 1.

This section should contain a statement of policy principals, values and ideals that guide the organisation. Statements should link to the policy purpose and provide how the objectives are to be achieved

#### **Memorial Plaques**

As the Metropolitan Cemeteries Board is the primary body responsible for the memorialisation of people, applicants that submit a request will initially be informed of the board and their responsibilities.

The installation of memorial plaques in parks and reserves is generally not supported. Persons wishing to commemorate an individual or an organisation are encouraged to donate a suitable piece of furniture (e.g., park seat, drinking fountain) which may include a suitable inscription plague or apply for the planting of a suitable tree.

#### 1.2 Commemorative Trees or Park Furniture

Applications for the installation of memorial park furniture in public parks and reserves will be (i) considered on their individual merits and based on the following criteria:

Whether the person or event to be commemorated has:

- (a) Made a significant contribution to the development of the City or its community, largely in a voluntary capacity.
- (b) Made a significant contribution to the long-term improvement of the City; or
- (c) Provided extensive or distinguished service to the City or its community.

Where disagreement of the City's response, content details, site selection, exact positioning and installation details of any commemorative item arises, Council will have final approval.

- Wherever appropriate, the views of adjacent residents or specific community groups will be (ii) sought prior to approval.
- The tree shall be planted and maintained by the City. (iii)
- The selection of tree species and planting location will be carefully considered in view of the (iv) type of reserve, existing species, history of requests or associated activities in that reserve.
- Memorial trees will not be identified by a plaque or other identification. A record of the (v) commemorative planting will be entered into a memorial register held by the City.
- Unless otherwise approved all plaques are to be the City of Vincent standard design (vi) specifications and requirements.
- A plaque will not be approved where there is religious or political affiliation. (vii)
- A plaque will not be approved if in the opinion of the City the plaque is considered offensive (viii) or has the potential to offend.
- Should the plaque be lost or vandalised, repair/replacement costs would remain the (ix) responsibility of the applicant.
- (x) The applicant shall be required to meet the cost of the purchasing and installation of the plaque, tree or furniture/item.
- (xi) The City shall reserve the right to remove the furniture/item at any time should it be considered necessary.

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# MEMORIALS IN PUBLIC PLACES AND RESERVES CITY OF VINCENT



#### **ROADSIDE MEMORIALS** 1.3

A Roadside Memorial is a marker that commemorates a site where a person has died, usually as a result of a motor vehicle accident.

The City of Vincent respects the need and benefits for people to erect roadside memorials, however the City must also ensure that the road/verge/reserve environment remains safe and free from hazards for all other users.

#### 1.3.1 A Roadside Memorial may include a:

- grey concrete paver, painted with a white cross; and
- white wooden cross with the deceased's name, details, etc.
- decal (adhesive label) with a white cross on a black background.

The above may also be accompanied by flowers (real or artificial), toys and accompanying notes/messages.

#### 1.3.2 Roadside memorials may:

- only be installed in Crown Land that is under the care, control and management of the City of Vincent and is reserved for the purposes of recreation, public open space or road reserve; and
- only be installed where there is minimal impact on the local amenity and/or surrounding residents and must not present a risk or hazard to the public.

#### 1.3.3 Memorials on Main Roads Controlled Roads

Applications for Memorials along roads that are under the care, control and maintenance of Main Roads must be submitted to Main Roads Western Australia.

#### **BURIAL OR DISTRIBUTION OF ASHES** 1.4

- Persons wishing to distribute the ashes of a deceased person on a public park or reserve may (i) make application to the Chief Executive Officer for approval.
- The Chief Executive Officer shall consider each application on its merits, taking into (ii) consideration the above criteria.
- Where approval is granted, the ashes are to be distributed at a time and in a manner which (ii) causes minimal attention or disruption.

#### 2. **DEFINITIONS**

"The City" refers to the City of Vincent.

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# MEMORIALS IN PUBLIC PLACES AND RESERVES



"Main Roads Controlled Road" Any main road or highway (also collectively known as state roads) as defined under the Main Roads Act 1930. These roads are provided and managed by the Commissioner of Main Roads.

"Roadside Memorial" A marker that commemorates a site where a person has died, usually as a result of a motor vehicle accident.

OFFICE USE ONLY	
Responsible Officer	Please use title only
Initial Council Adoption	DD/MM/YYYY
Previous Title	Applicable if the policy has been renamed
Reviewed / Amended	DD/MM/YYYY
Next Review Date	MM/YYYY

Page | 4 of 4 CM D22/44696

#### 10.2 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO PARKING PERMITS **POLICY**

#### Attachments:

- Attachment 1 Summary of Submissions on Policies Parking Permits 1. Policy 🔱 🛣
- 2. Attachment 2 - Parking Permits Policy - amended 2022 - clean copy 🌡 溢
- Attachment 3 Parking Permits Policy amended 2022 marked up 🗓 🛗 3.



#### **RECOMMENDATION:**

#### That Council:

- 1. NOTES the submissions received in relation to the Parking Permits Policy at Attachment 1;
- 2. ADOPTS the Parking Permits Policy at Attachment 2.

#### **PURPOSE OF REPORT:**

To present the outcome of public consultation and seek approval of the proposed Parking Permits Policy at Attachment 2.

#### **BACKGROUND:**

At its 14 September 2021 Meeting, Council approved providing public notice of its intention to amend the Parking Permits Policy

In accordance with the City's Community and Stakeholder Engagement Policy, public notice was given for the period between 29 October 2021 and 26 November 2021, which is in excess of the 21 days required.

The policy was advertised on the City of Vincent website, social media and through the following public notices:

- The Vincent Reporter 4 November 2021
- Perth Voice 6 November 2021 and
- notice exhibited on the notice board at the City's Administration and Library and Local History Centre.

Administration had received six (6) submissions, as summarised at Attachment 1.

Minor amendments received from Planning to clause 2.1 (d) have also been incorporated and are in the marked up copy of the Policy at Attachment 3.

#### **DETAILS:**

The City has a number of time restricted locations, and with a Parking Permit Policy, it would ensure that the City, with the increasing density and activity which leads to a decreased availability of on-street parking, would enable access for residents and businesses to park on-street.

The policy does not guarantee the availability of a car parking space or an entitlement to a specific car parking space on-street.

The proposed changes to the policy, as marked up at Attachment 3, are:

- a) remove the three-year expiration and replace it with the duration of home ownership or tenancy;
- b) remove the reference that residential parking permits run with the property;
- c) remove the requirement for a fee payable for a permit to be reproduced;
- d) refined the definition of a single house, a grouped dwelling and a multiple dwelling unit;
- e) refined the wording around development approvals and the issuing of permits;
- remove the requirement for the business to be located in an Activity Centre in order to be eligible for one Commercial Parking Permit;
- g) create a new parking permit type reference, called Monthly Parking Permit;

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- h) create a new parking permit type reference called Construction Parking Permit; and
- i) change the discretionary authority from the Chief Executive Officer to the City.

#### **CONSULTATION/ADVERTISING:**

No further consultation is required.

#### LEGAL/POLICY:

Section 2.7(2)(b) of the Act provides Council with the power to determine policies.

The City's Policy Development and Review Policy sets out the process for repealing and adopting policies.

#### **RISK MANAGEMENT IMPLICATIONS**

Low: Council adopting the Parking Permits Policy is low risk.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Accessible City

We have embraced emerging transport technologies.

#### Innovative and Accountable

We are open and accountable to an engaged community.

#### SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

#### FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications because of the proposed changes to this policy.

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SUMMARY OF SUBMISSIONS ON POLICIES				
Parking Permits Policy				
Summary of Public Comment	Administration's Response			
No additional comment	Noted			
Need to ensure that visitors are allowed to use	Permits issued are 'residents permits', which			
residents' permits and that residents parking	can be used for either residents, visitors or			
permits can be used in any timed bays operated	both. The resident can manage who is allocated			
by the city.	a permit. The permits are valid in any timed bay			
	that is a 1P (1 hour) restriction or greater.			
You should go further. You should remove the	The parking permit zones remain the same.			
ticket machine street restriction, that still	Within each of these zones there are some			
requires residents to buy a ticket. This is	streets that are ticket machines zones,			
ridiculous. All of Vincent, practically, has ticket	however, the entire zone is not restricted to			
machines. The restriction defeats the purpose	ticket machines. If residents whom reside on			
of a zoned permit plan.	these streets were permitted to park, it would			
	mean that all residents within this zone would			
	be entitled to park on that street. These streets			
	that have ticket machines, generally require a			
	higher turnover due to the mixed use between			
	residential and business properties. By allowing			
	all residents within that zone to park in these			
	streets, it could result in the residents of that			
	particular street, still unable to find a parking			
	space.			
As long as existing permit arrangements for	The permit eligibility and allocation of permits			
residents don't get changed ie if a resident	remains the same, single dwelling would retain			
purchased a place with 3 permits, but the	3 permits, grouped dwelling 2 permits and			
changes would entitle 2, they get to keep existing arrangements until they are no longer	multiple dwellings 1 permit. This allocation is			
the residents.	fixed to each dwelling type.			
Cars with trailers attached should be counted	Noted. This situation will be dealt with more			
as two vehicles under the epermit policy.	appropriately under the Parking Local Law,			
as two vernoies under the eperimit policy.	currently under review.			
No additional comment	Noted			
ivo additional comment	INOTEG			



Legislation / local law requirements	Parking and Parking Facilities Local Law
Relevant delegations	Register of delegations, authorisations and appointments section 3.1.6
Related policies, procedures and supporting documentation	Promapp Process – Creating an E-Permit - CM D21/146446.

#### **PRELIMINARY**

#### INTRODUCTION

The City of Vincent provides parking permits in recognition that increasing density and activity has led to a decrease in the availability of on-street parking. While parking permits enable access for residents and businesses, they do not guarantee the availability of a car parking space or entitlement to a specific car parking space on any street.

#### **PURPOSE**

The purpose of this policy is to provide guidance on the allocation and control of parking permits issued in accordance with the City of Vincent Parking and Parking Facilities Local Law.

#### **OBJECTIVE**

The City will issue parking permits in accordance with this policy and the eligibility criteria.

### **SCOPE**

The City of Vincent ("the City") understands the need to facilitate reasonable offsite parking, whilst recognising the demands of various other users for parking for residents.

The policy does not provide a mechanism for residents to have access to unlimited public parking.

This policy recognises that while there may be some exceptions, parking permits will be needed mainly during high parking demand periods of business, commercial, retailing and commuter activity.

#### **POLICY PROVISIONS**

#### **POLICY**

This section should contain a statement of policy principals, values and ideals that guide the organisation. Statements should link to the policy purpose and provide how the objectives are to be achieved

#### 1. PARKING PERMIT APPLICATION

The prescribed parking Permit Application Form must be submitted for all parking permit types with all necessary supporting information and payment of the prescribed Fee (where applicable).

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#### 2. TYPES OF PARKING PERMITS

The City will only issue the following type of Parking Permits:

#### 2.1 Residential Parking Permit

- a) Residential property owners with a parking restriction in their street will be issued with this permit to allow residents and visitors to park on their street or streets within a Residential Parking Zone, as designated by the City, beyond any prescribed time limit restriction.
- b) Residential Parking Permits remain valid for the duration of home ownership or the tenancy period.
- c) The maximum number of Residential Parking Permits that will be issued is:
  - a single house (a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property) – 3 permits;
  - ii. a grouped dwelling (a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property) – 2 permits; and
  - iii. a multiple dwelling unit (a dwelling in a group of more than one dwelling on a
    lot where any part of the plot ratio area of a dwelling is vertically above any
    part of the plot ratio area of any other but does not include a grouped
    dwelling; and includes any dwellings above the ground floor in a mixed use
    development) 1 permit
- d) Residential Parking Permits will not be issued for:
  - a grouped dwelling or multiple-dwelling unit where the Development Approval included a specific condition or advice note that the development would not be eligible to receive parking permits;
  - ii. use by a business or commercial enterprise;
  - iii. any large commercial vehicle greater than one tonne (panel vans and utilities excepted); and
  - iv. grouped dwellings, multiple dwelling units or mixed use developments that were approved by the City of Perth, between 1 July 1994 and 30 June 2007, prior to the land being transferred to the City of Vincent; or that were approved by the East Perth Redevelopment Authority (EPRA), Metropolitan Redevelopment Authority (MRA) or Development WA. This subclause does not apply to developments on Parry Street, Perth, for which the Development Approval was issued prior to 21 October 2009.

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e) The City will issue Residential Parking Permit 'Terms and Conditions of Use' that must be adhered to at all times for the permit to remain valid.

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- a) Businesses and commercial enterprises with a parking restriction in their street may be issued with this permit to allow a bona fide employee to park on their street and adjoining street, as designated by the City, beyond any prescribed time limit restriction.
- b) Commercial Parking Permits remain valid for a period of one (1) year.
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- d) Commercial Parking Permits will not be issued for any large commercial vehicles greater than one tonne (panel vans and utilities excepted).
- e) Commercial Parking Permits require payment of a prescribed fee in accordance with the City's Fees & Charges Schedule.
- f) The City will issue Commercial Parking Permit 'Terms and Conditions of Use' that must be adhered to at all times for the permit to remain valid.

#### 2.3 Temporary Parking Permit

- a) Individuals and/or community organisations associated with a not-for-profit event may be issued with Temporary parking Permit/s for a street or nominated streets, as designated by the City, beyond any prescribed time limit restriction, and may incur a fee in accordance with the City's Fees & Charges Schedule.
- b) Temporary Parking Permits are only valid for a specific date and time.

#### 2.4 Monthly Parking Permit

a) An application for a Monthly Parking Permit shall be accompanied by the fee in accordance with the City's Fees & Charges Schedule.

Monthly Parking Permits are only valid for a specific month, and are available in select City owned paid parking car parks.

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Where a Permit Holder does not comply with the intent of this Policy or the associated Parking Permit 'Terms and Conditions of Use', all permits allocated to that property, business or commercial enterprise, individual or community organisation will be revoked.

#### 4. DISCRETIONARY AUTHORITY

Notwithstanding any other provisions, which restrict the number and type of Parking Permits that may be issued, the City may, in exceptional circumstances, consider varying these requirements subject to the applicant providing written justification.

OFFICE USE ONLY	
Responsible Officer	Manager Ranger Services
Initial Council Adoption	22/09/1997
Previous Title	3.9.3 Parking Permits Policy
Reviewed / Amended	17/08/2021
Next Review Date	08/2025

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Legislation / local law requirements	Parking and Parking Facilities Local Law
Relevant delegations	Register of delegations, authorisations and appointments section 3.1.6
Related policies, procedures and supporting documentation	Promapp Process – Creating an E-Permit - CM D21/146446.

#### **PRELIMINARY**

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# PARKING PERMITS POLICY



Development Approvals issued for Parry Street, Perth prior to 21 October 2009 are excepted.

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# PARKING PERMITS POLICY



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# PARKING PERMITS POLICY



**Next Review Date** 

08/2025

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#### 10.3 TENDER IE179/2022 HYDE PARK WEST TOILET REFURBISHMENT AND CAFE KIOSK

#### Attachments: 1. Tender Evaluation Worksheet - Confidential

#### **RECOMMENDATION:**

#### **That Council**

- 1. NOTES the outcome of the evaluation process for Tender IE179/2022 Hyde Park West Toilet Refurbishment and Cafe Fit-Out; and
- 2. ACCEPTS the tender submission of Devco Holdings for Tender IE179/2022 Hyde Park West Toilet Refurbishment and Cafe Fit-Out, for both Separable Portion 1 Toilet Refurbishment and Separable Portion 2 Cafe Fit-Out.

#### **PURPOSE OF REPORT:**

For Council to accept the tender submission of Devco Holdings for Tender IE179/2022 Hyde Park West Toilet Refurbishment and Cafe Fit Out for both portions.

#### **BACKGROUND:**

The City has a Public Toilet Renewal Program which comprises of ongoing renewal, upgrade or rationalisation of the City's public toilet facilities in an effort to achieve standardised public amenity across the City. Hyde Park West Toilets were identified to be refurbished previously in 2019/2020 but was deferred due to COVID-19 and later rescheduled in the draft annual budget for 2021/2022 which Council approved.

Attached to the Hyde Park toilets is an unused storage shed. At the Ordinary Council Meeting of 14 December 2021 (Item 9.16), Council approved the City entering into a lease for portion of No. 505 William Street, Perth, Hyde Park, being a current 34.64 square metres storage shed to be used as a commercial kiosk with Veggie Mama Pty Ltd.

A budget of \$55,000 excl. GST was allocated for the required works to the storage shed to convert to a commercial kiosk, subject to relevant Department of Planning, Land and Heritage approvals. Devco's quote was \$14,841, which is \$40,159 under the allocated budget.

In order to have reduced impact on the community and obtain cost efficiencies, it was decided that both projects would be undertaken at the same time and combined into a single public tender but listed as two separate itemised portions.

#### **Tender Submissions**

Submissions for both portions were received from the following seven (7) Respondents:

- AE Hoskins & Sons
- Budo Group Pty Ltd
- Cavadium Constructions Pty Ltd
- Construct360 Pty Ltd
- Devco Holdings
- Geared Construction Pty Ltd
- Prova Construction Pty Ltd

#### **Evaluation Panel**

The Evaluation Panel comprised of four members, being:

- one with tender preparation skills
- two with the appropriate operational expertise and involvement in supervising the contract

one with probity advice provided by a Procurement and Contracts Officer

#### **Compliance Assessment**

All offers received were assessed as fully compliant and progressed to the qualitative assessment.

#### **Evaluation Method and Weighting**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement.

The qualitative criteria and weighting used in evaluating the submissions received for both portions were as follows:

Qualitat	ive Criteria	Weighting
1	Understanding of the Project	45%
2	Capacity, Skills and Experience	45%
3	Environmental and Social	10%

#### **Qualitative Assessment**

Recommended Respondent	Weighted Percentage Score	Qualitative Ranking	Comment
Devco Holdings	75%	1	Response complies, is convincing and credible. Response demonstrates excellent capability, capacity and experience relevant to, or understanding of, the requirements. Low risk.

Refer to Confidential Attachment 1 for further detail.

#### **Price Assessment**

The panel carried out a comparison of the submitted pricing offered and made a value judgement as to the cost affordability, qualitative ranking and risk of each submission, in order to determine which Respondent presented the best value for money to the City.

Devco Holdings provided the lowest total cost out of all seven submissions. The breakdown of costs is provided below:

Item	Total Cost	Price Ranking
Separable Portion 1 – Toilet	\$249,055	2
Refurbishment		
Separable Portion 2 – Café	\$14,841	1
Fitout		
TOTAL	\$263,869	1

Refer to Confidential Attachment 1 for further detail.

#### **Evaluation Summary**

The panel concluded that the tender from Devco Holdings provides best value for money to the City and is therefore recommended for the provision of both portions of the Hyde Park West Toilet Refurbishment and Cafe Fit-Out for the following reasons:

- Compliance with the submission requirements;
- Ranked first in the Qualitative Assessment;
- Provided the lowest total cost; and
- References supported the Evaluation Panel's recommendation.

It is therefore recommended that Council ACCEPTS the tender submitted by Devco Holdings for both portions of the Hyde Park West Toilet Refurbishment and Cafe Fit-Out at a total cost of \$263,896.

#### CONSULTATION/ADVERTISING:

The Request for Tender IE179/2022 was advertised in the West Australian on 5 February 2022 and on both the City's website and Tenderlink portal between 5 February 2022 and 4 March 2022.

#### LEGAL/POLICY:

The Request for Tender was prepared and advertised in accordance with:

- Section 3.57 of the Local Government Act 1995;
- Part 4 of the Local Government (Functions and General) Regulations 1996; and
- City of Vincent Purchasing Policy

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to accept the preferred Respondent.

#### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Enhanced Environment

Our parks and reserves are maintained, enhanced and well utilised.

#### **Connected Community**

Our community facilities and spaces are well known and well used.

#### **Thriving Places**

Our physical assets are efficiently and effectively managed and maintained.

#### **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, although the sustainability and environmental management practices of Respondents was a weighted qualitative criteria of this request, and the preferred Respondent provided convincing evidence of excellent sustainability practices.

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any specific priority health outcomes of the City's Public Health Plan 2020-2025.

Choose an item or delete if not relevant.

#### FINANCIAL/BUDGET IMPLICATIONS:

The total cost for both portions provided by Devco Holdings is \$263,896. This is within the allocated budget for the project. Further details are provided in **Confidential Attachment 1**.

The funds for this Capital Project have been provisioned for in the 2021/2022 annual budget.

#### **COMMENTS:**

The tender submission from Devco complies with all the tender requirements. The submission was satisfactorily presented and included all relevant and specific information required and requested within the tender specification.

The Evaluation Panel deemed the response to be convincing and credible, demonstrating the capability, capacity and experience to all Evaluation Criteria.

The submission was the highest ranked in the qualitative assessment and provided the lowest total cost.

The Evaluation Panel recommends that Devco be accepted for Tender IE179/2022 for the Hyde Park West Toilet Refurbishment and Kiosk Fit Out, as it offers the best overall value for money to the City.

#### 10.4 NORTH PERTH TRAFFIC CALMING - PUBLIC CONSULTATION RESULTS

#### **Attachments:**

- 1. Camelia Street Petition Confidential
- 2. North Perth Traffic Calming Consultation Letter U
- 3. North Perth Common View Street, Fitzgerald Closure Consultation Input From Residents of North Perth Confidential
- 4. Plan 3484-CP-01B Proposed Traffic Calming Measures Alma Road, Alfonso & Leake Streets, North Perth J
- 5. North Perth Traffic Calming Online Survey Confidential
- 6. Project Detailed Report North Perth Traffic Calming 1 🛣
- 7. Summary of Comments Public Meeting Road Safety & Amenity Improvements in Relation to Petition 4
- 8. Plan 3715-CP-0 Proposed Location of Raised Intersection Plateaus and Diagonal Diversion J

#### **RECOMMENDATION:**

#### **That Council:**

- 1. NOTES the outcome of the North Perth Traffic Calming public consultation inclusive of the trial median closure at View and Fitzgerald Streets.
- 2. RESCINDS clause 3 of Council's decision for Item 10.4 of the Ordinary Meeting of 18 September 2018, and
- 3. APPROVES
  - 3.1 The installation of a raised intersection plateaus at:
  - 3.1.1 Claverton and Alfonso Streets
  - 3.1.2 Claverton and Camelia Streets
  - 3.1.3 Alma Road and Vine Street
  - 3.1.4 Alma Road and Persimmon Street
  - 3.1.5 Alma Road and Camelia Street
  - 3.1.6 Leake Street and Raglan Road
  - 3.1.7 Leake Street and Grosvenor Road, and
  - 3.1.8 Leake Street and Chelmsford Road
- 4. CONSULTS with the residents and businesses about 12 month trial of a 'diagonal diversion' at the intersection of Alma Road and Leake Street, as shown on Plan 3715-CP-0, Attachment 8.
- 5. RECEIVES a further report on the results of the consultation in August 2022.
- 6. NOTES that the trial closure of the median strip in Fitzgerald Street, at View Street, will be discussed as part of a report to Council in May on possible changes and improvements in North Perth Common piazza.
- 7. ADVISES the respondents and petitioners of the Council decision.

#### PURPOSE OF REPORT:

To advise Council of the outcome of the public consultation for the North Perth Traffic Calming plan for the area bounded by Charles, Angove, Fitzgerald and Vincent Streets, North Perth, and approves the installation of eight raised intersection plateaus within the precinct at the locations nominated in the report.

#### **BACKGROUND:**

The issue of North Perth traffic, for the area bounded by Charles, Vincent, Fitzgerald and View Streets, has been subject to a number of Council reports, public meetings and advisory group discussions since 2018, and is yet to be resolved.

A final report was to be presented to the Ordinary Council Meeting in September 2020 in which it was to be recommended that a number of actions be undertaken in order to address the community concerns about traffic and speed. However it is, and continues to be, contentious, and given that Main Roads WA had recently (at the time) approached the City about possibly funding traffic calming works within the precinct under the Urban Road Safety Program\* it was considered prudent to withdraw the report until the project nomination criteria was established.

\*the program that funded the 'mini-roundabouts' east of Fitzgerald Street in 2021.

Whilst the public consultation was undertaken in good faith it is now somewhat outdated and has potentially been overtaken by other developments, as discussed in the body of the report.

#### **History**

At its Ordinary Meeting of Council held on 1 May 2018 a 42 signature petition was tabled outlining residents' concerns about the speed, volume, composition and origins of traffic using the local road network bounded by Leake, Vincent, Charles and View Streets.

Since the initial petition was received there have been numerous Council reports and advisory group meetings, and two public meetings:

- Report to the Ordinary Meeting of Council (OMC) 18 September 2018
- Discussed at Urban Mobility Advisory Group (UMAG) 8 October 2018
- Public forum North Perth Town Hall 12 November 2018
- Report to OMC 11 December 2018
- March 2019 engaged an independent Traffic Consultant to review the entire precinct.
- May 2019 expanded scope of consultant's report to consider the impact of a median closure in Fitzgerald Street, intersection of View Street.
- Discussed at UMAG 27 May 2019
- North Perth Common opened 15 June 2019
- Report to OMC 25 June 2019
- Report to OMC 15 December 2020
- Trial median closure in Fitzgerald Street installed 26 February 2021
- EHQ Public Consultation from 24 May to 8 June 2021 (inclusive of consultant's report as supporting information), questions and results as shown on **Attachments 1 and 2**.
- Received 2 petitions, 27 May 2021 (one specifically about Camelia Street and the primarily about the Fitzgerald/View Median Closure) **Attachments 3 and 4**
- Public forum North Perth Town Hall 29 June 2021, comments and feedback Attachment 5
- Discussed at Sustainability and Transport Advisory Group (STAG) 5 August 2021.

This issue has, and continues to generate a lot of debate and a diversity of views within the local community.

#### Discussion:

Each time the City has consulted with the local community through a formal consultation process or public meetings it has resulted in differing opinions as to what should, or should not, be implemented.

Previous Council reports have recommended a series of mid-block single lane slow points as a 'Stage 1', which was supported by the independent traffic consultant's findings. However the sticking point has always

been the impact upon on-road of parking as each 'slow point' would result in the loss of (on average) four bays at each location.

In order to break the 'deadlock' it is recommended that the City pursue the URSP funding on offer to install the raised intersection plateau's in-lieu of the 'slow points'. The plateaus should result in the same outcome in respect of reducing speed, without the loss of parking. However the benefit of a plateau over that of a speed hump (or slow point) is the noise profile, essentially because it's wider it generates less noise and because they're located in intersections drivers tend to display greater caution upon approach.

In the public consultation undertaken in June 2021 the results indicated that 51.2% of respondents supported mid-block slow points (split between single lane slow points 24.4% and 'blister' slow points 26.8%). When asked specifically 'Do you support the addition of raised plateaus at critical intersections in North Perth as future traffic calming measures?' the affirmative was 67.4%, with 23.3% against and 9.3% unsure.

There is some urgency as Main Roads are keen for the City to commence the works this financial year (prior to 30 June). Administration does not recommend undertaking further community consultation on raised plateaus given the general support from the public consultation outlined above.

Administration recommends Council approves the construction of the plateaus now and consult on a 'diagonal diversion' trial.

#### **DETAILS:**

At its Ordinary Meeting of 15 December 2020 Council made the following decision:

- 1. **NOTES** the analysis on the potential impact of a partial road closure at the intersection of View and Fitzgerald Streets, North Perth, specifically banning the right turn into and out of View Street;
- 2. **APPROVES** a 12 month trial of the above by extending the Fitzgerald Street median island through the intersection, as shown on Plan 3611-CP Attachment 1;
- 3. **NOTES** that the consultation with the residents and businesses will take place in February 2021, in the area bounded by Angove, Charles, Vincent and Fitzgerald Streets on the installation of mid-block traffic calming measures in (Attachment 2):
  - 3.1 Alma Road, between Camelia and Persimmon Streets
  - 3.2 Camelia Street, between Vincent and Claverton Streets
  - 3.3 Claverton Street, between Camelia and Alfonso Streets
  - 3.4 Alfonso Street, between Calverton and Vincent Streets; and
  - 3.5 Leake Street, between Grosvenor and Chelmsford;
- 4. RECEIVES a further report at the conclusion of the public consultation in March 2021; and
- 5. **INFORMS** the petitioners of the Council's decision.
- 6. **REQUESTS** Administration undertake traffic speed and volume data collection on Alma Road in the study area and present to Council in March 2021.

Whilst all of the above actions were completed the timing was disrupted by Covid-19 restrictions and lock-downs.

#### Public Consultation.

The public consultation commenced on 6 May 2021 with a mail out to every property within the precinct, including absentee landlords, as well as on the City's web-site and via social media.

The initial letter is shown as Attachment 6.

The Imagine Vincent - EHQ web-site page was live from 24 May to 8 June 2021, generating 72 responses.

The EHQ Project Report is shown on **Attachment 1**, inclusive of the questions asked, while the survey responses are on **Attachment 2**.

In addition to the EHQ and email responses the City also received two (2) petitions, Attachments 3 & 4:

- A nine (9) signature petition from the residents of Camelia Street, between Vincent Street and Claverton Street, requesting that a 'slow point or blister' <u>not</u> be installed in their street; and
- A twenty-four (24) signature petition primarily opposed to the continuation of the trial closure of the
  Fitzgerald Street median island at View Street due the adverse impact upon traffic in the surrounding
  local road network, but principally Alma Road between Fitzgerald and Leake Streets.

#### Petitions

The Camelia Street petition was succinct in that the residents (who signed the petition) do not want a single lane slow point in their street (between Vincent and Claverton Streets).

The most recent traffic data for Camelia Street indicates that the average weekday traffic was in the order of 350 vehicles per day while the 85% speed was 48.4 kph. In this instance, and in light of the resident's opposition, it was to be recommended that the slow point in Claverton Street not proceed but rather the City continue to monitor the traffic volumes and speed and if either increase significantly re-visit the situation, in consultation with the residents.

The Alma Road petition was principally about the impact of the closure of the Fitzgerald Street median island at View Street. However, many of their concerns may have been be addressed with the trial of a diagonal diversion, as per recommendation clause No. 4, at the intersection of Alma Road and Leake Street. This proposal was suggested at the STAG meeting, as discussed below, on the 5 August 2021. Refer plan 3484-CP-01B, **Attachment 6.** 

#### Public Meeting 29 June 2021

A public meeting was held at the North Perth Town Hall on Monday evening 29 June 2021 attracting around 20 residents. Not all of those in attendance were there to discuss traffic issues. Of those who did want to discuss traffic there were divergent views expressed including some who were opposed to both traffic calming and any reduction in the speed limit to 40 kph - a key recommendation of the Accessible City Strategy.

In addition to the above a number of residents specifically attended the meeting to voice their concerns about a proposed development on the corner of Fitzgerald Street and Alma Road. This could have a significant impact upon the local road network but until a formal Development Application is submitted there is limited information and traffic modelling upon which to base any assumptions.

A summary of the comments received is shown on Attachment 5.

#### Sustainability and Transport Advisory Group (STAG) Meeting 5 August 2021

The North Perth Traffic Study, and the proposed plan, were discussed by the STAG in anticipation of this report being prepared for Council's consideration. While the single lane slow points and possible intersection plateaus were discussed the Group also considered an alternate treatment, a *Diagonal Diversion* at the intersection of Leake and Alma Road.

The proposal is that it could address many of the concerns of the resident within the precinct and is based upon the two existing diagonal diversions in the Mt Lawley area east of William Street, specifically Hutt Street. These diversions largely prevent through traffic, thereby reducing both volumes and speed, while maintaining a reasonable level of access for residents.



Intersection of Hutt Street and Raglan Road, Mt Lawley

The Leake and Alma proposal could work due to the offset nature of the intersection enabling a larger separation zone, rather than a narrow barricade, without encroaching into the verge.



Possible diagonal diversion intersection Alma Road and Leake Street

The Alma Road traffic, west bound from Fitzgerald Street, would be diverted to View Street, a Local Distributor Road, to continue onto Charles Street, taking a significant volume of traffic away from Alma Road between Charles and Leake Streets.

Alma Road traffic heading east (up the hill) from Charles Street to Fitzgerald Street would be diverted south towards Vincent Street with the option of using either Raglan, Grosvenor or Chelmsford Roads to access Fitzgerald Street.

Interruption of either route might make it less desirable to 'rat run' through the precinct and could encourage drivers towards the distributor roads on the perimeter of the precinct.

It would likely impact, at least during the initial period, upon Leake Street, between Alma Road and View Street and Raglan Road, between Leake Street and Fitzgerald Street, and to a lesser extent Grosvenor and Chelmsford Roads.

Those residents from within the cell, and indeed externally (west of Charles Street), would still be able to drive to the North Perth Town Centre, albeit by a more circuitous route.

The concept of a permanent Leake / Alma diversion is shown on plan 3484-CP01B, **Attachment 6**, with landscaping and a bicycle 'cut through'.

The trial version, if approved, would consist of temporary infrastructure, with the appropriate regulatory signage.

The specific design has not yet been determined and would require discussion with Main Roads WA.

#### Urban Road Safety Program

In 2020 Main Roads WA approached the City to discuss a new road safety initiative, the Urban Road Safety Program (URSP), and to gauge the level of interest of the City to participate in the program.

The aim of the URSP is to:

'Implement low cost road safety treatments on an area-wide or at least, whole of street basis that will target high casualty and/or high-risk locations'.

The URSP will treat intersections on an area wide approach that have crash risks, but are ineligible for Black Spot funding. The URSP will take a proactive area wide or whole-of-street approach, applying many similar treatments at once, using low-cost standard designs. This will allow for treatment of risks throughout suburbs and neighbourhoods.

The URSP funded the construction of the nine (9) 'mini-roundabouts' in the area to the east of Fitzgerald Street bounded by Raglan Road, Fitzgerald, Vincent and Hyde Streets, in June 2021.



Mini-roundabout Inter. Hyde Street and Grosvenor Road, Mt Lawley

Based upon the success of the first project, in partnership with City, Main Roads again approached the City in October 2021 with a proposal to implement a second, fully funded, project and nominated the area bounded by Vincent, Fitzgerald, View and Charles Streets, North Perth.

Whilst the type of traffic calming devices is largely left up the Local Government to determine it has to be 'low cost' and effective.

In discussions with Main Roads the preferred treatment in this location is the raised intersection plateau's rather than the 'mini-roundabouts'. This is in part because the street grid east of Fitzgerald Street is more regular in spacing and consists primarily of cross-streets making the roundabouts more effective in series.



Waterloo Street, Joondanna

The raised intersection plateaus were used in the City of Stirling in the Joondanna area, also a round one URSP project.

These treatments are intended to improve safety by reducing vehicle speeds and improving the visibility of the intersections to motorists. The footprint of these raised intersection platforms is considerably smaller than the typical plateaus and incorporates the newly approved, and very effective, 'shark teeth' markings.

Whilst fully funded by the URSP the estimated cost to install eight (8) raised plateau's is \$15,000 per installation, total of \$120,000. These costs exclude line-marking and signage costs which are borne by Main Roads WA.

#### Rescission motion required:

At its Ordinary Meeting of 18 September 2018 Council made the following decision (in part) for Item 10.4, specifically Clause 3, which is yet to be rescinded, that:

#### 3. APPROVES:

- 3.1 a mid-block single lane slow in Claverton Street, between Camelia and Alfonso Streets; and
- 3.2 a mid-block single lane slow point slow in Leake Street, between Grosvenor and Chelmsford Roads:

Clauses 3.1 and 3.2 becomes redundant under the current proposal as they would be replaced with a series of raised intersection plateaus.

#### CONSULTATION/ADVERTISING:

Residents and businesses were, and will continue to be, consulted regarding the proposals in accordance with the City's Community Consultation Policy 4.1.5.

In respect of the trial of the *Diagonal Diversion*, residents would be informed of the Council decision in November.

#### LEGAL/POLICY:

A road closure of more than 4 weeks would be required to be publicly advertised locally in line with the requirements of the Local Government Act.

#### **RISK MANAGEMENT IMPLICATIONS**

Low/Medium: It is low risk for Council to approve the recommended raised intersection plateaus which should lead to a reduction in traffic speeds and volumes and therefore improved road safety outcomes and residential amenity within North Perth Traffic Calming area.

The diagonal diversion trial has a medium risk of causing disruption to the traffic network, inconvenience and confusion to drivers and diverting traffic onto adjoining roads.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*: Accessible City

We have better integrated all modes of transport and increased services through the City.

#### **Connected Community**

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

#### SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

This project may provide a minor benefit to environmental sustainability outcomes but is largely environmentally neutral. It could potentially lead to fewer car trips as a result of the proposed changes, and encourage more short journey walking and cycling trips for those residents who live within the immediate vicinity of the North Perth Town Centre.

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute directly to any public health outcomes in the *City's Public Health Plan 2020-2025*. Nevertheless, the residents contend that it will improve their wellbeing and reduce their anxiety by calming, and potentially reducing, the volume and speed of traffic in their precinct.

### FINANCIAL/BUDGET IMPLICATIONS:

The estimated cost to install eight (8) raised intersection plateaus is \$120,000, to be fully funded by Main Roads WA under the URSP.

The City has existing funds (approximately \$50,000) within the 2021/22 Capital Works budget with which to install the x3 single lane slow points and 'trial' diagonal diversion as was originally proposed. If Council approves proceeding with the URSP funded raised intersection plateaus the majority of this budget allocation may not be required this financial year. That said a specific cost for the diagonal diversion infrastructure, either temporary or permanent, is yet to be determined, so it would be prudent to retain the existing budget until the matter is resolved.

#### **COMMENTS:**

The URSP funding on offer provides the City the opportunity to again participate in an innovative road safety program that would lead to a number of beneficial outcomes for the local community at no direct cost to the City.

ENQUIRIES TO: Andrew Murphy (9273 6000)

Executive Director

Infrastructure & Environment



6 May 2021

Dear Sir/Madam,

#### PROPOSED NORTH PERTH TRAFFIC CALMING MEASURES

The City of Vincent would like to know your thoughts about proposed traffic calming measures in the North Perth area bounded by Charles, View, Fitzgerald and Vincent Streets.

#### Background

In May 2018, a community petition was presented to Council asking the City to investigate traffic calming measures in North Perth. A report was subsequently submitted to Council in September 2018 and the matter was referred to the City's Urban Mobility Advisory Group (UMAG) for consideration.

The City then held a community forum at the North Perth Town Hall in late 2018 and a further report was presented to Council on 11 December 2018. The City also engaged the services of an independent traffic engineering consultant to review traffic data. This resulted in the North Perth Precinct Traffic Study, which was presented to Council on 25 June 2019. The study recommends a number of traffic calming measures to slow traffic and deter 'rat running' through North Perth.

#### What's proposed?

To improve road safety in North Perth, the City is proposing to install mid-block single lane slow points in the following streets:

- Alma Road, between Camelia and Persimmon Streets
- Camelia Street, between Vincent and Claverton Streets
- Claverton Street, between Camelia and Alfonso Streets
- Alfonso Street, between Calverton and Vincent Streets; and
- Leake Street, between Grosvenor and Chelmsford Roads.

The design of the proposed slow points is shown on the attached plan (figure 1). These are the same as the slow points on Shakespeare Street as part of the Safe Active Streets Project. An alternative slow point design, commonly referred to as a 'blister', is also shown on the attached plan (figure 2).

Both slow point designs are effective at slowing traffic and both designs incorporate trees. Please note that the installation of slow points typically results in the loss of up to four on-road parking spaces.

We would also like to get your feedback on a possible second stage of traffic calming measures in North Perth. Stage 2 would feature raised plateaus at critical intersections in the precinct. An example of a raised plateau can be seen at the intersection of Chelmsford Road and Hutt Street in Mount Lawley.

At this stage, we would like to know what you think about the addition of raised plateaus as an additional traffic calming measure in North Perth. This is a consideration for the future, as the City's initial funding allows for the installation of slow points, but not raised plateaus.

#### **Fitzgerald Street Median Extension**

In February 2021, the City closed a section of median strip on Fitzgerald Street to prevent right-turn access in and out of View Street. The intersection change was implemented as a 12 month trial, aimed at reducing vehicle traffic through North Perth Common.

Modelling by independent traffic consultants suggested that any redistribution of traffic as a result of the median closure would likely shift to the nearby distributor roads (Angove, Fitzgerald, Vincent and Charles).

Administration & Civic Centre

244 Vincent Street, (Cnr Loftus), PO Box 82, Tel: (08) 9273 6000 Email: mail@vincent.wa.gov.au

The City has collected traffic data on Alma Road, Angove, View and Glebe Streets prior to the intersection change and we will continue to collect data throughout the year as part of our assessment of the trial.

We would like to take this opportunity to ask how you have experienced the intersection change so far, and ask if you are likely to support making the change permanent when the City consults again early next year.

#### Share your thoughts

We would like to know what you think of the proposed traffic calming measures in North Perth. We would also like to know if you have any thoughts on the trial closure of the Fitzgerald Street median.

You can share your thoughts with us in a number of ways:

- Online, by visiting www.imagine.vincent.wa.gov.au/north-perth-traffic-calming
- By email, to mail@vincent.wa.gov.au
- By phone, to 9273 6000
- In person, at the City of Vincent Library, 99 Loftus Street Leederville (during opening hours)
- By mail, to PO Box 82, Leederville, 6902

For full information on the proposed changes, visit www.imagine.vincent.wa.gov.au or contact the City by phone or email. Comments are invited until Thursday 27 May.

#### What happens next?

After the comment period closes, City staff will summarise all feedback and present recommendations to Council. Everyone who provides feedback will be notified when the project is scheduled to be considered by Council. Members of the public are welcome to attend the Council Briefing and Council Meeting to ask questions or comment on the project.

For more information, please contact the City on 9273 6000 or mail@vincent.wa.gov.au

Yours sincerely,

Andrew Murphy
EXECUTIVE DIRECTOR
INFRASTRUCTURE & ENVIRONMENT

Administration & Civic Centre 244 Vincent Street (Cnr Loftus),

PO Box 82,

Tel: (08) 9273 6000

Email: mail@vincent.wa.gov.au



Item 10.4- Attachment 2

Page 197

3

### **Slow Point Designs**

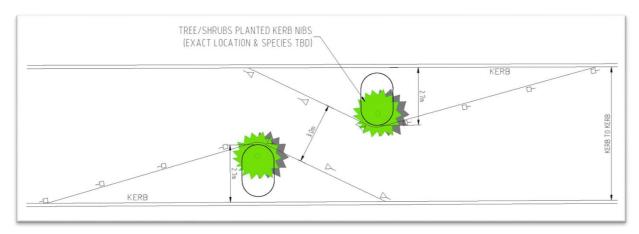


Figure 1: Slow Point Design A - mid block, single lane

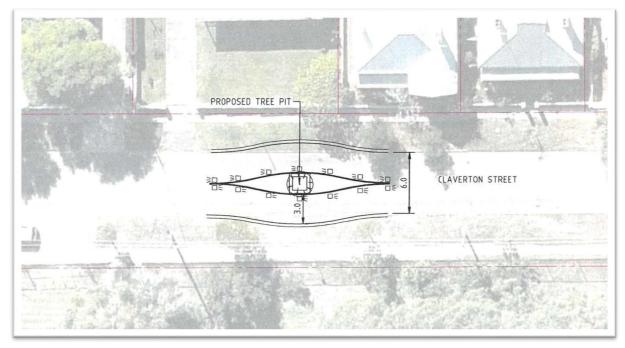


Figure 2: Slow Point Design B – Blister

Administration & Civic Centre 244 Vincent Street (Cnr Loftus),

PO Box 82,

Tel: (08) 9273 6000

Email: mail@vincent.wa.gov.au



Item 10.4- Attachment 2

ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022



# Project Report 24 May 2017 - 08 June 2021

# The City of Vincent

# **North Perth Traffic Calming**





Aware Participants	153	Engaged Participants		43	
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	153		1.109.010.00	00	7
Informed Participants	102	Contributed on Forums	0	0	0
Informed Actions Performed	Participants	Participated in Surveys	43	0	0
Viewed a video	0	Contributed to Newsfeeds	0	0	0
Viewed a photo	0	Participated in Quick Polls	0	0	0
Downloaded a document	48	Posted on Guestbooks	0	0	0
Visited the Key Dates page	0	Contributed to Stories	0	0	0
Visited an FAQ list Page	0	Asked Questions	0	0	0
Visited Instagram Page	0	Placed Pins on Places	0	0	0
Visited Multiple Project Pages	62	Contributed to Ideas	0	0	0
Contributed to a tool (engaged)	43				

Page 200 Item 10.4- Attachment 6

THE OILY OF VINCENT. COMMINARY REPORT OF 27 May 2017 to 00 dutie 2021

### **ENGAGEMENT TOOLS SUMMARY**

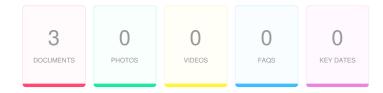


Tool Type	Engagement Tool Name	Tool Status	Visitors		Contributors	_
	gago		Violeoro	Registered	Unverified	Anonymous
Survey Tool	North Perth Traffic Calming   Online Survey	Published	72	43	0	0

Pana 9 of 19

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### **INFORMATION WIDGET SUMMARY**



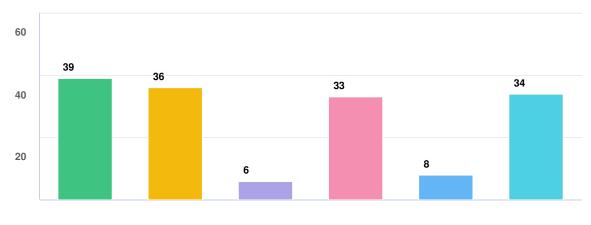
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Slow Point Design A: mid block, single lane	41	45
Document	Slow Point Design B: Blister	33	36
Document	North Perth Traffic Study - higher resolution.pdf	8	10

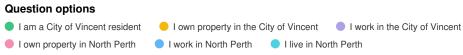
the englet threener commany responsional may agree to be early again

### **ENGAGEMENT TOOL: SURVEY TOOL**

### North Perth Traffic Calming | Online Survey







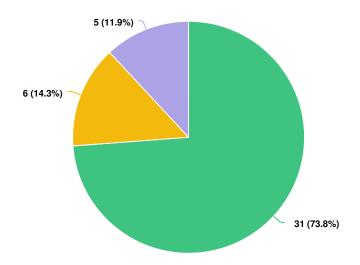
Optional question (42 response(s), 1 skipped)

Question type: Checkbox Question

Page **4** of **12** 

THE City of VINCENT. Summary nepolition 24 May 2017 to 00 June 2021

Do you think the City should add traffic calming measures in the North Perth area bounded by Charles, View, Fitzgerald and ...





Yes
No
I'm unsure

Optional question (42 response(s), 1 skipped)

Question type: Radio Button Question

Page 5 of 19

THE OILY OF VINCEIN. OUR HINARY FREPORTION 27 May 2017 to 00 June 2021

### Do you support the installation of slow points in the proposed streets?



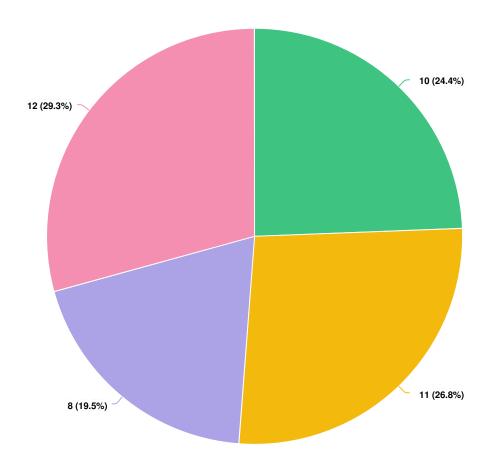
Optional question (42 response(s), 1 skipped)

Question type: Likert Question

Pana 6 of 19

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If the City is to proceed with installing slow points in these streets, which design do you prefer?





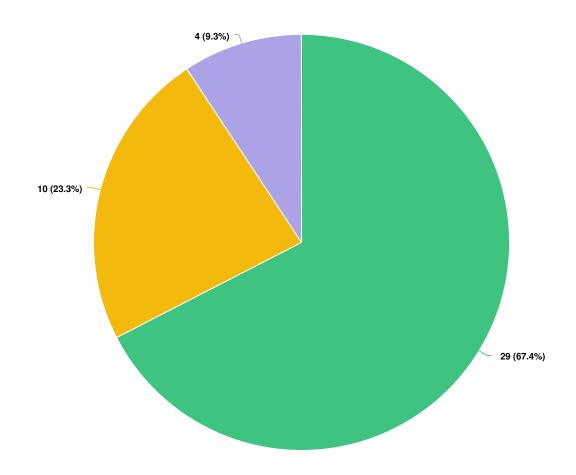
Optional question (41 response(s), 2 skipped)

Question type: Radio Button Question

Page 7 of 19

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Do you support the addition of raised plateaus at critical intersections in North Perth as future traffic calming measure?



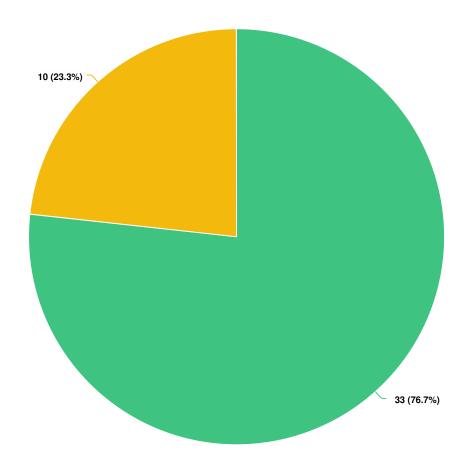


Optional question (43 response(s), 0 skipped)

Question type: Radio Button Question

Page **8** of **12** 

Do you live in the area bounded by Charles, View, Fitzgerald and Vincent Streets?



## Question options No Yes

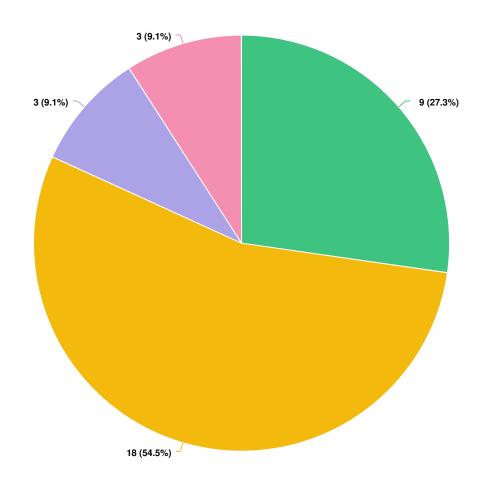
Optional question (43 response(s), 0 skipped)

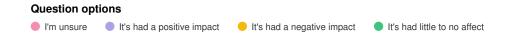
Question type: Radio Button Question

Page **9** of **12** 

THE City of VINCENT. Summary nepolition 24 May 2017 to 00 June 2021

## How has the Fitzgerald/View Street intersection change affected your local transportation?





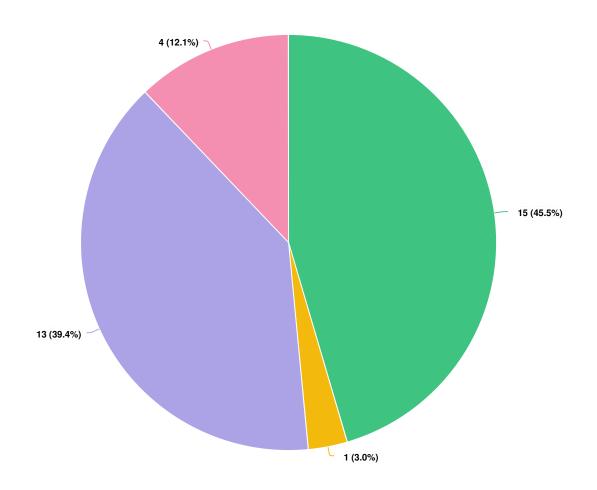
Optional question (33 response(s), 10 skipped)

Question type: Radio Button Question

Pana 10 of 19

THE OILY OF VINCEIN. OUR HINARY FREPORTION 27 May 2017 to 00 June 2021

Has the closure of the Fitzgerald Street median had a noticeable affect on the traffic along your street?





I'm unsure
 No - I haven't noticed any significant changes in traffic on my street
 Yes - traffic on my street has noticeably decreased
 Yes - traffic on my street has noticeably increased

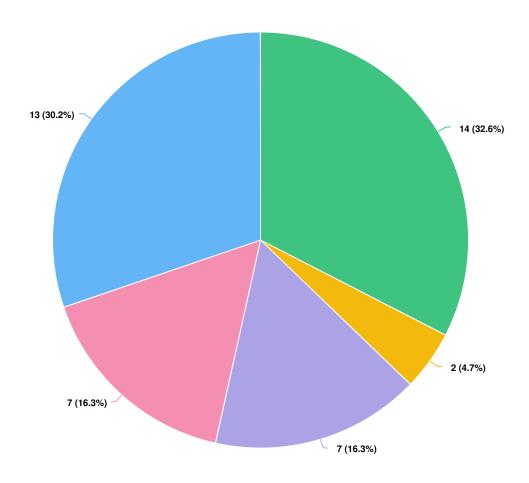
Optional question (33 response(s), 10 skipped)

Question type: Radio Button Question

Pana 11 of 19

THE CITY OF THEODIE. COMMINGLY HOPOTHOLET MAY EXTRED SO SUME EVER

Having experienced the Fitzgerald/View Street intersection change for the last two months, how likely are you to support making the change permanent when the City consults again early next year?

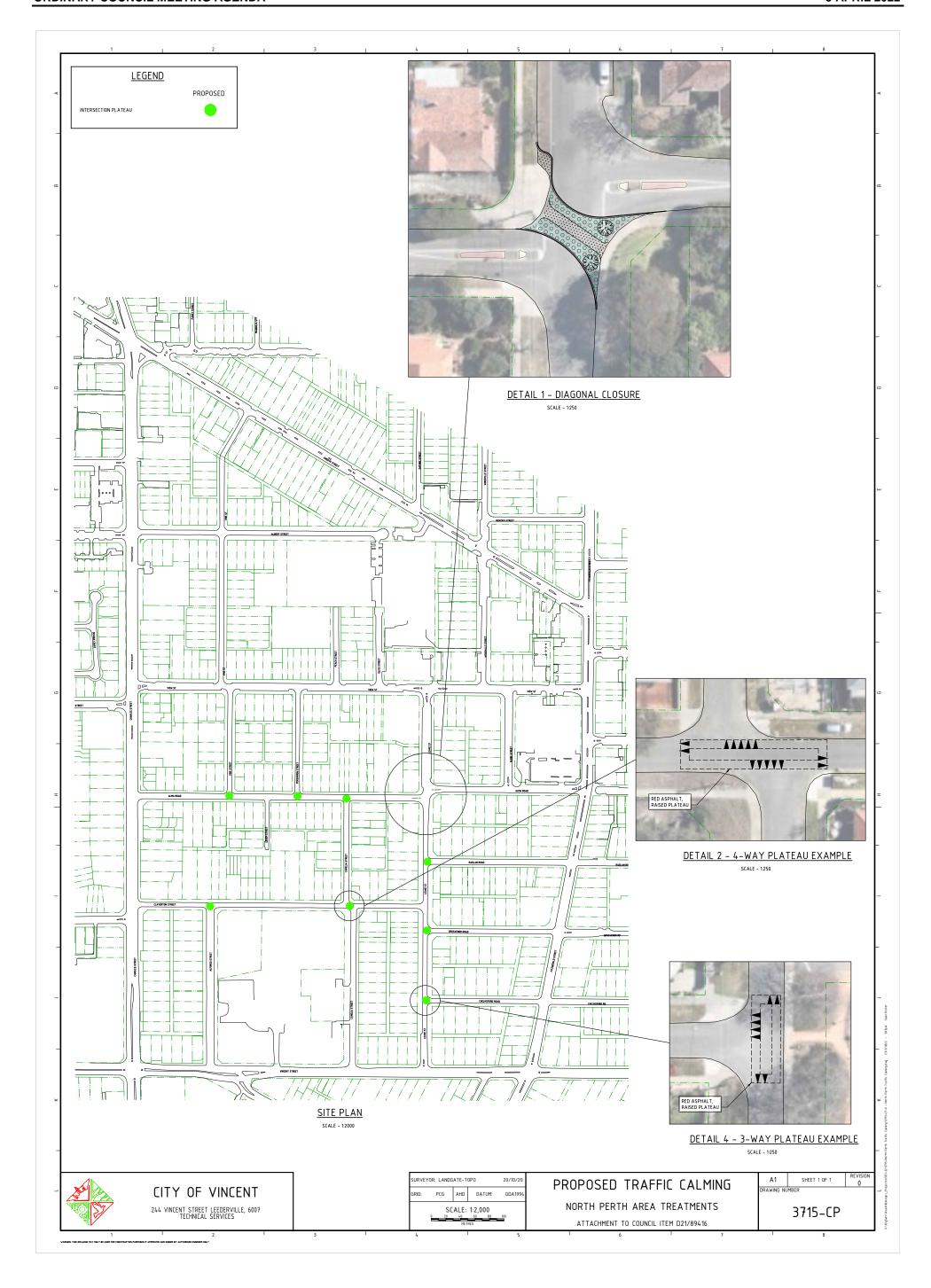




Page **12** of **12** 

	omments - Public Meeting Road Safety & Amenity Impro		
Road Safety	Streetscape	Community Safety	Other Amenities
pport the Proposal			
ncerns about speed at the intersection of Vincent and			
nelia Streets.			
:ond slow point on Alma Road required - cars entering			
m Charles street accelerate fast. Can Charles Street			
1 of Camelia Street be narrowed to slow traffic.			
port traffic calming on Alma Road - prefer			
canes/slow points not speed humps			
sport traffic calming on Alma Road and Alfonso Street.			
sport traffic calming on Alma Road, Alfonso, Claverton			
i Leake Streets.			
Leake Streets.		l	
	Tree outsite 50 View Street drops berries, lifts pavement and		Parking on Leake Street be reviewed as
	exposes roots which are a trip hazard. Can it be removed. Better		workers leaving their cars and moving
	consideration in future of the type of trees to plant.		them when time elapses - prefer 2hrs
ffic calming proposals look good. Intersection of			1
ike Street and Alma Road as well as Camelia and			
verton Streets dangerous can you please consider			5hr parking on Leake Street used by City
tions.			workers can this be reviewed.
<u></u>			
prove slow point at Alma Road before starting on			
rks at the City square project (North Perth Common)			
quest island at Clavertson and Alfonso Streets			
ersection. Slow traffic on Claverton Street outside the			
age. Parking on both sides of Claverton Street			
rowing access. Connection Claverton Street into	Cut back large treet on corner of Claverton and Charles Streets to		
merson Street bottleneck	improve sightlines.		
port the slow point in Alma Road and 40kph limits			
ncerns about the intersection of View and Charles		Request zebra crossing at View	
eets.		Street for school children.	
ould be in favour of all proposed chicances/dog legs			
other means of slowing traffic			
		Support improved street lighting	
sport slow points on Alma Road and Alfonso Street.		on Alma Road	
sport slow points on Alma Road and Alfonso Street.		оп Анта коад	
port slow points on Alma Road and Alfonso Street.			
ersion of daily commercial truck traffic away from			
al streets by placing slow point halfway along streets			
:h as Alma Road. Connecting local areas with safe			
ssing facilities on the main distributor roads. A			
neric approach to renewal projects on the roads,			
tpaths, ramps etc to incorporate the safe active			
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		1	1

ormation Bulletin droped to all properties in the area surrounded by View, Leake, Vincent and Charles Street as well as iperties on the north side of View Street and east side of Leake Street however not the south side of Vincent Street (Total 3). 18 residents standed the meeting



#### 11 COMMUNITY & BUSINESS SERVICES

#### 11.1 REPEAL OF COUNCIL LOGO POLICY

#### Attachments:

1. Attachment 1 - Council Logo Policy 4.1.11 😃 溢

#### RECOMMENDATION

That Council APPROVES the repeal of Council Logo Policy 4.1.11, at Attachment 1.

