



CITY OF VINCENT

AGENDA

Ordinary Council Meeting

23 April 2024

Time: 6.00pm
**Location: E-Meeting and at the Administration
and Civic Centre,
244 Vincent Street, Leederville**

David MacLennan
Chief Executive Officer

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PROCEDURE FOR PUBLIC QUESTION TIME

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

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

The following conditions apply to public questions and statements:

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

For further information, please view the [Council Proceedings Guidelines](#).

RECORDING AND WEBSTREAMING OF COUNCIL MEETINGS

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

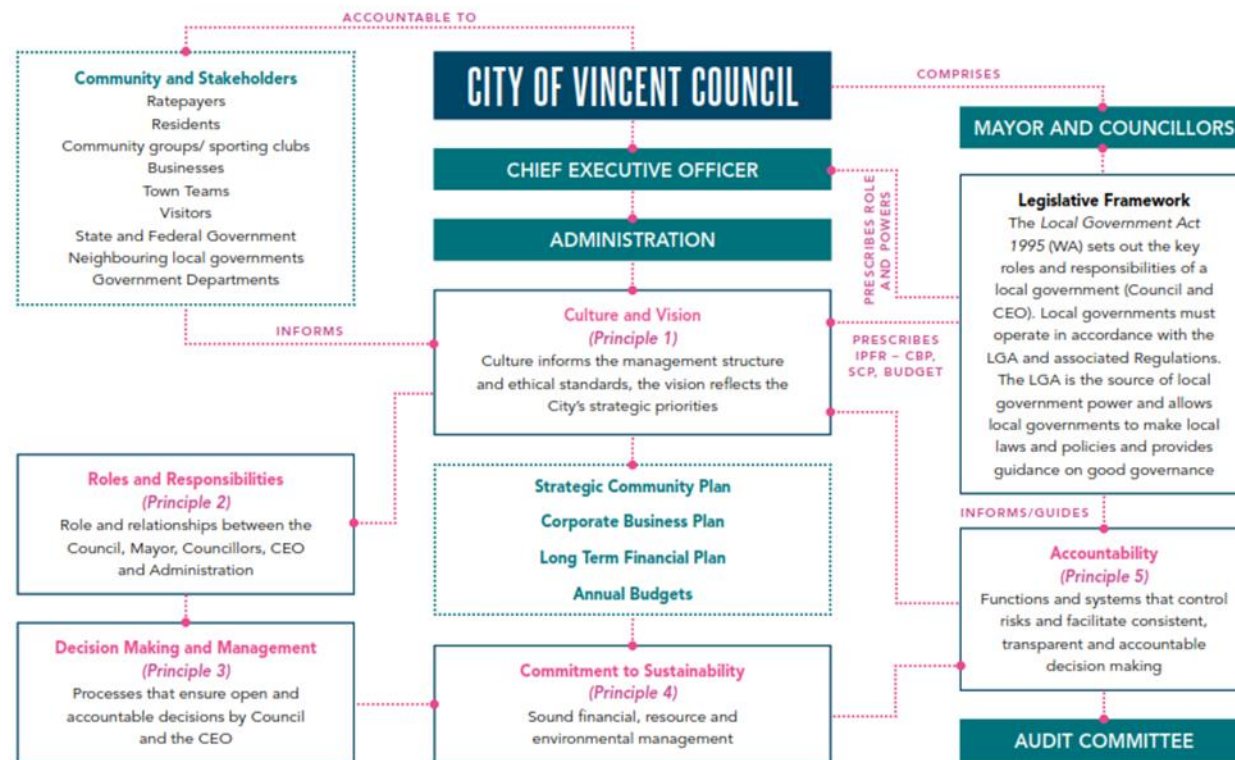
Order Of Business

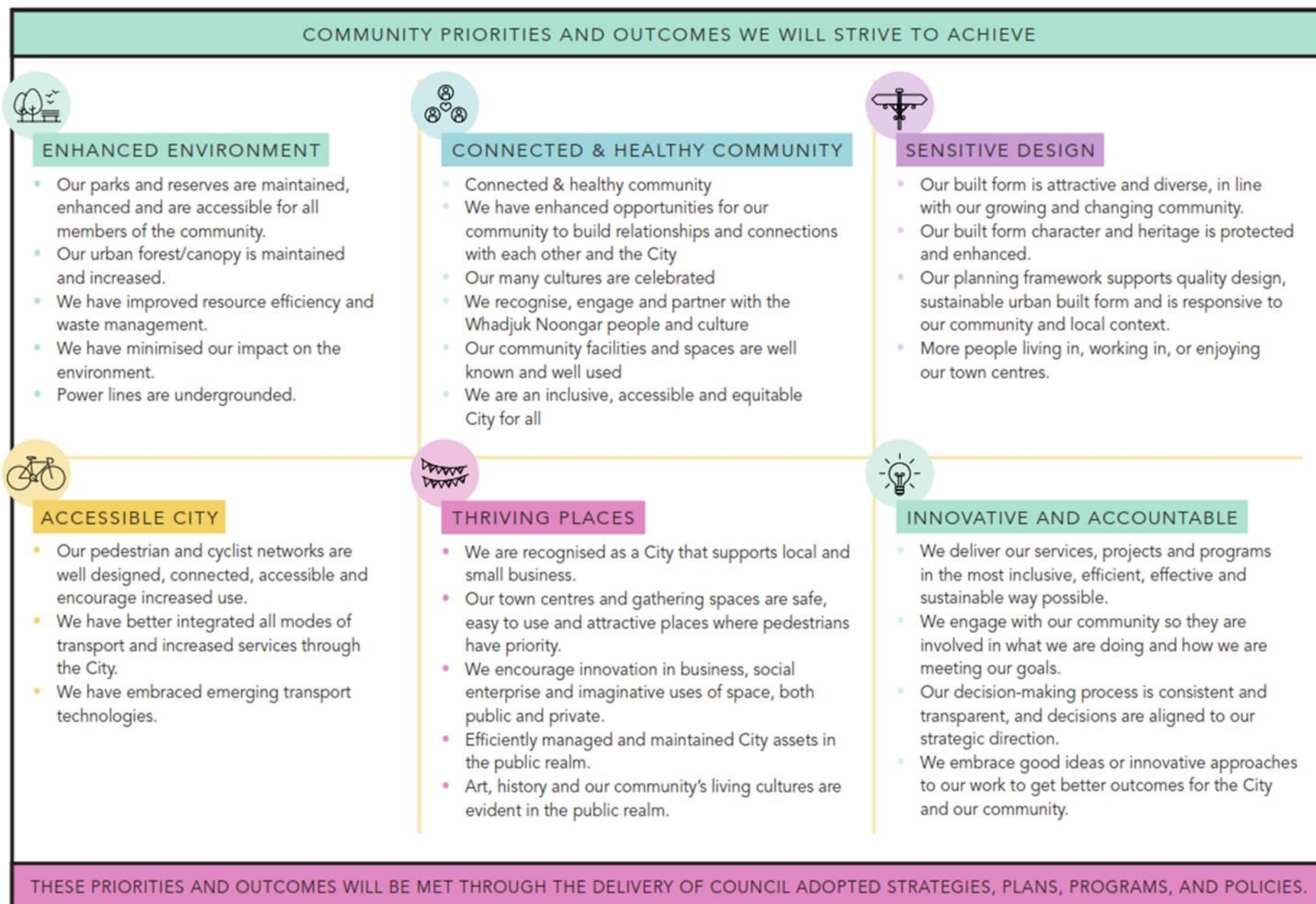
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CITY OF VINCENT GOVERNANCE FRAMEWORK 2020 OVERVIEW





1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

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

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Cara-May McGrogan of Leederville

Is it fair that the Department of Communities, the very organisation that placed a tenant in a residence, is the only organisation that oversees whether their tenant should remain at the residence, particularly when their tenant is causing distress to their neighbour, a member of the public?

I am living next door to a Department of Communities tenant. She has made verbal threats to me, I have had to call the police a few times and despite various complaints made to Strata and the Department of Communities, it seems an impossible feat for this tenant to be moved. I currently have a VRO against her. The police have told me she is well known to them and they feel sorry for me that I have to live next door to her. There needs to be discussion in the community about the impact these tenants have on members of the public and the power that the Department of Communities has to keep them there even if they are disturbing the peace of the residents next door to them. I would prefer for this tenant to be moved but the Department of Communities will not do this and they seem to be the only people in power to decide.

1. *The Department of Communities can only investigate and take action against tenants in public housing properties if the disruptive behaviour breaches the conditions of their tenancy agreement or the Residential Tenancies Act 1987.*

Some activities or behaviour may be concerning but cannot be investigated by the Department, including:

- *unpleasant or annoying neighbours*
- *personal disputes or disagreements you may have with a neighbour*
- *noise and activity associated with normal daily life e.g., children playing*
- *barking dogs*
- *incidents that take place away from the tenant's property.*

2. *The Housing Authority, operating within the Department of Communities, manages disruptive behaviour in accordance with their Department of Communities Disruptive Behaviour Management Policy. The disruptive behaviour management strategy is based on the principles of providing tenants with the opportunity to resolve tenancy concerns and modify behaviour (with relevant assistance), while also providing clarity and standards for tenants and the community on the consequences of ongoing disruptive behaviour.*

The Department also works closely with tenants, other government and support agencies and community organisations to assist and encourage tenants to meet their tenancy obligations and sustain their tenancies. The strategy includes appropriate referrals to support services, including Thrive, and the Department of Communities' Child Protection and Family Support services where relevant.

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3. *Unfortunately the City does not have jurisdiction over this matter, however we encourage you to keep reporting incidents as and when they occur to WA Police and share incident report numbers with the Department through their Disruptive Behaviour Management Unit so that the Department can validate your concerns and investigate accordingly.*

4. *If you are dissatisfied with the outcome of the Department's complaint process or wish to take your complaint outside of the Department of Communities, the most appropriate channel would be through the Ombudsman Western Australia on 9220 7555 or 1800 117 000.*

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5. *The City's Safer Vincent Advisor would be happy to discuss your situation further if you would like to leave your contact details and can connect you to the most appropriate local contacts to seek further advice and support.*

Glenn Christie of Mt Lawley

QUESTION 1

I refer the Mayor and Councillors to my question at the OCM dated, 24 July 2023, regarding an update on the progress of the Council Decision OCM 14 February 2023 Item 10.1 (5) 'Request Administration to consult with owner/occupiers on Vincent Street between William and Beaufort Streets to determine if they support the inclusion of the section of Vincent Street in the 40km/h zone'.

The City's response provided on the 25th July advised that ... *"The community consultation for Vincent Street, between William Street and Beaufort Street commenced on the 1st of August 2023. The consultation will run for a period of 21 days. There was no delay with this consultation, Administration has been working through several applications to Main Roads WA in reducing the speed on Roads to 40km/h and now recently issued the Vincent Street, (William Street to Beaufort Street section) for community consultation. This area is not included within the previous trial area, Council agreed that community consultation was required. Following community consultation, Administration can apply to Main Roads WA to have this section slowed to 40km/h. If approved, it would then be added to the 40% of roads which have already been approved to be slowed to 40km/h.*

The City also advised that the responses would be included in the August [2023] Council Meeting – a search of Minutes indicates this appears to have not occurred in August or any subsequent Council Meetings to date.

An additional 6 months has now lapsed after the elected members requested community consultation closed, over 12 months since the original request, and there has been no report to Council and would appear no further action to progress this request.

Can the City please provide an update on;

- 1)
 - a) the outcome of the community consultation,
 - b) has the City made an application to Main Roads WA,
 - c) results of the application to Main Roads WA
 - d) action taken by the City to inform the Council and community and,
 - e) expected timeline for implementing a 40km/h speed reduction?
- 2) Do the residents need to lodge a petition to the City to have this item actioned?
- 3) Do the residents now need to lodge a request direct with the Minister for Transport and the Member for Perth?

The City completed community consultation in August 2023 to seek feedback regarding slowing the speed to 40km/h on Vincent Street from William Street to Beaufort Street. Results found that 75% of respondents did support this, which followed a formal request by the City to Main Roads WA. Main Roads WA responded at the end of October 2023 stating that Main Roads WA cannot support a reduction on this section of Vincent St as it is a District Distributor A road and given there are not higher than normal levels of pedestrian activity, formed the opinion that 40km/h is not appropriate for this section of Vincent Street.

Following ongoing negotiations with Main Roads WA, in January 2024 the City formally requested that Main Roads WA consider a speed reduction of 50km/h on Vincent Street from William Street to Beaufort Street and are awaiting formal feedback on this. Informal feedback does suggest that Main Roads WA are supportive in principle.

The City has recently informed the respondents of the survey on the above.

The City will continue to advocate for the 40km/h speed reduction on Vincent Street from William Street to Beaufort Street and is considering some traffic calming treatments to assist with this.

QUESTION 2

OCM 12 March 2023, Item 6.1.

Requests the City implements a 12 month trial of a partial closure of Harold Street as proposed (exit [left and right] only onto Beaufort Street) and retain 2 way traffic for the rest of the street.

The original reasoning behind reviewing the traffic complaints was based on residents' concerns as a direct result of the patrons of The Beaufort, where vehicles (Ubers, party buses, delivery trucks etc) were entering Harold Street and creating congestion, parking in No Stopping zones and blocking driveways, impacting residents accessing private property and amenity. The City has subsequently relocated a Loading Zone to Beaufort Street and in addition created an evening Taxi Zone to support and enhance the business operations and patron safety. By creating no access to Harold Street off Beaufort will in affect prevent Ubers, party buses etc access and may reduce the un-necessary rat run through traffic. Mirroring the Mary Street access model to Beaufort Street for Harold Street should be considered as a (trial) option.

The City has completed a Precinct wide traffic analysis of the Highgate area and has recommended that the one-way conversion of Harold Street be either from Vincent Street to Beaufort Street or vice versa, with the intersection of Harold Street and Beaufort Street receiving a treatment in the form of a raised plateau node. This will treat the crashes at these locations, allowing free flowing traffic, which will likely have low impact adjoining streets. These treatments have gone to Council in March 2024, with Councils' resolution being to defer until May 2024.

If the one-way conversion was focused at the intersection of Beaufort Street and Harold Street (similar to Mary Street), this would not have the same impact on treating crashes and will likely increase the overall cost. Trial installations are not recommended as the Guide to Traffic Management Part 8: Local Traffic Management states these should be used as a last resort. Previous trials have proven to be of a similar cost to permanent works and have additional costs to remove if unsuccessful.

Dudley Maier of Highgate

Laneway lighting

Last week the City installed lights in the laneways bounded by Chatsworth Road, William Street, Lincoln Street and Harly Street.

1. Can you confirm that residents adjacent to these laneways were not consulted or even notified prior to the installation of these lights?
2. What initiated the decision to install these lights – was it a specific request by a resident living adjacent to one of these lanes, or was it initiated by the City's staff?
3. If it was initiated by the City's staff in order to address tagging and anti-social behaviour, what objective measure did they use to prioritise those particular laneways ahead of others?
4. Which staff member approved the installation of the lights?
5. Can you confirm that when the City proposed to install lights in the laneway that runs parallel between Chelmsford Road and Grosvenor Road in August 2018 [that it consulted with the broader community](#)? What has changed between 2018 and now with regards to consultation?
6. The City's Community and Stakeholder Engagement Policy specifies four levels of participation ranging from 'Inform' to 'Collaborate'. 'Inform' is required when there is no ability to influence the decision; 'consult' is required when there is some ability to influence the decision; etc. At what level of participation does the City put the installation of lights in laneways?
7. If it is just at the 'inform' level of participation why does the City believe that residents and ratepayers should not be consulted, particularly the residents who live immediately adjacent to the lights and may be directly impacted by light spillage?
8. If the placement of these lights is part of the Laneway Lighting Program why aren't details of proposed laneways included on the City's web site in the same way as the previous [Right of Way Upgrade and Acquisition Programme](#) was (i.e. providing forewarning and demonstrating a methodology for determining priorities)?

9. How much did the installation of the lights cost?
10. Have the City's staff actually assessed the effectiveness of the selected lights prior to selecting them – the general observation being that they light up the areas immediately adjacent to the lights but the gaps between lights are just as dark as before (i.e. the selection and placement is sub-optimal)?

The laneway lighting was installed in Marocchi Lane to largely address anti-social behaviour type activities. In 2019 it was brought to the City's attention that there was a large graffiti issue in Marocchi Lane, and subsequently this laneway was added to the programme to have lighting installed in the hope that this would act as a deterrent for this type of activity. The cost of this installation was \$23,540.

Unfortunately there was a miscommunication with the installer and the Project officer with the timing of the installation, and residents were not consulted prior to the installation. Consultation with affected property owners should have taken place prior to the installation, similar to what was communicated in 2018 with the laneway between Chelmsford Road and Grosvenor Road. However, consultation is to be limited to affected residents in this area rather than to the broader community.

Administration is currently working with the installer to investigate other options which will still achieve the objective of deterring anti-social behaviour. This includes lowering the wattage; a different style of light more in line with the character of the area; the possibility to have the lights operate as motion sensor as opposed to being on continuously; and modifying the amount of light spill to have minimal impact onto affected properties.

There are no immediate plans to place the program on the website, similar to the Right of Way Upgrade and Acquisition Programme, as the laneways priorities are identified by way of reports by residents, WA Police and internal stakeholders quantifying occurrences of anti-social behaviour such as graffiti, theft and damage. The lighting is spaced at adequate lengths between poles to meet the objective, without having an oversupply of lights within the laneway.

Laneway naming

On 28 September 2010 the Council approved the application to name the laneway extending from William Street to Harley St, running parallel to the southern side of Chatsworth Rd. The recommended name was Marocchi Lane in recognition of the contribution to the community of Doris Marocchi. In recent times signs have been placed on the sections of the lane which extend to the east. This has been done without community consultation or even notification.

Questions:

- Did Landgate (or whoever is responsible for naming) explicitly request this change or was this change initiated by the City?
- Why weren't adjoining residents and property owners informed in accordance with the City's Engagement/Consultation policy?

The City received a laneway naming request in 2022 requesting that the unnamed portion of laneway running parallel to Chatsworth street east of Harley Street be named Marocchi Lane as an extension of the existing named portion of laneway.

Following discussion with Landgate the City was advised that this name could be extended to the remainder of the lane. As there were no properties with assigned street addresses and a previous consultation was undertaken with the name "Marocchi Lane" identified, no further consultation was undertaken.

Special Projects

The Briefing Notes of 12 March 2024 indicate that one of the Executive Directors has been appointed as the Director of Special Projects.

1. Can you confirm that this position is not considered as a Senior Employee in accordance with Section 5.37 of The Local Government Act?

Director of Major Projects is not classified as a Senior Employee.

2. Have any other positions been created in order to support this new position (e.g. an executive assistant)?

No

3. What is the full-time equivalence of this position?

0.50 FTE

4. Was this position identified in the 2023/24 budget?

In the Mid Year Budget review, in line with the Leederville Carpark Redevelopment Business Plan, \$50,000 was included for a Director of Major Projects position to oversee the implementation of this project.

5. What projects will the position be responsible for?

Leederville Carpark Redevelopment and Concrete Batching Plant Relocation projects.

6. Was this position advertised?

No. The position is currently filled on a temporary basis of less than 12 months.

7. Can you confirm that the approved 2023-24 Budget shows an allocation of \$322,000 for Employee Costs for the (Executive) Director Community and Business Services and that the position of the Director has been vacant for over eight months this financial year? Was this budgeted amount varied in either the first quarter or mid-year budget reviews, particularly given that the pro-rata employee costs for the period July to February is over \$200,000?

No, that is not the correct figure allocated to the budget for the Executive Director Community and Business Services. No, the salary of the position has not been adjusted. No, the position has not been vacant this financial year. The current management arrangements are outlined on the City's website: [Organisation Structure » City of Vincent](#)

Electric Vehicle Charging

At the 20 September 2022 council meeting I asked whether the City would be raising with Western Power the possibility of installing roadside car charging points as part of the introduction of underground power. The response stated that the City had been raising the issue with Western Power, that it felt that it was making some progress, and was hoping to partner with the State Government on a pilot program. Given that the City has recently asked for comments about installing two charging stations near the Moir/Brookman heritage area because most properties in that area do not have off-street parking thus demonstrating a need; and given that the Perth/Highgate underground power area (Area 3) has a large number of properties without off-street parking, and is currently in the detailed design phase:

Question:

Has any progress been made towards incorporating on-street EV power charging into the design for this area?

Yes progress has been made. Additional electrical connection points are now being identified for inclusion in the network design, to cater for future public EV charging infrastructure.

Loan Payments

Given that it is proposed to pay down part of the Beatty Park Loan (Loan 10) as part of the mid-year budget review, and given that this indicates that the loan agreement allows early payments, and given that the rate of interest is 5.5%, why didn't the City re-finance this loan at the same time as re-financing the DSR building loan (Loan 2B) which has an interest rate of 1.4%, or when establishing the Resource Recovery Loan which has an interest rate of 1.3%?

The City has fixed interest rate loans with WATC and early payment of these loans are calculated on a financial neutral basis so WATC makes no gain or loss from the early termination. WATC values all debt terminations based on the prevailing interest rate at which WATC would be able to buy back the underlying funding instruments in financial markets.

When interest rates are low, it is not advantageous to refinance a higher fixed rate loan as WATC will apply a premium to compensate their counterparty for foregone interest.

Lesley Florey of Mt Hawthorn

Spoke in relation to a 900mm stormwater pipe running through her property and asked the following questions:

1. Does the City abide by the Private Property Rights Charter? Please provide a yes or no answer.

Yes

2. Requests a detailed step by step process outlining how the City conducts a formal hearing with natural justice and procedural fairness, when a resident requests and holds a formal hearing with them.
3. Request a comprehensive explanation of the procedures that the City follows after a formal hearing with a resident, specifically handling of documentation, the review process of evidence and the formal response provided to the resident, considering the gravity of the formal hearing and the evidence presented

Response to Q2 and Q3

Formal Hearing is not a process contemplated by the Local Government Act and not covered by the City's policies and procedures.

The City conducts all its interactions with customers in line with its adopted [Customer Service Charter](#).

4. Why does the City fail to provide transparency to those residents affected by stormwater pipes which run through their properties? The City has been aware of this situation since the GHD Technical Memorandum report in December 2022. Is it unconscionable conduct or omission of material facts for the City's decision makers to purposely withhold vital information from residents and ratepayers impacted by the stormwater pipe, which greatly affects the property values?

The City is continuing with the collection of stormwater data within the Mount Hawthorn area, focusing on inspections to pipes which run within private property. If there is maintenance works required to pipes which run within private property, the City will notify the property owner and undertake the relevant works.

4 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Alex Castle requested leave from 3 – 7 May 2024 for personal reasons.

Cr Suzanne Worner requested leave from 6 – 13 May 2024 for personal reasons.

Mayor Alison Xamon requested leave from 10- 17 July 2024 for personal reasons.

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**6 CONFIRMATION OF MINUTES**

Ordinary Meeting - 19 March 2024

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**8 DECLARATIONS OF INTEREST**

Cr Suzanne Worner declared a financial interest in Item 10.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that her son is employed at the Club. She is not seeking approval to participate in the debate or remain in Chambers or vote on the matter.

Cr Nicole Woolf declared an impartiality interest in Item 10.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she has a longstanding relationship with the Club.

Cr Ashlee La Fontaine declared an impartiality interest in Item 10.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she is a social member of the Club.











Cr Alex Castle declared an impartiality interest in Item 10.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she is a social member of the Club.

Cr Alex Castle declared an impartiality interest in Item 10.3 Appointment of the Design Review Panel. The extent of her interest is that she is acquainted with a number of applicants for the panel.

9 STRATEGY & DEVELOPMENT

9.1 NO. 5 (LOT: 516; PLAN: 2177) BERRYMAN STREET, MOUNT HAWTHORN - CHANGE OF USE FROM SINGLE HOUSE TO SINGLE HOUSE AND RESTAURANT/CAFE

Ward: North

- Attachments:
1. Consultation and Location Map [↓](#) 
 2. Development Application Plans [↓](#) 
 3. Applicant's Justification [↓](#) 
 4. Applicant's Operation Management Plan [↓](#) 
 5. Acoustic Letter of Advice [↓](#) 
 6. 1975 Council Determination [↓](#) 
 7. 1997 Council Determination [↓](#) 
 8. Summary of Submission - Applicant Response [↓](#) 
 9. Summary of Submissions - Administration 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, APPROVES the application for the Change of Use from Single House to Single House and Restaurant/Cafe at No. 5 (Lot: 516; D/P: 2177) Berryman Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Approval

This approval relates to a Change of Use from Single House to Single House and Restaurant/Cafe as shown on the plans dated 12 February 2024. It does not relate to any other development on the site;

2. Use of Premises

- 2.1 The development shall be used in accordance with the definition of 'Single House' and 'Restaurant/Cafe' as set out in the City's Local Planning Scheme No. 2;
- 2.2 The Restaurant/Cafe use shall be contained to the 34 square metre room, annotated on the approved plans as 'Proposed Cafe', and Car Bays 2 and 4 shown on the approved plans, to the satisfaction of the City. Remaining areas of the building and outdoor areas shall be used as a Single House, unless further development approval is received by the City;
- 2.3 The total number of staff members attending the Restaurant/Cafe at any one time, who do not also reside at the Single House, shall be limited to two (2) persons, to the satisfaction of the City;
- 2.4 The total number of customers/patrons attending the Restaurant/Cafe at any one time shall be limited to 14 persons, inclusive of dine-in and take-away customers, to the satisfaction of the City; and
- 2.5 The Restaurant/Cafe shall be limited to the following operating hours, to the satisfaction of the City:
 - Monday to Saturday: 7:00am to 4:00pm; and
 - Sunday and Public Holidays: 9:00am to 4:00pm: unless demonstrated through an Acoustic Report that the premises could operate from 7:00am to 4:00pm on Sundays or Public Holidays, in strict accordance with the *Environmental Protection (Noise) Regulations 1997*, and subject to the implementation of any recommended noise mitigation measures detailed in an Acoustic Report, to the satisfaction of the City;

3. Operation Management

- 3.1 The Restaurant/Cafe shall at all times operate in compliance with the Operation Management Plan stamp dated 12 February 2024, to the satisfaction of the City;**
- 3.2 At all times, customers shall not queue, wait for take-away orders, or dine, on the adjacent footpaths and/or verge areas, to the satisfaction of the City;**
- 3.3 Prior to commencement of the use, an amended Operation Management Plan shall be submitted to and approved by the City, which provides measures regarding how take-away waiting areas would be accommodated within internal areas of the building, to the satisfaction of the City. This should include designated waiting areas as well as signage advising customers that queuing, waiting and dining must occur internal to the building only, in accordance with Condition 3.2, to the satisfaction of the City; and**
- 3.4 All deliveries, servicing, food/drink preparation, set-up, pack-down, cleaning, and any other activities associated with the Restaurant/Cafe shall occur within the approved hours of operation, as detailed within Condition 2.5 of this approval, to the satisfaction of the City;**

4. Acoustic Report

- 4.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City prior to the operation of the Restaurant/Cafe. The Acoustic Report must address all activities, equipment, and operations at the premises, including but not limited to:**
 - Vehicle noise (in accordance with the carpark design required by Condition 6);**
 - Customer noise;**
 - Noise from mechanical plants;**
 - Proposed operating hours, inclusive of public holiday trading; and**
 - Noise from glass waste disposal or compacting.**

All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development, to the satisfaction of the City; and

- 4.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been undertaken to the City's satisfaction, prior to the use of the approved development;**

5. Building Design

The Proposed Restaurant/Cafe shall comply at all times with the following:

- 5.1 Doors and windows fronting Berryman Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;**
- 5.2 Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy, to the satisfaction of the City; and**
- 5.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City;**

6. Parking and Access

- 6.1 One (1) off-street parking bay shall be provided for use of the Single House, in the location shown on the approved plans, to the satisfaction of the City;**

- 6.2 The design of the Restaurant/Café carpark shall be modified and thereafter constructed in accordance with the following specifications, prior to first use of the approved development and to the satisfaction of the City:
- 6.2.1 The removal of Carbays 1 and 3;
 - 6.2.2 The retention of Carbays 2 and 4, to be allocated for staff of the Restaurant/Cafe, to the satisfaction of the City. The parking bays shall not be used for storage purposes or the like;
 - 6.2.3 A 1.5 metre setback provided between the Restaurant/Cafe carpark and the southern lot boundary;
 - 6.2.4 A 1.5 metre setback between the long term bicycle bay and the southern lot boundary;
 - 6.2.5 A 0.5 metre setback between the proposed crossover and the existing western power pole located in the verge; and
 - 6.2.6 A 0.5 metre minimum setback between the proposed driveway and the existing on-site tree located adjacent to the Restaurant/Café car bays;
- 6.3 Car parking and access areas associated with Single House and Restaurant/Cafe shall be sealed, drained, paved and respectively marked as 'residential only' and 'staff only' and in accordance with the approved plans and are to comply with the requirements of Australian Standard 2890.1, to the satisfaction of the City;
- 6.4 A minimum of one onsite bicycle facility shall be provided and designed in accordance with the approved plans and shall comply with AS2890.3, to the satisfaction of the City; and
- 6.5 A minimum of one bicycle bay shall be provided within the Berryman Street verge, adjacent to the Restaurant/Cafe premises and in a location approved by the City. The bicycle bays shall be designed in accordance with Australian Standard 2890.3 prior to the use of the approved development, to the satisfaction of the City (see Advice Notes);

7. Landscaping

- 7.1 Prior to occupation of the Restaurant/Cafe, a detailed landscape and reticulation plan for the development site, 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, and show the following:
- 7.1.1 The location and type of existing and proposed trees and plants;
 - 7.1.2 Areas to be irrigated or reticulated;
 - 7.1.3 The provision trees that achieve a minimum of 60 percent (31.8 square metres) canopy coverage at maturity to the Restaurant/Café carpark. The tree species are to be consistent with the City's Tree Selection Tool so as to maximise the provision of canopy coverage, to the satisfaction of the City;
 - 7.1.4 The provision of an additional landscaping area along the southern side of the carpark. The landscaping area shall have a minimum width of 1.5 metres; shall include shade providing tree/s to the staff car parking bays; and shall include a selection of fast growing shrubs or similar foliage bushes, to the satisfaction of the City; and
 - 7.1.5 The retention and protection of the existing on-site tree located adjacent to the Restaurant/Café carpark and all verge trees, to the satisfaction of the City;

7.2 All landscaping works shall be undertaken in accordance with the landscape plan approved in accordance with Condition 7.1, prior to the occupancy or use of the Restaurant/Cafe and maintained thereafter to the satisfaction of the City;

8. Sight Lines

Prior to use of the approved development, existing walls and fences shall be truncated or reduced to no higher than 0.75 metres, within 1.5 metres of where walls and fences adjoin the Restaurant/Cafe driveway, to the satisfaction of the City;

9. Waste Management

Prior to the operation of the approved development, a Waste Management Plan must be submitted to and approved by the City. The Waste Management Plan shall address the following:

- **The location of bin storage areas shall be in accordance with location detailed within the approved Operation Management Plan;**
- **Screening of the Restaurant/Cafe bin store area from the street; from the outdoor living area of the Single House; and from adjoining properties, to the satisfaction of the City;**
- **The provision of a private collection service for the Restaurant/Cafe;**
- **The location of bin collection areas, being provided to the verge area of Berryman Street adjacent to the Restaurant/Cafe premises;**
- **The number, volume and type of bins, and the type of waste to be placed in the bins;**
- **Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and**
- **Frequency of bin collections to the satisfaction and specification of the City.**

Once approved, the Waste Management Plan must be implemented at all times to the satisfaction of the City; and

10. 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.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for a change of use from 'Single House' to 'Single House and Restaurant/Cafe' at No. 5 Berryman Street, Mount Hawthorn (the subject site).

The subject site is located on the corner of Berryman Street and Federation Street and adjacent to Menzies Park, a 'Public Open Space' Reserve under the City of Vincent Local Planning Scheme No. 2 (LPS2). The subject site currently has a single house with an Interwar Art Deco style shop tenancy, both of which have Berryman Street as the primary street frontage.

The application proposes the conversion of part of an existing single house, historically approved for use as a shop, into a Restaurant/Cafe. The previous shop tenancy, which is the subject of this application, has been used as part of the single house since the shop ceased operating in 1962. Approval for an Art Gallery for a portion of the building on the subject site was granted by Council in 1997, but the City does not have record of this approval being enacted.

The proposed change of use is limited to an existing 34 square metre room of the existing Single House. The only external works proposed are for the construction of a vehicle crossover, four car parking bays and two bicycle parking bays. These car parking bays are intended for use by external staff and customers. Administration has recommended a condition that would remove Car Bays 1 and 3 from being provided, to retain an existing onsite tree. This is because the existing tree on-site is healthy and mature with ongoing viability and its retention should be prioritised. This would result in a shortfall of two on-site parking bays for customer use.

The shortfall is supported on the basis that sufficient and available on-street parking is located directly adjacent to the subject site on Berryman Street. The Restaurant/ Café would serve a local catchment and customers would reside in the local area, reducing parking demands.

The proposed Restaurant/Cafe would operate between 7:00am to 4:00pm everyday with a maximum capacity of 16 people, including a maximum of two external staff members and up to 14 customers. The operations of the site include the sale of food and drinks. Most of the food is proposed to be pre-made offsite, with light food preparation to occur onsite. There is no coffee window to serve customers externally.

The area of discretion being sought under the planning framework relates to the proposed land use, and the acceptability of landscaping, vehicle access, the public domain interface and the management of noise. The Restaurant/Cafe land use is capable of approval in the Residential zone under LPS2.

Surrounding residential properties that front towards Menzies Park experience a lower level of amenity compared to a typical residential area due to their proximity to noise and traffic generating activity from the park. Most of the activity from the proposed Restaurant/Cafe is directed towards Berryman Street and would occur during the proposed daytime operating hours. The intensity of the Restaurant/Cafe would be controlled by the restrictions on the number of customer seats, the size of the tenancy and number of staff members. This would ensure that the Restaurant/Cafe operates at a low scale and would be compatible with the residential area.

The applicant has provided an Operation Management Plan which includes measures to restrict orders being placed within the premises and to restrict on queuing and waiting outside the building. The applicant's Operation Management Plan demonstrates that internal activity associated with the Restaurant/Cafe could be appropriately managed, ensuring that the onsite use would not unduly impact the amenity of the area.

The applicant has provided an acoustic letter which provides an analysis prepared by an acoustic consultant of the potential noise impacts from the Restaurant/Cafe. The acoustic letter confirms that the noise generated by the Restaurant/Cafe would likely comply with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations) and would be low risk in terms of a noise impact. The acoustic letter is a professional opinion prepared by an acoustic consultant and has not been verified by noise modelling or other noise measuring. To provide assurance that the noise generated from the Restaurant/Cafe would not unduly impact the amenity of the area, a condition has been recommended for an acoustic report being prepared in accordance with the City's Policy No. 7.5.21 – Sound Attenuation Policy (Sound Attenuation Policy) to be provided and any recommendations implemented, prior to the operation of the Restaurant/Cafe.

The proposed Restaurant/Cafe would generate additional vehicle movements to and from the site compared to the existing single house use. Due to the scale of the development, the operation measures and the accessibility of the site, the likely traffic generated could be managed to ensure it would not have a negative impact on the amenity of the surrounding area.

The proposal in its current form would provide 17 percent canopy coverage to the open-air carpark due to the retention of an existing onsite tree. A condition has been recommended for additional onsite landscaping to be provided to achieve a minimum of 60 percent canopy coverage to the Restaurant/Café carparking bays, as well as other planting to the southern boundary to increase a sense of open space between properties.

The location of the proposed vehicle access point and carpark is restricted due to the adaptive reuse of the existing building, the retention of existing verge and onsite trees and existing verge infrastructure. The officer recommendation includes conditions to ensure vehicles safely enter and exit the proposed carpark.

The proposed development is acceptable as considered against the planning framework and is recommended for approval subject to conditions.

PROPOSAL:

This application proposes a change of use of the subject site from Single House to Single House and Restaurant/Cafe. A location plan is included as **Attachment 1**.

The application proposes the adaptive reuse of an existing 34 square metre room of the existing Single House for the Restaurant/Cafe land use, which has direct access to Berryman Street. The existing dwelling would retain direct access to Berryman Street via a separate entry.

The applicant has indicated that the Restaurant/Cafe would not be operated by the occupiers of the Single House. The Restaurant/Cafe is proposed to be leased out to a third-party tenant.

Details of the proposed development works include:

- Construction of four parking bays in a tandem arrangement for the Restaurant/Cafe, including:
 - Two staff parking bays adjacent to the southern lot boundary.
 - Two customer parking bays adjacent to the Berryman Street boundary.
- The existing single house resident only parking bay remains in its current location, within the centre of the site and accessed from Berryman Street.
- Construction of one long-term bicycle parking enclosure for the Restaurant/Cafe. This bay is adjacent to the staff car parking bays.
- One short-term bicycle rack within the Berryman Street verge for the Restaurant/Cafe visitors.
- A bin storage area for the Restaurant/Cafe adjacent to the existing residential parking bay.
- No external modifications are proposed to the existing building and no signage is proposed.
- Internal fit-out of the Café/Restaurant premises, including:
 - A small kitchen area of approximately four square metres that includes a food preparation area, hand wash basin, microwave, oven, small stove, and coffee machine.
 - Counter area that includes a serving space and display units that contain pre-made food for customers to purchase.
 - An internal dining area to accommodate 14 patrons.
 - Installation of self-closing doors.

The development plans are included as **Attachment 2**.

Details of the proposed Restaurant/Cafe land use operation includes:

- Operating hours from 7:00am to 4:00pm, Monday to Sunday.
- All cleaning and servicing undertaken by staff members to be undertaken within the above operating hours.
- A maximum capacity of 16 people, including a maximum of two external staff members and internal seating provided to accommodate up to 14 patrons.
- Staff who reside in the single house would be permitted to work in the Restaurant/Café.
- The sale of drinks and food to dine-in and take-away customers.
- Most of the food is proposed to be pre-made offsite, with light food preparation to occur onsite. Food is proposed to be stored within display cabinets and fridges.
- A maximum of two deliveries per week, to occur within hours of operation. Deliveries would be accommodated by light vehicles such as vans who would park along Berryman Street directly in front of the Restaurant/Cafe tenancy, providing a suitable distance from the nearby intersection.
- Waste collection provided through a private contractor within hours of operation.
- Low-level music proposed to be played within the dining space only.
- Advice provided to patrons by way of sign posting to not congregate outside the cafe prior to/after their meal.

The applicant's supporting documentation including written justification, an Operation Management Plan and an acoustic letter, are included as **Attachments 3 to 5** respectively.

There is intention by the applicant for alfresco dining to be accommodated on the Berryman Street verge area. This does not form part of this application and would require an outdoor eating permit in accordance with the City's *Trading in Public Places Local Law 2008*.

The existing single house would remain and would continue to be used for residential purposes. The proposal would not result in any discretion being exercised against the Residential Design Codes for the existing single house. This means further assessment is required against the Residential Design Codes. The single house built form, car parking and outdoor living spaces would remain and function as existing.

Changes to Plans through Conditions of Approval

Recommended conditions of approval, which have been supported by the applicant, would result in a change to the car parking arrangements for the Restaurant/Café, located to the western side of the site. These changes are to ensure the car park design appropriately responds to the City's Built Form Policy standards.

- The carpark design would be amended to remove Car Bays 1 and 3 entirely, to retain an existing on-site tree located between Car Bay 3 and the street.
- Allocation of Car Bays 2 and 4 for staff use.
- A 1.5 metre setback provided between the Restaurant/Cafe carpark and the southern lot boundary.
- 60 percent of the Restaurant/Café carpark to be provided as canopy cover at maturity.

BACKGROUND:

Landowner:	G P Seal
Applicant:	Urbanista Town Planning
Client:	G P Seal
Date of Application:	17 August 2023
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R30
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Single House and Restaurant/Cafe
Lot Area:	491 square metres
Right of Way (ROW):	N/A
Heritage List:	N/A

Site Context and Zoning

The subject site is bound by Berryman Street to the north, Federation Street to the east, and residential properties to the south and west.

The subject site and surrounding lots to the south, east and west are zoned Residential with a density code of R30 under LPS2 and are within the Residential Built Form Area under the City's Local Planning Policy No. 7.7.1 – Built Form (Built Form Policy).

To the north of the subject site is Menzies Park, which is a Local Reserve for 'Public Open Space' under LPS2.

History of the Site and Surrounding Area

The subject site contains a single house with an Interwar Art Deco shopfront, both of which orient to Berryman Street.

The subject site was developed in 1939 with a single house and shop. Since 1962 it has functioned as a single house and has not operated as a Shop or other commercial premises.

The site was rezoned from its commercial zoning to a residential zoning in 1976 at the request of the landowner. Since 1976, three separate planning schemes have been adopted which applied to the subject site. Each of these planning schemes maintained a residential zoning for the subject site.

Council approved an Art Gallery on the subject site in 1997, but there are no records of this approval being enacted. At the time of Council's approval, the Mount Hawthorn Scout Hall was located to the west of the subject site, adjacent to the car parking area for the Art Gallery.

The Mount Hawthorn Scout Hall has since been demolished and the site has been redeveloped into three single houses.

The southern adjoining property at No. 91 Federation Street was recently redeveloped, from the existing original single-storey single house to a larger two-storey single house.

The history of the subject site and adjacent sites are summarised below.

Date & Description of Relevant Changes	Comment
26 January 1939 <i>Development of the Subject Site</i>	<p>On 26 January 1939, an application was submitted to the City of Perth for the construction of a single house and shop on the subject site.</p> <p>This application included a 90 square metre residential component and a 34 square metre shop component.</p> <p>The City does not have record on when the approval was issued but the application plans reflect what was constructed.</p> <p>The City does not have details on how the shop operated.</p>
28 June 1958 <i>Development of the Adjoining Property</i>	<p>The adjoining western property at No. 76 Berryman Street, Mount Hawthorn (now known as Nos. 19, 21 and 23 Berryman Street, Mount Hawthorn) was constructed and used as the Mount Hawthorn Scout Hall. The building was oriented to Berryman Street.</p>
10 October 1961 <i>Change to Planning Framework</i>	<p>On 10 October 1961, the City of Perth adopted the Zoning By-law No. 64.</p> <p>This identified the subject site and adjoining western property as being zoned Zone 6 – Shop.</p>
17 October 1975 <i>Zoning Change to the Subject Site</i>	<p>On 17 October 1975, the landowner of the subject site at the time, applied to the City of Perth requesting to rezone the subject site from its commercial classification (Zone 6 – Shop) to a residential zoning (Zone 1 – Single Tenement Dwellings).</p> <p>The applicant advised Council, by letter, that the shop part of the premises had been used for residential purposes, specifically a lounge room for the single house, since 1962.</p> <p>At its meeting on 17 November 1975, the City of Perth Council recommended the City's officers undertake the necessary steps to formalise the rezoning. This required the City's officers to seek support from the Town Planning Board prior to adopting the new zoning into the City of Perth Zoning By-Law No. 64.</p> <p>At its meeting on 15 March 1976 and after receiving support from the Town Planning Board, the City of Perth Council approved the rezoning of subject site from Zone 6 (Shop) to Zone 1 (Single Tenement Dwellings) and formally adopted the new zoning into the City of Perth Zoning By-Law No. 64.</p> <p>The minutes of the 17 November 1975 Ordinary Council Meeting are included in Attachment 6.</p> <p>Based on a City of Perth planning zoning map dated 2 December 1975, included in Attachment 6, the subject site and adjoining Mount Hawthorn Scout Hall site were zoned for Commercial land uses including offices, shops, showrooms and warehouses. This was subsequently changed following the rezoning of the subject site.</p>
20 December 1985 <i>Change to Planning Framework</i>	<p>On 20 December 1985, the City of Perth adopted the City of Perth City Planning Scheme. This replaced the Zoning By-law No. 64 and identified the subject site as being zoned Residential.</p> <p>At this time, the adjoining western property was also rezoned to Residential.</p>
9 August 1994 <i>Change to Planning Framework</i>	<p>On 9 August 1994, the Town of Vincent adopted Town Planning Scheme No. 1. This replaced the City of Perth City Planning Scheme and retained the Residential zoning for the subject site and all adjoining properties.</p>

<p>10 November 1997</p> <p><i>Development Approval on the Subject Site</i></p>	<p>At its meeting on 10 November 1997, Council granted approval for a Change of Use (of a section of a dwelling) from Residential to Art Gallery, subject to:</p> <ul style="list-style-type: none"> Operating hours of 10:30am – 4:30pm Tuesday – Friday and 10:00am – 1:00pm Saturday. <p>The section of the building approved as the art gallery was contained to the 34 square metre original shopfront.</p> <p>The location of approved car parking for the Art Gallery land use was located to the western boundary of the subject site, adjacent to the western Scout Hall used for commercial purposes.</p> <p>The location of approved parking bays for the Art Gallery were also adjacent to the southern adjoining property rear garden that contained outbuildings built up to the shared boundary.</p> <p>The minutes of the 10 November 1997 Ordinary Council Meeting, including a copy of the approved plans and conditions of approval are included in Attachment 7.</p> <p>The City does not have any record of the Art Gallery approval being enacted.</p>
<p>9 November 2005</p> <p><i>Development of the Adjoining Western Property</i></p>	<p>The adjoining Mount Hawthorn Scout Hall was approved for demolition and was subsequently subdivided and redeveloped into three single houses in proceeding years, all of which orient to Berryman Street.</p>
<p>16 May 2018</p> <p><i>Change to Planning Framework</i></p>	<p>On 16 May 2018, the City of Vincent Local Planning Scheme No. 2 was gazetted.</p> <p>This replaced Town Planning Scheme No. 1 and retained the Residential zoning for the subject site and adjoining properties.</p>
<p>5 December 2019</p> <p><i>Development of the Adjoining Western Property</i></p>	<p>On 5 December 2019, the City approved a development application to demolition and redevelop the southern adjoining property at No. 91 Federation Street.</p> <p>This included the demolition of the existing single house and all other structures onsite and the construction of a new two-storey single house.</p> <p>Construction of the single house was completed in November 2020.</p>
<p>23 June 2023</p> <p><i>Development of the Adjoining Eastern Property</i></p>	<p>On 23 June 2023, the City approved a development application for the construction of a new two-storey single house on the eastern adjoining property at No. 90 Federation Street.</p> <p>A building permit was issued on 24 July 2023 and construction has since commenced.</p>

Surrounding and Future Context

Surrounding Context

The surrounding context is characterised by residential development with a distinct low-density residential character. Surrounding properties along Berryman Street, Federation Street and East Street are residential in nature, the majority of which are one to two storey single house developments.

The subject site is located approximately 500 metres to the west of the Mount Hawthorn District Centre, located along Scarborough Beach Road, which is the closest commercial development to the subject site. The subject site is also located approximately 650 metres to the south-east of the Glendalough Station District Centre and Commercial zone.

Menzies Park is located directly to the north of the subject site, discussed in greater detail below.

Immediately Adjacent Properties

The context of the immediately adjacent properties is summarised as follows:

- No. 19 Berryman Street – A two storey single house located to the east of the subject site which was constructed in 2006 and includes:
 - A meals area with a west facing major opening on the ground floor that is located 3.5 metres southwest of the proposed staff car parking bays.
 - A street-facing garage and entry hallway on the ground floor that is located 1.3 metres west of the proposed staff car parking bays.
 - A street-facing open balcony and living area on the upper floor that is located 4.0 metres east of the proposed customer car parking bays.
- No. 91 Federation Street – A two storey single house immediately located to the south of the subject lot constructed in 2020, which includes:
 - Living and dining areas with north facing major openings on the ground floor that are located 7.6 metres southeast of the proposed staff car parking bays.
 - Two bedrooms with north facing highlight windows on the upper floor. The windows are located 7.6 metres and 9.8 metres southeast of the proposed staff car parking bays.
 - The outdoor living area of the single house that is located 0.7 metres to the south of the proposed staff car parking bays. The outdoor living area includes an open grassed area, swimming pool and open alfresco which is located 5.5 metres from the staff car parking bays.
- No. 90 Federation Street – A two storey single house located to the east of the subject lot currently under construction and separated from the subject site by Federation Street, which includes:
 - A theatre room with west facing major openings on the ground floor that are located 28.7 metres southeast of the proposed Restaurant/Cafe tenancy.
 - A sitting room and bedroom with west facing highlight windows on the upper floor. The windows are located 28.7 metres and 30.7 metres southeast of the proposed Restaurant/Cafe tenancy.
 - The outdoor living area of the single house is located 31.5 metres to the east of the proposed Restaurant/Cafe tenancy. The outdoor living area is not constructed but is intended to include an open grassed area and open alfresco.

Future Context

The properties surrounding the subject site would be expected to remain residential in nature. This is because existing properties have been developed consistent with the expectations of LPS2 and the Built Form Policy and includes residential development.

Menzies Park

Menzies Park is located directly to the north of the subject site, bordered by East Street to the west, Berryman Street to the south, Egina Street to the east and Purslowe Street to the north.

The park is equipped with a sport ground, sport pavilion, playground, exercise equipment and landscaping. The pavilion has a maximum capacity of 60 people, and the sport ground has a capacity of 1,000 people.

Park facilities, including the playground and pavilion are concentrated to the north of the park, including constructed car parking facilities that are located on Purslowe Street, accommodating 26 unrestricted bays.

The Berryman Street side of the Menzies Park contains the open grassed area, a line of trees along the southern boundary of the park, as well park benches and exercise equipment. Parking on the Berryman Street verge is permitted by the City and is unrestricted. Parking in this location has not been constructed as a hard stand car park and instead informal parking occurs on the grass and sand verge.

Booking data from 1 December 2022 to 31 December 2023 shows that there were 557 bookings to use the park and pavilion. The park is available to hire everyday between 7:00am to 10:00pm, the pavilion is available 7:00am to midnight on Fridays and Saturday and available until 10:00pm the rest of the week. Booking times are spread throughout the week but Saturdays and Sundays are the most popular days for bookings.

The largest most recent booking at the Park was for Mount Hawthorn Primary School athletics carnival on 23 August 2023. The Park was booked from 7:00am to 3:15pm on a Wednesday and was for 800 people. This booking occurs once per year.

Outside of formal bookings of the Park, it is also used for passive recreation.

Menzies Park would have some impact on the amenity of the surrounding residential locality due to levels of ambient noise associated with sport activity, ad-hoc car parking on verge spaces and other activities. The impact of Menzies Park would be expected within the surrounding context and would have a different amenity impact to the proposed Restaurant/Cafe.

Accessibility

Berryman Street is identified as an Access Road within the City's road hierarchy which has a capacity of 3,000 vehicles per day. Berryman Street between East Street and Federation Street has no parking restrictions on the road or verge. There are no marked bays on Berryman Street.

The surrounding area is highly walkable as surrounding streets contain pedestrian footpaths.

The subject site is located within a 150 metre walkable catchment of a high frequency bus service along Egina Street.

The Mount Hawthorn District Centre, located along Scarborough Beach Road includes bicycle pavement marking to indicate to drivers that the traffic lane is to be shared with cyclists. Scarborough Beach Road also includes dedicated cycle lanes between Kalgoorlie Street and Eucla Street, approximately 600 metres from the subject site.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of LPS2, the Built Form Policy and the Sound Attenuation Policy. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply/ Acceptable Outcomes (or equivalent)	As Existing	Requires the Discretion of Council
Land Use			✓
Building Height		✓	
Street Setback		✓	
Side and Rear Setbacks		✓	
Orientation		✓	
Tree Canopy and Deep Soil Areas			✓
Public Domain Interface			✓
Pedestrian Access and Entries	✓		
Vehicle Access			✓
Car and Bicycle Parking			✓
Managing the Impact of Noise			✓
Façade Design	✓		
Roof Design	✓		
Adaptive Reuse	✓		
Environmentally Sustainable Design			✓
Water Management & Conservation		✓	
Waste Management	✓		
Utilities		✓	
Sound Attenuation Policy			✓

Detailed Assessment:

The land use permissibility and deemed-to-comply/acceptable outcome (or equivalent) assessment of the element that requires the discretion of Council is as follows:

Land Use	
Use Class Permissibility	Proposal
LPS2 – Zoning Table	
'P' use	<i>Residential Zone:</i> Restaurant/Cafe – 'A' Use
Landscaping	
Acceptable Outcome	Proposal
Built Form Policy Volume 3 Clause 5.3	
A5.3.4 – At least 30 percent of the site area is provided as canopy coverage at maturity.	6.6 percent (32.5 square metres) canopy coverage at maturity to site area.
A5.3.5 – Non-residential open air carparks shall have a minimum of 60 percent canopy coverage at maturity.	18.9 percent (5 square metres) canopy coverage at maturity to Restaurant/Café open-air carpark (Bays 2 and 4 as per recommended conditions of approval).
A5.3.7 – The perimeter of all non-residential open air carparking areas to be landscaped by a 1.5 metre wide planting strip.	Planting strips provided to Restaurant/Café carpark: • Western side: 0.5 metres
Public Domain Interface	
Acceptable Outcome	Proposal
Built Form Policy Volume 3 Clause 1.7	
A1.7.1 – Non-residential carparking is not located within the primary street.	Restaurant/Café carparking proposed within the primary street setback.
A1.7.7 – Bins are not located within the primary street setback.	Commercial bins located within the Berryman Street primary street setback.
Vehicle Access	
Acceptable Outcome	Proposal
Built Form Policy Volume 3 Clause 1.9	
A1.9.2 – Access to non-residential car parking spaces to be provided via the secondary street.	Access to Restaurant/Café car parking spaces provided via the primary street.
A1.9.4 – Non-residential vehicles to enter and exit the site in forward gear.	Vehicles cannot exit in forward gear.
A1.9.9 – A maximum of one crossover permitted.	One existing and one new crossover proposed.

Managing the Impact of Noise	
Acceptable Outcome / Policy Requirement	Proposal
Built Form Policy Volume 3 Clause 1.11 A1.11.1 – Ground floor tenancies within new commercial buildings shall provide an acoustic report which demonstrates that they are capable of attenuating noise. A1.11.2 – Potential noise sources, including driveways, are not located adjacent to the external wall of dwellings on adjoining properties. Sound Attenuation Policy 3.2 – An Acoustic Report is required to be submitted where a non-residential development is proposed in a Residential zone.	<p>No acoustic report provided. The applicant has provided an acoustic letter to demonstrate that the proposed Restaurant/Cafe would not cause adverse noise impacts.</p> <p>The application includes a driveway (parking bays) near an external wall of dwellings on adjoining properties.</p> <p>No acoustic report provided.</p>
Environmentally Sustainable Design	
Acceptable Outcome	Proposal
Built Form Policy Volume 3, Clause 1.17 A1.17.2 – Development achieves one of the permitted environmental performance standards detailed, or their equivalent. These include Green Building Council of Australia's Green Star Rating System or a Life Cycle Assessment in Accordance with EN15978.	<p>No information has been provided detailing how the development achieves the environmental performance standards.</p>
Car Parking	
Acceptable Outcome	Proposal
Non-Residential Parking Policy <p>Four on-site car parking bays required for the Restaurant/Café.</p>	<p>Two onsite carparking bays provided for the Restaurant/Café.</p>

The above elements of the proposal do not meet the specified land use standards, acceptable outcomes and policy requirements are discussed in the Comments section.

Local Planning Scheme No. 2

In considering the appropriateness of the use, Council is to have due regard to the objectives of the relevant zone.

The objectives of the Residential zone are as follows:

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

The residential zone objectives are one matter that Council is to give due regard to in the consideration of this application under the Planning Regulations. This along with other relevant matters are set out below.

Planning and Development (Local Planning Schemes) Regulations 2015

Council are required to have due regard to a range of matters to the extent that they are relevant in considering a development application. These matters are set out under Clause 67 of the Deemed Provisions of the Planning Regulations.

Administration's response to each matter requiring consideration are listed in the table below. Detailed comments on matters relevant to the acceptability of the proposed development are provided within in the Comments section.

Clause 67 – Matters to be Considered	
Matter	Administration Comment
a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area.	<p>LPS2 contains broader aims applicable to the entire Scheme area, separate to more specific objectives of the Residential zone. The relevant aims applicable to this proposal include:</p> <ul style="list-style-type: none"> • <i>Encourage the provision of a wide range of choices in housing, business and employment</i> – The proposed Restaurant/Cafe would contribute towards supporting small business and employment generation within the City. The proposed development would also retain the existing single house on the property. Further consideration of the associated amenity impacts in relation to the residential context is discussed in the Comments section. • <i>Ensure that the use and development of land is managed in an effective manner, which recognises the individual character and needs of the five community precincts within the Scheme Area</i> – Consideration of the appropriateness of Restaurant/Cafe land use, including its management measures, in relation to the residential context is discussed in the Comments section. • <i>Promote the development of a sense of local community</i> - The proposed Restaurant/Cafe would contribute towards to the amenity of the local area. This is because the subject site is located adjacent to a park that provides a place of recreation and activity for community members. Further consideration the associated amenity impacts in relation to the residential context is discussed in the Comments section. • <i>Ensure safe and convenient movement of people</i> – Consideration of the traffic impacts associated with the proposed land use are provided in the Comments section.
b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	<p>Orderly and proper planning requires the consideration of whether an application is consistent with the objectives of LPS2 and relevant planning policies.</p> <p>The suitability of the proposed development as assessed against the relevant LPS2 objectives, the City's local planning framework, and the impact of the proposal on the local amenity is discussed in the Comments section.</p> <p>There are no draft planning instruments relevant to this application.</p>

Matter	Administration Comment
(fa) A local planning strategy for this Scheme endorsed by the Commission.	<p>The City's Local Planning Strategy was endorsed by the WAPC on 8 November 2016. The City's Local Planning Strategy identifies the subject site and surrounding properties as falling within a Medium Density Residential area.</p> <p>The subject site is zoned Residential R30 under LPS2 and an assessment of the impact on residential amenity is discussed further in the Comments section.</p>
(g) Any local planning policy for the Scheme area.	The City's Built Form Policy, Sound Attenuation Policy and Non-Residential Development Parking Policy apply to the subject proposal and are discussed further in the Comments section.
<p>(m) The compatibility of the development with its setting including –</p> <p>(i) The compatibility of the development with the desired future character of its setting.</p> <p>(ii) The relationship of the development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.</p>	<p>The proposed development would be compatible with its setting. The Restaurant/Cafe would not have an adverse impact on the adjoining properties due the specific site context and location of premises, as well as the scale and operation measures proposed.</p> <p>The carparking has been located and designed to reduce adverse amenity impacts to adjoining properties. Additional landscaping recommended to be provided through a condition of development approval, which would further reduce amenity impacts to adjoining properties and ensuring the proposal is compatible with its setting.</p> <p>This is considered further in the Comments section.</p>
<p>(n) The amenity of the locality including the following –</p> <p>(i) environmental impacts of the development;</p> <p>(ii) the character of the locality;</p> <p>(iii) social impacts of the development.</p>	<p>The applicant has provided an Operation Management Plan and an acoustic letter, included as Attachments 4 and 5 respectively demonstrating that the proposed development is capable of operating without impacting on the amenity of adjoining properties and the surrounding area.</p> <p>This is considered further in the Comments section.</p>
(p) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	<p>The proposal would not remove any verge or onsite mature trees and would contribute to the streetscape and the internal amenity of the visitors to the development.</p> <p>A condition of approval is recommended to increase on-site landscaping, including canopy cover. The acceptability of the onsite landscaping is discussed further in the Comments section.</p>
<p>(s) the adequacy of –</p> <p>(i) the proposed means of access to and egress from the site; and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles</p>	<p>Administration recommends that the number of onsite bays for the Restaurant/Cafe be reduced to two, to retain an existing onsite tree. The acceptability of the parking and vehicle access arrangement is discussed further in the Comments section.</p> <p>The proposal to include a Restaurant/Cafe at the subject site would result in an increase in traffic within the local road network due to additional vehicles attending the site as well as service vehicles for deliveries and waste.</p>
(t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	The acceptability of the increased traffic generated by the development is discussed further in the Comments section.

Matter	Administration Comment
(w) the history of the site where the development is to be located.	<p>The history of the site is detailed in the Existing Development & Site History section of this report above.</p> <p>While the subject site has historically been used for non-residential purposes, the last commercial operation at the subject site ceased in 1962.</p> <p>A commercial land (Art Gallery) use was approved in 1997 but did not proceed to operate. The context of the surrounding area has changed since this approval, including the redevelopment of the western adjoining property. The adjoining non-residential land use was removed in 2005 when the Scout Hall was demolished and redeveloped into the single house that currently exists.</p> <p>The proposal would be introducing a new non-residential use into an area that is primarily residential, and which is expected to remain into the future. The acceptability of this use in considering its compatibility with its setting and impact on amenity is detailed in the Comments section.</p>
(y) Any submissions received on the application.	<p>119 submissions were received in response to the three community consultation periods. This included 101 submissions in support, 17 in objection and one neither supporting nor objecting but raising concerns.</p> <p>The key matters raised in the submissions that are relevant planning considerations in the assessment of the proposal are addressed in this report, and a summary of all submissions received is included as Attachment 9 with responses by the Administration.</p> <p>The comments raised in the submissions have been considered as part of the assessment of this application.</p> <p>The total number of submissions received for/against the proposal alone is not a valid reason for the application to be approved/refused.</p>

CONSULTATION/ADVERTISING:

Community consultation occurred on three separate occasions due to changes being made to the proposal over the course of the application. This is because the nature of the changes resulted in new or different amenity impacts to the surrounding properties. In accordance with the City's Community and Stakeholder Engagement Policy, these changes required further community consultation.

At the conclusion of the three consultation periods, a total of 119 submissions were received including 101 submissions in support, 17 in objection and one neither supporting nor objecting but raising concerns.

A summary of each consultation period and the changes is provided below.

First Community Consultation

Community consultation was undertaken in accordance with the Planning Regulations for a period of 14 days, from 18 October 2023 to 1 November 2023. The method of consultation included a notice on the City's website, a sign onsite facing Berryman Street and three letters being sent to the adjoining and adjacent landowners and occupiers, as shown in **Attachment 1** in accordance with the City's Community and Stakeholder Engagement Policy.

At the conclusion of the first consultation period, a total of 31 submissions were received including 22 submissions in support, eight in objection and one neither supporting nor objecting but raising concerns.

The key comments received in support are summarised as follows:

- The proposal is of an appropriate scale for the locality.
- The location of the proposal opposite Menzies Park is appropriate as the park is an active space used for sport and other events.
- The proposal would encourage the maintenance and retention of an existing character property.
- The proposal will enhance the sense of community in the area.
- The proposal will add to the vibrancy of the area.
- The lack of parking provided is not an issue as there is adequate street parking in the area and most patrons of the business will be locals within walking distance.
- The current levels of traffic and street parking is not a problem.

The key concerns raised are summarised as follows:

- The proposal does not meet the objectives of the Residential zone in Local Planning Scheme No. 2 as it is not complementary to surrounding residential development.
- The proposal provided insufficient parking bays and would have an impact on the residential amenity of the street as cars would rely on on-street parking within residential streets.
- Parking on Menzies Park verge is already an issue, which would become worse if the Cafe is approved.
- Concerns relating to noise generated by staff coming and leaving the site, deliveries, equipment used within the premises and noise generated by patrons, which would impact the amenity of the area due to the cafe operating for 12 hours per day.
- Concerns relating to waste management and consider this would impact the amenity of the area.
- The proposal would change the amenity of Berryman Street and Federation Street due to the lack of customer parking.

Amended Proposal Following First Community Consultation

Following community consultation, the applicant provided additional information on 8 December 2023 in response to the comments raised during community consultation and following a request for further information from the City. The amendments included the following changes to the proposal:

- Provision of two onsite car parking bays for staff located along the eastern boundary of the subject site.
- Provision of one onsite long term bike parking space adjacent to the staff car parking bays.
- Provision of one short term bike parking within the Berryman Street verge.
- Implementing measures to manage noise, including:
 - Closing the main entry doors during operating hours.
 - Installing signage to advise patrons to reduce noise.
 - Staff to manage patron numbers onsite.

Second Community Consultation

The amended plans and additional operational information were readvertised for seven days from 9 January 2024 to 15 of January 2024. The method of readvertising included an email notification to the previous submitters, and a notice on the City's website in accordance with the City's Community and Stakeholder Engagement Policy as significant changes were made to the proposal.

At the conclusion of the second consultation period, a total of 16 submissions were received including seven submissions in support and nine objections. Of these, three submitters affirmed their support and five of the submitters affirmed their objection.

The submissions received reiterated previous comments in support and the concerns raised with the proposal during the initial consultation.

No new comments were raised in support.

New concerns raised during the readvertising period that were not previously raised are summarised as follows:

- Parking is not provided for customers, which would result in customers parking on the Menzies Park verge, which is already an issue during football season.
- The car bays allocated for staff parking being close to outdoor living areas and indoor living spaces of adjoining single houses, causing an amenity impact to the immediate neighbours.
- The limit of patrons permitted within the premises will result in queuing outside of the venue and result in further noise and disruption to neighbours.
- Not enough detail has been provided regarding the noise management procedure.

Amended Proposal Following Second Community Consultation

Following the second community consultation period, the applicant submitted further additional information on 7 February 2024 in response to the comments raised during community consultation and following a request for further information from the City. The amendments included the following changes to the proposal:

- Provision of two onsite car parking bays for customers, in addition to the two onsite staff car parking bays.
- Increasing the proposed number of people from seven to 16.
- Providing an Operation Management Plan to clarify and provide further information in relation to:
 - The intended function of the Restaurant/Cafe including information on how food and drinks will be served on the premises.
 - Operating hours.
 - Staff numbers.
 - Noise mitigation measures.
 - Parking management measures.
 - Waste management.
 - Onsite deliveries.

Third Community Consultation

The plans and Operation Management Plan were readvertised for seven days from 9 February 2024 to 15 February 2024. The method of readvertising included an email notification to the previous submitters, and a notice on the City's website in accordance with the City's Community and Stakeholder Engagement Policy as significant changes were made to the proposal.

At the conclusion of the third readvertising period, a total of 88 submissions were received including 82 submissions in support and 6 objections. Of these, seven submitters affirmed their support and five of the submitters affirmed their objection.

These submissions reiterated previous comments in support and the concerns raised with the proposal during the initial consultation.

No new comments were raised in support.

New concerns raised during the readvertising period that were not previously raised are summarised as follows:

- The increased number of people on site will cause further issues with amenity, parking, noise and waste.
- The site is too small to accommodate the intended number of people.
- The customer parking will cause amenity and noise impacts to the adjoining residents.
- There is no quantification information provided to confirm that noise generated by the activity would be acceptable in an amenity sense.
- Enforcement of the Operation Management Plan will be difficult.

Amended Proposal Following Third Community Consultation

During the third consultation period, the applicant submitted a revised Operation Management Plan on 12 February 2024 following a request for further information from the City. The additional information provided is summarised below.

- Changes to the operating hours from 7:00am – 7:00pm to 7:00am – 4:00pm.
- The inclusion of a waste storage area on the plans within the Operation Management Plan.
- Further clarification on where onsite deliveries would occur within the Operation Management Plan.

The final Operation Management Plan is included in **Attachment 4**.

On 13 March 2024, the applicant submitted an acoustic letter to address concerns raised from the City and submitters regarding noise impacts from the proposed Restaurant/Cafe. This is included in **Attachment 5**.

The acoustic letter and the changes to the Operation Management Plan were not re-advertised to the community as they did not result in a significantly different proposal to that which was previously advertised. Previous submitters have been made aware of the additional information provided.

A summary of submissions received during the three consultation periods, along with the Administration's response to the submissions received is provided in **Attachment 8**. A summary with applicant's response to the submissions received during the three consultation periods is provided in **Attachment 9**.

Design Review Panel (DRP):

Referred to DRP: No

The proposal was not referred to the City's DRP as the proposal includes no external works, except for the proposed car parking bays and bicycle bays. The DRP provides comments on the design and site planning of a proposal. The application does not propose to change the design or site planning.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- *Environmental Protection (Noise) Regulations 1997*;
- City of Vincent Local Planning Scheme No. 2;
- Community and Stakeholder Engagement Policy;
- Policy No. 1.1.1 – Built Form;
- Policy No. 7.5.21 – Sound Attenuation; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

Planning and Development Act 2005

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

Delegation to Determine Applications:

This application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the application received more than five objections during the community consultation period.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2022-2032:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This application does not contribute to any environmental sustainability outcomes. There is limited ability for the development to influence the environmental impact of the entire building on the site through this application as it relates to a change of use of an existing building with no external works component.

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

COMMENTS:**Summary Assessment**

In assessing the application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- The proposed Restaurant/Cafe would be compatible with and complementary to the existing residential development based on a combination of factors. These factors including the site context, the physical building configuration, parking location and management, operation measures proposed by the applicant, the scale and intensity of the use, the impact of noise and the additional traffic generation.
- The Restaurant/Cafe would be compatible in this location as it separated from surrounding residential properties and directly interfaces with Menzies Park, which facilitates additional activity. Most of the activity generated from the Restaurant/Cafe would be contained internally to the building and directed towards Berryman Street and Menzies Park, away from surrounding residential properties. The impact of the Restaurant/Cafe could be appropriately managed, so it does not unduly impact the amenity of nearby residents.
- The applicant has proposed a maximum of two staff and 14 customers to be on site at any time, which would be inclusive of both dine-in and take-away customers. This would ensure that the intensity of the Restaurant/Cafe is controlled and is compatible in the residential zone.
- Sufficient management measures have been proposed through the applicant's Operation Management Plan and through recommended conditions of development approval, to ensure the use could be managed to provide an appropriate level of amenity to surrounding properties. Additional measures recommended through conditions of approval to reduce offsite amenity impacts include the requirement for all queueing, waiting for take-away orders, and dining to occur internal to the building only, as well as for all servicing and delivery associated with the use to be undertaken during the approved operating hours. This means that no alfresco dining would be permitted, reducing noise and amenity impacts to surrounding properties.
- Administration has recommended that the number of carparking bays be reduced from four to two, to retain an existing onsite tree. This change would result in a shortfall of two on-site bays. As the Restaurant/ Café would serve a relatively local catchment and some of the customers would reside in the local area, this would reduce the onsite parking demand for customers. Car parking has also been located and designed in a manner to reduce adverse amenity impacts to surrounding properties. Limited movements associated with the staff parking bays would lessen the impacts of noise and activity to adjoining properties. The location of customer parking bays directly adjacent to the street frontage and away from sensitive areas of adjoining properties would reduce noise and amenity impacts.

- The applicant has provided an acoustic letter which confirms that the noise generated by the Restaurant/Cafe would likely comply with the Noise Regulations and would be low-risk in terms of a noise impact. This demonstrates that the proposed Restaurant/Cafe would be capable of operating without resulting in an adverse impact to the surrounding area. The officer recommendation includes a condition requiring the applicant to provide an Acoustic Report that demonstrates compliance with the Noise Regulations.
- Due to the scale of the development, the operation measures and the accessibility of the site, the traffic could be adequately managed to not have a negative impact on the amenity of the surrounding area.
- No new on-site landscaping has been proposed. A condition has been recommended for additional on-site landscaping to be provided to increase canopy coverage and to provide sense of open space between the subject site and adjoining properties, which the applicant has consented to.
- The vehicle access point has been located to avoid the removal of any trees and is of a scale and location that is consistent with parking arrangements that exist in the surrounding area. The officer recommendation includes conditions to ensure vehicles could safely enter and exit the proposed carpark through sufficient sightlines being provided.

Land Use Acceptability

A Restaurant/Cafe is an 'A' use within the Residential zone. This means that the use is not permitted unless Council exercises discretion by approving a development application for the use following consultation with the community.

In considering the appropriateness of the use, due regard must be given to the objectives of the Residential zone under LPS2 and relevant matters of Clause 67(2) of the Planning Regulations.

Administration has assessed the acceptability of the land use against relevant considerations set out in the planning framework, detailed below.

Applicant Justification and Operation Management Plan

The applicant's justification for the proposed land use is included in **Attachment 3** and is summarised as follows:

- The proposal aligns with all objectives of the Residential zone as:
 - The cafe is of a small scale, fronts onto public open space and its siting within the site ensures that there would be minimal risk of disturbance to adjacent residential properties.
 - The existing dwelling on site would continue to function as a unique housing option (including the attached café).
 - The existing built form is to be retained, ensuring the existing character and amenity of the streetscape is preserved. Minor restorative works are likely to be undertaken prior to operation of the cafe, which would further enhance streetscape amenity without impacting on character.
 - The cafe recognises the changes in contemporary lifestyles and people's preferences which have evolved since when the building was originally constructed.
 - The residential dwelling and small cafe combination provides a unique offering substantially different from any other dwelling in the locality.
- The site already has an existing approved shop. This is not the introduction of a commercial element into a residential area, but rather the establishment of a more appropriate business which would provide a service that would be more in line with modern day expectations.
- The entrance and window locations ensure that impacts from people accessing the premises would be outside of the line of sight from adjacent residential properties and unlikely to create any undue privacy or acoustic impacts.
- Sufficient parking has been provided on site for customers and there is additional parking available within the Menzies Park reserve and within the surrounding streets. The Menzies Park verge is already used for parking within the area.
- The impacts from the Restaurant/Cafe would be negligible as many customers would be local residents or users of Menzies Park, which would not generate a disturbance in the area or create a demand for parking in excess of what has been provided.
- Surrounding residential properties would already be impacted by offsite noise from Menzies Park which would emit noise throughout the day and includes no noise mitigating features.
- Noise impacts from the proposed parking bays to adjoining properties would be limited due to the existing dividing fences and the distance from the parking area to existing habitable spaces.

- It is expected that the cafe would be occupied by one staff member for majority of its opening hours and a second staff member during busier periods.

An Operations Management Plan, as included in **Attachment 4**, has been prepared to ensure that the proposed use could be managed onsite. The following measures to control onsite patron behaviour and manage noise impacts:

- All orders are to be placed within the premises. There is no coffee window to serve patrons externally.
- All freshly prepared food to be provided on non-disposable tableware to ensure that customers remain onsite whilst consuming their food.
- For orders that do not involve freshly made food and for coffee orders, customers would be given the option of having a dine-in or take-away service, though patrons would be requested to remain inside prior to and after placing their order.
- Advising patrons to not congregate outside of the Restaurant/Cafe prior to and after their meal through signs.
- All site servicing (deliveries and waste collection) occurring during hours of operation.
- Amplified music being played internally within the building only at a low-level.
- No amplified music or speakers placed external to the premises.
- Installation of self-closing entry doors.

Administration Comments

Compatibility with Surrounding Residential Development & Amenity Impact - Clauses 67(2)(m) and (n)

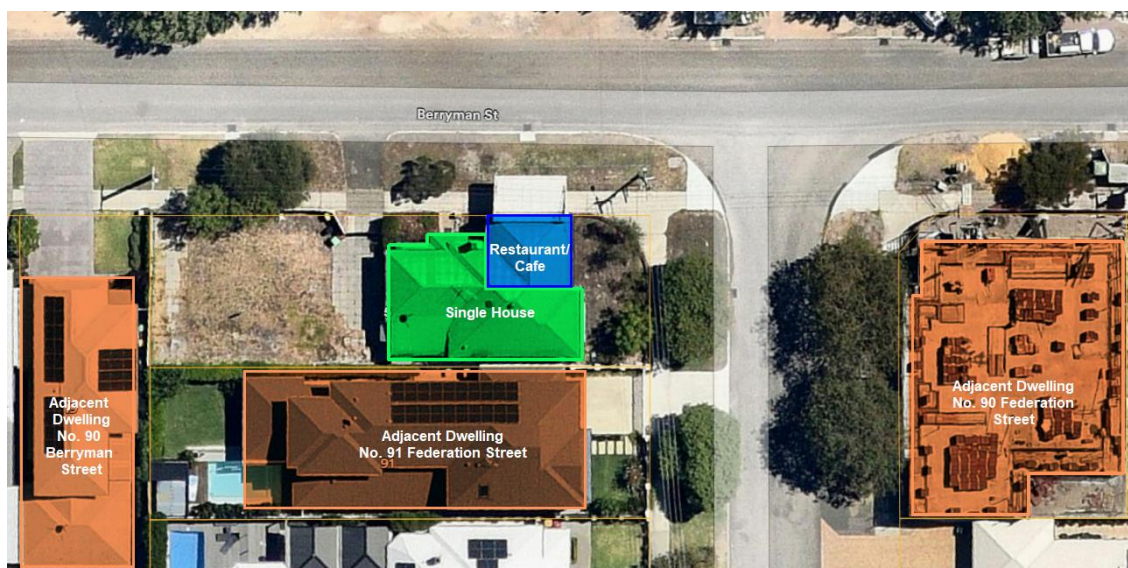
An objective of the Residential zone is for development that provides for a range of non-residential uses which are compatible with and complementary to residential development. Clauses 67(2)(m) and (n) of the Deemed Provisions also relate to the compatibility of the development with its setting and the amenity of the locality, including character and social impacts of the development.

The Planning Regulations defines amenity as ‘...all those factors which combine to form the character of an area and include the present and likely future amenity’.

The proposed Restaurant/Cafe would be compatible with and complementary to the existing residential development. This is having regard to a combination of factors including the site context, the physical building configuration, parking, the operation measures imposed by the applicant, the scale and intensity of the use, the impact of noise and the additional traffic generation. Based on the combination of these factors, the Restaurant/Cafe would not cause an undue impact on the amenity of the surrounding area properties.

- **Physical Building Configuration:** The building associated with the Restaurant/Cafe is located to the corner of Berryman Street and Federation Street, as shown in **Figure 1** below. This location and physical design of the Restaurant/Cafe results in the majority of the activity generated from the use being directed towards Berryman Street and Menzies Park, reducing direct activity to adjoining residential properties. A summary of the relationship between the Restaurant/Cafe premises and the adjoining residential properties is provided below.
 - The existing shopfront design of the Restaurant/Cafe premises is proposed to be retained and is visually distinguishable as a commercial premises. This existing built form maintains compatibility with the existing residential context and does not seek to introduce additional commercial built form into the residential area.
 - All windows and doors are oriented towards Berryman Street, away from nearby residential properties, except for two small openable highlight windows on the eastern elevation of the tenancy. There are no windows or doors located to the western elevations of the building.
 - To the south, the Single House component of the subject site provides a separation between the Restaurant/Cafe and No. 91 Federation Street.
 - To the west, a 28-metre setback is provided between the Restaurant/Cafe Premises and No. 19 Berryman Street, with the Single House component of the subject site, the rear garden area and onsite car parking providing a separation between.
 - To the east, a 27-metre setback is provided between the Restaurant/Cafe Premises and No. 90 Federation Street, with street trees, verge areas and the Federation Street carriageway providing a separation between.
 - To the north, the Restaurant/Cafe Premises would be orientated towards Menzies Park and would not impact any residential properties.

In summary, three adjoining residential properties would be impacted by the proposal as there is no residential development on the northern side of Berryman Street. The physical location of the Restaurant/Cafe premises provides an appropriate separation to adjoining residential properties, particularly their respective outdoor areas and habitable spaces, which would reduce noise and associated amenity impacts from the Restaurant/Cafe.



**Figure 1 – Annotated configuration of Restaurant/Cafe in relation to adjoining properties
(Source: Nearmap)**

- Acceptable Onsite Parking Arrangements: Administration has recommended that the car park be amended to remove Car Bays 1 and 3, and to retain Car Bays 2 and 4, which would provide two onsite staff car parking bays located to the west of the site. The amenity impacts to the western and southern adjoining properties are summarised below.
 - No Amenity Impact from Staff Parking: Staff parking bays would be provided adjacent to the western lot boundary. Movements associated with these staff bays would be limited to approximately six per day based on the applicant's proposed operations. The applicant has advised that one staff member would remain parked in the same bay for the entire 7:00am – 4:00pm shift, with a second staff member attending for a morning shift and afternoon shift. The limited movements associated with these parking bays would lessen the impacts of noise and activity. This would ensure that the parking bays do not to unduly impact the amenity of the adjoining properties.

A condition of development approval is recommended for the staff parking bays to be setback 1.5 metres from the southern lot boundary, with landscaping to be provided within this area, including shade providing trees and fast-growing bushes. This additional setback and landscaping would increase the separation between the bays and southern property, while creating a sense of open space using landscaping. The west, the staff bays would be adjacent to the western properties front entrance and a side setback area with no windows or habitable spaces, ensuring no amenity impact.

 - No Amenity Impact to Adjoining Balcony: The street facing balcony of the adjoining property is the only habitable space to the western adjoining property that is visible from and may receive amenity impacts from the location of the Restaurant/Cafe car parking. This is because while the balcony includes 1.6-metre-high solid brick screens to the eastern and western sides, it is open to Berryman Street with 1.0-metre-high permeable balustrading, as shown in Figure 2 below. As the balcony is open to its northern side, facing Berryman Street, it remains visible on an oblique angle and may experience some noise impact from the customer parking bays.

The balcony location and design in its current form would already experience a reduced level of amenity. This is because it fronts toward Berryman Street, is visible from the public domain and would be impacted by noise generated from traffic and recreational activities associated with Menzies Park. As the balcony currently experiences reduced amenity due to its visibility and proximity to the street and Menzies Park, the parking bays would not further unduly impact the amenity of this habitable space. The 1.6-metre-high solid screen to the eastern edge of the balcony would further assist in reducing visual, noise and amenity impacts from the parking bays by providing a physical separation to users of the balcony.

In summary, the location of parking in respect to sensitive areas of adjoining residential properties reduces the adverse amenity impacts to outdoor and habitable spaces. The consideration of the noise impacts from vehicles are discussed in the noise section below.



Figure 2 – View from Berryman Street of subject site & 19 Berryman Street with annotation of areas impacted by proposed onsite parking (Source: Google Streetview)

- **Operating Hours:** The Restaurant/Cafe seeks to operate during the day only, between 7:00am and 4:00pm daily. This would ensure that the development is not generating any offsite impacts at night-time or outside of day trading business hours, which could have the potential to impact surrounding residential properties. As discussed in the Noise section of this report below, operating hours on Sunday between 7:00am and 9:00am and on public holidays would be subject to findings of the required Acoustic Report, and this potential implication has been reflected in the recommended condition of approval.
- **Scale and Intensity:** The intensity of the Restaurant/Cafe would be controlled by the permitted number of staff and customers and the small size of the tenancy area. The restrictions on people, in combination with the building design and location, would limit the impact of noise and activity generated in and around the site as it would ensure that the Restaurant/Cafe operates at a low scale. The scale would ensure that the use is compatible with the existing residential area. A condition of approval would be recommended to limit the number of people on site to 16 and the premises to be contained to the 34 square metre room only.
- **Alfresco Dining:** Alfresco dining is not specifically subject to this development application and would instead be subject to an Outdoor Eating Area Permit, to be obtained in accordance with the City's Trading in Public Places Local Law 2008. If this development application were approved, it would be possible for the proponent to receive an Outdoor Eating Area Permit for the alfresco area shown within the Berryman Street verge, if all relevant requirements were met. Alfresco dining within the verge area adjacent to subject site would not be complementary to, or compatible with the surrounding residential development. This is because it would facilitate open-air dining that could provide adverse noise and amenity impacts, not otherwise generated by the proposal, to surrounding properties and particularly to No. 90 Federation Street, Mount Hawthorn. A condition of approval is recommended that would restrict any alfresco dining within verge areas adjacent to the subject site.

This would negate the ability for the proponent to use the verge area for alfresco dining, regardless of whether an Outdoor Eating Permit is obtained.

- **Operation Management:** In addition to the specific site context and building design as discussed above, the applicant's operational management measures would reduce potential offsite amenity impacts generated from customers attending the site for both dine-in and take-away orders. Measures include the requirement for all orders to be placed inside the building, with no provision of a coffee/take-away window; day-time operating hours only; and measures to encourage dine-in customers. The small scale of the tenancy, including a maximum of two staff members and 14 customers proposed to be onsite at any given time, would also assist in limiting high numbers of takeaway customers to be served. Administration recommends the following conditions of development approval requiring ongoing management Restaurant/Cafe, to ensure the use remains compatible with the residential area and to reduce amenity impacts to surrounding properties:
 - Implementation of the Operation Management Plan at all times.
 - As proposed by the applicant, restricting the total number of staff and customers onsite at any given time to a maximum, two (2) and 14 persons respectively.
 - The requirement for no customer queuing, waiting for orders or dining to occur within the adjacent footpath or verge area.
 - The requirement for an updated Operation Management Plan to be submitted that provides measures how take-away orders would be managed. This includes signage to inform customers they must queue and wait internally, as well as associated internal space for this to occur.
 - The requirement for all servicing and delivery associated with the use to be undertaken during the approved operating hours.

It is acknowledged that the issue of noise and offsite amenity impacts are largely dependent on individual behaviour that may lead to potential impacts on the surrounding residents. While the Operation Management Plan and other measures recommended through conditions of approval would reduce these impacts and provide the ability for enforcement, it is accepted that some impact may occur.

- **Deliveries:** The applicant's Operation Management Plan stipulates that a delivery vehicle would attend the site up to two times per week. The delivery vehicle would park in a space along Berryman Street to reduce vehicle noise impacts on the adjoining properties as much as possible. This would be similar to postal deliveries occurring within the residential area and would not cause an undue impact to the adjoining properties. A condition is recommended to limit deliveries to occur within the approved operating hours, in accordance with the Operation Management Plan.
- **Waste:** A bin store is located along the northern boundary of the site adjacent to the residential parking bay, which would be separated from the residential waste. The bin store would not be visible from the street or adjoining properties due to existing 1.8-metre-high dividing fences. The location of the bin store provides separation from adjoining properties, ensuring amenity impacts associated with noise and odour could be appropriately controlled.

Due to the small scale of the use, the site is not expected to generate large amounts of waste. A condition is recommended requiring a waste management plan be submitted to the City prior to commencement of the development, to ensure that the proposal adequately manages their waste. The applicant has been made aware that the City no longer offers commercial waste collection.

Noise - Clause 67(2)(g)

Clause 67(2)(g) of the Planning Regulations requires due regard to be given to the Built Form Policy and the Sound Attenuation Policy.

The applicant submitted an acoustic letter prepared by a qualified acoustic consultant in support of the proposal which is included as **Attachment 5**.

The acoustic letter does not include noise modelling in accordance with requirements of the City's Sound Attenuation Policy but provides a professional analysis of the potential noise impacts from the Restaurant/Café, against the Noise Regulations.

The acoustic letter advises that the noise generated by the Restaurant/Cafe would likely comply with the Noise Regulations and would be low-risk in terms of a noise impact. The City's Environmental Health Team have reviewed and support the information provided in the acoustic letter.

The acoustic letter identifies that noise sources associated from the Restaurant/Cafe would relate to vehicle noise, customer noise and noise from mechanical plants. The acoustic letter provides the following comments and recommendations:

- The noise from the four onsite parking bays associated with the Restaurant/Cafe would likely comply with the Noise Regulations as vehicle movements would be minimal and would be consistent local through traffic. The letter comments that up to two staff arriving in the morning would be considered typical activity in a medium-density residential area.
- Due to the low number of patrons and given only low-level background music is proposed within the Restaurant/Cafe, the entertainment noise emissions to surrounding areas would be minimal and would likely comply with the Noise Regulations.
- The premises would utilise existing residential grade mechanical plants, which is predicted to not have a significant noise impact.
- The acoustic letter recommends that the following noise mitigation measures are implemented:
 - Staff should be trained to be considerate of sensitive areas nearby, to minimise noise impacts.
 - The southern and eastern boundary fencing should be maintained to provide a solid sound screening to the adjoining residential properties.
 - All deliveries and collections should be scheduled during day times only to minimise a noise impact to surroundings.
 - Glass waste disposal or compacting, should only occur during the day period in an enclosed area. Noise from glass waste disposal or compacting has been conditioned to be considered as part of the acoustic report.

While the acoustic letter advises that the noise generated by the Restaurant/Cafe would likely comply with the Noise Regulations, it advises that the potential risk for noise impact would be on Sunday's between 7:00am and 9:00am, as these proposed operating hours fall within the night-time period under the Noise Regulations. For the reasons outlined above, the risk of non-compliance with the Noise Regulations is considered low but this cannot be ascertained without an acoustic report that includes noise modelling.

The acoustic letter provides the City with a degree of certainty from an acoustic professional that the Restaurant/Cafe as proposed is likely to comply with Noise Regulations, but this professional opinion has not been verified by noise modelling or other noise measuring.

An acoustic report prepared in accordance with the City's Sound Attenuation Policy would provide assurance to both the City and neighbouring properties that the approved operation and noise management measures would be effective in mitigating the impact of noise to not adversely impact the amenity and comfort of surrounding properties. On this basis, the following conditions of development approval are recommended:

- The submission of an acoustic report prior to the occupation of the Restaurant/Cafe. This is to be prepared in accordance with the City's Sound Attenuation Policy and is to include noise modelling to confirm that noise levels generated from the premises during the proposed operating hours would comply with the relevant assigned noise levels under the Noise Regulations.
- The operation of the Restaurant/Cafe in accordance with the approved acoustic report, including any noise management measures.

An advice note has also been recommended regarding the requirement to have ongoing compliance with the Noise Regulations. The operation is required to always comply with all aspects of the Noise Regulations, irrespective of what conditions are imposed on the development approval.

Should the City receive a justified complaint regarding unreasonable noise from the venue, the City's Authorised Officers would investigate and take necessary action according to the Regulations.

Traffic Generation - Clause 67(2)(t)

Clauses 67(2)(t) of the Deemed Provisions relates to the consideration of the amount of traffic likely to be generated by the development.

Traffic within the existing locality primarily consists of vehicles travelling to and from dwellings. Given the proximity of this site to Menzies Park there is also additional vehicle traffic generated from users of the park.

In considering the amount of traffic likely to be generated by the development, the following Administration comments are provided:

- Existing Traffic Generation: Under the Main Roads WA Road hierarchy, Berryman Street is identified as an Access Road, which has a traffic capacity of 3,000 vehicles per day. The City's traffic data from 2021 indicates an average daily traffic volume of 812 vehicles per day VPD along Berryman Street. This demonstrates that Berryman Street is currently operating within capacity.
- Customer Traffic Generation: Under the WAPC Transport Guidelines, the applicant is not required to provide a Traffic Impact Statement. This is because the Restaurant/Cafe would be expected to generate less than 10 vehicle trips in the peak period, which would have a low impact on the existing traffic network.

To calculate the traffic generation from the proposed Restaurant/Cafe the City's Engineering team used the NSW RTA Guide to Traffic Engineering Developments (NSW RTA Guide). This is because the NSW RTA Guide is recognised source for trip generation rates under the WAPC Transport Guidelines. Using the RTA Guide, the estimated trip generation for the Restaurant/Cafe would be up to 20 vehicles per day and up to two vehicles in the peak period. The City's Engineering team have advised that Berryman Street could adequately accommodate the projected development traffic volumes as it currently operates well below its intended capacity. The traffic numbers from customers attending the site could be reduced further due to the accessibility of the subject site. This is because:

- The site is located within a highly walkable area which would accommodate local residents, as surrounding streets contain pedestrian footpaths. The site is also within approximately 150 metres from a high frequency bus route stop on Egina Street. This provides alternative modes of transport options for customers, reducing traffic demand.
- Bicycle parking has been provided for both staff and customers to provide access to other car transport options for customers, reducing traffic demand. The subject site is also near Scarborough Beach Road which includes some dedicated cycle lanes, improving accessibility to the site.
- Staff Traffic Generation: Due to the number and infrequency of staff car movements during the day, the proposal would not cause a noticeable increase in staff traffic movements that would adversely impact the surrounding area. This is because the proposal would accommodate up to two staff on site at any one time, which would likely generate up four VPD when staff come to and leave the site. This may be reduced as there is the potential for staff to access the site via alternative modes of transport.
- Waste and Deliveries: Traffic generated from waste pick-up and delivery vehicles attending the site would not have an adverse impact on the surrounding locality. Due to the infrequent use of these services, it would not cause a noticeable increase in traffic movements.

While the proposal would result in additional traffic in the area, due to the scale of the development and the accessibility of the site, the traffic could be adequately accommodated within the existing network.

Accommodation, Sustainability and Design - LPS2 Residential Zone Objectives

The objectives of the Residential zone are to provide for a wide range of residential accommodation, to encourage the incorporation of sustainable design principles and to encourage high quality streetscapes.

The development would satisfy the objectives of the Residential Zone for the following reasons:

- Range of Accommodation – The proposal would retain the existing residential accommodation, which would assist in meeting the needs of the community.
- High Quality Design – The existing façade would be maintained which would preserve the existing built form within the streetscape.
- Sustainability Principles – The proposal would adaptively reuse the existing building which would have broader sustainability benefits.

Submissions Received - Clause 67(2)(y)

A total of 119 submissions were received in response to community consultation. This included 101 submissions in support, 17 in objection and one neither supporting nor objecting but raising concerns. A summary of the submissions received is included as **Attachment 9**, where Administration has provided a response to the concerns raised.

The submissions have been considered as part of Administration's assessment of this application, including the comments set out above on the potential amenity impact of the use.

The number of submissions received is not a measure of the acceptability or unacceptability of a proposal. Rather, the nature of the comments in submissions is relevant as a matter to be given due regard in the determination of the application.

Car Parking

Under the City's Non-Residential Parking Policy, the development would require a total of four onsite car parking bays to be provided. The proposal provides two staff car parking bays and two customer car parking bays for the Restaurant/Café, adjacent to the western boundary of the site.

There is an existing onsite tree located 3.9 metres from the western lot boundary and 0.15 metres from the street boundary, as shown in the below **Figure 3**. The eastern side of the driveway that provides access to Car Bays 1 and 3 would conflict with the existing on-site tree. The existing on-site tree would need to be removed to accommodate the parking arrangement as proposed.

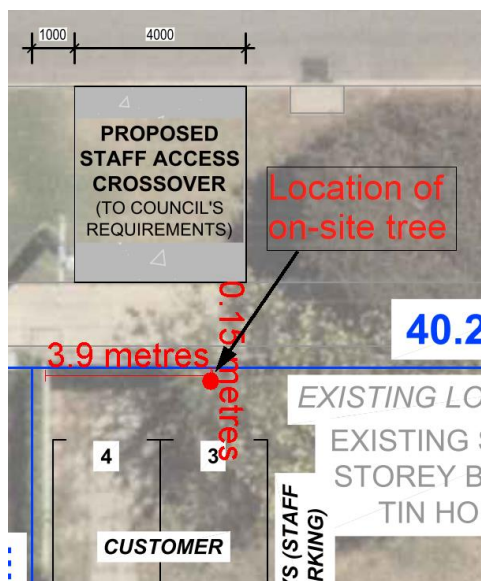


Figure 3 – Location of existing on-site tree in relation to the proposed driveway and car bays

The removal of the tree would not satisfy the [element objectives](#) of the Built Form Policy relating to landscaping associated with the Restaurant/Café carpark. This is because the proposed parking arrangement would prioritise the removal of trees to provide parking and would result in the removal a healthy and mature tree with ongoing viability. The removal of the tree would reduce the onsite canopy coverage and would reduce the sites contribution to the City's green canopy.

To ensure that the existing onsite tree is maintained, Administration recommends the car park is modified to remove Car Bays 1 and 3 and to retain Car Bays 2 and 4, which would be allocated for staff use only.

This would result in a total of two parking bays being provided for the Restaurant/Café, in lieu of four bays required in accordance with the City's Non-Residential Parking Policy.

Community Consultation

A shortfall of two on-site parking bays was initially proposed by the applicant as part of a previous version of the proposal. The shortfall was advertised during the first community consultation period.

Submissions received in support regarding the parking shortfall included comments that the lack of parking provided was not considered to be not an issue as there is adequate street parking in the area and most patrons of the business would be locals within walking distance.

Submissions in objection raised concerns that insufficient parking bays and would have an impact on the residential amenity of the street as cars would rely on on-street parking within residential streets. Comments also advised that parking on Menzies Park verge is already an issue, which would become worse if the Cafe is approved. The proposal would change the amenity of Berryman Street and Federation Street due to the lack of customer parking.

Administration Comments

In considering the impact of this modification, the following Administration comments are provided:

- **Car Parking Demand:** The two bays on-site would be used by staff members. As the proposal would permit a maximum of two external staff members, who do not also reside at the Single House, there would be sufficient parking provided for staff members on-site.
- **Nature of Use:** The nature of the local Café use is such that it is expected that the proposal would serve a relatively local catchment and customers would choose to walk or cycle. This would reduce the onsite parking demand for customers.
- **Menzies Park:** The site is located directly opposite Menzies Park which would attract a number of multipurpose trips for people visiting the park for sporting events or passive recreation. This would also reduce the onsite parking demand for customers.
- **On-Street Parking Availability:** The City's Rangers undertook a survey of public car parking availability along Berryman Street between East Street and Egina Street across four days on Sunday 4 February 2024, Monday 5 February 2024, Wednesday 7 February 2024 and Saturday 10 February 2024. The City's Rangers have advised that Berryman Street has a capacity for 23 vehicles. A summary of the findings is provided below:

Location	Capacity	9:00am	12:00pm	4:00pm
Sunday 4 February 2024				
Berryman Street	Total Spaces Occupied	1	1	1
	Bays available	23 bays/96%	23 bays/96%	23 bays/96%
	Monday 5 February 2024			
	Total Spaces Occupied	1	1	1
	Bays available	23 bays/96%	23 bays/96%	23 bays/96%
	Wednesday 7 February 2024			
	Total Spaces Occupied	2	3	0
	Bays available	22 bays/92%	21 bays/88%	24 bays/100%
	Saturday 10 February 2024			
	Total Spaces Occupied	2	3	2
	Bays available	22 bays/92%	21 bays/88%	22 bays/92%

- The parking counts conducted demonstrate that on-average across the week, there is an average availability of 22.5 bays (94%) at 9:00am, an average availability of 22 bays (92%) at 12:00pm and an average availability of 23 bays (96%) at 4:00pm. This demonstrates that there is sufficient capacity in the street to accommodate on-street parking for customers attending the proposed Restaurant/ Café.
- **Car Parking Availability:** The length of the existing Berryman Street verge area, directly adjacent to the subject site, could accommodate four on-street parking bays for customer use, without obstructing vehicle sightlines for users of Berryman Street and Federation Street. These bays are unrestricted and could accommodate on-street parking for customers, without this extending to the verge areas of adjacent residential properties.
- **Alternative Modes of Transport:** To support active modes of transport, the application includes one short-term bicycle bay within the Berryman Street verge. This would provide a secure location for customers to park their bicycle if electing to ride to the site.

The Parking Policy outlines that cash-in-lieu of car parking may be required as a mechanism to enable otherwise desirable developments to proceed, where it can be demonstrated that it is not possible to provide sufficient parking on-site.

Sufficient parking is provided for reasons listed above and Administration is recommending to waive the need to pay cash-in-lieu noting:

- **Location:** The parking provided would meet the demands of its uses as the site is in a highly walkable area and would attract those in a relatively local catchment. The site is also in close proximity a high frequency bus route and local cycle paths along Scarborough Beach Road.
- **Alternative Transport:** To support active modes of transport, the application includes short-term one bicycle bay within the Berryman Street verge.
- **Availability of Car Parking:** Parking would be available for staff onsite who would be onsite for longer periods. Customers would also could park on the verge in front of the subject site, if electing to drive to the site.

Built Form Policy

Landscaping

The proposed development would satisfy the [element objectives](#) of the Built Form Policy relating to landscaping associated with the Restaurant/Café carpark for the following reasons:

- **Applicant Agreement to Increase Landscaping:** The proposed plans seek to retain the landscape outcome that exists on site, but the Applicant has agreed to conditions of development approval to improve the landscape outcome in accordance with Built Form Policy Requirements. This would include:
 - A condition of development approval to retain the existing on-site tree adjacent to Carbay 3, which has been assessed as a healthy and mature tree with ongoing viability.
 - The provision of a 1.5 metre planting strip to the southern lot boundary, which would move the car parking bays and the long-term bicycle rack, 1.5 metres closer to Berryman Street. The condition would include a requirement for this planting strip to provide trees for canopy cover as well as fast growing bushes to provide an increased landscape buffer to the southern adjoining property. The City's Engineering team have confirmed that vehicles would be able to manoeuvre to and from the carpark safely following this modification.
 - Additional tree planting to be provided surrounding the Restaurant/Cafe carpark and to achieve 60 percent (17.4 square metres) of canopy coverage to the carpark. A condition of approval has been included to retain the existing tree adjacent to the carpark, which provides 18.9 percent (5 square metres) of canopy to the carpark.

The above landscaping increase would meet Built Form Policy objectives by prioritising the retention of trees, maximising canopy cover, as well as reduce impacts of the carpark to the existing outdoor living area of No. 91 Federation Street and the existing single house component of the subject site. The additional landscaping adjacent to the carparking area would assist to soften the impact of the carpark by providing sense of open space between the subject site and adjoining outdoor living areas.

- **Acceptability of Reduced Planting Strip to the West:** The reduced planting strip of 0.5 metres to the west of Restaurant/Café parking bays would be acceptable as it would facilitate the retention of the existing on-site tree adjacent to Carbay 3, which would otherwise require removal if a larger setback were accommodated. The 0.5 metre planting strip would provide an acceptable landscape buffer to adjacent areas the western property, which include no major openings or active habitable spaces on the western property at No. 19 Berryman Street, as shown in **Figure 2** above. No additional landscaping would be required to reduce the impact of the carpark as it would not be visible from habitable rooms.
- **Maximising Canopy Cover:** The proposal retains the existing tree adjacent to Carpark 3, which would provide 18.9 percent (5 square metres) of canopy coverage to the Restaurant/Cafe carpark. As mentioned above, a condition of development approval would require a minimum of 60 percent canopy cover to be provided to the Restaurant/Café carpark. The inclusion of these trees would contribute to the City's green canopy, would increase shade for staff and customers and would create a sense of open space between the carpark, street and surrounding properties. The additional canopy cover to this location would the total site canopy cover to 9.1 percent (44.8 square metres) and would enhance the overall landscape outcome to the entire site. While 30 percent of the total site area has not been provided as canopy cover, the increase in canopy provides an enhanced outcome, having regard to the proposal being for a change of use application only.

Vehicle Access and Public Domain Interface

The proposed development would satisfy the [element objectives](#) of the Built Form Policy relating to vehicle access and public domain interface relevant to the Restaurant/Café, for the following reasons:

- **Favourable Vehicle Access & Carpark Location:** The location of the proposed Restaurant/Café car parking is preferable. This is because the proposed location would retain existing on-site and verge trees; would protect existing verge infrastructure; is separated from the Single House parking; and would provide safe vehicle access. As shown in **Figure 4**, there is verge infrastructure and on-site trees that would restrict vehicle access to be provided from other locations around the site, including the secondary street.



Figure 4 – Location of existing verge infrastructure and trees (Source: Nearmap)

- **Appropriate Visual Outcome:** The vehicle access point and carpark have been designed and located to reduce visual impact on the streetscape. The location would retain all existing on-site and verge trees, that assist in screening the bays when viewed from the east. Existing fence to the western boundary and Berryman Street boundary would further screen bays from the street, and western property. Administration has recommended conditions of approval, as mentioned in the Landscaping section of this report, that would provide additional landscaping opportunities to the perimeter of the carpark and to increase canopy cover over the Restaurant/Café carpark. The width of the vehicle access point has also been reduced to the permitted minimum of 4.0 metres, to maximise existing verge landscaping. The location of parking bays within the street setback area is consistent with the design and location of other residential parking locations within the immediate surrounding context and the overall landscape outcome would soften its appearance when viewed from the street.
- **Sufficient Vehicle Sightlines & Pedestrian Safety:** To ensure safe sightlines are provided for reversing vehicles, the existing fencing would need to be modified to be no higher than 0.75 metres within 1.5 metres of the Restaurant/Cafe driveway. A condition of approval is included to ensure that these modifications are made prior to the operation of the Restaurant/ Cafe. This would ensure that vehicles are able reverse safely out of the site and have a clear view to pedestrians using the footpath. The City's Engineering team have confirmed that vehicles would be able to manoeuvre to and from the carpark safely following this modification. The applicant has provided consent to this condition and consent from the western property landowner would not be required given the impacted fence is not a "dividing fence" in accordance with the City's Fencing Local Law given it is within the front setback area.
- **Separation from Verge Infrastructure:** The City's Engineering team have confirmed the crossover is appropriately separated from the existing verge tree and side entry pit to the east. A condition of approval is included for the crossover to be setback 0.5 metres from the existing western power pole.
- **Bin Store Screened from Street:** The bin store would not be visible from the street or adjoining properties due to existing solid 1.8-metre-high dividing fence. While located in the street setback area, the location is preferable given it is separated from the Single House and adjoining properties, while being screened from the street. A condition of approval is recommended requiring the ongoing screening of the bin store from the street and adjoining properties.

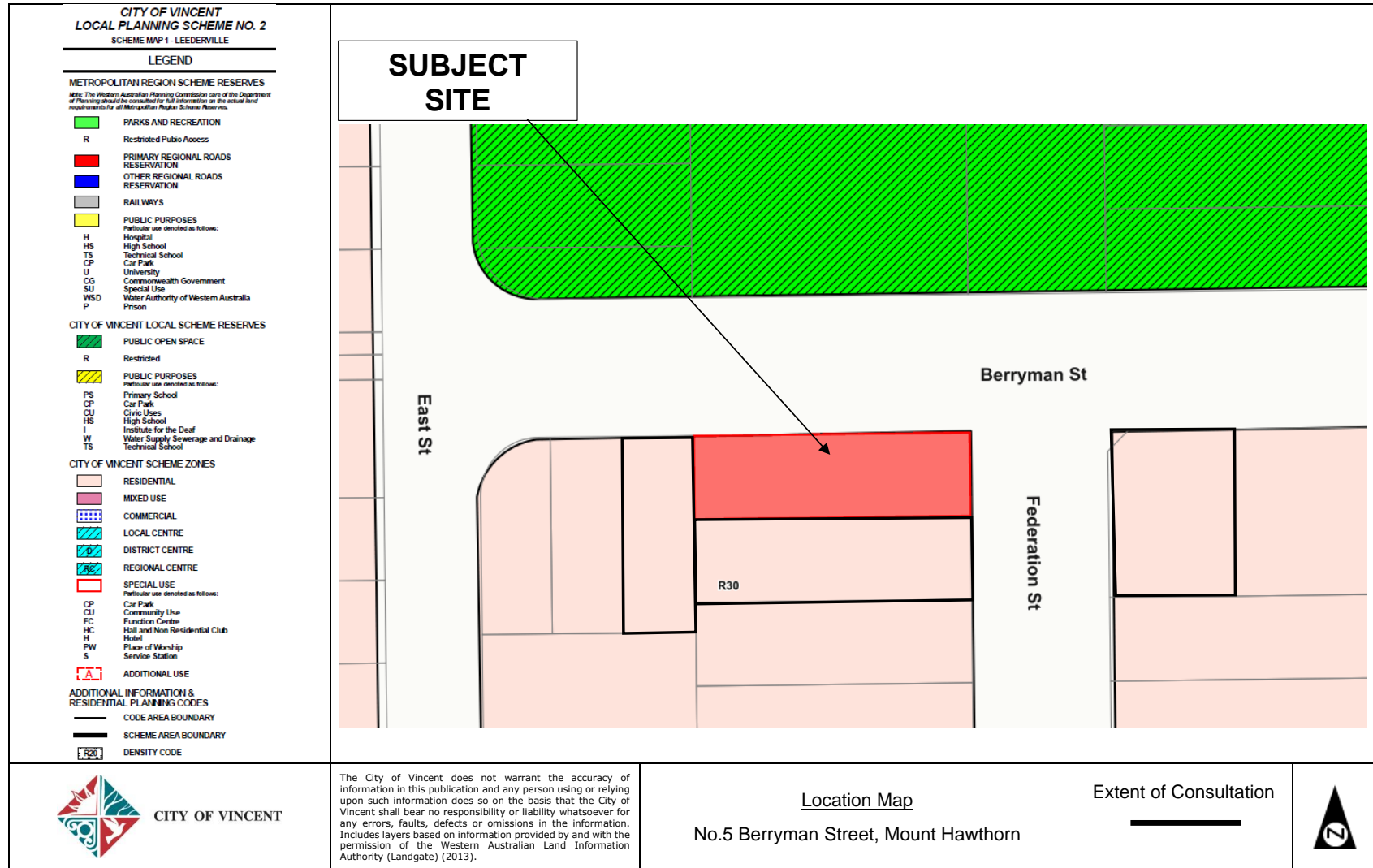
Environmentally Sustainable Design (ESD)

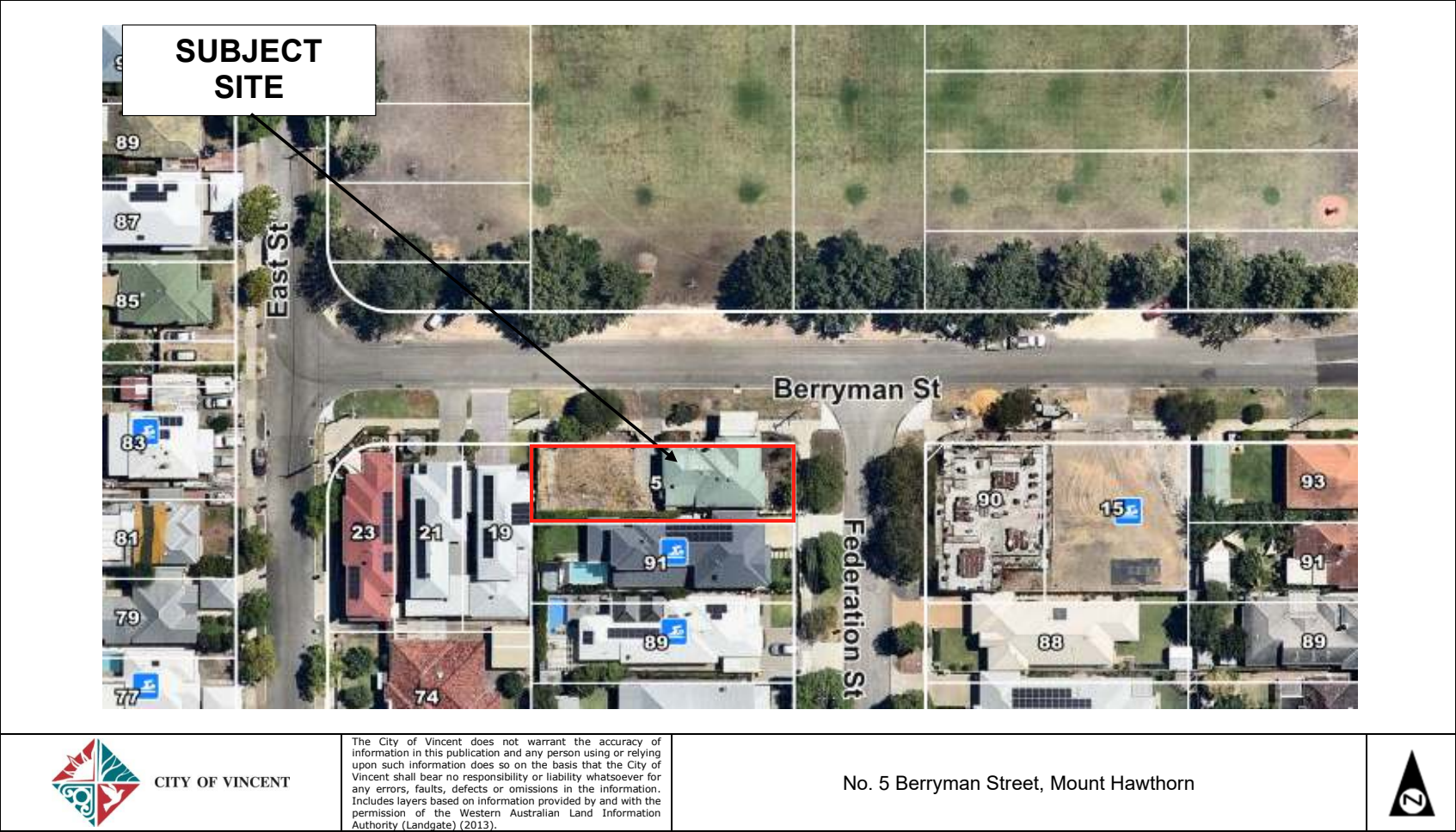
Clause 1.17 of the Built Form Policy relating to ESD sets out acceptable outcomes to be achieved for commercial development.

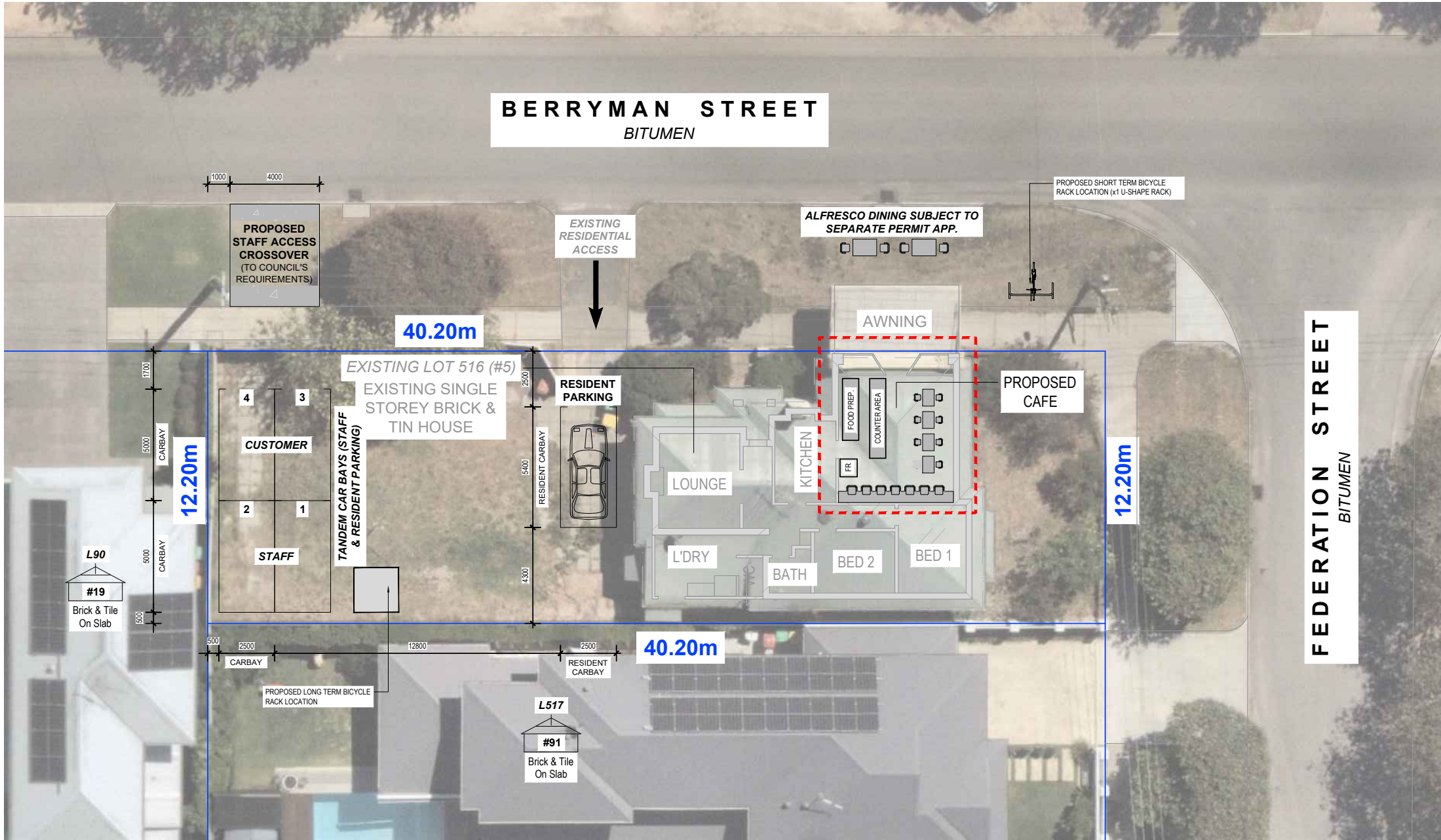
There are limitations to influence whole of life environmental impact of the entire development on the site through this application. This is because the proposal includes adaptive re-use of the existing building which limits the whole of life environmental impact of the development.

The existing built form and site planning measures would satisfy the [element objectives](#) of the Built Form Policy in respect to environmentally sustainable design:

- Retention of the existing building and structures onsite to minimise building waste, including the existing awning. The awning is north facing and would reduce solar gain in summer.
- Retention of the north facing windows to allow passive solar heating during winter.
- Retention of openable windows on the eastern elevation to allow airflow into the tenancy.
- The incorporation of self-closing doors to lower energy consumption for climate control equipment.







SITE PLAN
1:200

CITY OF VINCENT
RECEIVED
12 February 2024

STANDARD NOTES

1. ALL DIMENSIONS & LEVELS TO BE VERIFIED ON SITE PRIOR TO COMMENCING CONSTRUCTION.
2. FIGURED DIMENSIONS SHALL TAKE PREFERENCE TO SCALE.
3. CONTRACTOR TO SITE CHECK ALL SHOP DRAWINGS AGAINST EXISTING STRUCTURES BEFORE COMMENCEMENT OF FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO INHOUSE BUILDING DESIGN AS REFERRED TO IN NOTE 5.
4. ALL WORK TO CONFORM WITH THE BUILDING CODE OF AUSTRALIA (INC. W.A. APPENDIX), RELEVANT S.A.A. CODES & STANDARDS & LOCAL AUTHORITY REGULATIONS.
5. BUILDER/CONTRACTOR TO CONSULT INHOUSE BUILDING DESIGN WITH REGARD TO ANY DISCREPANCIES OR PROBLEMS OF INTERPRETATION IN THE FOLLOWING DRAWING.
6. REFER TO ENGINEERS DRAWINGS FOR STRUCTURAL DETAILS AND LAYOUT

LEGEND

- PROPOSED WORKS
- PROPOSED CONCRETE CROSSOVER
- BOUNDARY LINE
- EXISTING STRUCTURE

IMPORTANT NOTE

TO THE BEST OF OUR KNOWLEDGE THESE PLANS ARE DRAWN TO COMPLY WITH OWNER'S AND/OR BUILDER'S SPECIFICATIONS AND ANY AMENDMENTS MADE ON THEM AFTER PRINTS ARE MADE WILL BE DONE AT THE OWNER'S AND / OR BUILDER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ENCLOSED DRAWINGS. *ON POINT DRAFTING & DESIGN* IS NOT LIABLE FOR ERRORS ONCE CONSTRUCTION HAS BEGUN. WHILE EVERY EFFORT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID MISTAKES, THE MAKER CAN NOT GUARANTEE AGAINST HUMAN ERROR. THE CONTRACTOR OF THE JOB MUST CHECK ALL DIMENSIONS AND OTHER DETAILS PRIOR TO CONSTRUCTION AND BE SOLELY RESPONSIBLE THEREAFTER.

DIAL BEFORE YOU DIG
INFORMATION TO BE CONFIRMED
BEFORE COMMENCING
CONSTRUCTION.

B	UPDATED PLANNING APPLICATION	DM	05.02.24
A	PLANNING APPLICATION	DM	06.12.23
REV	REVISION DETAILS	BY	DATE
CLIENT DETAILS			
P & S SEAL			
PROJECT DETAILS			
5 (L516) BERRYMAN STREET			
MOUNT HAWTHORN			
DRAWING TITLE			
01 SITE PLAN			

DRAWN
DM

SHEET
1 OF 1

DATE DRAWN
06.12.23

DRAWING SCALE
1:200

PROJECT NUMBER
OPDD345



SHEET SIZE
A3

REVISION
B

ONPOINT
Drafting & Design

ON POINT Drafting & Design
Email: dragan@onpoint-drafting.com.au
Tel. 0438 761 306



CITY OF VINCENT
RECEIVED
17 August 2023

16 August 2023

Planning Services
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6007

Dear Sir/Madam,

NO. 5 (LOT 516) BERRYMAN STREET, MOUNT HAWTHORN PROPOSED CHANGE OF USE TO CAFE

Urbanista Town Planning have been engaged to prepare and submit a development application for change of use to a cafe. Included in this submission are the following documents:

- Application for Development Approval Form and MRS Form 1
- Certificate of title
- Development plans

The existing development on site is a shop and dwelling which were approved in 1939, and since construction has had minimal modifications. With a view of revitalising the site this proposal is to change the use of the existing shop into a café, which is considered a more appropriate and viable land use for the site context which has evolved over the past 80 years.



Aerial image of the subject site (April 2023)

Level 1, 231 Bulwer Street, Perth, W.A. 6000
admin@urbanistaplanning.com.au | urbanistaplanning.com.au

1

PROPOSAL

This proposal is for a change of use from the existing shop adjoining Berryman Street into a café land use. The internal floor space of the existing shop is 6.55m x 5.18m (33.93m²), considered suitable to accommodate a small-scale café which would primarily serve local residents and users of Menzies Park opposite the site.

Some minor works are likely to be involved associated with the change of use, however specific details have not been established at this stage. Works are expected to primarily be internal and would therefore exempt from development approval (Deemed Provisions cl. 61 (1) Table item 5). Accordingly, this proposal is only for the purposes of the change of use and excludes any works component.

The café is proposed to operate during the day and when Menzies Park is being utilised for sports or other activities in the evening. Due to the small nature of the business, hours of operation will vary day to day depending on demand and activity at Menzies Park. Operation is not generally anticipated to occur outside of 7.00am to 7.00pm on any given day, however if there are activities at Menzies Park during the evening the café may remain open beyond 7.00pm should there be demand. No more than two staff will be on site at any one time to operate the business.

The café will offer a range of hot and cold beverages (coffee, tea, juice, etc.) and food options which will include both ready made packaged goods and food prepared on site (sandwiches, toasties, baked goods, etc.). Food and drinks will be available for consumption on site or as take-away to enable consumption in conjunction with activities opposite the site at Menzies Park.

PLANNING FRAMEWORK

The site is located within a Residential Zone (R30) under the City of Vincent Local Planning Scheme No. 2 (LPS 2). Opposite the site is a Public Open Space Reserve (Menzies Park), whilst all other nearby sites are part of the Residential Zone. The land use of Restaurant / Café is an 'A' use within the Residential Zone, which can be contemplated subject to advertising.



LPS 2 map extract

The City has a wide range of local planning policies, however the only policy considered to hold relevance in consideration of this proposal is the City's Local Planning Policy 7.7.1 – Non-residential Parking (LPP 7.7.1).



ASSESSMENT

Land use permissibility

When considering appropriateness of a particular land use, in addition to considering site specific factors and context, the objectives of the zone need to be considered. The Residential Zone objectives are provided below alongside commentary on whether the proposal aligns with each objective.

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*

The existing dwelling on site will continue to function as a unique housing option (including the attached café).

- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*

Retention and reuse of the original 1939 building preserves the existing character of the streetscape and revitalises a unique site which is a minor landmark in the locality.

- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*

A café is considered to be an ideal land use for a site which fronts onto a public open space. The small scale of the business and its sitting within the site ensures that there will be minimal risk of disturbance to adjacent residential properties.

- *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*

Reuse of the existing building (as opposed to demolition and redevelopment) is a sustainable development approach which also minimises disturbance to adjacent sites.

- *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*

The existing built form is to be retained, ensuring the existing character and amenity of the streetscape is preserved. Minor restorative works are likely to be undertaken prior to operation of the café, which will further enhance streetscape amenity without impacting on character.

- *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*

The change of use from shop to café recognises the changes in contemporary lifestyles and people's preferences which have evolved since when the building was constructed in 1939. Small corner shops are becoming increasingly unviable in competition with the large supermarkets of today, whilst small cafes with unique character and offerings are popular.

- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

The residential dwellings / small café combination provides a unique offering substantially different from any other dwelling in the locality. This increases the range / type of residential accommodation available to meet the diverse needs of the community.

The proposal aligns with all objectives of the residential zone, meeting both the residential and commercial objectives.

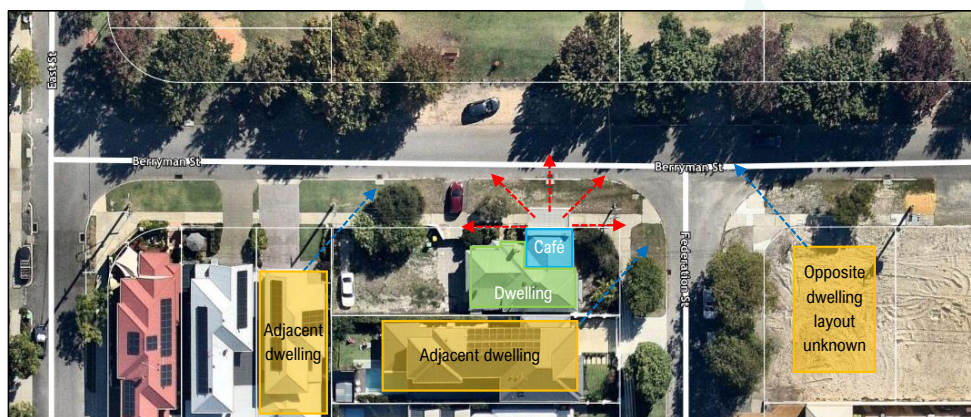
It is anticipated that residents living adjacent to the site may have concerns in respect of a café operation impacting on their existing amenity. The location and orientation of the café is ideal to minimise potential impacts from the café to adjacent properties. The café includes windows and the entrance door oriented towards Menzies Park and two small highlight windows on the eastern wall.



Google Streetview (April 2021)

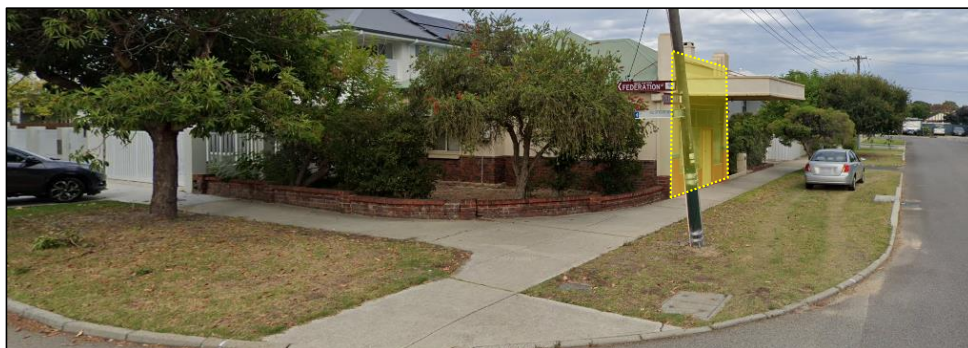
The entrance and window locations ensure that impacts from people accessing the premises will be outside of the line of sight from adjacent residential properties and therefore highly unlikely to create any undue privacy or acoustic impacts. Considerable separation is achieved from all nearby properties with the design of the attached dwelling wrapping around the café and providing a buffer to the south and west adjacent properties, and Federation Street providing a buffer to the east.

A development application was recently approved for a two-storey dwelling at 90 Federation Street (opposite the site); however we do not have a copy of the site plan. It has been assumed that the dwelling will be oriented towards Menzies Park, away from the subject site.

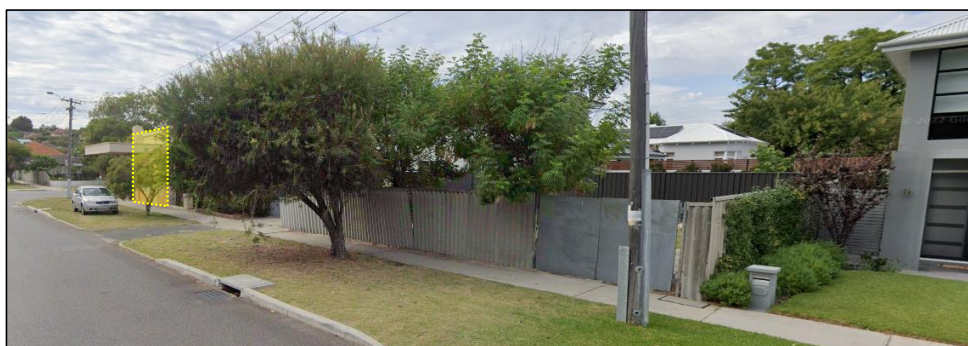


Line of sight (blue) / Potential for impacts (red)

The façade of the café is effectively the only part of the operation which will present any activity or potential impacts, and as this is both oriented away from and achieving considerable physical separation from all nearby residential lots, the risk of impact is minimal. The service provided to the local community is considered to greatly outweigh any potential impacts.



View of café facade from the east



View of café façade from the west

The café will be small scale and primarily service the local community and with additional passing trade from users of Menzies Park, complementing the existing public facilities. Menzies Park is a large reserve regularly used for team sports and also features a playground and pavilion which is available for hire between 7.00am and 10.00pm weekdays, and 7.00am to 12.00am weekends.

To enable flexibility for the small business, it is requested that if the City intends to impose opening hour constraints, that evening activities at Menzies Park are considered and accounted for. Impacts from operation of the café fronting onto the reserve is likely to be negligible in comparison to impacts from activity on the open reserve which fronts directly onto residential dwellings during these times.

Car parking

The existing approval did not include any formal car parking bays, and therefore the parking requirements of the existing dwelling and shop are part of an existing approved shortfall. As a result, all that needs to be calculated is the difference in parking requirement between the existing shop and the proposed café.

Table 1 of LPP 7.7.1 indicates minimum and maximum parking requirements based on the built form area which the site is located in under the City's Built Form Local Planning Policy 7.1.1, residential in this instance.

Land Use	Car Parking Minimum					Car parking Maximum	Bicycle Parking Minimum		Unit of Measure (Spaces per)
	Built Form Area	Town Centre	Transit Corridor	Activity Corridor	Mixed Use	Residential	Short Term	Long Term	
Restaurant / café		0.15	0.25	0.22	0.2	0.25	0.019	0.042	Person
Shop		3.5	5	4.5	4	5	1.6	0.9	100sqm NLA

LPP 7.7.1 Table 1 extract

Within the residential built form area a shop requires 5 car bays per 100m² NLA. As the existing shop is 33.93m² the parking requirement would be 1.7 car bays. The parking requirement for café relates to persons. As the internal layout of the café is not established the number of seats being offered is currently unknown. Notwithstanding, the existing shortfall of 1.7 car bays would equate to 6.8 persons.

Given the limited area of the café, it is considered unlikely that more than seven customers could reasonably be accommodated within the premises at any one time once it has been fitted out. We would be comfortable with a condition of approval that the premises shall not accommodate more than seven customers at any one time.

The nature of the operation, which is likely to see the majority of its customers being local residents or users of Menzies Park is unlikely to generate any additional parking demand in the area. Local residents will be within walking distance of the café, whilst users of Menzies Park are already accommodated by substantial parking availability around the reserve and on street.

CONCLUSION

The proposal will revitalise a historic site which has provided a unique contribution to the streetscape character for the past 80 years. The café land use is ideally situated to offer maximum benefit to users of the adjacent reserve, whilst also avoiding land use conflict with nearby residential dwellings.

The site already has an existing approved shop, and therefore this is not the introduction of a commercial element into a residential area, but rather the establishment of a more appropriate business which will provide a service that will be more in line with modern day expectations.

Should you have any question in relation to the details provided in this submission, please contact Steven DePiazzi on [REDACTED]

Yours sincerely,



Steven DePiazzi | **Senior Urban Planner**
Urbanista Town Planning

From: Daniella Mrdja [REDACTED]
Sent: Tuesday, 19 December 2023 7:51 AM
To: Eleanor Barr
Cc: Michael Stocco
Subject: RE: Request For Information - 5 Berryman Street, Mount Hawthorn

EXTERNAL email.

Hi Eleanor,

Please see our responses in red below.

Thank you.
Daniella

DANIELLA MRDJA
Director



urbanista
TOWN PLANNING

This e-mail contains privileged and confidential information. The information in this e-mail is intended only for the use of the addressee and those authorised to view this e-mail and its contents by the addressee or this firm. If you are not an authorised recipient, please send this firm a return e-mail and delete the e-mail and its contents. Copying any of this e-mail or dissemination of any information in this e-mail without authorisation is an illegal use of confidential information.

From: Eleanor Barr [REDACTED]
Sent: Thursday, December 14, 2023 4:58 PM
To: Michael Stocco [REDACTED]
Cc: Steven DePiazzi [REDACTED]
Subject: RE: Request For Information - 5 Berryman Street, Mount Hawthorn

Hi Michael,

Thank you for sending through that additional information.

