



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

14 March 2023

Table of Contents

1	Declaration of Opening / Acknowledgement of Country.....	4
2	Apologies / Members on Leave of Absence.....	4
3	(A) Public Question Time and Receiving of Public Statements	4
	(B) Response to Previous Public Questions Taken On Notice.....	12
4	Applications for Leave of Absence	15
5	The Receiving of Petitions, Deputations and Presentations	15
6	Confirmation of Minutes	16
7	Announcements by the Presiding Member (Without Discussion)	16
	7.1 Events	16
8	Declarations of Interest	16
	Reports	17
	Items Approved " <i>En Bloc</i> ":	18
9.4	Advertising of Amended Policy No. 7.7.1 - Non-Residential Development Parking Requirements and Payment in Lieu of Parking Plan	19
9.6	Amendment to the Trees of Significance Inventory to include the Jacaranda tree at No. 59 Ellesmere Street, Mount Hawthorn	20
9.7	Community Sporting and Recreation Facilities Fund and Club Nights Lights Program - February Small Grants Round Application	21
10.3	Waste Strategy Project - Two Bulk Hard Waste Options Appraisal – Update Verge Valet Vincent trial	22
11.1	Financial Statements as at 31 January 2023.....	23
11.2	Authorisation of Expenditure for the Period 1 January 2023 to 31 January 2023	24
11.3	Investment Report as at 31 January 2023.....	25
11.5	Outcome of Advertising - Youth Action Plan 2023-2026	26
12.2	Advertising of amended policy - Legal Representation for Council Members and Employees (Policy No. 4.2.01).....	27
12.3	Local Government Statutory Compliance Audit Return 2022.....	28
12.5	FY22 Australasian Local Government Performance Excellence Program - Key Findings of Benchmarking Report.....	29
12.6	Information Bulletin	30
17.1	Waste to Energy Tender *(Waste Strategy Project 5 – Research into Alternative Waste Treatment Options).....	31
17.2	Waste and Recycling – Container deposit Exchange Scheme update	32
	Reports With Discussion	33
9.3	No. 209 Oxford Street (Lot: 4; P:1239), Leederville - Proposed Change of Use from Eating House to Restaurant/Cafe and Unlisted Use (Shisha Bar) and Associated Alterations and Additions (Existing Unauthorised Development)	33
9.1	No. 109 (Lot: 100; D/P: 43470) Palmerston Street, Perth - Proposed Four Grouped Dwellings.....	35
11.4	Mid Year Budget Review 2022/23 [ABSOLUTE MAJORITY DECISION REQUIRED]	39
12.4	Responses to motions carried at the Annual General Meeting of Electors held on 2 February 2023.....	42
10.1	Harold Street - Response to Petition	58

9.2	Nos. 103-105 (Lot: 38; D/P: 28) Summers Street, Perth and Nos. 34 (Lot: 1; D/P: 62743) Cheriton Street, Perth - Proposed Change of Use to Child Care Premises (Amendment to Approved) to Incorporate a Change of Use from Single House to Child Care Premises including Alterations and Additions	61
10.2	RFT IE190/2022 North Perth Town Hall Toilet and Kitchen Renewal	64
9.5	Minor Amendment to Metropolitan Region Scheme - Leederville Parade Primary Regional Road Reserve	65
12.7	Report and Minutes of the Audit Committee Meeting held on 2 March 2023	67
12.1	City of Vincent Ordinary Election 21 October 2023 - appointment of Electoral Commissioner to conduct the election by postal vote [ABSOLUTE MAJORITY DECISION REQUIRED].....	68
13	Motions of Which Previous Notice Has Been Given.....	69
14	Questions by Members of Which Due Notice Has Been Given (Without Discussion).....	69
15	Representation on Committees and Public Bodies	69
16	Urgent Business	69
17	Confidential Items/Matters For Which the Meeting May be Closed	69
18	Closure	69

**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 14 MARCH 2023 AT 6.00PM**

PRESENT:	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Ron Alexander Cr Alex Castle Cr Dan Loden</p> <p>Cr Jonathan Hallett Cr Ross Ioppolo Cr Ashley Wallace</p>	<p>Presiding Member South Ward North Ward North Ward North Ward (arrived at 6.06pm during Item 3A) South Ward South Ward South Ward</p>
IN ATTENDANCE:	<p>David MacLennan John Corbellini</p> <p>Peter Varris</p> <p>Rhys Taylor Joslin Colli</p> <p>Jay Naidoo</p> <p>Tara Gloster</p> <p>Luke McGuirk</p> <p>Sarah Hill</p> <p>Mona Hill Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Strategy & Development A/Executive Director Infrastructure & Environment Chief Financial Officer A/Executive Manager Corporate Strategy & Development Manager Development & Design (Left at 9.52pm during Item 10.2) Executive Manager Policy & Place (left at during Item 9.1) Manager Engineering (left at 10pm after Item 10.2) Manager Parks (left at 8.35pm during Item 12.4) Senior Land and Legal Advisor Council Liaison Officer</p>
7.12pm		
Public:	Approximately 25 members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Suzanne Worner on approved leave of absence from 15 February 2023 to 28 March 2023.

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following questions and statements were received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

The Presiding Member, Mayor Emma Cole, invited speakers for the planning items to speak first, as those matters are time sensitive.

3.1 Libby Jarding of Bayswater – Item 9.3

- Mentioned that she works in Cancer Prevention and Tobacco control
- Spoke in support of the recommendation
- Mentioned she is concerned about the health risks of shisha smoking, both on the individuals smoking as well as bystanders and others exposed to second hand smoke
- Stated that this risks normalising tobacco use, is detrimental to the amenity of the area, has a detrimental social impact on the community and undermines the intent of state and local government policy and plans in respect of smoking and tobacco use
- Mentioned that she supports the grounds for refusal stated in the report
- Urges Council to refuse this application

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

3.2 Phil Perroni of Perth – Item 9.1

- States that he resides on Palmerston Street
- Requests that the decision of Item 9.1 is deferred until amendments are made to the application which consider the overshadowing of the neighbouring properties

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

3.3 Peter Mrdja of Perth – Item 9.1

- Mentioned he is from Urbanista Town Planning and spoke in support of the application
- Stated that the application was deferred in November 2022 to allow the applicant to address the concerns raised. In response the plans have been updated, but the protected fig tree adjacent to the property affects the ability to make additional changes that were considered
- Mentioned that the amenity of the design has been reviewed by professional architects
- Stated that this area contains some of the most diverse built form in the City, residential dwellings of all types and heights, commercial buildings, offices, coffee shops and laneway development is what makes the area such an attractive and desirable place to live and visit
- Mentioned that a three storey, four unit, architecturally commended design, such as that proposed, will have a positive impact on the environment, enhance the streetscape and contribute to the character of the area
- Urges Council to approve the application

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

3.4 Dudley Maier of Highgate – Items 11.4 and 12.4

Dudley Maier submitted comments in writing, listed below, and also made the below comments:

Item 11.4

I want to speak about a couple of issues, but before I do, I want to take Council to Attachment 6. You will see that the original budget for Interim Rates was \$300,000 and that at the end of January \$492,000 was recovered. Yet Administration suggest that the revised budget is only \$370,000. Interim rates don't reduce over time. So it is a bad look.

Which brings me to the \$1million 'mistake'. The reasoning provided is that 'there was a favourable operating result, and there were accrual and prepaid adjustments'.

The reality is that there actually was a shortfall of nearly \$1.6 million in Materials and Contracts which was offset by other variations. The CFO has said they monitored the figures at the end of June. So assuming that the \$1.6 million was there at the end of June, but was subsequently removed – where did it go? Normally you would assume that it may appear in the July figures. But the expenditure for July and subsequent months does not show any significant variation.

I won't guess - this is something for the Audit Committee to look at to make sure it doesn't happen again, because the risk for ratepayers is that we pay more than is actually required.

It is also proposed to put \$1.5 million into the Underground power reserve. The CFO has suggested that this is made up of increased parking revenue and increased interest payments. Another way of looking at it is

that most of it is made up of the \$1 million mistake from the beginning of the year – it's money from ratepayers and therefore should go to reducing rates unless you can justify another use for it.

Putting it in to the Reserve is premature given that you have not yet developed an approved model, and more importantly, you haven't asked the community if they are prepared to pay up front.

The Highgate East community was asked very early in the picture if they wanted to pay up front. Initial indications did not vary much from the final figure which was 48%. You must understand, the Highgate East owners were paying something like \$4,300 in today's money – that is more than most of the current proposed areas so the take-up rate may be even higher than 48%.

Before you take any more money from ratepayers under the smokescreen of funding underground power, you must publish the model and ask the community for an indication of who will pay up front. I note that the AGM minutes show the Mayor as saying that the model for funding underground power will be publicly available.

Item 12.4

Underground power – the report says that longer payback periods for Highgate East were supported by all Vincent ratepayers even though there was no direct benefit to the broader community. That is wrong – the owners in that area paid all the costs as per the policy. I'll read from the minutes of 8 November 2011 – "Issues of equity for property owners in the Highgate East SUPP area who have made a contribution to the cost without subsidy from the City".

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

3.5 John Viska of North Perth – Item 12.4

- Spoke in support of the Motion 4.14 Hyde Park Conservation Plan
- Mentioned that Administration response to this items states: "Administration review the Hyde Park Conservation Plan when developing the Hyde Park Master Plan, which is Action number 27 of the City's Public Open Space strategy". The Hyde Park Master Plan is scheduled for commencement in 2026
- Considering that the conservation plan was done in 2003 and it should have been reviewed every five years, 2026 is long time to delay the review, especially as there are issues happening at the moment
- Heritage Council will fund up to 80% of the cost, up to \$16,000.
- Urges Council to bring the timeframe forward to 2022/23

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

3.6 Marie Slyth of West Perth – Item 12.4

Item 4.13(1)

Mentioned she is concerned the rat running and traffic on the street will increase when Bunnings is operating. Stated that she is not aware of any investigation undertaken on this matter, and would appreciate this taking place.

Item 4.13(2)

Stated that the tree outside her house has only been pruned once

The Presiding Member, Emma Cole, thanked Ms Slyth for her comments and advised that she would ask about the tree pruning during discussion of the item.

3.7 Ashlee La Fontaine of North Perth - Item 12.4 (Motion 4.12)

- Stated that the 2.1% rate rise revenue will be used by the City to enable residents to have a deferred payback period and will be recouped and returned, not to ratepayers, but to the City.
- Mentioned that longer payback periods were also offered to ratepayers in the Highgate East Underground Power project area in 2007, but through a loan with an endowment interest charge of 7% per annum.

- Stated that ratepayers of the previous project area are not financing the hard infrastructure, but why are they expected to finance the loan for others, that they themselves were responsible for covering?
- Queried how the 2.1% rate rise was calculated before a funding model for future underground power projects was created? What are we paying for here?
- Mentioned that the process lacks transparency and accountability, as the ratepayers have not been informed on what the rates will be spent on once they are recouped. Overcharge now and model the finances later is not in the best interests of ratepayers and does not encourage efficient management of capital budgets in the City over the next decade.
- Stated that there has been no consideration for those residents of Highgate East who paid interest on a loan for higher payback periods and no consideration for those struggling with the current cost of living.
- Urged Council to support the motion.

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

3.8 Angie Cassian of Mt Lawley – Item 12.4

Ms Cassian submitted the following comments in writing, which she spoke to.

Why are Highgate East Resident being charged twice for Underground Power?

We wholeheartedly support Ashlee La Fontaine of North Perth - Item 8.4 Motion - 4.12 - Refund of rates, that was carried at the AGM on 2 February 2023.

“If the 2.1% is to fund longer payback periods to Western Power for other upcoming Underground Power Projects, I move that ratepayers within the previous Highgate East State Underground Power Project be refunded or credit towards their rates next year.”