#### **PURPOSE OF REPORT:**

For Council to approve the repeal of the Council Logo Policy 4.1.11, at Attachment 1.

#### **BACKGROUND:**

It is proposed that Council Logo Policy 4.1.11 be repealed as there is no requirement for a documented City position on the use of the logo.

This was presented to Council Members though the monthly Policy Paper in January 2022. No feedback was received from Council Members.

#### **DETAILS:**

Council Logo Policy 4.1.11 was adopted on 4 November 2003 to govern the use of the City of Vincent logo and prohibit its use for unauthorised purposes. It was last reviewed on 26 February 2013.

The policy has three main elements:

- Prohibiting the use of the City of Vincent logo by unauthorised persons.
- Outlining that the CEO can approve use of the logo.
- That Council Members may not use the logo for election purposes.

A key finding of Administration's review was that it was unusual for local governments to have a policy position on the use of their logo.

The policy duplicates protections already afforded under law and provides no additional protections or powers of enforcement.

The policy outlines that it is the CEO's role to approve use of the logo for Council business, which is consistent with the role of the CEO under the *Local Government Act 1995*. In practice, the City encourages approved use of the logo for sponsorship and grant recipients, as an agreed term of the relationship. The process of sending logos and instructions is included in City processes.

Council Members may not use the logo for electioneering, and this is covered under the <u>Code of Conduct for Council Members, Committee Members and Candidates</u> under section 17 - misuse of local government resources.

#### CONSULTATION/ADVERTISING:

In accordance with the City's <u>Community and Stakeholder Engagement Policy</u>, repealed policies do not require consultation.

#### **LEGAL/POLICY:**

Section 2.7(2)(b) of the Local Government Act 1995 provides Council with the power to determine policies.

The City's <u>Policy Development and Review Policy</u> sets out the process for the development and review of the City's policy documents.

Item 11.1 Page 214

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to repeal the policy.

#### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### **Innovative and Accountable**

Our resources and assets are planned and managed in an efficient and sustainable manner.

#### **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

#### FINANCIAL/BUDGET IMPLICATIONS:

None

Item 11.1 Page 215

CITY OF VINCENT POLICY MANUAL CHIEF EXECUTIVE OFFICER POLICY NO: 4.1.11 COUNCIL LOGO

**POLICY NO: 4.1.11** 

# COUNCIL LOGO OBJECTIVES

To provide for the protection of the use of the Council Logo and to prohibit its use for unofficial purposes.

#### **POLICY STATEMENT**

- No person, without the authority of the Council, shall assume or use the City
  of Vincent Logo, device or design so nearly resembling the City of Vincent
  Logo as to be likely to be confused therewith on any letter, pamphlet, notice
  or handbill
- The Chief Executive Officer is authorised to permit the use of the Corporate Logo on Council business. Those persons authorised to use the Corporate Logo must recognise that the corporate logo is subject to copyright and shall strictly ensure that the Corporate Logo is used in accordance with the City's approved Style Guide.
- 3. If use is granted, it may be withdrawn at any time by the Chief Executive Officer, if evidence of abuse or by evidence of perceived or real disrepute being associated with the use is evident.
- The Corporate Logo is not to be used by any Council Member of the Council or other person for election purposes.

At the Ordinary Meeting of Council held on 12 February 1994 at Item 12.4.2, the Council approved of the design of the City of Vincent Corporate Logo. This Logo was registered with the Australian Industrial Property Organisation on 24 June 1996 (Registration No 710894) under the Federal Trademarks Act 1995.

The PMS Numbers are 187 (Maroon/Dark Red) and 3165 (Dark Green).

In late 1995 a public competition was conducted to design and create the City's corporate logo. The joint winners of the Competition were Renato Perino and Paul Glasson. The logo was adopted by the Council on 12 February 1996.

The logo concept has been developed combining some of the elements that characterise the diversity of the area. These include:

**THE SUN** - symbolising warmth and energy, reflecting the pleasant lifestyle in this area.

**THE TREE BRANCH** - symbolising the lush, well kept parks and gardens and a strong commitment to a clean, healthy and safe environment, which are aspects of the City of Vincent's outdoors.

**THE BIRD** - symbolising peace, harmony and friendliness which prevails within the City.

**THE CORNICE** - symbolising the architectural and historic aspect of the area, which features on many character houses and buildings, some of which were built in the late 1890s and early 1900s.

THE DIAMOND SHAPE - symbolising strength and prosperity.

The Colour Values of maroon/deep red are closely associated with the heritage and represent action, youth and vitality which symbolises the City. The direct opposite colour is green/blue and represents strength and reliability.

Date Adopted: 4 November 2003

Date Amended: -

Date Reviewed: 22 April 2008, 26 February 2013

Date of Next Review: February 2018

Page 1 of 1

Item 11.1- Attachment 1 Page 216

# 11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 FEBRUARY 2022 TO 28 FEBRUARY 2022

Attachments:

- 1. Payments by EFT and Payroll February 22 🗓 🖺
- 2. Payments by Cheque February 22 🗓 🕍
- 3. Payments by Direct Debit February 22 J

#### **RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2022 to 28 February 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$4,630,613.38
Cheques	\$745.11
Direct debits, including credit cards	\$662,798.34

# Total payments for February 2022

\$5,294,156.83

#### **PURPOSE OF REPORT:**

To present to Council the list of expenditure and accounts paid for the period 1 February 2022 to 28 February 2022.

# **BACKGROUND:**

Council has delegated to the Chief Executive Officer (Delegation No. 2.2.18) the power to make payments from the City's Municipal and Trust funds.

In accordance with *Regulation 13(1)* of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

# **DETAILS:**

The Schedule of Accounts paid for the period 1 February 2022 to 28 February 2022, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT Payments	2780 - 2790	\$3,270,327.89
Payroll by Direct Credit	February 2022	\$1,360,285.49
Sub Total		\$4,630,613.38
Cheques		
Cheques	82697 - 82700	\$745.11
Cancelled cheques		\$0.00
Sub Total		\$745.11
Direct Debits (including Credit Cards)		
Lease Fees		\$395.84

Total Payments	\$5,294,156.83
Sub Total	\$662,798.34
Credit Cards	\$12,738.66
Bank Charges – CBA	\$172,033.55
Loan Repayments	\$477,630.29

#### **CONSULTATION/ADVERTISING:**

Not applicable.

# **LEGAL/POLICY:**

Regulation 12(1) and (2) of the Local Government (Financial Management) Regulations 1996:

- "12. Payments from municipal fund or trust fund, restrictions on making
- (1) A payment may only be made from the municipal fund or the trust fund
  - if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - otherwise, if the payment is authorised in advance by a resolution of Council.
- (2) Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council."

Regulation 13(1) and (3) of the Local Government (Financial Management) Regulations 1996:

- "13. Lists of Accounts
- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared
  - the payee's name;
  - the amount of the payment;
  - the date of the payment; and
  - sufficient information to identify the transaction.
- (2) A list prepared under sub regulation (1) is to be
  - presented to Council at the next ordinary meeting of Council after the list is prepared; and
  - recorded in the minutes of that meeting."

# **RISK MANAGEMENT IMPLICATIONS:**

Low: Management systems are in place that establish satisfactory controls, supported by the internal and external audit functions. Financial reporting to Council increases transparency and accountability.

# STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

# Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

# SUSTAINABILITY IMPLICATIONS:

Expenditure covered in this report includes various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

# **PUBLIC HEALTH IMPLICATIONS:**

Expenditure covered in this report includes various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

# FINANCIAL/BUDGET IMPLICATIONS:

All municipal fund expenditure included in the list of payments is in accordance with Council's annual budget.

	Creditors Re	eport - Payments by EFT, BPAY and Payroll		
		01/02/22 to 28/02/22		
			_	
Date	Payee	Description		ount
18/02/2022	A Austin	Fitness instructor fees	\$	56.84
18/02/2022	A Duckworth	Design advisory meeting fee	\$	400.00
18/02/2022	A Fink	Fitness instructor fees	\$	663.19
18/02/2022	A Foston	Refund of parking permit	\$	145.00
18/02/2022	A J Madden	Refund of nomination bond	\$	80.00
04/02/2022	A Ravine	Employee study assistance claim	\$	1,075.00
18/02/2022	A Team Printing	Printing services - BPLC	\$	1,574.10
18/02/2022	A Weighell	Part refund of Beatty Park Leisure Centre fees	\$	537.60
18/02/2022	Access Plus WA Deaf	AUSLAN interpreter for Library COVID certificate assistance sessions	\$	243.85
18/02/2022	Acurix Networks Pty Ltd	Public Wi Fi service - various locations	\$	1,419.00
18/02/2022	Adam Cruickshank	Public artwork concept design for Arts Rebound (execution of the agreement - 20% of the total commission fee)	\$	17,600.00
04/02/2022	AJ Cochrane & Sons	Special welfare grant for minor repairs to a property in Hobart Street	\$	9,350.00
04/02/2022	Alinta Energy	Gas charges - various locations	\$	204.65
18/02/2022	Alinta Energy	Gas charges - various locations	\$	741.90
18/02/2022	Allstate Kerbing and Concrete	Kerbing services - Richmond Street	\$	330.00
18/02/2022	Alsco Pty Ltd	Air freshener and mat supplies - various locations	\$	670.33
18/02/2022	Ambergate Nominees Pty Ltd	Rates refund - due to overpayment	\$	741.14
18/02/2022	Ampol Australia Petroleum Pty Ltd	Fuel and oils	\$	24,526.30
04/02/2022	Anglican Parish of North Perth	Reimbursement from heritage assistance fund	\$	1,399.5
18/02/2022	Anna Cappelletta	Fitness instructor fees	\$	2,700.00
		Central management system, software licensing, Ticketor enforcement, meter	<u> </u>	,
18/02/2022	APARC	maintenance, sensor maintenance and credit card test transactions	\$	44,683.22
18/02/2022	Apollo Plumbing and Gas Pty Ltd	Plumbing services - various locations	\$	6,866.13
18/02/2022	Aquawellbeing.com	Fitness instructor fees	\$	520.00
18/02/2022	Aqueo Import & Distribution Pty Ltd	Merchandise - BPLC	\$	2,975.2
18/02/2022	Asphaltech Pty Ltd	Asphalt supplies - various locations	\$	218,714.52
04/02/2022	ATI-Mirage	Staff training - Develop your emotional intelligence	\$	544.50
18/02/2022	Australasian Performing Right Association Ltd	Music licence fees - various halls	\$	1,266.9
18/02/2022	Australia Post	Postage charges	\$	4,878.75
18/02/2022	Australia Post (Agency Commission)	Commission charges	\$	474.14
04/02/2022	Australian HVAC Services Pty Ltd	Air conditioning maintenance and repairs - various locations	\$	440.00
18/02/2022	Australian HVAC Services Pty Ltd	Air conditioning maintenance and repairs - various locations	\$	6,949.48
04/02/2022	Australian Services Union	Payroll deduction	\$	284.90
21/02/2022	Australian Services Union	Payroll deduction	\$	284.90

Date	Payee	Description	Am	ount
04/02/2022	Australian Taxation Office	Payroll deduction	\$	207,185.00
21/02/2022	Australian Taxation Office	Payroll deduction	\$	196,730.96
18/02/2022	Award Contracting	Locating services - various locations	\$	1,034.00
		Expense reimbursement - silicone pads for face shields and protective cases		
18/02/2022	B Christmass	for iPads (BPLC)	\$	367.72
18/02/2022	B M Stanton	Part refund of Beatty Park Leisure Centre fees	\$	38.82
18/02/2022	B Ridley	Part refund of Beatty Park Leisure Centre fees	\$	325.14
18/02/2022	Balcatta Mowers & Chainsaws Pty Ltd	Supply of gardening equipment batteries and charger	\$	1,213.00
18/02/2022	BCITF Building & Construction Industry Training	Levy collection	\$	2,626.56
18/02/2022	BDD Australia Pty Ltd	Milk supplies - BPLC	\$	112.39
18/02/2022	Beatty Park Physiotherapy Pty Ltd	Fitness instructor fees	\$	540.00
18/02/2022	Benara Nurseries	Supply of plants	\$	567.60
18/02/2022	Blackwoods	Hardware supplies - Depot	\$	9,640.84
18/02/2022	Blue Print Screen Art	Supply of bags - BPLC	\$	1,573.00
18/02/2022	BOC Limited	Medical oxygen supplies and CO2 for beverage	\$	902.70
18/02/2022	Boral Construction Materials Group Limited	Concrete supplies	\$	2,135.37
	'	Test and replace faulty lighting, install/remove lighting on Christmas tree -	T	
04/02/2022	Boyan Electrical Services	Braithwaite Park	\$	9,328.00
04/02/2022	Boyan Electrical Services	Supply and install LED lights - Parry Street (50% claim)	\$	13,795.10
18/02/2022	Boyan Electrical Services	Electrical services - various locations	\$	1,833.15
18/02/2022	Boyan Electrical Services	Test and tag electrical appliances at various City buildings	\$	8,305.11
18/02/2022	Briskleen Supplies Pty Ltd	Toiletry and cleaning products - BPLC	\$	5,772.20
18/02/2022	Browne Master Builders	Sauna rental - BPLC	\$	2,860.00
18/02/2022	Bucher Municipal Pty Ltd	Plant repairs and maintenance	\$	13,707.86
04/02/2022	Bunnings Trade	Hardware supplies - Assets	\$	103.55
18/02/2022	Bunnings Trade	Hardware supplies - BPLC	\$	622.61
18/02/2022	C Cole	Purchase of digital artwork	\$	1,500.00
18/02/2022	C K Aylett	Expense reimbursement - supplies for various City events	\$	164.41
18/02/2022	C Lang	Employee study assistance claim	\$	225.50
18/02/2022	C Saffer	Fitness instructor fees	\$	195.00
18/02/2022	C Truscott	Expense reimbursement - catering for Elders forum	\$	180.00
18/02/2022	Caleb and Catherine Jones	Reimbursement from heritage assistance fund	\$	3,822.50
18/02/2022	Carramar Coastal Nursery	Supply of plants	\$	110.00
18/02/2022	Chadson Engineering Pty Ltd	Repairs to aquatic wheel chair - BPLC	\$	269.50
18/02/2022	Charmaine Amanda Magness	Fitness instructor fees	\$	284.20
04/02/2022	Chindarsi Architects	Design advisory meeting fees	\$	
18/02/2022	Chindarsi Architects  Chindarsi Architects	Design advisory consultancy fees		440.00
18/02/2022			\$	220.00
	Christou Design Group Pty Ltd	Design advisory consultancy fees	\$	275.00
18/02/2022	City of Gosnells	Long service leave liability	\$	2,994.71

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Date	Payee	Description	Amount
04/02/2022	City Of Perth	BA archive retrievals	\$ 184.91
04/02/2022	City of South Perth	Cat impound fees	\$ 40.00
04/02/2022	City of Stirling	Mixed waste tipping fees	\$ 741.00
04/02/2022	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 745.64
21/02/2022	City of Vincent	Payroll deduction - staff contributions to vehicles	\$ 745.64
04/02/2022	City of Vincent Staff Social Club	Payroll deduction	\$ 574.00
21/02/2022	City of Vincent Staff Social Club	Payroll deduction	\$ 550.00
04/02/2022	Cleanaway	Recycling contract - December 21	\$ 114,509.42
04/02/2022	CMJ Australia	Merchandise - BPLC	\$ 3,226.30
18/02/2022	Coates Hire Operations Pty Ltd	Plant hire - Depot	\$ 178.20
04/02/2022	Cockburn Party Hire	Table and chair hire - Citizenship ceremony	\$ 794.50
18/02/2022	Compu-Stor	Records digitisation and off-site storage	\$ 7,824.35
18/02/2022	Connect Call Centre Services	After hours calls service (two months)	\$ 3,902.64
04/02/2022	Contraflow Pty Ltd	Traffic management services - View Street	\$ 1,280.13
18/02/2022	Contraflow Pty Ltd	Traffic management services - various locations	\$ 21,722.56
04/02/2022	Corsign WA Pty Ltd	Sign supplies - various locations	\$ 4,024.90
18/02/2022	Corsign WA Pty Ltd	Sign supplies - various locations	\$ 616.00
15/02/2022	Cr A Castle	Council meeting fee	\$ 1,935.83
15/02/2022	Cr Ashley Wallace	Council meeting fee	\$ 1,935.83
15/02/2022	Cr D Loden	Council meeting fee	\$ 1,935.83
15/02/2022	Cr J Hallett	Council meeting fee	\$ 1,935.83
15/02/2022	Cr Ron Alexander	Council meeting fee	\$ 1,935.83
15/02/2022	Cr Ross Ioppolo	Council meeting fee	\$ 1,935.83
15/02/2022	Cr S Gontaszewski	Council meeting fee	\$ 3,255.70
15/02/2022	Cr Suzanne Worner	Council meeting fee	\$ 1,935.83
04/02/2022	CSE Crosscom Pty Ltd	Two way radio repairs	\$ 805.20
18/02/2022	CSP Group Pty Ltd	Plant repairs and maintenance	\$ 304.00
18/02/2022	Cundall	Design advisory meeting fee	\$ 440.00
18/02/2022	D B Green	Fitness instructor fees	\$ 3,240.32
18/02/2022	D Dama	Fitness instructor fees	\$ 625.24
04/02/2022	D Monks	Refund of parking permit	\$ 180.00
18/02/2022	D Staniskov	Refund of parking permit	\$ 180.00
18/02/2022	Dale Alcock Homes	Refund of bin bond	\$ 112.00
18/02/2022	Daniel Bullen	Fitness instructor fees	\$ 3,640.00
18/02/2022	De.Mem-Capic Pty Ltd	Water treatment services - BPLC	\$ 211.20
04/02/2022	Debra Hayes Floral	Flowers for Mayoral Christmas event	\$ 660.00
18/02/2022	Department of Mines, Industry Regulation and Safety	Building services levy collection	\$ 6,853.16
04/02/2022	Department of Social Services	Payroll deduction	\$ 854.69
21/02/2022	Department of Social Services	Payroll deduction	\$ 915.48

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Date	Payee	Description	Amou	ınt
18/02/2022	Department of Transport	Vehicle ownership searches	\$	8,802.70
04/02/2022	Depot Social Club	Payroll deduction	\$	56.00
21/02/2022	Depot Social Club	Payroll deduction	\$	56.00
18/02/2022	Design Right Pty Ltd	Design services - various locations	\$	8,800.00
18/02/2022	Devco Builders	Maintenance and repairs - various locations	\$	18,010.64
18/02/2022	Devco Builders	Painting hallway, toilets and main hall - Subiaco Football Club	\$	12,776.39
		Supply and install two 3 phase circuits from plant room switchboard to spa and		
18/02/2022	Devco Builders	sauna area - BPLC	\$	6,363.17
18/02/2022	Devco Builders	Remove and upgrade glass door and side panels - BPLC	\$	8,207.49
18/02/2022	Devco Builders	Replace timber boundary fence with Colourbond fence - North Perth Town Hall	\$	15,802.60
04/02/2022	Diversus	CPI increase for Promapp annual subscription	\$	1,732.50
18/02/2022	DNX Energy Pty Ltd	Solar photovoltaic system - Mount Hawthorn Community Centre (balance)	\$	10,192.00
18/02/2022	Donegan Enterprises Pty Ltd	Playground repairs, maintenance and safety inspections - various locations	\$	11,466.40
18/02/2022	Downer EDI Engineering Power Pty Ltd	Relocation of wireless radio link from Admin to Loftus Centre	\$	12,328.80
18/02/2022	Downer EDI Engineering Power Pty Ltd	Supply and install CCTV monitor bracket and cable - Depot	\$	1,320.00
18/02/2022	E Duguid	Refund of parking permit	\$	180.00
18/02/2022	Enigin Partners Pty Ltd	Energy monitoring service - Admin	\$	4,360.32
04/02/2022	Ergolink	Ergonomic supplies - chair and foot rest	\$	650.75
04/02/2022	Farinosi & Sons Pty Ltd	Hardware supplies	\$	174.80
04/02/2022	Flexi Staff Pty Ltd	Temporary staff - various departments	\$	17,717.52
18/02/2022	Flexi Staff Pty Ltd	Temporary staff - various departments	\$	50,578.79
18/02/2022	Flick Anticimex Pty Ltd	Pest control services - various locations	\$	2,301.14
04/02/2022	Focus Networks	Manage corporate WiFi, firewall and onsite managed network support	\$	42,825.75
04/02/2022	G Burgess	Distribution services - 17800 verge valet pamphlets	\$	4,699.20
18/02/2022	G Edwards	Fitness instructor fees	\$	1,077.60
18/02/2022	G L Syme	Refund of duplicate charge for cat registration	\$	200.00
04/02/2022	G Nind	Part refund of Beatty Park Leisure Centre fees	\$	63.75
04/02/2022	Great Lakes Community Resources	Street goods collection services	\$	2,890.80
18/02/2022	Great Lakes Community Resources	Street goods collection services	\$	2,255.00
18/02/2022	Grillex Pty Ltd	Supply of drinking fountain with dog bowl and side refill spout	\$	4,550.70
18/02/2022	Gymcare	Gym equipment repairs and maintenance - BPLC	\$	546.85
04/02/2022	H Chum	Refund of beauty therapy premises application fee	\$	140.00
18/02/2022	H Pfeifer	Part refund of Beatty Park Leisure Centre fees	\$	26.22
18/02/2022	H Yan	Refund of infrastructure bond	\$	1,000.00
18/02/2022	Handydesk	Freestanding hand sanitiser stations - Loftus Community Centre and BPLC	\$	4,115.52
04/02/2022	Hans Andresen	Christmas banner removal - various locations	\$	1,974.50
04/02/2022	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff - Waste	\$	1,324.31
04/02/2022	Health Insurance Fund of WA	Payroll deduction	\$	178.10
21/02/2022	Health Insurance Fund of WA	Payroll deduction	\$	178.10

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Date	Payee	Description	Amount
04/02/2022	Hudson Global Resources (Aust) Pty Ltd	Recruitment fee	\$ 14,520.0
18/02/2022	Hype Promotions	Protective face shields - BPLC	\$ 632.50
04/02/2022	Imagesource Digital Solutions	Printing services - BPLC	\$ 579.7
18/02/2022	Innovations Catering	Catering for City events - Council and training	\$ 2,273.6
04/02/2022	Instant Shade Pty Ltd	Supply of shade umbrella - Mary Street Piazza	\$ 6,155.0
18/02/2022	Isubscribe Pty Ltd	Library magazine subscriptions	\$ 1,769.6
18/02/2022	J Chung	Fitness instructor fees	\$ 227.3
18/02/2022	J G McRoberts	Crossover subsidy	\$ 585.0
04/02/2022	J Lowden	Fitness instructor fees	\$ 113.6
18/02/2022	J Mortley	Reimbursement from heritage assistance fund	\$ 3,600.0
18/02/2022	J Stanton	Part refund of Beatty Park Leisure Centre fees	\$ 351.2
18/02/2022	Jack Lockers	Locker hire - October to December 21 (BPLC)	\$ 1,085.0
04/02/2022	Jake Robinson Acoustic	Acoustic performance - Citizenship ceremony	\$ 460.0
04/02/2022	JBA Surveys	Surveying services - various locations	\$ 3,344.0
18/02/2022	Jim's Mowing (Dalkeith)	Gardening services - Loftus Community Centre	\$ 160.0
04/02/2022	JMC2 Pty Ltd t/a Lets Go Kids	Advertising services - BPLC	\$ 2,123.0
18/02/2022	K Gibbs	Refund of parking permit	\$ 180.0
18/02/2022	K Harcus	Fitness instructor fees	\$ 540.0
18/02/2022	K Herbert	Author talk for Library event	\$ 360.0
18/02/2022	Kambarang Services Pty Ltd	Facilitation of Elders meeting	\$ 4,840.0
18/02/2022	Kevin Bynder	Supply of indigenous design shirts	\$ 1,595.0
03/02/2022	KJ Concha Pty Ltd ATF HODL Superannuation Fund	Superannuation	\$ 2,129.19
18/02/2022	Komatsu Australia Pty Ltd	Plant repairs and maintenance	\$ 2,058.5
18/02/2022	Konica Minolta Business Solutions Australia Pty Ltd	Copy costs - various departments	\$ 450.4
04/02/2022	KS Black Pty Ltd	Upgrade of electrical cabinet - Weld Square	\$ 20,626.9
18/02/2022	Kuditj Pty Ltd	Catering for City events - Workshop and Citizenship ceremony	\$ 3,060.7
18/02/2022	L Fuentes-Vasquez	Part refund of Beatty Park Leisure Centre fees	\$ 405.8
18/02/2022	L Johnson	Part refund of Beatty Park Leisure Centre fees	\$ 345.8
18/02/2022	L Saraceni	Part refund of Beatty Park Leisure Centre fees	\$ 620.09
18/02/2022	L Straw	Author talk for community history event	\$ 350.0
18/02/2022	L Tate	Refund of parking permit	\$ 180.0
04/02/2022	L.G.R.C.E.U.	Payroll deduction	\$ 20.5
21/02/2022	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
18/02/2022	Lalli Consulting Engineers	Structural inspection and reporting - various locations	\$ 2,805.0
18/02/2022	Landgate	Gross rental valuations for interims, land enquiries and aerial imagery extraction	
18/02/2022	Leederville Cameras	Printing services - postcards	\$ 17.0
18/02/2022	Leo Heaney Pty Ltd	Reticulation flushing	\$ 2,112.0
18/02/2022	Les Mills Asia Pacific	Licence fees for fitness classes	\$ 1,663.2
04/02/2022	LGISWA	Insurance excess	\$ 500.0

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Date	Payee	Description	Am	ount
18/02/2022	LGÍSWA	Performance based adjustments	\$	325,300.80
04/02/2022	Line Marking Specialists	Line marking services - various locations	\$	7,931.00
18/02/2022	Line Marking Specialists	Line marking services - various locations	\$	5,907.00
18/02/2022	Local Government Professionals Australia WA	Staff training - customer complaints resolution	\$	815.00
18/02/2022	M Blanch	Refund of parking permit	\$	180.00
04/02/2022	M E Schoch	Part refund of Beatty Park Leisure Centre fees	\$	54.00
04/02/2022	M Elikewela	Refund of parking permit	\$	180.00
18/02/2022	M G Jajko	Fitness instructor fees	\$	227.36
24/02/2022	M Platt	Refund of swim school payment	\$	2,226.55
18/02/2022	M Slater	Fitness instructor fees	\$	301.45
18/02/2022	M Suttner	Rates refund - due to overpayment	\$	2,441.88
18/02/2022	Manheim Pty Ltd	Towing services	\$	709.50
18/02/2022	Margaret River Agencies	Soft beverage supplies for Council meetings	\$	408.00
18/02/2022	Marketforce Pty Ltd	Advertising services - various departments	\$	7,178.50
18/02/2022	Marshall Beattie Pty Ltd	Automatic door repairs - BPLC entry gate	\$	286.00
18/02/2022	Massey's Herd	Milk supplies - Depot	\$	346.80
04/02/2022	MASTEC Australia Pty Ltd	Supply of kitchen caddy liners	\$	100,188.00
18/02/2022	MASTEC Australia Pty Ltd	Supply of bin wheels	\$	1,828.75
04/02/2022	Max Wax Auto Detailing	Vehicle detailing services	\$	70.00
15/02/2022	Mayor E Cole	Council meeting fee	\$	7,875.25
04/02/2022	McLeods Barristers & Solicitors	Legal services - health advice	\$	3,240.52
18/02/2022	McLeods Barristers & Solicitors	Legal services - SAT matter	\$	520.47
18/02/2022	Medelect	Servicing of defibrillators and oxygen equipment - BPLC	\$	686.40
03/02/2022	Mercer Spectrum	Superannuation	\$	7,756.61
18/02/2022	MESA Australia	Plant room maintenance - BPLC	\$	5,001.70
18/02/2022	MessageMedia	SMS integrating for Phoenix	\$	229.35
04/02/2022	Metal Works Perth	Supply and install bus shelters - part payment	\$	9,900.00
04/02/2022	Midland Toyota	Purchase of two vehicles, as per fleet management programme	\$	57,396.70
04/02/2022	Mind Over Matter Health and Fitness	Seniors weekly fitness classes	\$	70.00
04/02/2022	Mindarie Regional Council	Processable and non processable waste	\$	96,905.85
18/02/2022	Mindarie Regional Council	Processable and non processable waste	\$	74,629.69
18/02/2022	Mindarie Regional Council	Reimbursement of administration expenses (two months)	\$	64,416.18
18/02/2022	Mt Lawley Bowling Club Inc	COV staff Christmas party 2021	\$	2,999.80
04/02/2022	My Best Friend Veterinary Centre	Vet services - December 21	\$	984.80
18/02/2022	My Best Friend Veterinary Centre	Vet services - November 21	\$	4,129.30
04/02/2022	Natale Group Australia Pty Ltd	Security services - BPLC	\$	1,721.50
18/02/2022	Natale Group Australia Pty Ltd	Security services - BPLC	\$	2,722.50
18/02/2022	Nightlife Music Pty Ltd	Crowd DJ - BPLC	\$	417.94
04/02/2022	Node1 Internet	Fixed wireless internet charges	\$	189.00

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Date	Payee	Description	Amo	ount
04/02/2022	NoiseNet Operations Pty Ltd	Equipment leasing - dog barking monitor	\$	5,830.00
18/02/2022	Noma Pty Ltd	Design advisory meeting and consultancy fees	\$	1,540.00
18/02/2022	Northsands Resources	Sand supplies	\$	217.80
18/02/2022	Nutrien Ag Solutions Limited (formerly Landmark Operation	ns Limi Supply of fertiliser	\$	5,200.80
04/02/2022	O P de Mello	Part refund of dog registration	\$	150.00
04/02/2022	Open Systems Technology Pty Ltd (T/A CouncilFirst)	Consultancy services - November 21	\$	8,987.00
18/02/2022	Open Systems Technology Pty Ltd (T/A CouncilFirst)	Consultancy services - December 21	\$	3,547.50
04/02/2022	Optus Billing Services Pty Ltd	Telephone and internet charges - various locations	\$	14,401.39
04/02/2022	Optus Billing Services Pty Ltd	Purchase of City handsets	\$	2,300.00
18/02/2022	Orbit Health & Fitness Solutions Pty Ltd	Portable gym fan - BPLC	\$	4,328.50
18/02/2022	Organic 2000	Supply of fertiliser	\$	1,725.37
04/02/2022	Otis Elevator Company Pty Ltd	Supply and install emergency light unit - Admin	\$	3,850.00
18/02/2022	P B Burr	Rates refund - due to overpayment	\$	93.29
18/02/2022	P J Mather	Crossover subsidy	\$	680.00
18/02/2022	P Karr	Refund of Loftus Community Centre membership	\$	15.00
18/02/2022	P Lewis	Refund of parking permit	\$	180.00
18/02/2022	P Panchal	Part refund of Beatty Park Leisure Centre fees	\$	180.00
18/02/2022	P Pham	Refund of recoverable works payment	\$	3,760.00
18/02/2022	P R and J E MacLiver	Rates refund - due to overpayment	\$	83.15
18/02/2022	P Szewczyk	Crossover subsidy	\$	440.00
18/02/2022	P Tran	Fitness instructor fees	\$	568.40
18/02/2022	Parks and Leisure Australia	Staff training - Leisure facilities managers course	\$	1,947.00
04/02/2022	PeopleSense by Altius	Counselling services	\$	656.70
18/02/2022	PeopleSense by Altius	Counselling services	\$	3,064.60
04/02/2022	Perth Property Management	Refund of parking permits	\$	900.00
18/02/2022	Pirtek Malaga	Plant repairs and maintenance	\$	1,756.17
18/02/2022	PPG Industries Australia Pty Ltd	Supply of paint	\$	1,702.58
04/02/2022	Print and Sign Co	Printing services - various departments	\$	3,870.90
18/02/2022	Professional Tree Surgeons	Tree pruning and removal services - various locations	\$	2,345.75
18/02/2022	Profounder Turfmaster Pty Ltd	Turf maintenance - various locations	\$	8,783.04
04/02/2022	Programmed Skilled Workforce Limited	Temporary staff - Engineering	\$	5,198.59
18/02/2022	Programmed Skilled Workforce Limited	Temporary staff - Engineering	\$	9,713.22
18/02/2022	Protector Fire Services Pty Ltd	Fire equipment maintenance and servicing - various locations	\$	3,836.25
18/02/2022	R Abilio	Part refund of Beatty Park Leisure Centre fees	\$	19.00
01/02/2022	R Hughan	Rates refund - due to overpayment	\$	525.04
18/02/2022	R M Adams	Part refund of registration of two dogs	\$	250.00
18/02/2022	R Mather	Part refund of Beatty Park Leisure Centre fees	\$	252.16
04/02/2022	R Sanders	Vehicle repairs	\$	495.00
18/02/2022	R.K Patel & S.R Patel	Library newspaper delivery	\$	19.20

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Date	Payee	Description	Amount
18/02/2022	REALMstudios Pty Ltd	Design advisory meeting fees	\$ 440.0
18/02/2022	Regents Commercial	Rent and variable outgoings - Barlee Street car park	\$ 5,466.0
18/02/2022	Renew Property Maintenance	Clearing rights of way and tipping fees - various locations	\$ 4,224.0
18/02/2022	Rentokil Initial Pty Ltd	Pest control services - BPLC	\$ 2,084.6
18/02/2022	Rentwest Solutions	Rates refund - due to overpayment	\$ 352.2
18/02/2022	Roadline Removal (WA)	Line marking removal services - various locations	\$ 1,320.0
18/02/2022	Rockwater Pty Ltd	Geothermal monitoring review - BPLC	\$ 908.8
18/02/2022	Rotary Club Of North Perth Inc.	Event sponsorship - Hyde Park Fair 2022 (cancelled due to COVID restrictions)	\$ 16,500.0
18/02/2022	RPG Auto Electrics	Plant repairs and maintenance	\$ 187.0
18/02/2022	Rubek Automatic Doors	Repair automatic doors - Admin	\$ 820.6
04/02/2022	S & A Smash Repairs	Insurance excess	\$ 500.0
04/02/2022	S Erskine	Part refund of Beatty Park Leisure Centre fees	\$ 592.0
18/02/2022	S F Gurgone	Refund of parking permit	\$ 180.0
18/02/2022	S Leibovitch	Part refund of dog registration	\$ 100.0
18/02/2022	S Lommatzsch	Part refund of Beatty Park Leisure Centre fees	\$ 576.6
18/02/2022	S Patchett	Fitness instructor fees	\$ 675.0
18/02/2022	S Pearson	Fitness instructor fees	\$ 90.0
04/02/2022	S Smart	Fitness instructor fees	\$ 56.8
18/02/2022	S Smart	Fitness instructor fees	\$ 56.8
18/02/2022	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 5,863.0
18/02/2022	Sanax Medical & First Aid Supplies	Supply of rapid antigen testing kits	\$ 1,633.5
04/02/2022	Sarah Chopra	Fitness instructor fees	\$ 361.6
18/02/2022	SAS Locksmiths	Key cutting and lock maintenance service - various locations	\$ 1,599.8
18/02/2022	Scarboro Toyota	Vehicle service and repairs	\$ 231.0
04/02/2022	Scott Print	Printing services - waste brochures	\$ 1,934.9
04/02/2022	Securus	Security services - Woodville Reserve Pavilion	\$ 196.9
18/02/2022	Securus	Security services - various locations	\$ 322.8
18/02/2022	Shop for Shops	Supply of pricing tags - BPLC	\$ 50.4
18/02/2022	Sigma Chemicals	Pool chemicals - BPLC	\$ 2,660.3
18/02/2022	Smith & Co Naturopathic Medicine	Library speaking engagement fee - Gut partnerships	\$ 100.0
18/02/2022	Smoke and Mirrors AV	Supply of PA system - Citizenship ceremony	\$ 220.0
04/02/2022	Sonic HealthPlus Pty Ltd	Employee medical services	\$ 343.7
18/02/2022	SpacetoCo Pty Ltd	Facilities weekly reporting and financial handling	\$ 660.0
18/02/2022	Specialty Timber Flooring WA	Floor resurfacing - various locations	\$ 19,371.0
18/02/2022	Speedo Australia Pty Ltd	Merchandise - BPLC	\$ 14,199.3
18/02/2022	Sportsworld Of WA	Merchandise - BPLC	\$ 12,340.9
04/02/2022	St John Ambulance Western Australia Ltd	Supply of defibrillator pads and kit	\$ 211.7
18/02/2022	St John Ambulance Western Australia Ltd	Supply of defibrillator pads and kit	\$ 199.9
03/02/2022	Steeg Banham Superannuation Fund	Superannuation	\$ 331.6

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Date	Payee	Description	Am	ount
04/02/2022	Suez Recycling & Recovery Pty Ltd	Supply of sharps containers	\$	312.63
18/02/2022	Sun Bum Australia Pty Ltd	Merchandise - BPLC	\$	908.86
03/02/2022	SuperChoice Services Pty Ltd	Superannuation	\$	368,902.71
16/02/2022	SuperChoice Services Pty Ltd	Superannuation	\$	259.00
04/02/2022	Synergy	Electricity and gas charges - various locations	\$	66,535.79
18/02/2022	Synergy	Electricity and gas charges - various locations	\$	132,401.43
18/02/2022	T Stotzer	Part refund of Beatty Park Leisure Centre fees	\$	743.08
18/02/2022	Tamala Park Regional Council	GST for sale of land - December 21 and January 22	\$	27,311.00
04/02/2022	Technologically Speaking	Workshop - COVID 19 digital vaccination certificate access	\$	400.00
04/02/2022	Technology One Ltd	GIS consulting services	\$	2,156.00
18/02/2022	Technology One Ltd	GIS consulting services	\$	4,312.00
18/02/2022	Teena Smith	Fitness instructor fees	\$	820.00
04/02/2022	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$	893.31
04/02/2022	Temptations Catering	Catering for City event - training	\$	221.39
18/02/2022	Temptations Catering	Catering for City event - workshop	\$	404.15
18/02/2022	The BBQ Man	BBQ, outdoor artwork and pressure cleaning services - various locations	\$	7,052.64
18/02/2022	The Children's Book Council Of Australia (WA Branch)	Annual membership 2022	\$	75.00
04/02/2022	The Factory (Australia) Pty Ltd	Supply and install 'Big Blue Head' Pride headband	\$	1,518.00
04/02/2022	The Owners of Musbury Terrace	Reimbursement from heritage assistance fund	\$	5,000.00
04/02/2022	The Perth Mint	Supply of coins for Citizenship ceremony	\$	990.00
18/02/2022	The Royal Life Saving Society Western Australia Inc	Swimming certificates - BPLC	\$	250.96
18/02/2022	The Royal Life Saving Society Western Australia Inc	Watch around water wristbands - BPLC	\$	770.00
18/02/2022	The Royal Life Saving Society Western Australia Inc	Maintenance and repairs of Hyde Park water playground - January 22	\$	9,482.12
18/02/2022	The Royal Life Saving Society Western Australia Inc	Servicing of AIDS memorial fountain - January 22	\$	792.00
03/02/2022	The Trustee for Fergco Family Super Fund	Superannuation	\$	2,953.58
18/02/2022	TJ Depiazzi & Sons	Supply of mulch	\$	3,491.40
04/02/2022	Tom Lawton - Bobcat Hire	Bobcat hire	\$	7,665.90
18/02/2022	Tom Lawton - Bobcat Hire	Bobcat hire	\$	10,787.70
18/02/2022	Total Eden Pty Ltd	Reticulation supplies	\$	373.93
18/02/2022	Totally Workwear Mt Hawthorn	Uniform supplies - various departments	\$	1,937.19
04/02/2022	Tree Amigos	Street trees and parks pruning/removal - various locations	\$	34,889.80
18/02/2022	Tree Amigos	Street trees and parks pruning/removal - various locations	\$	19,645.45
04/02/2022	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$	759.88
18/02/2022	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$	647.26
	Trustees for The Folan Family Trust t/a Inspired Development	·		
04/02/2022	Solutions	Staff training - Executive coaching	\$	770.00
04/02/2022	Tyres4U Pty Ltd	Tyre replacements and maintenance	\$	1,374.34
18/02/2022	Tyres4U Pty Ltd	Tyre replacements and maintenance	\$	3,225.42
04/02/2022	V Rawlinson	Refund of E-bike hire	\$	20.00

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Date Payee Description		Amount	
04/02/2022	VendorPanel Pty Ltd	Licence and one off activation fee (November 21 to November 23)	\$ 6,435.00
18/02/2022	Vorgee Pty Ltd	Merchandise - BPLC	\$ 2,590.50
04/02/2022	W A Hedzik	Refund of ticket for Christmas event	\$ 8.00
18/02/2022	WALGA	Councillor training - various courses	\$ 643.50
18/02/2022	Ward Packaging	Supply of paper cups	\$ 176.56
04/02/2022	Water Corporation	Water charges - various locations	\$ 910.90
18/02/2022	Water Corporation	Water charges - various locations	\$ 9,920.77
18/02/2022	WC Convenience Management Pty Ltd	Maintenance of exeloos - various locations	\$ 3,992.44
18/02/2022	West Coast Profilers Pty Ltd	Profiling services - various locations	\$ 16,192.00
04/02/2022	Western Irrigation Pty Ltd	Reticulation repairs and maintenance	\$ 2,934.17
18/02/2022	Western Irrigation Pty Ltd	Reticulation repairs and maintenance	\$ 1,464.08
04/02/2022	Western Metropolitan Regional Council	Processing FOGO waste	\$ 47,768.93
18/02/2022	Western Metropolitan Regional Council	Processing FOGO waste	\$ 46,200.33
18/02/2022	Western Resource Recovery Pty Ltd	Grease trap maintenance - various locations	\$ 974.60
18/02/2022	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 1,870.21
04/02/2022	Wheelers Books Pty Ltd	Supply of library books	\$ 96.68
18/02/2022	Wheelers Books Pty Ltd	Supply of library books	\$ 334.64
18/02/2022	Wilson Security	Security services - Loftus Rec Centre	\$ 71.50
04/02/2022	Winc Australia Pty Ltd	Office supplies and consumables	\$ 6.52
18/02/2022	Winc Australia Pty Ltd	Office supplies and consumables	\$ 4,222.99
18/02/2022	Work Metrics Pty Ltd	Online inductions - BPLC	\$ 110.00
18/02/2022	Workwear Group Pty Ltd	Uniform supplies - Library	\$ 3,197.06
04/02/2022	Worldwide East Perth	Printing services - various departments	\$ 176.00
18/02/2022	Worldwide East Perth	Printing services - various departments	\$ 4,466.00
18/02/2022	YogaNut	Fitness instructor fees	\$ 600.00
18/02/2022	Yolande Gomez	Fitness instructor fees	\$ 1,269.44
18/02/2022	Zipform	Rates notices 2021/22 - 4th instalment	\$ 6,273.55
			\$ 3,270,327.89
Payroll			
01/02/22	Pay 16		\$ 673,070.15
04/02/22	Ad hoc		\$ 2,974.15
15/02/22	Pay 17		\$ 682,596.05
22/02/22	Ad hoc		\$ 1,645.14
Total Payrol	<u> </u>		\$ 1,360,285.49
Total Payme	nto		¢ 4 620 640 00
TOLAL PAYITIE	into		\$ 4,630,613.38

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		Creditors Report	- Payments by Cheque		
		•	2 to 28/02/22		
Creditor	Date	Payee	Description	Amo	unt
00082697	02/02/2022	Petty Cash - Beatty Park Leisure Centre	Petty cash recoup	\$	340.85
00082698	02/02/2022	Petty Cash - Library	Petty cash recoup	\$	135.00
00082699	09/02/2022	Petty Cash - Depot	Petty cash recoup	\$	191.70
00082700	15/02/2022	Commissioner of State Revenue	Refund of ESL rebate	\$	77.56
Total Nett Ch	eque Payments			\$	745.11

		Creditors Report - Payments I	by Direct Debit		
		01/02/22 to 28/02/	22		
Credit Card Transactions for the Period		•		_	
Card Holder	Date	Payee	Description		ount
CEO	19/01/2022	WA News	WA newspaper subscription - digital and paper	\$	83.60
Director Community & Business Services	17/01/2022	Qualtrics	Customer satisfaction measurement tool	\$	3,529.00
Director Strategy & Development	11/01/2022	ASIC	Company search	\$	9.00
	17/01/2022	ASIC	Company search	\$	9.00
				\$	18.00
Director Infrastructure & Environment	11/01/2022	Rawlinsons (WA)	Australian construction handbook 2022 - Depot	\$	470.00
Director initiaes actains a Environment	27/01/2022	Leederville Foods Pty Ltd	Catering for City event - staff event	\$	94.80
	27/01/2022	•	Catering for City event - staff event	\$	384.70
	31/01/2022	CPP State Library	Parking - external meeting	\$	4.04
	04/02/2022	JP's Bakehouse	Catering for City event - staff event	\$	221.10
	0 1/ 0 1/ 0 1		- Canoning ion only order	\$	1,174.64
Manager Marketing & Partnerships	07/01/2022	Basic Quarterly	Disputed - unknown charge	\$	329.05
The state of the s	07/01/2022	International transaction fee	Disputed - unknown charge	\$	8.23
	09/01/2022	Basic Quarterly	Refund of unknown charge (difference due to exchange rate)		332.41
	10/01/2022	Mailchimp	Email campaign	\$	1,159.25
	19/01/2022	Shutterstock	Image download subscription	\$	99.00
	23/01/2022	Asana.com	Subscription - work flow graphic design tool	\$	849.28
	23/01/2022	International transaction fee	Subscription - work flow graphic design tool	\$	21.23
	25/01/2022	Woolworths	Supplies for Citizenship ceremony	\$	83.80
		Foundation for Indigenous Sustainable		· ·	
	02/02/2022	Health	Catering for City event - workshop	\$	279.25
	02/02/2022	2nd Avenue IGA	Catering for City event - workshop	\$	24.84
	1			\$	2,521.52
Manager ICT	07/01/2022	Landis Technologies	Software licence - call centre for Customer Service	\$	1,113.76
	07/01/2022	International transaction fee	Software licence - call centre for Customer Service	\$	27.84
	07/01/2022	Sendgrid	Application programming interface software	\$	125.90
	07/01/2022	International transaction fee	Application programming interface software	\$	3.15
	07/01/2022	Case Buddy	IT accessories - iPad covers	\$	94.90

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Card Holder	Date	Payee	Description	An	nount
	12/01/2022	Transmitsms.com	SMS emergency service credit	\$	51.00
	19/01/2022	Zoom	Video conferencing	\$	307.89
	20/01/2022	Holey Moley Australia	ICT rewards and recognition award	\$	258.00
	25/01/2022	Amazon	IT accessories - laptop docking stations	\$	1,276.00
	28/01/2022	The Good Guys	IT accessories - webcams	\$	397.00
	01/02/2022	PLE Computers	IT accessory - wireless adaptor for Council Chambers	\$	82.68
	01/02/2022	Safetyculture	Mobile inspection application	\$	158.40
	02/02/2022	Officeworks	IT accessory - network adaptor	\$	39.95
	02/02/2022	CCA productions	Equipment hire - speaker system for Council AGM	\$	101.65
	02/02/2022	Assetsonar.com	IT asset management software	\$	312.81
	02/02/2022	International transaction fee	IT asset management software	\$	7.82
	03/02/2022	Deputy	Online timesheet software	\$	865.15
				\$	5,223.90
Procurement and Contracts Officer	31/01/2022	Chartered Accountants ANZ	Renewal of annual subscription for finance officer	\$	188.00
Total Corporate Credit Cards				\$	12,738.66
Direct Debits					
Lease Fees	23/02/2022	Pitney Bowes Leasing	Postal scales	\$	395.84
Loan Repayments		Treasury Corporation	Department Sport and Recreation Building, Loftus Centre, Loftus Underground Car Park and Beatty Park Leisure Centre	\$	477,630.29
Bank Fees and Charges		Commonwealth Bank	Bank fees	\$	172,033.55
Total Direct Debits including Credit C	Cards			\$	662,798.34

#### 11.3 **INVESTMENT REPORT AS AT 28 FEBRUARY 2022**

#### Attachments:

1. Investment Statistics as at 28 February 2022 J



#### **RECOMMENDATION:**

That Council NOTES the Investment Statistics for the month ended 28 February 2022 as detailed in Attachment 1.

#### PURPOSE OF REPORT:

To advise Council of the nature and value of the City's Investments as at 28 February 2022 and the interest amounts earned YTD.

#### **BACKGROUND:**

The City's surplus funds are invested in bank term deposits for various terms to facilitate maximum investment returns in accordance with the City's Investment Policy (No. 1.2.4).

Details of the investments are included in **Attachment 1** and outline the following information:

- Investment performance and policy compliance charts;
- Investment portfolio data;
- Investment interest earnings; and
- Current investment holdings.

# **DETAILS:**

# Summary of key investment decisions in this reporting period

No funds have been invested in February to ensure cash flows are maintained at an optimum level and due to some term deposits maturing closer to the reporting period.

The City's non-fossil fuel exposure has been maintained at low levels for the past few months due to the following reasons:

- Record low interest rates offered by banks divested in fossil fuel activities; and
- Smaller divested banks have capped the number of term deposits they can undertake due to surplus cash positions primarily fuelled by low borrowing costs in the market. This is impacting the City's ability to provide investment preference to these organisations.

# **Investment Status**

The City's investment portfolio is diversified across several accredited financial institutions.

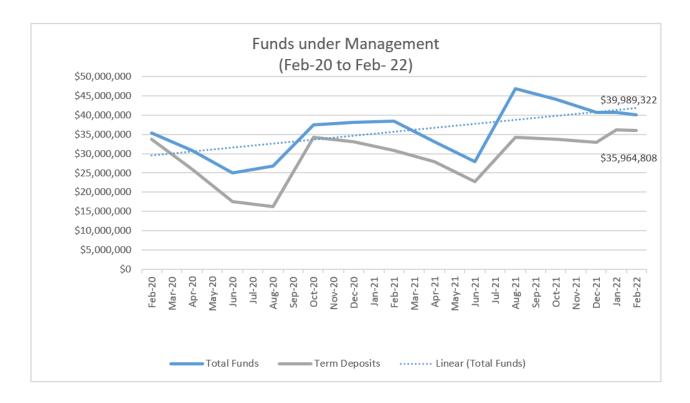
As of 28 February 2022, the total funds held in the City's operating account (including on call) is \$39,989,322 compared to \$38,487,371 for the period ending 28 February 2021.

Interest bearing term deposits and saver account for \$37,263,792, non-interest bearing account for \$2,714,531 and the remaining \$11,000 is held in equity shares.

The total term deposit investments for the period ended 28 February 2022 are \$35,964,807 compared to \$25,745,573 for the period ending 28 February 2021.

The following chart shows funds under management from February 2020 to February 2022.

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# **Interest Status**

Total accrued interest earned on investments at 28 February 2022 is:

Total Accrued Interest Earned on Investment	Budget Adopted	Budget YTD	Actual YTD	% of FY Budget
Municipal	\$100,000	\$53,098	\$57,986	109.20%
Reserve	\$100,000	\$72,832	\$30,945	42.50%
Subtotal	\$200,000	\$125,930	\$88,931	70.60%
Leederville Gardens Inc Surplus Trust*	\$0	\$0	\$50,090	0.00%
Total	\$200,000	\$125,930	\$139,021	110.40%

\*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2022/22 Budget as actual interest earned is restricted.

The City has a weighted average interest rate of 0.43% for current investments whereas the Reserve Bank 90 days accepted bill rate for February 2022 is 0.07%. The online Saver interest rate has been maintained at 0.20% and is subject for review by CommBank in March 2022.

# **Sustainable Investments**

The City's investment policy requires that in the first instance, the City considers rate of return of the fund. All things being equal, the City then prioritises funds with no current record of funding fossil fuels. The City can increase the number of non-fossil fuel lenders but will potentially result in a lower rate of return.

Administration utilises 'Market Forces' to ascertain the level of exposure banks have in fossil fuel activities and utilises a platform called 'Yield Hub' to determine daily interest rates published by banks.

The investment guidelines which is the supplementary document to the Council Investment Policy has been updated to increase the maximum exposure limits to divested institutions, this has now been increased to 90% as reflected in the below table. The majority of divested institutions lie within A-2 and A-1+ categories.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum %with any one institution		Maximum % of Total Portfolio		
	Guideline	Current position	Guideline	Current position	
A1+	30%	26.8%	90%	42.0%	
A-1	25%	0.0%	90%	0.0%	
A-2	20%	26.6%	90%	58.0%	

Administration will continuously explore options to ascertain if a balanced investment strategy can be developed where investments in divested banks can be increased with a minimal opportunity cost of loss in interest rate returns for instances when banks not divested in fossil fuel activities offer a higher rate of return.

## **Equity Shares**

The City of Vincent holds 11,000 shares in North Perth Community Bank purchased at \$1/share on 23 November 2001.

# **RISK MANAGEMENT IMPLICATIONS**

Low:

Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

# STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

# Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner. Our community is aware of what we are doing and how we are meeting our goals. Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

# SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however focussing on non-fossil fuel investments contributes to a Sustainable Environment.

# **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes of the City's Public Health Plan 2020-2025.

# FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

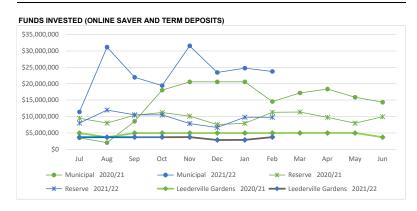
# CITY OF VINCENT INVESTMENT PORTFOLIO AS AT 28 FEBRUARY 2022

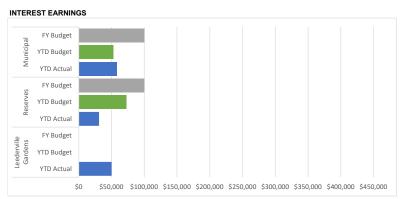
	Municipal	Reserve	Leederville Gardens Inc Surplus Trust	Total	Total
	\$	\$	\$	\$	%
BY INVESTMENT HOLDINGS					
Municipal Account	2,714,531	0	0	2,714,531	6.8%
Online Saver	1,298,985	0	0	1,298,985	3.2%
Term Deposits	22,446,244	9,786,747	3,731,816	35,964,807	89.9%
Equity Shares	11,000	0	0	11,000	0.0%
-	26,470,759	9,786,747	3,731,816	39,989,322	100.0%
BY INSTITUTION					
Bank of Queensland	10,676,244	0	0	10,676,244	26.6%
Commonwealth Bank of Australia	4,013,515	0	0	4,013,515	10.1%
Members Equity Bank	0	2,742,887	854,727	3,597,614	9.0%
National Australia Bank	5,671,590	2,191,330	2,858,029	10,720,949	26.8%
Bendigo Bank	11,000	0	0	11,000	0.0%
AMP Bank	5,074,654	3,852,530	19,060	8,946,244	22.4%
Macquarie Bank	1,023,756	1,000,000	0	2,023,756	5.1%
_	26,470,759	9,786,747	3,731,816	39,989,322	100.0%
BY CREDIT RATINGS (SHORT-TERM ISSUE)					
A-1+	10,708,861	3,191,330	2,858,029	16,758,220	42.0%
A-2	15,761,898	6,595,417	873,787	23,231,102	58.0%
-	26,470,759	9,786,747	3,731,816	39,989,322	100.0%
BY TERMS					
0-30 days	4,013,515	0	0	4,013,515	10.0%
91-180 days	5,000,000	7,786,747	19,060	12,805,807	32.0%
181-270 days	10,623,756	2,000,000	0	12,623,756	31.6%
271-365 days	4,876,244	0	2,810,396	7,686,640	19.2%
> 1 year	1,957,244	0	902,360	2,859,604	7.2%
-	26,470,759	9,786,747	3,731,816	39,989,322	100.0%
BY MATURITY					
0-30 days	14,637,271	0	0	14,637,271	36.6%
31-90 days	5,000,000	7,786,747	19,060	12,805,807	32.0%
91-180 days	6,822,488	2,000,000	1,955,669	10,778,157	27.0%
181-270 days	0	0	854,727	854,727	2.1%
271-365 days	0	0	902,360	902,360	2.3%
> 1 Year	11,000	0		11,000	0.0%
	26,470,759	9,786,747	3,731,816	39,989,322	100.0%
BY FOSSIL FUEL EXPOSURE (as determined by	www.marketforce	s.org.au)			
Fossil Fuel Investments	26,459,759	7,043,860	2,877,089	36,380,708	91.0%
Non Fossil Fuel Investments	11,000	2,742,887	854,727	3,608,614	9.0%
_	26,470,759	9,786,747	3,731,816	39,989,322	100.0%

# CITY OF VINCENT CURRENT INVESTMENT HOLDING AS AT 28 FEBRUARY 2022

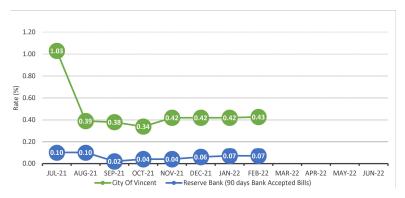
Funds	Institution	Investment Date	Maturity Date	Interest Rate	Principal \$
OPERATING ACCOUNTS					
Municipal	Commonwealth Bank of Australia			0.00%	2,714,531
Municipal	Commonwealth Bank of Australia	Ongoing		0.20%	1,298,985
Total Operating Funds					4,013,515
EQUITY SHARES	North Perth Community Bank	23/11/2001			11,000
Total Equity Shares					11,000
TERM DEPOSITS					
Leederville Gardens Inc Surplus Trust	AMP Bank	11/11/2021	09/05/2022	0.85%	19,060
Leederville Gardens Inc Surplus Trust	Members Equity Bank	01/02/2022	01/11/2022	0.65%	854,727
Leederville Gardens Inc Surplus Trust	National Australia Bank	17/09/2021	18/06/2022	0.32%	1,955,669
Leederville Gardens Inc Surplus Trust	National Australia Bank	12/01/2022	13/01/2023	0.70%	902,360
Municipal	AMP Bank	20/08/2021	20/08/2022	0.75%	1,946,244
Municipal	AMP Bank	11/11/2021	11/04/2022	0.85%	2,500,000
Municipal	AMP Bank	11/11/2021	09/05/2022	0.85%	628,410
Municipal	Bank of Queensland	30/08/2021	29/03/2022	0.33%	3,500,000
Municipal	Bank of Queensland	30/08/2021	02/06/2022	0.35%	4,876,244
Municipal	Bank of Queensland	17/09/2021	18/03/2022	0.33%	2,300,000
Municipal	Macquarie Bank	30/08/2021	01/03/2022	0.35%	1,023,756
Municipal	National Australia Bank	17/09/2021	18/03/2022	0.28%	3,800,000
Municipal	National Australia Bank	11/11/2021	09/05/2022	0.32%	1,871,590
Reserve	AMP Bank	20/08/2021	18/08/2022	0.75%	2,000,000
Reserve	AMP Bank	11/11/2021	09/05/2022	0.85%	1,852,530
Reserve	Macquarie Bank	13/01/2022	14/04/2022	0.35%	1,000,000
Reserve	Members Equity Bank	12/01/2022	13/04/2022	0.25%	2,742,887
Reserve	National Australia Bank	12/01/2022	13/04/2022	0.43%	1,000,000
Reserve	National Australia Bank	12/01/2022	13/05/2022	0.45%	1,191,330
Total Term Deposits					35,964,808
Total Investment Including At Call					39,989,322

#### CITY OF VINCENT INVESTMENT PERFORMANCE AS AT 28 FEBRUARY 2022

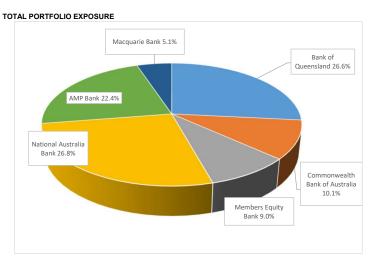




## INTEREST RATE COMPARISON

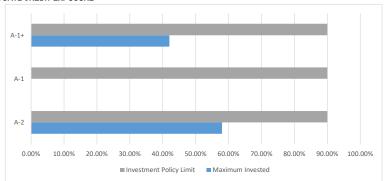


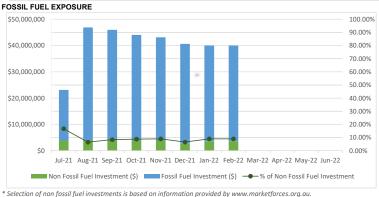
#### CITY OF VINCENT INVESTMENT POLICY COMPLIANCE AS AT 28 FEBRUARY 2022



# TOTAL CREDIT EXPOSURE

#### TOATL CREDIT EXPOSURE





# CITY OF VINCENT INVESTMENT INTEREST EARNINGS AS AT 28 FEBRUARY 2022

	YTD	YTD	FY	FY
	28/02/2022	28/02/2021	2021/22	2020/21
	\$	\$	\$	\$
Budget	53,098	24,730	100,000	70,000
Interest Earnings	57,986	51,314	57,986	69,957
% Income to Budget	109.2%	207.5%	58.0%	99.9%
RESERVE FUNDS				
Budget	72,832	69,443	100,000	90,000
Interest Earnings	30,945	64,194	30,945	79,826
% Income to Budget	42.5%	92.4%	30.9%	88.7%
LEEDERVILLE GARDENS INC SURPL	LUS TRUST			
Budget	0	0	0	0
Interest Earnings	50,090	41,256	50,090	66,938
% Income to Budget	0.0%	0.0%	0.0%	0.0%
TOTAL				
Budget	125,930	94,173	200,000	160,000
Interest Earnings	139,021	156,764	139,021	216,721
% Income to Budget	110.4%	166.5%	69.5%	135.5%
Variance	13,091	62,591	(60,979)	56,721
% Variance to Budget	10.4%	66.5%	(30.5%)	35.5%
TOTAL (EXCL. LEEDERVILLE GARDE	ENS INC SURPLUS TRUS	ST)		
Budget	125,930	94,173	200,000	160,000
Interest Earnings	88,931	115,508	88,931	149,783
% Income to Budget	70.6%	122.7%	44.5%	93.6%
Variance	(36,999)	21,335	(111,069)	(10,217)
% Variance to Budget	(29.4%)	22.7%	(55.5%)	(6.4%)

#### 11.4 FINANCIAL STATEMENTS AS AT 28 FEBRUARY 2022

#### Attachments:

1. Financial Statements as at 28 February 2022 U



#### RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 28 February 2022 as shown in Attachment 1.

# **PURPOSE OF REPORT:**

To present the statement of financial activity for the period ended 28 February 2022.