I am in the process of finalising the first draft of the report, I have a few additional queries that need to be addressed before I can progress the report.

1. Please provide further detail on the functionality of the café parking bays.
 - a. Are the bays intended to be exclusively for staff? **Yes**
 - b. Given the tandem arrangement, how will the bays be used and managed? i.e would the bay to the south of the site be used by staff working the longest shift **Yes this is correct. Due to the limited availability of parking and space in the City of Vincent, it is not uncommon that staff parking is in a tandem arrangement. Further due to small nature of the café it is expected that the café will mostly be occupied by one staff member and second for smaller shifts during busier periods.**

This information is required to inform whether the position of the non-residential parking bays immediately adjacent to the outdoor living area of 91 Federation Street is acceptable, and to understand the potential amenity impacts within the residential zone.

2. Staff shift patterns

- a. Please confirm the expected shift patterns of staff. (i.e expected working hours and amount of shift changes)

As explained above, it is expected that the café will be occupied by 1 staff member for majority of its opening hours and a second staff member during busier periods. Therefore it is anticipated that staff vehicle movements would not exceed 6 movements per day.

Similar to the above point, this information would assist in informing if the non-residential parking bays in the residential zone will impact the existing amenity based on the frequency of vehicle movements.

3. Hours of operation

- a. To ensure the café is compatible with the surrounding residential area could you advise the proposed staff movements to the site? The City is concerned that whilst the proposed opening hours are from 7am and 7pm, there may be additional noise generated from staff arriving earlier to set up the café and leaving later to finish closing the café. Noise generated from the proposed use outside of the hours of 7am and 7pm would likely not be acceptable within the residential zone. The operating hours may need to be re-considered depending on staff movements.

The entire floor space of the café is less than 30sqm. Once an area is used for a counter, preparation area and fridges, there is only a very small space left for 2-3 tables. Given this, it is reasonable to assume that the set-up and pack-down of the café would not take more than 10-15 minutes and would not result in excessive noise levels.

4. Updates to site plan

- a. Please adjust the proposed crossover to include a 0.5m setback to the power pole and that adequate sightlines are provided.

Can this please be included as a condition of approval as the designer is now leave?

These details will assist in determining the suitability of the proposal within the residential area. Please provide your responses to the above as soon as you can. Please note that I am working on my draft of the Council report and am aiming for it to be completed by COB 22 December as we work towards the February Council Meeting.

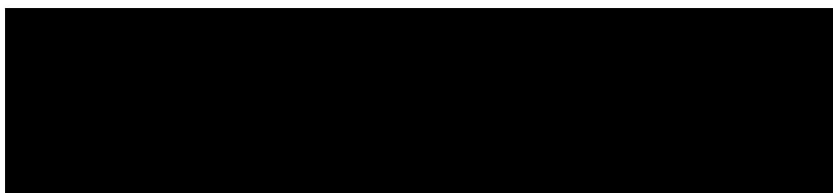
Please be advised that the City's engineering team is reviewing the acceptability of the proposed bike bays within the verge. I'll advise you if any changes to the bike racks are required.

Kind regards,

Eleanor Barr Urban Planner

My pronouns are [She](#), [Her](#), [Hers](#)

City of Vincent [f](#) [t](#) [in](#) [v](#) | [Subscribe to our newsletter](#)



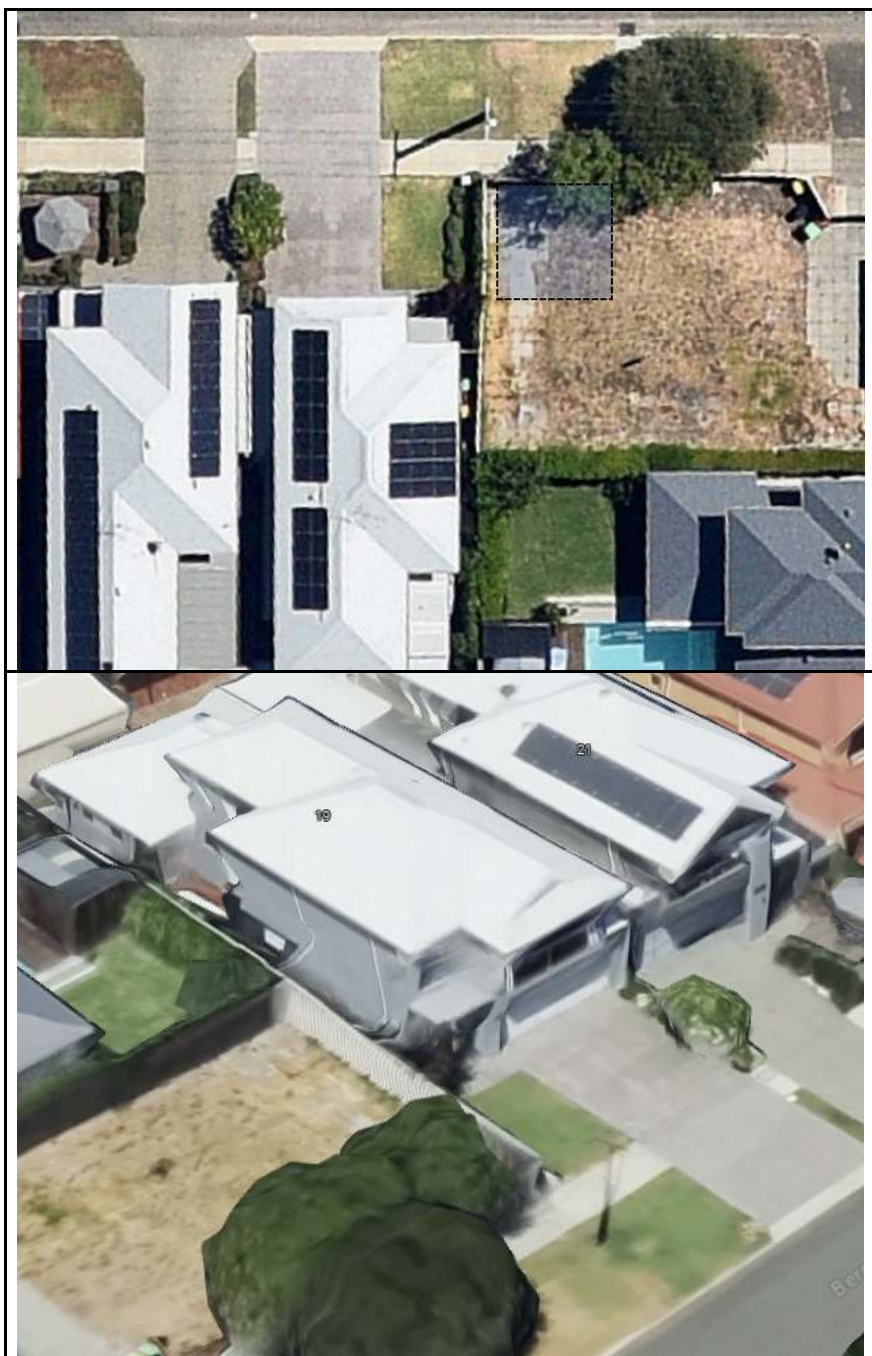
Hi Nick

Without knowing for sure, I would be fairly confident that 'parking within residential streets' as referenced in the policy was referring to parking on the road pavement on a street with dwellings either side; essentially cars parking directly adjacent to or opposite private residential dwellings. Parking at Menzies Park is distinctly different from this situation and far less impactful, all parking would be within the verge (off the street pavement) and in a location which is not directly adjacent or opposite any residential dwellings.

The development also does not rely on entirely on this parking, staff parking, which is the only parking demand we can be certain will be generated, is fully accommodated on site. As I have previously mentioned, it is considered unlikely that there would be any notable additional visitor parking demand generated by the café when most visitors are anticipated to be either local residents (who would walk and not require parking), or existing users of Menzies Park who would be parking at Menzies Park irrespective of the café. Yes, we cannot be certain of this (no business existing or proposed can be certain about its future customers), however I think there needs to be a certain level of reasonableness when determining whether any potential future impact is both so probable and unacceptably significant as to warrant refusal of a development.

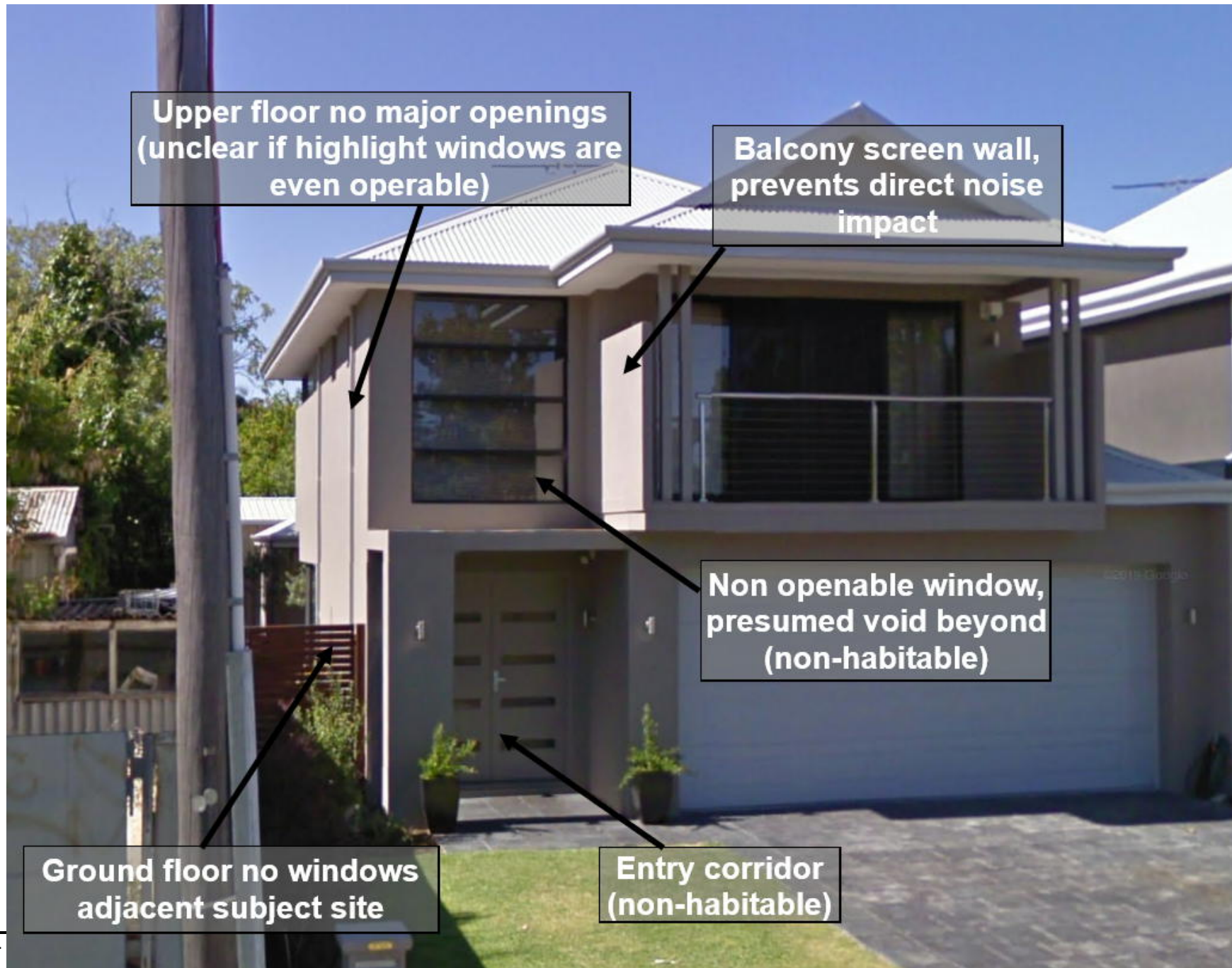
The position that in this context, a couple of visitor bays could create such an unacceptable disturbance to warrant refusal, to me is such an exceedingly precautionous approach that it falls beyond the realm of reasonableness. Considering the proposal on its merits and looking at the site-specific circumstances, I think the vast majority would arrive at the conclusion that the likelihood of an undue impact is very unlikely. Some points worth noting in this respect:

- The existing streetscape provides context for the levels of ambient noise levels which are to be expected and deemed acceptable for residents in the area. This includes:
 - Users of Menzies Park, which is a large active recreation reserve, regularly utilised for sporting events. The park directly fronts surrounding residential dwellings, includes no noise mitigating features, and actively promotes activities which would include day long events with ongoing noise emissions for the entire duration. There would be direct line of sight between users of the park and dwellings surrounding the park.
 - Parking around Menzies Park, vehicle door closes, engine starts, packing and unpacking equipment and children. The Berryman Street verge of Menzies park is clearly designed to accommodate parking (consider the verge width, setback distance of vehicle barriers from the kerb, lack of any aboveground infrastructure or trees planted in this wide area, lack of any parking restrictions) and is regularly lawfully utilised for parking. There can be little doubt that visitors and residents of the surrounding dwellings in addition to the users of Menzies Park would utilise this space on an as required basis. There are no noise mitigating features of this space which would reduce noise impacts to the dwellings opposite, Berryman Street verge of Menzies Park alone would be capable of accommodating roughly 60 parked vehicles.
 - Dwellings are unable to include any notable noise mitigating measures (other than closing windows) against these impacts as they are required to present to Menzies Park with habitable spaces and major openings.
- In contrast, the two visitor bays, which are also located within the Berryman Streetscape (not behind the façade of the adjacent dwelling), are screened behind a dividing fence which eliminates direct line of sight and mitigates noise emissions. It's also worth noting that the verge of Menzies Park is half the distance from the café entrance compared with the visitor parking bays being provided, so as a matter of convenience it's likely that the visitor bays will see limited use.
- The adjacent dwelling does not appear to include any sensitive areas on western side which could be affected by the visitor bays. Its entire western elevation (to the extent which it adjoins the subject site) is a large featureless wall with no windows at ground level and two highlight windows on the upper level (which appear to represent bathroom/toilet windows).



We remain of the opinion that both parking and noise concerns are without merit, and there will be no undue impacts from this 34m² change of use from Shop to Café. We will leave the visitor parking as currently proposed to eliminate parking as a potential reason for refusal, however do not consider that it is necessary or appropriate to engage an acoustic consultant to undertake a review of the noise emissions associated with the use of these bays. If you could proceed with the item to Council for determination.

Regards



CITY OF VINCENT
RECEIVED
12 February 2024



12 February 2024

Nick Bertone
nick.bertone@vincent.wa.gov.au
Development Services
City of Vincent

Dear Nick,

NO. 5 (LOT 516) BERRYMAN STREET, MOUNT HAWTHORN

OPERATION MANAGEMENT PLAN – PROPOSED CAFÉ

Urbanista Town Planning has prepared an Operation Management Plan (OMP) in response to the City of Vincent's request for further information letter 25 January and 12 February 2024. The OMP addresses the following key matters:

1. Nature of the Café
2. Operating Hours
3. Staff
4. Consumption of Food
5. Noise Impacts
6. Parking Arrangements
7. Waste Management
8. Café Plan



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Nature of the Café

The proposed café will replace a small existing shop on site which has been part of the local streetscape since 1940. The premises is small scale, with only 34m² floor area and attached to an existing dwelling. The business will serve local residents and users of Menzies Park which the premises fronts onto. The café will contribute to the character and amenity of the locality, creating a quiet, informal place for interaction between local residents and guests. The premises will also revitalise the existing commercial function of the site and restoring the historic and iconic part of the local streetscape.

The Café will sell both premade food in addition to limited food prepared on site. Premade food will be delivered to the premise on an as required basis. Pre-made food will be stored in fridges and display units available for customers to purchase. There will also be undershelf storage/fridges for overflow food stock.

Food preparation occurring on site will involve only basic kitchen facilities. The Café's food preparation area satisfies the requirements of a low-risk food premise and will be subject to inspection by the City's Environmental Health team once approved. Consumables are intended to be primarily eaten within the Café and associated alfresco areas. Prepared food will be *a la carte* style and customers will be encouraged to consume on premise.

A plan of the anticipated café layout has been prepared which includes a dining area, a food preparation area, a hand wash basin, microwave, oven, small stove, and a coffee machine. The plan illustrates a dining area suitable to accommodate 14 patrons, and alfresco dining is also shown, however this is indicative only. Any future alfresco dining would need to comply with the City's requirements and obtain any necessary approvals prior to operation.

Operating Hours

Similar to many other small-scale café's within the City, the hours of operation will be limited and flexible. It is currently estimated that the demand will be greatest between 7.00am and 4.00pm daily. Accordingly these are the hours sought and for approval.

These hours will represent the maximum hours of operation, however based on the actual demand following operation of the café, it is likely that the open hours will be less, aligning with the demand. Should greater hours be sought due to greater than expected demand, or to align with events at Menzies Park opposite the site, this would require further approval from the City.

Staff

There will be no more than two staff operating the café at any one time. Staff are required to park in the designated staff car bays and may not undertake any work outside of the premises (cleaning, servicing, etc.) prior to 7.00am.

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Consumption of Food

It is intended that customers will utilise the seating provided within the café and consume their food on site. Orders for food prepared on site will require a table number and will be served to customers on non-disposable tableware to ensure that customers remain on site whilst consuming their food.

As pre-packaged food orders arrive in disposable packaging, it is not possible to control where this food is consumed as it is in a form which can easily be taken off site. All customers will be encouraged to consume food within the café, and this will be reinforced by the absence of any take-away window or method of ordering and collecting food without entering the premises.

Coffee ordered with food prepared on site will be provided in a non-disposable cup to ensure consumption on site. For coffee orders that do not include food prepared on site, customers will be given the option of having their coffee served as part of the dine in service or in a disposable cup.

Noise Impacts

Operation of the café will not involve any equipment which would generate noise levels beyond standard residential appliances. Only low-level background music would be played within the café, there would be no amplified music or speakers placed outside of the premises.

As customers to the café will primarily utilise the dine in service, noise impacts are contained within the premises. There is no reason for customers to gather outside of the premises given that ordering and collecting food all occurs within the premises.

As the café will not be open outside of daytime hours, there will be no impacts at the more hours outlined in the *Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997*. As there will be typically only one staff member (maximum of two), their arriving on site prior to 7.00am to open the café will be indifferent to that of a single resident arriving at their home at this time. There will be no engine startups associated with staff vehicle(s) during this early period.

Additional measures to be implemented to ensure that noise impacts are minimised to the maximum extent reasonably possible include:

- Installing self-closing entry doors to mitigate noise emissions from inside the café.
- Advising patrons to not congregate outside of the café prior to/after their meal, including installation of a sign outside the premises stating this if necessary.
- Ensuring all site servicing (deliveries / waste collection etc.) occurs during hours of operation.



Parking Arrangements

The site fully complies with parking requirements for both the dwelling and the café. Parking has been allocated as follows:

Car parking

- Existing dwelling
 - 1 resident only car bay.
- Café
 - Tandem car bays No. 1 & 2 for Café staff use only.
 - Tandem car bays No. 3 & 4 for Café customers only.

Bicycle parking

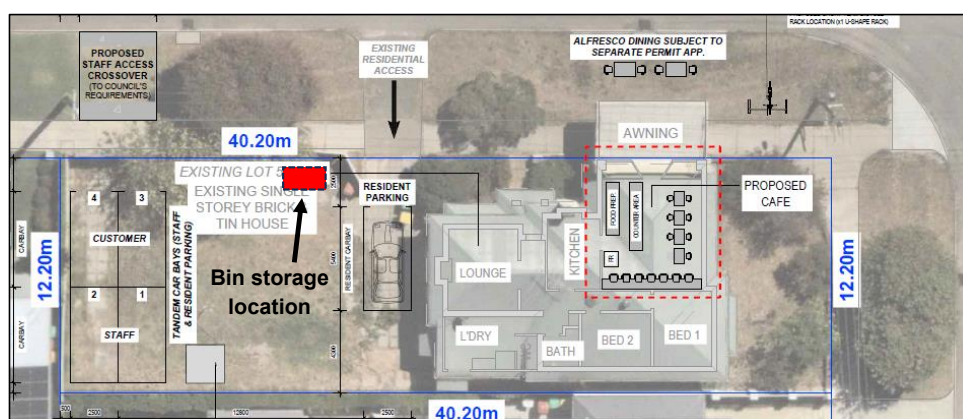
- 'U' shaped short term bicycle rack for visitors within the verge.
- Long term bicycle storage enclosure at the rear of the site, screened from the street.

Servicing

- Delivery vehicles will park on the street directly in front of the tenancy, ensuring a suitable distance from the T-junction and crossovers to avoid safety impacts.
 - Deliveries will occur on an as required basis, it is not expected that deliveries will be required more than twice a week.
 - The majority of deliveries will be accommodated by light vehicles such as vans.
- Waste collection vehicle will park on the street in front of the tenancy, ensuring a suitable distance from the T-junction and crossovers to avoid safety impacts.
 - Bins will be placed on the Berryman Street verge for collection no earlier than 24 hours prior to collection and removed no later than 24 hours after collection.

Waste Management

The café is not expected to generate high levels of waste given its small scale. The future tenant will be required to engage a private contractor for waste collection, and waste collection will need to be in accordance with an approved waste management plan. The proposed bin storage location for the café bins is shown in the image below.



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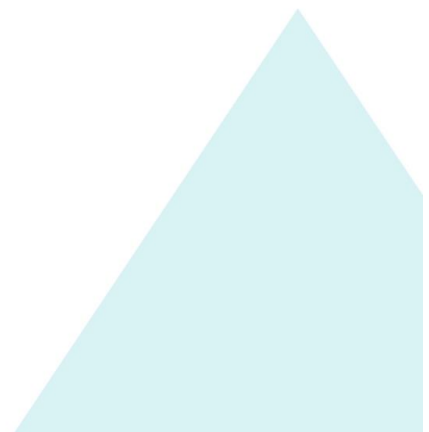
**Café Plan (Attachment 1)**

The café site plan includes the following arrangements:

- Tables and chairs that can accommodate up to 14 patrons.
- Commercial refrigerator x1.
- Food Preparation area with scope for storage underneath benchtops.
- Counter/pay station.
- Indicative potential future alfresco dining location.

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SLR Consulting Australia

Level 1, 500 Hay Street, Subiaco WA 6008, Australia



18 March 2024

SLR Ref No.: 675.072517.00001-L01-V2.0-20240318.docx

Attention: Daniella Mrdja
 Urbanista Town Planning
 231 Bulwer Street
 Perth WA 6000

CITY OF VINCENT
 RECEIVED
 19 March 2024

SLR Project No.: 675.072517.00001

RE: 5 Berryman Street Cafe
Acoustic Letter of Advice

1.0 Introduction

We have been instructed to comment on potential noise impacts from the Café proposed at 5 Berryman Street, Mount Hawthorn. The noise associated with the café operation include car movements, mechanical plant and entertainment noise.

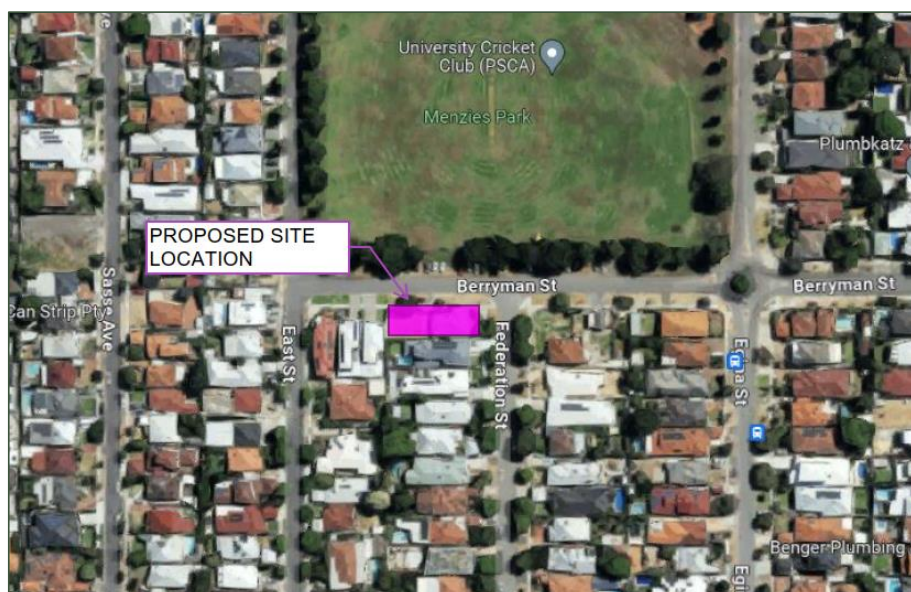
The following sections present our commentary as requested.

2.0 Site Location

The project site is located in medium-density residential area in City of Vincent. The proposed Café will be located within an existing residential premise at 5 Berryman Street, Mount Hawthorn. Proposed operation hours are 7am – 4pm 7 days a week. There is an existing 1.8 metre high solid fence along the site boundary.

Figure 1 presents location of the proposed café in context of surrounding.

Figure 1 Site locality.

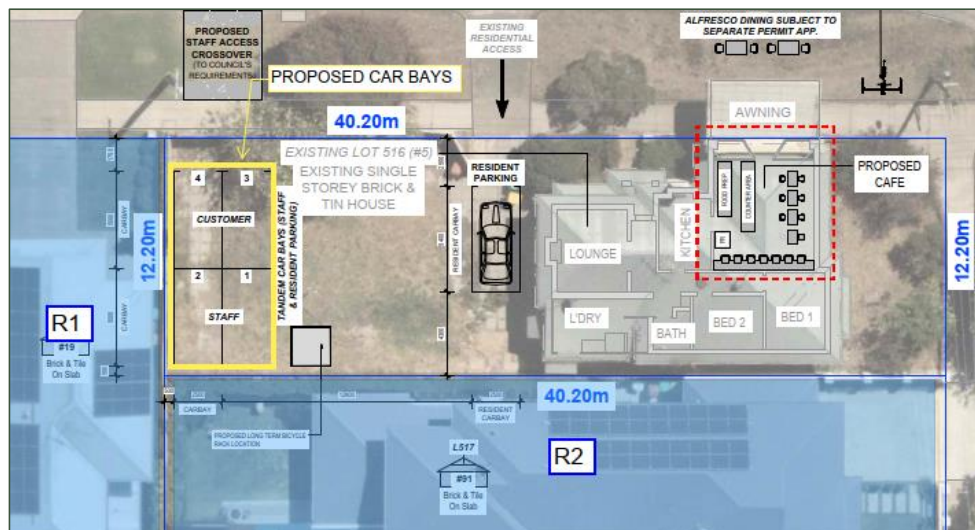


Urbanista Town Planning
5 Berryman Street Cafe

18 March 2024
SLR Project No.: 675.072517.00001
SLR Ref No.: 675.072517.00001-L01-V2.0-20240318.docx

Figure 2 presents the proposed site arrangement.

Figure 2 Site arrangement and sensitive receivers.



3.0 Criteria

Project noise emissions are addressed by state noise policy in the form of the *Western Australia Environmental Protection (Noise) Regulations 1997* (EPNR). To achieve compliance with this policy, noise levels at nearby residential areas are not to exceed defined limits referred to as Assigned Noise Levels. These limits are determined from consideration of prevailing background noise levels and 'influencing factors' that considers the level of commercial and industrial zoning in the locality.

The influencing factor considers zoning and road traffic around the nearest sensitive receiver of interest, within a 100 m and 450 m radius. A summary of the applicable noise limits is provided in **Table A**. The specific assigned levels for each receiver are included in the **Section 4** of this report.

Table A Assigned noise levels summary.

Part of premises receiving noise	Time of day	Assigned level, dB		
		L _{A10}	L _{A1}	L _{Amax}
Noise Sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday ('Day')	45 + IF	55 + IF	65 + IF
	0900 to 1900 hours Sunday and public holidays ('Sundays')	40 + IF	50 + IF	65 + IF
	1900 to 2200 hours all days ('Evening')	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 Monday to Saturday and 0900 hours Sunday and public holidays ('Night')	35 + IF	45 + IF	55 + IF



Urbanista Town Planning
5 Beryman Street Cafe

18 March 2024
SLR Project No.: 675.072517.00001
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Part of premises receiving noise	Time of day	Assigned level, dB		
		L _{A10}	L _{A1}	L _{Amax}
Noise Sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use.	All hours	60	75	80
Commercial premises	All hours	60	75	80
Industrial and utility premises	All hours	65	80	90

If noise emitted from any premises when received at any other premises cannot reasonably be free of intrusive characteristics of tonality, modulation and impulsiveness, then a series of adjustments must be added to the emitted levels (measured or calculated) and the adjusted level must comply with the assigned level.

The adjustments are detailed in **Table B** and are further defined in Regulation 9(1) of the Environmental Protection (Noise) Regulations 1997.

Table B Table of adjustments

Noise characteristic	Definition	Adjustment if present (Note ¹)
Tones	Where the difference between the A weighted sound pressure level in any one third octave band and the arithmetic average of the A weighted sound pressure levels in the two adjacent one third octave bands is greater than 3 dB in terms of L _{Aeq,T} where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as L _{ASlow} levels.	+5 dB
Modulation	A variation in the emission of noise that – Is more than 3 dB L _A Fast or is more than 3 dB L _A Fast in any one third octave band; Is present for at least 10% of the representative assessment period; and, Is regular, cyclic and audible.	+5 dB
Impulsiveness	Present where the difference between the L _A Peak and L _A max is more than 15 dB when determined for single representative event.	+10 dB

Note 1 where noise emission is not music, these adjustments are cumulative to a maximum of 15 dB.

4.0 Noise Sensitive Receivers

There are two existing residences identified as noise sensitive receivers within the project area, located along the western and southern site boundary as indicated on **Figure 2**.

Influencing factors have been determined based on the proportion of industrial and residential zoned land within 100m and 450m of the receptor, and the proximity of major and secondary roads within those distances, in accordance with the Schedule 3 of the regulations.

Main Roads Traffic Map traffic counts for nearby roads are:

- Mitchell Fwy 68,555 vehicles per day (2018/2019) Major Road



Urbanista Town Planning
5 Berryman Street Cafe

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No commercial or industrial activity has been identified with the project area.

Therefore, both noise receptors (R1 and R2) that are within 450 metres of a major road are considered to have an influencing factor (IF) of 2.

A summary of design assigned noise levels is provided in the following table.

Table C Assigned noise levels for all receptors

Locality	Time of day	Assigned Level L _{A10} , dB(A)	Assigned Level L _{A1} , dB(A)	Assigned Level L _{Amax} , dB(A)
R1-R2 Residential dwellings	0700 to 1900 hours Monday to Saturday (<i>'Day'</i>)	47	57	67
	0900 to 1900 hours Sunday and public holidays (<i>'Sundays'</i>)	42	52	67
	1900 to 2200 hours all days (<i>'Evening'</i>)	42	52	57
	2200 to 0700 Monday to Saturday and 2200 to 0900 hours Sunday and public holidays (<i>'Night'</i>)	37	47	57

5.0 Noise Sources

5.1 Car Noise

There are four (4) car bays proposed to be associated with the café operation: two bays for staff and two for customers, highlighted in yellow on **Figure 2**. It is anticipated that most customers will use a street parking or visit café by foot or bike.

5.2 Mechanical Plant

The premise uses existing residential grade mechanical plant. There is no new mechanical plant proposed to be associated with the café operation. Therefore, no significant noise impact is predicted.

5.3 Crowd and Music Noise

The café is proposed to provide a dining area suitable to accommodate up to 14 patrons.

Low-level background music is proposed to be played within the café, with no amplified music proposed outside of the premises.

Due to the low number of patrons and given only low-level background music is proposed within the café, it is predicted that the crowd and music noise emissions to surroundings would be minimal.



Urbanista Town Planning
5 Berryman Street Cafe

18 March 2024
SLR Project No.: 675.072517.00001
SLR Ref No.: 675.072517.00001-L01-V2.0-20240318.docx

6.0 Assessment Commentary

6.1 Typical Environment in the Project Area

1. Typical vehicular activity in the area is expected from the residential activity and the players and visitors of the University Cricket Club sport oval located at Berryman Street, directly opposite the proposed café.
2. It is anticipated that majority of the car noise associated with the café operation will be occurring during operational hours, 7am to 4pm. Most cars will be parked on the street, with most customers visiting the café by foot or bike.
3. One or two staff members will be arriving before operation times. This should not occur earlier than 6.30am.
4. Generally, the low level of vehicular activity around the site would be comparable to typical activity in a medium-density residential area near a park without such development.

6.2 Noise Impact

1. The potential risk for noise impact is identified for the café operation on Sunday from 7am, as this period falls into the night-time under the *Environmental Protection (Noise) Regulations 1997*.
2. It is anticipated that due to location of the proposed café within residential neighbourhood and opposite a large park with existing parking areas, most of the customers, including Sunday morning customers, would be locals visiting café by foot.
3. One or two staff arriving in the morning would be considered typical activity in medium-density residential area.
4. Accordingly,
 - the noise impact from the four car bays associated with the café to surroundings is considered minimal and by inspection is in line with local through traffic, therefore the on-site customer parking would likely comply with the noise regulations.
 - there is no significant noise impact predicted to be associated with the mechanical plant, i.e. via selection and suitable location it would enable compliance with the noise regulations.
 - due to the low number of patrons and only low-level background music proposed within the café, it is predicted that the entertainment noise impact to surroundings is considered minimal and would likely comply with the noise regulations.

6.3 Management Measures

1. In order to minimise the potential for noise impact, staff should be trained to be considerate of sensitive areas nearby.
2. Existing fence at the site boundary should be maintained in order to provide a solid screening from the site to noise sensitive receivers.
3. All deliveries and collections should be scheduled during day times only to minimise a noise impact to surroundings.



Urbanista Town Planning
5 Berryman Street Cafe

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4. Events which are particular loud, such as glass waste disposal or compacting, should only occur during the day period in an enclosed area.
5. Any additional mechanical plant associated with the café that may be proposed should be assessed by suitably qualified acoustic consultant to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*.

7.0 Closure

We undertook the review and desktop analysis of the potential noise impact from the proposed café at 5 Berryman Street to surroundings, and it is stated that the car noise, mechanical noise, entertainment and patrons noise associated with the café operation would likely comply with the *Environmental Protection (Noise) Regulations 1997* and would be low risk in terms of a noise impact.

I trust this is satisfactory. Should you have any further queries, I can be contacted using the details provided.

Regards,

SLR Consulting Australia



Natalia Bigaj

Associate Consultant – Acoustics & Vibration
nbigaj@slrconsulting.com



5.17*Council Meeting 15.3.1976*

Moved by Cr. Parnham, seconded by Cr. Cheek:
 ZONING BY-LAW NO. 64 - AMENDMENT - LOT 516 (NO. 5) BERRYMAN
 STREET, SOUTH-WESTERN CORNER OF FEDERATION STREET: (B/Berryman
 A7/64, & CP5.17) Re decision of the Council at its meeting
 held on 17th November, 1975, to initiate the necessary procedures
 to rezone the abovementioned lots from Zone 6 (Shops) to Zone 1
 (Single Tenement Dwellings) and report of Town Clerk that the
 Town Planning Board has advised that it has no objection to the
 proposed rezoning, THAT the following amendment
 to Zoning By-law No. 64 be adopted, signed by the Lord Mayor
 and Town Clerk, sealed with the Common Seal of the Council
 and submitted for the consideration of the Hon. Minister for
 Local Government:-

THE LOCAL GOVERNMENT ACT 1960/75

THE MUNICIPALITY OF THE CITY OF PERTH

BY-LAW NO. 64 - TOWN PLANNING CLASSIFICATION OR
ZONING BY-LAW FOR LAND AND/OR BUILDINGS IN THE
NORTH PERTH/MOUNT HAWTHORN/WEMBLEY/LEEDERVILLE
AREA BEING PART OF THE CITY OF PERTH MUNICIPAL
DISTRICT-AMENDMENT

IN PURSUANCE of the powers conferred upon it by the
 abovementioned Act and of all other powers enabling it the
 Council of the abovementioned Municipality HEREBY RECORDS
 having resolved on the 15th day of March, 1976 to make
 and submit for confirmation by the Governor the following
 amendment to By-law No. 64:-

THAT all that piece of land being -

Portion of Swan Location 782 and being Lot 516
 on Plan 2177 and being the whole of the land
 comprised in Certificate of Title Volume 1072
 Folio 87

be and is hereby excised from Zone 6 classification and
 reclassified and included in Zone 1 classification
 and that the North Perth/Mount Hawthorn/Wembley/
 Leederville zoning Plan No. 64, be and is hereby amended
 accordingly

Carried.

5.17

TOWN PLANNING MEETING**3 - NOV 1975**

Lot 516 (No. 5) Berryman Street south west Corner
Federation Street: (A7/64 and CP5.17 & B/Berryman)
Re application by Mr. J.C. Affourtit requesting rezoning of the above mentioned land from Zone 6 (Shops) to Single Residential and report of City Planner that under Zoning By-law No. 64 the land is classified Zone 6 (Shops) whilst under the adopted City Planning Scheme it is proposed that the lot be classified Zone R3 (Low Medium Density Residential); that the applicant has advised that the shop part of the premises has been used for residential purposes since 1962 and he requests that it now be rezoned accordingly; that as the requested rezoning is considered consistent with the general development in the area and the adopted City Scheme there are no objections to the proposal RECOMMENDED THAT the Council initiate the necessary procedures to rezone Lot 516 (No. 5) Berryman Street from Zone 6 (Shops) to Zone 1 (Single Tenement Dwellings.)

CITY PLANNING DEPT.

AGENDA ITEM NO:

PLANNING DEPARTMENT

CP. 5.17 CH:ML

31 October 1975

WARD: NORTH PERTHTHE TOWN CLERKCOMMITTEE: Town Planning

SUBJECT: Request for rezoning from Zone No.6 (Shops)
to Zone No.1 (Single Tenement Dwellings etc.)

LOCATION: Lot 516 (No.5) Berryman Street - south west corner
of Federation Street

APPLICANT/
LANDOWNER: J.C. Affourtit


ZONING: (i) M.R.S. - Urban Zone
(ii) By-law No.64 - Zone No.6 (Shops)
(iii) Adopted City Scheme - Proposed Zone R3
(low-medium density residential)

COMMENT: The owner of the subject land has requested that it be rezoned from its present commercial classification (Zone 6 - Shops) to a residential zoning (Zone 1 - Single Tenement Dwellings). The applicant has advised the Council, by letter, that the shop part of the premises has been used for residential purposes since 1962.

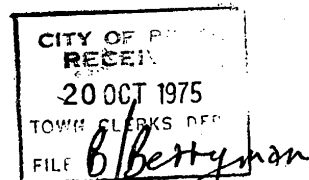
As the requested rezoning is considered consistent with the general development in the area and the proposed zoning in the adopted City Scheme there are no objections to the proposal.

RECOMMENDATION:

That the Council initiate the necessary procedures to rezone the land.


E. SABIN
CITY PLANNER

Committee



5 Berryman St.,
MT. HAWTHORN.
17 TH October 1975.

To: - The Town Clerk: ATTENTION MR. BOND.

Dear Sir,

Re - Request for change in zoning of No. 5 Lot 516 Berryman St.,
MR. J. C. AFFOURTIT.

I would like to make application to have the zoning on the above property changed from commercial to residential zoning.

The present improvements comprise a brick and tile house and a small shop; which has been converted to a lounge. The original shop area has been used as a lounge for the residential accommodation since 1962.

I trust that you will oblige with this request.

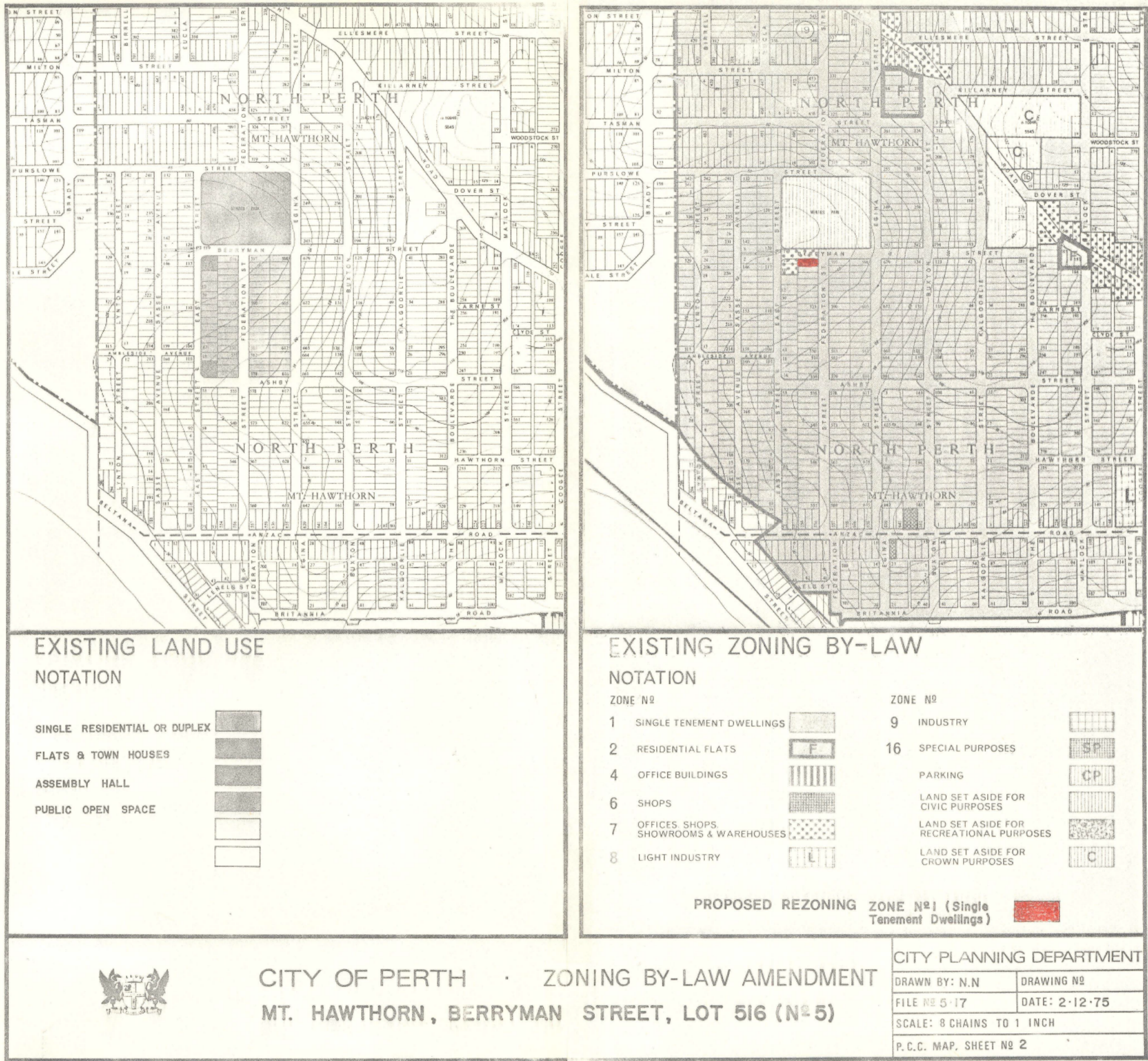
Yours faithfully,
J. C. AFFOURTIT.

J. C. Affourtit
.....

DATE	FILE	REPORT	DISC.	ACK.	LN.
C.R.	C.P.H.	C.T.	C.V.		

FOR YOUR
REPORT - ACTION - FILE
~~JOINT REPORT WITH~~
~~INFORMATION ONLY~~
.....
AND REPORT RETURN TO T.C.

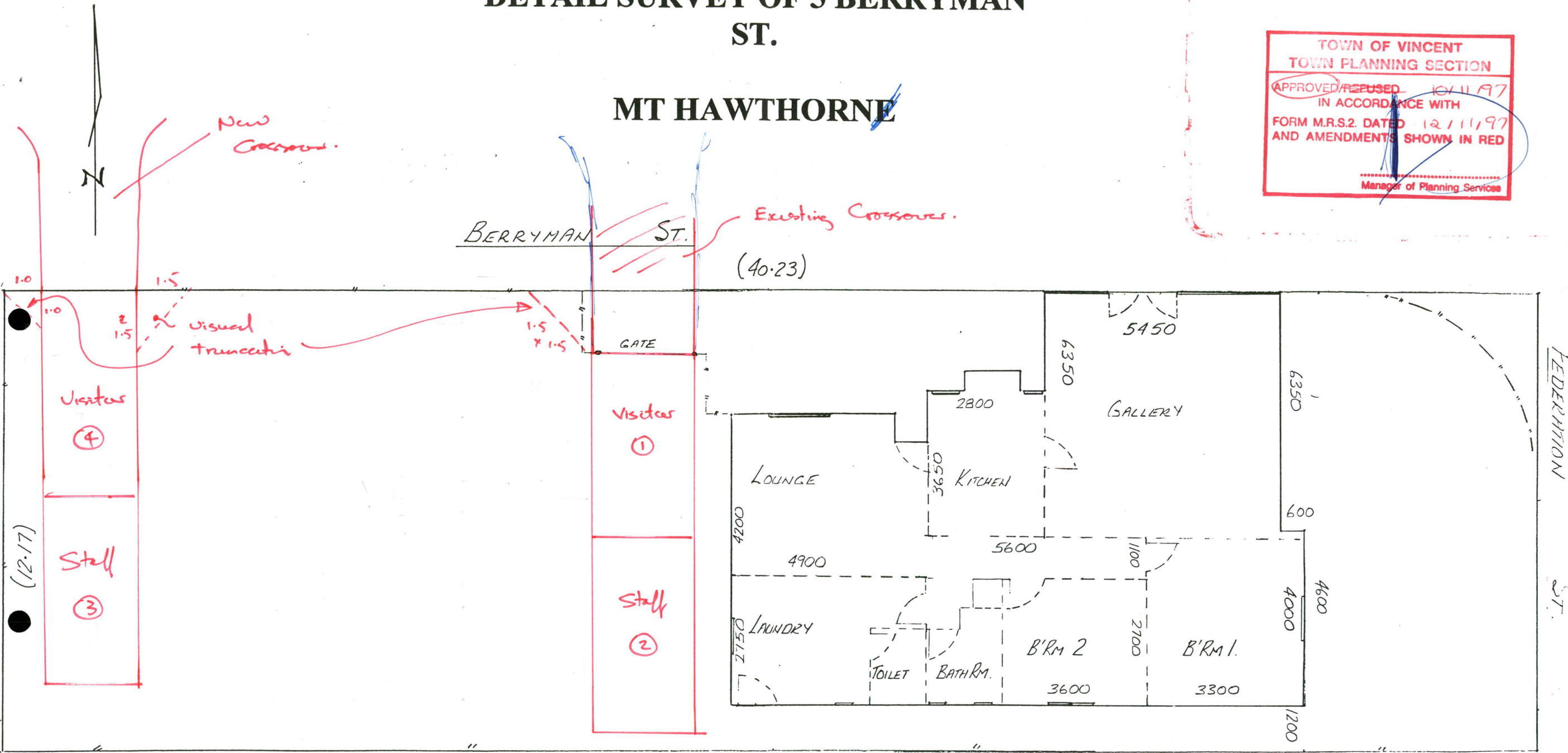
CITY PLANNING DEPT.	
TO	<i>W. Dignam</i>
.....	
.....	
REPORT TO <i>T.C.</i> () ()	
() REGU TO..... () ()	
() REPLY TO..... () ()	
() VECTICATE & DISCUSS WITH <i>A.C.P.</i> () ()	
() FOR INFORMATION	
DATE REC'D	21 OCT 1975
COMPLETION DATE
FILE REFERENCE	<i>S-17</i>
CROSS REFERENCE
COPIES TO:-	G.B.S. () G.P.D. ()
	G.E. () G.T. ()
	M.O.H. () G.V. ()
	D.P.G. () ()



DETAIL SURVEY OF 5 BERRYMAN ST.

MT HAWTHORNE

TOWN OF VINCENT
TOWN PLANNING SECTION
APPROVED/REFUSED 10/11/97
IN ACCORDANCE WITH
FORM M.R.S.2. DATED 12/11/97
AND AMENDMENTS SHOWN IN RED
Manager of Planning Services



OWNERS: R.J & J.E JAMES

PREPARED BY: R.J. JAMES (Licensed Surveyor)

SCALE : 1:100

DETAILS OF LOT:

5 BERRYMAN ST. MT HAWTHORNE

Being Lot 516 on Plan 2177 C/T VOL. 1763 FOL. 935

I would like to raise a few concerns. Mainly it would be the parking and traffic flow problems.

And secondly it is difficult for the Mount Hawthorn Football Club to make money from sales on the weekend.

I feel this would be a direct competitor and would be harmful for fund raising efforts of a community sports club.

I don't think Mt Hawthorn needs another coffee shop.

Summary of Submissions:

The tables below summarise the comments received during the first advertising period of the proposal from the 18 October – 1 November 2023, together with the Administration's response to each comment.

Comments Received in Support:	Applicant Comment:
<u>Scale and Location of Proposal</u> <ul style="list-style-type: none"> The proposal is of an appropriate scale for the locality. There are no cafes in the immediate vicinity of the proposal. The café will complement Menzies Park. The location of the proposal is appropriate as the park is an active space used for sport and other events. The café will be popular with people who use Menzies Park. 	Duly noted.
<u>Retention of a Heritage Property</u> <ul style="list-style-type: none"> Proposal would encourage the maintenance & retention of an existing character property. The proposal will continue a commercial type use which was existing in the past. 	Duly noted.
<u>Amenity of the Area</u> <ul style="list-style-type: none"> The proposal will enhance the sense of community in the area. The proposal will add to the vibrancy of the area. The locality has lots of young families, which will utilise this proposed café. 	Duly noted.
<u>Availability of Parking</u> <ul style="list-style-type: none"> The lack of parking provided is not an issue as there is adequate street parking in the area and most patrons of the business will be locals within walking distance. There is adequate car and bike parking at Menzies Park. The current levels of traffic and street parking is not a problem. 	Duly noted.
<u>Accessibility of the Site</u> <ul style="list-style-type: none"> The proposal will encourage active modes of transport. People will walk to the café, which will reduce the use of cars in the area. The proposal is within walking distance of a bus stop on Egina Street 	Duly noted.

Summary of Submissions:

Comments Received in Support:	Applicant Comment:
and bus stops on Scarborough Beach Road, which reduce the need for driving.	
Comments Received in Objection:	Applicant Comment:
<u>Land Use</u> <ul style="list-style-type: none"> The proposal does not meet the objectives of the Residential zone in Local Planning Scheme No.2 as it is not 'complementary' to residential development. The site is currently rundown and upkept. Instead, it should be redeveloped for residential purposes. 	<ul style="list-style-type: none"> The proposal will cater and be used by the community to achieve the intent of the residential zone. The land use proposed existed previously in the early 1900's as a shop, deli, or corner store. The newly proposed café aligns with the original intent of the premise.
<u>Parking</u> <ul style="list-style-type: none"> The proposal does not meet the requirements of the City's Policy No. 7.7.1 'Non-Residential Parking Requirements'. This will have a noticeable impact on the residential amenity of the street as cars traveling would rely on on-street parking within residential streets. Parking generated by a proposal should be provided on site. Parking on the Menzies Park verge is already an issue during Saturdays in football season when people gather for sport. This issue will only worsen if the café is approved. While local residents might walk to the café, this does not mean that is would 'support a shift towards active and sustainable transport modes'. Residents who want to walk will already walk to the local café strip. Residents who do not want to make the journey sustainably will park on adjoining verges. The demand for sustainability will remain the same, while the amenity of the neighbourhood would suffer significantly. 	<ul style="list-style-type: none"> Parking is now compliant and is further detailed in the RFI response. Please refer to the Resident and Staff Parking Plan.
<u>Operations and Noise</u> <ul style="list-style-type: none"> There will be noise impacts of staff and deliveries arriving before and after permitted operating hours. It is unclear how this will be managed 	<ul style="list-style-type: none"> The general hours of operation are set at 7:00AM to 7:00 PM. Patrons are allowed to park anywhere that is permitted. Potential parking impacts will need to be

Summary of Submissions:

<p>Comments Received in Objection:</p> <ul style="list-style-type: none"> as to not impact adjoining land owners. It is unclear how noise from patrons will be managed. (i.e patrons congregating outside the premises, internal generation noise, etc). It is unclear how noises associated with a café be managed (i.e coffee machines, blenders, music, etc). There are no changes that could be made to the development that would resolve the noise issues with respect to parking. The proposal would ultimately change the existing amenity of Berryman Street and Federation Street. 	<p>Applicant Comment:</p> <p>managed by the City. Noise will be limited to within the premise. Any outside noise cannot reasonable be controlled or limited. Please refer to the RFI Response for further detail.</p>
<p><u>Waste</u></p> <ul style="list-style-type: none"> It is unclear how waste would be managed, how much waste would be generated and what the potential odour impacts may be. These factors would combine to further undermine the amenity of the area immediately surrounding the café. Noting that the City no longer offers a commercial waste collection service. 	<ul style="list-style-type: none"> Occupants of the café will be notified of the City of Vincent's waste guidelines for commercial waste. Odour is unlikely to occur as waste will be emptied daily.
<p><u>Local Demand</u></p> <p>The proposal is not in close proximity to other cafes in the neighbourhood.</p>	<p>There is a strong demand for a café within this immediate area. The submissions</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
which are primarily along Scarborough Beach Road and Anzac Road. These existing café strips are a more suitable location for a café. As such, there would be no demand for an additional café in the area.	received in support is evidence of this demand. There is a local Facebook community group that has mentioned the café numerous times and it appears that the community is in support of the proposal.
<u>Alfresco Dining</u> If alfresco dining is approved, there would be impacts to privacy and security to adjoining properties.	Alfresco dining is not proposed as part of this application.
<u>Liquor Licensing</u> <ul style="list-style-type: none"> As the definition of 'Restaurant/Café' references the Liquor Control Act, there are concerns that alcohol would be served at the site. The café would undermine the amenity of the immediate neighbourhood, and in turn, will negatively impact the value of homes 	The sale of alcohol is not included in this application and is subject to approval under different legislation.
Comments Received Expressing Concern:	Applicant Comment
<u>Parking</u> Bike bays should be provided to mitigate potential parking issues caused by lack of car parking and to encourage active modes of transport.	Parking is now compliant and is further detailed in the RFI response. Please refer to the Resident and Staff Parking Plan.
<u>Operations</u> Concerns regarding the operations of the use including when deliveries would go to the site, how much noise spill the proposal would generate and if alfresco seating is proposed.	These operation details have been addressed in the RFI Response.
Note: Submissions are considered and assessed by issue rather than by individual submitter.	

Summary of Submissions:

The tables below summarise the comments received during the second advertising period of the proposal from the 9 – 15 January 2024, together with the Officer's response to each comment.

Comments Received in Support:	Applicant Comment:
Proposal is aligned with original purpose.	Duly Noted.
The proposal encourages maintenance of a disused character site.	Duly Noted.
Patrons of the café will likely walk, car parking is not required	Duly Noted.
The proposal will service users of Menzies Park.	Duly Noted.

Comments Received in Objection:	Applicant Comment:
<u>Land Use</u> <ul style="list-style-type: none"> The revised proposal would still not be complementary to the residential area. As the development is not within the Mount Hawthorn 'Town Centre', commercial development should be restricted to 'Town Centres' and not within the Residential Zone. 	<ul style="list-style-type: none"> Addressed above
<u>Parking</u> <ul style="list-style-type: none"> The proposed parking does not meet the minimum detailed in the Non-Residential Parking Policy. The revised proposal includes no parking for patrons, this will result in patrons parking on nearby streets and on the Menzies Park verge, which is already an issue during football season. Concerns with how would the City enforce vehicle movements. The staff car bays allocated for staff parking are very close the dining area, outdoor area and living area of 19 Berryman Street and the outdoor living area of 91 Federation Street. This will be an amenity impact to the immediate neighbours. 	<ul style="list-style-type: none"> Parking is now compliant and is further detailed in the RFI response. Please refer to the Resident and Staff Parking Plan.

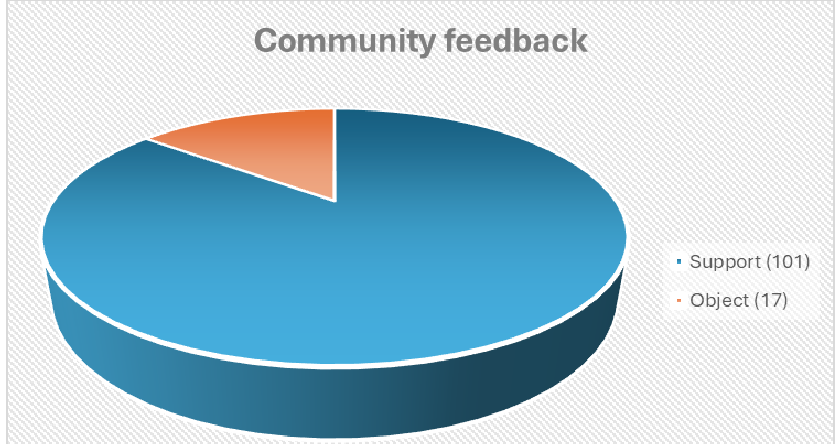
Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> The location of the proposed additional crossover is not adequate, it will impact the drainage of Berryman Street and does not provide adequate sightlines and truncations. The fencing along Berryman Street is degraded, can the City enforce that the fencing is replaced? 	
<u>Operations and Noise</u> <ul style="list-style-type: none"> Concerns with the noise management measures and that the proposed use will generate music, equipment noise and other noise that would disrupt neighbours Concerns with how the noise will be controlled. The limit of patrons permitted within the café will result in queuing outside of the venue and result in further disruption to neighbours. This will be similar to the Chu Bakery and North Street Store in Cottesloe. Concerns have been raised around how this will be controlled. The proposed operating hours are excessive and not appropriate in a residential location. Submitters were concerned with deliveries being made prior to 7am and with vehicles parking in the driveway. 	<ul style="list-style-type: none"> This is addressed in the RFI Response.
<u>Local Demand</u> <p>There is no local demand for a café in this area, there are existing café strips on Scarborough Beach Road and Anzac Road.</p>	<ul style="list-style-type: none"> Addressed above
<u>Waste Management</u>	

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
Details of a Waste Management Plan have not been included in the revised proposal.	Occupants of the café will be notified of the City of Vincent's waste guidelines for commercial waste
<u>Liquor Licensing</u> The approval of this DA will result in potential further applications for this café, such as increases to patron numbers, alfresco dining, and the serving alcohol.	The sale of alcohol is not included in this application and is subject to approval under different legislation.

The tables below summarise the comments received during the third advertising period of the proposal from the 9 – 15 February 2024, together with the Officer's response to each comment.

Comments Received in Support:	Applicant's Comment:
The proposal would be a great addition to the local community and would support users of Menzies Park.	<p>We appreciate the community's overwhelming support for this proposal to reinvigorate the site and make a unique contribution to character and amenity of the locality.</p> 
The proposal would increase the vibrancy of the existing area.	
The proposal would revitalise the old rundown existing building.	
Similar café's work well in other areas and do not impact amenity.	

Comments Received in Objection:	Applicant's Comment:
<u>Land Use</u> • The use is not complimentary to the residential area. Issues remain with parking, noise and waste.	A small-scale café located within a historic corner shop which achieves considerable separation from the side/rear lot boundaries and fronts onto a large active reserve is

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
<ul style="list-style-type: none"> The original shop component was approved in 1939. The context of the area has substantially changed since then. The original approval is not relevant to this proposal as the context has changed. 	<p>entirely complimentary to its context.</p> <p>The original approval is of relevance to this proposal as the built form of the site has not had any substantial modifications since its original approval. The changes in commercial viability and attitudes since 1939 has led to the decision to apply for a change of use from shop to café. Café is a more suitable and viable land use in the current context, the overwhelming level of local community support confirms this.</p>
Local Demand	
<ul style="list-style-type: none"> The City of Vincent has many great cafe strips and areas. It is our strong preference that cafes/restaurants remain in the cafe strip areas and that residential areas remain residential. This will ensure that the sense of community remains strong. 	<p>The café does not make the locality any less residential there is still a dwelling on site. The café will enhance local amenity and sense of community by reinvigorating a local landmark and providing a small-scale venue for local residents and users of Menzies Park to interact over food and/or coffee.</p>
Parking	
<ul style="list-style-type: none"> The proposal will result in customers parking on the verge. The parking areas present a safety issue due to existing vehicle sightline obstructions. The parking bays are too small. 	<p>The parking on site is in full compliance with the requirements for the café. The café will primarily serve local residents and existing visitors to Menzies Park, so there is not expected to be any notable change to existing levels of verge parking resulting from the café. It is noted that there is no restriction on verge parking, to the contrary, the verge of Menzies Park appears designed to accommodate informal parking.</p> <p>Vehicle access points will comply with sight line requirements of the R-Codes. (existing fencing will be modified as required)</p> <p>The parking bays will be constructed in accordance with the minimum dimensions required under AS2890.1.</p>
Operations and Noise	
<ul style="list-style-type: none"> It is unclear how many patrons are expected to be accommodated. The applicant's information is inaccurate. The increase in the number of people on site will cause greater amenity issues compared to the last proposal. Concerns that patron numbers are unable to be enforced. The site is too small to accommodate the proposed number of people. There is no quantification of this statement, and indeed, in a purely residential area, it is questionable as to whether the noise generated by the activity surrounding this proposed land use would be considered acceptable in an amenity sense. 	<p>As outlined in the Operational Management Plan prepared for the site, the premises is proposed to accommodate a maximum of 14 patrons.</p> <p>An increase in patronage will reduce noise impacts as it enables more patrons to be accommodated within the premises where noise can be contained. Inadequate seating would increase the likelihood of patrons seeking to eat their food off site where noise impacts would not be contained (within Menzies Park for example).</p> <p>Patron numbers are enforced through the seating provided. If the café is full new patrons will be turned away or required to return when seating is available, no different from any other café or restaurant.</p> <p>It is unclear how the submitter arrived at this unsubstantiated conclusion. The café's maximum capacity will be formally assessed by the City's Environmental Health Services.</p> <p>The proposal meets every objective of the Residential Zone, of particular relevance to this point is the following objective:</p> <p><i>'To provide for a range of non-residential uses, which are compatible with and complementary to residential development'</i></p> <p>A small-scale café located within a historic corner shop which achieves considerable</p>

Summary of Submissions:

Comments Received in Objection:	Applicant's Comment:
<ul style="list-style-type: none"> The effect of approving this development with conditions of this nature would be to require constant enforcement and policing by the City in circumstances where a complaint is received. Planning approvals are attached to the land. If approved, any café could move in that operates differently. The café will be unable to operate in a hygienic manner. No toilet facilities have been provided for staff or patrons. This would not comply with the Building Code of Australia. 	<p>separation from the side/rear lot boundaries and fronts onto a large active reserve would be a model example of a non-residential land use which is compatible and complementary within a Residential Zone.</p> <p>Almost all development approvals include conditions, which if not adhered to may warrant compliance action in circumstances where an objection is received. There is no reason to believe that the future operator of this café will disregard their obligations as required through conditions of development approval. It should also be noted that the landowners reside in the dwelling attached to the café. If any impacts were to arise, they will be the most immediately and severely affected residents in the locality. They are also in the best position to be able to take action to resolve issues without necessitating involvement from the City.</p> <p>All future operators will be required to operate in accordance with the conditions of development approval, which would include adherence to the operational management plan.</p> <p>It is unclear how the submitter arrived at this unsubstantiated conclusion. The café will be inspected by the City's Environmental Health Services to ensure all necessary hygiene standards and practices are being met.</p> <p>The café will be required to comply with requirements of the Building Code of Australia prior to operation.</p>
<p><u>Alfresco Dining</u></p> <ul style="list-style-type: none"> Alfresco dining would further exacerbate noise. More detail is required on the alfresco dining to assess the impact. 	<p>This is a matter to be considered in the event that the future café operators apply for an Outdoor Eating Area Permit. There is no reason to believe that enjoying a meal within the verge would result in any undue impacts, or even be distinguishable from the existing noise impacts arising from activities at Menzies Park, which coincidentally could also include enjoying a meal (e.g. a picnic).</p> <p>Alfresco dining is dealt with through an Outdoor Eating Area Permit under the City's Local Laws, this is a development application for change of use from Shop to Café.</p>
<p><u>Liquor Licensing</u></p> <ul style="list-style-type: none"> The café could serve liquor. 	<p>The café does not have a liquor licence and therefore cannot serve liquor.</p>

Summary of Submissions:

The tables below summarise the comments received during the first advertising period of the proposal from the 18 October – 1 November 2023, together with the Administration's response to each comment.

Comments Received in Support:	Officer Comment:
<u>Scale and Location of Proposal</u> <ul style="list-style-type: none"> The proposal is of an appropriate scale for the locality. There are no cafes in the immediate vicinity of the proposal. The café will complement Menzies Park. The location of the proposal is appropriate as the park is an active space used for sport and other events. The café will be popular with people who use Menzies Park. 	The comments in support are noted.
<u>Retention of a Heritage Property</u> <ul style="list-style-type: none"> Proposal would encourage the maintenance & retention of an existing character property. The proposal will continue a commercial type use which was existing in the past. 	The comments in support are noted.
<u>Amenity of the Area</u> <ul style="list-style-type: none"> The proposal will enhance the sense of community in the area. The proposal will add to the vibrancy of the area. The locality has lots of young families, which will utilise this proposed café. 	The comments in support are noted.
<u>Availability of Parking</u> <ul style="list-style-type: none"> The lack of parking provided is not an issue as there is adequate street parking in the area and most patrons of the business will be locals within walking distance. There is adequate car and bike parking at Menzies Park. The current levels of traffic and street parking is not a problem. 	The comments in support are noted.
<u>Accessibility of the Site</u> <ul style="list-style-type: none"> The proposal will encourage active modes of transport. People will walk to the café, which will reduce the use of cars in the area. The proposal is within walking distance of a bus stop on Egina Street and bus stops on Scarborough Beach Road, which reduce the need for driving. 	The comments in support are noted.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<p><u>Land Use</u></p> <ul style="list-style-type: none"> The proposal does not meet the objectives of the Residential zone in Local Planning Scheme No. 2 as it is not 'complementary' to residential development. The proposal would ultimately change the existing amenity of Berryman Street and Federation Street. The site is currently rundown and upkept. Instead, it should be redeveloped for residential purposes. 	<ul style="list-style-type: none"> The intensity of the Restaurant/ Cafe would be controlled by the number of seats provided for customers and the size of the tenancy area. The small scale would ensure that the use is complementary and compatible with the existing residential area. The proposed Restaurant/ Cafe tenancy is well sited and includes all windows and doors oriented towards Berryman Street, away from nearby residential properties. The separation distance between the subject site and the nearby residential would assist in reducing the impacts from the proposal. The Restaurant/ Cafe is proposed to operate during the day only and would not generate any offsite impacts at night-time or outside of day trading business hours which would have the potential to impact surrounding residential properties. The operation management plan submitted by the applicant demonstrates that the proposed use is capable of operating in manner that would protect the amenity of the area, including the adjoining properties. A condition of approval is included in the officer recommendation for the development to operate in accordance with the operation management plan. A Restaurant/ Café can be considered on the subject as it is an 'A' use within the Residential zone. This means that the use is not permitted unless Council exercises discretion by approving a development application for the use following consultation with the community.
<p><u>Parking</u></p> <ul style="list-style-type: none"> The proposal does not meet the requirements of the City's Policy No. 7.7.1 'Non-Residential Parking Requirements'. This will have a noticeable impact on the residential amenity of the street as cars traveling would rely on on-street parking within residential streets. Parking generated by a proposal should be provided on site. Parking on the Menzies Park verge is already an issue during Saturdays in football season when people gather for sport. This issue will only worsen if the café is approved. While local residents might walk to the café, this does not mean that is would 'support a shift towards active and sustainable transport modes'. Residents who want to walk will already walk to the local café strip. Residents who do not want to make the journey sustainably will travel in vehicles. The demand for sustainability will remain the same, while the amenity of the neighbourhood would suffer significantly. 	<ul style="list-style-type: none"> The application has been amended to provide four on-site car parking bays in accordance with the City's Local Planning Policy: Non-Residential Parking, which would meet the needs of the proposed development. While the proposal would result in some additional traffic in the area, due to the scale of the development, the operation measures and the accessibility of the site, the traffic can be adequately managed to not have a negative impact on the amenity of the surrounding area.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<p><u>Operations and Noise</u></p> <ul style="list-style-type: none"> There will be noise impacts of staff and deliveries arriving before and after permitted operating hours. It is unclear how this will be managed as to not impact adjoining land owners. It is unclear how noise from patrons will be managed. (i.e. patrons congregating outside the premises, internal generation noise, etc). It is unclear how noises associated with a café be managed (i.e. coffee machines, blenders, music, etc). There are no changes that could be made to the development that would resolve the noise issues with respect to parking. 	<ul style="list-style-type: none"> Noise generated from staff parking bays would be acceptable as the bays would be used less frequently by staff coming to and leaving the site. The nature of the use is such that staff would remain on site for long period of the day to run the Restaurant/ Café. <p>A condition of approval is included in the officer recommendation to limit the total number of persons attending the Restaurant/Cafe to 16. A condition is also recommended for the premises to operate in accordance with the operation management plan, including:</p> <ul style="list-style-type: none"> The implementation of the proposed noise mitigation measures. All activity associated Restaurant/Café including queuing and dining to be contained within the site. Ensuring all site servicing (deliveries and waste collection etc.) occurs during hours of operation. <ul style="list-style-type: none"> The applicant has indicated that 16 people would be permitted on-site at any one time. An operation management plan has been submitted with the application which includes measures to manage on-site noise as follows: <ul style="list-style-type: none"> No amplified music being played. Installing self-closing entry doors. Advising patrons to not congregate outside of the Restaurant/ Café prior to and after their meal. The applicant has also provided an acoustic letter which confirms that the noise generated by the Restaurant/ Café would likely comply with the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations) and would be low-risk in terms of a noise impact. This includes noise in relation to vehicles. A condition of approval is included in the officer recommendation for the submission of an Acoustic Report prior to operation of the Restaurant/ Café to ensure compliance with the Noise Regulations and to implement any noise mitigation measures. As set out above, Administration is not satisfied that noise issues with respect to parking have been addressed. This is because insufficient information has been provided demonstrate that there would not be an undue impact on the amenity of the surrounding area.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<u>Waste</u> <ul style="list-style-type: none"> It is unclear how waste would be managed, how much waste would be generated and what the potential odour impacts may be. These factors would combine to further undermine the amenity of the area immediately surrounding the café. Noting that the City no longer offers a commercial waste collection service. 	<ul style="list-style-type: none"> A waste storage location has been provided within the applicant's operation management plan. This shows that the storage area is concealed from the street and is located away from adjoining single houses. A condition of approval is included in the officer recommendation for a Waste Management Plan be imposed to ensure that the proposal adequately manages their waste. The applicant has been made aware that the City's waste collection service would not be available for this use.
<u>Local Demand</u> <p>The proposal is not in close proximity to other cafes in the neighbourhood, which are primarily along Scarborough Beach Road and Anzac Road. These existing café strips are a more suitable location for a café. As such, there would be no demand for an additional café in the area.</p>	<p>The planning framework does not require consideration of the demand for a use. This is not a relevant consideration in judging the planning merits of a proposal.</p>
<u>Alfresco Dining</u> <p>If alfresco dining is approved, there would be impacts to privacy and security to adjoining properties.</p>	<p>Alfresco dining would not form part of this application and is subject to an outdoor eating permit in accordance with the <i>Trading in Public Places Local Law 2008</i>. The impacts to the adjoining properties would be considered should an application be made.</p>
<u>Liquor Licensing</u> <ul style="list-style-type: none"> As the definition of 'Restaurant/Café' references the Liquor Control Act, there are concerns that alcohol would be served at the site. The café would undermine the amenity of the immediate neighbourhood, and in turn, will negatively impact the value of homes. 	<ul style="list-style-type: none"> Approval to serve alcohol at a venue is subject to a separate approval process through the Department of Racing, Gaming and Liquor. The planning framework does not require consideration of the impact of development on property prices. This is therefore not a relevant consideration in judging the planning merits of a proposal.
Comments Received Expressing Concern:	Applicant Comment
<u>Parking</u> <p>Bike bays should be provided to mitigate potential parking issues caused by lack of car parking and to encourage active modes of transport.</p>	<p>The application plans have been amended to provide bicycle parking bays on-site and within the Berryman Street verge in accordance with the requirements of the City's Local Planning Policy: Non-Residential Parking.</p>
<u>Operations</u> <p>Concerns regarding the operations of the use including when deliveries would go to the site, how much noise spill the proposal would generate and if alfresco seating is proposed.</p>	<p>As set out above, concerns relating to deliveries and noise have been addressed in the applicant's operation management plan.</p>

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

Summary of Submissions:

The tables below summarise the comments received during the second advertising period of the proposal from the 9 – 15 January 2024, together with the Officer's response to each comment.

Comments Received in Support:	Officer Comment:
Proposal is aligned with original purpose.	Noted.
The proposal encourages maintenance of a disused character site.	Noted.
Patrons of the café will likely walk, car parking is not required	Noted.
The proposal will service users of Menzies Park.	Noted.
Comments Received in Objection:	Officer Comment:
<u>Land Use</u> <ul style="list-style-type: none"> The revised proposal would still not be complementary to the residential area. As the development is not within the Mount Hawthorn 'Town Centre', commercial development should be restricted to 'Town Centres' and not within the Residential Zone. 	<ul style="list-style-type: none"> Refer to previous comment in initial advertising period. Administration is satisfied that the proposed Restaurant/ Cafe would be complementary and compatible with the surrounding locality which consists predominantly of residential development. Refer to previous comment in initial advertising period. A Restaurant/ Café can be considered on the subject site.
<u>Parking</u> <ul style="list-style-type: none"> The proposed parking does not meet the minimum detailed in the Non-Residential Parking Policy. The revised proposal includes no parking for patrons, this will result in patrons parking on nearby streets and on the Menzies Park verge, which is already an issue during football season. Concerns with how the City would enforce vehicle movements. The staff car bays allocated for staff parking are very close the dining area, outdoor area and living area of 19 Berryman Street and the outdoor living area of 91 Federation Street. This will be an amenity impact to the immediate neighbours. The location of the proposed additional crossover is not adequate, it will impact the drainage of Berryman Street and does not provide adequate sightlines and truncations. The fencing along Berryman Street is degraded, can the City enforce that the fencing is replaced? 	<ul style="list-style-type: none"> The application has been amended to provide four on-site car parking bays in accordance with the City's Local Planning Policy: Non-Residential Parking. The City would be unable to enforce the frequency of vehicle movements. Regarding the staff car parking bays, the noise generated from the bays would be acceptable as the bays would be used less frequently by staff coming to and leaving the site. The nature of the use is such that staff would remain on site for long period of the day to run the Restaurant/Café. Should the application be approved, the proposal would be required to comply with the relevant stormwater requirements and provide sufficient sightlines to ensure safe vehicle movement. Replacement of the Berryman Street fence is not proposed as part of this application and is not required under the planning framework for this proposal.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<p><u>Operations and Noise</u></p> <ul style="list-style-type: none"> Concerns with the noise management measures and that the proposed use will generate music, equipment noise and other noise that would disrupt neighbours Concerns with how the noise will be controlled. The limit of patrons permitted within the café will result in queuing outside of the venue and result in further disruption to neighbours. This will be similar to the Chu Bakery and North Street Store in Cottesloe. Concerns have been raised around how this will be controlled. The proposed operating hours are excessive and not appropriate in a residential location. Submitters were concerned with deliveries being made prior to 7am and with vehicles parking in the driveway. 	<ul style="list-style-type: none"> Refer to previous comment in initial advertising period regarding noise. An operation management plan has been submitted with the application which includes measures to manage on-site noise. The applicant has also provided an acoustic letter which confirms that the noise generated by the Restaurant/ Café would likely comply with Noise Regulations. A condition of approval is included in the officer recommendation for the premises the operation management plan, to implement the proposed noise mitigation measures and to provide an Acoustic Report to ensure compliance with the Noise Regulations. Refer to previous comment in initial advertising period. An operation management plan has been submitted with the application to address these concerns. Following community consultation, the operating hours proposed were reduced to 7:00am and 4:00pm, Monday to Sunday. These operating hours have been considered when reviewing the potential amenity impacts to the surrounding area. The applicant's operation management plan stipulates that the delivery vehicle would park in a safe location along Berryman Street. A condition of approval is included in the officer recommendation to limit deliveries to occur within the approved operating hours.
<p><u>Local Demand</u></p> <p>There is no local demand for a café in this area, there are existing café strips on Scarborough Beach Road and Anzac Road.</p>	<p>Refer to previous comment in initial advertising period. This is not a relevant consideration in judging the planning merits of a proposal.</p>
<p><u>Waste Management</u></p> <p>Details of a Waste Management Plan have not been included in the revised proposal.</p>	<p>Refer to previous comment in initial advertising period. A condition of approval is included in the officer recommendation for a Waste Management Plan be imposed to ensure that the proposal adequately manages their waste.</p>
<p><u>Liquor Licensing</u></p> <p>The approval of this DA will result in potential further applications for this café, such as increases to patron numbers, alfresco dining, and the serving alcohol.</p>	<p>Each application is assessed on its individual merit. The approval of this application does not guarantee that future applications at the site would be approved.</p>

Summary of Submissions:

The tables below summarise the comments received during the third advertising period of the proposal from the 9 – 15 February 2024, together with the Officer's response to each comment.

Comments Received in Support:	Officer Comment:
The proposal would be a great addition to the local community and would support users of Menzies Park.	Noted.
The proposal would increase the vibrancy of the existing area.	Noted.
The proposal would revitalise the old rundown existing building.	Noted.
Similar café's work well in other areas and do not impact amenity.	Noted.

Comments Received in Objection:	Officer Comment:
<u>Land Use</u> <ul style="list-style-type: none"> The use is not complimentary to the residential area. Issues remain with parking, noise and waste. The original shop component was approved in 1939. The context of the area has substantially changed since then. The original approval is not relevant to this proposal as the context has changed. 	<ul style="list-style-type: none"> Refer to previous comment in initial advertising period. Administration is satisfied that the proposed Restaurant/ Cafe would be complementary and compatible with the surrounding locality which consists predominantly of residential development. This comment is noted. The site has not operated with a non-residential component since 1962.
<u>Local Demand</u> <ul style="list-style-type: none"> The City of Vincent has many great cafe strips and areas. It is our strong preference that cafes/restaurants remain in the cafe strip areas and that residential areas remain residential. This will ensure that the sense of community remains strong. 	<ul style="list-style-type: none"> Refer to previous comment in initial advertising period. The demand for the land use is not a consideration under the planning framework. The location of the proposed development is considered against the relevant planning framework
<u>Parking</u> <ul style="list-style-type: none"> The proposal will result in customers parking on the verge. The parking areas present a safety issue due to existing vehicle sightline obstructions. The parking bays are too small. 	<ul style="list-style-type: none"> Refer to previous comment in initial advertising period. The application has been amended to provide four on-site car parking bays in accordance with the City's Local Planning Policy: Non-Residential Parking, which would meet the needs of the proposed development. Refer to previous comment in second advertising period. The proposal would be required to provide sufficient sightlines to ensure safe vehicle movement. Should the application be approved, the parking bays would be required to be constructed in accordance with Australian Standard AS2890.1.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<p><u>Operations and Noise</u></p> <ul style="list-style-type: none"> • It is unclear how many patrons are expected to be accommodated. The applicant's information is inaccurate. • The increase in the number of people on site will cause greater amenity issues compared to the last proposal. • Concerns that patron numbers are unable to be enforced. • The site is too small to accommodate the proposed number of people. • There is no quantification of this statement, and indeed, in a purely residential area, it is questionable as to whether the noise generated by the activity surrounding this proposed land use would be considered acceptable in an amenity sense. • The effect of approving this development with conditions of this nature would be to require constant enforcement and policing by the City in circumstances where a complaint is received. • Planning approvals are attached to the land. If approved, any café could move in that operates differently. • The café will be unable to operate in a hygienic manner. • No toilet facilities have been provided for staff or patrons. This would not comply with the Building Code of Australia. 	<ul style="list-style-type: none"> • The applicant has advised that the site would accommodate up to 16 people, including staff. • Refer to previous comment in initial advertising period. Administration is satisfied that the proposed Restaurant/ Café would be complementary and compatible with the surrounding locality which consists predominantly of residential development. • Refer to previous comment in initial advertising period. A condition of approval is included in the officer recommendation to limit the total number of persons attending the Restaurant/Café to 16. • The applicants plans demonstrate seating for up to 14 patrons. This demonstrates that there is sufficient space to accommodate the proposed number of people. • Refer to previous comment in initial advertising period. The applicant has also provided an acoustic letter which confirms that the noise generated by the Restaurant/ Café would likely comply with the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations) and would be low-risk in terms of a noise impact. A condition of approval is included in the officer recommendation for the premises the operation management plan, to implement the proposed noise mitigation measures and to provide an Acoustic Report to ensure compliance with the Noise Regulations. • Any complaints received by the City would be investigated and action would be undertaken in accordance with the City's Development Compliance Enforcement Policy. • A condition of approval is included in the officer recommendation for the premises the operation management plan. This would ensure that the Restaurant/ Café would operate in the same manner should the owners change. • If approved, the premises would be required to operate in accordance with the Environmental Health Regulations. Non-compliance with these regulations would result in enforcement action by the City. • This requirement would be reviewed by Administration as part of obtaining the relevant Building and Health approvals.

Summary of Submissions:

Comments Received in Objection:	Officer Comment:
<p><u>Alfresco Dining</u></p> <ul style="list-style-type: none">Alfresco dining would further exacerbate noise.More detail is required on the alfresco dining to assess the impact.	<p>Refer to previous comment in initial advertising period. The impacts to alfresco dining would be considered should an application be made.</p>
<p><u>Liquor Licensing</u></p> <p>The café could serve liquor.</p>	<p>Approval to serve alcohol at a venue is subject to a separate approval process through the Department of Racing, Gaming and Liquor.</p>

Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
4. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
6. The development will be classified as a 'Public Building' and must comply with the Health (Public Buildings) Regulations 1992. An application is to be made to the City's Health Services for the assessment of the public building and maximum accommodation numbers prior to occupation of the premises. Please contact Health Services on (08) 9273 6000 upon receipt of this approval to discuss the requirements further with an Environmental Health Officer.
7. The food business must comply with the Food Act 2008, Food Regulations 2009 and the Australia New Zealand Food Standards Code. The applicant must register with the City's Health Services prior to operation of the food business. Please contact Health Services on 9273 6000 to discuss the requirements further with an Environmental Health Officer.
8. Any noise created at the premises must ensure compliance with the provisions within the *Environmental Protection (Noise) Regulations 1997*.
9. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications, which specify that the portion of the existing footpath traversing the proposed crossover (subject to the Footpath being in good condition as determined by the Infrastructure and Environment Services Directorate), must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths.
10. The applicant/landowner is advised that planning and/or building approval may be required for development works that are recommended by the Acoustic Report, to ensure compliance with the provisions within the *Environmental Protection (Noise) Regulations 1997*.

The applicant/landowner is advised to liaise with the City regarding any required development works to confirm approval requirements and to ensure the outcome is consistent with the City's Policy No. 7.1.1 – Built Form.
11. The short-term bicycle bays in the Berryman Street verge shall be provided in accordance with a CBR5B bicycle rack specification from the City's supplier, unless otherwise approved by the City.

Determination Advice Notes:

12. Obtaining an Outdoor Eating Permit, does not negate the need for the landowner/applicant to comply with conditions of approval relating to activities on the footpath and/or verge adjacent to the subject site.
13. The applicant/landowner is advised that one on-site accessible toilet facility would be required in accordance with National Construction Codes (NCC) requirements. As an accessible toilet as not been accommodated for on the approved plans, the applicant would need to seek a Performance Solution in accordance with NCC requirements at the time of Occupancy Permit.

The applicant is advised that if an appropriate Performance Solution cannot be achieved, an amended development application may be required to accommodate an on-site accessible toilet.

Please contact the City's Building Services team on 9273 6000 for further information.

9.2 AMENDMENT TO THE MUNICIPAL HERITAGE INVENTORY - NO. 40 GUILDFORD ROAD, MOUNT LAWLEY

- Attachments:**
1. Applicants Report [!\[\]\(af1290bcc7183a4d381cb73bd081f8d8_img.jpg\)](#)
 2. Main Roads Approved Land Dealings Plan - Guildford Road and East Parade [!\[\]\(142d4d9c5096e0902f01c27b708b3080_img.jpg\)](#)
 3. Heritage Impact Statement [!\[\]\(1bcabf2481c7d990ec8906d9a501b976_img.jpg\)](#)
 4. Proposed Demolition of Heritage Listed Single House - Photographic Archival Record [!\[\]\(8c184e71e4a54eeb009daef9eb0ca85b_img.jpg\)](#)
 5. Department of Planning, Lands and Heritage Letter of Response to City of Vincent Council Resolution - Removal of No. 40 Guildford Road from Municipal Heritage Inventory [!\[\]\(bf9f97e3b0eed5a570ac1767e3caca62_img.jpg\)](#)
 6. Main Roads Western Australia Traffic Assessment Report [!\[\]\(b53b74b470cc716afd6357a9d699c3ff_img.jpg\)](#)

RECOMMENDATION:**That Council:**

1. **RESOLVES** that No. 40 (Lots: 254 and 403) Guildford Road, Mount Lawley be removed from the City's Municipal Heritage Inventory pursuant to Schedule 2, Part 3, Clause 8(3)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. **NOTES** that Administration will notify the Heritage Council of Western Australia and the owner of the place of this decision pursuant to Schedule 2, Part 3, Clause 8(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE OF REPORT:

For Council to consider a request to remove No. 40 Guildford Road, Mount Lawley (the subject site), from the City's Municipal Heritage Inventory (MHI).

The applicant is seeking to remove the subject site from the MHI to enable a house on the property to be demolished. This is to facilitate the comprehensive development of the wider Mount Lawley Housing Diversity Pipeline site and to accommodate road widening requirements for the planned upgrade of the Guildford Road/East Parade Intersection.

This item was previously deferred by Council at its Ordinary Meeting on 17 October 2023 to enable additional information to be provided.

Additional information has been submitted by the applicant and is the subject of this report.

DELEGATION:

This item is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because Council is required to determine any requests to remove a place from the MHI.

BACKGROUND:Site Context

The subject site is zoned Residential R100 under the City's Local Planning Scheme No. 2, is located within the Transit Corridor Built Form Area and has a building height limit of three storeys under Policy No. 7.1.1 – Built Form.

The subject site contains a single-storey brick and corrugated zincalume residence designed in the Federation Queen Anne style and was constructed circa 1904.

Heritage Status

The subject site was added to the City's MHI in 2000 and is currently listed as a Management Category B – Conservation Recommended.

In August 2007 a request was received from Main Roads Western Australia (MRWA) for the demolition of the house on the subject site. The City conducted a review at the time and determined the subject site met the threshold for its retention on the MHI. As part of this review, the following Statement of Significance was prepared:

'The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.'

At its meeting on [4 December 2007](#) Council resolved to retain the subject property as Management Category B - Conservation Recommended on the MHI. This listing affords the property statutory protection as a heritage listed place.

Current Property Condition

The subject property has been vacant for a number of years and is currently in a derelict state both internally and externally. The historic fabric of the property has been significantly reduced through vandalism and general deterioration as shown in **Figures 1 and 2** below.



Figure 1: Street Elevation



Figure 2: Rear Elevation

Guildford Road Reservation

The subject site abuts Guildford Road, which is reserved as a Primary Regional Road (PRR) under the Metropolitan Region Scheme (MRS). MRWA is responsible for the control and management of PRR's.

MRWA has additional land requirements beyond the existing PRR reserve which will impact the subject site. This is shown in **Figures 3 and 4** below.



Figures 3 and 4: Primary Regional Road Reservation - Ultimate Land Requirements

The applicant has advised that the final MRS reservation reflecting these additional land requirements will be gazetted through an omnibus amendment following construction of the road upgrades. Neither the DPLH or MRWA have provided a timeline for commencement of the road upgrades.

The applicant has also advised that to ensure the land is protected, the DPLH have agreed with MRWA for the required road widening to be excised and set aside through a plan of subdivision which is currently being prepared for lodgement with the WAPC.

The subject site is currently fenced off as to allow for remediation works and wider site preparation to occur in relation to the State Government's Housing Diversity Pipeline Project. Further information on the project timeline can be found below.

Housing Diversity Pipeline Project

The subject site forms part of a wider government landholding comprising of 34 lots (including the subject site) situated along Guildford Road and East Parade. A plan showing these 34 lots is included within the applicant's report (**Attachment 1**).

These lots have been identified for the delivery of social housing as part of the State Government [Housing Diversity Pipeline \(HDP\) program](#). The form and scale of the future development has not yet been determined.

This project will enable the renewal of vacant land along Guildford Road and East Parade and provide for additional social and affordable housing.

DPLH officers have advised Administration that the announcement of the successful proponent and wider subdivision of the site is expected in the second half of 2024.

Council Deferral October 2023

In July 2023 the City received an application from Element acting on behalf of the DPLH for the removal of the subject site from the City's MHI. The applicant's supporting report for the proposal is included as **Attachment 1**.

The DPLH is proposing the demolition of the dwelling on the subject site to cater for future widening of Guildford Road as well as to achieve the aims of the HDP program. The widening of Guildford Road is shown in **Attachment 2**. This will not be in effect until the MRS is amended to widen the PRR reserve.

In support of the application, the applicant has provided a Heritage Impact Statement (**Attachment 3**), and a Photographic Archival Record (**Attachment 4**).

Council considered the proposal at its [meeting on 17 October 2023](#) and resolved to defer its consideration for the following reason:

‘That the motion be deferred to seek further advice from the Department of Planning, Lands and Heritage and Main Roads WA regarding the justification for widening in this particular location, supported by traffic studies, applicable standards and potentially requesting some level of detailed design around what is proposed in this area that would necessitate demolition of this structure.

An updated report is to be provided to Council by March 2024’.

The DPLH provided additional information on 1 March 2024 in response to Council's deferral reasons. This additional information includes a Letter of Response (**Attachment 5**) and Traffic Assessment Report (TAR, **Attachment 6**).

The additional information did not include a detailed design of the proposed road works. Because of this the ultimate land requirements as detailed in the approved land dealings plan in **Attachment 2** remains the most accurate plan currently available which delineates the extent of road widening.

Assessment in Previous Administration Report

The [previous report](#) that was considered by Council at its Ordinary Meeting on 7 October 2023 included Administration's comments on the assessment of the proposal against:

- Local Planning Policy No. 7.6.2 – Heritage Management – Assessment (LPP 7.6.2);
- Local Planning Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) (LPP 7.6.5); and
- The Heritage Council of Western Australia (HCWA) Guidelines for the Assessment of Local Heritage Places.

The additional information provided following Council's deferral has not impacted the previous assessment of the proposal against these policies, and these assessment comments remains applicable.

Assessment of Additional Information Submitted

An assessment of the additional information provided in response to Council's deferral reasons is set out below.

Traffic Assessment Report

The DPLH provided a TAR which was prepared by MRWA. This report includes a comparison of the existing Guildford Road to East Parade single left turn pocket against the proposed dual left turn pocket.

The proposed dual left turn pocket would be within the PRR widening area and would be controlled by traffic signals as part of the ultimate upgrade.

This comparison is shown as Option 2a in the TAR in **Attachment 6** as well as **Figure 5** below.

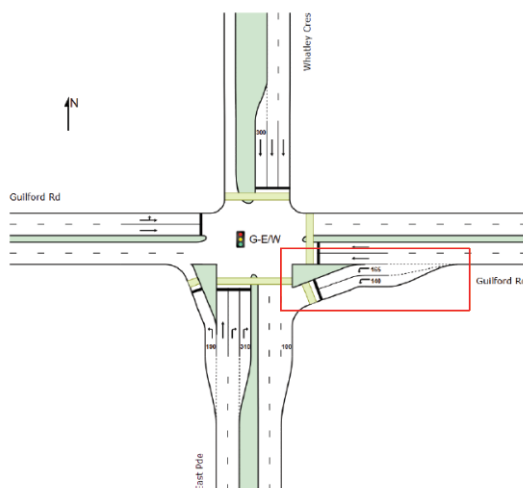


Figure 5: Proposed Guildford Road/East Parade road upgrades. Future extension subject to this report highlighted in red.

The two approaches were assessed based on the Degree of Saturation (DOS), Level of Service (LOS) and critical queue length:

- The DOS is a measure of the capacity of an intersection. A DOS greater than 100 percent indicates the intersection is over capacity. The TAR states that the desired DOS for a signalised intersection such as Guildford Road and East Parade is 90 percent.
- The LOS indicates the average delay that a vehicle would experience at an intersection. There are six LOS grades ranging from A (Good) to F (Poor). The TAR states that generally a LOS of 'D' or better is desired.
- The critical queue length indicates the extent of the backlog (in metres) caused by delayed vehicles. It helps assess whether the queued traffic in a turning pocket would encroach into the through lane.

The TAR findings are summarised below.

- Current Intersection Design – The TAR indicates that the current intersection would operate poorly in 2026 and would exceed the desirable DOS and LOS. This would result in impacts to the flow and safety of traffic.

The AM peak period would experience a DOS of 118 percent and an LOS of 'F'. This would result in 80 vehicles queuing with a delay of over two minutes to turn left onto East Parade. The vehicle queuing would extend beyond the pocket length of 145 metres to approximately 600 metres.

The PM peak period would experience a DOS of 85 percent and a LOS of 'E'. This would result in 41 vehicles queuing with a delay of over one minute to turn left onto East Parade. The vehicle queuing would extend to approximately 300 metres.

The vehicles that are unable to be contained in the pocket would pose a safety risk because of the higher likelihood of being involved in a rear-ended crash with the through movement vehicles.

- Proposed Intersection Design – The TAR indicates that the performance intersection would improve to be within the desired levels with the implementation of dual left turn pockets compared to the current intersection design in 2026. This would result in improved traffic flow and safety.

In 2031 these upgrades would be expected to result in the intersection experiencing a DOS of 63 percent and 28 percent, and a LOS of 'C' and 'B', in the respective AM and PM peak periods. This would result in 22 vehicles and seven vehicles queuing at the intersection in the AM and PM peak periods, with a maximum delay of 20 seconds. The maximum queue length would reduce to 50 metres in the AM peak and 159 metres in the PM period.

Similar improvements are anticipated to remain in 2036. These upgrades would be expected to result in the intersection experiencing a DOS of 65 percent and 29 percent, and a LOS of 'C' and 'B', in the respective AM and PM peak periods. This would result in 25 vehicles and eight vehicles queuing at the intersection in the AM and PM peak periods, with a maximum delay of 28 seconds. The maximum queue length would increase to 185 metres in AM peak and 58 metres PM peak periods.

The proposed left turn pocket length would account for the projected traffic queue, ensuring left-turning vehicles are not held up in the through queue and impact on the efficient flow of traffic through this intersection.

- Conclusion – The additional road widening area beyond the existing PRR which impacts the subject site would be necessary to upgrade the Guildford Road/East Parade intersection. This is to improve traffic flow by ensuring that vehicles are not held up in the through lane, improving the overall safety of the intersection by reducing the vehicle backload which would encroach in the through lane.

The TAR has been reviewed by the City's traffic engineers, is acceptable and findings are supported.

From a traffic flow and safety perspective, the 2026 modelling under the current intersection design shows traffic queues having negative impacts to the intersections of Guildford Road with Ellesmere Street and Stanley Street within the City of Bayswater.

This would adversely impact on existing residential areas that are accessed by Guildford Road, as well as local bus services along Guildford Road and East Parade/Whatley Crescent.

The proposed widening to facilitate the implementation of dual left-turn pockets would minimise the operation and flow of the intersection to be within its capacity and result in improved safety and accessibility outcomes for all road users.

Detailed Design

The DPLH has advised that the intersection upgrade is yet to progress through the project development phase which includes development of detailed road designs and road sections. A timeframe has not been provided for this stage.

As part of progressing the project development phase, MRWA would undertake further consultation with the City to resolve the detailed designs.

The approved land dealings plan included in **Attachment 2** is the most accurate plan currently available which delineates the extent of road widening required to accommodate the current intersection upgrade design based on the preferred design scenarios tested in the TAR.

Estimated Timelines for the Project

Should Council resolve to approve the removal of the subject property from MHI, officers from the DPLH have advised Administration that the MRS amendment to widen the existing Guildford Road reservation in line with the approved land dealings plan included in **Attachment 2** would be submitted in the second quarter of 2024.

DPLH officers have also advised that it is anticipated that the State Government will make an announcement of the preferred proponent for the Mount Lawley HDP project in the second half of 2024, with the development application to be lodged after this.

CONSULTATION/ADVERTISING:

Community consultation for the proposal was undertaken from 28 July to 18 August 2023 in accordance with Community and Stakeholder Engagement Policy and included the following:

- Advertisement placed in the Perth Voice newspaper;
- A sign placed on site;
- Notice displayed on Imagine Vincent website;
- Letters were sent to adjoining and adjacent neighbours in accordance with the Community and Stakeholder and Engagement Policy; and
- A referral being sent to the heritage division of the DPLH.

Seven submissions were received from the community, including three in support of the property's removal from the MHI and four objecting. A summary of the submissions received and Administration's response can be found in the [17 October 2023 agenda report](#).

Notification to Previous Submitters

The additional information provided in response to Council's deferral reason was not readvertised to the community. This is because it does not result in a significantly different proposal to that which was previously advertised.

Correspondence to the previous submitters has been provided notifying them of the additional information provided in support of the proposal and on the meeting dates of Council.

At the time of preparing this report Administration had not received any further comments from the previous submitters.

LEGAL/POLICY:

- *Heritage Act 2018*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Local Planning Policy No. 7.6.2 – Heritage Management – Assessment;
- Local Planning Policy 7.6.4 – Heritage Management – Interpretation; and
- Local Planning Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to remove the subject site from the MHI as the removal of a place from the MHI. This is because LPP 7.6.5 provides guidance on the removal of a place from the MHI.

The removal of subject site from the MHI forms part of the State Government's HDP project to widen the existing PRR area and facilitate the redevelopment of the 34 properties fronting Guildford Road and East Parade to provide for social and affordable housing.

Should Council resolve to retain the subject site on the MHI, it is anticipated that the State Government through the DPLH would explore all options to pursue its removal and progress the HDP project.

State Administrative Tribunal (SAT) Review

Council's decision in respect to a request for a property to be removed from the MHI is not a decision that is reviewable.

In June 2023 the applicant on behalf of the DPLH submitted a development application (DA) to the City that proposed the demolition of the existing dwelling on the subject site.

The applicant and the City agreed to an extension of time for processing the DA, This would allow the progress of a request for removal of the subject site from the MHI in the interest of orderly and proper planning. A DA would no longer be required if the site was removed from the MHI and only a building permit would be required for the demolition works. This means that the DA could be cancelled.

Should Council not support the removal of the property from the MHI, the applicant could seek a decision from Council on the DA. If the DA was to be refused, the applicant would have the option of seeking a review of the decision through SAT.

The DA was placed on hold at 60 days with the agreement of the applicant while the removal of the property from the MHI is considered by Council. Should Council not make a determination on the DA within the statutory timeframe of 90 days, the applicant has the option of seeking a review through SAT as a deemed refusal.

Should the matter be pursued at the SAT there would be a resource and financial implication to the City.

Reputational Risk

There would be a potential reputational risk to Council in being to perceived to be:

- Inhibiting the safe and efficient movement of vehicles on the road network by delaying MRWA attempts to upgrade the Guildford Road/East Parade intersection.
- Inhibiting the progress of the State Government's HDP project given the current housing shortage being experienced within wider Perth.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

We are an inclusive, accessible and equitable City for all.

Thriving Places

We encourage innovation in business, social enterprise and imaginative uses of space, both public and private.

Sensitive Design

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

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

FINANCIAL/BUDGET IMPLICATIONS:

There are no budget implications to remove the place from the MHI.

Should Council resolve to maintain the subject site on the MHI, the City may incur costs related to engaging consultants and legal representatives in SAT, and depending on the outcome of the DA.

This would be met through the existing Operational Budget.

COMMENTS:

The dwelling's current degraded state has been caused through neglect and the dwelling could be restored without impacting its significance.

Notwithstanding this, Administration recommends that Council remove the subject site from the MHI because:

- Heritage Impact – The removal of the property from the MHI would be consistent with LPP 7.6.5 and is supported.

The property is currently in a poor condition as shown in **Figures 1 and 2**. Administration is of the opinion that this degraded state has been caused through neglect and that the dwelling could be restored without impacting its significance.

However, the widening of the Guildford Road PRR is a relevant consideration because this would necessitate either complete demolition, or partial demolition and substantial modification of the existing dwelling.

The extent of demolition and/or modification would have a material impact on the fabric of the existing dwelling such that the original character, authenticity and significance of the dwelling would be irreversibly impacted and could not practically be retained. Further analysis can be found in Administration's report to Council on [17 October 2023](#).

- Road Upgrades & Safety – The TAR has demonstrated that the current road network would operate beyond its capacity in 2026 and have a negative impact on traffic movement and safety.

The proposed road widening would facilitate upgrades to the Guildford Road and East Parade intersection, as shown in **Attachment 2** and **Figure 5**.

These upgrades would be necessary to alleviate existing issues at this intersection and to ensure the safe and efficient movement of private vehicles and public transport on the regional road network.

If determined by Council consistent with the officer recommendation, Administration will notify the HCWA and the owner of the place of this decision pursuant to Schedule 2, Part 3, Clause 8(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Administration will also notify those who made a submission.



Our Ref: 23-212

5 September 2023

Chief Executive Officer
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6902

Attention: Karsen Reynolds – Coordinator Planning Services

Dear Karsen,

**PROPOSED DEMOLITION OF EXISTING HERITAGE LISTED SINGLE DWELLING –
LOTS 254 & 403 (NO. 40) GUILDFORD ROAD, MOUNT LAWLEY**

element acts on behalf of the Department of Planning, Lands and Heritage ('DPLH') in relation to the above matter. Please find enclosed an Application for Development Approval for the demolition of the existing residential dwelling situated on Lots 254 & 493 (No. 40) Guildford Road, Mount Lawley (the 'subject site').

In accordance with the City of Vincent's requirements, please find enclosed:

- A completed and signed City of Vincent Application for Development Approval form;
- A completed and signed MRS Form 1;
- A current copy of the Certificate of Title for the subject site;
- A copy of the proposed demolition plan; and
- Supporting justification contained within this correspondence.

1.0 SITE DETAILS

The subject site comprises two (2) lots, legally defined as set out in Table 1 below.

Table 1 – Certificate of Title Details

Lot	Plan	Vol	Folio	Street Address	Land Area	Registered Proprietor
403	31182	2209	507	40 Guildford Road, Mt Lawley	312m ²	WA Planning Commission
254	2001	2209	507	40 Guildford Road, Mt Lawley	417m ²	WA Planning Commission

Refer Attachment One – Certificate of Title.

The subject site forms part of a wider government landholding comprised of 34 lots situated along Guildford Road and East Parade (Attachment Two) which have been identified for the delivery of social housing as part of the Housing Diversity Pipeline.



2.0 BACKGROUND – THE HOUSING DIVERSITY PIPELINE

The Housing Diversity Pipeline (HDP) is part of the State Government's commitment to improve the quality and accessibility of social housing in Western Australia. Several agencies including DPLH) are working collaboratively to identify and offer suitable surplus Government-land to the market for innovative housing developments that provide for social housing and deliver more housing choice for our communities.

Project delivery methods may include (but are not limited to) long-term ground leases, partnership models, and design and construct models for either build-to-rent or build-to-sell housing. All developments must deliver a minimum of 20 per cent of social housing dwellings across the development.

The broader landholding (herein referred to as the "Mount Lawley HDP site") of which the subject site forms a part was one of nine sites released to market through an Expression of Interest (EOI) process in August 2022. The EOI process has been completed and the shortlist of respondents to progress to the next phase of procurement has been approved and successful proponents have been informed.

The Mount Lawley HDP site received submissions that were shortlisted. The next stage will involve a request for detailed proposals where multiple suitable proponents have been shortlisted, or a direct negotiation process where only one proponent has been shortlisted. The Mount Lawley HDP site received submissions that were deemed to meet the State Government's social housing objectives and will proceed to this stage.

3.0 PROPOSED DEMOLITION

This Development Application proposes the full demolition of the existing residential dwelling and all associated infrastructure at the subject site to facilitate comprehensive re-development of the wider Mount Lawley HDP site.

For reasons that will be detailed in this submission, full demolition of the existing residential dwelling is proposed (i) for the purpose of improving housing choices and access to suitable and affordable homes – particularly for the most vulnerable, and (ii) to accommodate road widening required for the delivery of major road upgrades at the Guildford Road / East Parade intersection.

The form and scale of the development has not been determined at this stage and will be subject to detailed design development as part of the next stage of the procurement process.

4.0 ZONING AND RESERVATIONS

Metropolitan Region Scheme

The Metropolitan Region Scheme ('MRS') is the overriding statutory land use planning scheme for the Perth Metropolitan Region and provides the legal basis for the applicable development control and use of land at the regional level.

Under the provisions of the MRS, the subject site is zoned 'Urban' (Figure 1).

Road Widening Requirement

The subject site abuts Guildford Road, which is reserved for 'Primary Regional Roads' (PRR) under the MRS (Figure 1).

The subject lot was originally acquired by the State along with all other properties fronting Guildford Road between Stanley Street and Pakenham Street in 1997 to allow for upgrades to Guildford Road and East Parade. Between 2000 and 2001 minor upgrades were complete for the addition of a turning lane on Guildford Road.

element.

Land has previously been excised from the subject lot and set aside for road reserve abutting Guildford Road in preparation of future major capacity upgrades at the intersection of Guildford Road and East Parade. The current MRS reservation delineates additional land requirements for a number of lots along Guildford Road over and above the land which has previously been excised (Figure 1).



Figure 1 – Metropolitan Region Scheme

Main Roads WA (MRWA) has developed plans for the proposed ultimate upgrades at the Guildford Road / East Parade intersection and has issued an ultimate land take requirement plan for the required road widening which shows land requirements affecting the subject lot beyond the current extent of the PRR and beyond that of the land previously excised (Figure 2).

Refer Attachment Two – Endorsed Main Roads Land Take Requirements Plan

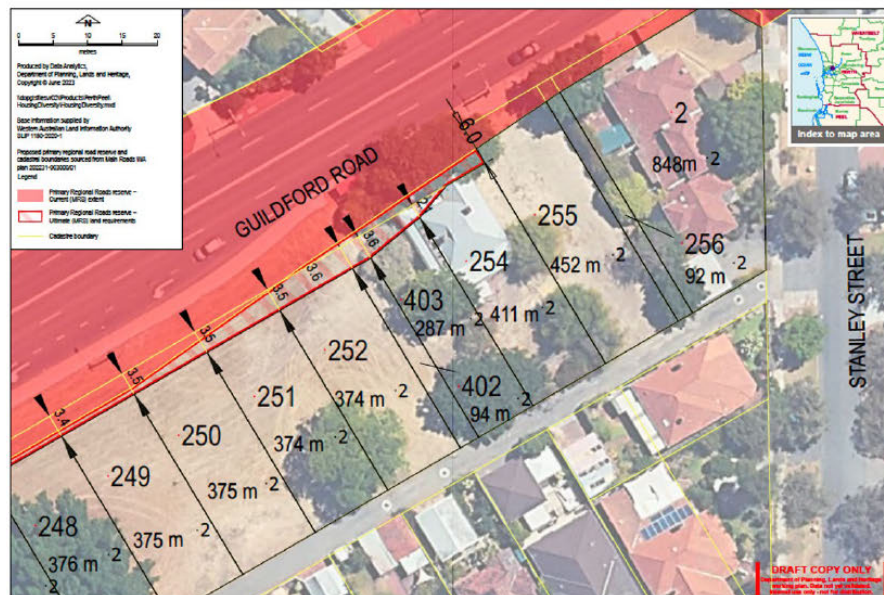


Figure 2 – Primary Regional Road – Ultimate Land Requirements

MRWA have advised that an MRS amendment to reserve the land as PRR will not be progressed prior to delivery of the road upgrades as there is no immediate need to protect the required land via a statutory mechanism due to the fact that the State is currently the sole landowner for all affected land. It is standard practice that the final MRS reservation will be gazetted through an omnibus amendment following construction of the road upgrades.

To ensure the land is protected, DPLH have agreed with MRWA for the required road widening to be excised and set aside through a plan of subdivision which is currently being prepared for lodgement with WAPC. A deposited Plan has been prepared for the subdivision showing the amalgamation of 34 lots abutting Guildford Road and East Parade between Stanley Street and Gardiner Street to create 4 balance lots for future redevelopment and set aside land for road widening. The extent of land proposed to be set aside for road widening is consistent with the current land take requirements plan issued by MRWA.

Refer Attachment Three – Draft Deposited Plan

Road Widening Impact

The planned road widening affecting the subject lot will necessitate modification of the existing dwelling to eliminate any encroachment into the future road reserve. The primary frontage of the dwelling including the front room, steps, verandah and associated footings will be an encroachment in the road reserve and require partial demolition and substantial modification.

The extent of these required modifications will have a material impact on the fabric of the existing dwelling such that it is considered the original character of the dwelling will be detrimentally impacted and cannot practically be retained. Figure 4 shows an overlay of the endorsed road widening requirements in relation to the surveyed location of the dwelling, highlighting the affected areas.

Refer Attachment Four – Road Widening Requirements Overlay



Figure 3 – MRWA Road Widening Overlay



City of Vincent Local Planning Scheme No. 2

The City of Vincent Local Planning Scheme No. 2 ('LPS 2') sets out the provisions for development control and land use within the City. Pursuant to the provisions of LPS 2, the subject site 'Residential' and has an applicable density coding of 'R100' as contemplated under the Residential Design Codes of WA (the 'R-Codes').

The objectives of the Residential zone as contemplated under LPS 2 are detailed below:

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

Lots 254 and 403 form part of an overall WAPC landholding comprising 34 lots (Mount Lawley HDP site), forming an area of approximately 13,638m² located alongside East Parade and Guildford Road, as detailed in the Figure 4 below.

The proposed demolition will facilitate the future development of the landholding, contributing significantly to housing choice and affordability in a key location in proximity to public transport and amenities.

Development of the land holdings which are predominately vacant will enhance amenity in the locality by activating an underutilised area and improve safety through removal of the existing dwelling at the subject site which is currently derelict.

element.



Figure 4 – Landholding for Future Development

5.0 HERITAGE CONSIDERATIONS

City of Vincent Municipal Heritage Inventory

The City's Municipal Heritage Inventory ('MHI') lists the existing dwelling at the subject site as a 'Moderate Level of Significance' which is described as:

Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the place.

Management Category B – Conservation Recommended

Consider for inclusion on the MHI (Heritage List) if owner/applicant consents to inclusion.

The City of Vincent prepared the following statement in 2006 with regard to the dwelling:

The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.

The dwelling is in a state of disrepair and currently boarded up. Graffiti is evident internally and externally.



City of Vincent Heritage Management Local Planning Policies

Local Planning Policy 7.6.1: Heritage Management – Development Guidelines

The City's 'Local Planning Policy 7.6.1: Heritage Management – Development Guidelines for Heritage and Adjacent Properties' ('LPP 7.6.1') seeks to assist owners in undertaking alterations and additions to places listed on the City's MHI.

LPP 7.6.1 notes that planning approval from the City is required where demolition of a heritage place is proposed. Consistent with the requirements of the policy, this application seeks approval from the City for demolition of the existing dwelling at the subject site to facilitate the future development of social housing.

Local Planning Policy 7.6.4: Heritage Management – Interpretive Signage

As contemplated under the City's 'LPP 7.6.4 – Heritage Management – Interpretive Signage' ('LPP 7.6.4'), we understand that the City may require Interpretive Signage to recognise the history of the place as a condition of the approval. However, given a photographic archival record of the dwelling has been undertaken, this is considered adequate in terms of capturing the historical record of the site. No interpretation signage is considered necessary as part of the demolition and future redevelopment of the site.

Local Planning Policy 7.6.5: Heritage Management – Amendments to the Municipal Heritage Inventory

The City's 'LPP 7.6.5: Heritage Management – Amendments to the Municipal Heritage Inventory' ('LPP 7.6.5') outlines that the City may consider amendments to the MHI through the Demolition Planning Application process. LPP 7.6.5 outlines where a building is requested to be removed from the MHI, at least one (1) of the following conditions must be met, as detailed in the table below.

Table 2 – Conditions for Removal of a Building from the Municipal Heritage Inventory

Policy Condition	Comment
Cultural Heritage Significance <i>The cultural heritage significance of the place in the existing heritage assessment was erroneous.</i>	<p>The cultural heritage significance of the place was not erroneous in 2007 when last assessed.</p> <p>It was noted at that time that the integrity of the historic setting had been compromised. Since then, the increased traffic on Guildford Road has led to an acceleration in the changes to the streetscape and its original neighbourhood context.</p> <p>In 2007, the place was occupied and demonstrated its original use and much of its original detail. In 2023, the place is no longer habitable and original fabric has been stripped from the place and the remaining fabric is in poor condition.</p> <p>To make the place viable for use would require removal of the structures across the rear of the property and replacement of much of the remaining fabric in the front rooms of the place. These changes would have an impact on the cultural heritage significance.</p>
Condition <i>A structural condition report conducted by a registered structural engineer states that the structural integrity of the place has failed to the point where it cannot be rectified without the removal of a majority of its significant fabric. Note: The poor state of a place should not in itself be a reason for removal from MHI.</i>	<p>A structural engineer's report has not been prepared. The application does not seek to demolish the building based on its current structural condition.</p> <p>The subject lot was originally acquired by the State for the purpose of delivering major road upgrades along Guildford Road and East Parade. Other properties acquired for the same purpose have previously been demolished in preparation for the future upgrades. The subject dwelling has been retained as far as practicable in the interim to allow for the final land requirements to be determined in order to understand the impact to the dwelling and the potential for retention.</p>


Social or Historic Significance only

Where the heritage value is historic and/or social only the owner/applicant can demonstrate that it cannot practically be retained in its entirety or in part because:

- a) The location of the building on the site; or*
- b) The limited Vehicular Access to the site and non-compliance with Australian Standards; or*
- c) The inability to comply with the National Construction Codes Series e.g. ramps, corridor widths etc.; or*
- d) The inability of the existing building structure or materials to be incorporated into the new development; or*
- e) The inability of the existing building to support additional height and bulk to the intention of the locality as prescribed in the relevant planning policy.*

The primary planning justification for proposing the removal of the dwelling from the MHI and supporting its demolition fall within sub-clauses (a) and (d).

(a) The location of the building on the site

Main Roads have progressed development of plans for major road upgrades at the Guildford Road / East Parade intersection and now have an endorsed land requirement plan which confirms the extent of additional road widening necessary to facilitate the upgrades. The plan confirms that the road widening will materially impact on the fabric of the dwelling. As outlined in Figures 2 and 3 and Attachments 2 and 4, the existing dwelling is incompatible with the future MRS PRR reservation as it will encroach into the road reserve.

The existing dwelling will require partial demolition and significant modification affecting the primary frontage including the front room, steps, verandah and associated footings to in order to eliminate encroachment into the future road reserve and attempt to retain remaining portions of the dwelling. The brick and metal roof dwelling cannot be relocated to account for the road widening.

Hocking Heritage + Architecture considered that the identified historic value of the dwellings role in demonstrating the creation of a neighbourhood clustered around Guildford Road is no longer evident because of existing changes to the original streetscape character. The ultimate changes to the street layout and the proximity of the dwelling to the street edge will fundamentally alter the context and relationship of the dwelling to the streetscape, further diminishing its authenticity, original character and historic value.

Hocking Heritage + Architecture conclude that due to the extent of required modifications, the historical fabric and character of the dwelling will be impacted to a point where it is not considered that the dwelling could be sustained and retain its heritage values.

The planned road widening and major upgrades of the East Parade / Guildford Road intersection is an important piece of transport infrastructure as identified in the Perth and Peel@3.5million Central Sub-Regional Framework. Subsequently, the existing dwelling will need to be demolished and removed.

(d) The inability of the existing building structure or materials to be incorporated into the new development.

The existing dwelling cannot be incorporated into the proposed Mount Lawley HDP development mainly due to its location and incompatibility with the existing and proposed MRS PRR reservation. The location of the dwelling in proximity to the existing MRS PRR reservation is non-compliant with the R100 primary street setback requirement of 2.0m. The proposed MRS PRR reservation falls within front portions of the dwelling itself.

The removal of the dwelling will allow for a comprehensive redevelopment of the wider development site for the delivery of new housing supply through an active State Government initiative in line with priority State Government policy objectives.

There may be opportunity as part of the demolition of the dwelling to recycle materials for use in future developments.

As demonstrated above, the existing dwelling cannot practically be sustained and retain its heritage values. We respectfully request that Council approve the proposed demolition and remove the property from the City's MHI.

Heritage Impact Statement

A Heritage Impact Statement ('HIS') and archival photographic record have been prepared by Hocking Heritage + Architecture (Hocking) in support of the proposed demolition of the dwelling.

Refer Attachment Five – Heritage Impact Statement.



The HIS notes that the decline in the condition of the building has meant a significant loss of aesthetic values. The evolution of Guildford Road to a busy main road has meant that any connection with the former community has long been absent. The HIS also assesses the impact that the additional road widening will have on the dwelling and concludes that:

'the demolition of the portion of the building will result in the loss of authenticity and integrity of the building. The remainder of the building could not be sustained and retain its heritage values.'

In summary, the incremental change to the function of Guildford Road and the associated streetscape including the properties adjoining the subject lot over time has resulted in a diminishing of the significance and character of the original streetscape and dwelling. The modifications that will be required as a result of additional road upgrades planned for Guildford Road will result in the authenticity of the character, style and physical fabric of the dwelling being reduced to a point where it no longer holds a practical value of retention.

As recommended in the HIS, Hocking have prepared a detailed archival photographic record which captures the remaining aesthetic heritage values evident at the place.

Refer Attachment Six – Archival Photographic Record

6.0 DEMOLITION METHODOLOGY

The demolition works will be completed in one stage and will include removal of all buildings and associated infrastructure.

At this juncture, a demolition contractor has not been appointed for the proposed works. Demolition methodology will be determined by the contractor, however, it is expected that the methodology will include:

- Service disconnections and rodent baiting;
- Site establishment and securing of the subject site;
- Removal of any hazardous materials (as required);
- Removal of ancillary structures, fittings, salvageable materials, deleterious materials etc;
- Vegetation removal and protection of trees to be retained;
- Further breakdown of demolished material or deconstructed structures; and
- Transport of demolished or deconstructed materials from the site.

Working hours for demolition are to be confirmed, but it is expected that works will be undertaken between the hours of 7am to 7pm Monday to Saturday (excluding public holidays), in accordance with the standard construction hours under the *Environmental Protection (Noise) Regulations 1997*. Any work outside these hours will require approval of an Out of Hours Noise Management Plan by the City.

It is expected that most vehicular movements associated with the demolition works will be via the laneway (removal of the rear fencing) and Stanley Street given Guildford Road is a busy regional road.

A more detailed Demolition Management Plan will be prepared by the appointed demolition contractor and will be submitted with the Demolition Permit application lodged with the City. This will include further details in relation to:

- Demolition methodology;
- Vegetation retention and protection;
- Noise and vibration management;
- Traffic management;
- Dust management;
- Safety and security; and
- Dilapidation surveys and reports.



As this Demolition Management Plan cannot be prepared until the demolition methodology is confirmed by the appointed contractor, it is considered that this matter can be appropriately dealt with via a condition of planning approval requiring the submission of the Demolition Management Plan for endorsement by the City, prior to lodgement of a Demolition Permit application.

7.0 SUMMARY

This application seeks approval for complete demolition of the existing residential building and associated infrastructure at the subject site.

The demolition is proposed to facilitate widening of Guildford Road reserve to accommodate future planned major upgrades of the Guildford Road/ East Parade intersection and will also allow for the ultimate redevelopment of the site in line with priority State Government housing policy catered towards access and housing diversity.

The progression of these demolition works is an urgent priority, and therefore we respectfully request the City's assistance in progressing this application for development approval as quickly as possible, noting that:

- The demolition works are necessary to enable the widening of the Guildford Road Primary Regional Road reserve to accommodate planned major upgrades of the Guildford Road / East Parade intersection;
- Demolition of the existing dwelling is necessary to enable comprehensive redevelopment of a broader government landholding (HDP Mount Lawley site) for the purpose of improving housing choices and access;; and
- The existing dwelling at the subject site is vacant, boarded up and presents a safety hazard to the public.

[REDACTED]



It

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Plan Information

Tenure Type	Freehold
Plan Type	Deposited Plan
Plan Purpose	Subdivision

Plan Heading

Lots 501-504 & 801-805

Locality & Local Government

Locality	Mount Lawley
Local Government	City of Vincent

Department of Planning, Lands and Heritage

File Number	
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Examination

Examined	Date
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Planning Approval

Planning Authority	XXXXX
Reference	

Delegated under S. 16 P&D Act 2005	Date
------------------------------------	------

In Order For Dealings

Subject To	
------------	--

For Inspector of Plans and Surveys	Date
------------------------------------	------

Plan Approved

Inspector of Plans and Surveys / Authorised Land Officer	Date
--	------

Former Tenure Interests and Notifications

Subject	Purpose	Statutory Reference	Origin	Land Burdened	Benefit To	Comments
⑥	EASEMENT (SEWERAGE)	SEC 27A OF THE T.P & D ACT REGULATION 6	D 75898	LOT 503	WATER CORPORATION	SEE NOTE

UNLOGGED VERSION SUBJECT TO
LANDGATE AUDIT & WAPC APPROVAL
This plan is
-Current as at REVISION A
-Subject to change without notice
-Not intended for design use, a LANDGATE CERTIFIED
CORRECT copy should be obtained for such purposes.

DRAFT ONLY

Survey Details

Field Records	
Declared as Special Survey Area	NO

Survey Certificate - Regulation 54

I, NICHOLAS KAITSE
hereby certify that this plan is accurate and is correct representation of the -
(a) survey; and
(b) calculations from measurements recorded in the field records,
undertaken for the purposes of this plan and that it complies with the relevant
written law(s) in relation to which it is lodged.

Licensed Surveyor	Date
-------------------	------

Survey and Plan Notation

NOTE Z: THE DIMENSIONS AND POSITIONS OF THIS EASEMENT ARE BASED ON
ACCURATE SURVEYED ALIGNMENTS.

Survey Organisation

Name	Land Surveys
Address	P.O BOX 746, Belmont 6984
Phone	94774477
Fax	94774499
Email	projects@landsurveys.net.au
Reference	2300903

Amendments

Version	Lodgement Type	Amendment Description	Authorised By	Date

Former Tenure

New Lot / Land	Parent Plan Number	Parent Lot Number	Title Reference	Subject Land Description
501	P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 DP 31182 DP 31182 P 2001 P 2001 P 2001 P 2001 DP 426938	Pt 247 Pt 248 Pt 249 Pt 250 Pt 251 Pt 252 Pt 402 Pt 403 Pt 254 Pt 255 Pt 256 Pt 552	2208 / 552 2208 / 543 2209 / 504 2208 / 544 2209 / 508 2209 / 506 2209 / 506 2209 / 507 2209 / 507 1701 / 915 2009 / 635	
502	P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 DP 31179 DP 31179 P 2001 P 2001 P 2001 P 2001 P 2001	Pt 234 Pt 235 Pt 236 Pt 237 Pt 238 Pt 239 Pt 240 Pt 241 Pt 400 Pt 401 Pt 243 Pt 244 Pt 245 Pt 246	1464 / 800 1286 / 319 1187 / 471 2208 / 548 2208 / 546 2208 / 549 2208 / 550 2208 / 551 2208 / 540 2208 / 541 2208 / 542 2209 / 505 2208 / 545 2208 / 547	
503	DP 426937 DP 426937 P 2001 P 2001 P 2001	Pt 550 Pt 551 Pt 207 Pt 208 Pt 209	2178 / 84 1265 / 648 1265 / 649	
504	P 2001 P 2001 P 2001	Pt 202 Pt 203 Pt 204	1868 / 517 1418 / 87 1887 / 420	
801	P 2001 P 2001 DP 426938	Pt 255 Pt 256 Pt 552	1701 / 915 2009 / 635	
802	P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 DP 31182 DP 31182 P 2001	Pt 247 Pt 248 Pt 249 Pt 250 Pt 251 Pt 252 Pt 402 Pt 403 Pt 254	2208 / 552 2208 / 543 2209 / 504 2208 / 544 2209 / 508 2209 / 506 2209 / 506 2209 / 507 2209 / 507	
803	P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 P 2001 DP 31179 DP 31179 P 2001 P 2001 P 2001 P 2001 P 2001	Pt 234 Pt 235 Pt 236 Pt 237 Pt 238 Pt 239 Pt 240 Pt 241 Pt 400 Pt 401 Pt 243 Pt 244 Pt 245 Pt 246	1464 / 800 1286 / 319 1187 / 471 2208 / 548 2208 / 546 2208 / 549 2208 / 550 2208 / 551 2208 / 540 2208 / 541 2208 / 542 2209 / 505 2208 / 545 2208 / 547	
804	DP 426937 DP 426937 P 2001 P 2001 P 2001	Pt 550 Pt 551 Pt 207 Pt 208 Pt 209	2178 / 84 1265 / 648 1265 / 649	
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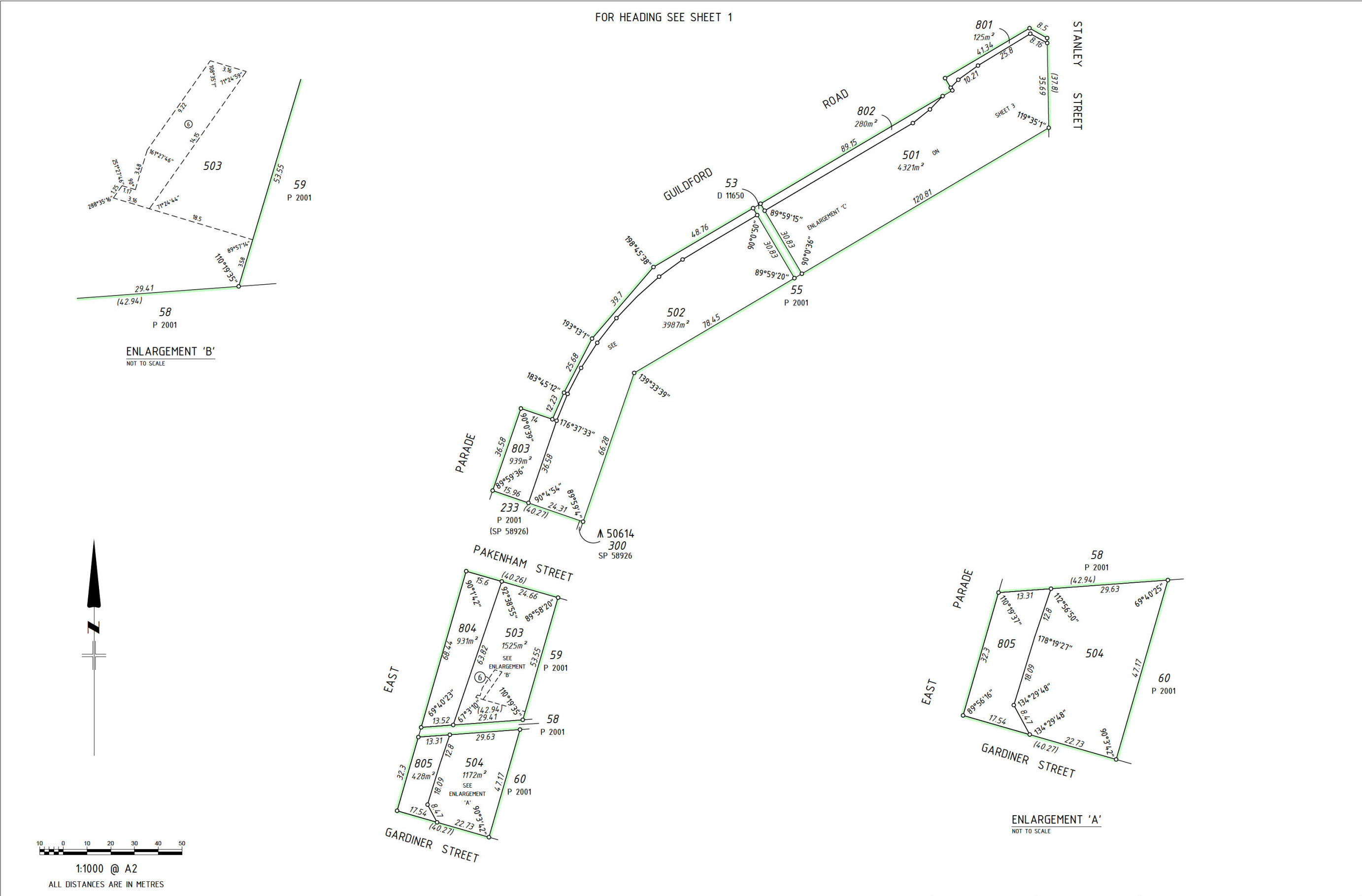


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CAD File: DP 426939.dwg
JOB No: 2300903

SHEET	SHEETS	VERSION NUMBER
1	OF 3	1

DEPOSITED PLAN
426939

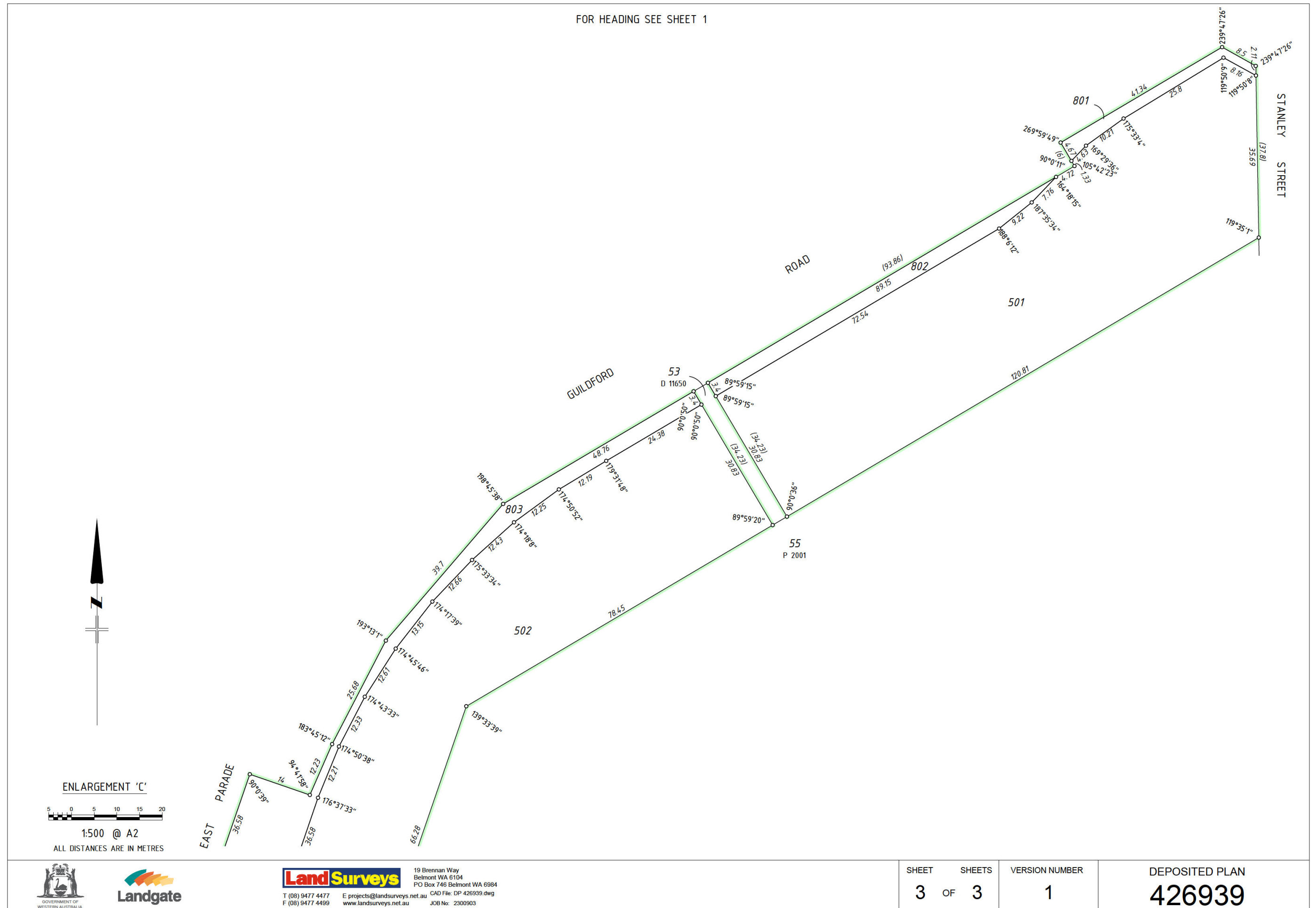


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F (08) 9477 4499 www.landsurveys.net.au JOB No: 2300903

SHEET 2 OF 3

SHEETS 1
VERSION NUMBER

DEPOSITED PLAN
426939







Department of Planning,
Lands and Heritage



P3138, LOT 254 (40) GUILDFORD RD, MOUNT LAWLEY
Heritage Impact Statement



HOCKING HERITAGE + ARCHITECTURE

August 2023

40 Guildford Road, Mount Lawley
Heritage Impact Statement

August 2023

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HHA Job No. 2023-08

Rev No	Author	Reviewer	Date
-	Prue Griffin	Grady O'Brien, DPLH Nick Bertone, City of Vincent	March 2023
A	Prue Griffin	Blake Rawlinson	August 2023
B	Prue Griffin		



40 Guildford Road, Mount Lawley
Heritage Impact Statement

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40 Guildford Road, Mount Lawley
Heritage Impact Statement

August 2023

1. Introduction

This Heritage Impact Statement has been prepared at the request of the Department of Planning Lands and Heritage. Demolition of the building is proposed to enable future development of this site and adjacent properties on Guildford Road and East Parade, Mount Lawley for social housing.