Administration responses appears flawed and are based on information that has not been provided: eg

- No clear Funding Model options available to date
- No total cost of Project and budgeting cost for each allocated
- Project area
- Has item gone out to Community for Public consultation for expression of interest
- No Detailed Proposal Stages in plan
- If surplus monies not required for Underground Power, to be used in other areas thereby creating a sinking funds for undisclosed projects - demonstrates lack of transparency

As this is a special project - Underground Power Service Charges then it needs to be itemised separately and not bundled up and included as part of current or future Rates.

Highgate East project area residents (approx 850 Lots) have already paid for underground power from October 2007 and were only offered 2 Payment options:

- (1) Payment in full
- (2) Payment in annual instalments over a five-year period (an interest charge will be applicable for this option)

Highgate East Project as part of State Underground Power Program in Newsletter #2 in September 2006 provided the Community with detailed Financial Information at a cost of \$7,516,759, prior to the commencement of the project.

Funding was apportioned with Western Power and Office of Energy 25 % each and Town of Vincent 50%.

There were additional costs to the Town of Vincent of \$84,549 for powder coating all new light poles and using metal halide lamps, which had environmental benefits. It is intended that the full cost to the Town will be recovered from the affected ratepayers being the Highgate East Project residents.

It appears City of Vincent is double dipping by charging this amount twice to those residents of Highgate East project that have already contributed to this scheme.

Support the Motion to refund or credit 2.1% to those residents that have already paid for their Underground Power.

The Presiding Member, Emma Cole, thanked Ms Cassian for her comments. Mayor Cole also advised that she had sent out an email to some residents, which advised that the City had loaned the amount of \$843,000 to fund the Highgate East Project in 2006, but the actual loan amount was \$3,758,380, as the City had to fund repayment of that loan. In that situation there was financing of a loan by the City to allow that payback period and that is what we are seeking to do with the next range of Underground power projects. Mayor Cole offered to email to Ms Cassian details of the amount borrowed in 2006, if she left her email address.

3.9 Caroline Cohen of East Perth – Item 12.4 (Motion 4.12)

- Stated that she is a resident of Highgate, and they were the fortunate ones to receive the first underground power in Vincent
- Mentioned that the fee for the underground power was calculated on rentable value of residences, and believes it was over \$3k, within a month. Some, for example seniors, were offered the opportunity to pay over 10 months
- Stated that the City split the cost with Western Power and the Department of Energy
- Asked Council to consider an amendment that Highgate residents be refunded the rate increase, so that they are not charged twice
- Mentioned that it is important that a funding model is provided before money is requested from residents. A timeline for the project is also required, as well as a public consultation period.

The Presiding Member, Emma Cole, thanked Ms Cohen for her comments. Mayor Cole also stated that the financial modelling will be released as part of the upcoming budget, it is being prepared at the moment and will be released imminently. Highgate East residents will not pay towards any underground power infrastructure. The 2.1%, which is effectively \$772,000, cost to the median ratepayer of \$29, this is going to fund a payback period, which Highgate East resident had for their underground power project.

3.10 Marc De Padova of West Perth - Item 12.4 (Motion 4.13(1))

Mr De Padova submitted the following comments in writing, which he spoke to:

It would be gratefully appreciated if consideration was giving to the following comments.

I am writing in regards to the proposed effects that the creation of Bunnings in the pickle district will undoubtedly have on the West Perth residential pocket bound by Charles St, Loftus St, Vincent St & Newcastle St.

Bunnings without doubt is an extremely strong magnet for vehicles. Heavy trade vehicles and cars 7 days a week from early morning to late at night.

It is clear to see from the street maps that vehicles approaching from Mt Lawley, North Perth and well beyond will not take the route to Loftus St along Vincent St where they will become gridlocked at multiple sets of lights only to have to back track along Newcastle St to get to the new Bunnings. There is no right turn onto Carr St from Charles St. No right turn at Cleaver St onto Newcastle St. The easiest and shortest route is undoubtedly along Florence St from Vincent St then onto Strathcona St giving right turn access onto Newcastle St and then onto the proposed Bunnings.

Florence St and Strathcona St have recently been upgraded to Heritage safety streets. Therefore to avoid this having become a pointless exercise, traffic needs to be discouraged from using Florence St and Strathcona St as a clear short cut.

To emphasise the point, recent closure of Cleaver St resulted in a long back up of traffic on Florence St. This proves this residential pocket is currently being used for short cuts. The opening of Bunnings will increase traffic enormously and unless proactive steps are taken beforehand inevitable problems will occur.

Creating a restriction at the end of Strathcona St will help stop vehicular access to Bunnings through the residential pocket. In addition creating a no right turn at the end of Florence St (similar to that at Cleaver St) would discourage returning traffic through the area.

I would also suggest the costs of any works is paid for by Bunnings / Wesfarmers and made a condition of any approval.

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

3.11 Greg Curtis of Northbridge

- States that he owns property on Money Street in Northbridge
- Mentioned that two doors away the building has changed from a backpackers to a homeless shelter, and the anti social behaviour is having a detrimental effect on his tenants lives
- Stated that his tenants feel unsafe due to being shouted at and approached
- Queried why the nearby property owners were not consulted about this change of use
- Asked if the City acknowledges that the security and safety of residents has worsened since the establishment of the homeless shelter

The Presiding Member, Emma Cole, thanked Mr Curtis for his comments and advised that she would find out if a change of use was necessary. Mayor Cole advised that the City is aware of the issue and has been liaising with the shelter and doing an audit on how to improve the security and safety issues on Money Street. Mayor Cole asked Mr Curtis to leave his number and she would call and have a chat about these issues.

3.12 Leon Firios of North Perth

- Represents Save North Perth Streets Action Group regarding the diagonal diversion recently installed on Leake Street
- Thanked Council Members for their engagement
- Mentioned that there is a petition with 440 signatures objecting to the diversion, this has made the Perth Voice
- Stated that the community has a strong objection to the diversion and is fuelled by the consequences of the diversion, which include safety concerns, the diversion is funnelling heavy traffic towards an aged care facility and a primary school, down narrow streets and laneways not equipped to deal with the heavy traffic volume
- Recognise that this a temporary trial, but feels that there is already enough evidence that this diversion is not working and should be completed early and other options considered

The Presiding Member, Emma Cole, thanked Mr Firios for his comments and asked that he leave his email address, and she would contact him to discuss this and whether he wishes to table the petition at a Council Meeting.

3.13 Ahmed Ismailjee of Highgate – Item 12.4 (Motion 4.12)

- Spoke in support of Motion
- Requested that he receive further information from Mayor Cole

The Presiding Member, Emma Cole, thanked Mr Ismailjee for his comments, and advised that she would send him an email.

3.14 Louise Schneider of Mt Lawley – Item 10.1

- Spoke in support of the petition she submitted, on behalf of the Harold Street Action Group
- Requested that the consultation aspect of Recommendation 3 be waived or expedited, due to the small number of residents in the street and the fact that the number of signatories on the petition and the attendance at meetings reflect overwhelming community support
- Asked that, if passed, a timeframe for the recommendations to be implemented is provided to residents

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

3.15 Linda Harris of Leederville – Item 5 and 12.4

Ms Harris submitted a petition, which is listed at Item 5 of this agenda, and she spoke to it.

The Presiding Member, Emma Cole, thanked Ms Harris for her comments and advised that this would be dealt with under Item 5 and Item 12.4.

3.16 Lesley Florey of Mt Hawthorn

- Stated that she has lived in Mt Hawthorn for a long time, and has witnessed the flooding of her front and back yards
- Mentioned that she believes the flooding is related to the stormwater pipes and lack of maintenance
- Stated that there is a stormwater pipe which crosses at an angle in her property, the City has the benefit and she has the burden of these pipes¹
- Why is the City spending \$425,000 on an international consultant (GHD) to map drainage in the City?
- Why does the City not have drainage records?
- Why do City engineers not do the work?
- How can GHD see the condition of the pipes, when the pipes are covered in over 80 years of silt, dirt and debris?
- When will the final GHD Drainage report be available?
- Will the ratepayers have access to the final GHD Drainage Report that was confidential at the December meeting?

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

3.17 Ante Simic of Perth – Item 12.4

- Stated that the original payment for underground power was onerous, and now his rates have increased by 7%
- Mentioned that he doesn't believe he should pay for other people's underground power and would like to be reimbursed, and would like to be emailed about all the proposals on underground power.

The Presiding Member, Emma Cole, thanked Mr Simic for his comments and advised that if he left his email address she would be in contact.

The following statements were submitted prior to the Meeting.

Nik Karakashov of Perth – Item 12.4 (4.12)

I am writing to you to object to paying for underground power twice. As the owner of 2 properties within the Town of Vincent which all currently have underground power, I believe this will be an unfair and unreasonable burden to my finances and the finances of my family. I clearly remember the expense I incurred 15 years ago - thousands of dollars at that time! I welcome the initiative of having underground power throughout the city of Vincent, however I have already paid my contribution towards it.

Please vote to exclude the underground power charge from the rates of owners of properties, which are in areas with existing underground power.

Dudley Maier of Highgate

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

When were the signs removed and who authorised the removal?

Were the artists consulted about the removal prior to the works being removed?

Were the Arts Advisory Group consulted about the decision prior to the work being removed as required by the City's policy, and if so, when?

Has the City offered the work back to the artists as required by the City's policy? If so, when?

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

¹ Edited for clarity

What are the parameters that are used to determine what the cap is?

What was the cap as at 1 March 2023?

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

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

4. On 23 August 2022 the Council approved a 6-month trial of a 'diagonal diversion' at the corners of Leake and Alma. The report to Council listed 3 methods of providing the temporary diversion. The third option was to use temporary water filled barriers at a cost of \$30,000 to \$40,000.
Who decided to implement the full concrete diversion – was it the Acting Executive Director or the Manager Engineering?

How much did this solution cost and what will be the cost of removing it if the trial is not made permanent?

Why did the Administration implement the most costly alternative rather than use water filled barriers which was the normal, cost effective way of implementing trials in the past?

How is the estimate of \$30,000 to \$40,000 for the temporary water filled barriers broken down?

5. The Mid Year Budget Review shows a transfer of \$1,250,000 to the Tamala Park Reserve. There was a comment at the Briefing that the amount had originally been in the budget but had been removed at the First Quarter Budget Review. As it was not done at the First Quarter Budget Review it was probably done as part of a confidential item at the December meeting.
Was the removal of the funds explicitly approved by Council at that meeting?

The Budget shows Income from Tamala Park as being \$1,848,288 yet only \$1,250,000 is intended to be transferred to the Tamala Park Reserve. Where has the rest gone?

Sara Gagliardi of Highgate – Item 12.4

I would like my representative to vote in favour of refunding the 2.1% rate hike funding underground power which Highgate residents already paid for.

Kerry Leen of Mt Lawley – Item 12.4 and others

We live in Mt Lawley and have had underground power since the Highgate East Underground Power Project. Raising rates in the current economic circumstances is understandable, the amount of increase is always debatable. Rate rises should be equitable across all ratepayer groups.

Including 2.1% across the board for future underground power projects, benefiting ratepayers who were not included in the previous exercise is not equitable.

Why should one group be charged again, when they have paid a substantial amount originally.

We therefore request that at the Council meeting on the 14th you vote to refund or credit the 2.1% to those ratepayers who have already paid for the installation

On the matter of the proposed 40kph for all of Vincent currently being negotiated with Main Roads. We strongly support this proposal. The question remains how will this be policed? Relying on the good will of residents and ratepayers to observe the speed limit may reduce the median speeds some what over time. Drivers passing through the area have no incentive to observe that limit.

Living in Roy Street, we are the victims of the ill considered decision to make the Walcott/Beaufort traffic light controlled intersection "No right turn". This decision resulted in the perceived problems being transferred to the next Intersection without light controls. From a quiet residential family street, its now a cross between a rat run and speed way.

Traffic moving east across the intersection, that want to get into Beaufort St, park in the right hand lane waiting for west bound traffic on Walcott to clear before turning right into Roy St, then right into Barlee St and left into Beaufort. West bound traffic on Walcott often in order to beat congestion at the lights turn left at Roy and thus to Beaufort.