#### **BACKGROUND:**

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, as compared to the budget.

# **DETAILS:**

The following documents, included as Attachment 1, comprise the statement of financial activity for the period ending 28 February 2022:

Note	Description	Page
1.	Statement of Financial Activity by Program Report and Graph	1-4
2.	Statement of Comprehensive Income by Nature or Type Report	5
3.	Net Current Funding Position	6
4.	Summary of Income and Expenditure by Service Areas	7-11
5.	Capital Expenditure including Funding graph and Capital Works Schedule	12-19
6.	Cash Backed Reserves	20
7.	Rating Information and Graph	21-22
8.	Debtors Report	23
9.	Beatty Park Leisure Centre Financial Position	24-25

# **Explanation of Material Variances**

The materiality thresholds used for reporting variances are 10% and \$20,000, respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year-to-date budget and where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2021/2022 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with Financial Management Regulation 34(1) (d).

In accordance with the above, all material variances as of 28 February 2022 have been detailed in the variance comments report in Attachment 1.

# Comments on the Statement of Financial Activity (as at Attachment 1)

Operating revenue is reported separately by 'Program' and 'Nature or Type' respectively. The significant difference between the two reports is that operating revenue by 'Program' includes 'Profit on sale of assets and the report for 'Nature or Type' includes 'Rates revenue'.

Revenue by Program (on page 1) is tracking higher than YTD budgeted revenue by \$652,097 (4.4%). The following items materially contributed to this position:

- A favourable variance of \$516,439 due to an increase in activity at Beatty Park, Public halls and sporting grounds (Recreation and Culture). The breakdown is:
  - \$424,743 favourable in fees and charges for Betty Park recreation admission and membership
  - \$33,900 favourable for public halls hire income and maintenance cost recouped (mostly from North Perth Town Hall and Mount Hawthorn Community Centre).

- A favourable variance of \$212,936 in **Community Amenities** activities due to:
  - \$136,415 favourable fees, charges and contributions for Development and Design, and
  - \$85,031 for public art contributions received.
- A favourable variance of \$115,224 due to an increase in parking revenue (\$419,286), partially offset by a decrease in revenue from Infringements of \$310,922 due to staff shortages and less than anticipated events held at the HBF Stadium. (Transport).
- An unfavourable Variance of \$90,925 mainly contributed by timing variance of profit/loss on disposal of major plant assets (Other Property and Services).
- An unfavourable variance of \$69,725 (Law, Order and Public Safety) mainly due to:
  - \$33,336 of grant income due to timing difference, and:
  - \$32,250 reduction of Work Zone License Permits.

**Revenue by Nature or Type** (on page 5) is tracking slightly higher than the YTD budgeted revenue by \$972,276 (1.9%). The following items materially contribute to this position:

- A favourable Variance of \$813,090 in Fees and Charges due to an increase in revenue generated from:
  - Parking ticketing machine revenue of \$479,735,
  - o Membership and admission fee income for Betty Park Recreation centre of \$424,742,
  - o Development application fees of \$136,415 for License, Permits and application fees,
  - Favourable amounts for food premises licenses (\$41,189) and public hall hire (\$33,900) in particular, North Perth Town Hall and Mount Hawthorn Community Centre, and:
  - o Partially offset by unfavourable revenue in Infringement Fines and Penalties of \$305,500.

**Expenditure by Program** (on page 1) is favourable, attributed by an under-spend of \$2,887,242 (5.7%) compared to the YTD budget. The following items materially contributed to this position:

- A favourable variance for **Recreation and Culture** of \$1,763,642 mostly due to \$1,232,251 for HBF Park being derecognised as an asset which has been adjusted in the mid-year budget review.
- A favourable variance of \$779,712 mainly contributed from **Community Amenities** for:
  - \$531,392 favourable for materials and contracts due to timing differences for contractors' expenses, operating initiatives, programs and events, and:
  - \$240,579 favourable for waste recycling costs.
- A favourable variance of \$163,779 due to timing variances relating to advertising, audit and legal fees, consultant costs, and Programs and Events (Governance).

**Expenditure by Nature or Type** (on page 5) is favourable, attributed by an under-spend of \$2,994,163 (5.9%). The following items materially contributed to this position:

- There is an under-spend of \$1,662,793 mainly attributed to below (Materials and Contracts):
  - o \$759,609 of timing variance for programs and events and operating Initiatives,
  - o \$483,299 of timing variances for consultants and contractors, and:
  - \$240,579 on waste recycling costs.
- There is favourable variance of \$1,531,850 primarily attributed to HBF Park being derecognised as an asset which has been adjusted in the MY budget review (**Depreciation of non-current assets**).

# Surplus Position - Year End 2021/22

The surplus position brought forward to 2021/22 is \$6,125,327 as per the City's 2020/21 audited financials. The February closing position is \$20,674,609 reflecting a favourable position of \$3,754,483 compared to the February budget amount of \$16,920,126.

# **Content of Statement of Financial Activity**

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Program Report (Note 1 Page 1-4)

This statement of financial activity shows operating revenue and expenditure classified by Program

# 2. Statement of Comprehensive Income by Nature or Type Report (Note 2 Page 5)

This statement of Comprehensive Income shows operating revenue and expenditure classified by Nature or Type.

# 3. Net Current Funding Position (Note 3 Page 6)

'Net current assets' is the difference between the current assets and current liabilities, less committed assets and restricted assets.

# 4. <u>Summary of Income and Expenditure by Service Areas (Note 4 Page 7-11)</u>

This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.

# 5. Capital Expenditure and Funding Summary (Note 5 Page 12 - 19)

Below is a summary of the year-to-date expenditure of each asset category and the funding source associated to the delivery of capital works.

#### CITY OF VINCENT

Financial Report for the month ended 28 February 2022

#### 5. Capital Expenditure and Funding Summary

	Revised Budget	YTD Budget	YTD Actual	Remaining Budget
	\$	\$	\$	%
Land and Buildings	10,529,387	3,267,229	1,616,648	84.6%
Infrastructure Assets	7,935,745	3,442,940	2,833,594	64.3%
Plant and Equipment	3,036,056	227,500	422,233	86.1%
Furniture and Equipment	2,080,825	661,942	317,465	84.7%
Total	23,582,013	7,599,611	5,189,939	78.0%

FUNDING	Revised Budget	YTD Budget \$	YTD Actual \$	Remaining Budget %
Own Source Funding - Municipal	11,097,589	6,097,997	2,809,194	74.7%
Cash Backed Reserves	3,808,207	815,934	818,241	78.5%
Capital Grant and Contribution	7,373,384	182,847	878,444	88.1%
Other (Disposals/Trade In)	1,302,833	502,833	684,060	47.5%
Total	23,582,013	7,599,611	5,189,939	78.0%

The full capital works program is listed in detail in Note 5 in **Attachment 1**.

# 6. Cash Backed Reserves (Note 6 Page 20)

The cash backed reserves schedule provides a detailed summary of the movements in the reserve portfolio, including transfers to and from the reserve. The provisional balance at 28 February 2022 is \$11,914,273.

# 7. Rating Information (Note 7 Page 21 -32)

The notices for rates and charges levied for 2021/22 were issued on 22 July 2021. *The Local Government Act 1995* provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

	Due Date
First Instalment	27 August 2021
Second Instalment	29 October 2021
Third Instalment	7 January 2022
Fourth Instalment	11 March 2022

Rates for 2021/22 were raised on 7July 2021 after the adoption of the budget.

The outstanding rates debtors balance at 28 February 2022 was \$5,020,117, excluding deferred rates of \$105,466.

The outstanding rates percentage at 28 February 2022 was 12.04% compared to 13.87% for the similar period last year, noting rates in 2020/21 were raised in August 2020 as compared to July 2021 for the current financial year.

# 8. Receivables (Note 8 Page 23)

Total trade and other receivables at 28 February 2022 were \$2,849,907 \$2,730,442. [Note 8 has been corrected. Also ties back to Note 3 – Current Funding Position].

Below is a summary of the significant items with an outstanding balance over 90 days:

- \$1,064,466 relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are referred to the Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a fee.
- \$219,146 relates to cash-in-lieu of car parking debtors. 3 out of 15 outstanding debtors are on a payment plan.
  - In accordance with the *City's Policy 7.7.1 Non-residential parking*, Administration has entered into special payment arrangements with long outstanding cash in lieu parking debtors to enable them to pay their debt over a fixed term of five years.

However, on 8 April 2020, the Minister of Planning WA issued a provision that exempts proponents from making cash in lieu related payments for existing or new non-residential development to the City. This exemption is effective up to the earlier date of either: -

- a) 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked: or
- b) Midnight, 1 May 2023.

Currently this makes up of 93% (\$208,150) of cash-in-lieu debtors.

- Health licenses debtors are being followed up with final reminders. Thereafter, the debts will be sent to the debt collectors for further follow up.
- 9. <u>Beatty Park Leisure Centre Financial Position report (Note 9 Page 24-25)</u>

As of 28 February 2022, the Centre's operating surplus position was \$673,869 (excluding depreciation) compared to the YTD budgeted surplus amount of \$70,546. Approximately 87 per cent of this surplus is contributed by Gymnasium, Health and Fitness memberships.

# CONSULTATION/ADVERTISING:

Not applicable.

# LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and other financial reports as prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, reporting on the source and application of funds as set out in the adopted annual budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. *Section 6.8 of the Local Government Act 1995* specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

# **RISK MANAGEMENT IMPLICATIONS:**

Low:

Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.

# STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned with the City's Strategic Community Plan 2018-2028:

# Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

### SUSTAINABILITY IMPLICATIONS:

Expenditure within this report facilitates various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

# **PUBLIC HEALTH IMPLICATIONS:**

Expenditure within this report facilitates various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

# FINANCIAL/BUDGET IMPLICATIONS:

As contained in this report.

CITY OF VINCENT NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM FOR THE PERIOD ENDED 28 FEBRUARY 2022

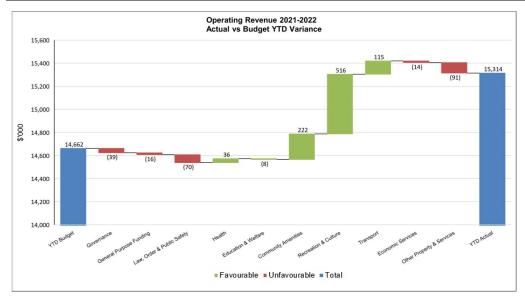


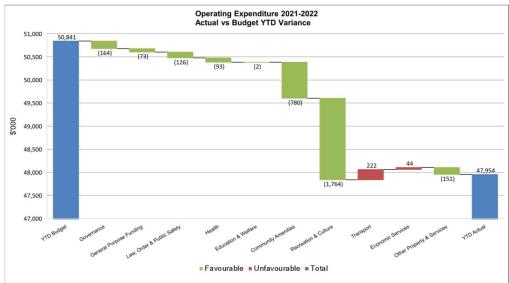
	Revised Budget 2021/22	YTD Budget 28/02/2022	YTD Actual 28/02/2022	YTD Variance	YTD Variance
	\$	\$	\$	\$	%
Opening Funding Surplus/(Deficit)	6,243,478	6,243,478	6,125,327	(118,151)	-1.9%
Revenue from operating activities					
Governance	73,250	67,715	29,174	(38,541)	(56.9%)
General Purpose Funding	1,473,759	1,158,608	1,142,811	(15,797)	(1.4%)
Law, Order and Public Safety	334,312	236,445	166,720	(69,725)	(29.5%)
Health	336,542	320,114	355,772	35,658	11.1%
Education and Welfare	139,094	105,152	97,210	(7,942)	(7.6%)
Community Amenities	643,194	443,220	665,156	221,936	50.1%
Recreation and Culture	9,286,398	6,174,355	6,690,794	516,439	8.4%
Transport	9,012,585	5,566,880	5,682,104	115,224	2.1%
Economic Services	267,425	179,511	165,281	(14,230)	(7.9%)
Other Property and Services	1,347,125	409,978	319,053	(90,925)	(22.2%)
	22,913,684	14,661,978	15,314,075	652,097	4.4%
Expenditure from operating activities					
Governance	(3,087,793)	(2,070,555)	(1,906,776)	163,779	(7.9%)
General Purpose Funding	(696,668)	(500,974)	(427,485)	73,489	(14.7%)
Law, Order and Public Safety	(4,691,233)	(2,999,897)	(2,873,534)	126,363	(4.2%)
Health	(1,711,229)	(1,143,829)	(1,051,162)	92,667	(8.1%)
Education and Welfare	(399,369)	(283,421)	(281,056)	2,365	(0.8%)
Community Amenities	(24,107,268)	(18,517,116)	(17,737,404)	779,712	(4.2%)
Recreation and Culture	(26,669,838)	(17,630,800)	(15,867,158)	1,763,642	(10.0%)
Transport	(8,720,182)	(5,846,921)	(6,069,197)	(222,276)	3.8%
Economic Services	(595,568)	(391,195)	(434,771)	(43,576)	11.1%
Other Property and Services	(2,197,326)	(1,456,202)	(1,305,125)	151,077	(10.4%)
	(72,876,474)	(50,840,910)	(47,953,668)	2,887,242	(5.7%)
Add Deferred Rates Adjustment	0	0	17,949	17,949	0.0%
Add Back Depreciation	14,068,923	9,379,352	7,847,502	(1,531,850)	(16.3%)
Adjust (Profit)/Loss on Asset Disposal	(1,890,054)	(256,722)	32,908	289,630	(112.8%)
Restricted Unspent Grant	0				
	12,178,869	9,122,630	7,898,359	(1,224,271)	(13.4%)
Amount attributable to operating activities	(37,783,921)	(27,056,302)	(24,741,234)	2,315,068	(8.6%)
Investing Activities					
Non-operating Grants, Subsidies and Contributions	7,243,384	591,710	823,774	232,064	39.2%
Purchase Property, Plant and Equipment	(15,783,556)	(4,167,460)	(2,356,346)	1,811,114	(43.5%)
Purchase Infrastructure Assets	(7,798,457)	(3,432,151)	(2,833,593)	598,558	(17.4%)
Proceeds from Joint Venture Operations	833,333	0	0	0	0.0%
Proceeds from Disposal of Assets	1,302,833	502,833	747,437	244,604	48.6%
Amount attributable to investing activities	(14,202,463)	(6,505,068)	(3,618,728)	2,886,340	(44.4%)
Financing Activities					
Principal elements of finance lease payments	(92,839)	(69,630)	(69,629)	1	(0.0%)
Repayment of Debentures	(1,354,816)	(933,951)	(934,013)	(62)	0.0%
Proceeds from New Debentures	7,951,699	7,951,699	7,083,333	(868,366)	(10.9%)
Transfer to Reserves	(3,190,415)	(2,232,786)	(1,232,244)	1,000,542	(44.8%)
Transfer from Reserves	5,091,660	2,848,909	1,250,551	(1,598,358)	(56.1%)
Amount attributable to financing activities	8,405,289	7,564,241	6,097,998	(1,466,243)	(19.4%)
Surplus/(Deficit) before general rates	(37,337,617)	(19,753,651)	(16,136,637)	3,617,014	(18.3%)
Total amount raised from general rates	36,745,248	36,673,777	36,811,247	137,470	0.4%
Closing Funding Surplus/(Deficit)	(592,369)	16,920,126	20,674,609	3,754,483	22.2%

Page 1 of 24

CITY OF VINCENT NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM - WATERFALL GRAPH AS AT 28 FEB 2022



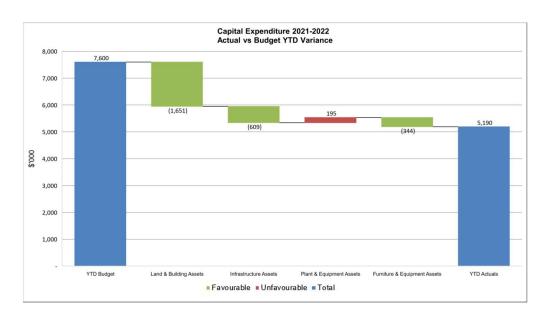




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CITY OF VINCENT NOTE 1 - CAPITAL EXPENDITURE PROGRAM WATERFALL GRAPH AS AT 28 FEB 2022

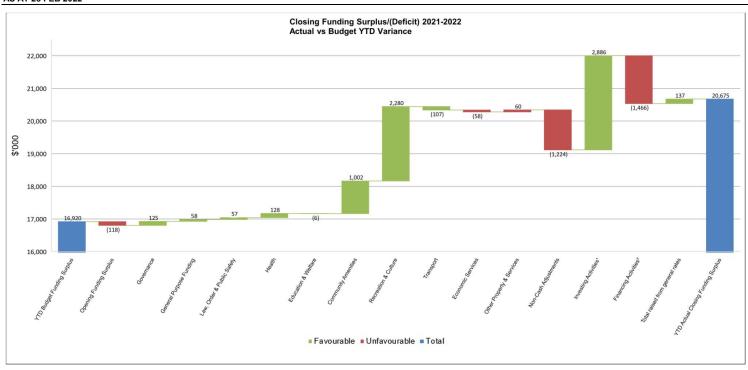




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CITY OF VINCENT NOTE 1 - CLOSING FUNDING SURPLUS/(DEFICIT) BY PROGRAM - WATERFALL GRAPH AS AT 28 FEB 2022





#### <sup>1</sup> Investing Activities includes the following:

- Non-operating Grants, Subsidies and Contributions
- Purchase Property, Plant and Equipment
- Purchase Infrastructure Assets
- Proceeds from Joint Venture Operations
- Proceeds from Disposal of Assets

#### <sup>2</sup> Financing Activites include the following:

- Proceeds from Self Supporting Loan
- Principal elements of finance lease payments
- Repayment of Debentures
- Proceeds from New Debentures
- Transfer to Reserves
- Transfer to Reserves
   Transfer from Reserves



# CITY OF VINCENT NOTE 2 - STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE FOR THE PERIOD ENDED 28 FEBRUARY 2022

	Revised Budget 2021/22	YTD Budget 28/02/2022	YTD Actual 28/02/2022	YTD Variance	YTD Variance
	\$	\$	\$	\$	%
Revenue					
Rates	36,745,248	36,673,777	36,811,247	137,470	0.4%
Operating Grants, Subsidies and Contributions	908,932	629,995	670,367	40,372	6.4%
Fees and Charges	18,453,102	12,586,577	13,399,667	813,090	6.5%
Interest Earnings	518,000	411,958	381,466	(30,492)	(7.4%)
Other Revenue	1,138,374	771,504	783,340	11,836	1.5%
	57,763,656	51,073,811	52,046,087	972,276	1.9%
Expenses					
Employee Costs	(26,841,949)	(17,766,904)	(17,806,394)	(39,490)	0.2%
Materials and Contracts	(27,132,773)	(20,612,056)	(18,949,263)	1,662,793	(8.1%)
Utility Charges	(1,603,890)	(1,069,331)	(1,022,363)	46,968	(4.4%)
Depreciation on Non-Current Assets	(14,068,923)	(9,379,352)	(7,847,502)	1,531,850	(16.3%)
Interest Expenses	(533,114)	(350,139)	(349,489)	650	(0.2%)
Insurance Expenses	(585,942)	(379,909)	(390,624)	(10,715)	2.8%
Other Expenditure	(2,104,661)	(1,277,997)	(1,475,890)	(197,893)	15.5%
	(72,871,252)	(50,835,688)	(47,841,525)	2,994,163	(5.9%)
	(15,107,596)	238,123	4,204,562	3,966,439	1,665.7%
Non-operating Grants, Subsidies and Contributions	7,243,384	591,710	823,774	232,064	39.2%
Profit on Disposal of Assets	1,061,943	261,944	78,675	(183,269)	(70.0%)
Loss on Disposal of Assets	(5,222)	(5,222)	(111,583)	(106,361)	2,036.8%
Profit on Assets Held for Sale (TPRC Joint Venture)	833,333	0	0	0	0.0%
	9,133,438	848,432	790,783	(57,649)	(6.8%)
Net result	(5,974,158)	1,086,555	4,995,345	3,908,790	359.7%
Other comprehensive income					
Total comprehensive income	(5,974,158)	1,086,555	4,995,345	3,908,790	359.7%

Item 11.4- Attachment 1

CITY OF VINCENT
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
NOTE 3 - NET CURRENT FUNDING POSITION
FOR THE PERIOD ENDED 28 FEBRUARY 2022



	Note	YTD Actual	FY Actual
		28/02/2022	30/06/2021
		\$	\$
Current Assets			
Cash Unrestricted		23,774,610	13,925,562
Cash Restricted		11,914,276	11,931,460
Investments		11,000	11,000
Receivables - Rates	7	5,020,117	1,512,805
Receivables - Other	8	2,730,442	3,095,861
Inventories		210,777	195,581
		43,661,223	30,672,270
Less: Current Liabilities			
Payables		(9,024,645)	(10,204,902)
Provisions - employee		(4,805,385)	(4,859,725)
		(13,830,030)	(15,064,627)
Unadjusted Net Current Assets		29,831,193	15,607,642
Adjustments and exclusions permitted by FM Reg 32			
Less: Reserves - restricted cash	6	(11,914,270)	(11,931,460)
Less: Restricted- Sundry Debtors( Non-Operating Grant)		0	0
Less: Shares transferred from non current asset		(11,000)	(11,000)
Add: Current portion of long term borrowings		1,255,951	930,732
Add: Infringement Debtors transferred to non current asset		1,436,572	1,436,572
Add: Current portion of long term finance lease liabilities		76,161	92,839
		(9,156,584)	(9,482,316)
Adjusted Net Current Assets	_	20,674,609	6,125,326

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CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 28 FEBRUARY 2022



	Revised Budget 2021/22	YTD Budget 28/02/2022	YTD Actual 28/02/2022	YTD Variance	% Variance	Variance Commentary
Chief Executive Office						
01000 - Chief Executive Officer						
Expenditure						
Employee Costs	409,982 0	271,357	238,091	33,266	12.3%	
Expenditure Total 01000 - Chief Executive Officer Total	0	0	0	0	0.0% 0.0%	
01000 - Chief Executive Officer Total	U	Ü	U	Ü	0.0%	
01005 - Members Of Council Expenditure						
Expenditure Total	602,627	437,796	416,453	21,343	4.9%	
01005 - Members Of Council Total	602,627	437,796	416,453	21,343	4.9%	
01015 - Human Resource						
Income						
Reimbursements	(50,000)	(50,001)	(13,906)	(36,095)		Timing variance on centrelink parental leave payments.
Income Total	(50,000)	(50,001)	(13,906)	(36,095)	72.2%	
Expenditure						
Employee Costs	1,037,438	638,159	535,464	102,695	16.1%	- \$53k timing variance on paid parental leave - \$24k timing variance on centreline leave payments - Other variance relates to salary benchmarking increase which has
Other Employee Costs	139,600	94,064	62,686	31,378	33.4%	been adjusted in the MYBR.  - \$11k timing variance on staff training costs.  - \$11k timing variance on other employee costs.  - It is partially offset by \$9k agency labour cost begining of the year
Expenditure Total	50,000	50.001	13.906	36.095	72.2%	- Other variances are individually immaterial.
01015 - Human Resource Total	50,000	50,001	13,906	36,095	0.0%	
	•	-	•	-	2.070	
01020 - Information Technology Expenditure						
Materials and Contracts	1,597,125	1,078,080	1,257,877	(179,797)	(16.7%)	Budget phasing variance in relation to software license expenses
Expenditure Total	0	0	0	0	100.0%	which has been adjusted in the MYBR.
01020 - Information Technology Total	0	0	0	0	100.0%	
01025 - Records Management						
Income Total	(16,300)	(10,864)	(15,068)	4,204	(38.7%)	
Expenditure Total	16,300	10,864	15,068	(4,204)	(38.7%)	
01025 - Records Management Total	0	0	0	0	0.0%	
01030 - Sustainability and Environment Expenditure Total	402.874	266.759	250.569	16.190	6.1%	
01030 - Sustainability and Environment Total	402,874	266,759	250,569	16,190	6.1%	
Chief Executive Office Total	1,005,505	704,557	667,024	37,535	5.3%	
01035 - Director Community and Business Services						
Employee Costs	307,657	203,638	226,507	(22,869)	(11.2%)	
Expenditure Total	0	0	0	0	0.0%	
01035 - Director Community and Business Services Total	0	0	0	0	0.0%	
01040 - Customer Services Centre						
Employee Costs	685,430	453,778	370,948	82,830	18.3%	Favourable variance as less casual staff were required. The excess budget will be used for the marketing team.
Expenditure Total	0	0	0	0	100.0%	budget will be used for the marketing team.
01040 - Customer Services Centre Total	0	0	0	0	100.0%	
01045 - Mindarie and Tamala Park						
Reimbursements	(80,000)	(43,608)	(66,956)	23,348	(53.5%)	Withholding tax reimbursements from Mindarie higher than expected which has been adjusted in the MYBR.
Income Total	(141,000)	(86,294)	(119,380)	33,086	(38.3%)	
Expenditure Total	32,000	32,000	46,023	(14,023)	(43.8%)	
01045 - Mindarie and Tamala Park Total	(109,000)	(54,294)	(73,357)	19,062	(35.1%)	
01050 - Rates						
Income Total	(37,338,248)	(37,201,385)	(37,360,664)	159,279	(0.4%)	ATT. Post of the Control of the Cont
Materials and Contracts	284,450	230,910	126,777	104,133		-\$75k timing variance on financial hardship waiver expenses.  - Other variances are individually immaterial.
Expenditure Total	696,668	500,974	427,485	73,489	14.7%	
01050 - Rates Total 01055 - Insurance and General Purpose	(36,641,580)	(36,700,411)	(36,933,179)	232,768	(0.6%)	
01055 - Insurance and General Purpose Interest Earnings	(200,000)	(125,930)	(88,931)	(36,999)	20.4%	Interest earnings from reserves lower than budgeted due to declining
-						interest rates.
Income Total  Expenditure Total	(955,759) 5,005	(695,768) (8,503)	(672,522) 5,133	(23,245) (13,636)	3.3% 160.4%	
Expenditure Total 01055 - Insurance and General Purpose Total	5,005 (950,754)	(8,503) (704,271)	5,133 (667,389)	(13,636)	160.4% 5.2%	
01060 - Financial Services	(230,134)	(104,211)	(501,503)	(30,001)	3.276	
Income Total	(1,000)	(986)	2	(988)	100.2%	
Materials and Contracts	141,100	40,600	70,922	(30,322)	(74.7%)	- \$29k valuation fees paid which relates to the previous financial year which has been adjusted in the MYBR.  - Other variances individually immaterial
Expenditure Total	1,000	986	(2)	988	100.2%	
01060 - Financial Services Total	0	0	0	0	0.0%	

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	Revised Budget 2021/22	YTD Budget 28/02/2022	YTD Actual 28/02/2022	YTD Variance	% Variance	Variance Commentary
	2021/22	20/02/2022	20/02/2022			
01065 - Rec Centre / Beatty Park						
Fees and Charges	(6,974,953)	(4,634,618)	(5,128,803)	494,185	(10.7%)	Fees and charges are favourable due to a higher membership fee
						income, adult swimming classes and group Fitness classes from Betty Park;
Income Total	(7,023,247)	(4,667,757)	(5,160,052)	492,296	(10.5%)	)
Depreciation  Materials and Contracts	1,286,772 1,417,870	857,848 1,037,778	766,241 856,744	91,607 181,034		Depreciation is lower than budgetted due to budget phasing - \$46k timing variance on maintenance for the Beatty Park
waterials and Contracts	1,417,670	1,037,770	030,744	161,034	17.470	S41k consultant fees not yet required. Building.     S37k timing variance on stock purchases for retail operations.
						- \$13k timing variance on furniture & equipment purchased for Health & Fitness.
						- \$12k timing variance on reactive maintenance for the Beatty Park
						Building \$12k timing variance on furniture & equipment purchased for general operations.
						- (\$18k) budget phasing variance on professional services for Group Fitness
						Other variances are individually immaterial.     For a detailed breakdown of the different service lines, please refer
Expenditure Total	8.092.780	5,455,059	5.252.667	202.392	3.7%	to the Beatty Park report
01065 - Rec Centre / Beatty Park Total	1,069,533	787,302	92,615	694,689	88.2%	
01070 - Marketing and Communication Employee Costs	686,663	454,600	502,834	(48,234)	(10.6%)	Excess budget from Customer Service will be used to fund the
Materials and Contracts	304,500	183.686	111,130	72,556	39.5%	overspend in Marketing \$20k timing variance on Town Centre Activation.
materials and Contracts	304,300	103,000	111,130	72,330	38.370	\$21k timing variance relating to advertising.     \$28k tinning variance relating to Civic Functions.
Other Expenditure	110,200	67.136	46,651	20,485	20.5%	Other variances are individually immaterial.     \$11k timing variance on Public Relations.
Expenditure Total	1,392,632	892.686	872,463	20,465	2 3%	- \$9k timing variance on Public Relations \$9k timing variance relating to Website Maintenance
01070 - Marketing and Communication Total	1,392,632	892,686	872,463 872,463	20,222	2.3%	
01075 - Art & Culture						
Expenditure Total 01075 - Art & Culture Total	30,000 30,000	20,000 20,000	24,369 24,369	(4,369) (4,369)	(21.8%)	
01080 - Community Partnership	24,442	,	-,	(1,000)	(=,	
Income Total Employee Costs	(41,225) 482.257	(7,152) 319.314	(4,517) 259,458	(2,635) 59,856	36.8% 18.7%	Favourable variance due to vacant positions that were in the process
Materials and Contracts	283.300	198,872	120,668	78.204	39.3%	of being filled. Excess budget will be used to hire additional staff.  Timing variance of operating initiatives and programs and events.
materials and confidence	200,000	100,072	120,000	70,204	00.070	mining variance or operating miniatree and programs and events.
Other Expenditure Expenditure Total	115,000 1,115,102	76,664 <b>745.305</b>	9,959 <b>542.708</b>	66,705 <b>202.597</b>	87.0% 27.2%	Timing variance relating to donations/sponsorships.
01080 - Community Partnership Total	1,073,877	745,305	542,708 538,191	199,962	27.2%	
01085 - Library Services						
Income Total  Materials and Contracts	(42,140) 117,040	(38,366) 66.777	(45,658) 45,223	7,293 21,554	(19.0%) 32.3%	- \$8k timing variance relating to Operating Initiatives
Expenditure Total	1,415,508	917,326	916,217	1,110	0.1%	- Other variances are individually immaterial.
01085 - Library Services Total	1,373,368	878,960	870,559	8,404	1.0%	
01090 - Senior and Disability services Income Total	(6,000)	(4,000)	(1,990)	(2,010)	50.2%	
Other Expenditure	5,000	3,336	26,074	(22,738)		Donations/sponsorships to be reallocated to Community
Expenditure Total	40,500	27,016	49,458	(22,442)	(83.1%)	Partnerships in the folllowing month \$21k increase due to Community Support Grants
01090 - Senior and Disability services Total 01095 - Loftus Community Centre	34,500	23,016	47,468	(24,452)	(106.2%)	
Income Total	(46,000)	(30,664)	(42,646)	11,982	(39.1%)	1
Expenditure Total	36,650	24,440	14,259	10,180	41.7%	
01095 - Loftus Community Centre Total 01205 - Community Partnership Administration	(9,350)	(6,224)	(28,387)	22,162	(356.1%)	ı
Expenditure Total	0	0	2,062	(2,062)	100.0%	
01205 - Community Partnership Administration Total Community and Business Services Total	(32,736,778)	(34.125.087)	2,062 (35,254,584)	(2,062) 1,129,500	100.0%	
01135 - Director Infrastructure and Environment	(,. 00,110)	(, 0,001 )	(,-24,004)	., .20,000	(0.076)	
Expenditure Total 01135 - Director Infrastructure and Environment Total	0	0	0	(0) (0)	100.0% 100.0%	
01140 - Ranger Services/Administration	U	U	U	(υ)	100.0%	
01140 - Ranger Services/Administration Income Total	(5,300)	(2,946)	372	(3,318)	112.6%	
Employee Costs	2,796,988	1,851,680	1,648,836	202,844	11.0%	Vacant positions and delay in the hiring process has resulted in less than anticipated employee expenses.
						,

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	Revised Budget	YTD Budget	YTD Actual	YTD Variance	% Variance	Variance Commentary
	2021/22	28/02/2022	28/02/2022			
Materials and Contracts	347,500	202,245	131,155	71,090	35.2%	Budget phasing for software license fees and furniture and equipment purchases, partially offset by higher expenditure relates to Constable Care
Expenditure Total	4,370	1,396	(371)	1,768	126.6%	to ourseless out
01140 - Ranger Services/Administration Total	(930)	(1,550)	1	(1,550)	100.0%	
01145 - Animal Control / Dog Pound						
Income Total  Expenditure Total	(97,150) 302,793	(67,525) 192,835	(68,493) 193,834	968 (999)	(1.4%) (0.5%)	
01145 - Animal Control / Dog Pound Total	302,793 205,643	192,835	193,834	(31)	(0.5%)	
01150 - Local Laws and Abandoned Vehicles	200,040	120,010	120,041	(0.)	(0.070)	
Fees and Charges	(171,550)	(122,326)	(98,624)	(23,702)	19.4%	- \$32k reduction of revenue from Work Zones Licences and Permits, which is partially offset by \$9k increase in Infringements Fines & Penalties
Income Total	(171,550)	(122,326)	(98,624)	(23,702)	19.4%	Filles & Fellallies
Expenditure Total	817,381	523,719	508,726	14,993	2.9%	
01150 - Local Laws and Abandoned Vehicles Total	645,831	401,393	410,102	(8,710)	(2.2%)	
01155 - Community and Safety Grants and Subsidies	(50.000)	(33.336)	0	(33.336)	100.09/	Timing variance in relation to grant income.
Income Total	(50,000)	(33,336)	0	(33,336)	100.0%	Tilling variance in relation to grant income.
Materials and Contracts	82,550	42,998	4,037	38,961	90.6%	Timing variance in relation to invoicing for material and contracts
Expenditure Total	161,349	94,610	64,970	29,640	31.3%	purchases.
01155 - Community and Safety Total	111,349	61,274	64,970	(3,696)	(6.0%)	
01160 - Infringement and Inspectorial Control	111,345	01,274	04,370	(3,030)	(0.076)	
Fees and Charges	(2,778,637)	(1,948,402)	(1,643,903)	(304,499)	15.6%	Reduction in revenue due to staff shortage and less than anticipated
Income Total	(2.778.837)	(1.948.602)	(1.644.539)	(304.063)	15.6%	events held at the HBF Stadium.
Other Expenditure	196,500	109,593	175,970	(66,377)		Budget phasing variance in relation to Fine Lodgement Fees.
Expenditure Total	4,484,525	3,041,550	3,064,294	(22,744)	(0.7%)	
01160 - Infringement and Inspectorial Control Total	1,705,688	1,092,948	1,419,755	(326,806)	(29.9%)	
01165 - Car Parks and Kerbside Parking						
Fees and Charges	(5,433,749)	(3,618,278)	(4,037,564)	419,286	(11.6%)	Higher than expected parking ticket revenue which has been adjusted in the MYBR.
Income Total	(5,433,749)	(3,618,278)	(4,037,564)	419,286	(11.6%)	
Employee Costs	100,100	66,776	42,812	23,964	35.9%	- \$10k timing variance on reactive maintenance costs for Frame
Materials and Contracts	463,822	309,168	272,810	36,358	11.8%	Court Car Park.  - Other variances are individually immaterial.  All variances are individually immaterial.
Expenditure Total	1,376,677	917,309	845,010	72,299	7.9%	
01165 - Car Parks and Kerbside Parking Total	(4,057,072)	(2,700,969)	(3,192,554)	491,585	(18.2%)	
01170 - Engineering Design Services						
Income Total	(114,500)	(41,076)	(40,773)	(303)	0.7%	
Materials and Contracts	384,500	231,070	205,647	25,506		- \$19k timing variance on street lighting maintenance \$17k timing variance on Travel Smart Programs \$10k timing variance on Building Condition Surveys.
Other Employee Costs	39,865	28,787	113,671	(84,884)	(294.9%)	(\$14k) budget phasing variance on consultant fees     Agency costs incurred in relation to filling a vacant position which
Utilities	760,500	506,792	408,102	98,690	19.5%	has been adjusted in the MYBR. Timing variance on electricity costs.
Expenditure Total	2,468,099	1,609,647	1,587,741	21,907	1.4%	
01170 - Engineering Design Services Total	2,353,599	1,568,571	1,546,968	21,604	1.4%	
01175 - City Buildings						
Income Total Employee Costs	(2,000) 391.687	(1,384) 257.030	(1,065) 183.894	(319)	23.0% 28.5%	
				73,136		Favourable variance due to the agency labour costs budget currently used to pay for the vacant position.
Expenditure Total	588,505	384,751	322,962	61,790	16.1%	
01175 - City Buildings Total	586,505	383,367	321,897	61,471	16.0%	
01180 - Roads and Public Works Admin	(58,000)	(33,752)	(32,592)	(1,161)	3.4%	
Expenditure Total	1.113.662	723.211	760.861	(37,650)	(5.2%)	
01180 - Roads and Public Works Admin Total	1,055,662	689,459	728,269	(38,811)	(5.6%)	
01185 - Parks and Environmental Services				*****		
Income Total	(90,157)	(56,411)	(52,987)	(3,424)	6.1%	
Employee Costs	2,312,150	1,542,084	1,369,522	172,562	11.2%	Variance to be reallocated from Parks Services Administration in the
Utilities	0	0	50,738	(50,738)	100.0%	following month.  No budget allocated to Electricity & Water. To be adjusted.
Expenditure Total	6,585,176	4,501,038	4,428,008	73,030	1.6%	
01185 - Parks and Environmental Services Total	6,495,019	4,444,627	4,375,021	69,606	1.6%	
01190 - Waste Services Other Revenues	(1,000)	(664)	(34,642)	33,978	(5,117.1%)	Higher than expected reveue received from Micro Business Waste Recycling Services which has been adjusted in the MYBR.
Income Total	(136,700)	(129,792)	(151,296)	21,503	(16.6%)	receyoung corrects within this been adjusted in the WT DR.
Expenditure Total	15,232,623	12,774,179	12,530,017	244,164	1.9%	
01190 - Waste Services Total	15,095,923	12,644,387	12,378,721	265,666	2.1%	
01195 - Works Depot						
Income Total Expenditure Total	(1,000) 1,000	(606) 606	(872) 872	266 (266)	(43.8%) (43.8%)	
01195 - Works Depot Total	0	0	0	(200)	0.0%	
01200 - Plant Operating	•	v	·	•	3.070	

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	Revised Budget	YTD Budget	YTD Actual	YTD Variance	% Variance	Variance Commentary
	2021/22	28/02/2022	28/02/2022			
Depreciation	1,125,690	750,464	589,667	160,797		Favourable depreciation on plants due to timing.
Materials and Contracts  Expenditure Total	631,000 <b>787,875</b>	435,664 <b>541,947</b>	385,696 223,036	49,968 318,911	11.5% 58.8%	
01200 - Plant Operating Total	787,875	541,947	223,036	318,911	58.8%	
01215 - Public Works	,	,		,		
Employee Costs	1,364,500	945,907	814,330	131,577	13.9%	Employee costs are favourable for street sweeping and cleaning due to budget phasing.
Expenditure Total	6,130,971	3,985,461	4,180,232	(194,772)	(4.9%)	to badget praising.
01215 - Public Works Total	6,130,971	3,985,461	4,180,232	(194,772)	(4.9%)	
01220 - Child Care and Play Groups						
Income Total  Materials and Contracts	(79,342)	(60,199)	(60,015)	(184)	0.3% 88.2%	Martin de la companya de National de la companya de
	40,025	39,326	4,652	34,674		Materials and contracts expenses for North Perth Playground are favourable due to budget phasing.
Expenditure Total	141,569	106,990	73,889	33,100	30.9%	
01220 - Child Care and Play Groups Total	62,227	46,791	13,874	32,917	70.3%	
01225 - Stadium and Ovals	(193.786)	(139.842)	(138.316)	(1,526)	1.1%	
Depreciation	2 390 736	1 593 824	286 029	1 307 795	,	Depreciation is favourable due to HBF stadium being derecognised
	-,,	.,,		.,,		as an asset, this has been adjusted in the MYBR.
Materials and Contracts	258,500	211,910	104,677	107,233	50.6%	Timing variance on maintenance works
Expenditure Total 01225 - Stadium and Ovals Total	2,744,192 2,550,406	1,873,159 1,733,317	460,306 321,990	1,412,853 1,411,327	75.4% 81.4%	
01230 - Public Halls	2,550,406	1,733,317	321,990	1,411,327	01.476	
Fees and Charges	(141,918)	(90,131)	(124,031)	33,900	(37.6%)	Fees and charges are favourable due to higher than expected hall hire fee income from town hall and community centres. In particular, North Perth Town Hall and Mount Hawthron Community Centre.
Income Total	(445.400)	(00.040)	(400.054)	39.005	(41.8%)	
Materials and Contracts	(145,199) 125.050	(93,246) 86.295	(132,251) 144,013	(57,718)		Contractor expenses are unfavourable due to higher cleaning
						charges.
Expenditure Total 01230 - Public Halls Total	401,474	269,794	328,390	(58,597)	(21.7%)	
01230 - Public Halls Total 01235 - Community and Welfare Centre	256,275	176,548	196,139	(19,592)	(11.1%)	
Income Total	(47,314)	(34,515)	(35,205)	690	(2.0%)	
Expenditure Total	217,300	149,415	157,708	(8,293)	(5.6%)	
01235 - Community and Welfare Centre Total	169,986	114,900	122,503	(7,604)	(6.6%)	
01240 - Sporting Clubs Buildings						
Income Total	(144,988)	(103,012)	(109,426)	6,414	(6.2%)	
Depreciation	657,024	438,016	508,453	(70,437)		Depreciation is unfavourable due to budget phasing
Expenditure Total 01240 - Sporting Clubs Buildings Total	840,682 695,694	571,211 468,199	631,997 522,571	(60,786) (54,372)	(10.6%) (11.6%)	
01245 - Reserves Pavilions and Facilities	635,634	400,199	522,571	(54,372)	(11.6%)	
Income Total	(20,576)	(14,241)	(20,362)	6,121	(43.0%)	
Depreciation	231,228	154,152	115,564	38,588	25.0%	Depreciation is favourable due to \$24k variance from Beatty Park Reserve Pavilion - Operations and \$10k variance from Birdwood
Form Plans Fatal	204.050	540.057	470.545		8.0%	Square Changerooms - Operations.
Expenditure Total 01245 - Reserves Pavilions and Facilities Total	694,253 673,677	513,657 499,416	472,515 452,153	41,142 47,263	9.5%	
01250 - Health Clinics	013,011	435,410	432,133	47,203	3.376	
Income Total	(29,722)	(25,092)	(26,121)	1,030	(4.1%)	
Materials and Contracts	80,500	74,990	12,563	62,427		Favourable due to contractor budget phasing for North Perth Dental
Expenditure Total	145,265	118,758	67,470	51,289	43.2%	Clinic Maintenance expenses
01250 - Health Clinics Total	115,543	93,666	41,349	52,318	55.9%	
01255 - Road Reserves						
Employee Costs	97,200	64,752	40,862	23,890		Employee costs are favourable due to budget phasing.
Expenditure Total	135,150	91,288	87,386	3,902	4.3%	
01255 - Road Reserves Total 01265 - Operational Buildings	135,150	91,288	87,386	3,902	4.3%	
Reimbursements	(535,824)	(357,272)	(308,017)	(49,255)	13.8%	Unfavourable variances are due to reimbursement of recoup
Income Total	(1,524,022)	(1,011,180)	(981.623)	(29,557)	2.9%	expenses, \$14k DLGSC - Operations, \$23k Belgravia Leisure Centre - Operations & \$12k WA Gymnastics - Operations
Employee Costs	7,000	4,836	46,709	(41,873)		Allocations to be adjusted next month.
Other Expenditure	587,867	29,534	201,718	(172,184)		Budget phasing which has been adjusted in the MYBR
Expenditure Total	2,661,976	1,417,217	1,118,435	298,782	21.1%	
01265 - Operational Buildings Total	1,137,954	406,037	136,812	269,224	66.3%	
01270 - Depot Buildings				4		
Materials and Contracts	48,500	33,213	69,746	(36,533)		Maintenance - General expense is unfavourable due to increase in building maintenance. To be revised.
Expenditure Total	0	0	0	0	100.0%	
01270 - Depot Buildings Total	0	0	0	0	100.0%	
01275 - Parks Services Administration Income Total	(2,800)	(1,868)	(1,888)	20	(1.1%)	
	(2,500)	(1,000)	(1,000)	20	(1.170)	

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	Revised Budget	YTD Budget	YTD Actual	YTD Variance	% Variance	Variance Commentary
	2021/22	28/02/2022	28/02/2022			
Employee Costs	1,329,035	881,743	1,165,280	(283,537)	(32.2%)	Allocations to be adjusted next month.
Materials and Contracts	70,500	37,664	11,359	26,305	69.8%	Timing variance relates to consultants fees.
Expenditure Total	1,634,350	1,047,926	1,468,623	(420,698)	(40.1%)	
01275 - Parks Services Administration Total	1,631,550	1,046,058	1,466,735	(420,678)	(40.2%)	
01280 - Recoverable Works						
Income Total	(32,660)	(18,440)	(38,434)	19,994	(108.4%)	
Expenditure Total	32,655	18,440	24,351	(5,910)	(32.1%)	
01280 - Recoverable Works Total	(5)	0	(14,083)	14,084	100.0%	
Infrastructure and Environment Total	38,544,520	27,912,445	25,929,187	1,983,257	7.1%	
01010 - Corporate Strategy and Governance						
Income Total	(200)	(100)	(200)	100	(100.0%)	
Materials and Contracts	186,450	127,932	30,886	97,046		Favourable due to budget phasing for advertising, stationery and office supplies, audit fees and consultant fees.
Expenditure Total	937,104	622,476	528,129	94,347	15.2%	
01010 - Corporate Strategy and Governance Total	936,904	622,376	527,929	94,447	15.2%	
01105 - Director Strategy and Development						
Expenditure Total	0	0	0	(0)	100.0%	
01105 - Director Strategy and Development Total	0	0	0	(0)	100.0%	
01110 - Development and Design						
Contributions	(1,300)	(864)	(85,895)	85,031	(9,841.6%)	\$60k received as part of the percentage for public art contributions. Budget to be adjusted in the next budget review.
Fees and Charges	(338,840)	(230,467)	(372,491)	142,024	(61.6%)	- \$110k budget phasing variance on development application fees and \$18k favourable variance on development application panel fees
Income Total	(340,140)	(231,331)	(458,386)	227,055	(98.2%)	iees
Materials and Contracts	149,350	107,235	40,965	66,270	61.8%	\$63k Consultant fees and legal fees are favourable as they are not
Expenditure Total	1,883,372	1,244,400	1,236,408	7,992	0.6%	yet required. Others are immaterial.
01110 - Development and Design Total	1,543,232	1,013,069	778,022	235,047	23.2%	
01115 - Health Admin and Food Control						
Fees and Charges	(302,520)	(291,734)	(328,778)	37,044		- \$34k favourable variance for food premise licence fees.  - Other variances are individually immaterial.
Income Total	(306,820)	(295,022)	(329,650)	34,628	(11.7%)	
Materials and Contracts	99,337	63,812	24,632	39,180	61.4%	- \$27k timing variance on public health plan programs.     Other variances are individually immaterial.
Expenditure Total	1,565,964	1,025,071	983,694	41,378	4.0%	- Other variances are individually initiaterial.
01115 - Health Admin and Food Control Total	1,259,144	730,049	654,044	76,006	10.4%	
01120 - Compliance Services						
Fees and Charges	(26,000)	(16,332)	8,208	(24,540)	150.3%	\$25k credit note applied to reverse out previous year infringements
Income Total	(28,000)	(17,703)	6,350	(24,053)	135.9%	as per Perth Magistrate Court.
Materials and Contracts	55,100	36,736	16,199	20,537		\$19k favourable variance in relation to legal fees due to budget
Form of the state of	750 444	497.856	400.070		1.1%	phasing
Expenditure Total	759,441	,	492,278	5,577		
01120 - Compliance Services Total 01125 - Building Control and License	731,441	480,153	498,628	(18,475)	(3.8%)	
01125 - Building Control and License Income Total	(263,100)	(174,160)	(152,283)	(21,878)	12.6%	
Employee Costs	380,511	251,940	295,103	(43,163)		Variance relates to salaries that will be reallocated to City Buildings
Expenditure Total	595.568	391.195	434,770	(43,576)	(11.1%)	in the following month.
01125 - Building Control and License Total	332,468	217,035	282,487	(65,453)	(30.2%)	
01130 - Policy and Place Services	,700	,	,,	(, ·)	(23.270)	
Income Total	(5,125)	(4,589)	(4,025)	(564)	12.3%	
Materials and Contracts	1,218,471	715,999	183,968	532,031	74.3%	Timing variance of works relating operating initiatives and programs.
Expenditure Total	3,496,285	2,211,869	1,716,706	495,163	22.4%	To be adjusted in the next budget review.
01130 - Policy and Place Services Total		2,211,869	1,716,706	495,163	22.4%	
Strategy and Development Total	3,491,160 8,294,349	5,269,962	4,453,791	494,599 816,172	22.4% 15.5%	
caucy, and percophical rotal	0,204,349	3,203,302	4,455,781	010,172	13.5%	
Total	15,107,596	(238,123)	(4,204,562)	3,966,463		

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# CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
LAND & BUILDING ASSETS						
ADMIN CENTRE						
Air Conditioning & HVAC Renewal - Admin Building HVAC	507,837	152,381	102,099	(50,283)	(33%)	200 Overbudget. \$80k transfer to Brittania Reserve Floodlights. \$325k to be spent in FY2023-24.
BEATTY PARK LEISURE CENTRE						
Beatty Park Leisure Centre - Facilities Infrastructure Renewal	1,034,391	1,034,391	858,354	(176,037)	(17%)	252,090 Works in progress.
Beatty Park Leisure Centre – Concourse Tiling	99,738	99,738	90,325	(9,413)	(9%)	0 Works Complete.
Beatty Park Leisure Centre – Repair and maintain Heritage Grandstand	450,000	450,000	0	(450,000)	(100%)	12,700 Revised scope. \$100k grant funding to be transferred to Britannia Reserve Floodlights.
Beatty Park Leisure Centre – Heritage Grandstand Electrical Works	500,000	300,000	0	(300,000)	(100%)	28,230 Multi Year Project - 50% to be carried forward to FY2022-23.
Beatty Park Leisure Centre – Construction & Fit Out Indoor Pool Changerooms	850,000	0	0	0	0%	0 Multi year project - finalise design this year and construction planned for 22/23. Carry forwarad \$750k.
LIBRARY						
Upgrade Library counter to enhance customer service delivery	48,500	0	0	0	0%	3,000 To commence in Apr 22.
VINCENT COMMUNITY CENTRE						
Vincent Community Centre – Air Conditioning & HVAC Renewal	60,000	60,000	42,733	(17,267)	(29%)	0 Project finalised. \$20k transfer to Brittania Reserve Floodlights.
DEPARTMENT OF SPORTS AND RECREATION						
DLGSC LED lighting upgrade/renewal	225,000	0	4,950	4,950	100%	0 Works at planning stage.
DLGSC Air Conditioning & HVAC Renewal	250,000	5,000	7,450	2,450	49%	750 Multi year project. Balance (\$117k) to be carried forward to FY2022-23.
DLGSC renewal/upgrade-Lease obligation	80,000	80,000	0	(80,000)	(100%)	79,261 Works at planning stage.