Alongside the proposed development of the large parcel of land owned by the DPLH, Main Roads WA have assessed that Guildford Road needs to be widened along the southern side of Guildford Road to accommodate increased volume of vehicle traffic. The volume of traffic is also predicted to increase with any proposed development of the land held by DPLH. The widening will require resumption of portion of all lots on the south side of Guildford Road between Stanley Street and Pakenham Street.

The proposed resumption for road widening will require portion of the subject property at 40 Guildford Road to be removed.

40 Guildford Road was considered by the Department of Planning Lands and Heritage for inclusion in the State Register of Heritage Places in 2002 and was found to be below threshold for inclusion.

This heritage impact statement seeks to assess the impact on the cultural heritage significance of the place and some consideration of the wider impact on the streetscape. The report has been prepared following the guidelines established by the Heritage Council in their publication *Heritage Impact Statement – A Guide*.

2. Site Analysis

2.1 Location

The property is located on the southeast side of Guildford Road in the block bound by Stanley Street and East Parade.

The property is located across two lots; lot 254 (40) on Plan 2001 and lot 403 on Deposited Plan 31182 as designated on Certificate of Title Volume 2209 Folio 50.

On either side of the lot are vacant lots where former residences of a similar age were located.



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Heritage Impact Statement

August 2023

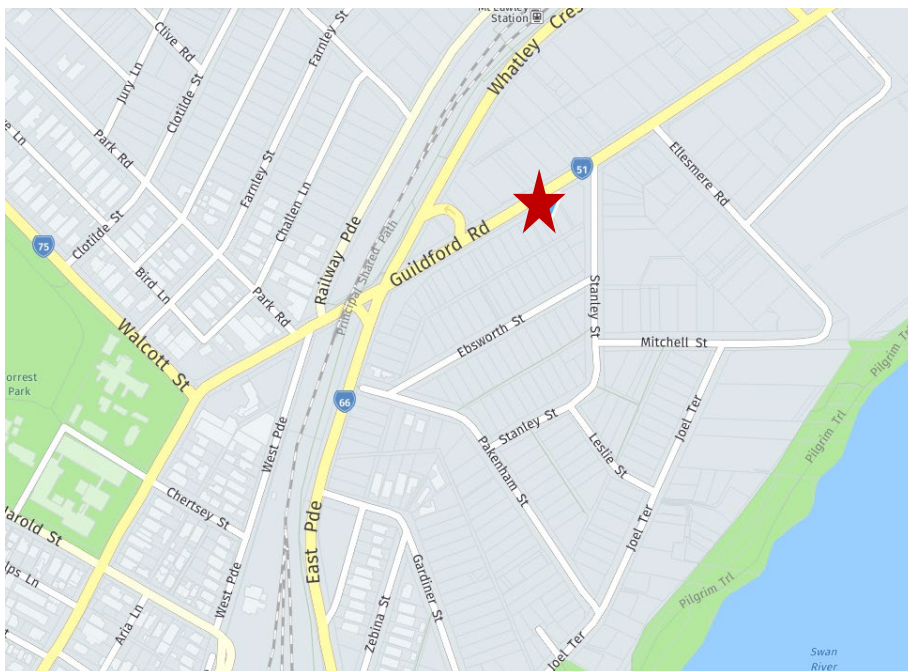


Figure 1: Location Map
Courtesy Google Maps, accessed 21 October 2022



Figure 2: Lots 254 and 403 (40) Guildford Road Mount Lawley.
COURTESY CITY OF VINCENT INTRAMAPS



40 Guildford Road, Mount Lawley
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2.2 Heritage Listing

The place has been identified by the City of Vincent as a Moderate Level of Significance which is described as:

Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the place.

Management Category B - Conservation Recommended

Consider for inclusion on the MHI (Heritage List) if owner/applicant consents to inclusion.

Type	Status	Date	Category
Local Heritage Survey		12 Sept 2006	Category B
Heritage List	Adopted	12 Sept 2006	
Heritage Agreement	None		
State Register	Below Threshold	30 Nov 2001	-----
Register of National Estate	-----	-----	-----
Classified by the National Trust	-----	-----	-----

2.3 Statement of Significance

The City of Vincent prepared the following statement in 2006.

The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.

3. Subject Property

3.1 Physical Description

This substantial single storey brick and corrugated zincalume residence demonstrates the Federation Queen Anne style. It is an asymmetric floor plan with a verandah wrapping the front and portion of the western side of the building.

It features an elaborate gable infill on the projecting bay and a bullnose verandah roof supported on turned posts. The verandah is brick paving on sand infill that is contained by limestone foundations. The original timber verandah has been removed although the steps to the main entry do remain.

Internally the place retains its original floor plan with some additions across the rear. In general, there is little evidence of any original finishes as the place has been stripped of all architectural details, such as architraves, skirtings and the majority of the floorboards. Windows are all broken and some window frames have been completely removed. On the eastern elevation there is evidence of failed brickwork.

The place is in very poor condition and graffiti is evident internally and externally.

The garden shows no evidence of any formal planting and although some trees are large specimens there are not species of any particular rarity or merit.



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Heritage Impact Statement

August 2023

3.2 Streetscape



Figure 3: View southwest on Guildford Road and vacant lot adjacent.

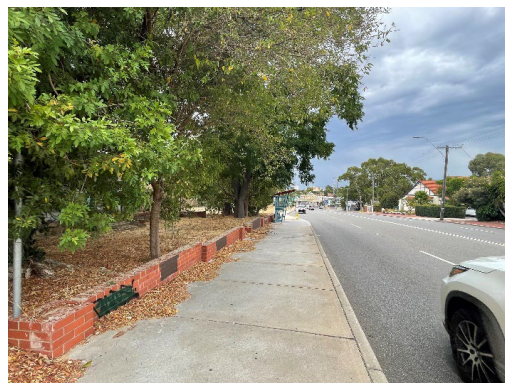


Figure 4: View southwest on Guildford Road towards the Mount Lawley subway.



Figure 5: View northeast on Guildford Road towards subject property.



Figure 6: View of the western elevation across the adjacent vacant lots.



Figure 7: View showing relationship to Guildford Road.



Figure 8: View showing relationship to Guildford Road.



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3.3 Elevations and Landscape

The majority of the exterior of the original residence still demonstrates the brick construction with concrete bands and some remnants of tuckpointing. Large areas of the external walls have graffiti and the surrounding grounds are in poor condition with some mature trees.



Figure 9: Front Elevation



Figure 10: Front Elevation



Figure 11: Front Elevation



Figure 12: Front Elevation



Figure 13: Rear Elevation.



Figure 14: Rear Elevation.



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Figure 15: West Elevation.



Figure 16: East Elevation.

3.4 Internal Photographs

The interior of the property was poorly lit and difficult to navigate because of the removed floorboards and accumulation of debris. The following photographs demonstrate that the majority of detail has been removed. Apart from some original floorboards there are no architraves, skirtings or doors. There is also asbestos sheeting in the rear of the building.



Figure 17: Front Door.



Figure 18: Hallway.



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August 2023



Figure 19: Bedroom



Figure 20: Bedroom.



Figure 21: Bedroom



Figure 22: Bedroom 1.



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Figure 23: Bedroom 2.

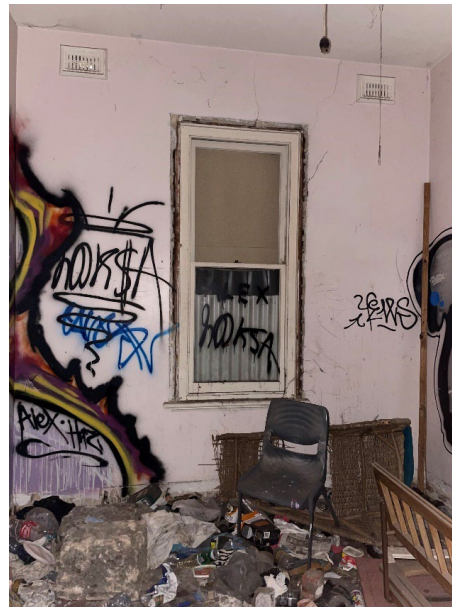


Figure 24: Bedroom 3.



Figure 25: Lounge Room.



Figure 26: Lounge Room.



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Heritage Impact Statement

August 2023



Figure 27: Lounge Room



Figure 28: Lounge Room



Figure 29: Dining Room (former kitchen)

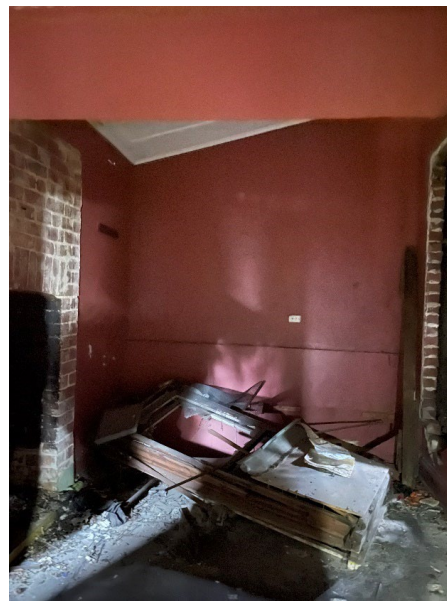


Figure 30: Dining Room (former kitchen)



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August 2023



Figure 31: Kitchen.



Figure 32: Kitchen ceiling.



Figure 33: Kitchen alcove.



Figure 34: Kitchen.



40 Guildford Road, Mount Lawley
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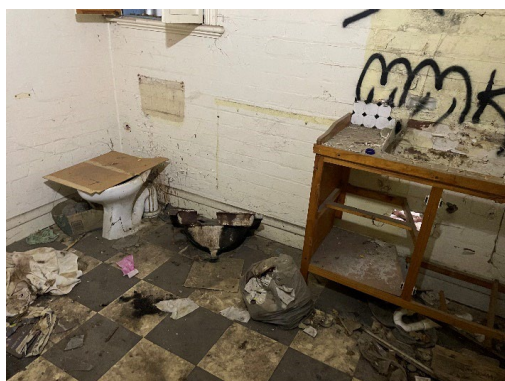


Figure 35: Bathroom.

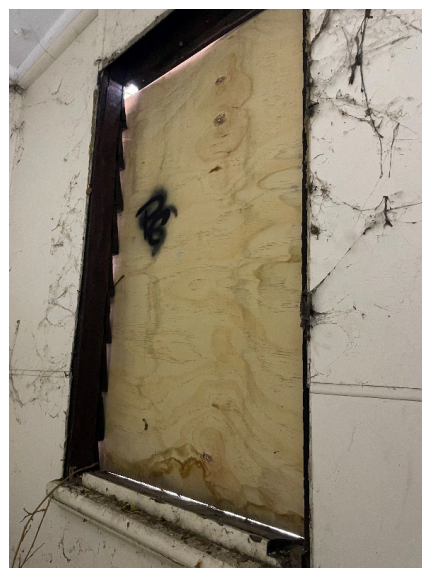


Figure 36: Bathroom window.

3.5 History

This place was built c1904 as a private residence. It was used for that purpose until its declining condition made it uneconomic to repair. The place was closed and has been accessed by vagrants for some years and been stripped of any original detail.¹

The adjacent residences on Guildford Road have been demolished in the early 2000s leaving the place isolated within cleared lots to the north and south.

4. Proposed Development

The Department of Planning Lands and Heritage are proposing to develop this site and adjoining lots for future social housing. The form and scale of the development has not been finalised at this stage. Nevertheless, it is a requirement of the new development that the site is cleared to enable optimum occupancy of the site.

Alongside the proposed development of the large parcel of land owned by the DPLH, Main Roads WA have assessed that Guildford Road needs to be widened along the southern side of Guildford Road to accommodate the current increased volume of vehicle traffic. The volume of traffic is also predicted to increase with any proposed development of the land held by DPLH. The widening will require resumption of portion of all lots on the south side of Guildford Road between Stanley Street and Pakenham Street.

Specifically, the proposed resumption for road widening will require portion of the subject property at 40 Guildford Road to be removed.

Therefore the subject property is required to be removed for future development of the site and because it will hamper the road widening which is required for the ongoing safety and amenity of the community.

¹ Refer to the Archival Record for 40 Guildford Road, Mount Lawley, May 2023.



40 Guildford Road, Mount Lawley
Heritage Impact Statement

August 2023

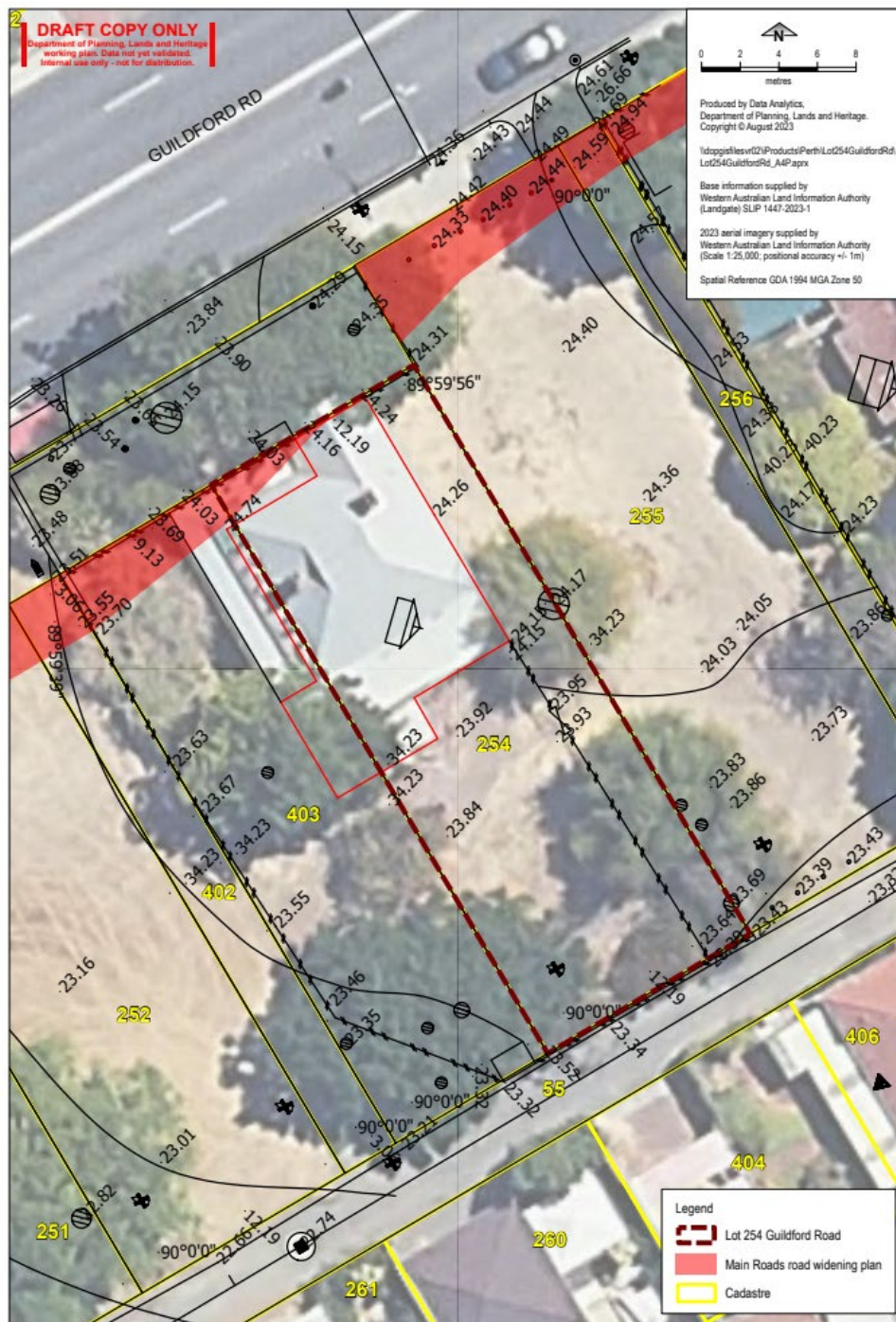


Figure 37: Road Widening Plan prepared by Main Roads.



40 Guildford Road, Mount Lawley
Heritage Impact Statement

August 2023

5. Assessment of Impact

The development application is seeking to remove the building from the City's Municipal Heritage Inventory (MHI) to enable demolition of the building.

Under Clause 2 of the City of Vincent's Heritage Policy 7.6.5, amendments can be made to the MHI to accompany applications for demolition.

The requirements under Figure 1 of that policy state that to delete a building from the MHI, the application would be to demonstrate **one** of the following

- *The cultural heritage significance of the place in the existing heritage assessment was erroneous.*
- *A structural condition report conducted by a registered structural engineers states that the structural integrity of the place has failed to the point where it cannot be rectified without the removal of a majority of its significant fabric. Note: The poor state of a place should not in itself be a reason for removal from MHI*
- *Where the heritage value is historic and/or social only the owner/applicant can demonstrate that it cannot practically be retained in its entirety or in part*

RATIONALE FOR REMOVAL FROM THE MHI	RATIONALE
<i>The cultural heritage significance of the place in the existing heritage assessment was erroneous.</i>	<p>The cultural heritage significance of the place was not erroneous in 2007 when last assessed.</p> <p>It was noted at that time that the integrity of the historic setting had been compromised. Since then, the increased traffic on Guildford Road has led to an acceleration in the changes to the streetscape and its original neighbourhood context.</p> <p>In 2007, the place was occupied and demonstrated its original use and much of its original detail. In 2023, the place is no longer habitable and original fabric has been stripped from the place and the remaining fabric is in poor condition.</p> <p>To make the place viable for use would require removal of the structures across the rear of the property and replacement of much of the remaining fabric in the front rooms of the place. These changes would have an impact on the cultural heritage significance.</p>
<i>A structural condition report conducted by a registered structural engineers states that the structural integrity of the place has failed to the point where it cannot be rectified without the removal of a majority of its significant fabric. Note: The poor state of a place should not in itself be a reason for removal from MHI</i>	A structural engineer's report has not been prepared.
<i>Where the heritage value is historic and/or social only the owner/applicant can demonstrate that it cannot practically be retained in its entirety or in part</i>	The heritage values of the place were determined to be in part the aesthetic value of its Federation Arts and Crafts style which is no



40 Guildford Road, Mount Lawley
Heritage Impact Statement

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	<p>longer apparent because of the loss of original detail.</p> <p>The historic and social values of the place were identified in the remaining form and fabric of the place. This has now been significantly diminished through vandalism and the deterioration of the condition of the remaining fabric.</p> <p>The identified historic value of its role in demonstrating the creation of a neighbourhood clustered around Guildford Road is no longer evident.</p>
--	---

In addition to the above requirements of the Heritage Policy 7.6.5 an assessment of the impact of demolition on the heritage values of the place has been determined through the values designated in the 2006 Heritage Assessment for the Local Heritage Survey.

The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.

The decline in the condition of the building has meant a significant loss of aesthetic values and the evolution of Guildford Road to a busy main road has meant that any connection with the former community has long been absent.

HERITAGE VALUE	ASSESSMENT OF IMPACT
<i>The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity</i>	<p><i>The demolition of the building will lead to a loss of the building fabric but its degraded state has meant its heritage values are already diminished from the 2006 statement.</i></p> <p><i>The association with the original development has long been absent because of the changing nature of the adjacent properties on Guildford Road.</i></p> <p><i>The future road widening of Guildford Road will have a further impact on the heritage value associated with the former streetscape and community which formerly lived adjacent.</i></p>

6. Conclusion

The demolition of the building at 40 Guildford Road, Mount Lawley is supported.

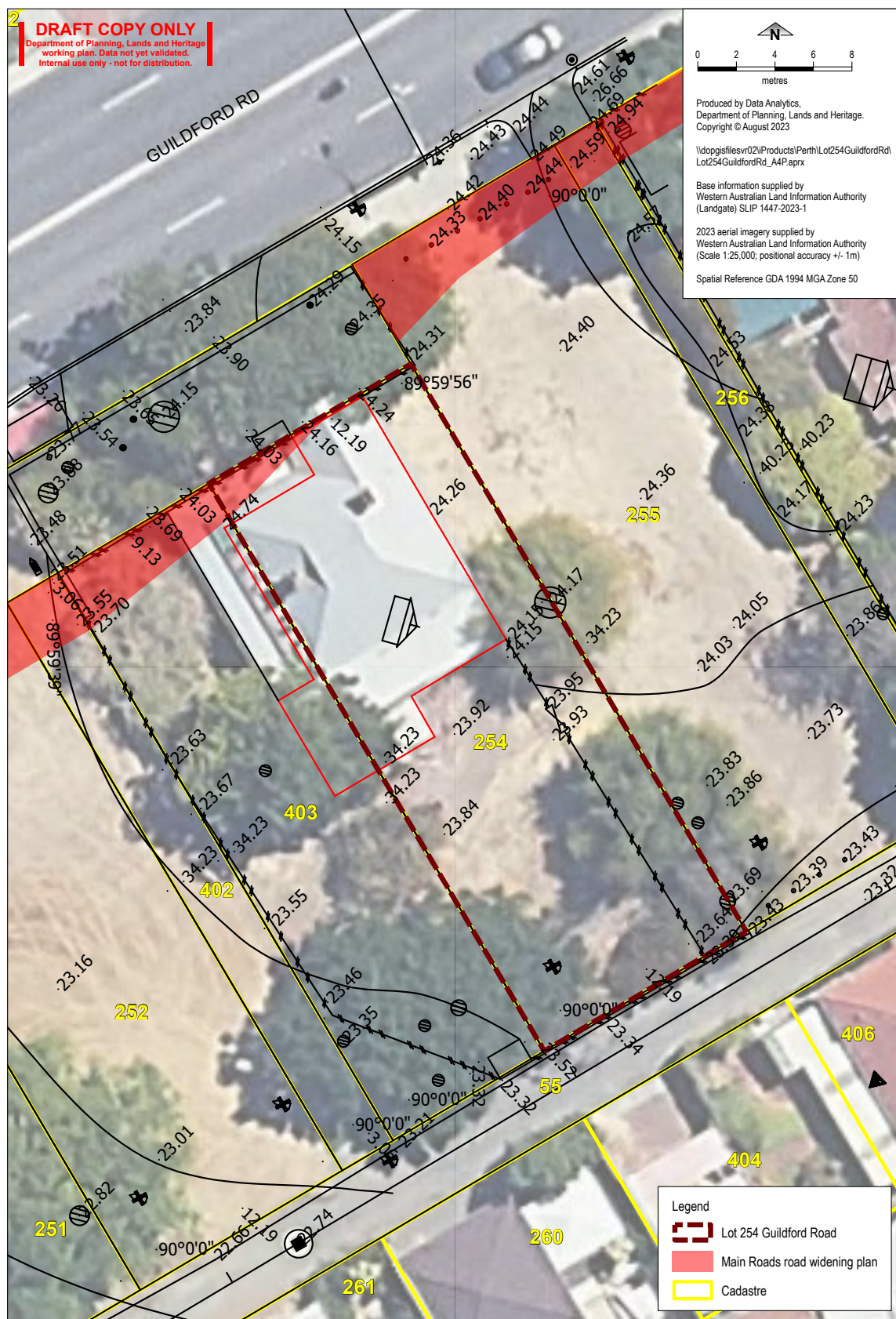
The road widening is essential for the safety and amenity of the wider community. Demolition of portion of the building will result in the loss of authenticity and integrity of the building. The remainder of the building could not be sustained and retain its heritage values.

The preparation of an archival photographic record will capture any remaining aesthetic heritage values evident at the place.



element.

ATTACHMENT FIVE – ROAD WIDENING REQUIREMENTS OVERLAY



Lot 254 Guildford Road, Mount Lawley

element.

ATTACHMENT SIX - ARCHIVAL PHOTOGRAPHIC RECORD



Department of Planning,
Lands and Heritage



P3138, LOT 254 (40) GUILDFORD RD, MOUNT LAWLEY
Photographic Archival Record



HOCKING HERITAGE + ARCHITECTURE

March 2023

Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

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HHS Job No. 2023-08

Rev No	Author	Reviewer		Date
-	Prue Griffin	Grady O'Brien	DPLH	March 2023



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

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Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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1.0 Background

This photograph archival record has been prepared at the request of the Department of Planning Lands and Heritage. Demolition is proposed for the building to enable future development of this site and adjacent properties on Guildford Road and East Parade, Mount Lawley.

This place was considered by the Department of Planning Lands and Heritage for inclusion in the State Register of Heritage Places in 2002 and was found to be below threshold for inclusion.

The place has been identified by the City of Vincent as a Moderate Level of Significance which is described as:

Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the place.

Management Category B - Conservation Recommended

Consider for inclusion on the MHI (Heritage List) if owner/applicant consents to inclusion.

This Archival Record has been prepared to enable the development of the site whilst recognising the heritage values of the place.

2.0 Statement of Significance

The City of Vincent have prepared the following statement.

The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.

3.0 Location

The property is located on the south east side of Guildford Road in the block bound by Stanley Street and East Parade.

The property is located across two lots; lot 254 (40) on Plan 2001 and lot 403 on Deposited Plan 31182 as designated on Certificate of Title Volume 2209 Folio 50.

On either side of the lot are vacant lots where former residences of a similar age were located.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

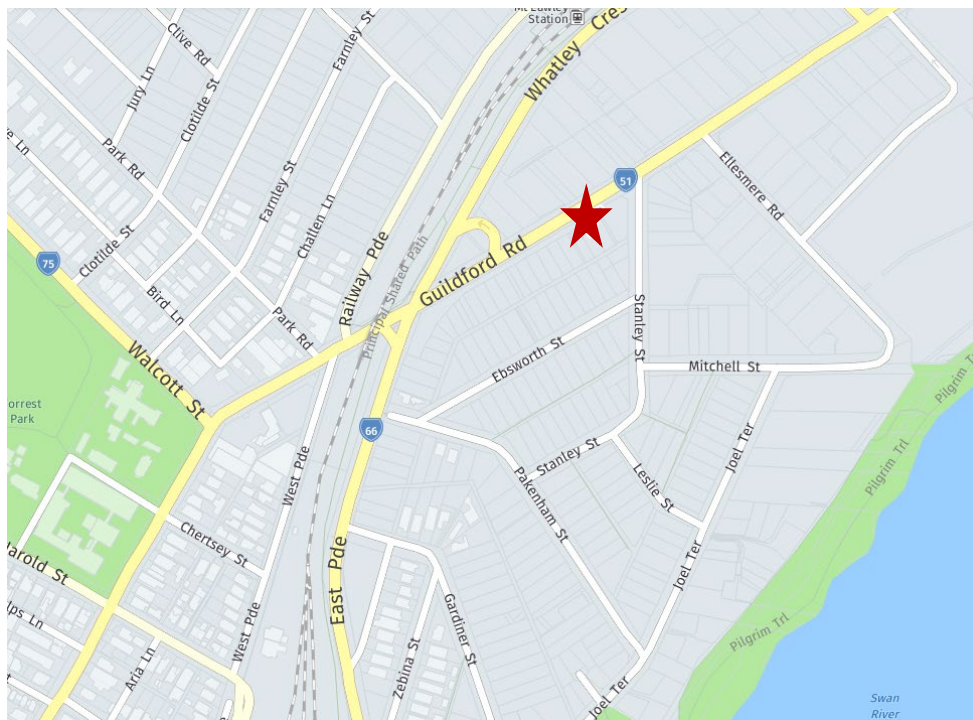


Figure 1: Location Plan

COURTESY NEARMAP



Figure 2: Lots 254 and 403 (40) Guildford Road Mount Lawley.

COURTESY CITY OF VINCENT INTRAMAPS



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

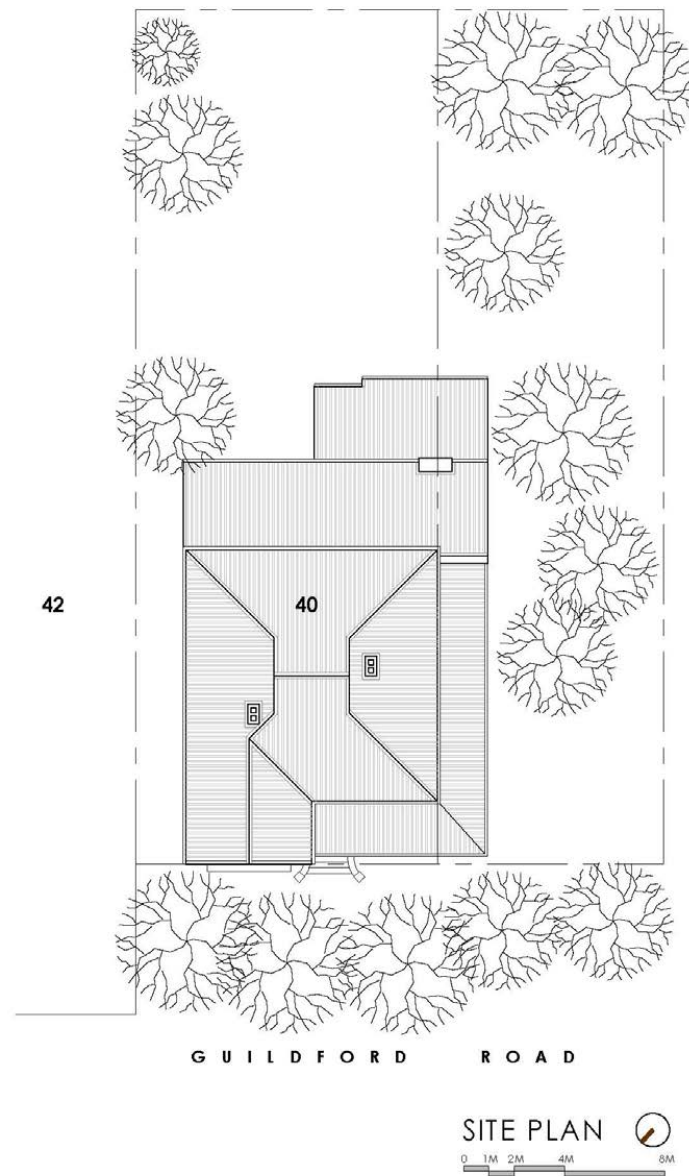


Figure 3: Site Plan



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

4.0 Brief History

*This history has been expanded from the research prepared for the City of Vincent Local Heritage Survey. Acknowledgement is extended to the authors of that documentation.*¹

This section of Guildford Road is part of the East Norwood Estate which was developed in 1898, on part of Locations A4 and A5, on the eastern side of the Fremantle-Guildford Railway line, in the East Perth/Mt Lawley area. The subdivision was carried out by surveyors Crossland & Hardy on behalf of the Perth (WA) Estate Company Limited of 364 Hay Street.

The strong demand for new housing was a result of the population boom created by the gold discoveries in the State. One member of the Perth (WA) Estate Company was Zebina Lane, who was an engineer and mine owner at the Great Boulder mines, and one of a number of people who made money in gold mining and reinvested it in land developments during this period. The Company had previously developed the adjoining Westralia Estate on the west side of the railway line on Location A4. The estate was promoted as having 'splendid building lots', 'made roads' and 'river frontages'. In the latter case these were the larger blocks along Joel Terrace which were expected to attract the wealthier buyers. It is evident from the subdivision map that this was not one of the earliest blocks sold, the earliest being those used for 'spec' and rental housing along the railway line (East Parade), Bramall and Summers Street.

The estate's boundary nearest to the subject place was Stanley Street (two house blocks from No. 40), which later became the boundary between the Town of Vincent (formed 1995) and that portion of Mount Lawley which is in the City of Stirling. This section of Guildford Road was listed in the Wise's Post Office Directories initially as 'Guildford old road' and by 1905 it was known as 'Old Guildford Road' and listed in conjunction with Lord Street. Around 1908 it became known as 'Guildford Road, Norwood' and it remained so until the 1940's.

No 40 Guildford Road, was well positioned for access to Perth's train system via the nearby Mount Lawley Station. Then in 1924 a single tram track was laid from the tram terminus on the corner of Lord and Lincoln Streets through the Mount Lawley Subway to Maylands. In 1939 this line was duplicated, and the Subway widened to accommodate the second track. This further improved access to the city.

In 1925 the resident was Herbert Illingworth. At that time the area around the Mount Lawley Subway (just a street block away) was a thriving village. The shops and businesses also listed in the Directories were No. 1 Guildford Road Methodist Church, No. 3 plumber, No. 5 Laundry, Nos. 8 - 10 butcher, No. 12 fancy goods and draper, No. 14 confectioner and grocer, No. 15 newsagent, stationer, tobacconist and State Savings Bank agency, No. 18 tobacco and fancy goods and No. 19 butcher. In 1.

The subdivision plan for this property was approved in 1898 and lots were purchased from the developer British Westralia Syndicate Limited.² Lots 253 and 254 were purchased in 1902 by Alice Victoria McColl.³

Alice Victoria McColl (c1863-1914) was the wife of railway employee, Stawell Austral McColl (c1861-1916). From the available evidence in the Post Office Directories and Electoral Rolls the place was built in 1904 as A. McColl is recorded living in Guildford Road in 1905. The builder or architect of the residence has not been determined. It is likely that a local builder, such as John Berne Hawkins who lived in Guildford Road, constructed the home in accordance with readily available plans from pattern books that were in common usage at the time. The plan form and remaining detail of the building indicate that the home was of some quality and not a cottage for occupants of limited

¹ Place 3818 House, City of Vincent InHerit database entry. Adopted 2006.

² Certificate of Title, 161/20, Landgate.

³ Certificate of Title, 161/20, Landgate.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

income. This conclusion is also supported by the evidence that the residence occupied more than one lot it and was set in a more expansive garden setting.⁴

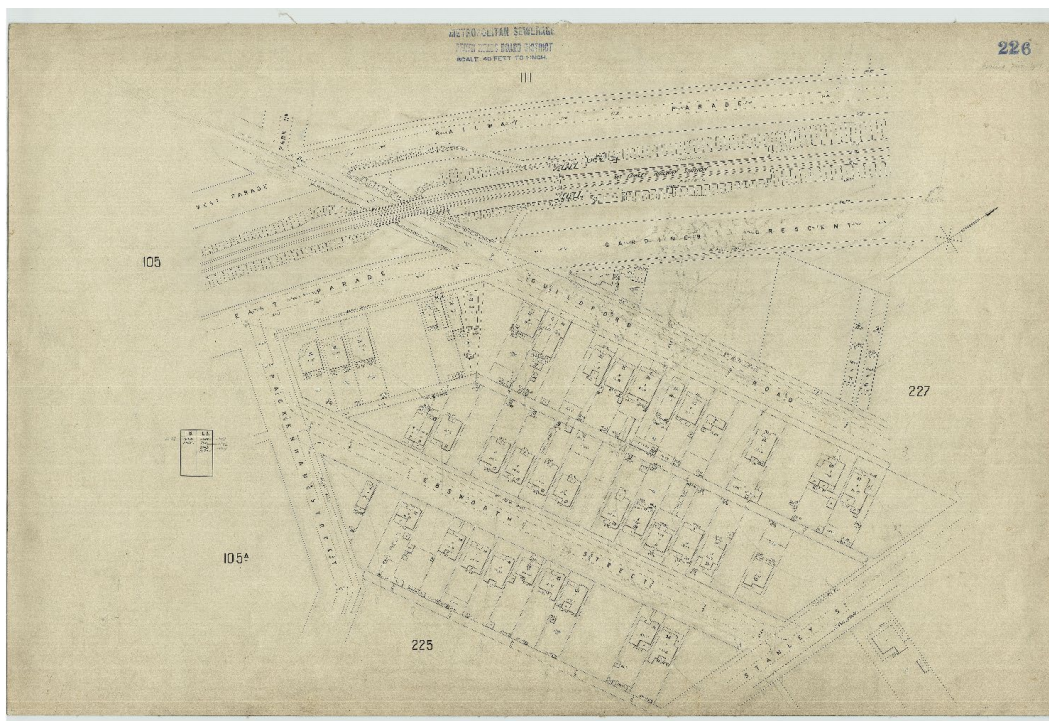


Figure 4: Sewerage Plan Sheet 226, 1917.

COURTESY SROWA SERIES 634 CONS 4156 ITEM 0226

The McColls appear to have lived in the place until c1911 and subsequently leased the place to tenants. A newspaper article from March 1911 records that Stawell and Alice McColl were living in St Georges Terrace Perth at that time.⁵

Post Office Directories record that there was a rapid turnover of occupants between 1912 and 1915 and was then occupied by caterer Andrew Cavanagh and his wife Jane until 1918.

In 1914, Alice McColl died, and the property transferred to Stawell McColl, and on his death in 1916 the property was transferred to their children, Alice Sophia McColl and Archibald Dougald McColl.⁶ The siblings continued to lease the property to tenants, traveller Herbert Illingworth and his wife Ethel Illingworth from 1919 to 1926.⁷

In 1926, the property was transferred to clerk Frederick William James Joyce (c1893-1973) and his wife Eunice Hilda Joyce, nee Bevan (c1895-1977). The couple married in 1914 and had at least four children and lived at this house until the 1970s. Frederick Joyce died in 1973 and Eunice lived on in the house until at least 1975 when the place was transferred to draftsman William Richard Marks and

⁴ Sewerage Plan Sheet 226 shows the width of the lot is larger than the majority of the housing lots adjacent.

⁵ *The West Australian*, 29 March 1911, p. 4.

⁶ Certificates of Title, 682/184 and 682/185, Landgate.

⁷ Post Office Directories, State Library of WA, [Post office directories | State Library of Western Australia \(slwa.wa.gov.au\)](https://www.sla.wa.gov.au/post-office-directories) accessed February 2023.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Public Relations Officer Lynette Marks.⁸ The couple lived at the house until 1986 when the house was transferred to the Western Australian Planning Commission.⁹ With the transfer of the property to the WAPC the residence was leased to tenants.

Aerial photographs from the mid 20th century indicate that the extent and form of the residence have not changed considerably since that time. The WAPC and its subsequent authorities maintained the property when it was occupied by tenants including the replacement of the roof cladding in the late 1980s.

The physical evidence suggests that the timber verandah was replaced in the late 1980s with the current verandah which is brick laid on sand.

The houses located to the south of the 40 Guildford Road were demolished in 2000, and the house to the north was demolished c2009. The original residential context of this portion of Guildford Road has been lost as a result of these changes.

The residence has been unoccupied for several years and is in a very poor condition.

4.1 Occupants and owners

DATE	OWNERS	OCCUPANT
1898 - 1902	British Westralia Syndicate Limited	None
1902 - 1918	Alice Victoria McColl	1905 – 1911 Stawell Austral McColl and Alice Victoria McColl. 1912 William J Franz 1913 Frederick W Koepppe 1914 John Dillon and Haswell Bromley 1915 - 1918 Andrew and Jane Cavanagh
1918 - 1926	Alice Sophia McColl and Archibald Dougald McColl	1919 - 1926 Herbert Illingworth
1926 – 1975	Frederick William Joyce and Eunice Hilda Joyce.	Frederick William Joyce (until 1973) and Eunice Hilda Joyce.
1975 - 1986	William Richard Marks and Theresa Barbara Marks	William Richard Marks and Theresa Barbara Marks
1986 - 2001	Western Australian Planning Commission	Various
2001 – 2023	Western Australian Planning Commission (Dept of Planning Lands and Heritage)	Various and vacant

⁸ Certificate of Title 1033/111, Landgate.

⁹ Certificate of Title 1070/301, Landgate.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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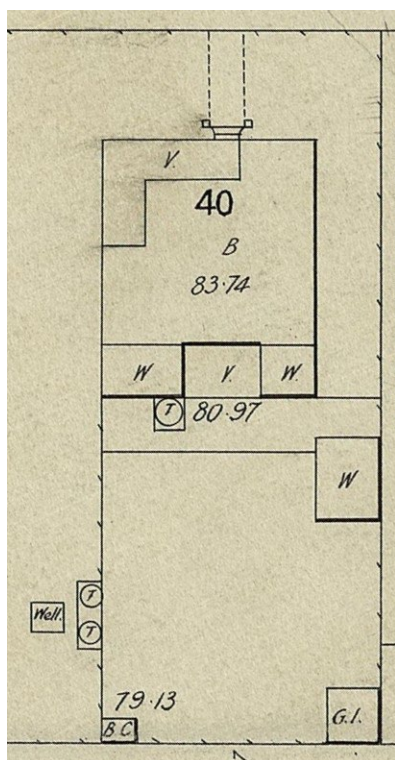


Figure 5: Sewerage plan of the property, 1917.
COURTESY SROWA. SERIES 634 CONS 4156 ITEM 0226.

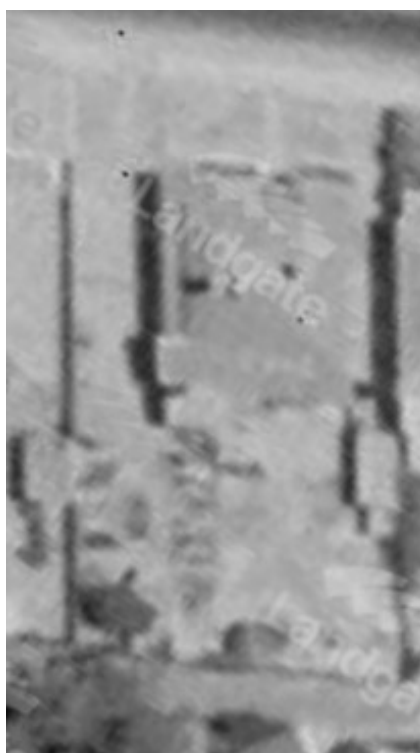


Figure 6: Aerial photograph, 1965
COURTESY LANDGATE



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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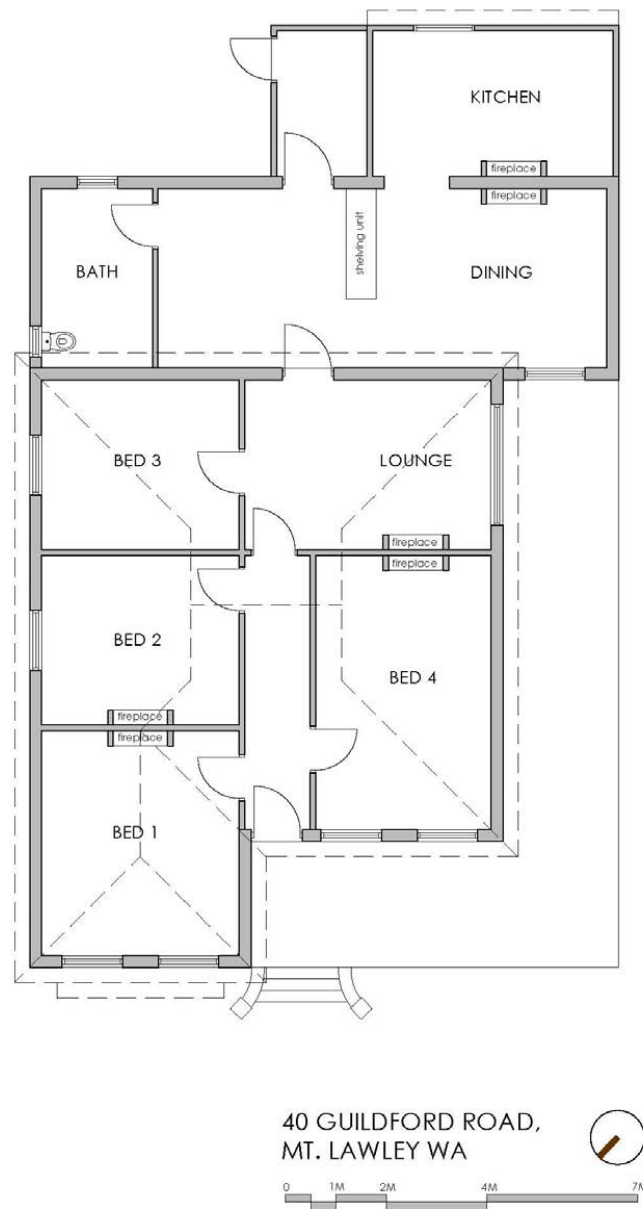


Figure 7: Floor Plan



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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5.0 Photographs

The following images were taken on 8 March 2023 by Hocking Heritage + Architecture. No access was available to the roof space or underfloor space.

5.1 Streetscape



Figure 8: View southwest on Guildford Road and vacant lot adjacent.

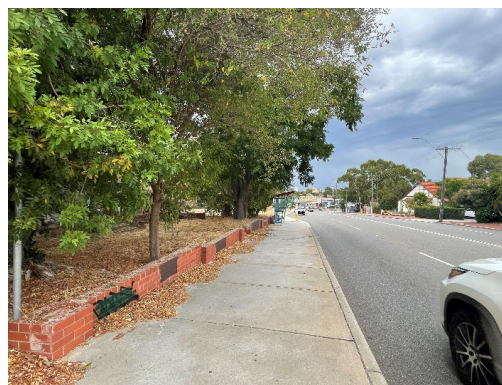


Figure 9: View southwest on Guildford Road towards the Mount Lawley subway.



Figure 10: View northeast on Guildford Road towards subject property.



Figure 11: View of the western elevation across the adjacent vacant lots.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 12: View from the lane at the rear of the property.

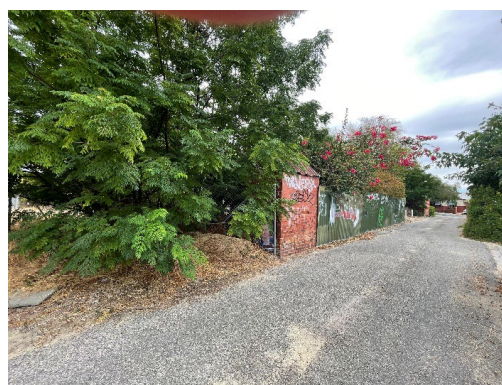


Figure 13: View from the lane at the rear of the property.



Figure 14: View from the lane showing the rear property fence and planting.



Figure 15: View from the lane to the western elevation.



Figure 16: View showing relationship to Guildford Road.

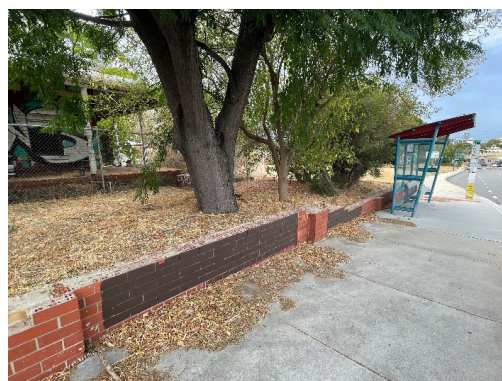


Figure 17: View showing relationship to Guildford Road.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 18: Properties on the northern side of Guildford Road.



Figure 19: View to buildings on the northern side of Guildford Road.

5.2 Elevations and Landscape

The majority of the exterior of the original residence still demonstrates the brick construction with concrete bands and some remnants of tuckpointing. Large areas of the external walls have graffiti and the surrounding grounds are in poor condition although there are some mature trees.



Figure 20: Front Elevation

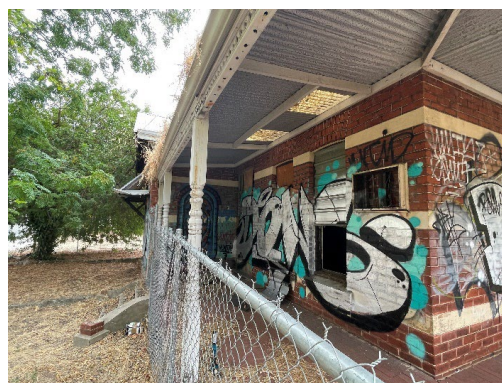


Figure 21: Front Elevation



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 22: Front Elevation.



Figure 23: Front Elevation.



Figure 24: Front Elevation showing verandah.



Figure 25: Front Elevation showing original steps.



Figure 26: Rear Elevation.



Figure 27: Rear Elevation.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 28: Rear Elevation.



Figure 29: Rear Elevation.



Figure 30: West Elevation.



Figure 31: East Elevation.



Figure 32: Remnant planting on the east side of the house

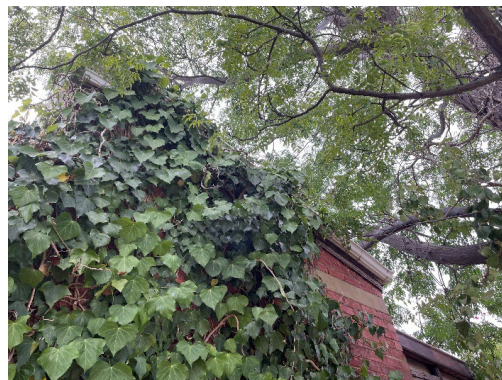


Figure 33: Overgrown creeper on the west elevation.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023



Figure 34: Rubble and degraded plants on the west side of the lot.



Figure 35: Fenced western side of the lot and some remnant hardscaping.



Figure 36: View of the mature trees in the backyard from the lane.



Figure 37: Back yard.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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5.3 Internal Photographs

The interior of the property was poorly lit and difficult to navigate because of the removed floorboards and accumulation of debris. The following photographs demonstrate that the majority of detail has been removed. Apart from some original floorboards there are no architraves, skirtings or doors. There is also asbestos sheeting in the rear of the building.



Figure 38: Front Door.



Figure 39: Hallway.



Figure 40: Hallway.



Figure 41: Hallway.



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Figure 42: Bedroom

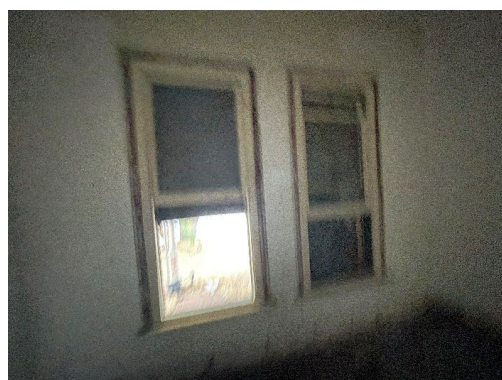


Figure 43: Bedroom.

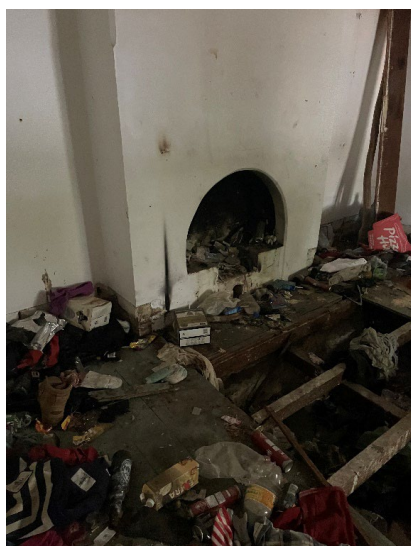


Figure 44: Bedroom



Figure 45: Bedroom 1.



Figure 46: Bedroom 1.

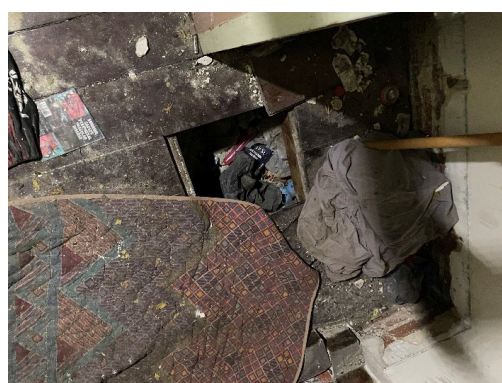


Figure 47: Detail of floorboards.



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Figure 48: Bedroom 2.

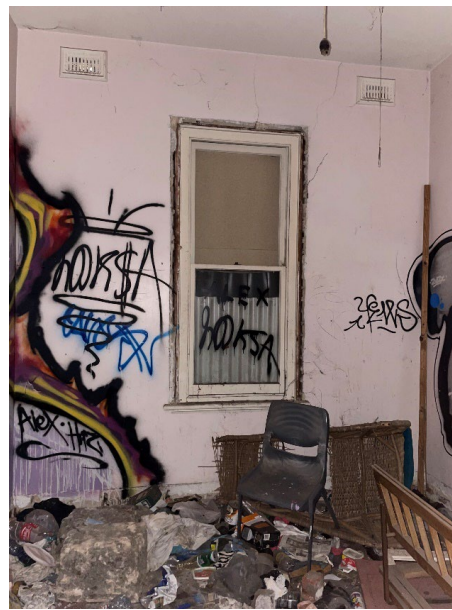


Figure 49: Bedroom 3.



Figure 50: Lounge Room.



Figure 51: Lounge Room.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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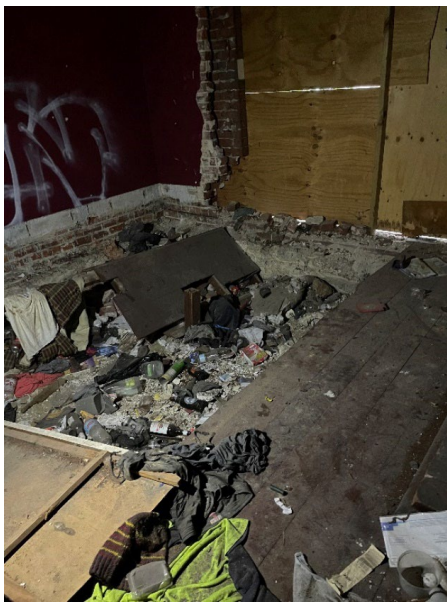


Figure 52: Lounge Room



Figure 53: Lounge Room



Figure 54: Dining Room (former kitchen)

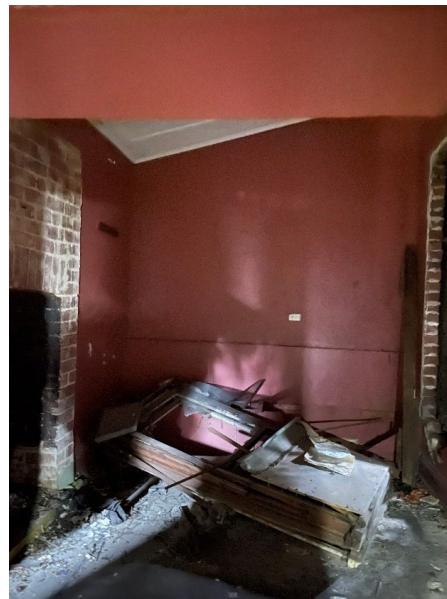


Figure 55: Dining Room (former kitchen)



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 56: Kitchen.



Figure 57: Kitchen ceiling.



Figure 58: Kitchen alcove.



Figure 59: Kitchen.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 60: Sleepout looking through to Dining Room.



Figure 61: Sleepout looking through to Dining Room.



Figure 62: Bathroom door and ceiling.



Figure 63: Bathroom.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

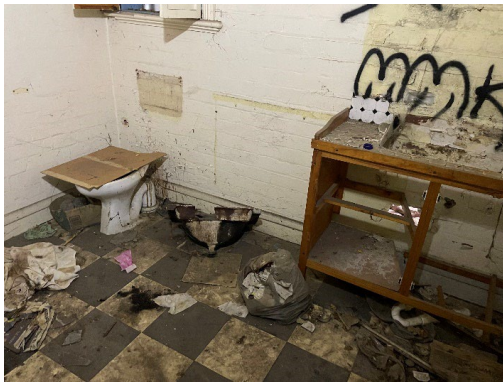


Figure 64: Bathroom.

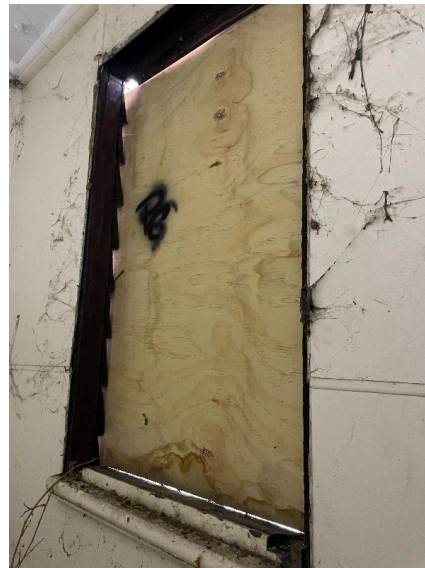


Figure 65: Bathroom window.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Department of Planning,
Lands and Heritage



P3138, LOT 254 (40) GUILDFORD RD, MOUNT LAWLEY
Photographic Archival Record



HOCKING HERITAGE + ARCHITECTURE

March 2023

Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

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HHS Job No. 2023-08

Rev No	Author	Reviewer		Date
-	Prue Griffin	Grady O'Brien	DPLH	March 2023



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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1.0 Background

This photograph archival record has been prepared at the request of the Department of Planning Lands and Heritage. Demolition is proposed for the building to enable future development of this site and adjacent properties on Guildford Road and East Parade, Mount Lawley.

This place was considered by the Department of Planning Lands and Heritage for inclusion in the State Register of Heritage Places in 2002 and was found to be below threshold for inclusion.

The place has been identified by the City of Vincent as a Moderate Level of Significance which is described as:

Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the place.

Management Category B - Conservation Recommended

Consider for inclusion on the MHI (Heritage List) if owner/applicant consents to inclusion.

This Archival Record has been prepared to enable the development of the site whilst recognising the heritage values of the place.

2.0 Statement of Significance

The City of Vincent have prepared the following statement.

The house at 40 Guildford Road is a substantial and good example of the Federation Arts and Crafts style, which demonstrates the aspirations of the original developers for this neighbourhood before the growth of traffic on Guildford Road impacted so heavily on amenity.

3.0 Location

The property is located on the south east side of Guildford Road in the block bound by Stanley Street and East Parade.

The property is located across two lots; lot 254 (40) on Plan 2001 and lot 403 on Deposited Plan 31182 as designated on Certificate of Title Volume 2209 Folio 50.

On either side of the lot are vacant lots where former residences of a similar age were located.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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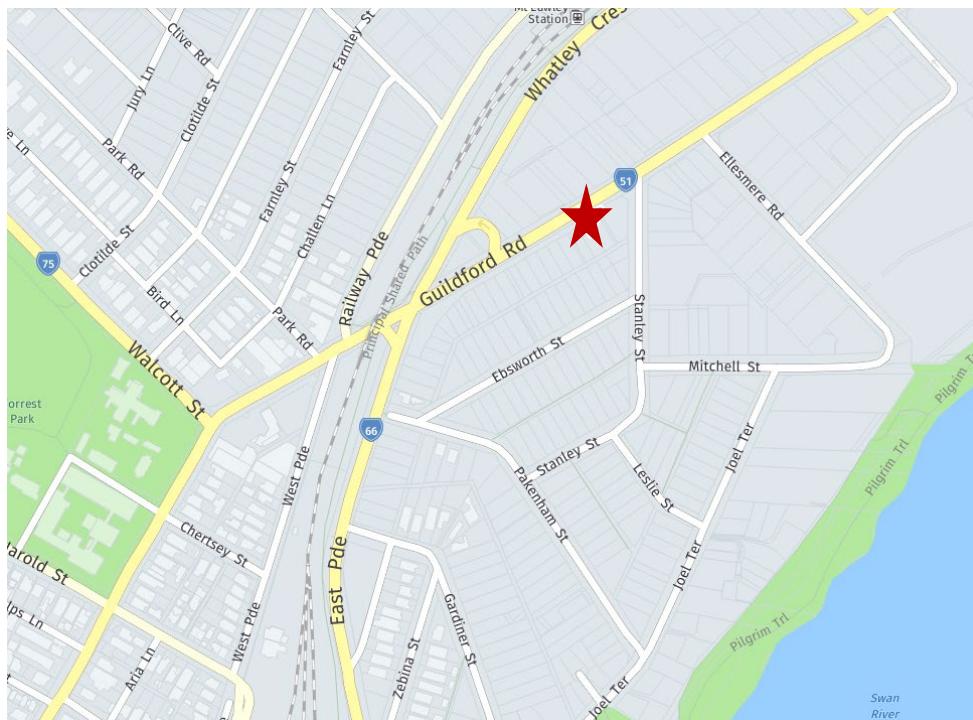


Figure 1: Location Plan

COURTESY NEARMAP



Figure 2: Lots 254 and 403 (40) Guildford Road Mount Lawley.

COURTESY CITY OF VINCENT INTRAMAPS



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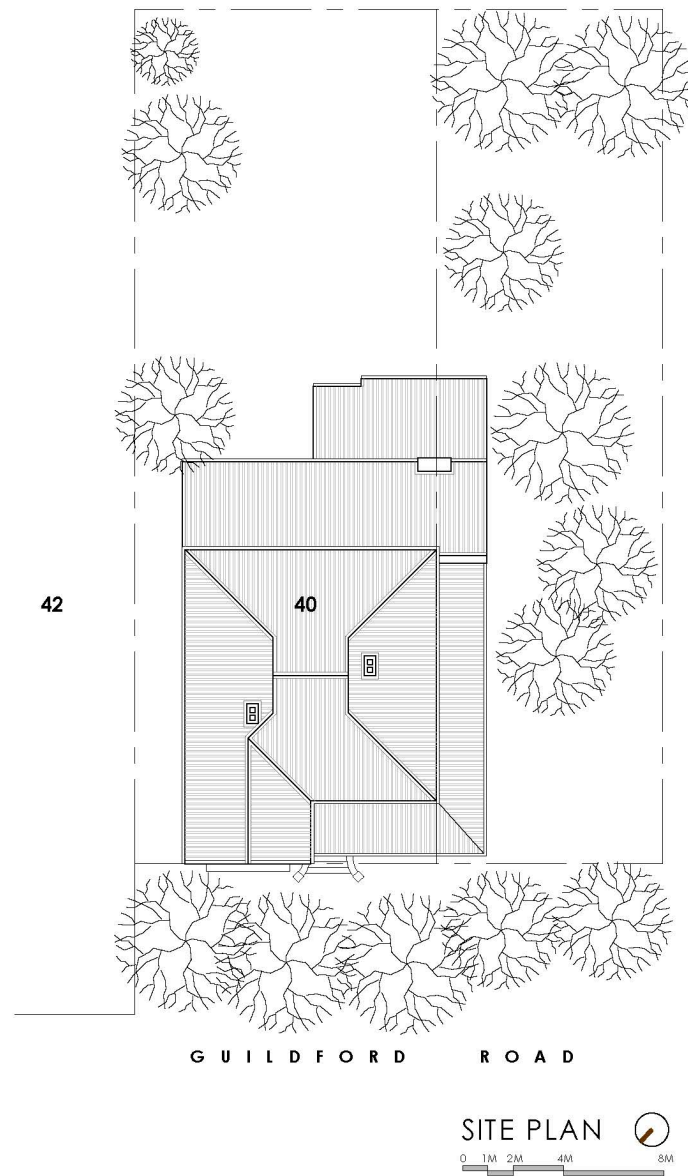


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4.0 Brief History

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The strong demand for new housing was a result of the population boom created by the gold discoveries in the State. One member of the Perth (WA) Estate Company was Zebina Lane, who was an engineer and mine owner at the Great Boulder mines, and one of a number of people who made money in gold mining and reinvested it in land developments during this period. The Company had previously developed the adjoining Westralia Estate on the west side of the railway line on Location A4. The estate was promoted as having 'splendid building lots', 'made roads' and 'river frontages'. In the latter case these were the larger blocks along Joel Terrace which were expected to attract the wealthier buyers. It is evident from the subdivision map that this was not one of the earliest blocks sold, the earliest being those used for 'spec' and rental housing along the railway line (East Parade), Bramall and Summers Street.

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¹ Place 3818 House, City of Vincent InHerit database entry. Adopted 2006.

² Certificate of Title, 161/20, Landgate.

³ Certificate of Title, 161/20, Landgate.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

income. This conclusion is also supported by the evidence that the residence occupied more than one lot it and was set in a more expansive garden setting.⁴

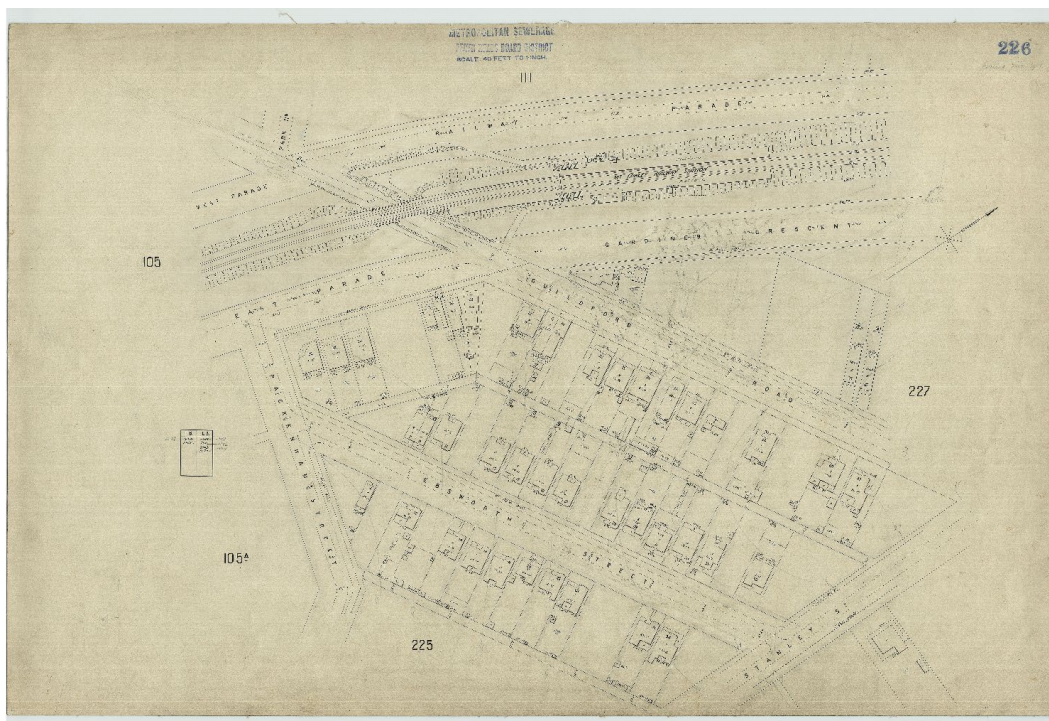


Figure 4: Sewerage Plan Sheet 226, 1917.

COURTESY SROWA SERIES 634 CONS 4156 ITEM 0226

The McColls appear to have lived in the place until c1911 and subsequently leased the place to tenants. A newspaper article from March 1911 records that Stawell and Alice McColl were living in St Georges Terrace Perth at that time.⁵

Post Office Directories record that there was a rapid turnover of occupants between 1912 and 1915 and was then occupied by caterer Andrew Cavanagh and his wife Jane until 1918.

In 1914, Alice McColl died, and the property transferred to Stawell McColl, and on his death in 1916 the property was transferred to their children, Alice Sophia McColl and Archibald Dougald McColl.⁶ The siblings continued to lease the property to tenants, traveller Herbert Illingworth and his wife Ethel Illingworth from 1919 to 1926.⁷

In 1926, the property was transferred to clerk Frederick William James Joyce (c1893-1973) and his wife Eunice Hilda Joyce, nee Bevan (c1895-1977). The couple married in 1914 and had at least four children and lived at this house until the 1970s. Frederick Joyce died in 1973 and Eunice lived on in the house until at least 1975 when the place was transferred to draftsman William Richard Marks and

⁴ Sewerage Plan Sheet 226 shows the width of the lot is larger than the majority of the housing lots adjacent.

⁵ *The West Australian*, 29 March 1911, p. 4.

⁶ Certificates of Title, 682/184 and 682/185, Landgate.

⁷ Post Office Directories, State Library of WA, [Post office directories | State Library of Western Australia \(slwa.wa.gov.au\)](https://www.sla.wa.gov.au) accessed February 2023.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Public Relations Officer Lynette Marks.⁸ The couple lived at the house until 1986 when the house was transferred to the Western Australian Planning Commission.⁹ With the transfer of the property to the WAPC the residence was leased to tenants.

Aerial photographs from the mid 20th century indicate that the extent and form of the residence have not changed considerably since that time. The WAPC and its subsequent authorities maintained the property when it was occupied by tenants including the replacement of the roof cladding in the late 1980s.

The physical evidence suggests that the timber verandah was replaced in the late 1980s with the current verandah which is brick laid on sand.

The houses located to the south of the 40 Guildford Road were demolished in 2000, and the house to the north was demolished c2009. The original residential context of this portion of Guildford Road has been lost as a result of these changes.

The residence has been unoccupied for several years and is in a very poor condition.

4.1 Occupants and owners

DATE	OWNERS	OCCUPANT
1898 - 1902	British Westralia Syndicate Limited	None
1902 - 1918	Alice Victoria McColl	1905 – 1911 Stawell Austral McColl and Alice Victoria McColl. 1912 William J Franz 1913 Frederick W Koeppel 1914 John Dillon and Haswell Bromley 1915 - 1918 Andrew and Jane Cavanagh
1918 - 1926	Alice Sophia McColl and Archibald Dougald McColl	1919 - 1926 Herbert Illingworth
1926 – 1975	Frederick William Joyce and Eunice Hilda Joyce.	Frederick William Joyce (until 1973) and Eunice Hilda Joyce.
1975 - 1986	William Richard Marks and Theresa Barbara Marks	William Richard Marks and Theresa Barbara Marks
1986 - 2001	Western Australian Planning Commission	Various
2001 – 2023	Western Australian Planning Commission (Dept of Planning Lands and Heritage)	Various and vacant

⁸ Certificate of Title 1033/111, Landgate.

⁹ Certificate of Title 1070/301, Landgate.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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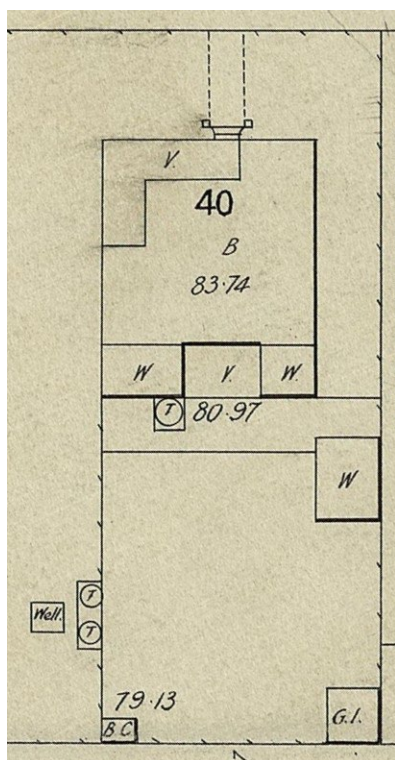


Figure 5: Sewerage plan of the property, 1917.
COURTESY SROWA. SERIES 634 CONS 4156 ITEM 0226.

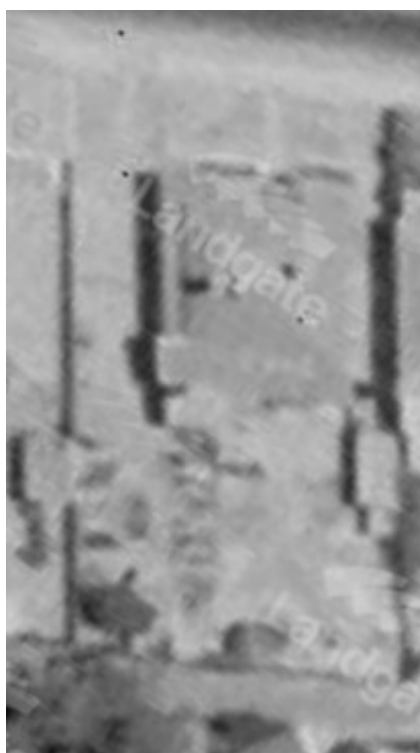


Figure 6: Aerial photograph, 1965
COURTESY LANDGATE



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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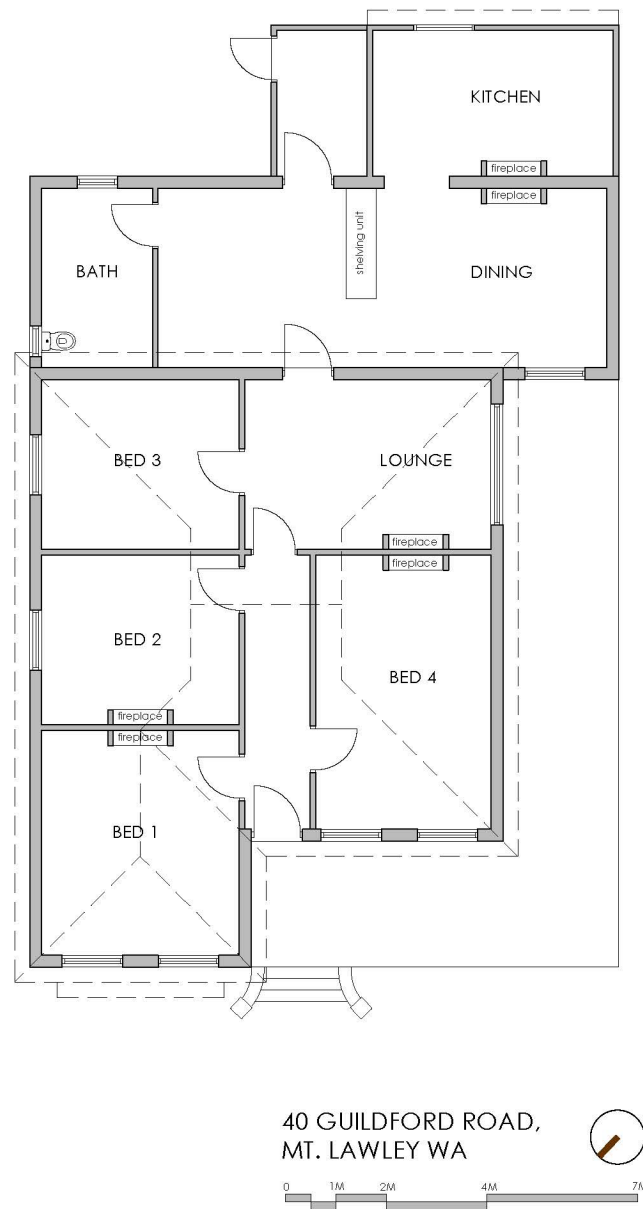


Figure 7: Floor Plan



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

5.0 Photographs

The following images were taken on 8 March 2023 by Hocking Heritage + Architecture. No access was available to the roof space or underfloor space.

5.1 Streetscape



Figure 8: View southwest on Guildford Road and vacant lot adjacent.

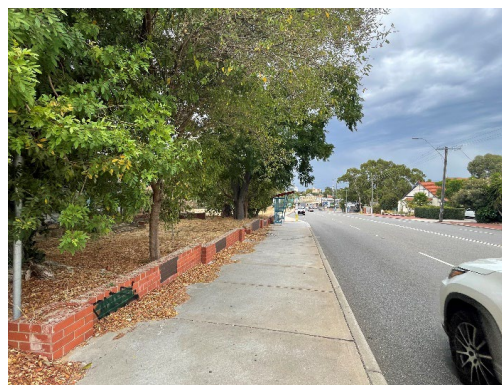


Figure 9: View southwest on Guildford Road towards the Mount Lawley subway.



Figure 10: View northeast on Guildford Road towards subject property.



Figure 11: View of the western elevation across the adjacent vacant lots.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 12: View from the lane at the rear of the property.

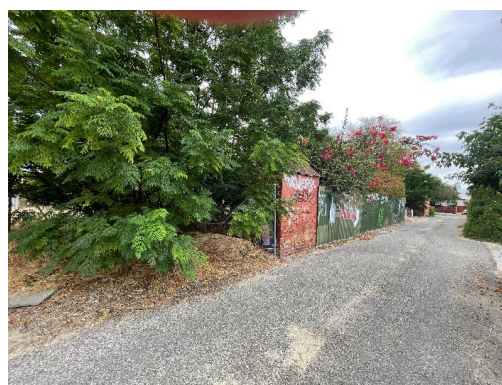


Figure 13: View from the lane at the rear of the property.



Figure 14: View from the lane showing the rear property fence and planting.



Figure 15: View from the lane to the western elevation.

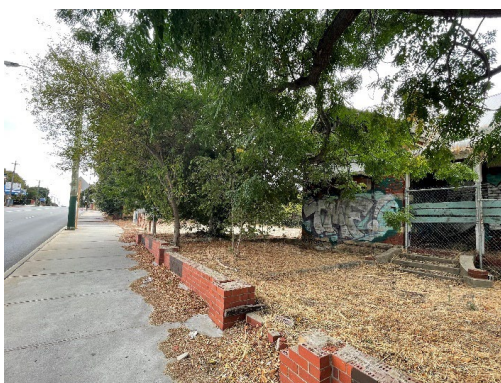


Figure 16: View showing relationship to Guildford Road.

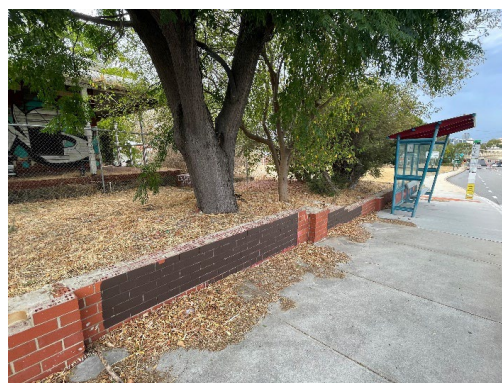


Figure 17: View showing relationship to Guildford Road.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 18: Properties on the northern side of Guildford Road.



Figure 19: View to buildings on the northern side of Guildford Road.

5.2 Elevations and Landscape

The majority of the exterior of the original residence still demonstrates the brick construction with concrete bands and some remnants of tuckpointing. Large areas of the external walls have graffiti and the surrounding grounds are in poor condition although there are some mature trees.



Figure 20: Front Elevation

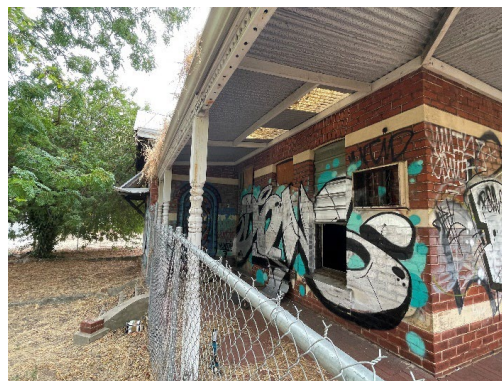


Figure 21: Front Elevation



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 22: Front Elevation.



Figure 23: Front Elevation.



Figure 24: Front Elevation showing verandah.



Figure 25: Front Elevation showing original steps.



Figure 26: Rear Elevation.



Figure 27: Rear Elevation.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 28: Rear Elevation.



Figure 29: Rear Elevation.



Figure 30: West Elevation.



Figure 31: East Elevation.



Figure 32: Remnant planting on the east side of the house



Figure 33: Overgrown creeper on the west elevation.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 34: Rubble and degraded plants on the west side of the lot.



Figure 35: Fenced western side of the lot and some remnant hardscaping.



Figure 36: View of the mature trees in the backyard from the lane.



Figure 37: Back yard.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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5.3 Internal Photographs

The interior of the property was poorly lit and difficult to navigate because of the removed floorboards and accumulation of debris. The following photographs demonstrate that the majority of detail has been removed. Apart from some original floorboards there are no architraves, skirtings or doors. There is also asbestos sheeting in the rear of the building.



Figure 38: Front Door.



Figure 39: Hallway.



Figure 40: Hallway.



Figure 41: Hallway.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

March 2023

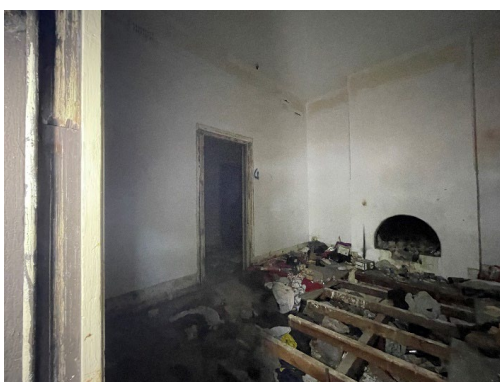


Figure 42: Bedroom

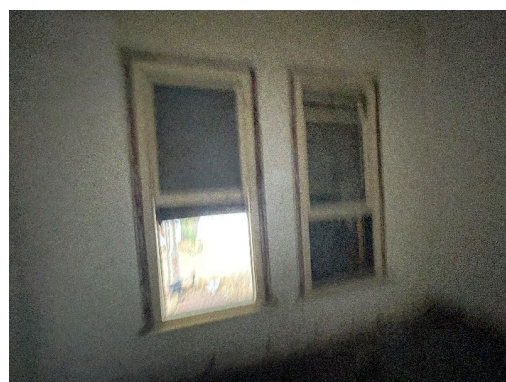


Figure 43: Bedroom.



Figure 44: Bedroom



Figure 45: Bedroom 1.

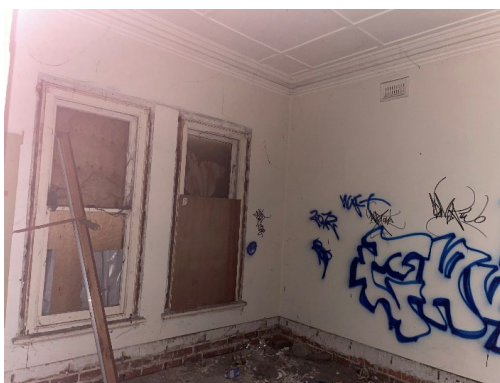


Figure 46: Bedroom 1.

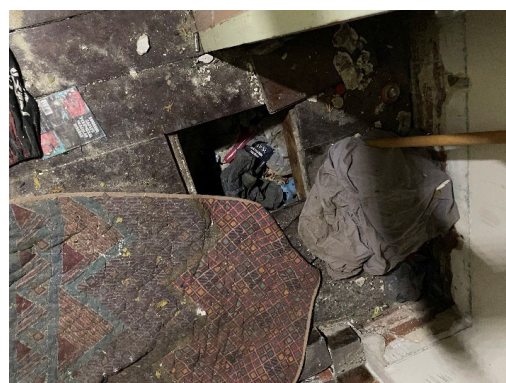


Figure 47: Detail of floorboards.



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Figure 48: Bedroom 2.

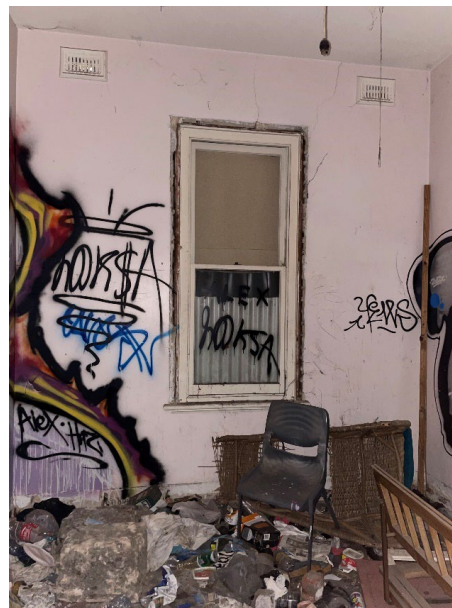


Figure 49: Bedroom 3.



Figure 50: Lounge Room.



Figure 51: Lounge Room.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 52: Lounge Room



Figure 53: Lounge Room



Figure 54: Dining Room (former kitchen)



Figure 55: Dining Room (former kitchen)



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 56: Kitchen.



Figure 57: Kitchen ceiling.



Figure 58: Kitchen alcove.



Figure 59: Kitchen.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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Figure 60: Sleepout looking through to Dining Room.



Figure 61: Sleepout looking through to Dining Room.



Figure 62: Bathroom door and ceiling.



Figure 63: Bathroom.



Residence, Lot 254 (40) Guildford Road, Mount Lawley – Archival Record

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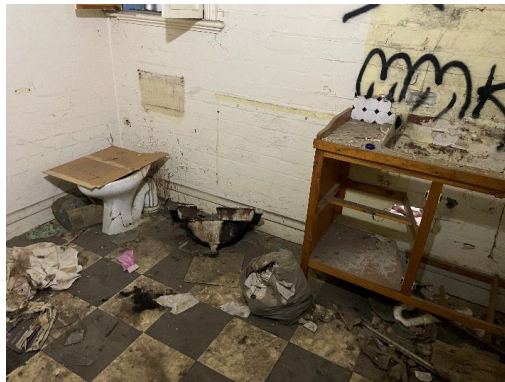


Figure 64: Bathroom.

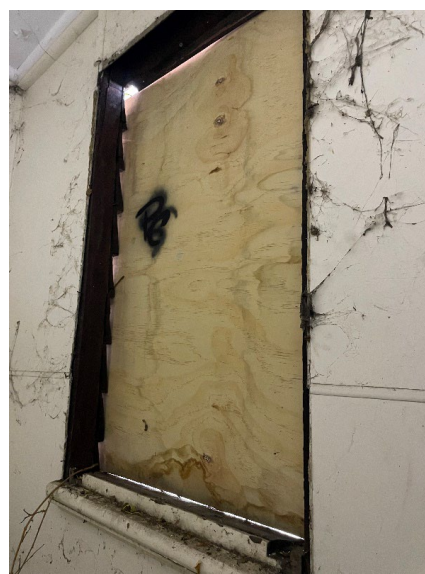


Figure 65: Bathroom window.



**Department of Planning,
Lands and Heritage**

Your ref: DA5.2023.176.1
Our ref: A13337550
Enquiries: Blake Rawlinson 6551 8191
blake.rawlinson@dplh.wa.gov.au

David MacLennan
Chief Executive Officer
City of Vincent
Via email to: mail@vincent.wa.gov.au

Dear Mr MacLennan

**RESPONSE TO COUNCIL RESOLUTION - AMENDMENT TO THE MUNICIPAL HERITAGE
INVENTORY: 40 GUILDFORD ROAD, MOUNT LAWLEY**

At its ordinary council meeting on 17 October 2023, the City of Vincent Council considered an item (item 9.2) submitted by the Department of Planning, Lands and Heritage (DPLH) for the amendment of the Municipal Heritage Inventory to remove the place located at Lots 254 & 403 (No.40) Guildford Road, Mount Lawley from the inventory.

Council resolved the following:

'That the motion be deferred to seek further advice from the Department of Planning, Lands and Heritage and Main Roads WA regarding the justification for widening in this particular location, supported by traffic studies, applicable standards and potentially requesting some level of detailed design around what is proposed in this area that would necessitate demolition of this structure.'

DPLH provides the following information in response to the Council's resolution:

Traffic Study and Road Widening Requirement

DPLH has been in consultation with Main Roads WA (MRWA) regarding the proposed road widening along Guildford Road required for the purpose of future upgrades to the intersection of Guildford Road and East Parade.

DPLH requested MRWA to provide any available traffic studies, standards, and concept designs forming the rationale for the land take requirements on Guildford Road impacting Lots 254 and 403. MRWA provided the attached Traffic Assessment Report which details the traffic study undertaken and the analysis and applicable standards applied in determining the road widening requirements.

The key findings of the report are summarised as follows:

- The current movement from Guildford Road turning left into East Parade is significant and the proposed intersection upgrade concept design includes double left turning lanes under traffic signal control.
- Traffic impacts under the current intersection concept design sit just within the desirable level of service limits and shortening the length of the left turning lanes would have a negative impact on service at the intersection particularly on queuing of through traffic in the central lanes.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

- Given the significant left turn movements the current proposed length of the turning lanes need to be maintained to ensure that vehicles do not queue into the through lanes on Guildford Road creating traffic safety issues or exacerbating congestion.
- On this basis, the road widening land take requirement impacting Lots 254 and 403 Guildford Road is necessary to ensure acceptable traffic impacts and level of service can be maintained at the Guildford Road / East Parade intersection into the future.

Detailed Design

MRWA have advised that the intersection upgrade is yet to progress through the project development phase which includes development of detailed road designs and road sections. As such, at this time, there are no detailed designs or road design cross sections available for dissemination. Once the project development phase progresses, MRWA will undertake further consultation with the City of Vincent to resolve the detailed designs.

The authorised MRWA Land Dealings Plan dated 5 September 2023 is the most accurate plan currently available which delineates the extent of road widening required to accommodate the current intersection upgrade design based on the preferred design scenarios tested in the Traffic Impact Assessment.

DPLH requests the City of Vincent accepts this letter and its attachments as its formal response to the Council resolution in support of our application for the removal of No. 40 Guildford Road from the City's Municipal Heritage Inventory. DPLH respectfully requests that the City submits this response in support of the application to Council for consideration at the next available Council meeting in order to have the item determined.

Should you have any queries, please contact Blake Rawlinson, Senior Project Officer on telephone 6551 8191 or via email to blake.rawlinson@dplh.wa.gov.au.

Yours sincerely



Scott McGill
Director Housing Diversity Pipeline

1 March 2024

Att. Traffic Assessment Report -Guildford Road to East Parade Left Turn Assessment



mainroads
WESTERN AUSTRALIA

*We're working for
Western Australia.*

Traffic Assessment Report

Guildford Road to East Parade Left Turn Assessment

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This report is for Main Roads WA internal use only.

January 2024

Traffic Assessment Report, Road & Traffic Engineering Branch

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Traffic Assessment Report, Road & Traffic Engineering Branch

Report Details

Project Manager:	Gary Manning – Project Development
Description:	Guildford Road to East Parade Left Turn Assessment
RTE Reference:	T23018
Analysed by:	Timothy Wong, Traffic Engineer, Road & Traffic Engineering Branch
Reviewed by:	Raj Shah, Senior Traffic Engineer, Road & Traffic Engineering Branch
Issue Date:	22 January 2024
Software Version:	SIDRA Intersection, Ver 9.1.4.221

Amendments

Revision Number	Revision Date	Description of Key Changes	Section / Page No.
0	22/01/2024	Report Issued	All
1	5/02/2024	Minor commentary changes	All
2	2/04/2024	Existing Layout 2021 results added	All

1 SCOPE

The Project Development branch has requested Road & Traffic Engineering (RTE) to undertake a comparative SIDRA analysis of the existing Guildford Road to East Parade single left turn pocket (shown in Figure 1 below) as compared to the dual left turn pockets in the proposed layout (labelled Option 2a in this report). The intent of this analysis is to assess the optimum length for the left turn pockets in the proposed Option 2a layout at various timeframes.



Figure 1: Guildford Rd & East Parade & Whatley Crescent. Source: ImageNow 2023

Traffic Assessment Report, Road & Traffic Engineering Branch

2 SCENARIOS

Table 1 details the models and options of Guildford Road & East Parade & Whatley Crescent intersection that have been assessed. Traffic volumes used in the models have been provided by the Project Manager for direct input into the models. The URP method has been used to calibrate the ROM volumes.

Table 1: Models and Options

Model	Description
Existing Layout	<ul style="list-style-type: none">Existing Layout and Configuration (2021, 2026)
Option 2a	<ul style="list-style-type: none">Layout as provided by the Project Manager in the Modelling Scope (2031, 2036)

3 MODEL ASSUMPTIONS & CALIBRATION

The following lists outlines the assumptions and calibration used for the SIDRA traffic models:

- Forecast traffic volumes have been calibrated with 2021 ROM24 base volumes, and projected to 2031 and 2036 based on the URP method.
- In the absence of saturation flow data obtained from the site, conservative values ranging from 1800 pcu/hr/lane to 1950 pcu/hr/lane have been assumed.
- Where there are pedestrian crossings, a value of 20 peds/hr has been assumed.
- For Option 2a, there is no current volume data for the South approach right turn movement as the movement is currently banned. The 2021 volumes for the right turn volume have been calculated by using the same ratio of East approach left turn volume to ROM volume in the alternate peak period (ie. AM peak ratio has been used in determining the PM peak ratio for the banned right turn movement). The right turn volumes on the South approach are then subtracted from the through volumes.

Traffic Assessment Report, Road & Traffic Engineering Branch

4 ASSESSMENT – EXISTING LAYOUT

4.1 Model Layout – Guildford Road & East Parade & Whatley Crescent

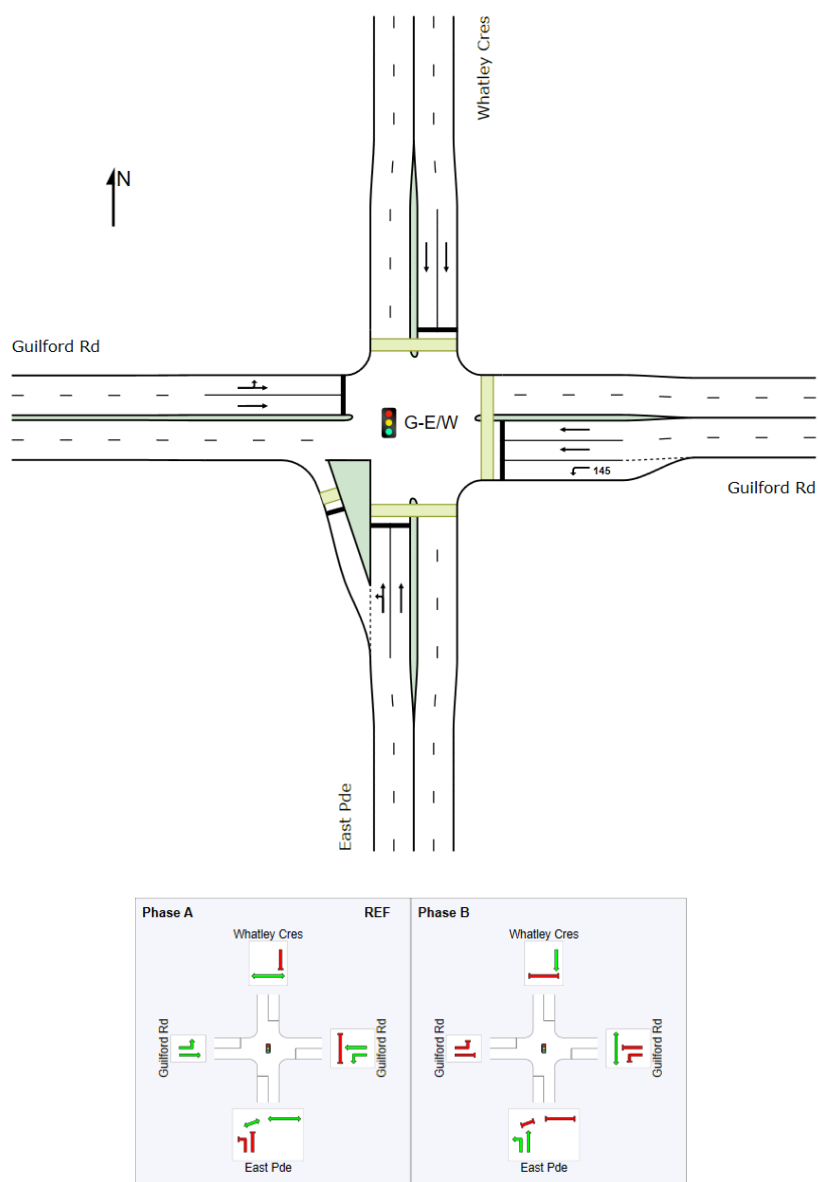


Figure 2: Existing layout and phasing from SIDRA

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4.2 Modelling Results – 2021 Traffic Volumes

Site: G-E/W [AM 2021 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Existing Layout)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 90 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			Total	HV	Total	HV				Veh.	Dist				
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: East Pde															
1	L2	All MCs	368	1.4	368	1.4	1.016	73.5	LOS E	37.4	282.0	1.00	1.24	1.47	22.2
2	T1	All MCs	854	3.2	854	3.2	1.016	67.7	LOS E	38.1	290.2	1.00	1.28	1.47	28.3
Approach			1222	2.7	1222	2.7	1.016	69.4	LOS E	38.1	290.2	1.00	1.27	1.47	26.6
East: Guilford Rd															
4	L2	All MCs	953	1.3	953	1.3	* 1.064	83.3	LOS F	63.1	470.7	1.00	1.22	1.55	25.4
5	T1	All MCs	1344	2.7	1344	2.7	0.652	17.2	LOS B	20.7	157.2	0.76	0.69	0.76	44.1
Approach			2297	2.2	2297	2.2	1.064	44.6	LOS D	63.1	470.7	0.86	0.91	1.09	31.4
North: Whatley Cres															
8	T1	All MCs	1285	1.6	1285	1.6	* 1.039	74.2	LOS E	40.7	303.7	1.00	1.35	1.52	27.1
Approach			1285	1.6	1285	1.6	1.039	74.2	LOS E	40.7	303.7	1.00	1.35	1.52	27.1
West: Guilford Rd															
10	L2	All MCs	52	2.0	52	2.0	0.419	19.1	LOS B	11.0	83.4	0.63	0.58	0.63	43.0
11	T1	All MCs	804	3.4	804	3.4	0.419	12.9	LOS B	11.1	84.1	0.63	0.57	0.63	45.9
Approach			856	3.3	856	3.3	0.419	13.3	LOS B	11.1	84.1	0.63	0.57	0.63	45.7
All Vehicles			5660	2.3	5660	2.3	1.064	52.0	LOS D	63.1	470.7	0.89	1.03	1.20	30.1

Site: G-E/W [PM 2021 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Existing Layout)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 120 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance																
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue Dist]		Prop. Que	Stop Rate	Eff. Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%	v/c	sec		veh	m					km/h
South: East Pde																
1	L2	All MCs	284	0.0	284	0.0	0.995	58.6	LOS E	80.2	594.2	1.00	1.15		1.22	26.0
2	T1	All MCs	1945	1.0	1945	1.0	* 0.995	52.9	LOS D	80.9	600.9	1.00	1.16		1.22	32.0
Approach			2229	0.8	2229	0.8	0.995	53.6	LOS D	80.9	600.9	1.00	1.16		1.22	31.3
East: Guilford Rd																
4	L2	All MCs	483	1.3	483	1.3	0.856	54.1	LOS D	29.0	216.2	1.00	0.93		1.11	30.9
5	T1	All MCs	597	1.8	597	1.8	0.493	35.6	LOS D	14.1	105.8	0.86	0.74		0.86	32.8
Approach			1080	1.6	1080	1.6	0.856	43.9	LOS D	29.0	216.2	0.92	0.82		0.97	31.8
North: Whatley Cres																
8	T1	All MCs	796	1.6	796	1.6	0.356	13.9	LOS B	12.0	90.1	0.56	0.50		0.56	48.9
Approach			796	1.6	796	1.6	0.356	13.9	LOS B	12.0	90.1	0.56	0.50		0.56	48.9
West: Guilford Rd																
10	L2	All MCs	92	0.0	92	0.0	1.000	80.9	LOS F	45.1	338.2	1.00	1.19		1.32	21.3
11	T1	All MCs	1112	2.3	1112	2.3	* 1.000	74.3	LOS E	45.4	341.6	1.00	1.20		1.32	21.9
Approach			1203	2.1	1203	2.1	1.000	74.8	LOS E	45.4	341.6	1.00	1.20		1.32	21.9
All Vehicles			5308	1.4	5308	1.4	1.000	50.5	LOS D	80.9	600.9	0.92	1.00		1.09	30.9

Traffic Assessment Report, Road & Traffic Engineering Branch

4.3 Modelling Results – 2026 Traffic Volumes

Site: G-E/W [AM 2026 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Existing Layout)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 80 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows [Total HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist]		Prop. Que	Stop Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: East Pde															
1	L2	All MCs	396	1.4	396	1.4	1.125	107.5	LOS F	43.1	324.3	1.00	1.47	1.88	17.2
2	T1	All MCs	917	3.2	917	3.2	1.125	101.7	LOS F	43.9	334.0	1.00	1.54	1.87	22.4
Approach			1313	2.7	1313	2.7	1.125	103.5	LOS F	43.9	334.0	1.00	1.52	1.88	20.9
East: Guilford Rd															
4	L2	All MCs	1098	1.3	1098	1.3	* 1.186	130.0	LOS F	79.7	594.0	1.00	1.42	2.03	19.5
5	T1	All MCs	1549	2.7	1549	2.7	0.761	19.2	LOS B	24.0	181.6	0.84	0.78	0.85	43.7
Approach			2647	2.1	2647	2.1	1.186	65.1	LOS E	79.7	594.0	0.91	1.04	1.34	25.9
North: Whatley Cres															
8	T1	All MCs	1397	1.6	1397	1.6	* 1.164	117.2	LOS F	48.8	364.5	1.00	1.65	2.00	20.6
Approach			1397	1.6	1397	1.6	1.164	117.2	LOS F	48.8	364.5	1.00	1.65	2.00	20.6
West: Guilford Rd															
10	L2	All MCs	58	2.0	58	2.0	0.475	18.5	LOS B	11.5	87.8	0.67	0.61	0.67	43.4
11	T1	All MCs	900	3.4	900	3.4	0.475	12.3	LOS B	11.6	88.5	0.67	0.60	0.67	46.4
Approach			958	3.3	958	3.3	0.475	12.7	LOS B	11.6	88.5	0.67	0.60	0.67	46.2
All Vehicles			6315	2.3	6315	2.3	1.186	76.6	LOS E	79.7	594.0	0.91	1.21	1.50	24.3

Site: G-E/W [PM 2026 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Existing Layout)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 130 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance																
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows [Total HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist]		Prop. Que	Stop Rate	Eff. Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%	v/c	sec		veh	m					km/h
South: East Pde																
1	L2	All MCs	305	0.0	305	0.0	1.080	88.9	LOS F	99.3	735.4	1.00	1.27		1.38	19.9
2	T1	All MCs	2088	1.0	2088	1.0	*1.080	83.2	LOS F	100.2	743.9	1.00	1.29		1.38	25.3
Approach			2394	0.9	2394	0.9	1.080	84.0	LOS F	100.2	743.9	1.00	1.29		1.38	24.7
East: Guilford Rd																
4	L2	All MCs	557	1.3	557	1.3	0.945	69.8	LOS E	40.7	302.9	1.00	1.02		1.20	27.3
5	T1	All MCs	688	1.8	688	1.8	0.544	38.1	LOS D	17.7	133.0	0.87	0.75		0.87	31.9
Approach			1245	1.6	1245	1.6	0.945	52.3	LOS D	40.7	302.9	0.93	0.87		1.02	29.2
North: Whatley Cres																
8	T1	All MCs	865	1.6	865	1.6	0.392	15.9	LOS B	14.7	110.2	0.59	0.52		0.59	47.7
Approach			865	1.6	865	1.6	0.392	15.9	LOS B	14.7	110.2	0.59	0.52		0.59	47.7
West: Guilford Rd																
10	L2	All MCs	103	0.0	103	0.0	1.071	105.9	LOS F	56.5	423.8	1.00	1.28		1.42	17.7
11	T1	All MCs	1243	2.3	1243	2.3	*1.071	99.3	LOS F	56.9	427.9	1.00	1.29		1.42	18.1
Approach			1346	2.1	1346	2.1	1.071	99.8	LOS F	56.9	427.9	1.00	1.29		1.42	18.1
All Vehicles			5851	1.4	5851	1.4	1.080	70.8	LOS E	100.2	743.9	0.92	1.09		1.20	25.9

5 ASSESSMENT – OPTION 2A

5.1 Model Layout – Guildford Road & East Parade & Whatley Crescent

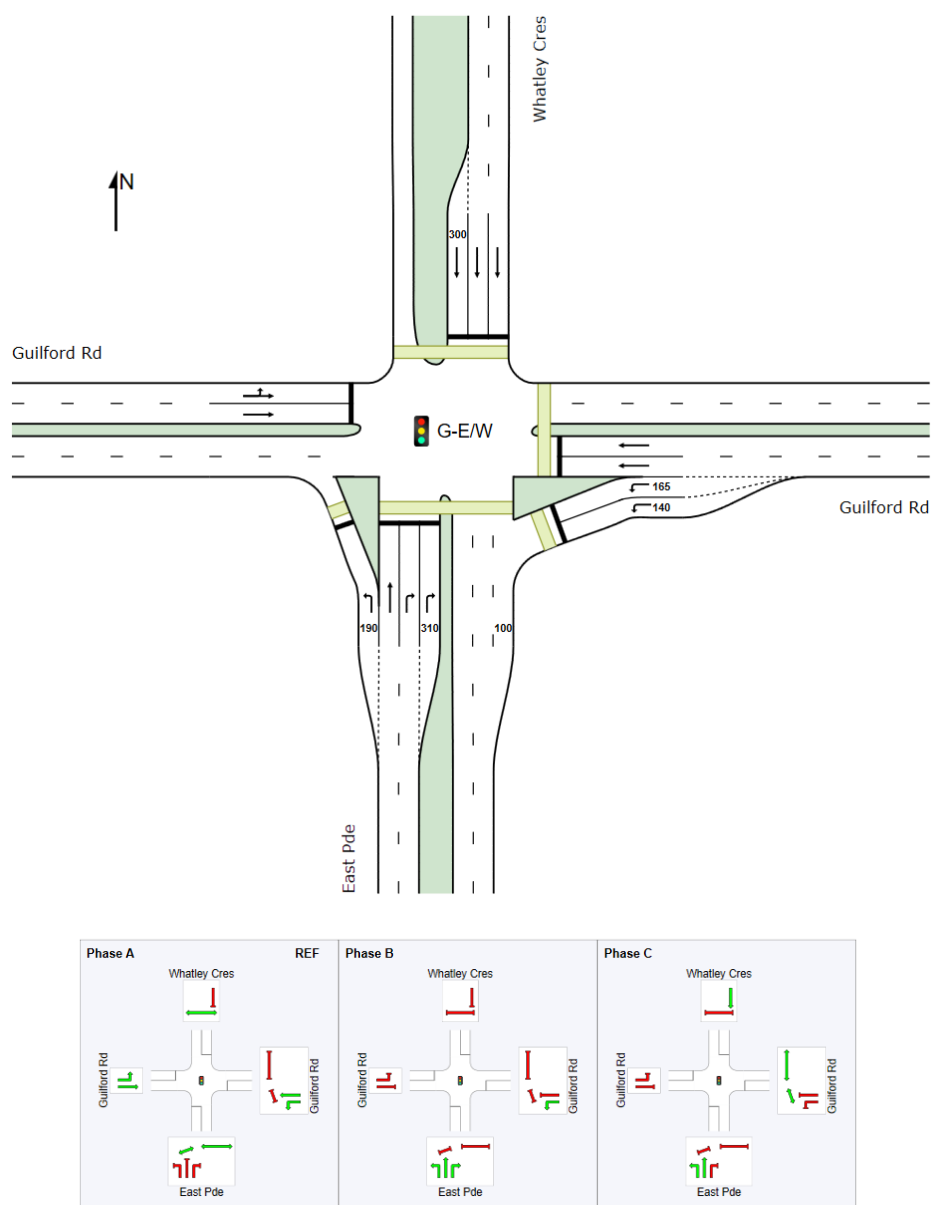


Figure 3: Option 2a layout and phasing from SIDRA

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5.2 Modelling Results – 2031 Traffic Volumes

Site: G-E/W [AM 2031 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Option 2a)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 100 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows [Total HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist]		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%				v/c	sec				
South: East Pde															
1	L2	All MCs	388	1.4	388	1.4	0.444	24.0	LOS C	12.4	93.1	0.71	0.78	0.71	37.3
2	T1	All MCs	238	8.4	238	8.4	0.278	16.6	LOS B	6.9	55.7	0.64	0.54	0.64	47.2
3	R2	All MCs	662	1.3	662	1.3	* 1.064	99.3	LOS F	23.0	171.6	1.00	1.20	1.62	22.6
Approach			1288	2.7	1288	2.7	1.064	61.4	LOS E	23.0	171.6	0.85	0.95	1.16	28.2
East: Guilford Rd															
4	L2	All MCs	1134	1.3	1134	1.3	0.628	21.2	LOS C	21.4	159.8	0.62	0.77	0.62	45.3
5	T1	All MCs	1599	2.7	1599	2.7	* 1.055	80.7	LOS F	55.5	420.6	1.00	1.37	1.49	21.3
Approach			2733	2.2	2733	2.2	1.055	56.0	LOS E	55.5	420.6	0.84	1.12	1.13	28.6
North: Whatley Cres															
8	T1	All MCs	1285	1.6	1285	1.6	* 1.030	70.7	LOS E	33.3	248.6	0.99	1.16	1.36	28.2
Approach			1285	1.6	1285	1.6	1.030	70.7	LOS E	33.3	248.6	0.99	1.16	1.36	28.2
West: Guilford Rd															
10	L2	All MCs	54	2.0	54	2.0	0.584	31.6	LOS C	16.7	126.9	0.84	0.75	0.84	35.8
11	T1	All MCs	823	3.4	823	3.4	0.584	25.2	LOS C	16.8	128.0	0.84	0.74	0.84	37.8
Approach			877	3.3	877	3.3	0.584	25.6	LOS C	16.8	128.0	0.84	0.74	0.84	37.7
All Vehicles			6183	2.3	6183	2.3	1.064	55.9	LOS E	55.5	420.6	0.87	1.04	1.14	29.2

Site: G-E/W [PM 2031 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Option 2a)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 110 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			Total	HV	Total	HV				[Veh.	Dist]				
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: East Pde															
1	L2	All MCs	300	0.0	300	0.0	0.282	18.3	LOS B	8.1	59.3	0.54	0.72	0.54	40.7
2	T1	All MCs	745	0.6	745	0.6	0.671	17.3	LOS B	27.4	202.7	0.75	0.69	0.75	46.8
3	R2	All MCs	1306	1.3	1306	1.3	* 1.006	76.4	LOS E	46.4	345.8	1.00	1.14	1.35	26.3
Approach			2352	0.9	2352	0.9	1.006	50.3	LOS D	46.4	345.8	0.86	0.94	1.06	32.0
East: Guilford Rd															
4	L2	All MCs	575	1.3	575	1.3	0.275	11.4	LOS B	6.7	49.7	0.36	0.67	0.36	48.9
5	T1	All MCs	711	1.8	711	1.8	0.584	33.9	LOS C	16.0	119.9	0.89	0.77	0.89	33.8
Approach			1285	1.6	1285	1.6	0.584	23.8	LOS C	16.0	119.9	0.66	0.72	0.66	40.5
North: Whatley Cres															
8	T1	All MCs	796	1.6	796	1.6	* 0.978	67.4	LOS E	20.7	154.9	0.99	1.05	1.29	28.7
Approach			796	1.6	796	1.6	0.978	67.4	LOS E	20.7	154.9	0.99	1.05	1.29	28.7
West: Guilford Rd															
10	L2	All MCs	95	0.0	95	0.0	1.020	82.8	LOS F	44.0	329.7	1.00	1.25	1.39	21.2
11	T1	All MCs	1138	2.3	1138	2.3	* 1.020	76.2	LOS E	44.3	333.1	1.00	1.26	1.39	21.8
Approach			1233	2.1	1233	2.1	1.020	76.7	LOS E	44.3	333.1	1.00	1.26	1.39	21.7
All Vehicles			5665	1.4	5665	1.4	1.020	52.4	LOS D	46.4	345.8	0.86	0.98	1.07	30.3

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5.3 Modelling Results – 2036 Traffic Volumes

Site: G-E/W [AM 2036 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Option 2a)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 110 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows [Total HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue Dist [Veh.		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: East Pde															
1	L2	All MCs	408	1.4	408	1.4	0.465	25.9	LOS C	14.5	108.5	0.72	0.79	0.72	36.3
2	T1	All MCs	249	8.4	249	8.4	0.290	18.3	LOS B	8.0	64.3	0.64	0.55	0.64	46.3
3	R2	All MCs	697	1.3	697	1.3	* 1.102	117.8	LOS F	27.0	200.9	1.00	1.21	1.65	20.3
Approach			1355	2.7	1355	2.7	1.102	71.8	LOS E	27.0	200.9	0.85	0.96	1.18	25.9
East: Guilford Rd															
4	L2	All MCs	1185	1.3	1185	1.3	0.649	25.6	LOS C	24.8	185.1	0.62	0.77	0.62	44.7
5	T1	All MCs	1672	2.7	1672	2.7	* 1.100	101.0	LOS F	66.0	500.2	1.00	1.42	1.55	18.5
Approach			2857	2.2	2857	2.2	1.100	69.8	LOS E	66.0	500.2	0.84	1.15	1.17	25.5
North: Whatley Cres															
8	T1	All MCs	1394	1.6	1394	1.6	* 1.097	93.2	LOS F	41.3	308.8	0.99	1.24	1.44	24.2
Approach			1394	1.6	1394	1.6	1.097	93.2	LOS F	41.3	308.8	0.99	1.24	1.44	24.2
West: Guilford Rd															
10	L2	All MCs	59	2.0	59	2.0	0.626	34.0	LOS C	20.3	154.9	0.85	0.76	0.85	34.7
11	T1	All MCs	903	3.4	903	3.4	0.626	27.6	LOS C	20.5	156.2	0.85	0.76	0.85	36.6
Approach			962	3.3	962	3.3	0.626	28.0	LOS C	20.5	156.2	0.85	0.76	0.85	36.4
All Vehicles			6567	2.3	6567	2.3	1.102	69.0	LOS E	66.0	500.2	0.88	1.07	1.18	26.2

Site: G-E/W [PM 2036 - Guilford Rd & East Pde/Whatley Cres (Site Folder: Option 2a)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

NA

Site Category: NA

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 125 seconds (Site User-Given Cycle Time)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV]		Arrival Flows [Total HV]		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist]		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: East Pde															
1	L2	All MCs	315	0.0	315	0.0	0.298	20.4	LOS C	9.8	72.0	0.56	0.73	0.56	39.4
2	T1	All MCs	783	0.6	783	0.6	0.711	20.7	LOS C	34.1	251.9	0.79	0.72	0.79	44.9
3	R2	All MCs	1373	1.3	1373	1.3	* 1.065	100.2	LOS F	56.1	418.4	1.00	1.18	1.43	22.5
Approach			2471	0.9	2471	0.9	1.065	64.9	LOS E	56.1	418.4	0.88	0.97	1.11	28.3
East: Guilford Rd															
4	L2	All MCs	601	1.3	601	1.3	0.283	11.8	LOS B	7.7	57.4	0.35	0.66	0.35	48.7
5	T1	All MCs	742	1.8	742	1.8	0.577	36.6	LOS D	18.6	139.2	0.88	0.76	0.88	32.6
Approach			1343	1.6	1343	1.6	0.577	25.5	LOS C	18.6	139.2	0.65	0.72	0.65	39.6
North: Whatley Cres															
8	T1	All MCs	863	1.6	863	1.6	* 1.033	85.6	LOS F	26.3	197.2	1.00	1.10	1.33	25.1
Approach			863	1.6	863	1.6	1.033	85.6	LOS F	26.3	197.2	1.00	1.10	1.33	25.1
West: Guilford Rd															
10	L2	All MCs	103	0.0	103	0.0	1.058	99.4	LOS F	54.6	409.5	1.00	1.27	1.41	18.7
11	T1	All MCs	1248	2.3	1248	2.3	* 1.058	92.8	LOS F	55.0	413.5	1.00	1.28	1.41	19.1
Approach			1352	2.1	1352	2.1	1.058	93.3	LOS F	55.0	413.5	1.00	1.28	1.41	19.1
All Vehicles			6028	1.4	6028	1.4	1.065	65.4	LOS E	56.1	418.4	0.87	1.00	1.11	27.0

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6 COMMENTARY

The intersections have been assessed based on the Degree of Saturation (DOS), Level of Service (LOS) and critical queue length.

The DOS is a measure of the capacity of an intersection and a DOS greater than 100% indicates the intersection is over capacity. The desired DOS for various intersections are:

- Signalised intersections: 90%
- Roundabouts: 85%
- Stop/Give-Way Control: 80%

The LOS indicates the average delay that a vehicle will experience at an intersection. There are six LOS grades ranging from A (Good) to F (Poor). Table 2 shows the average delay (d) in seconds for each grade. Generally, the desired LOS is '**D**' or better.

Table 2: Level of Service Definitions based on Delay only (for Vehicles).

Level of Service	Control delay per vehicle in seconds (d)		
	Signals	Roundabouts	Sign Control
A	$d \leq 10$	$d \leq 10$	$d \leq 10$
B	$10 < d \leq 20$	$10 < d \leq 20$	$10 < d \leq 15$
C	$20 < d \leq 35$	$20 < d \leq 35$	$15 < d \leq 25$
D	$35 < d \leq 55$	$35 < d \leq 50$	$25 < d \leq 35$
E	$55 < d \leq 80$	$50 < d \leq 70$	$35 < d \leq 50$
F	$80 < d$	$70 < d$	$50 < d$

The critical queue length indicates the extent of the backlog (in metres) caused by delayed vehicles. It helps assess whether the queued traffic in a turning pocket will encroach into the through lane.

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For the requested scenarios, the following comments are of note:

Scenario	Peak	Comments
Existing Layout 2021	AM & PM	<p>The results of the analysis indicate that the Guildford Road to East Parade left turn movement is operating at capacity in the AM peak with a DOS just above 100% and LOS of 'F'.</p> <p>The 95th percentile queues of the left turn movement are expected to extend beyond the pocket length of 145m to 470m in the AM peak. The vehicles that are unable to be contained in the pocket will pose a safety risk because of the higher likelihood of being involved in a rear-ended crash with the through movement vehicles.</p>
Existing Layout 2026	AM & PM	<p>The results of the analysis indicate that the Guildford Road to East Parade left turn movement will operate poorly in the AM peak with a DOS above 100% and LOS of 'F'.</p> <p>The 95th percentile queues of the left turn movement are expected to extend beyond the pocket length of 145m to beyond 600m in the AM peak. The vehicles that are unable to be contained in the pocket will pose a safety risk because of the higher likelihood of being involved in a rear-ended crash with the through movement vehicles.</p>
Option 2a 2031 and 2036	AM & PM	<p>The results of the analysis indicate that the Guildford Road to East Parade left turn movement will operate satisfactorily with the dual left turn pockets with a DOS below 90% and worst LOS of 'D' in 2036 despite the 4.5% increase in traffic volumes.</p> <p>The length of auxiliary lanes is usually selected based on the maximum of the length of the 95th percentile queue or the length of lane required for a design vehicle to decelerate at 2.5m/s² to a stop condition. For Guildford Road with a speed limit of 60km/h, the length of lane required to decelerate to a stop condition is 75m. The 95th percentile queues of the left turn movement is expected to extend to beyond the</p>

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		<p>proposed pocket length in both the 2031 and 2036 AM scenarios.</p> <p>Therefore, the current proposed left turn pocket length will be required for storage of turning movements expected by 2031 and beyond. Also, considering the through traffic queue extends over 500m, the longer pocket length would be necessary to ensure left-turning vehicles are not held up in the through queue and thus worsening the degree of saturation of the intersection.</p>
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----- END OF REPORT -----

9.3 APPOINTMENT OF THE DESIGN REVIEW PANEL

- Attachments:**
1. Summary of Applicants - Confidential
 2. Summary of Interviews - Confidential
 3. Amended Terms of Reference [↓](#) 
 4. Draft Amended Terms of Reference (Tracked) [↓](#) 
 5. Design Review Panel Recommended Members 2024 - Confidential

RECOMMENDATION:**That Council:**

1. **ADOPTS** the amended Design Review Panel – Terms of Reference included as Attachment 3;
2. **APPOINTS** the Applicants in Confidential Attachment 5 to the City's Design Review Panel from 18 May 2024 to 18 May 2026:
 - 2.1 Applicant 1;
 - 2.2 Applicant 2;
 - 2.3 Applicant 3;
 - 2.4 Applicant 4;
 - 2.5 Applicant 5;
 - 2.6 Applicant 6;
 - 2.7 Applicant 7;
 - 2.8 Applicant 8;
 - 2.9 Applicant 9;
 - 2.10 Applicant 10;
 - 2.11 Applicant 11;
 - 2.12 Applicant 12;
 - 2.13 Applicant 13; and
 - 2.14 Applicant 14; and
3. **NOTES** that:
 - 3.1 The City's Design Review Panel term expires on 17 May 2024; and
 - 3.2 Administration will notify all applicants of the Design Review Panel appointments and induct the successful applicants onto the Design Review Panel.

PURPOSE OF REPORT:

To consider appointing the Design Review Panel (DRP) Chairperson, Deputy Chairperson and Panel Members to serve until 18 May 2026.

DELEGATION:

There is no delegated authority for appointment of DRP members. The panel is to be appointed by Council in accordance with the DRP Terms of Reference.

BACKGROUND:

At its meeting held on 17 May 2022 Council appointed a new DRP for a term of two years concluding 17 May 2024 and an amended DRP Terms of Reference.

The DRP has operated well for two years providing design expertise and advice to the City for referrals including development applications, strategic planning documents, and City-led projects.

Administration has undertaken an expression of interest process to renew the DRP in advance of the term of the current members expiring on 17 May 2024.

This expression of interest was advertised between 22 January 2024 and 5 February 2024 and required applicants to submit an application demonstrating how their skills and experience addressed the below selection criteria.

Knowledge and Skills

All applicants:

- Comprehensive knowledge and understanding of the principles of architectural, landscape, urban and sustainable design;
- Comprehensive knowledge and understanding of the practices and principles of statutory and strategic town planning within a local government context;
- Knowledge of how to apply the State and local planning frameworks to planning applications; and
- High level of written, verbal and interpersonal communication skills.

Additional for Chairperson applicants:

- Skills in leading and facilitating discussions; and
- Skills in consolidating the results of discussions to provide clear and concise advice.

Experience

All applicants:

- Demonstrated experience in the preparation, assessment or design review of complex development applications and town planning proposals in line with State and local planning frameworks;
- Demonstrated ability to formulate design solutions using your experience in the professional field of Architecture, Landscape Architecture, Urban Design, Sustainability or Environmental Design;
- Demonstrated experience in attending or assisting with State Administrative Tribunal proceedings; and
- Demonstrated experience in successfully working in multi-disciplinary groups.

Additional for Chairperson applicants:

- Demonstrated experience in leading and facilitating design review discussions; and
- Demonstrated experience in consolidating the results of discussions to provide clear and concise advice.

DETAILS:DRP Nominations

At the conclusion of the expression of interest period the City received 21 nominations for the DRP.

Administration has assessed the nominations against the selection criteria above and shortlisted those which met the selection criteria.

A full copy of this assessment against the selection criteria is included as **Attachment 1**.

Summary of Interviews

Applicants that met the selection criteria and are new to the DRP were shortlisted and interviewed by Administration to determine their suitability and fit with the City.

With the successful operation of the existing DRP, applicants that are existing members on the City's DRP that met the selection criteria are recommended to be reinstated without being interviewed.

It is recommended that two additional candidates with sustainable design expertise be appointed to the DRP following interviews. This would better support the City's efforts and initiatives that promote sensitive design and enhanced environment. These two candidates demonstrated a high level of experience and suitability for the role and would be in addition to the recommended reappointment of the existing DRP member with sustainability expertise who is supporting implementation of the City's Green Track initiative.

A summary of the interviewed candidates is included in **Attachment 2**.

Outcome of Nominations and Interviews

Following the nomination and interview process a total of 14 applicants are recommended to be appointed to the City's DRP. The recommended applicants to be appointed to the DRP are included in **Attachment 5**.

Terms of Reference

Administration has undertaken a review of the DRP Terms of Reference which was informed by completed by current DRP members and applicants from the past two years.

Administration recommends adjustments be made to the Terms of Reference, as summarised below:

- To ensure the Terms of Reference is explicit in the referral of City-led projects and strategic planning documents to the DRP;
- To ensure the Terms of Reference are consistent with the City's Advisory Groups Policy; and
- To adjust remuneration for attendance at meetings by replacing the current flat rate with a per hour rate. Remuneration has also been updated relating to State Administrative Tribunal matters by removing a cap for attendance at a full hearing and instead Members to be paid on an hourly rate.

The key change relates to providing greater clarity in the role of Administration in the DRP process and its function in providing executive support to the Panel.

Changes to the remuneration for DRP members are proposed because:

- Inconsistency with Other DRPs – The City was an early adopter of the DRP for local governments. It has maintained a flat rate for meeting attendance by its members since it commenced in 2017. Currently the DRP are paid a flat rate of \$500 for the Chairperson and \$400 for Panel Members.

In reviewing remuneration for DRP members in other local government areas, the City is one of two local governments that applies a flat rate. All other local governments apply an hourly rate.

It is proposed that the Chairperson would be paid \$300 per hour with Panel Members being paid \$250 per hour for attendance, capped at three hours. This would provide greater alignment with the operation of other local government DRPs.

- State Government Guidance – The State Government's Design Review Guide sets out that when setting remuneration, consideration should be given to a range of matters. This includes professional hourly rates, expertise of the Panel, and the number and length of meeting outside of normal business hours.

The proposed hourly rates for the Chairperson and Panel Members are consistent with those of other local governments and reflects the high calibre and experience of the proposed applicants. The average DRP meeting length for the City would be approximately two hours and extends past 5:00pm.

- DRP Feedback & Expertise – The City has received feedback from the DRP Members that the current remuneration is not reflective of the current market. DRP advice plays a critical role in achieving high quality built form outcomes for development applications and City projects.

It is important that the remuneration be updated to be more consistent with other local governments, (including other Tier 2 of a similar size). This would ensure we attract a high calibre of DRP Members with extensive experience, expertise and the required skillset. This would provide the City with ongoing high quality and well-considered design advice to best inform our decision-making on the range of complex development proposals that the City deals with.

The amended Terms of Reference are included as **Attachment 3** and a track-changed copy is included as **Attachment 4**.

CONSULTATION/ADVERTISING:

The expression of interest was advertised between 22 January 2024 and 5 February 2024 by way of:

- Email to existing DRP members;
- Informing peak industry bodies including;
 - Australian Institute of Architects;
 - Architects Board of WA;
 - Australian Building Sustainably Association;
 - Building Designers Association of Australia;
 - Environmental Consultants Association of WA;
 - Environmental Institute of Australia and New Zealand;
 - Australian Sustainable Built Environment Council;
 - Australian Institute of Landscape Architects;
 - Australian Urban Design Research Centre;
 - Urban Design Institute of Australia;
 - Planning Institute of Australia;
 - Design Matters National;
 - Housing Institute of Australia;
 - Heritage Institute of Australia; and
 - Heritage Council.
- Publishing an advert on LinkedIn;
- Publishing an advert on the Australian Institute of Landscape Architects JobsBoard;
- Publishing a notice on the City's website, business e-news and social media.

The minor amendments proposed to the Terms of Reference do not require advertising as they are operating terms for the DRP and not a policy in accordance with the Policy Development and Review Policy.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Local Government Act 1995*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- *Planning and Development Regulations 2009*;
- State Planning Policy 7.0 Design of the Built Environment;
- Design Review Guide;
- City of Vincent Local Planning Scheme No. 2;
- Local Planning Policy No. 7.1.1 – Built Form; and
- Design Review Panel – Terms of Reference.

RISK MANAGEMENT IMPLICATIONS

Medium: The DRP process is an important aspect of development assessment in the City. To assist in delivering good built form outcomes in our district, it is important to attract and appoint a panel of members of the highest calibre.

Low: Administration has required as part of the expression of interest that applicants provide their own professional indemnity insurance. This is to ensure that the City may take action against any incorrect or conflicted recommendations made by the DRP.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

Our urban forest/canopy is maintained and increased.

Accessible City

Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.

Thriving Places

We encourage innovation in business, social enterprise and imaginative uses of space, both public and private.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Our built form character and heritage is protected and enhanced.

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

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

We embrace good ideas or innovative approaches to our work to get better outcomes for Vincent and our community.

SUSTAINABILITY IMPLICATIONS:

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

Urban Greening and Biodiversity

Sustainable Energy Use/Greenhouse Gas Emission Reduction

Sustainable Transport

Water Use Reduction/Water Quality Improvement

The DRP provides a holistic approach to inform of development applications, strategic planning documents, and City projects to ensure a high quality built form outcome is achieved.

The recommended DRP provides the necessary range of professional expertise to ensure that the best design outcome is achieved for the environment, the community and applicants.

PUBLIC HEALTH IMPLICATIONS:

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

Increased physical activity

Reduced injuries and a safer community

Increased mental health and wellbeing

FINANCIAL/BUDGET IMPLICATIONS:

The operation of the DRP will be paid from the City's operating budget. The City seeks a fee in accordance with the fees and charges for applicants to present to the DRP.

The change in remuneration for an hourly rate to be paid to DRP Members would increase the overall cost of holding DRP Meetings. It would result in an approximate increase of \$400 per meeting.

A comparison of the budget implication is provided below based on the 19 meetings held in the 2022/23 Financial Year and at an average length of two hours.

- Flat Rate – \$1,700 per meeting with a total cost of \$32,300 per year.
- Hourly Rate – \$2,100 per meeting a total cost of \$39,990 per year.

This increase would be factored into the City's operating budget for the next financial year and subsequent years.

COMMENTS:

It is recommended that the abovementioned candidates be appointed to the City's DRP and amendments to the Terms of Reference be adopted.



TERMS OF REFERENCE

1. AIMS

The purpose of the Design Review Panel is to provide independent and impartial expert design advice to the City of Vincent.

2. OBJECTIVES

The Objectives of the Panel are to make recommendations and provide advice to the City of Vincent on the architectural and design aspects of any development proposal, which has been referred to the Panel.

Development proposals referred to the Panel shall include:

- 2.1 Proposals that are considered by the Executive Support to be significant because of their size or the uses they support;
- 2.2 Proposals that are considered by the Executive Support to be significant because of their site;
- 2.3 Proposals that are considered by the Executive Support to be significant because of their community impact;
- 2.4 Proposals that the Executive Support considers would benefit from design review by the Panel; and
- 2.5 Any City project, scheme amendment, structure plan, policy, precinct plan, local development plan, design guidelines or other strategic document that the Executive Support considers would benefit from design review by the Panel.

The Design Review Panel is not a decision-making body and is not a committee for the purposes of the *Local Government Act 1995*.

3. MEMBERSHIP

- 3.1 The Design Review Panel shall consist of persons with skills and qualifications in Architecture, Urban Design, Landscape Architecture, Heritage Conservation and Sustainable Design.
- 3.2 The Design Review Panel shall be appointed by Council.
- 3.3 The Design Review Panel shall be appointed for a term of two years.

4. EXECUTIVE SUPPORT AND PANEL CHAIRPERSON

- 4.1 The Executive Director Strategy and Development or a delegate shall be the Executive Support of the Design Review Panel meetings for the purpose of the administration of the meeting and the coordination and review of the advice provided to the proponent and owner.
- 4.2 A member of the Design Review Panel shall be the Panel Chairperson for the purpose of leading the design discussion and providing the final design advice to the City.

5. ROLES AND RESPONSIBILITIES

5.1 Executive Support

The Executive Support is responsible for:

- The administration of the Panel meetings;
- Inducting Panel Members and briefing them regarding panel operations;
- Setting and communicating the meeting agenda and a summary of the City's advice to the proponent and owner;
- Recording comments made at the meeting and summarising these at the conclusion of each item;
- Circulating the draft minutes to the Panel Chairperson for review;
- Circulating the final comments that result from the Design Review Process to the owner and proponent;
- Conducting an annual review of outcomes with elected members and panel members; and
- Ensuring the Panel operates in accordance with [Advisory Group Policy](#) and [Code of Conduct](#) at all times.