This extremely dangerous because of the hill leading from Curtis St. up to Roy St. West bound traffic is not always visible to those waiting to turn right into Roy St. Those waiting to turn right at Roy also block traffic in right hand lane some times even block the Beaufort/Walcott intersection.

The upshot is that traffic has increased dramatically in Roy Street as has the median speed of vehicles. Often the engine and exhaust noise is very disturbing. The installation of 40kph signs has not made any appreciable difference. Those using Roy St and others like it have no incentive to slow down perhaps until they cop a fine or reminded of their obligations in some way. These issues are exacerbated during peak periods.

Tim Cahill of Mt Lawley – Item 12.4

I have already made a significant contribution to Underground Power provisioning for my residence at 161 Joel Tce, Mount Lawley.

I wish to voice my support for a refund of 2.1% of this year's rates to ratepayers in the previous Highgate East Underground Power Project.

Ana Marinova of Highgate – Item 12.4

I am writing to you to object to paying for underground power twice. As the owner of 3 properties within the Town of Vincent which all currently have underground power, I believe this will be an unfair and unreasonable burden to my finances and the finances of my family. I clearly remember the expense I incurred 15 years ago - thousands of dollars at that time! I welcome the initiative of having underground power throughout the city of Vincent, however I have already paid my contribution towards it.

Please vote to exclude the underground power charge from the rates of owners of properties, which are in areas with existing underground power.

Administrations' responses will be provided in the Agenda for the 4 April 2023 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.55pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Lesley Florey of Mt Hawthorn

Question 1

What is the infrastructure cnr Brady and Bonnievale St, Mt Hawthorn? Is it a pumping station? Please provide a detailed explanation of the infrastructure, purpose and how it works?

The land and structure at the corner of Brady Street and Bonnievale Street is owned by Main Roads Western Australia and not the City of Vincent.

Question 2

As in the article in Perth Now dated 12.1.2023 what are the upgrades that will start in Lynton, East and Sasse Ave in Mt Hawthorn which have been identified as priority projects. What are the upgrades?

The December 2022 report to Council identified the approach to develop a stormwater drainage strategy over the next three years, allocating some of the 2022/2023 budget to drainage data capture and the balance to minor works, commencing in the Mount Hawthorn precinct. The assessment of for drainage upgrades in Mount Hawthorn has not yet been completed. Drainage hotspots were identified in the December 2022 report.

Stated that a major piece of City infrastructure runs through her property.

The City acknowledges the presence of drainage infrastructure in Ms Florey's property.

Mentioned that the main stormwater pipes are 8 decades old and require replacing, maintenance and repair.

The City needs to undertake a condition assessment on the infrastructure and then accurate age, repairs/replacement can be determined.

Stated that investigation of the area around the stormwater pipe revealed that the ground around the pipe has not been compacted, so the pipes move and in winter they swim in the water table. Movement leads to a significant risk of cracking and leaks

The City has no evidence of movement of the infrastructure and will need to verify whether this is occurring.

Expressed concern on the number of cracks and joints in the pipe on her property

The City needs to undertake a condition assessment on the infrastructure and then accurate age, repairs/replacement can be determined.

Stated that the joints are the weakest points on the pipes, and queried what the joints are made of? Is it rubber rings or deteriorating cement, and what is the service life?

Condition assessment is required on the pipe and then accurate age, repairs/replacement can be determined. Service life of concrete pipe is up to 100 years.

The GHD Memorandum states that there is a large number of drainage infrastructure which runs through private property, some of which are not accessible.

The City acknowledges that some drainage infrastructure is constructed on private property. The ease of access to this infrastructure varies.

Stated that failure of these pipes or maintenance issues may result in significant damage to property

The City acknowledges that the failure of drainage infrastructure, whether on private or public property may result in damage.

Requests the City deliver a 900mm by 2.4m stormwater pipe with a flange to be delivered to her property, to a position marked by her surveyors and the City

The City is unable to accommodate this request. There is no public benefit in undertaking and bearing the cost of such action. Any works on city owned drainage systems will be the responsibility of the city to design and deliver.

Stated that this issue has become urgent, and is investigating a solution

The City notes that the area identified is a hot spot area, which is rated low priority. The City has prioritised the Mount Hawthorn area as being the first drainage upgrades identified on a modelling and risk analysis. Upgrades will be delivered over a number of financial years.

Glenn Christie of Mt Lawley – Item 10.1

Vincent Street from Beaufort Street through to the Mitchell Freeway is a Main Roads distributor road. However the residential section between Beaufort Street and Throssell Street is only single lane, contains speed humps at Norfolk Street and center plantings of now maturing trees, the remaining sections are all 4 lanes. My first question is - why is the section between Beaufort and William, that is identical to the section adjacent to Hyde Park, still a 60kp/h zone and not mentioned in the agenda item ?

The section of Vincent Street between Beaufort and William was not included within the trial area therefore not mentioned in the agenda item. Council has resolved that residents be consulted on that section of Vincent Street being included as a 40kp/h street.

I have contacted both the Office of the Minister for Transport, the Hon Rita Saffioti and the Member for Perth, the Hon John Carey who have both indicated support for a reduction in speed from 60kp/h to 40kp/h subject to the City's support. My second question - Can the City please review the current anomaly that exists with this section where a speed limit has not been consistently applied when compared to other distributor roads,

such as Bulwer and Oxford Streets (both 40kp/h), and request an expansion of the 40kp/h limit to include all residential sections of Vincent Street that are single lane ?

The City will liaise with Main Roads WA on speed limits for distributor roads and having consistency of speed limits based on road use, road environment and safety factors.

I ask the Councilor's to consider an amendment to Agenda item 10.1 tonight to include an additional recommendation to MRWA to reduce the limit of Vincent Street from Beaufort to William Streets to 40km/h.

Council resolved that the local residents be consulted on the section of Vincent Street from Beaufort to William Streets becoming a permanent 40km/h subject to Main Roads WA approval.

3.4 Dudley Maier of Highgate – Item 10.1

Stated that if the intent of the trial was to create a reduction of speed, it has been a failure, as the GHD report stated that speeds dropped by 1km

While the trial (undertaken with the Road Safety Commission, Main Roads WA and WALGA) targeted (in part) reduced speeds, the outcome demonstrated that there is a general acceptance and understanding that the community seeks a safer traffic environment (and reduced speeds) in residential streets. Implementing signage only may not reach target speed on all roads, but underpins the expected speed and driver behaviour for the area and will likely improve over time.

Mentioned The first recommendation from PJA report recommends 30km/h on all local roads

The 30km/h recommendation is not seen as an achievable objective in the short term. The City believes that an incremental approach via a 40km/h limit is more appropriate.

Stated that one report stated that the speed reduction had little effect on rat running, but there was a perception that local roads were more liveable

Reduced speed is focused on providing a safer residential street environment. Other interventions are more effective in minimising 'rat running'.

Mentioned that the recommendations in the report are confusing, as it recommends seeking approval for a permanent drop to 40km/h in the trial area, but the attached map is at odds with that and is not referenced in the report.

The map is a high-level holistic overview on speeds of the road network within the City of Vincent.

Stated that Vincent St next to Hyde Park going to 60km/h, is that the intention?

The section of Vincent Street next to Hyde Park will be applied to become a permanent 40km/h zone to Main Roads WA.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Gontaszewski, Seconded: Cr Alexander

That Cr Wallace's request for leave of absence be approved for 26 March – 3 April 2023.

CARRIED UNANIMOUSLY (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Ms Linda Harris of Leederville submitted a petition with 110 signatures, requesting that the Council erect large signs at all entrances to the bitumen paths in Britannia Reserve stating "Pedestrians Only".

"We are concerned about the safety of pedestrians walking on the bitumen paths within Britannia Reserve. This is becoming quite dangerous because of the increasing numbers of speeding cyclists, E-scooters, and skateboards. The pedestrians using this park include the elderly, people on mobility scooters and wheelchairs, parents with prams, small children learning to walk and dog walkers who often have elderly dogs. Many in this group cannot hear the speeding vehicle or move quickly to get out of the way. Some are becoming too frightened to walk in the reserve. We do not have a problem with young children learning to ride as they travel slowly and we are concerned about their safety as well. "

PETITION

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Castle

That the petition be received and it be dealt with by the Council under Item 12.4, motion 4.4, of this agenda.

CARRIED UNANIMOUSLY (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Gontaszewski

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

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 EVENTS

Events in the City are starting back up, the two day Hyde Park Fair was held recently and was very successful; and this weekend is the return of the St Patrick's Day Festival and Parade, which was the most COVID impacted event. Neon Picnic, an RTRFM event, which is also sponsored by the City, is at Hyde Park this weekend. An announcement should be made shortly in regards to the Hawkers Market, Mt Hawthorn, which has been missed by the local community. The City is calling for expressions of interest for events and festivals funding, closing on 6 April 2023, and are looking forward to some positive grant applications being received.

8 DECLARATIONS OF INTEREST

- 8.1 Cr Dan Loden declared an impartiality interest in Item 9.6 Amendment to the Trees of Significance Inventory to include the Jacaranda tree at No. 59 Ellesmere Street, Mount Hawthorn. The extent of his interest is that he is a resident of the street and friends with adjoining neighbours.
- 8.2 Mayor Emma Cole declared an impartiality interest in Item 12.4 Responses to motions carried at the Annual General Meeting of Electors held on 2 February 2023. The extent of her interest is in Motion 4.1, regarding RSL signage, as she is an affiliate member of the RSL WA Hawthorn sub branch.
- 8.3 Cr Ross Ioppolo declared a proximity interest in Item 11.4 Mid Year Budget Review 2022/23. There are expenses within the mid-year budget agenda item that relate to works on this administration building which is in direct proximity to my residential property.

These expenses contained under Attachment 4 are inconsequential and immaterial to the entire budget, in the opinion of Administration.

As a result, Administration has agreed to exclude these items from the Budget and deal with this item in two separate motions, in which case, I am declaring a proximity interest in relation to the administrative building expenses only, permitting me to participate in debate and vote on the material remaining aspects of the Mid-Year Budget.

If it is possible for Council to vote on my ability to participate and vote as one item and if decided in the negative, subsequently move the motion in separate items so I am only excluded from the minor items related to this Administration building, then I am happy for this to occur.

At 7:02 pm, Cr Ross Ioppolo left the meeting due to the vote on his declaration of interest.

COUNCIL DECISION

Moved: Cr Gontaszewski, Seconded: Cr Loden

That Council APPROVES Cr Ioppolo's request to participate in the debate and vote on item 11.4 Mid Year Budget Review 2022/23 given that his proximity interest is related to works on the Administration Building and is so trivial or insignificant as to be unlikely to influence Cr Ioppolo's conduct in relation to the matter.

CARRIED UNANIMOUSLY (7-0)

(Cr Worner was on approved leave of absence for the Meeting.)

At 7:02 pm, Cr Ross Ioppolo returned to the meeting.

REPORTS

The Presiding Member, Mayor Emma Cole, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**
Items 9.1, 9.3, 10.1, 11.4 and 12.4.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 11.4 and 12.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Item 11.4.

The Presiding Member, Mayor Emma Cole, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Ioppolo	9.2, 10.2 and 12.7

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

- (e) **Unopposed items which will be moved "En Bloc", being:**
Items 9.4, 9.6, 9.7, 10.3, 11.1, 11.2, 11.3, 11.5, 12.2, 12.3, 12.5, 12.6, 17.1 and 17.2
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 17.1 and 17.2 – Not withdrawn for question or debate and therefore unopposed.