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# CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary Balance
MISCELLANEOUS						
Infrastructure Works - Litis Stadium	3,000,000	10,000	6,545	(3,455)	(35%)	13,728 Multi Year Project. Decision on grant pending. \$2.8m to be carried forward in anticipation of construction in FY2022-23.
413 Bulwer Street, West Perth - Replacement of shed (Vollleyball WA)	50,000	50,000	18,004	(31,996)	(64%)	14,526 Works to be scheduled.
Works Depot - Non fixed assets renewals	95,000	70,000	1,200	(68,800)	(000()	22,407 Overbudget. Transfer \$6k to Depot - Car park lighting Renewal.
Lease Property Non Scheduled Renewal	50,000	20,000	0	(20,000)	(98%) (100%)	Based on request from leasee.
99 Loftus Street, Leederville - Loftus Child Health leasing requirements	20,000	20,000	17,983	(2,018)	(10%)	0 Project completed. Excess funds to remain in surplus.
Loftus Recreation Centre, 99 Loftus Street, Leederville - ventilation installation	20,000	20,000	15,360	(4,640)	(23%)	0 Project completed. Excess funds to remain in surplus.
North Perth Main Town Hall - Kitchen and toilet renewal	180,000	60,000	4,000	(56,000)	(93%)	9,000 Design phase.
North Perth Lesser Town Hall - Kitchen and toilet renewal	120,000	0	0	0	0%	0 Design phase.
Library Renewals	80,000	30,000	0	(30,000)	(100%)	19,877 Revised scope. \$19k transfer to Brittania Reserve Floodlights.
Menzies Park Pavilion & Ablutions	330,000	11,000	5,647	(5,353)	(49%)	4,950 Design Phase, to commence in March 22.
Miscellaneous Assets Renewal (City Buildings)	116,114	110,000	104,217	(5,783)	(5%)	77,369 Based on request, ongoing till June 22.
Aircon & HVAC Miscellaneous Renewals all properties	50,000	40,000	41,182	1,182	3%	4,998 Based on request, ongoing till June 22.
Water and Energy Efficiency Initiatives	75,000	35,000	44,720	9,720	28%	3,300 Ongoing project, to be completed by June 22.
Hyde Park West Toilets & Kiosk	275,000	10,000	7,869	(2,131)	(21%)	4,200 Works in progress, to be completed after Hyde park fair.
Leederville Tennis Club - fencing upgrade	75,000	20,000	0	(20,000)	(100%)	0 Design phase.
Leederville Oval Stadium - Light posts renewal	1,100,000	0	0	0	0%	37,300 To be carried forward and spent in FY2022-23 and partially funded by grants and contributions.
Forrest Park Croquet Club	49,314	49,314	0	(49,314)	(100%)	0 Works scheduled to be completed by Jun 22.
Solar Photovoltaic Panel System Installation - Mt Hawthorn Community Centre	8,732	8,732	11,131	2,399	27%	0 Works completed.
Solar Photovoltaic Panel System Installation - Vincent Community Centre	20,150	20,150	1,000	(19,150)	(95%)	14,221 Works to commence in Feb - Mar 22.
Solar Photovoltaic Panel System Installation - Britannia Reserve Pavilion	8,900	8,900	0	(8,900)	(100%)	0 Works to commence in Feb - Mar 22.
Roofing Renewal-Loton Park Tennis Club Room	178,400	178,400	191,880	13,480	8%	0 Works completed.
Leederville Oval Stadium - Electrical renewal - 3 boards	298,088	270,000	0	(270,000)	(100%)	119,953 Revised scope. \$100k transfer to Brittania Reserve Floodlights.
Air Conditioning & HVAC Renewal - Belgravia Leisure Centre	44,223	44,223	40,000	(4,223)	(10%)	0 Works at planning stage.
North Perth Bowling Club	80,000	0	0	0	0%	0 Project on hold, further funding required.
East Perth Football Club Function Room Carpet	30,000	0	0	0	0%	27,273 Works at planning stage.
Margaret Kindergarten - Toilet Upgrade	70,000	0	0	0	0%	0 Grant funded (election commitment) Design has been provided to Dept. of Education for comment. Construction delayed as school is reviewing purpose of grant. \$70k to be carried forward in anticipation of a decision from dept to proceed by FY2022-23.
FOR LAND & BUILDING ASSETS	10,529,387	3,267,229	1,616,648	(1,650,581)	(51%)	749,333

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CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description I	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
INFRASTRUCTURE ASSETS	2021/22	2021/22	2021/22			Bulance
LOCAL ROADS PROGRAM						
Lake Street - Bulwer Street to Brisbane Street	110,307	110,307	71,395	(38,912)	(35%)	154 Project completed. Reallocate \$10k to Oxford St and \$15k to Fitzgerald St MRRG.
Lake Street - Stuart Street to Newcastle Street	116,615	116,615	66,817	(49,798)	(43%)	4,020 Project completed. Reallocate \$35k to Oxford St MRRG.
Glyde Street - Coogee Street to Matlock Street	45,562	25,000	36,010	11,010	44%	117 Project completed. Reallocate \$5k Richmond St Local Roads Program.
Richmond Street - Scott Street to Oxford Street	62,141	0	71,793	71,793	100%	1,751 Works to be Scheduled, to be completed by Mar 22.
Eton Street - Gill Street to Ellesmere Street	132,596	70,000	129,031	59,031	84%	2,010 Project completed. Reallocate \$10k to Fitzgerald St MRRG.
Grosvenor Road - Ethel Street to Fitzgerald Street	73,279	0	28,254	28,254	100%	32,961 Works to be Scheduled, to be completed by Mar 22.
Lawley Street - Fitzgerald Street to R.O.W	21,734	0	21,008	21,008	100%	0 Works to be Scheduled, to be completed by Mar 22.
Richmond Street - Leicester Street to Cul-de-sac	37,429	37,429	43,716	6,287	17%	2,010 Project completed. Transfer \$5k from Coogee St Local Roads Program.
Britannia Road - Federation Street to Kalgoorlie Street	96,305	96,305	82,940	(13,365)	(14%)	3,700 Timing Variance, to be completed by Mar 22
Bouverie Place - Oxford St to Cul de Sac	86,953	35,000	36,204	1,204	3%	0 Works in progress.
Ashby Street - East Street to Egina Street	100,341	100,341	39,782	(60,559)	(60%)	31,787 Works in progress, purchase order raised. To be completed by Mar 22
Ashby Street - Kalgoorlie Street to Egina Street	105,907	60,000	41,846	(18,154)	(30%)	33,895 Works in progress, purchase order raised. To be completed by Mar 22
Ashby Street - Kalgoorlie Street to The Boulevarde	53,984	40,000	16,623	(23,377)	(58%)	12,984 Works in progress, purchase order raised. To be completed by Mar 22
Ashby Street - Flinders Street to Coogee Street	53,984	40,000	19,104	(20,896)	(52%)	829 Works in progress, purchase order raised. To be completed by Mar 22
Thompson Street - Barnet Street to Loftus Street	2,500	0	500	500	100%	500 Works to be Scheduled. To be completed by Mar 22.
The Boulevarde, Larne Street to Hawthorn Street.	145,000	0	50,340	50,340	100%	45,963 Works to be Scheduled, to be completed by Jun 22.
Raglan Road, Norfolk Street to Hyde Street.	90,000	0	9,018	9,018	100%	6,940 Works to be Scheduled, to be completed by Jun 22.
Grosvenor Road, Ethel Street to Norfolk Street.	90,000	0	47,464	47,464	100%	43,782 Works to be Scheduled, to be completed by Jun 22.
Cleaver Street, Vincent Street to Carr Street (under Roads)	15,000	0	0	0	0%	0 Works to be Scheduled, to be completed by Mar 22.
Egina Street - Berryman Street to Anzac Road	5,000	0	0	0	0%	0 Works to be Scheduled. To be completed by Mar 22.
Egina Street - Tasman Street to Berryman Street	5,000	0	500	500	100%	500 Works to be Scheduled. To be completed by Mar 22.
Minor Traffic Management Improvements Program	85,310	60,000	30,312	(29,688)	(49%)	16,487 On going project based on council request.
Chelmsford Road to Raglan Road	1,370	1,370	1,368	(2)	(0%)	0 Works completed.
ROAD TO RECOVERY						
Tennyson Street - Loftus Street to Shakespeare Street	200,377	0	22,458	22,458	100%	56,249 Works in progress, to be completed by Mar 22.
Brisbane Tce - Lake St to Brisbane Place	33,363	33,363	26,633	(6,730)	(20%)	0 Works completed.
Ellesmere Street - Shakespeare St to London St	90,170	55,000	13,144	(41,856)	(76%)	31,963 Budget increased to match grant funding.
TRAFFIC MANAGEMENT						
Alma/Claverton Local Area Traffic Management	48,955	48,955	0	(48,955)	(100%)	0 Further report going to OMC Mar 22.
Harold and Lord St Intersection	22,850	22,850	0	(22,850)	(100%)	Design Phase, to be completed by June 22.
Mini Roundabouts	12,605	12,605	10,334	(2,271)	(18%)	3,998 Works in progress, to be completed by Feb 22.
BLACK SPOT PROGRAM						
Grosvenor Road - Install half seagull islands on Grosvenor Rd to ban through and right turn mo	100,000	0	0	0	0%	1,230 Works at planning stage, to be completed by Mar 22.
Leederville Parade - Vincent Street to Loftus Street	200,000	15,000	14,939	(62)	(0%)	O Awaiting confirmation of MRWA approval for Black Spot funding and timescale mea that construction will not occur this year. \$185k to be carried forward in anticipation construction in FY2022-23.
Intersection of Bulwer and Stirling St, Perth	95,960	95,960	22,296	(73,665)	(77%)	12,266 Project completed. \$20k to Newcastle Street MRRG & \$7k to Walcott Street MRRG
Intersection of Green, Tyler & Merredin St, Mt Hawthorn/Joondanna	26,380	26,380	2,310	(24,070)	(77%) (91%)	700 Works in design phase, pending discussion with City of Stirling.
	_ 5,000	,000	_, •	(= .,0.0)	(3170)	· -

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CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
STREETSCAPE IMPROVEMENTS						
Streetscape Improvements Program	35,000	0	5,595	5,595	100%	4,419 Overbudgeted. Reallocate \$15k to Fitzgerald St MRRG.
Streetscape Improvements-Angove St and Fitzgerald St North Perth Public Open Space	10,000 3,500	10,000 3,500	8,420 0	(1,580) (3,500)	(16%) (100%)	<ul><li>0 Works in progress.</li><li>0 Works at planning stage.</li></ul>
ROADWORKS - REHABILITATION (MRRG PROGRAM)						
Oxford Street - Leederville Parade to Vincent Street	118,376	118,376	167,506	49,130	42%	1,010 Scope increased. Transfer \$35k from Lake Street - Stuart Street to Newcastle Street and \$10k from Lake Street - Bulwer Street to Brisbane Street Local Road Programs.
Loftus Street - North bound lanes Vincent Street to Bourke Street	157,528	157,528	166,757	9,229	42% 6%	Increased cost due to weather interruption.
Loftus Street - South bound lanes Vincent Street to Bourke Street	149,145	149,145	147,415	(1,730)	(1%)	Increased cost due to weather interruption.
Bourke Street - Charles Street to Loftus Street	173,745	0	15,148	15,148	100%	7,772 Works in planning stage, to be completed by Mar 22.
Carr Street - Fitzgerald Street to Charles Street	110,518	110,518	121,766	11,248	100%	0 Works completed.
Fitzgerald Street - Central lanes Burt Street to Walcott Street	211,842	211,842	260,627	48,785	23%	O Transfer \$15k from Lake St Local Roads Program, \$10k from Eton St Local Roads Program and \$15k from Streetscapes Improvements Program.
Walcott Street - North-west bound lanes William Street to Beaufort Street	162,281	162,281	169,277	6,996	4%	1,700 Transfer \$7k from Bulwer / Stirling Black Spot Program.
Newcastle Street - Eastbound lane Money Street to Beaufort Street	77,271	77,271	93,775	16,504	21%	0 Transfer \$20k from Bulwer / Stirling Black Spot Program.
RIGHTS OF WAY						
Annual review based upon the most recent condition assessment survey	107,290	107,290	110,781	3,491	3%	0 Project completed. Budget to be adjusted as per actual.
Laneway Lighting Program	20,000	0	0	0	0%	0 Multi Year Programme. \$10k to be spent as part of the Marocchi Lane Graffiti project. Balance (\$10k) to be carried forward for FY2022-23.
SLAB FOOTPATH PROGRAMME						
Footpath Upgrade and Renewal Program	30,789	30,789	32,769	1,980	6%	500 Works commenced, to be completed by Mar 22.
Deague Court to Macedonia Place (Charles Veryard Reserve)	32,979	32,979	0	(32,979)	(100%)	0 Revised scope. \$33k transfer to Brittania Reserve Floodlights.
Car Park Entrance to Stirling Street	18,192	18,192	0	(18,192)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Matlock Street to Egina Street	54,172	54,172	0	(54,172)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Charles Street to Walcott Street	29,173	29,173	0	(29,173)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Haynes Street to Hobart Street	25,803	25,803	0	(25,803)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Ellesmere Strete to Gill Street	26,826	26,826	0	(26,826)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Bourke Street to Richmond Street	16,662	16,662	0	(16,662)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Norfolk Street to Ethel Street	19,469	19,469	0	(19,469)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Brisbane Street to Robinson Ave	14,950	14,950	0	(14,950)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Beaufort Street to Lindsday Street	14,568	14,568	0	(14,568)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Leicester Street to Cul-de-sac	41,297	41,297	0	(41,297)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Brewer Street to Edward Street	60,382	60,382	0	(60,382)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Intersection of Beaufort Street	17,052	17,052	0	(17,052)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.
Flinders Street - Scarborough Bch Rd to 65 Flinder Street	43,996	43,996	0	(43,996)	(100%)	0 Works to be Scheduled. To be completed by Mar 22.

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# CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description BICYCLE NETWORK	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
Florence/Strathcona/Golding Safe Active Street	34,540	34,540	8,995	(25,546)	(7.40()	50,524 Timing Variance.
Travel Smart Actions	10.500	0	0,393	(23,340)	(74%) 0%	Works to be Scheduled.
Design Bike Network Plan	50,000	0	0	0	0%	Quotation phase, works to commence in Mar 22.
Design for Norfolk St N/S Route	8,635	8,635	0	(8,635)	(100%)	0 To be completed by June 22.
DRAINAGE						
Britannia Reserve Main Drain Renewal stage 1&2	143,635	63,635	0	(63,635)	(100%)	1,225 Quotation phase. \$100k to be carried forward and spent in FY2022-23.
Minor drainage improvement program	95,920	70,000	47,434	(22,566)	(32%)	Over budget. Reallocate \$35k to Gully Soak-well Program.
Gully Soak-well program	76,675	76,675	99,821	23,146	30%	565 Transfer \$35k from Minor Drainage Improvement Program.
CAR PARK DEVELOPMENT						
Car Parking Upgrade/Renewal Program	155,300	0	0	0	0%	0 Revised scope. \$50k transfer to Brittania Reserve Floodlights.
Accessible City Strategy Implementation	205,000	0	0	0	0%	0 Works at planning stage.
Car Parking Upgrade-Strathcona St angled parking	20,000	20,000	0	(20,000)	(100%)	0 Design Phase, to be completed by June 22.
Depot - Car park lighting Renewal	10,789	10,789	16,124	5,335	49%	0 Project completed. Transfer \$6k from Works Depot - Non fixed assets renewals.
PARKS AND RESERVES						
Banks Reserve Master Plan Implementation - Stage 1	31,782	31,782	13,772	(18,010)	(57%)	0 Revised scope. \$18k transfer to Brittania Reserve Floodlights.
Greening Plan-West End Arts Precinct	4,400	4,400	2,162	(2,238)	(51%)	0 Project completed. Transfer excess funds to Beaufort St Median.
Leederville Parade (Greening Plan)	200,000	0	0	0	0%	0 To be installed as part of Blackspot project - currently awaiting MRWA confirmation. Budget to be carried forward in anticipation of approval for construction in FY2022-23.
Drummond Place (Greening Plan)	28,000	0	570	570	100%	0 Works at planning stage.
Old Aberdeen Place (Greening Plan)	10,000	0	570	570	100%	5,077 Project completed. Transfer excess funds to Beaufort St Median.
Stirling Street (Greening Plan)	30,000	0	0	0	0%	0 Works at planning stage.
Edward Street (Greening Plan)	20,000	0	665	665	100%	0 Works at planning stage.
Dunedin Street Car Park (Greening Plan)	15,000	0	570	570	100%	0 Design Phase.
Flinders Street Car Park (Greening Plan)	15,000	0	0	0	0%	570 Design Phase.
Brittania Reserve – Floodlight Repair	741,444	0	18,467	18,467	100%	7,360 Additional funding required. Transferred \$320k from various capital projects.
RETICULATION						
Menzies Park - Replace Irrigation System	180,000	0	0	0	0%	2,100 Works in design phase.
Weld Square - Renew electrical cubicle and Upgrade in ground reticulation system/electrical cเ	15,000	0	18,752	18,752		0 Associated electrical source/cabinet had to be upgraded as required by Western Power standards. Transfer \$5k from Auckland/Hobart irrigation replacement.
Auckland/Hobart Street Reserve - replace irrigation	30,673	30,673	2,040	(28,633)	100%	Project completed. \$5k transfer to Weld Square - Renew electrical cubicle project.
Auchanumobant Street Reserve - replace imigation	3U,0 <i>1</i> 3	30,073	2,040	(20,033)	(93%)	o Froject completed. par transier to werd aquare - Reflew electrical cubicle project.

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# CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
PARKS FURNITURE						
Implementation and renewal of parks signage	20,000	0	0	0	00/	0 \$20k to be carried forward to next year to enable design to be in line with the wayfinding
Norwood Park - replace electric BBQ (double)	15,000	15,000	11,924	(3,076)	0% (21%)	strategy.  0 Works completed, awaiting final invoice.
Banks Reserve Masterplan - Infrastructure Improvements (benches/seating)	40,000	0	0	0	0%	30,420 Works in design phase.
Auckland/Hobart Street Reserve – replacement perimeter fencing	20,000	0	0	0	0%	0 Quotation phase.
Hyde Park - upgrade of path lighting	129,658	100,000	0	(100,000)	(100%)	0 Multi Year renewal programme - poles ordered this year for installation next year.  Balance \$40k to be carried forward to FY2022-23.
Britannia Reserve - shade sail replacement (south)	18,000	0	0	0	0%	0 Quotation Phase.
Charles Veryard Reserve - Flood Lighting	100,000	0	7,465	7,465	100%	2,410 Works in design phase.
DADI/O DEVEL ODMENT						
PARKS DEVELOPMENT  Haynes Street Reserve Development Plan Implementation Stages 1 & 2	340,000	0	0	0	0%	0 Multi Year project - Full budget \$340k to be carried forward to FY2022-23 - no works planned this year due to dentist lease extension.
Monmouth Street	10,000	0	74	74	100%	1,754 Consultation in progress.
Edinboro Street Reserve	20,000	0	0	0	0%	0 Works to commence in Mar 22.
Hyde Park re-asphalt Pathways	100,000	0	0	0	0%	0 Investigation in progress.
Les Lilleyman – Playground and softfall replacement	115,000	0	0	0	0%	0 Quotation phase.
Tolcon Place Reserve - replace playground soft fall	20,000	0	0	0	0%	14,600 Purchase order raised, works to be completed by Mar 22.
Cricket Wicket Renewal Program	25,000	25,000	16,606	(8,394)	(34%)	0 Works in progress.
PLAYGROUND EQUIPMENT						
Menzies Park – replace exercise equipment	60,000	0	0	0	0%	0 Quotation phase.
Forrest Park - replace exercise equipment (deferred from 2019/20)	60,000	0	0	0	0%	0 Quotation phase.
Charles Veryard Reserve - Replace playground softfall and exercise equipment	45,000	0	33,900	33,900	100%	0 Purchase order raised, to be completed by June 22.
Gladstone Street Reserve - upgrade & replace playground equipment	105,000	0	0	0	0%	0 Quotation phase.
STREET FURNITURE						
Bus Shelter Replacement and Renewal Program	40,742	30,000	9,091	(20,909)	(70%)	0 Works in progress.
Street Lighting Upgrade Program	55,000	0	12,541	12,541	100%	12,842 Purchase order raised, to be completed by June 22.
					. 30,0	
MISCELLANEIOUS						
Public Open Space Strategy Implementation Plan	50,000	0	0	0	0%	2,540 Works at planning stage.
Mary Street Piazza - Festoon Light Improvements	20,000	20,000	11,296	(8,704)	(44%)	2,880 Works in progress, to be complete by Feb 22.
FOR INFRASTRUCTURE ASSETS	7,935,745	3,442,940	2,833,594	(609,346)	(573%)	510,505

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# CITY OF VINCENT NOTE 5 - CAPITAL WORKS SCHEDULE 2021/22 AS AT 28 FEBRUARY 2022

Description	Revised Budget 2021/22	YTD Budget 2021/22	YTD Actual 2021/22	YTD Variance	Variance	Commitment (PO) Variance Commentary  Balance
PLANT & EQUIPMENT ASSETS						
LIGHT FLEET VEHICLE REPLACEMENT PROGRAMME	592,500	152,500	000.047	55 547		277 000 Palitara of arbitles defermed that to Cavid
Light Fleet - Annual Changeover  MAJOR PLANT REPLACEMENT PROGRAMME	592,500	152,500	208,047	55,547	35%	377,936 Delivery of vehicles deferred due to Covid.
5 Tonne Rubbish Compactor Small Rear Loader - 1EKS994 - P3521-AS3772	340,000	0	0	0		0 Truck will be ordered this year but delivered next FY due to supply timescales therefore
	000.000	0	0	0	0%	carry forward to FY 2022-23.
Road Sweeper - 1EBC003 - P3762-AS3554	380,000	0	0	0	0%	0 Sweeper will be ordered this year but delivered next FY due to supply timescales therefore carry forward to FY 2022-23.
Single Axle Tipper Truck - 1BUF690 - P3261-AS2697	170,000	0	0	0	0%	163,850 Purchase order raised, awaiting delivery.
Scarifier and vacuum system	20,000	0	5,591	5,591	100%	0 Project completed. Excess funds to remain in surplus.
Elevated Work Platform - Squirrel - 1TKV686 - P4027-AS3283	60,000	0	0	0	0%	0
Mower / Ride On Rotary Toro Quad Steer - 1EBL578 - P5039-AS3556	40,000	40,000	36,330	(3,670)	(9%)	0 Project completed. Excess funds to remain in surplus.
Mower / Ride On Rotary - 1EQT004 - P5042-AS3930	35,000	35,000	30,460	(4,540)	(13%)	0 Project completed. Excess funds to remain in surplus.
MISCELLANEOUS						
FOGO 3 Bin	1,378,556	0	141,805	141,805	100%	1,065,050 Implementation rollout costs expected to be \$67k higher than budget, due to higher than anticipated infrastructure rates.
Parking Machines Asset Replacement Prog	20,000	0	0	0	0%	0 Quotation Phase.
TOTAL EXPENDITURE						
FOR PLANT & EQUIPMENT ASSETS	3,036,056	227,500	422,233	194,733	86%	1,606,836
FURNITURE & EQUIPMENT ASSETS						
F&E ASSETS - BP LEISURE CENTRE						
Lifeguard Tower renewal, Shade Sails, Fire alarm System, Umbrellas, Floor Scrubber and for $\boldsymbol{\varepsilon}$	132,000	120,000	55,524	(64,476)	(54%)	0 Works in progress.
Gym equipment - Strength and Group Fitness EquipmentGym equipment - Cardio and Fans	868,366	0	0	0	0%	827,879 Contract awarded, to be completed by June 22.
FURNITURE AND EQUIPMENT						
INFORMATION TECHNOLOGY Enterprise Applications upgrade	462,517	220,000	88,798	(131,202)	(000()	26,892 Ongoing project, to be completed by June 22.
ICT infrastructure renewal (switches, UPS, audio visual, network links)	275,000	125,000	113,062	(11,938)	(60%)	36,676 Works in progress.
To a minuscratical contents (emicrose, or e, addie vicadi, network inne)	270,000	120,000	110,002	(11,300)	(10%)	50,070 Worke in progress.
Beatty Park Leisure Centre						
Beatty Park Leisure Centre - Non Fixed Assets Renewal	50,942	50,942	34,480	(16,462)	(32%)	0 Works in progress, ongoing project.
POLICY & PLACE						
COVID-19 Artwork relief project	292,000	146,000	25,600	(120,400)	(82%)	0 Works in planning stage.
TOTAL EXPENDITURE						
FOR FURNITURE & EQUIPMENT ASSETS	2,080,825	661,942	317,465	(344,477)	(52%)	63,568
TOTAL CAPITAL EXPENDITURE	23,582,013	7,599,611	5,189,939	(2,409,672)	(32%)	2,930,242

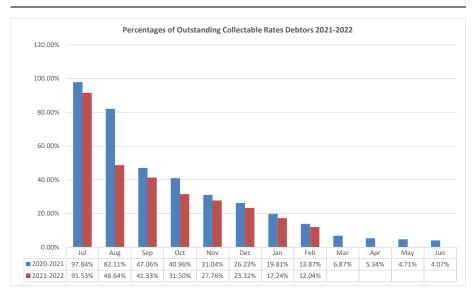
#### CITY OF VINCENT NOTE 6 - CASH BACKED RESERVES AS AT 28 FEBRUARY 2022



Reserve Particulars	Budget Opening Balance	Actual Opening Balance	Budget Transfers to Reserve	YTD Actual Transfers to Reserve	Budget Interest Earned	YTD Actual Interest Earned	Budget Transfers from Reserve	YTD Actual Transfers from Reserve	Budget Closing Balance	Actual Closing Balance
	01/07/2021	01/07/2021	30/06/2022	28/02/2022	30/06/2022	28/02/2022	30/06/2022	28/02/2022	30/06/2022	28/02/2022
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Asset Sustainability Reserve	5,890,677	5,749,402	701,114	429,447	45,550	33,626	(2,726,156)	(1,008,560)	3,911,185	5,203,917
Beatty Park Leisure Centre Reserve	102,048	102,096		0	789	581	0	0	102,837	102,677
Cash in Lieu Parking Reserve	1,540,735	1,611,564		0	11,914	8,779	(441,000)	(100,793)	1,111,649	1,519,550
Hyde Park Lake Reserve	160,575	160,649		767	1,242	913	0	(1,934)	161,817	160,395
Land and Building Acquisition Reserve	299,910	300,049		0	2,319	1,707	0	0	302,229	301,756
Leederville Oval Reserve	94,840	94,885		0	733	541	0	0	95,573	95,426
Loftus Community Centre Reserve	37,204	37,219		0	288	211	0	0	37,492	37,430
Loftus Recreation Centre Reserve	224,595	220,496	59,458	39,924	1,737	1,278	0	0	285,790	261,698
Office Building Reserve - 246 Vincent Street	288,445	311,925		0	2,230	1,642	(290,675)	0	0	313,567
Parking Facility Reserve	106,473	106,521		0	823	605	0	0	107,296	107,126
Percentage For Public Art Reserve	401,299	401,577		0	3,103	2,286	(374,227)	0	30,175	403,863
Plant and Equipment Reserve	22,667	22,680		0	175	128	(22,667)	(5,591)	175	17,218
POS reserve - General	0	0	1,450,120	654,251	11,213	4,572	(190,000)	0	1,271,333	658,823
State Gymnastics Centre Reserve	120,783	119,423	11,144	7,688	934	686	0	6,345	132,861	134,142
Strategic Waste Management Reserve	1,005,650	1,006,113		5,575	7,776	5,731	(982,312)	(141,805)	31,114	875,614
Tamala Park Land Sales Reserve	1,093,870	1,093,870	833,333	0	4,591	3,383	0	0	1,931,794	1,097,253
Underground Power Reserve	211,773	211,870		0	1,638	1,205	0	(993)	213,411	212,082
Waste Management Plant and Equipment Reserve	221,752	221,856		0	1,715	1,263	0	(20,490)	223,467	202,629
POS reserve - Haynes Street	159,194	159,265	35,245	24,548	1,231	906	(150,000)	23,270	45,670	209,108
	11,982,490	11,931,460	3,090,414	1,162,201	100,001	70,044	(5,177,037)	(1,250,551)	9,995,867	11,914,273

#### CITY OF VINCENT NOTE 7 - RATING INFORMATION AS AT 28 FEBRUARY 2022





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#### CITY OF VINCENT NOTE 7 - RATING INFORMATION FOR THE MONTH ENDED 28 FEBRUARY 2022



	Rateable Value		Budget	Actual	Rates Levied to Budget
	\$	Cents	\$	\$	%
Rate Revenue					
General Rate	0.45 400 000	0.0707	10 500 111	10.001.000	100.00/
10902 Residential	245,429,636	0.0797	19,568,111	19,621,826	100.3%
182 Vacant Residential	4,265,470	0.0761	324,712	322,920	99.4%
1622 Other	124,588,530	0.0672	8,369,858	8,350,806	99.8%
46 Vacant Commercial	2,437,750	0.1282	312,447	350,064	112.0%
Minimum Rate					
6144 Residential @ \$1,241.00	78,076,012		7,633,391	7,624,704	99.9%
185 Vacant Residential @ \$1,170.00	1,822,160		183,690	216,450	117.8%
157 Other @ \$1,197.70	1,886,030		188,039	188,039	100.0%
0 Vacant Commercial @ \$1,516.40			0	0	
Interim Rates	0		300,000	252,466	84.2%
Rates Waiver	0		(135,000)	(116,028)	85.9%
Total Amount Made up from Rates	458,505,588		36,745,248	36,811,247	
Non Payment Penalties					
Instalment Interest @ 5.5%			185,000	183,376	99.1%
Penalty Interest @ 8%			133,000	109,159	82.1%
Administration Charge - \$8 per instalment			150,000	132,924	88.6%
Interest Write Off			0	(1,826)	100.0%
Other Revenue		_	37,223,248	37,240,857	
Exempt Bins - Non Rated Properties			100,000	80,798	80.8%
Commercial / Residential Additional Bins			16,000	21,852	136.6%
Swimming Pools Inspection Fees			18,800	14,858	79.0%
		_	37,358,048	37,358,366	
Opening Balance				1,053,606	
Total Collectable			37,358,048	38,411,972	102.82%
Less					
Cash Received				35,020,529	
Rebates Allowed				(1,119,754)	
Rates write off				11,457	
ESL write off				624	
Rates Balance To Be Collected		=	37,358,048	4,499,116	12.04%
Add					
ESL Debtors				274,616	
Pensioner Rebates Not Yet Claimed				336,192	
ESL Rebates Not Yet Claimed				15,659	
Less Deferred Rates Debtors				(105,466)	
Current Rates Debtors Balance			-	5,020,117	-

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CITY OF VINCENT NOTE 8 - DEBTOR REPORT FOR THE MONTH ENDED 28 FEBRUARY 2022

DESCRIPTION	CURRENT	31-59 DAYS	60-89 DAYS	OVER 90 DAYS	BALANCE
	\$	\$	\$	\$	\$
DEBTOR CONTROL - HEALTH LICENCES	(2,841)	(17,857)	(45,451)	274,299	208,150
DEBTOR CONTROL - CASH IN LIEU CAR PARKING	0	0	0	219,146	219,146
DEBTOR CONTROL - PROPERTY INCOME	29,035	7,083	8	5,210	41,335
DEBTOR CONTROL - RECOVERABLE WORKS	1,164	1,164	0	930	3,257
DEBTOR CONTROL - OTHER	60,923	1,505	0	99,935	162,363
DEBTOR CONTROL - % ART CONTRIBUTIONS	25,500	0	60,008	0	85,508
DEBTOR CONTROL - PLANNING SERVICES FEES	(1,410)	2,115	(1,410)	2,115	1,410
DEBTOR CONTROL - GST	19	0	0	0	19
DEBTOR CONTROL - INFRINGEMENT	59,955	57,495	31,790	1,064,466	1,213,706
PROVISION FOR DOUBTFUL DEBT (CURRENT)	0	0	0	(198,651)	(198,651)
IMPAIRMENT OF RECEIVABLES	0	0	0	(181,916)	(181,916)
TOTAL DEBTORS OUTSTANDING AS AT 28/02/2022	172,345	51,503	44,945	1,285,534	1,554,328
	11.1%	3.3%	2.9%	82.7%	

 ACCRUED INCOME
 154,190

 ACCRUED INTEREST
 57,200

 PREPAYMENTS
 964,725

 TOTAL TRADE AND OTHER RECEIVABLES
 2,730,442

DATE	DME, RECOVERABLE WORKS AND OTHER DEBTORS: SUNDRY DEBTORS OVER 90 DAYS	293,892 AMOUNT	DEBT DETAILS	Comments	
DAIL	CONDICT DEDTORG OVER 30 DATO	AMOUNT	DEDI DETAILS	Comments	
11/03/2019	Tennis Seniors Western Australia	5.728	Building Insurance 2018/19 & 2019/20	In the process to debt collection	
23/02/2021	Kre8 Constructions	930	Damaged to ROW 47 Redfern St	Liquidation - proof of debt sent	
04/11/2016	C Caferelli	28,600	Breaches of Planning Development Act	Have been handed over to FER	
22/08/2018	C D Hunter	12,514	Outstanding court costs awarded to COV	\$100 Monthly Repayment in progress from 27/10/20	
21/01/2019	Matthew Slinger	20,085	Outstanding court costs awarded to COV	Have been handed over to FER	
09/07/2019	R Cox	1,170	Breach of condition of hall hire	Sent to debt collection agency	
28/11/2019	A Kindu	2,339	Damage/vandalism to hired venue	with debt collector	
28/10/2021	K Beykpour	18,800	Court fines and costs 155 Walcott St	Have been handed over to FER	
21/07/2021	M Stocco	906	Recoup salary overpaymnet	Final letter issued	
13/10/2020	D Bianchi	15,000	Court fines and costs re: 193-195 Scarborough	\$200 Monthly Repayment in progress from 30 Dec 20	
BALANCE OF 90	DAY DEBTORS OVER \$500	106,072			
% AGING DEBT	OVER 90 DAYS	36%			
HEALTH LICENS	ES DEBTORS:	208,150	INFRINGEMENT DEBTO	RS:	1,213,7
BALANCE OF 90	DAY DEBTORS OVER \$500	-	Refered to FER		1,064,4
% AGING DEBT	OVER 90 DAYS		BALANCE OF 90 DAY DE	BTORS OVER \$500	1,064,46
			— % AGING DEBT OVER 90	IDAYS	88
			WHO IN DED TO VERY OF	- DATO	
	ARKING DEBTORS:	219,146			
		15.192			
Payyment plan:		203 955			
Payyment plan:	DAY DEBTORS OVER \$500	203,955 93%			

# CITY OF VINCENT NOTE 9 - BEATTY PARK LEISURE CENTRE FINANCIAL POSITION AS AT 28 FEBRUARY 2022

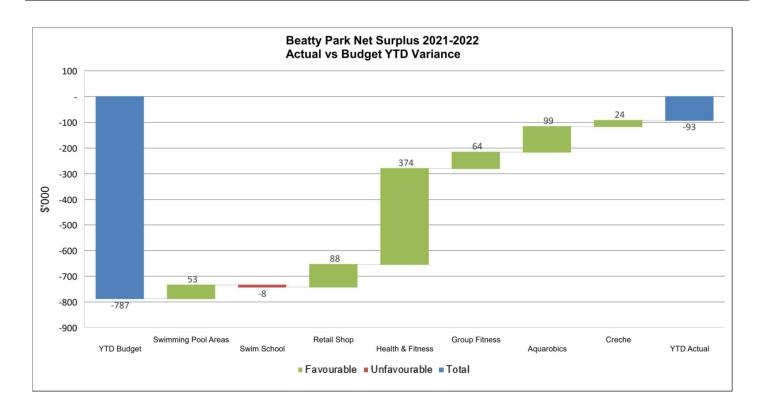


	Original Budget	YTD Budget	YTD Actuals	YTD Actuals	Month Actuals	Month Actuals
	2021/22 \$	Feb-22 \$	Feb-22 \$	Feb-21 \$	Feb-22 \$	Feb-21 \$
ADMINISTRATION	· ·	•	v	•	· ·	•
Revenue	0	0	0	0	(78,699)	0
Expenditure	0	0	0	275,583	78,699	34,352
Surplus/(Deficit)	0	0	0	275,583	0	34,352
SWIMMING POOLS AREA						
Revenue	2,209,329	1,483,892	1,618,722	1,196,777	212,186	86,375
Expenditure	(3,981,939)	(2,658,008)	(2,740,011)	(1,417,995)	(357,153)	(158,412)
Surplus/(Deficit)	(1,772,610)	(1,174,116)	(1,121,289)	(221,218)	(144,967)	(72,037)
SWIM SCHOOL						
Revenue	1,530,316	950,544	887,010	896,885	164,294	78,889
Expenditure	(1,066,427)	(710,027)	(654,084)	(629,379)	(101,644)	(72,168)
Surplus/(Deficit)	463,889	240,517	232,926	267,506	62,650	6,721
<u>CAFÉ</u>						
Revenue	0	0	0	0	0	0
Expenditure	0	0	0	(35,008)	0	(4)
Surplus/(Deficit)	0	0	0	(35,008)	0	(4)
RETAIL SHOP						
Revenue	551,116	407,408	466,765	427,372	64,137	44,903
Expenditure	(473,051)	(366,589)	(337,877)	(264,435)	(38,620)	(33,357)
Surplus/(Deficit)	78,065	40,819	128,888	162,937	25,517	11,546
HEALTH & FITNESS						
Revenue	1,656,874	1,103,744	1,448,368	967,921	174,661	77,737
Expenditure	(1,342,118)	(892,122)	(862,382)	(651,003)	(102,054)	(73,684)
Surplus/(Deficit)	314,756	211,622	585,986	316,918	72,607	4,053
GROUP FITNESS						
Revenue	585,362	390,240	515,338	349,891	60,935	27,401
Expenditure	(507,228)	(340,295)	(401,281)	(283,441)	(60,194)	(32,165)
Surplus/(Deficit)	78,134	49,945	114,057	66,450	741	(4,764)
AQUAROBICS						
Revenue	227,053	151,468	205,477	136,280	26,362	10,743
Expenditure	(228,536)	(154,281)	(109,221)	(77,342)	(17,984)	(8,807)
Surplus/(Deficit)	(1,483)	(2,813)	96,256	58,938	8,378	1,936
CRECHE						
Revenue	61,333	40,888	52,514	36,302	6,553	2,569
Expenditure	(291,617)	(194,164)	(181,953)	(142,179)	(24,326)	(15,709)
Surplus/(Deficit)	(230,284)	(153,276)	(129,439)	(105,877)	(17,773)	(13,140)
Net Surplus/(Deficit)	(1,069,533)	(787,302)	(92,615)	786,229	7,153	(31,337)
Less: Depreciation	(1,286,772)	(857,848)	(766,241)	(783,804)	(95,558)	(106,933)

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CITY OF VINCENT
NOTE 9 - STATEMENT OF FINANCIAL ACTIVITY
BY SERVICE - GRAPH
AS AT 28 FEB 2022





#### 12 CHIEF EXECUTIVE OFFICER

#### 12.1 ADVERTISING OF AMENDED POLICY - CEO ANNUAL PERFORMANCE REVIEW

Attachments:

CEO Annual Performance Review Policy (marked up) 4 1.



#### RECOMMENDATION

That Council APPROVES the proposed amendments to the Chief Executive Officer Annual Performance Review Policy, at Attachment 1, for the purpose of community consultation.

#### **PURPOSE OF REPORT:**

For Council to approve, for the purpose of community consultation, the proposed amendments to the Chief Executive Officer (CEO) Annual Performance Review Policy as detailed at Attachment 1.

#### **BACKGROUND:**

At its 17 October 2017 meeting, Council resolved to develop a CEO Performance and Remuneration Review Policy.

The Policy No. 4.2.16 - CEO Annual Review (the policy) was developed in collaboration with the 2016/17 CEO Performance Review Panel to establish a clear and consistent methodology for undertaking the CEO's annual performance review. The policy was presented to and adopted by Council at its 14 November 2017 meeting.

The policy defines roles and responsibilities for commencing, conducting, and completing the CEO's annual performance review.

On 3 February 2021, the following regulations took effect implementing the remaining provisions of the Local Government Legislation Amendment Act 2019:

- Local Government (Administration) Amendment Regulations 2021 (Model Standards); (a)
- Local Government (Model Code of Conduct) Regulations 2021 (Model Code); and (b)
- Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021 (c) (Employee Code Regulations).

The Model Standards prescribe standards for the recruitment, selection, performance review and termination of Local Government CEOs.

At its 23 March 2021 meeting, Council adopted the Model Standards in its entirety (CEO Standards).

The requirement of provisions outlined in clause 1.3 of the Policy Development and Review Policy were presented to Council Members through the monthly Policy Paper in January 2022. No feedback was received.

# **DETAILS:**

One of the key provisions of the CEO Standards is to establish a performance review process that is agreed between the CEO and Council.

The Department of Local Government, Sport and Cultural Industries (DLGSC), has prepared Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.

The standards and guidelines have been developed by the DLGSC, in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LGPro).

Item 12.1 Page 270 The DLGSC guidelines highlight the importance for local governments to establish a performance review panel and recommend the development of a policy to guide the performance review process. It is recommended that the policy includes:

- the composition of the panel;
- primary functions;
- the role and appointment of an independent consultant; and
- the responsibilities of review panel members.

The findings of Administration's review of Policy No. 4.2.16 – CEO Annual Performance Review are as follows:

# 1. Consideration of policy objective

Administration is proposing an updated objective to align with the adopted CEO Standards.

#### 2. Performance Review Panel – responsibilities and qualification requirements

Council Members are encouraged to continually improve their knowledge and expertise to enhance the quality of representation and promote well informed decision making. The Western Australian Local Government Association (WALGA) provides a Council Member professional development course that addresses the processes and skills required for Council Members to contribute effectively to their Council's annual appraisal of its CEO.

Administration is recommending the inclusion of a new clause requiring that all Council Members appointed to the CEO review panel must undertake the relevant CEO performance review training course within six months of appointment to the panel.

Where external training cannot be sourced within the six month timeframe clause 1.6 has been added to allow for inhouse training to be conducted.

Clause 1.5, 1.6 and 1.7 have been added for Council's consideration:

# 3. Proposed amendments to conditions of clause 2.4 – Appointment of Consultant

In accordance with clause 17, schedule 2 of the *Local Government (Administration) Regulations* 1996 (Regulations) local governments must collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

Additional conditions have been inserted under clause 2.4 of the policy to ensure that the process aligns with the new legislative requirements. Minor amendments to conditions 2.4c and 2.4i (renumbered 2.4e and 2.4k) are also proposed to reflect the City's existing practice and reporting structure.

# 4. Roles and responsibilities

Minor amendments to clause 3.1 and 3.4 have been included to reflect the City's existing practice and reporting structure.

#### 5. Endorsement of Performance Review by Local Government

In accordance with clause 18, schedule 2 of the Regulations local governments are required to endorse, by absolute majority, a CEO performance review.

Clause 5.1 has been added to ensure that the process aligns with the new legislative requirements.

# **CONSULTATION/ADVERTISING:**

In accordance with the City's <u>Community and Stakeholder Engagement Policy</u>, community consultation of all new and significantly amended policies must be provided for a period exceeding 21 days in the following ways:

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- notice published on the City's website;
- notice posted to the City's social media;
- notice published in the local newspapers;
- notice exhibited on the notice board at the City's Administration and Library and Local History Centre;
   and
- letters distributed to relevant local businesses and community groups.

Public notice of this proposed new policy will be provided from mid-April 2022.

#### LEGAL/POLICY:

Section 2.7(2)(b) of the Local Government Act 1995 provides Council with the power to determine policies.

Section 5.38 of the *Local Government Act 1995* requires Council to review the performance of the Chief Executive Officer at least once each year.

The City's <u>Policy Development and Review Policy</u> sets out the process for the development and review of the City's policy documents.

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to undertake community consultation of the proposed amendments to the policy.

# **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community.

Our community is aware of what we are doing and how we are meeting our goals.

#### SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

#### **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

# FINANCIAL/BUDGET IMPLICATIONS:

Nil.

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Legislation / local law requirements	Local Government Act 1995, s5.38 - Annual review of employees' performance Local Government (Administration) Regulations 1996 Schedule 2 - — Model standards for CEO recruitment, performance, and termination; and Salaries and Allowances Act 1975
Relevant delegations	Nil.
Related policies, procedures and supporting documentation	City of Vincent <u>CEO Standards</u>

#### **PRELIMINARY**

#### INTRODUCTION

Section 5.38 of the *Local Government Act 1995* requires Council to review the performance of the Chief Executive Officer at least once each year. Conducting this review is an important function of Council because the CEO is Council's only employee, and it is through this review process that Council can also review the performance of the organisation. At the same time, it is appropriate for Council to also conduct an annual review of the CEO's remuneration package.

The Salaries and Allowance Tribunal (SAT), established under the Salaries and Allowances Act 1975 (the Act), has responsibility for determining and recommending rates of remuneration for local government CEO's in accordance with sections 7A and 8 of that Act. Rather than determine a specific remuneration package amount, SAT sets the minimum and maximum Total Reward Package (TRP) to be paid or provided to local government CEOs depending on a 'Band' classification structure established by the SAT. The SAT has classified the City of Vincent as a Band 2 local government

#### **PURPOSE**

To guide Council's annual performance and remuneration review process for the City's Chief Executive Officer.

#### **OBJECTIVE**

To guide Council's annual performance and remuneration review process for the City's Chief Executive Officer.

To establish a documented agreement, in accordance with the City of Vincent CEO Standards, that:

- details the establishment of the CEO Performance Review Panel; and
- guides Council's annual performance and remuneration review process for the City's Chief Executive Officer.

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# **SCOPE**

This policy applies to the conduct of CEO performance reviews.

#### **DEFINITIONS**

Council means the Council of the City of Vincent.

**contractual performance criteria** means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

# **POLICY PROVISIONS**

#### 1. Performance Review Panel

- 1.1 The Council shall establish a CEO Performance Review Panel (the Panel) to have carriage and oversight of the Annual Review Process.
- 1.2 The Panel shall be appointed by resolution of Council for a two year term ending on the date of the next ordinary local government election.
- 1.3 The Panel shall comprise up to four members, including the Mayor as Chairperson and at least two other Council Members.
- 1.4 The primary functions of the Panel are to:
  - Subject to clause 2.4, determine the scope of work to engage a consultant to assist with the conduct of the review process;
  - b. Review quotations received from consultants to assist with the conduct of the review process;
  - Provide a recommendation to Council on the appointment of a suitable consultant to assist with the conduct of the review process;
  - d. Manage the consultant appointed by Council;
  - e. Review the results of the performance review process and remuneration review and provide a recommendation to Council on the same; and
  - f. Discuss possible KPIs and measurements with the CEO for reporting to Council arising from the performance review process.
- 1.5 All Council Members appointed to the CEO review panel must undertake relevant CEO performance review training course provided by the Western Australian Local Government Association (WALGA), or similar industry recognised training provider, within six months of appointment to the panel.
- 1.6 Where external training cannot be sourced within the timeframe noted in 1.5 above, the City will provide inhouse training to address the processes and skills required for Council Members to contribute effectively to the annual appraisal of the CEO.
- 1.7 The training is valid for five years therefore a re-elected panel member is only required to undertake the training at every second election.

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#### 2. Appointment of Consultant

- 2.1 Council shall have due regard to the advice of the Panel and shall appoint a suitably qualified and experienced consultant to assist with the conduct of the performance review process in an independent and equitable fashion.
- 2.2 Unless otherwise determined by Council, the selected consultant shall be appointed for a two year term to coincide with the membership term of the Panel.
- 2.3 To ensure the review process is commenced in a timely manner, Council will make the decision to appoint a consultant by no later than one month before the CEO's 12 month anniversary date falls due.
- 2.4 The appointed consultant shall, as a minimum, undertake the following as part of the performance review process:
  - a. Prepare and distribute a questionnaire to all current Council Members on the extent to which the CEO is considered to have achieved <u>their contractual performance criteria and</u> the KPIs and measurements that applied during the review period;
  - Collect evidence regarding the CEO's performance in respect of the contractual performance criteria and KPIs in a thorough and comprehensive manner;
  - Review the CEO's performance against the contractual performance criteria and KPIs, based on the evidence collected;
  - Þ d Provide all current Council Members with the opportunity to provide verbal feedback on:
    - the extent to which the CEO is considered to have achieved the KPIs and measurements that applied during the review period;
    - (ii) the CEO's responsibilities during the review period; and
    - (iii) the organisation's performance during the review period.
  - Prepare and distribute a confidential 360 questionnaire to all CEO direct reports Directors and Managers on the extent to which the leadership and management attributes of the CEO is considered to have modelled the desired leadership behaviours outlined in The Vincent Way;
  - df Conduct a review of the CEO's remuneration package;
  - e g Convene and attend at least one meeting between the consultant and the CEO to discuss the feedback received:
  - 6-h Convene and attend at least one meeting between the consultant and the Panel to discuss the feedback received;
  - Gi Convene and attend at least one meeting between the consultant, the Panel and the CEO to discuss the feedback received; and
  - Provide to the Panel and the CEO an Annual Performance Review report incorporating the results of the review exercise.
  - i-k Conduct a review of the CEO's Key Performance Indicators (KPIs) and <u>liaise with the Panel and the CEO on potential recommend</u> draft KPIs and measurements for the upcoming review period in discussion with the CEO and the Panel.

# 3. Roles & Responsibilities

- 3.1 The Office of the Mayor will be responsible for:
  - a. Coordinating the activities of the Panel throughout the review process; and
  - b. Two months prior to the completion of the KPI review year falling due, initiating liaise with the Executive Manager Corporate Strategy and Governance to initiate the Request for Quotation (RFQ) process to appoint a consultant in accordance with Council's Purchasing Policy and relevant corporate procedures.

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- 3.2 No later than six weeks following the completion of the KPI review year, the CEO shall provide to Council's appointed consultant a written self-assessment of the CEO's own performance against the KPIs and measurements that applied during the review period.
- 3.3 Council's appointed consultant will be responsible for coordinating Council Member feedback on the CEO's self-assessment against KPIs and measurements, and the <u>Director and Manager's</u> feedback on the CEO's <u>leadership behaviours</u> 360 assessment from <u>direct reports</u>.
- 3.4 The Panel is responsible for:
  - Presenting a report to Council to appoint a suitable consultant prior to the CEO's anniversary date falling due; and
  - b. Overseeing the performance review process and ensuring that a final review report is presented to Council to conclude the process within 3 months of the completion of the former KPI review period. If a local government election, or another extraordinary event, falls within this 3 month period, the Panel shall establish revised timeframes for the review process in liaison with the CEO.
- 3.5 The Panel and the CEO shall be responsible for presenting the draft KPIs and measurements to Council for determination within 3 months of the completion of the former KPI review period.
- 3.6 It is incumbent upon Council Members and senior staff to actively participate in the CEO Performance Review process and to provide feedback in accordance with the provisions of this policy.

#### 4. KPI Review Period

- 4.1 If the CEO's anniversary date does not align with the financial year, then over a period of time agreed between Council and the CEO, the CEO's KPI review period (inclusive of remuneration review) will be transitioned to align with the financial year.
- 4.2 To give effect to clause 4.1, Council and the CEO may agree to conduct a performance review(s) for a period of less than 12 months based on KPIs that align to that same duration of time.
- 5. Endorsement of Performance Review by Local Government
- 5.1 Following a review of the performance of the CEO, the City must, by resolution of an absolute majority of the Council, endorse the review.

OFFICE USE ONLY	
Responsible Officer	Please use title only
Initial Council Adoption	DD/MM/YYYY
Previous Title	Applicable if the policy has been renamed
Reviewed / Amended	DD/MM/YYYY
Next Review Date	MM/YYYY

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# 12.2 ADVERTISING OF AMENDED POLICY - POLICY NO. 4.1.09 - FLYING AND DISPLAYING OF FLAGS AND BANNERS

### Attachments:

1. Flying and Displaying of Flags and Banners Policy (Marked Up) 🗓 🖺

# RECOMMENDATION

That Council APPROVES the proposed amendments to the Flying and Displaying of Flags and Banners Policy, at Attachment 1, for the purpose of community consultation.

#### **PURPOSE OF REPORT:**

For Council to approve, for the purpose of community consultation, the proposed amendments to Policy No. 4.1.09 – Flying and Displaying of Flags and Banners as detailed at **Attachment 1**.

# **BACKGROUND:**

The Flying and Displaying of Flags and Banners policy was adopted by Council in October 1996 and last reviewed in February 2011.

The policy was developed in response to requests from members of the community to fly the Rainbow flag during the final week of Pride month in 1996.

The publication "Australian Flags" published by the Australian Government Publishing Services specifies protocols for the display of Australian, National and flags proclaimed under the *Flags Act 1953* (Flags Act).

The booklet does not cover situations relating to flags that are not proclaimed under the Flags Act. The Rainbow Flag is not proclaimed under the Flags Act therefore the policy was developed to provide authority to the Chief Executive Officer (CEO) to determine such applications.

Following Council's resolution in October 1996, and through the authority provided to the CEO in this policy, the Rainbow flag has been flown outside of the Administration and Civic Centre during Pride month each subsequent year.

At its Council Meeting held 14 March 2000, Council amended the policy to include a provision that the City fly the Australian Aboriginal Flag outside of the Administration and Civic Centre (in addition to its being displayed in the Council Chamber and the Function Room).

Following Council's resolution in March 2000, the Aboriginal Flag has been flown permanently outside the City's Administration Building and Council Chambers. Subsequently, through implementation of the City's Reconciliation Action Plans and in accordance with flag protocol, the Australian Aboriginal and Torres Strait Islander flags are flown at the Administration Building and Axford Park in Mount Hawthorn during Reconciliation and NAIDOC Weeks.

The requirement of provisions outlined in clause 1.3 of the <u>Policy Development and Review Policy</u> were presented to Council Members though the monthly Policy Paper in January 2022. No feedback was received.

# **DETAILS:**

The findings of Administrations review of the policy are as follows.

The existing policy reaffirms the City's commitment to reconciliation and provides authority to the CEO to determine applications for the flying or displaying of flags or banners.

On 2 July 2021 the Department of Local Government, Sport and Cultural Industries (DLGSC) published a <u>protocol</u> for flying the Australian Aboriginal and Torres Strait Islander Flags throughout NAIDOC Week that aligns with the Australian Flags publication and the City's existing practices.

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The City's Reconciliation Action Plan outlines our commitment to reconciliation and aligns with the DLGSC protocol and Flag protocols.

Administration is recommending the following policy amendments:

#### 1. Consideration of policy objective

Administration is proposing amendments to the policy objective to align with its existing practices and to appropriately document the City's position.

### 2. Consideration of additional provisions

Additional policy provisions 2.2, 2.3 and 3 have been added to define delivery of the proposed objective and to reinforce the City's existing practices.

#### 3. Protocols

This policy provision has been removed and guidance to the City's statutory requirement have been included in the introduction section and legislation and supporting documentation table.

#### **CONSULTATION/ADVERTISING:**

In accordance with the City's <u>Community and Stakeholder Engagement Policy</u>, community consultation of all new and significantly amended policies must be provided for a period exceeding 21 days in the following ways:

- notice published on the City's website;
- notice posted to the City's social media;
- notice published in the local newspapers;
- notice exhibited on the notice board at the City's Administration and Library and Local History Centre;
   and
- letters distributed to relevant local businesses and community groups.

Public notice of this proposed new policy will be provided from mid-April 2022.

# **LEGAL/POLICY:**

There is no legislative requirement for a documented City position however, in its absence there would be no formal direction or guidance for Administration when determining the flying or displaying of flags or banners that are not proclaimed under the Flags Act.

Section 2.7(2)(b) of the Local Government Act 1995 provides Council with the power to determine policies.

The City's <u>Policy Development and Review Policy</u> sets out the process for the development and review of the City's policy documents.

# **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to undertake community consultation of the proposed amendments to the policy.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community.

Our community is aware of what we are doing and how we are meeting our goals.

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# **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes.

# **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

# FINANCIAL/BUDGET IMPLICATIONS:

Nil.

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# Flying and Displaying of Flags and Banners



Legislation / local law requirements	Flags Act 1953
Relevant delegations	Nil.
Related policies, procedures and supporting documentation	"Australian Flags" publication

# **PRELIMINARY**

#### INTRODUCTION

The City is required to fly and/or display flags in accordance with:

- the Flags Act 1953 (Flags Act);
- any announcements/directives given by the relevant State or Federal Department; and/or
- in accordance with the "Australian Flags" publication produced by the Awards and National Symbols Branch, Department of Prime Minister, and Cabinet.

The "Australian Flags" publication does not cover situations relating to flags that are not proclaimed under the Flags Act.

#### **PURPOSE**

To provide guidance on the display of flags and banners that are not proclaimed under the Flags Act and/or in addition to the protocols specified in the "Australian Flags" publication.

#### **OBJECTIVE**

To:

- provide guidelines to the City when considering applications to fly flags or display banners;
- reaffirm the City's commitment to reconciliation; and
- recognise and support our LGBTIQ+ community.

# SCOPE

This policy applies to the display of flags and banners at City buildings, parks, and reserves.

# **DEFINITIONS**

Nil.

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# Flying and Displaying of Flags and Banners



# **POLICY PROVISIONS**

#### 1. Applications

Applications for the flying or displaying of flags or banners are to be approved by the Chief Executive Officer on their individual merits, as follows:

- 1.1 consideration will be given to the promotion of a Significant Week or in conjunction with promotion of an significant event/occasion, which is considered to be of interest to the general public;
- 1.2 in the event that Chief Executive Officer gives approval, the applicant shall provide the necessary flag or banner at least 48 hours prior to the event (or at a sooner time if required); and
- 1.3 all costs associated with the flying or displaying of banners shall be borne by the applicant.

### 2. Aboriginal and Torres Strait Islander Flags

- 2.1 The City will fly the Aboriginal Flag outside the Administration and Civic Centre (in addition to it being displayed in the Council Chamber and Administration and Civic Centre Function Room)
- 2.2 The Torres Strait Islander Flag will be flown outside the Administration and Civic Centre with the Australian National Flag, the Western Australian Flag, and the Australian Aboriginal Flag each year to celebrate Reconciliation Week and NAIDOC Week.
- 2.3 The Australian Aboriginal and Torres Strait Islander flags will be flown at Axford Park in Mount Hawthorn each year to celebrate Reconciliation Week and NAIDOC Week.

#### 3. The Rainbow Flag

The Rainbow Flag will be flown outside the Administration and Civic Centre with the Australian National Flag, the Western Australian Flag, and the Australian Aboriginal Flag each year throughout Pride month.

#### 4. Protocols

The flying and/or displaying of flags shall be in accordance with the Flags Act 1953 and any announcements/directives given by the relevant State or Federal Department and/or in accordance with the book "Australian Flags" produced by the Awards and National Symbols Branch, Department of Prime Minister and Cabinet.

OFFICE USE ONLY	
Responsible Officer	Please use title only
Initial Council Adoption	DD/MM/YYYY
Previous Title	Applicable if the policy has been renamed
Reviewed / Amended	DD/MM/YYYY
Next Review Date	MM/YYYY

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# 12.3 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 16 MARCH 2022

#### Attachments:

- 1. Audit Committee Minutes 16 March 2022 U
- 2. Attachments to Audit Committee Meeting 16 March 2022 Confidential

#### **RECOMMENDATION:**

That Council RECEIVES the minutes of the Audit Committee Meeting of 16 March 2022, as at Attachment 1, and NOTES the recommendations.

# **PURPOSE OF REPORT:**

To report to Council the proceedings of the Audit Committee at its meeting held on 16 March 2022 in accordance with clause 2.21(1) of the City's Meeting Procedures Local Law 2008.

#### **BACKGROUND:**

The City's Audit Committee is a statutory committee of Council, established in accordance with Section 7.1A of the *Local Government Act 1995*. The role of the Audit Committee is to provide independent advice and assurance to Council over the City's risk management, internal controls, legislative compliance and financial management.

The Audit Committee meets approximately every two months and comprises of up to three external independent members (one of which is the Audit Committee Chair) and four Elected Members.

#### **DETAILS:**

The Audit Committee considered four agenda items as follows:

# 5.1 Small Maintenance Works Contract

The tender and procurement plan relating to the small maintenance works contract was tabled and discussion took place around it.

# 5.2 Further Risk Assessment (non-structural risks) on Ageing Infrastructure

Discussion took place around the risks relating to ageing infrastructure, and an amendment was carried requesting that information be provided regarding what action is currently being undertaken to address the residual high and medium risks, if those risk should be absorbed or if it is currently adequately covered by insurance.

# 5.3 Audit Committee Meeting Dates 2022

The Audit Committee agreed to the meeting schedule for 2022.

# 5.4 Review of the City's Audit Log

The Audit log was discussed and proposed completion dates were approved.

### **CONSULTATION/ADVERTISING:**

Nil.

#### LEGAL/POLICY:

Clause 2.21 of the City's Meeting Procedures Local Law 2008 states that the report and minutes of a Committee meeting are to be provided to Council.

The Audit Committee Terms of Reference govern the functions, powers and membership of the Audit Committee.

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#### **RISK MANAGEMENT IMPLICATIONS:**

Low: It is low risk for Council to consider the report and minutes of the Audit Committee meeting on 10 December 2021.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

# **Innovative and Accountable**

Our resources and assets are planned and managed in an efficient and sustainable manner.

We are open and accountable to an engaged community.

# **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

### **PUBLIC HEALTH IMPLICATIONS:**

There are no implications to the priority health outcomes of the City's Public Health Plan 2020-2025.

#### FINANCIAL/BUDGET IMPLICATIONS:

Nil.

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# **MINUTES**

# Audit Committee 16 March 2022

# 16 MARCH 2022

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16 MARCH 2022

MINUTES OF CITY OF VINCENT AUDIT COMMITTEE HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE 244 VINCENT STREET, LEEDERVILLE ON WEDNESDAY, 16 MARCH 2022 AT 4.00PM

PRESENT: Mr Conley Manifis Independent External Member (Chair)

(electronically)

Cr Susan Gontaszewski
Cr Ron Alexander
Cr Ross Ioppolo
Mr Olaf Goy
South Ward (electronically)
South Ward (electronically)
Independent External Member

(electronically)

Mr George Araj Independent External Member

(electronically)

IN ATTENDANCE: David MacLennan Chief Executive Officer (electronically)

Virginia Miltrup

Executive Director Community & Business Services (electronically)

Andrew Murphy

Executive Director Infrastructure & Environment (electronically)

Peter Varris A/Executive Director Strategy and

Development

Peter Ferguson Executive Manager Information and

**Communication Technology** 

(electronically)

Jeremy Chalmers Coordinator Procurement & Contracts (left the meeting at 4.39 after Item 5.1)

Manager Financial Services

(electronically)(left at 5.20pm. during

discussion of item 5.4)

Wendy Barnard Council Liaison Officer (electronically)

# 1 INTRODUCTION AND WELCOME

**Rhys Taylor** 

The Presiding Member, Conley Manifis, declared the meeting open at 4.02pm 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 APPROVED LEAVE OF ABSENCE

Cr Ashley Wallace was an apology for this meeting.

# 3 DECLARATIONS OF INTEREST

Conley Manifis declared an impartiality interest. The extent of his interest is that his company is contracted by the Office of the Auditor General to complete external audits.

Page 3

16 MARCH 2022

# 4 CONFIRMATION OF MINUTES

# **COMMITTEE DECISION**

Moved: Cr loppolo, Seconded: Cr Gontaszewski

That the minutes of the Audit Committee held on 15 February 2022 be confirmed.

CARRIED (6-0)

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against: Nil

(Cr Wallace was an apology for the Meeting.)

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16 MARCH 2022

# 5 BUSINESS ARISING

#### 5.1 SMALL MAINTENANCE WORKS CONTRACT

Attachments: 1. Procurement Plan - Confidential

2. Request for Tender IE146-2021 - Confidential

#### **RECOMMENDATION:**

That the Audit Committee recommends to Council that it NOTES the tender information provided in relation to the small maintenance works contract.

# **COMMITTEE DECISION ITEM 5.1**

Moved: Cr Gontaszewski, Seconded: Cr loppolo

That the recommendation be adopted.

CARRIED (6-0)

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against: Nil

(Cr Wallace was an apology for the Meeting.)

#### **AUDIT COMMITTEE MINUTES**

16 MARCH 2022

#### 5.2 FURTHER RISK ASSESSMENT (NON-STRUCTURAL RISKS) ON AGEING INFRASTRUCTURE

Attachments:

- Risk Assessment Litis Stadium Grandstand 🌡 🖫
- 2. Risk Assessment Leederville Oval Grandstand J
- 3. Risk Assessment Beatty Park Grandstand 🗓 🖺
- 4. Evaluation Matrix Risk Management Policy 😃 🖥

#### **RECOMMENDATION:**

That the Audit Committee recommends to Council that it NOTES the report on non-structural risks associated with sporting infrastructure assets.

Moved: Cr Gontaszewski, Seconded: Cr loppolo

1.

That the recommendation be adopted.