5.2 Panel Chairperson

The Panel Chairperson is responsible for:

- Reviewing applications prior to attendance at the Panel Meeting;
- Leading the design review discussion;
- Facilitating interactive and collaborative discussion and participation of all parties, including all Panel Members, all relevant local government attendees and the proponent;
- Reviewing meeting minutes and liaising with other Panel Members in order to provide a final set of design advice to the City following each Panel meeting; and
- Briefing decision makers on the design advice from the Panel when required.

5.3 Panel Members

The Panel Members are responsible for:

- Attending meetings when required;
- Reviewing applications prior to attendance at the Panel Meeting;
- Providing design advice which aligns with the state and local planning framework and reflects their area of expertise; and
- Reviewing minutes and providing feedback to the Panel Chairperson on the design advice when required.

6. PANEL MEETINGS

- 6.1 Development proposals referred to the Panel should be presented to three design review meetings, with two of these prior to formal lodgement of the development proposal with the City, and one design review meeting following lodgement. Additional meetings may be requested at the discretion of the Executive Support.
- 6.2 If no design review meetings have taken place prior to formal lodgement of a proposal referred to the Panel, the applicant may be requested to agree to a time extension in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for the processing of the planning application, to enable at least two design review meetings are undertaken.
- 6.3 Design Review Panel meetings shall be scheduled at a minimum of one a month, and occur as required.
- 6.4 An agenda for the design review meeting with plans and a summary of the City's advice to the proponent shall be distributed five working days prior to the design review panel meeting.

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- 6.5 Proponents will be encouraged to present their proposal to the Design Review Panel, with the owner and their designers present, at an arranged time during the scheduled meeting.
 - 6.6 During meetings Panel Members are permitted to seek clarification from proponents.
 - 6.7 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning framework.
 - 6.8 During the meeting the Executive Support or delegate shall record comments and read these back to the Panel at the conclusion of the item. The comments will be sent to the Panel within three days for review and to the owner and/or proponent within seven days.
 - 6.9 A sitting panel of four Panel Members shall be selected to attend each design review meeting.
 - 6.10 A minimum of two Panel Members are required to attend a design review meeting for the Panel Meeting to proceed.

7. DESIGN ADVICE OUTSIDE OF PANEL MEETINGS

- 7.1 Development proposals may be referred to a Panel Member for design advice outside of a Panel Meeting.
- 7.2 Where development proposals have been referred to a Panel Member for design advice outside of a Panel Meeting, the Panel Member is to acknowledge the request for design advice within three days of receipt and is to state whether they agree to provide the design advice.
- 7.3 Where a Panel Member agrees to provide design advice on a development proposal outside of a Panel Meeting, the Panel Member shall provide that design advice within seven days of agreeing to provide that advice.
- 7.4 Panel Members may be requested to attend State Administrative Tribunal proceedings in relation to a development proposal they have previously provided design advice to the City on.
- 7.5 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning frameworks.

8. REMUNERATION

- 8.1 All Panel Members are to invoice the City for their attendance at meetings.
- 8.2 The Panel Chairperson is to be paid:
 - 8.2.1 \$300 per hour, capped at a maximum of three hours, for attendance at each Panel meeting, including preparation and review of all proposals prior to the Panel meeting, review of the minutes after the Panel meeting, discussion with Panel Members regarding the minutes and final advice and the provision of the final design advice from that meeting to the City;
 - 8.2.2 \$200 per hour, capped at a maximum of two hours, for design advice on a revised development proposal referred to the Panel Chairperson separate from Panel Meetings; and
- 8.3 The Design Review Panel Members are to be paid:
 - 8.3.1 \$250 per hour, capped at a maximum of three hours, for attendance at each Panel meeting, including preparation and review of all proposals prior to the

Panel meeting, review of the minutes after the Panel meeting and discussion with Panel Chairperson regarding the minutes and final advice; and

8.3.2 \$200 per hour, capped at a maximum of two hours, for design advice on a revised development proposal referred to the Panel Member separate from Panel Meetings.

8.4 State Administrative Tribunal – Panel Chairperson and Members are to be paid:

- a) \$200 per hour, capped at a maximum of four hours, for attendance at a State Administrative Tribunal mediation, including preparation prior to the mediation; and
- b) \$200 per hour, for attendance at a State Administrative Tribunal hearing, including preparation prior to the proceeding.

8.5 The Executive Support will not be remunerated for attendance.

8.6 No additional fee is to be paid to the Design Review Panel unless authorised by the Chief Executive Officer.

8.7 Design Review Panel Members are considered to be engaged by the City as contractors.

9. CODE OF CONDUCT

9.1 All Design Review Panel Members shall abide by the City's Code of Conduct.

10. CONFLICT OF INTEREST

10.1 All Panel Members shall declare any financial, proximity and/or impartiality interests in accordance with the City's Code of Conduct following the receipt of a request for design advice or a Panel Meeting Agenda and prior to agreeing to provide the design advice or the start of the Panel Meeting. The Executive Support will determine whether the Panel Member or Chairperson may: participate in the Panel Meeting; or leave the meeting whilst the item, for which a conflict of interest was raised, is discussed.

Commencement Date:	19 September 2017
Amended:	1 May 2018, 19 May 2020, 17 May 2022 and 23 April 2024
Review Date:	23 April 2028



TERMS OF REFERENCE

1. AIMS

The ~~objective purpose~~ of the Design Review Panel is to provide independent and impartial expert design advice to the City of Vincent.

2. OBJECTIVES

The Objectives of the Panel are to make recommendations and provide advice to the City of Vincent on the architectural and design aspects of any ~~planning development~~ proposal, which has been referred to the Panel.

Planning Development proposals referred to the Panel shall include:

- 2.1 Proposals that are considered by the ~~Presiding Member Executive Support~~ to be significant because of their size or the uses they support;
- 2.2 Proposals that are considered by the ~~Presiding Member Executive Support~~ to be significant because of their site;
- 2.3 Proposals that are considered by the ~~Presiding Member Executive Support~~ to be significant because of their community impact;
- 2.4 Proposals that the ~~Presiding Member Executive Support~~ considers would benefit from design review by the Panel; and
- 2.5 Any City project, scheme amendment, structure plan, policy, precinct plan, local development plan, ~~or~~ design guidelines or other strategic document that the ~~Presiding Member Executive Support~~ considers would benefit from design review by the Panel.

The Design Review Panel is not a decision-making body and is not a committee for the purposes of the Local Government Act 1995.

3. MEMBERSHIP

- 3.1 The Design Review Panel shall consist of persons with skills and qualifications in Architecture, Urban Design, Landscape Architecture, Heritage Conservation and Sustainable Design.
- 3.2 The Design Review Panel shall be appointed by Council.
- 3.3 The Design Review Panel shall be appointed for a term of two years.

4. ~~PRESIDING MEMBER EXECUTIVE SUPPORT~~ AND PANEL CHAIRPERSON

- 4.1 The Executive Director Strategy and Development or a delegate shall be the ~~Presiding Member Executive Support~~ of the Design Review Panel meetings for the purpose of the administration of the meeting and the coordination and review of the advice provided to the proponent and owner.
- 4.2 A member of the Design Review Panel shall be the Panel Chairperson for the purpose of leading the design discussion and providing the final design advice to the City.

5. ROLES AND RESPONSIBILITIES

5.1 ~~Presiding Member Executive Support~~

The ~~Presiding Member Executive Support~~ is responsible for:

- The administration of the Panel meetings;
- Inducting Panel Members and briefing them regarding panel operations;
- Setting and communicating the meeting agenda and a summary of the City's advice to the proponent and owner;
- Recording comments made at the meeting and summarising these at the conclusion of each item;
- Circulating the draft minutes to the Panel Chairperson for review;
- Circulating the final comments that result from the Design Review Process to the owner and proponent; ~~and~~
- ~~Conducting an annual review of outcomes with elected members and panel members; and~~
- Ensuring the Panel operates in accordance with Advisory Group Policy and Code of Conduct at all times.

5.2 Panel Chairperson

The Panel Chairperson is responsible for:

- Reviewing applications prior to attendance at the Panel Meeting;
- Leading the design review discussion;
- Facilitating interactive and collaborative discussion and participation of all parties, including all Panel Members, all relevant local government attendees and the proponent;
- Reviewing meeting minutes and liaising with other Panel Members in order to provide a final set of design advice to the City following each Panel meeting; and
- Briefing decision makers on the design advice from the Panel when required.

5.3 Panel Members

The Panel Members are responsible for:

- Attending meetings when required;
- Reviewing applications prior to attendance at the Panel Meeting;
- Providing design advice which aligns with the state and local planning framework and reflects their area of expertise; and
- Reviewing minutes and providing feedback to the Panel Chairperson on the design advice when required.

6. PANEL MEETINGS

6.1 ~~Planning Development~~ proposals referred to the Panel should be presented to three design review meetings, with two of these prior to formal lodgement of the ~~planning development~~ proposal with the City, and one design review meeting following lodgement. Additional meetings may be requested at the discretion of the ~~Presiding Member Executive Support~~.

6.2 If no design review meetings have taken place prior to formal lodgement of a proposal referred to the Panel, the applicant may be requested to agree to a time extension in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for the processing of the planning application, to enable at least two design review meetings ~~beare~~ undertaken.

6.3 Design Review Panel meetings shall be scheduled at a minimum of one a month, ~~fortnightly~~ and occur as required.

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- 6.4 An agenda for the design review meeting with ~~P~~plans and a summary of the City's advice to the proponent shall be distributed five working days prior to the design review panel meeting.
 - 6.5 Proponents will be encouraged to present their proposal to the Design Review Panel, with the owner and their designers present, at an arranged time during the scheduled meeting.
 - 6.6 During meetings Panel Members are permitted to seek clarification from proponents.
 - 6.7 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning framework, including State Planning Policies and the City's local planning policies.
 - 6.8 During the meeting the ~~Presiding Member~~ Executive Support or delegate shall record comments and read these back to the Panel at the conclusion of the item. The comments will be sent to the Panel within three days for review and to the owner and/or proponent within seven days.
 - 6.9 A sitting panel of four Panel Members shall be selected to attend each design review meeting.
 - 6.10 A minimum of two Panel Members are required to attend a design review meeting for the Panel Meeting to proceed.

7. DESIGN ADVICE OUTSIDE OF PANEL MEETINGS

- 7.1 ~~Planning-Development~~ proposals may be referred to a Panel Member for design advice outside of a Panel Meeting.
- 7.2 Where ~~a planning-development~~ proposals have been referred to a Panel Member for design advice outside of a Panel Meeting, the Panel Member is to acknowledge the request for design advice within three days of receipt and is to state whether they agree to provide the design advice.
- 7.3 Where a Panel Member agrees to provide design advice on a planning-development proposal outside of a Panel Meeting, the Panel Member shall provide that design advice within seven days of agreeing to provide that advice.
- 7.4 Panel Members may be requested to attend State Administrative Tribunal proceedings in relation to a planning-development proposal they have previously provided design advice to the City on.
- 7.5 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning frameworks, including State Planning Policies and the City's local planning policies.

8. REMUNERATION

- 8.1 All Panel Members are to invoice the City for their attendance at meetings.
- 8.2 The Panel Chairperson is to be paid:
 - 8.2.1 ~~\$500~~ \$300 per ~~meeting hour, capped at a maximum of three hours,~~ for attendance at each Panel meeting, including preparation and review of all proposals prior to the Panel meeting, review of the minutes after the Panel meeting, discussion with Panel Members regarding the minutes and final advice and the provision of the final design advice from that meeting to the City;
 - 8.2.2 \$200 per hour, capped at a maximum of two hours, for design advice on a revised planning-development proposal referred to the Panel Chairperson separate from Panel Meetings; and

~~8.2.3 \$200 per hour, capped at a maximum of four hours, for attendance at a State Administrative Tribunal proceeding, including preparation prior to the proceeding.~~

8.3 The Design Review Panel Members are to be paid:

8.3.1 ~~\$400~~250 per ~~meeting hour, capped at a maximum of three hours,~~ for attendance at each Panel meeting, including preparation and review of all proposals prior to the Panel meeting, review of the minutes after the Panel meeting and discussion with Panel Chairperson regarding the minutes and final advice; ~~and~~

8.3.2 \$200 per hour, capped at a maximum of two hours, for design advice on a revised ~~planning development~~ proposal referred to the Panel Member separate from Panel Meetings; ~~and~~

~~8.43.3 State Administrative Tribunal – Panel Chairperson and Members are to be paid:~~

a) ~~\$200 per hour, capped at a maximum of four hours, for attendance at a State Administrative Tribunal proceeding mediation, including preparation prior to the proceeding mediation; and~~

a)b) ~~\$200 per hour, for attendance at a State Administrative Tribunal hearing, including preparation prior to the proceeding.~~

8.54 The ~~Presiding Member-Executive Support~~ will not be remunerated for attendance.

8.65 No additional fee is to be paid to the Design Review Panel unless authorised by the Chief Executive Officer.

8.76 Design Review Panel Members are considered to be engaged by the City as contractors.

9. CODE OF CONDUCT

9.1 All Design Review Panel Members shall abide by the City's Code of Conduct.

10. CONFLICT OF INTEREST

10.1 All Panel Members shall declare any financial, proximity and/or impartiality interests in accordance with the City's Code of Conduct following the receipt of a request for design advice or a Panel Meeting Agenda and prior to agreeing to provide the design advice or the start of the Panel Meeting. The ~~Presiding Member-Executive Support~~ will determine whether the Panel Member or Chairperson may: participate in the Panel Meeting; or leave the meeting whilst the item, for which a conflict of interest was raised, is discussed.

Commencement Date:	19 September 2017
Amended:	1 May 2018, 19 May 2020, 17 May 2022 and 23 April 2024
Review Date:	23-17 April May 2028 7

9.4 LICENCE TO EXIPNOS PTY LTD (TRADING AS BRIKA BAR) ON PORTION OF PARRY STREET ROAD RESERVE ADJACENT TO UNITS 3 AND 4, NO. 177 STIRLING STREET, PERTH

- Attachments:**
1. Licence Area 
 2. Market Valuation - Confidential
 3. FYE 2019 Audited Financials - Confidential
 4. FYE 2020 Audited Financials - Confidential
 5. Development Approval for Structure 3 December 2013  

RECOMMENDATION:

That Council:

1. **APPROVES** the City granting a licence to Exipnos Pty Ltd (trading as Brika Bar) (ACN 162 355 339) of a portion of Parry Street road reserve adjacent to Lots 3 and 4 on Strata Plan 59820, Certificate of Title Volume 2807, Folio 731 and 732 (known as Units 3 & 4 of 177 Stirling Street, Perth), as shown in Attachment 1, on the following key terms:
 - 1.1 **Term:** 5 years
 - 1.2 **Licence Area:** 95 m² of Parry Street road reserve (verge area);
 - 1.3 **Licence fee:** \$1,000 per annum plus GST, indexed by CPI annually on 1 July;
 - 1.4 **Permitted use:** non-exclusive right to use the Licence Area as an outdoor dining area and liquor consumption in connection with the operation of Brika Bar;
 - 1.5 **Removal of furniture:** All furniture used (unless affixed to the ground) within the Licence Area must be removed by the Applicant at the close of each business;
 - 1.6 **Cleaning:** Applicant must, keep the Licence Area clean and tidy at all times, at its cost;
 - 1.7 **Insurance:** Applicant must effect and maintain public liability insurance to a minimum value of \$20,000,000 (per claim);
 - 1.8 **Indemnity:** Applicant will indemnify the City and the Minister for Lands against loss or damage to property or persons occurring as a result of the structure and use of the Licence Area;
 - 1.9 **Assignment** Applicant may not assign or transfer its right under this Licence;
 - 1.10 **Maintenance:** Applicant must, at its cost, keep the Licence Area in good repair including repairing damage to structures, fittings or fixtures and the road reserve on the Licence Area;
 - 1.11 **Outdoor Eating Area Permit:** Applicant must (for the duration of the Licence) maintain a valid Outdoor Eating Permit for the Licence;

- | | | |
|------|-----------------------|---|
| 1.12 | Liquor Licence | Applicant must (for the duration of the Licence) maintain a current liquor licence for the Licence Area in order to serve alcohol in this area; |
| 1.13 | Access | the City, State and public utilities may access the Licence Area at any time in connection with its respective services, and no compensation is payable to the Applicant for any resultant loss; and |
| 1.14 | Make Good: | Upon expiry or termination of licence to remove any Structure and make good the Licence Area, at Applicant's cost, to the satisfaction of the City; and |
- 2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the licence in recommendation 1. above.**

PURPOSE OF REPORT:

To consider granting a licence to Exipnos Pty Ltd (trading as Brika Bar) (Applicant) (ACN 162 355 339) to use a portion of Parry Street road reserve adjacent Units 3 & 4 of No.177 Stirling Street, Perth for outdoor dining and liquor consumption in the location shown in the plan at **Attachment 1** (Licence Area).

DELEGATION:

The structure constructed on the Parry Street road reserve does not meet all of the design requirements of an 'Eatlet' under the Vibrant Public Spaces Policy (VPS Policy) which was approved by Council on 21 June 2022. The structure is therefore required to be considered as an 'Other proposal' under the VPS Policy for which requires referral to Council for determination.

BACKGROUND:

The Applicant is the operator of Brika Bar and is the tenant of units 3 and 4 of No.177 Stirling Street, Perth.

On 3 December 2013, Council granted conditional approval for the structure over the Licence Area (Alfresco Structure) to be constructed subject to the Applicant entering into a licence to govern the use of the Licence Area. Approval was granted by the City for the construction of the Alfresco Structure (**Attachment 5**).

On 9 January 2014, the Minister for Lands being the Licensor, entered into a licence agreement with the Applicant for use of the Licence Area for a period of 5 years. The licence fee payable during the 2014 licence period was \$2,000.

By consensus with the Department of Planning Lands and Heritage, the City as the management authority of the Licence Area, entered into a new licence agreement with the Applicant on 9 January 2019 when the 2014 licence with the Minister for Lands expired. The licence fee payable for the 2019 licence period was \$2,166.

The 2019 licence expired on 23 January 2024 and Administration and the Applicant have been negotiating a new licence agreement.

Council at its meeting 21 June 2022 approved the Vibrant Public Spaces Policy (VPS Policy). This provides guidance on the permissibility, requirements and management responsibilities of third party proposals to deliver vibrant public spaces on City owned land and managed land. The Brika Bar alfresco structure does meet the definition of an eatlet.

***"Eatlet"** means an outdoor eating area during business operating hours and small public park out of business operating hours. Eatlets are reserved for customers of particular businesses during business operating hours and are available for anyone to use out of business operating hours. An eatlet repurposes part of the street into a dual purpose outdoor eating area and small public park through the provision of seating, shade and greenery.*

However, in order to obtain approval under the VPS Policy as an Eatlet the proposal must meet the specified design requirements. The structure does not meet all of the design requirements as it includes alfresco blinds and is therefore required to be considered as an 'Other proposal'.

DETAILS:

Alfresco structure

The Alfresco Structure is located within the Parry Street road reserve adjacent to the Brika Bar. The Applicant does not seek any changes to the existing structure. The structure provides a total area of 95 square metres which includes the alfresco dining area, planter boxes and external design features. The structure also includes clear alfresco roller blinds within the alfresco dining area.

Licence

The key licence terms below are consistent with the Applicant's responsibilities outlined within the 'Other Proposals' of the VPS Policy and ensure that the Department of Planning, Lands and Heritage's requirements have been included. The Applicant has agreed to the proposed licence terms.

1	Term	5 years.
2	Licence Area	95m ² of Parry Street road reserve (verge area).
3	Licence Fee	\$1,000 per annum plus GST, indexed by CPI annually on 1 July.
4	Permitted Use	Non-exclusive right to use the Licence Area as an outdoor dining area and liquor consumption in connection with the operation of Brika Bar.
5	Removal of furniture	All furniture used (unless affixed to the ground) within the Licence Area must be removed by the Applicant at the close of each business day.
6	Cleaning	Applicant must, keep the Licence Area clean and tidy at all times, at its cost.
7	Insurance	Applicant must effect and maintain public liability insurance to a minimum value of \$20,000,000 (per claim).
8	Indemnity	Applicant will indemnify the City and the Minister for Lands against loss or damage to property or persons occurring as a result of the structure and use of the Licence Area.
9	Assignment	Applicant may not assign or transfer its right under this Licence.
10	Maintenance	Applicant must, at its cost, keep the Licence Area in good repair including repairing damage to structures, fittings or fixtures and road reserve on the Licence Area.
11	Outdoor eating permit	Applicant must (for the duration of the Licence) maintain a valid Outdoor Eating Permit for the Licence.
12	Liquor Licence	Applicant must (for the duration of the Licence) maintain a current liquor licence for the Licence Area in order to serve alcohol in this area.
13	Access	The City, State and public utilities may access the Licence Area at any time in connection with its respective services, and no compensation is payable to the Applicant for any resultant loss.
14	Make good	Upon expiry or termination of licence to remove any structure and make good the Licence Area, at Applicant's cost, to the satisfaction of the City.

The Licence Fee of \$2,850 has been determined in accordance with the market valuation dated 15 November 2023 and attached as **Confidential Attachment 2**. The Applicant is seeking a reduction in the Licence Fee to \$1,000 per annum plus GST and indexed to CPI.

The Applicant has cited the following reasons:

- The Alfresco Structure would be an Eatlet as defined under the VPS policy but for the presence of the alfresco blinds. An Eatlet attracts an annual renewal fee of \$500. The Applicant confirms that the alfresco blinds are used approximately five per cent of the time and usually during the winter season and does not justify the \$2,350 difference between the market valuation licence fee and the Eatlet renewal fee.
- The Applicant previously paid \$2,166 for the entire 5 year term of licence. The market valuation licence fee of \$2,850 per annum totalling \$14,250 for five years is more than a 600% increase in the licence fee that the City previously charged the Applicant.
- The audited financial statements for years ending 30 June 2019 and 30 June 2020 attached as **Confidential Attachment 3 and 4** show the dividend/profit. Since 2019, the business has reduced its dividend payments due to:
 - Increased operating expenditure for the business relating to wages, City of Vincent rates, strata levies, inflationary costs. This has also resulted in the operators of Brika Bar taking over the running of the business themselves; and
 - Reduced operating hours and days which has in turn resulted in a reduction of the business income.

Administration supports the proposed reduction in licence fee to \$1,000 per annum plus GST and indexed to CPI which totals \$5,000 for the five year term as it is a reasonable increase from the previous licence term and the cost savings would enable the Applicant to manage the inflationary costs.

CONSULTATION/ADVERTISING:

In accordance with section 3.58 of the *Local Government Act 1995* (LGA) and regulation 30 of the *Local Government (Functions and General) Regulations 1996* (Regulations), the licence meets the requirements of an exempt disposition (Regulation 30(2)(a)). As a result, local public notice of the proposed licence is not necessary.

LEGAL/POLICY:

Section 55(2) of the *Land Administration Act 1997* (LAA) places responsibility for the care, control and management of road reserves (within the district of the City) with the City.

Section 3.58 of the LGA sets out the process for disposing of City owned and managed property and section 3.58(5) provides for exceptions as set out in the Regulations, as follows:

Regulation 30. Dispositions of property excluded from Act s.3.58

(2) *a disposition of land is an exempt disposition if –*

- (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and –*
 - (i) *its market value is less than \$5,000; and*
 - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee.*

Regulation 17 of the *Local Government (Uniform Local Provisions) Regulations 1996* provides:

- (a) *that the City may grant permission to a person to construct a specified thing on, over, or under a public thoroughfare or public place that is local government property; and*
- (b) *specifies the requirements for the permission to be granted.*

Local Government (Uniform Local Provisions) Regulations 1996

Regulation 17 Private works on, over, or under public places — Sch. 9.1 cl. 8

- (3) *A person may apply to the local government for permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property.*
- (4) *Permission granted by the local government under this regulation –*
- (a) *must be in writing; and*
 - (b) *must specify the period for which it is granted; and*
 - (c) *must specify each condition imposed under sub-regulation (5); and*
 - (d) *may be renewed from time to time; and*
 - (e) *may be cancelled by giving written notice to the person to whom the permission was granted.*

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to enter into a licence for part of the road reserve which addresses the risk to the City in respect to Alfresco Structure including indemnity, liability, maintenance and removal.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

FINANCIAL/BUDGET IMPLICATIONS:

The Licence Fee of \$1,000 per annum plus GST, indexed annually by CPI, is recommended.

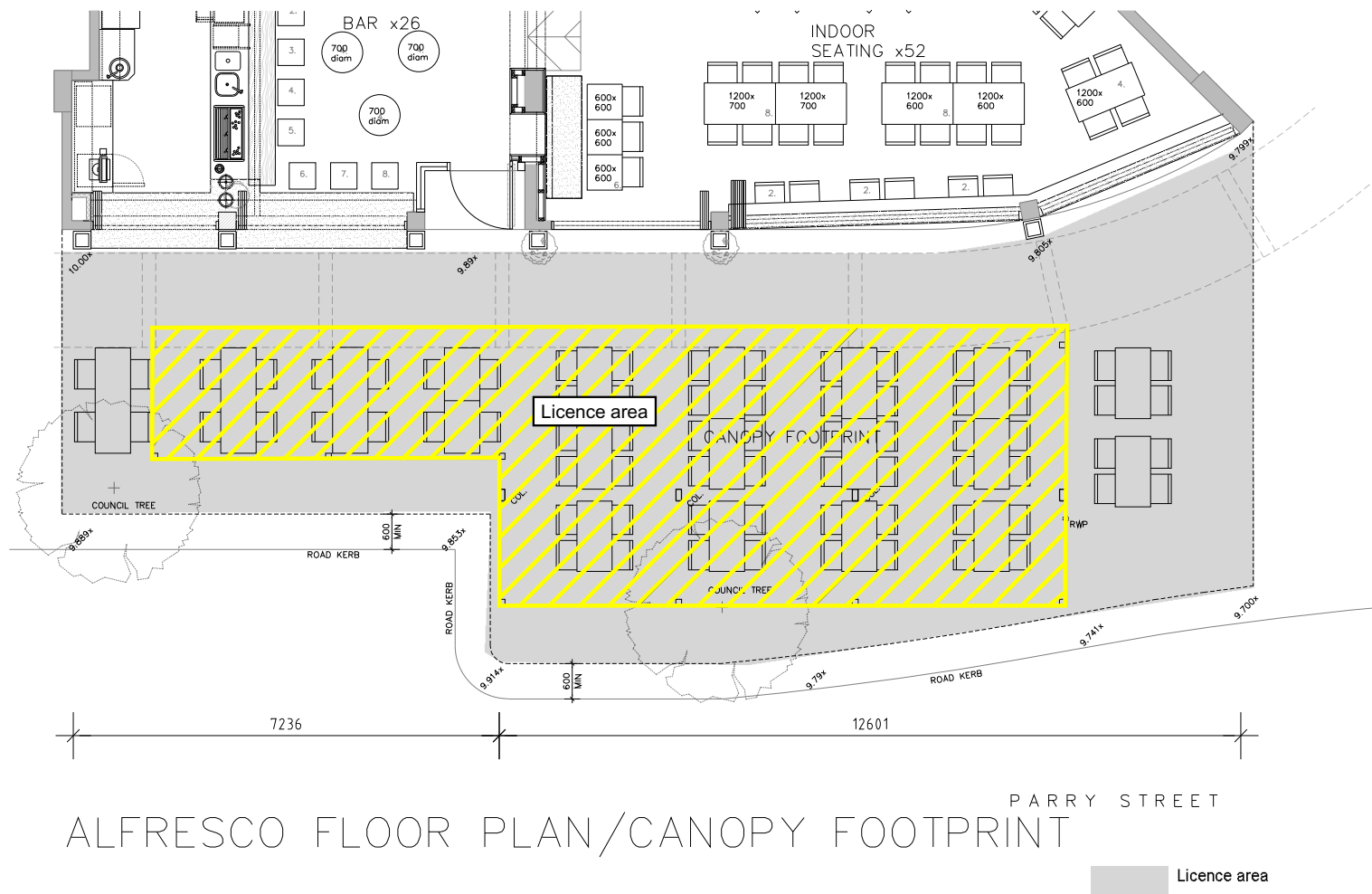
COMMENTS:

The Applicant has used the Licence Area portion of the Parry Street road reserve as an extension to its alfresco area for its business for the last ten years with no issues. The structure that has been constructed is an open canopy which would otherwise meet the definition of an Eatlet were it not for the inclusion of alfresco blinds. The previous approvals have required a one-off fee for a five year period, if introducing an annual fee it is considered that this should align with Council's adopted fees and charges for similar structures and reflect the use of the space. Administration is recommending that the valuation not be applied as stated and the negotiated annual fee be implemented.

Administration believes the outdoor dining area activates the streetscape and provides increased amenity for the community.

The licence agreement will be prepared to ensure that the City and Department are not liable for any loss or damage that may arise as a result of the Alfresco Structure, and so that the structure will be removed at any time, at the Applicant's cost, if the road reserve is required by the State, City or a public authority.





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9.1.9 Nos. 3 & 4/177 Stirling Street, Perth (Proposed Canopy and Retrospective Approval for Servery) – Proposed Lease in Road Reserve and Outdoor Area

Ward:	South	Date:	29 November 2013
Precinct:	Beaufort; P13	File Ref:	PRO6028; 5.2013.451.1; 5.2013.489.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant Submissions 003 – Copy of Approval for Outdoor Eating Area		
Tabled Items:	Nil		
Reporting Officers:	E Clucas, A/Manager Health and Compliance Services A Dyson, A/Senior Planning Officer (Statutory) A Munyard, Senior Technical Officer-Lands and Development N Wellington, Senior Compliance Officer		
Responsible Officers:	R Boardman, Director Community Services – Outdoor Eating Area P Mrdja, A/Director Planning Services – Development Application R Lotznicker, Director Technical Services – Road Reserve		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by TPG Town Planning, Urban Design and Heritage on behalf of the owner Sunswept Corporation Pty Ltd for Proposed Canopy, Timber Projections and Retrospective Approval for Servery Associated with Approved Small Bar in Tenancies 3 and 4 – Including Proposed Lease in Road Reserve and Review of Approved Outdoor Eating Area Permit, at No. 177 (Lot 501; D/P: 68593) Stirling Street, Perth, and as shown on plans stamp-dated 28 October 2013, subject to the following conditions:

1. Use

- 1.1 Consent of the Minister for Lands shall be obtained for the erection of the structure on the Road Reserve under the Land Administration Act 1997;
- 1.2 The applicant shall provide written confirmation from the Department of Lands relating to its determination whether tenure or exclusive use of the areas of the Road Reserve is required, and in what form; and
- 1.3 Should the use of the Tenancies Units 3 and 4 as a Small Bar cease, the applicant/owner shall remove the servery structure encroachment within twenty eight (28) days of the use ceasing to operate;

2. Building Permit

An application for a Building Permit under the Building Act 2011, signed by each owner of the land on which the building or incidental structure is proposed to be located, shall be submitted to the City of Vincent;

3. Servery

The applicant shall submit an application for an Occupancy Permit (Unauthorised) within twenty eight (28) days of the issue of this Approval to Commence Development;

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4. PRIOR TO THE SUBMISSION FOR A BUILDING PERMIT, the following shall be submitted to and approved by the City relating to the Free Standing Canopy and Timber Projections (Structure):
- 4.1 Submission of an acceptable Venue Management Plan, including an Alcohol and Noise Management Plan;
 - 4.2 Submission of an acceptable Storm Water Management Plan;
 - 4.3 Details of proposed lighting of the free standing canopy to ensure the public path is adequately illuminated when the drop down weather protection blinds are in use;
 - 4.4 The applicant shall provide a coloured schedule and perspective of external finishes to the City for approval;
 - 4.5 A lease, licence or easement for the structure shall be entered into between the applicant/owner, Department of Lands and the City of Vincent. The lease, licence or easement shall include, but not be limited to, the following:
 - 4.5.1 provision for the City of Vincent to ensure access to its services and infrastructure within the Road Reserve is available on demand;
 - 4.5.2 provision of letters of consent from relevant service providers whose infrastructure is located within the proposed leased area;
 - 4.5.3 no compensation shall be payable for loss of trading time should access be required by the City;
 - 4.5.4 the City shall retain the right to require removal of the structures within the leased or licenced area if deemed necessary for infrastructure maintenance or upgrade, at the full cost of the lessee or licensee;
 - 4.5.5 access to all other utility services within the leased or licenced area shall be available to the utility provider/s, without cost or compensation; and
 - 4.5.6 the lease, licence or easement agreement shall only be valid whilst a valid Outdoor Eating Area Permit is in place;
 - 4.6 The City's solicitors, or other solicitors agreed upon by the City, shall prepare the lease, licence or easement for the Outdoor Eating Area or alternatively, the lease, licence or easement can be prepared by the applicant and approved by the City's Solicitors. All costs associated with this condition shall be borne by the applicant/owner(s);
 - 4.7 Noise Management
 - 4.7.1 The Proprietor/Approved Manager of the Small Bar shall take all practicable measures to:
 - (a) reduce the likelihood of noise intrusion on residents and businesses in the locality; and
 - (b) consult directly with any affected persons, residents and/or businesses to resolve any noise or other issues that may arise.

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Should the City be required to investigate noise or other matters and, as a result, find that either adequate preventative measures have not been taken to the satisfaction of the City, and/or the noise or other complaints are found to be justified, the City will take action to cancel the Outdoor Eating Area Permit in accordance with the procedures outlined in Clause 13 of the City of Vincent Policy No. 3.8.1 relating to *Outdoor Eating Areas*; and

- 4.7.2 Noise management procedures shall be documented in the Venue Management Plan and shall include, but not be limited to, operational activities prior to, during and post trading hours. These procedures shall be highlighted as part of all staff induction and training programs;
- 4.8 An unimpeded pedestrian access way of at least 2.0 metres in width shall be maintained at all times. The proposed canopy at a height of not less than 2.75 metres (air space), as shown on Plan No. 1944 – SK.2.05, can protrude over this pedestrian access way and form part of the leased or licenced area, or easement;
- 4.9 In accordance with Clause 5.12(a) of the City of Vincent Local Government Property Local Law 2008, the structure shall have a minimum clearance of 2.75 metres above the thoroughfare;
- 4.10 Blinds shall be only brought down during inclement weather conditions, and shall not restrict any pedestrian traffic/walkways during normal business hours. The materials used for the blinds shall be transparent and fully maintained at all times to the satisfaction of the Chief Executive Officer;
- 4.11 Construction Management Plan
A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for Approval Proforma; and
- 4.12 Landscaping Plan
A detailed Landscape and Reticulation Plan for the road verge shall be submitted to the City for assessment and approval by the City's Parks and Property Services Section.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:
- 4.12.1 The location and type of existing and proposed trees and plants;
- 4.12.2 All vegetation including lawns;
- 4.12.3 Areas to be irrigated or reticulated;
- 4.12.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 4.12.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

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The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and

5. **The development shall comply with all Building, Health, Engineering and Parks Services Conditions and requirements to the satisfaction of the City of Vincent.**

COUNCIL DECISION ITEM 9.1.9

Moved Cr Harley, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-1)

For: Presiding Member Mayor John Carey, Cr Buckels, Cr Cole, Cr McDonald, Cr Pintabona, Cr Topelberg and Cr Wilcox

Against: Cr Harley

PURPOSE OF REPORT:

The report is referred to a meeting of Council as the proposed intrusions into the Road Reserve area are of a permanent nature and extend beyond the current approval procedures for Outdoor Eating Areas. It is considered likely to be of significant interest to the community and set a precedent for other similar developments.

BACKGROUND:

History

Date	Comment
9 February 2010	The Western Australian Planning Commission conditionally approved the subdivision of Nos. 208-212 Beaufort Street and Nos. 173-179 Stirling Street, Perth.
14 September 2010	The Council at its Ordinary Meeting deferred their decision with respect to an application for demolition of the existing car park and construction of a six storey building comprising forty (40) single bedroom multiple dwellings and twenty-five (25) multiple dwellings including car parking.
26 October 2010	The Council at its Ordinary Meeting conditionally approved the demolition of the existing car park and construction of a five storey mixed use development comprising thirty-seven single bedroom multiple dwellings, twenty multiple dwellings and six offices and associated car park.
14 June 2011	The Council at its Ordinary Meeting conditionally approved the application for a Change of Use of Unit 3 from Office to Eating House.
22 February 2012	The City approved an application for a change of use from Office to Consulting Rooms (Unit 7)
7 September 2012	The City approved an application for a change of use from Office to Eating House (Unit 6)
23 October 2012	The City approved an application for a shade sail under delegated authority.

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Date	Comment
25 June 2013	The Council at its Ordinary Meeting conditionally approved the application for a Change of Use from Eating House and Office to Small Bar & Ancillary Coffee Shop (Unlisted Use)
11 September 2013	The City approved an application for an Outdoor Eating Area under delegated authority subject to conditions.
7 October 2013	A letter was provided to the Department of Racing Gaming and Liquor from Health & Compliance Services clarifying noise conditions on the Outdoor Eating Area approval.

DETAILS:

Landowner:	Department of Lands
Applicant:	TPG, Urban Design and Heritage
Zoning:	Commercial and Unzoned Land
Existing Land Use:	Not Applicable
Use Class:	Not Applicable
Use Classification:	Not Applicable
Lot Area:	Not Applicable
Right of Way:	Not Applicable

The subject tenancies (3 & 4) received approval as a Small Bar (Unlisted Use) on 25 June 2013. The subject application seeks:

- retrospective approval for the servery and seating section which extends out from the window over the property boundary and over the footpath, on the western most portion of the tenancy, The servery currently extends into the footpath area by 0.27 meters at a height of 0.822 metres from ground level;
- a free standing canopy over part of the approved Outdoor Eating Area ("OEA") with cafe blinds on the southern, western and eastern sides to provide weather protection; and
- timber projections over the existing footpath over the servery area as a decorative feature only. The projections are at a height of 2.75 metres from ground level.

Health and Compliance Services

The property currently has an approved Outdoor Eating Area. The application was assessed by the City's Health and Compliance Services, Technical Services, Ranger and Community Safety Services and Planning and Building Services. All service areas supported approval of the application subject to numerous conditions, particularly:

- "4.0 The movement of all path users, with or without disabilities, within the road reserve shall not be impeded. The area shall be maintained at a safe and trafficable condition and a continuous path of travel (minimum width of 2.0 metres) shall be maintained for all users at all times in accordance with Technical Services requirements.
- 7.0 The consumption of alcohol is permitted within the approved delineated outdoor eating area providing that the permit holder has obtained an appropriate approval from the Department of Racing Gaming and Liquor (DRGL). The permit holder must ensure ongoing compliance with permit conditions, DRGL requirements and effectively control noise and antisocial behaviour. No fixtures or furniture is to be placed in the extended footpath/pedestrian access way, patrons cannot stand in the area and alcohol must not be consumed in that area. Management of the area must be included in the venue Alcohol Management Plan.
- 16.0 As the outdoor eating area is directly adjacent to residential premises, the City reserves the right to amend the operating hours by giving written notice, should complaints relating to noise and anti-social behaviour be substantiated during the approved hours of operation particular after 10pm."

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The Liquor Control Act 1988 allows a maximum capacity is 120 people for a small bar. Final numbers for the internal area of the building will be determined under the Health Act 1911 and will be finalised upon completion of the fit out; they are expected to be 75. The approved OEA Permit has been calculated to allow an additional 56 persons. Regardless of the set capacity of patrons in either area, the combined total of patrons cannot exceed 120.

The applicant has now sought to modify the approved Outdoor Eating Area to include fixtures which were not part of the previous application, as follows:

- The proposed (already installed) server benches which encroach into the walkway area pose a safety risk in their current form. The operational plans for this area, have non-permanent pot plants alongside (at both ends); these pot plants will protrude further into the area than the benches and, therefore, offer a highly visible safety barrier to the benches. As long as the pot plants are located in these positions, from a safety perspective, the benches could remain in their current format;
- The timber projections applied for will have no impact on health and safety within the currently approved area; and
- The proposed canopy is in a form that has not been applied for in the City before. The application also seeks cafe blinds on the three sides of the canopy to be used when weather conditions are inclement.

It will be necessary to apply a condition to the Outdoor Eating Area Permit to address potential noise conflict associated with any businesses and residents who may be directly affected by the use of the Outdoor Eating Area.

Building Services

The canopy will require a Building Permit (BA01) under the *Building Act 2011*. The application for the Building Permit must be signed by each owner of the land on which the structure is proposed to be located, in this case the Minister for Lands. The structure will need to be privately certified and accompanied with a BA20 relating to all the new proposed structures.

Building Services will require an application for Occupancy Permit Unauthorised (BA09) for the server sills to be privately certified and to be accompanied with a BA20 specifically related to the server sills. The BA20 and BA09 will have to be signed by the Department of Lands as the land owner.

A Building Permit (BA01) will be required for additions and alterations to a class 6 structure.

Technical Services

The Department of Lands has provided the following advice on development within Crown Land, in this case, the road reservation:

"I can advise that the Department of Lands policy allows for encroachments that may be of a more substantial nature than a minor encroachment, provided that they are not being used for commercial purposes and provide a public benefit (e.g. weather protection, streetscape), accordingly tenure under the LAA will not be required, the examples being shop awnings, verandahs and streetscapes. Where there is a commercial benefit, or an increase in floorspace, tenure under the Land Administration Act 1997 will be required."

Consequently, the Department requires that a lease agreement be in place between the developer and the Department, for the area of the proposed awning structures adjacent to the bar. The lease agreement will award the lessee exclusive use of that land subject to the lease agreement and, therefore, the City has identified a number of matters that it wishes to see addressed in the lease.

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The City must ensure access to its services and infrastructure within the Road Reserve on demand. No compensation will be payable for loss of trading time should access be required by the City. The City must retain the right to require removal of the structures within the lease area if deemed necessary for infrastructure maintenance or upgrade, at the full cost of the lessee. Access to all other utility services within the lease area must be available to the utility provider/s, without cost or compensation.

The City requires this lease addressing requirements to its satisfaction to be in place prior to issue of a Building Permit. At this time, the applicant has not provided information on the exact area proposed to be subject to the lease. Technical Services advises that the lease area must be limited to the area of the shade structure so that public access remains available within the remainder of the alfresco area.

Should the shade structure be approved, Technical Services require submission of an acceptable stormwater management proposal prior to a Building Permit Application. As the shade structure is proposed to be fitted with drop down weather protection blinds, details of proposed lighting to ensure the public path is adequately illuminated are also required.

Compliance Services

A site inspection by the City's Compliance Officer on 3 October 2013 revealed two bar fixtures had been constructed outside the southern lot boundary, and encroached on the Road Reserve area.

A letter dated 11 October 2013 was sent to the builder and owner requesting them to remove the two bar fixtures within twenty eight (28) days of notification; however, is now included in this application for retrospective approval.

Planning Services

The City has received advice from the WAPC regarding the proposal and notes the following:

"It would only need to be determined by the City. The reasons for this are as follows:

- *Parry Street is a local road, and is not a PRR or ORR; and*
- *The Parry Street reserve is zoned Urban under the MRS. In accordance with the Notice of Delegation, development on zoned land is delegated to the Local Government unless the site is within a Clause 32 area, covered by a Planning Control Area (PCA), within the Swan River development control area, of state significance or constitutes public works by a public authority. None of these instances apply."*

Legal Advice

The City's has sought and received legal advice from the City's Solicitors, Castledine and Gregory, who have provided a response regarding a legal opinion of the development, who have advised:

"The City remains the determining authority for Planning and Building applications for proposed awnings and supporting poles. The consent of the "owner" is required before the City determines the development application or issues a Building Permit. Separately under the Land Administration Act (WA) (LA Act), consent of the Minister for Lands ("Minister") must be obtained for the erection of the structure on the Road Reserve."

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CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	11 November 2013 – 25 November 2013.
Comments Received:	Thirteen (13) comments received with four (4) of these being objections and one (1) neither support nor object.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Noise</p> <p>The 'coffee servery' is right underneath my bedroom/living room and I feel I will get no peace. Request that the City does not allow street seating/serving.</p>	<p>Noted. Conditions have been placed on the existing and any new Outdoor Eating Area Permit that should justifiable noise complaints be received for activities post 10pm, the Permit can be reviewed. Note: noise from people's voices is not controllable under the Environmental Protection (Noise) Regulations 1997; these issues need to be dealt with under the premises Venue Management Plan.</p>
<p>Issue: Pedestrian obstruction of walkway</p> <p>Concern that use of the footpath as an outdoor eating area will deter pedestrians from walking through. There is no footpath on the other side of the road.</p>	<p>Support. Conditions have been placed on the existing and any new Outdoor Eating Area Permit to ensure adequate access for the general public to walk through the area.</p>
<p>Issue: Tripping hazards</p> <p>The planter boxes are dark in colour and the location of some will be tripping hazards at night.</p>	<p>Not Supported. There is street lighting in the area that ensures there is always adequate light to enable pedestrians to see these planter boxes. Technical Services require the public path to be illuminated.</p>
<p>Issue: Access to other businesses</p> <p>People should be able to cross the road and exit their cars without tripping over or damage to their car.</p>	<p>Noted There is adequate access through the area to other businesses in the building.</p>
<p>Issue: Number of tables</p> <p>Concern that 14 tables is too many and that as a result people are restricted from being able to use the footpath.</p>	<p>Noted. The current approved space for the Outdoor Eating Area is in line with the Outdoor Eating Area Policy.</p>
<p>Issue: Noise and Disruption</p> <p>Canopy will encourage later dining times.</p>	<p>Noted. Conditions have been placed on the existing and any new Outdoor Eating Area Permit to ensure potential noise and antisocial behaviour is prevented. The business has a Venue Management Plan to deal with these matters.</p>
<p>Issue: Initial plans showed Cafe, not a Small Bar.</p>	<p>Noted. Planning approval was given for the Small Bar use at the Ordinary Meeting of Council held on 25 June 2013.</p>
<p>Issue: Licensed premises density</p> <p>Concern regarding the serving of alcohol in an area where there are plenty of establishments doing so in an area where there is so much antisocial behaviour.</p>	<p>Noted. The applicant is able to apply for the relevant Licence from the DRGL who assess the application on its merits.</p>

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Summary of Comments Received:	Officers Technical Comment:
Issue: The operation of the business The business should offer a discount to residents of the business.	Noted. This is a matter for the proprietor to consider.

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

Design Advisory Committee

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- City of Vincent Local Government Property Local Law 2007;
- Policy No. 3.8.1 relating to Outdoor Eating Areas;
- Planning and Development Act 2005;
- Town Planning Scheme No. 1;
- Policy No. 4.1.5 – Community Consultation;
- Development Guidelines for Commercial and Mixed Use Developments;
- Building Act 2011; and
- Building Regulations 2012.

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Natural and Built Environment"

- 1.1 *Improve and maintain the natural and built environment and infrastructure.*
- 1.1.2 *Enhance and maintain the character and heritage of the City.*

Economic Development

- 2.1 *Progress economic development with adequate financial resources*
- 2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate to the vision for the City."*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
Commercial Development on public land.	
SOCIAL	
Issue	Comment
The proposed small bar/café will provide a place for persons to meet and socialise in an inner city area which promotes surveillance, activation of the street and ambience to an area.	

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ECONOMIC	
Issue	Comment
The renovation of the premises will provide opportunities for employment whilst the operation of the premises will provide on-going employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

The City's Outdoor Eating Policy encourages the development of Outdoor Eating Areas as a way of activating the street area.

When the initial application was assessed, strong emphasis was placed on ensuring health and amenity issues were considered. The area is inner city and as such has higher ambient noise levels than others with higher density of residential premises. As a result, enforcement of the *Environmental Protection (Noise) Regulations 1997* becomes problematic therefore, it is most important to 'manage out' noise issues before they arise. New conditions were developed for this site which allow the City to review the Outdoor Eating Area Permit at any time should justifiable noise complaints be received post 10.00pm.

Another area of concern in assessing this application is the continuance of the general public to be able to walk through the area. The condition requiring a 2.0 metres unobstructed pathway at all times will be able to address this concern. There is precedent in many other Local Authorities with roadside open alfresco areas that show this works very successfully. It is important however, that the proposed semi-enclosing of the area does not give perceptions of exclusive use at any time.

There is only one other location in the City which has drop down blinds; these have at times, impacted on the public access way by inappropriate use of the blinds restricting access through the area.

With regard to the provision of Liquor in this area, an application has been sent by the proprietors to the DRGL, which includes a Public Interest Assessment and a Management Plan. The City has reviewed and provided feedback on the Venue Management Plan but has not been asked formally for comment on the overall Application or for Section 39 certification. DRGL have advised that in providing a Section 40, they make an assumption that the City is comfortable with the application. This may be the position in most cases, but in some cases will not allow appropriate opportunity to comment on specific trading conditions. Although there is ~~no~~ requirement for Community Consultation in the City's Policy for an application pertaining to Small Bars, consultation with the community has also occurred via the DRGL process and the change of use approved at the Ordinary Meeting of Council held on 25 June 2013.

This is the first application to the City of its kind and due care has been taken in assessing the implications of approving the application both in light of precedents it may set and the rights of the greater public to use the area.

In light of the above, it is recommended that the application can be supported subject to the conditions list.

ITEM 9.1.9



CITY OF VINCENT

244 Vincent Street (cnr Loftus Street), Leederville,
Western Australia, 6007
PO Box 82, Leederville, 6902

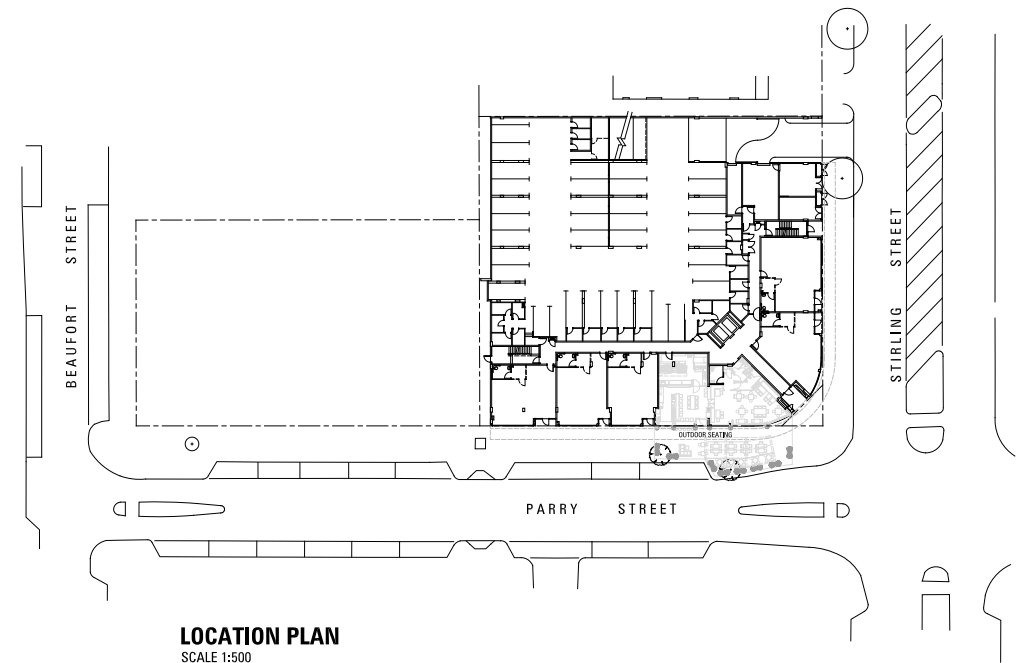
Property Information Report:

Nos. 3 & 4/177 Stirling Street, Perth



✓ Properties Consulted

The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.



LOCATION PLAN
SCALE 1:500



GENERAL NOTES

- ### LEGEND

9	24/12/13	ISSUED FOR PLANNING APPROVAL	PR	
REV	DATE	DESCRIPTION	OWN	APP



PLANNING APPROVAL

PROJECT TITLE / CLIENT	BRIKA BAR / CAFE
------------------------	------------------

DRAWING TITLE
SERVERY SILL

DRAWN PR	DATE 04.09.13	SCALE 1:50
CHECKED (000)	CAD FILE 1944-A5.01-02-03	
DRAWING NUMBER 1944 A5.01		REVISION 0

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9.5 VARIATION OF LEASE TO WEST AUSTRALIAN TENNIS ASSOCIATION INC (ROBERTSON PARK TENNIS CENTRE)

- Attachments:**
1. Robertson Park Tennis Centre lease plan 
 2. Robertson Park development Staging plan 

RECOMMENDATION:**That Council**

1. **APPROVES** a variation of lease with West Australian Tennis Association Inc (ABN 90 803 634 736) located at a portion of 176 Fitzgerald Street, Perth as follows:
 - 1.1 waiver of rent; and
 - 1.2 extend the tenure of the lease to expire, whichever date occurs later:
 - 1.2.1 on 29 August 2025; or
 - 1.2.2 until Stages 1A and 1B works for the Robertson Park Development Plan relating to the Robertson Park Tennis Centre are completed; and
2. **Subject to satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES** the Mayor and CEO to execute the Deed of Variation of Lease in accordance with the Execution of Documents Policy.

PURPOSE OF REPORT:

To consider a variation and extension of the lease to West Australian Tennis Association Inc (ABN 90 803 634 736) (Tennis West) in respect of a portion of Robertson Park, No.176 Fitzgerald Street, Perth (Robertson Park).

DELEGATION:

Delegation 2.2.18 only allows minor variations of a lease. Waiver of rent and extending tenure of a lease are not considered minor variations.

BACKGROUND:

The Robertson Park Tennis Centre (Tennis Centre) is situated within Robertson Park. The Tennis Centre comprises of 38 tennis courts and a large social space/function room with a bar, commercial kitchen, office space and undercover area.

Following termination of Tennis Seniors' lease on 31 October 2019 and, in order to allow tennis to continue at the Tennis Centre throughout the Robertson Park Development Plan (Development Plan), Tennis West entered into an Interim Management Agreement with the City, which commenced on 12 November 2019 (approved by Council on [12 November 2019](#)). Following the interim agreement, on [28 July 2020](#), Council approved a lease to Tennis West (Lease) over the lease area shown in **Attachment 1** for a term of 13 months in view of the Development Plan. The Lease is currently on holding over.

Tennis Central entered into an agreement with Tennis West and has continued to operate the coaching, court hire and pennants competitions from the Tennis Centre.

Council on [14 September 2021](#) adopted the Development Plan. The Development Plan outlines the improvements to Robertson Park, identifying infrastructure upgrades that respond to community needs, whilst maximising land use and improving community access to recreation and leisure activities. The Development Plan is included as a strategic project in the City's Corporate Business Plan and works will be staged as per the plan at **attachment 2**.

DETAILS:Robertson Park

Robertson Park is owned by the City in freehold with certain parcels of land being held in conditional freehold by the City for Municipal Purposes. The Premises may not be leased unless with the consent of the Minister for Lands, which may be given subject to conditions.

Condition of tennis courts

It is a term of the Lease that Tennis West is not required to rectify any damage to the tennis courts that were present prior to the Lease.

Since the endorsement of the Development Plan, the court conditions have continued to decline rapidly and operations at the Tennis Centre have significantly reduced as a result. To date, multiple tournaments including the major junior tournament hosting over 300 juniors, coaching and social competitions (over 126 players per week) have either had to be cancelled or relocated. Not only has the cancellation of events and venue move lost players, but it has also placed significant pressure on the other tennis centres.

Due to the court condition, the high maintenance costs associated with a poor asset condition, inability to generate revenue and the upcoming construction works, Tennis West has requested financial assistance to continue to operate the Tennis Centre throughout the Development Plan construction phase.

Cost to maintain grass courts

Clause 5.1 of the Lease requires Tennis West to carry out maintenance of the lawns and gardens. Due to the high maintenance costs associated with maintaining the grass tennis courts, lack of revenue from the hiring of the tennis courts, Tennis West and Tennis Central are unable to financially maintain the 11 grass tennis courts along Randell Street. These courts are also intended to be removed as part of the Development Plan.

To relieve the financial burden, Tennis West requested the City take on the maintenance of these courts which are now managed to the mowing standard of the remaining park. The City has assessed the cost for the City to undertake maintenance of this area at the Tennis Centre and have estimated the cost to the City to be approximately \$17,000 per annum. This cost is currently unbudgeted.

Lease and rent

Tennis West is currently paying rent of \$11,963.04 per annum. The rent is less than the City's cost, should it take over maintenance of the grass courts. Tennis West is willing to continue undertaking the maintenance of the area at their cost and expenses, if the rent is waived.

Although Tennis West is a category 3 tenant within the [Property Management Framework](#), the proposal to waive the rent and extend the term of Lease falls outside the essential terms of the framework.

Terms of variation:

Rent	Waived
Extension of lease date	29 August 2025; or until Stages 1A and 1B works for Robertson Park Development Plan relating to the Robertson Park Tennis Centre are completed, whichever occurs the later.

Except as varied above, the terms and conditions of the Lease, including the obligation to pay outgoings will remain unchanged during the extended term of the Lease.

It is anticipated that as the Development Plan works are nearing completion, Administration and Tennis West will negotiate the terms of a new long term lease.

CONSULTATION/ADVERTISING:

The City has consulted with Tennis West on the proposed terms of variation set out in Recommendation 1 and Tennis West has confirmed their acceptance of these terms.

Section 3.58(5)(d) of the *Local Government Act 1995* (Act) and Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* (Regulation) apply. The City is exempt from giving a local public notice in accordance with Regulation 30(2)(b) as this disposition is to a not-for-profit sporting organisation.

LEGAL/POLICY:

Local Government (Functions and General) Regulations 1996

Regulation 30 covers a range of exempt dispositions that are excluded from the application of s 3.58 of the Act. Regulation 30(2)(b) states that:

'A disposition of land is an exempt disposition if:

- (b) the land disposed of to a body, whether incorporated or not to:*
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transaction;'*

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to waive the rent and extend the lease until stages 1A and 1B Development Plan works are completed as the asset will continue to be maintained and community sport will continue to be offered. A revised lease with rent reflective of the improvements following completion of the Development Plan works represents a better outcome for the City.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

Our community facilities and spaces are well known and well used.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Innovative and Accountable

We deliver our services, projects and programs in the most inclusive, efficient, effective and sustainable way possible.

SUSTAINABILITY IMPLICATIONS:

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

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The current rent for the Tennis Centre is \$11,963.04 per annum. There will be no impact on the City financially from waiving the rent as the costs incurred for assuming maintenance of the grass tennis courts would be higher than the rental income received.

COMMENTS:

The proposed waiver of rent until the Development Plan works are completed is necessary to ensure that the Tennis Centre can remain open and service the community throughout the implementation of the works.

The waiver of the rental fee by the City would enable the tenant to continue operating during Stages 1A and 1B of the Development Plan.





ROBERTSON PARK DEVELOPMENT PLAN

PROPOSED UPGRADES

- New bench seat
- New picnic table
- New public rest room
- New public lighting
- Improved access to public car park
- 1 Paint existing pedestrian pathway along the laneway to help with its delineation
- 2 Include additional signage delineating the location of public car park

TENNIS PRECINCT

- 1 Tennis courts – 18 Green Hard Courts:
 - Resurface 12 tennis courts to acrylic hard courts (approx. 6,290m2, nos. 1-8 and 15-18)
 - Convert 7 existing grass courts to 6 hard courts (approx. 5,000m2, nos. 9-14)
- 2 Multipurpose courts – 4 Acrylic Green Hard Courts:
 - Resurface existing tennis courts to 4 multipurpose courts (approx. 3,042m2)
 - Entrance upgrade (pathway and landscaping)
- 3 New thoroughfare between tennis courts (10m wide and includes landscaped elements and shade structures from point 7 below)
- 4 Renew tennis court fencing
 - Perimeter fencing: Chainwire mesh (height 3,600mm)
 - Court divider fencing: Chainwire mesh (height 1,500mm at lowest point)
- 5 LED lighting for tennis and multi courts
 - Upgrade tennis courts No. 1-8 (34 x 350 LUX | 28 x 7.6m poles)
 - New lighting tennis courts No. 9-18 (40 x 350 LUX | 32 x 7.6m poles)
 - New lighting multipurpose courts No. 1-4 (13 X 250 LUX | 13 x 7.6m poles)
 - Utilise / relocate existing light poles where possible
- 6 Remove all existing shade huts (total 9 huts) and replace with the following:
 - 5 medium shade structures in new thoroughfare (7m x 4m)
 - Verandah extension to existing tennis building (approx. 150m2)
- 7 Trees and landscaping
- 8 Hitting wall (tennis)

TURF/ECO AREA

- 1 Converting 7 existing grass courts to turf and native landscaped areas (approx. 0.8 hectares)
- 2 New trees - natives (approx. 15) (tree species not identified)
- 3 New footpath (approx. 220m)
- 4 Rain Garden (native landscaped area used to capture stormwater runoff, treat water pollutants, and allow infiltration back into the ground).

DOG AND LEISURE PARK

- 1 Wetland heritage trial signage upgrade
- 2 Remove existing playground and exercise equipment and replace with new nature playground
- 3 New outdoor gym equipment
- 4 Footpath extension (approx. 60m)
- 5 Concrete retaining wall/bench (approx. 30m)
- 6 Public multi-sports half court (converted from tennis hard court)
- 7 Repurposed original tennis shelter
- 8 Hitting wall (soccer/multipurpose)
- 9 Community garden
- 10 Extend low level fence
- 11 New footpath and concrete space (path approx. 60m)
- 12 Concrete retaining wall/bench (approx. 20m)
- 13 Relocate fence 0.5m north to provide space for footpath
- 14 Extend footpath along Stuart Street (1.5m wide | approx. 172m long)
 - retain existing vegetation where possible
 - will likely result in the loss of 5 - 6 car bays (1 - 2 90-degree bays and 4 parallel bays)

10 INFRASTRUCTURE & ENVIRONMENT**10.1 COMMUNITY SPORTING AND RECREATION FACILITIES FUND APPLICATION - NORTH PERTH BOWLING AND RECREATION CLUB SYNTHETIC BOWLING GREEN CONVERSION**

Attachments: 1. North Perth Bowling and Recreation Club - Synthetic Bowling Green Conversion - CSRFF application - Confidential

RECOMMENDATION:

That Council:

1. **ENDORSES** the proposal from North Perth Bowling and Recreation Club to convert one of its grass bowling greens to a synthetic bowling green; and
2. **Subject to its endorsement, APPROVES:**
 - a) the inclusion of \$66,104.55 (ex GST) for North Perth Bowling and Recreation Club synthetic bowling green conversion on the 2024/2025 budget, subject to confirmation of the required financial contribution through external grant funding and North Perth Bowling and Recreation Club; and
 - b) that all supporting documentation, including the completed application form, be forwarded to the Department of Local Government, Sport and Cultural Industries.

PURPOSE OF REPORT:

To seek Council endorsement for North Perth Bowling and Recreation Club to submit a Community Sporting and Recreation Facilities Fund (CSRFF) application to convert one grass bowling green to a synthetic bowling green.

DELEGATION:

As the North Perth Bowling and Recreation Club grass bowling green is within an area leased by the City, any developments to the existing facility require endorsement from the City. The club has proven financial stability and strong club health. There is three (3) years remaining on their existing lease.

Community Sporting and Recreation Facilities Fund

The purpose of the program is to provide Western Australian Government financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities.

Through CSRFF, the State Government will invest annually in the development of high-quality physical environments in which people can enjoy sport and recreation. There is \$20 million available for allocation in the 2024/2025 funding round.

The completed application and corresponding Council report are required to be forwarded to Department of Local Government, Sport and Cultural Industries (DLGSCI) by 29 March 2024, for assessment. The outcome of the grants will be advised in June or July 2024, with grant funding to be acquitted by June 2025. North Perth Bowling and Recreation Club has sought an extension from DLGSCI to seek Council approval. Should Council support not be forthcoming the application will be withdrawn.

DETAILS:

North Perth Bowling and Recreation Club have explored converting one of the existing grass bowling greens to a synthetic bowling green. The club has undertaken a comprehensive project plan and feasibility which identifies all key components of the project and how it will be delivered as a community benefit.

The two project deliverables are:

1. Synthetic Bowling Green conversion; and
2. Irrigation Upgrade (required for the synthetic bowling green).

The club identified the existing grass bowling green has several issues including:

- General deterioration during regular use resulting in an increased maintenance cost for the club.
- Existing drainage problems which become an additional maintenance cost for the club.
- Challenges managing atmospheric conditions e.g. warm weather resulting in increased water usage, or cool weather making it difficult to maintain the surface in a useful condition.
- Infestation of pests which reduce the turf quality with limited options to eradicate or remove the problem.

The conversion to a synthetic bowling green will remove most of these issues and reduce the ongoing operational costs for the club to manage the asset, identified in **Attachment 1**.

DLGSCI provides specific criteria to assess (rank and rate) each application received from the City as follows:

- A. Well planned and needed by municipality;*
- B. Well planned and needed by applicant;*
- C. Needed by municipality, more planning required;*
- D. Needed by applicant, more planning required;*
- E. Idea has merit, more planning work needed; or*
- F. Not recommended.*

Administration has assessed this project as *B. Well planned and needed by applicant*.

Social and Recreational Benefit

North Perth Bowling and Recreation Club is the only lawn bowls facility in the City Vincent and is expected to service lawns bowls and be a well-used, affordable function centre for the local community going forward. The club recognises the recreational and social benefit its facility offers and is committed to ensuring the facility can remain well-utilised and socially inclusive beyond just its competitive members. The conversion to a synthetic bowling green will allow greater participation through increased opportunities for the club to engage the local community.

Accessibility

The Club already provides access through the provision of ramps to the playing surface. A synthetic bowling green provides better accessibility for wheelchair users who will be at a lesser risk of being stuck as they are currently on natural turf.

Environmental Benefit

North Perth Bowling and Recreation Club anticipate approximately 50% reduction in water usage, significant reductions in chemical application and less power required to operate machinery if the grass bowling green is converted to a synthetic green. The environmental benefit of a synthetic bowling green comparative to a grass bowling green illustrates North Perth Bowling and Recreation Club's wider commitment to sustainability within the city.

Project Management

North Perth Bowling and Recreation Club has advised that subject to Council endorsement and successful grant funding, the club will manage the project delivery whilst complying with all respective rules and regulations. The City will not need to play an active role in the project delivery beyond that of monitoring as the land manager. Administration supports this undertaking due to the extensive feasibility and planning undertaken by North Perth Bowling and Recreation Club and the positive outcomes derived.

CONSULTATION/ADVERTISING:

The City and North Perth Bowling and Recreation Club have consulted with DLGSCI who are in support of this application being submitted.

North Perth Bowling and Recreation Club have consulted directly with Bowls WA to support the application.

LEGAL/POLICY:

Nil

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to endorse North Perth Bowling and Recreation Club submitting a funding application to convert one of its existing grass bowling greens to a synthetic bowling green and commit \$66,104.55 (ex GST) to support funding the project.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

We have minimised our impact on the environment.

Connected and Healthy Community

*Our community facilities and spaces are well known and well used.
We protect, improve and promote public health and wellbeing within Vincent.*

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

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

*Water Use Reduction/Water Quality Improvement
Sustainable Energy Use/Greenhouse Gas Emission Reduction*

PUBLIC HEALTH IMPLICATIONS:

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

Increased physical activity

Increased mental health and wellbeing

FINANCIAL/BUDGET IMPLICATIONS:

Should the Council support the North Perth Bowling and Recreation Club synthetic bowling green conversion project, an amount of \$66,104.55 will be required in the 2024/2025 Capital Works budget to cover the city contribution towards the project. This figure is based on the quote acquired by North Perth Bowling and Recreation Club for this project.

Funding Source	Funds (ex GST)	Notes
City of Vincent Contribution	\$66,104.55	25% of total project cost Required for FY24/25 Budget
North Perth Bowling and Recreation Club	\$66,104.55	25% of total project cost
DLGSCI Grant Request	\$132,209.10	50% of total project cost
TOTAL Project Cost	\$264,218.20	

Should there be a financial shortfall once all funding sources are confirmed the City of Vincent will not contribute beyond its \$66,104.55 (ex GST) commitment towards project.

COMMENTS:

North Perth Bowling and Recreation Club converting a grass bowling green to a synthetic bowling green will have environmental and operational benefits. The conversion will reduce water, chemical and power use at the facility and allow better access to the green by being more "wheelchair friendly". This will allow North Perth Bowling and Recreational Club to be a more accessible, higher quality, and sustainable recreational asset for the local area.

The suggested funding model will be a mutually beneficial arrangement with the City contribution being a financially sound means of delivering a justified project, whilst North Perth Bowling and Recreation Club can deliver the project in a financially responsible, beneficial timeframe.

The CSRFF application was submitted to DLGSCI by 29 March 2024 with the outcome of this report to be provided once confirmed.

10.2 RFT IE269/2023 PROVISION OF PLUMBING AND GAS MAINTENANCE SERVICES

Attachments: 1. Evaluation Worksheet RFT IE269-2023 - Confidential

RECOMMENDATION:

That Council:

1. **NOTES the outcome of the evaluation process for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services; and**
2. **ACCEPTS the tender submission of Finestone Investments Pty t/a Ace Plus for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services.**

PURPOSE OF REPORT:

For Council to consider and determine the outcome of Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services.

BACKGROUND:

The City of Vincent is responsible to maintain services and infrastructure, both vested and unvested, within its Local Government area in accordance with the *Local Government Act 1995*.

The City requires the engagement of a skilled, qualified, licenced plumbing and gas Contractor to supply materials, labour and undertake necessary preventative and reactive plumbing maintenance services in a timely, proactive, and professional service to the following City assets:

- Beatty Park Leisure Centre
- Administration Building
- Loftus Recreation Centre
- Various parks and sports pavilions
- Public toilets and community buildings
- Leased buildings

A Procurement Plan to develop and release a public request for tender was approved on 8 August 2023. A public request for tender was released on Wednesday 6th December 2023 and closed on Friday 19th January 2024.

DETAILS:

Submissions were received from twelve (12) Respondents.

Evaluation Panel

The Evaluation Panel comprised of four (4) members, being:

- three with the appropriate operational expertise and involvement in supervising the contract;
- one with tender preparation skills and probity advice provided by a Procurement and Contracts Officer.

Compliance Assessment

Compliance assessment was carried out on all submissions. Out of the twelve (12) submissions, eleven (11) were assessed as fully compliant and progressed to the qualitative assessment stage.

One (1) submission was assessed by the panel as high risk and non-compliant and did not progress to the qualitative assessment stage.

Evaluation Method and Weighting

The qualitative weighting method of tender evaluation was selected to evaluate the offer.

The qualitative criteria and weighting used in evaluating the submission received were as follows:

Qualitative Criteria		Weighting
1	Capacity, Skills and Experience	40%
2	Demonstrated understanding of the required service	40%
3	Environmental and Social	20%

Qualitative Assessment

The qualitative assessment on all compliant submission were as follows:

Respondent #	Weighted Percentage Score	Qualitative Ranking
Respondent 1	80%	1
Respondent 5	77%	2
Respondent 10	70%	3
Respondent 4	68%	4
Respondent 9	60%	5
Respondent 12	60%	5
Respondent 3	50%	6
Respondent 7	50%	6
Respondent 6	48%	7
Respondent 2	32%	8
Respondent 8	20%	9

Refer to **Confidential Attachment 1** for further details.

Price Assessment

The panel carried out an assessment of the submitted pricing offered. The top four (4) submissions were ranked by price:

Respondent #	Qualitative Ranking
Respondent 1	1
Respondent 5	2
Respondent 4	3
Respondent 10	4

Evaluation Summary

The panel concluded that the tender submission from Respondent 1 Finestone Investments Pty t/a Ace Plus provides value for money to the City and is recommended for the provision of IE269/2023 Provision of Plumbing and Gas Maintenance Services for the following reasons:

- compliance with the submission requirements;
- ranked first in the qualitative assessment;
- ranked first in the pricing assessment; and
- pricing demonstrates value for money.

It is therefore recommended that Council accepts the tender submitted by Finestone Investments Pty t/a Ace Plus for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services.

CONSULTATION/ADVERTISING:

The Request for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services was advertised in the West Australian on Wednesday 6th December 2023 and on both the City's website and VendorPanel between 6th December 2023 and 19 January 2024.

LEGAL/POLICY:

The Request for Tender was prepared and advertised in accordance with:

- Section 3.57 of the Local Government Act 1995;
- Part 4 of the *Local Government (Functions and General) Regulations 1996*; and
- City of Vincent Purchasing Policy.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to accept the preferred Respondent.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

We have minimised our impact on the environment.

Connected and Healthy Community

Our community facilities and spaces are well known and well used.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Innovative and Accountable

We deliver our services, projects and programs in the most inclusive, efficient, effective and sustainable way possible.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, although the sustainability and environmental management practices of Respondents was a weighted qualitative criterion of this request, and the preferred Respondent provided some evidence of sustainability practices.

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

A total budget of \$1,000,000 over the life of the contract (3 years plus 2 extension options of 1 year) was identified and approved through the Annual Budget and Procurement Plan. The funding for this service will be sourced from the Operational and Maintenance budgets for each City of Vincent owned asset.

COMMENTS:

The tender submission from Finestone Investments Pty t/a Ace Plus complies with all tender requirements. The submission was well presented and included all relevant and specific information required and requested within the tender specification.

The Evaluation Panel deemed the response to be of an excellent standard, convincing and credible, demonstrating the capability, capacity and experience for key evaluation criteria and therefore recommend award of tender IE269/2023 Provision of Plumbing and Gas Maintenance Services to Finestone Investments Pty t/a Ace Plus.

10.3 ADOPTION OF THE PARKING AMENDMENT LOCAL LAW 2024

- Attachments:**
1. **Parking Amendment Local Law 2024 clean copy** [↓](#) 
 2. **Parking Amendment Local Law 2024 with changes** [↓](#) 
 3. **Parking Amendment Local Law 2024 - DLGSC comments** [↓](#) 
 4. **Parking Amendment Local Law 2024 - Public submissions** [↓](#) 

RECOMMENDATION:**That Council:**

1. **GIVES NOTICE** that the purpose of the Parking Amendment Local Law 2024 is to amend certain provisions of the City of Vincent Parking Local Law 2023; and
2. **GIVES NOTICE** that the effect of the Parking Amendment Local Law 2024 is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions; and
3. **MAKES BY ABSOLUTE MAJORITY** the Parking Amendment Local Law 2024 at Attachment 1, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer;
 - 3.1 publishing the Parking Amendment Local Law 2024 in the Government Gazette in accordance with s3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
 - 3.2 following Gazettal, providing local public notice in accordance with s3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

PURPOSE OF REPORT:

To consider adopting the *Parking Amendment Local Law 2024* to bring the Parking Local Law 2023 in compliance with the undertakings of the Joint Standing Committee on Delegated Legislation.

BACKGROUND:

After the adoption of the City of Vincent Parking Local Law 2023, it was found that a clause in relation to Event Parking, public availability of Australian Standards and minor typographical issues needed to be addressed. At its 21 November 2023 Meeting, Council resolved to provide public notice of the proposed *City of Vincent Parking Amendment Local Law 2024* (Item 17.1). In accordance with Section 3.12(3)(b) of the *Local Government Act 1995*, a copy of the proposed *City of Vincent Parking Amendment Local Law 2024* was provided to the Department of Local Government, Sports and Cultural Industries (DLGSC) for review and comment.

The submission period for the public notice was between 30 November 2023 and 30 January 2024.

Minor changes have been made to the draft *Parking Amendment Local Law 2024* following consideration of public submissions and advice from the DLGSC.

DETAILS:

Local public notice of the proposed *Parking Amendment Local Law 2024* was given in accordance with section 3.12(3)(a) of the *Local Government Act 1995*. Public notice and consultation on the proposed *Parking Amendment Local Law 2024* included the following:

- a notice published in the West Australian on 30 November 2023;
- a notice published in the Perth Now Central newspaper on 30 November 2023;
- a consultation page displayed on the City's website (Imagine Vincent);
- inclusion of a News item on the City's website;
- promotion on the City of Vincent's Facebook page; and
- inclusion on notice boards at the City of Vincent's Administration building and Library.

A copy of the proposed *Parking Amendment Local Law 2024* recommended for adoption is at **Attachment 1**. This attachment includes modifications to the *Parking Amendment Local Law 2024* as it was advertised. A copy of the advertised *Parking Amendment Local Law 2024* with the proposed minor changes is at **Attachment 2**. This includes modifications that were made following review of comments obtained from the public and DLGSC. After including these amendments, the *Parking Amendment Local Law 2024* is not significantly different to what was advertised, therefore it does not trigger the requirement to recommence the making of the local law under sections 3.13 of the *Local Government Act 1995*.

In accordance with section 3.12(3)(b) of the *Local Government Act 1995*, Administration provided the Minister for Local Government with a copy of the advertised *Parking Amendment Local Law*. The DLGSC provided minor editing suggestions for the *Parking Amendment Local Law*, and this can be found at **Attachment 3**. Administration have incorporated the Department's feedback, which was to make minor typographical and formatting changes.

During the public consultation period, the City received 9 submissions, with 3 in support of the amendment local law, 3 who did not support the amendment local law and 3 who neither supported or did not support the amendment local law. A copy of the submissions can be found at **Attachment 4**. The submissions received that did not support the amendment local law, largely didn't provide comment with any reasoning other than one seeking clarity on bus embayment vs bus stop at clause 2.6(1)(g)(i).

If adopted, the *Parking Amendment Local Law 2024* would be gazetted and provided to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). While the amendment local law has been prepared with advice from the DLGSC, the JSCDL may still exercise its discretion to disallow part or all of the *Parking Amendment Local Law 2024*.

CONSULTATION/ADVERTISING:

Following Gazettal, the City would provide local public notice that the *Parking Amendment Local Law 2024* has been published in the Government Gazette, in accordance with s3.12(6) of the *Local Government Act 1995*. The notice would include the following details:

- the title of the amendment local law;
- the purpose and effect of the amendment local law;
- the day the amendment local law comes into operation; and
- advise that copies of the amendment local law can be inspected and obtained from the City's office and website.

LEGAL/POLICY:

Section 3.12 of the *Local Government Act 1995* sets out the procedural requirements for the making of a local law:

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2a) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give local public notice stating that —*

- (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
- And*
- (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the minister and, if another minister administers the act under which the local law is proposed to be made, to that other minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
** absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the gazette and give a copy of it to the minister and, if another minister administers the act under which the local law is proposed to be made, to that other minister.*
- (6) *After the local law has been published in the gazette the local government is to give local public notice —*
- (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*
- (7) *The minister may give directions to local governments requiring them to provide to the parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to adopt the *Parking Amendment Local Law 2024*.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Accessible City

We have embraced emerging transport technologies.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

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

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are nominal costs associated with making the amendment local law, including advertising and Gazettal which can be expended from the City's operating budget.

City of Vincent

Local Government Act 1995

Parking Amendment Local Law 2024

Parking Amendment Local Law 2024

LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

LOCAL GOVERNMENT PARKING AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on XX XXX 2024 to make the following amendment local law.

1. Citation

This local law may be cited as the *City of Vincent Parking Amendment Local Law 2024*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal Local Law amended

This local law amends the *City of Vincent Parking Local Law 2023* as published in the *Government Gazette* on 11 September 2023.

4. Clause 1.6 amended

(1) In clause 1.6, delete the definition of 'parking region' and insert—

'parking region' means the area to which this local law applies, as described in clause 1.5.

(2) In clause 1.6, delete the definition of 'symbol' and insert—

'symbol' includes any symbol specified by the *Road Traffic Code 2000*.

5. Clause 2.6 amended

In clause 2.6, delete clause 2.6(1) and insert—

(1) A person must not stop or park a vehicle in a school zone during a school zone period—

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) on a verge;
- (d) on a footpath or pedestrian refuge;
- (e) in a parking bay in which another vehicle is stopped or parked;
- (f) on or across a driveway as outlined in clause 3.6; or
- (g) so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of—
 - (i) a bus embayment, or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
 - (ii) a pedestrian crossing; or
 - (iii) a children's crossing.

6. Clause 2.16 amended

Delete clause 2.16 and insert—

(1) In this clause, **special event** means a function or activity characterised by all or any of the following—

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club or a body corporate;
- (d) payment of a fee to attend; or
- (e) systematic recurrence in relation to the day, time and place.

(2) The local government may—

- (a) by giving local public notice and the use of a sign—
 - (i) set aside, for a period not exceeding 4 weeks, parking facilities for the parking of vehicles by those attending a special event; or
 - (ii) establish additional parking facilities on a reserve or local government property, for a period not exceeding 4 weeks, for the parking of vehicles by those attending a special event.
- (b) by resolution of council and by giving a minimum of 4 weeks local public notice, and the use of a sign—
 - (i) set aside parking facilities for a period exceeding 4 weeks for the parking of vehicles by those attending a special event; or
 - (ii) establish additional parking facilities on a reserve or local government property, for a period exceeding 4 weeks, for the parking of vehicles by those attending a special event.

(3) A person must not stop or park a vehicle—

- (a) in a parking station set aside under subclause (2) during the period for which it is set aside; or
- (b) on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established,

unless a permit obtained from the local government with respect to the special event is—

- (c) in the case of a printed permit, displayed inside the vehicle and is clearly visible to, and able to be read by an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station; or
- (d) in the case of an electronic permit, the person (using the parking app) has obtained notification that the required fee has been paid or that the permit has been issued.

7. Schedule 1—Modified Penalties amended

Delete Schedule 1—Modified Penalties and insert—

Schedule 1

City of Vincent Parking Local Law 2023

Modified Penalties [Clause 7.3]

Item	Clause	Description	Modified Penalty \$
1.	2.3(1)(a)	Stopping or parking by vehicles of a different class	\$120
2.	2.3(1)(b)	Stopping or parking by persons of a different class	\$120
3.	2.3(1)(c)	Stopping or parking during prohibited period	\$120
4.	2.3(1)(d)	Stopping or parking for longer than maximum period	\$90
5.	2.3(1)(e)	Failure to park wholly within parking bay or metered space	\$90
6.	2.3(1)(f)	Failure to comply with signs	\$90
7.	2.3(2)(a)	Stopping or parking in a no stopping area	\$200
8.	2.3(2)(b)	Stopping or parking contrary to a “clearway” sign	\$300
9.	2.3(2)(c)	Stopping or parking at a continuous yellow edged line	\$200
10.	2.3(2)(d)	Stopping or parking in a keep clear area of carriageway	\$200
11.	2.3(2)(e)	Stopping or parking vehicle other than motorcycle in ‘M/C’ bay	\$90
12.	2.3(2)(f)	Stopping or parking in a bus lane or bus way	\$200
13.	2.3(2)(g)	Stopping or parking in a transit lane	\$200
14.	2.3(2)(h)	Stopping or parking in a truck lane	\$200
15.	2.3(2)(i)	Stopping or parking in a bicycle lane or path	\$200
16.	2.3(3)	Parking in a no parking area	\$120
17.	2.3(4)	Stopping a motorcycle unlawfully	\$90
18.	2.3(5)	Parking in an unsigned ‘M/C’ bay or space for longer than the maximum period	\$90
19.	2.3(6)	Parking without authorisation in an area designated for Authorised Vehicles	\$120
20.	2.4(2)	Failure to display parking permit	\$120
21.	2.5(2)	Stopping or parking on land without consent	\$150
22.	2.5(3)	Stopping or parking on land not in accordance with consent	\$150

23.	2.6(1)(a)	Stopping or parking in a no stopping area in a school zone during a school zone period	\$225
24.	2.6(1)(b)	Stopping or parking next to a yellow edged line in a school zone during a school zone period	\$225
25.	2.6(1)(c)	Stopping or parking on a road verge in a school zone during school zone period	\$100
26.	2.6(1)(d)	Stopping or parking on a footpath or pedestrian refuge in a school zone during school zone period	\$225
27.	2.6(1)(e)	Stopping or parking in a bay occupied by another vehicle in a school zone during school zone period	\$85
28.	2.6(1)(f)	Stopping or parking on or across a driveway in a school zone during school zone period	\$225
29.	2.6(1)(g)(i)	Stopping or parking in a bus embayment or bus zone in a school zone during school zone period	\$225
30.	2.6(1)(g)(ii)	Stopping or parking on a pedestrian crossing in a school zone during school zone period	\$225
31.	2.6(1)(g)(iii)	Stopping or parking on a children's crossing in a school zone during school zone period	\$225
32.	2.6(2)	Obstructing a vehicle on carriageway in a school zone during school zone period	\$225
33.	2.7(a)	Failure to park or stop as near as practicable and parallel to boundary of carriageway	\$90
34.	2.7(b)	Failure to stop or park at approximately right angles to the centre of the carriageway	\$90
35.	2.8	Failure to park at an appropriate angle	\$90
36.	2.9	Stopping or parking unlawfully in a loading zone	\$120
37.	2.10	Driving, stopping or parking on a reserve	\$150
38.	2.11	Stopping or parking, or attempting to stop or park in a bay occupied by another vehicle	\$90
39.	2.12(4)	Stopping or parking contrary to permission	\$90
40.	2.13	Stopping or parking a vehicle contrary to direction	\$200
41.	2.14	Selling or hiring goods in a parking facility without authorisation	\$200
42.	2.15	Removing, damaging, defacing, misusing or interfering with parking facility	\$200
43.	2.16(3)	Stopping or parking unlawfully in a designated event area	\$120
44.	2.17	Stopping or parking unauthorised vehicle in an 'authorised vehicle only' area	\$120
45.	2.18	Stopping or parking on City property	\$120
46.	3.1(a) and 3.1(b)	Stopping or parking against the flow of traffic	\$90

47.	3.1(c)	Failure to stop or park vehicle with at least 3 metres of the width between the vehicle and the opposite boundary of the carriageway	\$150
48.	3.1(d)	Failure to stop or park vehicle more than 1 metre from any other vehicle	\$90
49.	3.1(e)	Parking or stopping so as to obstruct any vehicle on the carriageway	\$150
50.	3.2	Parking or stopping on a median strip or traffic island	\$150
51.	3.3(1)	Stopping or parking a vehicle unlawfully on a verge	\$90
52.	3.4(a)	Parking vehicle on any portion of a road or within a parking station for purpose of sale	\$150
53.	3.4(b)	Parking unlicensed vehicle on any portion of a road or within a parking station	\$150
54.	3.4(c)	Parking unattached trailer or caravan on a portion of road or within a parking station	\$150
55.	3.4(d)	Parking vehicle on a portion of road or within a parking station for purpose of repairs	\$150
56.	3.5(3)(a)	Stopping or parking a vehicle on a road so as to cause obstruction	\$200
57.	3.5(3)(b)	Stopping or parking a vehicle so as to obstruct an entrance, exit, carriageway, passage or thoroughfare in a parking facility	\$200
58.	3.5(3)(c)	Stopping or parking a vehicle on an intersection	\$200
59.	3.5(3)(d)	Stopping or parking within 20 metres from an intersecting carriageway with traffic-control signals	\$200
60.	3.5(3)(e)	Stopping or parking within 10 metres of the prolongation of nearest edge of intersecting carriageway	\$90
61.	3.5(3)(f)	Stopping or parking on or over a footpath, pedestrian crossing, children's crossing or place for pedestrians	\$200
62.	3.5(3)(g)	Stopping or parking alongside or opposite construction works where vehicle obstructs traffic	\$200
63.	3.5(3)(h)	Stopping or parking on a bridge or within a tunnel or underpass	\$150
64.	3.5(3)(i)	Stopping or parking between the boundaries of a carriageway and any continuous double line	\$90
65.	3.5(3)(j)	Stopping or parking closer than 3 metres to double longitudinal lines	\$150
66.	3.5(3)(k)	Stopping or parking within head of a cul-de-sac	\$120
67.	3.6	Stopping or parking across a driveway or other way of access	\$200
68.	3.7	Stopping unlawfully on crests/curves etc.	\$150
69.	3.8(a)	Stopping or parking within 1 metre of fire hydrant or fire plug	\$90

70.	3.8(b)	Stopping or parking within 3 metres of public post box	\$90
71.	3.9(1)(a)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a bus embayment or bus zone	\$90
72.	3.9(1)(b)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a pedestrian crossing	\$90
73.	3.9(1)(c)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a children's crossing	\$90
74.	3.9(1)(d)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a railway level crossing	\$90
75.	3.9(2)(a)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a pedestrian crossing that is not an intersection	\$200
76.	3.9(2)(b)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing that is not an intersection	\$200
77.	3.10(1)	Moving a vehicle along carriageway to avoid time limitation	\$120
78.	3.10(2)	Moving a vehicle within parking station to avoid time limitation	\$120
79.	3.10(3)	Obtaining more than one free parking ticket or parking period	\$120
80.	3.11	Stopping or parking unlawfully in a pedestrian mall	\$90
81.	3.12(1)	Stopping or parking a vehicle in a public bus zone	\$150
82.	3.12(2)	Stopping or parking public bus in bus zone when not picking up or setting down passengers	\$150
83.	3.13(1)	Stopping or parking in charter vehicle zone when not a charter vehicle	\$150
84.	3.13(2)(a)	Stopping or parking charter vehicle (12 or more seats) in charter vehicle zone for longer than maximum period	\$150
85.	3.13(2)(b)	Stopping or parking charter vehicle (less than 12 seats) in charter vehicle zone for longer than maximum period	\$150
86.	3.13(3)	Leaving charter vehicle unattended in charter vehicle zone	\$150
87.	3.14(1)	Stopping unlawfully in a taxi zone	\$150
88.	3.14(2)	Leaving taxi unattended while in a taxi zone	\$150
89.	3.15(8)	Stopping or parking a vehicle in a work zone	\$150
90.	3.16	Stopping or parking unlawfully in shared zone	\$90
91.	3.17	Unlawfully stopping or parking heavy or long vehicles on a carriageway	\$120
92.	4.1(1)	Failure to pay fee	\$90
93.	4.2	Inserting anything other than the permitted forms of payment in a fee paying machine	\$90

94.	4.3	Operating a fee paying machine contrary to instructions	\$90
95.	4.4	Stopping or parking in metered space for longer than the maximum period	\$90
96.	4.5(1)(a)	Failure to display valid parking ticket	\$90
97.	4.5(1)(b) and 4.5(1)(c)	Stopping or parking beyond permitted parking period	\$90
98.	4.6	Unlawfully leaving vehicle parked in reserved fee paying zone	\$120
99.	4.7(a)	Stopping or parking in a fee paying zone outside the period which stopping or parking is allowed	\$90
100.	4.7(b)	Stopping or parking in a fee paying zone for longer than the permitted period	\$90
101.	4.8(a)	Displaying a counterfeit, altered, obliterated or interfered with parking ticket	\$200
102.	4.8(b)	Producing to an authorised person a counterfeit, altered, obliterated or interfered with parking ticket	\$200
103.	5.1	Unlawfully entering a parking station	\$120
104.	5.2	Stopping or parking in a parking station without paying the appropriate fee	\$90
105.	5.2(d)	Failure to park wholly within parking bay in a parking station	\$90
106.	5.4(1)	Unlawfully removing stopped or parked vehicle from parking station	\$200
107.	5.4(2)	Failure to pay fee within 3 working days from the time of issue of the notice	\$120
108.	5.5	Stopping or parking in parking station for longer than the maximum period	\$90
109.	5.6	Failure to enter and exit parking facility through authorised entry or exit	\$120
110.	5.8(1)	Failure to leave parking station at the direction of a police officer or authorised person	\$200
111.	5.8(2)	Loitering in a parking station	\$120
112.	5.9	Driving a vehicle past a low clearance sign	\$200
113.	6.4	Impersonating an authorised person	\$200
114.	6.5	Obstructing an authorised person	\$200
115.	6.6	Unlawfully removing notice from vehicle	\$150
116.	6.7(a)	Unauthorised display, marking, setting up, exhibiting of a sign	\$150
117.	6.7(b)	Removing, defacing or misusing a sign or the property of the City	\$90
118.	6.7(c)	Affixing anything to a sign or fee paying machine	\$90

119.	6.8(2)	Removing or interfering with a lawful mark on a tyre	\$200
120.	6.11	Interfering with, damaging or obstructing City property	\$500

Dated XX XXX 2024

The Common seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of-

ALISON XAMON, Mayor

DAVID MACLENNAN, Chief Executive Officer

City of Vincent

Local Government Act 1995

Parking Amendment Local Law 2024

Parking Amendment Local Law 2024

LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

LOCAL GOVERNMENT PARKING AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on XX XXX 2024 to make the following amendment local law.

1. Citation

This local law may be cited as the *City of Vincent Parking Amendment Local Law 2024*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal Local Law amended

This local law amends the *City of Vincent Parking Local Law 2023* as published in the *Government Gazette* on 11 September 2023.

4. Clause 1.6 amended

(1) In clause 1.6, delete the definition of 'parking region' and insert—

"parking region" means the area to which this local law applies, as described in clause 1.5.

(2) In clause 1.6, delete the definition of 'symbol' and insert—

'symbol' includes any symbol specified by the *Road Traffic Code 2000*.

5. Clause 2.6 amended

In clause 2.6, delete clause 2.6(1) and insert—

(1) A person must not stop or park a vehicle in a school zone during a school zone period—

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) on a verge;
- (d) on a footpath or pedestrian refuge;
- (e) in a parking bay in which another vehicle is stopped or parked;
- (f) on or across a driveway as outlined in clause 3.6; **or**
- (g) so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of—
 - (i) a bus embayment, or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
 - (ii) a pedestrian crossing; **or**
 - (iii) a children's crossing.

6. Clause 2.16 amended

Delete clause 2.16 and insert—

(1) In this clause, ***special event*** means a function or activity characterised by all or any of the following—

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club or a body corporate;
- (d) payment of a fee to attend; **and-or**
- (e) systematic recurrence in relation to the day, time and place.

(2) The local government may—

- (a) by giving local public notice and the use of a sign—
 - (i) set aside, for a period not exceeding 4 weeks, parking facilities for the parking of vehicles by those attending a special event; or
 - (ii) establish additional parking facilities on a reserve or local government property, for a period not exceeding 4 weeks, for the parking of vehicles by those attending a special event.
- (b) by resolution of council and by giving a minimum of 4 weeks local public notice, and the use of a sign—
 - (i) set aside parking facilities for a period exceeding 4 weeks for the parking of vehicles by those attending a special event; or
 - (ii) establish additional parking facilities on a reserve or local government property, for a period exceeding 4 weeks, for the parking of vehicles by those attending a special event.²

(3) A person must not stop or park a vehicle—

- (a) in a parking station set aside under subclause (2) during the period for which it is set aside; or
- (b) on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established,

unless a permit obtained from the local government with respect to the special event is—

- (c) in the case of a printed permit, displayed inside the vehicle and is clearly visible to, and able to be read by an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station; or
- (d) in the case of an electronic permit, the person (using the parking app) has obtained notification that the required fee has been paid or that the permit has been issued.

7. Schedule 1—Modified Penalties amended

Delete Schedule 1—Modified Penalties and insert—

Schedule 1

City of Vincent Parking Local Law 2023

Modified Penalties [Clause 7.3]

Item	Clause	Description	Modified Penalty \$
1.	2.3(1)(a)	Stopping or parking by vehicles of a different class	\$120
2.	2.3(1)(b)	Stopping or parking by persons of a different class	\$120
3.	2.3(1)(c)	Stopping or parking during prohibited period	\$120
4.	2.3(1)(d)	Stopping or parking for longer than maximum period	\$90
5.	2.3(1)(e)	Failure to park wholly within parking bay or metered space	\$90
6.	2.3(1)(f)	Failure to comply with signs	\$90
7.	2.3(2)(a)	Stopping or parking in a no stopping area	\$200
8.	2.3(2)(b)	Stopping or parking contrary to a “clearway” sign	\$300
9.	2.3(2)(c)	Stopping or parking at a continuous yellow edged line	\$200
10.	2.3(2)(d)	Stopping or parking in a keep clear area of carriageway	\$200
11.	2.3(2)(e)	Stopping or parking vehicle other than motorcycle in ‘M/C’ bay	\$90
12.	2.3(2)(f)	Stopping or parking in a bus lane or bus way	\$200
13.	2.3(2)(g)	Stopping or parking in a transit lane	\$200
14.	2.3(2)(h)	Stopping or parking in a truck lane	\$200
15.	2.3(2)(i)	Stopping or parking in a bicycle lane or path	\$200
16.	2.3(3)	Parking in a no parking area	\$120
17.	2.3(4)	Stopping a motorcycle unlawfully	\$90
18.	2.3(5)	Parking in an unsigned ‘M/C’ bay or space for longer than the maximum period	\$90
19.	2.3(6)	Parking without authorisation in an area designated for Authorised Vehicles	\$120
20.	2.4(2)	Failure to display parking permit	\$120
21.	2.5(2)	Stopping or parking on land without consent	\$150
22.	2.5(3)	Stopping or parking on land not in accordance with consent	\$150

23.	2.6(1)(a)	Stopping or parking in a no stopping area in a school zone during a school zone period	\$225
24.	2.6(1)(b)	Stopping or parking next to a yellow edged line in a school zone during a school zone period	\$225
25.	2.6(1)(c)	Stopping or parking on a road verge in a school zone during school zone period	\$100
26.	2.6(1)(d)	Stopping or parking on a footpath or pedestrian refuge in a school zone during school zone period	\$225
27.	2.6(1)(e)	Stopping or parking in a bay occupied by another vehicle in a school zone during school zone period	\$85
28.	2.6(1)(f)	Stopping or parking on or across a driveway in a school zone during school zone period	\$225
29.	2.6(1)(g)(i)	Stopping or parking in a bus embayment or bus zone in a school zone during school zone period	\$225
30.	2.6(1)(g)(ii)	Stopping or parking on a pedestrian crossing in a school zone during school zone period	\$225
31.	2.6(1)(g)(iii)	Stopping or parking on a children's crossing in a school zone during school zone period	\$225
32.	2.6(2)	Obstructing a vehicle on carriageway in a school zone during school zone period	\$225
33.	2.7(a)	Failure to park or stop as near as practicable and parallel to boundary of carriageway	\$90
34.	2.7(b)	Failure to stop or park at approximately right angles to the centre of the carriageway	\$90
35.	2.8	Failure to park at an appropriate angle	\$90
36.	2.9	Stopping or parking unlawfully in a loading zone	\$120
37.	2.10	Driving, stopping or parking on a reserve	\$150
38.	2.11	Stopping or parking, or attempting to stop or park in a bay occupied by another vehicle	\$90
39.	2.12(4)	Stopping or parking contrary to permission	\$90
40.	2.13	Stopping or parking a vehicle contrary to direction	\$200
41.	2.14	Selling or hiring goods in a parking facility without authorisation	\$200
42.	2.15	Removing, damaging, defacing, misusing or interfering with parking facility	\$200
43.	2.16(3)	Stopping or parking unlawfully in a designated event area	\$120
44.	2.18 2.17	Stopping or parking unauthorised vehicle in an 'authorised vehicle only' area	\$120
45.	2.19 2.18	Stopping or parking on City property	\$120
46.	3.1(a) and 3.1(b)	Stopping or parking against the flow of traffic	\$90

47.	3.1(c)	Failure to stop or park vehicle with at least 3 metres of the width between the vehicle and the opposite boundary of the carriageway	\$150
48.	3.1(d)	Failure to stop or park vehicle more than 1 metre from any other vehicle	\$90
49.	3.1(e)	Parking or stopping so as to obstruct any vehicle on the carriageway	\$150
50.	3.2	Parking or stopping on a median strip or traffic island	\$150
51.	3.3(1)	Stopping or parking a vehicle unlawfully on a verge	\$90
52.	3.4(a)	Parking vehicle on any portion of a road or within a parking station for purpose of sale	\$150
53.	3.4(b)	Parking unlicensed vehicle on any portion of a road or within a parking station	\$150
54.	3.4(c)	Parking unattached trailer or caravan on a portion of road or within a parking station	\$150
55.	3.4(d)	Parking vehicle on a portion of road or within a parking station for purpose of repairs	\$150
56.	3.5(3)(a)	Stopping or parking a vehicle on a road so as to cause obstruction	\$200
57.	3.5(3)(b)	Stopping or parking a vehicle so as to obstruct an entrance, exit, carriageway, passage or thoroughfare in a parking facility	\$200
58.	3.5(3)(c)	Stopping or parking a vehicle on an intersection	\$200
59.	3.5(3)(d)	Stopping or parking within 20 metres from an intersecting carriageway with traffic-control signals	\$200
60.	3.5(3)(e)	Stopping or parking within 10 metres of the prolongation of nearest edge of intersecting carriageway	\$90
61.	3.5(3)(f)	Stopping or parking on or over a footpath, pedestrian crossing, children's crossing or place for pedestrians	\$200
62.	3.5(3)(g)	Stopping or parking alongside or opposite construction works where vehicle obstructs traffic	\$200
63.	3.5(3)(h)	Stopping or parking on a bridge or within a tunnel or underpass	\$150
64.	3.5(3)(i)	Stopping or parking between the boundaries of a carriageway and any continuous double line	\$90
65.	3.5(3)(j)	Stopping or parking closer than 3 metres to double longitudinal lines	\$150
66.	3.5(3)(k)	Stopping or parking within head of a cul-de-sac	\$120
67.	3.6	Stopping or parking across a driveway or other way of access	\$200
68.	3.7	Stopping unlawfully on crests/curves etc.	\$150
69.	3.8(a)	Stopping or parking within 1 metre of fire hydrant or fire plug	\$90

70.	3.8(b)	Stopping or parking within 3 metres of public post box	\$90
71.	3.9(1)(a)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a bus embayment or bus zone	\$90
72.	3.9(1)(b)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a pedestrian crossing	\$90
73.	3.9(1)(c)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a children's crossing	\$90
74.	3.9(1)(d)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a railway level crossing	\$90
75.	3.9(2)(a)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a pedestrian crossing that is not an intersection	\$200
76.	3.9(2)(b)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing that is not an intersection	\$200
77.	3.10(1)	Moving a vehicle along carriageway to avoid time limitation	\$120
78.	3.10(2)	Moving a vehicle within parking station to avoid time limitation	\$120
79.	3.10(3)	Obtaining more than one free parking ticket or parking period	\$120
80.	3.11	Stopping or parking unlawfully in a pedestrian mall	\$90
81.	3.12(1)	Stopping or parking a vehicle in a public bus zone	\$150
82.	3.12(2)	Stopping or parking public bus in bus zone when not picking up or setting down passengers	\$150
83.	3.13(1)	Stopping or parking in charter vehicle zone when not a charter vehicle	\$150
84.	3.13(2)(a)	Stopping or parking charter vehicle (12 or more seats) in charter vehicle zone for longer than maximum period	\$150
85.	3.13(2)(b)	Stopping or parking charter vehicle (less than 12 seats) in charter vehicle zone for longer than maximum period	\$150
86.	3.13(3)	Leaving charter vehicle unattended in charter vehicle zone	\$150
87.	3.14(1)	Stopping unlawfully in a taxi zone	\$150
88.	3.14(2)	Leaving taxi unattended while in a taxi zone	\$150
89.	3.15(8)	Stopping or parking a vehicle in a work zone	\$150
90.	3.16	Stopping or parking unlawfully in shared zone	\$90
91.	3.17	Unlawfully stopping or parking heavy or long vehicles on a carriageway	\$120
92.	4.1(1)	Failure to pay fee	\$90
93.	4.2	Inserting anything other than the permitted forms of payment in a fee paying machine	\$90

94.	4.3	Operating a fee paying machine contrary to instructions	\$90
95.	4.4	Stopping or parking in metered space for longer than the maximum period	\$90
96.	4.5(1)(a)	Failure to display valid parking ticket	\$90
97.	4.5(1)(b) and 4.5(1)(c)	Stopping or parking beyond permitted parking period	\$90
98.	4.6	Unlawfully leaving vehicle parked in reserved fee paying zone	\$120
99.	4.7(a)	Stopping or parking in a fee paying zone outside the period which stopping or parking is allowed	\$90
100.	4.7(b)	Stopping or parking in a fee paying zone for longer than the permitted period	\$90
101.	4.8(a)	Displaying a counterfeit, altered, obliterated or interfered with parking ticket	\$200
102.	4.8(b)	Producing to an authorised person a counterfeit, altered, obliterated or interfered with parking ticket	\$200
103.	5.1	Unlawfully entering a parking station	\$120
104.	5.2	Stopping or parking in a parking station without paying the appropriate fee	\$90
105.	5.2(d)	Failure to park wholly within parking bay in a parking station	\$90
106.	5.4(1)	Unlawfully removing stopped or parked vehicle from parking station	\$200
107.	5.4(2)	Failure to pay fee within 3 working days from the time of issue of the notice	\$120
108.	5.5	Stopping or parking in parking station for longer than the maximum period	\$90
109.	5.6	Failure to enter and exit parking facility through authorised entry or exit	\$120
110.	5.8(1)	Failure to leave parking station at the direction of a police officer or authorised person	\$200
111.	5.8(2)	Loitering in a parking station	\$120
112.	5.9	Driving a vehicle past a low clearance sign	\$200
113.	6.4	Impersonating an authorised person	\$200
114.	6.5	Obstructing an authorised person	\$200
115.	6.6	Unlawfully removing notice from vehicle	\$150
116.	6.7(a)	Unauthorised display, marking, setting up, exhibiting of a sign	\$150
117.	6.7(b)	Removing, defacing or misusing a sign or the property of the City	\$90
118.	6.7(c)	Affixing anything to a sign or fee paying machine	\$90

119.	6.8(2)	Removing or interfering with a lawful mark on a tyre	\$200
120.	6.11	Interfering with, damaging or obstructing City property	\$500

Dated XX XXX 2024

The Common seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of-

ALISON XAMON, Mayor

DAVID MACLENNAN, Chief Executive Officer

Parking Amendment Local Law 2024 – DLGSC Comments**Minor edits:**

The following minor amendments are suggested:

- **Clause 4(1):**
 - Insert tab before the line beginning with “*parking region*” for clarity
 - Amend the quotation marks to begin at “*parking region*” and finish at “clause 1.5.”
- **Clause 4(2):** clarify whether it is also intended for the word “*symbol*” itself to be deleted from the clause
- **Clause 5:**
 - At (1)(f), insert “or” after “clause 3.6”
 - At (1)(g)(ii), insert “or” after “crossing;”
- **Clause 6:**
 - At (1)(d), replace “and” with “or”
 - At (2)(a), amend formatting so (i) and (ii) align correctly
 - At (2)(b)(ii), delete end quotation mark after “event.”
 - At 3(a), delete semicolon after “or”
 - Consider amending (3)(c)-(d) to be a separate paragraph for clarity.

Parking Amendment Local Law 2024 – Public submissions

#	Comment	Administration Comment
1	It seems that there is little change to the law apart from trying to make money, I know of at least two outstanding requests for Engineering to attend issues that has been outstanding for more than 6 months. Yet you have time to amend laws to make more money.	Noted
2	<p>Clause 2.6(1)(g)(i) - why does this reference a bus embayment and not bus stop? This is inconsistent with the Road Traffic Code 2000 Regulation 164(1) and is likely to catch out a lot of otherwise innocent drivers who do not expect to see a 'default' stopping/parking provision in that location.</p> <p>the fundamental difference is that a bus stop is a defined single point, marked by a bus stop sign. A bus embayment is a lot more vague and can take a wide range of different forms which you would need a couple of traffic engineers to argue about the definition to be sure of!</p> <p>I accept there is a need to prohibit stopping and parking near bus embayments at certain locations, but not at all locations. Therefore it is more appropriate to achieve this by using parking regulatory signs at the relevant locations, not a default/invisible parking ban.</p> <p>I also note that a lot of existing parking regulatory signs will need to be reviewed and replaced to avoid conflicting with this new Parking Law, as there are many locations where stopping and parking is permitted adjacent to bus embayments in school zones.</p> <p>I would support the amendment if Clause 5(1)(g)(i) was modified to "bus stop" rather than "bus embayment" and this is the most appropriate solution.</p>	Noted. Current clause which references 'bus embayment or a bus zone' is consistent with signage that is in place in these locations, which references 'Bus Zone'.
3	The fine needs to be \$200 across the board. There needs to be a fine for parking too close to a corner eg park a certain distance ? from any corner	Penalty exists for this offence at clause 3.5(3)(e) in the Principle local law. The penalty set is \$90, consistent with other clauses where stopping or parking within a specific distance is not permissible.
4	No Comment	Noted
5	No Comment	Noted
6	Parking in Bike Lanes needs to be acknowledged. As someone who commutes by bike, cars parking in bike lanes is something I see everyday but this doesn't seem to be represented in this document.	Stopping or parking in a bicycle lane or path exists in the Principle local law at clause 2.3(2)(i).
7	I don't know. There is no summary of what has actually changed. The entire 29-page document (who reads that whole thing?) makes no mention of e-scooters and other	Noted. E-Scooters are covered under the Local Government Property Local Law 2021 as 'wheeled recreational device'.

	such vehicles, despite these now being 'parked' all over Vincent. So I can't really say I support or oppose this law.	
8	No Comment	Noted
9	Schedule 1 at line 44 and 45 refences incorrect clauses.	This has been corrected to reference correct clause.

10.4 BRISBANE STREET - RESPONSE TO PETITION

- Attachments:**
1. **Attachment 1: Brisbane Street Traffic Concerns - Petition - March 2024 - Confidential**
 2. **Attachment 2: Brisbane Street Traffic Concerns - Survey - March 2024 - Confidential**

RECOMMENDATION:

That in response to a petition received by the Council on 19 March 2024 in relation to Local Area Traffic Management and parking issues on Brisbane Street, between Lake and Palmerston Streets, Perth, Council:

1. **NOTES the April 2024 Traffic Warrant scoring is 30 for Brisbane Street, between Lake and Palmerston Streets which suggests to consider low-cost non-capital works solutions;**
2. **REQUESTS Administration to design a low-cost treatment to be delivered which addresses road safety issues (speeding, driver behaviour etc) on Brisbane Street, between Lake and Palmerston Streets,**
3. **CONSULT with residents on the low-cost treatment design for Brisbane Street, between Lake and Palmerston Streets; and**
4. **CONSULT with residents on the proposed introduction of paid parking on both sides of Brisbane Street, between Lake Street and Palmerston Street.**

PURPOSE OF REPORT:

To provide Council with a response to a petition received on 19 March 2024 in relation to traffic management and parking issues on Brisbane Street, between Lake and Palmerston Streets, Perth.

BACKGROUND:

On the 19 March 2024 Council received a petition with 6 signatures from Matt Dowell of Perth. The petition requests that the Council investigate options to address the road safety concerns and parking congestion issues of residents of Brisbane Street between Lake and Palmerston Street. The petition attaches a survey completed by 21 people comprising a large percentage of local residents and outlines concerns including accidents and near misses and an overwhelming desire for traffic calming and parking congestion to be addressed.

The petition is provided in Confidential Attachment 1.

DETAILS:

Brisbane Street from Lake Street to Palmerston Street is classified as a Local Access Road in the Metropolitan Road Hierarchy adopted by Main Roads WA. The maximum desirable traffic volume on a Local Access Road is up to 3,000 vehicles per day (vpd), the legal speed limit is 40km/h.

Traffic data collected from 21 March 2024 to 02 April 2024 is as follows –

- **Traffic volume:** 1504 vpd (vehicle per day).
- **Speed:** 85% is 43km/h (The 85th percentile speed is the speed that 85% of vehicles are travelling at, or slower, under free-flowing conditions).
- **Average speed:** 36km/h.
- **Class:** Heavy vehicles 1.7%.

The traffic data shows the average weekday volume being 1504vpd, this is within the expected capacity of a Local Access Road. The 85th percentile speed is 43km/h which is similar to the speeds recorded in comparable streets throughout the City however slightly higher than the posted legal limit of 40km/h.

The Traffic Warrant scoring completed on the 5 April 2024 following data collected between the 21 March 2024 to 02 April 2024 scored this section of road at 30, which suggests consideration of low-cost non-capital works solutions be explored.

The Traffic Warrant Scoring system is derived from the *Austroads Guide to Traffic Management*, Part 8: Local Street Management. Traffic parameter is detailed below –

Table 1 – LATM Warrant Scoring System

TRAFFIC PARAMETER	
Traffic Speed	85 th percentile speed (km/h)
Traffic Volume	Average weekday traffic volume (vpd)
Crash Data	Fatal crashes
	Injury crashes
	Non-injury crashes
Road Design and Topography	Restricted sight distance on vertical/horizontal curve
	Unrestricted sight distance on bends
	Steep hill
Vulnerable Road Users	Major bicycle or pedestrian crossing point
	Important Bicycle Route
Activity Generators	Educational institution (e.g. school, college)
	Retail
Amenity Factors	Rat-running through traffic – percentage of peak hour traffic volume (%)
Heavy Vehicles	Percentage of heavy vehicles (%)
LATM W	

Crash statistics, road environment and condition, nature and volume of use etc is assessed and points applied in accordance with the guidelines.

The warrant system suggests that aggregate scores from 30 and above require some level of intervention. Scores of 50 and above require capital works intervention, as shown in the table below –

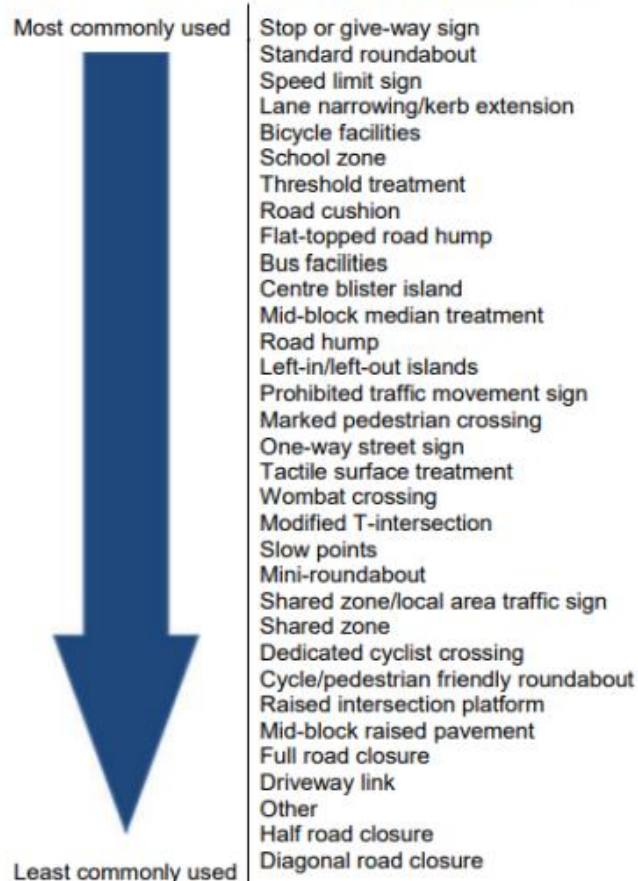
Table 2 – Level of Action

TOTAL POINT SCORE	DECISION	ACTION RESPONSE
Greater than 50 points	Denoted as Technical Problem Site	Considered to be a site that has problems. Suitable solutions to be considered for funding and implementation.
30 to 50 points	Denoted as Minor Technical Problem Site	Consider low-cost non-capital works solutions (e.g. sign and line marking treatments, monitoring with electronic speed display signs) if appropriate.
Below 30 points	Denoted as a site with low safety and amenity concerns	No further action required.

Low-Cost treatments are recommended as non-capital works, examples being signs, line marking and speed monitoring.

The Guidelines outline some of the commonly applied treatments as follows –

Figure 7.1: LATM devices commonly used by local governments



Source: Damen and Raiston (2015).

The Manager Engineering met with petitioner Matt Dowell of Perth on Wednesday 27 March 2024 to discuss the road safety and parking petition submitted by the residents of Brisbane Street. Mr Dowell was appreciative of a City representative taking the time to look at the site and understand the context of this stretch of road and the resident's associated concerns.

The summary of the meeting was as detailed below:

- The City of Vincent is reviewing historic traffic data (now a few years old) and intends to utilise the data currently being gathered with the two traffic counters currently rolled out.
- These measure traffic volume, vehicle speed and heavy vehicle usage.
- A previous assessment of Brisbane Street (a few years ago) measured the 'Traffic Warrant Assessment' at 30 points, which is below the 50 points that triggers funding priority for major treatment.
- A score of 30 is denoted as a 'minor technical problem site' and low-cost capital works solutions would be considered, with possible scope for City of Vincent to either prioritise local funding or pursue funding from Main Roads for more substantial capital works (plateauing, speed humps etc)
- The traffic warrant score typically considers the data sourced from the traffic counters.

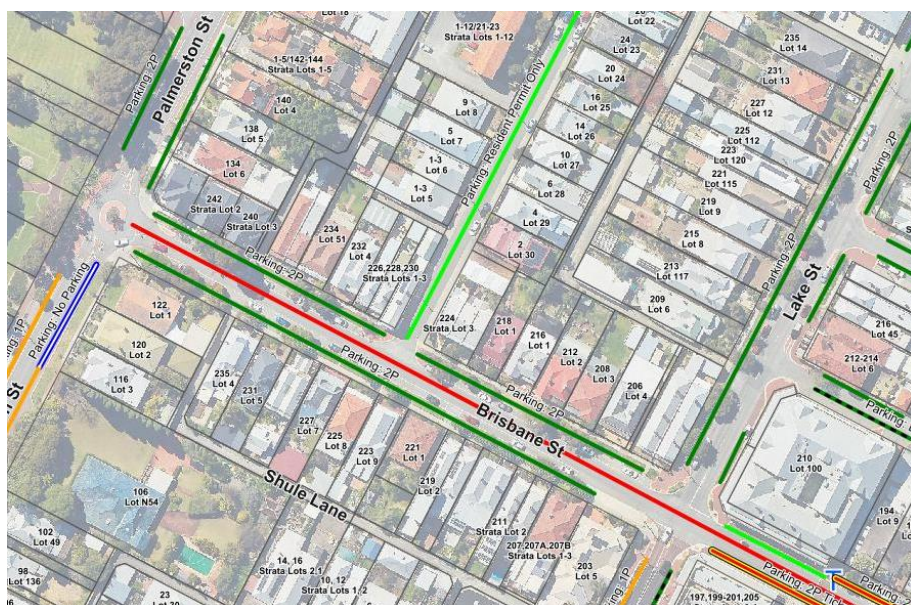
Mr Dowell stated that safety concerns of residents go beyond traffic volume and speed of vehicles measured by the traffic counters, and it was strongly suggested that the following should be taken into account when determining the 'Traffic Warrant Assessment':

- Brisbane Street narrows significantly at the Lake Street intersection up until the Palmerston Street roundabout by approximately 1.5 - 2 metres.
- Due to the two-way traffic and narrowness of the Street, the safety of residents is compromised through simply getting in and out of their vehicles, particularly when traffic is flowing both ways.
- Widening the road would require significant capital works and funding, and most likely not a viable option. Reducing traffic volume and calming options would likely be more viable.
- This section of Brisbane Street is 100% residential zoning. Traffic created by the commercial zoning of the rest of Brisbane Street and from Lake Street to Bulwer Street freely flows through this residential area.
- Consideration should be given to redirecting west-bound traffic on Brisbane Street up Lake Street to the main arteries of Bulwer and Newcastle Streets.
- It is a high pedestrian zone, which is to be encouraged and would be enhanced if traffic was redirected away from this residential strip.

In addition, Mr Dowell requested that the parking congestion concerns are also addressed within the report and possible solutions identified. The petitioner confirmed that residents understand the City of Vincent has conflicting priorities and triages works based on need first and foremost. The City of Vincent is requested to develop a plan that includes low-cost short-term solutions that can be implemented in the near future, with a view for more significant capital works to be undertaken longer term.

The Manager Engineering confirmed that the information above will be considered with short- and longer-term measures explored, longer term could take up to 18 months before designs could be completed.

The current parking restrictions on Brisbane Street between Lake Street and Palmerston Street is 2P 8AM – 5.30PM, Monday to Friday and 2P 8AM to Noon on Saturday on both the North and South side.



The City has received a number of concerns from residents in relation to the lack of parking available on the street for residents. The demand on parking has increased due to the increasing density of developments in the area and with the proximity to the CBD. As parking demand has increased, local residents have found a diminishing availability of parking adjacent to their properties and have contacted the City to address their concerns.

Parking surveys were undertaken on Brisbane Street to assess the volume and demand on parking. This data is then used to determine whether any changes to parking restrictions are warranted to improve parking availability and amenity. The surveys were conducted between 23 March and 4 April at the below times:

- 8:30 – 9:30AM;
- 11:30AM – 12:30PM;
- 3:00 – 3:30PM; and
- 5:30 – 6:30PM

The data showed ~78% of vehicles that were parked on the street were non-residential.

The introduction of paid parking could be considered pending consultation with residents. This would ensure this section of Brisbane Street would be consistent with the current paid parking on Brisbane Street between Lake Street and Beaufort Street.

This would align with action item 3.3.1 of the *Accessible City Strategy* which looks at expanding paid parking using the 'demand responsive pricing' methodology.

CONSULTATION/ADVERTISING:

Community engagement for the Local Area Traffic Management (LATM) treatment will be to 'Consult' on a short-term low-cost treatment. Community engagement is proposed to be undertaken with affected residents to ascertain whether resident only parking restrictions should be implemented to potentially ease the parking volume on the street. The City will "Inform" the local businesses that might be affected by the proposed changes to the paid parking arrangements.

LEGAL/POLICY:

Road Traffic Act 1974 and the City of Vincent Parking Local Law 2023, which regulates the parking or standing of vehicles in all specified thoroughfares and reserves under the care, control and management of the City and provides for the management and operation of parking facilities.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to implement Local Area Traffic Management projects which warrant intervention due to road safety concerns

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Accessible City

We have better integrated all modes of transport and increased services through the City.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Innovative and Accountable

We embrace good ideas or innovative approaches to our work to get better outcomes for Vincent and our community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral, it relates to road safety and parking.

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Minor Traffic Management Improvements has an approved budget of \$146,000 for the 2023-2024 financial year.

The estimated cost of future short-term Local Area Traffic Management treatments on Brisbane Street from Lake Street to Palmerston Street is expected to be below \$50K. Longer term solutions is expected to have significant capital cost and funding from Main Roads WA would be required.

COMMENTS:

It is likely that the delivery of the low-cost Local Area Traffic Management treatment on Brisbane Street from Lake Street to Palmerston Street may address community concerns relating to congestion, road safety and driver behaviour.

Parking issues have now been investigated and community concerns regarding lack of residential parking can be addressed after consultation with the community on the proposed introduction of paid parking.

11 COMMUNITY & BUSINESS SERVICES

11.1 FINANCIAL STATEMENTS AS AT 29 FEBRUARY 2024

Attachments: 1. Financial Statements as at 29 February 2024  

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 29 February 2024 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the statement of financial activity for the period ended 29 February 2024.

BACKGROUND:

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, as compared to the budget.

DETAILS:

The following documents, included as **Attachment 1**, comprise the statement of financial activity for the period ending **29 February 2024**:

Note	Description	Page
1.	Statement of Financial Activity by Nature or Type Report	1
2.	Net Current Funding Position	2
3.	Statement of Financial Position	3
4.	Summary of Income and Expenditure by Service Areas	4-6
5.	Capital Expenditure including Funding graph and Capital Works Schedule	7-14
6.	Cash Backed Reserves	15
7.	Receivables: Rates and Other Debtors	16
8.	Beatty Park Leisure Centre Financial Position	17-18

Explanation of Material Variances

The materiality thresholds used for reporting variances are 10% and \$20,000, respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year-to-date budget and where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2023/2024 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

In accordance with the above, all material variances as at 29 February 2024 have been detailed in the variance comments report in **Attachment 1**.

Comments on the Statement of Financial Activity by Nature or Type (as at Attachment 1).

Revenue by Nature or Type (on page 1) is tracking higher than the YTD budgeted revenue by \$1,337,501 (2.2%). The following items materially contributed to this position:

- A favourable variance of \$1,000,150 in Fees and Charges mostly due to:
 - \$573,527 favourable Beatty Park admission, enrolment fee, membership, and merchandise income,
 - \$230,721 favourable car parking revenue,
 - \$113,262 favourable statutory planning services mostly due to development application fees.
- A favourable variance in Interest earnings of \$1,000,616 mostly due to higher-than-expected interest rates and higher cash balances.
- A favourable variance in Rates of \$85,289 due to a timing variance.

- An unfavourable variance in Profit on Disposal of Assets of \$636,881 due to the timing of vehicle and truck disposals.
- An unfavourable variance in Other Revenue of \$64,490 due to a timing variance.
- An unfavourable variance in Operating grants, subsidies, and contributions of \$47,183 due to a timing variance.
-

Expenditure by Nature or Type (on page 1) is favourable, attributed by an under-spend of \$1,658,375 (3.5%). The following items materially contributed to this position:

- \$1,425,111 favourable Materials and Contracts mainly due to timing variances.
- \$240,640 favourable Employee related costs mostly due to timing variances.
- \$291,207 favourable Utility charges due to timing variances.
- \$94,660 favourable other expenditure mostly due to timing variances.
- \$56,954 favourable Interest expenses due to timing variances on loan payments.
- \$406,390 unfavourable depreciation expense due to timing variances.

Surplus Position – Year End 2022/23

The surplus position brought forward to 2024/24 is \$9,050,810 compared to the revised budget amount of \$8,618,713.

Content of Statement of Financial Activity

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Nature or Type Report (Note 1 Page 1)
This statement of financial activity shows revenue and expenditure classified by Nature or Type.
2. Net Current Funding Position (Note 2 Page 2)
'Net current assets' is the difference between the current assets and current liabilities, less committed and restricted assets.
3. Statement of Financial Position (Note 3 Page 3)
This statement of financial position shows the new current position and the total equity of the City.
4. Summary of Income and Expenditure by Service Areas (Note 4 Page 4-6)
This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.
5. Capital Expenditure and Funding Summary (Note 5 Page 7-14)
The full capital works program is listed in detail in Note 4 in **Attachment 1**. The attachment includes a summary of the year-to-date expenditure of each asset category and the funding source associated to the delivery of capital works.
5. Cash Backed Reserves (Note 6 Page 15)
The cash backed reserves schedule provides a detailed summary of the movements in the reserve portfolio, including transfers to and from the reserve. The balance as at 29 February 2024 is \$20,442,515.
6. Receivables: Rating Information (Note 7 Page 16)

The notices for rates and charges levied for 2024/24 were issued on 26 July 2024. *The Local Government Act 1995* provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

	Due Date
First Instalment	1 September 2024
Second Instalment	3 January 2024
Third Instalment	5 January 2024
Fourth Instalment	8 March 2024

The outstanding rates debtors balance at 29 February 2024 was \$5,443,008, excluding deferred rates of \$141,838. The outstanding rates percentage at 29 February 2024 was 11.19% compared to 11.72% for the same period last year.

7. Receivables: Other Debtors (Note 7 Page 16)

Total trade and other receivables at 29 February 2024 were \$3,724,799.

Below is a summary of the significant items with an outstanding balance over 90 days:

- \$1,257,223 relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are referred to the Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a fee.
- \$188,094 relates to cash-in-lieu of car parking debtors. In accordance with the *City's Policy 7.7.1 Non-residential parking*, Administration has entered into special payment arrangements with long outstanding cash in lieu parking debtors to enable them to pay their debt over a fixed term of five years.

8. Beatty Park Leisure Centre – Financial Position report (Note 8 Page 17-18)

As at 29 February 2024, the Centre's operating surplus position was \$1,027,483 (excluding depreciation) compared to the prior YTD surplus amount of \$712,066. The surplus is predominantly driven by Health and Fitness memberships, group fitness and retail shop income.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and other financial reports as prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, reporting on the source and application of funds as set out in the adopted annual budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. *Section 6.8 of the Local Government Act 1995* specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.

STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure within this report facilitates various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure within this report facilitates various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

As contained in this report.