ITEMS APPROVED "EN BLOC":

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

COUNCIL DECISION

Moved: Cr Loden, Seconded: Cr Castle

**That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.4, 9.6, 9.7, 10.3, 11.1, 11.2, 11.3, 11.5, 12.2, 12.3, 12.5 ,12.6, 17.1 and 17.2**

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

9.4 ADVERTISING OF AMENDED POLICY NO. 7.7.1 - NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS AND PAYMENT IN LIEU OF PARKING PLAN

- Attachments:
1. Local Planning Policy - Non-Residential Parking 
 2. Payment in Lieu of Parking Plan 

RECOMMENDATION

That Council PREPARES:

1. an amendment to Local Planning Policy: Non-Residential Parking, included in Attachment 1, for the purpose of community consultation, pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. the proposed Payment in lieu of Parking Plan, included in Attachment 2, for the purpose of community consultation, pursuant to Schedule 2, Part 9A, Clause 77K(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COUNCIL DECISION ITEM 9.4



Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

9.6 AMENDMENT TO THE TREES OF SIGNIFICANCE INVENTORY TO INCLUDE THE JACARANDA TREE AT NO. 59 ELLESMERE STREET, MOUNT HAWTHORN

- Attachments: 1. Nomination Letter 
 2. Tree Assessment 

RECOMMENDATION:

That Council APPROVES an amendment to the City's Trees of Significance Inventory to include the Jacaranda tree (*Jacaranda mimosifolia*) at No. 59 Ellesmere Street, Mount Hawthorn.

COUNCIL DECISION ITEM 9.6

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

9.7 COMMUNITY SPORTING AND RECREATION FACILITIES FUND AND CLUB NIGHTS LIGHTS PROGRAM - FEBRUARY SMALL GRANTS ROUND APPLICATION

Attachments: Nil

RECOMMENDATION:

That Council ENDORSES the:

1. Community Sporting and Recreation Facilities Fund – 2023/24 February Small Grants Round application for consideration by the Department of Local Government, Sport and Cultural Industries, as follows:
 - 1.1 Priority 1 – Robertson Park Development Plan – Tennis Precinct – Multi Sports Courts conversion; and
 - 1.2 Priority 2 – North Perth Bowling Club – Toilet Upgrade; and
2. Club Night Lights Program – 2023/2024 February Small Grants Round application for consideration by the Department of Local Government, Sport and Cultural Industries, as follows:
 - 2.1 Priority 1 – Robertson Park Development Plan – Tennis Precinct – Multi Sports Courts flood lighting.

COUNCIL DECISION ITEM 9.7

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

10.3 WASTE STRATEGY PROJECT - TWO BULK HARD WASTE OPTIONS APPRAISAL – UPDATE VERGE VALET VINCENT TRIAL

Attachments: Nil

RECOMMENDATION:

That Council:

1. NOTES the feedback from the Verge Valet Vincent Trial; and
2. APPROVES the extension of the current Verge Valet trial and contract for 12 months (July 2023 June 2024); and
3. NOTES that a further report (inclusive of community consultation feedback) will be presented to Council on the progress of the trial and associated bulk verge services in March 2024.

COUNCIL DECISION ITEM 10.3

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

11.1 FINANCIAL STATEMENTS AS AT 31 JANUARY 2023

Attachments: 1. Financial Statements as at 31 January 2023 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 January 2023 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1




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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JANUARY 2023 TO 31 JANUARY 2023

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

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2023 to 31 January 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$6,333,882.22
Cheques	\$804.70
Direct debits, including credit cards	\$209,786.19
Total payments for January 2023	\$6,544,473.11

COUNCIL DECISION ITEM 11.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

11.3 INVESTMENT REPORT AS AT 31 JANUARY 2023

Attachments: 1. Investment Statistics as at 31 January 2023 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 January 2023 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

11.5 OUTCOME OF ADVERTISING - YOUTH ACTION PLAN 2023-2026

- Attachments:
1. Youth Action Plan 2023-2026 Actions and Deliverables 
 2. YAP Survey Responses Report 
 3. Summary of Community Consultation Comments Received 

RECOMMENDATION:

That Council ENDORSES the Youth Action Plan 2023-2026 at Attachment 1

COUNCIL DECISION ITEM 11.5

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

12.2 ADVERTISING OF AMENDED POLICY - LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES (POLICY NO. 4.2.01)

Attachments: 1. Legal Representation for Council Members and Employees Policy - (marked up) 

RECOMMENDATION

That Council APPROVES the proposed amendments to the Legal Representation for Council Members and Employees Policy, at Attachment 1, for the purpose of community consultation.

COUNCIL DECISION ITEM 12.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

12.3 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2022**Attachments:** 1. **Compliance Audit Return 2022** **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 2 March 2023 meeting;
2. **ADOPTS** the Compliance Audit Return for the period 1 January 2022 to 31 December 2022, at Attachment 1; and
3. **AUTHORISES** the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

COUNCIL DECISION ITEM 12.3**Moved: Cr Loden, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED UNANIMOUSLY "EN BLOC" (8-0)****(Cr Worner was on approved leave of absence for the Meeting.)**

12.5 FY22 AUSTRALASIAN LOCAL GOVERNMENT PERFORMANCE EXCELLENCE PROGRAM -
KEY FINDINGS OF BENCHMARKING REPORT

Attachments: 1. Local Government Performance Excellence Report 2022 

RECOMMENDATION:

That Council RECEIVES the City of Vincent's FY22 Australasian Local Government Performance Excellence Report at Attachment 1.

COUNCIL DECISION ITEM 12.5

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

12.6 INFORMATION BULLETIN

- Attachments:
1. Minutes of the Tamala Park Regional Council Meeting held on 16 February 2023 
 2. Unconfirmed Minutes of the Mindarie Regional Council meeting held on 23 February 2023 
 3. Statistics for Development Services Applications as at the end of February 2023 
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of Legal Action - Orders and Notices Quarterly - Confidential
 6. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 23 February 2023 
 7. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
 8. Register of Applications Referred to the Design Review Panel - Current 
 9. Register of Petitions - Progress Report - February 2023 
 10. Register of Notices of Motion - Progress Report - February 2023 
 11. Register of Reports to be Actioned - Progress Report - February 2023 
 12. Council Workshop Items since 30 November 2022 
 13. Council Meeting Statistics 
 14. Council Briefing Notes - 7 February 2023 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2023.

COUNCIL DECISION ITEM 12.6

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

17.1 WASTE TO ENERGY TENDER *(WASTE STRATEGY PROJECT 5 – RESEARCH INTO ALTERNATIVE WASTE TREATMENT OPTIONS)

- Attachments:
1. Draft MRC Agenda Item - Waste to Energy - Confidential
 2. Waste Supply Agreement - Confidential Draft
 3. Participants Agreement - Confidential Draft

RECOMMENDATION:**That Council:**

1. **ENDORSES** the Mindarie Regional Council (MRC) recommendation that Tenderer B be nominated as the first preferred tenderer for the waste to energy services; and that Tenderer A be nominated as the second preferred tenderer.
2. **ENDORSES** the MRC to pursue negotiations with either of these tenderers with the intention of agreeing the terms of a Waste Supply Agreement (WSA) between the MRC and a waste to energy service provider (Service Provider).
3. **ACKNOWLEDGES** that if the MRC enters into a WSA with a Service Provider, the City of Vincent and other MRC member local governments will be required to enter into a Participant's Agreement (PA) with the MRC to support the MRC's ability to meet its obligations under the WSA.
4. **AUTHORISES** the Chief Executive Officer to enter into a PA on terms acceptable to the City of Vincent.
5. **ACKNOWLEDGES** that, subject to the final form of a proposed WSA being assessed as acceptable to the City, the MRC may, subject to all MRC member local governments being in agreement on the terms of the WSA and the PA, choose to award the tender.
6. **DETERMINES** that this report and attachments remain confidential in accordance with section 5.23(2)(c) and 5.23(2)(e) of the Local Government Act 1995.

COUNCIL DECISION ITEM 17.1

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

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

17.2 WASTE AND RECYCLING – CONTAINER DEPOSIT EXCHANGE SCHEME UPDATE

Attachments: 1. City of Vincent - Contract RFQ 67.20 - CDS Revenue Share Dispute - Confidential

Section under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 5.23(2) of the <i>Local Government Act 1995</i> .
Sub-clause and Reason:	c,d,e(i),e(ii),e(iii) - a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; AND 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 a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government; AND a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government; AND a matter that if disclosed, would reveal 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 local government.

RECOMMENDATION:

That Council ACCEPTS Cleanaway’s position on the Container Deposit Scheme returns (as per Attachment 1) and proposed payment of \$42,476.13, applicable under the scheme.

COUNCIL DECISION ITEM 17.2

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Worner was on approved leave of absence for the Meeting.)

REPORTS WITH DISCUSSION**9.3 NO. 209 OXFORD STREET (LOT: 4; P:1239), LEEDERVILLE - PROPOSED CHANGE OF USE FROM EATING HOUSE TO RESTAURANT/CAFE AND UNLISTED USE (SHISHA BAR) AND ASSOCIATED ALTERATIONS AND ADDITIONS (EXISTING UNAUTHORISED DEVELOPMENT)****Ward:** South

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plans 
 3. Cover Letter and Justification 
 4. Acoustic Report 
 5. Parking Management Plan 
 6. Waste Management Plan 
 7. Context Plan 
 8. Summary of Submissions - Administration's Response 
 9. Summary of Submissions - Applicant's Response 
 10. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSES the application for Change of Use from Eating House to Restaurant/Café and Unlisted Use (Shisha Bar) and Associated Alterations and Additions at No. 209 (Lot: 4; P: 1239) Oxford Street, Leederville, as shown in Attachment 2, for the following reasons:

1. As a consequence of the location of the Unlisted Use (Shisha Bar), within an unenclosed patio at the rear of the subject site, proximity to adjoining residential and other sensitive land uses, operating hours and intensity of the Unlisted Use (Shisha Bar), the development:
 - 1.1 Would be inconsistent with the Objectives of the Regional Centre zone and subsequently Clause 18(4)(c) of the City of Vincent's Local Planning Scheme No. 2 and therefore not permitted. The development would be detrimental to the amenity of the adjoining and adjacent properties because it would result in noise, smoke, vapour and odour emissions associated with the use which would negatively impact adjoining and adjacent properties;
 - 1.2 Would have an undue amenity impact on the adjoining residential and sensitive land uses, and would not be compatible with its setting in accordance with Clause 67(2)(m), (n), (r) and (x) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
 - 1.3 Would be inconsistent with the Aims of the City of Vincent's Local Planning Scheme No. 2, as the development would not protect and enhance the health, safety and general welfare of the City's inhabitants and the social, environmental and cultural environment, as the proposal has not demonstrated that the noise, smoke, vapour and odour emissions associated with the use could be appropriately mitigated as outlined in reason 1.1 (Clause 67(2)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
2. Pursuant to Schedule 2, Part 9, Clause 67(2)(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the would not satisfy the Objectives of the City of Vincent Local Planning Policy: Restricted Premises – Smoking for the following reasons:
 - 2.1 The development would not reduce the number of businesses whose primary purpose is the use of tobacco; and
 - 2.2 The would negatively impact on the amenity of the area, including existing sensitive land uses, by means of associated emission of harmful smoke, vapours and odour.

COUNCIL DECISION ITEM 9.3

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.
















CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

9.1 NO. 109 (LOT: 100; D/P: 43470) PALMERSTON STREET, PERTH - PROPOSED FOUR GROUPED DWELLINGS**Ward:** South

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plans 
 3. Applicant Justification 
 4. Environmentally Sustainable Design Assessment 
 5. Context Analysis 
 6. Development Perspectives 
 7. Arboricultural Report 
 8. Minutes of 15 November 2022 Ordinary Council Meeting - Item 9.1 
 9. Previously Considered Development Plans 
 10. Objection to Proposal from Planning Consultant 
 11. Applicant Response to Objection from Planning Consultant 
 12. Summary of Submissions - Administration Response 
 13. Overshadowing Analysis 
 14. Visual Privacy Analysis 
 15. 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 Four Grouped Dwellings at No. 109 (Lot: 100; D/P: 43470) Palmerston Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 15:

1. Development Plans

This approval is for Four Grouped Dwellings as shown on the approved plans dated 16 December 2022 No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls facing No. 107 Palmerston Street, Perth shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

3. External Fixtures

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

4. Colours and Materials

4.1 Prior to the issue of a building permit, a schedule detailing the colours, materials and finishes of the development must be submitted to and approved by the City.