#### **AMENDMENT**

Moved: Cr loppolo, Seconded: Mr Araj

That a recommendation be added as follows:

REQUESTS Administration provides further information in the table where the managed risk rating is rated "high" or "medium", that additional information is provided as to whether action is currently being taken to address that risk, if it is Administration's view that the risk should be absorbed or if the risk is currently adequately covered by insurance.

#### **AMENDMENT CARRIED (6-0)**

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against: Nil

(Cr Wallace was an apology for the Meeting.)

Subs unan

#### **COMMITTEE DECISION ITEM 5.2**

That the Audit Committee recommends to Council that it:

- 1. NOTES the report on non-structural risks associated with sporting infrastructure assets.
- REQUESTS Administration provides further information in the table where the managed risk
  rating is rated "high" or "medium", that additional information is provided as to whether action
  is currently being taken to address that risk, if it is Administration's view that the risk should
  be absorbed or if the risk is currently adequately covered by insurance.

CARRIED (6-0)

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against: Nil

(Cr Wallace was an apology for the Meeting.)

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Facility:	Litis Stadium Grandstar	nd	
Completed by:	Andrew Murphy, Ben D	avis, Kon Bilyk	
		RISKS TO PEOPLE	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
Electrocution from old electrical infrastructure	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>	All power to grandstand decommissioned	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>
Exposure to asbestos	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Asbestos register updated 21/22.     Building access restricted.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>
Fall from height / low barrier	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Access restricted to elevated sections.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>
Falling objects / storm and building deterioration	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Regular visual inspections.     Building access restricted.	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>
Sub-standard Emergency Escapes	Likelihood – 1 Consequence – 5 Risk Rating – <b>High</b>	Building access restricted.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>
Fire risk	Likelihood – 3 Consequence – 5 Risk Rating – <b>High</b>	Building access restricted.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>
Building Security / Unauthorised Access	Likelihood – 1 Consequence – 3 Risk Rating – <b>Low</b>	Building access restricted.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>
		INTERUPTION TO SERVICE	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
Not applicable. Building decommissioned and restricted	N/A	Building decommissioned and restricted.	Likelihood – 1 Consequence – 1 Risk Rating – Low

		REPUTATION		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
Grandstand is left derelict.	Likelihood – 2 Consequence – 3 Risk Rating – <b>Medium</b>	Federal funding in pipeline for demolition and redevelopment.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>	
		COMPLIANCE (LEGAL & TECHNICAL)		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
OHSE Non-compliance due to deterioration of building.	Likelihood – 2 Consequence – 1 Risk Rating – <b>Low</b>	Building scheduled for demolition in 6 months.	Likelihood – 2 Consequence – 2 Risk Rating – <b>Low</b>	
		PROPERTY		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
Not applicable. Building decommissioned, restricted, and scheduled for demolition.	N/A	Building decommissioned, restricted, and scheduled for demolition.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>	
	<u>.</u>	NATURAL ENVIRONMENT		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
Not applicable. Building decommissioned, restricted, and scheduled for demolition.	N/A	Building decommissioned, restricted, and scheduled for demolition.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>	
		FINANCIAL IMPACT		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
Not applicable. Building decommissioned, restricted, and scheduled for demolition.	N/A	Building decommissioned, restricted, and scheduled for demolition.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>	
		CONTRACT / PROJECT		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING	
Not applicable. Building decommissioned, restricted, and scheduled for demolition.		Building decommissioned, restricted, and scheduled for demolition.	Likelihood – 1 Consequence – 1 Risk Rating – <b>Low</b>	
Attachment 1				

INFRASTRUCTURE RISK ASSESMENT					
Facility:	Leederville Oval Grand	stand			
Completed by:	Andrew Murphy, Ben D	avis, Kon Bilyk			
		RISKS TO PEOPLE			
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Electrocution from old electrical infrastructure	Likelihood – 3 Consequence – 5 Risk Rating – <b>High</b>	Currently upgrading switchboards and RCD's.     Annual test & tag.	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>		
Exposure to asbestos	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Asbestos register updated 21/22.     Asbestos Management Plan in place.     Asbestos condition has been rated and all potentially dangerous sections sealed.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>		
Fall from height / low barrier	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Workers inducted.     Annual inspection of fall restraints.     Roof access is controlled.	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>		
Falling objects / storm and building deterioration	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>	Regular visual inspections. Annual maintenance of facia, roof structure and other potential fall hazards	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>		
Sub-standard Emergency Escapes	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>	Upgraded emergency signage. Annual Emergency Evacuation Training for staff. Evacuation Plan in place.	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>		
Fire risk	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>	Upgraded emergency signage. Annual Emergency Evacuation Training for staff. Annual safety checks on Fire Equipment Evacuation Plan in place.	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>		
Building Security / Unauthorised Access	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	Continual upgrading of fencing and gates. CCTV Installed. Rangers patrolling area. Lighting upgrades (24/7)	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>		

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		INTERUPTION TO SERVICE	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
An event that would result in the Grandstand being closed for use e.g Fire - Electrical hazard - Asbestos incident - Vandalism	t that would result in the and being closed for use  Likelihood – 2 Consequence – 4 Risk Rating – Medium  • Management practices put in place Register.		Likelihood – 1 Consequence – 3 Risk Rating – <b>Low</b>
		REPUTATION	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
An event e.g., Grandstand closure, injury to customer/staff, death of customer/staff that would result in reputational damage.	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	Management practices put in place around identified risks. Refer to Risk Assessment Register.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>
		COMPLIANCE (LEGAL & TECHNICAL)	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
Negative WorkSafe Reviews	Likelihood – 3 Consequence – 3 Risk Rating – <b>Medium</b>	Regular OHSE inspections by qualified staff. Qualified contractors. JSA & SWMS in place prior to works being carried out.	Likelihood – 2 Consequence – 2 Risk Rating – <b>Low</b>
Dangerous Environmental Health practices	Likelihood – 3 Consequence – 1 Risk Rating – <b>Low</b>	Regular inspections and maintenance.     Routine cleaning.	Likelihood – 2 Consequence – 1 Risk Rating – <b>Low</b>
		PROPERTY	
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING
Lack of appropriate maintenance causing degradation.	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	Electrical services renewal.     Mechanical services renewal underway.     Flooring renewal.     Regular inspections / property inspection reports.     Lease conditions obligate tenant to maintain the building.	Likelihood – 2 Consequence – 3 Risk Rating – <b>Medium</b>

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NATURAL ENVIRONMENT					
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Asbestos in various locations throughout building.	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>	• Asbestos legistei updated 21/22. • Asbestos Management Plan in place.			
		FINANCIAL IMPACT			
RISK/S	RISK MITIGATING RISK/S RATING MEASURES		MANAGED RISK RATING		
Building is not fit for purpose for Tenants.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>	Lease conditions require tenant to maintain building.     CoV works with tenants regarding major Capital Works.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>		
Ongoing costs to maintain building are higher than income generation potential.	Likelihood – 4 Consequence – 4 Risk Rating – <b>High</b>	Lease conditions require tenant to maintain building.     CoV works with tenants regarding major Capital Works.	Likelihood – 4 Consequence – 3 Risk Rating – <b>High</b>		
		CONTRACT / PROJECT			
RISK/S	RISK MITIGATING RISK/S RATING MEASURES		MANAGED RISK RATING		
Latent conditions affecting project cost and delay.	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	<ul> <li>Qualified investigations undertaken to understand building.</li> <li>Using experienced, qualified contractor/tradesman.</li> </ul>	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>		

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INFRASTRUCTURE RISK ASSESMENT							
Facility:	Beatty Park Grandstand	1					
Completed by:	Andrew Murphy, Ben D	avis, Kon Bilyk					
	RISK	RISKS TO PEOPLE  MITIGATING	MANAGED RISK				
RISK/S	RATING	MEASURES	RATING				
Electrocution from old electrical infrastructure	Likelihood – 3 Consequence – 5 Risk Rating – <b>High</b>	<ul> <li>Partially upgraded switchboard internals and RCD's.</li> <li>Annual thermal imaging of switchboards.</li> <li>Isolated certain areas from public access.</li> <li>* Additional works planned in 21/22</li> </ul>	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>				
Exposure to asbestos	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	<ul> <li>Asbestos register updated 21/22.</li> <li>Asbestos Management Plan in place.</li> <li>Asbestos has been sealed.</li> </ul>	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>				
Fall from height / low barrier	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	<ul> <li>Closed Grandstand seating area to the public.</li> <li>Workers inducted.</li> <li>Annual inspection of fall restraints.</li> <li>Roof access is controlled.</li> </ul>	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>				
Falling objects / storm and building deterioration	Likelihood – 4 Consequence – 4 Risk Rating – <b>High</b>	<ul> <li>Security fence around perimeter.</li> <li>Remove loose render from public areas and thoroughfares.</li> <li>Removed all render from above poolside seating area.</li> <li>Regular visual inspections.</li> </ul>	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>				
Sub-standard Emergency Escapes	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>	Closed Grandstand seating area to the public. Only ground floor occupied. Upgraded emergency signage. Annual Emergency Evacuation Training for staff. Evacuation Plan in place.	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>				
Fire risk	Likelihood – 3 Consequence – 5 Risk Rating – <b>High</b>	Closed Grandstand seating area to the public. Only ground floor occupied. Upgraded emergency signage. Annual Emergency Evacuation Training for staff. Annual safety checks on Fire Equipment Annual thermal imaging of switchboards. Evacuation Plan in place.	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>				

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5 APRIL 2022

INTERUPTION TO SERVICE					
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
An event that would result in the Grandstand being closed for use e.g Fire - Electrical hazard - Asbestos incident	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	Management practices put in place around identified risks. Refer to Risk Assessment Register.	Likelihood – 1 Consequence – 3 Risk Rating – <b>Low</b>		
		REPUTATION			
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
An event e.g., Grandstand closure, injury to customer/staff, death of customer/staff that would result in reputational damage.	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	Management practices put in place around identified risks. Refer to Risk Assessment Register.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>		
		COMPLIANCE (LEGAL & TECHNICAL)			
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Negative WorkSafe Reviews	Likelihood – 3 Consequence – 3 Risk Rating – <b>Medium</b>	<ul> <li>Regular OHSE inspections by qualified staff.</li> <li>Qualified contractors.</li> <li>JSA &amp; SWMS in place prior to works being carried out.</li> </ul>	Likelihood – 2 Consequence – 2 Risk Rating – <b>Low</b>		
Dangerous Environmental Health practices	Likelihood – 3 Consequence – 1 Risk Rating – <b>Low</b>	Regular inspections and maintenance.     Routine cleaning.	Likelihood – 2 Consequence – 1 Risk Rating – <b>Low</b>		
		PROPERTY	_		
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Lack of appropriate maintenance causing degradation.	Likelihood – 4 Consequence – 4 Risk Rating – <b>High</b>	\$450,000 for 21/22 FY allocated for water ingress management.     Electrical services renewal	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>		
NATURAL ENVIRONMENT					
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Asbestos in window grouting	Likelihood – 2 Consequence – 5 Risk Rating – <b>High</b>	Closed off large sections of the Grandstand to the Public.  Occupied sections have had the grouting sealed.	Likelihood – 1 Consequence – 5 Risk Rating – <b>Medium</b>		

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FINANCIAL IMPACT					
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Building is not fit for purpose for Tenants.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>	Regular servicing maintenance.     Reducing number of tenants.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>		
Ongoing costs to maintain (assets not useable and cannot generate income due to current condition and heritage council restrictions)	Likelihood – 4 Consequence – 4 Risk Rating – <b>High</b>	\$450,000 for 21/22 FY allocated for water ingress management.     Electrical services renewal	Likelihood – 4 Consequence – 4 Risk Rating – <b>High</b>		
		CONTRACT / PROJECT			
RISK/S	RISK RATING	MITIGATING MEASURES	MANAGED RISK RATING		
Contractors not abiding by the conditions set by the Heritage Council resulting in breach and reducing the Heritage value of the asset.	Likelihood – 1 Consequence – 4 Risk Rating – <b>Low</b>	Qualified investigations undertaken to understand building.     Using experienced, qualified contractor/tradesman.	Likelihood – 1 Consequence – 2 Risk Rating – <b>Low</b>		
Latent conditions affecting project cost and delay.	Likelihood – 3 Consequence – 4 Risk Rating – <b>High</b>	<ul> <li>Qualified investigations undertaken to understand building,</li> <li>Using experienced, qualified contractor/tradesman.</li> </ul>	Likelihood – 2 Consequence – 4 Risk Rating – <b>Medium</b>		

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **RISK MANAGEMENT POLICY**



# ATTACHMENT 1 - RISK CONSEQUENCE AND LIKELIHOOD CRITERIA

# 1.1 Consequence criteria

RATING	PEOPLE (SAFETY)	INTERRUPTION TO SERVICE	REPUTATION	COMPLIANCE (LEGAL & TECHNICAL)	PROPERTY	NATURAL ENVIRONMENT	FINANCIAL IMPACT	CONTRACT / PROJECT
Low (1)	Minor injury or ailment to staff, results in loss of time less than 5 days.	Failure of assets / disruption which results in inconvenience but no material service interruption (resolved within one day).	An incident with low impact on community trust which is covered in a community newspaper and/or has a social media profile for maximum of a day.	Minor compliance (technical or legal) breach which is not reportable and can be resolved within 24 hours.	Localised damage to City property which can be rectified by routine internal procedures and is within operating budget \$20,000 (0.035% of operating budget).	Environmental damage or harm which can be contained by an internal response within 1 week, and any damage / harm can be reversed by the City's action.	Short term impact on operating funds, or financial loss less than \$20,000 (0.035% of operating budget).	Insignificant breach of contract or delay in project which has a minor impact on service delivery, consistent with 'low' rating.
Minor (2)	Injury or ailment to staff resulting in loss of time between 5-10 days.	Failure of assets / disruption which results in temporary interruption which can be resolved within one week (backlog cleared within one week).	Public embarrassment, some impact on community trust, covered in community newspaper and/or social media profile which lasts for less than a few days.	More than one minor compliance breach or minor breach with potential for minor damages or monetary penalty.	Localised damage to City property requiring additional resources to rectify (reallocation within operating budget - \$20,001 - \$100,000 (0.035% - 0.17% of operating budget).	Environmental damage or harm which requires management by external agencies or contractors and can be contained within 1 week, and any damage / harm can be reversed by the City's actions.	Medium term impact on operating funds, or financial loss between \$20,001 - \$100,000 (0.035% - 0.17% of operating budget).	Minor breach of contract or delay to project which will have minor financial impact or delay service delivery, consistent with 'minor' rating.
Moderate (3)	Injury or ailment to staff resulting in loss of time greater than 10 days, or causes temporary disability to staff member, or public exposed to a hazard which is attributable to the City, but immediately treatable / resolved.	resources to resolve	Covered in community newspaper and social media profile which lasts for more than a few days, attention by regulators or state department/ government.	Short to medium term non- compliance which may result in prosecution / fine. Investigation may be required.	Significant damage to City property requiring management attention for a period of up to three months (\$100,001 to \$250,000 (0.17% - 0.43% of operating budget).	Environmental damage or harm which requires management by external agencies or contractors and takes 1 week – 1 month to contain, and any damage / harm can be reversed by the City's actions.	Impact to service delivery due to impact on operating funds, or financial loss between \$100,001 to \$250,000 (0.17% - 0.43% of operating budget).	Breach of contract or delay to project which will impact service delivery or result in damages payable by the City, consistent with 'moderate' rating.

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 Reference: D20/111226

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **RISK MANAGEMENT POLICY**



Major (4)	Permanent disability or life threatening injury to staff member, or public exposed to a hazard which is attributable to the City and results in temporary adverse health impacts.	Failure of assets / disruption which results in more than one month interruption (backlog of over one month) or is an interruption to core or essential services for more than one day	Public embarrassment, high impact on community trust, covered in community and state newspapers and social media profile which lasts for about a week (includes TV and press), third party action	Non-compliance results in termination of services or imposed penalties to City / Staff.	Significant damage to City property requiring additional resources to rectify (Council approval of funds required, \$250,000 - \$1 million (0.43% to 1.7% of operating budget) Period of restitution up to six months.	Environmental damage or harm which remains uncontained for over a month and requires a coordinated response from multiple external agencies, but is reversible by coordinated response.	Significant impact to service delivery due to impact on operating funds, or financial loss between \$250,001 to \$1 million (0.43% to 1.7% of operating budget)	Significant changes to a project or breach of contract which may result in termination of contract and significantly impacts service delivery. Impact consistent with 'major' rating.
Extreme (5)	Fatality to staff member, or public exposed to a hazard which is attributable to the City and results in widespread adverse health impacts.	Failure of assets / disruption which results in a prolonged interruption of core or essential services	Public embarrassment with significant reputational damage, widespread loss of community trust, widespread and sustained community, state and national newspaper and TV coverage and social media profile, third party action	Non-compliance results in criminal charges or significant damages or penalties to City / staff.	Extensive damage requiring prolonged period of restitution or complete loss of plant, equipment and building, or over \$1,000,000 (1.7% of operating budget)	Environmental damage or harm which can not be contained and is not reversible by a coordinated response.	Insufficient operating funds over sustained period, or loss of more than \$1 million (over \$1.7% of operating budget).	Major project can not be completed or critical breach of contract resulting in significant damages payable by the City or non delivery of service for extended time.  Impacts consistent with 'extreme' rating.

# 1.2 Likelihood criteria (refer to the description or the frequency)

Level	Rating	Likelihood description	Likelihood frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in three years
2	Unlikely The event could occur at some time		At least once in ten years
1	Rare	The event will only occur in exceptional circumstances	Less than once in 15 years

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Item 5.2- Attachment 4 Page 16

AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **RISK MANAGEMENT POLICY**



#### **ATTACHMENT 2 - RISK CLASSIFICATION MATRIX**

Consequence		Low	Minor	Moderate	Major	Extreme
Likelihood		1	2	3	4	5
Almost Certain	5	Medium	High	High	Extreme	Extreme
Likely	4	Low	Medium	High	High	Extreme
Possible	3	Low	Medium	Medium	High	High
Unlikely	2	Low	Low	Medium	Medium	High
Rare	1	Low	Low	Low	Low	Medium

#### **ATTACHMENT 3 - RISK RATING AND MANAGEMENT**

Risk Classification	Action	Risk management process	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to ongoing monitoring	Manager
MEDIUM	Monitor	Risk acceptable with adequate and effective controls, managed by specific procedures and subject to ongoing monitoring	Executive Director
HIGH	Urgent Attention Required	Risk treatment subject to Council approval	CEO + Council
EXTREME	Unacceptable	Risk treatment subject to Council approval	CEO + Council

<sup>\*\*</sup>Extreme risks require a risk treatment plan which is reported to the CEO (via the Executive Management Committee) and the Audit Committee until the risk rating is at an acceptable level.

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# **AUDIT COMMITTEE MINUTES**

16 MARCH 2022

### 5.3 AUDIT COMMITTEE MEETING DATES 2022

Attachments: Ni RECOMMENDATION:

That the Audit Committee recommends to Council that it ADOPTS the meeting schedule for 2022 as follows:

Date	Time	
Tuesday 3 May	4.00pm	
Wednesday 29 June	4.00pm	
Tuesday 9 August	4.00pm	
Tuesday 1 November	4.00pm	
Tuesday 29 November	4.00pm	

### **COMMITTEE DECISION ITEM 5.3**

Moved: Cr Gontaszewski, Seconded: Mr Goy

That the recommendation be adopted.

CARRIED (6-0)

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against: Nil

(Cr Wallace was an apology for the Meeting.)

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Item 12.3- Attachment 1

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# **AUDIT COMMITTEE MINUTES**

16 MARCH 2022

#### 5.4 **REVIEW OF THE CITY'S AUDIT LOG**

Attachments: 1.

Audit Log as at 8 March 2022 <u>J. </u> Audit Log as at 8 March 2022 - Confidential 2.

**RECOMMENDATION:** 

That the Audit Committee recommends to Council that it:

NOTES the status of the City's Audit Log at Attachments 1 and 2, and 1.

APPROVES proposed completion dates as specified at Attachments 1 and 2;

# **COMMITTEE DECISION ITEM 5.4**

Moved: Cr Gontaszewski, Seconded: Mr Goy

That the recommendation be adopted.

CARRIED (6-0)

For: Mr Manifis, Cr Gontaszewski, Cr Alexander, Cr Ioppolo, Mr Goy and Mr Araj

Against:

(Cr Wallace was an apology for the Meeting.)

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



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EA:2020/10 (3) Segregation of Duties (from CONFIDENTIAL)	3
EA:2020/10 (9) Authority User Review Process (from CONFIDENTIAL)	3
EA:2020/10 (10) Authority Event Monitoring (from CONFIDENTIAL)	4
EA:2020/10 (11) Unsupported Operating System (from CONFIDENTIAL)	5
EA:2020/10 (12) (CONFIDENTIAL)	5
EA:2020/10 (14) (CONFIDENTIAL)	5
EA:2020/10 (19) Disaster Recovery Plan	6
EA:2020/10 (20) Business Continuity Plan – Testing	7
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EA:2020/12 (9) Authority Access (from CONFIDENTIAL)	9
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Office of the Auditor General – Financial Audit	
EA:2020/12 (14) Access Levels within Authority	
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EA: 2021/08 (3) Access Levels within Authority (from CONFIDENTIAL)......12

Summary of open Confidential items (D21/61059)		
Office of the Auditor General Information Systems Audit		
1. EA:2020/10 (1) (a) and (b) 2. EA:2020/10 (3) 3. EA:2020/10 (9) 4. EA:2020/10 (10) 5. EA:2020/10 (11) 6. EA:2020/10 (12) 7. EA:2020/10 (14) 8. EA:2020/10 (22)	High Moderate Moderate Moderate Moderate Moderate Moderate Moderate Moderate Moderate	
Stanton Reg 5 & 17 Review P		
9. EA 2020/12 (9)	Moderate	
Office of the Auditor General – Financial Audit		
10. EA 2020/12 (14)	Significant	
Office of the Auditor General – Interim Audit for 2020/21		
11. EA: 2021/08 (3)	Significant	

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

Completed

Office of the Auditor General Information Systems Audit

EA:2020/10 (1) (a) and (b) Database Security (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

## Finding:

We performed a high level security test on key business application (Authority) database and found the following:

- The database server is missing software updates since 2012, which have been released by the vendor.
- Data encryption is not used to protect highly sensitive information.
- Database logging and auditing is not in place to monitor and record system changes. As a result, any changes made directly in the database are not captured.
- The "PUBLIC" role has default grant privilege on database objects within the Authority database.
- The database has not been securely hardened.

#### Implication

Without appropriate database security controls, the confidentiality, integrity and availability of sensitive information may be compromised.

## Recommendation

The City should review and enhance its database management processes to:

- ensure updates to address known vulnerabilities are applied in a timely manner
- assess the risks around storing sensitive information in plain text
- review logging and alerting user activities to ensure sensitive data security
- review assigned public roles within the database and remove those not needed
- based on a risk assessment, hardened database security and improve monitoring controls.

# **Risk Rating (prior to controls)**

High

# Management Response

# Responsible Officer:

Executive Manager Information and Communication Technology

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

# EA:2020/10 (3) Segregation of Duties (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

#### Finding

We found that segregation of duties (SoD) is not enforced within the Authority system. Additionally, the SoD matrix which details specific roles is also not being maintained.

### Implication

Without SoD appropriately enforced within the system, there is an increased risk that individuals can perform a number of conflicting functions. This may result in an increased number of errors or possibly lead to fraud.

### Recommendation

The City should develop an appropriate SoD matrix for the Authority system. This matrix should be used to ensure that no users are assigned multiple roles that would be considered high risk or conflicting. A formal review process should ensure that no user is assigned any conflicting duties. A formal record of completed reviews should be maintained.

# Risk Rating (prior to controls)

Moderate

# Management Response

Responsible Officer:

Executive Manager Information and Communication Technology

# EA:2020/10 (9) Authority User Review Process (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

# Finding

The City does not have a routine process to review users with access to Authority application.

# Implication

Without appropriate user access management controls, there is an increased risk of unauthorised access. This may impact the confidentiality, integrity and availability of the City's information.

# Recommendation

The City should develop, document and implement appropriate application user account management practices.

# Risk Rating (prior to controls)

Moderate

# Management Response

## Responsible Officer:

**Executive Manager Information and Communication Technology** 

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Item 12.3- Attachment 1

Completed

Completed

AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

Completed

EA:2020/10 (10) Authority Event Monitoring (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

### Finding

We found that there are no formalised requirements for pro-active or regular review of event logs generated by key business application (Authority) to identify unauthorised access or malicious activity.

## Implication

Without effective pro-active monitoring of high-risk events, there is an increased risk that any potential problems, trends or ongoing attempts to compromise systems or data will not be detected.

# Recommendation

Based on an assessment of risks, the City should formalise a process to monitor and review key events in business applications.

# Risk Rating (prior to controls)

Moderate

# Management Response

### Responsible Officer:

Executive Manager Information and Communication Technology

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details
Action
Approved
Completion Date
See Confidential log
See Confidential log

# EA:2020/10 (11) Unsupported Operating System (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

#### Finding

The City currently has over 10 servers and workstations running unsupported operating systems. These include Windows Server 2008 R2 Enterprise, Windows Server 2008 and Windows 7 for which Microsoft ceased support on 14 January 2020 and 14 July 2015.

Our review identified that those systems were active in March 2020 during the audit conduct.

#### Implication

Unsupported operating systems no longer receive security and/or vulnerability updates from the product vendor. As a result, there is an increased risk that these systems are susceptible to exploits, which may compromise the City network and systems.

# Recommendation

We recommend that all devices running unsupported operating systems be upgraded to supported system. If this is not possible due to operational needs, alternate mitigations must be applied.

## Risk Rating (prior to controls)

Moderate

# Management Response

### Responsible Officer:

Executive Manager Information and Communication Technology

# EA:2020/10 (12) (CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

# **Risk Rating (prior to controls)**

Moderate

# Management Response

## Responsible Officer:

**Executive Manager Information and Communication Technology** 

# EA:2020/10 (14) (CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

# **Risk Rating (prior to controls)**

Moderate

# Management Response

#### Responsible Officer:

**Executive Manager Information and Communication Technology** 

See Confidential log

See Confidential log

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**AUDIT COMMITTEE MINUTES** 16 MARCH 2022

# **AUDIT LOG**

Audit Details



# EA:2020/10 (19) Disaster Recovery Plan

Office of the Auditor General Information Systems Audit -**Disaster Recovery Plan** 

OAG Update 2021: Finding remains open as the City's disaster recovery plan is in draft.

# **Finding**

We found that the City does not have an ICT disaster recovery plan (DRP).

#### Implication

Without an adequate DRP and appropriate testing, there is an increased risk that key business functions and processes may not be restored in a timely manner after a disruption, affecting the operations of the City.

## Recommendation

The City should develop and test its DRP to confirm that systems can be recovered in accordance with business expectations and key staff should be familiar with the plan and their specific roles and responsibilities in a disaster situation. The results of testing should be recorded, and the relevant actions taken to improve the plan where necessary.

# **Risk Rating (prior to controls)**

Moderate

# Risk Rating (with current controls)

### Management Response

### Responsible Officer:

Executive Manager Information and Communication Technology

**Completion Date** Administration will introduce managed backup and August 2021 infrastructure services that include disaster recovery capability. Disaster recovery and information security continuity processes will then be will be formalised per the

Information Security Program noted in OAG Finding 5. A

formal plan will then be prepared for publication to staff and testing purposes.

Action

Status

**Approved** 

CoV update to OAG 2021: The City accepts February 2022 that this finding was not completed during the audit period 2020/2021. Draft documents and procedures will be finalised and

implemented into operations. The City has commissioned services to support a Business Impact Assessment review which will be used to guide sensible recovery objectives into the Disaster Recovery Plan.

#### March 2022

Complex infrastructure project still inprogress. Servers now 75% migrated to a new environment providing backup restoration for Disaster Recovery functionality. Accompanying documentation will identify recovery time requirements in line with Business Impact Analysis (currently in draft) being finalised for review with business teams.

**Proposed Completion Date** 

April 2022

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**

Audit Details



EA:2020/10 (20) Business Continuity Plan – Testing
Office of the Auditor General Information Systems Audit –
Business Continuity Plan – Testing

**OAG Update 2021:** The City is conducting business impact assessments across the business teams and is working towards defining a business continuity testing schedule.

#### Finding

We found that appropriate tests of the business continuity plan (BCP) have not been undertaken. Due to the lack of testing, the effectiveness of the plans and the City's ability to execute them is unknown.

## Implication

Without appropriate testing of the BCP there is an increased risk that key business functions and processes may not operate as expected during a major incident. In addition, the key business functions may not be appropriately recover following a major incident. This is likely to impact business operations and the delivery of key services.

# Recommendation

The City should undertake appropriate tests to verify the effectiveness of the BCP. These tests should also verify that key staff are familiar with the plans and their specific roles and responsibilities in a disaster situation. The results of these tests should be recorded and the relevant actions taken to improve the plan where necessary.

## Risk Rating (prior to controls)

Moderate

Risk Rating (with current controls)

Moderate

# Management Response

Responsible Officer:

Executive Manager Information and Communication Technology

# Action Approved Completion Date There has been 0% interruption to non-library/recreational August 2021

facility services throughout COVID-19 disruptions in Perth. COVID-19 has been a major incident and required significant change to how business functions operated.

City staff who continue to work remotely are effectively testing part of the City's business continuity systems on a daily basis. Through improvements to data backup and infrastructure recovery noted in OAG Finding 20, Administration will expand business continuity testing to include system and infrastructure incidents as part of a managed services agreement.

# Status

CoV update to OAG 2021: The City accepts that this finding was not completed during the audit period 2020/2021. Draft documents and procedures will be finalised and implemented into operations. All server backups are now copied to an offsite data centre service which is also being configured to provide a Disaster Recovery environment for computing systems – this will be tested to

#### March 2022

mitigate this finding.

Business Continuity plan is being drafted with Business Impact Analysis (currently in draft) being finalised for review with business teams.

# Proposed Completion Date

February 2021

April 2022

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

Completed

# EA:2020/10 (22) Management of Removable Media (from CONFIDENTIAL)

Office of the Auditor General Information Systems Audit

#### Finding

We found that the City does not have appropriate controls to log or restrict the use of removable media devices (e.g. USB).

#### Implication

Without appropriate controls to detect, log and monitor the use of removable media devices, there is an increased risk to the City's information and IT systems. Information copied to removable media devices may be lost, stolen or inappropriately disclosed.

#### Recommendation

The City should assess the risks associated with the use of removable media devices. Where appropriate the folMinoring controls should be implemented:

- Preventing the use of any unauthorised removable media devices.
- Only using USB devices that incorporate encryption to help protect the information.
- Maintaining a register of all authorised and in use removable media devices.
- Monitoring and logging files and information copied to or from removal media devices.

# **Risk Rating (prior to controls)**

Moderate

# Management Response

#### Responsible Officer:

**Executive Manager Information and Communication Technology** 

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details	Action	Approved Completion Date	Status	Proposed Completion Date
Stanton Reg 5 & 17 Review				-
EA:2020/12 (8) Manual Timesheet Stanton Reg 5 & 17 Review – Manual Timesheet Finding	The City requires a robust online time-sheeting system which is fit for purpose of a casual workforce (i.e. Beatty Park) that is flexible, easy to use and aligned to the relevant cost centres and employment.	December 2021	Partially completed: Beatty Park are now partially using mobile application for rostering and time-sheeting. Further rollout subject to Beatty Park change management resourcing.	March 2022
The City uses manual timesheets, predominately for those employees who work in the depot and recreational leisure centre.	Administration has determined that Civica's online time- sheeting module will be suitable for the City. The module however can only be implemented once work orders are		In progress: for Depot staff with mobile application AND job costing requirements for	
Recommendation	activated as part of the Chart of Accounts project scheduled		time-sheeting, two solutions are being	
The use of manual timesheets should be eliminated, it is worth noting that the City has already noted this as a finding within their own audit log.	for completion in July 2021. Online time-sheeting will have a mobile option as well. The scoping of this project will be requested to commence in March next year with implementation in December 2021.		reviewed:  1. The City will help Civica test their new mobile time-sheeting (currently in development) in early 2022.	
Recommendation	impolitoridator in 2000mbo. 2021.		A CRM-based approach where jobs are electronically work-flowed to	
Risk Rating (prior to controls) Moderate			staff who can then update and complete the job using a mobile application.	
Risk Rating (with current controls)	_		арриозноги	
Minor			March 2022	Estimated August 2022
Management Response			No further progress. Resources have not been available to progress the Beatty Park	
Responsible Officer:			roll-out; Civica have not completed their new	

# EA:2020/12 (9) Authority Access (from CONFIDENTIAL)

Information and Communication Technology

Stanton Reg 5 & 17 Review

## Finding

There was no evidence of formal review of users' access privileges to Authority to ensure that users do not have access to unsuited functions/modules

Executive Manager Human Resources and Executive Manager

# Recommendation

1. The City should randomly review user access to ensure it is line with what the actual user requires. The City should regularly review every users' access privileges to Authority to ensure that users do not have access to unsuited functions/modules, this could also include reviewing financial delegations within Authority

# Risk Rating (prior to controls)

Minc

# Management Response

Responsible Officer:

Executive Manager Information and Communication Technology

phases.
Completed

mobile time-sheet. CRM project in early

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**

Audit Details



**Completion Date** 

**Proposed** 

December 2021

EA:2020/12 (11) Record Keeping

Stanton Reg 5 & 17 Review - Record Keeping

#### **Finding**

Poor retrievability of information 'term container used' Record keeping of contract documentation is inefficient and leads to poor retrievability. The record keeping system does not facilitate the use of sub folders which results in all documented related to a subject/topic being saved in a 'container'. With regards to contracts, there are a large number of supporting documentations within these 'containers' thus it can take some time to retrieve the sought-after document

#### Recommendations

The City should review useability of their record keeping system ensuring that it is operating effectively. For process efficiency allow user to amend and delete own purchase requisition.

## Risk Rating (prior to controls)

Minor

# **Risk Rating (with current controls)**

#### Mino

# Management Response

## Responsible Officer:

Executive Manager Information and Communication Technology

The City will review its record keeping system to ensure it is August 2021 operating effectively.

Action

**Completion Date** 

**Approved** 

Requirements analysis for improved record-keeping system in progress. This will

Status

determine the viability of implementing a new solution using the City's existing Microsoft Sharepoint environment. The analysis will consider design elements including:

- A user-friendly record-keeping environment.
- Compliance with the Western Australian State Records Act and the General Disposal Authority for Local Government Records (2015001/1).
- Configuration to reflect the Council's organisational structure and business processes for greater automation and integration with the City's internal and external services.

#### March 2022

Completed. Documented requirements gathering and analysis review is complete. This has included:

- Record-keeping retrievability, the use of sub-folders and usability
- Information security classification
- Duplication and version control

An initiative to move to an alternative recordkeeping system is now in progress. System integration requirements with Authority, CRM and InfoCouncil have also been assessed; small proof-of-concepts are currently being developed to de-risk the broader change.

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

Completed

# EA:2020/12 (14) Access Levels within Authority (from CONFIDENTIAL)

Office of the Auditor General - Financial Audit

#### Finding

Similar to our information systems audit findings titled Segregation of Duties and Authority User Review Process, we noted numerous users with access to modules within Authority which appear to not be required to undertake their role within the City.

Specific modules which we reviewed were:

- Accounts payable (supplier masterfile, invoice entry and credit note entry)
- Accounts receivable (debtor masterfile, invoice entry and credit note entry)
- Assets (asset masterfile)
- Payroll (employee maintenance masterfile)

In some instances the City does have mitigating controls in place, however these controls are generally of a manual and detective nature.

# Implication

Excessive user access to the accounting package may alMinor staff to use the system inappropriately. For example, this access could be used to undermine the effectiveness of system controls (such as segregation of duties) and diminish accountability.

Additionally, this weakness in financial controls is considered a material non-compliance and impacts on the audit opinion for the current year.

# Recommendation

Management should conduct a thorough user access review in consultation with its IT support with a view to restricting user access to the required and appropriate level of authority or delegation.

# **Risk Rating (prior to controls)**

Significant

# Management Response

### Responsible Officer:

**Executive Manager Information and Communication Technology** 

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AUDIT COMMITTEE MINUTES 16 MARCH 2022

# **AUDIT LOG**



Audit Details Action Approved Status Proposed Completion Date

Complete

Office of the Auditor General Interim Audit for 2020/21

EA: 2021/08 (3) Access Levels within Authority

(from CONFIDENTIAL)
Office of the Auditor General Interim Audit for 2020/21

# Finding

We noted numerous users with access to modules within Authority which appear to not be required to undertake their role within the City, identified as:

- Accounts payable (supplier masterfile, invoice entry and credit note entry)
- Accounts receivable (debtor masterfile, invoice entry and credit note entry)
- Rates module (debtor masterfile, invoice entry and credit note entry)

In some instances, the City does have mitigating controls in place, however these controls are generally of a manual and detective nature.

We understand the project the City has commissioned with their IT vender to resolve this issue is expected to be completed in August 2021

A similar finding was raised in the 2019-20 financial year and the following management comment was received:

# Risk Rating (prior to controls)

Significant

# Management Response

# Responsible Officer:

Executive Manager Information and Communication Technology

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### **AUDIT COMMITTEE MINUTES**

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### **6 GENERAL BUSINESS**

#### 6.1 COVID Impact

Mr Mainifis queried if the COVID restrictions were having any impact on the budget?

Executive Director Community and Business Services advised that the two most volatile streams of income for the City are the parking fees and Beatty Park. Both areas are currently over the budgeted income.

#### 6.2 Outcomes of the Audit Report

Cr loppolo queried if Administration would prepare a report to address issues raised in the last OAG audit report?

Administration advised that these items would be listed on the audit log.

### 7 NEXT MEETING

Tuesday 3 May 2022

- 1. Lease obligations for Leederville Oval
- 2. Review of the City's Audit Log
- 3. Review of the Corporate Risk Register
- 4. Fraud Update and Emerging Issues Governance, Risk and Compliance (if applicable)
- 5. OAG Performance Audit and Other Audit / Best Practice Recommendations (if applicable)

Mr Conley Manifis advised that he may be an apology for this meeting.

#### 8 CLOSURE

There being no further business, the meeting closed at 5.25pm

These Minutes were confirmed at the 3 May 2022 meeting of the Audit Committee as a true and accurate record of the Audit Committee meeting held on 16 March 2022.

Signed: Mr Conley Manifis

Dated

# 12.4 OUTCOME OF ADVERTISING AND ADOPTION OF CODE OF CONDUCT BEHAVIOUR COMPLAINTS MANAGEMENT POLICY AND APPOINTMENT OF COMPLAINTS OFFICER

1. Code of Conduct Behaviour Complaints Management Policy 🗓 🖺

# RECOMMENDATION:

#### That Council:

Attachments:

- ADOPTS the Code of Conduct Behaviour Complaints Management Policy at Attachment 1;
   and
- 2. AUTHORISE the appointment of the Executive Manager Corporate Strategy and Governance as a complaints officer for the purpose of Division 3 of the City of Vincent Code of Conduct for Council Members, Committee Members and Candidates.

#### PURPOSE OF REPORT:

To present the outcome of public consultation and seek approval of the proposed Code of Conduct Behaviour Complaints Management Policy at **Attachment 1** and to appoint the Executive Manager Corporate Strategy and Governance as a Complaints Officer in accordance with the *Local Government (Model Code of Conduct) Regulations 2021* (Regulations).

#### **BACKGROUND:**

On 3 February 2021, the <u>Local Government (Model Code of Conduct) Regulations 2021</u> (Regulations) took effect requiring all local governments to:

- authorise one or more persons to receive complaints and withdrawals of complaints;
- approve the form for making a complaint of an alleged breach under Regulation 11 of the Model Code;
- adopt a Code of Conduct modelled on the Regulations Model Code; and
- develop a procedure for dealing with complaints under Division 3 of the Model Code.

At its February 2021 meeting, Council appointed the Chief Executive Officer to receive complaints and withdraw complaints in accordance with Regulation 11.

At its 14 December 2021 meeting, Council approved, by absolute majority vote, the establishment of a <u>Behaviour Complaints Committee</u> for the purpose of dealing with Division 3 – Behaviour complaints under the Code of Conduct for Council Members, Committee Members and Candidates (<u>Nominated Members Code</u>) and approved conducting community consultation on the proposed new Behaviour Complaints Management Policy (Policy).

Community consultation of the Policy occurred between 11 January 2022 and 21 February 2022, which is in excess of the 21 days required.

The Policy was advertised on the City of Vincent website, social media and through the following public notices:

- Imagine Vincent website 11 January 2022;
- Social Media Post 18 January 2022;
- Vincent Reporter 20 January 2022;
- Perth Voice 22 January 2022; and
- exhibited on the notice board at the City's Administration building and Library and Local History Centre.

No submissions were received.

#### **DETAILS:**

The Policy sets out the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Nominated Members Code.

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Complaints that are deemed outside of the scope of the policy are:

- dissatisfaction with a Council or committee member's lawfully made decisions;
- dissatisfaction with a Council or Committee member's performance of his or her role;
- minor breaches under s. 5.105(1) of the Act;
- serious breaches under s. 5.114 of the Act;
- · corruption allegations; or
- personal disagreements.

The Policy will form part of the City's Behavioural Complaints Management Framework and provides guidance to the City's Behaviour Complaints Committee.

## Appointment of Complaints Officer

At its 9 February 2022 meeting, Council appointed the Chief Executive Officer as its complaints officer for the purpose of the *Local Government (Model Code of Conduct) Regulations 2021*.

The CEO is the only employee employed by Council and is therefore accountable to Council. If a compliant were to be received in relation to a Council Member, it may be preferable for the CEO to be removed from the process.

Administration is recommending that Council appoint the Executive Manager Corporate Strategy and Governance as an additional complaints officer for the purpose of Division 3 of the City's Nominated Code.

# **Behaviour Complaints Committee**

The Behaviour Complaints Committee (Committee) is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Behaviour Complaints made under Division 3 of the Nominated Members Code.

The Committee comprises of all Council Members and has delegated authority to make a finding as to whether an alleged breach has or has not occurred and to dismiss a compliant in accordance with clause 12 and 13 of the Regulations. A condition of this delegation is that the Committee must make decisions in accordance with the principles and specified requirements of the proposed Policy.

The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology.

The Policy completes the City's Behavioural Complaints Management Framework which has been developed to ensure that a complaint received in relation to an alleged breach of Division 3 is managed on the basis of fairness and impartiality.

### **CONSULTATION/ADVERTISING:**

No further consultation is required.

# LEGAL/POLICY:

- Local Government Act 1995;
- Local Government Legislation Amendment Act 2019;
- Local Government (Administration) Regulations 1996;
- Local Government (Administration) Amendment Regulations 2021; and
- Local Government (Model Code of Conduct) Regulations 2021.

Code of Conduct for Council Members, Committee Members and Candidates.

The City's <u>Policy Development and Review Policy</u> sets out the process for the development and review of the City's policy documents.

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### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for the Council to adopt the Policy with the proposed minor amendments.

### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

# **Innovative and Accountable**

We are open and accountable to an engaged community.

# **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

# **PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the City's Public Health Plan 2020-2025.

### FINANCIAL/BUDGET IMPLICATIONS:

Nil.

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Legislation / local law requirements	Local Government (Model Code of Conduct) Regulations Local Government (Administration) Regulations 1996 Meeting Procedures Local Law
Relevant delegations	Delegation 2.1.2 – Behaviour Complaints Committee Delegation - 2.2.31 Appointing External Complaints Office
Related policies, procedures and supporting documentation	Code of Conduct for Council Members, Committee Members and Candidates Purchasing Policy

## **PRELIMINARY**

#### INTRODUCTION

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the City's <a href="Code of Conduct Elected Members">Code of Conduct Elected Members</a>, <a href="Committee Members and Candidates">Committee Members and Candidates</a> (Nominated Members Code).

A Complaint must be made and dealt with in accordance with this policy.

### **PURPOSE**

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct)*Regulations 2021 and the Nominated Members Code, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Code.

#### **OBJECTIVE**

To give effect to the City of Vincent's commitment to an effective, transparent, fair, and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

## SCOPE

This Policy applies to complaints made in accordance with Clause 11 of the City of Vincent Nominated Members Code.

This Policy applies to Council Members, Committee Members, Candidates, and any person who submits a complaint in accordance with this Policy.

Complaints that are deemed outside of the scope of this policy are:

- dissatisfaction with a Council or committee member's lawfully made decisions;
- dissatisfaction with a Council or Committee member's performance of his or her role;
- minor breaches under s. 5.105(1) of the Act;
- serious breaches under s. 5.114 of the Act;
- corruption allegations; or
- personal disagreements.

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Complaints related to Division 4 - Rules of Conduct are dealt with by the Local Government Standards Panel. An overview of the complaint process and the complaint form can be found at the <u>Department of Local Government Sport and Cultural Industries</u>. Any complaint for Division 4 should be on the appropriate form and sent to the CEO as the Complaints Officer.

#### **DEFINITIONS**

Act means the Local Government Act 1995.

**Behaviour Complaints Committee** means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

**Behaviour Complaints Officer** means a person authorised in writing (by Council resolution or by the CEO exercising delegated authority) under clause 11(3) of the Nominated Members Code to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy

Breach means a breach of Division 3 of the City's Nominated Members Code.

**Candidate** means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

**Candidate Complaint** means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

**Committee Member** means a Council Member, employee of the City of Vincent or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Nominated Members Code.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

**Complaint Assessor** means a person appointed by the Behaviour Complaints Officer in accordance with Part 2.2 and Part 3.8 of this Policy.

**Complaint Documents** means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

**Complaint Form** means the form approved under clause 11(2)(a) of the Nominated Members Code (by Council resolution or by the CEO exercising delegated authority).

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Council means the Council of the City of Vincent.

**Council or Committee Meeting** means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

**Council Member** means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

**Finding** means a finding made in accordance with clause 12(1) of the Nominated Members Code as to whether the alleged Breach has or has not occurred.

**Nominated Members Code** means the City of Vincent Code of Conduct for Council Members, Committee Members and Candidates.

**Plan** means a Plan that may be prepared and implemented under clause 12(4)(b) of the Nominated Members Code, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

**Response Documents** means the response provided by the Respondent to the Complaint and includes any supporting information or evidence that is supplied.

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## **POLICY PROVISIONS**

### Principles

#### 1.1 Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias: and
- any findings made will be based on proper and genuine consideration of the evidence.

#### 1.2 Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

#### 1.3 Confidentiality

The City of Vincent will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

## 1.4 Accessibility

The City of Vincent will ensure that information on how to make a complaint, including this Policy, is available at the City of Vincent's Administration Building and on the City of Vincent's website. The City of Vincent will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

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#### 2. Roles

### 2.1 Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Nominated Members Code to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

#### 2.2 Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 3.8 of this Policy.

The Complaint Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

# 2.3 Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in the Behaviour Complaints Committee Terms of Reference.

#### 3. Procedure

# 3.1 Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Nominated Members Code (clause 11(1)).

A Complaint must be made within one (1) month after the alleged Breach (clause 11(2)(c) of the Nominated Members Code).

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A Complaint must be made by completing the <u>Behaviour Complaint Form</u> in full and providing the completed forms to the Behaviour Complaints Officer.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made (clause 11(2)(c) of the Nominated Members Code).

#### 3.2 Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

- to the Complainant confirming receipt, and advising of the procedure for candidate complaints;
   and
- to the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with (clause 15(1) of the Nominated Members Code).

## 3.3 Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint (clause 14 of the Nominated Members Code).

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

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#### 3.4 Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- · confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

#### 3.5 Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Nominated Members Code and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

#### 3.6 Alternative Dispute Resolution

The City of Vincent recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

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The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

Where mutually agreed, parties to the complaint may have a support person present during the Alternative Dispute Resolution process.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

#### 3.7 Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

#### 3.8 Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a suitably qualified and experience Complaint Assessor, in accordance with the City of Vincent's <a href="Purchasing Policy">Purchasing Policy</a>.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

#### 3.9 Search of Local Government Records

The Complaint Assessor may request the Behaviour Complaints Officer to search for any relevant records in the City of Vincent's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the City of Vincent Meeting Procedures Local Law 2008.

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The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

#### 3.10 Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions or drafting the Complaint Report or recommendations.

#### 3.11 Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Nominated Members Code and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to include the Complaint Report in the Agenda for a meeting of the Complaints Committee. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

#### 3.12 Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss

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the Complaint in accordance with Clause 13 of the Nominated Members Code and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Nominated Members Code. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Nominated Members Code and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach **did not** occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Nominated Members Code. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Nominated Members Code<u>or</u> prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Nominated Members Code and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Nominated Members Code. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5) \* of the Nominated Members Code. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

#### 3.13 Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Nominated Members Code.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

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#### 4. Decision Making

#### 4.1 Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

#### 4.2 Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Nominated Members Code if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either
  - (i) the behaviour was dealt with by the person presiding at the meeting; or
  - the Respondent has taken remedial action in accordance with the City of Vincent Meeting Procedures Local Law 2008.

#### 4.3 Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur (clause 12(3) of the Nominated Members Code).

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Nominated Members Code.

#### 4.4 Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Nominated Members Code knowingly or carelessly;
- whether the Respondent has breached the Nominated Members Code on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Nominated Members Code:
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

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#### 4.5 Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g., an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Nominated Members Code.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

OFFICE USE ONLY				
Responsible Officer	Flease use title only			
Initial Council Adoption	DD/MM/YYYY			
Previous Title	Applicable if the policy has been renamed			
Reviewed / Amended DD/MM/YYYY				
Next Review Date	MM/YYYY			

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### 12.5 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2022

Attachments: Nil

#### **RECOMMENDATION:**

That Council NOTES and ENDORSES the responses provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Wednesday 2 February 2022 for the reasons outlined in the report.

#### PURPOSE OF REPORT:

To consider:

- 1. the motions carried at the City's Annual Meeting of Electors (AME); and
- 2. the responses prepared by Administration addressing those motions carried.

#### **BACKGROUND:**

The AME was held at the North Perth Town Hall on Wednesday 2 February 2022 at 6:00pm. There were 22 electors present, eleven of whom raised 15 general business motions that were carried at the meeting.

#### **DETAILS:**

Administrations' response to each of the above-mentioned motions from the AGM are set out below.

#### Motion 1

- 1. That the City urgently complete an assessment of the condition of the footpaths in the district to determine locations where they are in poor condition and unsafe for people of all ages and abilities to walk, run and ride on. This includes footpaths that are cracked, where there is vertical and physical displacement, unsafe kerb ramps, particularly where he ramps meet the road surface, etc.
- 2. This assessment to include identification of locations that have previously been brought to the attention of the City by residents, additional request to residents to provide examples of unsafe and damaged footpath to the City, and pro-active inspection by City Officers.
- 3. That the City prepare a schedule to repair these footpaths based on user numbers and type, and proximity to schools, shops, parks and community facilities.
- 4. That the City determine an innovative solution to the common situation where footpaths adjacent to building sites are covered in debris, or damaged for the months or years it takes for the demolition and construction process to occur. This solution to recognise that footpaths are a vital component of transport infrastructure for people of all ages and abilities to walk, ride bikes and scooters, and use wheelchairs and mobility devices on.
- 5. That the City proactively and regularly ensure that street trees and vegetation from private properties do not encroach on footpaths in any way. This should include regular visual inspection from City officers and be based on reports made by residents and previous instances where obstruction of vegetation has been a problem.
- 6. That on a daily basis, the City proactively monitor the streets of the district to take action in instances where people have illegally parked their vehicle so as to obstruct people from using a footpath. This should include a roster to visit locations where breaches have recently occurred or been reported.
  - That the City introduce a system that embraces current technology, to make it easier for people to report instances of illegal parking. For example, using social media, snap send solve, etc. The

current process of having to contact the City to report instances of illegal parking by telephone is outdated, and can be impractical or overly time consuming, for example, after hours reports.

#### Response

#### Background

The City as part of its routine operations inspects the street scene and takes action as necessary to ensure that footpaths are maintained and that street trees do not cause obstructions. The City also has a dedicated parking service to deal with illegally parked vehicles. The City proactively monitors through staff that are "out and about" in the City, through regular programmed inspections and by responding to enquiries from residents and businesses. It also monitors areas where previous issues have been noted and based on risk particularly in the case of illegal parking.

#### Comment

The City engages a qualified and independent asset management consultant to undertake a full road and footpath condition survey every three years in accordance with the relevant guidelines. This data then forms the basis for determining the annual road and footpath renewal programs. The next condition survey is due in 2023. In addition, the City's proposed footpath renewal budget has been increased significantly in the 'draft' 2022/23 Capital Works budget and is recommended to increase annually over the life of the next 10 year Long Term Financial Plan. The City also carries out proactive and reactive footpath inspection and responds to enquiries in relation to footpath defects. City officers monitor footpaths adjacent to building sites to ensure that the footpath is maintained in a safe and useable condition.

The City undertakes an annual tree pruning program where all verge trees are under pruned if required. As tree growth can be varied, with some trees requiring more frequent pruning, the City also investigates individual request received by the community as well those identified by the Parks Team through regular monitoring.

Households that have been identified as having private vegetation obstructing the footpath are issued with letters requesting removal/pruning of the vegetation. All residential complaints received are inspected, entered into a registry and issued with a letter (if required). After the prescribed timeframe, properties are inspected to ensure works have been undertaken. In instances where works have not been carried out, it is escalated to the City's Rangers to consider issuing an infringement notice in line with the Local Government Property Local Law.

There are a number of locations where parking regularly causes obstruction of the footpath and these locations are proactively monitored, based on risk, by the Rangers Team who have the delegated power to deal with illegal parking and take action as appropriate. The City has a dedicated service to deal with parking and additional resources (in the form of an additional three staff) were allocated on a trial basis to the service this financial year.

Snap, send, solve is a feature that is currently available to the Vincent community for a range of issues, including parking. The City is also embarking on a Customer Experience project which will review the methods and channels by which customers access the City. It is anticipated that as well as enabling and promoting more online request options, the after-hours emergency line will still be an important offering for customers who require urgent assistance outside of business hours.

#### Recommendation

#### **Not Supported**

#### Reason for recommendation

It is considered that the current level of service is appropriate and allocating additional resource to this specific set of tasks unnecessary.

#### Motion 2

- 1. That the City recognises that the current approach to selecting species to plant as street trees is not yielding acceptable outcomes as too may exotic tree species are selected and planted.
- 2. That the City acknowledge that compared to the common exotic species used, native tree species provide more food for native bird species including the endangered Carnaby's black cockatoo.
- 3. That the City acknowledge that most Australian native tree species are beautiful and have stunning displays of flowers.
- 4. That the City acknowledge that the UV index in Perth is only below the level of 3 in June. For all other days, the UV index reaches a level where it is recommended sun protection is applied.
- 5. That the City recognises that native tree species provide more year round shade than exotic species. Not only is this important for the safety and convenience of users it will reduce the urban heat island effect.
- 6. That the City acknowledge that the claimed benefit that exotic tree species provide "light penetration and warmth during the winter months" has minimal impact given that during winter there is often cloud cover and in any case, any benefit would only affect dwellings on the south side of east-west oriented streets.
- 7. That the City acknowledge that Jacaranda trees lose their leaves in late winter and do not regain them until December. As such, any benefit from light penetration and warmth is not relevant.
- 8. That the City acknowledge that deciduous trees planted in town centres result in grey, dull and bleak streetscapes during the winter months when they are without leaves. And that the all year round vegetation and winter flowering of many native tree species brings colour and vitality to streets during this time of the year.
- 9. That the City move away from the use of the street tree selection tool. In its place, that it develop a plan in consultation with residents, to identify suitable street trees for each street in the district. This is similar to the best practice approach in other local governments in Perth.
- 10. If the City does not agree with this proposal, that the street tree selection tool be available for public inspection so that the inputs and assumptions in the model can be viewed.
- 11. That the City have a goal of at least 75 percent of street trees planted from this year onwards will be Australian native tree species.

#### Response

#### Background

The City's Street Tree Policy recognises the significance of street trees within the urban setting for creating functional and aesthetic settings. The City is responsible for the planning, establishment, care, control and maintenance of all street trees within Vincent and the guidelines and procedures for these processes are outlined within the policy.

In addition to the Street Tree Policy, the City also has a Greening Plan that provides a pathway to deliver on our responsibility to protect, enhance and effectively manage our natural and built environment. One of the key objectives to the Greening Plan is to increase canopy cover on City owned land. This is predominantly achieved through tree planting projects and actions outlined within the Greening Plan specifies that trees should be selected to maximise overall canopy cover for each planting area.

To assist in tree species selection, the City developed the Tree Selection Tool to facilitate the best choice of tree for each type of streetscape and planting environment within Vincent. Tree selection is informed by a number of specifications with details on each outlined below:

1. <u>General tree specifications</u> – what are the tree's growing requirements and how likely is it to survive in this location (size, appearance, biology).

- 2. <u>Additional specifications</u> ecology, performance, HSE issues, maintenance, food production and appeal.
- 3. <u>Urban forest benefits</u> urban heat reduction and shelter, amenity, productivity and contribution to biodiversity.

#### Comment

The City recognises the importance and benefits of all street trees (exotic and native). The City also acknowledges that individual views on tree selection are quite varied.

When selecting a tree species for a specific location the following is considered:

#### Existing Street Tree Theme

Guidelines and procedures within the Street Tree Policy state that trees shall be planted to ensure consistency of street tree species within the street.

In streets where there is a mixed tree theme, or two predominant species (one exotic and one native), preference is always given to planting a native tree species.

#### Tree Selection Tool

In instances where a new street tree theme is required, the Tree Selection Tool is consulted to provide a shortlist of recommended species. Opportunities to utilise the Tool are generally infrequent as the majority of street within Vincent having existing street tree plantings.

The Tool is also consulted in instances where there may be a mixed tree theme or where a replacement theme may be required.

#### Individual Preferences

Occasionally residents will request a particular tree species for their verge or else have no tree. Providing their choice is appropriate, the City is of the opinion that any tree is better than no tree.

#### Recommendation

Supported in Part: 2, 5, 7

Not Supported: 1, 6, 8, 9, 10, 11

Supported: 3, 4

#### Reason for the Recommendation

The City selects street trees species to maximise overall canopy for each planting area, taking into account any specific constraints of the location.

The City has well-developed strategies and policies that guide tree planting and targets and shifts in the approach need to be properly considered and developed as part of a future strategy.

Consideration is also given to increasing habitat and biodiversity. Wherever possible, whilst still adhering to the Street Tree Policy, specific location and residents' requests, preference is given to the use of native tree species.

#### Motion 3

- 1. That the City acknowledge that for residents to provide accurate, valuable and considered feedback to the City on an initiative or project, that the information they are provided by the City is comprehensive and accurate.
- 2. That the City acknowledge that any surveys used to gather feedback from residents are structured so that they are unbiased and that the answers provided cannot be misconstrued.

- 3. That the City acknowledge that the assessment and analysis of community feedback should be carried out by officers in a fair and impartial manner, and accurately represent the views expressed by those providing feedback.
- 4. That the City acknowledge that the feedback from resident consultation is an essential component in the decision-making process and is essential to good governance.
- 5. To ensure that residents have faith in the integrity of the consultation process, it is requested that the process used by the City to seek and analyse feedback from the community is assessed by a suitably qualified independent and impartial organisation. This could be the Ombudsman or the Office of the Auditor General.

#### Response

#### **Background**

In 2021 the City of Vincent adopted a Community and Stakeholder Engagement Strategy (the **Strategy**), and a Community and Stakeholder Engagement Policy (the **Policy**). It was developed from engagement with the Elected Members, administration and community members and are based on the IAP2 Core Values. The IAP2 Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's roles in any public participation process (IAP2 International Federation 2018).

#### Comment

Elected Members and Administration are committed to the principles set out in the Strategy and Policy, which reflect the intent of the resident's motions.