CITY OF VINCENT
NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
BY NATURE OR TYPE
FOR THE PERIOD ENDED 29 FEBRUARY 2024



CITY OF VINCENT

	Note	Revised Budget	YTD Budget	YTD Actual	YTD Variance	YTD Variance
		2023/24	29/02/2024	29/02/2024		
		\$	\$	\$	\$	%
Opening Funding Surplus(Deficit)		8,618,713	8,618,713	9,050,810	432,097	5.0%
Revenue from operating activities						
Rates		42,302,811	42,192,811	42,278,100	85,289	0.2%
Operating Grants, Subsidies and Contributions		968,420	144,921	97,738	(47,183)	-32.6%
Fees and Charges		22,076,584	15,316,893	16,317,043	1,000,150	6.5%
Interest Earnings		1,103,000	974,004	1,974,620	1,000,616	102.7%
Other Revenue		1,329,647	944,618	880,128	(64,490)	-6.8%
Profit on Disposal of Assets		2,420,775	704,109	67,228	(636,881)	-90.5%
		70,201,237	60,277,356	61,614,857	1,337,501	2.2%
Expenditure from operating activities						
Employee Costs		(31,202,066)	(20,435,759)	(20,195,119)	240,640	-1.2%
Materials and Contracts		(24,120,267)	(15,938,663)	(14,513,552)	1,425,111	-8.9%
Utility Charges		(1,924,678)	(1,275,416)	(984,209)	291,207	-22.8%
Depreciation on Non-Current Assets		(12,607,088)	(8,404,768)	(8,811,158)	(406,390)	4.8%
Interest Expenses		(503,201)	(351,579)	(294,625)	56,954	-16.2%
Insurance Expenses		(804,195)	(536,128)	(536,128)	0	0.0%
Other Expenditure		(769,251)	(562,703)	(468,043)	94,660	-16.8%
Loss on Disposal of Assets		(47,335)	(47,335)	(91,142)	(43,807)	92.5%
		(71,978,081)	(47,552,351)	(45,893,976)	1,658,375	-3.5%
Operating activities excluded from budget						
Add Deferred Rates Adjustment		0	0	(26,445)	(26,445)	0.0%
Add Back Depreciation		12,607,088	8,404,768	8,811,158	406,390	4.8%
Adjust (Profit) Loss on Asset Disposal		(2,373,440)	(656,774)	23,914	680,688	-103.6%
		10,233,648	7,747,994	8,808,627	1,060,633	13.7%
Amount attributable to operating activities		8,456,804	20,472,999	24,529,508	4,056,509	19.8%
Investing Activities						
Non-operating Grants, Subsidies and Contributions		4,130,332	3,611,105	797,733	(2,813,372)	-77.9%
Purchase Property, Plant and Equipment	4	(9,607,039)	(7,517,805)	(3,081,053)	4,436,752	-59.0%
Purchase Infrastructure Assets	4	(10,205,999)	(7,838,173)	(3,137,782)	4,700,391	-60.0%
Proceeds from Joint Venture Operations		1,666,666	1,111,104	1,111,104	0	0.0%
Proceeds from Disposal of Assets		1,763,000	1,713,000	1,089,179	(623,821)	-36.4%
Amount attributable to investing activities		(12,253,040)	(8,920,769)	(3,220,819)	5,699,950	-63.9%
Financing Activities						
Principal elements of finance lease payments		(95,000)	(72,000)	(43,836)	28,164	(39.1%)
Repayment of Loans		(1,585,417)	(1,317,169)	(1,317,170)	(1)	0.0%
Transfer to Reserves	5	(6,910,958)	(4,442,402)	(5,763,221)	(1,320,819)	29.7%
Transfer from Reserves	5	5,722,938	3,956,016	2,514,350	(1,441,666)	-36.4%
Amount attributable to financing activities		(2,868,437)	(1,875,555)	(4,609,877)	(2,734,322)	145.8%
Closing Funding Surplus(Deficit)		1,954,040	18,295,388	25,749,622	7,454,234	40.7%

CITY OF VINCENT
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
NOTE 2 - NET CURRENT FUNDING POSITION
FOR THE PERIOD ENDED 29 FEBRUARY 2024



CITY OF VINCENT

	Note	YTD Actual	PY Actual
		29/02/2024	28/02/2023
		\$	\$
Current Assets			
Cash Unrestricted		29,994,534	27,208,906
Cash Restricted		20,442,515	14,895,298
Receivables - Rates	6	5,443,008	5,099,720
Receivables - Other	6	3,724,799	3,718,136
Inventories		1,419,833	1,451,548
		<u>61,024,689</u>	<u>52,362,608</u>
Less: Current Liabilities			
Payables		(11,679,551)	(10,218,374)
Provisions - employee		(5,322,087)	(5,300,698)
		<u>(17,001,638)</u>	<u>(15,519,072)</u>
Unadjusted Net Current Assets		44,023,051	36,843,536
Adjustments and exclusions permitted by FM Reg 32			
Less: Reserves - restricted cash	5	(20,442,515)	(14,895,298)
Less: Land held for sale		(1,143,517)	(1,251,293)
Add: Current portion of long term borrowings		1,626,628	1,495,117
Add: Infringement Debtors transferred to non current asset		1,625,260	1,293,417
Add: Current portion of long term finance lease liabilities		60,722	0
		<u>(18,273,422)</u>	<u>(13,358,057)</u>
Adjusted Net Current Assets		25,749,629	23,485,479

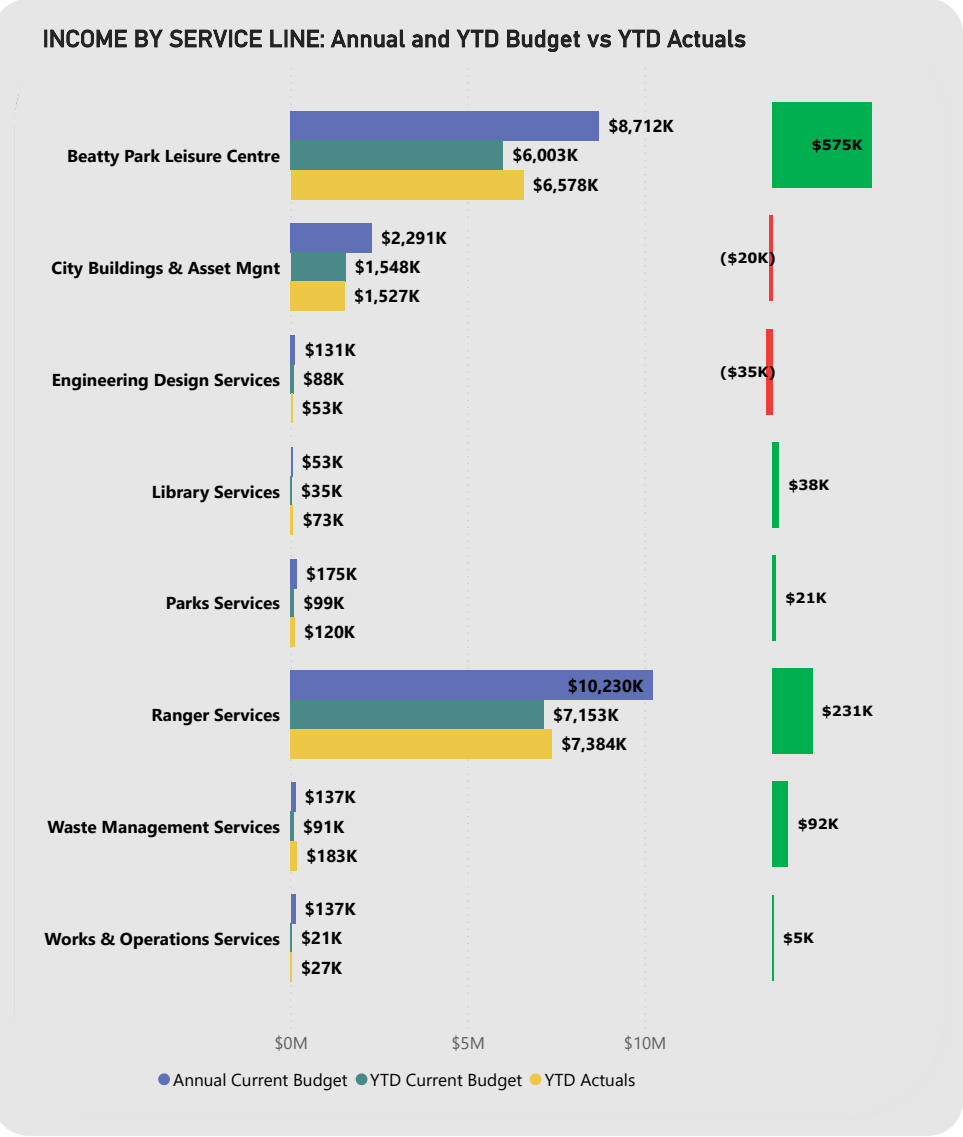
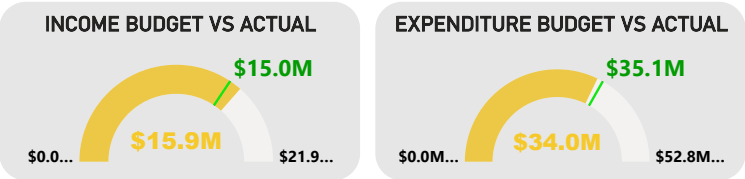


CITY OF VINCENT

CITY OF VINCENT
NOTE 3 - STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 29 FEBRUARY 2024

	Note	YTD Actual 29/02/2024 \$	PY Actual 30/06/2023 \$
Current Assets			
Cash Unrestricted		29,994,534	15,276,625
Cash Restricted		20,442,515	17,193,643
Receivables - Rates	6	5,443,008	752,833
Receivables - Other	6	3,724,799	4,873,482
Inventories		1,419,833	1,331,138
Total Current Assets		61,024,689	39,427,722
Non-Current Assets			
Receivables - Rates		157,828	536,755
Receivables - Other		1,363,614	2,324,614
Inventories		41,986	41,986
Investment in associate		13,712,893	14,962,895
Property, plant and equipment		249,553,344	251,184,398
Infrastructure		146,986,286	147,996,166
Right of use assets		184,606	0
Intangible assets		42,496	127,197
Total Non-Current Assets		412,043,053	417,174,011
Total Assets		473,067,742	456,601,733
Current Liabilities			
Payables		(11,679,551)	(10,176,245)
Provisions - employee		(5,322,087)	(5,525,851)
Total Current Liabilities		(17,001,638)	(15,702,095)
Non-Current Liabilities			
Borrowings		(10,197,371)	(11,475,705)
Employee related provisions		(466,428)	(538,130)
Total Non-Current Liabilities		(10,663,799)	(12,013,835)
Total Liabilities		(27,665,437)	(27,715,930)
Net Assets		445,402,305	428,885,803
Equity			
Retained Surplus		(124,201,585)	(110,933,953)
Reserve Accounts		(20,442,515)	(17,193,645)
Revaluation Surplus		(300,758,205)	(300,758,205)
Total Equity		(445,402,305)	(428,885,803)

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
INFRASTRUCTURE AND ENVIRONMENT DIRECTORATE
AS AT 29 FEBRUARY 2024



KEY VARIANCE COMMENTARY
(\$20,000 and 10%).

Beatty Park Leisure Centre
\$575k favourable income mostly due to higher admission \$281k, enrolment \$146k and membership fees \$84k. \$193k unfavourable expenditure mostly due to timing variances in depreciation.

City Buildings & Asset Management
\$20k unfavourable income due to recoups \$58k, partially offset by \$35k favourable hire fees and rental properties income. \$453k unfavourable expenditure mostly due to timing variances in depreciation \$524k and employee costs \$83k, partially offset by favourable variance in maintenance costs \$94k and rates and levies \$11k .

Engineering Design Services
\$35k unfavourable income due to a timing variance in grants and subsidies \$22k and fees and charges for advertising fee income \$15k. \$140k favourable expenditure mostly due to a timing variance in utilities \$204k, partially offset by an unfavourable timing variance in employee costs \$34k and depreciation \$30k.

I&E Directorate
\$56k favourable expenditure mainly due to timing variances in professional services fees \$31k and employee costs \$17k.

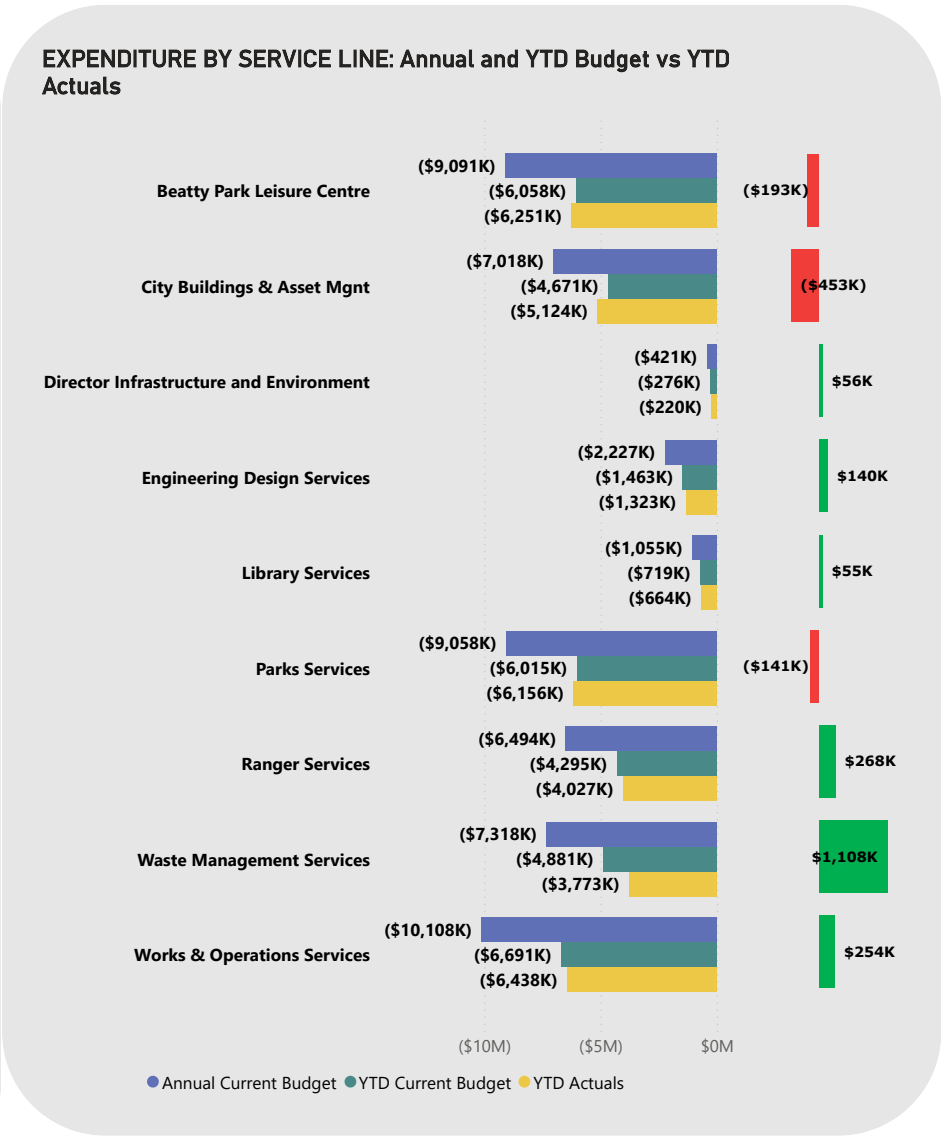
Library Services
\$38k favourable income mostly due to a timing variance in fees and charges. \$55k favourable expenditure mostly due to a timing variance in materials and contracts.

Parks Services
\$21k favourable income due higher fees and charges \$141k unfavourable expenditure mostly due to a timing variance in materials and contracts \$194k and employee costs \$37k. This is partially offset by lower depreciation \$71k and utilities \$15k.

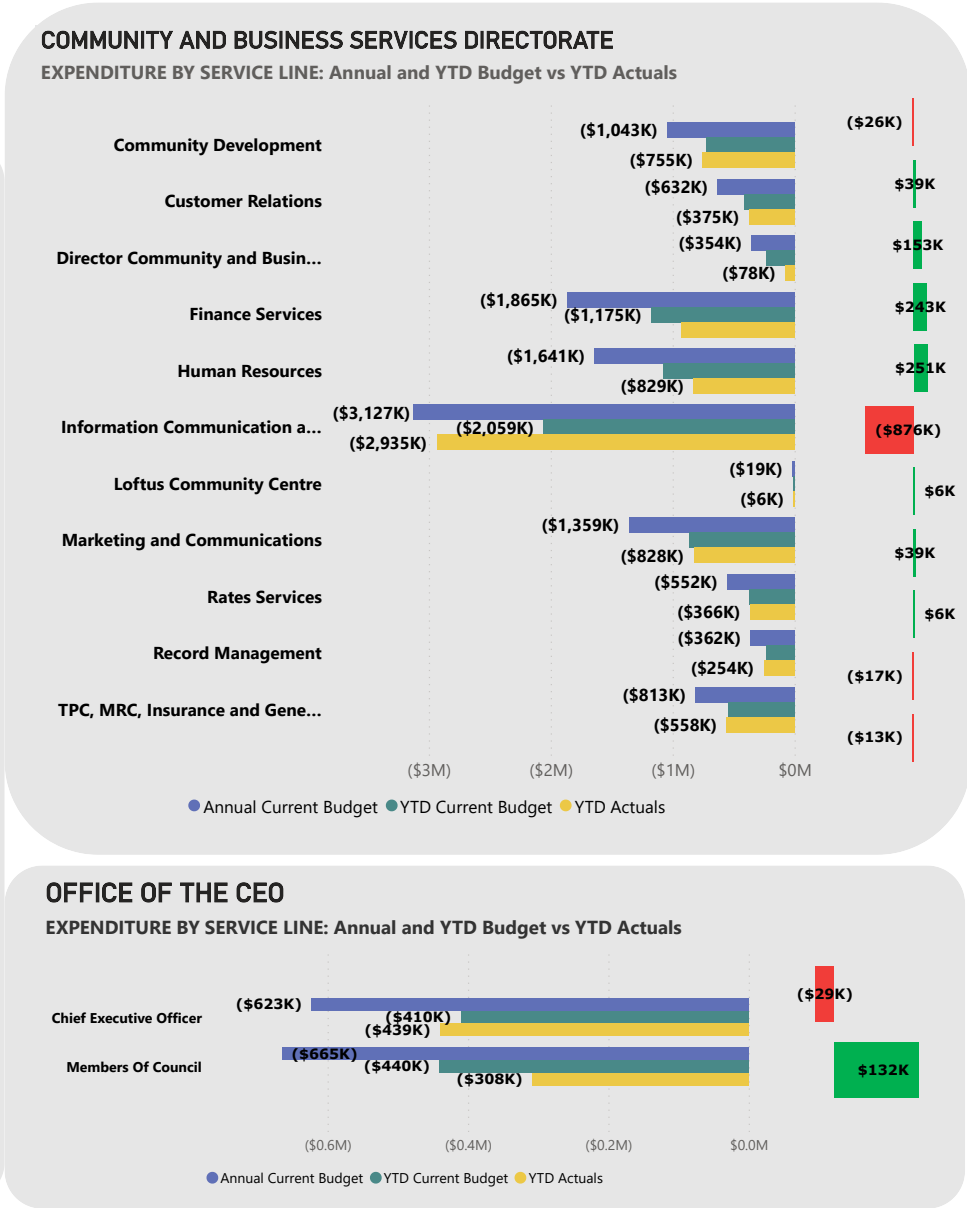
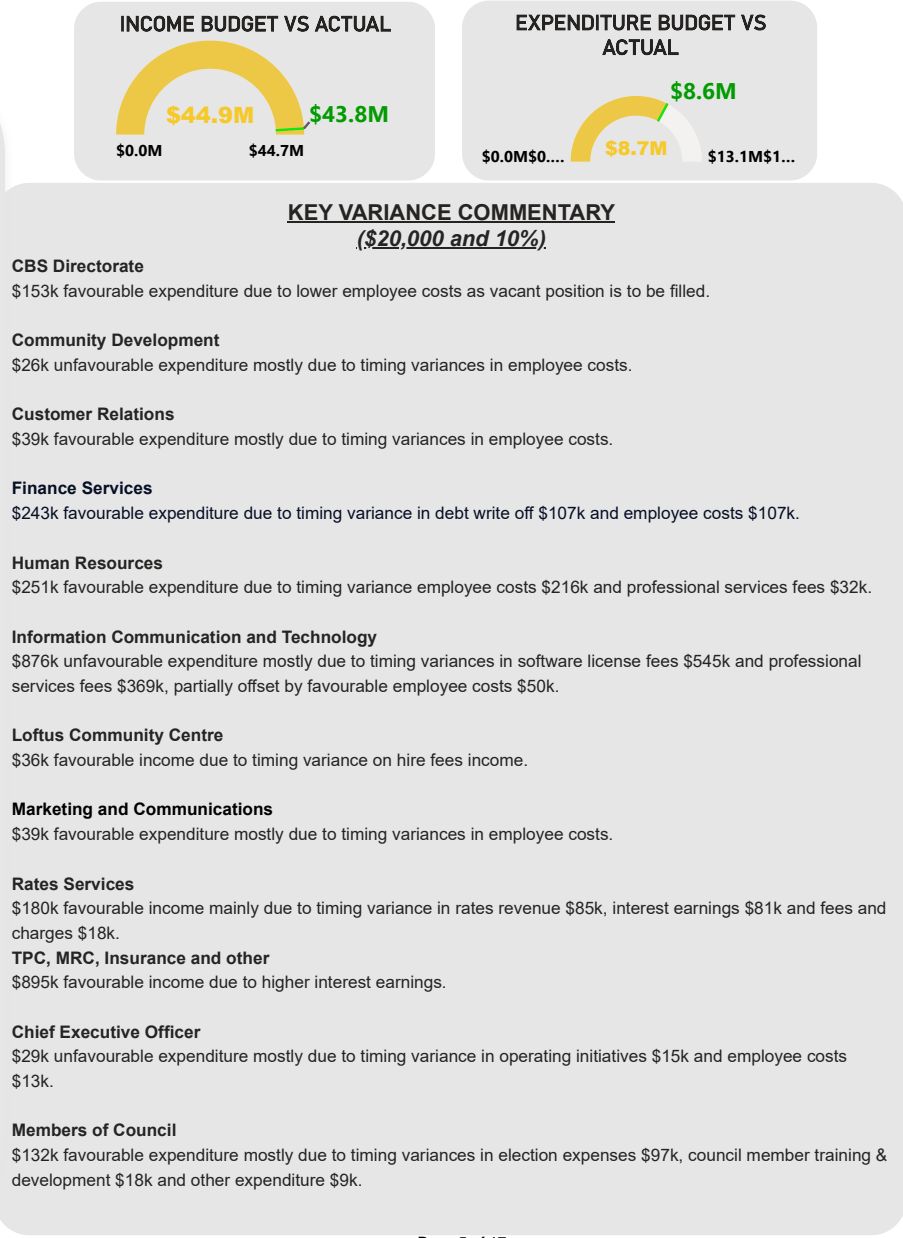
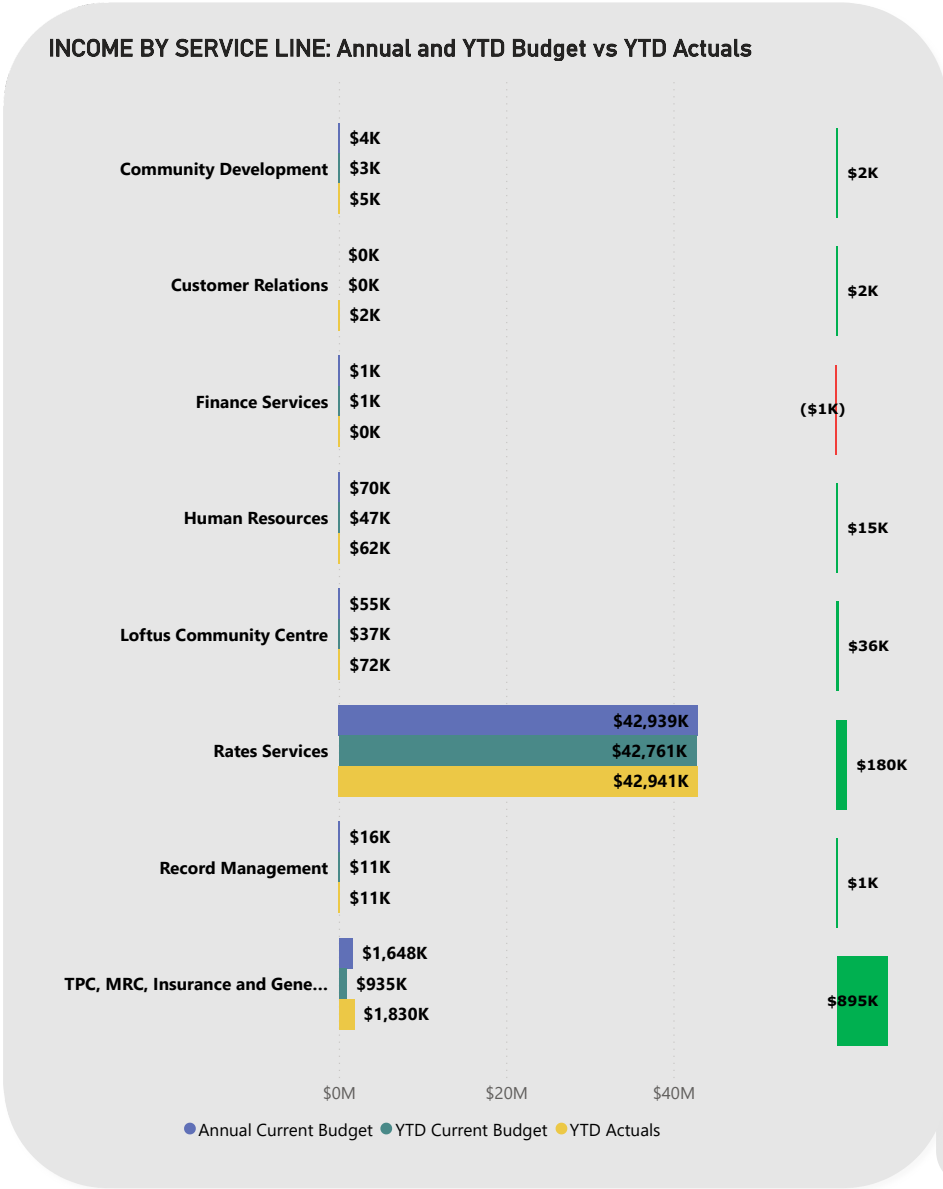
Ranger Services
\$231k favourable income mostly due to higher car park revenue. \$268k favourable expenditure mostly due to a timing variance in depreciation \$141k, equipment maintenance \$62k and employee costs \$40k.

Waste Management Services
\$92k favourable income mostly due to timing variances in waste service charges \$46k and micro business waste and recycling revenue \$47k. \$1,108k favourable expenditure mostly due to timing variances in waste disposal and operations \$997k, employee costs \$63k, interest expenses \$25k and depreciation \$22k.

Works and Operations Services
\$254k favourable expenditure mostly due to timing variances in maintenance and cleaning costs.



CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
COMMUNITY & BUSINESS SERVICES DIRECTORATE
OFFICE OF THE CEO
AS AT 29 FEBRUARY 2024



CITY OF VINCENT

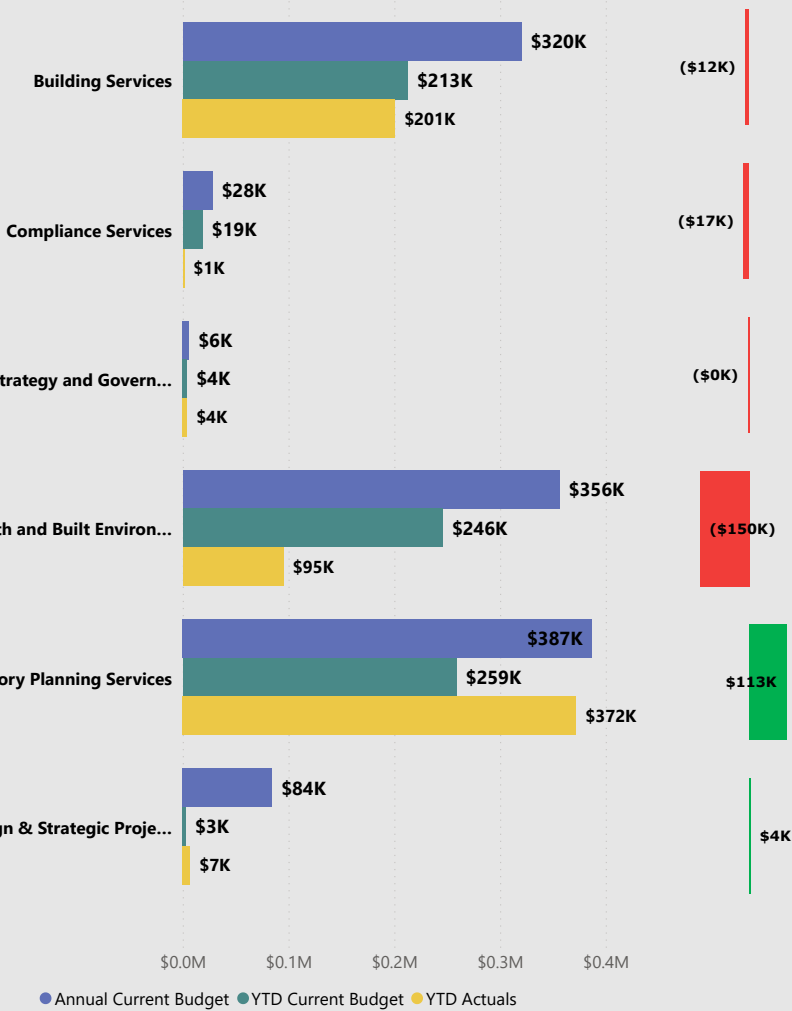
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE

STRATEGY AND DEVELOPMENT DIRECTORATE

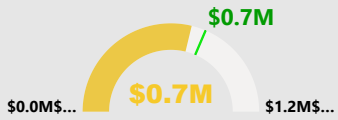
AS AT 29 FEBRUARY 2024



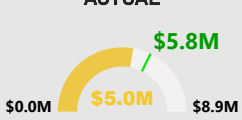
INCOME BY SERVICE LINE: Annual and YTD Budget vs YTD Actuals



INCOME BUDGET VS ACTUAL



EXPENDITURE BUDGET VS ACTUAL



KEY VARIANCE COMMENTARY
(\$20,000 and 10%).

Building Services
\$99k favourable expenditure mostly due to a timing variance in employee costs.

Compliance Services
\$36k unfavourable expenditure mostly due to a timing variance in employee costs.

Corporate Strategy and Governance
\$39k favourable expenditure mostly due to a timing variance in professional services fees \$22k and employee costs \$13k.

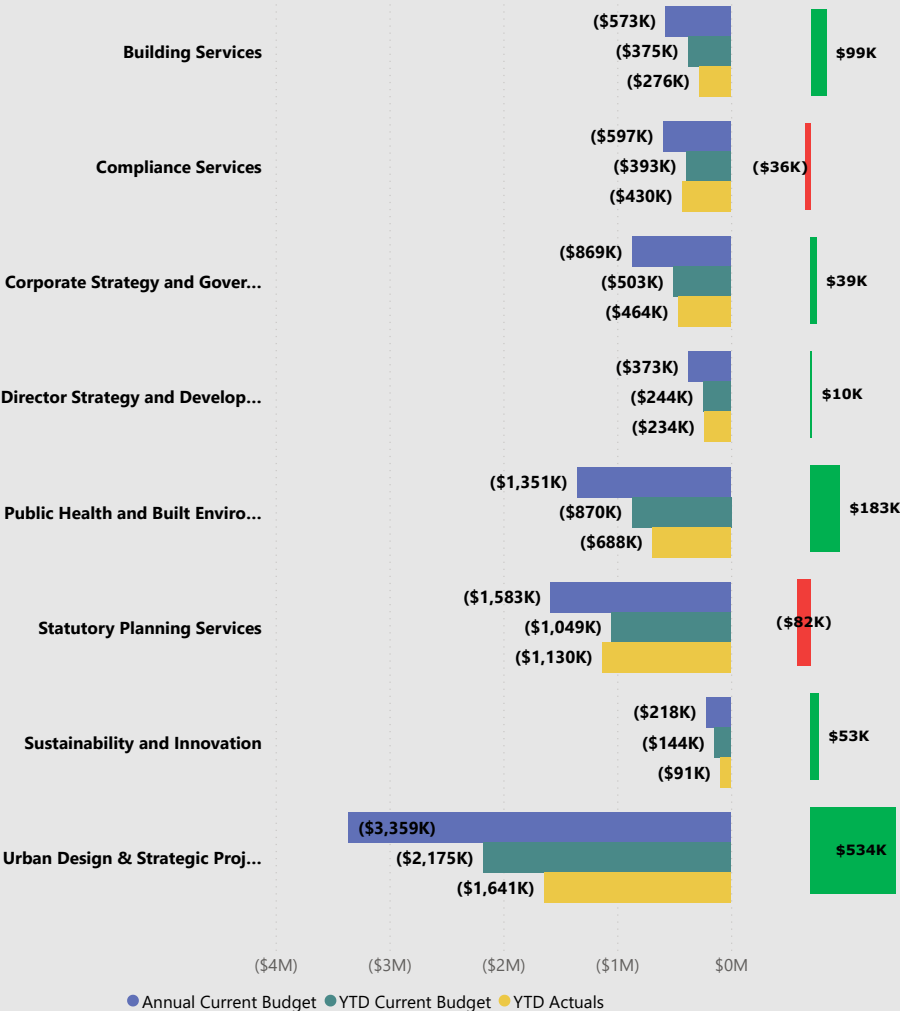
Public Health and Built Environment
\$150k unfavourable income mostly due to fees and charges, specifically food premises licenses \$127k and state grants and subsidies \$35k.
\$183k favourable expenditure due to materials and contracts \$96k and employee costs \$74k.

Statutory Planning Services
\$113k favourable income mostly due to timing difference in income received from development application fees \$86k and development application panel fees \$23k.
\$82k unfavourable expenditure mostly due to employee costs.

Sustainability and Innovation
\$53k favourable expenditure mostly due to timing variance for employee costs.

Urban Design & Strategic Projects
\$534k favourable expenditure mostly due to timing variances for various programmes and events \$274k and operating projects \$256k.

EXPENDITURE BY SERVICE LINE: Annual and YTD Budget vs YTD Actuals





CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2023/24
AS AT 29 FEBRUARY 2024

WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Land and Building Assets									
Air Conditioning & HVAC Renewal									
Air Con & HVAC Renew - Library & Local History Centre	12,301	12,301	6,220	6,081	-	6,220	Completed	9 - Completed (within budget)	
Air Con & HVAC Renew - Miscellaneous	50,000	30,000	8,430	21,570	220	8,650	On track	7 - In progress	Split system replacement program as per AMS report
Air Conditioning & HVAC Renewal - Admin	50,000	50,000	-	50,000	16,440	16,440	On track	3 - In planning	Design and specification development to kick off in Feb 24
Air Conditioning & HVAC Renewal Total									
Public Toilet Renewal Program									
Public Toilet Renewal - General Provision	25,000	25,000	24,541	459	-	24,541	Completed	9 - Completed (within budget)	
Public Toilet Renewal Program Total									
Beatty Park Leisure Centre – Repair and maintain Heritage Grandstand									
Beatty Park Leisure Centre – Heritage Grandstand Renewal	-	-	0	(0)	-	0	Cancelled	1 - Not started	Project deferred in FQBR
Beatty Park Leisure Centre – Repair and maintain Heritage Grandstand	22,629	-	-	-	-	-	Completed	9 - Completed (within budget)	Retention to be paid this FY
Beatty Park Leisure Centre – Repair and maintain Heritage Grandstand Total									
BPLC - Construction of Indoor Changerooms									
BPLC – Construct & Fit Out Indoor Pool Changerooms	722,394	600,000	5,855	594,145	681,411	687,266	On track	6 - In external / stakeholder consultation	Comms will be deployed in January, project will commence in March.
BPLC - Construction of Indoor Changerooms Total									
North Perth Bowling Club Toilet & changeroom refurbishment									
North Perth Bowling Club	145,000	145,000	154,093	(9,093)	400	154,493	Completed	9 - Completed (within budget)	
North Perth Bowling Club Toilet & changeroom refurbishment Total									
Litis Stadium changeroom redevelopment									
Infrastructure Works - Litis Stadium	1,724,800	860,799	108,510	752,289	1,507,093	1,615,603	On track	7 - In progress	Site works commenced
Floreat Athena Clubroom Refurbishment - Litis Stadium	-	-	74,993	(74,993)	7,260	82,253	On track	7 - In progress	
Litis Stadium changeroom redevelopment Total									
Beatty Park Leisure Centre - Facilities Infrastructure Renewal									
BPLC - Pool Tiling Works	820,000	620,000	805,936	(185,936)	29,409	835,345	On track	7 - In progress	Tiling progressing - on track for completion end of January 24
Plant room remedial works	114,733	80,000	26,385	53,615	69,934	96,319	On track	8 - Final stages	Upper plant switchboard renewal underway
BPLC - Facilities Infrastructure Renewal	380,236	350,000	103,623	246,377	184,981	288,604	On track	7 - In progress	Renewal/maintenance program progressing
Beatty Park Leisure Centre - Facilities Infrastructure Renewal Total									
Miscellaneous Asset Renewal (City Buildings)									
Misc Asset Renewal - City buildings	70,000	30,000	63,756	(33,756)	142	63,899	On track	8 - Final stages	Reactive building renewal works
North Perth Town Hall - Kitchen and Toilet Renewal - Lesser Hall	47,304	47,304	59,787	(12,483)	-	59,787	Completed	10 - Completed (over budget)	
North Perth Town Hall - Kitchen and Toilet Renewal - Main Hall	153,375	153,375	127,720	25,655	10,442	138,162	Completed	9 - Completed (within budget)	
Hyde Park West - Public Toilet Renewal	6,598	6,598	6,597	1	-	6,597	Completed	9 - Completed (within budget)	
Menzies Park Pavilion & Ablutions	6,390	6,390	6,390	0	4,950	11,340	Completed	9 - Completed (within budget)	
Miscellaneous Asset Renewal (City Buildings) Total									
Solar Photovoltaic System Installation									
Solar Installation (Belgravia/Gymnastics WA)	-	-	-	-	-	-	Cancelled	1 - Not started	Solar project not progressing
Solar Installation - DLGSC Building	98,688	-	95,680	(95,680)	-	95,680	Completed	9 - Completed (within budget)	
Solar Photovoltaic System Installation Total									
Water and Energy Efficiency Initiatives									
Water and Energy Efficiency Initiatives	75,000	30,000	15,461	14,539	24,403	39,864	On track	7 - In progress	Fixtures & Fittings replacements with WELS standards
Water and Energy Efficiency Initiatives Total									
Land and Building Asset Renewal Projects									
Admin Building - Additional Meeting Spaces	53,356	53,356	16,901	36,455	6,548	23,449	On track	7 - In progress	Combined with project to improve accessibility in the Foyer - UAT upgrades and additional meeting spaces
Administration Centre Renewals	100,000	100,000	14,532	85,468	97,750	112,282	On track	7 - In progress	As above
Leederville Oval Stad Fac Renewal (Leased)	613,747	316,629	239,783	76,846	284,624	524,407	On track	7 - In progress	Works in progress
Replace electrical distribution boards - multiple buildings - post asbestos removal	-	-	-	-	-	-	Cancelled	2 - Scope being prepared	Reallocate funding for projects within Miscellaneous asset renewals
Modifications to Litis Stadium Underpass	70,000	30,000	90,153	(60,153)	8,890	99,043	Completed	10 - Completed (over budget)	Currently in progress



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2023/24
AS AT 29 FEBRUARY 2024

WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Non Fixed Asset Renewals - Works Depot	20,000	20,000	19,643	357	7,392	27,035	Completed	10 - Completed (over budget)	Reactive works to box gutters
Lease Property Non Scheduled Renewal	50,000	40,000	50,860	(10,860)	2,394	53,254	Completed	8 - Final stages	Lease building renewals - program being developed
DLGSC - Lighting Renewal	-	-	-	-	948	948	Deferred	2 - Scope being prepared	Project funds are in reserve until Dept Finance confirm fitout plan
DLGSC HVAC, Plant & Fire Services Renewals	-	-	15,400	(15,400)	750	16,150	Deferred	8 - Final stages	C/F from 2023FY. Underspend in PY
Land and Building Asset Renewal Projects Total									
Land and Building Assets Total	5,431,551	3,606,752	2,141,250	1,465,502	2,946,381	5,087,632			
<u>Furniture & Equipment Assets</u>									
ICT Renewal Program									
ICT Infrastructure Renewal	45,000	45,000	10,186	34,814	-	10,186	On track	7 - In progress	
ICT Renewal Program Total									
Enterprise Applications Upgrades									
Enterprise Applications Upgrade	-	-	-	-	9,015	9,015	Cancelled	1 - Not started	Works identified to be operational in nature
Enterprise Applications Upgrades Total									
Beatty Park Leisure Centre - Furniture & Equipment									
BPLC Non-Infrastructure Fixed Asset Renewal	196,170	159,573	6,275	153,298	31,300	37,575	On track	7 - In progress	
BPLC - Non Fixed Assets Renewal	114,106	60,050	65,184	(5,134)	5,895	71,079	On track	2 - Scope being prepared	
Beatty Park Leisure Centre - Furniture & Equipment Total									
Public Arts Projects									
COVID-19 Artwork relief project	188,000	172,000	-	172,000	172,000	172,000	On track	7 - In progress	
Public Arts Projects Total									
Accessible City Strategy Implementation Program									
Accessible City Strategy Implementation - Capex for future years subject to Cash-in Lieu Reserve Funds received	317,902	208,000	168,714	39,286	220,944	389,658	On track	8 - Final stages	Link and Place Guidelines progressing
Accessible City Strategy Implementation Program Total									
Parking Machines Asset Replacement Program									
Parking Infrastructure Renewal Program	206,398	206,398	180,385	26,013	26,012	206,397	Completed	9 - Completed (within budget)	
Parking Machines Asset Replacement Program Total									
Furniture & Equipment Assets Total	1,067,576	851,021	430,744	420,277	465,167	895,912			
<u>Plant & Equipment Assets</u>									
Fleet Management Program									
P1276 - Toyota Corolla Hybrid Hatch	40,000	40,000	-	40,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P2187 - Fiat Doblo Van	50,000	50,000	-	50,000	38,497	38,497	On track	8 - Final stages	
P2210 - Nissan Navara Dual Cab	35,880	40,000	36,215	3,785	-	36,215	Completed	10 - Completed (over budget)	
P2207 - Nissan Navara Dual Cab	35,880	35,880	35,880	0	-	35,880	Completed	9 - Completed (within budget)	
P2203 - Nissan Navara King Cab Ttop	42,033	42,033	-	42,033	42,033	42,033	On track	8 - Final stages	
P1264 - Toyota Camry	33,936	33,936	34,791	(855)	-	34,791	Completed	8 - Final stages	
P2212 - Nissan Navara 4x DSL	45,000	45,000	-	45,000	-	-	On track	5 - Procurement	Toyota changed to Subaru with expected delivery before EOFY
P1275 - Toyota Corolla Hybrid Hatch	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P1274 - Toyota Corolla Hybrid Ascent	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	
P1269 - Toyota Corolla Hybrid Hatch	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P1277 - Toyota Corolla Hybrid Hatch	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P1278 - Toyota Corolla Hybrid Sedan	25,000	25,000	30,345	(5,345)	-	30,345	Completed	10 - Completed (over budget)	
P1263 - Toyota Corolla Hybrid	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P2212 - Nissan Navara	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	
P2208 - Nissan Navara	64,558	64,558	-	64,558	64,558	64,558	On track	5 - Procurement	
P2206 - Nissan Navara King Cab Ttop	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2205 - Nissan Navara King Cab Ttop	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2204 - Nissan Navara King Cab Ttop	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	



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WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
P2202 - Nissan Navara King Cab Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2201 - Nissan Navara King Cab Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P1280 - Toyota Corolla Hybrid Sedan	25,000	25,000	27,789	(2,789)	-	27,789	Completed	10 - Completed (over budget)	
P1279 - Toyota Camry Hybrid SL	28,000	28,000	-	28,000	-	-	On track	3 - In planning	Toyota changed to Subaru with expected delivery before EOFY
P2200 - VOLKSWAGEN Caddy Maxi TDI250	45,000	45,000	-	45,000	69,894	69,894	On track	3 - In planning	
P1286 - Corolla Sedan Hybrid 1HKS151	50,000	50,000	-	50,000	-	-	On track	3 - In planning	
P2209 - VW Caddy Maxi TDI250	40,000	40,000	-	40,000	69,894	69,894	On track	3 - In planning	
P2171 - Toyota Corolla Hybrid Hatch	25,000	25,000	-	25,000	-	-	On track	3 - In planning	Toyota changed to Subaru with expected delivery before EOFY
P1262 - Toyota Corolla Hybrid	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P2168 - Toyota Corolla Hybrid Hatch	25,000	25,000	-	25,000	38,497	38,497	On track	8 - Final stages	Toyota changed to Subaru with expected delivery before EOFY
P1258 - Toyota Corolla Hybrid Hatch	34,430	34,430	-	34,430	34,430	34,430	On track	5 - Procurement	Toyota changed to Subaru with expected delivery before EOFY
P2199 - Nissan Navara King Cab Tip	40,000	40,000	35,880	4,120	-	35,880	Completed	9 - Completed (within budget)	
P2190 - Mitsubishi Triton Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2196 - Nissan Navara King Cab Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2195 - Nissan Navara King Cab Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2194 - Nissan Navara King Cab Tip	42,033	42,033	-	42,033	42,033	42,033	On track	5 - Procurement	
P2198 - Nissan Navara King Cab Tip	64,558	64,558	-	64,558	64,558	64,558	On track	5 - Procurement	
Fleet Management Program Total									
Major Plant Replacement Program									
Heavy Fleet Replacement Program	1,396,340	1,396,340	296,158	1,100,182	1,560,037	1,856,195	On track	5 - Procurement	
Rubbish Compactor Rear Loader Tidy Bin Truck	340,000						On track	8 - Final stages	Ordered - expected delivery changed to June 2024
10 Tonne Rubbish Compactor Side Arm	465,000						On track	8 - Final stages	Ordered - expected delivery May/June 2024
Single Axle Tipper Truck (Crane)	180,000						On track	8 - Final stages	Ordered - expected delivery April 2024
Hydraulic power pack and breaker	20,000						On track	2 - Scope being prepared	Waiting on specifications
Large DPU	15,000						Completed	9 - Completed (within budget)	Completed
Small DPU	10,000						Completed	9 - Completed (within budget)	Completed
Tractor - Kubota (Parks Mowing)	90,000						Deferred	3 - In planning	Deferred to 2024/25 due to increased scope
All Terrain Vehicle - Seadoo (Hyde Park)	35,000						Completed	10 - Completed (over budget)	Completed
Mower - Flail Peruzzo (tow behind) (new will be Trimax - large)	95,000						Completed	9 - Completed (within budget)	Completed
Single Axle Truck - Carry forward from 2022FY	146,340						Completed	9 - Completed (within budget)	Completed - delivered October 2023
5 Tonne Rubbish Compactor Small Rear Loader	337,000	337,000	-	337,000	336,040	336,040	On track	8 - Final stages	Ordered - expected delivery May/June 2024
Major Plant Replacement Program Total									
Artlets									
Artlets - Public Art - Sculpture	32,000	20,000	12,000	8,000	2,400	14,400	On track	7 - In progress	Finalising approvals for installation
Artlets Total									
Miscellaneous									
Belgravia / Loftus Rec Centre - Purchase of Gym Equipments	-	-	-	-	-	-	On track	1 - Not started	
Miscellaneous Total									
Parks Irrigation Upgrade &Renewal Program									
Weather Stations and Soil Moisture Probes	40,000	-	-	-	7,980	7,980	On track	7 - In progress	Awaiting funding agreement to proceed
Parks Irrigation Upgrade &Renewal Program Total									
Plant & Equipment Assets Total	3,107,912	3,060,032	509,058	2,550,974	3,015,092	3,524,150			
Infrastructure Assets									
Robertson Park Development Plan - Stage 1									
Preliminaries	70,000	70,000	-	70,000	70,000	70,000	On track	7 - In progress	
Tennis Centre - Multisport Courts resurfacing, fencing, floodlighting, entry zone, signage, and supporting landscape and drainage works	990,000	202,000	-	202,000	990,000	990,000	On track	7 - In progress	
Construction Contingency	58,000	-	-	-	57,163	57,163	On track	7 - In progress	
Greening program - Robertson Park	61,000	-	-	-	61,000	61,000	On track	4 - In design	
Robertson Park Development Plan - Stage 1 Total									
Parks Fencing Renewal Program									
Multicultural Gardens - renew perimeter fencing	20,000	20,000	19,006	994	-	19,006	Completed	9 - Completed (within budget)	



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WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Royal Park - renew volleyball court fencing	30,000	30,000	-	30,000	-	-	On track	6 - In external / stakeholder consultation	Awaiting information from Volleyball Australia to proceed
Parks Fencing Renewal Program Total									
Parks Irrigation Upgrade & Renewal Program									
Sutherland St - renew irrigation, groundwater bore and electrical cabinet	75,000	-	71,884	(71,884)	300	72,184	Completed	9 - Completed (within budget)	Completed - awaiting final invoice
Axford Park - renew in-ground irrigation system and electrical cabinet	80,000	-	29,499	(29,499)	73,078	102,577	On track	7 - In progress	Works to occur early May
Keith Frame Res - renew ground irrigation system and electrical cubicle and bore renewal	145,000	145,000	23,734	121,266	2,431	26,165	On track	4 - In design	Designs being finalised
Charles Veryard - renew in-ground irrigation system and electrical cabinet	250,000	250,000	281,427	(31,427)	-	281,427	Completed	10 - Completed (over budget)	
Forrest Park - renew groundwater bore	45,000	-	83	(83)	-	83	Cancelled	1 - Not started	Works not required - budget to be reallocated MYBR
Britannia Reserve - renew groundwater bore (south) No 40	45,000	-	-	-	-	-	On track	7 - In progress	Licence from DWER required - works late FY24
Brigatti Gardens - renew electrical cabinet	15,000	15,000	19,210	(4,210)	-	19,210	Completed	10 - Completed (over budget)	
Menzies Park - Replace Irrigation System	59,110	59,110	14,833	44,277	-	14,833	Completed	9 - Completed (within budget)	C/F from 2023FY. Underspend in PY. Electrical cabinet now installed and completed.
Les Lilleyman - upgrade in-ground irrigation system and electrical cabinet	40,618	40,618	42,065	(1,447)	-	42,065	Completed	10 - Completed (over budget)	C/F from 2023FY. Underspend in PY.
Parks Irrigation Upgrade & Renewal Program Total									
Road Maintenance Programs – MRRG									
Annual MRRG Program - bgt to be split	119,963	119,963	-	119,963	-	-	On track	7 - In progress	
MRRG - ANZAC Road (Sasse Av RAB)	63,136	63,136	52,077	11,059	970	53,047	On track	8 - Final stages	Waiting for Main Roads to complete line marking
MRRG - Brady St (A) - Powis St to Tasman	200,049	200,049	64,472	135,577	331,535	396,008	On track	7 - In progress	
MRRG - Loftus St NB (A) - Leederville Pde to Vincent St	247,921	247,921	237,626	10,295	-	237,626	On track	8 - Final stages	Waiting for Main Roads to complete line marking
MRRG - Loftus St SB (B) - Leederville Pde to Vincent St	310,500	310,500	270,689	39,811	-	270,689	On track	8 - Final stages	Waiting for Main Roads to complete line marking
MRRG - Lord St - Harold St to Walcott St	168,431	168,431	109,878	58,553	-	109,878	On track	8 - Final stages	Waiting for Main Roads to complete line marking
Fitzgerald St (2) - Newcastle to Carr	7,970	7,970	6,171	1,799	-	6,171	Completed	9 - Completed (within budget)	23FY carried forward project
Beaufort St (2) - Bulwer to Lincoln	9,555	-	9,555	(9,555)	-	9,555	Completed	10 - Completed (over budget)	23FY carried forward project
Beaufort St (1) Fore to Brisbane	-	-	14,386	(14,386)	-	14,386	Completed	10 - Completed (over budget)	23FY carried forward project
Oxford St - Richmond to Vincent	-	-	6,555	(6,555)	100,855	107,410	Completed	9 - Completed (within budget)	23FY carried forward project
Fitzgerald St (1) - Bulwer to Vincent	-	-	3,898	(3,898)	7,507	11,405	Completed	9 - Completed (within budget)	23FY carried forward project
Road Maintenance Programs – MRRG Total									
Road Maintenance Programs – Local Road Program									
Annual Local Roads Program - bgt to be split	1,787,472	1,787,472	15,414	1,772,058	-	15,414	On track	7 - In progress	
LRP - Albert Street - Barnet Street to Charles Street	-	-	1,792	(1,792)	103,445	105,238	On track	7 - In progress	
LRP - Amy Street - Lake Street to End	-	-	-	-	-	-	On track	7 - In progress	
LRP - Barnert Street - Bourke Street to Barnet Place	-	-	-	-	-	-	On track	7 - In progress	
LRP - Barnet Place - Barnet Street to Cul-De-Sac	-	-	8,862	(8,862)	660	9,522	On track	7 - In progress	
LRP - Blake Street - Norham Street to Walcott Street	-	-	24,567	(24,567)	68,393	92,961	On track	7 - In progress	
LRP - Bondi Street - Cul-De-Sac to Matlock Street	-	-	26,457	(26,457)	140,645	167,102	On track	7 - In progress	
LRP - Chamberlain Street - Loftus Street to Pennant Street	-	-	18,556	(18,556)	75,753	94,309	On track	7 - In progress	
LRP - Dunedin Street - Woodstock Street to Scarborough Beach Road	-	-	-	-	157,409	157,409	On track	7 - In progress	
LRP - Haley Avenue - Bruce Street to Richmond Street	-	-	-	-	26,925	26,925	On track	7 - In progress	
LRP - Hardy Street - Howlett Street to Scarborough Beach Road	-	-	-	-	41,893	41,893	On track	7 - In progress	
LRP - Howlett Street - Pennant Street to Charles Street	-	-	5,086	(5,086)	98,534	103,619	On track	7 - In progress	
LRP - Kadina Street - Barnet Place to Charles Street	-	-	-	-	132,384	132,384	On track	7 - In progress	
LRP - Macedonia Place - Albert Street to Cul-De-Sac	-	-	37,462	(37,462)	4,467	41,929	On track	7 - In progress	
LRP - Melrose Street - Oxford Street to End	-	-	950	(950)	65,857	66,807	On track	7 - In progress	Expected to start Feb 2024
LRP - Pennant Street - Kadina Street to Scarborough Beach Road	-	-	11,970	(11,970)	52,923	64,893	On track	7 - In progress	
LRP - Richmond Street - Oxford Street to Leicester Street	-	-	41,714	(41,714)	58,876	100,590	On track	7 - In progress	
LRP - Stuart Street - Fitzgerald Street to Lake Street	-	-	-	-	-	-	On track	7 - In progress	
LRP - Tay Place - Albert Street to Kadina Street	-	-	15,065	(15,065)	28,644	43,709	On track	7 - In progress	
LRP - The Boulevard - Britannia Road to Anzac Road	-	-	11,043	(11,043)	9,214	20,257	On track	7 - In progress	
LRP - View Street to Alma Road	-	-	-	-	11,000	11,000	On track	7 - In progress	
LRP - Stamford Street - Melrose Street to Freeway off Ramp	-	-	808	(808)	-	808	On track	7 - In progress	Expected to start Feb 2024
Guildford Rd - Walcott to East Parade	11,506	-	11,506	(11,506)	19,132	30,637	Completed	10 - Completed (over budget)	
Road Maintenance Programs – Local Road Program Total									



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WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Parks Greening Plan Program									
Greening plan	150,000	100,000	97,671	2,330	53,478	151,148	On track	4 - In design	Litis Stadium underpass landscaping completed.
Parks Greening Plan Program Total									
Traffic Management Improvements									
Britannia Road Improvements	40,000	40,000	-	40,000	-	-	On track	4 - In design	
Minor Traffic Management Improvements	200,000	100,000	5,073	94,927	15,688	20,760	On track	7 - In progress	
Harold and Lord St Intersection	22,850	22,850	-	22,850	-	-	On track	1 - Not started	
Alma/Claverton Local Area Traffic Management	421	421	1,105	(684)	50,532	51,637	Completed	10 - Completed (over budget)	
Traffic Management Improvements Total									
Parks Playground / Exercise Equipment Upgrade & Renewal Program									
Weld Square - replace basketball backboards	10,000	10,000	6,800	3,200	-	6,800	Completed	9 - Completed (within budget)	
Kyllia Park - soft fall replacement	60,000	60,000	59,200	800	-	59,200	Completed	9 - Completed (within budget)	
Braithwaite Park - playground and soft fall replac (south)	150,000	50,000	64,098	(14,098)	94,200	158,298	On track	7 - In progress	Installation commencing 20 May 2024
Ellesmere/Matlock St Res - repl playground soft fall	10,000	10,000	-	10,000	-	-	Completed	9 - Completed (within budget)	Completed - awaiting invoices
Menzies Park - replace playground soft fall	50,000	50,000	-	50,000	55,700	55,700	On track	7 - In progress	Installation commenced
Ellesmere Street Reserve - replace playground soft fall	70,000	70,000	-	70,000	-	-	Completed	9 - Completed (within budget)	Completed
Ellesmere Street Reserve - replace playground shade sails	18,000	18,000	13,875	4,125	-	13,875	Completed	9 - Completed (within budget)	Completed
Cricket Wicket Renewal Program	25,000	25,000	23,140	1,860	-	23,140	Completed	9 - Completed (within budget)	Completed
Parks Playground / Exercise Equipment Upgrade & Renewal Program Total									
Parks Infrastructure Upgrade & Renewal Program									
Smith s Lake - resurfacing of boardwalk	25,000	25,000	23,727	1,274	-	23,727	Completed	9 - Completed (within budget)	
Street / POS furniture renewal - Town Centres	5,000	5,000	3,837	1,163	-	3,837	On track	7 - In progress	
Hyde Street Reserve - replace Gazebo	10,000	10,000	4,920	5,080	-	4,920	Completed	9 - Completed (within budget)	
Parks Infrastructure Upgrade & Renewal - BBQ provision	45,000	45,000	45,219	(219)	-	45,219	Completed	9 - Completed (within budget)	
Hyde Park - Renewal of path lighting poles	76,000	24,076	75,910	(51,834)	-	75,910	Completed	9 - Completed (within budget)	
Parks Infrastructure Upgrade & Renewal Program Total									
Accessible City Strategy Implementation Program									
Wayfinding Implementation Plan - Stage 1	198,000	198,000	38,900	159,100	32,752	71,652	On track	7 - In progress	
Accessible City Strategy Implementation Program Total									
Gully Soak-well and Minor Drainage Improvement Program									
Mt Hawthorn West Drain Improv – Stage 1	40,000	40,000	40,000	-	-	40,000	On track	7 - In progress	
Gully Soak Well Program	134,710	134,710	31,701	103,009	1,415	33,116	On track	7 - In progress	
Minor Drainage Improvement Program	550,000	550,000	238,149	311,851	212,011	450,161	On track	7 - In progress	Drainage study to be conducted - approximately 6 months
Britannia Reserve Main Drain Renewal Stages 1 & 2	21,670	21,670	-	21,670	-	-	On track	7 - In progress	
Gully Soak-well and Minor Drainage Improvement Program Total									
Road Maintenance Programs – State Black Spot									
State Black Spot Programs scheduled annually	80,000	80,000	-	80,000	-	-	On track	4 - In design	
Blackspot - Fitzgerald/Lawley, West Perth	64,236	64,236	10,776	53,460	4,795	15,571	On track	8 - Final stages	Underspend. Original funding over estimated.
Blackspot - Fitzgerald/Forrest, North Perth	38,400	36,690	962	35,728	1,734	2,696	On track	6 - In external / stakeholder consultation	Funds to be returned, Council report to be drafted.
Blackspot - Broome/Wright, Highgate	248,400	248,400	22,275	226,125	2,025	24,300	On track	4 - In design	WP works progressing.
Blackspot - Intersection of Beaufort and Harold Street	-	-	-	-	-	-	Cancelled	1 - Not started	Project not going ahead after community consultation
Blackspot - Brady Street & Tasman Street	-	-	-	-	1,300	1,300	On track	4 - In design	
William/Forrest - instal traffic island on eastern leg of Forrest St and provide additional STOP sign	-	-	854	(854)	-	854	Completed	9 - Completed (within budget)	
Road Maintenance Programs – State Black Spot Total									
Road Maintenance Programs – Roads to Recovery									
Annual Roads to Recovery Program - bgt to be split	325,582	233,740	-	233,740	-	-	On track	4 - In design	
R2R - Brentham Street - Egina and Raglan	-	-	32,659	(32,659)	124,488	157,146	On track	4 - In design	Works commenced
R2R - Egina Street - Scarborough Beach Road to Berryman Street	-	-	51,787	(51,787)	78,499	130,286	On track	4 - In design	Works commenced
R2R - Raglan Road - Hutt to Hyde Street	-	-	-	-	-	-	On track	4 - In design	
Road Maintenance Programs – Roads to Recovery Total									



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WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Car Parking Upgrade/Renewal Program									
Accessibility audits and proposed project implementation	50,000	50,000	-	50,000	-	-	On track	2 - Scope being prepared	
Macedonia Place Car Park	40,000	40,000	40,006	(6)	-	40,006	Completed	8 - Final stages	
ASeTTS Car Park - 286 Beaufort Street	20,000	20,000	-	20,000	-	-	On track	4 - In design	
Access and Inclusion (DAIP) – ACROD Parking Improve Program	60,000	60,000	-	60,000	-	-	On track	7 - In progress	Audit has been completed. Analysing data
Minor Capital Improv of City Car Parks (General Provision)	37,000	37,000	6,435	30,565	8,251	14,687	On track	4 - In design	
Car Parking Upgrade/Renewal Program Total									
Public Open Space Strategy Implementation Plan									
Birdwood Square - Public Toilets	294,000	-	-	-	201,775	201,775	On track	5 - Procurement	
Public Open Space Strategy Implementation	30,000	15,000	9,447	5,553	11,241	20,688	On track	7 - In progress	Specific items being purchased/installed as required
Public Open Space Strategy Implementation Plan Total									
Parks Lighting Renewal Program									
Lighting Renewal Program - General Provision	50,000	50,000	19,729	30,271	-	19,729	On track	7 - In progress	Remaining budget to be used for bollard lighting at Brit Road
Parks Lighting Renewal Program Total									
Community Safety Initiatives									
Laneway Lighting Program	120,000	120,000	26,301	93,699	76,000	102,301	On track	5 - Procurement	Laneways have been identified and quotes being sought
Community Safety Initiatives Total									
Banks Reserve Master Plan Implementation									
Walter's Brook Crossing	213,566	-	6,879	(6,879)	1,482	8,361	On track	5 - Procurement	Pending geotech
Boardwalk - Interpretation Node	20,000	-	-	-	-	-	On track	7 - In progress	
Banks Reserve Master Plan Implementation Total									
Footpath Upgrade and Renewal Program									
Footpath Upgrade and Renewal Program	258,092	258,092	7,659	250,433	-	7,659	On track	4 - In design	
Footpath Upgrade and Renewal Program Total									
Haynes Street Reserve Development Plan Implementation									
Haynes St Reserve Development Plan 1 & 2	147,841	47,841	3,630	44,211	27,205	30,836	On track	7 - In progress	
Haynes Street Reserve Development Plan Implementation Total									
Rights of Way Rehabilitation Program									
Rights of Way Rehab Program	230,657	173,000	274,018	(101,018)	40,318	314,336	On track	8 - Final stages	Ongoing works
Rights of Way Rehabilitation Program Total									
Parks Eco-Zoning Program									
Jack Marks Reserve - Eco-zoning	10,000	-	-	-	-	-	Deferred	1 - Not started	Project to be deferred/switched MYBR to allow for roundabout
Blackford Street Reserve - Eco-zoning	10,000	-	-	-	2,818	2,818	On track	6 - In external / stakeholder consultation	Consultation to commence March
Mormouth Street	8,136	-	1,219	(1,219)	-	1,219	Deferred	6 - In external / stakeholder consultation	On hold pending review of POS options in area
Charles Veryard Reserve - Eco-zoning	1,404	1,404	1,404	-	4,441	5,845	Completed	10 - Completed (over budget)	23FY carried forward project - Completed.
Parks Eco-Zoning Program Total									
Parks Pathways Renewal Program									
Redfern/Norham St Res - re-asphalt existing bitumen pathways	5,000	5,000	-	5,000	-	-	On track	2 - Scope being prepared	Possibly not required - investigate
Tony Di Scerni Pathway - re-asphalt existing bitumen pathways	100,000	100,000	79,436	20,564	20,648	100,084	Completed	9 - Completed (within budget)	Awaiting final invoices
Parks Pathways Renewal Program Total									
Car Parking Upgrade/Renewal Program									
HBFF Stadium Car Park	49,250	49,250	-	49,250	-	-	On track	4 - In design	Overlay will be done after FIFA Women's World Cup.
Car Parking Upgrade/Renewal Program Total									
Bus Shelter Replacement and Renewal Program									
Bus Shelters - Replace & Upgrade	70,000	70,000	19,552	50,448	-	19,552	On track	4 - In design	To refer to Bus Shelter Program. Various Works
Bus Shelter Replacement and Renewal Program Total									
Parks Playground / Exercise Equipment Upgrade & Renewal Program									
Ivy Park - upgrade/repl playground equipment	89,934	89,934	90,187	(253)	-	90,187	Completed	10 - Completed (over budget)	
Lynton St Res - Renew/repl playground equipment	79,932	79,932	80,000	(68)	-	80,000	Completed	10 - Completed (over budget)	
Charles Veryard Res - Repl playground	59,904	59,904	60,085	(181)	-	60,085	Completed	10 - Completed (over budget)	



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NOTE 5 - CAPITAL WORKS SCHEDULE 2023/24
AS AT 29 FEBRUARY 2024

WO Name	Budget 2024FY (FQBR)	YTD Budget	YTD Actual	YTD Variance	Commitment	TOTAL (YTD Actual + Commitment)	Status	Stage	Commentary
Parks Playground / Exercise Equipment Upgrade & Renewal Program Total									
Street Lighting Renewal Program									
Beaufort St - Art Deco Median Lighting Renewal	-	-	-	-	-	-	Cancelled	1 - Not started	Lights audit to be conducted
Street Lighting Upgrade Program	-	-	1,208	(1,208)	-	1,208	Cancelled	1 - Not started	Lights audit to be conducted
Street Lighting Renewal Program Total									
Skate Space at Britannia Reserve									
Mt Hawt Skate Park - Youth Skate Facility (Election Commitment)	311,353	311,353	9,650	301,703	315,776	325,426	On track	5 - Procurement	
Skate Space at Britannia Reserve Total									
North Perth Town Centre Place Plan									
Tree Up Lighting	60,000	30,000	-	30,000	-	-	On track	3 - In planning	
North Perth Town Centre Place Plan Total									
Litis Stadium									
Litis Stadium Floodlights	-	-	-	-	-	-	On track	3 - In planning	New item for MYBR - Thomas and Asset Management to manage.
Litis Stadium Total									
Bicycle Network									
Bicycle Network - Travel Smart Actions	16,000	10,500	-	10,500	-	-	On track	2 - Scope being prepared	
Bicycle Network	185,430	150,000	-	150,000	119,090	119,090	On track	4 - In design	Scope and modelling to be conducted
Bicycle Network Total									
Infrastructure Assets Total	10,205,999	7,838,173	3,137,782	4,700,391	4,348,653	7,486,435			
Grand Total	19,813,038	15,355,978	6,218,835	9,137,143	10,775,293	16,994,128			
Summary	Budget FQBR	YTD Budget	YTD Actual	Remaining Budget					
	\$	\$	\$	%					
Land and Buildings	5,431,551	3,606,752	2,141,250	60.58%					
Furniture and Equipment	1,067,576	851,021	430,744	59.65%					
Plant and Equipment	3,107,912	3,060,032	509,058	83.62%					
Infrastructure Assets	10,205,999	7,838,173	3,137,782	69.26%					
Total	19,813,038	15,355,978	6,218,835	68.61%					
Funding	Budget FQBR	YTD Budget	YTD Actual	Remaining Budget					
	\$	\$	\$	%					
Own Source Funding - Municipal	8,978,963	7,458,052	3,427,944	61.8%					
Cash Backed Reserves	5,722,938	3,956,016	2,286,174	60.1%					
Capital Grants, Contributions and Loans	4,130,332	3,011,105	197,733	95.2%					
Other (Disposals/Trade In)	980,805	930,805	306,984	68.7%					
Total	19,813,038	15,355,978	6,218,835	68.61%					



CITY OF VINCENT

CITY OF VINCENT
NOTE 6 - CASH BACKED RESERVES
AS AT 29 FEBRUARY 2024

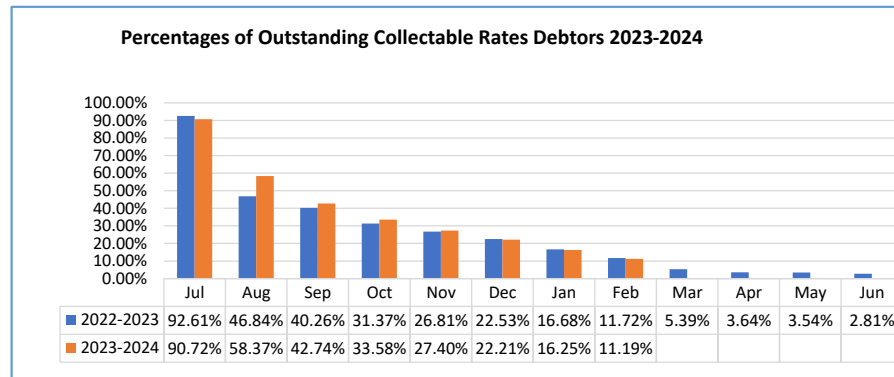
Reserve Particulars	Budget Opening Balance 01/07/2023	Actual Opening Balance 01/07/2023	Budget Transfers to Reserve 29/02/2024	YTD Actual Transfers to Reserve 29/02/2024	Budget Interest Earned 29/02/2024	YTD Actual Interest Earned 29/02/2024	Budget Transfers from Reserve 29/02/2024	YTD Actual Transfers from Reserve 29/02/2024	Budget Closing Balance 29/02/2024	Actual Closing Balance 29/02/2024
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Asset Sustainability Reserve	7,368,624	7,263,819	2,236,224	2,780,593	83,384	198,564	(2,981,672)	(2,040,937)	6,706,560	8,202,037
Beatty Park Leisure Centre Reserve	308,340	311,189	0	0	2,976	7,087	(56,664)	(6,275)	254,652	312,001
Cash in Lieu Parking Reserve	1,200,761	1,297,503	10,520	0	5,840	13,907	(519,000)	(207,614)	698,121	1,103,796
Hyde Park Lake Reserve	165,950	167,069	0	0	2,216	5,277	0	0	168,166	172,346
Land and Building Acquisition Reserve	307,816	307,816	0	0	4,104	9,773	0	0	311,920	317,589
Leederville Oval Reserve	71,705	71,705	0	0	960	2,286	0	0	72,665	73,991
Loftus Community Centre Reserve	141,125	142,550	0	0	1,880	4,477	0	0	143,005	147,027
Loftus Recreation Centre Reserve	232,511	274,392	43,360	45,466	3,968	9,449	0	0	279,839	329,307
Office Building Reserve - 246 Vincent Street	212,455	205,855	0	0	2,832	6,744	0	0	215,287	212,599
Parking Facility Reserve	109,375	109,375	0	0	1,456	3,467	0	0	110,831	112,842
Percentage For Public Art Reserve	268,947	284,947	85,511	85,508	624	1,486	(148,000)	(27,718)	207,082	344,223
Plant and Equipment Reserve	131	131	3	0	0	0	0	0	134	131
POS reserve - General	652,650	581,457	533,328	782,195	18,744	44,636	(31,896)	0	1,172,826	1,408,288
POS reserve - Haynes Street	88,049	87,328	27,008	27,011	384	914	(66,664)	(3,630)	48,777	111,624
State Gymnastics Centre Reserve	129,617	131,853	8,600	8,661	1,904	4,534	0	0	140,121	145,048
Strategic Waste Management Reserve	30,089	30,089	153,416	228,176	3,472	8,268	0	0	186,977	266,533
Tamala Park Land Sales Reserve	3,273,250	3,271,415	1,111,112	1,250,000	65,904	156,939	0	0	4,450,266	4,678,354
Underground Power Reserve	2,448,925	2,426,976	0	0	32,672	77,803	0	0	2,481,597	2,504,779
Waste Management Plant and Equipment Reserve	228,176	228,176	0	0	0	0	(152,120)	(228,176)	76,056	0
	17,238,497	17,193,645	4,209,082	5,207,611	233,320	555,611	(3,956,016)	(2,514,350)	17,724,883	20,442,515

CITY OF VINCENT
NOTE 7 - RECEIVABLES (RATING & OTHER DEBTORS)
FOR THE MONTH ENDED 29 FEBRUARY 2024



Rates Outstanding

	Total
Balance from Previous Year	725,099
Rates Levied - Initial	42,045,635
Rates Levied - Interims	352,091
Rates Waived	(119,626)
Non Payment Penalties	541,777
Other Rates Revenue	178,408
Total Rates Collectable	43,723,384
Outstanding Rates	4,890,566
ESL Debtors	225,003
Pensioner Rebates Not Yet Claimed	453,708
ESL Rebates Not Yet Claimed	15,569
Deferred Rates Debtors	(141,838)
Current Rates Outstanding	5,443,008



Receivable - Other Debtors

DESCRIPTION

	30 Days	60 Days	90 Days	OVER 90 DAYS	BALANCE
	\$	\$	\$	\$	\$
DEBTOR CONTROL - HEALTH LICENCES	(3,539)	(333)	(185)	128,386	124,329
DEBTOR CONTROL - CASH IN LIEU CAR PARKING	0	(349)	0	188,443	188,094
DEBTOR CONTROL - PROPERTY INCOME	25,000	2,205	5,213	2,197	34,615
DEBTOR CONTROL - RECOVERABLE WORKS	1,325	0	0	930	2,254
DEBTOR CONTROL - OTHER	23,285	200	85	68,113	91,684
DEBTOR CONTROL - PLANNING SERVICES FEES	598	0	0	543	1,141
DEBTOR CONTROL - GST	0	(185,387)	131,488	216,293	162,394
DEBTOR CONTROL - INFRINGEMENT	277,070	160,870	56,398	762,885	1,257,223
PROVISION FOR DOUBTFUL DEBT (CURRENT)	0	0	0	(298,777)	(298,777)
IMPAIRMENT OF RECEIVABLES	0	0	0	(207,793)	(207,793)
TOTAL DEBTORS OUTSTANDING AS AT 31/10/2023	323,739	(22,794)	192,999	861,220	1,355,164
	23.9%	-1.7%	14.2%	63.6%	100.0%
ACCRUED INCOME					200,348
ACCRUED INTEREST					1,152,011
PREPAYMENTS					1,017,276
TOTAL TRADE AND OTHER RECEIVABLES					3,724,799

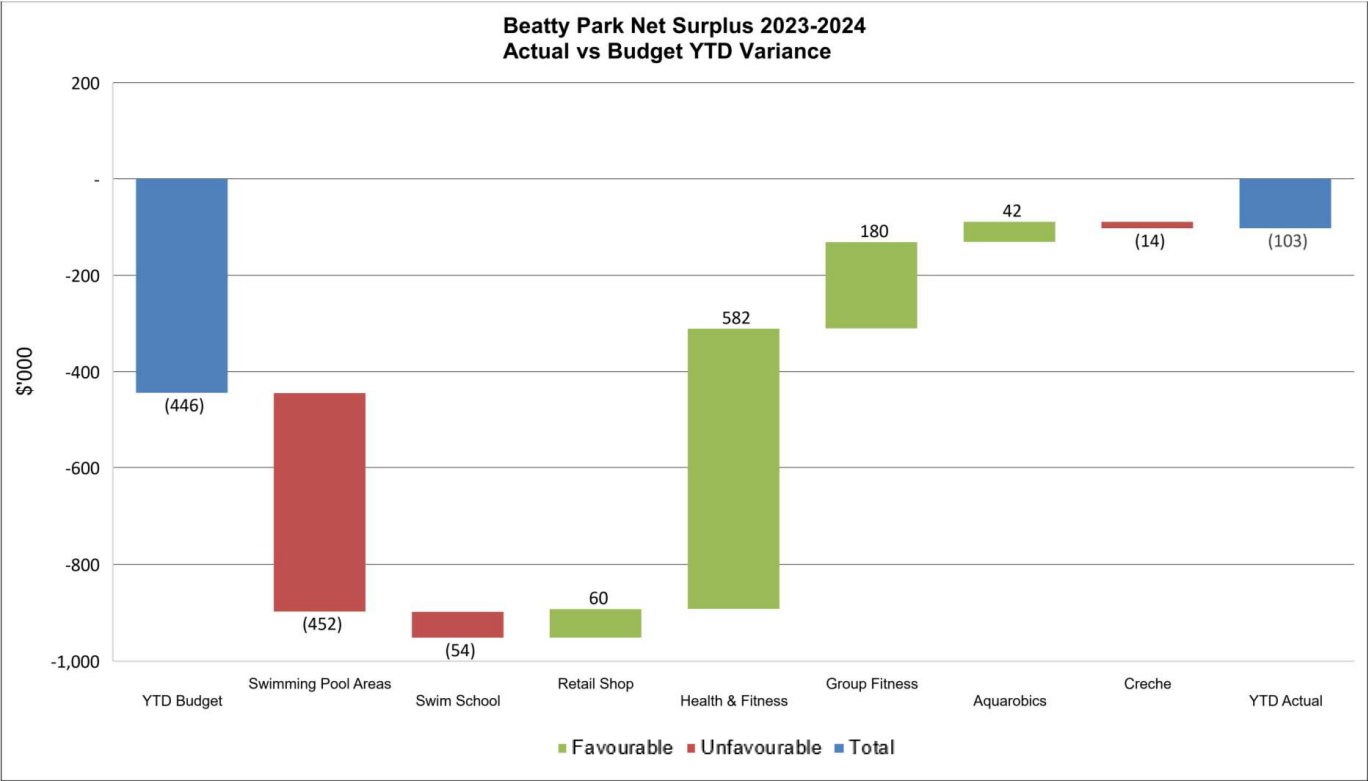


CITY OF VINCENT





CITY OF VINCENT
NOTE 8 - BEATTY PARK LEISURE CENTRE FINANCIAL POSITION
AS AT 29 FEBRUARY 2024

	Original Budget 2023/24	YTD Budget Feb-24	YTD Actuals Feb-24	YTD Actuals Feb-23	Month Actuals Feb-24	Month Actuals Feb-23
	\$	\$	\$	\$	\$	\$
<u>ADMINISTRATION</u>						
Revenue	0	0	0	(618,133)	(94,171)	(99,617)
Expenditure	0	0	0	618,133	94,171	99,617
Surplus/(Deficit)	0	0	0	0	0	0
<u>SWIMMING POOLS AREA</u>						
Revenue	2,550,517	2,101,096	2,211,649	2,024,500	284,645	281,963
Expenditure	(4,743,305)	(3,155,159)	(3,717,513)	(3,342,949)	(482,378)	(513,924)
Surplus/(Deficit)	(2,192,788)	(1,054,063)	(1,505,864)	(1,318,449)	(197,733)	(231,961)
<u>SWIM SCHOOL</u>						
Revenue	2,038,129	1,388,992	1,477,733	1,260,571	220,222	147,587
Expenditure	(1,468,815)	(961,711)	(1,104,822)	(872,401)	(156,841)	(156,179)
Surplus/(Deficit)	569,314	427,281	372,911	388,170	63,381	(8,593)
<u>RETAIL SHOP</u>						
Revenue	726,402	522,332	522,810	499,323	78,351	78,062
Expenditure	(590,781)	(408,010)	(348,645)	(357,534)	(41,974)	(41,507)
Surplus/(Deficit)	135,621	114,322	174,165	141,789	36,377	36,555
<u>HEALTH & FITNESS</u>						
Revenue	2,109,626	1,200,021	1,943,091	1,677,887	249,317	229,464
Expenditure	(1,425,194)	(947,351)	(1,108,708)	(947,163)	(159,655)	(111,729)
Surplus/(Deficit)	684,432	252,670	834,383	730,724	89,663	117,735
<u>GROUP FITNESS</u>						
Revenue	746,431	427,373	661,279	588,132	86,219	79,337
Expenditure	(730,671)	(489,999)	(544,302)	(511,469)	(61,483)	(70,683)
Surplus/(Deficit)	15,760	(62,626)	116,977	76,663	24,735	8,655
<u>AQUAROBICS</u>						
Revenue	300,112	189,820	265,356	245,284	33,991	32,619
Expenditure	(188,260)	(128,017)	(161,242)	(143,133)	(21,907)	(18,549)
Surplus/(Deficit)	111,852	61,803	104,114	102,150	12,085	14,069
<u>CRECHE</u>						
Revenue	79,938	66,006	73,087	60,625	9,327	8,048
Expenditure	(379,900)	(251,360)	(272,293)	(229,139)	(33,394)	(39,421)
Surplus/(Deficit)	(299,962)	(185,354)	(199,206)	(168,514)	(24,067)	(31,373)
Net Surplus/(Deficit)	(975,771)	(445,967)	(102,520)	(47,466)	4,441	(94,913)
Less: Depreciation	(1,446,544)	(964,360)	(1,130,003)	(759,532)	(141,250)	(102,853)
Surplus/(Deficit)	470,773	518,393	1,027,483	712,066	145,692	7,940

CITY OF VINCENT
NOTE 8 - STATEMENT OF FINANCIAL ACTIVITY
BY SERVICE - GRAPH
AS AT 29 FEBRUARY 2024



11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 FEBRUARY 2024 TO 29 FEBRUARY 2024

- Attachments:**
1. February 2024 Payments by EFT and Payroll [↓](#) 
 2. February 2024 Payments by Direct Debit [↓](#) 
 3. February 2024 Payments by Cheque [↓](#) 
 4. February 2024 AMPOL Fuel Card [↓](#) 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2024 to 29 February 2024 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,899,385.40
Cheques	\$1,252.37
Direct debits, including credit cards	\$595,996.11
Total payments for February 2024	\$6,496,633.88

PURPOSE OF REPORT:

To present to Council the list of expenditure and accounts paid for the period 1 February 2024 to 29 February 2024

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 2.2.18) the power to make payments from the City's Municipal and Trust funds.

In accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

Fuel cards are considered purchasing cards and so a separate attachment has been prepared for these transactions. Fuel cards are used for the purchase of fuel for the City's vehicles and plant. The use of fuel cards is controlled with the card assigned to an individual vehicle and transactions limited to the purchase of fuel. Vehicle odometer readings are recorded for each fuel purchase. It should be noted that the full payment to Ampol is shown in the Payments Listing and the amount on the fuel card report may differ due to the timing of invoices.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid for the period 1 February 2024 to 29 February 2024, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT Payments	3030-3039	\$4,362,815.64
Payroll by Direct Credit	February 2024	\$1,536,569.76
Sub Total		\$5,899,385.40
Cheques		
Cheques		\$1,252.37
Sub Total		\$1,252.37
Direct Debits (including Credit Cards)		
Lease Fees		\$395.83
Loan Repayments		\$550,879.46
Bank Charges – CBA		\$32,157.81
Credit Cards		\$12,563
Sub Total		\$595,993.61
Total Payments		\$6,496,633.88

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996*:

“12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —

- if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- otherwise, if the payment is authorised in advance by a resolution of Council.*

(2) Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.”

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996*:

“13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- the payee’s name;*
- the amount of the payment;*
- the date of the payment; and*
- sufficient information to identify the transaction.*

(2) *A list prepared under sub regulation (1) is to be —*

- *presented to Council at the next ordinary meeting of Council after the list is prepared; and*
- *recorded in the minutes of that meeting.”*

RISK MANAGEMENT IMPLICATIONS

Low: Management systems are in place that establish satisfactory controls, supported by the internal and external audit functions. Financial reporting to Council increases transparency and accountability.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure covered in this report includes various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure covered in this report includes various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

All municipal fund expenditure included in the list of payments is in accordance with Council's annual budget.

Authorisation of Expenditure for the Period February 2024
Payment by EFT and Payroll
(Payee A-Z)

Payment Date	Payee	DESCRIPTION	AMOUNT
02/02/2024	4Park Pty Ltd	Installation of spiral slide section	\$ 1,051.1
02/02/2024	a space Australia Pty Ltd	Supply and Install of new playground Braithwaite Park	\$ 69,080.0
02/02/2024	A Team Printing	Printing services - Swim School Pads	\$ 280.5
02/02/2024	A Team Printing	Printing services - Health & Fitness	\$ 1,486.1
16/02/2024	A Team Printing	Printing services - Swim School Pads	\$ 289.3
16/02/2024	A. Richards Pty Ltd	Top dress sand for laen - various reserves	\$ 1,890.0
02/02/2024	Access Icon Pty Ltd	Supply of trafficable covers	\$ 2,288.0
02/02/2024	ACEAM	Building condition audit Leederville Ov	\$ 18,958.5
02/02/2024	Adam Cruickshank	Storage public artwork	\$ 814.0
16/02/2024	Addstyle Constructions Pty Ltd	Refund of infrastructure bond	\$ 8,000.0
02/02/2024	ADR CO PTY LTD	Monthly support ticketor licencing Jan24	\$ 4,729.1
16/02/2024	ADR CO PTY LTD	ADR Monthly support TicketOr2 Licensing	\$ 4,729.1
02/02/2024	Afgri Equipment Australia Pty	Mowing Service	\$ 409.2
16/02/2024	Afgri Equipment Australia Pty	Mowing Service	\$ 1,094.1
02/02/2024	AKC Pty Ltd T/as Baileys Ferti	Fertiliser supplies	\$ 6,160.0
16/02/2024	Akcelik & Associates Pty Ltd	SIDRA intersection quotation for Richard	\$ 3,960.0
16/02/2024	Alchemy Saunas Pty Ltd	Monthly rental fee for 2 saunas	\$ 2,860.0
15/02/2024	Alexandra Castle	Deputy mayor allowance & meeting attendance fee - Feb24	\$ 3,387.4
02/02/2024	Alinta Sales Pty Ltd	Utility -North Perth Town Hall	\$ 190.0
02/02/2024	Alinta Sales Pty Ltd	Utility -Leederville Oval	\$ 536.2
02/02/2024	Alinta Sales Pty Ltd	Utility -Admin Building	\$ 41.9
16/02/2024	Alison Austin	Fitness instructor fee	\$ 540.0
15/02/2024	Alison Xamon	Mayor allowance fee & meeting attendance fee - Feb 24	\$ 8,193.7
02/02/2024	Allstate Kerbing	Kerbing services - various locations	\$ 20,490.0
16/02/2024	Allwest Plant Hire Australia P	Provide machinery, equipment and labour	\$ 4,567.2
02/02/2024	AlSCO Pty Ltd	Monthly mat changeover	\$ 754.4
16/02/2024	AlSCO Pty Ltd	Air freshner supplies	\$ 67.6
16/02/2024	Ampol Australia Petroleum Pty	Fuel & Oils - January 2024	\$ 26,408.1
02/02/2024	AMS Technology Group Pty Ltd	Air handling - Air con and plant room	\$ 530.7
16/02/2024	AMS Technology Group Pty Ltd	Air handling - Air con and plant room	\$ 10,127.3
16/02/2024	AMS Technology Group Pty Ltd	Coil chemical clean - BPLC	\$ 1,320.0
16/02/2024	AMS Technology Group Pty Ltd	Service - Spa boiler repairs BPLC	\$ 338.2
02/02/2024	Amy Fink	Fitness instructor fee	\$ 970.2
16/02/2024	Andrew Wright	Refund of infrastructure bond	\$ 1,000.0
02/02/2024	Anna Cappelletta	Fitness instructor fee	\$ 1,600.0
02/02/2024	APARC Pty Ltd	Credit Card Transactions parking	\$ 12,866.0
02/02/2024	APARC Pty Ltd	Maintenance of 173 parking meter Dec23	\$ 72,168.5
16/02/2024	APARC Pty Ltd	Credit Card Transactions parking	\$ 11,773.1
02/02/2024	APRA Ltd	Music for Councils	\$ 1,688.9
02/02/2024	Arbor Consulting	Arboricultural services	\$ 2,568.5
16/02/2024	Arbor Consulting	Arboricultural services	\$ 247.5
16/02/2024	Arbor Consulting	GIS Street Tree mapping	\$ 1,397.0
15/02/2024	Ashlee La Fontaine	Council Meeting attendance fee- February 2024	\$ 2,014.1
15/02/2024	Ashley Wallace	Council Meeting attendance fee- February 2024	\$ 2,014.1
16/02/2024	ASPECT Studios Pty Ltd	Design Review Panel Meeting - 23 August	\$ 440.0
16/02/2024	Asphaltech Pty Ltd	Asphalt supplies	\$ 2,279.2
16/02/2024	ATI-Mirage Training and Busine	Leadership Essentials Training Course	\$ 1,029.6
16/02/2024	Australia Post	Postage charges January 2024	\$ 143.3
02/02/2024	Australian HVAC Services	Air-conditioning maintenance - Various location	\$ 968.0
16/02/2024	Australian HVAC Services	Air-conditioning maintenance - Various location	\$ 2,519.0

16/02/2024	Australian HVAC Services	Bi-annual Preventative Maintenance - Various location	\$ 1,793.0
02/02/2024	Australian Institute of Manage	Training Course - Resilience	\$ 725.0
02/02/2024	Australian Services Union	Payroll deduction	\$ 185.5
21/02/2024	Australian Services Union	Payroll deduction	\$ 185.5
16/02/2024	Australian Swim Schools Manage	ASSA Mentoring program 2024	\$ 500.0
02/02/2024	Australian Taxation Department	Payroll deduction	\$ 247,736.0
21/02/2024	Australian Taxation Department	Payroll deduction	\$ 242,959.0
16/02/2024	Award Irrigation Pty Ltd	Locating service - Britannia Park	\$ 940.5
16/02/2024	Award Irrigation Pty Ltd	Locating services - various locations	\$ 5,852.0
16/02/2024	Award Irrigation Pty Ltd	Locating services - BPLC	\$ 418.0
16/02/2024	Beamafilm Pty Ltd	Beamafilm Transactional Subscription	\$ 660.0
02/02/2024	Beatty Park Physiotherapy Pty	Pilates Classes - December 2023	\$ 540.0
02/02/2024	Bing Technologies Pty Ltd	Printing services	\$ 106.4
02/02/2024	Blackwoods Atkins	Hardware supplies	\$ 688.1
02/02/2024	Blackwoods Atkins	Supply of clean aerosol	\$ 548.3
16/02/2024	Blackwoods Atkins	Hardware supplies	\$ 3,361.9
02/02/2024	Bladerunner Trust	Bobcat Hire	\$ 858.0
16/02/2024	Bladerunner Trust	Bobcat Hire - multiple days	\$ 13,145.0
02/02/2024	Blue Heeler Trading	Uniform supplies	\$ 268.9
02/02/2024	BM Higgins & NJY Goh	Leederville Oval parking permit Feb 24	\$ 350.0
02/02/2024	Boc Gases Australia Limited	Medical oxygen supplies	\$ 117.5
16/02/2024	Boc Gases Australia Limited	Medical oxygen supplies	\$ 117.5
16/02/2024	Boc Gases Australia Limited	Supply co2 beverage	\$ 1,298.5
02/02/2024	Boral Construction Materials G	Supply of concrete	\$ 1,152.3
16/02/2024	Boral Construction Materials G	Supply of concrete	\$ 3,940.3
02/02/2024	Boyan Electrical Services	Electrical services -Peir St	\$ 957.5
02/02/2024	Boyan Electrical Services	Electrical services - Floreat Athena	\$ 1,543.5
16/02/2024	Boyan Electrical Services	Electrical services Stirling street	\$ 901.4
16/02/2024	Boyan Electrical Services	Electrical services - 35 Barlee st	\$ 2,715.9
16/02/2024	Boyan Electrical Services	Electrical Services - YMCA	\$ 426.8
02/02/2024	BPA Consultants Pty Ltd	Robertson Park Civil & Structural	\$ 495.0
02/02/2024	Bridgestone Australia Ltd	Tyre services	\$ 775.3
02/02/2024	Bridgestone Australia Ltd	Tyre services	\$ 33.0
02/02/2024	Briskleen Supplies	Monthly changeover of sanitary & nappy bins	\$ 1,286.4
02/02/2024	Briskleen Supplies	Supply Toiletry and Cleaning Supplies BP	\$ 3,930.5
16/02/2024	Briskleen Supplies	Supply Toiletry and Cleaning Supplies BP	\$ 2,107.9
16/02/2024	Building and Construction Indu	Levy collection	\$ 274.1
16/02/2024	Building and Construction Indu	Collection agency fee	-\$ 16.5
02/02/2024	Bunnings Group Limited	Hardware supplies	\$ 358.5
16/02/2024	Bunnings Group Limited	Hardware supplies	\$ 1,215.9
16/02/2024	c2pr Group Pty Ltd	Security assesment Office365	\$ 9,020.0
02/02/2024	Caitlin Beccarelli	Reate for reusable sanitary product	\$ 23.9
02/02/2024	Carriage Motors Pty Ltd	Vehicle Service	\$ 190.0
16/02/2024	Castledine Gregory	Professional Fees -41-43 Angove Street	\$ 8,753.8
16/02/2024	Catherine Kosick	Reimbursement for BPLC expenses	\$ 369.4
16/02/2024	Catherine McCrory	Refund of infrastructure bond	\$ 1,000.0
16/02/2024	CDM Australia Pty Ltd	1 x Surface Laptop Studio	\$ 5,234.9
16/02/2024	Chindarsi Architects Pty Ltd	13 Kingston Ave DRP Advice	\$ 440.0
16/02/2024	Chindarsi Architects Pty Ltd	Design Review Panel - 13 December 2023	\$ 440.0
16/02/2024	Ching Man Lee	Reimbursement for swim school staff meet	\$ 120.5
02/02/2024	Choiceone Pty Ltd	Hire of temporary staff	\$ 10,007.8
16/02/2024	Choiceone Pty Ltd	Hire of temporary staff	\$ 14,546.9
16/02/2024	Christopher Hough	Refund of infrastructure bond	\$ 275.0
16/02/2024	Christou Design Group Pty Ltd	141 West Parade DRP Advice 11.12.23	\$ 440.0
16/02/2024	Christou Design Group Pty Ltd	Design Review Panel Meeting - 13 December	\$ 550.0
02/02/2024	City Of Perth	Building Archive Retrievals	\$ 61.9

16/02/2024	City Of Perth	Building Archive Retrievals	\$ 217.3
02/02/2024	City of South Perth Municipal	Dog impound fee Aug 23	\$ 539.0
02/02/2024	City of South Perth Municipal	Cat impound fee Dec 23	\$ 749.8
02/02/2024	City of South Perth Municipal	Dog impound fee Dec 23	\$ 808.5
16/02/2024	City of Stirling	Provision of Meals on Wheels November 23	\$ 504.3
02/02/2024	City of Vincent	Payroll deduction	\$ 1,011.9
16/02/2024	City of Vincent	Refund ESL rebate and rates reebate	\$ 822.8
21/02/2024	City of Vincent	Payroll deduction	\$ 1,033.2
21/02/2024	City of Vincent	Super Payments	\$ 1,000.0
29/02/2024	City of Vincent	Superannuation payments	\$ 461,383.7
02/02/2024	City of Vincent Social Club	Payroll deduction	\$ 452.0
21/02/2024	City of Vincent Social Club	Payroll deduction	\$ 434.0
02/02/2024	Coates Hire Operations Pty Ltd	Hire Plant and Machinery	\$ 1,126.0
16/02/2024	Coates Hire Operations Pty Ltd	Hire Plant and Machinery	\$ 338.6
02/02/2024	Cobblestone Concrete Pty Ltd	Concrete path repairs - Britannia Rd	\$ 4,066.7
02/02/2024	Cobblestone Concrete Pty Ltd	Concrete path repairs - Richmond St	\$ 14,381.6
16/02/2024	Cobblestone Concrete Pty Ltd	Concrete path repairs - Lynton St	\$ 1,456.4
02/02/2024	Cockburn Cement Limited	Cement & pallets	\$ 1,093.8
16/02/2024	Cockburn Party Hire	Chairs Hire for citizenship ceremony 24	\$ 412.5
16/02/2024	Cockburn Party Hire	2 x Marquee Hire including installation	\$ 2,130.0
02/02/2024	Commercial Aquatics Australia	Water Treatment at BPLC	\$ 594.0
16/02/2024	Commercial Aquatics Australia	Maintenance services - spa chlorine pump	\$ 242.0
02/02/2024	Complete Approvals	Refund of planning application fee	\$ 74.0
02/02/2024	Compu-Stor	Off-site Storage and Digitisation 2023	\$ 8,594.3
16/02/2024	Compu-Stor	Off-site Storage and Digitisation 2023	\$ 67.3
02/02/2024	Contra-Flow Pty Ltd	Traffic Management - Various Locations	\$ 9,262.5
16/02/2024	Contra-Flow Pty Ltd	Traffic Management - Various Locations	\$ 57,395.7
16/02/2024	Cora Bikerack Pty Ltd	Cora Bike Rack	\$ 2,527.8
02/02/2024	Corsign WA	Supply and installation of signs	\$ 8,632.1
02/02/2024	Cromag Pty Ltd t/as Sigma Chem	Supply pool chemicals for BPLC	\$ 17,903.9
16/02/2024	Cromag Pty Ltd t/as Sigma Chem	Supply pool chemicals for BPLC	\$ 3,260.1
02/02/2024	CSE Crosscom Pty Ltd	Repair Motorola	\$ 731.5
16/02/2024	CSE Crosscom Pty Ltd	CSE Crosscom - 1 x WA Radio Programming	\$ 115.5
02/02/2024	CTI Security Services Pty Ltd	Alarm monitoring - Woofville Reserve Pav	\$ 82.5
02/02/2024	CTI Security Services Pty Ltd	Alarm Monitoring - Woodville reserve Pav	\$ 82.5
16/02/2024	CW & SC Dearman	Fitness Instruction fee	\$ 60.0
02/02/2024	CW Centa Pty Ltd	Purchase of Bar Fridge BPLC	\$ 349.0
16/02/2024	Cygnat West Pty Ltd	Consulting fee Stage 2 Frame Court Carpark	\$ 9,374.7
16/02/2024	D A Christie Pty Ltd	Supply BBQ cooktop and cabinets	\$ 12,481.7
02/02/2024	D John Inglis T/A Aline Brickp	Brick paving services - Egina St Mt Hawthorn	\$ 3,608.0
02/02/2024	D John Inglis T/A Aline Brickp	Brick paving services -Forrest St Mt Lawley	\$ 2,117.5
16/02/2024	D&L Studio Pty Ltd	Name Badges for staff	\$ 400.1
02/02/2024	Dalin Electrical Controls	Repairs to geothermal system - BPLC	\$ 5,115.0
02/02/2024	Daniel Bullen	Fitness instructor fee	\$ 3,430.0
16/02/2024	Daniel Ruiz Alzate	Refund of part membership fee - BPLC	\$ 228.2
16/02/2024	Daniela Toffali	Fitness instructor fee	\$ 1,040.0
16/02/2024	Danterr Pty Ltd	Diamond blades	\$ 4,873.0
16/02/2024	Darryl Bellotti	Meeting room artwork	\$ 810.0
16/02/2024	DeMem-Capic Pty Ltd	Quarterly water treatment -BPLC January 2024	\$ 211.2
16/02/2024	Denaya Nominees Pty Ltd tas Me	Refund of infrastructure bond	\$ 3,000.0
02/02/2024	Department of Mines, Industry	Levy collection fee December 2023	\$ 6,521.1
16/02/2024	Department of Mines, Industry	Levy collection fee January 2024	\$ 6,723.7
02/02/2024	Department of Planning Lands a	DAP form 299 - Charles Street North Perth	\$ 11,236.0
02/02/2024	Department of Planning Lands a	DAP form - 195 Beaufort Street Perth	\$ 6,003.0
16/02/2024	Department of Planning Lands a	50% Leederville Precinct Structure Plan	\$ 10,972.5
02/02/2024	Department of Social Serivces	Payroll deductions	\$ 1,042.0

21/02/2024	Department of Social Services	Payroll deductions	\$ 849.1
02/02/2024	Department of Transport	Vehicle Ownership Searches December 2023	\$ 2,719.2
16/02/2024	Department of Transport	Vehicle Ownership Searches January 2024	\$ 4,910.4
02/02/2024	Devco Holdings Pty Ltd	Repairs and maintenance - various locations	\$ 31,110.7
16/02/2024	Devco Holdings Pty Ltd	Repairs and maintenance - various locations	\$ 76,794.7
02/02/2024	Devco Holdings Pty Ltd	Loftus Rec Centre box gutters	\$ 19,736.0
02/02/2024	Devco Holdings Pty Ltd	DLGSC rear ramp	\$ 16,436.7
16/02/2024	Devco Holdings Pty Ltd	Repairs and maintenance - Scarborough beach road	\$ 22,654.7
16/02/2024	Dial-A-Nappy	Merchandise - BPLC	\$ 880.0
02/02/2024	Diplomatik Pty Ltd	Hire of temporary staff - Parks	\$ 18,650.5
16/02/2024	Diplomatik Pty Ltd	Hire of temporary staff - Parks	\$ 1,795.0
02/02/2024	Dismantle Main Account	Clearing senior verges - December 2023	\$ 2,618.0
02/02/2024	Dismantle Main Account	Clearing Right of Way Clearing -November 2023	\$ 5,159.0
16/02/2024	Dismantle Main Account	Firebreaks for Renew Property Maintenance	\$ 2,475.0
16/02/2024	Dominic Snellgrove	DRP Advice	\$ 400.0
16/02/2024	Donegan Enterprises Pty Ltd	Playground repair and maintenance Braithwaite Park	\$ 495.0
16/02/2024	Donegan Enterprises Pty Ltd	Playground repair and maintenance various location	\$ 506.0
02/02/2024	Donna J Dama	Fitness instructor fee	\$ 180.0
02/02/2024	E Bentley	10 Day experience trailing BPLC	\$ 79.0
02/02/2024	E Bentley	Replace aqua belt clips	\$ 60.0
02/02/2024	Eamco Pty Ltd t/as EOS Electri	Electrical services - various locations	\$ 28,163.5
16/02/2024	Eamco Pty Ltd t/as EOS Electri	Electrical services- various locations	\$ 1,078.1
16/02/2024	Eamonn Lourey	Reimbursement for fuel purchased	\$ 88.5
02/02/2024	Educational Art Supplies	Library supplies	\$ 224.4
16/02/2024	Elfrieda Christian	Meditation Workshop: Library Event January 2024	\$ 300.0
16/02/2024	Elite Pool Covers Pty Ltd	Supply of two remote controllers for indoor pool	\$ 407.0
02/02/2024	Ellenby Tree Farm Pty Ltd	Supply of plants and trees	\$ 748.0
16/02/2024	Enviroblast Cannington	High pressure tidy bin frames December 2023	\$ 1,663.5
16/02/2024	Enviroblast Cannington	High pressure tidy bin frames January 2024	\$ 1,663.5
15/02/2024	ER NG Woolf	Council Meeting attendance fee- February 2024	\$ 2,014.1
02/02/2024	ES Vincent	Payroll deductions	\$ 4,973.6
21/02/2024	ES Vincent	Payroll deductions	\$ 4,973.6
16/02/2024	Excel Consulting Solutions Pty	Training for power automate	\$ 1,692.0
16/02/2024	Exteria	Composite slats - Spare slats for vasse	\$ 3,681.7
02/02/2024	Farinosi & Sons Pty Ltd	Red Oxide - Eng Ops	\$ 66.5
16/02/2024	Farmarama Pty Ltd	Supply and Apply Fertiliser sports ground	\$ 37,324.0
02/02/2024	Flexi Staff Group Pty Ltd	Hire of casual labour	\$ 43,501.0
16/02/2024	Flexi Staff Group Pty Ltd	Hire of casual labour	\$ 14,508.2
02/02/2024	Flick Anticimex Pty Ltd	Pest Control services various locations	\$ 13,875.5
16/02/2024	Flick Anticimex Pty Ltd	Pest Control services various locations	\$ 2,510.3
02/02/2024	Focus Networks	Overdue interest charges	\$ 1.0
16/02/2024	Focus Networks	Ad-Hoc - Remote After Hours Support	\$ 484.0
16/02/2024	Focus Networks	Replacement Drive for COVLVDVANAS1 Ticket	\$ 566.2
16/02/2024	Foot Locker Australia Inc	Shoes for staff	\$ 200.0
16/02/2024	Found Wayfinding	Manufacture & Installation of Wayfinding Street	\$ 4,598.0
02/02/2024	Friends of ANZAC Cottage Proje	Donation for ANZAC cottage anniversary	\$ 375.0
02/02/2024	Garry MacPhail	Refund of infrastructure bond	\$ 3,000.0
02/02/2024	GC Burgess	Printing services	\$ 5,016.0
16/02/2024	Gettin Hectic Australia	Smoke-free town centres project - brand ambassador	\$ 1,150.6
02/02/2024	GHD Pty Ltd	Drainage Design Brief - Mt Hawthorn catchment	\$ 4,221.2
16/02/2024	GHD Pty Ltd	Drainage Design Brief - Mt Hawthorn catchment	\$ 8,685.2
16/02/2024	Gianluca Lenzarini	Rates Refund	\$ 514.7
16/02/2024	Giant Autos (1977) Pty Ltd	Service and repairs	\$ 1,921.4
02/02/2024	Goldpin Corporation Pty Ltd	Equipment maintenance - BPLC	\$ 961.1
16/02/2024	Goldpin Corporation Pty Ltd	Equipment maintenance - BPLC	\$ 901.1
02/02/2024	Goldpoint Holdings Pty Ltd atf	Equipment maintenance - BPLC	\$ 33,955.1

16/02/2024	Growise Pty Ltd	Whippa-guards. Tree guards for new parks trees.	\$ 1,193.5
16/02/2024	Hames Sharley WA Pty Ltd	Vincent link and place guidelines	\$ 3,674.0
02/02/2024	Harris Sedigh	Refund of part membership fee - BPLC	\$ 50.4
02/02/2024	Hays Personnel Services (Austr	Hire of casual labour	\$ 2,628.6
02/02/2024	Health Insurance Fund of Austr	Payroll deductions	\$ 192.6
21/02/2024	Health Insurance Fund of Austr	Payroll deductions	\$ 192.6
02/02/2024	Health Safety Works	Online induction platform	\$ 110.0
16/02/2024	Health Safety Works	Online induction platform	\$ 110.0
16/02/2024	Helen Turner	Refund of part membership fee - BPLC	\$ 78.4
16/02/2024	Hempel (Wattyl) Australia Pty	Supply of paint	\$ 288.2
16/02/2024	Henry Clarke	Performance at citizenship ceremony	\$ 350.0
02/02/2024	Holcim (Australia) Pty Ltd	Supply of concrete	\$ 4,639.1
02/02/2024	Hoskins Investments Pty Ltd	Progress claim 1- Admin Foyer Disability	\$ 11,513.7
02/02/2024	Iconic Property Services Pty L	Cleaning services various locations	\$ 36,243.5
16/02/2024	Iconic Property Services Pty L	Cleaning services - various locations	\$ 11,560.4
02/02/2024	Inlogik Pty Ltd	Monthly subscription December 2023	\$ 258.9
16/02/2024	Inlogik Pty Ltd	Monthly subscription January 2024	\$ 258.9
16/02/2024	Integrity Management Solutions	Compliance Software	\$ 17,468.0
02/02/2024	J P Marsland	Fitness instructor fee	\$ 360.0
02/02/2024	Jacqueline Baayens	Refund of part membership fee - BPLC	\$ 71.2
02/02/2024	Janet Verburg	Fitness instructor fee	\$ 1,082.0
02/02/2024	Jeffrey and Vicki Roberts	Rates Refund	\$ 334.2
15/02/2024	Jonathan Hallett	Council Meeting attendance fee- February 2024	\$ 2,014.1
16/02/2024	K.S.Black Pty Limited	Bore Development and Pump Service Forres	\$ 715.0
16/02/2024	K.S.Black Pty Limited	Bore Development and Pump Service Axford	\$ 32,448.9
02/02/2024	Karen Callaghan	Part refund of membership fee BPLC	\$ 545.5
02/02/2024	Kayleigh Peace	Fitness instructor fee	\$ 360.0
16/02/2024	Kayleigh Peace	Fitness instructor fee	\$ 300.0
02/02/2024	KC C Jack	Locker hire	\$ 1,497.0
16/02/2024	Kennards Hire	Equipment hire	\$ 62.0
16/02/2024	Khanittha Satayasaoraya	Frame court parking permit February 2024 and March 2024	\$ 420.0
02/02/2024	Kleen West Distributors	Graffiti removal	\$ 1,729.2
16/02/2024	Kleenheat Gas Pty Ltd	Forklift gas 18kg estimated Depot	\$ 255.7
16/02/2024	Konica Minolta Business Soluti	Konica Minolta Printing Cost	\$ 3,523.4
16/02/2024	Landmark Operations Limited	Supply of weedkiller	\$ 319.1
02/02/2024	Laura & Hans Andersen	Removal of Christmas banners	\$ 3,960.0
16/02/2024	Lauren Formentin	Reimbursement for revelation film festiv	\$ 136.0
16/02/2024	Lee & Sarah Johnson	Refund of infrastructure bond	\$ 5,000.0
02/02/2024	Lee J O'Donohue	Refund of part dog registration fee	\$ 15.0
16/02/2024	Leederville Tennis Club	Donation towards catering and equipment	\$ 283.0
02/02/2024	Leo Heaney Pty Ltd	Reticulation Flushing	\$ 528.0
02/02/2024	Leo Heaney Pty Ltd	Street Tree Planting & Watering	\$ 175,395.0
16/02/2024	Leo Heaney Pty Ltd	Reticulation Flushing	\$ 528.0
16/02/2024	Leo Heaney Pty Ltd	Street Tree Planting & Watering	\$ 55,704.0
16/02/2024	Les Mills	Les Mills Music License Fees	\$ 1,871.3
16/02/2024	Line Marking Specialists	Line Marking services Various street	\$ 32,270.0
16/02/2024	LINEMARKING WA PTY LTD	Install Green Treatment to intersection	\$ 6,360.2
16/02/2024	Linsey Allen	Refund of infrastructure bond	\$ 5,000.0
02/02/2024	Lisa Joy Sharp	Fitness instructor fee	\$ 240.0
02/02/2024	Liveable Group Pty Ltd	Tree pruning & removal services	\$ 34,529.0
16/02/2024	Liveable Group Pty Ltd	Tree pruning & removal services	\$ 15,405.5
02/02/2024	Local Geotechnics	Geotechnical investigation report	\$ 6,820.0
16/02/2024	Local Government Professionals	Evaluation Framework Training	\$ 880.0
16/02/2024	Luca Swart	Completion of CAANZ unit - reimbursement	\$ 189.5
16/02/2024	Lucy Rowlands	Refund of part membership fee - BPLC	\$ 70.8
02/02/2024	Luke Riley Creative	Professional fee - E-scooter shoot	\$ 950.0

16/02/2024	M Jensen	Part refund of membership fee BPLC	\$ 38.1
02/02/2024	Macdonald Johnston Engineering	After hours repairs	\$ 516.7
16/02/2024	Macdonald Johnston Engineering	Plant repairs and maintenance	\$ 4,378.5
16/02/2024	Mackay Urban Design	Design Review Panel Meeting - 17 January	\$ 440.0
16/02/2024	Mackay Urban Design	Design Review Panel Meeting - 29 November	\$ 440.0
02/02/2024	Main Roads Operating	Final invoice for works associated at Be	\$ 9,459.0
16/02/2024	Main Roads Operating	Final Invoice for works Fitzgerald and C	\$ 3,043.1
16/02/2024	Main Roads Operating	Grant refund for Main Road Blackspot	\$ 44,000.0
02/02/2024	Majestic Plumbing Pty Ltd	Plumbing services various locations	\$ 889.4
16/02/2024	Majestic Plumbing Pty Ltd	Plumbing services various locations	\$ 12,112.9
02/02/2024	Major Motors Pty Ltd	Plant repairs and maintenance	\$ 779.9
02/02/2024	Major Motors Pty Ltd	Repair Handbrake on truck	\$ 2,556.0
02/02/2024	Manage IT	Refund for payment processed	\$ 224.6
02/02/2024	Marroarchi	Refund of infrastructure bond	\$ 5,000.0
02/02/2024	Martin David Bradbury	Rates Refund	\$ 451.9
02/02/2024	Mary Slater	Fitness instructor fee	\$ 126.0
02/02/2024	Maxima Group Training	Predesign inspection and structural certificate	\$ 267.8
02/02/2024	McIntosh & Son WA	Purchase of roller replacement for Jacobsom mower	\$ 1,039.7
02/02/2024	McIntosh & Son WA	Heavy fleet replacement program	\$ 97,350.0
16/02/2024	McIntosh & Son WA	Solid tines for werti-drain	\$ 552.4
16/02/2024	McLeods	Legal advice	\$ 3,791.1
16/02/2024	McLeods	Legal advice	\$ 7,177.6
02/02/2024	Medelect	Legal advice	\$ 1,111.0
02/02/2024	Meter Office Products	Library supplies - slide binders	\$ 107.2
16/02/2024	Michael Stewart	Refund of part membership fee - BPLC	\$ 91.0
16/02/2024	Midland Toyota	Refund of part membership fee - BPLC	\$ 33,341.6
02/02/2024	Military Pty T/As SAS Locksmit	Key cutting and lock maintenance service	\$ 92.0
16/02/2024	Military Pty T/As SAS Locksmit	Key cutting and lock maintenance service	\$ 49.9
02/02/2024	Mindarie Regional Council	Processable waste 10 January 2024	\$ 1,056.4
02/02/2024	Mindarie Regional Council	Processable waste 2 January 2024 and 4 January 2024	\$ 9,251.7
02/02/2024	Mindarie Regional Council	Processable waste	\$ 15,104.1
02/02/2024	Mindarie Regional Council	Non Processable waste	\$ 40.9
02/02/2024	Mindarie Regional Council	Non processable waste	\$ 1,278.9
02/02/2024	Mindarie Regional Council	Non Processable waste	\$ 5,213.8
02/02/2024	Mindarie Regional Council	Processable waste	\$ 14,113.5
02/02/2024	Mindarie Regional Council	Reimbursement of Admin Expenses January 2023	\$ 35,570.6
02/02/2024	Mindarie Regional Council	Processable & Non processable waste	\$ 7,808.3
16/02/2024	Mindarie Regional Council	Road sweeps disposal - January 2024	\$ 2,023.1
16/02/2024	Mindarie Regional Council	Road sweeps disposal - December 2023	\$ 3,891.7
16/02/2024	Miss Jayda Ristevski	Frame court parking permit February 2024	\$ 210.0
02/02/2024	Mr Adam Pring & Mrs Kristie Pr	Part refund of membership fee BPLC	\$ 216.1
02/02/2024	Mr Darren M Bromley	Part refund dog registration fee	\$ 150.0
02/02/2024	Mr Matthew George Jajko	Fitness instructor fee	\$ 360.0
16/02/2024	Mr Matthew George Jajko	Fitness instructor fee	\$ 60.0
02/02/2024	Mr Peter Kalaf and Rosalind Ka	Prize winner photo local history a	\$ 100.0
02/02/2024	Muchea Tree Farm	Supply of tube stock April plant sal	\$ 2,337.0
02/02/2024	My Media Intelligence Pty Ltd	Quarterly for press articles	\$ 1,004.0
02/02/2024	Nadine Wellinger	Part refund BPLC membership fee	\$ 306.7
02/02/2024	Natale Group Australia PL	Security Services	\$ 3,314.3
16/02/2024	Nathan Stokes	Reimbursement catering at mentoring	\$ 310.0
16/02/2024	National Refrigeration Solutio	System Progress claim 2	\$ 19,345.8
02/02/2024	Natural Area Holdings Pty Ltd	Reserve vegetation removal 18.12.2	\$ 1,727.4
16/02/2024	Newground Water Services Pty L	Irrigation-supply and install- Charles Veryard	\$ 1,980.0
16/02/2024	Newground Water Services Pty L	Irrigation Revision - Robertson Park	\$ 412.5
16/02/2024	NGIS Australia Pty Ltd	Skyline annual licence	\$ 3,993.0
02/02/2024	Nightlife Music Pty Ltd	Supply Crowd DJ the gym Feb 24	\$ 417.9

16/02/2024	Noma Pty Ltd	DRP Advice	\$ 5,830.0
16/02/2024	Northbridge Common Incorporate	Town team grant	\$ 9,995.9
02/02/2024	Northsands Resources	Disposal construction waste November	\$ 4,140.6
16/02/2024	Northsands Resources	Disposal construction waste January	\$ 5,401.4
16/02/2024	Northsands Resources	Disposal Construction Waste December	\$ 1,902.1
16/02/2024	Northshore Unit Inc. - SES	SES Contribution Q3 - 23/24	\$ 15,499.0
02/02/2024	Officeworks Ltd	Stationary supplies	\$ 207.5
16/02/2024	Officeworks Ltd	Stationary supplies	\$ 4,423.3
16/02/2024	OK Ryeon Park	Refund of part membership fee - BPLC	\$ 171.1
16/02/2024	Olla and Amir Dedic	Reimbursement for milk purchase for various departments	\$ 217.8
02/02/2024	Omnicom Media Group Australia	Public Notice - Briefings & OCM Meeting	\$ 347.9
02/02/2024	Omnicom Media Group Australia	Public Notice - Annual General Meeting	\$ 496.8
16/02/2024	Omnicom Media Group Australia	GreenTrack public notice ad.	\$ 993.3
02/02/2024	Open Systems Technology Pty Lt	Professional Services - November 23-Feb 24	\$ 123,405.4
16/02/2024	Open Systems Technology Pty Lt	Professional Services - CRMS	\$ 28,865.6
02/02/2024	Optus Billing Services Pty Ltd	Admin phone Dec23	\$ 6,538.6
02/02/2024	Optus Billing Services Pty Ltd	Mobile plan Aug-Nov23	\$ 12,041.0
16/02/2024	Optus Billing Services Pty Ltd	Mobile plan Aug-Dec 23	\$ 3,037.5
16/02/2024	Optus Billing Services Pty Ltd	Mobile plan Jan 24	\$ 6,531.5
02/02/2024	Oxford Retail Pty Ltd	Printing services	\$ 1,772.5
02/02/2024	P J Toia-Johnston	Story Time entertainer	\$ 600.0
02/02/2024	Paperbark Technologies Pty Ltd	Tree Plan Stage 1 - Robertson	\$ 1,500.0
02/02/2024	Paragon Construction Solutions	Variation contract Waterproofing Gutt	\$ 18,849.6
02/02/2024	Paragon Construction Solutions	Replace Existing Lane Anchors	\$ 6,270.0
02/02/2024	Paragon Construction Solutions	Supply & install Wall Pop-up Anchor	\$ 10,505.0
02/02/2024	Paragon Construction Solutions	Reinstatement of raised to Pool ar	\$ 100,178.8
02/02/2024	Parks and Leisure Australia	Staff training	\$ 198.0
02/02/2024	Pauline Locker	Part refund dog registration fee	\$ 150.0
02/02/2024	Pavigym Australia Pty Ltd	Fitness instructor fee	\$ 5,455.1
27/02/2024	PAYROLL	Pay Period 18	\$ 773,989.6
13/02/2024	PAYROLL	Pay Period 17	\$ 762,580.1
02/02/2024	Pei-Chea Tran	Fitness instructor fee	\$ 540.0
16/02/2024	People Sense	EAP Service December 23	\$ 1,384.3
16/02/2024	Perth Auto Alliance P/L AHG Fo	Purchase Plant	\$ 79,271.1
02/02/2024	Perth Office Equipment Repairs	Depot folding service and clea	\$ 247.5
02/02/2024	Pet Meat Suppliers	Pet food supplies	\$ 200.0
16/02/2024	Planning Institute Australia	Women's Day Breakfast - 8	\$ 1,040.0
02/02/2024	Play Check	Comprehensive playground audit	\$ 3,080.0
02/02/2024	Poster Passion	Refund Energy wise visits	\$ 196.3
02/02/2024	PriceMark Pty Ltd	Supply of WAW Bands	\$ 1,993.9
02/02/2024	Print and Sign Co	Printing services	\$ 7,142.3
16/02/2024	Print and Sign Co	Printing services	\$ 2,705.5
02/02/2024	Profounder Turfmaster Pty Ltd	Maintenance - Woodville Reserve	\$ 11,350.3
16/02/2024	Profounder Turfmaster Pty Ltd	Leederville Turf Maintenance - Dec 23	\$ 4,914.2
16/02/2024	Profounder Turfmaster Pty Ltd	Litis Turf Maintenance - Dec23	\$ 3,868.7
16/02/2024	Profounder Turfmaster Pty Ltd	Litis Turf Maintenance - Jan24	\$ 3,868.7
16/02/2024	Profounder Turfmaster Pty Ltd	Turf Maintenance - Britannia road reserve	\$ 24,568.5
02/02/2024	Programmed Skilled Workforce L	Hire of temporary staff	\$ 8,409.5
16/02/2024	Programmed Skilled Workforce L	Hire of agency Staff	\$ 6,140.7
02/02/2024	Protector Fire Services Pty Lt	Equipment maintenance - BPLC	\$ 4,005.2
16/02/2024	Protector Fire Services Pty Lt	Equipment maintenance - BPLC	\$ 487.3
02/02/2024	RAC Motoring	Supply Urgent and Towing Servi	\$ 105.0
16/02/2024	RAC Motoring	Supply Breakdown Towing Services	\$ 105.0
02/02/2024	Rachel Sheahan	Part refund of BPLC membership fee	\$ 112.3
02/02/2024	Rada Mirceta	Cleaning of indoor & spa	\$ 770.0
02/02/2024	Rada Mirceta	Cleaning of pool & spa	\$ 2,200.0

02/02/2024	Rada Mirceta	Cleaning of indoor & spa	\$ 770.0
16/02/2024	Rada Mirceta	After cleaning BPLC	\$ 1,100.0
02/02/2024	Ralph Stewart	Prie winner photo local history aw	\$ 50.0
16/02/2024	Redimed Pty Ltd - Receipts WA	Employee service	\$ 576.0
16/02/2024	Redstone Construction P/L	Refund of infrastructure bond	\$ 1,000.0
02/02/2024	Regents Commercial Trust Accou	Water service 1.01.24-29.02.24 Lot49	\$ 300.7
02/02/2024	Regents Commercial Trust Accou	Water service 1.11.23-31.12.23 Lot49	\$ 305.8
02/02/2024	Regents Commercial Trust Accou	Rent St CP February 2024	\$ 8,656.3
16/02/2024	Retech Rubber	Repairs to softfall area - Mount Hawthorn	\$ 35,090.0
02/02/2024	Ricci Dagostino	Purchase of bags wetwipes for gym	\$ 198.0
02/02/2024	Richard Harrison	Bee hive removal Carr/Cleaver street	\$ 250.0
16/02/2024	Richard Harrison	Street tree hive treatment	\$ 250.0
02/02/2024	Richard Iustini	Rates Refund	\$ 371.6
02/02/2024	Richards Tyres	Tyre Replacement x2	\$ 230.0
15/02/2024	RJ & MT Alexander	Council Meeting attendance fee- February 2024	\$ 2,014.1
16/02/2024	Rogue Australia	Rogue Echo Bike and delivery charg	\$ 1,560.0
02/02/2024	Rosevale Electrical	Works at BPLC	\$ 5,870.7
16/02/2024	Rosevale Electrical	Works at BPLC	\$ 1,376.1
16/02/2024	Rosevale Electrical	Installation of new cabinet	\$ 3,850.0
02/02/2024	RTRFM 92.1 LTD	RTRFMs Picnic 2023 - 1st payment	\$ 9,900.0
16/02/2024	Rubek Automatic Doors	Repairs and Maintenance - Admin Building	\$ 330.0
02/02/2024	S & S Massey	Office supplies - Milk supply	\$ 233.2
02/02/2024	Sage Consulting Engineers Pty	consultancy - Robertson Pk	\$ 5,225.0
02/02/2024	Sanax Medical	First Aid supplies - BPLC	\$ 679.8
16/02/2024	Sanax Medical	First Aid supplies - BPLC	\$ 269.6
16/02/2024	Sanderson Engineering	Plant repairs and maintenance	\$ 280.0
02/02/2024	Sandra Stibora	Fitness instructor fee	\$ 60.0
16/02/2024	Sarah Corbitt	Refund of infrastructure bond	\$ 5,000.0
02/02/2024	Sayed Masood Reza Mosawi	Part refund membership fee BPLC	\$ 139.1
16/02/2024	Scarboro Motors Pty Ltd	Plant Service	\$ 1,574.6
02/02/2024	Schlager Group Pty Ltd	Progress claim 1	\$ 23,553.9
16/02/2024	Schlager Group Pty Ltd	Progress claim 2	\$ 21,634.8
16/02/2024	Scott Printers Pty Ltd	Supply and delivery Bin Tagging Postc	\$ 359.7
02/02/2024	Setondji Jessica Lowden	Fitness instructor fee	\$ 120.0
02/02/2024	Shaaron Taylor	Fitness instructor fee	\$ 420.0
02/02/2024	Sherina Patchett	Fitness instructor fee	\$ 322.0
02/02/2024	Shred-X Pty Ltd	Bin exchange - BPLC	\$ 39.0
02/02/2024	Sirsidynix Pty Ltd	Platinum consulting - access	\$ 7,502.0
02/02/2024	Smart Office Systems Pty Ltd	Risk Application Upgrade	\$ 4,665.0
16/02/2024	Smoke and Mirrors Audio Visual	Supply of System - Citizenship ceremony	\$ 964.0
02/02/2024	Solo Resource Recovery	Cleaning services - Depot	\$ 8,450.2
15/02/2024	Sophie M Greer	Council Meeting attendance fee- February 2024	\$ 2,014.1
16/02/2024	Sophie Rapoff	Refund of crossover bond	\$ 275.0
16/02/2024	SpacetoCo	Facilities reporting and financial	\$ 660.0
16/02/2024	Specialty Timber Flooring WA	Annual Floor resurfacing -various	\$ 26,675.0
02/02/2024	Speedo Australia Pty Ltd	Speedo stock for resale	\$ 336.6
16/02/2024	Speedo Australia Pty Ltd	Speedo stock for resale	\$ 3,227.9
02/02/2024	Stott Hoare	Supply computers and accessories	\$ 17,232.6
16/02/2024	Stott Hoare	Stott Hoare Q01 2 x Yeali	\$ 1,163.8
16/02/2024	Stott Hoare	Microsoft Intune configuration	\$ 17,160.0
16/02/2024	Stott Hoare	configuration services WALGA	\$ 8,580.0
02/02/2024	StrataGreen	Initiator Pills - Street Trees	\$ 3,362.4
02/02/2024	Subiaco Football Club Inc.	Party Bar Tab	\$ 3,595.5
02/02/2024	Suzanne Smart	Fitness instructor fee	\$ 600.0
15/02/2024	Suzanne Worner	Council meeting attendance fee- February 2024	\$ 2,014.1
02/02/2024	Swimplex Aquatics Pty Ltd	Wetdeck grating mtr and 12mtr pool	\$ 15,222.6

02/02/2024	Synergy	Electricity charges-various locations	\$ 91,192.3
16/02/2024	Synergy	Electricity charges-various locations	\$ 61,270.6
02/02/2024	T&H Wilkes Pty Ltd	Gravel supplies	\$ 3,102.0
02/02/2024	Tamala Park Regional Council	Account for payable and receiveable	\$ 11,815.9
16/02/2024	Techworks Electrical Pty Ltd	Electrical switchboard replace-BPLC	\$ 18,995.2
02/02/2024	Teena Smith	Fitness instructor fee	\$ 528.5
16/02/2024	Temptations Catering	Catering for event -Goodbye guide	\$ 313.4
02/02/2024	Thamanoon Chiranakorn	Frame courst permit refund Feb 24	\$ 210.0
16/02/2024	Thamanoon Chiranakorn	Frame court permit refund March 24	\$ 210.0
16/02/2024	Thanh-The Tran	Rebast resusable sanitary product	\$ 28.0
02/02/2024	The BBQ Man	BBQ cleaning - December 2023	\$ 4,405.2
16/02/2024	The BBQ Man	Cleanning of outdoor artwork	\$ 935.0
16/02/2024	The BBQ Man	Pressure Oxford street reserv	\$ 880.0
16/02/2024	The BBQ Man	BBQ cleaning - January 2024	\$ 4,405.2
02/02/2024	The de Mol Group of Companies	Electricity for CCTV equip	\$ 33.0
02/02/2024	The Funk Factory	Plastic Drumtastic Worksho	\$ 550.0
02/02/2024	The Royal Life Saving Society	Supply of WAW Bands	\$ 308.0
02/02/2024	The Royal Life Saving Society	Maintenance at Hyde Park	\$ 330.0
02/02/2024	The Royal Life Saving Society	Staff Training - BPLC	\$ 2,312.0
16/02/2024	The Royal Life Saving Society	AIDS pond servicing January 2024	\$ 1,071.5
16/02/2024	The Royal Life Saving Society	Call out playground Hyde Park	\$ 139.1
16/02/2024	The Royal Life Saving Society	Hyde Park Playground reactive maintainence	\$ 347.8
16/02/2024	The Royal Life Saving Society	AIDS pond servicing - December 2023	\$ 1,071.5
16/02/2024	The Royal Life Saving Society	Hyde Park water Call out Sund	\$ 330.0
16/02/2024	The Royal Life Saving Society	Hyde Park playground call out	\$ 330.0
16/02/2024	The Royal Life Saving Society	Aids repairwater level senser	\$ 477.9
16/02/2024	The Royal Life Saving Society	AIDS pond servicing -January 2024	\$ 6,648.3
02/02/2024	TN & PR Mathews	Prize winner photo local history award	\$ 100.0
16/02/2024	Toolmart	Hardware supplies - Depot	\$ 478.0
02/02/2024	Total Green Recycling	Waste recycling - November 2023	\$ 651.7
02/02/2024	Totally Workwear Mt Hawthorn	Uniform supplies	\$ 763.8
16/02/2024	Totally Workwear Mt Hawthorn	Uniform supplies	\$ 2,752.3
02/02/2024	TPW Group Services Pty Ltd	Rugs for cafe - BPLC	\$ 1,135.9
02/02/2024	T-Quip	Anti-skid rollers	\$ 97.3
16/02/2024	T-Quip	Lifter switch	\$ 190.2
16/02/2024	Transoft Solutions	Auto Turn Map Single site subscription	\$ 1,672.0
02/02/2024	Transpacific Industries PL	Bins - Hawkers Market 1 December 2023	\$ 176.0
02/02/2024	Transpacific Industries PL	Event Bins Pickle Dark Outback	\$ 265.4
16/02/2024	Transpacific Industries PL	Recyclables processing - January 2024	\$ 45,101.2
16/02/2024	Transpacific Industries PL	Residential bin collections - January 2024	\$ 42,099.2
16/02/2024	Transpacific Industries PL	Customer Services January 2024	\$ 2,119.0
02/02/2024	Travis Hayto	Videography Lunar New Year	\$ 742.5
02/02/2024	Travis Hayto	Videography to Parliament Reside	\$ 1,897.5
02/02/2024	Tree Amigos	Street trees & pruning/removal	\$ 20,421.5
02/02/2024	Tree Amigos	Street trees & pruning/removal	\$ 528.0
16/02/2024	Tree Amigos	Street trees & pruning/removal	\$ 24,329.8
02/02/2024	Truck Centre (WA) Pty Ltd	Truck and maintenance	\$ 3,447.7
16/02/2024	Tru-Line Construction Pty Ltd	Refund of infrastructure bond	\$ 5,000.0
02/02/2024	Trustees for The Folan Family	Training - Executive coaching	\$ 1,485.0
16/02/2024	Trustees for The Folan Family	Training - Staff	\$ 825.0
02/02/2024	Tyres4U Pty Ltd	Purchase of new tyre	\$ 1,947.0
02/02/2024	Tyres4U Pty Ltd	Tyre replacement and maintenance	\$ 1,812.8
16/02/2024	Tyres4U Pty Ltd	Tyre replacement and maintenance	\$ 2,217.3
02/02/2024	Universal Diggers	Hire of plant Depot	\$ 10,643.3
16/02/2024	Universal Diggers	Hire of plant Depot	\$ 33,779.9
16/02/2024	Urbis Pty Ltd	Street DRP Advice	\$ 1,760.0

16/02/2024	Urbis Pty Ltd	Avenue DRP Advice	\$ 440.0
16/02/2024	Urbis Pty Ltd	Street - DRP Advice	\$ 440.0
16/02/2024	Urbis Pty Ltd	Design Panel Meeting - 17 January 2024	\$ 440.0
16/02/2024	Urbis Pty Ltd	Design Panel Meeting - 29 November 2023	\$ 440.0
02/02/2024	Vanessa Forbes	Fitness instructor fee	\$ 1,122.0
16/02/2024	Vanessa Marjorie Hill	Rates Refund	\$ 395.0
16/02/2024	Vaughn Joshua McGuire	Citizenship ceremony event 24 January 2024	\$ 605.0
02/02/2024	Veolia Recycling & Recovery Pt	General collection December 2023 - BPLC	\$ 1,990.9
02/02/2024	WA Apiarists' Society	Annual membership fee	\$ 85.0
02/02/2024	WA Cleaning Equipment Repairs	Plant and maintenance - BPLC	\$ 3,009.0
02/02/2024	WA Local Government Associatio	Training Serving on Cr S Greer	\$ 1,089.0
02/02/2024	WA Local Government Associatio	Training Understanding Gov A Xamon	\$ 264.0
02/02/2024	WA Local Government Associatio	Training Conflicts Interest A Xamon	\$ 264.0
02/02/2024	WA Local Government Associatio	Training Serving Council A Xamon	\$ 1,089.0
02/02/2024	WA Local Government Associatio	Training Procedures A Xamon	\$ 544.5
02/02/2024	WA Local Government Associatio	Training Understanding Report A Xamon	\$ 544.5
02/02/2024	WA Local Government Associatio	Training The Role Mayor A Xamon	\$ 434.5
02/02/2024	WA Local Government Associatio	Training Understanding Report Cr N	\$ 385.0
16/02/2024	WA Local Government Associatio	Training Conflicts of Cr S Greer	\$ 242.0
16/02/2024	WA Safety Tape & Mesh	Reflective Cones	\$ 1,500.0
16/02/2024	WA Safety Tape & Mesh	Tape (Red / White)	\$ 1,140.0
02/02/2024	Wall Art Australia	M Teardrop banners	\$ 635.8
16/02/2024	Wanneroo Patios	Refund of infrastructure bond	\$ 1,000.0
02/02/2024	Water Corporation	Water Charges - Various Locations	\$ 52,864.2
16/02/2024	Water Corporation	Water Charges - Various Locations	\$ 8,718.9
02/02/2024	Way Funky Company Pty Limited	Purchase of merchandise - BPLC	\$ 14,242.6
16/02/2024	Way Funky Company Pty Limited	Funkita stock for resale	\$ 2,888.1
16/02/2024	WC Convenience Management	Maintenance Jan24 - Various Location	\$ 4,295.8
02/02/2024	West Coast Shade Pty Ltd	Remove & sail Ellesmere Reserve	\$ 15,262.5
02/02/2024	West Coast Shade Pty Ltd	Remove & replace Hobbart Street Res	\$ 6,446.0
02/02/2024	Western Australian Land Inform	GRV rentals valuations	\$ 145.7
16/02/2024	Western Australian Land Inform	GRV rentals valuations	\$ 448.8
16/02/2024	Western Australian Land Inform	Online shop - January 2024	\$ 30.5
02/02/2024	Western Australian Local Gover	Excess vehicle claim	\$ 500.0
16/02/2024	Western Australian Local Gover	Excess vehicle claim	\$ 500.0
02/02/2024	Western Australian Municipal R	Payroll deductions PP 17	\$ 22.0
21/02/2024	Western Australian Municipal R	Payroll deductions PP 17	\$ 22.0
02/02/2024	Western Irrigation Pty Ltd	Retic Parts	\$ 4,423.3
16/02/2024	Western Irrigation Pty Ltd	Retic Parts	\$ 13,047.1
02/02/2024	Western Metropolitan Regional	Processing FOGO Material	\$ 25,160.2
02/02/2024	Western Metropolitan Regional	Valet Collections	\$ 22,282.5
02/02/2024	Western Resource Recovery Pty	Grease trap maintenance - Charles Veryard	\$ 216.7
16/02/2024	Western Resource Recovery Pty	Grease trap maintenance - BPLC	\$ 550.0
16/02/2024	Western Resource Recovery Pty	Grease trap maintenance - Loftus Recreation Centre	\$ 316.2
02/02/2024	West-Sure Group Pty Ltd	Collection - Parking - December 2023	\$ 1,649.8
16/02/2024	West-Sure Group Pty Ltd	Collection - Parking - January 2024	\$ 1,433.1
16/02/2024	Westwide Building Co Pty Ltd	Refund of infrastructure bond	\$ 3,000.0
02/02/2024	Winc Australia Pty Limited	Office and Stationery Supplies	\$ 737.2
16/02/2024	Winc Australia Pty Limited	Office and Stationery Supplies	\$ 1,510.0
16/02/2024	Woodlands Distributors & Agenc	Dog Bags Compostable	\$ 8,537.7
02/02/2024	Worldwide Online Printing Cann	Printing services	\$ 308.0
16/02/2024	Worldwide Online Printing Cann	Printing services	\$ 220.0
02/02/2024	Wow Wipes	Supply anti bacterial wipes for use in gym- BPLC	\$ 2,530.0
02/02/2024	Yolande Gomez	Fitness instructor fee	\$ 1,318.0
16/02/2024	Youngz & Co Pty Ltd and DM Cus	Rates Refund	\$ 1,079.5
02/02/2024	Zenien	New CCTV Camera - Beaufort St	\$ 2,009.1

16/02/2024	Zenien	CCTV install of Live screen system BPLC	\$	3,158.2
16/02/2024	Zenien	CCTV Systems Consulting/Installation 30/	\$	181.5
16/02/2024	Zenien	Relocation of security cameras in admin	\$	1,232.0
16/02/2024	Zenien	CCTV upgrade - Admin	\$	12,646.1
16/02/2024	Zenien	CCTV installation - 550 Beaufort St	\$	5,186.8
16/02/2024	ZIP Heaters Aust Pty Ltd	Hydrotap maintenance - Library	\$	187.0
16/02/2024	Zipform	Postage, management and handling fee	\$	6,206.1
02/02/2024	Zoho Corporation Pty Ltd	Annual fee Eventlog Analyzer 12m Subscription	\$	784.9
and Total			\$	5,899,385.4

Authorisation of Expenditure for the Period February 2024
Creditors Report - Payments by Direct Debit
06/01/2024 to 06/02/2024

Debit Card Transactions for the Period 06 January 2024 to 06 February 2024

Card Holder	Date	Payee	Description	Amount
O				
	26/01/2024	WANEWSDTI	Monthly West Australian Newspaper Subscription	\$ 83.
				\$ 83.
Director Infrastructure and Environment				
	12/01/2024	Good Grocer L0030	Catering	\$ 50.
	12/01/2024	Good Grocer L0030	Catering	\$ 22.
	04/02/2024	Woolworth 4369	Sodastream exchange cylinder	\$ 19.
				\$ 91.
Manager Marketing and Partnerships				
	07/01/2024	Facbk *NHGBGXX7R2	Facebook advertising - Beatty Park	\$ 155.
	11/01/2024	LucyLuu240111NB	Gift Voucher for Lunar New Year Lion Dance	\$ 154.
	10/01/2024	Mailchimp *MISC	Enewsletter campaign tool	\$ 804.
	17/01/2024	Leederville Cameras	Poster print	\$ 12.
	23/01/2024	ASANA.COM	Marketing and Comms scheduling tool	\$ 927.
	23/01/2024	Intl transaction fee	Marketing and Comms scheduling tool Int'l fee	\$ 23.
	31/01/2024	Officeworks	Stationary for Underground Power mailing	\$ 175.
	31/01/2024	Facebk *8XM3LYF8R2	Facebook advertising	\$ 15.
	26/01/2024	Shutterstock Ireland L	Stock photo subscription	\$ 99.
	03/02/2024	Chatgpt Subscription	Chat GPT trial	\$ 30.
	03/02/2024	Intl transaction fee	Chat GPT trial Int'l fee	\$ 0.
				\$ 2,398.
Council Liaison Officer				
	11/01/2024	Woolworth	Drinks and serviettes for Council Meetings	\$ 121.
	11/01/2024	Ikea Perth	Serviettes for council	\$ 21.
	23/01/2024	Good Grocer	Platter for Planning Induction - Council	\$ 45.
	23/01/2024	Tsuke BA	Platter for Planning Induction - 23 January 2024	\$ 48.
	30/01/2024	SQ *Bunn Me	Food for Budget Workshop 30 January 2024	\$ 300.
				\$ 535.
Technical Librarian				
	10/01/2024	SP JB HI-FI Online	Chromecast for TV digital signage	\$ 109.
	12/01/2024	SQ *JUST Table Tennis	Beatty Park - Comm Fac Purchase for Table Tennis	\$ 1,373.
	17/01/2024	Amazon AU Retail	Materials Purchased: Books for Lunar New Year	\$ 16.
	31/01/2024	Bunnings Group Ltd	F&E Purchase: Bookshelves & Other Items	\$ 112.
	30/01/2024	Amazon AU Retail	Materials Purchased: Requested Acquisition	\$ 31.
	30/01/2024	Amazon AU Retail	Materials Purchased: Lunar New Year Items	\$ 18.
	01/02/2024	Facebk *48KEMYKPF2	Displays & Promotions: Facebook Ad Campaign	\$ 35.
				\$ 1,696.
Manager ICT				
	07/01/2024	NodeOne	Node1 Internet	\$ 109.
	08/01/2024	Twilio Sendgrid	SendGrid Licenses	\$ 135.
	08/01/2024	Intl transaction fee	SendGrid Licenses Int'l fee	\$ 3.
	09/01/2024	Microsoft#G036707171	Azure Services	\$ 0.
	08/01/2024	Landis Technologies LL	Landis Contact Centre	\$ 1,325.
	08/01/2024	Intl transaction fee	Landis Contact Centre Int'l fee	\$ 33.
	19/01/2024	ZOOM.US 888-799-9666	Zoom License Fee	\$ 374.
	22/01/2024	SimplyBookME	SimplyBookMe by Beatty Park Creche	\$ 91.
	22/01/2024	Intl transaction fee	SimplyBookMe by Beatty Park Creche Int'l fee	\$ 2.
	10/02/2024	Node1 Internet	Node1 Internet	\$ 119.
	10/02/2024	Officeworks	Office Supplies	\$ 378.
	20/12/2024	Buildingpoint Aust	SketchUP Software License for Bessie Lemann	\$ 517.
	28/01/2024	Blue Sky App	Blue Skys Zoom Timer App	\$ 19.
	28/01/2024	Intl transaction fee	Blue Sky Zoom Timer App Int'l fee	\$ 0.
	05/02/2024	Landis Technologies LL	Contact Centre License	\$ 1,352.
	05/02/2024	Intl transaction fee	Contact Centre License Int'l fee	\$ 33.
	03/02/2024	YODECK.COM FLIPNODE	Digital Signage License	\$ 119.
	03/02/2024	Intl transaction fee	Digital Signage License Int'l fee	\$ 3.
	05/02/2024	Deputy	Deputy Timesheets	\$ 165.
	05/02/2024	Officeworks	Officeworks Laptop Sleeves	\$ 75.
	05/02/2024	Officeworks	Laptop Sleeves Cancellation	-\$ 75.
	20/02/2024	ASSETSONAR.COM	Asset Sonar License	\$ 599.
	20/02/2024	Intl transaction fee	Asset Sonar License Int'l fee	\$ 14.
				\$ 5,398.