The schedule is to include the use of 'San Selmo Reclaimed Bricks' or similar colour for the face brick portions of the development as indicated on the approved plans, to the satisfaction of the City.

The development must be finished and thereafter maintained in accordance with the approved schedule of colours and materials, prior to occupation of the development and to the satisfaction of the City; and

4.2 The meter boxes are to be painted the same colour as the wall they are attached so as to

not be visually obtrusive, to the satisfaction of the City;

5. Landscaping

5.1 Prior to the issue of a Building Permit, a detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City. The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plan dated 16 December 2022 and show the following:

5.1.1 The location and type of existing and proposed trees and plants;

5.1.2 Areas to be irrigated or reticulated; and

5.1.3 The provision of an additional landscaping area containing two trees as marked in red on the approved plans. The tree species are to be consistent with the City's Tree Selection Tool so as to maximise the provision of canopy coverage and to the satisfaction of the City;

5.2 All landscaping works shall be undertaken in accordance with the approved plans dated 16 December 2022, as modified in Condition 5.1.3, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City; and

5.3 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Privacy Screening

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 visual privacy requirements of the Residential Design Codes, to the satisfaction of the City;

7. 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, with the exception of:

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

unless otherwise approved by the City;

8. Front Fence

Fencing infill panels above the approved solid portions of fence shall be visually permeable in accordance with the Residential Design Codes Volume 1, to the satisfaction of the City;

9. Car Parking and Access

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

9.2 All driveways, car parking and manoeuvring areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the

owner/occupier to the satisfaction of the City;

- 9.3 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage areas, where provided;
- 9.4 The new crossover to Palmerston Street shall be reduced to a maximum width of 3 metres to maximise the separation from the existing verge tree; and
- 9.5 Prior to the first occupation of the development, the redundant or “blind” crossovers shall be removed, the verge area landscaped, and the kerb made good to the City’s specifications and to the satisfaction of the City, at the applicant/owner’s full expense;

10. Tree Protection

Prior to the issue of a Building Permit a Tree Protection Plan prepared in accordance with Australian Standard AS4970-2009 shall be submitted and approved by the City. The Tree Protection Plan is to include details of the construction methods for works to be undertaken on site to minimise impact on the Moreton Bay Fig situated in Robertson Park and adjacent to the northern boundary of the subject site. The Tree Protection Plan shall include the following details:

- Fencing of the Tree Protection Zone (TPZ) and Structural Root Zone, as defined in the Arboricultural Report stamp dated 8 June 2021, for the duration of works to avoid compaction and root severance;
- Methodology and construction details for site grading, retaining walls and boundary fencing within the TPZ;
- Location and construction methodology for utility trenching to minimise impact on TPZ;
- Soakwells and stormwater pipes within the TPZ to be manually excavated to avoid root severance;
- Construction methodology for footings of Units 3 and 4 within the TPZ to minimise impact on the tree roots; and
- Driveway to be manually compacted.

The recommendations of the Tree Protection Plan shall be implemented and complied with for the duration of the construction of the development, to the satisfaction of the City;

11. Construction Management Plan

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

- The delivery of and delivery times for materials and equipment to the site;
- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Dilapidation report of the nearby properties at Nos. 107 and 116 Palmerston Street, Perth;
- Notification to affected land owners; and
- Construction times.

The management plan shall be complied with for the duration of the construction of the development; and

12. Stormwater

All stormwater produced on the subject land shall be retained on site or connected to the City’s drainage system at the expense of the applicant/landowner, to the satisfaction of the City.

At 7.12pm Manager Policy & Place left the meeting and did not return.

COUNCIL DECISION ITEM 9.1

Moved: Cr Wallace, Seconded: Cr Loden

That the recommendation be adopted.







CARRIED (5-3)

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

Against: Cr Alexander, Cr Ioppolo and Cr Wallace

(Cr Worner was on approved leave of absence for the Meeting.)

11.4 MID YEAR BUDGET REVIEW 2022/23

- Attachments:**
1. Statement of Comprehensive Income by Nature and Type 
 2. Rate Setting Statement 
 3. Cash Backed Reserves 
 4. Capital Budget for MYBR 
 5. Carry Forward Source Funding 
 6. Operating Budget Analysis 
 7. Project Change Request - Beatty Park Leisure Centre Changeroom 

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2022/2023 Annual Budget:

- a) A net decrease in the Operating Budget of \$377,914 as per Attachments 1;
- b) A net increase in Cash Backed Reserves totalling \$4,599,869 as per Attachments 2 and 3;
- c) A net decrease in the Capital Expenditure Budget of \$3,097,572 as per Attachment 4 and Project Change Request as per Attachment 7; and
- d) A net increase in opening surplus of \$1,019,862, resulting in a forecasted year end surplus at 30 June 2023 of \$158,178, as per Attachment 2.

Moved: Cr Ioppolo, **Seconded:** Cr Loden

That the recommendation be adopted.

COUNCIL DECISION ITEM 11.4**AMENDMENT 1**

Moved: Cr Ioppolo, **Seconded:** Cr Loden

That the recommendation be amended as follows:

That Council BY ABSOLUTE MAJORITY, **subject to Special Condition (e)**, APPROVES the following amendments to the 2022/2023 Annual Budget:

Special Conditions:

- (e) A decision to transfer \$1,500,000 into the Underground Power Reserve be deferred until such time as this Council has been presented with and voted in favour of an Underground Power Funding Model and has determined that such a transfer is appropriate; and**

REASON:

Condition (e)

- Council has not been presented and approved an underground power funding model and determined what position it is willing to accept.
- It would therefore be appropriate to DEFER a decision to transfer funds received from ratepayers into this Reserve until Council has approved an Underground Power funding model that takes in all considerations, including any perceived inequity to certain ratepayers including those already with underground power.

ADMINISTRATION RESPONSE:

Condition (e)

Administration will take Council through the updated Underground Power modelling at Budget Workshop 3 and receive guidance from Council on the preferred funding model.

Supported

AMENDMENT LOST (3-5)

For: Cr Alexander, Cr Loden and Cr Ioppolo

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

(Cr Worner was on approved leave of absence for the Meeting.)

During debate on the above item the following occurred –

At 7:52 pm, Cr Dan Loden left the meeting.

At 7:53 pm, Cr Dan Loden returned to the meeting.

AMENDMENT 2

Moved: Cr Ioppolo, Seconded: Cr Loden

That the recommendation be amended as follows:

That Council BY ABSOLUTE MAJORITY, subject to Special Condition (f), APPROVES the following amendments to the 2022/2023 Annual Budget:

(f) A decision to transfer the over budgeted capital expenditure sourced from municipal funds (\$950,844 per Attachment 5) be deferred to the completion of the FY24 Budget and until such time, remains in carry forward capital works.

REASON:

Condition (f)

- Ordinarily, transferring over budget capital expenditure funded by ratepayers to specified capital reserves for future use is standard practice.
- However, the City of Vincent has over budgeted capital expenditure consistently since at least 2014.
- The effect is where this is funded from municipal funds, the City of Vincent has been rating ratepayers earlier than needed and it also increases the rate base that magnifies all future rate rises.
- Because this is a recurring issue, year on year, the rates base may have been inflated cumulatively by over 20% (cumulative effect of over capex sourced from municipal funds FY14-23).
- I propose the \$950,844 funds remain in carry forward balance and DEFER a decision to transfer to capital reserves until all capital projects are assessed as part of a rigorous FY24 Budget process.

ADMINISTRATION RESPONSE:

Condition (f)

The majority of carry forward capital projects proposed in the Mid-Year Budget Review have either commenced or will shortly commence procurement with some projects also tied to election commitment grant funding. The Mount Hawthorn Skate Park Project will commence this financial year and funds for the

Light Fleet vehicles have been committed with an order placed.

Return of these funds to surplus would result in the carry forward projects being unfunded.

The City reviews capital expenditure as part of the budget review process and transfers these to reserves where the timing of the cash outflows may occur over multiple financial years. Municipal funds are only transferred to reserves for projects approved by Council.

Not supported

AMENDMENT LOST (2-6)

For: Cr Alexander and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Hallett and Cr Wallace

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 11.4

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2022/2023 Annual Budget:

- a) A net decrease in the Operating Budget of \$377,914 as per Attachments 1;**
- b) A net increase in Cash Backed Reserves totalling \$4,599,869 as per Attachments 2 and 3;**
- c) A net decrease in the Capital Expenditure Budget of \$3,097,572 as per Attachment 4 and Project Change Request as per Attachment 7; and**
- d) A net increase in opening surplus of \$1,019,862, resulting in a forecasted year end surplus at 30 June 2023 of \$158,178, as per Attachment 2.**

CARRIED BY ABSOLUTE MAJORITY (6-2)

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

Against: Cr Alexander and Cr Ioppolo

(Cr Worner was on approved leave of absence for the Meeting.)

12.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2023

Attachments: 1. Annual General Meeting of Electors Minutes 2 February 2023 

RECOMMENDATION:

That Council NOTES and ENDORSES the following recommendations provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Thursday 2 February 2023 for the reasons outlined in the report.

1. **Motion 4.1 – Renaming Mount Hawthorn Community Centre Lesser Hall** -That Council REQUESTS the CEO investigate the cost and location options of a flag pole at the Mount Hawthorn Community Centre Lesser Hall entry and signage on the Mount Hawthorn Community Centre Lesser Hall to bring awareness and promotion to where the local RSL meetings occur and provides this information to Council as part of its 2023/24 Budget process.
2. **Motion 4.2(1) – Development Green Space** - That Council REQUEST the CEO to present a review of the landscaping requirements in the City’s Built Form Policy to Council by December 2023.
3. **Motion 4.2(2) – Rodenticide** - That Council REQUESTS that Administration limits the use of second-generation rodenticides for rodent control.
4. **Motion 4.3 – Citizenship Ceremonies** - That Council REQUESTS that citizenship ceremonies are not held on 26 January.
5. **Motion 4.4 – Britannia Reserve Pathway** – That Council REQUESTS Administration complete the condition survey and implement any required safety improvements.
6. **Motion 4.5 – Pedestrian Safety (Newcastle / Fitzgerald)** – That Council REQUESTS that Administration liaise with MRWA on the current issues in this area, and that in the interim planter boxes be placed on the footpath and the possibility of signage be investigated.
7. **Motion 4.6 – Menzies Street Traffic** – That Council REQUESTS that Administration explore with MRWA opportunities to apply for funding towards treating any safety issues on Menzies Street or adjacent streets, and this be referred to the Sustainability and Transport Advisory Group for consideration.
8. **Motion 4.7 – Remove Parking levy of \$1** – That Council REQUESTS that Administration continue gathering the data to inform the report requested by Council on \$1 for the first hour by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget.
9. **Motion 4.8 – Chemical Sprays** – That Council NOTES that the City is minimising the use of glyphosate but the complete elimination of glyphosates and other chemicals is not supported at this time as it would result in poor weed control outcomes and increased costs.
10. **Motion 4.11 – Speed Humps** - That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023
11. **Motion 4.12 – Refund of rates** – That Council NOTES that the rates increase is to fund longer payback periods to Western Power for Underground Power Projects. All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects.
12. **Motion 4.13(1) – Creation of cul-de-sac** - That Council REQUESTS that Administration works with the Department of Transport (DoT) and allows sufficient funds to include this area within the transport study of the Pickle District.

13. **Motion 4.13(2) – Removal of tree** – That Council NOTES that the tree in question has been pruned in accordance with the City’s Street Tree Policy and does not present any issues to support its removal.
14. **Motion 4.14 – Conservation Plan Hyde Park** – That Council REQUESTS that Administration review the Hyde Park Conservation Plan when developing the Hyde Park Master Plan, which is Action number 27 of the City’s Public Open Space strategy.
15. **Motion 4.15(1) – Complimentary parking** – That Council NOTES that data is being collected to support Council making an informed decision on this matter.
16. **Motion 4.15(2) – Commercial Waste** - That Council NOTES that Commercial rates have been frozen for two years, and the rate in the dollar is 16 per cent lower than for residential rates.
17. **Motion 4.16(1) – Capital Expenditure** – That Council NOTES the significant improvements made in the way the City budgets and reports on capital projects, and any funds carried forward or any adjustments are clearly outlined in the reports to Council.
18. **Motion 4.16(2) – Street Tree Selection Tool** - That Council NOTES that the Street Tree Selection Tool is available on the City’s website.
19. **Motion 4.16(3) – E-Waste** – That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness.
20. **Motion 4.16(4) – Code of Conduct** – That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

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

That the recommendation be adopted.