#### Recommendation

#### Parts 1 to 4, are supported.

#### Part 5 is not supported.

#### Reason for the Recommendation

The City of Vincent's processes align to the Community and Stakeholder Engagement Strategy and Policy discussed above.

The Strategy and Policy reflect the following key principles:

- 1. Make decisions based on the needs and interests of everyone involved.
- 2. Hear and understand our community.
- 3. Meaningfully include the community in the decision-making process.
- 4. Engage in a way that facilitates involvement of impacted communities.
- 5. Communicate before, during and after a decision is made.

The Strategy sets out the following actions required to support implementation, in the 2021 to 2023 period, including:

- Developing the policy, toolkit and processes
- Providing training and development for Elected Members and staff
- Improved information sharing, engagement methodologies and creation of a community panel
- Regular review and report of the Strategy to ensure our engagement activities align with the community's views and aspirations.

Many of these actions are recently completed, or still in progress. It is acknowledged that there is a degree of skill involved in forming an appropriate community engagement approach, and a level of organisational process maturity still being developed.

Whilst this occurs there will also be complex and emotive issues arising where members of the community will be unhappy with the community engagement process itself, or the decisions arising.

We do not believe that an external process audit will improve the City's approach to community engagement. Rather, our approach will improve with experience, additional staff training, regular reviews and further community feedback.

#### Motion 4:

That Council install signage on Colvin Lane at the Strathcona Street end and another halfway up the Lane asking people to observe the 8kmh speed limit.

#### Response

#### **Background**

The width of Colvin Lane, and number of rear garages accessing the lane with restricted vision, is typical of the majority of Rights of Way, both named and un-named, within the City, and which do not have a posted speed limit.

#### Comment

The existing 8 kph speed limit signage and pavement markings in Colvin Lane has no legal standing and is unenforceable. The signage and pavement markings were installed as a 'good will' gesture approximately 10 years ago as a reminder to motorists to slow down and to drive at an appropriate speed for the road environment.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

The signage currently installed is unenforceable and was done so as a goodwill gesture. The current signage is deemed more than adequate for the context and additional (unenforceable) signage is unnecessary.

#### Motion 5:

That Council trim the trees in Carr Street, so that they are not close to power lines and branches, roots and foliage do not pose a hazard to pedestrians.

#### Response

#### **Background**

The City carries out an annual street tree pruning program. As part of this program verge trees are pruned to ensure appropriate clearances from powerlines. Trees are also under pruned (if required) to ensure they are not obstructing the footpath. Residents can make enquiries or raise concerns at any time.

#### Comment

The trees in Carr Street have been inspected and a few trees require minor maintenance which will be undertaken as part of routine operations in the coming weeks. The street trees will continue to be monitored as part of routine operations.

#### Recommendation

#### Supported in part.

#### Reason for the Recommendation

The trees in Carr Street require minor maintenance at this time.

#### Motion 6:

- 1. That Council extend the reconstituted limestone wall and fencing on the North side of Beatty Park Reserve towards Charles Street and connect it to the existing garden wall structure.
- 2. Affected residents should be involved in the preliminary planning and discussions to extend the wall and fencing.

#### Response

#### Background

The City has undertaken considerable drainage improvement works in and around Beatty Park Reserve since a major March 2010 storm event that resulted in property inundation.

This included an upgrade of the drainage pipe from the Beatty Park reserve car park to Emmerson Street (connecting to the Claisebrook Main Drain) and the linking of the soak-wells within the carpark. A raised plateau was installed across the entrance of the reserve car park to direct the Farr Avenue run-off around the corner to Emmerson Street. The crossovers to Beatty Leisure Centre were 'haunched' to prevent water from Vincent Street flowing through the leisure centre car park and additional soak-wells were installed throughout the leisure centre car park and the height of the kerbing increased. A shallow compensating basin was also constructed in the park to act as retention and to slow overland flows.

A limestone-wall was constructed at the back of the car park to act as a retaining wall with a fence above fitted with fine mesh to stop leaf matter. The two manholes in the park were strapped down to prevent the lid from lifting (surcharging) on the drainage line originating with the leisure centre that discharges into the Claisebrook Man Drain near Charles Street. In 2018 the City upgraded the pipe connection into the Claisebrook Main Drain.

The total costs of the mitigation measures at Beatty Park Reserve to date exceed \$260,000.

On 4 July 2021 Perth recorded its second wettest day of the year, with around half of that falling in a single hour, between 1:00pm and 2:00pm. More than 44 millimetres of rain fell from 9:00am making it the second wettest July day in 20 years. On this day we experienced localised flooding around Lynton Street near the freeway, East Street/Menzies Reserve and William Street. At the time of this rain event the residents near Beatty Park Reserve were concerned about the drain's capacity to cope, however it drained well after the initial 1:00pm to 2:00pm deluge.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

The City's current drainage priority is the Britannia Reserve Main Drain Renewal.

No further works are planned or budgeted for Beatty Park Reserve drainage for the next four years in our Capital Works Program and the City does not agree that further work is required at this time.

The City will continue to clean and monitor the drains in the area and monitor drainage performance.

#### Motion 7:

As part of the engagement strategy can members of middle management and Executive be made to assess how they can better engage with ratepayers and residents?

#### Response

#### Comment

Refer to the more detailed response to Motion 3.

#### Recommendation

#### **Supported**

#### Reason for the Recommendation

The City's Community and Stakeholder Engagement Strategy was introduced in 2021 and is still in the process of implementation.

It is acknowledged that the City will improve its approach with experience, additional staff training, and further community feedback.

The City plans regular reviews of its approach to community engagement, which includes receiving feedback from the community. A minor review will also occur every 2 years and a major review every 4 years, and community members will be encouraged to provide feedback at these times.

#### Motion 8:

That Council respect the views of the people they represent and ensure that they act independently and responsibly when voting on council matters.

#### Response

Comment

Nil

#### Recommendation

#### **Supported**

#### Reason for the Recommendation

Elected Members and staff have adopted the Community and Stakeholder Engagement Strategy and Policy and have adopted the following key principles, to:

- 1. Make decisions based on the needs and interests of everyone involved.
- 2. Hear and understand our community.
- 3. Meaningfully include the community in the decision-making process.
- 4. Engage in a way that facilitates involvement of impacted communities.
- 5. Communicate before, during and after a decision is made.

When making decisions and voting on Council matters, Council will weigh up all information presented and are independently accountable for their vote, and collectively bound by the decision. This approach is underpinned by the City's Governance Framework.

#### Motion 9:

That Beatty Park Reserve be reclassified from District Open Space to Neighbourhood Open Space.

#### Response

Comment

Nil

Recommendation

#### Not supported

#### Reason for the Recommendation

Lot number 1618 (220 Vincent St) North Perth, is 5.762 ha which is Zoned; Public Purpose - Civic Uses and Public Open Space. Lot number 1618 is between 5ha - 15+ha and District Open Space. Within the Lot there is an area zoned "Civic Uses" which is currently the Beatty Park Leisure Centre site at 3.162ha, and the area zoned "Public Open Space" at 2.60ha.

A district level public open space is appropriate as it consists of sufficient spaces to accommodate a variety of concurrent uses, including organised sports, children's play, picnicking, exercising dogs, social gatherings and individual activities. Local Government has a responsibility to provide for the wellbeing of its community including the provision of community and recreational facilities. This is achieved through the provision of sportsgrounds, swimming pools, leisure centres and parks.

2. That sporting teams are stopped from using Beatty Park Reserve and return the park to community use.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

The Beatty Park Reserve function is classified as a Sport Space, which provides a venue for formal structure sporting activities such as team competitions, physical skills development and training. Some sporting spaces can also be accessed by community members for informal sport and recreation activities, often alongside sporting activity.

Community sport achieves community benefits such as improved public health, building stronger more resilient communities, building better networks and supporting children, women, seniors, people with disability, and Culturally and Linguistically (CaLD) communities.

It is well documented that exercise and participation in sport remains an important part of our community's physical and mental health. Communities that actively participate are known to develop strong social bonds.

The City has commenced a Sport and Recreation Facilities Plan which will be assessing all active sporting reserves. The plan is a key action within the City's Public Open Space Strategy and aims to inform, guide and underpin the planning, prioritisation and provision of sporting and recreation facilities throughout the City.

3. That a plan is developed for Beatty Park based on recreational zoning.

#### Recommendation

#### Supported in part

#### Reason for the Recommendation

A Development Plan for Beatty Park, Smith Lake and Charles Veryard is scheduled for year 2024/2025. The Public Open Space Strategy and Sport and Recreation Facilities Plan will guide the Development Plan based on its current zoning and objectives including promoting increased community involvement in sport and exercise.

#### Motion 10:

1. That the electors note, that in response to a motion passed at last year's Annual General Meeting of Electors which requested that the City improve the promotion of the AGM, the administration stated:

The City is committed to engaging the community in its decision making and providing a real opportunity for all members of the community to be heard. Administration and will endeavour to improve the promotion of the AGM in 2023 and will consider how newspaper notices, social media and website notices can be improved.

- 2. That the electors note the ways in which the City has promoted this year's AGM in particular:
  - 2.1 the fact that the advertisement in the 22 January edition of The Perth Voice was at the bottom of the page on the inside back cover; and
  - the initial Public Notice and Facebook post simply stated that the purpose of the AGM is to receive the Annual Report and made no mention of the ability to speak or move motions.
- 3. Expresses deep disappointment at the administration's continued failure to adequately promote the opportunity that the AGM provides to the community to move motions and participate.
- 4. Requests that the council consider the failure to adequately promote the AGM when undertaking the next CEO performance review.

#### Response

#### **Background**

Promotional requirements for the Annual Meeting of Electors (AME) were met which extend beyond that which is legislatively required. The meeting was promoted using a range of promotional methods, including advertisements, notices in public buildings, emails and social media.

#### Comment

While the City used a variety of media platforms to promote the AME, the City acknowledges that the placement of public notice of the AME in community newspapers could have been more prominent. This will be considered for future meetings. The ability for electors to raise motions at the meeting was included in public notice (albeit in later promotion).

The following promotion initiatives were undertaken:

#### 1. The City of Vincent Webpage

- News story 21 December 2021
- Added as an event to our events page 19 January

#### 2. Facebook

- Posts 9 January and 14 January
- Posted promotion and added as an event 19 January

#### 3. Public notice placed in both Community Newspapers

- Perth Now 27 Jan
- The Voice 22 Jan

#### 4. Public notice on display

- Display in the Library building 19 January
- Display in the City Administration building 19 January

#### 5. E-mail Invitation

Invite sent via email to all residents subscribed to our e-mailing list -19 January

#### 6. Newspaper Advertisement

Inclusion in the January monthly newspaper advert - 29 January

#### 7. Promotional screens



- Screen at Beatty Park 28 January attached FYI as an example
- Screen at the Library 28 January

#### 8. Invite sent to list of key stakeholders including:

- Town Teams 25 January
- Community Engagement Panel 25 January
- Community Groups 25 January

All of these materials contained information on how to contact the City for more information at <a href="mailto:governance@vincent.wa.gov.au.">governance@vincent.wa.gov.au.</a>

The City considers that the initiative to convene the AME outside of the Administration Centre and hold meetings at venues around the City should be continued.

The City is currently preparing standard messaging templates for the promotion of the AME and this will incorporate to varying degrees the ability for electors to 'have a say', 'raise issues', and 'promote a positive change' with linkage back to the City's website providing more detailed information.

The Chief Executive Officer's annual performance is assessed in accordance with agreed key performance and focus areas which are included of the Corporate Business Plan each year.

#### Recommendation

#### Parts 1 to 3 noted Part 4 not supported

#### Reason for the Recommendation

The Chief Executive Officer's performance is assessed on agreed key performance and focus areas and in accordance with legislative requirements.

#### Motion 11:

That electors:

#### 1. NOTE that:

1.1 prior to December 2017 the City's Code of Conduct had a requirement that Council Members should respond to all enquiries as soon as practicable, but in any case, within 48 hours of receiving a telephone call, and within 5 days of receiving a written enquiry;

- 1.2 at the council meeting of 12 December 2017 the council voted unanimously for a revised Code of Conduct that no longer contained this requirement;
- 1.3 the change to the Code of Conduct was made without any public consultation;
- 1.4 the report that went to council did not indicate that the requirement was to be removed either through the use of tracked changes or by mention within the report, and in fact said there was "little change to the substance and effect of the code"; and
- 1.5 the report to council stated that there had been several rounds of internal consultation and that all Council Members had an opportunity to provide feedback on the revised Code prior to it being adopted.
- 2. REQUEST that the City's Code of Conduct be reviewed and amended, and that the previous requirements for Council Members to respond to enquiries from members of the community be reinstated.

#### Response

#### Background

In early 2021 legislative change introduced mandatory minimum provisions for a Model Code of Conduct for Council Members, Committee Members and Candidates. At its meeting held 23 March 2021 Council adopted the City of Vincent Code of Conduct of Council Members, Committee Members and Candidates that complies and incorporates the mandatory requirements. The Code can be located at <a href="https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Council\_Registers/Code\_of\_Conduct\_style\_d.pdf">https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Council\_Registers/Code\_of\_Conduct\_style\_d.pdf</a>

#### Comment

City of Vincent Councillors are highly accessible and highly responsive to issues raised by members of the community.

The mandatory provisions of the Model Code of Conduct cannot be altered; however this does not preclude incorporating additional clauses subject to these being harmonious and in alignment with the mandatory provisions. The inclusion of a specific prescriptive requirement as proposed by the motion is not considered to be harmonious with the existing provisions of the Code of Conduct.

It should be noted that the Code of Conduct states that a Council Member (Committee member and Candidate)" *must comply with all policies, procedures and resolutions of the local government*". Council Policy No. 4.2.5 requires Administration to respond to Council Members' Requests within ten working days.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

City of Vincent Councillors are highly accessible and highly responsive to issues raised by members of the community.

The specific prescriptive requirement as proposed by the motion is not suitable for inclusion alongside the principles based provisions contained in the Code of Conduct.

The procedural requirement around responses to enquiries is included in Council Policy No. 4.2.5 which requires Administration to respond to Council Members' Requests within ten working days.

#### Motion 12:

- 1. That the community believes that:
  - 1.1 local government does not function well when there are cliques or factions on councils, or if there are perceptions of factions or cliques existing on council; and

- 1.2 the Mayor should not encourage the formation of cliques or factions, and should actively act to stop the formation of these.
- 2. That the community requests that the Code of Conduct be amended to make it clear that the mayor has a special leadership role and should not use their position to encourage electors to vote for or against any particular candidates at local government elections.

#### Response

#### Background

The City of Vincent Code of Conduct of Council Members, Committee Members and Candidates complies and incorporates the mandatory requirements established by regulation in 2021. The Code can be located at <a href="https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Council\_Registers/Code\_of\_Conduct\_styled.pdf">https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Council\_Registers/Code\_of\_Conduct\_styled.pdf</a>

The mandatory requirements provide consistent behavioural and ethical expectations across Western Australian local government addressing personal integrity, relationship with others and accountability.

#### Comment

It is common for opposing views to be expressed on Council and this is the very basis of the decision making and debate processes established in local government.

Council Members are aware of their responsibilities under the Code of Conduct to make informed decisions on matters before Council.

The freedom of political expression is inferred in the Australian Constitution and is the basis of a functioning democratic society.

Council Members in Australia enjoy the democratic freedom to hold specific political views and support (as any other community member) a candidate for Council, sitting member or not.

The current Code of Conduct, specifically *Division 4 – Rules of Conduct* provides sufficient guidance for Council Members not to, directly or indirectly, use the resources of a local government for an electoral purpose or to make improper use of their office.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

The Code of Conduct provides adequate provision in respect to Council Member responsibilities in decision making and the use of the office as Council Member.

#### Motion 13:

That the Hyde Park kiosk agreement be set aside and a proper survey independent survey be conducted.

#### Response

#### **Background**

Community consultation on a kiosk in Hyde Park began in 2013 and in 2014 the majority of the community supported the proposal to provide a permanent small-scale kiosk/café facility at both Hyde Park and Banks Reserve. Council considered the consultation outcomes at its 8 July 2014 meeting.

At its Ordinary Meeting of 20 October 2020 Council adopted amendments to the Mobile Food Vendor Policy. Council also considered a proposal to install a commercial kiosk at Hyde Park and approved consulting with the community about the potential commercial kiosk. The City ran community consultation between 8 March 2021 and 2 April 2021. The consultation asked whether the community wished to see a permanent

kiosk in the park and, if so, whether this would be in addition to or as an alternative to the food vans that operate from the park under the City's Mobile Food Vendor Policy.

The results of community consultation were reported to Council at its 18 May 2021 meeting and noted again in the subsequent December report.

Preference	Number	Percent
Support permanent kiosk and food vans	211	56
Support permanent kiosk without food vans	61	16
Do not support a permanent kiosk, support food vans only	81	21
Do not support any option	23	6
Unsure	2	1
Total	378	100

In the May 2021 report the following statements were made:

"From the 272 respondents who supported the kiosk proposal, some of the main repeating comments were:"

and;

"The 104 Respondents who did not support the kiosk proposal provided the following main comments:"

At its 14 December 2021 meeting, Council resolved to award a tender for the lease of a Hyde Park storage shed to be used as a commercial kiosk. As a part of the decision Council noted that mobile food vendors would only be able to operate at Hyde Park as part of approved events and would not be issued Vending Vincent permits to operate permanently in Hyde Park for the duration of the lease.

Council also committed funding for the pre-fit out work on the storage shed to bring the space up to a standard required for a commercial kiosk fit out.

#### Comment

There has been a level of discontent from one of the mobile food van vendors and elements of the community in respect to Council's decision and the manner in which community consultation results were used in the decision making process.

Concern raised identified that the report did not explicitly express that 292 respondents support the presence of food vans at Hyde Park, with or without a permanent kiosk.

The City acknowledges that there has been strong support for the food vans at Hyde Park and that the outcomes of the survey could have been reported in a manner that better reflected that support. This was discussed at the December 2022 Council meeting as the report was being considered.

It is important to note that permits for mobile food vendors are intended to be one-off and temporary and to allow a range of different temporary food and beverage offerings at designated parks through-out the year.

The inclusion of mobile food vendors in Hyde Park was to inform future decision making on a more permanent kiosk/café arrangement.

The kiosk tender was compliant with legislative requirements.

#### Recommendation

#### Not supported

#### Reason for the Recommendation

Community consultation is used to inform Council decision making. Council made its decision fully aware of the level of support for the retention of mobile food vendors and considers that a permanent kiosk arrangement is in the best interest of Hyde Park and the wider community. It is not expected that further consultation through independent means will change the outcome of Council's December 2021 decision.

#### Motion 14:

That Council investigate the adequacy of street lighting in Florence Street, West Perth for traffic and pedestrian safety.

It is well researched that well lit streets can:

- improve surveillance and increase risk of offenders being detected.
- assist to help people feel safer with well illuminated streets, this can further assist with deterrence of crimes through ease of surveillance.

#### Response

#### **Background**

The streetlights in Florence Street are not a City asset and belong to Western Power. Florence Street is typical of the majority of residential streets in Vincent with the (then) Western Power standard of an 80watt Mercury Vapour (MV) streetlight on every second power pole. As MV lights are being phased out by Western Power (for both efficiency and environmental reasons) they are being replaced with LED, which are brighter (MV loses about 50% of its's luminance over 4 years) and longer lasting (10 years). The replacement programme is controlled and delivered by Western Power.

The City can make application to Western Power to add lights to the intermittent poles or upgrade existing lights but it is at the City's cost. Given the lights are not a City asset and there is limited budget with which to add lights in exceptional circumstances, the City will target specific locations based on risk, where recurring anti-social activity take place or a significant hazard exists.

#### Comment

Florence Street is typical of many streets in Vincent with older Western Power infrastructure. There is no specific risk identified that would support the City using its limited budget to fund the renewal or upgrade of a Western Power asset in this case.

#### Recommendation

#### **Not Supported**

#### Reason for the Recommendation

•

There is no specific risk identified that would support the City funding the renewal or upgrade of a Western Power asset in this case.

#### Motion 15:

#### That Council:

- At the very least, say every second year (perhaps on a rotational location basis to minimise budget impact) place a greater focus on the non- power line side of the street verge trees proper maintenance, including at a minimum, removal of all dead branches and all overhanging branches from both the power lines and all branches extending over the footpath and into the private properties. This would also provide an improved streetscape look for those verge trees too, which are sadly very neglected looking.
- Clarify the insurance claim position of homeowners, for any damage caused by verge trees, including power reconnection costs (electricians and other trade costs + Western Power charges).
- I understand from discussions with Western Power that they also feel very frustrated with councils that neglect to remove branches that overhang or encroach within two metres of any powerlines.

Council provides at least annual updates on the status of the underground power installation program for the whole of the COV location. Clearly this would (if commenced) go a long way to solving the issues I have raised above that are of concern to many private property owners.

#### Response

#### **Background**

The City carries out an annual street tree pruning program. As part of this program verge trees are pruned to ensure appropriate clearances from power lines. Trees are also pruned (if required) to ensure they are not obstructing the footpath and that dead branches are removed (if required). Residents can make enquiries or raise concerns at any time.

The City is currently investigating opportunities for undergrounding power in Vincent and provides updates to the Council and residents from time to time.

#### Comment

The City has an annual street pruning program and has identified no issue with that program in terms of increased risk to Western Power lines caused by the City's street tress.

If a home is damaged by a verge tree the homeowner may lodge a claim with their own insurers or contact the City insurers. Liability is not fixed and will depend upon the specific circumstances in each case. The City would encourage all homeowners to maintain adequate home insurance and discuss any concerns they have with their insurer in the first instance.

#### Recommendation

#### **Not Supported**

#### Reason for the Recommendation

It is considered that the current level of service is appropriate and allocating additional resource to this service is unnecessary.

The City updates residents on progress on undergrounding power when opportunities arise.

#### **CONSULTATION/ADVERTISING:**

Nil.

#### **LEGAL/POLICY:**

The AME of the City of Vincent was held in accordance with section 5.27 of the *Local Government Act 1995* (the Act). Section 5.33(1) of the Act requires that all decisions made at an Electors' Meeting are to be considered at the next practicable Ordinary Meeting of Council, which is the 5 April 2022 meeting.

Council must consider the motions from the AME but is not obliged to make a decision on all or any of those Motions. If Council chooses to make a decision in response to an AME Motion then reasons for that decision need to be recorded in the Minutes of the Council Meeting.

#### **RISK MANAGEMENT IMPLICATIONS:**

Low: It is low risk for Council to consider decisions made at the AGM in accordance with Section 5.33 of the *Local Government Act 1995*.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Innovative and Accountable

We are open and accountable to an engaged community

Our community is satisfied with the service we provide

Our community is aware of what we are doing and how we are meeting our goals

#### **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

#### **PUBLIC HEALTH IMPLICATIONS:**

This item does not align with any of the priority health outcomes of the City's Public Health Plan 2020-2025.

#### FINANCIAL/BUDGET IMPLICATIONS:

Nil.

#### 12.6 VINCENT UNDERGROUND POWER PROJECT (VUPP)

#### Attachments:

- 1. Invitation to participate Tranche 2 NRUPP U
- 2. NRUPPT2 Presentation J
- 3. Memorandum of Understanding J.
- 4. Project Summary J

#### **RECOMMENDATION:**

#### That Council:

- 1. NOTES the invitation from Western Power for the City of Vincent to participate in Tranche 2 of the Network Renewal Underground Pilot Program (NRUPP) at Attachment 1.
- 2. NOTES the proposed project areas would underground power at 5,336 electricity service meters in 1) North Perth/Mount Lawley, 2) North Perth/Mount Hawthorn and 3)

  Perth/Highgate as per the boundaries identified in the maps contained in Attachment 2.
- 3. NOTES Western Power advice that the overhead network assets in these areas are coming to the end of their service life for replacement and renewal. The poles and wires would be replaced like for like with an expected serviceable life of 40-50 years in the event the City does not co-partner in an underground power project.
- 4. AUTHORISES the CEO to sign the Memorandum of Understanding at Attachment 3 to enable Western Power to commence detailed design of the project.
- 5. NOTES the project summary at Attachment 4 will be included as a new Strategic Project in the Corporate Business Plan 2023/24-2027/28.
- 6. REQUESTS Administration to prepare a preliminary business case on participation in NRUPP Tranche 2 as part of the prepartion of the Annual Budget and update to the Corporate Business Plan (noting that the final business case would be finalised following 12 months of detailed design by Western Power which will confirm estimated costs for the project).
- 7. APPROVE utilisation of \$222,000 in the Underground Power Reserve to provide for two FTE over 12 months for project management and community engagement work to undertake this significant project.

#### **PURPOSE OF REPORT:**

To seek Council approval to sign a Memorandum of Understanding (MoU) to participate in Tranche 2 of Western Power's Network Renewal Underground Pilot Program (**NRUPP**)

#### **BACKGROUND:**

In 2021, Administration prepared a report to Council on the potential to participate in the second tranche of Western Power's Network Renewal Pilot Program (**NRUPPT2**). That report and the options paper can be found here.

Western Power has now invited the City of Vincent to participate in NRUPP (see Attachment 1).

NRUPP Tranche 2 presents a transformational and one-off opportunity for the City to:

- Increase the City's urban tree canopy
- Improve street appearance
- Reduce street tree pruning costs
- Improve public safety, reliability and security of power
- Increase property value for property owners

• Improve opportunities for emerging technologies

The City of Vincent strongly supports the amenity benefits and improvement to tree canopy that results from undergrounding overhead distribution power lines.

Council has previously considered a number of funding models to expedite the undergrounding of power.

NRUPP is the least cost option offered to the City to underground overhead distribution power lines.

The State Government, through the Public Utilities Office, had been running the SUPP since the early 1990s.

The City previously applied for funding through the SUPP to undertake both Localised Enhancement Projects (LEP), typically single streets of either extensive tree canopy or heritage significance, and Major Residential Projects (MRP), which encapsulates upwards of 800 residential properties.

The first trial projects, called Round 1 in the 1990's, were based upon two-thirds State to one-third local government funding (which was subsequently passed onto the ratepayers within the project area). From Round 2 onwards it became a 50/50 funding split.

In respect of LEPs the City has had two past projects:

- 1) Mary Street, Highgate, in recognition of the significant trees, completed in the late 1990's; and
- 2) William Street, Perth (Brisbane to Newcastle Streets), as part of the William Street Upgrade Project, completed in late 2000's.

The City was successful in Round 3 in 2006, and secured funding for the Highgate East MRP Project, approx. 900+ properties, completed in 2009.

The City consulted residents on a SUPP project on Brookman Street and Moir Street Heritage Precinct in 2015 and the majority of respondents indicated they did not support paying \$8,260 per residential property to underground the power.

#### **DETAILS:**

Three areas including North Perth/Mount Lawley, North Perth/Mount Hawthorn and Perth/Highgate have been identified as part of Western Power's Network Renewal Underground Program as potential areas for underground power due to its ageing overhead infrastructure and the benefits undergrounding would provide for the community.

Underground power delivers lower operating and maintenance costs, improved network reliability and security, better public safety, an improved street appearance, opportunities for increased and more sustainable tree canopy and enhanced opportunities for emerging technologies.

These areas have been selected for this program because they are areas with a high number of ageing distribution overhead assets which must be replaced.

Western Power modelling indicates underground power is the better supply option for City of Vincent residents given the benefits of underground power that can be expected in the areas being considered.

Under NRUPPT2 program, Western Power would contribute the avoided capital costs (replacing the existing network with overhead assets) with the City of Vincent to pay for the customers' connection costs and any gap in capital costs.

Participation in NRUPPT2 requires the City of Vincent signing a memorandum of understanding with Western Power outlining the shared commitment and partnership to the underground power program (see **Attachment 3**).

Following the signing of the MoU, community engagement and detailed design for construction would take place over approximately 12 months.

Projects are expected to be completed within two years of construction starting.

Following Council approval of the MOU, Administration would develop a preliminary business case for Council consideration as part of annual budget process and update to the Corporate Business Plan.

A final Business Case would be presented to Council following 12 months of detailed design by Western Power which would confirm the costs and timing of the project. A draft project plan summary is at **Attachment 4.** 

Western Power has advised that the overhead network assets in the proposed project areas are coming to the end of their service life for replacement and renewal.

Western Power would replace the poles and wires like for like with an expected serviceable life of 40-50 years in the event the City does not co-partner in an underground power project.

If the City decided not to co-partner with Western Power in this underground power project now then this opportunity would be missed for two generations.

The increase in property value for property owners from underground power is well established.

The Economic Regulation Authority's 2011 inquiry looked into the overall costs and benefits of the State Underground Power Program

It found that for residential property values an estimated mean increase in property value of \$9,962 between 2000 and 2010 or an average of 1.6 per cent of the house price.

Adjusting this mean value for inflation to 2021 this provides an estimated increase in property value of approximately \$12,000 per residential property (noting this is considered a one-off property value benefit not a per annum benefit (see table 5.7 on page 44).

The Authority's view in the draft report was that all of the benefits that accrued to property owners, such as improved amenity, greater reliability, improved quality supply and lower vegetation management costs, are capitalised into higher property values when existing overhead distribution lines are placed underground.

#### **CONSULTATION/ADVERTISING:**

The City has commenced consultation on a major review of its Strategic Community Plan. Preliminary feedback from the survey results to date indicate strong support for undergrounding power.

In response to the survey question 'How would you rate the priority of: Planting trees and undergrounding power lines across the City to improve our tree canopy'

- 80% (39) rated undergrounding powerlines as a very high priority
- 14% (7) rated it as a high priority
- 4% (2) of rated it as a low priority
- 2% (1) did not respond to this question.

Public comments specifically relating to underground power are as follows:

- A leafy and permanently green environment without ugly overhead powerlines spoiling the tree canopy, which at the moment is hacked back to a lunar landscape on a regular basis.
- Start a program to take powerlines underground
- Providing canopy coverage in our streets to make them more pleasant to walk through
- [Vincent's future should include] underground power.
- City of Vincent is essentially a completely modified environment and there's not much that can be done to enhance the environment other than, perhaps, undergrounding power...
- [Biggest opportunities] underground the power
- Removing eyesores such as power poles

The majority of the submissions also stated their desire for more canopy coverage (to improve visual appearance and walkability, and to reduce heat island effect).

#### LEGAL/POLICY:

The MOU is not a legal agreement and is not intended to create legally binding obligations or liabilities on either party; however all parties commit to using their best endeavours to achieve its purpose.

#### **RISK MANAGEMENT IMPLICATIONS**

Low to Medium: It is low risk for Council to approve participation in NRUPP Tranche 2. Western Power has extensive experience in underground power programs. The construction and performance risk of the underground power project would remain with Western Power as the asset owner and managers (and their contractors). There would be a low to medium risk associated with managing an extensive community engagement process on this project. The City has recently completed a larger scale community engagement process to implement the FOGO third bin system. There would be a low to medium risk associated with capacity to pay issues for some property owners.

#### STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

#### Enhanced Environment

Our urban forest/canopy is maintained and increased.

#### **Thriving Places**

Our physical assets are efficiently and effectively managed and maintained.

#### Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

#### **Innovative and Accountable**

Our resources and assets are planned and managed in an efficient and sustainable manner.

#### SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024.* 

Urban Greening and Biodiversity

#### **PUBLIC HEALTH IMPLICATIONS:**

This is in keeping with the following priority health outcomes of the City's Public Health Plan 2020-2025:

Reduced exposure to ultraviolet radiation

#### FINANCIAL/BUDGET IMPLICATIONS:

Western Power's funding for the project is subject to approval. If approved, the funds would cover the majority of the cost for NRUPP with the remainder being met by the City of Vincent.

Western Power funds the majority of the cost for NRUP. The high-level estimate for underground power in the three project areas is around \$50 million.

There will be a portion of capital expenditure and operating expenditure that will funded by the City of Vincent and/or the property owner (either directly or indirectly).

Modelling shows that, after the contribution by Western Power, the cost to the City of Vincent for undergrounding distribution lines is \$2,500 - \$5,000 per property.

This is significant reduction in the cost per property than other options through the State Underground Power Program (SUPP) or Retrospective Undergrounding Projects (RUP) which have been as high as \$9,000 or \$10,000 in other local government areas.

Based on recent experience in other local government areas, we could expect around 70% of property owners would pay this estimated cost of between \$2,500 to \$5,000 upfront.

We undertook a community survey of affected property owners in the Town of Vincent in 2006 regarding the undergrounding of power in Highgate East based on an estimated cost per lot (flat rate) of \$3,556.

This survey showed that just over half of the respondents (50.4 per cent) would prefer to make an upfront payment for the underground power, with no interest fee. A three-year payment option was the second most popular payment preference (18.2 per cent), while a five year payment option was the third most popular payment. The least popular payment option was a seven-year payment option.

The City would need to build a reserve to enable deferred payment arrangements for around 30% of ratepayers. We will not be able to estimate the amount required for this reserve with accuracy until after Western Power has completed its detailed design.

Administration will recommend to Council that we establish \$1-2 million in the underground power reserve as part of next financial year's annual budget to ensure no delay in the roll out of this program. The amount in the reserve would then be able to be recalibrated with greater accuracy in 2023-2024 financial year.

There is \$222,000 in the City's Underground Power Reserve. We recommend Council approve utilisation of these funds to provide additional project management and community engagement resources for this significant project. This would include preparing a business case and project plan for the City simultaneously with Western Power's detailed design process. We estimate resourcing for this project could entail up to two FTE covering 1) project management and 2) community consultation and engagement requiring a budget of up to \$220,000 for the first 12 months.

The City could anticipate a significant reduction in street tree pruning costs if we were able to underground a significant portion of the power lines, however the quantum has not yet been determined.

Our ref:

EDM# 59662391

Contact:

Kevin Lim, 08 9326 4119

18th March 2022

David MacLennan Chief Executive Officer City of Vincent

Dear David,

#### Network Renewal Underground Pilot Program (NRUPP) Tranche 2

As part of Western Power's commitment to ensuring the safety and reliability of our network, Western Power continuously assesses the network to identify when assets are coming to the end of their service life for replacement and renewal.

During a recent assessment, a portion of Western Power overhead network assets in the City of Vincent has been identified as requiring replacement, as such, these locations have been identified as potential locations for Tranche 2 of the Network Renewal Underground Pilot Program (NRUPP).

Traditionally, Western Power overhead network assets are replaced with a "like for like" approach, where the old overhead assets are replaced with new overhead assets. However, due to the underground program improving cost competitiveness, there is an opportunity to co-fund and replace the overhead network with underground cables.

Replacing the existing assets with a new underground system provides several benefits, some of which are:

- Lower operating and maintenance costs for both Western Power and the local government through reduced disruptions, outages during storms and lower life cycle costs from verge vegetation management
- Better public safety and improved electricity supply reliability
- Improved street appearance resulting in increased property value and;
- Increase of network capacity which will enable future the installation of emerging technologies



363 Wellington Street Perth 6000 GPO Box L921 Perth WA 6842

westernpower.com.au







**†** 13 10 87 f (08) 9225 2660 TTY 1800 13 13 51 TIS 13 14 50 Electricity Networks Corporation ABN: 18 540 492 861

Western Power would like to offer the opportunity with the City of Vincent to co-fund the undergrounding of the locations identified in the North Perth/Mt Lawley, North Perth/Mt Hawthorn and Perth/Highgate project areas.

Western Power have prepared a Memorandum of Understanding (MOU) that outlines the proposed project in further detail for your approval to progress to the next stage.

Yours sincerely,

Marie Van Wyk

Underground Power Projects Manager

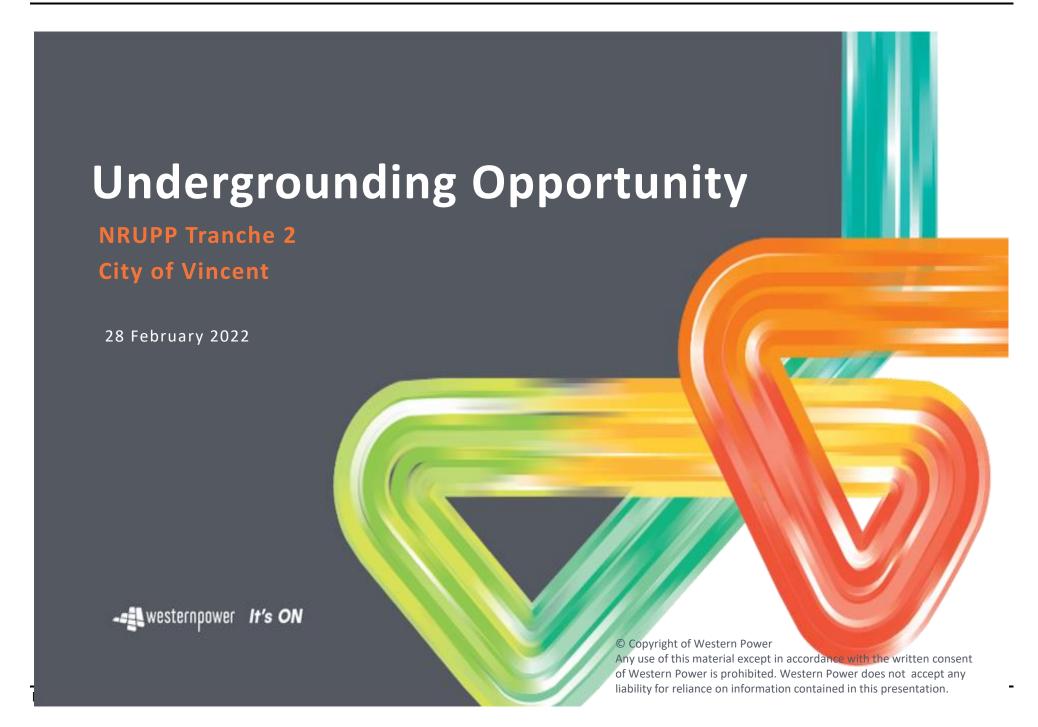
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Attachments:

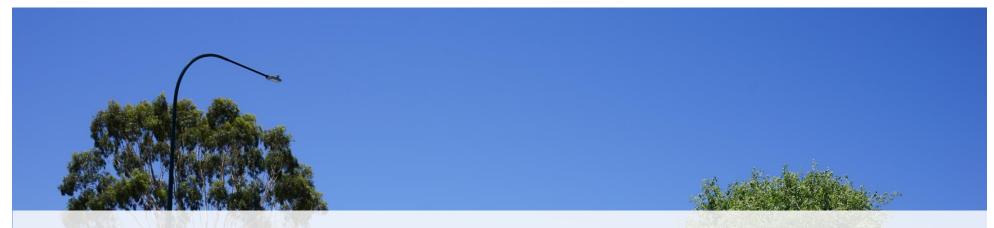
Memorandum of Understanding - City of Vincent



ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022



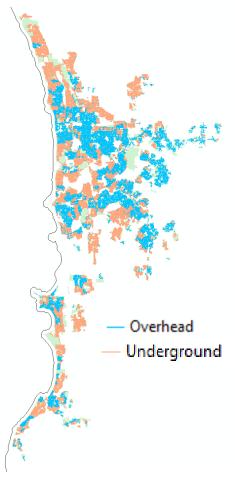
ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022



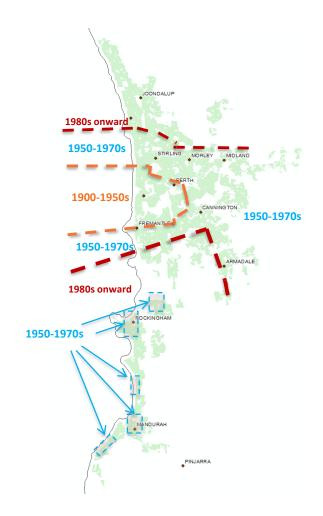
### Background to underground power



### Western Power's Network



- Many of the oldest suburbs
   established in the 1900s-1950s were
   undergrounded by the State
   Underground Power Program
   between 2000 and present day.
- A lot of older inner city suburbs are still served by overhead networks.
   They were establish in the 1950s to early 1970s.
- Most of the outer suburbs
   established after 1980s were
   undergrounded by the Urban
   Residential Development program.



### Key benefits of underground power

- Improved public safety
- Improved reliability and security
- Improved street appearance
- Increased property value
- Reduction in street tree pruning
- Lower life-cycle costs
- Improved opportunity for emerging technologies



ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022



ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022

### **Undergrounding Programs**

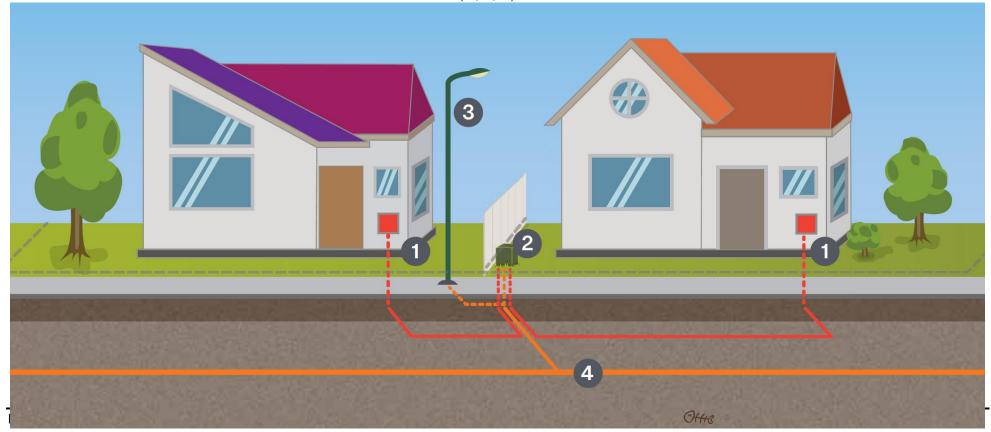
Program Type	Project Selection		Funding		Likely LGA cost comparison (per	Is Network renewal required?
	Ву	Criteria	Contributor	Method	property)	
SUPP Underground Power Steering Committee (EPWA)		Local government contribution 50% or above     Network renewal requirements     Community support above 50%	LGAs WP	LGA 50% or above  Western Power avoided costs	Mid (\$3k-\$9k)	Maybe – Variable
		State Gov't	State Government to fund remainder			
Customer Funded LGA (RUP)	LGA	<ul> <li>Local amenity</li> <li>Community</li> <li>consultation</li> </ul>	LGAs	Project costs (balance)	Most (\$4k-\$10k)	Maybe – variable
			WP	Avoided Costs		
WP's Network Renewal Underground Program Pilot T2	WP	WP Overhead     Network Renewal     requirements	LGAs	Project costs (Opex and balance of Capex)	Least (\$2.5k to <\$5k)	Yes - maximised
			WP	Project costs (Capex that equates to net benefit of not replacing, augmenting and maintaining overhead assets)		

# Network Renewal Underground Program Pilot Tranche 2

- Selection of the project areas are identified by large volumes of OH assets that are reaching the end of its life.
- Current undergrounding programs underway result in improving cost competitiveness
- It is more efficient for Western Power to replace overhead assets with underground assets in the identified areas
- Given the condition of the network, renewal & maintenance work <u>will</u> be carried out in the area either way (i.e. overhead or underground).
- If underground is not progressed, RUP is still available but the WP contribution will be much lower due to the newer OH assets.

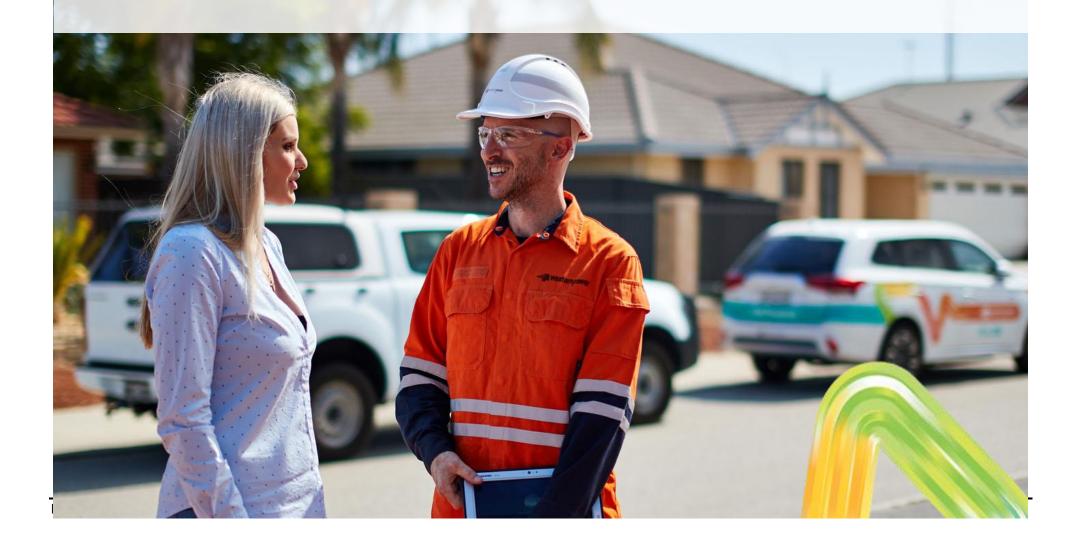
## **Funding Model**

- Local Government Authorities (LGA's) will be requested to fund the Operating Expenditure portion of the works (1 residential consumer mains) and a portion of the Capital Expenditure
- Western Power will fund the Capital Expenditure portion that equates to the Net Benefit Western Power will incur by not having to replace, augment and maintain the overhead network - Western Power's infrastructure (2,3,4)



ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022

# The proposed projects in City of Vincent



# Proposed Project Boundary - North Perth / Mount Lawley

Project boundaries are determined by the age & risk profile of the overhead assets in the area



ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022

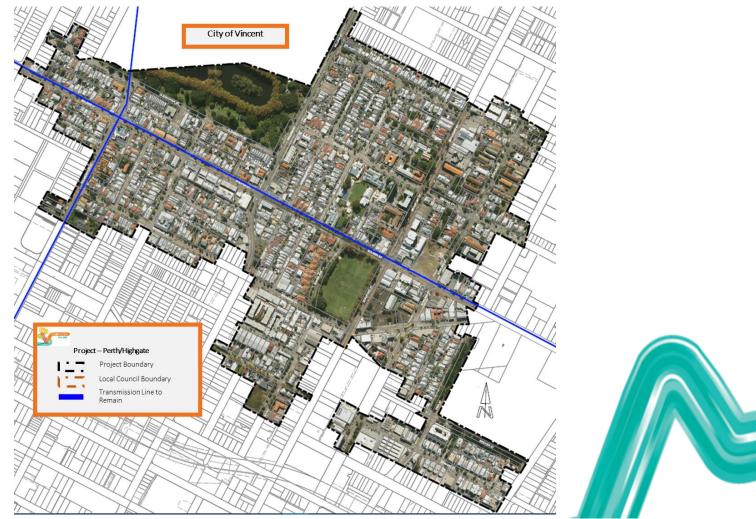
# Proposed Project Boundary - North Perth / Mount Hawthorn

Project boundaries are determined by the age & risk profile of the overhead assets in the area



## **Proposed Project Boundary - Perth / Highgate**

Project boundaries are determined by the age & risk profile of the overhead assets in the area



# **Co-Funding Agreement**

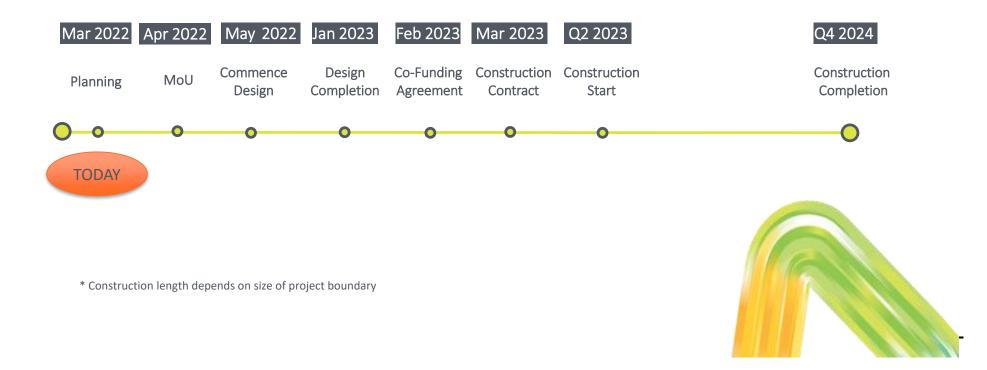
Western Power is planning to approach the project funding as follows:

- 1. WP and City of Vincent to sign a Memorandum of Understanding (MoU) outlining the relative intention of all parties
- 2. Western Power commence the detailed design and will prepare a Business Case for approval
- 3. Post community consultation, it is intended that Western Power and the City of Vincent will enter into a Co-Funding Agreement where the Parties will agree to participate in and financially contribute to the Project
- 4. Western Power will initiate a detailed estimation process and enter into a construction contract post completion of detailed design

## **Indicative Timeline**

 The project will be in planning phase for approximately 12 months followed by approximately 15 to 18 months of construction\*

City of Vincent Undergrounding Project - Indicative Timeline



# **Community Engagement Plan**

- Western Power and LGA to agree community engagement activities, communication materials and protocols
- Community engagement commences during detailed design stage:
  - Announcement letter distributed with project fact sheet / brochure
  - Update websites with project information and feedback options undergroundpower@westernpower.com.au or Western Power call centre
  - Community information session (co-hosted)
  - Customer consultation process
- Ongoing engagement during construction
  - Stage specific materials
  - Updates to project materials and FAQs (as required)



### **Memorandum of Understanding**

Between

Electricity Networks Corporation ABN 18 540 492 861

and

City of Vincent ABN # 62 191 132 542

for

Highgate/ Mount Lawley/ Mount Hawthorn/ North Perth & Perth Underground Project



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#### **Contents**

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	Background	
	Parties agree as follows	
	Purpose of this document	
	Objective	
	Duration	
	Confidential Information	л



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#### **Parties**

ELECTRICITY NETWORKS CORPORATION ABN 18 540 492 861, a statutory body corporate established under section 4(1)(b) of the *Electricity Corporations Act 2005* (WA), of 363 Wellington Street, Perth, Western Australia (Western Power)

and

City of Vincent of 244 Vincent Street, Leederville WA 6007 - ABN # 62 191 132 542 (the LGA)

#### Introduction

#### 1. Background

- (a) Western Power has identified overhead distribution assets within Highgate / Mount Lawley / Mount Hawthorn / North Perth & Perth Annexures 1, 2 and 3 (**Project Area**) which have reached or will soon be reaching the end of their design life and are therefore due for replacement.
- (b) Where assets reach the end of their design life and are due for replacement Western Power is obliged to replace those assets in the most efficient means possible.
- (c) Historically underground distribution assets have not been the most efficient means of replacing overhead distribution assets.
- (d) Western Power and the LGA wish to jointly investigate replacing these overhead distribution assets with underground assets, as this is expected to be mutually beneficial and result in an efficient solution for Western Power (**Project**) and the LGA.

#### The Parties agree as follows

#### 2. Purpose of this document

- (a) This Memorandum of Understanding (MOU) outlines the relative intentions of both Western Power and the LGA to develop a project under the principles of mutual understanding, mutual benefits, common interest, shared goals and mutually complementary activities (Purpose).
- (b) This MOU is not a legal agreement and is not intended to create legally binding obligations or liabilities on either party; however all parties commit to using their best endeavours to achieve its purpose.

#### 3. Objective

The Parties will jointly develop the Project in the Project Area as identified by Western Power. The Objective will be achieved by acting in good faith and working together and with property owners throughout the initiation phase of the project with the intent of agreeing and executing a Works Contract to effect delivery of the Project.



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#### 4. Duration

- (a) Subject to 4(b), this MOU shall be effective from the date of its execution by both Parties and shall remain in effect until the execution of a Works Contract by both Parties or the termination of this MOU by either Party by the giving of 30 days' notice by one party to the other of the intention to terminate the MOU.
- (b) In the absence of a termination, mutual agreement to continue this MOU, or a resulting Works Contract being executed, this MOU shall end on 30<sup>th</sup> June 2023.

#### 5. Confidential Information

- (a) To achieve the Objective it may be necessary for the Parties to exchange Confidential Information.
- (b) Confidential Information means this MOU, and all or any part of any information that a Party (**First Party**) supplies or provides to the other Party, or gives the other Party access to, including:
  - any information relating to businesses carried on by the First Party from time to time;
  - (ii) the assets, liabilities and undertakings of the First Party;
  - (iii) financial statements and arrangements of the First Party, including balance sheets, profit and loss statements, assets and liability statements and income and expenditure statements;
  - (iv) manuals, trade secrets, source and object codes, accounts, books, ledgers, financial and other records of the First Party (including non-public historical financial details);
  - (v) drawings, know-how, techniques;
  - (vi) business and marketing plans, projections and forecasts of financial performance of the First Party;
  - (vii) arrangements and agreements with third parties;
  - (viii) customer information and customer information proprietary to customers, customer lists;
  - formulae, concepts not reduced to material form, designs, plans, models, intellectual property of any nature whatsoever (including information technology strategies and innovations) of the First Party;
  - business and funding strategies, asset and liability management policies of the First Party;
  - (xi) the existence, progress or terms of the Purpose, or the fact that the First Party, or the other Party, or both, is involved in the Purpose, or that any discussions may have taken place or may be taking place between the Parties;
  - (xii) the substance of any report, test, recommendation, advice, or other information, acquired by either Party in respect of the Purpose; and



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- (xiii) any other information of the First Party that is by its nature confidential, or that is marked, or designated, or confirmed by an officer of the First Party as, confidential or proprietary, at the time of its disclosure.
- (c) For the avoidance of doubt, Confidential Information does not include any information referred to above that:
  - (i) is in, or enters, the public domain through no wrongful act of any person; or
  - (ii) a Party can establish, to the reasonable satisfaction of the other Party, either is, or was made, available on a non-confidential basis to it, through no wrongful act of any person, or is or was developed, independently of the other Party without using any the other Party's Confidential Information.
- (d) The Party that receives or is disclosed Confidential Information of the First Party must not, directly or indirectly:
  - (i) use any of that Confidential Information except to the extent necessary to give effect to the Purpose; or
  - (ii) disclose any of that Confidential Information,

without first obtaining the other Party's written consent.

#### 6. No Partnership or Agency

Nothing in this MOU shall be deemed to constitute a partnership between the parties or authorise either party to act as agent of the other party for any purpose.



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Page 5

SIGNED BY THE PARTIES	
SIGNED for and on behalf of WESTERN POWER by :	SIGNED for and on behalf of the CITY OF VINCENT by:
ZANE CHRISTMAS	DAVID MACLENNAN
NAME (PLEASE PRINT):	NAME (PLEASE PRINT):
Here or huscoped - NMPO	
Position title (please print):	Position title (please print):
B	
Signature:	Signature:



Date: 18 / 03 / 2022

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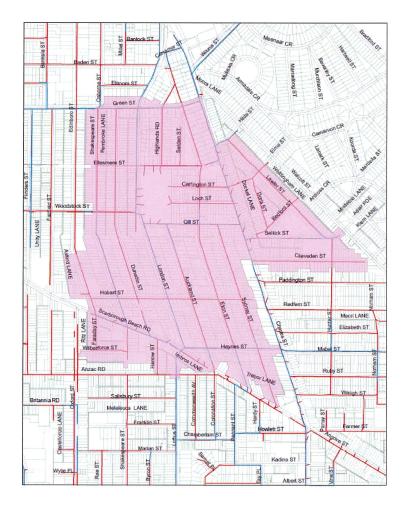
Annexure 1 – Project Area: North Perth/ Mount Lawley



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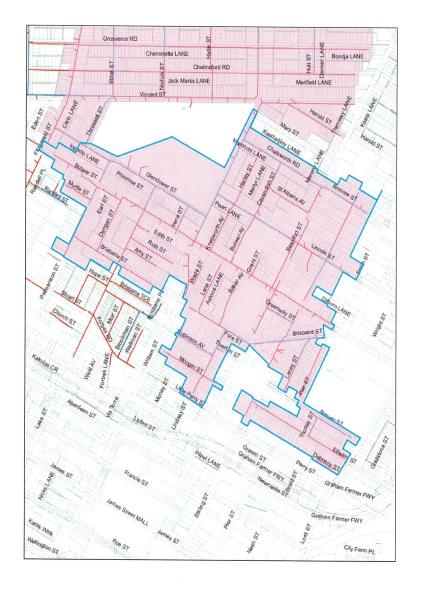
### Annexure 2 – Project Area: North Perth/ Mount Hawthorn





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Annexure 3 – Project Area: Perth/ Highgate





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ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022

CITY OF VI	INCENT	PROJ	ECT O	N A PAGE			Project Larg Prior Hig	ity Estin	art Date ebruary 2022 nated Finish Date 4 2024	SCP Catego	Thrivir Sensit	ced Environmen ng Places ive Design ntive & Account			
Project Name:	Underground	Power Project (UPP)						Pro	ject Board:	Yes	Proje	ct Manager:	Craig Wilson		
Project Code (CBP):	CBP Strategic	Project No. 1						Accountabl	e Executive Sponsor:	CEO	\$	ervice Area:	Infrastructur	e & Environ	ment
Project Description:	Underground	Power in the City of Vinc	cent commencing with th	ree project areas.				Expend	liture Type:	OPEX	Container 8	Record No:			
Objectives & Scope		stribution overhead pov Hawthorn and 3) Perth		wer at 5,336 properties in three project a	reas in 1) North Perth,	'Mount Lawley,	2) North	_	nd Program	delivered to id Pilot T2 in part erty owners.		ct areas unde			nner for the
Estimate	d Timeframe:	36 months		Benefits						Key Stakel	nolders (inte	nal and exter	nal)		
Project Es	timated Cost:	\$17.4 million	Improved not	blic safety, reliability, and security				External							
	Contingency:	\$1 million													
Total CoV	Expenditure:	\$18.6 million	Improved str	reet appearance				• W6	estern Powe	r					
	ivity Analysis:	\$18.0 Hillion	Increased pr	operty value for property owners				• Pro	perty Owne	ers in project a	rea				
(Indicate the confidence level i.e. +/- 20% and prov		+/-30%	Reduction in	street tree pruning and increase in urbar	tree canopy			Internal							
i.e. +/- 20% and prov	considered)	,	lower asset	life-cycle costs				• Loc	cal Business	es and Wider C	Community				
Total FTE cost	t (estimated):	\$200,000		·							•				ļ
		\$200,000	Improved op	portunity for emerging technologies				• Co	mmunity En	gagement Tea	m				
N	lumber of FTE	2		ork Renewal Program in partnership with				• Eng	gineering						
Total Businet C	Cost (ov. CCT).	\$48.9 million (inc.		tion to underground power at a significar ity and property owners.	itly reduced			• Fin	ance, Rates	and the Projec	t Manageme	nt Office			
Total Project C	Lost (ex. GST):	Western Power funding)						• Leg	ral						
Account No.(Financ	ce to allocate)		underground Underground	partnership and co-funding with Westerr I the project areas identified from the Ne d Pilot Program T2, it will result in a reduc perty owners in comparison to a standard	twork Renewal ed cost for the										
F	Project Deliver	ables / Milestones		MoSCoW Priority			F۱	2022/23				FY 2023/24	FY 2024/25	Year 4	Outer
Timeframes and cost es		icative and will be confi project planning	rmed after detailed	(M, S, C, W)	Budget (\$)	JUL AUG	SEP OCT	NOV DEC	JAN FEB	MAR APR	MAY JUN		(\$)	(\$)	Years (\$)
1. Initial planning	a corgin arra p	or ejeet prammig		M											<u>'</u> [
2. MoU between the City a	nd Western Pov	ver		M											
3. Design and detailed estir	mations			М								Jan 2023			<u> </u>
4. Community engagement				M											
5. Establish governance and				М	\$200,000							Oct 2022			I
realisation, risk assessme 6. Co-Funding agreement a			ct plans	M								Feb 2023			- <u></u> I
<ol> <li>Co-runding agreement a</li> <li>Construction contract</li> </ol>	ma communen	t to proceed					+ +					March 2023			 I
8. Construction				M	\$17,400,000							Q2 2023	Q4 2024		 
9. Project close and lessons	s learned			M	,,							Q2 2020	Q4 2024		
- ,					\$17,600,000			1	1 1	1	1				
											Risks and	Lissues			
Risks (what could happen):				Issues (what has been identified):				What hanns	ns if we don	't do the projec		-ISSUES			
	9 on project time	elines and budget requir the project	ements	<ul> <li>Concern relating to initial costs to</li> <li>Requirement for internal resourcir and liaison with Western Power</li> <li>Payment options and terms for aff</li> </ul>	ng for project managem		engagemen	• Wes	tern Power v	will replace exist	ting power po			the City of	Vincent will

Item 12.6- Attachment 4

ORDINARY COUNCIL MEETING AGENDA 5 APRIL 2022

P	eople or Enga	gement Activiti	ies		F	rocess/Policy c required for t				Technol		astructure char red for this pro	iges or improven ject	nents
Work in partnership Vincent property ow out the process  Internal Service Requirement  Internal Service Requirement  Output  Description:	vners and key s	stakeholders are	e fully informed	through-	<ul> <li>Underground Power P</li> <li>Future reduction in statement</li> <li>canopy</li> </ul>	reet tree prunin	g and associat	ted costs to max	· · ·	-		ementation and ver and their cor	•	are borne by the
	Consulted	Plan attached	Plan to be developed	Not applicable		Consulted	Plan attached	Plan to be developed	Not applicable		Consulted	Plan attached	Plan to be developed	Not applicable
Engagement / Media:	×		×		Human Resources:	×				Risks & Issues:				
Engineering / Parks:	×		×		ICT:				⊠	Business Case, Benefits Realisation and Project Plan	⊠		⊠	
Planning: Consulted:				×	Finance / Procurement:	×		×		Other				

Item 12.6- Attachment 4

#### 12.7 INFORMATION BULLETIN

#### **Attachments:**

- 1. Minutes of the Children and Young People Advisory Group (CYPAG) 19 January 2022 4
- 2. Minutes of the Reconciliation Action Plan Working Group (RAPWG) 24 January 2022 I
- 3. Minutes of the WALGA Central Metropolitan Zone Meeting held on 17 February 2022 4
- 4. Minutes of the Tamala Park Regional Council Meeting held on 17 February 2022 U
- 5. Unconfirmed Minutes of the Arts Advisory Group held on 23 February 2022 I
- 6. Statistics for Development Services Applications as at the end of March 2022 U
- 7. Register of Legal Action and Prosecutions Monthly Confidential
- 8. Register of State Administrative Tribunal (SAT) Appeals Progress report as at 18 March 2022 U
- 9. Register of Applications Referred to the MetroWest Development Assessment Panel Current J
- 10. Register of Applications Referred to the Design Review Panel Current &
- 11. Register of Petitions Progress Report March 2022 🗓 🖺
- 12. Register of Notices of Motion Progress Report March 2022 🗓 🖺
- 13. Register of Reports to be Actioned Progress Report March 2022 U
- 14. Council Workshop Items since 16 February 2022 U
- 15. Council Meeting Statistics March 2022 U
- 16. Council Briefing Notes 1 March 2022 U

#### **RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated March 2022.

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#### CHILDREN AND YOUNG PEOPLE ADVISORY GROUP

Wednesday 19 January 2022 at 6pm

Venue: Community Hall **City of Vincent Community Centre** 99 Loftus Street, Leederville

#### Attendees:

City of Vincent Councillors:

Cr Alex Castle (Chair)

Community Representatives:

Daniel Langlands (DL)

Fiona Buswell-Smith (FBS)

Laura Dunlop (LD)

Maria Daniele (MD)

Nicci Salley (NS) Shari Stockdale (SS)

City of Vincent Officers:

Gemma Carter- Manager Marketing and Partnerships (GC)

Karen Balm - Coordinator Community Development (KB)

Courtney Aylett - Community Development Advisor - Children, Young People & Community Funding (CA)

#### Welcome/Declaration of Opening

The Chairperson opened the meeting at 6.05pm and delivered the Acknowledgement of Country.