Manager Engineering Infrastructure and Environment	12/01/2024	Golden Bakery (WA) P	Catering	\$	98.
	18/01/2024	SP Rapid Medical	First Aid Supplies	\$	390.
	18/01/2024	Kitchen Village	Commercial Icemaker	\$	599.
	10/02/2024	Main Roads WA DON AITK	Credit for Double Charge - Training	-\$	495.
				\$	592.
Procurement and Contracts Officer	12/01/2024	CPA Australia	CPA Australia Membership Renewal	\$	846.
	18/01/2024	Paypal *HEALTHY ST	Healthy Streets Workshop training	\$	325.
	19/01/2024	Nexacu	Power BI training	\$	595.
				\$	1,766.
Total Corporate Credit Cards				\$	12,563.
Leasing Debits	22/02/2024	PB Leasing		\$	395.
			Total Leasing	\$	395.
Loan Repayments	01/02/2024	WA Treasury		\$	78,434.
	08/02/2024	WA Treasury		\$	95,597.
	26/02/2024	WA Treasury		\$	376,847.
			Total Treasury Corporation	\$	550,879.
Bank Fees and Charges	30/01/2024			\$	32,157.
			Bank fees	\$	32,157.
Total Direct Debits including Credit Cards				\$	595,996.

Authorisation of Expenditure for the Period February 2024
Creditors Report - Payments by Cheque
01/02/2024 to 29/02/2024

<i>Editor</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
082767	26/02/2024	Commissioner of State Revenue	Refund ESL rebate and rates refund	\$ 822.8
082768	28/02/2024	Petty cash - Finnace	Recoup petty cash 08 February 2024	\$ 243.7
082769	28/02/2024	Petty Cash - Depot	Recoup petty cash 16 February 2024	\$ 185.7
Total Net Cheque Payments				\$ 1,252.2

**CITY OF VINCENT
FUEL CARDS REPORT
FOR THE MONTH OF FEBRUARY 2024**

Payee	Date	Type	Total Cost
AMPOL FOODARY BEECHBORO	21/02/2024	Fuel	\$ 149.72
AMPOL FOODARY BENTLEY	25/02/2024	Fuel	\$ 63.99
AMPOL FOODARY CARINE	05/02/2024	Fuel	\$ 62.32
AMPOL FOODARY COCKBURN CENTRAL JANDAKOT	10/02/2024	Fuel	\$ 123.40
AMPOL FOODARY DOUBLEVIEW	02/02/2024	Fuel	\$ 135.86
AMPOL FOODARY EAST PERTH	21/02/2024	Fuel	\$ 146.95
AMPOL FOODARY EAST PERTH	31/01/2024	Fuel	\$ 206.33
AMPOL FOODARY EAST PERTH	01/02/2024	Fuel	\$ 272.69
AMPOL FOODARY EAST PERTH	02/02/2024	Fuel	\$ 97.54
AMPOL FOODARY EAST PERTH	05/02/2024	Fuel	\$ 39.81
AMPOL FOODARY EAST PERTH	06/02/2024	Fuel	\$ 290.93
AMPOL FOODARY EAST PERTH	07/02/2024	Fuel	\$ 96.46
AMPOL FOODARY EAST PERTH	08/02/2024	Fuel	\$ 195.25
AMPOL FOODARY EAST PERTH	09/02/2024	Fuel	\$ 210.69
AMPOL FOODARY EAST PERTH	11/02/2024	Fuel	\$ 58.93
AMPOL FOODARY EAST PERTH	12/02/2024	Fuel	\$ 280.99
AMPOL FOODARY EAST PERTH	13/02/2024	Fuel	\$ 259.51
AMPOL FOODARY EAST PERTH	14/02/2024	Fuel	\$ 220.39
AMPOL FOODARY EAST PERTH	15/02/2024	Fuel	\$ 293.54
AMPOL FOODARY EAST PERTH	16/02/2024	Fuel	\$ 120.62
AMPOL FOODARY EAST PERTH	19/02/2024	Fuel	\$ 395.14
AMPOL FOODARY EAST PERTH	20/02/2024	Fuel	\$ 537.59
AMPOL FOODARY EAST PERTH	21/02/2024	Fuel	\$ 120.71
AMPOL FOODARY EAST PERTH	22/02/2024	Fuel	\$ 309.29
AMPOL FOODARY EAST PERTH	23/02/2024	Fuel	\$ 523.28
AMPOL FOODARY EAST PERTH	25/02/2024	Fuel	\$ 135.84
AMPOL FOODARY EAST PERTH	27/02/2024	Fuel	\$ 558.28
AMPOL FOODARY EAST PERTH	28/02/2024	Fuel	\$ 113.70
AMPOL FOODARY ERSKINE	13/02/2024	Fuel	\$ 66.25
AMPOL FOODARY GLENDALOUGH	22/02/2024	Fuel	\$ 39.02
AMPOL FOODARY GLENDALOUGH	31/01/2024	Fuel	\$ 346.99
AMPOL FOODARY GLENDALOUGH	01/02/2024	Fuel	\$ 496.78
AMPOL FOODARY GLENDALOUGH	02/02/2024	Fuel	\$ 1,051.00
AMPOL FOODARY GLENDALOUGH	05/02/2024	Fuel	\$ 314.43
AMPOL FOODARY GLENDALOUGH	06/02/2024	Fuel	\$ 226.30
AMPOL FOODARY GLENDALOUGH	07/02/2024	Fuel	\$ 557.48
AMPOL FOODARY GLENDALOUGH	08/02/2024	Fuel	\$ 225.77
AMPOL FOODARY GLENDALOUGH	09/02/2024	Fuel	\$ 496.22
AMPOL FOODARY GLENDALOUGH	10/02/2024	Fuel	\$ 132.15
AMPOL FOODARY GLENDALOUGH	12/02/2024	Fuel	\$ 195.76
AMPOL FOODARY GLENDALOUGH	13/02/2024	Fuel	\$ 1,005.89
AMPOL FOODARY GLENDALOUGH	14/02/2024	Fuel	\$ 526.08
AMPOL FOODARY GLENDALOUGH	15/02/2024	Fuel	\$ 342.78
AMPOL FOODARY GLENDALOUGH	17/02/2024	Fuel	\$ 125.68
AMPOL FOODARY GLENDALOUGH	19/02/2024	Fuel	\$ 178.00
AMPOL FOODARY GLENDALOUGH	20/02/2024	Fuel	\$ 635.33
AMPOL FOODARY GLENDALOUGH	21/02/2024	Fuel	\$ 321.61
AMPOL FOODARY GLENDALOUGH	22/02/2024	Fuel	\$ 341.60
AMPOL FOODARY GLENDALOUGH	23/02/2024	Fuel	\$ 376.61
AMPOL FOODARY GLENDALOUGH	26/02/2024	Fuel	\$ 445.89
AMPOL FOODARY GLENDALOUGH	27/02/2024	Fuel	\$ 452.17
AMPOL FOODARY GLENDALOUGH	28/02/2024	Fuel	\$ 176.69
AMPOL FOODARY GREENFIELDS	04/02/2024	Fuel	\$ 101.97
AMPOL FOODARY GREENFIELDS	18/02/2024	Fuel	\$ 102.68
AMPOL FOODARY GREENFIELDS	25/02/2024	Fuel	\$ 106.10
AMPOL FOODARY GREENFIELDS	28/02/2024	Fuel	\$ 70.49
AMPOL FOODARY JOONDALUP	09/02/2024	Fuel	\$ 117.05
AMPOL FOODARY JOONDALUP	16/02/2024	Fuel	\$ 253.26
AMPOL FOODARY JOONDALUP	25/02/2024	Fuel	\$ 97.08
AMPOL FOODARY KINGSLEY	09/02/2024	Fuel	\$ 89.81

AMPOL FOODARY KINGSLEY	29/02/2024	Fuel	\$ 99.36
AMPOL FOODARY KWINANA	09/02/2024	Fuel	\$ 60.67
AMPOL FOODARY LEEDERVILLE	01/02/2024	Fuel	\$ 368.92
AMPOL FOODARY LEEDERVILLE	08/02/2024	Fuel	\$ 206.84
AMPOL FOODARY LEEDERVILLE	15/02/2024	Fuel	\$ 128.59
AMPOL FOODARY LEEDERVILLE	19/02/2024	Fuel	\$ 74.10
AMPOL FOODARY LEEDERVILLE	26/02/2024	Fuel	\$ 113.63
AMPOL FOODARY LEEDERVILLE	31/01/2024	Fuel	\$ 539.91
AMPOL FOODARY LEEDERVILLE	01/02/2024	Fuel	\$ 114.30
AMPOL FOODARY LEEDERVILLE	02/02/2024	Fuel	\$ 570.68
AMPOL FOODARY LEEDERVILLE	04/02/2024	Fuel	\$ 168.31
AMPOL FOODARY LEEDERVILLE	05/02/2024	Fuel	\$ 446.77
AMPOL FOODARY LEEDERVILLE	06/02/2024	Fuel	\$ 586.59
AMPOL FOODARY LEEDERVILLE	07/02/2024	Fuel	\$ 456.99
AMPOL FOODARY LEEDERVILLE	08/02/2024	Fuel	\$ 394.14
AMPOL FOODARY LEEDERVILLE	09/02/2024	Fuel	\$ 477.08
AMPOL FOODARY LEEDERVILLE	10/02/2024	Fuel	\$ 85.43
AMPOL FOODARY LEEDERVILLE	12/02/2024	Fuel	\$ 227.30
AMPOL FOODARY LEEDERVILLE	13/02/2024	Fuel	\$ 461.94
AMPOL FOODARY LEEDERVILLE	14/02/2024	Fuel	\$ 595.54
AMPOL FOODARY LEEDERVILLE	15/02/2024	Fuel	\$ 648.78
AMPOL FOODARY LEEDERVILLE	16/02/2024	Fuel	\$ 409.00
AMPOL FOODARY LEEDERVILLE	17/02/2024	Fuel	\$ 170.41
AMPOL FOODARY LEEDERVILLE	18/02/2024	Fuel	\$ 68.32
AMPOL FOODARY LEEDERVILLE	19/02/2024	Fuel	\$ 293.11
AMPOL FOODARY LEEDERVILLE	20/02/2024	Fuel	\$ 388.23
AMPOL FOODARY LEEDERVILLE	21/02/2024	Fuel	\$ 228.32
AMPOL FOODARY LEEDERVILLE	22/02/2024	Fuel	\$ 366.48
AMPOL FOODARY LEEDERVILLE	23/02/2024	Fuel	\$ 396.26
AMPOL FOODARY LEEDERVILLE	26/02/2024	Fuel	\$ 277.54
AMPOL FOODARY LEEDERVILLE	27/02/2024	Fuel	\$ 155.07
AMPOL FOODARY LEEDERVILLE	28/02/2024	Fuel	\$ 425.70
AMPOL FOODARY MALAGA DRIVE S/STN	07/02/2024	Fuel	\$ 200.62
AMPOL FOODARY MALAGA DRIVE S/STN	09/02/2024	Fuel	\$ 112.72
AMPOL FOODARY MOSMAN PARK	17/02/2024	Fuel	\$ 68.27
AMPOL FOODARY MOUNT LAWLEY (INGLEWOOD)	02/02/2024	Fuel	\$ 55.08
AMPOL FOODARY MUNDARING S/STN	02/02/2024	Fuel	\$ 103.90
AMPOL FOODARY SUBIACO	03/02/2024	Fuel	\$ 69.44
AMPOL FOODARY WESTMINSTER	16/02/2024	Fuel	\$ 77.79
AMPOL FOODARY WESTMINSTER	24/02/2024	Fuel	\$ 66.72
EG AMPOL 94203 BALLAJURA	21/02/2024	Fuel	\$ 63.52
EG AMPOL 94230 STH FREMANTLE	12/02/2024	Fuel	\$ 63.30
EG AMPOL 94240 OSBORNE PARK	06/02/2024	Fuel	\$ 106.83
EG AMPOL 94240 OSBORNE PARK	09/02/2024	Fuel	\$ 120.32
EG AMPOL 94240 OSBORNE PARK	15/02/2024	Fuel	\$ 68.33
EG AMPOL 94240 OSBORNE PARK	20/02/2024	Fuel	\$ 113.72
EG AMPOL 94240 OSBORNE PARK	26/02/2024	Fuel	\$ 95.72
EG AMPOL 94243 GREENWOOD	04/02/2024	Fuel	\$ 62.18
Grand Total			\$ 27,487.44

11.3 INVESTMENT REPORT AS AT 29 FEBRUARY 2024

Attachments: 1. Investment Statistics as at 29 February 2024 [↓](#) 

RECOMMENDATION:

That Council **NOTES** the Investment Statistics for the month ended 29 February 2024 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the nature and value of the City's Investments as at 29 February 2024 and the interest amounts earned YTD.

BACKGROUND:

The City's surplus funds are invested in bank term deposits for various terms to facilitate maximum investment returns in accordance with the City's Investment Policy (No. 1.2.4).

Details of the investments are included in **Attachment 1** and outline the following information:

- Investment performance and policy compliance charts;
- Investment portfolio data;
- Investment interest earnings; and
- Current investment holdings.

DETAILS:**Summary of key investment decisions in this reporting period**

\$4m of investments matured during the month.

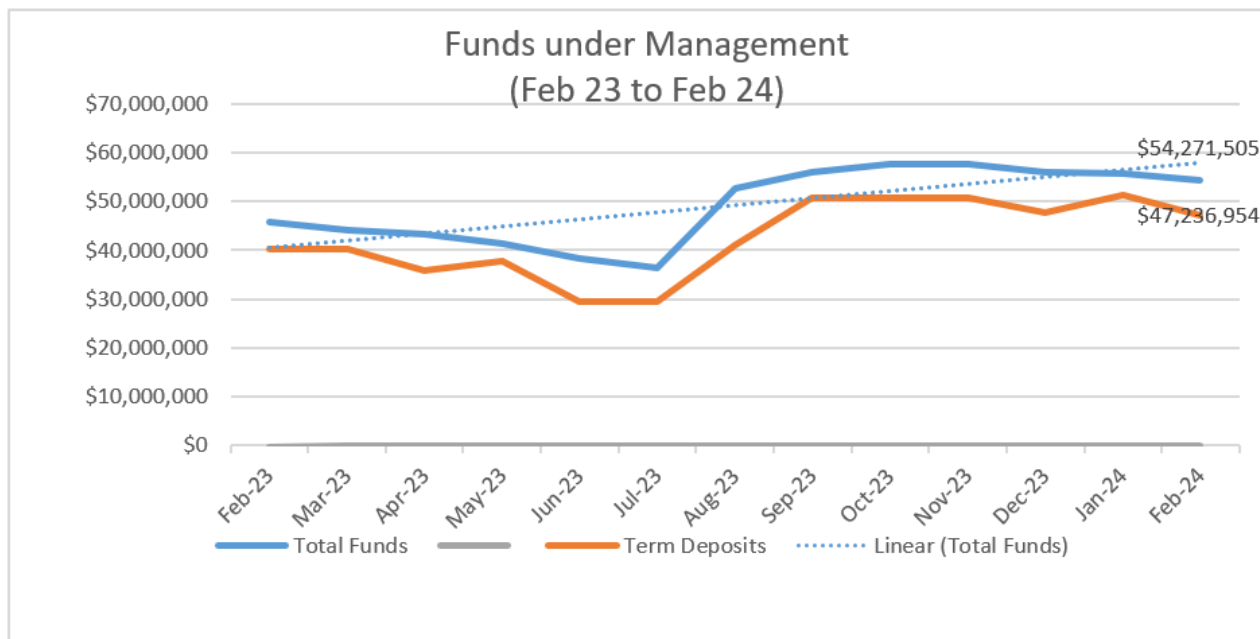
Investment Status

The City's investment portfolio is diversified across several accredited financial institutions.

As at 29 February 2024, the total funds held in the City's operating accounts (including on call) was \$54,271,505 compared to \$45,772,857 for the period ended 28 February 2023. All funds are interest bearing as at 29 February 2024.

The total term deposit investments for the period ended 29 February 2024 were \$47,236,954 compared to \$40,238,310 for the period ended 28 February 2023.

The following chart shows funds under management from February 2023 to February 2024:



Interest Status

Total accrued interest earned on investments as at 29 February 2024 is:

Total Accrued Interest Earned on Investment	Budget Adopted	Budget YTD	Actual YTD	% of YTD Budget
Municipal	\$400,000	\$360,000	\$1,008,556	280.2%
Reserve	\$350,000	\$285,004	\$555,611	195.0%
Subtotal	\$750,000	\$645,004	\$1,564,167	242.5%
Leederville Gardens Inc Surplus Trust*	\$0	\$0	\$87,606	N/A
Total	\$750,000	\$645,004	\$1,651,773	256.1%

*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2024/24 Budget as actual interest earned is restricted.

The City has a weighted average interest rate of 5.02% for current investments compared to the Reserve Bank 90 day accepted bill rate for February 2024 of 4.34%.

Sustainable Investments

The City's investment policy requires that in the first instance, the City considers rate of return of the fund. All things being equal, the City then prioritises funds with no current record of funding fossil fuels. The City can increase the number of non-fossil fuel investments but will potentially result in a lower rate of return.

Administration utilises a platform called 'Yield Hub' to ascertain the level of exposure banks have in fossil fuel activities and to determine daily interest rates published by banks.

The investment guidelines which is the supplementary document to the Council Investment Policy sets the maximum exposure limits to financial institutions at 90% as reflected in the below table. The majority of financial institutions lie within A-2 and A-1+ categories.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum %with any one institution		Maximum % of Total Portfolio	
	Guideline	Current position	Guideline	Current position
A1+	30%	35.6%	90%	55.1%
A-1	25%	0%	90%	0%
A-2	20%	12.9%	90%	44.9%

Administration will continuously explore options to ascertain if a balanced investment strategy can be developed where investments in divested banks can be increased with a minimal opportunity cost of loss in interest rate returns for instances when banks not divested in fossil fuel activities offer a higher rate of return.

RISK MANAGEMENT IMPLICATIONS

Low: Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2023-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however focussing on non-fossil fuel investments contributes to a Sustainable Environment.

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment*

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

**CITY OF VINCENT
CURRENT INVESTMENT HOLDING
AS AT 29 FEBRUARY 2024**

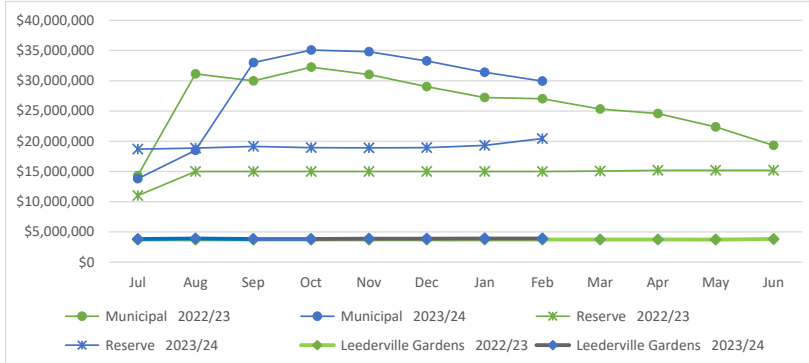
Funds	Institution	Investment Date	Maturity Date	Interest Rate	Principal \$
<u>OPERATING ACCOUNTS</u>					
Municipal	Commonwealth Bank of Australia	Ongoing		4.10%	2,949,933
Municipal	Commonwealth Bank of Australia	Ongoing		4.35%	1,482,103
Reserve	Commonwealth Bank of Australia	Ongoing		4.10%	2,602,515
Total Operating Funds					7,034,551
<u>TERM DEPOSITS</u>					
Leederville Gardens Inc Surplus Trust	Commonwealth Bank of Australia	30/06/2023	28/06/2024	5.32%	2,058,536
Leederville Gardens Inc Surplus Trust	AMP Bank	19/12/2023	18/12/2024	5.25%	888,691
Leederville Gardens Inc Surplus Trust	AMP Bank	24/01/2024	23/01/2025	4.95%	949,727
Municipal	Bank of Queensland	03/03/2023	05/03/2024	5.05%	1,000,000
Municipal	AMP Bank	29/03/2023	28/03/2024	4.90%	3,500,000
Municipal	Commonwealth Bank of Australia	09/08/2023	08/04/2024	5.46%	2,500,000
Municipal	Commonwealth Bank of Australia	09/08/2023	08/07/2024	5.53%	2,500,000
Municipal	Bank of Queensland	24/08/2023	06/06/2024	4.95%	2,500,000
Municipal	Bank of Queensland	24/08/2023	19/06/2024	4.95%	2,500,000
Municipal	G&C Mutual	20/09/2023	22/04/2024	5.10%	2,500,000
Municipal	G&C Mutual	20/09/2023	06/05/2024	5.10%	4,500,000
Municipal	Police and Nurses	01/11/2023	31/10/2024	5.50%	1,000,000
Municipal	National Australia Bank	23/01/2024	22/01/2025	5.10%	3,000,000
Reserve	Hume Bank	29/03/2023	28/03/2024	4.78%	2,540,000
Reserve	National Australia Bank	24/05/2023	23/05/2024	4.87%	1,600,000
Reserve	Commonwealth Bank of Australia	09/08/2023	08/08/2024	5.55%	5,200,000
Reserve	National Australia Bank	24/08/2023	06/06/2024	5.12%	1,000,000
Reserve	Bendigo and Adelaide Bank	30/08/2023	29/04/2024	5.00%	2,500,000
Reserve	National Australia Bank	23/01/2024	22/01/2025	5.10%	5,000,000
Total Term Deposits					47,236,954
Total Funds available					54,271,505

**CITY OF VINCENT
INVESTMENT PORTFOLIO
AS AT 29 FEBRUARY 2024**

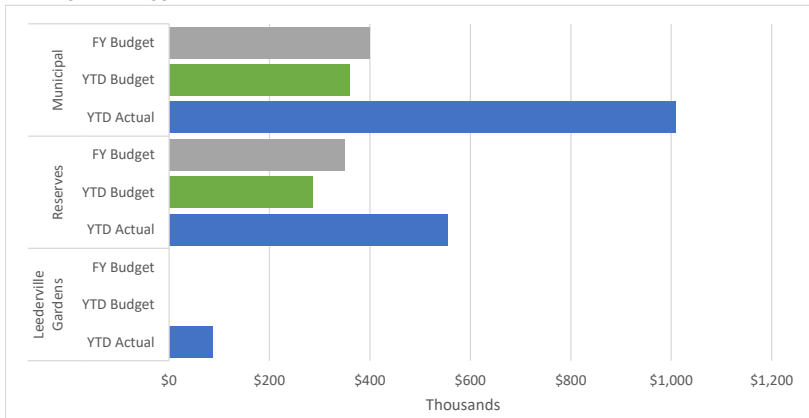
	Municipal	Reserve	Leederville Gardens Inc Surplus Trust	Total	Total
	\$	\$	\$	\$	%
BY INVESTMENT HOLDINGS					
Municipal Account	2,949,933	2,602,515	0	5,552,448	10.3%
Online Saver	1,482,103	0	0	1,482,103	2.7%
Term Deposits	25,500,000	17,840,000	3,896,954	47,236,954	87.0%
	29,932,036	20,442,515	3,896,954	54,271,505	100.0%
BY INSTITUTION					
Bank of Queensland	6,000,000	0	0	6,000,000	11.1%
Bendigo and Adelaide Bank	0	2,500,000	0	2,500,000	4.6%
Commonwealth Bank of Australia	9,432,036	7,802,515	2,058,536	19,293,087	35.6%
National Australia Bank	3,000,000	7,600,000	0	10,600,000	19.5%
AMP Bank	3,500,000	0	1,838,418	5,338,418	9.8%
Hume Bank	0	2,540,000	0	2,540,000	4.7%
G&C Mutual	7,000,000	0	0	7,000,000	12.9%
Police and Nurses	1,000,000	0	0	1,000,000	1.8%
	29,932,036	20,442,515	3,896,954	54,271,505	100.00%
BY CREDIT RATINGS (SHORT-TERM ISSUE)					
A-1+	12,432,036	15,402,515	2,058,536	29,893,087	55.1%
A-2	17,500,000	5,040,000	1,838,418	24,378,418	44.9%
	29,932,036	20,442,515	3,896,954	54,271,505	100.0%
BY TERMS					
0-30 days	4,432,036	2,602,515	0	7,034,551	13.0%
181-270 days	9,500,000	2,500,000	0	12,000,000	22.1%
271-365 days	15,000,000	15,340,000	3,896,954	34,236,954	63.1%
> 1 year	1,000,000	0	0	1,000,000	1.8%
	29,932,036	20,442,515	3,896,954	54,271,505	100.0%
BY MATURITY					
0-30 days	8,932,036	5,142,515	0	14,074,551	25.9%
31-90 days	9,500,000	4,100,000	0	13,600,000	25.1%
91-180 days	7,500,000	6,200,000	2,058,536	15,758,536	29.0%
181-270 days	1,000,000	0	0	1,000,000	1.8%
271-365 days	3,000,000	5,000,000	1,838,418	9,838,418	18.1%
	29,932,036	20,442,515	3,896,954	54,271,505	100.0%
BY FOSSIL FUEL EXPOSURE					
Fossil Fuel Investments	15,932,036	17,942,515	3,896,954	37,771,505	69.6%
Non Fossil Fuel Investments	14,000,000	2,500,000	0	16,500,000	30.4%
	29,932,036	20,442,515	3,896,954	54,271,505	100.0%

**CITY OF VINCENT
INVESTMENT PERFORMANCE
AS AT 29 FEBRUARY 2024**

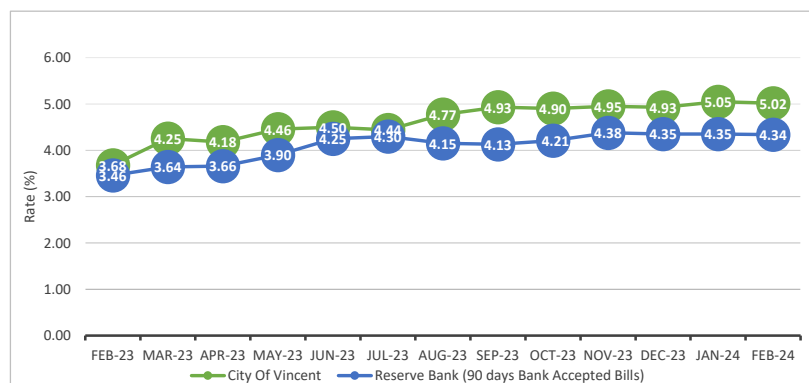
FUNDS INVESTED (TERM DEPOSITS ONLY)



INTEREST EARNINGS

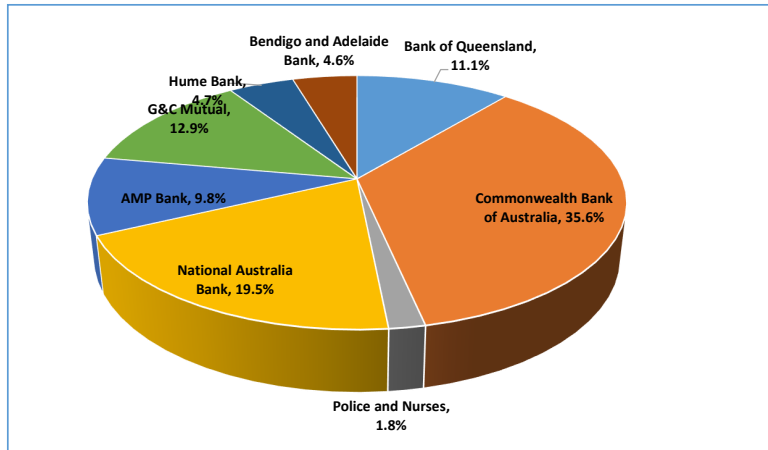


INTEREST RATE COMPARISON

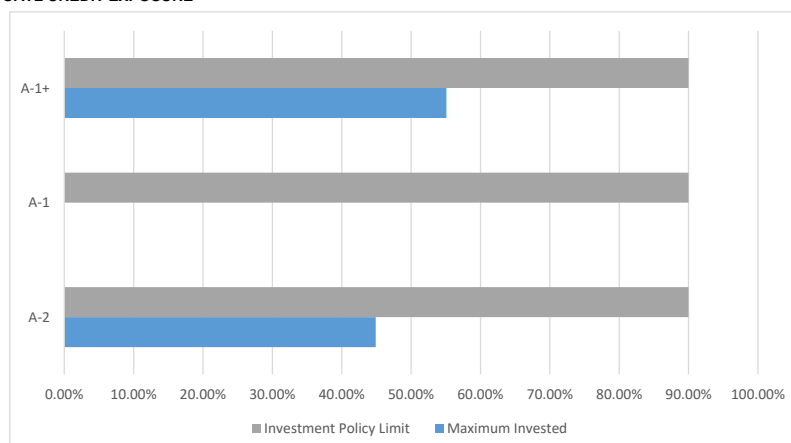


**CITY OF VINCENT
INVESTMENT POLICY COMPLIANCE
AS AT 29 FEBRUARY 2024**

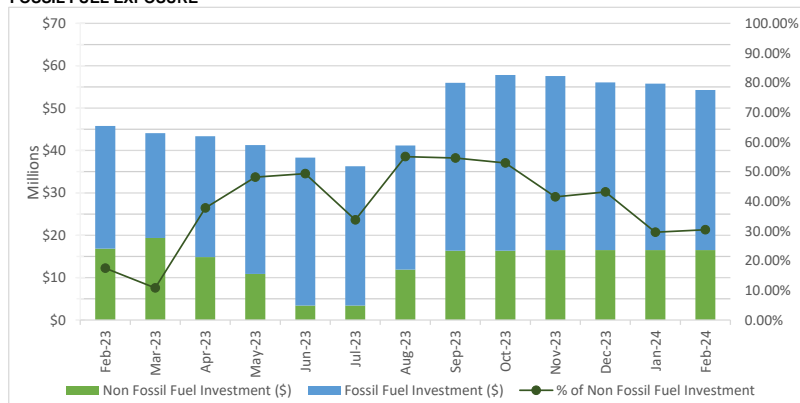
TOTAL PORTFOLIO EXPOSURE



TOATL CREDIT EXPOSURE



FOSSIL FUEL EXPOSURE



* Selection of non fossil fuel investments is based on information provided by www.marketforces.org.au.

**CITY OF VINCENT
INVESTMENT INTEREST EARNINGS
AS AT 29 FEBRUARY 2024**

	YTD 29/02/2024 \$	PY YTD 28/02/2023 \$	FY 2023/24 \$	PY FY 2022/23 \$
MUNICIPAL FUNDS				
Budget	360,000	80,000	400,000	500,000
Interest Earnings	1,008,556	502,804	1,008,556	827,395
% Income to Budget	280.2%	628.5%	252.1%	165.5%
RESERVE FUNDS				
Budget	285,004	53,336	350,000	450,000
Interest Earnings	555,611	284,795	555,611	497,011
% Income to Budget	195.0%	534.0%	158.8%	110.5%
LEEDERVILLE GARDENS INC SURPLUS TRUST				
Budget	0	0	0	0
Interest Earnings	87,606	70,705	87,606	134,290
% Income to Budget	0.0%	0.0%	0.0%	0.0%
TOTAL				
Budget	645,004	133,336	750,000	950,000
Interest Earnings	1,651,773	858,304	1,651,773	1,458,696
% Income to Budget	256.1%	643.7%	220.2%	153.6%
Variance	1,006,769	724,968	901,773	508,696
% Variance to Budget	156.1%	543.7%	120.2%	53.6%
TOTAL (EXCL. LEEDERVILLE GARDENS INC SURPLUS TRUST)				
Budget	645,004	133,336	750,000	950,000
Interest Earnings	1,564,167	787,599	1,564,167	1,324,406
% Income to Budget	242.5%	590.7%	208.6%	139.4%
Variance	919,163	654,263	814,167	374,406
% Variance to Budget	142.5%	490.7%	108.6%	39.4%

12 CHIEF EXECUTIVE OFFICER**12.1 GOVERNANCE FRAMEWORK REVIEW 2024**

- Attachments:**
- 1. Governance Framework Review 2024 - Final Draft** [↓](#) 
 - 2. Governance Framework 2024 - Final Draft** [↓](#) 

RECOMMENDATION:**That Council:**

- 1. NOTES the review of the Governance Framework, as outlined in this report; and**
- 2. ADOPTS the updated Governance Framework, in its draft form at Attachment 2 and NOTES that final editorial, design and formatting of the documents will be determined by the Chief Executive Officer prior to publication.**

PURPOSE OF REPORT:

To present the review of the Governance Framework and seek approval of the updated Framework at **Attachment 2**.

DELEGATION:

The Governance Framework is a consolidation of legislative requirements applicable to Council members. While not a statutory document, it is presented to Council for adoption as a way of Council Members acknowledging their responsibilities to uphold governance in the performance of their functions.

BACKGROUND:

Council at its meeting 18 August 2020 adopted the City's first [Governance Framework](#) (Framework).

The Framework highlights the City's commitment to providing good governance by defining systems, policies, processes, and a methodology for ensuring accountability, probity and openness in the conduct of City business.

The Framework is to be reviewed after each ordinary local government election in consultation with Elected Members, ensuring new Elected Members have an opportunity to be involved. The outcome of the review and any proposed amendments are to be presented to Council for adoption within four months of each election.

DETAILS:

Administration has completed a review of the Framework. A "tracked changes" version of the Framework has been provided at **Attachment 1**.

The table below presents a summary of the proposed amendments:

Section	Action	Comment
Introduction	This section has been simplified to focus on the purpose and structure of the document.	The structure of the document and the purpose have been kept in the introduction. The section on good governance has been removed to simplify the section.
Culture and Vision	This section has been updated to remove text and replace with City infographics.	Infographics can be found in the current Strategic Community Plan. Adding them to the Governance Framework encourages consistent data presentation across the organisation.
Organisational Structure and Objectives	This section has been updated to include the current	Further updates to this section will be presented following the 2024 review subject to any organisational changes.

Section	Action	Comment
	organisational structure and objectives.	
Ethical standards and the Code of Conduct	This section has been updated to include reference to the current Code of Conduct for Employees and Contractors.	The new Code of Conduct for Employees and Contractors was created in 2021. It is currently being implemented in accordance with the Employee Code Regulations.
Nominated Members; and Comprehensive Induction Programs	These sections have been updated to include policy title updates.	The 'Council Members – Requests/Contact with City Employees Policy' is now named '4.2.05 Council Member Requests – Contact with City Employees'. The 'Elected Members Continuing Professional Development Policy' is now named 'Council Members Continuing Professional Development Policy'
Integrated planning and reporting framework	Updated to reflect minor change in the Local Government Act wording.	All Local Governments are required to produce a plan for the future under S5.56 (1) of the <i>Local Government Act 1995</i> . The LGA does not specify the use of a IPRF specifically.
Integrated planning and reporting framework diagram	This section has been updated to include the current Integrated planning and reporting diagram in a higher resolution.	Further updates to this section will be presented following the 2024 review.
Strategic Community Plan	This section has been updated to remove text and replace with City infographics.	Infographics can be found in the current Strategic Community Plan. Adding them to the Governance Framework encourages consistent data presentation across the organisation.
Strategic Community Plan	This section has been updated to include relevant review dates.	Stated dates updated to include relevant review dates.
Local Government Decision Making Hierarchy	This section has been updated to include the current Local Government Decision Making Hierarchy in a higher resolution.	Further updates to this section will be presented following the 2024 review in the presence of any changes.
Roles and Relationships	This section has been updated to correct the key roles within a local government and include a diagram of the relationship between the three.	The section previously had stated five key roles when there should only be three. A diagram of the relationship between all three will also be added to assist in information delivery.
Community participation in the decision-making process	This section has been updated to include current community advice channels.	The Reconciliation Action Plan Working Group has been removed from the list.
Agenda	This section will be updated for information to be presented in a table format for simplicity.	The table will include everything listed under the 'Reports include the following information' section.
Minutes	This section has been updated to reflect Local Government Act wording.	Regulation 13 of the Local Government Administration Regulations 1996 includes an extensive list of what should be included in Council minutes. This list is now reflected in the framework.
Decisions on Land Use Planning and Development	This section has been edited to provide current and relevant information.	The list of other local government areas that the JDAP covers has been removed from this section.

Section	Action	Comment
Attachment A – Gift reporting framework under the <i>Local Government Act 1995</i> ; Attachment B – Interests relating to gifts under the <i>Local Government Act 1995</i> ; and Attachment C – Approval to participate when there is an interest under the <i>Local Government Act 1995</i> .	These sections have been updated to include diagrams in a higher resolution.	Further updates to this section will be presented following the 2024 review in the presence of any changes.
Local Laws	This section has been updated to reflect Local Law changes.	The 'Dogs Local Law 2007' has been changed to the 'Animal Local Law 2022'; the 'Local Government Property Local Law 2008' has been changed to the 'Local Government Property Local Law 2021'; and the 'Parking & Parking Facilities Local Law 2007' has been changed to the 'Parking Local Law 2023'.
Customer Service and Complaints Management	This section has been updated to reflect a current policy.	The 'City's Customer Service Complaints Management Policy 4.1.3' is now the 'City's Complaint Management Policy'.
Annual Financial Report	This section has been updated to include the LGA reference and reflect current wording.	Section 5.53 of the LGA requires local governments to prepare an annual report that contains a financial report for the proceeding financial year.
Asset Management	This section has been updated to reflect the most recent review of the Asset Management Strategy.	The Asset Management and Sustainability Strategy 2020-2030 (AMSS) implementation plan was endorsed by Council in November 2021.

CONSULTATION/ADVERTISING:

No community consultation is required for review of the Governance Framework as this is an internal process document.

LEGAL/POLICY:

The Governance Framework summarises key sections of the *Local Government Act 1995*, *Local Government (Administration) Regulations 1996* and *Local Government (Model Code of Conduct) Regulations 2021*.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to adopt the updated Governance Framework.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

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

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Governance Framework

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Governance Framework



Introduction Purpose of this Governance Framework

This framework draws on the legislative requirements, strategic direction and organisational culture that the City of Vincent (City) operates in accordance with, to create standard principles of corporate governance. These standard principles of corporate governance guide Council Members and staff in their decision making and service delivery.

This document functions as an overarching framework for good governance. The framework is endorsed by Council and reflects the practices and principles Council Members, and staff will adhere to when making decisions and delivery services. The framework reinforces and expands on legislative requirements, policy statements and established practices.

This document ~~brings together~~ combines legislative requirements, strategic direction, corporate systems and roles and relationships that are involved in establishing good governance at the City of Vincent (City).

It serves as a comprehensive guide that can be used for various purposes including:

- Providing community insight into the intricacies of local government and the responsibilities of Council Members.
- Providing standard principles to guide Council Members and staff in their decision-making and service delivery.
- Affirming the importance of good governance principles within both Council and Administration.
- Serving as an addition to the induction program provided to new Council Members.

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Local Government defined

Local government in Western Australia is established under the *Local Government Act 1995 (LGA)* and is the third sphere of government in Australia. Local government has legislative responsibility for many functions and activities that are relevant to a local community, including waste management, road maintenance and rates collection.

As the level of government often seen as the 'closest' to the community, local government activities relate to matters that are ~~fundamental to people's lives and impact strongly on their quality of life~~ essential to people's lives and significantly affects their quality of life. This includes organising local community events, providing community spaces and recreation areas, and creating liveable neighbourhoods.

What is governance?

Local governments in Western Australia must carry out their functions in accordance with the LGA and associated regulations.

Governance provides the structure through which a local government's vision and objectives are achieved within a context of competing and changing social, economic and environmental issues.

Governance is the process by which decisions are taken and implemented, the process by which organisations go about achieving their goals and producing their outputs and the process by which organisations are directed, controlled and held to account.

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Governance Framework

Why is good governance important to the City?

Good governance principles deliver confidence to the Council, the Chief Executive Officer, employees and the community that the City is being run efficiently, is compliant, sustainable and is carrying out the objectives, policies and plans of Council.

Good governance ensures that the City is able to manage its many complex responsibilities effectively in the best interests of the community.



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The Governance Institute of Australia (GIA) notes that good governance has four key components:

Transparency: being clear and unambiguous about the organisation's structure, operations and performance, both externally and internally, and maintaining a genuine dialogue with, and providing insight to, legitimate stakeholders and the market generally.

Accountability: ensuring that there is clarity of decision-making within the organisation, with processes in place to ensure that the right people have the right authority for the organisation to make effective and efficient decisions, with appropriate consequences for failures to follow those processes.

Stewardship: developing and maintaining an enterprise-wide recognition that the organisation is managed for the benefit of its shareholders/members, taking reasonable account of the interests of other legitimate stakeholders.

Integrity: developing and maintaining a culture committed to ethical behaviour and compliance with the law.

"Excellence in governance occurs when it is underpinned by accountability, integrity and openness. It involves a focus on clarity of roles and responsibilities, robust systems which support both internal and external accountability and public access to decision-making and information" (CPA 2005).

The LGA defines the roles and responsibilities of Council Members and the Chief Executive Officer to ensure that a local government fulfils its obligations and exercises its powers and functions appropriately.

Section 3.1 (1) of the LGA prescribes that the general function of a local government is to provide for the good government of persons in its district.

Governance Principles

The CPA publication *Excellence in Governance in Local Government 2007* includes four principles that provide a clear foundation for good governance:

1. Culture and vision,
2. Roles and Relationships;
3. Decision-making and management; and
4. Accountability;

The City has developed this framework based on the above four principles and has included an additional principle – 5. Commitment to Sustainability.

These five principles govern the City's decision-making. All decisions, policies, plans and strategies should be made with reference to the five principles. This should ensure legislative compliance, alignment with the City's strategic vision, transparency and accountability.

Adherence with the five principles is the responsibility of Council, individual Council Members, the CEO and all staff. Every decision made should be in alignment with the five governance principles and reflect best practice in governance.

This Framework divides each principle into sub-categories. Each sub-category is defined in the context of good governance, and the sub-categories application to the City. The Governance Framework Overview below demonstrates the connection between the legislative framework all local governments must operate in accordance with, the role of the community in informing and holding the Council to account and the five governance principles.

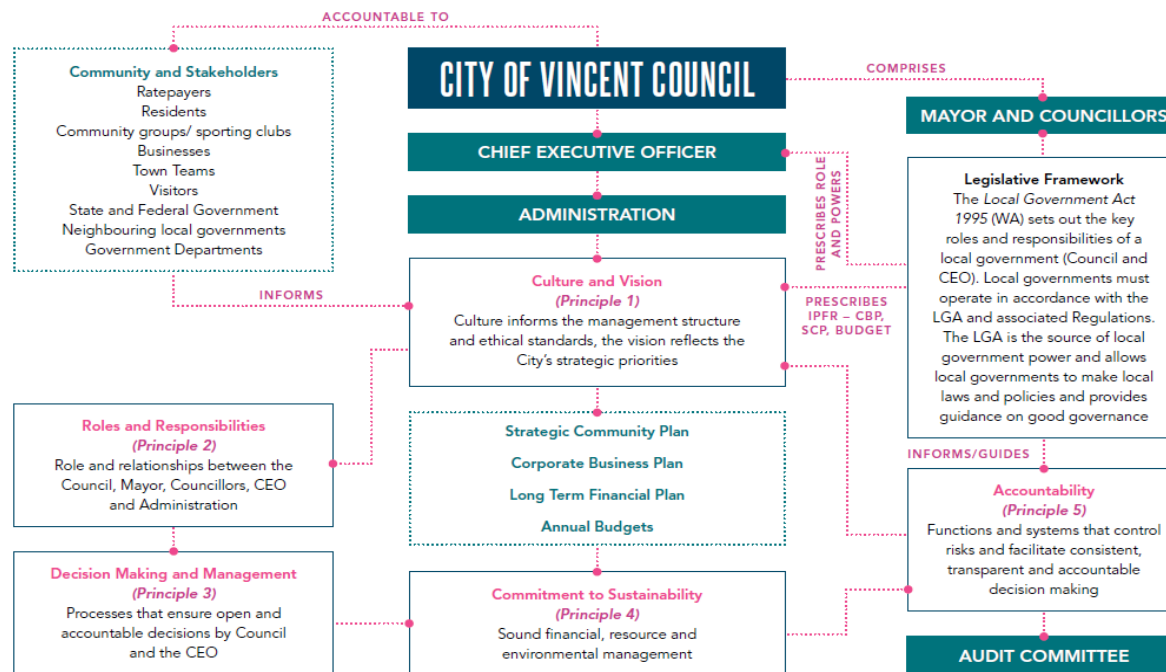
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Governance Framework 2024



Governance Framework Overview



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Governance Framework



Principle 1 – Culture and Vision

A positive culture and a clear and owned vision and accompanying strategies.

1.1 Culture

In October 2018 Council adopted a new ten-year Strategic Community plan with a vision to:

"In 2028, the City of Vincent is a leafy and vibrant 24-hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a Council that says YES!"

The community wants us to be a Council and an organisation that is clever, creative and courageous; that is in tune with community appetites and expectations; open-minded and willing to push the boundaries and willing to think and act as an enabler rather than a traditional local government regulator.

As part of the implementation of the Strategic Community Plan, in December 2018, the Chief Executive Officer (CEO) conducted a staff consultation to update the City's organisational values reflecting the new Strategic Community Plan and a Team Vincent approach to building innovation and strategic thinking capabilities.

The corporate values chosen to guide a clever, creative and courageous organisation were: 'Engaging', 'Accountable', and 'Making a Difference'.

Engaging

Listening, understanding and communicating is the key to our success

Accountable

We work openly and transparently to earn our community's trust

Making a difference

Our work improves our community and the lives of our residents

In 2022 Council adopted a **new review of the Strategic Community Plan for 2022-2032**. This plan is an extension of the Strategic Community Plan 2018-2028 which was adopted by Council in October 2018.

The Strategic Community Plan is the Council's key strategic document. It describes the vision the City of Vincent will strive to achieve, where it will focus its efforts, and how it will measure progress.

- Insert City's Vision Quote

- Insert City's Values image

Effective management structures and practices

The City's policy 'Organisational Structure and Designation of Senior Employees' prescribes the organisational structure of the City's Administration, including functional responsibilities and the allocation and management of resources.

The organisational objectives chart below sets out the key functions of the three directorates and the Office of the CEO.

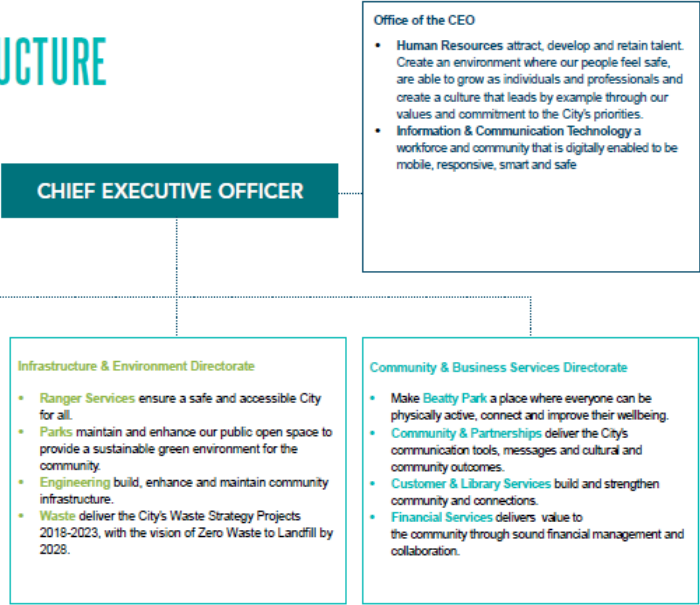
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Governance Framework



ORGANISATIONAL STRUCTURE AND OBJECTIVES



[Update image](#)

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Governance Framework



Ethical standards and the Code of Conduct

In February 2021, the *Local Government (Administration) Amendment Regulations 2021*, *Local Government (Model Code of Conduct) Regulations 2021* (**Model Code Regulations**) and *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021* came into operation. The effect of these Regulations was to prescribe:

- (a) model standards for the recruitment, selection, performance and termination of local government CEOs;
- (b) a model code of conduct for Council Members, committee members and candidates that sets the overarching principles to guide behaviour, specifies the standards of behaviour which reflect the principles and provides the rules of conduct that relate to the principles and behaviours; and
- (c) requirements that the CEO must include in a code of conduct for employees.

Following the enacting of the Regulations, Council adopted the:

1. Council Members, Committee Member and Candidates Code of Conduct—(**Nominated Members Code**); and
2. Model Standard for CEO Recruitment, Performance and Termination (**CEO Standards**).

The conduct of Council Members, committee members, the CEO, employees and contractors was previously governed by the City's Code of Conduct 2017 (**2017 Code**). The effect of the new Regulations is to require separate codes of conduct for employees, contractors and the CEO on one hand and Council Members, committee members and candidates on the other.

~~A new Employee and Contractor Code of Conduct is being developed by Administration and (in accordance with the Employee Code Regulations) will be approved and implemented by the CEO.~~

~~Administration has created a new Code of Conduct for Employees and Contractors. The CEO has approved and implemented it in accordance with the Employee Code Regulations.~~

~~Until such time the 2017 Code will still apply to employees and contractors and has been renamed the Code of Conduct for City of Vincent Employees and Contractors. This must be observed by the CEO, employees and contractors.~~

Together, these documents provide Council Members, committee members, candidates (together **Nominated Members**), the CEO and Employees in the City of Vincent with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

Model Code Regulations

The Model Code Regulations provide minimum standards for ethical and professional conduct by Council Members in relation to:

- standards of general behaviour;
- use of confidential information;
- securing personal advantage or advantaging/disadvantaging others;
- misuse of local government resources;
- prohibition against involvement with the organisation;
- relations with Employees; and
- disclosing interests that may affect impartiality.

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Governance Framework



Nominated Members

Clause 8(2)(b) of the Council Members, Committee Member and Candidates Code of Conduct (**Nominated Members Code**) (which incorporates the Model Code Regulations) requires all Nominated Members to comply with the City's policies, procedures and resolutions. The Nominated Members Code should, therefore, be read in conjunction with the provisions of the City's relevant policies and procedures, including the following:

- [Meeting Procedures Local Law 2008](#);
- [4.2.05 Council Members Requests - Contact with City Employees Council Members - Requests/Contact with City Employees Policy](#);
- Council Members – Allowances, Fees and Reimbursement of Expenses Policy; and
- Council Members Contact with Developers Policy.
- [Council Members Continuing Professional Development Policy Elected Members Continuing Professional Development Policy](#)
- Fraud and Corruption Prevention Policy
- Risk Management Policy

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Behavioural breach

Clause 11 of the Nominated Members Code provides that a person may register a complaint if they believe that a Council Member has breached the Behaviours Division of the Nominated Members Code. The complaint must be made:

- (a) in writing in the approved Complaint Form;
- (b) to the nominated Complaints Officer (the CEO); and
- (c) within one (1) month of the alleged breach occurring.

A Complaint is required to include the name and contact details of the Complainant, therefore Anonymous complaints cannot be accepted.

The City will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

CEO Standards

The purpose of the CEO Standards is to ensure that the City selects a CEO in accordance with the principles of equity and transparency. Pursuant to the CEO Standards and the LGA:

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- Council is required to identify and agree on the necessary qualifications and selection criteria required by a candidate to undertake the role and duties of the CEO;
- a selection panel, including one independent person (who is not an Council Members), must be established to conduct the recruitment and selection process;
- the CEO's performance is reviewed at least once a year in accordance with performance criteria set and agreed upon in writing by the CEO and the Council; and
- where an incumbent CEO has held the position for a period of 10 or more consecutive years, a recruitment and selection process must be conducted on the expiry of the CEO's contract.

[Policy No. 4.2.16 – The CEO Annual Performance Review Policy](#) sets out the manner in which the CEO's annual performance review is to be conducted.

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Comprehensive induction programs

In accordance with the LGA, Council Members are required to undertake mandatory training following their election.

The mandatory training covers the following topics:

- Understanding local government;
- Serving on council;
- Meeting procedures;
- Conflicts of interest; and
- Understanding of financial reports and budgets

Further to the mandatory training, Council Members are encouraged to continually improve their knowledge and expertise to enhance the quality of representation and promote well-informed decision-making. This can be achieved by participating in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

The [Council Members Continuing Professional Development Policy](#) ~~Elected Members Continuing Professional Development Policy~~ provides guidance on the professional development of Council Members.

The City maintains a [register](#) of the training and professional development completed by Council Members and this is available on the City's [website](#). The register is reported to Council annually in accordance with section 5.127 of the LGA.

Employee Code of Conduct

The Code of Conduct for City of Vincent Employees and Contractors (**Employees and Contractors Code**) provides the CEO, all employees and contractors of the City of Vincent with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

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The Employees and Contractors Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability in the City. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

The Code is complementary to the principles in the LGA, which incorporate the following four fundamental aims:

- Better decision making by local governments;

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- Greater community participation in the decisions and affairs of local governments;
- Greater accountability of local governments to their communities; and
- More efficient and effective local government.

Fraud and Corruption

The City expects all Council Members, Committee Members, Candidates, Employees and Contractors of the City to act in accordance with the applicable Codes and behave ethically and honestly at all times when performing their functions at the City.

The City has zero tolerance for corrupt conduct or fraudulent activities. The City is committed to preventing, deterring, detecting and investigating fraudulent and corrupt behaviour in the delivery of City services. Council Members and Administration must not engage in practices that may constitute fraud or corruption.

In December 2020 the City prepared a Fraud and Corruption Prevention Plan (Plan) which supports Council's [Fraud and Corruption Prevention Policy](#) to provide a structured framework and approach to fraud and corruption prevention, detection, monitoring and reporting.

The Plan aligns with the Australian Standards for Fraud and Corruption Control (AS8001-2008), has been endorsed by the Executive Management Committee and will be reviewed by the Audit Committee annually.

The Plan is communicated to all staff via annual training and is available on the City's internal Vintranet site. All new staff are also made aware of the Plan as part of their induction

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Governance Framework



1.2 Vision

The City has identified the hierarchy of governing documents that drive the delivery of the community's long-term vision and sets the process by strategies, policies and action plans are developed and reviewed in consultation with the community.

The local government decision making hierarchy is on page 14 below.

Integrated planning and reporting framework

All local governments are required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995.

The Integrated Planning and Reporting Framework (IPRF) is used to ensure integration of community priorities into strategic planning, as well as implementation of the objectives that have been set from these priorities.

In October 2010, the LGA was amended to include a requirement for all local governments to follow an Integrated Planning and Reporting Framework (IPRF).

This IPRF aims to ensure integration of community priorities into strategic planning by local government Councils, as well as implementation of the objectives that have been set from these priorities.

The IPRF requires each local government to have three levels of integrated strategic planning, informed and supported by appropriate resourcing and asset management plans.

The key components of the IPRF are:

- Strategic Community Plan - Community vision, strategic direction, medium and longer term priorities and resourcing implications over 10+ years.
- Corporate Business Plan - Four-year delivery program, aligned to the SCP
- Long Term Financial Plan - Long term financial plan to deliver the SCP strategies and CBP actions.
- Asset Management Plans - Approach to managing assets to sustainably deliver chosen service levels.
- Workforce Plan - Shaping workforce to deliver organisational objectives now and in the future.
- Issue or Area Specific Plans & Strategies - Any other informing plans or strategies (eg ICT, recreation plans, youth plan, local area plans etc).
- Annual Budget - Financial statements, year 1 priorities and services.

The Long Term Financial Plan, Asset Management Plans and Workforce Plan are referred to collectively as the "core" informing strategies. The diagram below shows the relationship between these information strategies, community input, the City's vision and reporting mechanisms.

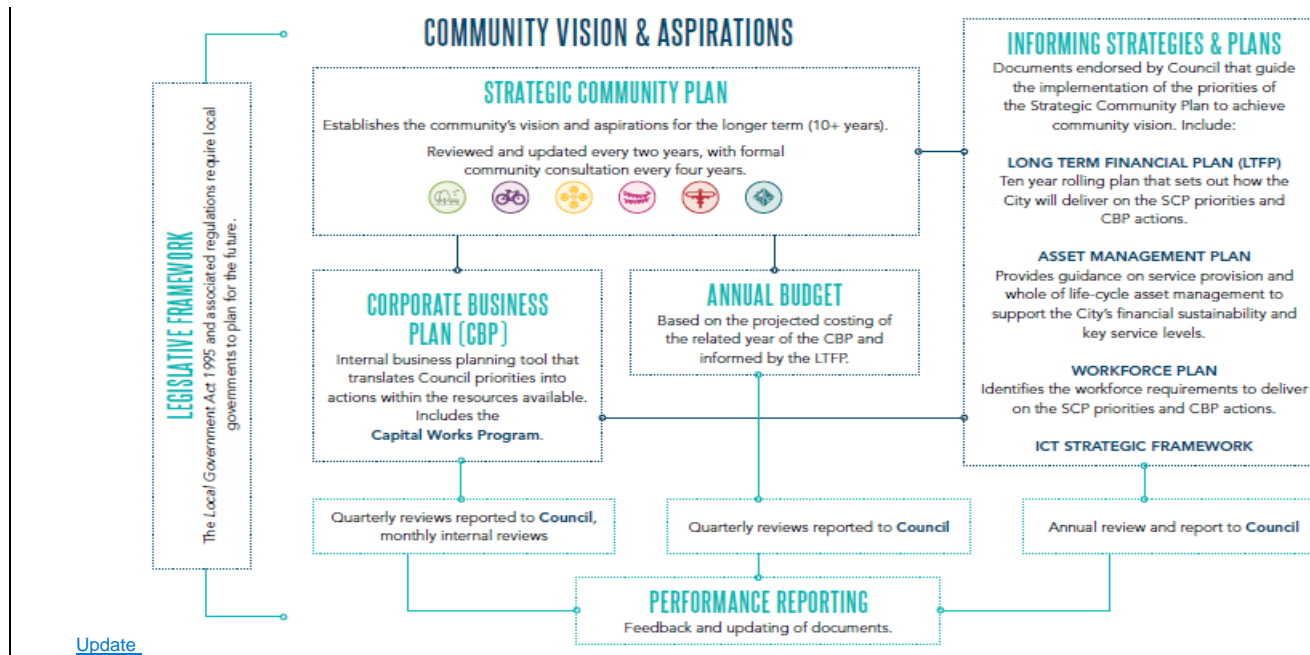
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Governance Framework



Integrated planning and reporting framework diagram



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Strategic Community Plan

Section 5.56 of the LGA requires every local government in Western Australia to 'plan for the future', which includes to develop a Strategic Community Plan (SCP).

Regulation 19C of the *Local Government (Administration) Regulations 1996* provides that the purpose of the SCP is to clearly define the local government's strategic priorities, actions and initiatives for the next ten years, with the SCP to be updated every four years following a review.

In October 2018, Council adopted a new SCP for 2018 - 2028, which established six priorities to guide the City in delivery a range of programs, project and services. The SCP drives the City's planning, budgeting, resource allocation and service delivery over the next decade, in order to focus efforts and align activities with the community's vision. The SCP is reviewed every two years by the City (desktop review followed by full review). [A major review was undertaken and presented in 2022. The next review will take place in 2024. A minor review was undertaken and presented in 2020. Administration is now undertaking a major review in accordance with the IPR Framework, to be presented in 2022.](#)

The SCP is the City's most significant guiding document and establishes the community's vision for Vincent's future.

The City's priority areas, as set out in the SCP, were determined through a robust community consultant process. The six priorities work in concert with each other and together guide the City to achieve the community's vision. The six areas are:

- [Replace with updated graphic from the current SCP.](#)
- [Enhanced Environment – The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.](#)
- [Accessible City – We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.](#)
- [Connected Community – We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.](#)
- [Thriving Places – Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.](#)
- [Sensitive Design – Design that 'fits in' to our neighborhoods is important to us. We want to see unique, high quality developments that respect our character and identity and respond to specific local circumstances.](#)
- [Innovative and Accountable – The City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.](#)

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Governance Framework



Corporate Business Plan

The purpose of the City's Corporate Business Plan (CBP) is to determine internal operational activities (service delivery, programs and projects) over a four-year period, which are developed to achieve the priorities in the SCP. It is a rolling four-year plan, updated annually, and informs the Long-Term Financial Plan (LTFP) and annual budget. Quarterly updates on the CBP are provided to Council.

Long Term Financial Plan

The ten-year Long-Term Financial Plan is the high-level strategic document that helps align our community aspirations, strategic intent and organisational capacity. It guides our approach to delivering infrastructure and services to the community and demonstrates our commitment to managing our operations in a responsible and sustainable manner.

The plan achieves this objective by projecting our financial position over a ten-year time horizon using a series of realistic, conservative financial assumptions.

This financial modelling provides the City with appropriate information to assess our capacity to maintain overall financial sustainability into the long term and, most importantly, ensure that we have in place the necessary funding arrangements to support proposed capital replacement programs and new capital projects.

The Long-Term Financial Plan is underpinned by the following principles:

- alignment with strategic aspirations
- responsible stewardship of community assets
- financial sustainability
- financial accountability
- prudence
- transparency

Annual Budget

The City's Annual Budget must be adopted by Council each year and should focus on the City's actions to be achieved in line with the CBP and SCP.

The Budget outlines operating expenditure (the money required to operate and maintain works and services, such as wages, maintenance and consumables) and capital expenditure (the money required to make capital improvements to items such as roads, buildings and plant and equipment).

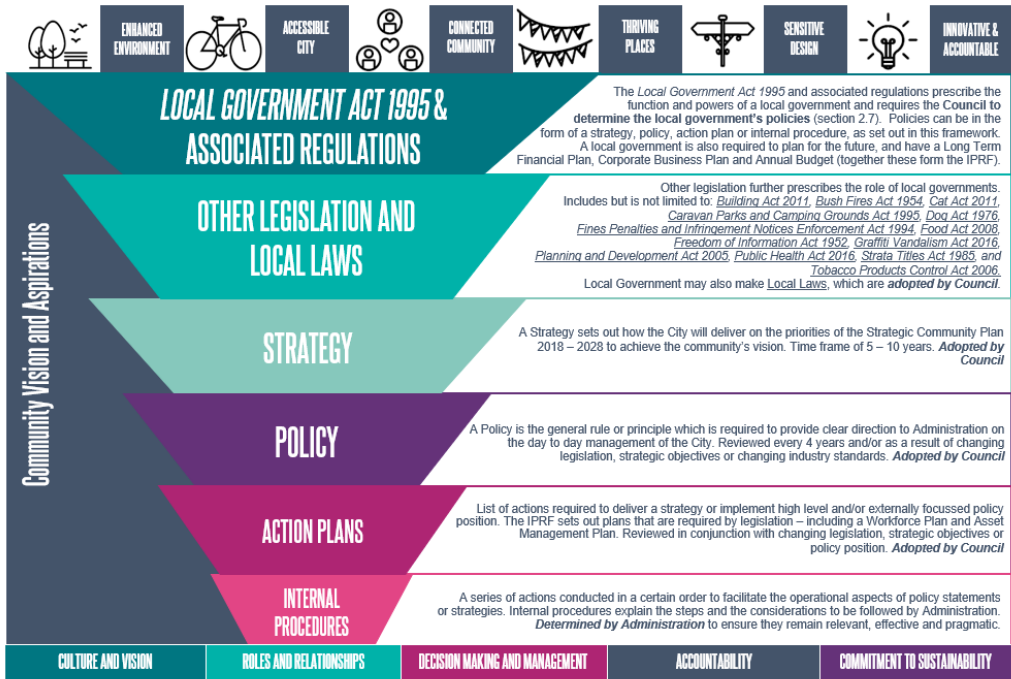
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Governance Framework



Local Government Decision Making Hierarchy



[update](#)

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Principle 2 – Roles and Relationships

An acceptance of the different roles of the various elements of a local government and positive working relationships between these elements

There are three key roles within a local government:

1. The Council
2. The CEO; and
3. Administration

INSERT diagram of the relationship between the three.

There are five key roles within a local government:

1. the Council;
2. Council Members;
3. Mayor;
4. the CEO; and
5. Administration.

The City's Vincent Council comprises nine Council Members:

- Mayor - represents the entire district, elected at large.
- Four Council Members – North Ward; (4); and
- Four Council Members – South Ward (4).

Council Members are elected for a four-year term at elections held every two years, unless elected for a shorter term due to a vacancy created by the resignation or disqualification of a Council Members during their term. There are no limitations on the maximum terms of office for Council Members.

Effective relationships between Council Members, the Mayor, the Council as a whole, the CEO and Administration is critical to the achievement of excellence in governance.

Council is responsible for strategy and policy. This includes the strategic planning mechanisms to ensure the continued sustainability of the organisation, the setting of strategic goals for the organisation and the monitoring of the City's performance against these strategic goals.

Council is not responsible for the day-to-day operation of the local government. All operational matters are the responsibility of the CEO.

Council Members and employees must understand their different roles and accept the role they play in achieving the City's corporate goals and implementation of the City's strategies. This understanding is essential for the City to operate effectively and underpins good governance at the City.

The LGA sets out the roles and responsibilities of the Council, the Mayor, the Council Members, the CEO and Administration.

Role of Council

In accordance with section 2.7 of the LGA the role of Council is to:

- Govern the City's affairs;

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Governance Framework

- Be responsible for the performance of the City's functions;
- Oversee the allocation of the City's finances and resources; and
- Determine the City's policies.



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Governance Framework



Role and responsibilities of the Mayor

In accordance with section 2.8 of the LGA the role of the Mayor is to:

- Preside at meetings in accordance with the LGA;
- Provide leadership and guidance to the community in the district;
- Carry out civic and ceremonial duties on behalf of the City;
- Speak on behalf of the City;
- Perform such other functions in accordance with the Act or any other written law; and
- Liaise with the CEO on the City's affairs and the performance of its functions.

The relationship between the Mayor and Council Members

The CPA Australian publication 2007 sets out the relationship as follows:

"An effective relationship between the Mayor and other Elected Members (Councillors) will help to promote the successful delivery of the Council's strategic plan and create a credible local government. The relationship needs to be based on mutual respect and understanding by all Elected Members of the role of the Mayor and their own role and responsibilities as Councillors. The Mayor does not have any legal power to exert authority over the Councillors, apart from her role as presiding member at Council Meetings.

Some important aspects of the relationship between the Mayor and Councillors are as follows:

- *The Mayor is the leader of the Council;*
- *The Mayor should facilitate an inclusive approach to decision-making and involvement in Council activities;*
- *The Mayor can assist Elected Members to get their issues considered by the Council;*
- *The Mayor should take some responsibility for Elected Members training and development and should work with the CEO to ensure that Elected Members receive necessary training opportunities.*

The Mayor should be responsible for facilitating the resolution of any disputes between Elected Members"

The relationship between the Mayor and the CEO

The CPA Australian publication 2007 sets out the relationship as follows:

"This important relationship assists in the smooth running of the local government through good communication and anticipation of issues. It should be outward looking. That is, it should be focused on ways in which Elected Members and the organisation can be supported to best achieve the Council's goals.

Some features of an effective relationship are as follows:

- *Both parties work closely together and put energy into achieving a good working relationship;*
- *The relationship is characterised by consistency, openness and good communication;*
- *Each has the responsibility to keep the other informed about important and relevant issues;*
- *Open communication ensures that both parties understand what is important.*
- *Both parties understand that they have different roles and authorities. While the Mayor is the leader of the local government, this position has limited specific authority while the CEO has particular authorities under the Local Government Act;*

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- *The relationship between the Mayor and the CEO promotes involvement and inclusion amongst the councillors and the administration. It does not seek to concentrate power in the relationship.*
- *There is consistent communication and regular meetings."*

Role and responsibilities of the Deputy Mayor

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so under section 5.34. This includes when the role of Mayor is vacant or when the Mayor is not available or unwilling or unable to perform her duties.

Roles and responsibilities of Council Members

In accordance with section 2.10 of the LGA, the role of a Council Members is to:

- Represent the interests of electors, ratepayers and residents of the district;
- Provide leadership and guidance to the community in the district;
- Facilitate communication between the community and the Council;
- Participate in the City's decision-making process; and
- Perform such other functions as prescribed in the Act or any other written law.

Council Members accessibility

Council Members must ensure that they make themselves accessible to the City's community through publication of a minimum set of contact details on the City's website as follows:

- postal address – personal or care of the City's address or a PO Box;
- telephone number – business, home or mobile number; and
- email address – personal, business or City email address.

Appointment to external boards, committees etc.

Council Members representing the City at external organisations, boards, committees and working groups are to ensure that they clearly understand the basis of their appointment.

They must:

- always act as a spokesperson for the City and in the City's best interests;
- provide regular reports on the activities of the organisation in accordance with the confidentiality requirements of that organisation; and
- represent the City's interests on all matters relating to that organisation while maintaining the confidentiality requirements of the City.

Relationship between Council Members and Administration

Council Members are entitled to be fully informed in order to carry out their role as a decision maker and may seek specific information on various issues before Council.

Council Members can not undertake administrative tasks, as set out in clause 19 and 20 of the Nominated Members Code and Model Code Regulations.

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19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause — local government employee means a person —
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

The procedure for Council Members requests for information from Administration is addressed in the City's [Policy 4.2.05 Council Member Requests - Contact with City Employees Policy 4.2.5 'Council Members—Requests/Contact with City employees'](#).

Role and responsibilities of the Chief Executive Officer

In accordance with section 5.41, the functions of the CEO are to:

- Advise the Council in relation to the functions of a local government under the LGA and other written laws;
- Ensure that advice and information is available to the Council so that informed decisions can be made;
- Cause Council decisions to be implemented;
- Manage day to day operations of the local government;
- Liaise with the Mayor or president on the local government's affairs and the performance of the local government's functions;
- Speak on behalf of the local government if the Mayor or President agrees;

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- Be responsible for the employment, management supervision, direction and dismissal of other senior employees (subject to section 5.37(2));
- Ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law; and
- Perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the CEO.

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Principle 3 – Decision-making and management

Effective decision-making and related management processes that reflect transparency and accountability

Decision making forums and processes

Decision-making is the most important activity undertaken by the City, both by Council Members and by Administration. Effective decision-making processes increase the likelihood that the decisions themselves will be in the best interest of the entire community. Good processes will ensure confidence in decision making by all Council Members as well as the public.

Part 5 of the LGA sets out the framework whereby Council Members meet as the governing body (Council) for the purpose of decision-making on behalf of the local government.

It is an intention of the Act that Council conducts business and makes decisions:

- openly and transparently
- with a high level of accountability to their community
- efficiently and effectively
- with due probity and integrity
- acknowledging relevant community input
- with all available information and professional advice
- with the fullest possible participation of Council Members

Decisions made at meetings are recorded in the form of resolutions, which are binding on the Council until they are formally amended or repealed. Resolutions, once recorded, take effect immediately.

To facilitate transparent and accountable decision-making Council Members and Administration are encouraged to operate in the following manner:

- Administration will endeavour to respond to any queries or requests for information from Council Members as a priority so that Council Members have the required information to fulfil their role and make decisions.
- Council Members will endeavour to provide complex questions or large requests for information to Administration in advance of a Committee or Council Meeting, particularly if a detailed response is required or if it relates to a possible amendment or alternative recommendation, so that Administration has sufficient time to provide a sufficiently detailed response.

This reciprocal arrangement assists Council in fulfilling its roles and responsibilities on behalf of the community.

Council meeting schedule

The City has adopted a monthly meeting cycle which consists of a Council Briefing, which is an opportunity for questions to be asked by Council Members, followed by a Council Meeting.

The cycle is as follows:

- second Tuesday of the month: Council Briefing; and
- third Tuesday of the month: Ordinary Council Meeting.

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The February Briefing and Meeting have been brought forward one week to reduce the extent of the December / January recess period. The April and July Briefings and Meetings have also been adjusted to avoid Briefings and Meetings being held during school holidays.

Council adopts the meeting schedule for the following year annually and provides Public Notice in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 with The full schedule is available on the [City's website](#).

Special Meetings can be called by the Mayor, three members of Council or the Council as a whole, as set out in section 5.3 of the Act. Special Meetings of Council can be convened if an urgent matter arises which requires decision prior to the next scheduled Meeting.

Council ~~can also may~~ delegate additional powers to the CEO over the Council recess period (between the December and February Meetings), subject to section 5.43 of the LGA (which sets out restrictions on powers and duties that can be delegated) in order to ensure the essential operations of the City can continue.

Council Workshops

Council Workshops provide an opportunity for informal discussion between Council Members and Administration. The purpose of Council Workshops is to engage and update Council Members on:

- Corporate Business Plan and CEO KPI Items;
- Emerging Issues;
- Council Strategy and Policy Development; and
- Major Community Engagement Activities.

Council Workshops are not decision-making forums and are not governed by the LGA or the City's *Meeting Procedures Local Law 2008*.

Council Workshops will generally involve projects or matters that are in the early planning stages and not yet ready to be presented to Council for decision.

During Council Workshops:

- the Chief Executive Officer seeks input from Council Members that are in the research and concept stage, to allow the drafting and formalisation of the concepts to progress;
- Council Members are fully informed on matters to enable decisions to be made in the best interests of the community; and
- Council Members represent the views of the community in matters.

The input of Council Members through open and free-flowing exchange of ideas provides invaluable direction to the Chief Executive Officer for the research, planning and development of matters.

Council Members must not indicate their voting intention at Council Workshops.

Council Workshops are not open to the public but where relevant and in consultation with Council Members, external consultants, representatives of community organisations and community members may be invited to attend.

Council Briefings

Council Briefings are held at 6pm in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting. Council Briefings provide the opportunity for Council Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented and discussed at the forthcoming Council Meeting.

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No decisions are made at Council Briefings. Council Members may request additional information or may request alternative wording for motions to be prepared for possible consideration at the forthcoming Council Meeting.

Council Briefing Agendas are published on the City's website on or before the Wednesday of the week before the Council Briefing.

Council Briefings are open to the members of the public and also live streamed, with the recording available on the City's website.

Council Meetings

The Council Meeting is Council's only debating and decision-making forum. Council Meetings are conducted in strict compliance with the requirements of the LGA, its regulations and the City's Meeting Procedures Local Law.

Good decision-making at a Council Meeting is achieved by:

- a clear and informative agenda,
- good chairing and facilitation by the Presiding Member;
- adherence to the meeting procedures; and
- adherence to statutory requirements.

Council Meeting Agendas are published on the City's website on or before the Friday of the week before the Council Meeting.

The City's Council Meetings are open to the public, which ensures that the community is fully informed and, where appropriate, involved in the decisions and affairs of Council. Council Members, the CEO and [Executive Directors](#) [relevant staff](#) attend all Council meetings. Council meetings are live streamed, with the recording available on the City's website.

Community participation in the decision-making process

The City's [Community and Stakeholder Engagement Policy](#) [Community Consultation Policy](#) currently prescribes the community consultation process that is undertaken to engage the community in the City's decision making process. The policy guides how the City speaks with and listens to the community. [The policy is proposed to be replaced with a Community Engagement Charter.](#)

Community and expert advice is also sought in the following ways:

- [Reconciliation Action Plan Working Group](#) – this working group is a requirement of the City's [Reconciliation Action Plan \(RAP\)](#) and is a key stakeholder in the delivery of the City's RAP.
- Community members (panel) – comprises of a cross section of the City's community, their feedback was used to inform the City's SCP adopted in 2018 (Imagine Vincent campaign);
- Design Review Panel – comprises of paid independent experts who provide technical advice to Administration on development design, including the amenity, architecture, landscaping and sustainability. Administration can refer developments to the panel for comment, and the recommendations of the panel are considered by Administration or Council when making a determination on the development approval.
- Advisory Groups – since 1995 the City has had a number of groups comprising of community members and Council Members. The groups operate in accordance with the City's Policy - 'Advisory Groups' Policy No. 4.2.12.

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Agenda and Minutes

Agenda

It is a requirement of the LGA that the CEO provides 72 hours' notice of the date, time and place of an Ordinary Meeting of Council, and provides an agenda for the meeting. The City circulates the agenda for the Council Briefing on the Wednesday prior to the Briefing, and on the Friday prior to the Meeting.

Well-structured agendas lead to efficient and effective Council Briefings and Meetings, and in turn result in good decision-making.

The City's agendas comprise of reports prepared by Administration, which aim to provide the Council with sufficient and relevant information to make a decision, including the SCP alignment and budget implications.

Reports include the following information:

- Recommendation – Clearly states the action that Administration is proposing.
- Purpose of Report - Explains why the report is being prepared and what is requested from Council.
- Background – Provides the necessary background information for Council to understand the context / reason for the report.
- Details – Provides sufficient context and detail to enable a full understanding of the issue and why the recommendation is being proposed.
- Consultation/Advertising- Specifically identifies future consultation, engagement or advertising requirements. If consultation has occurred previously this should be included in the Details section and should identify who has been consulted including dates, methods, and number of responses.
- Legal/Policy – Specifies any Acts, Regulations, Local Laws and Policies that are relevant to the decision.
- Risk Management Implications – A low, medium or high-risk rating is assigned to the proposed recommendation. The risk of not making the recommended decision can also be included.
- Strategic Implications – Shows that the proposed decision is aligned with one or more priorities in the SCP.
- Sustainability Implications – Shows that the proposed decision is aligned with objectives in the City's Sustainable Environment Strategy.
- Public Health Plan Implications – Identify whether the proposed decision is aligned with one of the priority health outcomes in the City's Public Health Plan.
- Financial/Budget implications – Identifies the financial impacts of the proposed decision and alignment with or impact on the LTFFP.
- Comments – Allows any further comments to be included, as required to provide Council with all the information necessary to make a decision.

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Late reports

Late reports are strongly discouraged however there may be occasions when additional items are required to be presented to Council following the publishing of the Briefing or Meeting agenda. In these instances, Administration will endeavour to publish these reports as soon as possible following the publishing of the agenda, to enable sufficient time for Council Members and the community to consider the item.

The City's Meeting Procedures Policy prescribes the circumstances that may permit the publication of a late report and includes a requirement for justification and consideration of the impact that late publication may have on community engagement.

Minutes

Regulation 13 of the *Local Government (Administration) Regulations 1996* prescribes that unconfirmed minutes of each Council meeting are to be available to the public within 10 business days after the meeting.

The minutes of a Council Meeting comprise of all items considered at the meeting and include [details of members present, all motions, their movers, the outcome of motions, details of each decision, summary of public questions, disclosures of interest and all attached documents except ones closed to members of the public, attendances, all motions, their movers, seconders, and the results of the motions](#).

In the interests of accountability and transparency, the City circulates the minutes on the Friday following the Meeting. If for any reason the Minutes are not available for circulation by the Friday, an explanation is provided on the website.

The minutes are confirmed at the first Council Meeting immediately thereafter.

Meeting procedures

Council have adopted a [Meeting Procedures Local Law](#) that sets out the conduct, process and protocols of Council meetings and Briefings. The Meeting Procedures Local Law is required to be reviewed every 8 years.

Council have also adopted a [Meeting Procedures Policy](#) which provides high level clarification on the conduct of Council Meetings and Briefings, where not addressed in the Meeting Procedures Local Law. The policy is supported by the [Council Proceedings Guidelines](#) which are publicly available and linked within the Policy.

Decisions on land use planning and development

Development and land use proposals on properties may be required to be assessed and approved via a Development Application pursuant to the City's Local Planning Scheme No. 2. Depending on the type and scale of the development, the determination of the development application will be made by Council, Administration, the State Development Assessment Unit (SDAU) or the Metropolitan Inner-North Joint Development Assessment Panel (JDAP). ~~In addition to the City of Vincent, the JDAP covers the following local government areas:~~

- ~~The Town of Bassendean, Cambridge, Claremont, Cottesloe and Mosman Park;~~
- ~~The City of Bayswater, Nedlands, Stirling and Subiaco; and~~
- ~~The Shire of Peppermint Grove.~~

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Conflict of interest

Council Members, CEO's and employees must make decisions in the best interests of their community. To do this, they must consider each issue on its merits.

A conflict of interest occurs when a person's position within the City of Vincent, or their financial or other personal interests, affect, have the potential to affect, or could have the appearance of affecting, their judgement, objectivity or independence.

Decision-making could be influenced, or perceived to be influenced, in a number of ways, including through financial relationships, personal relationships and the receipt of gifts. Conflicts of interests may arise from a number of sources, including friends, relatives, close associates, financial investments, business interests or dealings or past employment.

The LGA and related party declaration requirements of the Australian Accounting Standard set out requirements for Council Members, CEOs and local government employees to disclose interests to ensure transparency and accountability in decision-making.

Council Members, the CEO and employees must declare any actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties in accordance with the requirements outlined below.

Disclosure of interests affecting impartiality

An impartiality interest does not apply to an interest referred to in section 5.60 of the LGA – i.e. it does not include financial or proximity interests.

Council Members

In accordance with clause 22 of the Nominated Members Code, a Council Member who has an impartiality interest in any matter to be discussed at a council or committee meeting attended by the Council Member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Employees and contractors

In accordance with the Employee Code of Conduct and the Administration Regulations, Employees who have an impartiality interest in a matter must disclose that interest:

1. where they are attending the council or committee meeting at which the matter is being discussed; or
2. if they have given, or will give, advice in respect to the matter at a council or committee meeting not attended by the Employee.

In the first instance, the interest must be disclosed in writing to the CEO before the meeting or at the meeting immediately before the matter is discussed. In the second instance, the interest must be disclosed in writing to the CEO before the meeting or at the time the advice is given by the Employee.

The City maintains a register of staff conflicts of interest, and any staff disclosing a conflict of interest that cannot be appropriately managed will be removed from the decision-making process.

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Financial and Proximity Interests

Council Members and employees must comply with the laws governing financial interests, including the disclosure of financial interests, set out in the LGA. Sections 5.59-5.90 of the LGA establish the requirements for disclosure by Council Members and employees and contractors of financial interests (including proximity interests).

The onus is on Council Members, employees and contractors to identify possible financial interests (including proximity interests and non-financial interests), to determine whether an interest exists and whether any statutory exemption applies.

The statutory definition of a financial interest is set out in section 5.60A of the *Local Government Act 1995* as follows:

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

The LGA requires you to disclose a proximity interest that you, or a person with whom you are closely associated, has in a matter before Council or a Committee.

A proximity interest arises if:

- a proposed change to a planning scheme affects land that adjoins your land;
- a proposed change to the zoning or use of land that adjoins your land; or
- a proposed development of land that adjoins your land (development refers to the development, maintenance or management of the land or of services or facilities on the land).

The existence of a proximity interest is established purely by the location of land. A financial effect on the valuation of your land or on the profitability of your business does not have to be established. It is therefore important that you fully understand when a proximity interest exists.

The person's land referred to is both land in which you, or a person with whom you are closely associated, has any estate or interest.

Land that adjoins a person's land is defined by the LGA as land that:

- not being a thoroughfare, has a common boundary with the person's land;
- is directly across a thoroughfare from the person's land; or
- is that part of a thoroughfare that has a common boundary with the person's land.

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The statutory definition of a proximity interest is set out in section 5.60B of the *Local Government Act 1995* as follows:

5.60B. Proximity interest

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —
 - (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - (b) a proposed change to the zoning or use of land that adjoins the person's land; or
 - (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
- (2) In this section, land (the proposal land) adjoins a person's land if —
 - (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
 - (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Related Party Disclosures

In July 2016 the scope of the Australian Accounting Standard (AASB) 124 Related Party Disclosures (Standard) was extended to local governments. The Standard requires key management personnel (Council Members, [CEO](#) and Directors) to disclose information about transactions that have occurred between the local government and its key management personnel or their related parties.

At the end of each respective financial year, key management personnel must disclose information about transactions that have occurred between themselves, or their related parties, and the City. Examples of "related parties" include close family members (typically spouse and any dependents), companies and trusts under their control.

The City is committed to complying with the disclosure requirements for related party transactions under the Australian Accounting Standards. Disclosure of relevant related party information provides greater transparency and identifies potential conflicts of interest.

Primary and Annual Returns

Council Members and 'designated employees' are required to complete primary and annual returns in accordance with the requirements of Division 6 of Part 5 of the LGA. Primary and Annual outline financial interests, including property ownership. These interests could give rise to a conflict of interest.

Section 5.75 of the LGA requires Council Members and 'designated employees' to complete a Primary Return within three months of commencing in their role.

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A primary return is a snapshot of personal financial information as it exists at the time of commencement.

At the end of each respective financial year, Council Members and 'designated employees' must complete an Annual Return, which discloses any changes to the information previously disclosed in their Primary Return or new interests that have accumulated since completing their Primary Return or last Annual Return.

Primary Returns and Annual Returns assist with the decision-making process as they highlight an individual's interests at a particular point in time, thereby clarifying whether a conflict of interest may arise.

A relevant person is defined under section 5.74 of the *Local Government Act 1995* as a person who is a:

- Mayor or president
- Council member, and
- designated employee.

Designated employees include:

- CEO,
- employees with delegated powers and duties under Part 5, Division 4 of the Act,
- employees who are members of committees comprising elected members and employees, and
- other employees nominated by the local government.

Gifts

It is the City's position that Council Members, the CEO and employees should not seek or accept (either directly or indirectly) any immediate or future gift (including any financial benefit, reward, donation or hospitality) for themselves, or for any other person or body, as a result of their role with the City.

However, it is acknowledged that there may be instances when receiving a gift is unavoidable or when refusal of a gift may be impossible or impractical. These circumstances will depend on the cultural context of the giving of a gift, the nature of the gift (perishable food or beverages or of no monetary value) and the relationship with the person giving the gift. In such a circumstance the gift may be accepted on behalf of the City but should be disclosed in accordance with the requirements outlined below.

Council Members

It is the City's position that any gift received (and not able to be returned) by an Council Members and **valued above \$50** is to be disclosed and included in the City's [Register of Gifts](#). This requirement goes beyond the legislative requirement, which requires disclosure of gifts above \$300 only.

The Department of Local Government, Sport and Cultural Industries has prepared the frameworks shown at attachments A, B, and C to assist Council Members and CEO's in disclosing gifts.

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In accordance with the LGA, Council Members (section 5.87A) and CEOs (section 5.87B) are required to disclose gifts that are received in their capacity as an Council Members or CEO and:

- are valued over \$300; or
- are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.

Additionally, a gift given by two or more related bodies corporate (as defined by section 50 of the *Corporations Act 2001* (Cth)) is considered to have been given by a single corporation.

The City current and previous register of gifts are publicly available on the City's [website](#).

These provisions recognise that a relationship is created between the donor and a recipient of a gift that could be perceived to affect decision-making. The reason for the receipt of the gift is irrelevant. This means that if the gift is received in a Council Member or CEO's personal capacity it still needs to be disclosed in accordance with the LGA requirements (there are a number of exemptions, which relate to gifts from family members.)

The primary consideration is whether there is a matter before Council that the donor could benefit or suffer detriment as a result of.

Council Members should not participate in any part of the Meeting that involves the donor (section 5.67). Council Members must disclose the interest, in accordance with section 5.65, in writing to the CEO before the Meeting or immediately before the matter is discussed.

The CEO is also bound by these requirements and must not be involved in the preparation of the report to Council, either directly or indirectly (section 5.71A).

The statutory definition of a gift is set out in section 5.57 of the *Local Government Act 1995* as follows:

5.57. Terms used

In this Division, unless the contrary intention appears —
gift means —

- (a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution; *travel* includes accommodation incidental to a journey; *travel contribution* means a financial or other contribution made by 1 person to travel undertaken by another person.

Employee gifts

Employees are prohibited from accepting certain gifts as follows:

- a gift from a contractor, supplier, developer or applicant;
- a gift with a value of \$300 or more; or
- a number of gifts from the same person/company equating to a value of \$300 or more over a 6-month period.

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It is the City's position that any gift received (that is not a prohibited gift as outlined above and is not able to be returned) must be disclosed using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the gift disclosure form.

Gifts accepted will be recorded on the City's internal Gift Register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

CEO gifts

It is the City's position that any gift received (and not able to be returned) by the CEO is to be disclosed and using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the gift disclosure form.

Gifts accepted will be recorded on the City's internal Gift Register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

The CEO must not be involved in the preparation of a report to Council, either directly or indirectly, if in receipt of a gift in relation to that advice or report (s 5.71A of the LGA):

5.71 CEOs to disclose interests relating to gifts in connection with advice or reports

- (1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
- (2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
- (3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.

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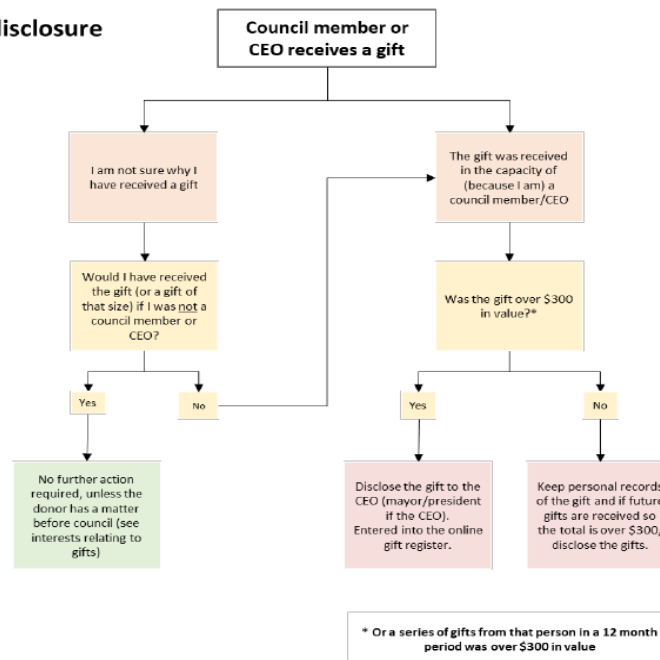
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Attachment A - Gift reporting framework under the Local Government Act 1995.

Gift framework - disclosure

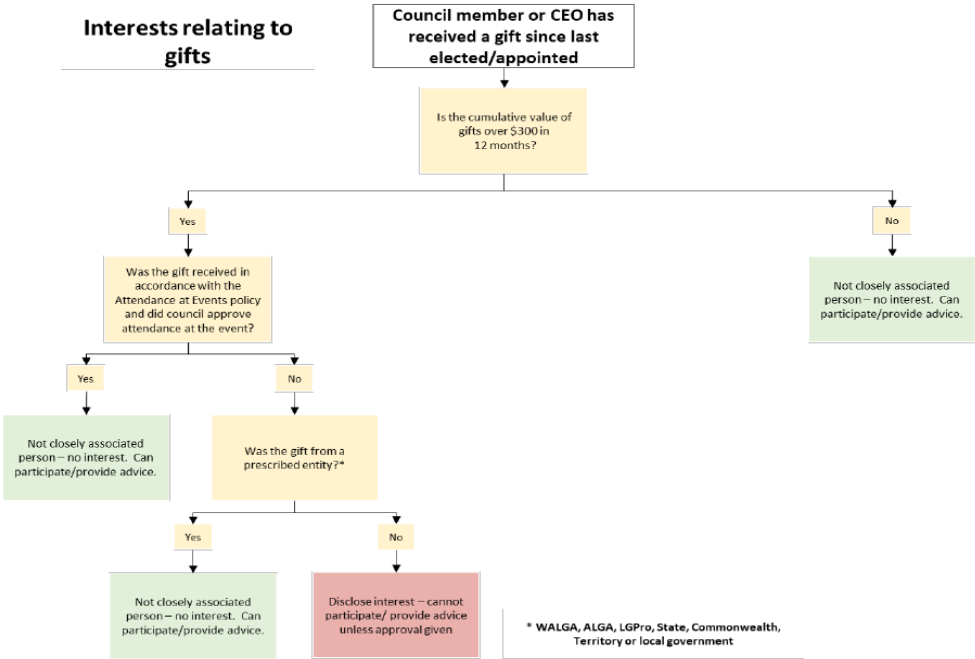

[update](#)

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Attachment B - Interests relating to gifts under the Local Government Act 1995.



[update](#)

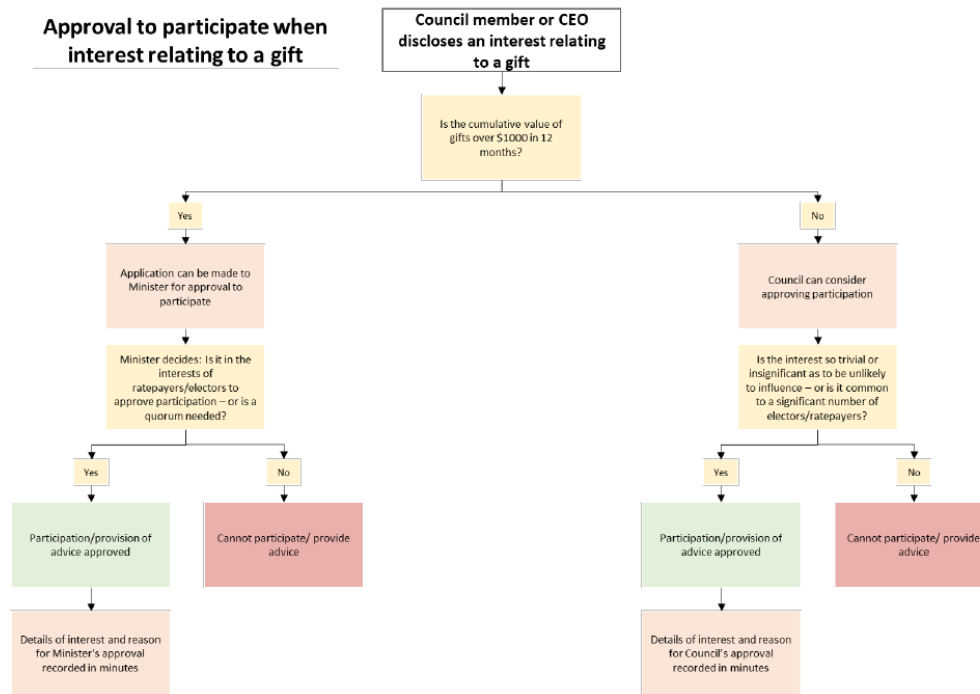
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Attachment C - Approval to participate when there is

Approval to participate when interest relating to a gift

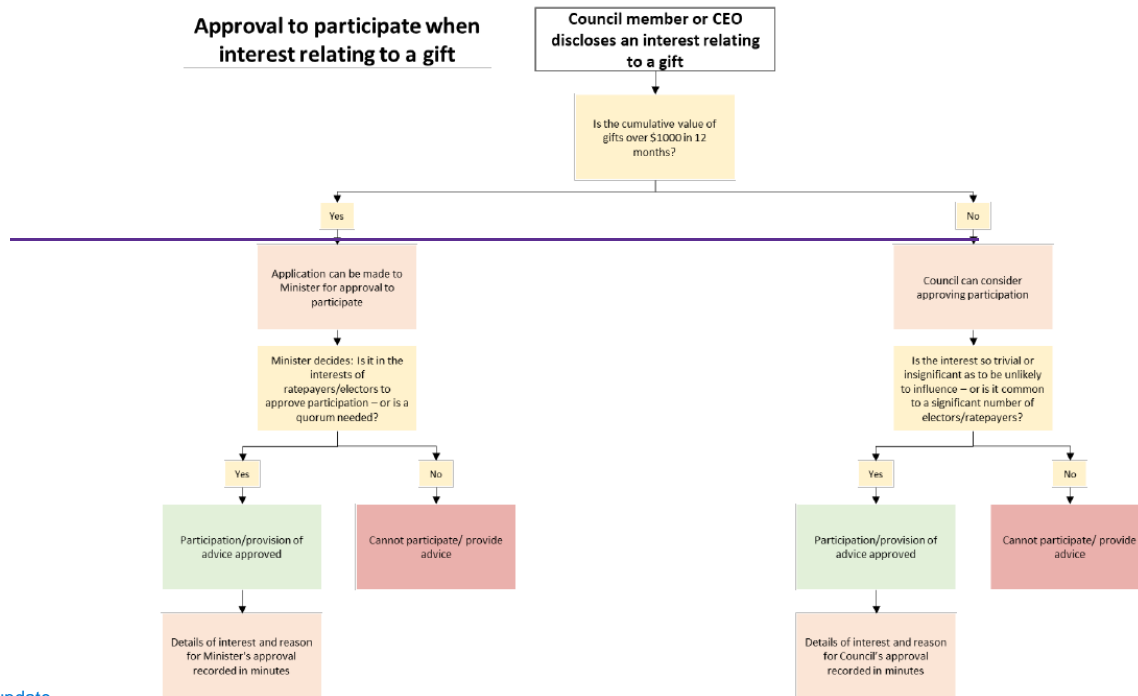


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under the Local Government Act 1995.



[update](#)

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Contact with developers

Contact with developers is a normal and necessary function of the role of a Council Member. However, the nature and frequency of that contact can sometimes lead to allegations or perceptions of bias, influence or even corruption being made towards Council Members. Ensuring that decision-making processes are open and transparent reduces the opportunities for such allegations or perceptions to be raised.

Council Members are to record any prescribed contact they have with developers on the City's "Contact with Developers Register" in accordance with the City's [Council Member Contact with Developers Policy](#).

The [Council Member Contact with Developers Register](#) is maintained by the CEO and published on the City's website.

Delegations

Some legislation confers powers on local governments to allow Council to delegate power to a committee of the local government, the local governments CEO or in limited circumstances other persons or employees.

The purpose of delegating a power is to allow matters that are routine, may have a time constraint or can change rapidly to be dealt with efficiently.

The extent of delegation, conditions that may be applied, records that must be kept and the review and amendment processes depend on the various heads of power in the Acts themselves.

[Western Australian legislation may be accessed online at the State Law Publisher's website at https://www.legislation.wa.gov.au](https://www.legislation.wa.gov.au)

Delegates exercise the delegated decision-making function in their own right, in other words they have discretionary decision-making powers. The use of delegated authority means that a large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In situations where an employee has been delegated a power or duty by the CEO, and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and must either disclose the nature of the interest to the CEO (or should the employee be the CEO, disclose the nature of the interest to the Mayor).

The City's '[Register of Delegation, Authorisations and Appointments](#)' is reviewed by Council on an annual basis and is available on the City's website.

This register includes:

- Delegations from Council to the CEO;
- Sub delegations from CEO to other employees;
- Appointments of authorised persons; and
- Appointments of other employees.

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The provisions of the LGA which provide for delegations by a local government or its CEO are as follows:

- Section 5.16(1), states: 'Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than this power of delegation.'
- Section 5.42(1), states: 'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.'
- Section 5.44(1), states: 'A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.'

The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term 'council' is used then it is the council itself which must carry out that function. If the term 'local government' is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using 'acting through' where it may be a better way of carrying out the power or duty.

Concept of acting through

Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically, a function may be undertaken through the "acting through" concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power.

The key difference between a delegation and acting through is that a delegate exercises a decision-making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to "act through" another employee.

Authorised persons

Authorised persons are given powers to do certain things under an Act, Regulation or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

The CEO has been delegated the authority to appoint authorised persons for the purpose of fulfilling prescribed functions within the LGA and its subsidiary legislation, including LGA Regulations, the *Local Government (Miscellaneous Provisions) Act 1960* and Local Laws made under the LGA.

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation.

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Executive functions

The executive functions of the City are to administer its local laws and to provide services and facilities deemed necessary for the good governance of the community.

Services and facilities are managed to ensure that they integrate and not duplicate with any services provided by the State, Commonwealth or any public body

3.18. Performing executive functions

- (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.
- (2) In performing its executive functions, a local government may provide services and facilities. A local government can, therefore, administer local laws and provide services and facilities in order to provide for 'the good government of the district'.
- (3) A local government must satisfy itself that the services and facilities it provides:
 - (a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body
 - (b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private
 - (c) are managed efficiently and effectively.

Policies

Section 2.7(2)(b) of the LGA states that the Council is to "determine the local government's policies".

Policies guide decision making by Council and Administration. Policy provisions are at the discretion of the Council, provided they are in accordance with relevant legislation and align with the City's SCP.

Council is responsible for making, amending and revoking policies as required to ensure policies remain relevant and reflect community views and current practices.

In addition, policies may also be prepared under statutory instruments (e.g., local planning policies prepared under the City's Local Planning Scheme No. 2 (LPS2)). In such cases, the legal effect of the policy will be documented in the relevant statutory instrument.

At its 15 December 2020 meeting, Council approved ~~its new~~ [the Policy and Development Review Policy](#).

The ~~new~~ policy identifies the legislative hierarchy of governing documents and proposes to align all documented City positions (strategies, policies and action plans) to the priorities of the SCP.

Alignment to the priorities of the SCP will assist Council, Administration and the community in clearly identifying the delivery and implementation of the community's long-term vision.

To support implementation of this policy, Administration has developed a Policy Document Register and Review Plan (Plan) which identifies the systematic review of all Policy Documents and a monthly publication program to facilitate early consultation of objective and agenda setting with Council Members. [Administration is required to review this annually and present an update to Council.](#)

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Local laws

The Council is responsible for adopting a set of local laws under section 3.5 of the LGA.

Council, when making local laws, must be aware of their legislative effect and the process as outlined in the LGA.

The City's Local Laws reflect community standards and provide for the good governance of the City.

The process for adopting local laws provides the community with a six-week advertising period to allow for the opportunity to comment on proposed local laws. The local law is then presented once more to Council and any public submissions are considered. Upon final adoption the local laws are gazetted and considered by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

The City is required to review all its local laws every eight years from the date they came into operation or from the date, they were last reviewed. This review process also allows for community consultation and feedback.

The City has the following local laws:

- [Animal Local Law 2022](#) [Dogs Local Law 2007](#);
- [Fencing Local Law 2008](#);
- [Health Local Law 2004](#);
- [Local Government Property Local Law 2021](#) [Local Government Property Local Law 2008](#);
- [Parking Local Law 2023](#) [Parking & Parking Facilities Local Law 2007](#);
- [Meeting Procedures Local Law 2008](#); and
- [Trading in Public Places Local Law 2008](#)

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Principle 4 – Commitment to Sustainability

The City recognises the importance of not only addressing the current needs of the community, but also the needs of future generations. To do this, the City must operate in a manner, which considers the long term environmental, financial and resource implications.

Environmental

The City's commitment to environmental sustainability is reflected in its Sustainable Environment Strategy 2019-2024 (SES). The SES sets out achievable actions for the City to implement over the next five years, to:

- ensure that the City acts in an environmentally sustainable manner in all of its operations, and
- encourages, empowers and supports the City's community to live in an environmentally sustainable manner.

The SES includes a number of positive actions for delivering a sustainable natural and built environment for the community.

The SES sets out actions to be undertaken across five key opportunity areas plus the overarching area of net zero greenhouse gas emissions from City operations to be achieved by 2030:

- Energy
- Transport
- Water
- Urban Greening and Biodiversity
- Waste

Financial Management

Role of the CEO

The CEO is accountable to Council for the financial performance of the City. The CEO must ensure that certain fundamentals are in place including, but not limited to:

- appropriate financial systems, plans, strategies and protocols
- adequate resources to support the City's activities and financial monitoring and performance
- suitable internal review and audit mechanisms
- an organisational culture where responsibility and accountability are clearly delineated and understood
- adherence to and compliance with legislative provisions.

Asset management

In accordance with section 5.56(1) of the LGA, local governments are required to plan for the future, which includes the management of assets. The asset management plan and strategy will inform the annual budget and LTFP.

The Department of Local Government, Sport and Cultural Industries (DLGSCI) guidelines state that:

"Asset management is critical to meeting local government strategic goals within an Integrated Planning and Reporting approach. Asset Management Policies, Asset Management Strategies and Asset Management Plans (AMP) are informed by, and in turn inform, the community aspirations and service requirements in the Strategic Community Plan."

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The Asset Management and Sustainability Strategy 2020-2030 (AMSS) Implementation Plan provides detailed and technical guidance around the planning, management and provision of the City's assets and was endorsed by Council in November 2021.

The City's current Asset Strategy (2010-2020) is due to be reviewed this year.

The purpose of the City of Vincent Asset Management and Sustainability Strategy (AMSS) is to provide a strategic framework that guides the:

- planning, management and provision of assets;
- renewal and investment in assets;
- utilisation and rationalisation of assets; and
- best use of resources for the benefit of current and future generations.

The AMSS has four key objectives to meet the City's asset sustainability goals:

1. Having enough funds to keep our assets up-to-date;
2. Keeping our historic assets safe for use;
3. Future planning for sustainable assets; and
4. Making sure our assets meet current and emerging community needs.

The AMSS is intended to guide the management of the City's asset portfolio over the next ten years with regular review of progress of the Implementation Plan.

The main objective of the Asset Management Strategy is to outline how the City will meet its commitment to asset management over the coming ten years:

An Asset Management Strategy recognises the need to manage assets effectively as part of the City's service delivery, where the service areas delivering the service should be responsible for managing assets that are associated with that (service) area. Failure to adequately plan for the renewal of existing assets, and the development of new assets, will invariably result in the accepted "levels of service" declining.

The City has historically prepared a 12 month capital works program for incorporation into the annual budget. The City is developing a 4 year capital works program which is aligned to the LTTP.

The City is continuing to develop processes to improve the robustness of the capital works program, informed by a comprehensive Asset Maintenance Framework.

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Governance Framework



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Principle 54 – Accountability

The need for local governments to account for their activities and have systems in place, which support and reinforce this accountability

Excellence in governance is based on the premise that those who are involved in governance, both Council Members and Administration are held to account for what they do.

Accountability means holding Council Members, the CEO and employees of a local government responsible for its performance. The public trust placed in the public sector and in its Council Members to act in the public interest can be justified in the manner in which their duties have been performed.

Compliance Audit

Section 7.13(1)(i) of the LGA requires local governments to undertake an audit of compliance “in the prescribed manner and in a form approved by the Minister”. In accordance with section 7.13(1)(i), the Department of Local Government, Sport and Cultural Industries (Department) requires that all local governments complete a CAR by 31 March of the following year.

In accordance with Regulation 14(3a) of the *Local Government (Audit) Regulations 1996*, the Audit Committee is to review the CAR prior to the CAR being presented to Council for approval.

Audit Committee

The City's Audit committee is responsible for the reviewing and making recommendations to Council regarding financial management, risk management, internal controls, legislative compliance, internal and external audit planning and reporting.

The primary objectives of the Audit Committee are to:

- Accept responsibility for the annual external audit; and
- Liaise with the local government's internal and external auditors so that Council can be satisfied with the performance of the local government in managing its affairs.

Reports from the Committee assist Council in discharging its legislative responsibility of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee ensures openness in the local government's financial reporting and liaises with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

The Committee facilitates:

- The enhancement of the credibility and objectivity of internal and external financial reporting;
- Effective management of financial and other risks and the protection of Council assets;
- Compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance;
- The coordination of the internal audit function with the external audit; and
- The provision of an effective means of communication between the external auditor, internal auditor, the CEO and the Council.

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Customer Service and Complaints Management

The City has adopted a [Customer Service Charter](#), which reflects the City's commitment to providing quality service and outlines what the community can expect from the City.

Customer service requests or complaints are processed in accordance with the [City's Complaint Management Policy](#), [City's Customer Service Complaints Management Policy 4.1.3](#) and the [City's comprehensive Customer Service Complaints Management Procedure](#).

The City strives to provide a friendly, professional and efficient service which meets the needs of the community.

Access to information

Section 5.94 of the LGA sets out certain Local Government information that members of the public can inspect with limits on those rights detailed in Section 5.95.

The Western Australian *Freedom of Information Act 1992* gives people a right to access documents of an agency, subject to the sensitivity of the document and the exemptions applied pursuant to the Act. The Act is designed to make State and local government more open and accountable to the public by creating a general right of access.

The City is committed to transparency and accountability and seeks to provide members of the public with access to information in the most time efficient and low-cost methods, while ensuring the privacy of staff and the public is protected.

This position has been formalised in the following documents:

- [Freedom of Information Statement 2021](#);
- [Freedom of Information Access Arrangements](#); and
- [Freedom of Information Policy 4.1.4](#)

Privacy of information

The City of Vincent views privacy compliance as an integral part of its commitment to accountability and integrity in all its activities and programmes. The City is committed to compliance with the laws that deal with personal and health information about individuals that is stored or received by it.

Consequently, we will:

- only use personal information provided by an individual for the purposes for which it was collected and for any other authorised use;
- only disclose personal information to any third party (including other authorities) where authorised; and
- take all necessary measures to prevent unauthorised access or disclosure.

Performance management and reporting

The Council is accountable for monitoring performance in the achievement of the City's strategic direction, goals and financial outcomes.

The management of the City's performance and the reporting of that performance to the community is achieved in several ways.

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Annual Financial Report

[Section 5.53 of the LGA requires local governments to prepare an annual report that contains a financial report for the proceeding financial year. The report provides information about the City's financial activities, income and expenditure. The Local Government Act 1995 \(the Act\) requires local governments to prepare an Annual Financial Report \(Report\) on its operations for the preceding financial year. The annual report provides information about the City's financial activities, income and expenditure.](#)

The City's Annual Financial Report is to be audited by an external auditor and is to be considered by the City's Audit Committee before being submitted to Council for adoption.

Annual Report

In accordance with section 5.53 of the LGA the City prepares an Annual Report each financial year.

The City's Annual Report is the City's key reporting document that details a summary of the City's activities throughout each year, and outlines progress made towards strategic objectives set out in the City's guiding strategic documents.

CEO performance review

Section 5.38 of the LGA requires Council to review the performance of the CEO at least once each year. Conducting this review is an important function of Council because the CEO is Council's only employee and it is through this review process that Council can also review the performance of the organisation.

The [CEO Annual Performance Review Policy](#) sets out the manner in which this annual review is to be conducted.

Employee performance review

In accordance with the Act, the performance of all employees is to be reviewed at least once in relation to every year of their employment.

The City's performance and development procedure ensures the consistent review of employee performance and development and encourages open and honest communication between employees and leaders.

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Revisions

Office use only			
Review	Council Item	CM Ref	Details
18/08/2020	OMC - 12.5 Minutes	D20/148041	Adoption
20/10/2020	OMC – 9.4 Minutes	D20/195873	Updated to include priority health outcome consideration from the Public Health Plan 2020 – 2025 in Council reports.
22/06/2021	OMC – 12.4 Minutes	D21/106344	Updated to reflect the division of the codes of conduct, procedural requirement for dealing with complaints about alleged breaches of the behaviour and updated gift and conflict of interest provisions in line with the new regulations.
16/11/2021	OMC – 9.7 Minutes	D21/206878	Reviewed after local government election in consultation with Council Members. Updates detailed in report 9.7 .
18/10/2022	OMC – 12.2 Minutes	D22/185226	A minor amendment to the Contact with Developers section to reflect amendments to the Council Member Contact with Developers Policy (Policy) . The Policy was updated to require Council Members to record every instance of contact with a developer, including where contact occurs prior to the lodgement of a development application.

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CITY OF VINCENT

GOVERNANCE FRAMEWORK

2024



Acknowledgement of Country
The City of Vincent acknowledges the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present.

We recognise the unique and incomparable contribution the Whadjuk people have made and continue to make to our culture and in our community. We will continue to seek the input of the Traditional Owners.

The land on which we live, meet and thrive as a community always was and always will be Noongar land.

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PURPOSE OF THIS GOVERNANCE FRAMEWORK

This document combines legislative requirements, strategic direction, corporate systems and roles and relationships that are involved in establishing good governance at the City of Vincent.

- It serves as a comprehensive guide that can be used for various purposes including:
- Providing community insight into the intricacies of local government and the responsibilities of Council Members.
 - Providing standard principles to guide Council Members and staff in their decision-making and service delivery.
 - Affirming the importance of good governance principles within both Council and Administration.
 - Serving as an addition to the induction program provided to new Council Members.

LOCAL GOVERNMENT DEFINED

Local government in Western Australia is established under the *Local Government Act 1995 (LGA)* and is the third sphere of government in Australia. Local government has legislative responsibility for many functions and activities that are relevant to a local community, including waste management, road maintenance and rates collection.

As the level of government often seen as the ‘closest’ to the community, local government activities relate to matters that are essential to people's lives and significantly affects their quality of life. This includes organising local community events, providing community spaces and recreation areas, and creating liveable neighbourhoods.

WHAT IS GOVERNANCE?

Local governments in Western Australia must carry out their functions in accordance with the LGA and associated regulations.

Governance provides the structure through which a local government's vision and objectives are achieved within a context of competing and changing social, economic and environmental issues.

GOVERNANCE PRINCIPLES

The CPA publication *Excellence in Governance in Local Government 2007* includes four principles that provide a clear foundation for good governance:

1. culture and vision
2. roles and relationships
3. decision-making and management
4. accountability

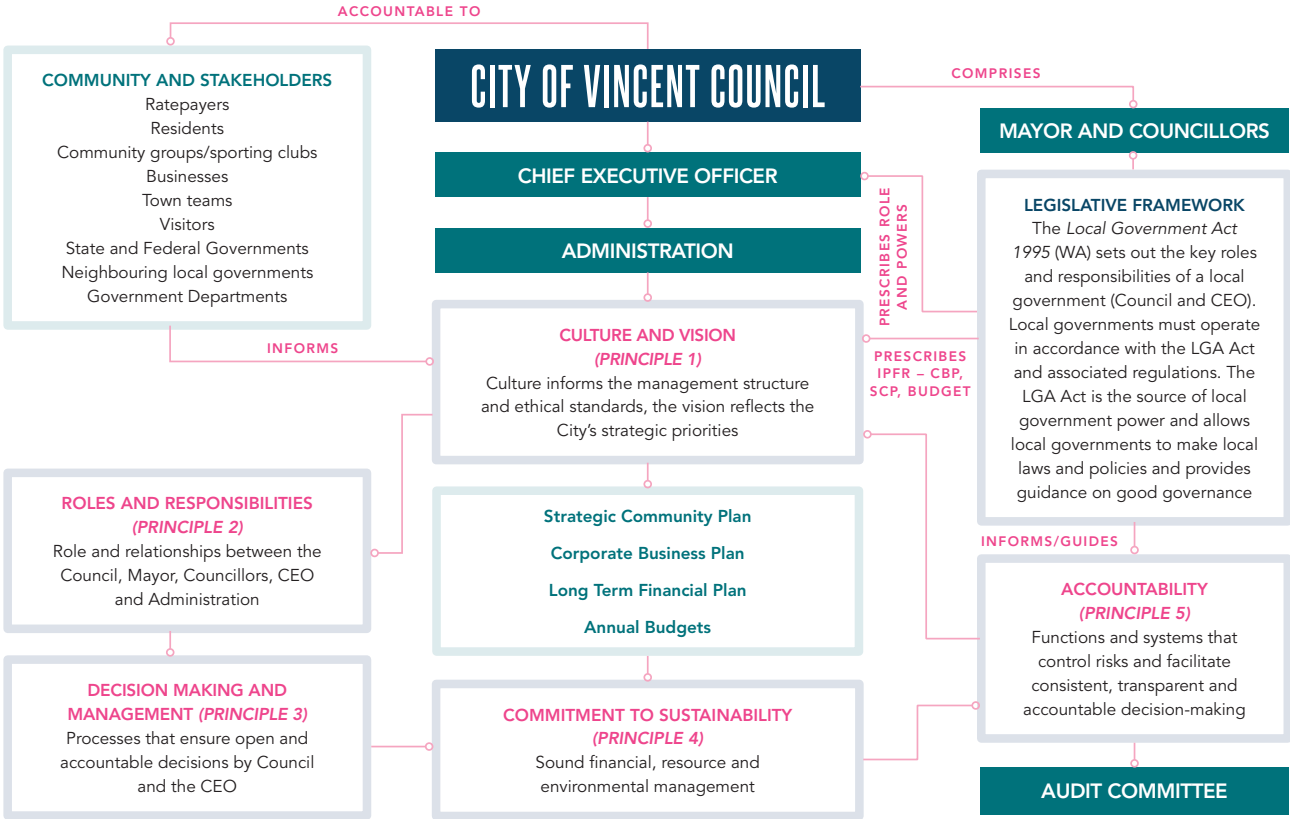
The City has developed this framework based on the above four principles and has included an additional principle – 5. Commitment to Sustainability.

These five principles govern the City's decision-making. All decisions, policies, plans and strategies should be made with reference to the five principles. This should ensure legislative compliance, alignment with the City's strategic vision, transparency, and accountability.

Adherence with the five principles is the responsibility of Council, individual Council Members, the CEO and all staff. Every decision made should be in alignment with the five governance principles and reflect best practice in governance.

This Governance Framework divides each principle into sub-categories. Each sub-category is defined in the context of good governance and the sub-categories application to the City. The Governance Framework Overview below demonstrates the connection between the legislative framework all local governments must operate in accordance with, the role of the community in informing and holding the Council to account and the five governance principles.

CITY OF VINCENT GOVERNANCE FRAMEWORK 2024 OVERVIEW



PRINCIPLE 1 -
CULTURE & VISION

A positive culture and a clear and owned vision and accompanying strategies.

1.1 CULTURE
In 2022, Council adopted a review of the Strategic Community Plan for 2022 – 2032. This plan is an extension of the Strategic Community Plan 2018 – 2028 which was adopted by Council in October 2018.

The Strategic Community Plan is the Councils key strategic document. It describes the vision the City will strive to achieve, where it will focus its efforts and how it will measure progress.

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VISION: To be a clever, creative and courageous local government.



Clever

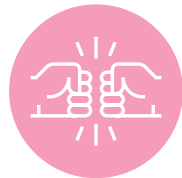


Creative



Courageous

OUR VALUES



Engaging

Listening, understanding and communicating is the key to our success.



Accountable

We work openly and transparently to earn our community's trust.



Making a Difference

Our work improves our community and the lives of our residents.

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1.1.1 EFFECTIVE MANAGEMENT STRUCTURES AND PRACTICES

The City's policy, *Organisational Structure and Designation of Senior Employees* prescribes the organisational structure of the Administration, including functional responsibilities and the allocation and management of resources.

The organisational objectives chart below sets out the key functions of the three directorates and the Office of the CEO.

ORGANISATIONAL STRUCTURE



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ORGANISATIONAL OBJECTIVES



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1.1.3 ETHICAL STANDARDS & THE CODE OF CONDUCT

In February 2021, the Local Government (Administration) Amendment Regulations 2021, Local Government (Model Code of Conduct) Regulations 2021 (Model Code Regulations) and Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021 came into operation. The effect of these regulations was to prescribe:

- a) Model standards for the recruitment, selection, performance, and termination of local government CEOs.
- b) A model code of conduct for Council Members, committee members and candidates that sets the overarching principles to guide behaviour, specifies the standards of behaviour which reflect the principles and provides the rules of conduct that relate to the principles and behaviours.
- c) Requirements that the CEO must include in a code of conduct for employees.

Following the enacting of the Regulations, Council adopted the:

- 1. Council Members, Committee Member and Candidates Code of Conduct (Nominated Members Code)
- 2. Model Standard for CEO Recruitment, Performance and Termination (CEO Standards)

The conduct of Council Members, committee members, the CEO, employees and contractors was previously governed by the City's Code of Conduct 2017 (2017 Code). The effect of the new Regulations is to require separate codes of conduct for employees, contractors and the CEO on one hand and Council Members, committee members and candidates on the other.

Administration has created a new Code of Conduct for Employees and Contractors. The CEO has approved and implemented it in accordance with the Employee Code Regulations.

Together, these documents provide Council Members, committee members, candidates (together Nominated Members), the CEO and Employees in the City of Vincent with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

1.1.4 MODEL CODE REGULATIONS

The Model Code Regulations provide minimum standards for ethical and professional conduct by Council Members in relation to:

- standards of general behaviour
- use of confidential information
- securing personal advantage or advantaging/ disadvantaging others
- misuse of local government resources
- prohibition against involvement with the organisation
- relations with employees
- disclosing interests that may affect impartiality

1.1.5 NOMINATED MEMBERS

Clause 8(2)(b) of the Council Members, Committee Member and Candidates Code of Conduct (Nominated Members Code) (which incorporates the Model Code Regulations) requires all Nominated Members to comply with the City's policies, procedures and resolutions. The Nominated Members Code should, therefore, be read in conjunction with the provisions of the City's relevant policies and procedures, including the following:

- Meeting Procedures Local Law 2008
- 4.2.05 Council Members Requests – Contact with City Employees
- Council Members – Allowances, Fees and Reimbursement of Expenses Policy
- Council Members Contact with Developers Policy
- Council Members Continuing Professional Development Policy Fraud and Corruption Prevention Policy
- Risk Management Policy

1.1.6 BEHAVIOURAL BREACH

Clause 11 of the Nominated Members Code provides that a person may register a complaint if they believe that a Council Member has breached the Behaviours Division of the Nominated Members Code. The complaint must be made:

- a) in writing in the approved Complaint Form
- b) to the nominated Complaints Officer (the CEO)
- c) within one (1) month of the alleged breach occurring.

A Complaint is required to include the name and contact details of the Complainant. Anonymous complaints cannot be accepted.

The City will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

1.1.7 CEO STANDARDS

The purpose of the CEO Standards is to ensure that the City selects a CEO in accordance with the principles of equity and transparency.

Pursuant to the CEO Standards and the LGA:

- Council is required to identify and agree on the necessary qualifications and selection criteria required by a candidate to undertake the role and duties of the CEO.
- A selection panel, including one independent person (who is not an Council Members), must be established to conduct the recruitment and selection process.
- The CEO's performance is reviewed at least once a year in accordance with performance criteria set and agreed upon in writing by the CEO and the Council.
- Where an incumbent CEO has held the position for a period of 10 or more consecutive years, a recruitment and selection process must be conducted on the expiry of the CEO's contract.

The CEO Annual Performance Review Policy sets out the manner in which the CEO's annual performance review is to be conducted.



1.1.8 COMPREHENSIVE INDUCTION PROGRAMS

In accordance with the LGA, Council Members are required to undertake mandatory training following their election.

The mandatory training covers the following topics:

- understanding local government
- serving on council
- meeting procedures
- conflicts of interest
- understanding of financial reports and budgets

Further to the mandatory training, Council Members are encouraged to continually improve their knowledge and expertise to enhance the quality of representation and promote well-informed decision-making. This can be achieved by participating in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

The Council Members Continuing Professional Development Policy provides guidance on the professional development of Council Members.

The City maintains a register of the training and professional development completed by Council Members and this is available on the City's website. The register is reported to Council annually in accordance with section 5.127 of the LGA.

1.1.9 EMPLOYEE CODE OF CONDUCT

The Code of Conduct for City of Vincent Employees and Contractors (Employees and Contractors Code) provides the CEO, all employees and contractors with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

The Employees and Contractors Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability in the City. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

The Code is complementary to the principles in the LGA, which incorporate the following four fundamental aims:

- better decision making by local governments
- greater community participation in the decisions and affairs of local governments
- greater accountability of local governments to their communities
- more efficient and effective local government

1.1.10 FRAUD AND CORRUPTION

The City expects all Council Members, Committee Members, candidates, employees and contractors to act in accordance with the applicable Codes and behave ethically and honestly at all times when performing their functions in Vincent.

The City has zero tolerance for corrupt conduct or fraudulent activities. The City is committed to preventing, deterring, detecting and investigating fraudulent and corrupt behaviour in the delivery of services. Council Members and Administration must not engage in practices that may constitute fraud or corruption.

In December, 2020 the City prepared a Fraud and Corruption Prevention Plan which supports Council's Fraud and Corruption Prevention Policy to provide a structured framework and approach to fraud and corruption prevention, detection, monitoring and reporting.

The plan aligns with the Australian Standards for Fraud and Corruption Control (AS8001-2008), has been endorsed by the Executive Management Committee and will be reviewed by the Audit Committee annually.

The plan is communicated to all staff via annual training and is available on the City's internal Vintranet site. All new staff are also made aware of the plan as part of their induction.



1.2 VISION

The City has identified the hierarchy of governing documents that drive the delivery of the community's long-term vision and sets the process by strategies, policies and action plans are developed and reviewed in consultation with the community.

1.2.1 INTEGRATED PLANNING & REPORTING FRAMEWORK

All local governments are required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995.