The Presiding Member asked Council Members to advise of any motions from the Annual General Meeting of Electors that they would like to bring forward for discussion:

Cr Hallett – 4.8

Cr Ioppolo – Item 4.3 and 4.14

Cr Alexander – 4.12, 4.15(2), 4.16(3) and 4.16(4)

Mayor Cole – 4.4

COUNCIL DECISION 12.4

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

That Council ACCEPTS the recommendation of Administration on the following motions from the Annual General Meeting of Electors held 2 February 2023:

Motions 4.1, 4.2(1), 4.2(2), 4.5, 4.6, 4.7, 4.11, 4.13(1), 4.13(2), 4.15(1), 4.16(1) and 4.16(2).

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

AMENDMENT 1**Moved: Cr Hallett, Seconded: Cr Loden****That the recommendation be amended as follows:****That Council:****Change Recommendation for Motion 4.8 – Chemical Sprays to:****4.8 Supported for further investigation. That Administration provide a report to Council by June 2023 on options and costs for further reduction in the use of glyphosate.****REASON:**

Glyphosate is a broad-spectrum, post-emergent, non-selective, systemic herbicide that effectively kills or suppresses all plant types. It acts by inhibiting the enzyme 5-enolpyruvylshikimate-3-phosphate synthase which is only found in plants. Montero, et al. (2019) have explained the ecological concerns as follows:

"Glyphosate is considered environmentally safe due to its physico-chemical properties, presenting: (i) strong binding to soil; (ii) relatively rapid degradation; and (iii) potentially negligible risk to non-target organisms (mode of action specific to plants, fungi and some bacteria). However, studies reveal higher mobility of glyphosate in soils than expected and longer half-lives in soils (days-months) and water (<4-315 days). Generally, acute effects are not expected at glyphosate levels found in the environment. However, several sublethal effects have been observed in different organisms (rats, fish, amphibians, invertebrates) at glyphosate concentrations below regulatory guidelines: hepatorenal damage, endocrine disruption, reproductive impairment, genotoxicity, morphological alterations, oxidative stress. Toxicity is species- and development-specific, with higher toxicity expected in amphibians and the early-life stages of organisms. In addition, the outbreak of glyphosate-resistant weeds (12 Australia; 32 worldwide) has led to increased use (multiple sprayings per season) of glyphosate, alone or combined with other herbicides. After the controversy arose in 2015, several regulatory authorities, in Australia and worldwide, concluded that glyphosate does not pose a carcinogenic risk to humans at realistic exposure levels. Recent studies suggest that glyphosate-based herbicides are not as innocuous as expected. Some surfactants used in commercial formulations are more toxic than glyphosate itself. Thus, whole mixtures need to be evaluated to establish their potential risk. Comprehensive studies on the persistence of glyphosate in the environment and the associated chronic long-term effects, at population- and ecosystem-level, are still needed."

Glyphosate use is a controversial topic with limited population health data available. The International Agency for Research on Cancer concluded in 2015 that there was limited evidence in humans for the carcinogenicity of glyphosate, but sufficient in animals, and particularly noted positive associations with non-Hodgkin lymphoma in humans. There are studies from many countries that find that there is an increase in NHL with quite low doses of glyphosate (i.e. McDuffie et al., 2001; De Roos et al., 2003; De Roos et al., 2005; Eriksson et al., 2008; Andreotti et al., 2018; Pahwa et al., 2019; also summarised in Schinasi & Leon, 2014) but experts do disagree on its impact on human health.

When an activity raises threats of harm to human health or the environment, the precautionary principle suggest that measures to mitigate harms should be taken even if some cause and effect relationships are not yet established empirically. It is increasingly the expectation of our community to get to zero use and the City should have a plan for elimination.

ADMINISTRATION RESPONSE:**Supported.**

The report notes that "The Parks Team is continuously investigating and assessing options to further reduce the use of glyphosate. In addition, the Team is in the process of improving methods for community education and notification on the City's use of herbicides in public open space. Wherever possible alternative weed control methods are used in preference to glyphosate. However, it should be noted that glyphosate is the most effective treatment for certain weeds."

Administration will undertake an analysis of its current use of glyphosate and current and emerging effective

and economical alternates for weed control

.AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

At 8.35pm Manager Parks left the meeting and did not return.

AMENDMENT 2

Moved: Cr Alexander, **Seconded:** Cr Ioppolo

That Recommendation 11 be amended as follows:

11. **Motion 4.12 – Refund of rates – That Council:**

- 11.1 **NOTES** the rates increase is to fund longer payback periods to Western Power for Underground Power Projects. All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects;
- 11.2 **NOTES** the Administration have yet to provide the Council or community with a detailed financial model that demonstrates the time related quantum of funds that may be required, the time frame over which those may be required, and the alternative fundings sources that may be available to the City and property owners;
- 11.3 **NOTES** the City has yet to consult with property owners in order to determine how many may prefer to pay up-front, and how many may prefer to defer payments;
- 11.4 **NOTES** when the Highgate East program was undertaken in 2006 to 2008 48% of owners chose to pay up-front;
- 11.5 **NOTES** an indication of the proportion of owners who will pay up- front is an extremely important factor in determining ongoing funding requirements; and
- 11.6 **AUTHORISES** Administration present such a model along with all assumptions to Council for approval, including an indication of when each area will be consulted about the preferences for up- front payment.

REASON:

The motion was about the 2.1% increase in rates and fact that property owners in the Highgate East area have already paid to have their power put underground.

No detailed explanation has been given as to how the 2.1% was determined. It seems as if the administration is basing its model on 70% of owners choosing to defer payments even though the experience in the Highgate East area was that 52% of owners deferred payments.

Accurate modelling can not happen until a reasonable idea of the likely number of owners who may defer is known, and it is important that the model and parameters are made public so that the community can judge if increases like 2.1% are good value.

ADMINISTRATION RESPONSE:**Supported.**

Administration will provide Council with the updated modelling at Budget Workshop 3 on 21 March. Council has asked administration to model options that would work for Scenario 1 & 2 that were presented at Budget Workshop 2. All assumptions including modelling for the number of ratepayers that might pay upfront will be discussed with Council. Once the preferred funding model has been agreed we will be able to provide details of the level of reserves required and potential alternative funding sources.

The Highgate East project was undertaken through the former State Underground Power Program (SUPP) and was a discrete standalone project. The Vincent Underground Power Program with Western Power will be a rolling program to provide underground power through-out the rest of the City to provide the same benefits as that already delivered in Highgate East.

The magnitude of a whole of City of Vincent Underground Power Program presents a much larger financial challenge than the stand alone and discrete Highgate East project. The City will need to ensure it is in a sustainable financial position to meet its repayment obligations to Western Power through larger cash calls

over a longer period than required for the Highgate East project.

The City of Vincent will be providing ratepayers an option to pay upfront or to pay over a set number of years. This will be part of the financial model. There will be a communications plan for each project area to ensure ratepayers are fully informed of the program. The City will need to make some overall assumptions on payback periods to model the financial sustainability of the overall program over a number of years.

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 provided 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. 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.

This is a once in a generation opportunity to transform and green the City of Vincent. It will be our largest financial undertaking over the course of the Long Term Financial Plan and the priority is to ensure the City is in the strongest financial position to ensure the benefits of underground power are delivered to all residents and ratepayers.

The business case to complete underground power through-out the City is strong not just for the property owners which are the main beneficiaries.

For instance, we estimate that completing the underground power program throughout the City of Vincent will result in annual tree pruning cost savings of around \$400,000 pa. That is equivalent to 1 per cent of the City's annual rate revenue. Also, Western Power will meet the cost of the conversion of all our streetlights in the project areas to LEDs which are more energy efficient and will reduce the City's power bill.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

During debate on the above item the following occurred:

At 8.39pm Executive Director Strategy & Development left the meeting.

At 8.41pm Executive Director Strategy & Development returned to the meeting.

AMENDMENT 3

Moved: Cr Alexander, **Seconded:** Cr Ioppolo

That the recommendation be amended as follows:

16. Motion 4.15(2) – Commercial Waste - That Council NOTES that:

- 16.1 Commercial rates have been frozen for two years, and the rate in the dollar is 19 per cent lower than for residential rates;**
- 16.2 although the commercial rate in the dollar was frozen for two years and the commercial rate in the dollar is 19% lower than for residential rates, the average commercial rates have gone up by 10.17% in the three years since the last GRV review, and that this is comparable with the increase in the average residential rates which increased by 10.97% in the same period; and**
- 16.3 although commercial rates increased by 7.6% in 2022-2023, the City stopped collecting commercial waste in 2021 at an ongoing annual saving of approximately \$920,000 and that this ongoing saving has not been not passed on to owners of commercial properties.**

REASON:

The motion asked for an explanation why businesses were charged for a service that is no longer provided, and how much is being collected for a service that is not provided.

The response does not address the points raised and seems to be trying to imply that businesses have been treated better than fairly.

The amendment just seeks to clarify how businesses have fared and to respond to the motion by giving an indication as to the savings that have not been passed on to businesses.

ADMINISTRATION RESPONSE:**Not supported.**

The rate in the dollar for residential rates currently sits 16 per cent below the rate in the dollar for commercial rates which means that Commercial ratepayers are paying less. The GRV is the method used by Local Governments to distribute rates based on the value of the property. If the rate in the dollar was the same for both residential and commercial rates, commercial rates revenue would be approximately \$1.5m higher.

The last GRV revaluation was performed in 2020/21 and the new valuations were set. The rate increases from 2019/20 prior to the GRV revaluation, have resulted in the average Commercial rates increasing by 5.8 per cent compared to 11.8 per cent for residential rates over the same period of time.

The \$920,000 Commercial waste rebate was provided in 2021/22 to assist commercial ratepayers transition to the new waste management arrangements. It was determined that during the review of commercial waste services that residential ratepayers had been subsidising the commercial waste service.

There was a strong case for the City of Vincent to end its outdated two-bin service for commercial ratepayers.

The old commercial service was an extension of the two-bin system for residents, rather than a tailored commercial waste service, and it wasn't designed to meet the needs of different businesses or encourage the diversion of waste from landfill.

Contamination rates were high and many businesses were operating with rows upon rows of 240L wheelie bins, which were unsightly and difficult to manage for collection days.

The City had to review the service ahead of the planned roll out of the three-bin FOGO system for residents – FOGO was not suitable for businesses.

The City of Vincent business case for this change demonstrated that environmental benefits from a tailored commercial waste service could be achieved with less general waste bins and better recycling options, which could result in better value for businesses too.

About 15% of businesses in Vincent did not use the City's commercial waste service and others topped up the base service by paying for extra bins from the City of Vincent or private providers.

AMENDMENT LOST (2-6)

For: Cr Alexander and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Hallett and Cr Wallace

(Cr Worner was on approved leave of absence for the Meeting.)

AMENDMENT 4

Moved: Cr Alexander, Seconded: Cr Gontaszewski

That Recommendation 19 be amended as follows:

19. Motion 4.16(3) – E-Waste – That Council:

19.1 NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness; and

19.2 REQUESTS:

- **a six-month trial of E-waste drop-off points;**
- **that a report be presented to Council at the end of the trial detailing the findings from the trial; and**
- **that the Administration promote the trial in the media, social media, and other normal channels.**

REASON:

The City has committed to have zero waste to landfill by 2028. This will only happen if we make it easy for people to correctly dispose of their waste. Expecting people to drive long distances or use the verge valet to dispose of small amounts of e-waste is unrealistic.