#### 2. **Apologies**

Cr Ron Alexander

Suzanne Lawrence

Virginia Miltrup - Executive Director Community & Business Services

#### **Confirmation of Previous Minutes**

Confirmed minutes from 30 September 2021.

#### **Business**

4.1 Update on recent youth programs and initiatives

#### Spirit of Christmas Banners

CA provided update on Spirit of Christmas Banners. 52 artwork submissions were received, 22 of which were printed and installed onto banner poles on Fitzgerald Street and Scarborough Beach Road. Award winners were presented with certificates and framed artwork at school assemblies by Council Representatives.

#### Student Citizenship Awards

CA advised that submissions were received from 9 schools with the project being delivered in line with the Community Funding Policy. Award recipients and schools were presented with certificates and prizes during November and December 2021 by Council Representatives.

#### Young Makers Market

CA provided an update on the success of the Young Makers Christmas Market held on 12 December at North Perth Common. There were 43 stalls with 102 young makers participating with an estimated attendance of over 500 community members throughout the course of the morning.

CA also advised that should the event continue to increase in size and demand the City would potentially need to investigate an alternate location. SS suggested holding the event at Woodville Reserve. AC mentioned the event activated the North Perth Common space, for further discussion.

#### 4.2 Upcoming key priorities

#### Youth Action Plan (YAP)

CA provided an overview of the City's YAP advising that it contains a series of broad deliverables which had been determined through consultation with local young people and endorsed by Council.

NS, who was employed by the City to develop the YAP advised that the benefit of the YAP tracker is that it identifies where deliverables may be falling short.

KB advised that the deliverables of the current YAP conclude at the end of this calendar year, so consultation for the revision and update of these deliverables will be a key priority over the upcoming year. Consultation is to take place with young people that live, work, study, do sport or attend organisations within the City of Vincent.

AC highlighted the challenges of engaging with the 12-24 age group. Engagement plan should encourage responses from a broad cross section of young people throughout the community. MD mentioned that P&C's are a good way to engage as schools, particularly high schools.

CA briefly discussed Youth Engagement Summit as an engagement opportunity. AC mentioned that historically schools sent leadership representatives, targeting a skewed representation of the school cohort. CA advised that this year due to COVID-19, staff had discussed working with each high school individually rather than hosting a Youth Forum.

Discussion were held around whether there should be a plan developed for children under the age of 12. CA outlined resourcing issues and KB outlined that these age groups are well serviced within the community and regularly represented by parents, not themselves.

ACTION: CA to distribute copy of the Youth Action Plan (YAP) to CYPAG members.

#### Edinboro Reserve Pop Up Play

CA advised that a meeting with Parks took place onsite and location for the obstacle course style pop up play was decided. Equipment will be placed on the woodchip area under the tree canopy with design elements suitable for the space, budget, and target cohort currently being determined.

#### Mt Hawthorn Skate Park

AC advised that the City received \$200k funding from John Carey's Office for a skate park in Mt Hawthorn. Two (2) locations at Britannia Reserve are being reviewed. A small skate element and budget estimate will be presented for each with the local sporting clubs being consulted with. AC advised that outcomes of the consultation will be brought back to CYPAG for feedback, with the next skate park meeting being in March.

### ACTION: CA and AC to bring information to CYPAG meeting for discussion and feedback when available.

#### YMCA HQ Leederville

CA advised that there are currently discussions with YMCA HQ regarding the continuance of Youth service provision. A report will be presented to Council in February.

LD provided an update on The Y advising that the Freedom Centre have officially moved into YMCA HQ. Freedom Centre are expected to be operating fully out of The Y from February 2022.

#### Vincent Youth Network (VYN)

CA advised that there are currently changes being made to the VYN to target improved diversity, commitment, and retention of members.

KB mentioned that Youth Advocacy groups already operating could be harnessed so duplication does not occur. LB advised that The Y has a 'Youth Squad', with members aged 16-25.

ACTION: CA to discuss the Youth Advocacy Groups with LB to see if there can be collaboration.

#### COVID-19 and suite of events for young people

CA acknowledged that COVID-19 has had a significant impact on young people in Western Australia and shared the Youth Affairs Council of WA (YACWA) COVID-19 Youth Survey (the Survey) with the group. The survey canvasses issues that have been heightened for young people due to COVID-19.

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CA advised that a current priority is in planning the suite of events and workshops for young people, including those over Youth Week 2022, whilst taking into consideration the implications of COVID-19 and the needs of young people.

LB made mention of challenges young people are facing including access to be able to get the vaccine and being able to provide proof of double vaccination (some may not have smartphones and some may not have ID requirements).

DL advised that Foyer run some pop-up vaccination clinics.

AC mentioned that The Vincent Library is currently running drop-in sessions for people that need assistance to set up their ServiceWA app.

ACTION: CA to distribute YACWA COVID-19 Youth Survey to CYPAG members.

#### Local Schools Debating 2022

This has been booked with the WA Debating League for Thursday September 15. There will be three debates across the day, held in Council chambers for all schools that elect to participate.

#### 4.3 Terms of Reference

The current CYPAG Terms of Reference were discussed. It was evident that changes need to be made to include positive language, ensure consistency with YAP and provide a better reflection of the diverse range of organisations and spaces that impact young people.

ACTION: CA to distribute current Terms of Reference to CYPAG members for comment and feedback.

#### 4.4 Proposed meeting dates for 2022

Bi-monthly meetings on the second Wednesday of the month were initially proposed, however with key calendar items impacting discussions it was anticipated that meeting dates will need to be mapped against upcoming projects and activities. It was discussed that AC would sit down with officer to map out key projects and how CYPAG can support. Next meeting was to be approximately one month before Youth Week.

ACTION: CA to provide CYPAG members with proposed dates for future meetings.

#### 4.5 Other Business

#### CYPAG Purpose

NS commented that throughout the meeting there had been some thematic areas observed, particularly the collaboration across agencies. NS commented that there was evidently a huge wealth of passion and knowledge within the group and asked how the group could best support administration to achieve deliverables?

CA commented that the group offer knowledge, support and can provide feedback on initiatives and how they are being implemented. The group also act as a connection point with the community.

KB advised that the group bring a greater level of expertise with all representatives embedded in community groups or professional organisations. KB reiterated that this was not a decision-making group.

AC reiterated that the advisory group must provide value to its members and asked that if at any point members feel as though the group it is not meeting this intention, to please bring it up for discussion.

#### 5. Close/Next Meeting

The meeting was closed at 7.46pm. The next meeting is scheduled for 9 March 20	22

Signed	Councillor (Chairperson)	
Dated this <sub>_</sub>	day of	20

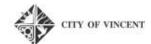
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#### **ACTIONS**

Summary of Actions	Date	Status
CA to distribute copy of the Youth Action Plan (YAP) to CYPAG members.	January	Completed
CA and AC to bring Mt Hawthorn Skate Park information to CYPAG meeting for discussion and feedback when available.	January	In progress
CA to discuss the Youth Advocacy Groups with LB to see if there can be collaboration	January	Not started
CA to distribute YACWA COVID-19 Youth Survey to CYPAG members.	January	Completed
CA to distribute current Terms of Reference to CYPAG members for comment and feedback.	January	Completed
CA to provide CYPAG members with proposed dates for future meetings.	January	In progress

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#### RECONCILIATION ACTION PLAN WORKING GROUP

Monday, 24 January 2022 at 5:30pm

Venue: Vincent Community Centre
City of Vincent Administration and Civic Centre
99 Loftus Street, Leederville

#### Attendees:

City of Vincent Councillors Cr Dan Loden (DL) Cr Suzanne Worner (SW) Cr Jonathan Hallett (JH)

Community Representatives Gordon Cole (GC) Mikayla King (MK)

Maxine Brahim (MB)

#### City of Vincent Officers

Virginia Miltrup – (Director Community & Business) (VM)
Gemma Carter - (Manager Marketing & Partnerships) (GC)
Karen Balm (Coordinator Community Development) KB
Gaya Surendorff (Community Development Advisor) GS
Susanna Iuliano (Senior Librarian Local History)

#### Guests

Irma Woods - Moorditj Footprints Ivy Penny - Moorditj Footprints Jemma King - Moorditj Footprints Marie Pryor - Moorditj Footprints Shirley Harris - Moorditj Footprints

#### 1. Welcome/Declaration of Opening – Welcome to Country

The meeting was opened at 5.35pm by Marie Pryor and Shirley Harris holding a Welcome to Country.

#### 2. Apologies

Roslyn Harley (RH)

#### 3. Confirmation of Previous Minutes

The Minutes from the previous meeting held on 30 August 2021 were confirmed as a true and correct record.

#### 4. Items for Discussion

#### 4.1 Review Terms of Reference

Cr. Loden proposed to step down as the RAPWG Chairperson to allow an Aboriginal community member to step into this position.

The Group queried the roles and responsibilities of the Chairperson and asked for clarification from the City regarding the role.

Cr. Loden will remain as the Chairperson and the matter will be revisited by the group in coming months.

The Group queried how many meetings Working Group members were required to attend annually. The City will provide the policy relating to meeting attendance to the Working Group.

The Group discussed amending the Terms of Reference to allow for only Aboriginal and Torres Strait Islander peoples to sit on the RAPWG as community members.

## Actions: 1) Roles and responsibilities of the Chairperson clarified and relayed to Working Group members.

- 2) Provide policy regarding requirements for RAPWG members to attend meetings.
- 3) Amendments to the Terms of Reference to be drafted by the City and brought back to the RAPWG.

#### 4.2 Moorditi Footprints

The team from Moorditj Footprints and SI discussed the East Perth project, and the progress they have made over the past six months. The Moorditj Footprints team have interviewed several Aboriginal people to capture stories and their lived experiences of living, working and socialising in the East Perth area.

GC shared stories and experiences of East Perth, and he discussed the potential for Moorditj Footprints to seek a facility that could act as a base for the team and allow for their work to be exhibited to the wider community.

#### 4.3 Draft Innovate RAP

Reconciliation Australia requested that the City amended the wording of the Vision Statement. The Group agreed that the statement in its current form expresses the vision of the City and the Working Group in relation to reconciliation.

Action: 1) Relay to Reconciliation Australia that the RAPWG would like to keep the existing Vision that they have drafted.

#### 4.4 Noongar Elders Forum

The Noongar Elders Forum is scheduled for 3 February and will be facilitated by Jonathan Ford from Kambarang Services. The purpose of the Forum will be to establish relationship with Noongar Elders, express the City's desire to have ongoing meetings with a Noongar Elders Group, and to seek guidance in relation to the reconciliation related work the City plans to undertake.

#### 4.5 Review Acknowledgement of Country

The Group discussed the wording of the City's Acknowledgement of Country which includes paying respect to emerging Elders. All in attendance agreed that the wording should be changed to exclude the word 'emerging Elders'. This aligns with what Aboriginal Elders and community members have relayed, and how they wish for Acknowledgment of Country's to take place.

The Group expressed that it is important for all City staff to have opportunity to feel confident to do an Acknowledgement of Country and to have an understanding of its significance and importance. It was suggested the City look to hold awareness training around this, in particular with the business, Acknowledge This!

#### Actions:

- 1) Draft a report to Council to state that under the RAPWG guidance the City wishes to change the wording of the Acknowledgement of Country, and remove the words 'emerging Elders'.
- 2) Investigate the possibility of City staff having awareness training regarding the importance and significance of doing an Acknowledgment of Country.

#### 4.6 <u>2022 events, projects and workshops</u>

Page 2 of 4

Officers have commenced planning for events, projects and workshops for the year including Reconciliation and NAIDOC Week events. Our approach is to look at activities with online options to consider potential COVID restrictions.

Officers have already reached out to some Noongar facilitators including Kobi Morrison, Elisha Jacobs and Dale Tilbrook.

Noongar language classes for City staff on Close the Gap Day have been organised with Sharon Gregory.

The City is investigating the potential of establishing a Noongar Bush Garden at the Community Centre. This work would be carried out by Marissa Verma and Tucker Bush.

Additional upcoming activities that have been organised are the Reconciliation Banner Project whereby eight (8) banners will fly on Fitzgerald Street in North Perth for Reconciliation Week. Staff uniforms are having a refresh with discussions being held with Kevin Bynder at how we can incorporate his art into future staff uniforms other than the polo shirt. Finally, artwork has been purchased from Charmaine Cole that will be used in the second Innovate RAP.

#### Action:

RAPWG with thoughts and ideas to contribute to the planning of events and projects are encouraged to let the Community Development team know by 14 March 2022.

#### 4.6 Proposed 2022 RAPWG Meeting Dates

The proposed dates for 2022 meetings are detailed below, please let us know if you are unable to make any of the dates listed. Meetings will commence at 5.30pm and will held at the Vincent Community Centre:

- 14 March
- 2 May
- 13 June
- 15 August
- 17 October

#### 5. Items for Noting/Status Update

#### 5.1 <u>Vincent Community Strategic Plan</u>

This item was not discussed at the meeting and will brought to the next meeting's Agenda.

#### 5.2 <u>EOI Aboriginal Employment Consultant</u>

The City is currently advertising an EOI for an Aboriginal Employment Consultant. The City will engage the consultant for approximately 10 weeks, during which time they will provide advice to the City on ways to recruit and retain Aboriginal staff. A strategic document will be developed during this period of time which will guide the City's work towards achieving Aboriginal employment targets.

#### 5.3 <u>Noongar Chamber of Commerce Workshop</u>

The City contracted the Noongar Chamber of Commerce to facilitate a workshop with City staff in November 2021. The Procurement team, as well as Managers and members of the Executive team attended the workshop which discussed opportunities for the City to better engage with Aboriginal businesses and how they could go about seeking to achieve Aboriginal procurement targets.

#### 5.4 Noongar Heritage Trail – Moodjar Consultancy

The City has engaged Len and Lisa Collard from Moodjar Consultancy that will see two major bodies of work take place over the coming months.

The first project is a desktop research study that involves reviewing the current documents and information we have in our Local History Centre relating to Noongar history and heritage.

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The second aspect to the work Moodjar Consultancy is undertaking is a workshop with Traditional Owners to sense check the desktop research and add in missing Aboriginal voices. A discussion around Noongar place names will also take place at the meeting.

#### 6. Other Business

#### 7. Summary of Actions

Summary of Actions	Date	Status
Roles and responsibilities of the Chairperson clarified and relayed to Working Group members.	14 March 2022	Commenced
Provide policy regarding requirements for RAPWG members to attend meetings.	14 March 2022	Commenced
Amendments to the Terms of Reference to be drafted by the City and brought back to the RAPWG.	14 March 2022	Commenced
Relay to Reconciliation Australia that the RAPWG would like to keep the existing Vision that they have drafted.	1 March 2022	Completed
Draft a report to Council to state that under the RAPWG guidance the City wishes to change the wording of the Acknowledgement of Country, and remove the words 'emerging Elders'.	30 June 2023	Commenced
Investigate the possibility of City staff having awareness training regarding the importance and significance of doing an Acknowledgment of Country.	20 February 2022	Completed
RAPWG to provide thoughts and ideas to contribute to the planning of events and projects	14 March 2022	Not started

#### 7. Close/Next Meeting

The Chairperson closed the meeting at 7.35pm. The next meeting is to	ha advicad

Cianad		
Signed	Councillor Dan Loden	(Chairperson)
Dated this	day of	

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01-005-03-0002



## **Central Metropolitan Zone**

## **Minutes**

17 February 2022

## **Central Metropolitan Zone**

Held via MS Teams

Thursday, 17 February 2022, commenced at 6:00 pm

#### **Minutes**

MEMBERS 2 Voting Delegates from each Member Council

Town of Cambridge Cr Kate Barlow

Cr Alaine Haddon-Casey

Town of Claremont Cr Paul Kelly - Chair

Cr Peter Telford

Cr Helen Sadler

Mr Matthew Scott, Chief Executive Officer non-voting delegate

City of Nedlands Cr Kerry Smyth

Cr Rajah Senathirajah

Shire Peppermint Grove President Rachel Thomas

Cr Charles Hohnen

City of Perth Cr Catherine Lezer

Cr Liam Gobbert

Ms Michelle Reynolds, Chief Executive Officer non-voting delegate

City of Subiaco Cr Lynette Jennings

Cr Rosemarie de Vries

City of Vincent Cr Ross Ioppolo

WALGA Secretariat Mr Nick Sloan, Chief Executive Officer

Mr Tony Brown, EM Governance and Organisational Services

Ms Ruby Pettit, Policy Officer, Planning

Mr Chris Hossen, Policy Manager Planning and Building

Guest Speakers Ms Caroline Spencer, Auditor General, Office of the Auditor General

**APOLOGIES** 

Town of Cambridge Mr John Giorgi JP, Chief Executive Officer non-voting delegate

Town of Claremont Ms Liz Ledger, Chief Executive Officer – non-voting delegate

Town of Cottesloe Mr Matthew Scott, Chief Executive Officer non-voting delegate

Mayor Paul Shaw

Ms Carissa Bywater, Chief Executive Officer – non-voting delegate

City of Nedlands Mr Bill Parker, Chief Executive Officer – non-voting delegate

Shire of Peppermint Grove Mr Don Burnett, Chief Executive Officer – non-voting delegate

City of Subiaco Mr Colin Cameron, Chief Executive Officer - non-voting delegate

Central Metropolitan Zone Meeting 17 February 2022

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City of Vincent

Cr Ashley Wallace

Mr David MacLennan, Chief Executive Officer - non-voting delegate

#### **DLGSC** Representative

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#### **ANNOUNCEMENTS**

Zone <u>Delegates</u> were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda prior to the Zone meeting to the Chair and Secretariat.

Agenda Papers were emailed 7 days prior to the meeting date to your Council for distribution to Zone Delegates.

<u>Acknowledgement of Country</u> All attendees acknowledged the traditional owners of the land that the meeting is held on and paying respects to Elders past, present and future.

#### Protocols for electronic meeting:

- Chair or Zone Executive Officer went through the attendance list
- Protocols:
  - o Please mute your microphone once attendance has been taken
  - Please use the hand symbol if you wish to speak
  - o Once identified by the Chair, please turn on your camera and unmute your microphone
  - Cameras do not need to be turned on for the duration of the meeting (especially if connection is unreliable)

#### **ATTACHMENTS**

- 1. Draft Minutes Previous Meeting
- 2. Zone Status Report
- 3. Standing Orders
- 4. President's Report
- 5. State Council special meeting Agenda, 23 February 2022
- 6. Office of the Auditor General presentation slides

#### 1. DECLARATION OF INTEREST

Elected Members must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil

#### 2. **DEPUTATIONS**

#### 2.1 Office of the Auditor General

Ms Caroline Spencer, Auditor General from the Office of the Auditor General provided an update to the Zone on progress of Local Government financial audits. A copy of the presentation was circulated under separate cover.

#### 2.2 2022 Confirmed Deputations for Central Metropolitan Zone

Future presentations that are scheduled for the Central Metropolitan Zone are as follows:

April – Metropolitan Health June – Grow it Local August – Strata Living

Central Metropolitan Zone Meeting 17 February 2022

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These presenters have been endorsed and confirmed by the Zone.

#### Noted

#### 3. CONFIRMATION OF MINUTES

#### RESOLUTION

Moved: Cr Alaine Haddon-Casey Seconded: Cr Catherine Lezer

That the Minutes of the meeting of the Central Metropolitan Zone held on 18 November 2021 be confirmed as a true and accurate record of the proceedings.

**CARRIED** 

#### 4. BUSINESS ARISING

Nil

#### 5. STATE COUNCIL AGENDA - MATTERS FOR DECISION AND NOTING

(Zone delegates to consider the Matters for Decision and Items for Noting contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

#### 5.1 Special State Council Meeting Agenda – 23 February 2022

The full State Council special meeting Agenda is included as an attachment to this Agenda and can also be found via link: <u>State Council Special Meeting Agenda 23 February 2022</u>

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

#### **Matters for Decision**

#### 3.1 Local Government Reform Proposal Submission

- That the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed.
- 2. That WALGA: a. seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and b. seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

#### **MOTION**

Moved: Cr Peter Telford Seconded: Cr Rajah Senathirajah

That the Central Metropolitan Zone supports all Matters for Decision as listed above in the Special State Council Meeting Agenda – 23 February 2022.

Central Metropolitan Zone Meeting 17 February 2022

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#### **AMENDMENT**

Moved: Cr Catherine Lezer Seconded: Cr Liam Gobbert

#### That the Central Metropolitan Zone:

- <u>Does not</u> support all Matters for Decision as listed above in the Special State Council Meeting Agenda – 23 February 2022; and
- 2. Supports the recommendations contained in the 'Local Government Reform Proposal Submission' being amended, to state the following proposed reforms are not supported:
  - 1. Early Intervention Powers
  - 1.2 Local Government Monitors
  - 1.3 Conduct Panel
  - 1.4 Review of Penalties
  - 1.5 Rapid Red Card Resolutions
  - 1.6 <u>Vexatious Complaint Referrals</u>
  - 2.5 Simplifying Approvals for Small Business and Community Events
  - 2.6 Standardising Meeting Procedures, Including Public Question Time
  - 3.2 Recording All Votes in Council Minutes
  - 3.5 Chief Executive Officer Key Performance Indicators (KPIs) to be Published
  - 4.1 Community and Stakeholder Engagement Charters
  - 4.2 Ratepayer Satisfaction Surveys
  - 6.5 Local Governments May Establish Education Allowances
  - 6.6 Standardised Election Caretaker Period
  - 5.8 CEO Recruitment

THE AMENDMENT WAS PUT AND LOST

#### **RESOLUTION**

Moved: Cr Peter Telford Seconded: Cr Rajah Senathirajah

That the Central Metropolitan Zone supports all Matters for Decision as listed above in the Special State Council Meeting Agenda – 23 February 2022.

**CARRIED** 

#### 5.2 Ordinary State Council Meeting Agenda – 2 March 2022

The full State Council Agenda can be found via link: State Council Agenda 2 March 2022

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

#### **Matters for Decision**

#### 5.1 Short-Term Accommodation Regulatory Scheme

That the draft Short-Term Accommodation Regulatory Reform submission be endorsed

#### RESOLUTION

Moved: Cr Catherine Lezer Seconded: Cr Alaine Haddon-Casey

Central Metropolitan Zone Meeting 17 February 2022

Page 6

#### That the Central Metropolitan Zone:

- Supports Matters for Decision, item 5.1 as listed above in the March 2022 State Council Agenda; and
- 2. Notes all Matters for Noting and Organisational Reports as listed in the March 2022 State Council Agenda.

#### **AMENDMENT**

Moved: Cr Catherine Lezer Seconded: Cr Liam Gobbert

That the resolution be amended to include: subject to an amendment to insert the following onto Recommendation 8 of the submission: Local Government, Landgate, the strata sector and the insurance sector.

**CARRIED** 

#### THE AMENDMENT BECAME THE SUBSTANTIVE MOTION

Moved: Cr Catherine Lezer Seconded: Cr Alaine Haddon-Casey

#### That the Central Metropolitan Zone

- 1. Supports Matters for Decision, item 5.1 as listed above in the March 2022 State Council Agenda <u>subject to an amendment to insert the following onto Recommendation 8 of the submission: Local Government, Landgate, the strata sector and the insurance sector.</u>
- Notes all Matters for Noting and Organisational Reports as listed in the March 2022 State Council Agenda.

**CARRIED** 

#### 6. ZONE BUSINESS

Nil

#### 7. OTHER BUSINESS

Nil

#### 8. EXECUTIVE REPORTS

#### 8.1 President's Report to the Zone

The State Councillor or WALGA representative will present the President's Report.

#### Noted

#### 8.2 State Councillor's report to the Zone

Cr Helen Sadler and Cr Paul Kelly gave an update to the Zone on the State Council meeting.

#### Noted

Central Metropolitan Zone Meeting 17 February 2022

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## 8.3 Department of Local Government, Sport and Cultural Industries Representative Update Report.

Department of Local Government, Sport and Cultural Industries representative was an apology and did not present to the Zone.

#### Noted

#### 9. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the Central Metropolitan Zone be held on 21 April at the Town of Mosman Park, commencing at 6:00 pm.

#### 10. CLOSURE

There being no further business the Chair declared the meeting closed at **7:57pm**.



## **Meeting** of Council

Thursday 17 February 2022

# **MINUTES**

**Online Zoom Meeting** 

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo Towns of Cambridge and Victoria Park

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#### **MEMBERSHIP**

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jane Cutler
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr Bianca Sandri Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

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#### **PRESENT**

Chair Cr Bianca Sandri

Councillors Cr John Chester

Cr Brent Fleeton Cr Bronwyn Ife

Cr Nige Jones (from 6:27pm)

Cr Tony Krsticevic Cr Suzanne Migdale Cr Glynis Parker Cr Karlo Perkov Cr Brett Treby Cr Ashley Wallace

Alternate Members Ni

Staff Mr Jon Morellini (Chief Executive Officer)

Mr Simon O'Sullivan (Manager Project Coordination)

Ms Vickie Wesolowski (Office Manager)

Mr Daniel Govus (Senior Governance Advisor – City of Stirling) Mr Jackson Mawby (Senior Governance Officer – City of Stirling)

**Apologies Councillors** Cr Andres Timmermanis

Leave of Absence Nil

Absent Nil

Consultants Mr Carl Buckley (Satterley Property Group)

Mr Alan Abel (Satterley Property Group)
Ms Julia Nelson (Satterley Property Group)

Apologies Participant

Councils' Advisers Mr James Pearson (City of Joondalup)

Mr John Giorgi (Town of Cambridge)
Ms Michelle Reynolds (City of Perth)
Mr Daniel Simms (City of Wanneroo)
Mr Anthony Vuleta (Town of Victoria Park)

Mr David MacLennan (City of Vincent)

In Attendance Participant Councils'

Advisers

Mr Stevan Rodic (City of Stirling)

Members of the Public Nil

Press Nil

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#### 1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm.

#### **DISCLOSURE OF INTERESTS**

The Chief Executive Officer, Jon Morellini, declared a Financial Interest in Items 8.1 and 8.2 as he is currently employed as the temporary CEO of Tamala Park Regional Council.

#### 2. PUBLIC STATEMENT/QUESTION TIME

Nil

#### 3. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Andres Timmermanis

#### 4. PETITIONS

Nil

#### 5. CONFIRMATION OF MINUTES

Moved Cr Parker, Seconded Cr Krsticevic.

That the minutes of the Ordinary Meeting of Council of 9 December 2021 be CONFIRMED as a true and accurate record of proceedings.

That the minutes of the Special Meeting of Council of 15 December 2021 be CONFIRMED as a true and accurate record of proceedings.

The Motion was put and declared CARRIED (10/0).

#### **5A. BUSINESS ARISING FROM MINUTES**

Nil

#### 6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair announced that Items 8.1 and 8.2 would be considered after Item 13.2 as they were confidential in nature and were required to be considered behind closed doors. A motion would be moved during Item 8 to facilitate this.

The Chair further advised that, having declared a Financial Interest in these Items, the CEO would remove himself from the room during consideration of these Items.

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#### 7. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 7.1 – 7.15)

#### 7.1 BUSINESS REPORT – PERIOD ENDING 10 FEBRUARY 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

#### That the Council RECEIVES the Business Report to 10 February 2022.

The Motion was put and declared CARRIED (10/0) by exception resolution.

## 7.2 STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2021 AND JANUARY 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending 31 December 2021 and 31 January 2022.

The Motion was put and declared CARRIED (10/0) by exception resolution.

## 7.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR NOVEMBER 2021 – JANUARY 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

#### That the Council:

 RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for November 2021 – January 2022:

November 2021 - \$2,068,852.34 December 2021 - \$8,601,643.95 January 2022 - \$344,048.74 Total Paid - \$11,014,545.03

2. APPROVES the CEO Credit Card Statement for November 2021 – January 2022.

The Motion was put and declared CARRIED (10/0) by exception resolution.

#### 7.4 PROJECT FINANCIAL REPORT - DECEMBER 2021

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

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That the Council RECEIVES the Project Financial Report (December 2021) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0).

#### 7.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 FEBRUARY 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 10 February 2022.

The Motion was put and declared CARRIED (10/0) by exception resolution.

## 7.6 TAMALA PARK REGIONAL COUNCIL MEETING PROCEDURES LOCAL LAW 2021

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

#### That the Council:

- 1. REPEALS the Tamala Park Regional Council Standing Orders Local Law 2006.
- 2. RESOLVES to make the Tamala Park Regional Council Meeting Procedures Local Law 2021 as detailed in Attachment 1 and that the Common Seal be affixed.
- Under section 3.12(5) of the Local Government Act 1995, AUTHORISES the
  publication of the Tamala Park Regional Council Meeting Procedures Local Law
  2021 in the Government Gazette and the provision of a copy to the relevant
  Minister/s.
- Under section 3.12(6) of the Local Government Act 1995, AUTHORISES the giving
  of local public notice in relation to the Tamala Park Regional Council Meeting
  Procedures Local Law 2021.

The Motion was put and declared CARRIED (10/0) by ABSOLUTE MAJORITY.

## 7.7 TPRC RESPONSE TO THE PROPOSED REFORM OF THE LOCAL GOVERNMENT ACT 1995

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council ENDORSES and FORWARDS the TPRC submission regarding the *Local Government Act 1995* proposed reforms to the Department of Local Government, Sport and Cultural Industries by 4 February 2022 and to WALGA by 12 January 2022.

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The Motion was put and declared CARRIED (10/0) by exception resolution.

#### 8. COMMITTEE REPORTS (ITEMS 8.1 – 8.6)

#### **CEO PERFORMANCE REVIEW COMMITTEE (10 FEBRUARY 2022)**

Moved Cr Fleeton, Seconded Cr Ife.

That so much of Clause 3.2 of the Standing Orders Local Law 2006 be SUSPENDED that would prevent the CONSIDERATION of Items 8.1 and 8.2 after Item 13.

The Motion was put and declared CARRIED (10/0).

#### **AUDIT COMMITTEE (17 FEBRUARY)**

#### 8.3 TPRC FYE 2022 BUDGET REVIEW

Moved Cr Treby, Seconded Cr Parker.

[The recommendation in the agenda]

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2021 to 30 June 2022, as detailed in the Budget Analysis Worksheet attached to appendix 8.3.

The Motion was put and declared CARRIED (10/0) by ABSOLUTE MAJORITY.

#### 8.4 COMPLIANCE AUDIT RETURN FOR YEAR ENDED 31 DECEMBER 2021

Moved Cr Fleeton, Seconded Cr Treby.

[The recommendation in the agenda]

That the Audit Committee recommends the Compliance Audit Return for the Tamala Park Regional Council for the year ended 31 December 2021 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the Local Government Act and Regulations.

The Motion was put and declared CARRIED (10/0) by exception resolution.

## 8.6 FINANCIAL MANAGEMENT SIGNIFICANT ACCOUNTING POLICY REVIEW 2022

Moved Cr Fleeton, Seconded Cr Treby.

[The recommendation in the agenda]

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That the Audit Committee recommends that the Council APPROVES the Financial Management Significant Accounting Policy 2022.

The Motion was put and declared CARRIED (10/0) by exception resolution.

9. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

10. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN

Nil

11. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

12. GENERAL BUSINESS

Nil

#### 13. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Fleeton, Seconded Cr Treby.

#### That:

- Item 13.1 Catalina Green Neighbourhood Centre Tender 08/2021 be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2)(c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:
  - c) A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and
  - e) A matter that if disclosed would reveal
    - i) information that has commercial value to a person; or
    - ii) information about the business, professional, commercial or financial affairs of a person.
    - Where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).
- Item 13.2 TPRC Landholding be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:
  - d) legal advice obtained or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
  - e) A matter that if disclosed would reveal
    - i) information that has commercial value to a person; or

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- ii) information about the business, professional, commercial or financial affairs of a person.
- 3. Item 8.1 Process for the Appointment of a TPRC CEO be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2)(c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:
  - c) A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and
  - e) A matter that if disclosed would reveal
    - i) information that has commercial value to a person; or
    - ii) information about the business, professional, commercial or financial affairs of a person.
- 4. Item 8.2 CEO Key Performance Indicators 2021-2022 be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2)(c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:
  - c) A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and
  - e) A matter that if disclosed would reveal
    - i) information that has commercial value to a person; or
    - ii) information about the business, professional, commercial or financial affairs of a person.

The Motion was put and declared CARRIED (10/0).

At 6:24pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 13.1.

#### 13.1 CATALINA GREEN NEIGHBOURHOOD CENTRE - TENDER 08/2021

Moved Cr Parker, Seconded Cr Chester.

#### That the Council:

- APPROVES Lightpoint Nominees Pty Ltd as the preferred tenderer for Tender 08/2021 (Catalina Green Neighbourhood Centre) in accordance with its tender submission (dated January 2022).
- AUTHORISES the Chief Executive Officer to progress a Contract of Sale for the sale
  of the Catalina Green Neighbourhood Centre Site (Proposed Lot 3128) to Lightpoint
  Nominees Pty Ltd for \$6,500,000 (excluding GST). The Contract of Sale is to include
  requirements related to the following:
  - (a) Conformity with Tender 08/2021 (Catalina Green Neighbourhood Centre);
  - (b) Compliance with the Lightpoint Nominees Pty Ltd tender submission (dated January 2022);
  - (c) Satisfactory arrangements to ensure the completed development generally accords with the development concept plans included in the Lightpoint Nominees Pty Ltd tender submission (dated January 2022), or an acceptable alternative plan.

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RESOLVES that should the matters in Recommendation 2 not be satisfactorily progressed within sixty days of the date of the Council's decision, then the Council will reconsider the Tender.

The Motion was put and declared CARRIED (10/0).

#### 13.2 TPRC LANDHOLDING

Moved Cr Krsticevic, Seconded Cr Fleeton.

#### That the Council:

- Proceeds with the confidential recommendation as outlined in the Confidential Agenda.
- Resolves that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(d) of the Local Government Act 1995.

The Motion was put and declared CARRIED (10/0).

#### 8.1 PROCESS FOR THE APPOINTMENT OF TPRC CEO

Cr Nige Jones joined the Meeting at 6:27pm.

The Chief Executive Officer, Mr Jon Morellini, left the room.

Moved Cr Treby, Seconded Cr Chester.

#### That the Council:

- 1. UNDERTAKES the recruitment of a permanent TPRC CEO in accordance with the requirements of the CEO Model Standards (2021).
- 2. ESTABLISHES a Selection Panel, which is to be the CEO Performance Review Committee and an independent person selected by the Selection Panel for the recruitment of the permanent TPRC CEO.
- 3. APPROVES the Terms of Reference for the Selection Panel.
- 4. DELEGATES authority to the Selection Panel all powers necessary to enable the Panel to undertake all aspects of the recruitment process including:
  - a) The recruitment of an independent member to the Panel; and
  - b) Appointment of a professional recruitment consultant.
- 5. APPROVES the CEO Position Description (including Selection Criteria).

The Motion was put and declared CARRIED (11/0).

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#### 8.2 CEO PERFORMANCE INDICATORS 2021-2022

Moved Cr Treby, Seconded Cr Migdale.

That the Committee recommends to Council that the Council and the CEO mutually agree on Performance Criteria for 2021-2022.

The Motion was put and declared CARRIED (11/0).

Moved Cr Migdale, Seconded Cr Treby.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (10/0).

At 6:29pm the meeting was reopened to the public.

#### 14. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:30pm.

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#### ARTS ADVISORY GROUP

Wednesday 23 February 2022 5:30pm - 6:30pm

Venue: Function Room City of Vincent Administration and Civic Centre 244 Vincent Street Leederville

#### Attendees:

<u>City of Vincent Councillors</u> Cr Suzanne Worner (Chairperson) (SW) Cr Alex Castle (AC)

Community Representatives

Carolyn Karnovsky (CK) Jo Malone (JM) Miranda Johnson (MJ) Sue-Lyn Moyle (SM) Claudia Alessi (CA) Marisa Santosa (MS) Paula Hart (PH)

City of Vincent Officers

Tara Gloster, Manager Policy and Place (TG) Lauren Formentin, Place Planner – Pickle District (Arts) (LF) Zoe Templar, Place Planner (ZT)

#### **Apologies**

None

#### 1. Welcome/Declaration of Opening – Acknowledgement to Country (SW)

SW opened the meeting 5:35pm and acknowledged the traditional custodians of the land on which the meeting was held.

#### 2. Apologies (SW)

There were no apologies for the meeting.

#### 3. Welcome new group

- SW welcomed the new members to the AAG and invited each of the attendees to introduce themselves and discuss their creative background.
- SW outlined the role of the AAG and the group was asked to view the Terms of Reference (ToR). SW asked the group if they had any proposed changes to the ToR noting that they could also email their comments to LF if preferred.
- There was a discussion about the process for assessment of percent for art applications. LF noted that it has previously involved individual assessments from the AAG using the template provided or comments via email and, if there was further discussion required, a meeting would be arranged to discuss any differences in the assessments. It was decided that the group would use the first application assessment as a test case to see if they wanted to keep the same process in 2022.

#### 4. Business

#### 4.1 Brief overview of key current projects

LF provided an update on the successful annual City of Vincent film project submissions. It was confirmed that the EoI usually goes out around September and the three winning submissions are notified in beginning of the year when they go into production before showcasing their film at the Revelations Film Festival in July. LF confirmed that the 3 winning submissions were:

- The Re Store
- Moorditj Footprints
- Mettle

LF confirmed that previous winning entries have gone onto win many awards.

LF provided an update on the successful submissions for the Leederville and Northbridge Town Centre Artworks: The Globe (Northbridge) and Nuanced Encounters (Leederville).

LF provided information on the Making Spaces for Culture Report produced on behalf of the Inner City Working Group – Cultural Development Subgroup. The report is being finalised and will inform advocacy to the Department of Local Government Sport and Cultural Industries for more arts resourcing.

LF provided information regarding a potential youth arts opportunity on behalf of Moorditj Mural Masters. The City is looking at providing a wall in April 2022 for a mural to be produced as part of a mentorship initiative.

- 4.2 ZT provided an update on the Percent for Art Policy review and the Arts Plan noting that engagement with key stakeholders had commenced on the policy review.
  - There was discussion about how to ensure meaningful engagement for the projects. ZT confirmed that
    over the next few months there would be a range of engagement activities on both projects as part of
    an aligned approach.
  - Workshopping the Arts Plan engagement findings with the AAG to develop Arts Plan action items would be a key outcome of the engagement.
  - CK suggested it might be useful to invite developers to the AAG to discuss their projects in order to
    assist them in getting high quality art outcomes.
  - ZT confirmed that a request for quote had been sent out to suppliers to conduct the Arts Plan
    engagement and the City would be assessing those submissions soon.
- 4.3 LF presented a Percent for Art application for the AAG to discuss and invited them to submit their assessments via email.
- 4.4 The group discussed a potential mural to be created at the Perth Soccer Club, noting it had great potential and sourcing local artists from the club might also be a positive outcome. Potential themes for the mural included women in sports, multiculturalism, diversity and inclusion, the various sports played at the site.

#### 5. Close/Next Meeting

SW closed the meeting at 6.40pm.

Next meeting Wednesday 8 June 2022, agenda TBD

RSVP/Apologies to <a href="mailto:louse.hood@vincent.wa.gov.au">louse.hood@vincent.wa.gov.au</a> by 6 June 2022

Signed Councillor (Chairperson)

Dated this 15th day of March 2022

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Value of Determined DA's

#### **Statistics for Development Applications** As at the end of March 2022

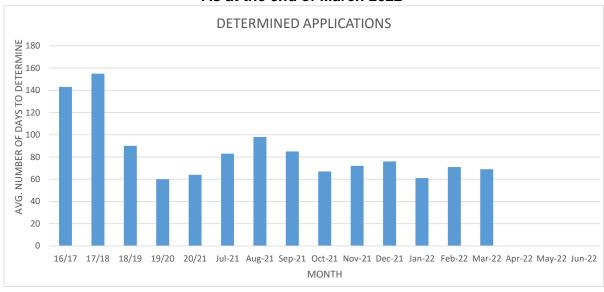


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each

	illiancial year since 2016/17 and each month since July 2021. (includes applications exempt from requiring approval)																
Processing	16/	17/	18/	19/	20/	Jul-	Aug-	Sept-	Oct-	Nov-	Dec-	Jan-	Feb-	Mar-	Apr-	May-	Jun-
Days	17	18	19	20	21	21	21	21	21	21	21	22	22	22	22	22	22
Minimum	7	1	0	0	0	1	19	26	8	2	32	9	9	1			
Average	143	155	85	60	64	83	98	85	67	72	76	61	71	69			
Maximum	924	1008	787	499	268	234	159	298	171	159	166	119	124	193			
						Jul-	Aug-	Sept-	Oct-	Nov-	Dec-	Jan-	Feb-	Mar-	Apr-	May-	Jun-
						21	21	21	21	21	21	22	22	22	22	22	22
•	DA's Determined				27	33	34	33	38	51	19	30	31		,		

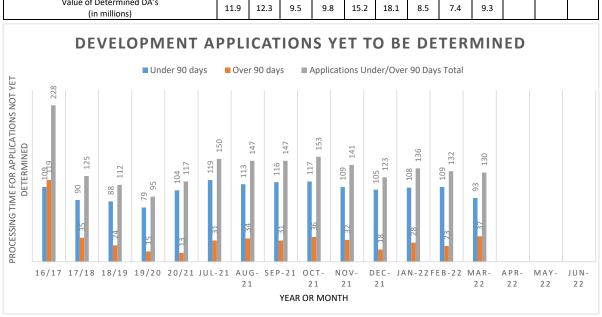


Table 2: No. of DA's to be determined

	Jul-	Aug-	Sept-	Oct-	Nov-	Dec-	Jan-	Feb-	Mar-	Apr-	May-	Jun-
	21	21	21	21	21	21	22	22	22	22	22	22
DA's lodged	34	29	34	44	29	37	30	29	27			
DA's to be Determined	150	147	147	153	141	123	136	132	130			
Value of DA's to be Determined (in millions)	49.4	47.6	51.7	56.3	60.7	56.4	74.4	75.8	70.7			

# REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS AS AT 18 MARCH 2022

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	No. 374 Newcastle Street, Perth (DR 204 of 2021)	1 October 2021	S&K Investments Pty Ltd	Application for review of Council decision to conditionally approve Billboard signage on 14 September 2021. Application seeks to review a condition of development approval.
				Directions Hearing listed for 15 October 2021 and matter referred directly to mediation scheduled for 27 October 2021. Following mediation the applicant was required to provide additional information by 15 November 2021. Council invited to reconsider its decision at 14 December 2021 Meeting. Application for reconsideration approved by Council for a period of three years. Following Directions Hearing on 14 January 2022, the matter has been listed for a further Directions Hearing on 22 April 2022 to schedule Hearing on the matter. Applicant advised on 10 March 2022 they are intending to withdraw the appeal. Currently awaiting confirmation of this from SAT. Representation by: Allerding and Associates
2.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café.  Hanoze Park Pty Ltd believes the notice to be invalid.
				The applicant is seeking a determination that a <i>Health Act</i> Notice cannot be issued for nuisances not listed in Section 182 of the <i>Health Act</i> . This determination needs to be made by a judicial member. The City and the applicant have filed submissions and participated in four Directions Hearings. Submissions from both the applicant and respondent were heard by SAT on 1 March 2022. A decision is expected in approximately one month. <i>Representation by: McLeods</i>

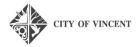
# METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP) REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT AS AT 18 MARCH 2022

No.	ADDRESS APPLICANT		PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 46C Joel Terrace, East Perth	Doepel March Architects and Planners	Form 1 – Multiple Dwellings	3 November 2021	Not yet scheduled	Currently under assessment.  Responsible Authority Report due date not yet scheduled.
2.	Nos. 636-640 Newcastle Street, Leederville	Megara	Form 2 – Mixed Use Development (Amendment to Approved)	25 November 2021	17 March 2022	Application refused 3-2 against City's recommendation.  Meeting minutes will be available here.
3.	No. 357 Oxford Street, Mount Hawthorn	Peter Simpson Town Planning	Form 1 – Commercial Development	25 November 2021	Not yet scheduled	Currently under assessment.  Responsible Authority Report due 22 March 2022.
4.	Nos. 194-200 Carr Place, Leederville	Planning Solutions	Form 2 – Multiple Dwellings (Amendment to Approved)	23 December 2021	Not yet scheduled	Application withdrawn by applicant on 17 March 2022.
5.	Nos. 170-180 Brisbane Street, Perth	Urbanista Town Planning	Form 1 – 10 Grouped Dwellings	13 January 2022	Not yet scheduled	Currently under assessment.  Responsible Authority Report due 31 March 2022.
6.	Nos. 17-39 Robinson Avenue, Perth	Stewart Urban Planning	Form 1 – Alterations and Additions to Hotel	19 January 2022	Not yet scheduled	Currently under assessment.  Responsible Authority Report due 5 April 2022.
7	No. 391 Lord Street, Mount Lawley	Urbanista Town Planning	Form 1 – Mixed Use Development	22 February 2022	Not yet scheduled	Currently under assessment.  Awaiting confirmation of Responsible Authority Report due date.

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# CITY OF VINCENT DRP REGISTER OF APPLICATIONS CONSIDERED BY DRP AS AT 18 MARCH 2022

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 33 Smith Street, Highgate	Neo Design + Develop	Six Grouped Dwellings	23 February 2022	Lodged DA – Previously Referred. The proposal would benefit from referral to the DRP to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting and to consider amendments to the proposal made in response to the comments of the DRP on 1 December 2021.
No. 177 Scarborough Beach Road, Mount Hawthorn	Harden Jones Architects	Commercial Development (Restaurant)	23 February 2022	Pre-lodgement Application – Previously Referred. To consider amendments to the proposal made in response to the comments of the DRP on 15 December 2021.
Nos. 17-39 Robinson Avenue, Perth (fronts Monger Street)	Stewart Urban Planning	Alterations and Additions to Hotel	23 February 2022	Lodged DA – Previously Referred. To consider amendments to the proposal made in response to the comments of the DRP on 7 July 2021.
No. 129 Loftus Street, Leederville	Dewest One Pty Ltd	Child Care Centre	9 March 2022	Prelodgment Application – Previously Referred. To consider amendments to the proposal made in response to the comments of the DRP meeting on 29 September 2021.
No. 109 Palmerston Street, North Perth	Amira Hourani – Riverstone Custom Homes	Four Grouped Dwellings	9 March 2022	Pre-lodgement Application – Previously Referred. The proposal would benefit from referral to the DRP to consider amendments to the proposal made in response to the comments of the DRP on 22 December 2021.
No. 469 William Street, Perth	Doepel Marsh Architects	Eight Storey Mixed Use Development	9 March 2022	Pre-lodgement Application – Previously Referred. The proposal would benefit from referral to the DRP to consider amendments to the proposal made in response to the comments of the DRP on 12 January 2022.



# INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – March 2022
DIRECTORATE:	Chief Executive Officer

#### **DETAILS**:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

Key Index:							
CEO:	Chief Executive Officer						
EDCBS:	Executive Director Community & Business Services						
EDIE:	Executive Director Infrastructure & Environment						
EDSD:	Executive Director Strategy & Development						

Date Rcd	Subject	Action Officer	Action Taken
27/5/2021	Petition with 9 signatories requesting that Council does not install chicanes or any other road impediment to the length of Camelia Street stretching from Vincent Street through to Claverton Street	EDIE	A response will be included in the report to Council on the North Perth Traffic Calming proposal, which is presented to the March 2022 Council Meeting.

[TRIM ID: D18/35574] Page 1 of 1



# INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – March 2022
DIRECTORATE:	Chief Executive Officer

#### DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following Notices of Motion still require action or are in the process of being actioned.

Key	Index:
CEO:	Of

CEO: Office of the CEO

EDCBS: Executive Director Community & Business Services
EDIE: Executive Director Infrastructure & Environment
EDSD: Executive Director Strategy & Development

Details	Action Officer	Comment
18 May 2021 - Submitted by Cr Hallett		
Local Planning Scheme No 2 – Amendment Regarding Tobacco Outlets	EDSD	Policy to be created to address provisions relating to Restricted Premises and businesses whose trade is the sale and consumption of tobacco products. Consider the definition of 'Restricted Premises', and the use permissibility for this land use as part of the next Scheme Review. To be completed in 2022.
27 April 2021 – Submitted by Cr Hallett		
Community Engagement For Ecozoning	EDIE	Chief Executive Officer to ensure that future eco- zoning initiatives in public parks/reserves will involve prior public engagement with the local community and park users on the design and implementation, as outlined in the Community Engagement Strategy.
20 October 2020 - Submitted by Cr Topelberg		
Review of Local Planning Policy No. 7.5.2 - Signs and Advertising	EDSD	Draft Policy including reference to prohibited third party advertising signs (previously known as billboards) authorised for advertising at 14 December OMC. Advertising commenced 19 February 2022. Advertising results and updated Policy will be presented back to Council mid year.

[TRIM ID: D17/43059] Page 1 of 1



# INFORMATION BULLETIN

TITLE:	Register of Reports to be Actioned – Progress Report – March 2022
DIRECTORATE:	Chief Executive Officer

#### DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

Key Index: CEO: O

CEO: Office of the CEO

EDCBS: Executive Director Community & Business Services
EDSD: Executive Director Strategy & Development
EDIE: Executive Director Infrastructure & Environment

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
8 Marc	h 2022			
9.4	Sale of No. 26 Brentham Street, Leederville	EDSD	Investigations/consultation on playground and landscape plan to commence. Subject to rezoning amendment. EOI's from adjoining landowners to be prepared closer to amendment outcome. Prework to be commenced on potential POS locations and road reserve enhancement.	Early 2023
9.5	Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	EDSD	A notice has been sent to relevant public authorities to reclassify the subject site from Public Open Space reserve to Residential zone with density code of R60.	Subject to the approval of the Environmental Protection Authority, the amendment will undergo 42 days of public advertising in mid-2022.
9.6	Rescinding of Policy No. 4.1.23 - State Administrative Tribunal	EDSD	Policy rescinded and replaced with management practice.	Completed. A notice has been put on the City's website to inform the public.
9.7	Advertising of Amended Policy - Policy No. 7.5.3 - Education and Care Services	EDSD	Advertising of Policy No. 7.5.3 – Education and Care Services to commence March 2022.	Summary of consultation and updated Policy will be presented back to Council following advertising period in mid 2022.
9.9	Advertising of New Policy - Draft Vibrant Public Spaces Policy	EDSD	Advertising of New Policy – Draft Vibrant Public Spaces Policy to commence March 2022.	Summary of consultation and updated Policy will be presented back to Council following advertising period in mid 2022.
8 Febru	uary 2022			
9.1	Advertising of amended Character Areas and Heritage Areas policy - Wilberforce and Kalgoorlie Streets	EDSD	Advertising of Character Areas and Heritage Areas Policy relating to Wilberforce and Kalgoorlie Streets close 21 March 2022. Summary of consultation and updated Policy will be presented back to Council following advertising period in mid 2022.	Mid 2022

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
9.3	Public Open Space Strategy - Implementation Progress Update	EDSD	Council received the first implementation progress update relating to the actions within the Public Open Space Strategy. These actions will continue to be progressed. Council will receive this update annually.	February 2023.
9.4	Draft Smoke Free Areas and Smoke Free Areas - Education and Enforcement Policy	EDSD	Public consultation to commence in early 2022. Summary of consultation and updated smoke free areas and Policy will be presented back to Council following advertising period. Joint Standing Committee has expressed concerns about Property Local Law 2021, which has led to this project being delayed.	Mid 2022 Late 2022
9.5	Variation of Licence to Bonnie Brew Pty Ltd - Part of Road Reserve adjacent to No. 639 (Lot 1) Beaufort Street, Mount Lawley (corner Grosvenor Road)	EDSD	Drafting of documents progressing.	March 2022
9.6	Extension of Lease and Deed of Contract to Belgravia Health & Leisure Group Pty Ltd - Loftus Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville	EDSD	Drafting of documents progressing.	March 2022
9.7	Advertising of New Policy - Temporary Employment or Appointment of CEO Policy	EDSD	Public consultation to commence in early 2022. Summary of consultation and updated Policy will be presented back to Council following advertising period.	Mid 2022
9.8	Outcome of Advertising and Adoption of New Election Signs Policy	EDSD	Council Policy adopted. Review implementation after Federal Election April/May 2022. Conditions of policy to be incorporated into Property Local Law per JSCDL undertaking	Mid 2022
9.9	Advertising of Amended Policy - Elected Members Continuing Professional Development	EDSD	Public consultation to commence in early 2022. Summary of consultation and updated Policy will be presented back to Council following advertising period.	Mid 2022
9.10	Advertising of Amended Policy - Council Members – Allowances, Fees and Reimbursement of Expenses Policy	EDSD	Public consultation to commence in early 2022. Summary of consultation and updated Policy will be presented back to Council following advertising period.	Mid 2022
11.7	3 Year Funding Agreement – Y WA	EDCBS	Following the endorsement by Council, Administration has been liaising with Y WA and will enter into a 3 year Agreement from July 2022 to June 2025.	March 2022 June 2022
	ember 2021			
9.9	Commencement of Expressions of Interest process inviting redevelopment	EDSD	Request for tender procurement process undertaken for consultant to assist with the	Advertised 19 January 2022. Mid 2022.

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
	concepts for the Avenue and Frame Court Car Parks		preparation of EOI materials including business case and project plan. Advertised from 19 January to 16 February 2022. Evaluation Panel assessing responses received through tender process before engagning consultant and commencing development of the EOI for Council's consideration.	
9.12	Amendment to Local Planning Policy No. 7.5.2 - Signs and Advertising	EDSD	Draft Policy including reference to prohibited third party advertising signs (previously known as billboards) authorised for advertising at 14 December OMC. Advertising commenced 19 February 2022 and concluded on 19 March 2022.	Advertising results and updated Policy will be presented back to Council mid 2022.
9.14	Results of Consultation - Potential Sale of 26 Brentham Street, Leederville	EDSD	Consultation initiated with adjoining landholders/stakeholders.	Completed. Superseded March 2022
9.15	Complaints Management Framework - Code of Conduct for Elected Members, Committee Members and Candidates	EDSD	Draft Policy to be advertised for consultation.	To Ordinary Meeting of Council April 2022.
9.16	Proposed Lease of Hyde Park Kiosk to Veggie Mama Pty Ltd	EDSD	Proposed Lessee advised - Discussions commenced in respect to fit-out requirements and works program.	Early 2022
10.1	Asset Management and Sustainability Strategy (AMSS) Implementation Plan	EDIE	Request for AMSS Implementation Plan to be brought to Council early 2022.OMC March 2022.	Completed OMC March 2022.
16 Nov	ember 2021	I	L	
9.6	Final Adoption of Local Government Property Local Law 2021	EDSD	Local Law gazetted – awaiting review (if any) from Joint Standing Committee on Delegated Legislation.	Completed. Superseded March 2022.
12 Octo	ober 2021			
9.3	Creation of City of Vincent Animal Local Law	EDSD	Animal Local Law advertised.	Report back to Council in early mid 2022.
9.7	Response to Notice of Motion - Local Planning Scheme No. 2 Amendment Regarding Tobacco Outlets	EDSD	Policy to be created to address provisions relating to Restricted Premises and businesses whose trade is the sale and consumption of tobacco products. Consider the definition of 'Restricted Premises', and the use permissibility for this land use as part of the next Scheme Review.	To be completed in 2022.
9.8	Extension of Lease - North Perth Special Needs (Shalom Coleman) Dental Clinic, 31 Sydney Street, North Perth	EDSD	CEO to approve and execute lease. Administration to prepare for expedicious conversion to POS following end of lease on 30 June 2022.  Neighbours to be informed of change to transition plan.	Late 2022 Awaiting return of lease from NPSNDC. Car park land report 2022

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
9.9	Car Parking Licence for Minister for Education (School of Isolated and Distance Education)	EDSD	CEO to approve and execute licence.	Late 2022 Early 2022
14 Sent	tember 2021			
9.6	Local Planning Policy Review – No. 7.5.9 – Home Business, Home Occupation, Home Office and Home Store and No. 7.5.20 – Street Addressing	EDSD	Community Consultation concluded in November 2021. Summary of submissions and modified policies to be presented to Council.	Completed. Comments to be submitted to Council in late 2021. Early 2022. Policies rescinded.
9.7	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan - Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	EDSD	LPSP referred to WAPC for comment and endorsement.	Comments not expected until Mid 2022.
10.1	Advertising of amended policy - Parking Permits		A report will be presented to Council after the conclusion of public notice period.	Early 2022. April 2022
10.6	North Perth Traffic Calming - Public Consultation Results		Report withdrawn from September OMC to allow administration time to liaise with MRWA on the potential to access funding from the Urban Road Safety Program. Will be presented to Council in March April 2022.	April 2022
10.7	Forrest Street Traffic Petition - Response to Petition	EDIE		Community Consultation to be carried out and Administration will review once completed.
17 Aug	ust 2021			
10.1	E-Permits Implementation Progress Report	EDIE	A report will be prepared for the August Audit Committee Meeting and will brought back to council for further review no later than October 2021.  As a consequence of issues raised with the implementation of the permits in respect to the collection management and retention of privacy data, a review of the City's Privacy policy is being undertaken. A report will be submitted to Audit Committee early 2022 on the Privacy Policy.	October 2021-Early 2022
22 June			T	I
12.1	Results of Consultation - Barlee Street Car Park Options for Future Use	EMCSG	A further report is required to Council on potential public or shared spaces within Beaufort Street including the potential for trialling pedestrian spaces at Grosvenor Road or Barlee Street. Submitters notified of Council decision. Fee modified and signs updated. New 5 year lease for car park approved.	Report on public/shared spaces within Beaufort Street Town Centre 2022. Relocation costs to be reviewed and valuation of sign footprint on private land to be undertaken early 2022. Lease of car park for further 5 years defers need to relocate sign. Further work to be done as part of reviewing car park need in four years.
23 Marc	ch 2021			
10.2	Waste Strategy Project - 2 Bulk Hard Waste Options Appraisal	EDIE	Carry out one final scheduled collection in July 2021.	Carry out one final scheduled collection in July 2021.