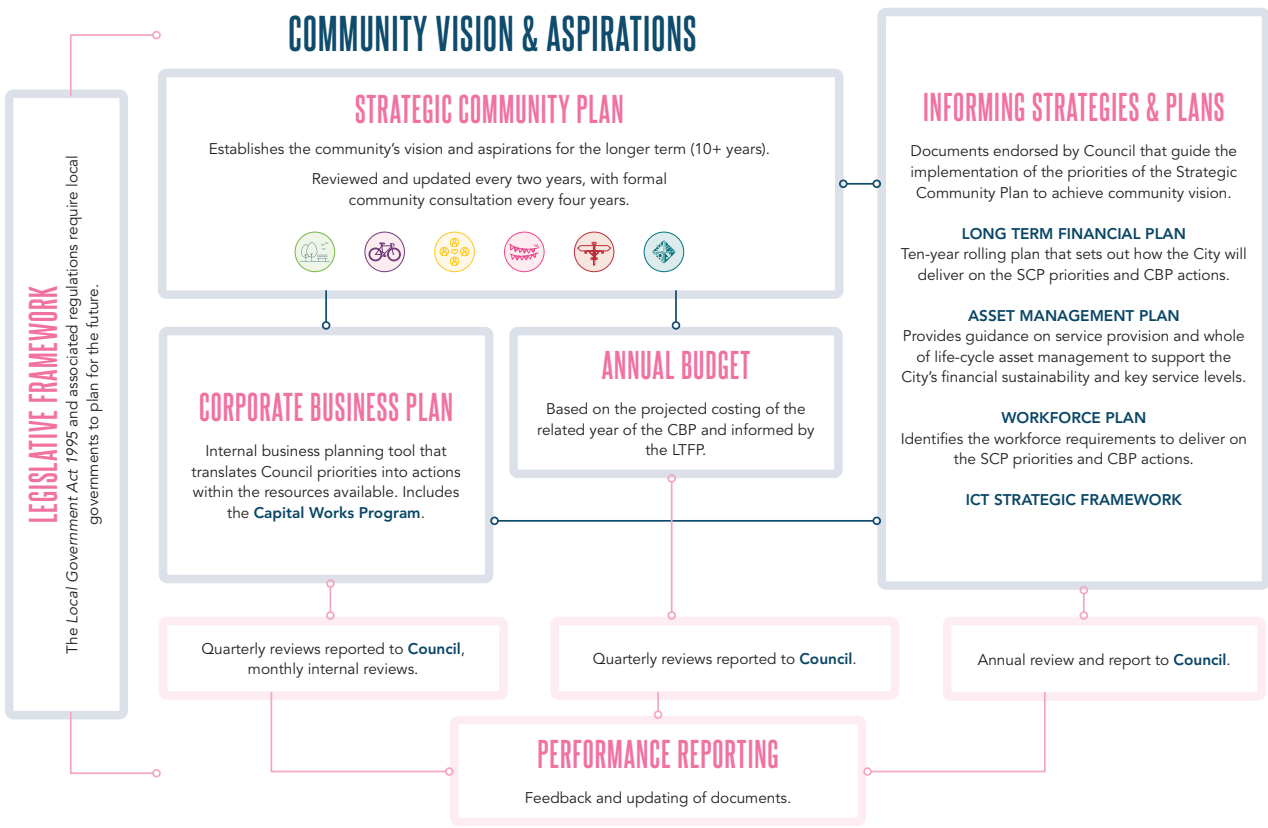
The Integrated Planning and Reporting Framework (IPRF) is used to ensure integration of community priorities into strategic planning, as well as implementation of the objectives that have been set from these priorities.

The key components of the IPRF are:

- **Strategic Community Plan** – Community vision, strategic direction, medium and longer term priorities and resourcing implications over 10+ years.
- **Corporate Business Plan** – Four-year delivery program, aligned to the SCP.
- **Long Term Financial Plan** – Long term financial plan to deliver the SCP strategies and CBP actions.
- **Asset Management Plans** – Approach to managing assets to sustainably deliver chosen service levels.

- **Workforce Plan** – Shaping workforce to deliver organisational objectives now and in the future.
- **Issue or Area Specific Plans & Strategies** – Any other informing plans or strategies (eg ICT, recreation plans, youth plan, local area plans etc).
- **Annual Budget** – Financial statements, Year 1 priorities and services.

The Long Term Financial Plan, Asset Management Plans and Workforce Plan are referred to collectively as the "core" informing strategies. The diagram below shows the relationship between these information strategies, community input, the City's vision and reporting mechanisms





1.2.3 STRATEGIC COMMUNITY PLAN
Section 5.56 of the LGA requires every local government in Western Australia to 'plan for the future', which includes to develop a Strategic Community Plan (SCP).


Regulation 19C of the Local Government (Administration) Regulations 1996 provides that the purpose of the SCP is to clearly define the local government’s strategic priorities, actions and initiatives for the next 10 years. The SCP will be updated every four hours following a review.

In October 2018, Council adopted a new SCP for 2018 – 2028, which established six priorities to guide the City in delivery a range of programs, project and services. The SCP drives the City’s planning, budgeting, resource allocation and service delivery over the next decade, in order to focus efforts and align activities with the community’s vision. The SCP is reviewed every two years by the City (desktop review followed by full review). A major review was undertaken and presented in 2022. The next review will take place in 2024.

The SCP is the City’s most significant guiding document and establishes the community’s vision for Vincent’s future.


The priority areas, as set out in the SCP, were determined through a robust community consultant process. The six priorities work in concert with each other and together guide the City to achieve the community’s vision.

The six areas are are presented on the following page.




ENHANCED ENVIRONMENT

The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.




ACCESSIBLE CITY

We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.




CONNECTED & HEALTHY COMMUNITY

We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.




THRIVING PLACES

Thriving Places are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.



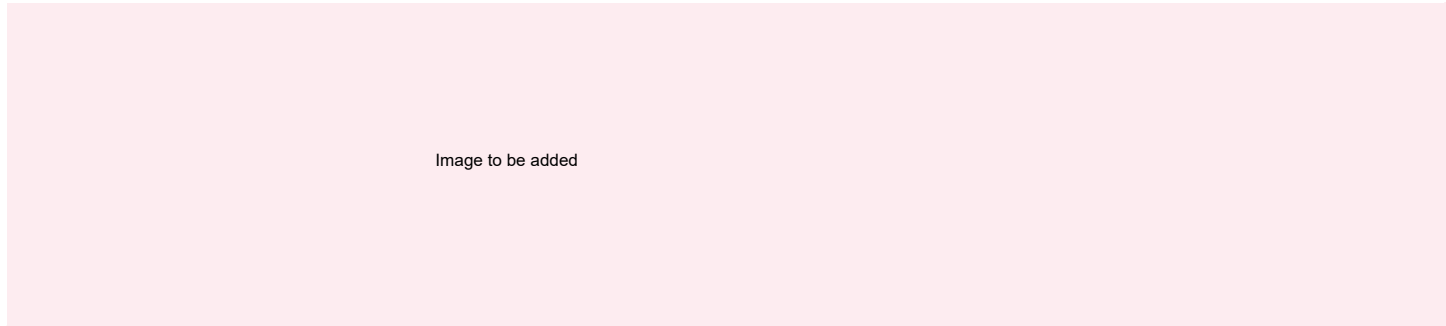
SENSITIVE DESIGN

Design that 'fits in' to our neighbourhoods is important to us. We want to see unique, high quality developments that respect our character and identify and respond to specific local circumstances.



INNOVATIVE & ACCOUNTABLE

The City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.



1.2.4 CORPORATE BUSINESS PLAN

The purpose of the Corporate Business Plan (CBP) is to determine internal operational activities (service delivery, programs and projects) over a four-year period, which are developed to achieve the priorities in the SCP. It is a rolling four-year plan, updated annually, and informs the Long Term Financial Plan (LTFP) and annual budget. Quarterly updates on the CBP are provided to Council.

1.2.5 LONG TERM FINANCIAL PLAN

The 10-year Long Term Financial Plan is the high-level strategic document that helps align our community aspirations, strategic intent and organisational capacity. It guides our approach to delivering infrastructure and services to the community and demonstrates our commitment to managing our operations in a responsible and sustainable manner.

The plan achieves this objective by projecting our financial position over a ten-year time horizon using a series of realistic, conservative financial assumptions.

This financial modelling provides the City with appropriate information to assess our capacity to maintain overall financial sustainability into the long term and, most importantly, ensure that we have in place the necessary funding arrangements to support proposed capital replacement programs and new capital projects.

The Long Term Financial Plan is underpinned by the following principles:

- alignment with strategic aspirations
- responsible stewardship of community assets
- financial sustainability
- financial accountability
- prudence
- transparency

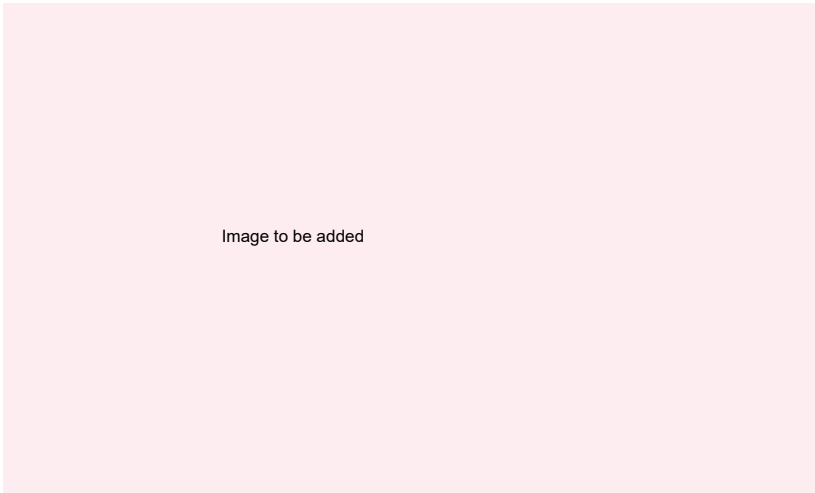
1.2.6 ANNUAL BUDGET

The Annual Budget must be adopted by Council each year and should focus on the City's actions to be achieved in line with the CBP and SCP.

The Budget outlines operating expenditure (the money required to operate and maintain works and services, such as wages, maintenance and consumables) and capital expenditure (the money required to make capital improvements to items such as roads, buildings and plant and equipment).

LOCAL GOVERNMENT DECISION MAKING HIERARCHY

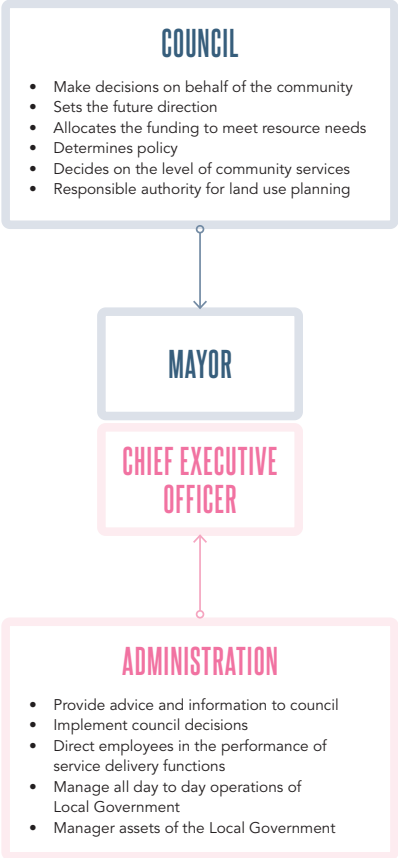




PRINCIPLE 2 – ROLES & RELATIONSHIPS

An acceptance of the different roles of the various elements of a local government and positive working relationships between these elements

- There are three key roles within a local government:
- 1. The Council
 - 2. The CEO
 - 3. Administration



The Council comprises nine Council Members:

- Mayor – represents the entire district, elected at large
- Four Council Members – North Ward
- Four Council Members – South Ward

Council Members are elected for a four-year term at elections held every two years, unless elected for a shorter term due to a vacancy created by the resignation or disqualification of a Council Members during their term. There are no limitations on the maximum terms of office for Council Members.

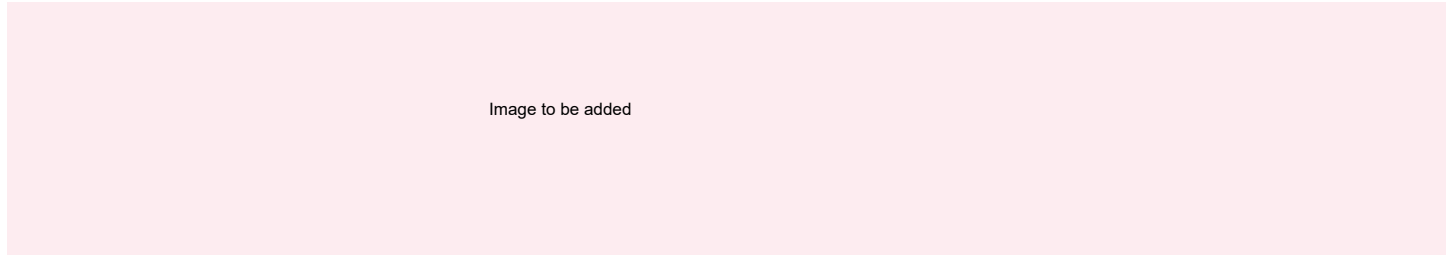
Effective relationships between Council Members, the Mayor, the Council as a whole, the CEO and Administration is critical to the achievement of excellence in governance.

Council is responsible for strategy and policy. This includes the strategic planning mechanisms to ensure the continued sustainability of the organisation, the setting of strategic goals for the organisation and the monitoring of the City's performance against these strategic goals.

Council is not responsible for the day-to-day operation of the local government. All operational matters are the responsibility of the CEO.

Council Members and employees must understand their different roles and accept the role they play in achieving the City's corporate goals and implementation of the strategies. This understanding is essential for the City to operate effectively and underpins good governance at the City.

The LGA sets out the roles and responsibilities of the Council, the Mayor, the Council Members, the CEO and Administration.



2.1 ROLE OF COUNCIL

In accordance with section 2.7 of the LGA the role of Council is to:

- govern the City's affairs
- be responsible for the performance of the City's functions
- oversee the allocation of the City's finances and resources

2.2 DETERMINE THE CITY'S POLICIES. ROLE AND RESPONSIBILITIES OF THE MAYOR

In accordance with section 2.8 of the LGA the role of the Mayor is to:

- preside at meetings in accordance with the LGA
- provide leadership and guidance to the community in the district
- carry out civic and ceremonial duties on behalf of the City
- speak on behalf of the City
- perform such other functions in accordance with the LGA Act or any other written law
- liaise with the CEO on the City's affairs and the performance of its functions

2.3 THE RELATIONSHIP BETWEEN THE MAYOR & COUNCIL MEMBERS

The CPA Australian publication 2007 sets out the relationship as follows:

*“An effective relationship between the Mayor and other Elected Members (Councillors) will help to promote the successful delivery of the Council's strategic plan and create a credible local government. The relationship needs to be based on mutual respect and understanding by all Elected Members of the role of the Mayor and their own role and responsibilities as Councillors. The Mayor does not have any legal power to exert authority over the Councillors, apart from her role as presiding member at Council Meetings.**

Some important aspects of the relationship between the Mayor and Councillors are as follows:

- The Mayor is the leader of the Council.
- The Mayor should facilitate an inclusive approach to decision-making and involvement in Council activities.
- The Mayor can assist Elected Members to get their issues considered by the Council.
- The Mayor should take some responsibility for Elected Members training and development and should work with the CEO to ensure that Elected Members receive necessary training opportunities.

The Mayor should be responsible for facilitating the resolution of any disputes between Elected Members.

2.4 THE RELATIONSHIP BETWEEN THE MAYOR AND THE CEO

The CPA Australian publication 2007 sets out the relationship as follows:

*“This important relationship assists in the smooth running of the local government through good communication and anticipation of issues. It should be outward looking. That is, it should be focused on ways in which Elected Members and the organisation can be supported to best achieve the Council's goals.**

Some features of an effective relationship are as follows:

- Both parties work closely together and put energy into achieving a good working relationship.
- The relationship is characterised by consistency, openness and good communication.
- Each has the responsibility to keep the other informed about important and relevant issues.
- Open communication ensures that both parties understand what is important.
- Both parties understand that they have different roles and authorities. While the Mayor is the leader of the local government, this position has limited specific authority while the CEO has particular authorities under the LGA.
- The relationship between the Mayor and the CEO promotes involvement and inclusion amongst the councillors and the administration. It does not seek to concentrate power in the relationship.
- There is consistent communication and regular meetings.

2.5 ROLE AND RESPONSIBILITIES OF THE DEPUTY MAYOR

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so under section 5.34. This includes when the role of Mayor is vacant or when the Mayor is not available or unwilling or unable to perform her duties.

2.6 ROLES AND RESPONSIBILITIES OF COUNCIL MEMBERS

In accordance with section 2.10 of the LGA, the role of a Council Members is to:

- Represent the interests of electors, ratepayers and residents of the district.
- Provide leadership and guidance to the community in the district.
- Facilitate communication between the community and the Council.
- Participate in the City's decision-making process.
- Perform such other functions as prescribed in the Act or any other written law.

2.7 COUNCIL MEMBERS ACCESSIBILITY

Council Members must ensure that they make themselves accessible to the City's community through publication of a minimum set of contact details on the City's website as follows:

- **postal address** – personal or care of the City's address or a PO Box
- **telephone number** – business, home or mobile number
- **email address** – personal, business or City email address

2.8 APPOINTMENT TO EXTERNAL BOARDS, COMMITTEES ETC.

Council Members representing the City at external organisations, boards, committees and working groups are to ensure that they clearly understand the basis of their appointment.

They must:

- Always act as a spokesperson for the City and in the City's best interests.
- Provide regular reports on the activities of the organisation in accordance with the confidentiality requirements of that organisation.
- Represent the City's interests on all matters relating to that organisation while maintaining the confidentiality requirements of the City.

2.9 RELATIONSHIP BETWEEN COUNCIL MEMBERS & ADMINISTRATION

Council Members are entitled to be fully informed in order to carry out their role as a decision maker and may seek specific information on various issues before Council.

Council Members can not undertake administrative tasks, as set out in clause 19 and 20 of the Nominated Members Code and Model Code Regulations.

19. PROHIBITION AGAINST INVOLVEMENT IN ADMINISTRATION

- 1. A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- 2. Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. RELATIONSHIP WITH LOCAL GOVERNMENT EMPLOYEES

- 1. In this clause — local government employee means a person —
 - a) employed by a local government under section 5.36(1) of the Act; or
 - b) engaged by a local government under a contract for services.
- 2. A council member or candidate must not —
 - a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - c) act in an abusive or threatening manner towards a local government employee.
- 3. Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- 4. If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - a) make a statement that a local government employee is incompetent or dishonest; or
 - b) use an offensive or objectionable expression when referring to a local government employee.
- 5. Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

The procedure for Council Members requests for information from Administration is addressed in the City's Policy 4.2.05 Council Member Requests – Contact with City Employees.

2.10 ROLE AND RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER

In accordance with section 5.41, the functions of the CEO are to:

- Advise the Council in relation to the functions of a local government under the LGA and other written laws.
- Ensure that advice and information is available to the Council so that informed decisions can be made.
- Cause Council decisions to be implemented;
- Manage day to day operations of the local government.
- Liaise with the Mayor or president on the local government's affairs and the performance of the local government's functions.
- Speak on behalf of the local government if the Mayor or President agrees.
- Be responsible for the employment, management supervision, direction and dismissal of other senior employees (subject to section 5.37(2)).
- Ensure that records and documents of the local government are properly kept for the purposes of the LGA Act and any other written law.
- Perform any other function specified or delegated by the local government or imposed under the LGA Act or any other written law as a function to be performed by the CEO.

Image to be added

PRINCIPLE 3 – DECISION-MAKING & MANAGEMENT

Effective decision-making and related management processes that reflect transparency and accountability.

3.1 DECISION MAKING FORUMS & PROCESSES

Decision-making is the most important activity undertaken by the City, both by Council Members and Administration. Effective decision-making processes increase the likelihood that the decisions themselves will be in the best interest of the entire community. Good processes will ensure confidence in decision making by all Council Members as well as the public.

Part 5 of the LGA sets out the framework whereby Council Members meet as the governing body (Council) for the purpose of decision-making on behalf of the local government.

It is an intention of the Act that Council conducts business and makes decisions:

- openly and transparently
- with a high level of accountability to their community
- efficiently and effectively
- with due probity and integrity
- acknowledging relevant community input
- with all available information and professional advice
- with the fullest possible participation of Council Members

Decisions made at meetings are recorded in the form of resolutions, which are binding on the Council until they are formally amended or repealed. Resolutions, once recorded, take effect immediately.

To facilitate transparent and accountable decision-making Council Members and Administration are encouraged to operate in the following manner:

- Administration will endeavour to respond to any queries or requests for information from Council Members as a priority so that Council Members have the required information to fulfil their role and make decisions.
- Council Members will endeavour to provide complex questions or large requests for information to Administration in advance of a Committee or Council Meeting, particularly if a detailed response is required or if it relates to a possible amendment or alternative recommendation, so that Administration has sufficient time to provide a sufficiently detailed response.

This reciprocal arrangement assists Council in fulfilling its roles and responsibilities on behalf of the community.

3.1.1 COUNCIL MEETING SCHEDULE

The City has adopted a monthly meeting cycle which consists of a Council Briefing, which is an opportunity for questions to be asked by Council Members, followed by a Council Meeting.

- The cycle is as follows:
- second Tuesday of the month: Council Briefing
 - third Tuesday of the month: Ordinary Council Meeting

The February Briefing and Meeting have been brought forward one week to reduce the extent of the December/January recess period. The April and July Briefings and Meetings have also been adjusted to avoid Briefings and Meetings being held during school holidays.

Council adopts the meeting schedule for the following year annually and provides Public Notice in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 with the full schedule is available on the City's website.

Special Meetings can be called by the Mayor, three members of Council or the Council as a whole, as set out in section 5.3 of the LGA Act. Special Meetings of Council can be convened if an urgent matter arises which requires decision prior to the next scheduled meeting.

Council may delegate additional powers to the CEO over the Council recess period (between the December and February meetings), subject to section 5.43 of the LGA (which sets out restrictions on powers and duties that can be delegated) in order to ensure the essential operations of the City can continue.



3.1.2 COUNCIL WORKSHOPS

Council Workshops provide an opportunity for informal discussion between Council Members and Administration. The purpose of Council Workshops is to engage and update Council Members on:

- Corporate Business Plan and CEO KPI Items
- emerging issues
- Council strategy and policy development
- major community engagement activities

Council Workshops are not decision-making forums and are not governed by the LGA or the Meeting Procedures Local Law 2008.

Council Workshops will generally involve projects or matters that are in the early planning stages and not yet ready to be presented to Council for decision.

During Council Workshops:

- The Chief Executive Officer seeks input from Council Members that are in the research and concept stage, to allow the drafting and formalisation of the concepts to progress.
- Council Members are fully informed on matters to enable decisions to be made in the best interests of the community.
- Council Members represent the views of the community in matters.

The input of Council Members through open and free-flowing exchange of ideas provides invaluable direction to the Chief Executive Officer for the research, planning and development of matters.

Council Members must not indicate their voting intention at Council Workshops.

Council Workshops are not open to the public but where relevant and in consultation with Council Members, external consultants, representatives of community organisations and community members may be invited to attend.

3.1.3 COUNCIL BRIEFINGS

Council Briefings are held at 6pm in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting. Council Briefings provide the opportunity for Council Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented and discussed at the forthcoming Council Meeting.

No decisions are made at Council Briefings. Council Members may request additional information or may request alternative wording for motions to be prepared for possible consideration at the forthcoming Council Meeting.

Council Briefing Agendas are published on the City's website on or before the Wednesday of the week before the Council Briefing.

Council Briefings are open to the members of the public and also live streamed, with the recording available on the City's website.



3.1.4 COUNCIL MEETINGS

The Council Meeting is Council's only debating and decision-making forum. Council Meetings are conducted in strict compliance with the requirements of the LGA, its regulations and the City's Meeting Procedures Local Law.

Good decision-making at a Council Meeting is achieved by:

- a clear and informative agenda
- good chairing and facilitation by the Presiding Member
- adherence to the meeting procedures
- adherence to statutory requirements

Council Meeting Agendas are published on the City's website on or before the Friday of the week before the Council Meeting.

The Council Meetings are open to the public, which ensures that the community is fully informed and, where appropriate, involved in the decisions and affairs of Council. Council Members, the CEO and relevant staff attend all Council Meetings. Council Meetings are live-streamed, with the recording available on the City's website.

3.1.5 COMMUNITY PARTICIPATION IN THE DECISION-MAKING PROCESS

The Community and Stakeholder Engagement Policy currently prescribes the community consultation process that is undertaken to engage the community in the City's decision-making process. The policy guides how the City speaks with and listens to the community.

Community and expert advice is also sought in the following ways:

- Community members (panel) – comprises of a cross section of the City's community, their feedback was used to inform the City's SCP adopted in 2018 (Imagine Vincent campaign).
- Design Review Panel – comprises of paid independent experts who provide technical advice to Administration on development design, including the amenity, architecture, landscaping and sustainability. Administration can refer developments to the panel for comment, and the recommendations of the panel are considered by Administration or Council when making a determination on the development approval.
- Advisory Groups – since 1995, the City has had a number of groups comprising of community members and Council Members. The groups operate in accordance with the City's Policy – Advisory Groups Policy No. 4.2.12.

3.2 AGENDA AND MINUTES

3.2.1 AGENDA

It is a requirement of the LGA that the CEO provides 72 hours’ notice of the date, time and place of an Ordinary Meeting of Council, and provides an agenda for the meeting. The City circulates the agenda for the Council Briefing on the Wednesday prior to the Briefing, and on the Friday prior to the Meeting.

Well-structured agendas lead to efficient and effective Council Briefings and Meetings, and in turn result in good decision-making.

The City’s agendas comprise of reports prepared by Administration, which aim to provide the Council with sufficient and relevant information to make a decision, including the SCP alignment and budget implications.

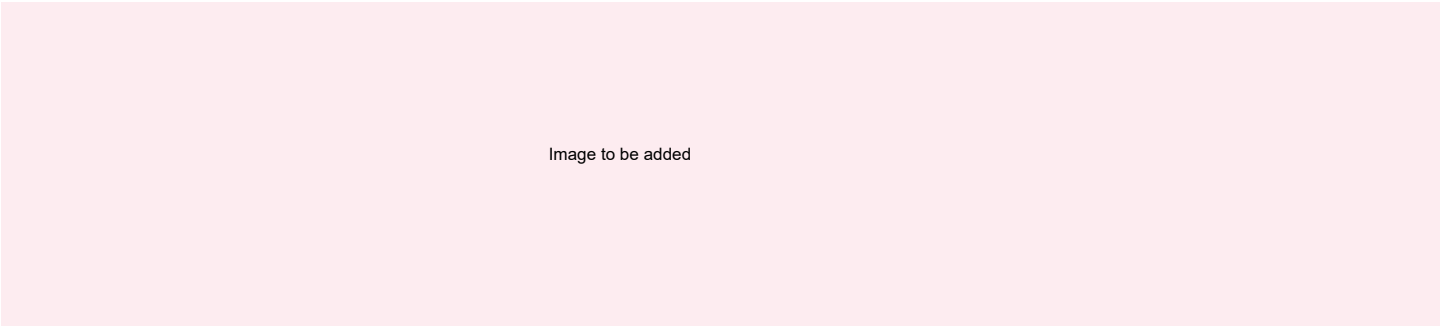
Reports include the following information:

- **Recommendation** – Clearly states the action that Administration is proposing.
- **Purpose of report** – Explains why the report is being prepared and what is requested from Council.
- **Background** – Provides the necessary background information for Council to understand the context / reason for the report.
- **Details** – Provides sufficient context and detail to enable a full understanding of the issue and why the recommendation is being proposed.
- **Consultation/advertising** – Specifically identifies future consultation, engagement or advertising requirements. If consultation has occurred previously this should be included in the Details section and should identify who has been consulted including dates, methods, and number of responses.
- **Legal/policy** – Specifies any Acts, Regulations, Local Laws and Policies that are relevant to the decision.
- **Risk management implications** – A low, medium or high-risk rating is assigned to the proposed recommendation. The risk of not making the recommended decision can also be included.
- **Strategic implications** – Shows that the proposed decision is aligned with one or more priorities in the SCP.
- **Sustainability Implications** – Shows that the proposed decision is aligned with objectives in the Sustainable Environment Strategy.
- **Public Health Plan implications** – Identify whether the proposed decision is aligned with one of the priority health outcomes in the Public Health Plan.
- **Financial/budget implications** – identifies the financial impacts of the proposed decision and alignment with or impact on the LTFFP.
- **Comments** – Allows any further comments to be included, as required to provide Council with all the information necessary to make a decision.

3.2.2 LATE REPORTS

Late reports are strongly discouraged however there may be occasions when additional items are required to be presented to Council following the publishing of the Briefing or Meeting agenda. In these instances, Administration will endeavour to publish these reports as soon as possible following the publishing of the agenda, to enable sufficient time for Council Members and the community to consider the item.

The Meeting Procedures Policy prescribes the circumstances that may permit the publication of a late report and includes a requirement for justification and consideration of the impact that late publication may have on community engagement.



3.2.3 MINUTES

Regulation 13 of the Local Government (Administration) Regulations 1996 prescribes that unconfirmed minutes of each Council meeting are to be available to the public within 10 business days after the meeting.

The minutes of a Council Meeting comprise of all items considered at the meeting and include details of members present, all motions, their movers, the outcome of motions, details of each decision, summary of public questions, disclosures of interest and all attached documents except ones closed to members of the public. In the interests of accountability and transparency, the City circulates the minutes on the Friday following the Meeting. If for any reason the Minutes are not available for circulation by the Friday, an explanation is provided on the website.

The minutes are confirmed at the first Council Meeting immediately thereafter.

3.3 MEETING PROCEDURES

Council have adopted a Meeting Procedures Local Law that sets out the conduct, process and protocols of Council meetings and Briefings. The Meeting Procedures Local Law is required to be reviewed every eight years.

Council have also adopted a Meeting Procedures Policy which provides high level clarification on the conduct of Council Meetings and Briefings, where not addressed in the Meeting Procedures Local Law. The policy is supported by the Council Proceedings Guidelines which are publicly available and linked within the policy.

3.4 DECISIONS ON LAND USE PLANNING & DEVELOPMENT

Development and land use proposals on properties may be required to be assessed and approved via a development application pursuant to the Local Planning Scheme No. 2. Depending on the type and scale of the development, the determination of the development application will be made by Council, Administration, the State Development Assessment Unit (SDAU) or the Metropolitan Inner-North Joint Development Assessment Panel (JDAP).



3.5 CONFLICT OF INTEREST

Council Members, CEOs and employees must make decisions in the best interests of their community. To do this, they must consider each issue on its merits.

A conflict of interest occurs when a person’s position within the City of Vincent, or their financial or other personal interests, affect, have the potential to affect, or could have the appearance of affecting, their judgement, objectivity or independence.

Decision-making could be influenced, or perceived to be influenced, in a number of ways, including through financial relationships, personal relationships and the receipt of gifts. Conflicts of interests may arise from a number of sources, including friends, relatives, close associates, financial investments, business interests or dealings or past employment.

The LGA and related party declaration requirements of the Australian Accounting Standard set out requirements for Council Members, CEOs and local government employees to disclose interests to ensure transparency and accountability in decision-making.

Council Members, the CEO and employees must declare any actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties in accordance with the requirements outlined below.

3.6 DISCLOSURE OF INTERESTS AFFECTING IMPARTIALITY

An impartiality interest does not apply to an interest referred to in section 5.60 of the LGA – i.e. it does not include financial or proximity interests.

3.6.1 COUNCIL MEMBERS

In accordance with clause 22 of the Nominated Members Code, a Council Member who has an impartiality interest in any matter to be discussed at a council or committee meeting attended by the Council Member must disclose the nature of the interest:

- a) in a written notice given to the CEO before the meeting; or
- b) at the meeting immediately before the matter is discussed.

3.6.2 EMPLOYEES & CONTRACTORS

In accordance with the Employee Code of Conduct and the Administration Regulations, employees who have an impartiality interest in a matter must disclose that interest:

- 1. where they are attending the council or committee meeting at which the matter is being discussed; or
- 2. if they have given, or will give, advice in respect to the matter at a council or committee meeting not attended by the employee.

In the first instance, the interest must be disclosed in writing to the CEO before the meeting or at the meeting immediately before the matter is discussed. In the second instance, the interest must be disclosed in writing to the CEO before the meeting or at the time the advice is given by the employee.

The City maintains a register of staff conflicts of interest, and any staff disclosing a conflict of interest that cannot be appropriately managed will be removed from the decision-making process.

3.7 FINANCIAL & PROXIMITY INTERESTS

Council Members and employees must comply with the laws governing financial interests, including the disclosure of financial interests, set out in the LGA. Sections 5.59-5.90 of the LGA establish the requirements for disclosure by Council Members and employees and contractors of financial interests (including proximity interests).

The onus is on Council Members, employees and contractors to identify possible financial interests (including proximity interests and non-financial interests), to determine whether an interest exists and whether any statutory exemption applies.

**The statutory definition of a financial interest is set out in section 5.60A of the Local Government Act 1995 as follows:*

5.60A. Financial interest

*For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.**

The LGA requires you to disclose a proximity interest that you, or a person with whom you are closely associated, has in a matter before Council or a Committee.

A proximity interest arises if:

- a proposed change to a planning scheme affects land that adjoins your land;
- a proposed change to the zoning or use of land that adjoins your land; or
- a proposed development of land that adjoins your land (development refers to the development, maintenance or management of the land or of services or facilities on the land).

The existence of a proximity interest is established purely by the location of land. A financial effect on the valuation of your land or on the profitability of your business does not have to be established. It is therefore important that you fully understand when a proximity interest exists.

The person's land referred to is both land in which you, or a person with whom you are closely associated, has any estate or interest.

Land that adjoins a person's land is defined by the LGA as land that:

- not being a thoroughfare, has a common boundary with the person's land
- is directly across a thoroughfare from the person's land or
- is that part of a thoroughfare that has a common boundary with the person's land

The statutory definition of a proximity interest is set out in section 5.60B of the Local Government Act 1995 as follows:

**5.60B. Proximity interest*

1. For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —
a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
b) a proposed change to the zoning or use of land that adjoins the person's land; or
c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
2. In this section, land (the proposal land) adjoins a person's land if —
a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.*

3.8 RELATED PARTY DISCLOSURES

In July 2016, the scope of the Australian Accounting standard (AASB) 124 Related Party Disclosures was extended to local governments. The standard requires key management personnel (Council Members, CEO and Directors) to disclose information about transactions that have occurred between the local government and its key management personnel or their related parties.

At the end of each respective financial year, key management personnel must disclose information about transactions that have occurred between themselves, or their related parties, and the City. Examples of 'related parties' include close family members (typically spouse and any dependents), companies and trusts under their control.

The City is committed to complying with the disclosure requirements for related party transactions under the standards. Disclosure of relevant related party information provides greater transparency and identifies potential conflicts of interest.

3.9 PRIMARY & ANNUAL RETURNS

Council Members and 'designated employees' are required to complete primary and annual returns in accordance with the requirements of Division 6 of Part 5 of the LGA. Primary and annual outline financial interests, including property ownership. These interests could give rise to a conflict of interest.

Section 5.75 of the LGA requires Council Members and 'designated employees' to complete a Primary Return within three months of commencing in their role.

A primary return is a snapshot of personal financial information as it exists at the time of commencement.

At the end of each respective financial year, Council Members and 'designated employees' must complete an Annual Return, which discloses any changes to the information previously disclosed in their Primary Return or new interests that have accumulated since completing their Primary Return or last Annual Return.

Primary Returns and Annual Returns assist with the decision-making process as they highlight an individual's interests at a particular point in time, thereby clarifying whether a conflict of interest may arise.

A relevant person is defined under section 5.74 of the Local Government Act 1995 as a person who is a:

- Mayor or president
- Council Member
- designated employee

Designated employees include:

- CEO
- employees with delegated powers and duties under Part 5, Division 4 of the Act
- employees who are members of committees comprising elected members and employees
- other employees nominated by the local government

3.10 GIFTS

It is the City's position that Council Members, the CEO and employees should not seek or accept (either directly or indirectly) any immediate or future gift (including any financial benefit, reward, donation or hospitality) for themselves, or for any other person or body, as a result of their role with the City.

However, it is acknowledged that there may be instances when receiving a gift is unavoidable or when refusal of a gift may be impossible or impractical. These circumstances will depend on the cultural context of the giving of a gift, the nature of the gift (perishable food or beverages or of no monetary value) and the relationship with the person giving the gift. In such a circumstance, the gift may be accepted on behalf of the City but should be disclosed in accordance with the requirements outlined below.



3.10.1 COUNCIL MEMBERS

It is the City's position that any gift received (and not able to be returned) by a Council Members and valued above \$50 is to be disclosed and included in the City's Register of Gifts. This requirement goes beyond the legislative requirement, which requires disclosure of gifts above \$300 only.

The Department of Local Government, Sport and Cultural Industries has prepared the frameworks shown at attachments A, B, and C to assist Council Members and CEO's in disclosing gifts.

In accordance with the LGA, Council Members (section 5.87A) and CEOs (section 5.87B) are required to disclose gifts that are received in their capacity as an Council Members or CEO and:

- are valued over \$300 or
- are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period

Additionally, a gift given by two or more related bodies corporate (as defined by section 50 of the Corporations Act 2001 (Cth)) is considered to have been given by a single corporation.

The current and previous register of gifts are publicly available on the City's website.

These provisions recognise that a relationship is created between the donor and a recipient of a gift that could be perceived to affect decision-making. The reason for the receipt of the gift is irrelevant. This means that if the gift is received in a Council Member or CEO's personal capacity it still needs to be disclosed in accordance with the LGA requirements (there are a number of exemptions, which relate to gifts from family members).

The primary consideration is whether there is a matter before Council that the donor could benefit or suffer detriment as a result of.

Council Members should not participate in any part of the Meeting that involves the donor (section 5.67). Council Members must disclose the interest, in accordance with section 5.65, in writing to the CEO before the Meeting or immediately before the matter is discussed.

The CEO is also bound by these requirements and must not be involved in the preparation of the report to Council, either directly or indirectly (section 5.71A).

**The statutory definition of a gift is set out in section 5.57 of the Local Government Act 1995 as follows:*

5.57. Terms used

In this Division, unless the contrary intention appears — gift means —
a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
b) a travel contribution; travel includes accommodation incidental to a journey; travel contribution means a financial or other contribution made by 1 person to travel undertaken by another person.*

Image to be added

3.10.2 EMPLOYEE GIFTS

Employees are prohibited from accepting certain gifts as follows:

- a gift from a contractor, supplier, developer or applicant
- a gift with a value of \$300 or more
- a number of gifts from the same person/ company equating to a value of \$300 or more over a six-month period

It is the City's position that any gift received (that is not a prohibited gift as outlined above and is not able to be returned) must be disclosed using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the form.

Gifts accepted will be recorded on the City's internal gift register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

3.10.3 CEO GIFTS

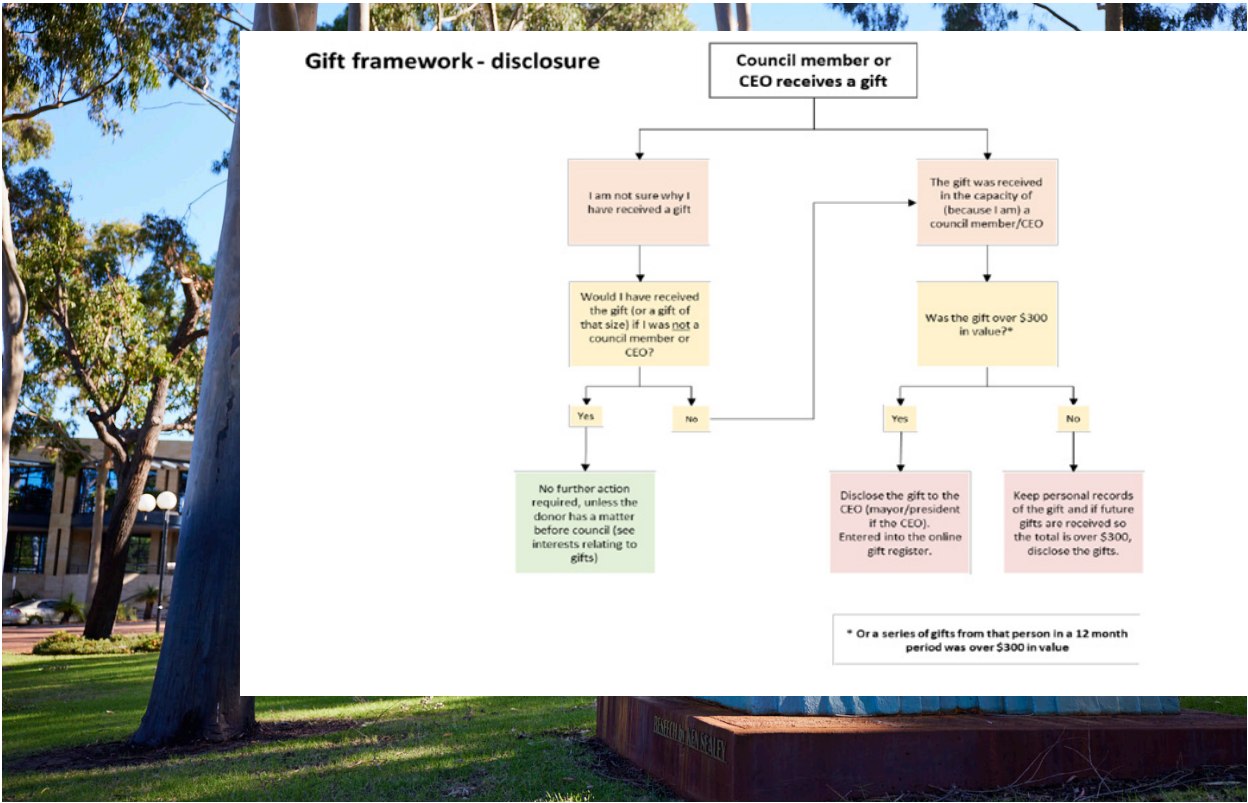
It is the City's position that any gift received (and not able to be returned) by the CEO is to be disclosed and using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the gift disclosure form.

Gifts accepted will be recorded on the internal gift register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

The CEO must not be involved in the preparation of a report to Council, either directly or indirectly, if in receipt of a gift in relation to that advice or report (s 5.71A of the LGA):

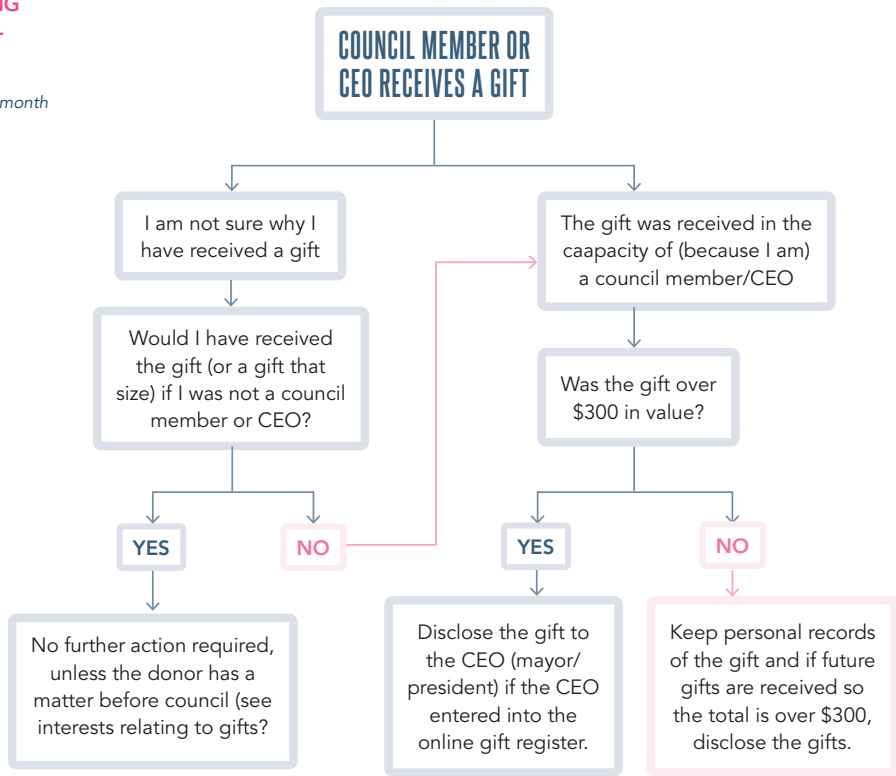
**5.71 CEOs to disclose interests relating to gifts in connection with advice or reports*

1. A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
2. A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
3. A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.*



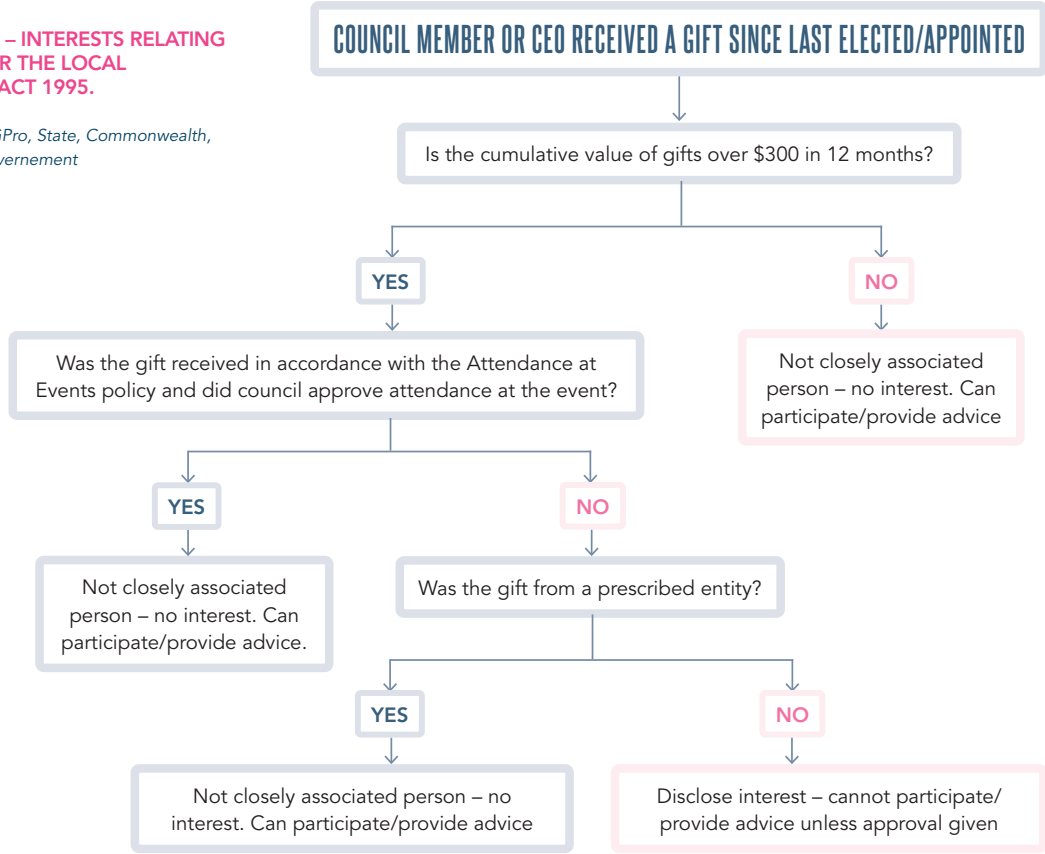
ATTACHMENT A – GIFT REPORTING
FRAMEWORK UNDER THE LOCAL
GOVERNMENT ACT 1995.

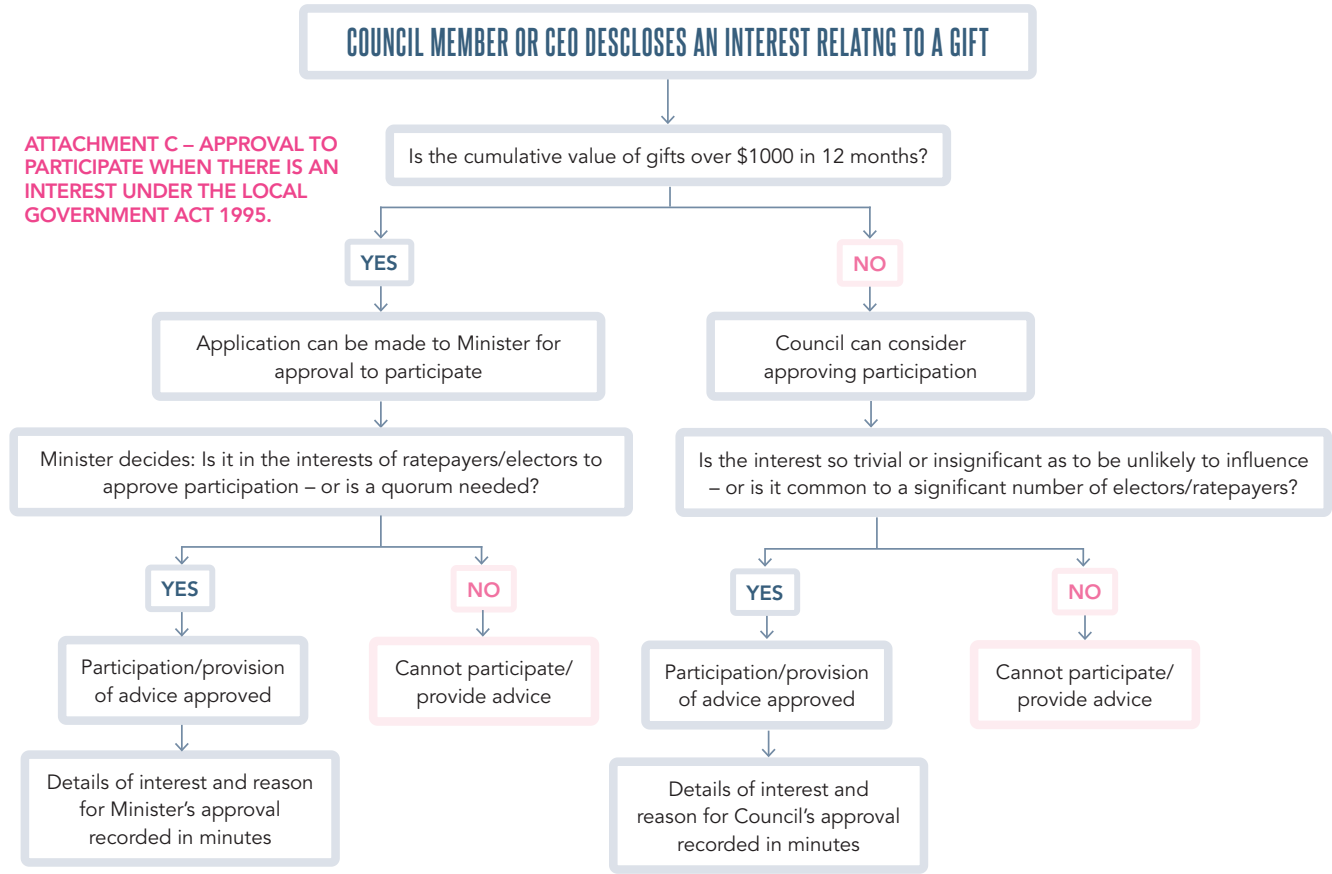
**Or a series of gifts from a person in a 12-month
period was over \$300 in value*



ATTACHMENT B – INTERESTS RELATING
TO GIFTS UNDER THE LOCAL
GOVERNMENT ACT 1995.

**WALGA, ALGA, LGPro, State, Commonwealth,
Territory or local government*





3.11 CONTACT WITH DEVELOPERS

Contact with developers is a normal and necessary function of the role of a Council Member.

However, the nature and frequency of that contact can sometimes lead to allegations or perceptions of bias, influence or even corruption being made towards Council Members. Ensuring that decision-making processes are open and transparent reduces the opportunities for such allegations or perceptions to be raised.

Council Members are to record any prescribed contact they have with developers on the Contact with Developers Register in accordance with the Council Member Contact with Developers Policy.

The Council Member Contact with Developers Register is maintained by the CEO and published on the City's website.

Image to be added

3.12 DELEGATIONS

Some legislation confers powers on local governments to allow Council to delegate power to a committee of the local government, the local governments CEO or in limited circumstances other persons or employees.

The purpose of delegating a power is to allow matters that are routine, may have a time constraint or can change rapidly to be dealt with efficiently.

The extent of delegation, conditions that may be applied, records that must be kept and the review and amendment processes depend on the various heads of power in the Acts’ themselves.

Delegates exercise the delegated decision-making function in their own right, in other words they have discretionary decision-making powers. The use of delegated authority means that a large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In situations where an employee has been delegated a power or duty by the CEO, and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and must either disclose the nature of the interest to the CEO (or should the employee be the CEO, disclose the nature of the interest to the Mayor).

The City’s Register of Delegation, Authorisations and Appointments is reviewed by Council on an annual basis and is available on the City’s website.

- This register includes:
- delegations from Council to the CEO
 - sub delegations from CEO to other employees
 - appointments of authorised persons
 - appointments of other employees

**The provisions of the LGA which provide for delegations by a local government or its CEO are as follows:*

- *Section 5.16(1), states: ‘Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than this power of delegation.’*
- *Section 5.42(1), states: ‘A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.’*
- *Section 5.44(1), states: ‘A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under this Act other than this power of delegation.’*
- *The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term ‘council’ is used then it is the council itself which must carry out that function. If the term ‘local government’ is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using ‘acting through’ where it may be a better way of carrying out the power or duty.**

3.12.1 CONCEPT OF ACTING THROUGH
Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically, a function may be undertaken through the “acting through” concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power.

The key difference between a delegation and acting through is that a delegate exercises a decision-making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to “act through” another employee.

3.12.2 AUTHORISED PERSONS
Authorised persons are given powers to do certain things under an Act, regulation or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

The CEO has been delegated the authority to appoint authorised persons for the purpose of fulfilling prescribed functions within the LGA and its subsidiary legislation, including LGA Regulations, the Local Government (Miscellaneous Provisions) Act 1960 and Local Laws made under the LGA.

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or regulation, or the certificate of authorisation.

3.13 EXECUTIVE FUNCTIONS
The executive functions of the City are to administer its local laws and to provide services and facilities deemed necessary for the good governance of the community.

Services and facilities are managed to ensure that they integrate and not duplicate with any services provided by the State, Commonwealth or any public body.

- *3.18. Performing executive functions*
- 1. A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.*
 - 2. In performing its executive functions, a local government may provide services and facilities. A local government can, therefore, administer local laws and provide services and facilities in order to provide for ‘the good government of the district’.*
 - 3. A local government must satisfy itself that the services and facilities it provides:*
 - a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body*
 - b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private*
 - c) are managed efficiently and effectively.**

3.14 POLICIES

Section 2.7(2)(b) of the LGA states that the Council is to “determine the local government’s policies”.

Policies guide decision making by Council and Administration. Policy provisions are at the discretion of the Council provided they are in accordance with relevant legislation and align with the SCP.

Council is responsible for making, amending and revoking policies as required to ensure policies remain relevant and reflect community views and current practices.

In addition, policies may also be prepared under statutory instruments (e.g., local planning policies prepared under the City’s Local Planning Scheme No. 2 (LPS2)). In such cases, the legal effect of the policy will be documented in the relevant statutory instrument.

At its 15 December 2020 meeting, Council approved the Policy and Development Review Policy.

The policy identifies the legislative hierarchy of governing documents and proposes to align all documented City positions (strategies, policies and action plans) to the priorities of the SCP.

Alignment to the priorities of the SCP will assist Council, Administration and the community in clearly identifying the delivery and implementation of the community’s long-term vision.

To support implementation of this policy, Administration has developed a Policy Document Register and Review Plan which identifies the systematic review of all policy documents and a monthly publication program to facilitate early consultation of objective and agenda setting with Council Members. Administration is required to review this annually and present an update to Council.



3.15 LOCAL LAWS

The Council is responsible for adopting a set of local laws under section 3.5 of the LGA.

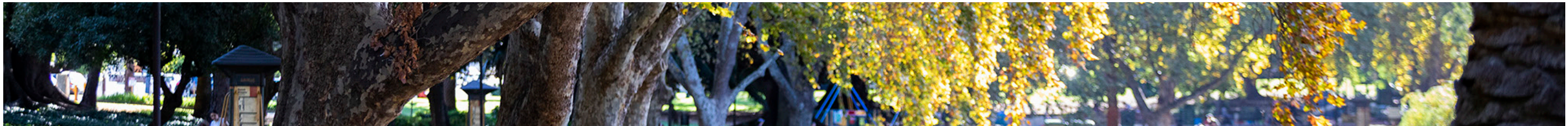
Council, when making local laws, must be aware of their legislative effect and the process as outlined in the LGA.

The Local Laws reflect community standards and provide for the good governance of the City.

The process for adopting local laws provides the community with a six-week advertising period to allow for the opportunity to comment on proposed local laws. The local law is then presented once more to Council and any public submissions are considered. Upon final adoption the local laws are gazetted and considered by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

The City is required to review all its local laws every eight years from the date they came into operation or from the date, they were last reviewed. This review process also allows for community consultation and feedback.

- The City has the following local laws:
- Animal Local Law 2022
 - Fencing Local Law 2008
 - Health Local Law 2004
 - Local Government Property Local Law 2021
 - Parking Local Law 2023
 - Meeting Procedures Local Law 2008
 - Trading in Public Places Local Law 2008



PRINCIPLE 5 – COMMITMENT TO SUSTAINABILITY

The City recognises the importance of not only addressing the current needs of the community, but also the needs of future generations. To do this, the City must operate in a manner, which considers the long-term environmental, financial and resource implications. 4.1 Environmental

4.1 ENVIRONMENTAL

The City’s commitment to environmental sustainability is reflected in its Sustainable Environment Strategy 2019 – 2024 (SES). The SES sets out achievable actions for the City to implement over the next five years, to:

- Ensure that the City acts in an environmentally sustainable manner in all of its operations.
- Encourages, empowers and supports the City’s community to live in an environmentally sustainable manner.

The SES includes a number of positive actions for delivering a sustainable natural and built environment for the community.

The SES sets out actions to be undertaken across five key opportunity areas plus the overarching area of net zero greenhouse gas emissions from City operations to be achieved by 2030:

- energy
- transport
- water
- urban greening and biodiversity
- waste

4.2 FINANCIAL MANAGEMENT

The CEO is accountable to Council for the financial performance of the City. The CEO must ensure that certain fundamentals are in place including, but not limited to:

- appropriate financial systems, plans, strategies and protocols
- adequate resources to support the City’s activities and financial monitoring and performance
- suitable internal review and audit mechanisms
- an organisational culture where responsibility and accountability are clearly delineated and understood
- adherence to and compliance with legislative provisions

4.2.1 ASSET MANAGEMENT

In accordance with section 5.56(1) of the LGA, local governments are required to plan for the future, which includes the management of assets. The asset management plan and strategy will inform the annual budget and LTFP.

**The Department of Local Government, Sport and Cultural Industries (DLGSCI) guidelines state that:*

*“Asset management is critical to meeting local government strategic goals within an Integrated Planning and Reporting approach. Asset Management Policies, Asset Management Strategies and Asset Management Plans (AMP) are informed by, and in turn inform, the community aspirations and service requirements in the Strategic Community Plan.**

The Asset Management and Sustainability Strategy 2020 – 2030 (AMSS) Implementation Plan provides detailed and technical guidance around the planning, management and provision of the City’s assets and was endorsed by Council in November 2021.

The purpose of the City of Vincent Asset Management and Sustainability Strategy (AMSS) is to provide a strategic framework that guides the:

- planning, management and provision of assets
- renewal and investment in assets
- utilisation and rationalisation of assets
- best use of resources for the benefit of current and future generations

The AMSS has four key objectives to meet the City’s asset sustainability goals:

1. having enough funds to keep our assets up to date
2. keeping our historic assets safe for use
3. future planning for sustainable assets
4. making sure our assets meet current and emerging community needs

The AMSS is intended to guide the management of the City’s asset portfolio over the next 10 years with regular review of progress of the Implementation Plan.





PRINCIPLE 4 – ACCOUNTABILITY

The need for local governments to account for their activities and have systems in place, which support and reinforce this accountability.

Excellence in governance is based on the premise that those who are involved in governance, both Council Members and Administration are held to account for what they do.

Accountability means holding Council Members, the CEO and employees of a local government responsible for its performance. The public trust placed in the public sector and in its Council Members to act in the public interest can be justified in the manner in which their duties have been performed.

5.1 COMPLIANCE AUDIT
Section 7.13(1)(i) of the LGA requires local governments to undertake an audit of compliance “in the prescribed manner and in a form approved by the Minister”. In accordance with section 7.13(1)(i), the Department of Local Government, Sport and Cultural Industries (Department) requires that all local governments complete a CAR by 31 March of the following year.

In accordance with Regulation 14(3a) of the Local Government (Audit) Regulations 1996, the Audit Committee is to review the CAR prior to the CAR being presented to Council for approval.

5.2 AUDIT COMMITTEE
The Audit Committee is responsible for the reviewing and making recommendations to Council regarding financial management, risk management, internal controls, legislative compliance, internal and external audit planning and reporting.

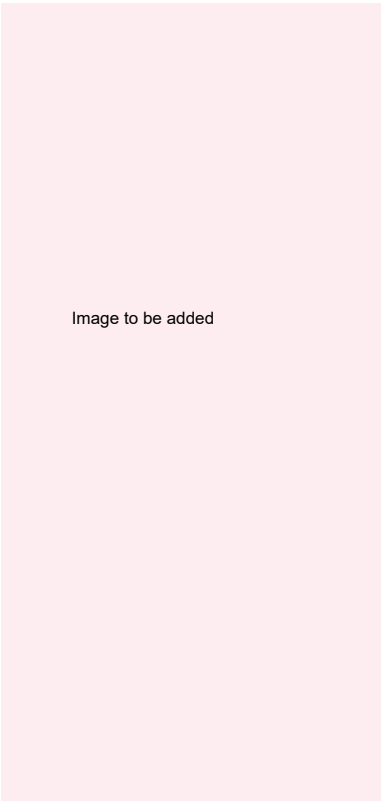
The primary objectives of the Audit Committee are to:

- Accept responsibility for the annual external audit.
- Liaise with the local government's internal and external auditors so that Council can be satisfied with the performance of the local government in managing its affairs.

Reports from the Committee assist Council in discharging its legislative responsibility of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee ensures openness in the local government's financial reporting and liaises with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

The Committee facilitates:

- The enhancement of the credibility and objectivity of internal and external financial reporting.
- Effective management of financial and other risks and the protection of Council assets.
- Compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance.
- The coordination of the internal audit function with the external audit.
- The provision of an effective means of communication between the external auditor, internal auditor, the CEO and the Council.

	<p>5.3 CUSTOMER SERVICE & COMPLAINTS MANAGEMENT</p> <p>The City has adopted a Customer Service Charter, which reflects the City's commitment to providing quality service and outlines what the community can expect from the City.</p> <p>Customer service requests or complaints are processed in accordance with the Complaint Management Policy.</p> <p>The City strives to provide a friendly, professional and efficient service which meets the needs of the community.</p>	<p>5.4 ACCESS TO INFORMATION</p> <p>Section 5.94 of the LGA sets out certain Local Government information that members of the public can inspect with limits on those rights detailed in Section 5.95.</p> <p>The Western Australian Freedom of Information Act 1992 gives people a right to access documents of an agency, subject to the sensitivity of the document and the exemptions applied pursuant to the Act. The Act is designed to make State and local governments more open and accountable to the public by creating a general right of access. The City is committed to transparency and accountability and seeks to provide members of the public with access to information in the most time efficient and low-cost methods, while ensuring the privacy of staff and the public is protected.</p> <p>This position has been formalised in the following documents:</p> <ul style="list-style-type: none">• Freedom of Information Statement 2021• Freedom of Information Access Arrangements• Freedom of Information Policy 4.1.4	<p>5.5 PRIVACY OF INFORMATION</p> <p>The City of Vincent views privacy compliance as an integral part of its commitment to accountability and integrity in all its activities and programmes. The City is committed to compliance with the laws that deal with personal and health information about individuals that is stored or received by it.</p> <p>Consequently, we will:</p> <ul style="list-style-type: none">• Only use personal information provided by an individual for the purposes for which it was collected and for any other authorised use.• Only disclose personal information to any third party (including other authorities) where authorised.• Take all necessary measures to prevent unauthorised access or disclosure. <p>5.6 PERFORMANCE MANAGEMENT & REPORTING</p> <p>The Council is accountable for monitoring performance in the achievement of the City's strategic direction, goals and financial outcomes.</p> <p>The management of the City's performance and the reporting of that performance to the community is achieved in several ways.</p>	<p>5.6.1 ANNUAL FINANCIAL REPORT</p> <p>Section 5.53 of the LGA requires local governments to prepare an annual report that contains a financial report for the proceeding financial year. The report provides information about the City's financial activities, income and expenditure.</p> <p>The City's Annual Financial Report is to be audited by an external auditor and is to be considered by the Audit Committee before being submitted to Council for adoption.</p> <p>5.6.2 ANNUAL REPORT</p> <p>In accordance with section 5.53 of the LGA the City prepares an Annual Report each financial year.</p> <p>The Annual Report is the City's key reporting document that details a summary of the activities throughout each year, and outlines progress made towards strategic objectives set out in guiding strategic documents.</p>	<p>5.6.3 CEO PERFORMANCE REVIEW</p> <p>Section 5.38 of the LGA requires Council to review the performance of the CEO at least once each year. Conducting this review is an important function of Council because the CEO is Council's only employee and it is through this review process that Council can also review the performance of the organisation.</p> <p>The CEO Annual Performance Review Policy sets out the manner in which this annual review is to be conducted.</p> <p>5.6.4 EMPLOYEE PERFORMANCE REVIEW</p> <p>In accordance with the Act, the performance of all employees is to be reviewed at least once in relation to every year of their employment.</p> <p>The City's performance and development procedure ensures the consistent review of employee performance and development and encourages open and honest communication between employees and leaders.</p>



REVISIONS

OFFICE USE ONLY			
REVIEW	COUNCIL ITEM	CM REF	DETAILS
18/08/2020	OMC – 12.5 Minutes	D20/148041	Adoption
20/10/2020	OMC – 9.4 Minutes	D20/195873	Updated to include priority health outcome consideration from the Public Health Plan 2020 – 2025 in Council reports.
22/06/2021	OMC – 12.4 Minutes	D21/106344	Updated to reflect the division of the codes of conduct, procedural requirement for dealing with complaints about alleged breaches of the behaviour and updated gift and conflict of interest provisions in line with the new regulations.
16/11/2021	OMC – 9.7 Minutes	D21/206878	Reviewed after local government election in consultation with Council Members. Updates detailed in report 9.7.
18/10/2022	OMC – 12.2 Minutes	D22/185226	A minor amendment to the Contact with Developers section to reflect amendments to the Council Member Contact with Developers Policy. The policy was updated to require Council Members to record every instance of contact with a developer, including where contact occurs prior to the lodgement of a development application.



Administration and Civic Centre

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  @cityofvincent

VINCENT.WA.GOV.AU

12.2 INFORMATION BULLETIN

- Attachments:**
1. **Unconfirmed Minutes of the Catalina Regional Council Meeting held on 15 February 2024** [↓](#) 
 2. **Unconfirmed Minutes of the MIndarie Regional Council Meeting 28 March 2024** [↓](#) 
 3. **Statistics for Development Services Applications as at the end of March 2024** [↓](#) 
 4. **Register of Legal Action and Prosecutions Monthly - Confidential**
 5. **Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 19 April 2024** [↓](#) 
 6. **Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current** [↓](#) 
 7. **Register of Applications Referred to the Design Review Panel - Current** [↓](#) 
 8. **Register of Petitions - Progress Report - April 2024** [↓](#) 
 9. **Register of Notices of Motion - Progress Report - April 2024** [↓](#) 
 10. **Register of Reports to be Actioned - Progress Report - April 2024** [↓](#) 
 11. **Council Meeting Statistics - March 2024** [↓](#) 
 12. **Council Workshop Items since 5 March 2024** [↓](#) 
 13. **Council Briefing Notes - 12 March 2024** [↓](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated April 2024.



Ordinary Meeting of Council

Thursday 15 February 2024

MINUTES

City of Stirling
25 Cedric Street, Stirling WA, 6021

These Minutes were confirmed as a true and correct record of proceedings at a meeting held on 18 April 2024.

Signature:
Chair

Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

Minutes CRC Council Meeting – 15 February 2024

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Minutes CRC Council Meeting – 15 February 2024

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	Cr Michael Le Page
City of Joondalup	Cr John Chester Cr Lewis Hutton	Cr Phillip Vinciullo Cr Adrian Hill
City of Perth	Cr Brent Fleeton	Cr Viktor Ko
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr David Lagan Cr Karlo Perkovic	Cr Teresa Olow Cr Rob Paparde
Town of Victoria Park	Cr Claire Anderson	Cr Bronwyn Ife
City of Vincent	Cr Ashley Wallace	Cr Suzanne Worner
City of Wanneroo	Cr Helen Berry Cr Sonet Coetzee	Cr Phil Bedworth Cr Vinh Nguyen

Minutes CRC Council Meeting – 15 February 2024

PRESENT

Councillors	Cr Helen Berry Cr John Chester Cr Sonet Coetzee Cr Jane Cutler Cr Brent Fleeton Cr Tony Krsticevic (Chair) Cr Suzanne Migdale Cr Karlo Perkovic Cr Ashley Wallace
Alternate Members	Cr Phillip Vinciullo
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Advisor – City of Stirling)
Apologies Councillors	Cr Claire Anderson Cr Lewis Hutton Cr David Lagan
Leave of Absence	Nil
Consultants	Mr Drew Tomkins (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Mark Dickson (City of Wanneroo) Mr David MacLennan (City of Vincent) Mr Bill Parker (City of Wanneroo) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Gary Tuffin (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

Minutes CRC Council Meeting – 15 February 2024

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Claire Anderson
Cr Lewis Hutton (*Cr Phillip Vinciullo present as Alternate Member*)
Cr David Lagan

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Perkov.

That the Council CONFIRMS and the Chair signs the minutes from the Ordinary Meeting of Council held 7 December 2023 and the Special Meeting of Council held 20 December 2023 as true and accurate records of proceedings.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

8. BUSINESS ARISING FROM MINUTES

Nil.

9. ADMINISTRATION REPORTS AS PRESENTED

Minutes CRC Council Meeting – 15 February 2024

9.1 BUSINESS REPORT – AS AT 31 JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Business Report as at 31 January 2024.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.2 STATEMENT OF FINANCIAL ACTIVITY – DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 December 2023.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED - DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council:

1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for December 2023 - \$17,823,681.24

2. APPROVES the CRC Credit Card Statement for December 2023.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.4 SALES AND SETTLEMENT REPORT – PERIOD ENDING 31 OCTOBER 2023

Moved Cr Chester, Seconded Cr Fleeton.

That the Council RECEIVES the Sales and Settlement Report for the period ending 31 October 2023.

Minutes CRC Council Meeting – 15 February 2024

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.5 PROJECT FINANCIAL REPORT – OCTOBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (October 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.6 PROJECT FINANCIAL REPORT – NOVEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (November 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.7 PROJECT FINANCIAL REPORT – DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (December 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

Minutes CRC Council Meeting – 15 February 2024

9.8 STATEMENT OF FINANCIAL ACTIVITY FOR JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 January 2024.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.9 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for January 2024:**

January 2024 - \$1,467,271.83

- 2. APPROVES the Credit Card Statement for January 2024.**

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

10. COMMITTEE REPORTS**AUDIT AND RISK COMMITTEE (8 FEBRUARY 2024)****10.1 CRC FYE 2024 BUDGET REVIEW**

Moved Cr Migdale, Seconded Cr Cutler.

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2023 to 30 June 2024, as detailed in the Budget Analysis Worksheet attached.

The Motion was put and declared CARRIED (10/0) by ABSOLUTE MAJORITY.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

Minutes CRC Council Meeting – 15 February 2024

10.2 COMPLIANCE AUDIT RETURN 2023

Moved Cr Cutler, Seconded Cr Wallace.

That the Council recommends the Compliance Audit Return for the Catalina Regional Council for the year ended 31 December 2023 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the *Local Government Act* and Regulations.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

11. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

14. GENERAL BUSINESS

Nil

15. DECISION TO MOVE INTO CONFIDENTIAL SESSION

Moved Cr Migdale, Seconded Cr Cutler.

That:

1. **Item 15.1 – CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) - DEVELOPMENT UPDATE** be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(C) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - c) *A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c));*
and
 - e) *a matter if disclosed would reveal –*

Minutes CRC Council Meeting – 15 February 2024

-
- i. Information that has a commercial value to a person; or*
- ii. Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*
2. Item 15.2 – EXPRESSION OF INTEREST - DESIGN AND CONSTRUCTION OF THE CATALINA GREEN SUSTAINABILITY DEMONSTRATION HOME (EOI01/2024) be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- c) *A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
- e) *A matter that if disclosed, would reveal –*
- i. Information that has a commercial value to a person; or*
- ii. Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

At 6:12pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 15.1.

15.1 CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) - DEVELOPMENT UPDATE

Moved Cr Chester, Seconded Cr Wallace.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (8/2).

For: Councillors Chester, Coetzee, Cutler, Fleeton, Krsticevic, Perkov, Vinciullo and Wallace.

Against: Councillors Berry and Migdale.

Minutes CRC Council Meeting – 15 February 2024

15.2 EXPRESSION OF INTEREST - DESIGN AND CONSTRUCTION OF THE CATALINA GREEN SUSTAINABILITY DEMONSTRATION HOME (EOI01/2024)

Moved Cr Chester, Seconded Cr Fleeton.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (8/2).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Vinciullo and Wallace.

Against: Councillors Migdale and Perkov.

Moved Cr Cutler, Seconded Cr Fleeton.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

At 6:42pm the meeting was reopened to the public.

16. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:43pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

28 MARCH 2024
CITY OF WANNEROO

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



Town of
Cambridge



City of
Joondalup



City of Perth



City of Stirling
City's Choice



TOWN OF
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

15 March 2024

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Wanneroo at 6.30 pm on 28 March 2024.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.35 pm.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MRC COUNCILLORS

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert) <i>via ZOOM</i>	City of Joondalup
Cr L Gobbert (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris) <i>arrived 6.36 pm</i>	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen) <i>arrived 6.39 pm</i>	Town of Victoria Park

Apologies

Cr C May (Christopher)	City of Joondalup
------------------------	-------------------

MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Arapovic (Executive Manager Corporate Services)
Mr M Hattingh (Executive Manager Operations)
Ms S Cherico (Human Resources Manager)
Ms D Toward (Executive Assistant)

Approved leave of absence

Nil

Member Council Observers

Mr M Pennington	City of Joondalup
Mr A Murphy	City of Stirling
Ms Y Plimbley	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr J Gault	City of Wanneroo

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENT BY THE PRESIDING PERSON

Nil

6 APPLICATION FOR LEAVE OF ABSENCE

Cr Gary Mack requested Leave of Absence from Council duties covering the period 8 September 2024 to 2 October 2024 inclusive.

Moved Cr Mack, seconded Cr Gobbert

That Council approves the request for Leave of Absence from Council duties for Cr Mack covering the period 8 September 2024 to 2 October 2024 inclusive.

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

Cr Jordan Wright requested Leave of Absence from Council duties covering the period 02 June 2024 to 30 June 2024 inclusive.

Moved Cr Wright, seconded Cr Castle

That Council approves the request for Leave of Absence from Council duties for Cr Wright covering the period 02 June 2024 to 30 June 2024 inclusive.

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**8.1 ORDINARY COUNCIL MEETING – 29 February 2024**

The Minutes of the Ordinary Council Meeting held on 29 February 2024 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 29 February 2024 be confirmed as a true record of the proceedings.

Moved Cr Gobbert, seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENT FOR THE PERIOD ENDED 29 FEBRUARY 2024
Reference:	GF-23-000000019
Appendix(s):	Attachment 1
Date:	12 March 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Position
- Statement of Cashflows
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

DETAIL

The attached reports provide an overview of the MRC's financial performance for the period ending 29 February 2024, and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The report fairly represent, in all material respects, the results of the MRC's operations for the month being reported.

The Financial Report for the period ended 29 February 2024 is attached at **Attachment 1** to this Item. The Schedule of Investments and Tonnage Report up to 29 February 2024 are also contained within the Attachment 1.

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

Summary of results for the year to date period ended 29 February 2024

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	118,355	119,123	770
Tonnes – Others	19,048	16,582	(2,466)
TOTAL TONNES	137,403	135,705	(1,696)
	\$	\$	\$
Revenue – Fees & Charges	21,933,449	21,891,245	(42,204)
Revenue – Other	4,372,062	5,122,507	750,445
TOTAL REVENUE	26,305,511	27,013,752	708,241
Expenses	(22,341,994)	(21,726,459)	615,535
Net profit	3,963,517	5,287,293	1,323,776
Net profit on sales of assets	1,000	287,682	286,682
NET SURPLUS	3,964,517	5,574,975	1,610,458

Variances Year to Date

Mindarie Regional Council's financial result for the period ending 29 February 2024 reflects its performance from 1 July 2023 to 29 February 2024. Council's operations have been conducted in line with the adopted budget. As per the MRC's 2023/2024 budget approved at the OCM 13 July 2023 and in line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC recorded net profit of \$5.6m for the period ended 29 February 2024 against a budgeted profit of \$3.9m resulting in a favourable variance of 41% or \$1.6m.

This overall positive position came as a result of interest earning, materials and contracts, insurance, other expenses and profit on sale of assets.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

REVENUE

User Charges

Total actual tonnage is aligned closely to budget year to date. Actual tonnage of 119,122 tonnes is slightly higher than the tonnage at the same time last year of 117,231 tonnes.

Casual and Trade revenue continue to show a negative variance of \$188k resulting from 2,466 less tonnage delivered to date. This is a permanent variance and addressed at mid-year budget review.

Interest Earnings

Interest earning continues to outperform current budget. Period ended 29 February 2024 closed at \$715k higher than budgeted, which is mainly attributed to raising RBA interest rate. The RBA cash rate has moved from 4.10% to 4.35%. Expected weighted average interest rate of the current investment portfolio is 5.04%. As term deposits mature, MRC has and will continue to secure improved rates on new term deposits, improving interest returns.

Profit on sale of asset

A positive variance of \$287k, which is a direct result of profit arising from disposal of assets for the period up to 29 February 2024.

EXPENDITURE

Materials and Contracts

Materials and Contracts expenditure shows a positive variance of \$419k compared to the budget.

This variance is driven by a combination of several factors, lower-than-anticipated costs in DWER landfill levy (\$247k lower) being the major reason. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to tonnage collected.

Utilities

Utilities recorded a positive variance of \$81k due to the fact that Synergy incorrectly recorded lower consumption and invoiced lower fees. Synergy is expected to rectify this error in March 2024.

Insurance

Insurance expenses performed \$65k better than budget year to date. This position is a result of lower property insurance and public liability insurance, \$42k and 26k respectively.

Other expenses

Other expenses are \$98k lower than budgeted reflecting Elected Members expenses timing variance of \$71k.

STATEMENT OF FINANCIAL POSITION

End of February 2024 the MRC's cash position is solid due to collection of fees and charges and positive earnings from the investments. Capital expenditure timing and increases to the RBA rate have improved both the rate of investments and the amount reinvested.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

Current Liabilities

Current Liabilities as of 29 February 2024 is \$1m higher compared to the previous month. Trade payables (Mainly DWER levy payable) contributed towards this increase.

Capital Expenditure

Leachate treatment project continues to progress with a further \$122k movement since the last reporting period.

Reserve Accounts

Increase in the reserve accounts for the period ended 29 February 2024 is \$1.95m. This reflects the proportionate transfers to reserves including interest earned on the investments.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION**That Council:**

Receive the Financial Statements set out in Attachment 1 for the month ended 29 February 2024.

Moved Cr Gobbert, seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud, and Wright

Against: Nil

Cr Hatton entered the Chambers at 6.36 pm

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Financial Report for the period ended 29 February 2024

Item
9.1

ATTACHMENT 1

Item
9.1



**Financial Report
for the period ending
29 February 2024**

Mindarie Regional Council

Authorised by: Adnana Arapovic
Executive Manager Corporate Services



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 - 2.7 Statement of Investing Activity
- 3.0 Cash and Cash Equivalents and Schedule of Investments
- 4.0 Tonnage Report



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1.0 Financial Summary For the period 29 February 2024

STATEMENT OF COMPREHENSIVE INCOME

	Original Budget	Budget Year to Date	Actual Year to Date	Variance	Variance %	Status
Fees and Charges Revenue	\$ 32,832,723	\$ 21,933,449	\$ 21,891,245	\$ (42,204)	(0%)	↔
Other Revenue	\$ 6,411,318	\$ 4,372,062	\$ 5,122,507	\$ 750,445	17%	↑
Total Operating Revenue	\$ 39,244,041	\$ 26,305,511	\$ 27,013,752	\$ 708,241	3%	↑
Operating Expenditure	\$ 37,492,999	\$ 22,341,994	\$ 21,726,459	\$ 615,535	3%	↑
Net profit	\$ 1,751,042	\$ 3,963,517	\$ 5,287,293	\$ 1,323,776	33%	↑
Capital Grants and Subsidies	\$ 50,000	-	-	-	-	↔
Net profit /(loss) on sale of assets	(349,756)	\$ 1,000	\$ 287,682	\$ 286,682	28668%	↑
Net Result	\$ 1,451,286	\$ 3,964,517	\$ 5,574,975	\$ 1,610,458	41%	↑

Year to Date Net Result Cumulative

Month	Revenue	Expenditure	Net Result
Jul-23	2,000,000	1,500,000	500,000
Aug-23	4,000,000	3,000,000	1,000,000
Sep-23	6,000,000	4,500,000	1,500,000
Oct-23	8,000,000	6,000,000	2,000,000
Nov-23	10,000,000	7,500,000	2,500,000
Dec-23	12,000,000	9,000,000	3,000,000
Jan-24	14,000,000	10,500,000	3,500,000
Feb-24	16,000,000	12,000,000	4,000,000

TONNAGE CUMULATIVE

Month	Budget 2023 / 2024	Actual 2023/2024	Actual 2022 / 2023
Jul 23	10,000	15,000	20,000
Aug 23	20,000	30,000	40,000
Sep 23	30,000	45,000	60,000
Oct 23	40,000	60,000	80,000
Nov 23	50,000	75,000	100,000
Dec 23	60,000	90,000	120,000
Jan 24	70,000	105,000	140,000
Feb 24	80,000	120,000	160,000
Mar 24	90,000	135,000	180,000
Apr 24	100,000	150,000	200,000
May 24	110,000	165,000	220,000
Jun 24	120,000	180,000	240,000

STATEMENT OF FINANCIAL POSITION

	Original Budget	Actual Year to Date	Actual 30 June 2023
Current Assets	\$ 66,430,359	\$ 75,017,453	\$ 64,273,412
Non Current Assets	\$ 84,486,833	\$ 94,194,537	\$ 100,324,693
Total Assets	\$ 150,917,192	\$ 169,211,990	\$ 164,598,105
Current Liabilities	\$ 6,141,310	\$ 3,984,453	\$ 5,528,381
Non Current Liabilities	\$ 25,018,563	\$ 26,937,750	\$ 26,354,914
Total Liabilities	\$ 31,159,873	\$ 30,922,203	\$ 31,883,295
Equity	\$ 119,757,319	\$ 138,289,787	\$ 132,714,810

CAPITAL EXPENDITURE

	Original Budget	Year to Date Actual	Variance %	Variance \$
Capital Expenditure	10,052,000	404,041	96.0%	9,647,959



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2.1 Statement of Comprehensive Income by nature and type For the period ended 29 February 2024

	Original Budget	Year to Date				Previous Actual YTD
	2023/24 \$	Budget \$	Actual \$	Variance \$	Variance %	28-Feb-23 \$
REVENUE						
Member User Charges						
User Charges - City of Perth	1,884,782	1,273,818	1,319,765	45,947	4%	1,109,346
User Charges - City of Wanneroo	8,757,751	5,485,210	5,457,067	(28,143)	(1%)	4,611,316
User Charges - City of Joondalup	5,073,600	3,374,841	3,333,184	(41,657)	(1%)	2,821,410
User Charges - City of Stirling	7,974,008	5,548,420	5,601,188	52,768	1%	4,809,049
User Charges - Town of Cambridge	787,616	560,202	596,456	36,254	6%	505,913
User Charges - City of Vincent	830,500	548,423	578,777	30,354	6%	464,788
User Charges - Town of Victoria Park	1,268,400	1,080,554	1,083,758	3,204	0%	943,669
Total Member User Charges	26,576,657	17,871,468	17,970,195	98,727	1%	15,265,491
Other User Charges						
User Charges - Casual Tipping Fees	5,401,066	3,465,871	3,277,550	(188,321)	(5%)	4,793,866
Total User Charges	31,977,723	21,337,339	21,247,745	(89,594)	(0%)	20,059,357
Other fees and charges						
Mattresses Charges	55,000	48,664	67,448	18,784	39%	63,677
Gas Power Generation Sales	800,000	547,446	576,052	28,606	5%	130,458
Total Other Fees and Charges	855,000	596,110	643,500	47,390	8%	194,135
Total Fees and Charges	32,832,723	21,933,449	21,891,245	(42,204)	(0%)	20,253,492
Interest Earnings	1,659,800	1,215,217	1,930,575	715,358	59%	637,018
Grants, Subsidies and Contributions						
Reimb. of Admin/Governance Expenses	4,656,518	3,104,345	3,104,345	-	-	2,461,516
Other Revenue						
Other Revenue	95,000	52,500	87,587	35,087	67%	128,098
Total Other Revenue	6,411,318	4,372,062	5,122,507	750,445	17%	3,226,632
Total Revenue	39,244,041	26,305,511	27,013,752	708,241	3%	23,480,124
EXPENSES						
Employee Costs	5,536,680	3,584,466	3,601,686	(17,220)	0%	2,538,785
Materials and Contracts	18,348,818	11,508,574	11,089,517	419,057	4%	10,706,844
Utilities	718,250	468,832	386,968	81,864	17%	399,783
Depreciation	5,896,783	4,177,619	4,209,343	(31,724)	(1%)	3,224,451
Amortisation	4,954,195	1,412,802	1,412,802	-	-	3,110,870
Finance Costs	1,097,123	734,290	731,612	2,678	0%	617,191
Insurances	620,200	243,504	181,428	62,076	25%	556,960
Other Expenses	320,950	211,907	113,103	98,804	47%	156,695
Total Expenses	37,492,999	22,341,994	21,726,459	615,535	3%	21,311,579
Net profit from ordinary activities	1,751,042	3,963,517	5,287,293	1,323,776	33%	2,168,545
Capital Grants, Subsidies and Contributions						
Capital Grants and Subsidies	50,000	-	-	-	-	-
Profit/(loss) from ordinary activities	1,000	1,000	287,682	286,682	28668%	-
Profit on Sale of Assets	(350,756)	-	-	-	-	-
Loss on Sale of Assets	(349,756)	1,000	287,682	286,682	28668%	-
Net result for the period	1,451,286	3,964,517	5,574,975	1,610,458	41%	2,168,545
Other Comprehensive income for the period						
Changes in asset revaluation	-	-	-	-	-	-
TOTAL COMPREHENSIVE INCOME	1,451,286	3,964,517	5,574,975	1,610,458	41%	2,168,545



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2.2 Statement of Comprehensive Income by program For the period ended 29 February 2024

	Original Budget	Budget YTD	Actual YTD	Variance	Variance
	\$	\$	\$	\$	%
Revenue from Ordinary Activities					
Community Amenities	32,927,723	21,985,949	21,978,832	(7,117)	(0%)
General Revenue	1,659,800	1,215,217	1,930,575	715,358	59%
Governance	4,656,518	3,104,345	3,104,345	-	0%
	39,244,041	26,305,511	27,013,752	708,241	3%
Expenses from Ordinary Activities					
Governance	(4,617,177)	(2,841,160)	(2,591,588)	249,572	9%
Community Amenities	(31,779,699)	(18,766,544)	(18,403,260)	363,284	2%
Total operating expenses	(36,396,876)	(21,607,704)	(20,994,848)	612,856	3%
Finance costs					
Governance	(328,288)	(221,738)	(219,060)	(2,678)	1%
Community Amenities	(768,835)	(512,552)	(512,552)	-	0%
Total Finance costs	(1,097,123)	(734,290)	(731,612)	(2,678)	0%
Net result for the period	1,750,042	3,963,517	5,287,293	1,323,776	33%
Non-operating grants					
Community Amenities	50,000	-	-	-	-
Profit on sale of assets					
Community Amenities	1,000	1,000	287,682	286,682	28668%
	1,000	1,000	287,682	286,682	28668%
Loss on sale of assets					
Governance	(384)	-	-	-	-
Community Amenities	(350,372)	-	-	-	-
Total profit /(loss) on sale of assets	(349,756)	1,000	287,682	286,682	28668%
Other comprehensive income for the period					
Changes in asset revaluation	-	-	-	-	-
TOTAL COMPREHENSIVE INCOME	1,451,286	3,964,517	5,574,975	1,610,458	41%



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2.3 Statement of Financial Position As at 29 February 2024

	Actual 29 February 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,048,946	20,262,141
Other Financial Assets	47,656,845	40,495,910
Debtors and other receivables	3,289,380	2,273,228
Inventories	22,282	15,792
Other Current Assets	-	1,226,341
TOTAL CURRENT ASSETS	75,017,453	64,273,412
NON-CURRENT ASSETS		
Property, plant and equipment	29,473,012	31,577,144
Right of Use - Asset	5,685,621	6,203,572
Infrastructure	47,432,774	49,828,762
Excavation and Rehabilitation Asset	11,603,130	12,715,215
TOTAL NON-CURRENT ASSETS	94,194,537	100,324,693
TOTAL ASSETS	169,211,990	164,598,105
CURRENT LIABILITIES		
Trade and other payables	3,033,717	4,144,896
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
TOTAL CURRENT LIABILITIES	3,984,453	5,528,381
NON CURRENT LIABILITIES		
Employee related provisions	211,284	141,000
Rehabilitation provision	20,565,246	20,052,694
Right of Use - Liabilities	6,161,220	6,161,220
TOTAL NON CURRENT LIABILITIES	26,937,750	26,354,914
TOTAL LIABILITIES	30,922,203	31,883,295
NET ASSETS	138,289,787	132,714,810
EQUITY		
Retained Losses	(26,271,434)	(29,893,807)
Reserves Accounts	21,445,973	19,493,371
Revaluation Surplus	54,029,522	54,029,520
Council Contribution	89,085,726	89,085,726
TOTAL EQUITY	138,289,787	132,714,810



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2.4 Statement of Cash Flow
For the period ended 29 February 2024

	Original Budget 2023/2024	Actual YTD 29-Feb-24	Actual 30-Jun-23
	\$	\$	\$
Cash flows from operating activities			
Receipts			
Contributions, re-imbursements and donations	4,656,518	3,104,345	4,224,742
Gas generation services	800,000	576,052	816,100
Fees and charges	32,032,723	24,000,650	32,839,129
Interest earnings	1,659,800	1,404,352	939,304
Other revenue	95,000	87,587	271,044
GST received	-	527,867	2,782,222
	39,244,041	29,700,853	41,872,541
Payments			
Employee costs	(5,102,945)	(3,217,191)	(4,776,643)
Materials and contracts	(18,348,818)	(12,453,515)	(17,328,430)
Utilities	(718,250)	(386,968)	(632,002)
Insurance	(620,200)	(181,428)	(684,880)
Other Expenditure	(320,950)	(113,103)	(798,699)
GST Paid	-	(2,631,221)	(2,785,569)
	(25,111,163)	(18,983,428)	(27,006,223)
Net cash provided by operating activities	14,132,878	10,717,425	14,866,318
Cash flows from investing activities			
Grants and subsidies	50,000	38,000	-
Payments for purchases of property, plant and equipment and infrastructure	(10,052,000)	(404,040)	(107,549)
Investments in term deposits	(2,315,904)	(7,160,936)	(1,075,500)
Proceeds from Sale of assets	576,000	1,199,361	-
Net cash used in investing activities	(11,741,904)	(6,327,615)	(1,183,049)
Cash flows from financing activity			
Lease payments	(559,266)	(603,006)	(566,483)
Net cash used in financing activities	(559,266)	(603,006)	(566,483)
Net increase in cash and cash equivalents	1,831,708	3,786,805	13,116,786
Cash and cash equivalents 30 June 2023	15,250,254	20,262,141	7,145,355
Cash and cash equivalents 29 February 2024	17,258,130	24,048,946	20,262,141



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2.5 Statement of Financial Activity For the period ended 29 February 2024

Actual 30 June 2023		Original Budget 2023/2024	Budget YTD 29-Feb-24	Actual YTD 29-Feb-24	Variance \$	Variance (%)
		\$	\$	\$		\$
	Revenue from operating activities					
4,224,742	Contributions and reimbursements	4,656,518	3,104,345	3,104,345	-	-
33,102,536	Fees and charges	32,832,723	21,933,449	21,891,245	(42,204)	(0%)
1,512,800	Interest revenue	1,659,800	1,215,217	1,930,575	715,358	59%
271,044	Other revenue	95,000	52,500	87,587	35,087	67%
-	Profit on asset disposals	1,000	1,000	287,682	286,682	28668%
39,111,122		39,245,041	26,306,511	27,301,434	994,923	4%
	Expenditure from operating activities					
(4,707,843)	Employee costs	(5,536,680)	(3,584,466)	(3,601,686)	17,220	(0%)
(17,508,295)	Materials and contracts	(18,348,818)	(11,508,574)	(11,089,517)	(419,057)	4%
(632,002)	Utility charges	(718,250)	(468,832)	(386,968)	(81,864)	17%
(7,606,255)	Depreciation & amortisation	(10,850,978)	(5,590,421)	(5,622,145)	31,724	(1%)
(1,074,941)	Finance costs	(1,097,123)	(734,290)	(731,612)	(2,678)	0%
(684,881)	Insurance	(620,200)	(243,504)	(181,428)	(62,076)	25%
-	Loss on disposal of assets	(350,756)	-	-	-	0%
(466,879)	Other expenditure	(320,950)	(211,907)	(113,103)	(98,804)	47%
(32,681,096)		(37,843,755)	(22,341,994)	(21,726,459)	(615,535)	3%
	Add/less: Non - cash items					
-	Profit on asset disposals	(1,000)	(1,000)	(287,682)	286,682	(28668%)
-	Loss on disposal of assets	350,756	-	-	-	0%
7,606,255	Depreciation & amortisation	10,850,978	5,590,421	5,622,145	(31,724)	(1%)
60,245	Employee benefit provisions	542,735	354,841	398,588	(43,747)	(12%)
743,120	Rehabilitation - unwinding of interest	768,835	480,522	412,552	67,970	14%
8,409,620		12,512,304	6,424,784	6,145,603	279,181	4%
14,839,646	Amount attributable to operating activities	13,913,590	10,389,301	11,720,578	1,331,277	13%
	Inflows from investing activities					
-	Proceeds from disposal of assets	576,000	545,000	1,199,361	(654,361)	0%
-	Capital Grants and Subsidies	50,000	50,000	38,000	-	0%
-		626,000	545,000	1,199,361	-	0%
	Outflows from investing activities					
(54,835)	Purchase of plant and equipment	(618,000)	(88,155)	(88,155)	-	0%
(25,279)	Purchase of land and buildings	(310,000)	-	-	-	0%
(17,101)	Purchase of computer equipment	(105,000)	(15,169)	(15,169)	-	0%
(10,334)	Purchase and construction of infrastructure	(9,019,000)	(300,717)	(300,717)	-	0%
(107,549)		(10,052,000)	(404,041)	(404,041)	-	0%
(107,549)	Amount attributable to investing activities	(9,426,000)	140,959	795,320	-	0%
	Inflows from financing activity					
98,550	Transfers from reserve accounts	1,215,000	404,041	404,041	-	0%
98,550		1,215,000	404,041	404,041	-	0%
	Outflows from financing activities					
(566,483)	Payments for principal portion of lease liabilities	(293,526)	(420,494)	(427,278)	6,784	(2%)
(824,831)	Transfers to reserve accounts	(2,493,835)	(1,662,557)	(2,552,042)	889,485	(54%)
(1,391,314)		(2,787,361)	(2,083,051)	(2,979,320)	896,269	(43%)
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(1,679,010)	(2,575,279)	(896,269)	53%
27,195,812	Operating Net Current Assets at the start of the financial year	32,849,526	32,849,526	40,635,145	(7,785,619)	(24%)
14,839,646	Amount attributable to operating activities	13,913,590	10,389,301	11,720,578	(1,331,277)	(13%)
(107,549)	Amount attributable to investing activities	(9,426,000)	140,959	795,320	(654,361)	(464%)
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(1,679,010)	(2,575,279)	896,269	(53%)
40,635,145	Closing Net Current Assets	35,764,755	41,700,776	50,575,764	8,874,988	21%



2.5 Statement of Financial Activity (Continued)
Net current assets reconciled to Statement of Financial Activity
For the period ended 29 February 2024

	Actual As at 29 February 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,048,946	20,262,141
Other Financial Assets	47,656,846	40,495,910
Debtors and other receivables	3,289,380	2,273,228
Inventories	22,282	15,792
Other Current Assets	-	1,226,341
TOTAL CURRENT ASSETS	75,017,454	64,273,412
CURRENT LIABILITIES		
Trade and other payables	3,033,717	4,144,896
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
TOTAL CURRENT LIABILITIES	3,984,453	5,528,381
Net Current assets	71,033,001	58,745,031
Add back Restricted Liabilities		
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
E-Waste Infrastructure grants	38,000	-
Adjusted net current assets	72,021,737	60,128,516
Less : Net current financial assets that back reserves		
Reserves Accounts	(21,445,973)	(19,493,371)
	50,575,764	40,635,145



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2.6 Statement of Reserves
For the period ended 29 February 2024

Description	Actual As at 29 February 2024
	\$
<u>Site Rehabilitation</u>	
Opening balance	17,056,658
Interest income	605,254
Transfer to reserves	512,552
Transfer from reserves	-
Closing Balance	18,174,464
<u>Capital Expenditure</u>	
Opening balance	1,945,637
Interest income	71,667
Transfer to reserves	1,150,000
Transfer from reserves	(404,041)
Closing Balance	2,763,263
<u>Carbon Abatement</u>	
Opening balance	491,076
Interest income	17,170
Transfer to reserves	-
Transfer from reserves	-
Closing Balance	508,246
RESERVES SUMMARY	
Opening Balance as at 1 July 2023	19,493,371
Interest income	694,090
Transfer to reserves	1,662,553
Transfer from reserves	(404,041)
Closing Balance	21,445,973



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2.7 Statement of Investing Activity
For the period ended 29 February 2024

	Original Budget 2023/24	Actual As at 29 February 2024
LANDFILL INFRASTRUCTURE		
Stage2 - Phase2 capping work	6,987,000	91,092
Leachate Processing Infrastructure	1,850,000	209,626
	8,837,000	300,717
INFRASTRUCTURE TAMALA PARK		
RRF 2x new additional Monitoring Bores to be installed	28,500	-
4x new Monitoring Bores Install - Marmion Ave	55,000	-
Facility Signage Upgrade	14,000	-
Transfer Station Line Marking	18,000	-
Modifications at Drop-off bays & Reticulation	15,500	-
Workshop Hotwash - Wash-downbay	10,000	-
15Amp Power Supply Installation to Green Waste bunker	16,000	-
Transfer Station chain drop Access Control unit	25,000	-
	182,000	-
BUILDING		
Recycling E-Waste Storage and Bulk Up Facility	135,000	-
Workshop building Roller doors and Rood upgrade for tyre	25,000	-
Weighbridge roof modification	150,000	-
	310,000	-
COMPUTING EQUIPMENT		
Replacement of Desktops/Laptops	20,000	10,417
CCTV install for Tip Face, Quarry and Transfer	85,000	4,752
	105,000	15,169
EQUIPMENT		
Odour monitoring units / control	70,000	-
Point to point Telemetry & Data System Installation	16,500	-
Workshop Hotwash Machine	8,000	-
2x New Air well Leachate Extraction Pumps for Stage 2	8,500	-
Generator & Compressor	15,000	-
	118,000	-
PLANT AND VEHICLES		
Replacement of Hyundai	80,000	82,323
Replacement of Skid Steer Loader	175,000	5,832
New 16t Vibrating Roller at Tip face	245,000	-
	500,000	88,155
TOTAL CAPITAL EXPENDITURE	10,052,000	404,041



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3.0 Cash & Cash Equivalents and Schedule of Investments As at 29 February 2024

Institutions with Standard & Poors Rating AA- or better

Institution	S&P Rating	Achieved
CBA	AA-	✓
NAB	AA-	✓
ANZ	AA-	✓

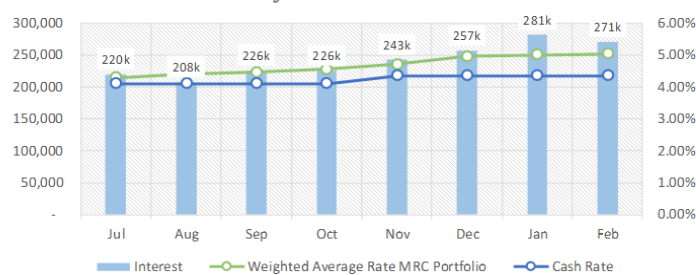


Where Tenor > 90 Days, maximum 50% held in one institution
Investments > 90 days tenor 100%

Institution	Amount Held \$m	% of Total Funds	Maximum	Achieved
CBA	\$ 20.24	42%	50%	✓
NAB	\$ 16.87	35%	50%	✓
ANZ	\$ 10.54	22%	50%	✓
<90 Days	\$ -			
	\$ 47.66			

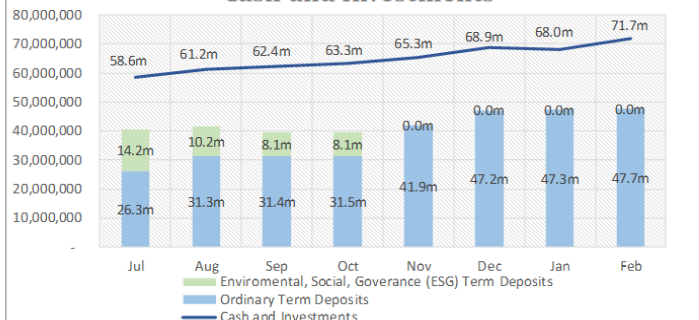
Where possible give preference to institutions that do not finance the fossil fuel industry and consider ethical, social and environmental aspects.

Monthly Interest and Rates



As of February 2024, MRC's interest earnings are \$715k above budget year-to-date. In February 2024, the Reserve Bank held the cash rate at 4.35%

Cash and Investments



As of February 29, 2024, MRC's total cash and investments amounted to \$71.7 million. \$47.6 million was invested in term deposits and \$15.8m invested in the CBA saver account. It should be noted that MRC had its ESG term deposits with CBA who have withdrawn those products in December as MRC ESG term deposit matured. MRC is looking for replacements with other financial institutions.



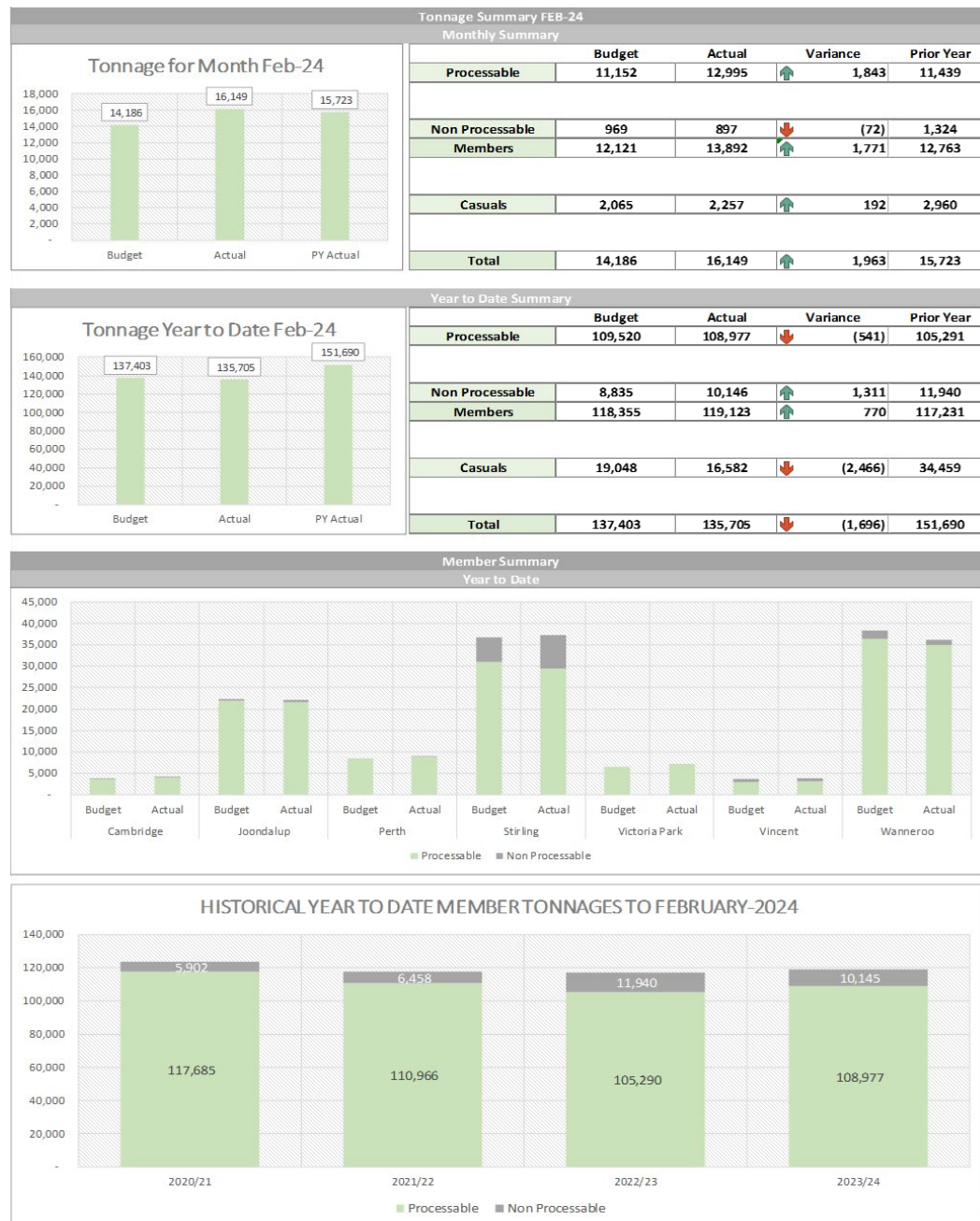
3.0 Cash & Cash Equivalents and Schedule of Investments As at 29 February 2024 (Continued)

SCHEDULE OF INVESTMENTS							
Bank	Investment Date	Tenor (Days)	Investment Amt \$	Interest Rate %	Maturity Date	Gross Interest \$	Maturity Amt \$
ORDINARY TERM DEPOSITS							
CBA 37309509 C	15/11/2023	121	5,000,000	5.08%	15/03/2024	84,203	5,084,203
ANZ 9131-43719	15/12/2023	93	2,088,173	4.78%	17/03/2024	25,432	2,113,605
NAB 36-705-5358	18/09/2023	183	2,095,696	5.04%	19/03/2024	52,956	2,148,652
CBA 37309509 D	21/12/2023	91	5,000,000	4.85%	21/03/2024	60,459	5,060,459
CBA 37309509 A	15/08/2023	244	5,000,000	5.50%	15/04/2024	183,836	5,183,836
NAB 23-472-8432	15/01/2024	92	2,112,054	5.05%	16/04/2024	26,884	2,138,938
NAB 78-452-4637	14/12/2023	125	2,108,105	5.05%	17/04/2024	36,459	2,144,564
CBA 37309509 B	16/01/2024	94	5,240,631	4.83%	19/04/2024	65,188	5,305,819
ANZ 9130-47954	15/02/2024	91	4,260,465	4.87%	16/05/2024	51,729	4,312,194
NAB 78-463-0288	27/10/2023	207	2,105,319	5.20%	21/05/2024	62,087	2,167,406
NAB 71-624-4449	1/12/2023	193	3,153,000	5.15%	11/06/2024	85,861	3,238,861
ANZ 9796-92171	1/12/2023	195	2,082,976	4.88%	13/06/2024	54,306	2,137,282
ANZ 9797-07193	1/02/2024	182	2,110,333	4.88%	1/08/2024	51,351	2,161,684
NAB 21-233-4933	23/02/2024	182	2,132,690	5.10%	23/08/2024	54,235	2,186,924
NAB new	26/02/2024	179	199,000	5.10%	23/08/2024	4,977	203,977
NAB 41-562-4966	4/10/2023	341	2,968,402	5.25%	9/09/2024	145,594	3,113,996
Total Term Deposits			47,656,845	5.04%		1,045,555	48,702,400
Cash & Cash Equivalents as of 29 February 2024							
CBA Saver			15,848,416	Principal			
NAB Balance			1,269	NAB	35.4%	16,874,266	
CBA Business			8,196,176	CBA	42.5%	20,240,631	
ANZ Balance			85	ANZ	22.1%	10,541,948	
Petty Cash			1,500	Invested		47,656,845	
Floats			1,500	Principal plus interest			
				NAB	36.4%	17,343,318	
				CBA	43.3%	20,634,316	
				ANZ	22.5%	10,724,766	
				Total		48,702,400	
Total Cash & Cash Equivalents			24,048,946				
Total			71,705,791				



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4.0 Tonnage Report for the period ended 29 February 2024



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**MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024**

9.2 LIST OF ACCOUNTS PAID – FOR THE PERIOD ENDED 29 FEBRUARY 2024	
File No:	GF-23-000019
Appendix(s):	Attachment 1
Date:	12 MARCH 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of these reports is to provide details of payments made during the period identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

DETAILS

In accordance with section 13(1) of the Local Government Financial Management Regulations 1996, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)). The lists of accounts paid for the month ended 29 February 2024 are attached at Appendix 2 to this Item.

A new regulation 13A has been added to the Local Government Financial Management Regulations 1996 to increase transparency and accountability in local government through greater oversight of incidental spending. Regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under the new regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Month Ended	Account	Vouchers	Amount
29 February 2024	General Municipal	Cheques	\$610.00
		EFT	\$881,414.18
		DP	\$489,418.69
		Inter account transfers	-
		Total	\$1,371,442.87

STATUTORY IMPLICATIONS

Regulation 13 of the Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of accounts paid under delegated authority to the Chief Executive Officer for the month ended 29 February 2024, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

Moved Cr Proud, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, and Wright

Against: Nil

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List of Payments for the month ended 29 February 2024
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Item 9.2

ATTACHMENT 1

Item 9.2

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**Schedule of Payments for February 2024
Council Meeting - 28th March 2024**

Date	Document No.	Vendor Name	Description	Amount
9/02/2024	00882	Cash	Staff Lotto	\$ 310.00
23/02/2024	00883	Cash	Staff Lotto	\$ 300.00
Total CBA cheques				\$ 610.00

Date	Document No.	Vendor Name	Description	Amount
5/02/2024	DP-02332	Jamie Waterfield	Advances to Employee	\$ 500.00
9/02/2024	DP-02333	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 2,798.30
9/02/2024	DP-02334	Australian Taxation Office	PAYG Payment	\$ 46,127.00
9/02/2024	DP-02335	Australian Taxation Office	BAS Payment Jan 24	\$ 285,504.00
2/02/2024	DP-02336	Commonwealth Bank	Merchant fees	\$ 114.42
2/02/2024	DP-02337	Commonwealth Bank	Merchant fees	\$ 1,834.47
23/02/2024	DP-02340	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
23/02/2024	DP-02341	Australian Taxation Office	PAYG Payment	\$ 60,350.85
23/02/2024	DP-02342	SuperChoice	Staff Superannuation	\$ 70,372.16
27/02/2024	DP-02343	MRC Credit Card	See Schedule Attached	\$ 18,240.58
9/02/2024	DP-02344	Trident Signs	workshop supplies	\$ 50.00
15/02/2024	DP-02345	Commonwealth Bank	Acct. Service Fees	\$ 12.35
15/02/2024	DP-02345	Commonwealth Bank	CommBiz Fees	\$ 38.12
29/02/2024	DP-02346	NAB Bank	Account Fee	\$ 10.00
Total Direct Payments & Fees				\$ 489,418.69

Total Inter account Transfers

Date	Document No.	Vendor Name	Description	Amount
9/02/2024	EFT-02373	A1 Locksmiths	Lock changes fees including spare keys, boom gate fobs	\$ 193.00
9/02/2024	EFT-02373	A & G Wines Plumbing	Backflow prevention device testing and other plumbing works	\$ 874.50
9/02/2024	EFT-02373	Alance Newspaper & Magazine Delivery	Newspaper Delivery	\$ 229.60
9/02/2024	EFT-02373	All 4 People Pty Ltd	Contract Labour for Jan 24	\$ 7,387.27
9/02/2024	EFT-02373	All Fence U Rent P/L	Temporary Fencing - RRF	\$ 165.00
9/02/2024	EFT-02373	Alliance Surveying Pty Ltd	Landfill Surveys - Drone Flight full site - Dec 23	\$ 2,860.00
9/02/2024	EFT-02373	ANRI Instruments & Controls Pty Ltd	Calibration and Service of GMF436	\$ 1,738.00
9/02/2024	EFT-02373	Aussie Natural Spring Water	Bottled Water delivered	\$ 107.50
9/02/2024	EFT-02373	Australian Training Management	Dump Truck Training course 15 Jan 24	\$ 1,150.00
9/02/2024	EFT-02373	Banham's WA Pty Ltd	RRF Monthly Fire System Maintenance Jan 24	\$ 578.79
9/02/2024	EFT-02373	Blackwoods & Atkins	Nylon Insert nuts and Hex bolts for workshop	\$ 413.78
9/02/2024	EFT-02373	Brooks Hire	Hire Skidsteer - replace damaged windscreen and aerial	\$ 2,036.62
9/02/2024	EFT-02373	Brooks Hire	Demobilisation of previously hired CAT 259d	\$ 1,034.00
9/02/2024	EFT-02373	City of Perth	TP Lease - Feb 24	\$ 7,135.49
9/02/2024	EFT-02373	City of Stirling	TP Rates 23/24	\$ 24,153.27
9/02/2024	EFT-02373	City of Vincent	TP Lease - Feb 24	\$ 7,135.49
9/02/2024	EFT-02373	City of Wanneroo	TP Lease - Feb 24	\$ 14,270.97
9/02/2024	EFT-02373	Critical Fire Protection and Training Pty Ltd	Pit135 - Yearly Insp Fire Equip. & Special Hazard Systems	\$ 2,657.77
9/02/2024	EFT-02373	Department of Transport	Disclosure of Information Fees	\$ 8.80
9/02/2024	EFT-02373	Ecolo WA	Odour pods monthly service	\$ 1,859.00
9/02/2024	EFT-02373	ELO Digital Office AU/NA Pty Ltd	ELO Support License - Bronze - Dec 23 to Jan 24	\$ 5,610.00
9/02/2024	EFT-02373	Fennell Tyres International Pty Ltd	Tyres repair for Pit148 & Pit133	\$ 3,115.96
9/02/2024	EFT-02373	Flick Anticimex P/L	Cockroach and rodent control	\$ 527.95
9/02/2024	EFT-02373	GHD Pty Ltd	Monthly FOGO Consultancy Charges	\$ 795.58
9/02/2024	EFT-02373	Great Southern Fuel Supplies	Diesel - Jan 24	\$ 42,655.59
9/02/2024	EFT-02373	Iron Mountain Australia Pty Ltd	Archive IT Storage - cartridge	\$ 47.47
9/02/2024	EFT-02373	Jedi Auto Worx	Pit145 & Workshop jumper cables	\$ 952.20
9/02/2024	EFT-02373	Komatsu Australia	Komatsu CK-4 oil -1000ltrs & coolant 410 litres	\$ 12,097.04
9/02/2024	EFT-02373	Major Motors Pty Ltd	Pit 83 vehicle maintenance	\$ 11,496.58
9/02/2024	EFT-02373	MRP Pest Control	Pest Control Jan 24	\$ 866.25
9/02/2024	EFT-02373	NAPA Parts	Pit 131 filters & maintenance supplies	\$ 222.76
9/02/2024	EFT-02373	Natural Area Management & Services	Phytophthora survey with additional area	\$ 7,425.00
9/02/2024	EFT-02373	North Star Security	Service call to Admin Bldg.	\$ 235.95
9/02/2024	EFT-02373	Nutrien Ag Solutions	Kangaroo Muesli - Jan 24	\$ 218.46
9/02/2024	EFT-02373	Office National Canning Vale	Planners, note books & pens	\$ 153.28
9/02/2024	EFT-02373	Plants & Garden Rentals	Office plants - Feb 23	\$ 330.00
9/02/2024	EFT-02373	Robert Walters Pty Ltd	Contract Labour week Jan 24	\$ 4,670.00
9/02/2024	EFT-02373	Run Energy Pty Limited	Sleeve pipe	\$ 39,149.92
9/02/2024	EFT-02373	SafeWork Laboratories Pty Ltd	D & A testing 17 Jan 24 labour & mileage	\$ 2,382.54
9/02/2024	EFT-02373	SAI Global Australia Pty Ltd	AS 4000-1997 Contract	\$ 1,006.23
9/02/2024	EFT-02373	Spectur Ltd	Neerabup Portable CCTV - 17 Jan 24 to 16 Feb 24	\$ 3,630.00
9/02/2024	EFT-02373	St John Ambulance	First Aid Kits - Face Shields & Cold Packs	\$ 352.10
9/02/2024	EFT-02373	Super Choice Services Pty Ltd	Monthly Single Touch Payroll	\$ 14.94

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Date	Document No.	Vendor Name	Description	Amount
9/02/2024	EFT-02373	Town of Victoria Park	TP Lease - Dec 23	\$ 7,135.48
9/02/2024	EFT-02373	Trade West Industrial Supplies	Safety uniform and equipment	\$ 2,781.50
9/02/2024	EFT-02373	Tutt Bryant Equipment WA	Pit 135 motor vehicle service	\$ 4,577.87
9/02/2024	EFT-02373	Tyrecycle P/L	Disposal of Tyres Jan 24	\$ 3,703.78
9/02/2024	EFT-02373	Veraison WA Pty Ltd	Leadership Team Culture assessment and debrief	\$ 2,794.00
9/02/2024	EFT-02373	Water Corporation	TP Water Rates 22 Nov 23 to 22 Jan 24	\$ 3,765.63
9/02/2024	EFT-02373	Winc Australia P/L	Stationery and printing	\$ 1,777.72
9/02/2024	EFT-02373	Wren Oil	Oil Waste Disposal	\$ 66.00
9/02/2024	EFT-02374	Airefrig Australia Pty Ltd	Degassing Cylinder Service fee Jan 24	\$ 37.13
9/02/2024	EFT-02374	All 4 People Pty Ltd	Contract Labour Jan 24	\$ 401.28
9/02/2024	EFT-02374	Australia Post	Postage & Freight for the month	\$ 163.75
9/02/2024	EFT-02374	Australian Institute of Management	Leadership Development leading others	\$ 1,966.00
9/02/2024	EFT-02374	Bale Data Services	Register Rolls for Weighbridge (6) cartons	\$ 281.03
9/02/2024	EFT-02374	BOC Limited	Dissolved acetylene 29 Dec 23 to 28 Jan 24	\$ 12.93
9/02/2024	EFT-02374	BOQ Finance (Aust) Limited	Monthly Printer Rental	\$ 421.53
9/02/2024	EFT-02374	Bunnings	Workshop and Mtce - payment (Purchased via Power Pass)	\$ 2,274.95
9/02/2024	EFT-02374	ChekRite Asia Pacific Pty Ltd	Prof services for Process def & Heavy Equip pre-start plan	\$ 2,187.90
9/02/2024	EFT-02374	Command A Com	Telephone Expenses Jan 24	\$ 1,294.77
9/02/2024	EFT-02374	Damian Wilson Design	DAIP Plan design	\$ 420.00
9/02/2024	EFT-02374	Data#3	Wifi Access Points	\$ 2,347.08
9/02/2024	EFT-02374	Digrite	Pt151 - filters and radiator mount	\$ 322.00
9/02/2024	EFT-02374	Fennell Tyres International Pty Ltd	Pit 83 Tyre repair	\$ 176.00
9/02/2024	EFT-02374	Herbert Smith Freehills	Legal fees for Waste Services Procurement Project	\$ 18,378.97
9/02/2024	EFT-02374	Major Motors Pty Ltd	Pit83 & Pit120 Vehicle maintenance	\$ 5,508.21
9/02/2024	EFT-02374	NAPA Parts	Pit151 air filter and gear oil	\$ 468.93
9/02/2024	EFT-02374	Nutrien Ag Solutions	Kangaroo Muesli Feb 24	\$ 218.46
9/02/2024	EFT-02374	Oceanside Power & Communications	Electrical works in washbay, pump and workshop	\$ 953.30
9/02/2024	EFT-02374	Olivers Lawn & Landscaping Pty Ltd	Monthly lawn mowing service	\$ 225.00
9/02/2024	EFT-02374	Paxon Consulting Group Pty Ltd	TP Void Space Model Review	\$ 20,867.00
9/02/2024	EFT-02374	Pirtek (Malaga) Pty Ltd	PL131 Compactor New hoses	\$ 455.66
9/02/2024	EFT-02374	SafeWork Laboratories Pty Ltd	D & A Testing Jan 24	\$ 849.86
9/02/2024	EFT-02374	Security Specialists Australia Pty Ltd	Monthly Cash Collection Dec 23	\$ 139.66
9/02/2024	EFT-02374	Synergy	TP & RRF Electricity Jan 24	\$ 41,364.09
9/02/2024	EFT-02374	Total Green Recycling Pty Ltd	E-waste Recycling Jan 24	\$ 4,039.69
9/02/2024	EFT-02374	Trade West Industrial Supplies	Safety boots, ear plugs, gloves, safety glasses	\$ 5,064.59
9/02/2024	EFT-02374	Tudor House	Flags for Tipface and Transfer	\$ 918.00
9/02/2024	EFT-02374	Volco Minerals Pty Ltd	5 tonnes Zeolite	\$ 2,585.00
9/02/2024	EFT-02374	WA Local Government Association	Procurement and Contracts trainings	\$ 1,518.00
26/02/2024	EFT-02375	All 4 People Pty Ltd	Contract Labour week ending 28 Jan 24	\$ 1,176.25
26/02/2024	EFT-02375	Allwest Plant Hire Australia	Excavator and Plate Compactor Hire	\$ 1,598.92
26/02/2024	EFT-02375	Ampol Australia Petroleum Pty Ltd	Fuel - Jan 24	\$ 1,278.11
26/02/2024	EFT-02375	Australian Services Union	Union Fees	\$ 53.00
26/02/2024	EFT-02375	Brooks Hire	CAT259 Skid Steer Hire for Transfer Jan 24	\$ 7,133.70
26/02/2024	EFT-02375	Castledine Gregory	Legal Fees scoping exercise for CRC MRC	\$ 3,036.00
26/02/2024	EFT-02375	Cleanaway Operations Pty Ltd	Co Mingled Waste Jan 24	\$ 394.68
26/02/2024	EFT-02375	Coates Hire Operations Pty Ltd	Hire of 25T Excavator 20 Jan 23 to 25 Jan 23	\$ 11,694.14
26/02/2024	EFT-02375	Command A Com	Telephone Expenses Feb 24	\$ 38.50
26/02/2024	EFT-02375	Datacom Systems (AU) Pty Ltd	MRC Phone Headsets x 22	\$ 5,482.49
26/02/2024	EFT-02375	Herbert Smith Freehills	WTE Legal Fees to 15 Dec 23	\$ 25,959.45
26/02/2024	EFT-02375	Instant Products Group	Toilet hire/clean/restock Jan 24	\$ 313.30
26/02/2024	EFT-02375	MHA Products	Trolleys for Transfer	\$ 1,160.49
26/02/2024	EFT-02375	Probiotics & Soil Nutrition Australia	Blowish x 72 bags inc freight	\$ 6,547.37
26/02/2024	EFT-02375	Robert Walters Pty Ltd	Contract Labour week ending 01 Jan 24	\$ 1,295.55
26/02/2024	EFT-02375	Run Energy Pty Limited	1 Leachate well and sleeving inc installation	\$ 63,186.75
26/02/2024	EFT-02375	SafeWork Laboratories Pty Ltd	D & A testing Jan 24	\$ 30.80
26/02/2024	EFT-02375	Services Australia	Child Support	\$ 280.00
26/02/2024	EFT-02375	Soft Landing	CoW Mattresses	\$ 1,982.20
26/02/2024	EFT-02375	Soft Landing	COS On Demand Mattresses	\$ 28,084.10
26/02/2024	EFT-02375	Soft Landing	COS RCB Mattresses	\$ 32,802.00
26/02/2024	EFT-02375	Soft Landing	MRC Monthly Mattress Collection	\$ 15,147.00
26/02/2024	EFT-02375	Specialized Cleaning Group Pty Ltd	Monthly TP Road Sweeping Service	\$ 1,950.00
26/02/2024	EFT-02375	Talis Consultants P/L	Ground Water Monitoring & Other Consultancy works	\$ 30,828.01
26/02/2024	EFT-02375	Think Water Wanneroo	Service for two pole saws	\$ 226.12
26/02/2024	EFT-02375	Total Green Recycling Pty Ltd	E-waste Recycling	\$ 4,738.69
26/02/2024	EFT-02375	Western Tree Recyclers	CoJ Greens Handling	\$ 4,313.82
26/02/2024	EFT-02375	Western Tree Recyclers	CoP Greens Handling	\$ 720.19
26/02/2024	EFT-02375	Workpower Incorporated	Battery Rescue	\$ 1,373.63
26/02/2024	EFT-02375	Wren Oil	Disposal of Oil	\$ 16.50
26/02/2024	EFT-02375	ZircoDATA Pty Ltd	Recall boxes (records) from offsite storage	\$ 110.04
9/02/2024	70	Payroll	Staff Payroll	\$ 125,216.39
23/02/2024	71	Payroll	Staff Payroll	\$ 146,838.59
				\$ 881,414.18

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Date	Document No.	Vendor Name	Description	Amount
		CBA Cheque No. 882-83		\$ 610.00
		Electronic Payments:		
		DP-02332 to DP-02346		\$ 489,418.69
		Inter-Account Transfers		\$
		EFT-02373 to EFT-02375		\$ 881,414.18
		Grand Total		<u>\$ 1,371,442.87</u>
		CERTIFICATE OF CHIEF EXECUTIVE OFFICER		
		This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 28th March, 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendered services and as to prices, computations, and costing and the amounts due for payment.		

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Schedule of Payments for February 2024 Council Meeting - 28th March 2024 CBA Credit Card			
Date	Payment to	Description	Amount
25/01/2024	CPP Parking	Business meeting parking	10.10
29/01/2024	IPAA	IPAA Training	458.00
31/01/2024	CPP Convention Centre	Business meeting parking	24.23
1/02/2024	Leapfrogs	Business meeting coffee	11.00
3/02/2024	Basil's Fine Foods	MRC/CRC Joint Workshop food	196.87
15/02/2024	Dome Butler	Business lunch	22.35
22/02/2024	JB Hifi	Mobile phone accessories	99.99
	Total CBA Credit Card ending 7336		822.54
25/01/2024	Coles	Staff Amenities	250.90
25/01/2024	ASIC	ASIC Report for new vendor application fee	19.00
1/02/2024	Whiteheaden	Improved Landfill Mgt Training	8,573.15
2/02/2024	Microsoftstore	Office 365 subscription	11.00
5/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
5/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
13/02/2024	Coles	Staff Amenities	271.50
15/02/2024	WA Advanced Training	Forklift Training & License	480.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
	Total CBA Credit Card ending 1546		9,719.55
25/01/2024	The Beach House	Operations Team Christmas Lunch	695.71
25/01/2024	Alkimos Autocare	Car Wash	715.00
29/01/2024	Mining & Civil Geotest	Limestone Testing	266.26
31/01/2024	Seabreeze Landscape	Mulch for Admin garden	227.00
6/02/2024	Quillbot	Online software for rewriting	154.55
6/02/2024	CBA	Transaction fee	3.86
7/02/2024	Alkimos Autocare	Car Wash	635.00
8/02/2024	Elite Office Furniture	Furniture for Weighbridge	592.00
8/02/2024	Australian Land & Groundwater Assoc.	"What's in Store for 2024" Seminar	100.00
11/02/2024	Emirates	Site visit for procurement of telescopic riser shafts	2,886.85
17/02/2024	Mach 1 Auto Parts	Tyre Repair kit	177.45
17/02/2024	Smartdraw	Drawing Software for maps	202.22
17/02/2024	CBA	Transaction fee	5.06
20/02/2024	Intertek Inform	Internet Download for Standards	222.86
22/02/2024	Kmart	Employee amenities	134.00
23/02/2024	Bergero Hydra Tarp	Remote for auto tarp	529.52
25/02/2024	Perth Airport	Airport parking for Site Visit	151.15
	Total CBA Credit Card ending 2225		7,698.49
Total CBA Credit Card Payments			18,240.58

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Schedule of Payments for February 2024 Council Meeting - 28th March 2024 Ampol Purchasing card			
Date	Document No.	Description	Amount
4/01/2024	EFT-02375	Fuel	144.26
10/01/2024	EFT-02375	Fuel	148.68
15/01/2024	EFT-02375	Car Wash	25.00
15/01/2024	EFT-02375	Fuel	44.47
25/01/2024	EFT-02375	Fuel	108.63
25/01/2024	EFT-02375	Car Wash	25.00
Total Ampol Card for Rego 1938			496.04
4/01/2024	EFT-02375	Fuel	82.87
13/01/2024	EFT-02375	Fuel	99.11
19/01/2024	EFT-02375	Fuel	99.82
28/01/2024	EFT-02375	Fuel	98.97
Total Ampol Card for Rego 9808			380.77
5/01/2024	EFT-02375	Fuel	37.08
7/01/2024	EFT-02375	Fuel	135.07
8/01/2024	EFT-02375	Fuel	130.92
23/01/2024	EFT-02375	Fuel	98.23
Total Ampol Card for Rego 2010			401.30
Total Ampol Purchase Card Payments			1,278.11

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<p align="center">Schedule of Payments for February 2024 Council Meeting - 28th March 2024 Bunnings Power Pass</p>			
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Date	Document No.	Description	Amount
16/01/2024	EFT-02374	Workshop supplies	37.22
16/01/2024	EFT-02374	Workshop supplies	24.04
16/01/2024	EFT-02374	Transfer supplies	60.54
17/01/2024	EFT-02374	Gazebo semi permanent	1,248.00
Total for Card ending 614			1,369.80
11/01/2024	EFT-02374	Landfill supplies	287.36
20/01/2024	EFT-02374	Workshop supplies	145.38
24/01/2024	EFT-02374	Weighbridge supplies	354.27
18/01/2024	EFT-02374	Workshop supplies	53.92
Total for Card ending 584			840.93
17/01/2024	EFT-02374	Irrigation Fittings	11.74
18/01/2024	EFT-02374	Buckets for limestone sampling	52.48
Total for Card ending 400			64.22
Total Bunnings Power Pass Payments			2,274.95

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9.3 ADOPTION OF 2023 COMPLIANCE AUDIT RETURN	
File No:	GF-23-0000142
Appendix(s):	Attachment 1 Compliance Audit Return
Date:	11 March 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide Council with information on the completed Compliance Audit Return (1 January 2023 – 31 December 2023).

BACKGROUND

The Compliance Audit Return was placed on the agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Audit and Risk Committee considered the Return and resolved the following:

That the Audit and Risk Committee recommends that Council endorse the Compliance Audit return for the 2023 calendar year, as presented.

Moved Cr Ferrante, seconded Cr Hatton

RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 3/0)

For: Crs Hatton, Ferrante and Mr Kumar

Against: Nil

The 2022 Local Government Compliance Audit Return (CAR) covers the calendar year from 1 January to 31 December 2023.

The Return should be lodged with the Department of Local Government before 31st March, 2024

The 2023 Compliance Audit Return is mandatory pursuant to the *Local Government (Audit) Regulations 1996* which requires all local governments to complete a Compliance Audit Return annually.

Local governments not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance. The Administration has completed the Return.

DETAIL

The Compliance Audit covers a range of matters that require specific actions to be completed by Local Government authorities in performing their functions.

The Compliance Audit Return requires the responsible officer to indicate against each item whether the required action is relevant to Mindarie Regional Council (MRC) and if it has been completed by either answering;

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28 March 2024

- (a) Yes; or
- (b) No; or
- (c) N/A – Not applicable

Local Governments are required to provide feedback or comments on areas of non-compliance. This assists the Department of Local Government to have a better understanding of any problems or issues relating to a Local Government's inability to achieve full compliance in a particular area.

The Compliance Audit Return for calendar year 2023 is at **Attachment 1**.

The Local Government is to submit the Compliance Audit Return to its Audit and Risk Committee for consideration so that it has the opportunity to examine the Return and report to council the results of that review.

A joint certification is also required to be completed by the Chairperson and Chief Executive Officer to the effect that the information contained in the Return is true and correct to the best of their knowledge. Several other requirements must be met in the Return process and these include: -

- The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Audit Return as an appendix; and
- The completed Compliance Audit Return and appendices should be forwarded to the Director General of the Department of Local Government by 31 March 2024.