All that is proposed is a trial to see if there is a demand and suggesting drop off points that won't be susceptible to dumpster divers.

ADMINISTRATION RESPONSE:

Not supported.

E-waste (electronic waste) is essentially anything with a plug, battery, power cable. Consequently this can range in size from a small domestic appliance, computer screens, etc., up to large bulky TV's.

Beatty Park and the Library are not suitable drop off locations for this waste stream. There is insufficient space internally to store these items safely, as they will not fit into the typical recycling station, which are already located at these locations. These stations are designed for smaller household hazardous waste items (batteries, fluorescent tubes/bulbs), mobile phones and ink cartridges (refer below photo).

In respect to larger receptacles, it is important to note that E-waste is a prime target for scavengers. As previous experience with charity clothing drops-off points in the City has shown, positioning drop off bins at unsecured locations outside results in antisocial behaviour, OSH issues and community complaints. These locations require a level of supervision that is not an effective use of resources.

Whilst some local governments hold ad-hoc e-waste drop off days (as the City has done previously), these are generally WALGA funded and Vincent was not able to access funding for this particular scheme this year.

E-waste should therefore be dropped off at a suitably secure and licenced transfer facility, via the Vincent Verge Valet System, or retail return points, as outlined in the Council report and response to public questions.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

AMENDMENT 5

Moved: Cr Alexander, **Seconded:** Cr Ioppolo

That the recommendation be amended as follows:

20. **Motion 4.16(4) – Code of Conduct** – That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

That the Recommendation be amended as follows:

That Council REQUESTS that the Code of Conduct be amended to include the following statement: While it is accepted that elected members have the right to speak on issues in a personal capacity, they must not give the impression that they are speaking on behalf of the council unless the council has formally adopted a position on that issue.

When speaking in a personal capacity Council Members should make it clear that they are speaking in a personal capacity and must not use their titles (Councillor or Mayor) to ensure that there is no misunderstanding as to the basis on which they speak.

REASON:

Council members should not be giving the impression that they speak for council if the council has not come to a collective decision on an issue. All that is intended is to make it clear when council members speak in a personal capacity and when they express the views of the council as a whole.

ADMINISTRATION RESPONSE:

Not supported.

Council at its meeting 20 September 2022 adopted the Communications and Social Media Policy the policy includes the following two clauses which sufficiently cover this matter:
Clause 2 speaking on behalf of the City of Vincent and clause 8 Council Member Statement on City Matters

Further the Code of Conduct for Council Members, Committee Members and Candidates provides that a Council Member:

must comply with all policies, procedures and resolutions of the local government Clause 8(2)(b) and must deal with the media in a positive and appropriate manner in accordance with any relevant policy of the local government Clause 9(b).

AMENDMENT LOST (2-6)

For: Cr Alexander and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Hallett and Cr Wallace

(Cr Worner was on approved leave of absence for the Meeting.)

AMENDMENT 6**Moved:** Cr Ioppolo, **Seconded:** Cr Gontaszewski

That the recommendation be amended as follows:

14. **Motion 4.14 – Conservation Plan Hyde Park** – That Council REQUESTS that Administration review the Hyde Park Conservation Plan **when before** developing the Hyde Park Master Plan, which is Action number 27 of the City’s Public Open Space strategy **and REQUESTS Administration apply for Heritage Council funding to further the end of this motion as soon as practical.**

REASON:

The Conservation Plan is an informing document to the Master Plan and should be subject to review prior to the commencement of the Master Plan process.

ADMINISTRATION RESPONSE:

The Conservation Plan could be reviewed in parallel with the Master Plan process as the existing guidelines can still inform the process. Resources will need to be reallocated / prioritised should the review of the Conservation Plan be brought forward.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

At 9.16pm Cr Wallace left the meeting.
At 9.18pm Cr Wallace returned to the meeting.

COUNCIL DECISION ITEM 12.4

4. **Motion 4.3 – Citizenship Ceremonies** - That Council REQUESTS that citizenship ceremonies are not held on 26 January.

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.4

5. **Motion 4.4 – Britannia Reserve Pathway** – That Council REQUESTS Administration complete the condition survey and implement any required safety improvements.

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.4

16. **Motion 4.15(2) – Commercial Waste** - That Council NOTES that:

16.1 Commercial rates have been frozen for two years, and the rate in the dollar is 16 per cent lower than for residential rates;

CARRIED (6-2)

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

Against: Cr Alexander and Cr Ioppolo

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.4

20. **Motion 4.16(4) – Code of Conduct** – That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 12.4

That Council ADOPT all the motions as follows:

The following motions were moved en bloc as recommended:

1. **Motion 4.1 – Renaming Mount Hawthorn Community Centre Lesser Hall** -That Council REQUESTS the CEO investigate the cost and location options of a flag pole at the Mount Hawthorn Community Centre Lesser Hall entry and signage on the Mount Hawthorn Community Centre Lesser Hall to bring awareness and promotion to where the local RSL meetings occur and provides this information to Council as part of its 2023/24 Budget process.
2. **Motion 4.2(1) – Development Green Space** - That Council REQUEST the CEO to present a review of the landscaping requirements in the City’s Built Form Policy to Council by December 2023.
3. **Motion 4.2(2) – Rodenticide** - That Council REQUESTS that Administration limits the use of second-generation rodenticides for rodent control.
7. **Motion 4.5 – Pedestrian Safety (Newcastle / Fitzgerald)** – That Council REQUESTS that Administration liaise with MRWA on the current issues in this area, and that in the interim planter boxes be placed on the footpath and the possibility of signage be investigated.
- 8.
7. **Motion 4.6 – Menzies Street Traffic** – That Council REQUESTS that Administration explore with MRWA opportunities to apply for funding towards treating any safety issues on Menzies Street or adjacent streets, and this be referred to the Sustainability and Transport Advisory Group for consideration.
8. **Motion 4.7 – Remove Parking levy of \$1** – That Council REQUESTS that Administration continue gathering the data to inform the report requested by Council on \$1 for the first hour by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget
10. **Motion 4.11 – Speed Humps** - That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023.
12. **Motion 4.13(1) – Creation of cul-de-sac** - That Council REQUESTS that Administration works with the Department of Transport (DoT) and allows sufficient funds to include this area within the transport study of the Pickle District.
13. **Motion 4.13(2) – Removal of tree** – That Council NOTES that the tree in question has been pruned in accordance with the City’s Street Tree Policy and does not present any issues to support its removal.
15. **Motion 4.15(1) – Complimentary parking** – That Council NOTES that data is being collected to

support Council making an informed decision on this matter.

17. **Motion 4.16(1) – Capital Expenditure** – That Council NOTES the significant improvements made in the way the City budgets and reports on capital projects, and any funds carried forward or any adjustments are clearly outlined in the reports to Council.
18. **Motion 4.16(2) – Street Tree Selection Tool** - That Council NOTES that the Street Tree Selection Tool is available on the City’s website.

The following motions were carried as recommended, after debate or after the proposed amendment was lost:

4. **Motion 4.3 – Citizenship Ceremonies** - That Council REQUESTS that citizenship ceremonies are not held on 26 January.
5. **Motion 4.4 – Britannia Reserve Pathway** – That Council REQUESTS Administration complete the condition survey and implement any required safety improvements.
6. **16. Motion 4.15(2) – Commercial Waste** - That Council NOTES that Commercial rates have been frozen for two years, and the rate in the dollar is 16 per cent lower than for residential rates.
7. **20. Motion 4.16(4) – Code of Conduct** – That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

The following motions were carried with amendments:

9. **Motion 4.8 – Chemical Sprays** – That Council REQUESTS that Administration provide a report to Council by June 2023 on options and costs for further reduction in the use of glyphosate.
11. **Motion 4.12 – Refund of rates** – That Council NOTES that the rates increase is to fund longer payback periods to Western Power for Underground Power Projects. All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects.
 - 11.2 NOTES the Administration have yet to provide the Council or community with a detailed financial model that demonstrates the time related quantum of funds that may be required, the time frame over which those may be required, and the alternative fundings sources that may be available to the City and property owners;
 - 11.3 NOTES the City has yet to consult with property owners in order to determine how many may prefer to pay up-front, and how many may prefer to defer payments;
 - 11.4 NOTES when the Highgate East program was undertaken in 2006 to 2008 48% of owners chose to pay up-front;
 - 11.5 NOTES an indication of the proportion of owners who will pay up- front is an extremely important factor in determining ongoing funding requirements; and
 - 11.6 AUTHORISES Administration present such a model along with all assumptions to Council for approval, including an indication of when each area will be consulted about the preferences for up- front payment.
14. **Motion 4.14 – Conservation Plan Hyde Park** – That Council REQUESTS that Administration review the Hyde Park Conservation Plan before developing the Hyde Park Master Plan, which is Action number 27 of the City’s Public Open Space strategy and REQUESTS Administration apply for Heritage Council funding to further the end of this motion as soon as practical.
19. **Motion 4.16(3) – E-Waste** – That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to

increase community awareness; and **REQUESTS:**

- a six-month trial of E-waste drop-off points;
- that a report be presented to Council at the end of the trial detailing the findings from the trial; and
- that the Administration promote the trial in the media, social media, and other normal channels.

CARRIED (7-1)

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

Against: Cr Alexander

(Cr Worner was on approved leave of absence for the Meeting.)

10.1 HAROLD STREET - RESPONSE TO PETITION

- Attachments:
1. Harold Street Petitions (2) - Confidential
 2. Design Drawing 
 3. Plan No. 3749-CD-01 Proposed loading zone Beaufort St & Harold St 

RECOMMENDATION:

That in response to a petition received by the Council on 14 February 2023 in relation to Local Area Traffic Management and parking issues on Harold Street, Mount Lawley, Council:

1. **NOTES** the current approved Main Roads WA funded Blackspot project which has investigated and mitigates road safety issues (crashes) at the intersection of Harold Street and Beaufort Street;
2. **REQUESTS** Administration to complete a Traffic Calming Warrant check and if warranted, design a treatment to be delivered which addresses road safety issues (speeding, driver behaviour etc) on Harold Street between Vincent Street and Beaufort Street; and
3. **CONSULT** with residents about implementing a residential parking only zone on the north side of Harold Street between Vincent Street and Beaufort Street.
4. **APPROVES** the following minor parking restriction improvements and amendments:
 - 4.1 Convert the 1/4P on Beaufort Street, outside The Beaufort, to a Loading Zone during the day, 7.00am to 4.00pm, Monday to Friday and Taxi Zone at all other times, clearway times excepted, Plan No. 3749-CD-01 (Attachment 3); and
 - 4.2 Convert the Loading Zone on the south side of Harold Street, corner of Beaufort Street, to 2P at all times, Plan No. 3749-CD-01 (Attachment 3).

Moved: Cr Gontaszewski, Seconded: Cr Loden

That the recommendation be adopted.

At 9.38pm Chief Financial Officer left the meeting.

At 9.40pm Chief Financial Officer returned to the meeting.

AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Ioppolo

That a recommendation be added as follows:

5. **REQUESTS that Council receives a report on the conclusion of the consultation around the proposed Harold Street/Beaufort Street Blackspot design prior to (or at the same time as) considering the outcomes of the warrant check of the intersection.**

REASON:

Whilst the city might not consult with the community on whether or not an intersection is treated, the city should consult with the community on the proposed design so that the community can advise of how the proposed design would impact the way they use the roadway. There are different ways the city could choose to improve safety at the intersection so the consultation would be on the method proposed not whether to act in the first place. Such a consultation was undertaken by the city on the proposed treatment at Harold And Lord - although this hasn't been reported back to council yet either.

I am concerned that the decision to move ahead with the blackspot treatment would prejudice the consideration of the case made by petitioners to make Harold St one way and appears to have been taken without any community input which is not the standard process.

ADMINISTRATION RESPONSE:

Not supported.

This project is an approved 2022-2023 capital works project. Funding is approved for 2/3 from Main Roads, 1/3 from the City of Vincent subject on delivering the current design before 30 June 2023. If the project as designed is not to be delivered in the financial year then the project will need to be withdrawn and funding returned to Main Roads WA. Any design for Blackspot funding requires the support of MRWA.