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			Implement an 18 month trial of the WMRC Verge Valet from January 2022.	Implement an 18 month trial of the WMRC Verge Valet from January 2022.
			Further report will be provide to council on the progress and the community feedback.	Report to be presented to Council in March 2023
15 Dec	ember 2020			
9.9	Review of Policy No. 4.1.22 - Prosecution and Enforcement	EDSD	Review presented to August Council Workshop.	Draft policy proposed to be presented to Council for community consultation in early 2022.
10.3	North Perth Traffic Report	EDIE	Implement a 12 month trial by extending the Fitzgerald street median island through the intersection.	Public consultation in February March April with report March May July 2021 OMC.
			Undertake consultation with the businesses and residents in the	<del>27 August</del> September 2021 OCM.
			area bounded by Angove, Charles, Vincent and Fitzgerald Streets on the installation of mid-block traffic calming	Report delayed following public meeting requested by residents.
			measures.  Present a further report at the conclusion of public consultation in March-May 2021  Inform the petitioners of the	Report withdrawn from September OMC to allow administration time to liaise with MRWA on the potential to access funding from the Urban Road Safety Program.
			Council's decision.  Undertake traffic, speed and volume and data collection on Alma Road and present to council in March July August 2021.	The report will be revised and re-presented to Council by March April 2022 following advice from MRWA.
20 Octo	ober 2020			
12.2	Request to the Minister for Lands to Acquire Six Rights of Way as Crown Land and Reserve as Public Rights of Way - Perth Precinct	CEO	Request submitted to the Minister for Lands in February 2021 Assessment expected to take 6 – 12 months. Five RoWs completed. One pending.	Expected completion 31 December 2021. End of 2021/22 financial year. September 2021 Late 2021 During 2022
15 Sept	tember 2020	l	1	1 3 1
9.4	City of Vincent Rebound Plan	EDSD	The Rebound Plan is a living document that will constantly update and evolve to meet the changing needs of businesses and the community. The plan will be updated and reported monthly to the Rebound Roundtable and quarterly to Council.	The final quarterly update will be provided to Council at its meeting in June 2022.
10.1	Waste Strategy Project - 8 Commercial Waste Collections (Update Report)	EDIE	Administration currently preparing next steps for ending commercial services as per council approved Communications Strategy. Administration is visiting all commercial premises.	Implementation review report to Council on the discontinuation of the commercial waste service will be provided six months after implementation.  Estimated March April 2022
12.2	Repeal of the City of Vincent Parking and Parking Facilities Amendment Local Law 2020	EDSD	The Joint Standing Committee has been advised of Council's decision.	A new local law is being drafted for Council's review in mid September late2021. Early 2022

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			Public notice of the repeal of the amendment local law occurred in January 2021. The public comments proposed to be provided to Council in mid-late 2021-early 2022.	
Counci	l Meeting – 28 July 2020			
12.9	Advertising of amended Development on City Owned and Managed Land Policy	CEO	Public notice to be provided in August 2020. extended to September to allow updated policy with diagrams to be provided to public. Public consultation complete, further internal revision and discussion with relevant stakeholders required due to comments received.	Report to Council proposed for 2022 for approval to advertise.  Early 2022  Completed.  Vibrant Public Spaces Policy approved for advertising at the 8 March 2022 Council Meeting
	I Meeting – 7 April 2020	050		
12.3	Sale of miscellaneous portions of City Freehold Land	CEO	Community consultation in respect to Brentham Street conducted September 2021. Discussions to occur with Rosewood and Aranmore regarding future sale/lease of Brentham Steet parcel.	202 Vincent Street – Completed. 150 Charles Street - Completed. 10 Monmouth Street – Complete sale not proceeding. Completed – Barlee Street carpark – 22 June 2021 – not proceeding at this time. Completed (Superseded with new resolution) - Brentham Street - Council December 2021. early 2022
Counci	Meeting – 15 October 2019		•	,
9.1	No. 51 (Lot: 192; D/P: 56091) Albert Street, North Perth – Proposed Alterations and Additions to the Club Premises and Change of Use from Club Premises to Club Premises and Child Care Premises and Licence for Use of Car Park at No. 160 Albert Street, North Perth	CEO	Car parking licence has been drafted and sent to applicant for review. Waiting on start date of childcare centre to be determined, as that will be commencement date of licence.	Waiting on applicant.
Counci	l Meeting – 23 July 2019			
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to COVID and presented back to Council for consideration.	The revised draft Policy will be presented to Council for consideration in the 2020/21 financial year.2021.
Counci	l Meeting – 30 April 2019			
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	Main Roads to organise State Solicitors Office to prepare have prepared transfer documents. Awaiting signing by both parties. Acquisition of Lot 66 on hold due to adverse possession claim. Resolution of adverse possession claim waiting on Landgate decision.	To be signed by 30 October 2020. Waiting on Landgate decision
Counci	l Meeting – 2 April 2019			

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Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
11.4	Amendments to the Trading in Public Places Local Law 2008 and Local Government Property Local Law 2008	CEO	Local Government Property Local Laws and new Election Signs Policy report provided to Council 28 July 2020 for approval to advertise. Trading in Public Places Amendment Local Law will be redrafted.	Local Government Property Local Law <b>completed</b> (Item 12.7 28 July 2020). Trading in Public Places Local Law will be redrafted <del>mid in June late 2021.</del> Early 2022
Counci	l Meeting – 27 June 2017			
9.5	Submission to WALGA – Third Party Appeal Rights in Planning	EDSD	Administration has forwarded the submission to WALGA. The Minister for Planning and the Attorney General were not advised of Council's position in relation to Third Party Appeal Rights.	Administration will prepare advice to the Minister for Planning and the Attorney General on Third Party Appeal Rights in 2022 in the context of reforms to Development Assessment Panels and the intended introduction of a Special Matters Development Assessment Panel
Counci	l Meeting - 30 May 2017			
12.5	Perth Parking Levy	EDIE	Awaiting outcomes of the Porth CBD Transport Plan and specific recommendations regarding the Porth Parking Levy. State Government yet to release results of consultation.	Update scheduled to be provided in late 2021 2022
Counci	l Meeting – 27 May 2014			
9.3.4	East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	CEO	Further discussions ongoing as part of broader discussions with Football Clubs.	September 2020. November 2020 Mid Late 2021. Early 2022

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#### **COUNCIL WORKSHOPS**

#### A workshop was held on 22 March 2022. The topics discussed were:

Banks Reserve Master Plan - Banks Plaza Scope of Works

North Perth Common/View Street Urban Design Concept

E-Scooters in the City of Vincent

Proposed lease of car parking bays to EV charge station operator

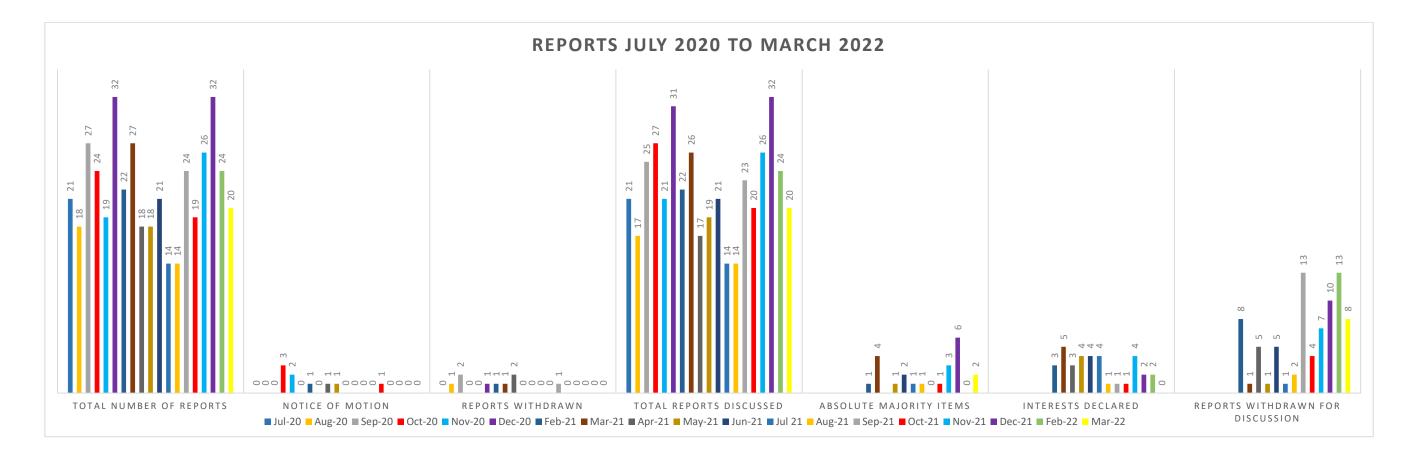
Decreasing Use of Glyphosate as Weed Treatment Option

Draft Disability, Access and Inclusion Plan

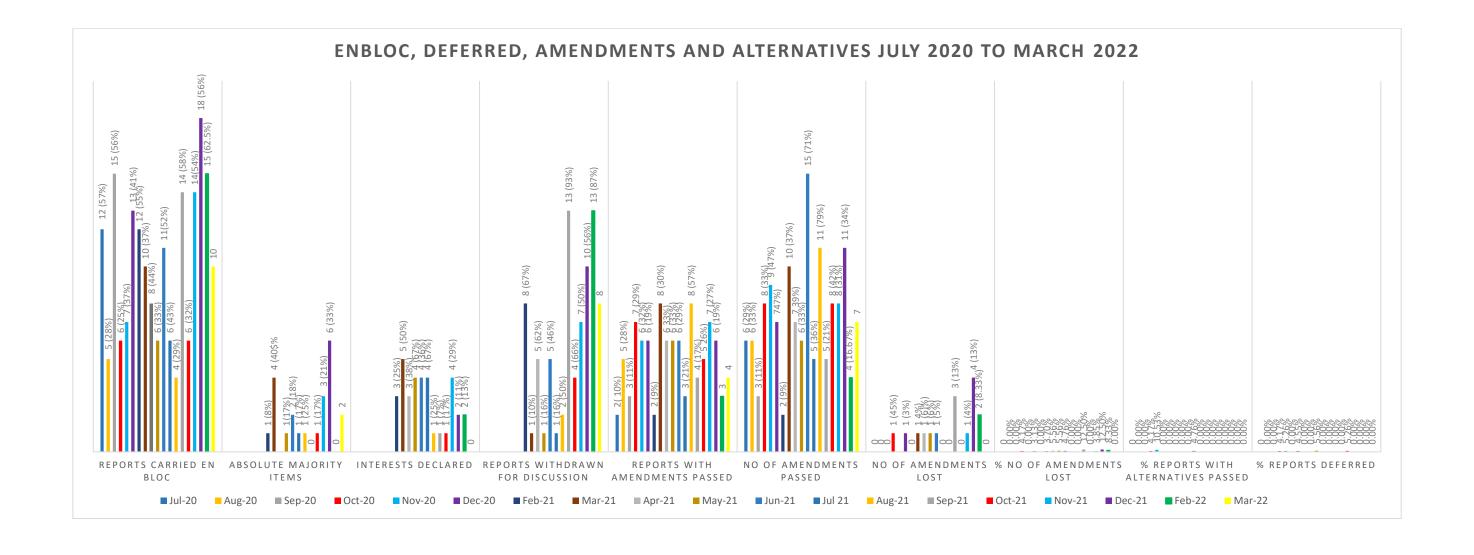
Communications & Engagement Calendar

Mount Hawthorn Youth Skate Space

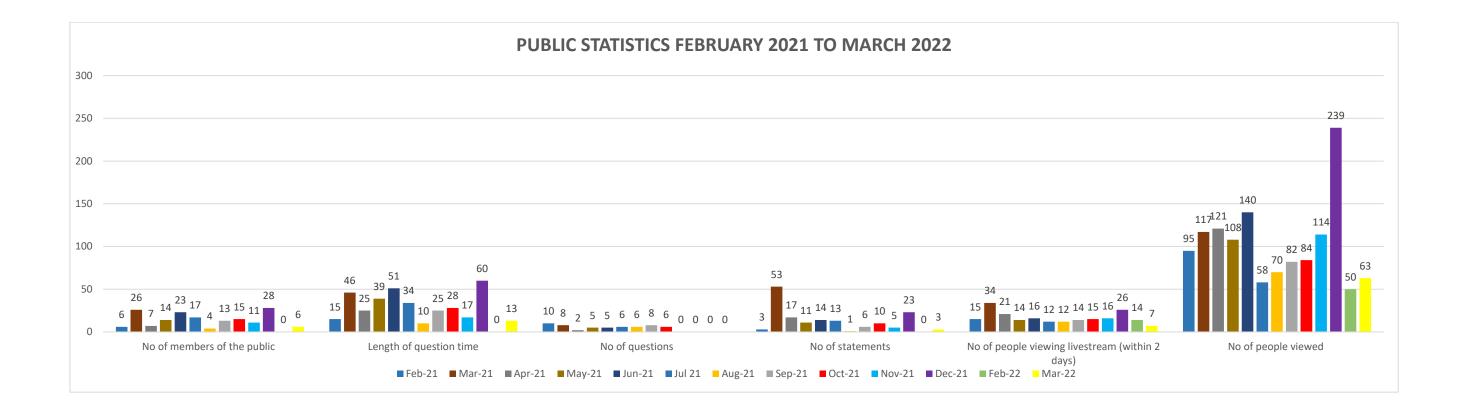
#### **COUNCIL MEETING STATISTICS AS AT 15 MARCH 2022**

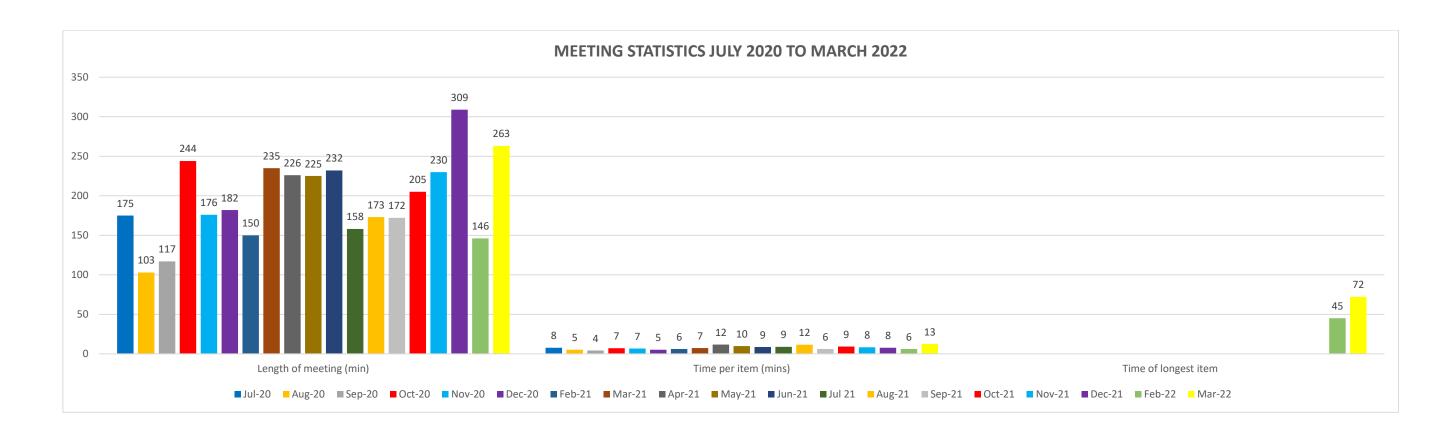


Item 12.7- Attachment 15



Item 12.7- Attachment 15





Item 12.7- Attachment 15



# **NOTES**

# Council Briefing 1 March 2022

#### **COUNCIL BRIEFING NOTES**

#### 1 MARCH 2022

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NOTES OF CITY OF VINCENT **COUNCIL BRIEFING HELD AS E-MEETING AND AT THE** ADMINISTRATION AND CIVIC CENTRE, 244 VINCENT STREET, LEEDERVILLE ON TUESDAY, 1 MARCH 2022 AT 6.00PM

PRESENT: **Mayor Emma Cole Presiding Member** 

Cr Susan Gontaszewski South Ward (electronically) Cr Alex Castle North Ward (electronically) South Ward (electronically) South Ward (electronically) Cr Jonathan Hallett Cr Ashley Wallace Cr Ron Álexander North Ward (electronically) Cr Dan Loden North Ward (electronically)

South Ward (joined at 6.44pm during item Cr Ross Ioppolo

5.7)

Cr Suzanne Worner North Ward

**David MacLennan Chief Executive Officer** IN ATTENDANCE:

**Executive Director Infrastructure & Andrew Murphy** 

**Environment (electronically)** John Corbellini **Executive Director Strategy & Development (electronically) Executive Director Community &** Virginia Miltrup

**Business (electronically)** 

Manager Development & Design

Jay Naidoo

(electronically)

Manager Policy & Place (electronically) **Tara Gloster Rhys Taylor Executive Manager Financial Services** 

(electronically)

**Peter Varris Executive Manager Corporate Strategy &** 

Governance

**Wendy Barnard Council Liaison Officer** 

Public: One member of the public.

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

The Presiding Member, Emma Cole, declared the meeting open at 6.01pm and read the following Acknowledgement of Country statement:

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

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

Nil

#### 3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

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

#### 3.1 Mario Zulberti of Leederville - Item 5.4

Stated he is CEO of Rosewood Group, which owns the aged care facility next to the land in question

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- Stated that Rosewood proposes world class dementia garden where the residents could spill out onto a park and engage in a range of different activities and enjoy different spaces.
- Mentioned that the front part of the land could be an NDIS housing development, which they would subcontract.
- Stated that access would be granted to school children during designated times, and at other times seniors from Leederville Gardens could use the activity centres.
- Stated that if Rosewood owned the site the dementia garden concept would be an Australia-first initiative and a trail blazer in this area.

There being no further speakers, Public Question Time closed at approximately 6.07pm.

### 3 DECLARATIONS OF INTEREST

Nil

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### 4 STRATEGY & DEVELOPMENT

5.1 NO. 31 (LOT: 74; D/P: 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. Determination Advice Notes

**NO QUESTIONS** 

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5.2 NO. 188 (LOT: 1; D/P: 33790) VINCENT STREET, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO PLACE OF WORSHIP

Ward: South

Attachments: 1. Consultation and Location Map

- 2. Development Plans
- 3. Heritage Impact Statement
- 4. Table of Proposed Works
- 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 development application for Alterations and Additions to Place of Worship at No. 188 (Lot: 1; D/P: 33790) Vincent Street, North Perth, in accordance with the plans 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 Place of Worship as shown on the approved plans dated 4 November 2021, 13 December 2021 and 10 January 2022. No other development forms part of this approval;

#### 2. 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:

### 3. 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;

### 4. Cleaning of Stonework

Any cleaning of stonework of the building shall be undertaken with pressure water washing and soft brush cleaning so that no pitting or raking of the surface stone occurs, to the satisfaction of the Department of Planning, Lands and Heritage; and

### 5. Documented Record

Within 28 days of completion of the approved works, a photographic record of the completed works (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City.

### **NO QUESTIONS**

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5.3 NO. 3 (LOT: 43; D/P: 1237) ALMA ROAD MOUNT LAWLEY - PROPOSED GROUPED DWELLING (AMENDMENT TO APPROVED)

Ward: South

Attachments: 1. Consultation and Location Map

2. Final Development Plans

3. Approved Plans - Determined by Council 30 April 2019

#### **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 to amend Development Approval 5.2018.477.1 dated 30 April 2019 for Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley, in accordance with plans shown in Attachment 2, subject to the following conditions:

- 1. All conditions, requirements and advice notes detailed on the development approval 5.2018.477.1 granted on 30 April 2019 continue to apply to this approval, except as follows:
  - 1.1 Condition 6.3 is deleted.

NO QUESTIONS

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### 5.4 SALE OF NO. 26 BRENTHAM STREET, LEEDERVILLE

#### Attachments:

- 1. No. 26 Brentham Street, Leederville Location and Current State of Land
- 2. No. 26 Brentham Street, Leederville Land and Surrounding Public Open Space
- 3. Brentham Street Reserve Potential Improvements
- 4. 26 Brentham Street Market Valuation Report Confidential

#### **RECOMMENDATION:**

#### **That Council:**

- 1. APPROVES the disposal of the City's Lot 37 (No. 26) Brentham Street, Leederville, pursuant to section 3.58 of the *Local Government Act* 1995, via public tender:
  - 1.1 the Request For Tender criteria would include the terms of sale, offer, any conditions, and proposed settlement date; and

#### 2. NOTES:

- 2.1 proceeds of a sale as per Recommendation 1 would be held in the Public Open Space reserve to create or enhance POS within the City of Vincent, ideally in areas of shortfall such as Mount Hawthorn:
- 2.2 Administration will consult with the community regarding a landscape plan within the Brentham Street Reserve green space (comprising new play equipment, extension of footpath and lighting through to Bourke Street, additional trees, and landscaping) to be constructed using part proceeds of a sale not exceeding \$299,000; and
- 2.3 Administration will present a separate report to Council at its March 2022 Meeting regarding the rezoning of the whole of No.26 Brentham Street to Residential R60.

### **MAYOR COLE:**

Can a map with the area in question be provided and also a high level explanation of the options that could be explored to create additional public open space – private land purchase opportunities, road reserve, potential long term lease opportunities, etc.

### **EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

A map from the City's Public Open Space Strategy has been included as an attachment to the Council Meeting report. This map identifies the North-West section of Mount Hawthorn as having a shortfall of POS. The 'Sale Process' section of the report has been edited to include further information regarding opportunities for the use of potential funds. Upon completion of the proposed RFT process, Council would be presented with all offers received, and with further information regarding specific areas suitable for acquisition and opportunities for road reserves to be repurposed into POS – this will be reflected in updated recommendations in the report.

#### CR CASTLE

How could we deal with Item 5.5 and 5.4, if one is passed and the other is not?

### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

If Council approves the rezoning without supporting the sale, the City would go through the scheme amendment process for no apparent benefit to the City, nor would it affect the current land use of 26 Brentham Street. If Council approves selling the land and does not approve the scheme amendment, it would affect the market value of the land and reduce the potential monetary benefit to the City that would be applied to benefit the wider Vincent community in enhancing POS in shortfall areas.

#### MAYOR COLE:

Should there be reference in 5.5 to 5.4? Reverse the order in the agenda for next week?

### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

Due to technical limitations the request to reverse the order of items 5.4 Sale of No 26 Brentham Street, Leederville and 5.5 Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)

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is unable to be achieved in the Council agenda papers. In accordance with the Meeting Procedures Local Law the Presiding Member is able to alter the order of business for the convenience of the meeting.

#### **MAYOR COLE:**

Contact with Aranmore Primary School – has there been any feedback in relation to have a landscape plan and renewed playground? Provide an update

### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

The City has met with the Principal of Aranmore Catholic Primary School who has confirmed they support the proposed landscape plan and renewed playground.

#### MAYOR COLE:

Play equipment - if the school wants it can it still be gifted to them?

### **EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT**

The Principal at Aranmore Catholic Primary School has advised that they cannot accept and use 'used' playground equipment on site.

#### MAYOR COLE:

What height would R60 zoning permit?

#### **EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

At the Council Briefing it was stated that the deemed-to-comply height of the site and the surrounding properties was two (2) storeys. This was incorrect. The deemed-to-comply height of the site and the surrounding properties is actually three (3) storeys.

#### CR LODEN:

POS Strategy information could be included? What would the funds be used for, and what would the benefits be? Will the benefits be made clear?

#### **EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

Additional information has been add to report.

### CR CASTLE:

Recommendation 2.1 "ideally" - is that binding enough to say it will be spent in that area?

#### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

The recommendation has been modified to change the word 'ideally' to 'specifically'.

### **CR WORNER:**

Could this possibly be an apartment block?

### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

With an R60 zoning, the land could be used for an apartment building.

The RFT criteria is recommended to consider the suitability of the future use of the land. The results of this criteria would be presented to Council to consider any offers presented.

Cr Loden left the meeting at 6.32pm.

Cr Loden returned to the meeting at 6.34pm.

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5.5 AMENDMENT 8 TO LOCAL PLANNING SCHEME NO. 2 (NO. 26 BRENTHAM STREET, LEEDERVILLE)

Attachments: 1. Form 2A - Amendment 8 to Local Planning Scheme No. 2

- 2. Surrounding Public Open Space
- 3. Map of Surrounding Landholdings

#### **RECOMMENDATION:**

That Council PREPARES Amendment 8 to Local Planning Scheme No. 2, included as Attachment 1, pursuant to section 75 of the *Planning and Development Act 2005*, to reclassify a portion of Lot: 37 (No. 26) Brentham Street, Leederville from Public Open Space to Residential R60, for community consultation pursuant to Section 47 of the Planning and Development (Local Planning Schemes) Regulations 2015.

**NO QUESTIONS** 

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### 5.6 RESCINDING OF POLICY NO. 4.1.23 - STATE ADMINISTRATIVE TRIBUNAL

Attachments: 1. Draft State Administrative Tribunal Management Practice

**RECOMMENDATION:** 

### **That Council:**

- 1. RESCINDS Policy No. 4.1.23 State Administrative Tribunal, pursuant to section 2.7 of *Local Government Act* 1995; and
- NOTES the management practice, included at Attachment 1, to be managed and maintained by Administration.

NO QUESTIONS

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# 5.7 ADVERTISING OF AMENDED POLICY - POLICY NO. 7.5.3 - EDUCATION AND CARE SERVICES

Attachments:

- 1. Engagement Results Report
- 2. Draft Local Planning Policy: Education and Care Services
- 3. Local Planning Policy: Education and Care Services Tracked Changes

#### RECOMMENDATION:

That Council PREPARES Amendment 2 to Local Planning Policy No. 7.5.3 – Education and Care Services, included at Attachment 2, for the purpose of public advertising, pursuant to clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* 

#### MAYOR COLE:

30% share in outdoor areas, with a preference for natural shade – should canopy requirements be included.

### **MANAGER POLICY & PLACE:**

The Policy has been amended to require 30 percent of the external play space to be provided as canopy coverage.

#### **AYOR COLE:**

Consideration for access to natural light and ventilation?

### **MANAGER POLICY & PLACE:**

The Education and Care Services National Regulations 2012 include provisions relating to natural sunlight and ventilation. These requirements are also governed by the Building Codes of Australia.

#### **MAYOR COLE:**

Protect privacy of adjoining land owners has been included, should privacy of children be included in objectives.

#### **MANAGER POLICY & PLACE:**

Objective Three of the Policy has been updated to require privacy for the child care premise users.

### **MAYOR COLE:**

Should minimum room sizes be included?

#### **MANAGER POLICY & PLACE:**

Minimum room sizes are determined by the Education and Care Services National Law (WA) Act 2012 and Education and Care Services National Regulations 2012. It is determined based on the number of children attending the service.

### **MAYOR COLE:**

Optimal environment for children – super centre with big numbers of children, is there an optimal number for child care centres?

### **MANAGER POLICY & PLACE:**

The Education and Care Services National Regulations 2012 include provisions relating to the number of children per square metre:

- 3.25sqm of indoor space per child; and
- 7sqm of outdoor space per child.

The number of children is also determined by the number of carers and qualified carers and parking requirements.

Limiting child numbers further may deter operators from providing child care centres within the City of Vincent, or result in unforeseen impacts. A one size fits all approach would not consider individual site context and may result in over or under development of sites.

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A review of eight local governments within the metropolitan area was undertaken. The City of Perth is the only local government to include a maximum number of children per centre (maximum of 25 with the ability to increase to 40). This Policy was adopted in 1999 and is outdated.

New South Wales (NSW) State Government has released a Child Care Planning Guideline document that establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities is NSW. The guidelines cover seven principles (context, built form, adaptive learning spaces, sustainability, landscape, amenity and safety). No local planning policies for individual local governments was found when reviewed.

The number of children permitted within child care centres in NSW is determined based off the same criteria as WA (e.g. indoor/outdoor spaces, parking, number of carers).

#### **CR GONTASZEWSKI:**

Definition of family day care service – is the intention that family day care should be run through a service, so has to be on the register.

#### **MANAGER POLICY & PLACE:**

Yes, family day care residence or family day care venue must obtain approval through an approved service. The family day care service must undertake annual reviews of the residence or venue to ensure the safety and protection of the children.

#### **CR GONTASZEWSKI:**

Adjacent to commercial use – if non-residential use, like a park or place of worship, why was that not included?

#### **MANAGER POLICY & PLACE:**

The Policy has been updated to refer to other non-residential land uses.

#### CR GONTASZEWSKI:

Would existing centres be approved with the new policy provisions in place?

### **MANAGER POLICY & PLACE:**

A review of several child care centres within the City was undertaken. Key characteristics are highlighted below

257 Walcott Street:

- Local Centre;
- Adjacent to residential properties (separated by a laneway);
- Outdoor play space on upper level, towards the rear of the lot (adjacent to residential properties).
   Landscaping and fencing used to manage noise and visual impact; and
- Vehicle access was prohibited to be via Walcott Street.

This proposal would not meet clause 3.1 b) of the Policy. This location was appropriate as it provided an appropriate design response to the site context, and provided activation of the frontage.

79 Paddington Street:

- Residential zone (adjacent to Charles Street);
- Building and play space is located away from residential properties (optimal location); and
- Short term parking reasonably located away from residential properties. Long term parking adjacent to residential properties (deemed appropriate as limited movement would be expected).

This proposal would not meet clause 3.2 of the Policy as it is not located adjacent to other non-residential development. However the application proposed all play space and parking areas away from the adjoining residential development to mitigate amenity impacts.

233 Scarborough Beach Road (change of use from Consulting Rooms to Child Care Premises):

- Mixed use zone, adjacent to a Residential zone;
- Long term parking adjacent to Residential zone. On-street drop off/pick up on Paddington Street;

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Outdoor play space is located adjacent to other Mixed Use zones.

This proposal is located within a Mixed Use zone and can accommodate non-residential development. The application was approved with the requirement for acoustic treatments to be provided to mitigate amenity impacts.

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### 5.8 CITY OF VINCENT REBOUND PLAN - QUARTERLY UPDATE

Attachments:

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

#### **RECOMMENDATION:**

That Council NOTES the:

- Quarterly update on the City of Vincent Rebound Plan implementation included as Attachment 1, and the monthly reporting to the Rebound Roundtable; and
- 2. Rebound Roundtable Forward Agenda included as Attachment 2.

#### **MAYOR COLE:**

Status of pop up play initiative at Edinburgh Street Park.

#### **EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

Pop up play agility workshop planned during Youth Week (April 11-15).

Young people who live in the area surrounding the Edinboro Street Reserve will be invited to attend a workshop which will include a run through of the draft pop up play design including the ability to suggest a few minor alterations to the design.

In anticipation of COVD restrictions, bookings will be required as well as masks and physical distancing. The session will be run outside by a qualified fitness instructor, parks and community development staff. If COVID restrictions increase, we may look at online options. Following the workshop, the obstacle course elements will be ordered and installed.

The planned youth week activities, including this workshop, will be presented to the next CYPAG meeting in March for discussion.

#### **MAYOR COLE:**

Update on how the Events grant funding. Whether receiving any interest at this difficult time. The report does talk about whether we move to an annual grants funding process for that.

### **EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

Administration has currently received 9 applications for festival and event funding events to take place in 2022/2023 financial year, applications will close 14 March. Most events are occurring during spring and summer.

### CR CASTLE:

Update on the state of events, I think we have all seen a number of cancellations recently and I just want to get a sense of if any things are still running, and that might help us direct some support if it is needed.

#### **EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

Events are currently in another uncertain wave with COVID-19 restrictions, the hardest one to adhere to is the 500 capacity limits which will hopefully only be in place for 3-4 weeks as boarders open.

We have seen an increase of external/private events and activations in local parks, these are taking place almost every weekend. Booking volume is up 40% (18 Feb to 31 Mar) compared to the same time last year following the State Government 2msq rule applying to public indoor facilities and home gatherings being restricted to 30 people, moving many of these events to parks and indoor facilities that cater for over 30 people.

Events that have been cancelled recently:

- Hyde Park Fair:
- St Patricks Day; and
- Mt Hawthorn Hawkers Markets.

Events going ahead:

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- Picnic on the Pitch;
- RTRFM Neon Picnic working to go ahead with maximum 500 people at any one time;
- Noongar Radio First Nations Welcome All Nations;
- Anzac Day working with RSL to run a COVID safe event;
- Native Plant Sale will run in sessions to ensure crowd can be dispersed; and
- Citizenships.

#### CR CASTLE:

Broad health check on how businesses are coping with the changing environment?

### **MANAGER POLICY & PLACE:**

As part of the City's Place Performance Measurement Study, Administration worked with Curtin University students to survey City of Vincent businesses between 7 December 2021 and 31 January 2022. Although the timing of the survey does not capture the impact of the new February/March restrictions on business perception, it does establish a baseline health check of business confidence prior to the border opening and widespread community transmission. A key question within this survey was – how businesses best describe their trade and sales pre-COVID (before February 2020) compared to their current trade and sales conditions. Of the 148 business that answered this question:

- 21 percent described conditions as the same;
- 20 percent believed it to be a little worse;
- 15 percent believed it to be a little better;
- 18 percent believed conditions this year were a lot worse;
- 10 percent believed conditions were a lot better; and
- 16 percent were not sure or declined to answer.

The survey responses also indicated businesses were concerned with:

- the potential of losing customers who do not want to be vaccinated, wear masks or who feel like their privacy is being intruded upon;
- the need to hire extra staff and the time implications of checking vaccination requirements; increased costs of cleaning;
- their ability to move to a primarily takeaway business (rather than dine in); and
- the reduced capacity limits; and their fears from previous experiences with lock downs and mandates.

Business perceptions are currently mixed. Some businesses report doing well whilst others note they have been struggling. The ability to retain staff seems to be an ongoing concern. Administration continues to monitor and engage with businesses in person and work with them to find solutions to challenges that arise throughout the ever-changing environment. Administration will report these findings through the monthly Rebound Roundtable and quarterly Rebound Plan reporting.

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#### 5.9 ADVERTISING OF NEW POLICY - DRAFT VIBRANT PUBLIC SPACES POLICY

#### Attachments:

- Draft Development on City Owned and Managed Land Policy Summary of Submissions
- 2. Draft Development on City Owned and Managed Land Policy Policy Restructure
- 3. Vibrant Public Spaces Engagement Results
- 4. Draft Vibrant Public Spaces Policy

#### RECOMMENDATION

#### **That Council:**

- APPROVES the draft Vibrant Public Spaces Policy, at Attachment 4, for the purpose of advertising; and
- 2. AUTHORISES the Chief Executive Officer to advertise the proposed new policy and invite public comments for a period of at least 21 days.

#### **MAYOR COLE:**

Establishment fee but no ongoing fee, would we be approving structures ongoing? If the structure is in the public realm and not maintained who is responsible? Or what happens when the City needs to do works?

#### **MANAGER POLICY & PLACE:**

The draft Policy Guidelines include applicant responsibilities for each vibrant public space type. These have been developed to be detailed and clear to ensure that the applicant is aware of their responsibilities for the life of the vibrant public space.

The vibrant public space agreement for each applicant will detail these responsibilities ensuring that the applicant agrees and adheres to the requirements for hosting a vibrant public space.

In addition to the responsibilities, the agreement is to include the relevant public space type (structure) definition to be acknowledged and adhered to by the applicant. This inclusion is to ensure that the structure meets the intended purpose and is publicly accessible as prescribed by the draft Policy and Policy Guidelines.

The agreement is to include a copy of the approved vibrant public space structure design, with the applicant required to construct the structure accordingly. As per the applicant responsibilities within the draft Policy Guidelines, the following is to be included in the vibrant public space agreement:

Applicant must notify the City 24 hours prior to the installation of any approved structure, to confirm the
installation date and time, and within 24 hours of completing installation, to confirm the installation is
complete.

A number of applicant responsibilities within the draft Policy Guidelines refer to maintenance, and will be included in the vibrant public space agreement to ensure that the structure is of a high standard and is as approved at all times. These responsibilities are as follows:

- Applicant must ensure the structure is well maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.
- Applicant must ensure any plants associated with the structure are maintained in a healthy, neat and tidy condition at all times.

A number of applicant responsibilities within the draft Policy Guidelines refer to removal of the structure, and will be included in the vibrant public space agreement to ensure that the structure can be removed as required. These responsibilities are as follows:

Applicant must remove the structure and replace any planting, at the applicants expense, and make
good to the satisfaction of the City at the request of the City or public utility provider within 14 days of
receiving the request. Reasons for removal requests may include but are not limited to required service
access and non-compliance with the executed agreement.

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- In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the structure.
- Note that if a parklet or eatlet is paved it is not required to be removed during road works/resurfacing
  making maintenance easier in comparison to a parklet or eatlet with a decked platform as its base.

The detailing of the applicant responsibilities in the Policy Guidelines and subsequent agreement will allow the City to take compliance where the Policy Guidelines and agreement are not being met. The City's current policy framework does not provide such detail and the new Policy will better assist the City when taking any required compliance action. If compliance requirements continue to not be met and the agreement is not being adhered to, the City has the right to remove the structure. This will be outlined in the vibrant public space agreement and the cost to remove the structure will come from the approval fee paid by the applicant.

It should be noted that the agreement will vary slightly for each vibrant public space structure type based on the specific detail of that structure as per the relevant applicant responsibilities section of the Policy Guidelines.

### MAYOR COLE:

What types of permanent structures could we be looking at?

#### **MANAGER POLICY & PLACE:**

The City at present has a number of structures which are located on City owned and managed land. These structures are currently classified as street furniture, parklets and outdoor eating areas. The draft Policy would result in a reclassification of these structures as follows:

Existing Structure	Current Classification	Classification as per the draft Policy	Explanation
Previous Foam Café – 130 Oxford Street	Parklet	Parklet	This structure functions as a small public park set into the existing streetscape.  Anyone is permitted to use the parklet to relax, eat, etc. Patrons of the adjacent business are also able to use the structure to consume goods purchased from this business. The current function of the structure is intended to continue and is considered a parklet as per the draft Policy.  The design of the structure meets the design objectives, design requirements and location requirements of parklets as per the draft Policy and is classified as a
Pixel Café – 226 Oxford Street	Parklet	Parklet	This structure functions as a small public park set into the existing streetscape.  Anyone is permitted to use the parklet to relax, eat, etc. Patrons of the adjacent business are also able to use the structure to consume goods purchased from this business. The current function of the structure is intended to continue and is considered a parklet as per the draft Policy.  The design of the structure meets the design objectives, design requirements and location requirements of parklets as per the draft Policy and is classified as a
Pinchos – 112-124 Oxford Street	Parklet	Eatlet	The space functions as an outdoor eating
Oxiora Street			area servicing the adjacent business with table service provided to the patrons of

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Roberts on Oxford					this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the		
area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure does not at present meet Design Objectives O4.2.7 and O4.2.8 of the draft Policy as the structure does not provide good lines of sight to key locations due to the lack of visual permeability above 0.9 metres in height. The structure does not meet Design Requirements D4.3.4 and D4.3.5.  As per the draft Policy this structure is classified as an eatlet with decked platform.  Kitsch Bar—  229 Oxford Street  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area and utdoor eating area servicing the adjacent business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the darft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service					and location requirements of eatlets as per the draft Policy and is classified as an		
functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure does not at present meet Design Objectives O4.2.7 and O4.2.8 of the draft Policy as the structure does not provide good lines of sight to key locations due to the lack of visual permeability above 0.9 metres in height. The structure does not meet Design Requirements D4.3.4 and D4.3.5.  As per the draft Policy this structure is classified as an eatlet with decked platform.  Kitsch Bar — 229 Oxford Street  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service					The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft		
present meet Design Objectives O4.2.7 and O4.2.8 of the draft Policy as the structure does not provide good lines of sight to key locations due to the lack of visual permeability above 0.9 metres in height. The structure does not meet Design Requirements D4.3.4 and D4.3.5.  As per the draft Policy this structure is classified as an eatlet with decked platform.  Kitsch Bar — 229 Oxford Street  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service					functions an outdoor eating area during business operating hours and a small public park available to anyone to access		
Kitsch Bar – 229 Oxford Street  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Gelato –  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service					present meet Design Objectives O4.2.7 and O4.2.8 of the draft Policy as the structure does not provide good lines of sight to key locations due to the lack of visual permeability above 0.9 metres in height. The structure does not meet		
229 Oxford Street  servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Gelato —  Parklet  Eatlet  The space functions as an outdoor eating area servicing the adjacent business with table service	As per the draft Policy th	nis structure i	s classified as	an eatle	t with decked platform.		
an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.  The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Parklet Eatlet The space functions as an outdoor eating area servicing the adjacent business with table service			Eatlet	servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be			
objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with a decked platform.  Jus Burgers/Gusto Parklet Eatlet The space functions as an outdoor eating area servicing the adjacent business with table service				an outo	door eating area during business operating and a small public park available to anyone to soutside of business operating hours.		
Jus Burgers/GustoParkletEatletThe space functions as an outdoor eating areaGelato –servicing the adjacent business with table service				objectiv require	objectives, design requirements and location requirements of eatlets as per the draft Policy and		
1 7/3 Newcastle Street		Parklet	Eatlet	The sp servicii	ace functions as an outdoor eating area		

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			Burgers). Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.
			The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.
			The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with new paving (Leederville Village Square is used as the base).
			It should be noted that if this structure were to only service Gusto Gelato it would remain as a parklet as the space would not be licensed for the consumption of alcohol and as Gusto provides primarily takeaway goods no direct service from the business would be provided.
Fibber Mcgees – 711 Newcastle Street	Parklet	Eatlet	The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.
			The eatlet is a dual purpose space which functions an outdoor eating area during business operating hours and a small public park available to anyone to access outside of business operating hours.
			The design of the structure meets the design objectives, design requirements and location requirements of eatlets as per the draft Policy and is classified as an eatlet with new paving (Leederville Village Square is used as the base).
Modus Coffee – 602 – 610 Beaufort Street	Parklet	Parklet	This structure functions as a small public park set into the existing streetscape. Anyone is permitted to use the parklet to relax, eat, etc. Patrons of the adjacent business are also able to use the structure to consume goods purchased from this business. The current function of the structure is intended to continue and is considered a parklet as per the draft Policy.
			The design of the structure meets the design objectives, design requirements and location requirements of parklets as per the draft Policy and is classified as a parklet with a decked platform.
Lawley Bakery – 163-165 Scarborough Beach Road	Parklet	Parklet	This structure functions as a small public park set into the existing streetscape. Anyone is permitted to use the parklet to relax, eat, etc. Patrons of the adjacent businesses are also able to use the structure to consume goods purchased from this business. The current function of the structure is intended to continue and is considered a parklet as per the draft Policy.
0 0/4/	D-W	Dorda (	The design of the structure meets the design objectives, design requirements and location requirements of parklets as per the draft Policy and is classified as a parklet with a decked platform.
Casa D'Arte – 73-77 Coogee Street	Parklet	Parklet	This structure functions as a small public park set into the existing streetscape. Anyone is permitted to

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			use the parklet to relax, eat, etc. Patrons of the
			adjacent businesses are also able to use the
			structure to consume goods purchased from this
			business. The current function of the structure is
			intended to continue and is considered a parklet as
			per the draft Policy.
			The design of the structure meets the design
			objectives, design requirements and location
			requirements of parklets as per the draft Policy and
			is classified as a parklet with a decked platform.
William Topp –	Parklet	Parklet	This structure functions as a small public park set
452 William Street			into the existing streetscape. Anyone is permitted to
			use the parklet to relax, eat, etc. Patrons of the
			adjacent businesses are also able to use the
			structure to consume goods purchased from this
			business. The current function of the structure is
			intended to continue and is considered a parklet as
			per the draft Policy.
			,
			The design of the structure meets the design
			objectives, design requirements and location
			requirements of parklets as per the draft Policy and
			is classified as a parklet with a decked platform.
Future Shelter –	Parklet	Parklet	This structure functions as a small public park set
56-68 Angove Street			into the existing streetscape. Anyone is permitted to
3			use the parklet to relax, eat, etc. Patrons of the
			adjacent businesses are also able to use the
			structure to consume goods purchased from this
			business. The current function of the structure is
			intended to continue and is considered a parklet as
			per the draft Policy.
			, , , , , , ,
			The design of the structure meets the design
			objectives, design requirements and location
			requirements of parklets as per the draft Policy and
			is classified as a parklet with a decked platform.
Get Ya Fix –	Street	Street	The structure is an affixed bike rack. The function
1/471 William Street	Furniture	Furniture	and use of this structure is not proposed to change.
			The design of the structure meets the design
			objectives, design requirements and location
			requirements of street furniture as per the draft
			Policy and is classified as street furniture on an
			existing ground surface.
Cleaver Street Deli –	Street	Affixed	The structure is a significantly weighted bench
14 Cleaver Street	Furniture	Eating Area	located adjacent the business. This is associated
		Furniture	with an approved outdoor eating area for the use,
			benefit and enjoyment of business patrons, during
			business hours, and the public outside of business
			hours. The current function of the structure is
			intended to continue and is considered as an
			affixed eating under the draft Policy.
			,
			The design of the structure meets the design
			objectives, design requirements and location
			requirements of affixed eating areas as per the draft
			Policy and is classified as an affixed eating area on
			an existing ground surface.
Standby Espresso –	Street	Affixed	The structure is a significantly weighted bench
1 Raglan Road	Furniture	Eating Area	located adjacent the business. This is associated
		Furniture	with an approved outdoor eating area for the use,

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			benefit and enjoyment of business patrons, during business hours, and the public outside of business hours. The current function of the structure is intended to continue and is considered as an affixed eating under the draft Policy.  The design of the structure meets the design objectives, design requirements and location requirements of affixed eating areas as per the draft Policy and is classified as an affixed eating area on an existing ground surface.
Spritz Spizzicheria – 148 Scarborough beach Road	Outdoor Eating Area	Eatlet (non-compliant)	The space functions as an outdoor eating area servicing the adjacent business with table service provided to the patrons of this business. Alcohol consumption is permitted as the structure area is licensed. For this reason, the structure would be reclassified as an eatlet under the draft Policy.  The design of the structure does not at present meet Design Objectives O4.2.6, O4.2.7 and O4.2.8 of the draft Policy as the structure does not provide a comfortable distance between the façade of the building to encourage physical activity, does not present as accessible to all, and does not provide good lines of sight to key locations due to the lack of visual permeability above 0.9 metres in height. The structure does not meet Design Requirements D4.3.4, D4.3.5, D4.3.20 and 4.3.21 and does not meet Location requirement L4.4.4.

The design of the structure does not give the appearance of being dual purpose and functioning as a small public park outside of business hours. Under the draft Policy, this structure would not meet the design objectives or design requirements and would not be approved.

The structure is classified as an eatlet on an existing ground surface as per the draft Policy.

PROPOSED – Birraz Ristobar – 406 Oxford Street	Parklet	Eatlet	A structure is proposed to be developed on City land adjacent the adjoining business. This structure proposes to be an outdoor eating area during business hours and small public park outside of business hours. The structure is proposed to have new paving as the base and to be built from solid materials such as low height brick walls.  This design is considered to meet the design
			objectives and requirements of an eatlet as the walls have a limited height and do not exceed 0.9m in height as per D4.3.4.
			Under the draft policy, this structure is classified as an eatlet with new paving.

### CR GONTASZEWSKI:

Majority of public realm should not be privatised – amendment foreshadowed.

### **MANAGER POLICY & PLACE:**

Administration has prepared an amendment to modify the Vibrant Public Spaces Policy to include a maximum number of Eatlets through a radius model that ensures there is a threshold to the number of Eatlets permitted in any one area.

### CR GONTASZEWSKI:

If Council determined that private development on parks or reserves should not be facilitated. What would need to change within the Policy?

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### **MANAGER POLICY & PLACE:**

Administration has prepared an amendment to modify the Vibrant Public Spaces Policy to remove the permissibility of Vibrant Public Spaces within Reserves and Public Open Spaces.

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### 5 INFRASTRUCTURE & ENVIRONMENT

Nil

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### 6 COMMUNITY & BUSINESS SERVICES

### 7.1 FINANCIAL STATEMENTS AS AT 31 JANUARY 2022

Attachments: 1. Financial Statements as at 31 January 2022

**RECOMMENDATION:** 

That Council RECEIVES the Financial Statements for the month ended 31 January 2022 as shown in Attachment 1.

**NO QUESTIONS** 

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# 7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JANUARY 2022 TO 31 JANUARY 2022

Attachments: 1. Payments by EFT and Payroll January 22

- 2. Payments by Cheque January 22
- 3. Payments by Direct Debit January 22

#### **RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2022 to 31 January 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$3,547,652.83
Cheques	\$1,014.39
Direct debits, including credit cards	\$216,817.48

Total payments for January 2022 \$3,765,484.70

#### CR GONTASZEWSKI:

Could you provide details on the energy monitoring project at the depot?

### SUSTAINABILITY & INNOVATION ADVISOR:

The expenditure was for the installation of an energy monitoring system at the Depot. This will ensure that the City can monitor energy usage at this large using site and rectify any issues as soon as possible to save money and reduce emissions.

It is an expansion of the current energy monitoring system that we have at other large sites; Administration Building, Beatty Park Leisure Centre and the Library.

#### CR GONTASZEWSKI:

Requesting some more information on the \$24,000 in Christmas decoration dismantling and storage for visual inspirations?

### MANAGER ENGINEERING:

Visual Inspirations have been engaged to install the annual Leederville trees lights and christmas decorations.

Initially the installation involved 3 trees, around the Newcastle / Oxofrd Street intersection which then expanded to 6 trees, (an additional 2 in Oxford Street and 1 in Newcastle Street). Last year the large gum outside Duende was added.

The power cost is funded by the adjacent businesses. The installation and removal process funded by the City is both time and labour intensive.

The lights and decorations are installed over 2 nights in early December (along with bunting in past years), usually starting at 10.00pm through the about 5.00am (to minimise disruption). It involves qualified arborists, tree climbers, a 'cherry picker' (truck mounted elevated work platform) an electrican and road closures (traffic management). In mid January the decorations are removed over 1 night. The lights and cabling are then removed after Easter taking 2 nights. The City owns the lights and transformers, which are stored (part of the cost) until the following year.

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### 7.3 INVESTMENT REPORT AS AT 31 JANUARY 2022

Attachments: 1. Investment Statistics as at 31 January 2022

**RECOMMENDATION:** 

That Council NOTES the Investment Statistics for the month ended 31 January 2022 as detailed in Attachment 1.

NO QUESTIONS

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#### 7.4 MID YEAR BUDGET REVIEW 2021/22

#### Attachments:

- 1. Statement of Comprehensive Income by Nature and Type
- 2. Statement of Comprehensive Income by Program
- 3. Rate Setting Statement
- 4. Cash backed reserves
- 5. Capital Budget for MYBR
- 6. Source Funding
- 7. Operating Budget Analysis
- 8. Loftus Recreation Centre

#### **RECOMMENDATION:**

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2021/2022 Annual Budget:

- a) A net increase in the Operating Budget of \$1,929,061 as per Attachments 1 and 2;
- b) A net increase in Special Purpose Reserves totalling \$2,309,270 as per Attachments 3 and 4;
- c) A net decrease in the Capital Expenditure Budget of \$7,162,867 as per Attachment 5;
- d) A net increase in the closing surplus of \$512,230, resulting in a forecast year end deficit at 30 June 2022 of \$80,144, as per Attachment 3;
- e) Subsequent to clauses (a) to (d), the capital budget is increased by \$72,091 and the Loftus Recreation Centre Reserve is reduced by \$72,091 as per Attachment 8, and the Financial Statements are updated accordingly.

### MAYOR COLE:

Interested given that we have had such a good run on solar, that we had an increase in our utility charges of \$160,000?

### **EXECUTIVE MANAGER FINANCIAL SERVICES:**

The increase for Utility charges of \$160,720 (Electricity \$104,370 & Water \$56,350) relates to:

- Three cost centres underestimated the original budget by \$113,710 due to administrative error. Electricity and water usage remains at or below previous year utilisation. Budget anomaly was corrected in the mid-year budget review.
- Higher electricity and water usage costs of \$47,550, mainly related to the increase usage of public halls, reserve pavilions, facilities and the community centre. Revenue has also been increased to reflect the increased usage of these facilities.

#### MAYOR COLE:

Would like a little bit more information on the Beatty Park changerooms deferral to 2023, I did see it talked about design this year, really keen to see that move forward so would like some information on how long design will take and when will works happen?

The Leederville Parade Greening plan, commentary around being held up by black spot, but would like more detail about how those 2 are linked and how it will affect design proposed on Leederville Parade and the greening and when that project will start?

### **EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:**

Indicative high level timelines associated with Beatty Park Changerooms:

- RFQ Professional Consultant Design Services March 2022
- Design of Changerooms Mid-April June 2022
- RFT Construction of New Changerooms July 2022
- Tender Evaluation, Council Report, Council Approval August 2022

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- Award Contract, Demolition of existing Changerooms September 2022
- Construction of New Changerooms September-November 2022

#### MAYOR COLF

The Leederville Parade Greening plan, commentary around being held up by black spot, but would like more detail about how those 2 are linked and how it will affect design proposed on Leederville Parade and the greening and when that project will start?

### **EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:**

The Leederville Parade greening project is linked to the blackspot project going ahead. The blackspot involves creating a central median allowing for trees to be planted in the newly created median. The project cannot go ahead until the blackspot design is approved by MRWA so the project is listed as a carry forward as will not be able to be constructed this financial year. Consideration is also being given to withdrawing the project due to the uncertainty around future uses for Frame Court and the Avenue car parks which will be discussed with Council as part of the budget setting process for 2022/23.

#### **CR IOPPOLO:**

Change recommendation to 2021/22.

### **EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

The report has been amended.

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### 7 CHIEF EXECUTIVE OFFICER

### 8.1 APPOINTMENT OF COMMUNITY MEMBERS TO THE CITY OF VINCENT AUDIT COMMITTEE

Attachments:

- 1. Audit Committee Nomination Resume of Applicant 1 Confidential
- 2. Audit Committee Nomination Resume of Applicant 2 Confidential

### **RECOMMENDATION:**

That Council in accordance with sections 5.10 and 7.1A of the *Local Government Act 1995*, APPROVES BY ABSOLUTE MAJORITY the appointment of the following two external independent members to the City's Audit Committee for the term 9 March 2022 to the date of the next ordinary local government election, 21 October 2023:

- 1. Applicant 1; and
- 2. Applicant 2.

### **NO QUESTIONS**

1 MARCH 2022

8.2 MINUTES AND MOTIONS FROM THE ANNUAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2022

Attachments: 1. Minutes - Annual Meeting of Electors on 2 February 2022

**RECOMMENDATION:** 

**That Council:** 

- RECEIVES the Minutes of the Annual Meeting of Electors (AME) held on Wednesday
   February 2022, included at Attachment 1; and
- 2. NOTES that due to the short turnaround, responses to the General Business motions carried at the Annual Meeting of Electors will be presented to the Ordinary Council meeting to be held 5 April 2022.

**NO QUESTIONS** 

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### 8.3 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2021

Attachments: 1. Compliance Audit Return 2021

**RECOMMENDATION:** 

### **That Council:**

- 1. NOTES that the City of Vincent's Compliance Audit Return for the period 1 January 2021 to 31 December 2021 was reviewed by the Audit Committee at its 15 February 2022 Meeting;
- 2. ADOPTS the Compliance Audit Return for the period 1 January 2021 to 31 December 2021, at Attachment 1, noting one area of non-compliance reported; and
- AUTHORISES the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996.

NO QUESTIONS

1 MARCH 2022

8.4 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 15 FEBRUARY 2022

Attachments:

- **Audit Committee Minutes 15 February 2022** 1.
- 2.
- Confidential Items for Audit Committee Confidential Addendum to Item 5.4 OAG Computing Controls Audit 2020/2021 -3. Confidential
- Addendum to Item 5.5 OAG report into Cyber Security in Local **Government - Confidential**

### **RECOMMENDATION:**

#### **That Council:**

- RECEIVES the minutes of the Audit Committee Meeting of 15 February 2022, as at Attachment 1, and NOTES the recommendations;
- 2. ADOPTS the Local Government Statutory Compliance Audit Return for the period 1 January 2021 to 31 December 2021 noting the one area of non-compliance and explanation for this noncompliance.

**NO QUESTIONS** 

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### 8.5 INFORMATION BULLETIN

#### Attachments:

- 1. Register of Legal Action and Prosecutions Monthly Confidential
- 2. Register of Legal Action Orders and Notices Quarterly Confidential
- 3. Register of State Administrative Tribunal (SAT) Appeals Progress report as at 17 February 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 February 2022
- 7. Register of Notices of Motion Progress Report February 2022
- 8. Register of Reports to be Actioned Progress Report February 2022
- 9. Council Workshop Items since November 2021
- 10. Council Meeting Statistics
- 11. Council Briefing Notes December 2021

#### RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated February 2022.

#### **CR GONTASZEWSKI:**

Register of reports to be actioned – resolution from December for projects plans for asset prioritisation, is that going to be presented in March?

#### **EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:**

The Council resolution was not included in the register. This was an error and the resolution has now been added to the updated register. A report in relation to the Buildings prioritisation project has now been added to the agenda for March OCM.

#### **CR GONTASZEWSKI:**

Workshop on 15 February, cash in lieu and EV item were not discussed, can this be updated

### **EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

Report has been updated

### **ADDITIONAL INFORMATION:**

Statistics for Development Services Applications as at the end of February 2022 have now been included as a new Attachment 12.

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8 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

9 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

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

Nil

### 12 CLOSURE

There being no further business the meeting closed at 8.03pm.

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
- 16 URGENT BUSINESS

Nil

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

Nil

18 CLOSURE