The Community and Stakeholder Engagement Policy states within section 1.2 "Guide to establish level participation" in respect to "Ability to influence", currently there is no ability to influence the decision on the design therefore "Inform" is the level of engagement required. Applications for Blackspot projects in July 2023 to be delivered within the 2024-2025 financial year would meet the "Ability to Influence" at a "Collaborate" level of engagement.

AMENDMENT CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 10.1

That in response to a petition received by the Council on 14 February 2023 in relation to Local Area Traffic Management and parking issues on Harold Street, Mount Lawley, Council:

1. **NOTES** the current approved Main Roads WA funded Blackspot project which has investigated and mitigates road safety issues (crashes) at the intersection of Harold Street and Beaufort Street;
2. **REQUESTS** Administration to complete a Traffic Calming Warrant check and if warranted, design a treatment to be delivered which addresses road safety issues (speeding, driver behaviour etc) on Harold Street between Vincent Street and Beaufort Street; and
3. **CONSULT** with residents about implementing a residential parking only zone on the north side of Harold Street between Vincent Street and Beaufort Street.
4. **APPROVES** the following minor parking restriction improvements and amendments:
 - 4.1 **Convert** the 1/4P on Beaufort Street, outside The Beaufort, to a Loading Zone during the day, 7.00am to 4.00pm, Monday to Friday and Taxi Zone at all other times, clearway times excepted, Plan No. 3749-CD-01 (Attachment 3); and
 - 4.2 **Convert** the Loading Zone on the south side of Harold Street, corner of Beaufort Street, to 2P at all times, Plan No. 3749-CD-01 (Attachment 3).
5. **REQUESTS** that Council receives a report on the conclusion of the consultation around the proposed Harold Street/Beaufort Street Blackspot design prior to (or at the same time as) considering the outcomes of the warrant check of the intersection.

CARRIED (8-0)


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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

- 9.2 NOS. 103-105 (LOT: 38; D/P: 28) SUMMERS STREET, PERTH AND NOS. 34 (LOT: 1; D/P: 62743) CHERITON STREET, PERTH - PROPOSED CHANGE OF USE TO CHILD CARE PREMISES (AMENDMENT TO APPROVED) TO INCORPORATE A CHANGE OF USE FROM SINGLE HOUSE TO CHILD CARE PREMISES INCLUDING ALTERATIONS AND ADDITIONS

Ward: South

- Attachments:
1. Location Plan & Advertising Area 
 2. Development Plans 
 3. Landscape Plan 
 4. Acoustic Report 
 5. Traffic Impact Statement 
 6. Operation Management Plan 
 7. Parking Management Plan 
 8. Waste Management Plan 
 9. Minutes of 20 September 2016 Ordinary Council Meeting - Item 9.1.1 
 10. Minutes of 17 November 2020 Ordinary Council Meeting - Item 9.3 
 11. Superseded Development Plans 

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 Change of Use to Child Care Premises (Amendment to Approved) at Nos. 103-105 (Lot: 38; D/P: 28) Summers Street, Perth, to incorporate a Change of Use from Single House to Child Care Premises including Alterations and Additions at Nos. 34 (Lot: 1; D/P: 62743) Cheriton Street, Perth in accordance with the plans shown in Attachment 2 dated 12 January 2023, subject to the following:

1. All conditions and advice notes detailed on development approval 5.2015.586.1 granted on 20 September 2016 and 5.2020.365.1 granted on 17 November 2020 continue to apply to this approval, except as follows:
 - 1.1 Condition 1 is to remain, except where amended to read as follows:
 - 1.1 A maximum of 90 children and 18 staff are permitted on site at any one time;
 - 1.3 The Child Care Premises subject to this approval must at all times be operated by the same proprietor on both properties, being Nos. 103-105 Summers Street, Perth and Nos. 34 Cheriton Street, Perth;
 - 1.4 The Child Care Premises must not operate independently of one another on the properties at Nos. 103-105 Summers Street, Perth or Nos. 34 Cheriton Street, Perth; and
 - 1.5 The Operation Management Plan shall be implemented at all times, to the satisfaction of the City;
 - 1.2 Condition 3 is to remain, except where amended to read as follows:
 - 3.1 A minimum of six car parking bays shall be provided on site;
 - 3.8 Prior to occupancy or use of the development on Nos. 34 Cheriton Street, Perth, the two on-site car parking bays shall be sealed, drained, paved and line marked in accordance with the approved plans, and completed to the satisfaction of the City. The two on-site car parking bays on Nos. 34 Cheriton Street, Perth, together with the existing four on-site car parking bays located on Nos. 103-105 Summers Street, Perth, as annotated on the approved plans, shall be maintained by the owner(s)/occupier(s);

1.3 Condition 4 is amended to read as follows:

4. External Fixtures

All external fixtures shall not be visually obtrusive from Cheriton Street, Summers Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

1.4 Condition 6 is amended to read as follows:

6. Parking Management Plan

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers;

1.5 Condition 7 is amended to include a new Condition 7.5 to read as follows:

7.5 Prior to the submission of a Building Permit for Nos. 34 Cheriton Street, Perth, an updated acoustic report shall be submitted to the City to demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, and in order to assess compliance with the *Environmental Protection (Noise) Regulations 1997* for any selected plant, equipment and other potential noise sources. All recommended measures of the report shall be implemented during the operation of the subject site, to the City's satisfaction;

1.6 Condition 8 is amended to include new condition 8.3 to read as follows:

8.3 Prior to occupancy or use of the development on Nos. 34 Cheriton Street, Perth, all works shown in the approved landscaping plan dated 19 January 2023 shall be undertaken in accordance with the approved plans. Landscaping on Nos. 34 Cheriton Street, Perth, shall be maintained in accordance with the approved plans, to the satisfaction of the City at the expense of the owners/occupiers;

1.7 Condition 9 is replaced with the following:

9. Waste Management

The Waste Management Plan shall be implemented at all times during operation of the subject sites, to the satisfaction of the City; and

1.8 The following advice note is added:

1. Any external artificial lighting installations, including in carparks and common areas, are to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.

COUNCIL DECISION ITEM 9.2

Moved: Cr Ioppolo, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

10.2 RFT IE190/2022 NORTH PERTH TOWN HALL TOILET AND KITCHEN RENEWAL**Attachments: 1. Evaluation Report - Confidential****RECOMMENDATION:****That Council;**

- 1. NOTES the outcome of the evaluation process for Tender IE190/2022 North Perth Town Hall Toilet and Kitchen Renewal; and**
- 2. ACCEPTS the tender submission of Budo Group Pty Ltd for Tender IE190/2022 North Perth Town Hall Toilet and Kitchen Renewal.**

At 9.50pm Executive Director Strategy & Development left the meeting.

At 9.52pm Executive Director Strategy & Development returned to the meeting.

At 9.52pm Manager Development & Design left the meeting and did not return.

At 9:52 pm, Mayor Emma Cole left the meeting and Deputy Mayor Susan Gontaszewski assumed the chair.

COUNCIL DECISION ITEM 10.2**Moved: Cr Ioppolo, Seconded: Cr Loden****That the recommendation be adopted.****CARRIED (7-0)****For:** Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil**(Mayor Cole was absent from the Council Chamber and did not vote.)****(Cr Worner was on approved leave of absence for the Meeting.)**

**9.5 MINOR AMENDMENT TO METROPOLITAN REGION SCHEME - LEEDERVILLE PARADE
PRIMARY REGIONAL ROAD RESERVE**

- Attachments:
1. Metropolitan Region Scheme Map - Proposed Amendment 
 2. Aerial Map - Leederville Parade and Vincent Street 

RECOMMENDATION:**That Council:**

1. **ENDORSES** the current road width of Leederville Parade, adjacent to The Avenue carpark to be sufficient for future planning requirements; and
2. **REQUESTS** that the Western Australian Planning Commission proceed with a Minor Amendment to the Metropolitan Region Scheme, pursuant to s.57 of the *Planning and Development Act 2005* to remove the Primary Regional Road reservation and zone land urban as illustrated in Attachment 1.

Moved: Cr Ioppolo, **Seconded:** Cr Loden

That the recommendation be adopted.

At 9:57 pm, Mayor Emma Cole returned to the meeting and resumed the Chair.

AMENDMENT

Moved: Cr Ioppolo, **Seconded:** Cr Loden

That a new Recommendation 3 be inserted as follows:

3. **INSTRUCTS** Administration to seek a land valuation that both includes and excludes the primary regional road reserve to understand the value comparison.

REASON:

To understand the effect on valuation of the land.

ADMINISTRATION RESPONSE:

Supported.

This will be completed through the Redevelopment Proposals – The Avenue and Frame Court Carparks process.

Noting scheme amendments do not take into consideration the value of the land as this is not a valid planning consideration.

The Executive Director Strategy and Development advised that the City has already committed to seeking valuations as part of the EOI process for the Leederville Car Parks.

AMENDMENT LOST (0-8)

For: Nil

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

(Cr Worner was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 9.5

That Council:

1. **ENDORSES** the current road width of Leederville Parade, adjacent to The Avenue carpark to be sufficient for future planning requirements; and
2. **REQUESTS** that the Western Australian Planning Commission proceed with a Minor Amendment to the Metropolitan Region Scheme, pursuant to s.57 of the *Planning and Development Act 2005* to remove the Primary Regional Road reservation and zone land urban as illustrated in Attachment 1.

CARRIED (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

12.7 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 2 MARCH 2023**Attachments:** 1. **Audit Committee Minutes - 2 March 2023** **RECOMMENDATION:****That Council:**



1. **RECEIVES** the minutes of the Audit Committee Meeting of 2 March 2023, as at Attachment 1;
2. **ENDORSES** the remaining recommendations contained within the Audit Committee minutes of 2 March 2023.

At 10:00 pm, Cr Ashley Wallace left the meeting.

At 10:02 pm, Cr Ashley Wallace returned to the meeting.

COUNCIL DECISION ITEM 12.7**Moved: Cr Ioppolo, Seconded: Cr Loden****That the recommendation be adopted.****CARRIED (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Hallett, Cr Ioppolo and Cr Wallace**Against:** Nil**(Cr Worner was on approved leave of absence for the Meeting.)**

12.1 CITY OF VINCENT ORDINARY ELECTION 21 OCTOBER 2023 - APPOINTMENT OF ELECTORAL COMMISSIONER TO CONDUCT THE ELECTION BY POSTAL VOTE

- Attachments:
1. Letter from WA Electoral Commissioner dated 9 February 2023 - conduct of City's 2023 ordinary election 
 2. Letter from Minister for Local Government 

RECOMMENDATION:**That Council:**

1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the City of Vincent 2023 ordinary election, together with any other elections or polls which may also be required at this time;
2. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the 2023 ordinary election will be as a postal election; and
3. **NOTES** that the estimated cost of the Electoral Commissioner conducting the City's 2023 ordinary election by postal vote is \$144,000 (including GST).

COUNCIL DECISION ITEM 12.1

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (8-0)

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

Against: Nil

(Cr Worner was on approved leave of absence for the Meeting.)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

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

The Confidential Items were passed en bloc.

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 10.02pm with the following persons present:

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Ron Alexander	North Ward
	Cr Alex Castle	North Ward
	Cr Dan Loden	North Ward (arrived at 6.06pm during Item 3A)
	Cr Jonathan Hallett	South Ward
	Cr Ross Ioppolo	South Ward
	Cr Ashley Wallace	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	John Corbellini	Executive Director Strategy & Development
	Peter Varris	A/Executive Director Infrastructure & Environment
	Rhys Taylor	Chief Financial Officer
	Joslin Colli	A/Executive Manager Corporate Strategy & Development
	Wendy Barnard	Council Liaison Officer
Public:	No members of the public.	

These Minutes were confirmed at the 4 April 2023 meeting of Council as a true and accurate record of the Ordinary Meeting of the Council Meeting (Ordinary and Special) held on 14 March 2023.

Signed: Mayor Emma Cole

Dated