The Section dealing with the Joint Certification by the Chairperson and Chief Executive Officer requires inter alia that:

- each Councillor has had the opportunity to review the return and to make comment to the Council;
- particulars of any matters of concern relating to the return have been recorded in the minutes of the meeting; and
- a true and correct copy of the relevant sections of the minutes covering Council's consideration of the return must be attached to it.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Regional Councils are required to carry out a Return in accordance with the Local Government (Audit) Regulations 1996. The requirements set for the Return are contained in s.14 and 15 of the Regulations, which read as follows:

"14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
-

MINDARIE REGIONAL COUNCIL
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28 March 2024

- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit,**is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*

certified *in relation to a compliance audit return means signed by —*

 - (a) *the mayor or president; and*
 - (b) *the CEO.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMENT

In order to comply with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* it is necessary for the MRC to complete the Local Government Compliance Audit Return in the form approved by the Minister.

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ORDINARY COUNCIL MEETING MINUTES
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The results contained in the Compliance Audit Return required by the Department of Local Government for the period 1 January to 31 December 2023 indicates that the Council is continuing to operate within the Local Government Legislative requirements.

The Audit and Risk Committee, at its meeting held on 06 March 2024, recommended that the Council adopts the Compliance Audit Return.

It is recommended that the Return be adopted by the Council and that the component comprising the form approved by the Minister be certified by the Chairperson and Chief Executive Officer and be forwarded to the Director General, Department of Local Government.

VOTING REQUIREMENT

Simple Majority

Cr Vernon entered the Chambers at 6.39 pm

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. **adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2023 as contained within the Attachment in accordance with the provisions of Regulation 14(3) of the Local Government (Audit) Regulations 1996 and in line with the recommendation from the Audit and Risk Committee;**
2. **authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and**
3. **authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government.**

Moved Cr Hatton, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

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2023 COMPLIANCE AUDIT RETURN

Item 9.3

ATTACHMENT 1

Item 9.3

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - Mindarie Regional Council

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Mindarie Regional Council – Compliance Audit Return

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2023?	No	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2023?	N/A	
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2023?	N/A	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2023?	N/A	
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	

Delegation of Power/Duty				
No	Reference	Question	Response	Comments
1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	N/A	The Committees do not have delegated authority
2	s5.16 (2)	Were all delegations to committees in writing?	N/A	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	N/A	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	
5	s5.18	Has council reviewed delegations to its committees in the 2022/2023 financial year?	N/A	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - Mindarie Regional Council

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6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?	Yes	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	

Disclosure of Interest				
No	Reference	Question	Response	Comments
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Yes	
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	Yes	

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6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	N/A	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) of the Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	N/A	

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16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members candidates that incorporates the model code of conduct?	Yes	
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	No	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	

Disposal of Property				
No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	N/A	
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A	

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Elections				
No	Reference	Question	Response	Comments
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	N/A	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	N/A	

Finance				
No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	N/A	

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3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2023 received by the local government by 31 December 2023?	Yes	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes	
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	Yes	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2023 received by the local government within 30 days of completion of the audit?	Yes	

Local Government Employees				
No	Reference	Question	Response	Comments
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	N/A	The MRC does not have any designated Senior Employees
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995?	N/A	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	The MRC does not have any designated Senior Employees
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - Mindarie Regional Council

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Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	Yes	We have a register - Nil complaints received
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	

Tenders for Providing Goods and Services				
No	Reference	Question	Response	Comments
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	

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4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	Yes	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No	
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	Yes	
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	

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14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	N/A	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	N/A	

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Integrated Planning and Reporting				
No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	27/04/2023
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	22/06/2023
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	

Optional Questions				
No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2023? If yes, please provide the date of council's resolution to accept the report.	Yes	12/08/2021 Tabled at Audit Committee on 22 July 2021 and presented to Council via the Members Information Bulletin on 12.08.2021
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2023? If yes, please provide date of council's resolution to accept the report.	Yes	23/02/2023
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt	N/A	

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Department of
**Local Government, Sport
and Cultural Industries**

		of the gift? Did the disclosure include the information required by section 5.87C of the Act?		
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?	Yes	Yes, except for 5.96A(1)(a) and (g) which do not apply to Regional Councils
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	The policy, training and reporting requirement of MRC Councillors as required under the Act are fulfilled by their respective Local Governments (our Member Councils)
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2023?	No	The policy, training and reporting requirement of MRC Councillors as required under the Act are fulfilled by their respective Local Governments (our Member Councils)
8	s6.4(3)	By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

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Chief Executive Officer

Date

Mayor/President

Date

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9.4	MINDARIE REGIONAL COUNCIL INTERNAL AUDIT FUNCTION
File No:	GF-23-0000142
Appendix(s):	Nil
Date:	12 March 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to advise Council of the proposal to extend the internal audit function.

The proposal was placed on the Agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Committee considered the proposal and resolved the following:

That the Audit and Risk committee recommends to Council:

That Council:

- 1. Endorse the CEO's proposed internal audit function for Mindarie Regional Council.*
- 2. Request the CEO to provide a further report detailing the three-year work plan that will be the basis of a contract for the Internal Audit service.*

Moved Cr Hatton, Seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 3/0)

For: Crs Hatton, Ferrante and Mr Kumar

Against: Nil

BACKGROUND

The WA Auditor General recognises that there are four lines of defence which underpin a strong governance framework. Internal audit is the third line of defence; see below:

- First line of defence – internal controls, policies, procedures, information systems and culture and ethics
- Second line of defence – Internal oversight, monitoring and reporting, risk management and compliance, financial reporting and certification
- Third line of defence – Internal Audit CEO financial and non-financial reviews
- Fourth line of defence – Auditor General external audits

The Local Government (Audit) Regulations 1996 regulation 17 (Audit Regulation 17) requires the CEO to undertake a review of the appropriateness and effectiveness of systems and procedures in relation to risk management, internal control and legislative compliance once in every 3 years and report to the audit committee the result of that review. The last review was undertaken in February 2024 by an external consultant, Civic Legal.

In addition, the Local Government (Financial Management) Regulations 1996, regulation 5 (FM Regulation 5) requires the CEO to undertake a review of the appropriateness and effectiveness

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of the financial management systems and procedures regularly (and not less than once in every three financial years) and report to the local government the results of that review. The last review was undertaken in May 2021 and a review has been scheduled for March 2024 by an external consultant, Macri Partners.

The four lines of defence model assists local governments to understand if there are any gaps in assurance activities that manage key risks or whether they are a duplication of effort, this helps inform the internal audit program, improve efficiencies and assists the Audit and Risk Committee and Council in their oversight responsibilities.

The MRC propose integrating and expanding the existing Internal Audit function of FM Regulation 5 and Audit Regulation 17 to provide a 3 year plan, of independent and objective assurance provided by external consultants, to achieve a continuous audit cycle that is regularly reviewed.

Local governments can use different models for their internal audit services; these can be in-house, co-sourced or fully outsourced. Establishing an in-house audit department is unlikely due to the relatively small size of the MRC, therefore the engagement of internal audit services from an experienced, qualified and reputed accounting professional firm in Western Australia is sought.

The three-year plan will be developed following an analysis of FM Reg 5 and Audit Reg 17 audits and identifying the higher order risks within the risk register. The development of a three-year plan provides assurance that key risks are identified and controlled effectively.

Through this initiative, the MRC seeks to establish a robust internal audit framework that aligns with its commitment to transparency and accountability to provide a richer understanding of financial management, compliance, risk management and internal controls.

The business improvements that result from an effective internal audit function will ultimately add value to the way the MRC runs its business.

This report, in the first instance seeks to gain in principle support for integrating and extending the internal audit function on a three-year rolling plan.

DETAIL

The internal audit function is independent from operational functions, systems and processes.

To be most effective the function must be free from management control that may adversely impact on this independence and the auditing and reporting function.

For local government, responsibility for the internal audit function rests with the CEO, who also reports to the Audit and Risk committee and Council.

The internal audit function will report directly to the CEO to eliminate undue influence on audit activities, findings and reporting. It is good practice for the internal auditor to also have a direct line of communication to the audit and risk committee (a functional reporting relationship). Through the scope, it is proposed that the external auditor will have the ability to liaise directly with the Chair of the Audit and Risk Committee to discuss reports included in Committee agendas, and will be able to communicate with the wider Committee through attendance at Committee meetings.

The Local Government (Financial Management) Regulations 1996 prohibits an employee, to whom responsibility for the day-to-day accounting or financial management operations of a local government is delegated, to also be delegated the responsibility for conducting an internal audit.

The use of independent internal audit provides the following important benefits to the MRC:

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- Independent assurance for management, Council and the Office of the Auditor General that internal controls in place are working effectively.
- Provision of advisory information on areas that may need further strengthening.
- Independent review of the efficiency and effectiveness of financial and non-financial controls
- Independent review the MRC's compliance with legislative requirements.

The objectives of the internal audit function are to ensure that MRC attains:

- **Increased Operational Efficiency:** Regular internal audits can identify inefficiencies in processes and recommend improvements, leading to cost savings and resource optimisation.
- **Strengthened Compliance:** Internal audit ensures compliance with applicable laws, regulations, and policies, reducing the likelihood of legal and regulatory penalties. Further, demonstrating a commitment to compliance fosters stakeholders' trust and confidence.
- **Improved Financial Accountability:** Internal audit ensures that financial transactions are conducted in accordance with established policies and procedures, minimising the risk of mismanagement or fraud. By regularly reviewing financial records and internal controls, we can identify and rectify potential issues before they escalate, ensuring the responsible use of public funds.
- **Enhanced Risk Management:** Internal audit helps identify and assess risks associated with various operations, allowing proactive measures to mitigate these risks.
- **Accountability and Transparency:** Internal audit provides an independent and objective evaluation of effective design of internal controls activities, promoting transparency and accountability.
- **Continuous Improvement:** Internal audit fosters a culture of continuous improvement by providing constructive feedback and recommendations for better governance.

Process

The CEO will present to the Audit and Risk Committee, with a subsequent recommendation to Council, a three year internal audit plan which sets out the recommended scope of the internal audit for the period.

The CEO is responsible for the contract management and facilitating the audit and ensuring that staff and resources are available to implement and monitor Internal Audit recommendations.

Reporting and Communication

The internal auditor will provide the CEO with comprehensive audited reports detailing their key observations and findings.

The CEO will provide the reports and a recommended action plan to the Audit and Risk Committee.

The Audit and Risk Committee will receive the reports of the Internal Auditor, consider the CEOs recommendations arising from the reports, and monitor the implementation of agreed recommendations, making recommendations to Council.

Contractual Term

Contract terms will be considered and further advice provided to ensure flexibility in the term of appointment to ensure contract performance can be monitored and managed.

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STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Audit) Regulations 1996
Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

CP06 – Purchasing Policy
Risk Register

FINANCIAL IMPLICATIONS

Budget for Regulation 5 and 17 is available in 2023/2024 budget, proposed internal audit function if endorsed by Council will form a part of 24/25 budget.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 – 2032
Strategic Objective 3 : Deliver best practice governance processes and structures

COMMENT

During the Audit and Risk Committee meeting held on 06 March 2024, the Committee noted that there be feedback from MRC Councillors regarding the direction of future closure and expenditure on infrastructure and assets.

Administration will provide a further report to the Audit and Risk Committee for subsequent endorsement by Council detailing the proposed three-year work plan.

VOTING REQUIREMENT

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION

That Council:

1. Endorse the CEO's proposed internal audit function for Mindarie Regional Council.
2. Request the CEO to provide a further report detailing the three-year work plan that will be the basis of a contract for the Internal Audit service.

Moved Cr Hatton, seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

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9.5 CORPORATE BUSINESS PLAN PERIODICAL REPORTING	
File No:	GF-23-0000310
Attachment (s)	Nil
Date:	29 February 2024
Responsible Officer:	Chief Executive Officer

PURPOSE

The purpose of this report is to provide Council a periodical reporting overview of the Corporate Business Plan performance, for endorsement.

The Corporate Business Plan progress report was placed on the Agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Committee considered the report and resolved the following:

*That the Audit and Risk Committee recommends that Council:
Endorse the Corporate Business Plan progress report, as presented.*

Moved Cr Kumar, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 3/0)

For: Crs Hatton, Ferrante and Mr Kumar

Against: Nil

The report provides information on achievements and performance against the milestones outlined in the MRC's 4-year Corporate Business Plan 2023-2027 (CBP). The CBP is the MRC's medium-term planning document which contains the services, projects and activities which have been developed in response to the Vision, Mission and Objectives of the organisation's 10-year Strategic Community Plan 2023-2032.

BACKGROUND

The MRC's CBP 2023-2027 (CBP) was adopted by Council at its meeting on 22 June 2023. The CBP is required to be reviewed every four years under the requirements of the *Local Government (Administration) Regulations 1996*.

On 27 April 2023 Council adopted the Strategic Community Plan 2023-2032 (SCP) providing the MRC with its long term strategy which informed the CBP together with the informing plans: Long Term Financial Plan, Asset Management Plan and Workforce Plan.

The CBP Strategic Objective 3.1.2, Ensure compliance with all legislative probity and regulatory requirements, requires the introduction of CBP periodical reporting to the Audit and Risk Committee.

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DETAIL

The MRC Leadership Team completed a periodical review of the CBP at a meeting held on 30 January 2024. This review tracks the status of individual key actions to ensure activities are in progress to meet the planned timeframes.

Performance is ranked using the following coloured traffic lights status:

Completed	Action completed, with no further action required.
In progress – on track	Action commenced and on track to be completed within timeframe.
In progress – belated	Action commenced and belated, risk of not meeting timeframe.
Not Commenced	Action due not commenced, risk of not meeting timeframe.
Scheduled 2024/25	Action not due in the reporting period.

Good morning

Thank you for your comments below, they will be circulated to Council Members prior to the meeting and included in the minutes.

Kind regards

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STATUTORY ENVIRONMENT

The SCP is a requirement of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The CBP 2023-2027 details the services, projects and capital programs to be delivered, and is informed by the Long Term Financial Plan and annual budgets covering the period of the plan.

STRATEGIC IMPLICATIONS

Strategic Community Plan:

Objective 3.1 Maintain efficient and equitable governance

3.1.2 Ensure compliance with all legislative, probity, and regulatory requirements

- Introduce Corporate Business Plan periodical reporting to the Audit and Risk Committee

COMMENT

During the Audit and Risk Committee meeting held on 06 March 2024, the Committee noted that there was an opportunity to review the Corporate Business Plan reporting methodology to gain greater clarity on progress against individual targets. Administration will investigate reporting methodology prior to the next scheduled review.

OFFICER AND AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council endorse the Corporate Business Plan progress report, as presented.

Moved Cr Wright, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

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9.6	Critical Infrastructure Plan
File No:	GF-22-0000442
Appendix(s):	Nil
Date:	12 March 2024
Responsible Officer:	Executive Manager Operations

SUMMARY

This report aims to present a concise overview of the strategic workshop session on the Critical Infrastructure Plan (CIP) conducted with the Mindarie Regional Council (MRC) on February 29, 2024.

BACKGROUND

The MRC's Tamala Park Landfill cells are likely to reach capacity within the term of the current Strategic Community Plan, which will significantly affect the current landfill operations across the Tamala Park Waste Management Facility (TPWMF). As a result, the MRC is currently involved in a forward planning exercise to determine what decisions and steps are necessary to determine how the TPWMF operates now and into the future.

One of the Planned Actions outlined in the MRC's Corporate Business Plan (CBP) is the development of a Tamala Park Master Plan within the 2023/24 financial year. The Master Plan is a strategic document designed to outline future goals for site assets utilisation and to inform Council of future land use planning choices.

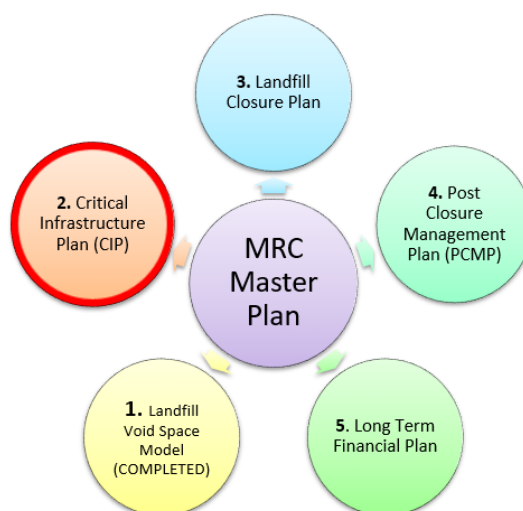
During the recent strategic workshop, Council acknowledged the significance of establishing a distinct strategy for the future advancement of infrastructure situated at Tamala Park. A number of key pieces of infrastructure were discussed with Council during the workshop session which the Administration sought feedback upon, to better inform how best to move forward with future planning. Discussion on these points with Council highlighted that the potential exists for substantial capital to be deployed in the near future to meet the MRC's and Member Councils' needs.

DETAIL

The foundation of a Master Plan lies in comprehending the significance of waste disposal assurance for the local economy and the environmental consequences of rehabilitating a landfill site. Hence, it is crucial to have a thorough comprehension of the development, execution, and management of the Tamala Park Landfill infrastructure.

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The Tamala Park Master Plan has five separate phases, as illustrated in the diagram below:



Master Plan Development Process

The initial phase of the program entails creating a model of the void area in a landfill (referred to as Item #1 in the above diagram). The landfill void space model is utilised to forecast the point at which the landfill airspace and cover material in Tamala Park will be exhausted. The Landfill Void Space model is influenced by numerous elements, with the potential for a future Waste to Energy contract being the most significant consideration. Negotiations are currently in progress with a preferred tenderer and representatives from all member councils are well informed. The details of any future WTE contract are likely to define the rates at which landfill airspace will be consumed in the future.

The second stage in the development of the Master Plan involves completing a Critical Infrastructure Plan (CIP), which was the subject of the recent strategic workshop and which the Administration proposes be brought before Council for endorsement when complete.

Endorsement, if received, will allow the administration to proceed with the next step in the sequence, which is the development of the Landfill Closure Plan. Following this step, the Post Closure Management Plan (PCMP) outlines the specific assets, infrastructure, and services after the closing of the landfill. The last element of the Master Plan is the impact of all of the variables highlighted in the previously steps and any changes required to the MRC's Asset Management Plan and Long Term Financial Plan.

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Critical Infrastructure Plan Development

The infrastructure on site plays a crucial role in planning of the following essential functions of Tamala Park:

- MRC Services to Community and Local Economy
- Leachate Management
- Landfill Gas Management
- Waste Volume Intake and Processing Capabilities
- MRC Services to Member Councils
- Landfill Licence Compliance (DWER)
- MRC Administrative Functions
- Landfill Cover Material Management
- Site Rehabilitation
- Tamala Park Future Use Options

An evaluation of the existing site uses, including their location and layout, has been conducted in order to produce the CIP. Metrics considered throughout the assessment process were:

- Infrastructure Effectiveness
- Infrastructure Location
- Infrastructure Useful life
- Asset Renewal/ Upgrade
- Service Delivery Requirements
- Regulatory Requirements
- Legislative requirements
- Upkeep Costs
- Social Impact
- Environmental Impact
- Legal Requirements

The assessment's findings helps to determine the prospective locations and spatial needs for future use at the site. A significant number of the site's 17 assets were built or acquired during the 1990s, well in advance of any future planning for landfill closure. Some of these assets are now inappropriately positioned, in terms of current operations and their ability to contribute value future operations.

The Administration has evaluated all Assets and Infrastructure using the same criteria and ranked them in order of their level of importance, ranging from Critical to Negligible. The following 6 items were classified as high risk and necessitated a discussion with Council at the recent strategic workshop:

1. Leachate Processing Infrastructure
 2. Transfer Station Requirements, Post-Closure
 3. Location of Workshop and Crib Rooms
 4. Reuse Shop Requirements, Post-Closure
 5. Limestone Requirements
 6. Landfill Gas Management
-

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During those discussions, it became evident that each of the issues mentioned above necessitates additional research and inquiries before Council is able to make a decision on how to approach these assets in the future. Concise summaries of the outcomes of each item's discussion are listed below:

1. *Leachate Processing Infrastructure*
 - Finalise the external technical assessment of potential leachate treatment options
 - Finalise the external assessment of the necessary approvals process for any future leachate processing solution. Once the above actions are completed, prepare an options report for Council that summarises the available choices and the financial implications of each alternative.
 2. *Transfer Station Requirements, Post-Closure*
 - Assess the present and projected future use and expenses associated with the asset's operation.
 - Conduct a risk assessment of the Asset in its current condition.
 - Conduct a comprehensive capital cost evaluation for a potential enhancement of the asset.
 - Identify the geographical split of individuals or entities utilising the facility and quantify the volume of waste generated by the asset.
 - Decide on the strategy for a Community Consultation plan in the event that the closure of the Asset and/or its improvement is being considered.
 3. *Location of Workshop and Crib Rooms*
 - Prepare high level cost assessment for a potential asset relocation.
 - Determine future use options for any legacy asset following relocation.
 4. *Reuse Shop Requirements, Post-Closure*
 - Assess the present and projected future use and expenses associated with the Asset's operation.
 - Conduct a risk assessment of the Asset in its current condition.
 - Conduct a comprehensive cost evaluation for a potential enhancement of the asset.
 - Identify the geographical split of individuals or entities utilising the facility and quantify the volume of waste generated by the asset.
 - Decide on the strategy for a Community Consultation plan in the event that the closure of the Asset and/or its improvement is being considered.
 5. *Limestone Requirements*
 - Create a model to illustrate the amount of the existing stockpile acting as a buffer screen that will remain after extraction of any necessary materials.
 - Conduct a cost analysis comparing the expenses of imported cover material with those of on-site material.
 - Undertake a review to assess and plan for any issues associated with the site leasing agreement and any regulatory factors.
 - Develop a strategy for community consultation to manage the effects of a reduction in the limestone stockpile.
-

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6. *Landfill Gas Management*

- Conduct a high-level evaluation of the condition of the current site assets to identify which components require upgrade or renewal as the current landfill gas management contract in place expires.
- Verify the validity of all existing agreements and contracts.
- Consider leasing arrangements to offset the required capital investment at the end of the contract
- Model scenario based on the assumptions on revenue and costs.
- Consider future use requirements pertaining to behind the meter power supply and other revenue generating considerations

It is proposed that the Critical Infrastructure Plan will be presented to Council at its ordinary Council meeting held in May 2024, for resolution.

CONSULTATION

A strategic workshop was held with Council on 29 February. The Strategic Working Group was consulted prior to the workshop held with Council.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications of any future Master Plan will be tabled at a future Ordinary Council Meetings.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 - 2032	
Strategic Objective 1: Deliver best practice services	
Strategy 1.1	Operate waste management activities effectively
Strategy 1.2	Utilise best practice waste diversion and resource recovery solutions
Strategic Objective 2: Position MRC to provide world class waste management options	
Strategy 2.3	Maximise use of the MRC's assets and technical capabilities

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Strategic Objective 3: Deliver best practice governance processes and structures	
Strategy 3.2	Ensure responsible use of organisational resources
Strategy 3.3	Retain financial sustainability with a commercial focus

COMMENT

The Administration notes the consensus view expressed during the workshop regarding the significance of the CIP and its timely completion in order to move to the next phase in the development of the MRC Master Plan.

In light of the outcomes of the strategic workshop, the Administration expects that the Critical Infrastructure Plan will be formally tabled to Council at the May 2024 OCM, for consideration.

VOTING REQUIREMENT

Nil

RESPONSIBLE OFFICER RECOMMENDATION

1. That Council note the details contained within the report.

Moved Cr Hatton, seconded Cr Vernon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

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10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 82**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 82 be received.

Moved Cr Gobbert, seconded Cr Wright

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

The CEO has not released the reports for items 14.1 and 14.2 for public viewing.

Moved Cr Proud, seconded Cr Hatton

Procedural motion:

That Council:

1. Closes the meeting to the members of the public at 6.50 pm to consider items 14.1 and 14.2 in accordance with section 5.23 of the Local Government Act 1995.
2. Permits the MRC Chief Executive Officer and MRC staff to remain in the chamber during discussion for item 14.1 and 14.2.

Doors closed at 6.50 pm.

Member Council Officers left the gallery, there were no members of the public present in the gallery.

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(f)(ii) of the Local Government Act 1995 as the report deals with matters concerning risk	
14.1	HIGH RISK REGISTER
File No:	GF-22-0000442
Attachment(s):	Attachment 1 – High Risk Register Attachment 2 – Risk Assessment and Acceptance Criteria V3 Attachment 3 – Risk Management Plan and Appetite Statement
Date:	13 March 2024
Responsible Officer:	Chief Executive Officer

OFFICER AND COMMITTEE RECOMMENDATION

That Council notes the high risk register as presented.

Moved Cr Hatton, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil

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This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(f)(ii) of the Local Government Act 1995 as the report deals with matters concerning risk	
14.2	CEO's REVIEW OF RISK MANAGEMENT, INTERNAL CONTROLS AND LEGISLATIVE COMPLIANCE
File No:	GF-22-0000089
Attachment(s):	Attachment 1 – Civic and Legal Systems Procedure Review
Date:	13 March 2024
Responsible Officer:	Chief Executive Officer

OFFICER AND COMMITTEE RECOMMENDATION

That Council:
Endorses the CEO's Review of Risk Management, Internal Controls and Legislative Compliance completed 16 February 2024.

Moved Cr Wright, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

Moved Cr Creado, seconded Cr Proud

Procedural Motion:

That Council:

- Reopen the meeting to members of the public at 6.53pm

To re-open the meeting to the public.

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

Doors re-opened at 6.54 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors.

15 NEXT MEETING

The next Ordinary Council meeting is to be held on Thursday 30 May 2024 at the City of Stirling commencing at 6.30 pm.

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16 CLOSURE

The Chair closed the meeting at 6.55 pm and thanked the City of Wanneroo for their hospitality and use of their meeting facilities.

Signed.....Chair

Dated.....day of2024

Statistics for Development Applications As at the end of March 2024

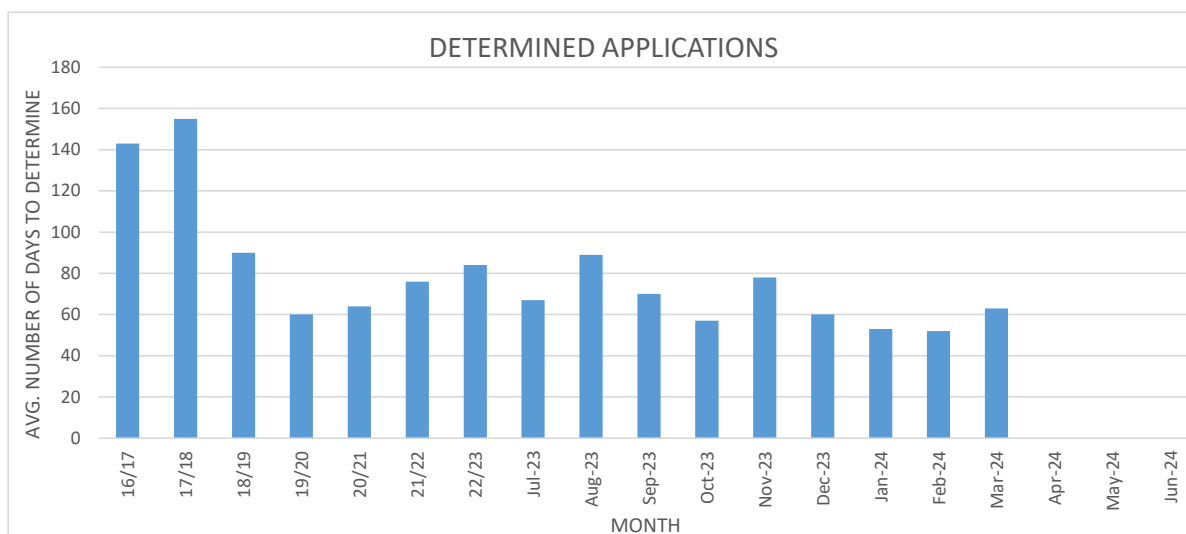
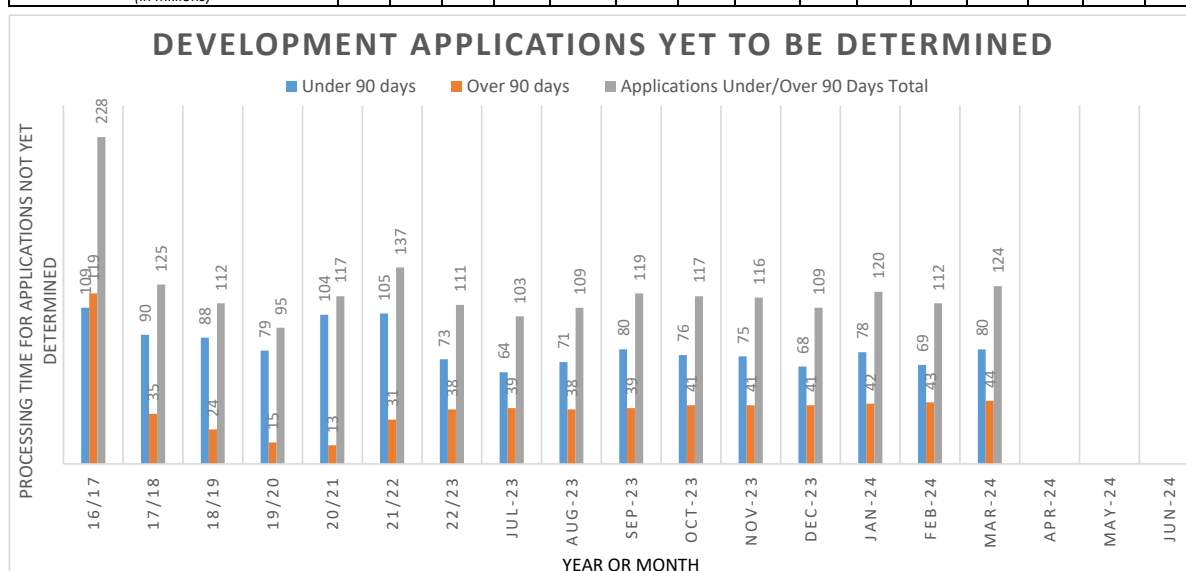


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2022.

Processing Days	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Minimum	7	1	0	0	0	1	0	8	14	31	7	14	7	5	6	1			
Average	143	155	85	60	64	76	84	67	89	70	57	78	60	53	52	63			
Maximum	924	1008	787	499	268	298	280	301	362	89	89	159	89	89	165	88			

	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's Determined (excludes exempt from approval or cancelled)	403	385	281	37	18	15	28	18	31	15	29	22			
Value of Determined DA's (in millions)	217	143	417	12.1	66.42	3.43	10.3	237.3	9.85	6.2	7.8	4.48			



	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's lodged	16	30	33	27	24	27	25	22	36			
DA's to be Determined	103	109	119	117	116	109	120	112	124			
Value of DA's to be Determined (in millions)	268.68	252.92	257.1	260.5	78.1	76.2	78.5	78.1	84.9			



CITY OF VINCENT

NOTES

Council Briefing

16 April 2024

COUNCIL BRIEFING NOTES

16 APRIL 2024

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COUNCIL BRIEFING NOTES

16 APRIL 2024

**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 16 APRIL 2024 AT 6.00PM**

PRESENT:	Mayor Alison Xamon Cr Alex Castle Cr Ron Alexander Cr Suzanne Worner Cr Nicole Woolf Cr Ashley Wallace Cr Sophie Greer Cr Ashlee La Fontaine	Presiding Member North Ward North Ward North Ward North Ward South Ward South Ward (electronically) South Ward
IN ATTENDANCE:	David MacLennan Peter Varris Rhys Taylor Jay Naidoo Luke McGuirk Mitchell Hoad Ruth Markham Karsen Reynolds Dale Morrissey Chris Dixon Paul Morrice Joslin Colli Wendy Barnard	Chief Executive Officer A/Chief Executive Officer Chief Financial Officer A/Executive Director Strategy & Development Manager Engineering A/Manager Strategic Planning & Specialist Planner A/ Manager City Buildings and Asset Management A/Manager Development & Design Manager Community Facilities (left at 6.42pm after Item 6.1) Senior Projects and Strategy Officer (left at 6.48pm during Item 5.1) Manager Ranger Services (left at 7.19pm after Item 5.1) Executive Manager Corporate Strategy & Governance Council Liaison Officer
Public:	Approximately 12 members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Alison Xamon, 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."

Also acknowledging that as a Council we can play our role towards achieving reconciliation with First Nations people.

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Cr Jonathan Hallett is an apology for the meeting.

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

COUNCIL BRIEFING NOTES

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3.1 Matt Dowell of Perth – Item 6.4

Spoke in regards to the recommendation
Full transcript of his comments can be found [here](#)

The Presiding Member, Alison Xamon, thanked Mr Dowell for his comments.

3.2 Paul Russell of Joondanna – Item 6.1

- Stated that he is the Treasurer of North Perth Bowling Club
- Spoke in regards to the recommendation
- Full transcript of his comments can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Russell for his comments.

3.3 Scott McGill of Perth – Item 5.2 <https://studio.youtube.com/video/NGNyJWERBPI/&t=2m01s>

Stated that he is from the Department of Planning, Lands and Heritage
Full transcript of his comments can be found [here](#).

Submitted comments in writing (below) and spoke to them:

The Department of Planning, Lands and Heritage (DPLH) is administering the Housing Diversity Pipeline (HDP) program, a key initiative supporting the delivery of the State Government's \$2.6 billion investment in social housing. The HDP seeks to maximise the use of underutilised surplus government land by partnering with industry to deliver mixed housing developments with a minimum 20% social housing component.

The East Parade development site was released to market through an Expressions of Interest (EOI) in early 2023 and subsequently progressed through a competitive closed tender process seeking development proposals, which concluded in late 2023. A number of submissions were received which were rigorously evaluated giving consideration to aspects such as public benefit, number of social and affordable dwellings, organisational capability and track record, and capacity to deliver on commitments. It is anticipated the Government will announce appointment of a preferred proponent in the coming months to deliver a housing development involving a significant social housing component.

Following appointment, DPLH will work with the proponent and other agencies to negotiate a development agreement and finalise detailed designs. It is expected a development application will be lodged in the latter half of 2024 in preparation for construction to commence by mid-2025.

The Site

The East Parade development site currently comprises 34 lots owned by the Western Australian Planning Commission (WAPC) located on Guildford Road and East Parade between Gardiner Street and Stanley Street, Mount Lawley.

Work has been continuing to de-constrain and prepare the site for development which includes extensive land assembly, contamination remediation, demolition of existing buildings on Stanley Street, and subdivisional works to service and create the development lots.

This work has been progressing concurrently with the procurement process to reduce timeframes and expedite the delivery of new housing.

A plan of subdivision is expected to be lodged with the WAPC within the next month to excise a portion of land to be set aside as road reserve and amalgamate the remaining portions of lots into four large development lots. The draft deposited plan is provided as an attachment to the officer's report.

Road Widening

The site is affected by an existing Primary Regional Road Reservation (PRR) along the Guildford Road and East Parade street boundaries.

The subject land was progressively acquired by the WAPC in the 1990's to allow for road widening and intersection upgrade works which were initially completed circa 2001.

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Main Roads WA (MRWA) has continued planning for additional future widening and intersection upgrades on Guildford Road and East Parade to cater for growing traffic demand and to meet future transport network needs. WAPC has retained ownership of the land during this time to ensure the land is available when required.

MRWA have released an authorised land dealings plan which shows additional land take required for road widening over and above the existing PRR reserve. A copy of the authorised plan is provided as an attachment to the officer's report.

Through the HDP program it was agreed between DPLH, WAPC and MRWA that the required road widening would be excised and set aside for the future upgrades as part of the wider land assembly process.

Additional road widening requirements would typically be introduced through an amendment to the Metropolitan Region Scheme (MRS) to protect the required land through a reservation. An amendment to the MRS to reserve the land has not been initiated in this instance as there is no immediate need to protect the land through a reservation as WAPC owns the land and use of the land for road widening has been coordinated directly between MRWA and WAPC.

In these scenarios, MRWA typically undertakes an MRS amendment following construction as part of a periodic omnibus amendment package.

Should Council resolve to support this application, to

offer a higher level of certainty to the City in respect to the road widening, DPLH has offered to initiate an MRS amendment as a priority to rationalise the road reservation in line with the authorised land dealings plan.

No.40 Guildford Road

The additional land take requirements affect Lots 245 and 403 (No.40) Guildford Road and conflict with the existing building creating a notable encroachment into the future road reserve which would require substantial demolition or modification of the building to rectify.

DPLH is seeking approval to remove the dwelling from the City's Local Heritage Inventory to allow for demolition of the building to occur as necessary to facilitate the road upgrade outcome in line with the ultimate purpose for which the land was originally acquired, and to allow for the required subdivision of the development site to progress in an orderly manner.

Need for Widening - Traffic Modelling

The land take requirements are based on detailed traffic modelling completed by MRWA comparing traffic impacts under current conditions against the proposed upgrades out to 2036. A copy of the modelling is provided as an attachment to the officer's report.

Performance is measured by the degree of saturation (DOS) and level of service (LOS). A DOS of 90% or lower and a LOS of 'D' or lower is targeted for signalised intersections. LOS ranges from 'A' at best, to 'F' at worst.

The Guildford Road east intersection currently exhibits poor performance across the day with the worst during the morning peak with a maximum DOS of 120% and a minimum LOS of 'F' with vehicle queuing lengths well exceeding 500m particularly in the existing left turn lane significantly impacting the flow of through traffic.

Modelling shows that proposed upgrades deliver an improvement in 2036 however even with the additional capacity provided by significant upgrades, the intersection still experiences low performance during the morning due to increasing traffic volumes. The data shows a maximum DOS of 110% and a minimum LOS of 'F' with total vehicle queuing lengths in the left turn lane down to 185m with vehicle queuing for through lanes up to 500m.

This clearly demonstrates the necessity of the addition and extension of turning lanes on Guildford Road to ensure a greater volume of turning vehicles can be managed without creating additional impacts on through traffic, exacerbating congestion at the intersection and further limiting performance.

MRWA have emphasised that any reduction in the length of the turning lanes would have a significant detrimental impact on the level of service and congestion at the Guildford Road intersection and would have a compounding worsening effect on the delay and queuing length of through traffic along Guildford Road.

COUNCIL BRIEFING NOTES16 APRIL 2024

Outcomes

Providing certainty in respect to demolition of the building at No.40 Guildford Road will allow for an orderly subdivision process and maximise the alternative development opportunity on the surrounding land to deliver a more effective, consistent, and beneficial overall outcome. Having certainty will also provide greater scope to positively respond to other design factors such as tree retention.

With the additional road widening land secured and set aside MRWA can with certainty continue to progress project planning and detailed design development for the delivery of the upgrades in close consultation with the City of Vincent. These upgrades are essential to ensuring the intersection can operate more effectively now and does not worsen or fail under growing future demand.

Subsequent redevelopment of the site including No.40 Guildford Road will deliver significant community benefit through provision of community housing with a substantial uplift in the number of dwellings on the site, easing local housing pressure and providing access to secure housing for vulnerable members of the community.

The State Government is focused on delivering projects which address current housing pressures while balancing local community needs and expectations. It is considered that this proposal balances broader community interests, infrastructure and planning needs, and long-term benefits to deliver a positive development outcome.

The Department of Planning, Lands and Heritage respectfully request that you accept this written statement in support of our application to be put before a council briefing session on the 16th April 2024, and submit this to Council for their due consideration prior to resolving the item at their ordinary meeting on the 23rd April 2024.

The Presiding Member, Alison Xamon, thanked Mr McGill for his comments.

3.4 Michael Douglas of Mount Hawthorn – Item 5.1

Spoke in regards to the recommendation
Full transcript of his comments can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Douglas for his comments.

3.5 Nathan Ebbs of Mount Hawthorn - Item 5.1

Spoke in regards to the recommendation
Full transcript of his comments can be found [here](#)

The Presiding Member, Alison Xamon, thanked Mr Ebbs for his comments.

3.6 Daniella Mrdja- Urbanista Town Planning – Item 5.1

Spoke in regards to the recommendation
Full transcript of his comments can be found [here](#)

The Presiding Member, Alison Xamon, thanked Ms Mrdja for her comments.

There being no further speakers, Public Question Time closed at approximately 6.21pm.

The following statements were submitted in writing prior to the meeting:

Gail Mitchell of Mt Hawthorn – Item 5.1

I wish to express my strong support for the application for a coffee shop at 5 Berryman St, Mount Hawthorn. I believe it will add vibrance and a lovely meeting place for local community members and groups.

A coffee shop in this location has the added advantage of being away from the busy, noisy strip along Scarborough Beach Road, offering a far more pleasant option within walking distance from home. The strip has become so congested I consciously avoid it as a pedestrian.

COUNCIL BRIEFING NOTES**16 APRIL 2024**

Kylie Taylor of Mt Hawthorn – Item 5.1

This is such exciting news for our community if this is allowed to move forward.
My question is the trading times? 7.00am-4.00pm. From 7:00am -7:00pm??

Why would a cafe close SO EARLY? The traffic that would be missed at having to close at 4 pm. Seems unfair. Is this a mutual decision or something the COV have have proposed?

Patricia Alessi of Mt Hawthorn – Item 5.1

I am writing with regards to the proposed coffee shop opposite Menzies Park.
As a local living on Egina Street, this would be a very welcome development.
There is plenty of parking opposite on the verge of the park for this coffee shop, and the improvements to the shopfront would be greatly welcomed.
As a local, I also would not mind if more than 2 staff were present as this would assist with workflow, as well as waiting outside for a cup of coffee. This would not hinder access to the street.
As a professional in the music industry (with extensive experience in site assessment for acoustic amplification and usage, which includes for the National Trust and heritage venues), I am acutely aware that acoustical reports do not always possess all of the required data to make accurate decisions with regards to sound; however, from the construction of proposed site (including the materials used), the impact would be minimal to the surrounding area and neighbouring houses.
With regards to development, it is best to ensure practical and reasonable conditions are imposed, so that every business is provided with an equal opportunity for success.
If there are such restrictions on this approval, it would be best to remove them at this time.

Rita Khouri of Mount Hawthorn – Item 5.1

I am a local resident and frequent Menzies Park daily with my dog and 8 month old son. I am very excited for the Menzies Park coffee shop as it is more convenient for me to get a coffee especially when I return to work. Menzies Park has a great community of neighbours that bring their dogs and children and it is great that a small business will continue to grow and foster these relationships. I am fully supportive of the Menzies Park Coffee Shop. To ensure this small business is set up for success, I really hope the conditions are fair and realistic. Most people will get their coffee and go straight to the park after. Looking forward to Menzies Park Coffee Shop opening soon.

Victoria of Mount Hawthorn – Item 5.1

I'd like to submit my support for the change to residential cafe, and would like to see the restrictions reduced. I think it will be a lovely addition to our neighbourhood, a family owned business will bring the local community together and be a place for locals to chat and get to know each other. I don't beleive parking will be an issue as most people in the area would take the opportunity to walk out for their coffee.

Susanna Wills-Johson of Mount Hawthorn – Item 5.1

I live close to the proposed coffee shop on Berryman Street (we are on Egina Street). I want to submit my strong support for this shop to go ahead. As a regular visitor to Menzies Park, to walk my dog, get exercise and attend kids' sports activities, I would very much love for there to be a local coffee shop to visit. I understand some neighbours are concerned about things like additional traffic and people talking while waiting for their coffee, but I don't imagine many people will drive to the venue (it will be serving locals) and I think one of the benefits of our community is that we are respectful of our neighbours when it comes to noise. I think the shop will need more than two staff to be able to accommodate demand (especially on Saturdays during footy season!) and I really hope that approval for this venture is given, without placing trading restrictions on it that will negatively impact success. Many, many locals in my network want this coffee shop to be approved.

Danielle Power of Mount Hawthorn – Item 5.1

My name is Danielle Power and I am a COV ratepayer and resident from Sasse Avenue in Mount Hawthorn. We are in full support of the new Menzies Park coffee shop and recently wrote an email explaining our support at the time.

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I cannot attend the briefing session tonight but would like to explain that as local residents who live in the street away, we are thrilled to have this sort of establishment supporting what is a beautiful community space and enhancing the opportunities to meet with friends more at the local park with a coffee or treat. It would be amazing to support local businesses and make community sport and walking activities refreshed with a new option and vendor to support so close to this amazing space.

I would like to mention that I am not in support of the Officer's recommendations of only two employees, an acoustic report, on site parking and no waiting outside for coffee.

I hope these recommendations can be seen as impractical solutions to the success of a small business of this nature.

The football and cricket games are held at this park and have not been required to supply acoustic reports and on site parking for their visiting sides or players, this seems like an unnecessary and costly exercise which falls on a new business owner.

I hope tonight's briefing outcomes find a more sensible solution or recommendations than the above being required and this hopefully will ensure that the overwhelming support for this business ensures the shop can not only open but thrive.

If you require something more formal to complete in regards to this briefing session and feedback, please feel free to reach out by email or mobile.

Elle Peddie of Mount Hawthorn- Item 5.1

I want to send my support for the approval of the Menzies Park Cafe.

The restrictions you are putting on a small business is ridiculous all because of the power of one neighbour. I live next door to dejaxo and it is such a great community coffee shop and bakery. That one neighbour that is going against this cafe frequents Dejaxy everyday.

If you want to have a supportive local community then support the local who has lived in Mt Hawthorn and wants to continue the beautiful community that it is bringing people together.

Sarah Rudnicki of Mount Hawthorn – Item 5.1

As a local resident I support the plans for the new coffee shop, without restrictions.

Coffee shops are the modern corner stores, of which there was one in this location, which creates community connection thereby increasing liveability and reducing crime through natural neighbourhood watch. I see this local meeting point as appealing to mainly only locals, and there is already ample parking at Menzies.

This is an inner city suburb and residents attitudes to new endeavours should reflect this.

Matt Mueller of Mount Hawthorn – Item 5.1

I am writing regarding the proposed Menzies Park Coffee Shop at 5 Berryman St (or the corner of Berryman St and Federation St).

I am in **STRONG SUPPORT** of having such a coffee shop. I live in Mount Hawthorn on Purslowe Street and can attest to the need, opportunity, community support and alignment of this proposal with Vincent's vision. For transparency, I have no financial interest in the proposal. My personal interest is only that of a local resident (also adjacent to Menzies Park).

However, I also want to also express concern that the council's proposed conditions and process seem to be counter to Vincent's Vision and worryingly, has the appearance of being overly sensitive to, or providing undue weight from, feedback of a few. I'm supportive of reasonable conditions, however the reasons for my concern are set out below.

The conditions from my understanding include a limit of number of staff to two, requirement for an acoustic report for a small cafe, restrictions on waiting for a coffee, among others.

On face value, my concern is that they seem to be cleverly constructed in their individual elements and as a whole to engineer in a situation that, even if the proposal is 'approved', they are so restrictive and onerous as to have the same effect as a rejection of the proposal.

COUNCIL BRIEFING NOTES

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Experienced participants to these types of processes would be familiar that, unfortunately, a common tactic by people more au fait with regulatory planning and legal processes will be to use such knowledge to amplify their minority views and/or interests onto a project, even in the face of overwhelming majority and community support.

Is this occurring in this case? If not - I'm happy to be better informed. Perhaps with a transparent overview of the level of support vs concern. I may be present for the public discussion to both express my support and explore this concern directly with the Council. This is a genuine openness and curiosity for reasons set out below regarding what the community has communicated in the construct of Vincent's 2032 vision, and how these will be applied in this proposal.

Vincent Vision

These conditions, if accurate and perhaps well intended, are simply not appropriate in their current form for reasons above. However, they are also at odds with the purpose of proposing community and day-time economies next to a community park. To be specific, these are in direct conflict with Vincent's mission to build a vibrant, diverse and sustainable community. I refer to the 2032 Vision statement (which was subject to extensive consultation across the town and to a much greater extent than this development proposal, thus should have far greater weight on the Council's decision making processes and guidance with regards to conditions).

It states (ref p. 14 of the 2022-2032 Imagine Vincent, the Sequel):

*"In 2032, the City of Vincent is a leafy and vibrant 24-hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a **council that says YES!** This vision was created by the independently and randomly selected Community Engagement Panel for the Strategic Community Plan 2018 – 2028. It continues to be important to our community."*

The additional feedback confirms that the community wants us to be a Council and an organisation that:

- *is clever, creative and courageous*
- *prioritises and protects our natural and built environments*
- ***is in line with the community appetites and expectations***
- ***supports day-time and night-time economies***
- ***is open-minded and willing to push the boundaries***
- ***is willing to think and act as an enabler rather than a traditional local government regulator***
(emphasis added to relevant areas)

This indicates this proposal would be an exemplar of how the vision could come to life. However it needs to be supported with a Council that lives its vision with regards to the aspects above. I'm looking forward to today's meeting, and will be happy to discuss this further.

Brooke Wade of Mount Hawthorn – Item 5.1

I am writing ahead of the briefing session tonight being held in regards to the proposed coffee shop across from Menzies Park.

I am rate payer of Vincent council, residing in Mount Hawthorn. I am in full support of this proposed development, and I do not feel unfair conditions should be put on this development, conditions that could see this business fail because they're unable to operate at capacity and flourish.

Conditions such as;

- Total number of staff to be limited to 2 people, this will not help the business run efficiently if they're inundated with customers - the areas the proposed development is located is very busy with kids weekend sport as well as everyday active people in the neighbourhood walking their dogs and exercising - there is a good chance that this business will be welcomed and quite busy to this particular area of Mount Hawthorn

- no waiting outside for a cup of coffee. I don't think I have come across a cafe in Perth where people aren't wait outside for a cup of coffee, this is a completely unreasonable condition and request.

- on site parking, this is a local community cafe that will 90% be serving people in the immediate area surrounding it and people will most like be walking to the coffee shop - again, I feel this is an unreasonable condition

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- acoustic reporting???? It's a local coffee shop opened during the day, not a nightclub.

- opening hours being challenged. I feel 7am-7pm is more than fair - services early risers on their way to work or people out exercising and then also in the evening out for a walk exercising or post school kids sports.

Businesses like this are the fabric of local communities like Mount Hawthorn, where people can gather to meet and greet each other in a happy, safe environment. There is no offering of a coffee shop in that pocket of Mount Hawthorn, with people having to make the trek up to Scarborough Beach Road or Dejaxo on Anzac Rd, this pocket of Mount Hawthorn shouldn't have to miss out on a business like this that will enrich the neighbourhood and the immediate local community surrounding it.

This proposed business has my full support, with no unfair conditions attached - I want to see this business thrive!

Leonie Edwards of Mount Hawthorn – Item 5.1

I am unable to attend the meeting this evening but I fully support the proposed cafe in Berryman St opposite Menzies Park.

I live very locally in Federation St and this small business will contribute greatly to the local community.

The restriction of 2 only staff is totally unreasonable as are the other conditions.

This park already has enough parking to accommodate cricket and football matches so there is enough parking to accommodate the modest amount of cafe parking.

I am yet to receive an explanation of what acoustic reporting is having emailed the ToV a few weeks ago.

It is disappointing that the council considers the complaints of a few and not the approval of many.

Alex Stoichev of Mount Hawthorn – Item 5.1

I support the City's recommendation to conditionally approve the proposed restaurant/cafe at No. 5 Berryman Street, Mt Hawthorn. It is apparent from the 3 rounds of public consultation that this proposal has overwhelming support resulting in many community benefits.

Despite the recommendation for approval, my concern is that the draft conditions may pose significant challenges potentially preventing the proposal from proceeding. The sheer number of conditions appears to be excessive, in the context of the proposal, as well as the requirements that sit behind them. The City should consider working together with the applicant to develop a reasonable set of conditions that can be implemented. In particular, I request Council consider the following conditions to determine whether they are reasonable or not:

- **Condition 2.3** - prohibits more than 2 staff attending the restaurant/cafe - can the City advise the reasons for this requirement? This appears to be unreasonable particularly in the event a staff member requires a break. From an operational efficiency perspective, the number of permitted staff members should be increased so that it can operate smoothly and provide quality service.
- **Condition 2.4** - this condition proposes to limit the number of persons to 14 which seems to be onerous & difficult to manage or enforce. In addition, limiting patrons may impact the businesses ability to generate revenue and contribute to the local economy. Can the City justify its reasons for limiting patrons?
- **Condition 3.2** - Can the City explain why customers would not be allowed to wait for take-away orders on the footpath or verge? It would be very difficult to manage or enforce this requirement both from the owner and City's perspective. I suggest this condition is removed as it would result in the loss of community interaction & social cohesion.
- **Condition 3.3** - suggested signage advising customers that queuing, waiting and dining must occur internally seems overly onerous resulting in undue burden on small business.
- **Condition 4** - the preparation of an Acoustic Report seems excessive - is this a common requirement? There is already a significant volume of noise generating uses from local sporting events, traffic, Mitchell Freeway and passing trains. It is very difficult to imagine that this proposal will result in additional noise concerns given the inner city living environment.
- **Condition 6.2** - it is unclear why 2 parking bays for customer use is required - can the City advise its reasons for requiring customer parking? There is sufficient parking surrounding the proposal including street parking and verge parking on Menzies which occurs every weekend. Suggest the City seeks to promote active transport by removing this requirement.

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Overall, it is a positive step that recommendation for approval is proposed by the City's Administration. However, I urge Councillors to review the draft conditions to determine what is fair and reasonable for a small business seeking to establish in Vincent. I believe the applicant has been very patient during this incredibly lengthy process & it is now left with Councillors to ensure that Vincent upholds its status as a small business friendly local government.

Kirsty Sanders of Mount Hawthorn – Item 5.1

As a resident at 54 Federation Street, Mount Hawthorn, I'm writing to provide my full support for the proposed coffee shop at the end of Federation Street, opposite Menzies Park, without any conditions. I strongly believe the addition of this business will enrich the suburb and local community, by providing opportunities for community connection and engagement. I would love to see this small business supported by local government.

Elena Stoichev of Mount Hawthorn – Item 5.1

I am writing to express my thoughts, as a resident of Mount Hawthorn (77 Federation St Mount Hawthorn), about the proposed coffee shop located across from Menzies Park at 5 Berryman St Mount Hawthorn.

I understand there are some conditions being applied and my thoughts are below:

- Staff limited to 2 people: This does not allow or set up a coffee shop of this nature to succeed. More staff will be required to fulfil the foot traffic this location provides. 2 staff will not allow a business to provide efficient or good service to customers. Why is it a problem if more than 2 staff are working? I'm not sure how this is reasonable.

- No waiting outside for take away or coffee: As above, having only 2 staff members will force people to wait longer periods of time. Naturally, people will wait outside in the fresh air. Why is this condition put forward? I'm confused as to how this is of importance?

- Acoustic reporting: I'm unsure why this is necessary. Surely the sport played on the oval and increased traffic from this sport creates more noise than a small suburban cafe?? Why is there no acoustic reporting of sports and the traffic caused by these sports on the oval?? If there is acoustic reporting, how will noise be attributed to this particular cafe if there is ample traffic and sports on the weekends nearby? This seems very unreasonable. How often is acoustic reporting performed? By who? What are the parameters/acceptable levels? Who decides this? Is there law related to this?

The conditions above I have mentioned are harsh and unreasonable and certainly set this business up to fail.

This business will bring more life to this suburban area. It will encourage people to get out, walk and socialise within the community they live. This will add enjoyment to the area overall and create a safe community feel to the neighbourhood. I would like to see less harsh and more realistic conditions (if any) imposed on such a business to ensure that we are setting them up to succeed into the future.

Matt Sanders of Mount Hawthorn - Item 5.1

I am a homeowner (54 Federation St, Mount Hawthorn) and I wanted to register my strong support for the proposed coffee shop on Berryman St.

I would like to see the coffee shop able to operate with minimal restrictions and I strongly believe it will provide a material increase in community engagement and connection.

Sarah Thomas of Mount Hawthorn – Item 5.1

I understand there is a meeting today and I would like to understand the reasons behind some of the strict conditions being considered, specifically limit of 2 staff and not being able to wait outside for a coffee. Thinking about other similar coffee shops like dejaxo or Hobart deli (ie in more suburban streets), do these conditions align with these businesses.

I think the city should be supporting small business, not making conditions so difficult it's setting them up to fail.

COUNCIL BRIEFING NOTES**16 APRIL 2024****Zoe Rogerson of Mount Hawthorn – Item 5.1**

I live at 3 Birrell St, Mount Hawthorn and would like to send my support for the proposed coffee shop on Federation Street.

I walk past every day with my baby and dog in tow and think it would be a great spot to grab a takeaway coffee or sit and meet with friends.

I hope that there will be a positive verdict for this local opportunity.

Catherine Fragomeni of Mount Hawthorn – Item 5.1

As a resident of Mt Hawthorn and property owner I wish to show my support for the new cafe opposite Menzies park.

My family frequent this park multiple times each week and think a cafe would be a great addition.

Some of the conditions being imposed don't seem fair or practical and I ask that you remove these conditions to allow the cafe to thrive.

- Total number of staff limited to 2.
- On-site parking.
- No waiting outside for a cup of coffee.

Sarah Wood of Mount Hawthorn – Item 5.1

I am writing in strong support of the application for a Cafe on the corner of Berryman Street and Federation Street in Mount Hawthorn.

I love how it will service a busy local park with good parking facilities already in situ around Menzies and servicing a lot of sporting teams over the weekends through the seasons.

I think it is an appropriate development for an inner-city suburb.

Regan Cleland of Mount Hawthorn – Item 5.1

My name is Regan and I am the owner and resident of 19 Lynton Street, Mount Hawthorn.

I am unable to attend the briefing today but wish to make my views available, should it not be too late to do so.

I am in favour of the change of use / approval for small business, unconditionally.

I believe there should be no onerous conditions on the operation of the business such as a limit on staff, or where customers may wait as such impositions only restrict the chance of establishing a successful business.

4 DECLARATIONS OF INTEREST

Cr Suzanne Worner declared a financial interest in Item 6.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that her son is employed at the Club. She is not seeking approval to participate in the debate or remain in Chambers or vote on the matter.

Cr Nicole Woolf declared an impartiality interest in Item 6.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she has a longstanding relationship with the Club.

Cr Ashlee La Fontaine declared an impartiality interest in Item 6.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she is a social member of the Club.

Cr Alex Castle declared an impartiality interest in Item 6.1 Community Sporting and Recreation Facilities Fund Application - North Perth Bowling and Recreation Club Synthetic Bowling Green Conversion. The extent of her interest is that she is a social member of the Club.

Cr Alex Castle declared an impartiality interest in Item 5.3 Appointment of the Design Review Panel. The extent of her interest is that she is acquainted with a number of applicants for the panel.

COUNCIL BRIEFING NOTES**16 APRIL 2024**

REPORTS

The Presiding Member, Mayor Alison Xamon, 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 and the following was advised:**

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor Alison Xamon	5.4
Cr Alexander	5.1, 5.2, 5.5 and 6.1
Cr Woolf	8.1

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REPORTS WITH DISCUSSION

6.4 BRISBANE STREET - RESPONSE TO PETITION

- Attachments:
1. Attachment 1: Brisbane Street Traffic Concerns - Petition - March 2024 - Confidential
 2. Attachment 2: Brisbane Street Traffic Concerns - Survey - March 2024 - Confidential

RECOMMENDATION:

That in response to a petition received by the Council on 19 March 2024 in relation to Local Area Traffic Management and parking issues on Brisbane Street, between Lake and Palmerston Streets, Perth, Council:

1. NOTES the April 2024 Traffic Warrant scoring is 30 for Brisbane Street, between Lake and Palmerston Streets which suggests to consider low-cost non-capital works solutions;
2. REQUESTS Administration to design a low-cost treatment to be delivered which addresses road safety issues (speeding, driver behaviour etc) on Brisbane Street, between Lake and Palmerston Streets,
3. CONSULT with residents on the low-cost treatment design for Brisbane Street, between Lake and Palmerston Streets; and
4. CONSULT with residents on the proposed introduction of paid parking on both sides of Brisbane Street, between Lake Street and Palmerston Street.

MAYOR XAMON:

Noted a very high percentage of non-residents that are parking in the area, is there any indication of the average time that people are parking there?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Current data shows that whilst around 78% of the vehicles counted during the day were commuters/visitors/non-residents, the average length of stay of those vehicles is less than 3 hours. The car counts were conducted at approximately 9am, 12pm, 3pm and 6pm with minimal repeat parkers recorded (majority were residents). This suggests that most drivers are adhering to the 2P restriction and further supports the introduction of paid parking, consistent with the paid 2P ticket parking on Brisbane Street to the east.

CR CASTLE:

Traffic Warrant Scoring –this is a request for the report for next week could we have an indication of the scale of that and where 30 fits in the scale - this would be really useful in the report for next week.

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Traffic Warrant Scoring System included in Report item.

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At 6:33 pm, Cr Suzanne Worner left the meeting due to a previously declared financial interest.

6.1 COMMUNITY SPORTING AND RECREATION FACILITIES FUND APPLICATION - NORTH PERTH BOWLING AND RECREATION CLUB SYNTHETIC BOWLING GREEN CONVERSION

Attachments: 1. North Perth Bowling and Recreation Club - Synthetic Bowling Green Conversion - CSRFF application - Confidential

RECOMMENDATION:

That Council:

1. ENDORSES the proposal from North Perth Bowling and Recreation Club to convert one of its grass bowling greens to a synthetic bowling green; and
2. Subject to its endorsement, APPROVES:
 - a) the inclusion of \$66,104.55 (ex GST) for North Perth Bowling and Recreation Club synthetic bowling green conversion on the 2024/2025 budget, subject to confirmation of the required financial contribution through external grant funding and North Perth Bowling and Recreation Club; and
 - b) that all supporting documentation, including the completed application form, be forwarded to the Department of Local Government, Sport and Cultural Industries.

CR CASTLE:

The report includes an assessment of the impact and relation to a grass green. Is there consideration of the environmental impact of synthetic lawn in general, in terms of soil run-off and flooding of the soil beneath?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Provision for run-off and flooding was considered as part of the design process. A review of the site drainage was undertaken, and a drainage design incorporated to capture any excess runoff into leech drains on the site.

CR WOOLF:

Can we please have an update on the Woodville Reserve Masterplan to understand this proposal in the broader context?

A/EXECUTIVE MANAGER URBAN DESIGN AND STRATEGIC PROJECTS:

The Woodville Reserve master plan is scheduled for next FY (24/25) and anticipates a project start date around Jan/February 2025. The master plan will represent the strategic vision for the Woodville Precinct over the next 10 years, with a focus on delivering achievable and sustainable short-term, medium-term, and long-term actions. A master plan will take several years to develop and implement (1 -2 years to develop the master plan and 2-10+ years of detailed design, funding & implementation). Given the synthetic turf has a lifecycle of 10years, implementation of the master plan can align with the lifecycle of the turf.

CR WOOLF:

Finances – the report had indicated that an outcome will be made available mid-year, and if this was approved the funds to be used following year, mid-year, is there any indication that if these funds were approved when would the funds be made available?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Should the grant be approved funds are expected to be available from July 2024. The project is planned to commence this winter in the Club's off season. A proposed timeline is included in the attachment. If not approved in time for the winter off season, the project will be moved to next April/May.

CR ALEXANDER:

In applications like these, what practice is in place to ensure that the Club has sufficient funds to replace the synthetic surface, such as a sinking fund?

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EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

The attachment states that the Club has set aside a separate bank account for projects which will be utilised as a sinking fund for subsequent green replacements. The Club also advised Administration that future replacement costs would be a lot lower as it would be for the replacement of the turf only, not the base.

At 6:39 pm, Cr Suzanne Worner returned to the meeting.

At 6.42pm Manager Community Facilities left the meeting and did not return.

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5.2 AMENDMENT TO THE MUNICIPAL HERITAGE INVENTORY - NO. 40 GUILDFORD ROAD, MOUNT LAWLEY

- Attachments:
1. Applicants Report 
 2. Main Roads Approved Land Dealings Plan - Guildford Road and East Parade 
 3. Heritage Impact Statement 
 4. Proposed Demolition of Heritage Listed Single House - Photographic Archival Record 
 5. Department of Planning, Lands and Heritage Letter of Response to City of Vincent Council Resolution - Removal of No. 40 Guildford Road from Municipal Heritage Inventory 
 6. Main Roads Western Australia Traffic Assessment Report 

RECOMMENDATION:

That Council:

1. **RESOLVES** that No. 40 (Lots: 254 and 403) Guildford Road, Mount Lawley be removed from the City's Municipal Heritage Inventory pursuant to Schedule 2, Part 3, Clause 8(3)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. **NOTES** that Administration will notify the Heritage Council of Western Australia and the owner of the place of this decision pursuant to Schedule 2, Part 3, Clause 8(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CR WALLACE:

Is MRWA able to conduct some sensitivity analysis on the effects of shortening the dual-turning lane option by the length of the MHI lot? The current TAR seems to assess single vs double lane only.

A/MANAGER STRATEGIC PLANNING & SPECIALIST PLANNER

The Department of Planning, Lands and Heritage (DPLH) have advised that:

- *The length of the proposed dual left turn pocket on Guildford Road has been based on ensuring a greater volume of turning vehicles can be managed without creating additional impacts on through traffic, exacerbating congestion at the intersection and further limiting performance; and*
- *Any reduction in the length of the turning lanes would have a significant detrimental impact on the level of service and congestion at the Guildford Road intersection and would have a compounding worsening effect on the delay and queuing length of through traffic along Guildford Road which would undermine the impact and effectiveness of the wider intersection upgrades.*

The DPLH have not provided a sensitivity analysis as part of their response.

*The Traffic Assessment Report (TAR) that is provided in **Attachment 6** included modelling for the intersection that accounted for existing and future traffic volumes with a focus on the left turn movements from Guildford Road to East Parade.*

Ultimately the proposal relates to a request for the removal of the property from the Municipal Heritage Inventory (MHI).

The City's Policy No. 7.6.5 – Heritage Management – Amendments to the Municipal Heritage Inventory (MHI Policy) sets out the criteria where Council would consider the deletion of a place.

One of these criteria is where the heritage value "cannot practically be retained in its entirety or in part because:

- a) *The location of the building on the site."*

The DPLH has submitted the TAR as part of its justification to satisfy this criteria of the MHI Policy, being that the existing location of the building would be located within the road widening area required to facilitate

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intersection upgrades.

This would result in the front façade the building which is of heritage significance needing to be removed.

CR WALLACE:

What form of development is proposed for the Mount Lawley Housing Diversity Pipeline site?

A/MANAGER STRATEGIC PLANNING & SPECIALIST PLANNER:

The DPLH have advised that a preferred proponent for the redevelopment of the subject and surrounding sites has yet to be identified and because of this there is no information available on what a future development would be.











Any future development would need to demonstrate consistency with the Residential R100 zoning under the City's Local Planning Scheme No. 2, the Residential Design Codes, and the City's Policy No. 7.1.1 – Built Form Policy (Built Form Policy) which identifies a building height standard of three storeys.

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5.1 NO. 5 (LOT: 516; PLAN: 2177) BERRYMAN STREET, MOUNT HAWTHORN - CHANGE OF USE FROM SINGLE HOUSE TO SINGLE HOUSE AND RESTAURANT/CAFE

Ward: North

- Attachments:
1. Consultation and Location Map 
 2. Development Application Plans 
 3. Applicant's Justification 
 4. Applicant's Operation Management Plan 
 5. Acoustic Letter of Advice 
 6. 1975 Council Determination 
 7. 1997 Council Determination 
 8. Summary of Submission - Applicant Response 
 9. Summary of Submissions - Administration 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, APPROVES the application for the Change of Use from Single House to Single House and Restaurant/Cafe at No. 5 (Lot: 516; D/P: 2177) Berryman Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Approval

This approval relates to a Change of Use from Single House to Single House and Restaurant/Cafe as shown on the plans dated 12 February 2024. It does not relate to any other development on the site;

2. Use of Premises

- 2.1 The development shall be used in accordance with the definition of 'Single House' and 'Restaurant/Cafe' as set out in the City's Local Planning Scheme No. 2;
- 2.2 The Restaurant/Cafe use shall be contained to the 34 square metre room, annotated on the approved plans as 'Proposed Cafe', and the staff and customer car parking areas annotated on the approved plans as 'Tandem Carbays', to the satisfaction of the City. Remaining areas of the building and outdoor areas shall be used as a Single House, unless further development approval is received by the City;
- 2.3 The total number of staff attending the Restaurant/Cafe at any one time shall be limited to two (2) persons, to the satisfaction of the City;
- 2.4 The total number of customers/patrons attending the Restaurant/Cafe at any one time shall be limited to 14 persons, inclusive of dine-in and take-away customers, to the satisfaction of the City; and
- 2.5 The Restaurant/Cafe shall be limited to the following operating hours, to the satisfaction of the City:
 - Monday to Saturday: 7:00am to 4:00pm; and
 - Sunday: 9:00am to 4:00pm and Public Holidays: Closed, unless demonstrated through an Acoustic Report that the premises could operate from 7:00am on Sundays or on Public Holidays, in strict accordance with the *Environmental Protection (Noise) Regulations 1997*, and subject to the implementation of any recommended noise mitigation measures detailed in an Acoustic Report, to the satisfaction of the City;

3. Operation Management

- 3.1 The Restaurant/Cafe shall at all times operate in compliance with the Operation

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Management Plan stamp dated 12 February 2024, to the satisfaction of the City;

- 3.2 At all times, customers shall not queue, wait for take-away orders, or dine, on the adjacent footpaths and/or verge areas, to the satisfaction of the City;
- 3.3 Prior to commencement of the use, an amended Operation Management Plan shall be submitted to and approved by the City, which provides measures regarding how take-away waiting areas would be accommodated within internal areas of the building, to the satisfaction of the City. This should include designated waiting areas as well as signage advising customers that queuing, waiting and dining must occur internal to the building only, in accordance with Condition 3.2, to the satisfaction of the City; and
- 3.4 All deliveries, servicing, food/drink preparation, set-up, pack-down, cleaning, and any other activities associated with the Restaurant/Cafe shall occur within the approved hours of operation, as detailed within Condition 2.5 of this approval, to the satisfaction of the City;

4. Acoustic Report

- 4.1 An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and to the satisfaction of the City, shall be lodged with and approved by the City prior to the operation of the Restaurant/Cafe. The Acoustic Report must address all activities, equipment, and operations at the premises, including but not limited to:
- Vehicle noise (in accordance with the carpark design required by Condition 6);
 - Customer noise;
 - Noise from mechanical plants;
 - Proposed operating hours, inclusive of public holiday trading; and
 - Noise from glass waste disposal or compacting.

All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development, to the satisfaction of the City; and

- 4.2 Certification from an acoustic consultant shall be provided to the City that the recommended measures identified in the approved Acoustic Report have been undertaken to the City's satisfaction, prior to the use of the approved development;

5. Building Design

The Proposed Restaurant/Cafe shall comply at all times with the following:

- 5.1 Doors and windows fronting Berryman Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;
- 5.2 Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy, to the satisfaction of the City; and
- 5.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City;

6. Parking and Access

- 6.1 One (1) off-street parking bay shall be provided for use of the Single House, in the location shown on the approved plans, to the satisfaction of the City;
- 6.2 Four (4) off-street parking bays shall be provided for use of the Restaurant/Cafe, in the locations shown on the approved plans, including two (2) parking bays for staff use and two (2) parking bays for customer use, to the satisfaction of the City. The parking bays

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shall not be used for storage purposes or the like;

- 6.3 The design of the Restaurant/Café carpark shall be modified and thereafter constructed in accordance with the following specifications, prior to first use of the approved development and to the satisfaction of the City:

6.3.1 A 1.5 metre setback provided between the Restaurant/Cafe carpark and the southern lot boundary;

6.3.2 A 1.5 metre setback between the long term bicycle bay and the southern lot boundary; and

6.3.3 A 0.5 metre setback between the proposed crossover and the existing western power pole located in the verge;

- 6.4 Car parking and access areas associated with Single House and Restaurant/Cafe shall be sealed, drained, paved and respectively marked as 'residential only', 'staff only' and 'customer parking' in accordance with the approved plans and are to comply with the requirements of Australian Standard 2890.1, to the satisfaction of the City;

- 6.5 The operator of the Restaurant/Cafe shall ensure that access to onsite customer parking bays are available during the approved operating hours, to the satisfaction of the City;

- 6.6 A minimum of one onsite bicycle facility shall be provided and designed in accordance with the approved plans and shall comply with AS2890.3, to the satisfaction of the City; and

- 6.7 A minimum of one bicycle bay shall be provided within the Berryman Street verge, adjacent to the Restaurant/Cafe premises and in a location approved by the City. The bicycle bays shall be designed in accordance with Australian Standard 2890.3 prior to the use of the approved development, to the satisfaction of the City (see Advice Notes);

7. Landscaping

- 7.1 Prior to occupation of the Restaurant/Cafe, a detailed landscape and reticulation plan for the development site, 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, and show the following:

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

7.1.2 Areas to be irrigated or reticulated;

7.1.3 The provision trees that achieve a minimum of 60 percent (31.8 square metres) canopy coverage at maturity to the Restaurant/Café carpark. The tree species are to be consistent with the City's Tree Selection Tool so as to maximise the provision of canopy coverage, to the satisfaction of the City;

7.1.4 The provision of an additional landscaping area along the southern side of the carpark. The landscaping area shall have a minimum width of 1.5 metres; shall include shade providing tree/s to the staff car parking bays; and shall include a selection of fast growing shrubs or similar foliage bushes, to the satisfaction of the City; and

7.1.5 The retention and protection of the existing on-site tree located adjacent to "Carpark 3" and all verge trees, to the satisfaction of the City;

- 7.2 All landscaping works shall be undertaken in accordance with the landscape plan approved in accordance with Condition 7.1, prior to the occupancy or use of the Restaurant/Cafe and maintained thereafter to the satisfaction of the City;

8. Sight Lines

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Prior to use of the approved development, existing walls and fences shall be truncated or reduced to no higher than 0.75 metres, within 1.5 metres of where walls and fences adjoin the Restaurant/Cafe driveway, to the satisfaction of the City;

9. Waste Management

Prior to the operation of the approved development, a Waste Management Plan must be submitted to and approved by the City. The Waste Management Plan shall address the following:

- The location of bin storage areas shall be in accordance with location detailed within the approved Operation Management Plan;
- Screening of the Restaurant/Cafe bin store area from the street; from the outdoor living area of the Single House; and from adjoining properties, to the satisfaction of the City;
- The provision of a private collection service for the Restaurant/Cafe;
- The location of bin collection areas, being provided to the verge area of Berryman Street adjacent to the Restaurant/Cafe premises;
- The number, volume and type of bins, and the type of waste to be placed in the bins;
- Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
- Frequency of bin collections to the satisfaction and specification of the City.

Once approved, the Waste Management Plan must be implemented at all times to the satisfaction of the City; and

10. 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.

MAYOR ALISON XAMON:

Concerns have been raised about the state of the verge opposite. I understand that there may be some works planned to deal with that. Is there an indication, whether any of that will incorporate parking, noting that cars park there now. Can I get an indication of what's intended to happen with the verge immediately opposite this?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

In response to a motion carried at the Annual Meeting of Electors, Council resolved that "Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge and brings a report back to Council with a recommendation for a permanent solution by no later than March 2025."

The dust has arisen due to water saving measures taken to address the reduction in the City's ground water licence.

MAYOR ALISON XAMON:

Please indicate a timeframe for a resolution around whether there will be additional parking or not?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The intention is to design and trial a solution that incorporates car parking on a water permeable surface, stormwater capture and appropriate landscaping/planting. Drainage Design is anticipated to be completed in January 2025.

CR CASTLE:

In relation to the provision of toilets on site, can Administration provide information on where a toilet is required. Would the public toilets in Menzies Park be a relevant consideration in the applicant not providing toilets on site?

A/MANAGER DEVELOPMENT & DESIGN:

The proposed Restaurant/Café is a Class 6 building under the National Construction Code (NCC) and there

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would be a requirement for one accessible toilet to be provided on-site.

At the time of the Occupancy Permit, the applicant would be required to either:

- (a) Meet the Deemed-to-Satisfy solution of the NCC by providing one accessible on-site toilet facility for the Restaurant/Cafe; or
- (b) Complete a performance based solution against the NCC, without providing a toilet. A private building surveyor would be required to determine if this is an acceptable alternative.

The Applicant's Building Survey has confirmed they would be able to certify the Restaurant/Café without the need for an accessible toilet.

A reason for this acceptability could be that there is a publicly accessible toilet in close proximity to the subject site, located to the northern side of Menzies Park.

The City's Building Services team have confirmed that a performance-based solution proposed by a private certifier would be supported if correctly assessed in accordance with NCC requirements at the time of Occupancy Permit.

The City's acceptable of any Performance Solution cannot be confirmed until this assessment has been undertaken and provided to the City at the time of Occupancy Permit. This is not something that could be required to be provided at the development stage given the provision of toilets is not a planning requirement nor a relevant consideration when making a planning decision.

The recommended Determination Advice Notes have been updated advising the applicant/landowner of the need to address the requirement for accessible toilet facilities at the time of Occupancy Permit. This includes advice that if a Performance Solution cannot be achieved, an amended development application may be required to accommodate an on-site accessible toilet.

CR CASTLE:

In relation to Condition 2.3, it was suggested that there could be a variation to the condition to allow staff who reside at the house to work in the premises. Does Administration have a view on this?

A/MANAGER DEVELOPMENT & DESIGN:

Administration are supportive of the proposed amendment to Condition 2.3 to allow residents of the Single House to work at the Restaurant/Café, in addition to two additional external staff members.

The planning report and recommended Condition 2.3 have been updated to specify that two (2) staff members are permitted on-site, who do not reside at the Single House. This would provide no restrictions to the number of additional staff members who also reside at the Single House.

Administration are satisfied that residents of the Single House also working at the Restaurant/ Café would not result in increased parking demand. This is because sufficient parking has been provided for the residents of the Single House in accordance with deemed-to-comply standards of the R Codes. Residents would already be on site and would not result in additional trips to the premises or generate an additional parking demand.

CR CASTLE:

There were queries around Condition 2.4 relating to the number of people being restricted and Condition 3.2 which restrictions on queuing outside the premises. How would this impact on an outdoor eating area permit and what would be the impact of removing these conditions?

A/ MANAGER DEVELOPMENT & DESIGN

Commentary Regarding the Removal of Condition 2.4:

Conditions restricting the number of patrons permitted at any given time is a standard condition of development approval applied to the majority of Café/Restaurant proposals.

This is to ensure that sufficient on-site parking is provided to accommodate the needs of its users, while also moderating the intensity and scale of the use that is considered as acceptable during the planning assessment.

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In considering the removal of Condition 2.4, regard to the following matters is required:

- *There would be no control on the number of patrons attending the site.*
- *Increased the intensity of the land use due to additional customers attending the premises.*
- *A shortfall of on-site parking would be triggered in accordance with Non-Residential Parking Policy, which would require:*
 - *Consideration of the acceptability regarding an increase in parking demand and reliance on parking in the surrounding streets.*
 - *Consideration of whether the parking shortfall would detrimentally impact the surrounding area.*
 - *Consideration regarding the requirement for payment-in-lieu of parking, due to the resultant parking shortfall.*

Administration is not supportive of the removal of Condition 2.4. This is because the current restriction ensures the Restaurant/Café would operate at an appropriate scale and that sufficient on-site parking is provided.

A restriction on the number of patrons for this application is of particular importance due to the context of the site being surrounding by residential properties.

Commentary Regarding the Removal of Condition 3.2:

Condition 3.2 seeks to prevent noise and activity generated by patrons waiting, queuing or dining outside the premises, impacting upon the adjoining residential properties.

Queuing, waiting and dining of patrons within the public realm has been a key source of nuisance for similar uses within the City and other local governments, where in close proximity to residential areas.

This includes issues such as queues extending down street frontages as well as noise impacts associated with patrons while queuing, waiting for orders or dining.

Based on previous experiences and given the location of the Restaurant/Café within a Residential area, Administration has pre-empted some of the issues that may occur, dependent on the popularity of the premises.

The purpose of Condition 3.2 would ensure that the Restaurant/ Café is complimentary with and compatible to the Residential zone by providing a tangible measure to restrict all queuing, dining and waiting outside the premises. The City's Solicitor advised Condition 3.2 is valid and enforceable.

If Condition 3.2 were removed, the applicant could obtain an Outdoor Eating Permit for dining in the verge, as depicted on the approved plans.

In considering the removal of Condition 2.4, regard to the following consequences is required:

- *There are no tangible measures to manage queue lengths. This may result in queues extending beyond the site frontage, dependent on the popularity of the business.*
- *Increased noise within the public realm, which may provide off-site amenity impacts to adjoining residential properties.*
- *Acceptance of an uncontrolled commercial use located within a residential context.*
- *An increased number of patrons attending the site, resulting in an overall increased intensity as well as increased demand on on-street parking.*

CR CASTLE:

In relation to the public holidays being closed, is there a particular reason for that?

A/ MANAGER DEVELOPMENT & DESIGN

Condition 2.5 seeks to permit operation on public holidays, subject to an Acoustic Report confirming the operation would comply with the Noise Regulations.

An amendment has been made to recommended Condition 2.5 to provide greater clarity regarding this.

This condition of approval would permit the premises to operate on Sundays and Public Holidays between the hours of 9:00am and 4:00pm. The reference to the Acoustic Report in the condition is intended to allow

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the premises to begin operating from 7:00am, subject to the findings of the Acoustic Report demonstrating that it could operate in accordance with the Noise Regulations. This is because between 7:00am and 9:00am, the proposed operating hours would fall within the night-time period under the Noise Regulations and any operation during this period may provide adverse noise impacts to surrounding properties due to non-compliance with the Noise Regulations.

CR CASTLE:

What was the amount of repeat submissions across the three consultation periods and where did the submissions come from in relation to the subject site?

A/MANAGER DEVELOPMENT & DESIGN:

At the conclusion of the three consultation periods, a total of 139 submissions were received, 20 of which were from those who had previously made a submission. This included 10 submitters who affirmed their support and 10 submitters who affirmed their objection.

When removing all repeat submissions, the proposal received a total of 119 submissions, including:

- 101 submissions in support
- 17 submissions in objection
- One neither supporting nor objecting but raising concerns.

To protect the anonymity of submitters, the exact location of where submissions were received from cannot be disclosed on the public record. The below table provides a summary of where submissions were received:

Submission Type	Submission Location		
	Within 50m of the subject site	Outside 50m of the subject site	Total
Support	3	98	101
Object	8	9	17
Neither support or object	Nil	1	1
Total	11	108	119

CR WOOLF:

Can Administration confirm whether the applicant was notified of the consultation periods.

A/MANAGER DEVELOPMENT & DESIGN

Administration confirms that the applicant was notified prior to each community consultation period commencing.

CR WALLACE:

Why are Administration accepting of an acoustic letter being provided in lieu of the an acoustic report that includes noise modelling?

A/MANAGER DEVELOPMENT & DESIGN:

In this particular instance, Administration are supportive of the conditioning of an Acoustic Report to be provided following development approval being issued. This is based on the combination of the following factors, which provide a level of certainty that the proposal would comply with the Noise Regulations and meet the objectives of the Sound Attenuation Policy:

- *The favourable location and siting of the Restaurant/Café tenancy would result in the majority of activity being directed to Berryman Street and Menzies Park. This reduces the level of activity and associated noise being directed towards adjoining residential properties.*
- *The small scale of the tenancy.*
- *Vehicle movements associated with Restaurant/Café are low. Noise generated from the carpark would be consistent with*
- *A desktop analysis undertaken by Acoustic Consultant providing and informed analysis that the proposal would comply.*

COUNCIL BRIEFING NOTES

16 APRIL 2024

On this basis, there is minimal risk requiring an Acoustic Report to be provided following development approval.

CR WALLACE:

What would be the cost to the applicant be when obtaining an Acoustic Report?

A/MANAGER DEVELOPMENT & DESIGN:

The applicant has advised that the cost of obtaining an Acoustic Report prepared in accordance with the City's Sound Attenuation Policy would be approximately \$3,000.00. The cost of obtaining an Acoustic Report was not a reason as to why Administration was accepting of the report being provided as a condition of development approval.

The applicant provided the following feedback regarding why an Acoustic Report was not provided as part of the Development Application:

- *The request for the acoustic assessment originated from concerns that the four car bays being provided on the western side of the site resulting in excessive noise impacts, not from concerns that the general operation of the café itself.*
- *This is also why the acoustic advice sought addresses only the impact of the car parking area. Our view is that the four car bays do not warrant a full acoustic assessment, two of these bays are staff bays that would have minimal turnover, and the context of the area is that the affected sites front onto verge parking for a sporting reserve which in our view is likely to see more turnover than the visitor bays. In this context a couple of visitor parking bays seem unlikely to present an undue impact.*

CR WALLACE:

Would the acoustic report need to cover off noise from queuing outside the tenancy to comply with the Sound Attenuation Policy?

A/MANAGER DEVELOPMENT & DESIGN:

The City's Sound Attenuation Policy does not provide specific standards regarding the attenuation of noise for alfresco dining within public realm.

In considering the acceptability of the land use, including associated alfresco dining, it would be reasonable to require any acoustic report to project (model) sound levels from patrons (both when seated or standing, and associated activities such as dining or just standing), to help inform whether the alfresco dining would be suitable for its location.

In considering noise sources that could have an amenity impact, but are difficult to attenuate, such as patron noise, behaviours, set up and pack down of furniture, either of the following options could be considered:

1. *Submission of an acoustic report that demonstrate compliance with the assigned levels can be achieved; or*
2. *Conditions on the development approval, that limit the activities on site, that can reasonably concluded amenity impacts would not be an issue.*

In the absence of an Acoustic Report, the effect of Condition 3.2 is intended to restrict queuing, waiting and dining to be within the premises to ensure that noise and activity is contained within the site and to limit noise impact to surrounding properties.

CR LA FONTAINE:

What is the frequency of waste pick-up?

A/MANAGER DEVELOPMENT & DESIGN:

The frequency of waste pick-up would be confirmed through the submission of the waste management plan.

The applicant has advised the premises would be estimated to utilise two 240L general waste and one 240L recycling bin. This would be expected to be collected once per week.

COUNCIL BRIEFING NOTES

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At 6.48pm Senior Projects and Strategy Officer left the meeting and did not return.
At 7.19pm Manager Ranger Services left the meeting and did not return.

5.5 VARIATION OF LEASE TO WEST AUSTRALIAN TENNIS ASSOCIATION INC (ROBERTSON PARK TENNIS CENTRE)

- Attachments: 1. Robertson Park Tennis Centre lease plan 
2. Robertson Park development Staging plan 

RECOMMENDATION:

That Council

1. **APPROVES** a variation of lease with West Australian Tennis Association Inc (ABN 90 803 634 736) located at a portion of 176 Fitzgerald Street, Perth as follows:
 - 1.1 waiver of rent; and
 - 1.2 extend the tenure of the lease to expire, whichever date occurs later:
 - 1.2.1 on 29 August 2025; or
 - 1.2.2 until Stages 1A and 1B works for the Robertson Park Development Plan relating to the Robertson Park Tennis Centre are completed; and
2. **Subject to satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES** the Mayor and CEO to execute the Deed of Variation of Lease in accordance with the Execution of Documents Policy.

CR WORNER:

Why have the tennis courts fallen into such a state of disrepair under the management of the leasee, Isn't it part of the terms of the lease that Tennis West upkeeps maintenance of the grass courts?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

When Tennis West entered into the current lease to take over running of Robertson Park Tennis Centre in 2020, it was with the intention to continue the operations of tennis coaching, court hire and competitions at the Robertson Park Tennis Centre.

The Lease expressly states that the City would commence developing the tennis centre (as part of the renewal project of the Robertson Park Development Plan) within 24 - 36 months from the commencement of the lease in 2020. It is noted that the CSRFF funding was only received late last year and works as part of Stage 1A of the development plan have just commenced. The tennis courts were accepted by Tennis West on an 'as is' basis with intention that the development plan would commence soon after the lease had commenced.

Due to the delay in commencing works on the development plan, and notwithstanding that it is Tennis West's obligation to maintain the courts, it has not been financially viable for the operator to continue to maintain those courts where conditions have deteriorated to a point beyond repair and need to be replaced. The maintenance costs of the courts would have been generated from the income from hiring of the courts but due to its poor condition, these courts have only been hireable for casual tennis games resulting in the operator's reduced income.

It is also to be noted that the Lease does not require Tennis West to rectify any damage to the tennis courts that occurred prior to the commencement date.

COUNCIL BRIEFING NOTES16 APRIL 2024

8.1 GOVERNANCE FRAMEWORK REVIEW 2024

Attachments: 1. Governance Framework Review 2024 - Tracked Changes 

RECOMMENDATION:

That Council:

1. NOTES the review of the Governance Framework, as outlined in this report; and
2. ADOPTS the updated Governance Framework, as tracked at Attachment 1.

CR WOOLF:

The attachment does not seem to be complete and contains a number of markups will this be updated for Council's adoption?



EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The recommendation has been updated to show which changes will be made after approval by Council. A draft of the final document has also now been as Attachment 2 for adoption.

COUNCIL BRIEFING NOTES

16 APRIL 2024

5.4 LICENCE TO EXIPNOS PTY LTD (TRADING AS BRIKA BAR) ON PORTION OF PARRY STREET ROAD RESERVE ADJACENT TO UNITS 3 AND 4, NO. 177 STIRLING STREET, PERTH

- Attachments:**
1. Licence Area 
 2. Market Valuation - Confidential
 3. FYE 2019 Audited Financials - Confidential
 4. FYE 2020 Audited Financials - Confidential
 5. Development Approval for Structure 3 December 2013 

RECOMMENDATION:**That Council:**

1. **APPROVES** the City granting a licence to Exipnos Pty Ltd (trading as Brika Bar) (ACN 162 355 339) of a portion of Parry Street road reserve adjacent to Lots 3 and 4 on Strata Plan 59820, Certificate of Title Volume 2807, Folio 731 and 732 (known as Units 3 & 4 of 177 Stirling Street, Perth), as shown in Attachment 1, on the following key terms:
 - 1.1 **Term:** 5 years
 - 1.2 **Licence Area:** 95 m² of Parry Street road reserve (verge area);
 - 1.3 **Licence fee:** \$1,000 per annum plus GST, indexed by CPI annually on 1 July;
 - 1.4 **Permitted use:** non-exclusive right to use the Licence Area as an outdoor dining area and liquor consumption in connection with the operation of Brika Bar;
 - 1.5 **Removal of furniture:** All furniture used (unless affixed to the ground) within the Licence Area must be removed by the Applicant at the close of each business;
 - 1.6 **Cleaning:** Applicant must, keep the Licence Area clean and tidy at all times, at its cost;
 - 1.7 **Insurance:** Applicant must effect and maintain public liability insurance to a minimum value of \$20,000,000 (per claim);
 - 1.8 **Indemnity:** Applicant will indemnify the City and the Minister for Lands against loss or damage to property or persons occurring as a result of the structure and use of the Licence Area;
 - 1.9 **Assignment** Applicant may not assign or transfer its right under this Licence;
 - 1.10 **Maintenance:** Applicant must, at its cost, keep the Licence Area in good repair including repairing damage to structures, fittings or fixtures and the road reserve on the Licence Area;
 - 1.11 **Outdoor Eating Area Permit:** Applicant must (for the duration of the Licence) maintain a valid Outdoor Eating Permit for the Licence;
 - 1.12 **Liquor Licence** Applicant must (for the duration of the Licence) maintain a current liquor licence for the Licence Area in order to serve alcohol in this area;

COUNCIL BRIEFING NOTES

16 APRIL 2024

- | | | |
|------|--|--|
| 1.13 | Access | the City, State and public utilities may access the Licence Area at any time in connection with its respective services, and no compensation is payable to the Applicant for any resultant loss; and |
| 1.14 | Make Good: | Upon expiry or termination of licence to remove any Structure and make good the Licence Area, at Applicant's cost, to the satisfaction of the City; and |
| 2. | Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the licence in recommendation 1. above. | |

NO QUESTIONS

COUNCIL BRIEFING NOTES

16 APRIL 2024

REPORTS WITH NO DISCUSSION

5.3 APPOINTMENT OF THE DESIGN REVIEW PANEL

- Attachments:
1. Summary of Applicants - Confidential
 2. Summary of Interviews - Confidential
 3. Amended Terms of Reference 
 4. Draft Amended Terms of Reference (Tracked) 
 5. Design Review Panel Recommended Members 2024 - Confidential

RECOMMENDATION:

That Council:

1. ADOPTS the amended Design Review Panel – Terms of Reference included as Attachment 3;
2. APPOINTS the Applicants in Confidential Attachment 5 to the City's Design Review Panel from 18 May 2024 to 18 May 2026:
 - 2.1. Applicant 1;
 - 2.2. Applicant 2;
 - 2.3. Applicant 3;
 - 2.4. Applicant 4;
 - 2.5. Applicant 5;
 - 2.6. Applicant 6;
 - 2.7. Applicant 7;
 - 2.8. Applicant 8;
 - 2.9. Applicant 9;
 - 2.10. Applicant 10;
 - 2.11. Applicant 11;
 - 2.12. Applicant 12;
 - 2.13. Applicant 13; and
 - 2.14. Applicant 14; and
3. NOTES that:
 - 3.1. The City's Design Review Panel term expires on 17 May 2024; and
 - 3.2. Administration will notify all applicants of the Design Review Panel appointments and induct the successful applicants onto the Design Review Panel.

NO QUESTIONS

COUNCIL BRIEFING NOTES**16 APRIL 2024**

6.2 RFT IE269/2023 PROVISION OF PLUMBING AND GAS MAINTENANCE SERVICES**Attachments:** 1. Evaluation Worksheet RFT IE269-2023 - Confidential**RECOMMENDATION:****That Council:**

1. **NOTES** the outcome of the evaluation process for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services; and
2. **ACCEPTS** the tender submission of Finestone Investments Pty t/a Ace Plus for Tender IE269/2023 Provision of Plumbing and Gas Maintenance Services.

NO QUESTIONS

COUNCIL BRIEFING NOTES

16 APRIL 2024

6.3 ADOPTION OF THE PARKING AMENDMENT LOCAL LAW 2024

- Attachments:
1. Parking Amendment Local Law 2024 clean copy 
 2. Parking Amendment Local Law 2024 with changes 
 3. Parking Amendment Local Law 2024 - DLGSC comments 
 4. Parking Amendment Local Law 2024 - Public submissions 

RECOMMENDATION:

That Council:

1. GIVES NOTICE that the purpose of the Parking Amendment Local Law 2024 is to amend certain provisions of the City of Vincent Parking Local Law 2023; and
2. GIVES NOTICE that the effect of the Parking Amendment Local Law 2024 is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions; and
3. MAKES BY ABSOLUTE MAJORITY the Parking Amendment Local Law 2024 at Attachment 1, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer;
 - 3.1 publishing the Parking Amendment Local Law 2024 in the Government Gazette in accordance with s3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
 - 3.2 following Gazettal, providing local public notice in accordance with s3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

NO QUESTIONS

COUNCIL BRIEFING NOTES16 APRIL 2024

7.1 FINANCIAL STATEMENTS AS AT 29 FEBRUARY 2024**Attachments:** 1. Financial Statements as at 29 February 2024 **RECOMMENDATION:**





That Council RECEIVES the Financial Statements for the month ended 29 February 2024 as shown in Attachment 1.

NO QUESTIONS

COUNCIL BRIEFING NOTES

16 APRIL 2024

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 FEBRUARY 2024 TO 29 FEBRUARY 2024

- Attachments:
1. February 2024 Payments by EFT and Payroll 
 2. February 2024 Payments by Direct Debit 
 3. February 2024 Payments by Cheque 
 4. February 2024 AMPOL Fuel Card 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2024 to 29 February 2024 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,899,385.40
Cheques	\$1,252.37
Direct debits, including credit cards	\$595,996.11
Total payments for February 2024	\$6,496,633.88

NO QUESTIONS

COUNCIL BRIEFING NOTES16 APRIL 2024

7.3 INVESTMENT REPORT AS AT 29 FEBRUARY 2024

Attachments: 1. Investment Statistics as at 29 February 2024 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 29 February 2024 as detailed in Attachment 1.

NO QUESTIONS

COUNCIL BRIEFING NOTES

16 APRIL 2024

8.2 INFORMATION BULLETIN

- Attachments:
1. Unconfirmed Minutes of the Catalina Regional Council Meeting held on 15 February 2024 
 2. Unconfirmed Minutes of the MIndarie Regional Council Meeting 28 March 2024 
 3. Statistics for Development Services Applications as at the end of March 2024 
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 4 April 2024 
 6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
 7. Register of Applications Referred to the Design Review Panel - Current 
 8. Register of Petitions - Progress Report - April 2024 
 9. Register of Notices of Motion - Progress Report - April 2024 
 10. Register of Reports to be Actioned - Progress Report - April 2024 
 11. Council Meeting Statistics - March 2024 
 12. Council Workshop Items since 5 March 2024 
 13. Council Briefing Notes - 12 March 2024 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated April 2024.

NO QUESTIONS

COUNCIL BRIEFING NOTES16 APRIL 2024

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

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

Nil

12 CLOSURE

There being no further business the meeting closed at 7.27pm.

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 APRIL 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 168 Scarborough Beach Road, Mount Hawthorn	Rowe Group	Form 1 – Mixed Use Development	22 August 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the information requested by the City.
2.	No. 299 Charles Street, North Perth	Space Collective	Form 1 – Mixed Use Development	29 November 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the information requested by the City.
3.	No. 141 West Parade, Mount Lawley	Planning Solutions	Form 2 – Amendment to Mixed Use Development	6 December 2023	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 3 May 2024.
4.	Nos. 289-295 Vincent Street, Leederville	PTS Town Planning	Form 2 – Amendment to Mixed Use Development	11 December 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the further information requested by the City.
5.	No. 195 Beaufort Street, Perth	Lateral Planning	Form 1 – Mixed Use Development	5 January 2024	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the further information requested by the City.

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 APRIL 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
6.	No. 538 Fitzgerald Street, North Perth	Planning Solutions	Form 2 – Amendment to Mixed Use Development	29 January 2024	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 29 April 2024.

DAP Process Improvements:

The City's Administration has changed the process for DAP matters. This will include early confirmation of the availability of Elected Members that are DAP Members to attend DAP meetings. This will also include the circulation of the Responsible Authority Report to all Elected Members on contentious DAP items.

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 4 APRIL 2024**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 195 Beaufort Street, Perth	Lateral Planning	Mixed Use Development	28 February 2024	Lodged DA – Previously Referred To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 3 May 2023.



CITY OF VINCENT

INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – April 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

Key Index:

CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
12/3/2024	A petition with 6 signatures has been received from Matt Dowell of Perth. The petition requests that the Council investigate options to address the road safety concerns of residents of Brisbane Street between Lake and Palmerston Street. The petition attaches a survey completed by 22 people comprising a large percentage of local residents and outlines concerns including accidents and near misses and an overwhelming desire for traffic calming and parking congestion to be addressed.	EDIE	Report will be submitted to April 2024 Council Meeting



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – April 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following Notices of Motion still require action or are in the process of being actioned.

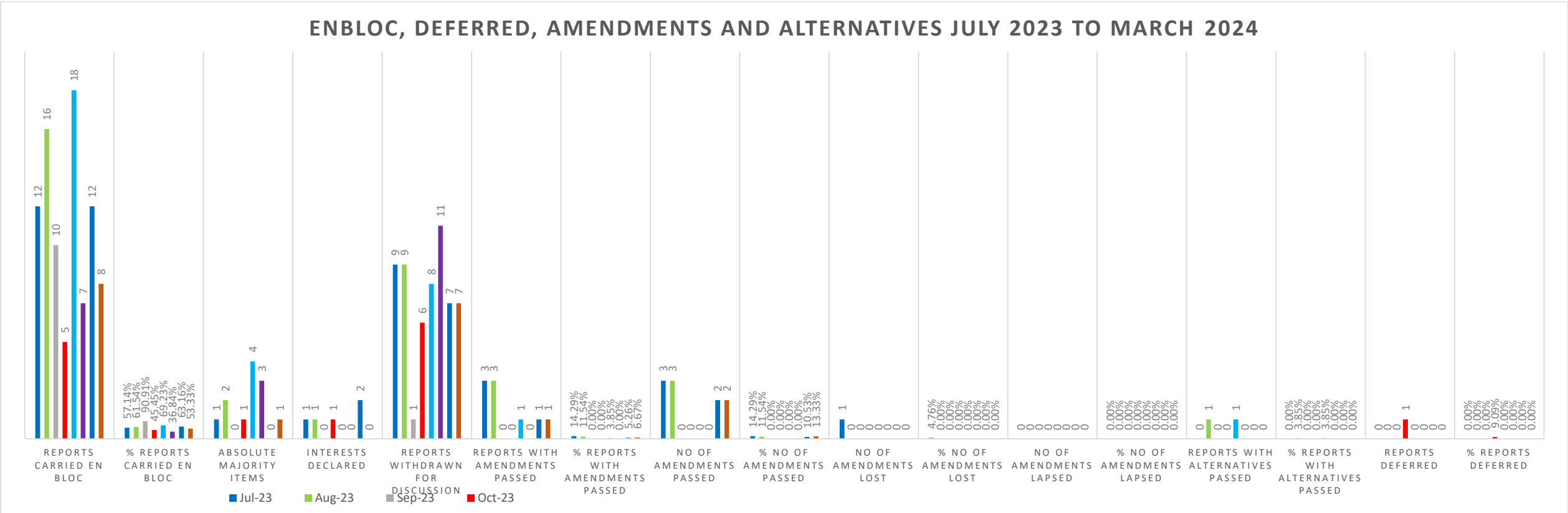
Key Index:

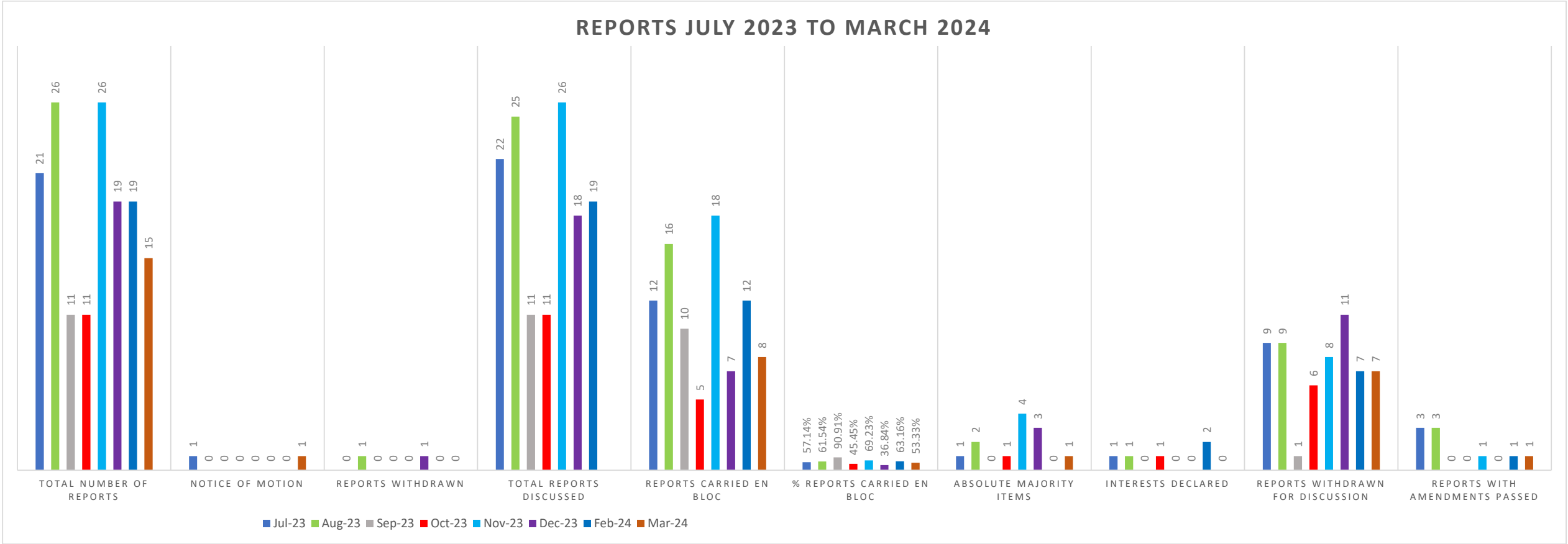
CEO:	Office of the CEO
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

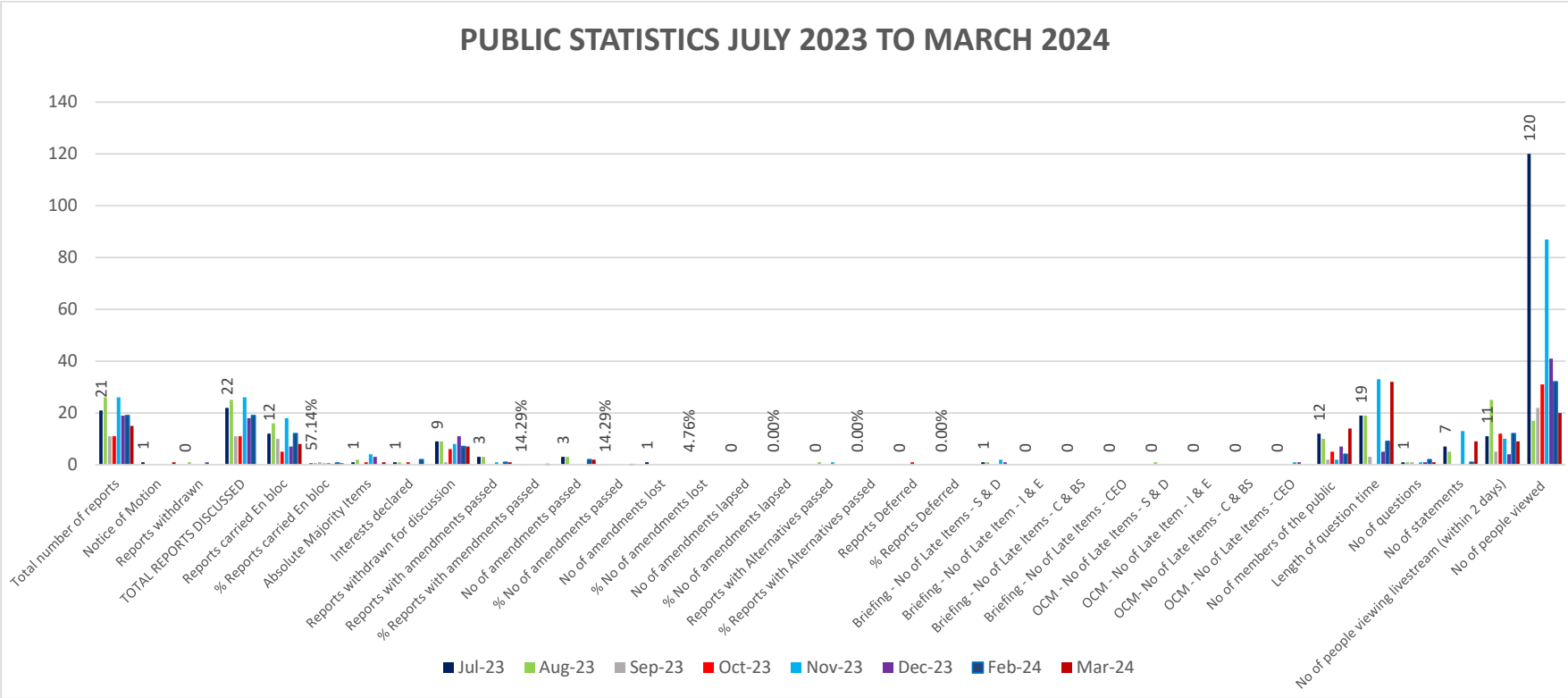
Details	Action Officer	Comment
Protection and promotion of trees on private land	EDSD	Administration to present options to explore possible planning controls at Council Workshop in May 2024.

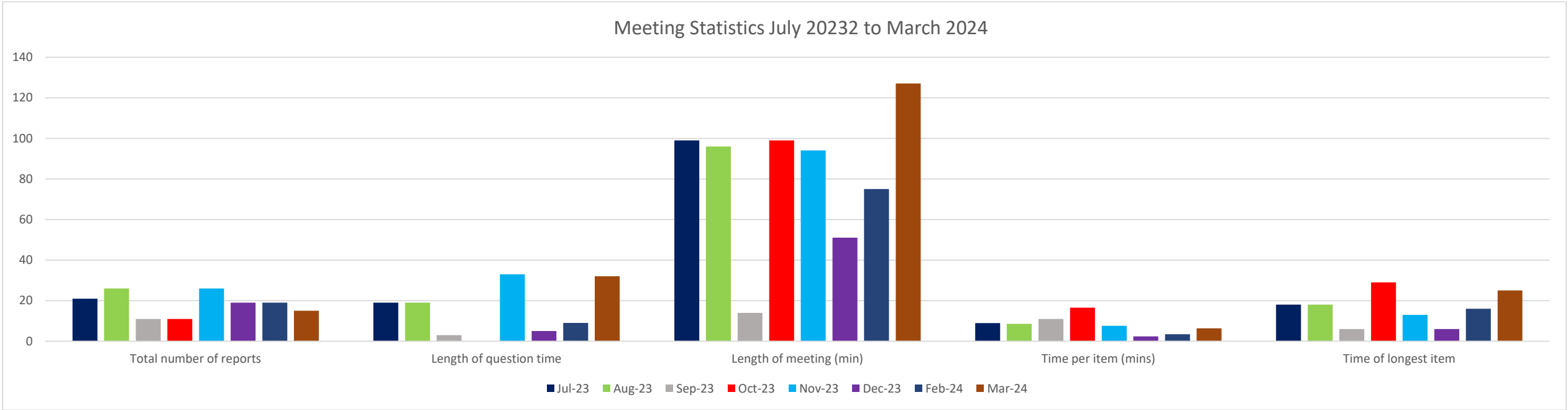
Item Num	Meeting	Council Meeting	Agenda Report Item	Resolution Action Item	Council Decision	Director	Comments	Due Date
12.4	OCM	19/03/2024	Responses to Motions Carried at the Annual General Meeting of Electors held on 1 February 2024	Motion 4.2 – Dust at Menzies Park - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge and brings a report back to Council with a recommendation for a permanent solution by no later than March 2025.	Carried with amendment	EDIE	Investigations for alternate treatment progressing.	March 2025
10.1	OCM	19/03/2024	Beaufort Street Precinct Area Road Safety Treatments	That the motion be deferred for the following reasons: 1. To allow further public consultation on the direction of the one way street; 2. To allow further consideration of a trial, particularly the cost of implementation and removal; 3. To allow for the provision of more information on how this treatment might limit the options the City can undertake in Beaufort Street and the rest of the precinct as per the Road Safety Implementation Plan; A report being prepared and to be returned to the 21 May 2024 Council Meeting.	Carried Deferral 9/0	EDIE		May 2024
12.2	OCM	13/02/2024	12.2 Advertising of New Policy - Property Investment and Disposal Policy	That Council APPROVES the proposed Property Investment and Disposal Policy, at Attachment 1, for the purpose of community consultation.	carried en bloc	EDSD	Consultation closes 10 April 2024	May 2024
9.6	OCM	13/02/2024	Advertising of New Policy - Healthy Food and Drink Policy	That Council APPROVES the proposed 'Healthy Food and Drink Policy', at Attachment 1, for the purpose of community consultation.	carried 8-0	EDSD	Advertising to commence 28 February 2024. Advertising closed -21 March 2024.	May 2024
10.2	OCM	12/12/2023	Response to Petition - Ellesmere Street, North Perth Parking	RECEIVES a further report at the conclusion of the collection of traffic data and public consultation.	Carried 7/0	EDIE	LM - 20.01.2023 Traffic Data to be obtained in February 2024.	November 2024
10.1	OCM	12/12/2023	Response To Petition - Corner Scarborough Beach Road and Killarney Street - Maintenance and Infrastructure	REQUESTS administration to complete a review of the location of Scarborough Beach Road and Killarney Street for improved and additional signage and if warranted, provide a concept design on road infrastructure improvements to address road safety concerns which will be included in the wider precinct wide traffic modelling for the Mount Hawthorn area.	Carried 7/0	EDIE	LM - 20.01.2024 Traffic data and concept design to be issued for community consultation with residents and school in March 2024.	November 2024
17.1	OCM	21/11/2023	Undertakings relating to the Parking Local Law 2023	2. AUTHORISES the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the Local Government Act 1995, for a period of at least 6 weeks, that: 2.1 It is proposed to make the City of Vincent Parking Amendment Local Law 2024 at Attachment 2; 2.2 the purpose of this amendment local law is to amend certain provisions of the City of Vincent Parking Local Law 2023; 2.3 the effect of this amendment local law is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions; 2.4 copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website	Carried 8/0	EDIE	Amendment initiated.	April 2024
10.1	OCM	21/11/2023	Advertising of amended policy - Street Trees	That Council APPROVES the proposed amendments to the Street Tree Policy, at Attachment 1, for the purpose of community consultation.	Carried en bloc	EDIE	public consultation initiated.	May 2024
9.2	OCM	17/10/2023	Amendment to the Municipal Heritage Inventory: 40 Guildford Road, Mount Lawley	That the motion be deferred to seek further advice from the Department of Planning, Lands and Heritage and Main Roads WA regarding the justification for widening in this particular location, supported by traffic studies, applicable standards and potentially requesting some level of detailed design around what is proposed in this area that would necessitate demolition of this structure. An updated report is to be provided to Council by March 2024.	Deferred 7-1	EDSD	Applicant provided additional information 1 March 2024 in response to Council deferral. Item to be presented to April OMC.	April 2024
10.4	OCM	22/08/2023	Tender - E-scooter Shared Scheme Trial	REQUESTS the CEO to provide a report to Council within nine months of practical operation of the trial assessing its impacts and whether an extension of the permit will be issued.	Carried with amendment 7/1	EDIE	LM 20.01.2024 - Beuron and BEAM engaged for the 12-month trial. Report to be issued to council on the trial in August 2024. Launch of EES achieved 12 November 2023. One provider (Bird) has withdrawn from trial. Initial report of first week of operations to Council Workshop November 2023.	August 2024
10.3	OCM	14/03/2023	Waste Strategy Project – Verge Valet Vincent Trial Update		Carried En bloc	EDIE	Extend trial 12 months (July 2023- June 2024).	July 2024
12.4-4.2	AGM	14/03/2023	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.		Carried En bloc	EDSD	Administration completed a review of the City's Built Form Policy against the State's Medium Density Code. Commencement of this Code has now been deferred by the State Government to enable them to make changes to their approach to medium density development.	Late 2024
Motion 4.	AGM	14/03/2023	Pedestrian Safety (Newcastle / Fitzgerald)	4.5.1 That the City of Vincent-addresses the safety issues for pedestrians at the corner of Fitzgerald Street and Newcastle Street in this financial year 2022/23. 4.5.2 That the City of Vincent places a bollard or visual deterrent to offer a pedestrian refuge and protection of the Heritage listed building on the corner Newcastle Street and Fitzgerald Street. (similar to what exists on the City of Perth side of the fore mentioned intersection).	Carried 8/0	EDIE	Improvements / modifications to the intersection of Newcastle and Fitzgerald Streets requires the collaboration of several stakeholders and is expected to take over eighteen months to achieve. The interim solution has the support of the proposer of the motion.	2024
10.1	OCM	13/12/2022	Stormwater Drainage	That Council SUPPORTS the City's approach to develop a stormwater drainage strategy over the next three (3) financial years predicated on the following	Unanimous 9/0	EDIE	Commencing within the Mount Hawthorn precinct; Hydraulic modelling to be undertaken in 2023 – 2024 financial year (estimated cost of \$80,000 - \$160,000). Initial works undertaken to address flooding in William Street. Designs finalised for works in Lynton Street.	2024
9.4	OCM	08/03/2022	Sale of No. 26 Brentham Street, Leederville	APPROVES the disposal of the City's Lot 37 (No. 26) Brentham Street, Leederville, pursuant to section 3.58 of the Local Government Act 1995, and subject to amendment to Local Planning Scheme No. 2 (LPS2) to reclassify a portion of Lot 37 (No. 26) Brentham Street, Leederville from Public Open Space reserve to R60	Carried with Amendments from Mayor Cole and Cr Loden – 9/0	EDSD	Scheme Amendment approved. Liaising with potential purchaser. Confirmation with adjoining landowner, interested in making offer for purchase.	June 2024
9.7	OCM	14/09/2021	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan – Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	RECOMMENDS that the Western Australian Planning Commission approve the modifications listed at Attachment 4 and the revised Leederville Precinct Structure Plan included as Attachment 5; subject to modifying the Public Open Space at Oxford Street Reserve to reflect Attachment 7, with the remainder of 62 Frame Court, Leederville zoned Mixed Use R-AC0;	Carried with Amendment	EDSD	LPSP referred to WAPC for comment and endorsement. Previous comments: Final comments not expected until mid late 2022 early mid late 2023. Statutory Planning Committee anticipated to consider before the end of 2023. DPLH advised in February that Amendment 7 currently with Minister for approval, and LPSP to be presented to SPC mid-2024.	Mid 2024

Council Meeting Statistics – March 2024









COUNCIL WORKSHOPS

One workshop has been held since 5 March 2024, it was on 9 April 2024. The topics on the agenda were:

- Underground Power Program Update
- Community Consultation Workshop (1 hour)
- Community Infrastructure Plan update
- Communications and Engagement Calendar
- Stretch Reconciliation Action Plan 2024 – 2027



CITY OF VINCENT

NOTES

Council Briefing

12 March 2024

COUNCIL BRIEFING NOTES

12 MARCH 2024

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COUNCIL BRIEFING NOTES

12 MARCH 2024

**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 12 MARCH 2024 AT 6.00PM**

PRESENT:	Mayor Alison Xamon Cr Alex Castle Cr Suzanne Worner Cr Nicole Woolf Cr Jonathan Hallett Cr Ashley Wallace Cr Sophie Greer Cr Ashlee La Fontaine	Presiding Member North Ward North Ward North Ward South Ward South Ward South Ward South Ward
IN ATTENDANCE:	David MacLennan Peter Varris Rhys Taylor Jay Naidoo Luke McGuirk Lisa Williams Karsen Reynolds Mitchell Hoad John Corbellini Joslin Colli Wendy Barnard	Chief Executive Officer Executive Director Infrastructure & Environment Chief Financial Officer A/Executive Director Strategy & Development Manager Engineering (left at 7.25pm after Item 8.5) Executive Manager Communications & Engagement (left at 7.23pm after Item 8.5) A/Manager Development & Design (left at 7.23pm after Item 8.5) A/Manager Strategic Planning & Specialist Planner Director Major Projects (Left at 7.09pm after Item 5.4) Executive Manager Corporate Strategy & Governance Council Liaison Officer
Public:	Approximately eight members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Alison Xamon, 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 APPROVED LEAVE OF ABSENCE

Cr Ron Alexander is an apology for this meeting.

COUNCIL BRIEFING NOTES

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3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

3.1 Louise Schneider of Mt Lawley – Item 6.1

Spoke regarding the recommendation.
Full details of her statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Schneider for his comments.

2. Ralph Groom of Mt Lawley – Item 6.1

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

3. Marie Slyth of West Perth – Item 8.4

Spoke regarding the recommendation.
Full details of her statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Slyth for her comments.

4. Dudley Maier of Highgate – Item 8.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Maier for his comments.

5. Peter Eastwood of West Leederville – Item 5.4

Spoke regarding the recommendation and provided photographs which were circulated to Elected Members.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

6. Greg Eastwood of Dianella - Item 5.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

7. Pauline Holdaway of West Leederville – Item 5.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Holdaway for her comments.

COUNCIL BRIEFING NOTES

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The following comments were submitted in writing prior to the Briefing:

Trish Byrne of Burswood – Item 5.4

NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET AND NO. 120 (LOT: 1001; D/P: 29129) CLAISEBROOK ROAD, PERTH - PROPOSED EXTENSION OF TIME TO EXISTING CONCRETE BATCHING PLANTS

As landowners within the North Claisebrook precinct, we sincerely thank the City staff and Council for your ongoing efforts related to the relocation of the batching plants, your recognition of the importance of this issue to the community, and critically, your recommendation to not support the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the Planning and Development Act 2005, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23)

We support the below statements as contained within the RAR, and provide additional commentary as follows:

RAR statement: The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.

We trust that WAPC will also support the City's views which are in direct contrast to the statements made by the applicants in their development applications which read as follows:

"There have not been any significant relevant changes to LPS2 in terms of the provisions applicable to the Subject Site since the Minister's determination in 2018. Given the Scheme presently recognises the concrete batching plant land use to continue operations, albeit until a specified time, it is considered that to extend that time frame would not be inconsistent with the purpose and intent of LPS2 when considering the purpose for which the timeframe was inserted as well in considering the broader State strategic framework discussed further below."

Further, in her Reasons for the Determination of the conditional development approval, dated 10th October 2018, we also acknowledge the Minister's statements:

- 3 "Ongoing operation of the concrete batching plants on the subject sites in perpetuity would adversely impact on the opportunity to establish an urban community with commensurate amenity, as is intended under the local scheme"
- 4 "The granting of development approvals which will be limited to terms expiring on 30 June 2024 provides certainty to the local community and the operators of the concrete batching plants with respect to development intentions for the area, and allows sufficient time to facilitate the transitioning of the concrete plants from the subject sites"

It is abundantly clear that to extend the time frame would be wholly inconsistent with the purpose and intent of LPS2 and broader strategic framework for the precinct.

With proximity to the CBD being a core argument of the Applicants' submissions, we also draw the City and Council's attention to the following:

AS 1379-2007 Specification and supply of concrete

"4.2.5 Period for completion of discharge

Discharge of all the concrete in a batch shall be completed within 90 min from the commencement of mixing as specified in Clause 4.2.2.2, Clause 4.2.2.3 or Clause 4.2.2.4, or before proper placement and compaction of the concrete can no longer be accomplished, whichever occurs first."

By their own statements, Holcim and Hanson are the only two batching plants that operate from these locations within 5km of the CBD. Boral and BGC operate from batching plants located outside of the CBD or CBD fringe and yet can supply concrete to major CBD projects. See images below.

COUNCIL BRIEFING NOTES

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REPRESENTATIVE PLANTS IN EACH REGION

Boral operates 12 concrete plants in Western Australia. This EPD covers a sub-section of our plants in the Perth region. Our background LCA report shows that the Boral Concrete Osborne Park plant is representative for surrounding Perth plants that have similar supply chains and mix designs.

- Boral Concrete Muchea
- Boral Concrete Neerabup
- Boral Concrete Bayswater
- Boral Concrete Spearwood
- Boral Concrete Canning Vale
- Boral Concrete Rockingham



Concrete

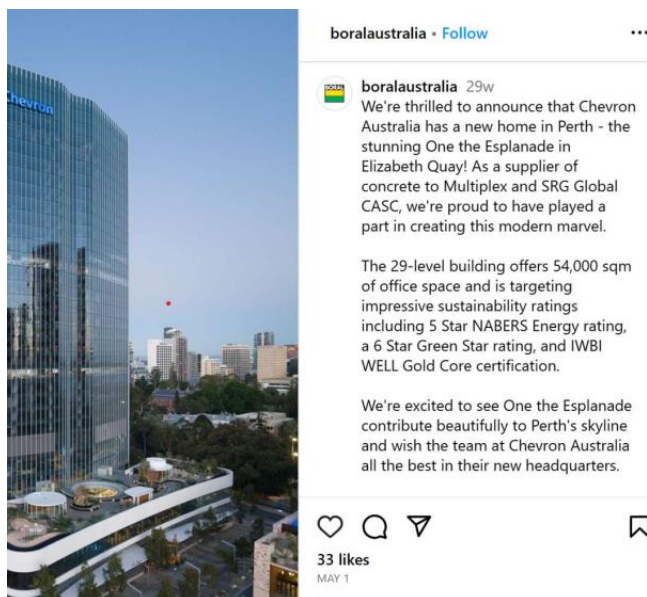
[Home](#) [Products](#) [Services](#) [Concrete Calculator](#) [Downloads](#) [Contact Us](#) [Moora Concrete Operation](#)

Please contact your nearest plant to place an order for Structural Concrete, Polished and Exposed Mixes or L-Stone (Limestone Paving)

Plant Details	Map	Structural Concrete	Polished and Exposed Mixes	L-Stone
Armadale ☎ (08) 94976090	Map	✓		
Bassendean ☎ (08) 62204788	Map	✓		
Canning Vale ☎ (08) 93344533	Map	✓		
Hazelmere ☎ (08) 94422440	Map	✓	✓	✓
Mandurah ☎ (08) 62204786	Map	✓	✓	✓
Naval Base ☎ (08) 62204784	Map	✓	✓	✓
Quinns ☎ (08) 62204782	Map	✓	✓	✓

COUNCIL BRIEFING NOTES

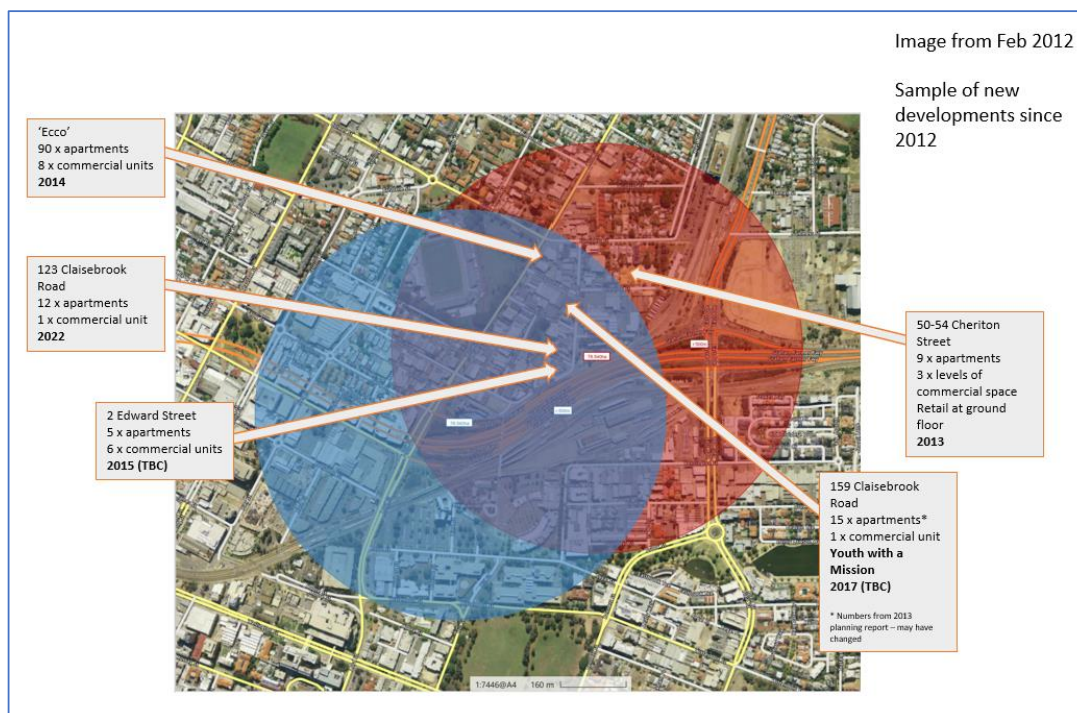
12 MARCH 2024



There are numerous locations with suitable industrial land use zoning within a 90-minute buffer. It is difficult to accept that Boral can have 12 sites outside of the CBD or CBD fringe, BGC have 7 locations providing structural concrete, and yet Holcim and Hanson continue to argue the importance of the CBD location and seemingly impossible task of sourcing an alternative location.

RAR statement: The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were previously.

Below is a sample of some of the new developments within the precinct with red and blue circles representing the 500metre buffers, (some developments of which progressed under the belief the batching plants would be relocating by 30 June 2024). The changes to the surrounding built form cannot be ignored.



COUNCIL BRIEFING NOTES

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boralaustralia • Follow

boralaustralia We're thrilled to supply concrete for the innovative ECU City Campus development in collaboration with Multiplex/SRG Global CASC.

This landmark project in Perth's CBD will become a hub for technology, creativity, and business.

The first concrete pour took place in January 2023, with construction due to be completed in late 2025!

#Boral #BuildingSomethingGreat #ECUCity #PerthCBD
 #Concrete #Construction #ConstructionMaterials
 #edithcowanuniversity #perthcitydeal

24w

RAR Statement: The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the area.

The North Claisebrook Planning Framework speaks to the City of Vincent Perth and Peel @ 3.5 million target of an additional 11,490 dwellings and 25,270 people by 2050.

123 Claisebrook Road, Perth was developed on the understanding the batching plants were to relocate by 30 June 2024. These units are now being held as rentals with a sale of individual units not currently practical given the uncertainties of the future of the batching plants, which would inevitably lead to under-pricing of the units in the market. 28 Gladstone, capable of a 20-unit development under the recent North Claisebrook Planning Framework, will now be placed on hold, pending the outcomes of these applications. It is again extremely frustrating that the time and efforts of the City of Vincent and the community in developing this Framework, and responding to the previous rounds of requested extensions, will have gone to waste should the Commission grant an approval. This would discredit the local planning process and make a mockery of community engagement.

Whereas Holcim and Hanson have both argued their continued presence at this location is "a critical component to supplying major Government infrastructure projects and significant private building developments (including housing)", we would argue that by their continuation, they are locking land assets that could otherwise be developed as prime transit orientated development residential hubs. We note developments such as that at 150, 152 & 158 Claisebrook have applied for another extension of their original approvals granted 2014 – last extended in 2018 (116 apartments).

This precinct is ideally suited to and capable of delivering much needed accommodation for key workers given the proximity to the Royal Perth Hospital, St John of God in Mount Lawley, WA Police headquarters, and bus and train links, however is in a forced holding pattern.

Questions or requests for the City's consideration:

We reasonably request greater transparency around the Government Stakeholder Working Group process, with difficulty in sourcing alternative locations being one of the main arguments in Holcim and Hanson's request for extensions:

- Have Holcim and Hanson demonstrated to the City/Council (or are the City aware if it has been demonstrated to WAPC) a forward book order that confirms they are supplying major Government infrastructure projects and significant private building developments (including housing) in Perth CBD that need to be, or can only be, serviced from these exact locations within 5kms of the CBD.
- Have details of the property searches to date and general Working Group efforts been provided to the City / Council for transparency and in support of their core justifications?

COUNCIL BRIEFING NOTES

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Whereas we firmly believe Handon and Holcim have had ample time to source alternative locations, and community is clearing stating enough is enough and no extensions should be considered, we take this opportunity to comment on the proposed conditions, should this be the unfortunate outcome:

- As proposed by the City, any minor extension must have strict enforceable conditions aligned to critical dates. Can the City confirm how / who would enforce fine for offences for non-compliance with any development approval condition, and instruments available to apply such fines? i.e. application of Planning and Development Act 2005, Part 13 Enforcement and legal proceedings, Division 2 Offences

We also request the following additional conditions be considered to improve the amenity of the community, in the unfavourable event they are granted a time limited extension:

- At Holcim and Hanson's own cost, prepare an updated landscape concept and place plan (to the satisfaction and approval of the City of Vincent in consultation with community) and thereafter implement the landscape and place plan (to include such features as murals to large street facing walls etc.) within an agreed timeframe – suggest 31 December 2024
- Suggested mural type artwork as follows:



- <https://theartsociety.org/arts-news-features/how-one-arts-society-got-involved-arts-project-streets>



- <https://www.australiansiloarttrail.com/bonny-hills>
- Reduce permitted operational hours from currently permitted 24 hours, to 6am – 10pm Monday to Saturday. Operations remain not permitted on Sunday or public holidays

COUNCIL BRIEFING NOTES12 MARCH 2024

Whereas we firmly believe there is no justification within the applications for any extension to be granted, should the WAPC be of the view to approve the development application, we would request for the Council to propose an extension of 18-24 months maximum.

Administration Response

- *The City has not been provided with information on developments and projects for which either Hanson or Holcim are supplying concrete. The City also understands that this has not been provided to the WAPC as part of either application.*
- *The City has not been provided with any specific details related to property searches in support of relocation options for Hanson or Holcim.*
- *Administration has been liaising with the Department of Planning, Lands and Heritage (DPLH) in relation to the responsible authority for the enforcement of conditions.*

The DPLH have advised that it would usually be responsible for administering and enforcing development approvals granted by the Western Australian Planning Commission (WAPC), however the nature of the subject applications for the continuation of a land use would likely be a collaborative approach with the City should there be further approvals granted.

Administration will continue to liaise with the DPLH to confirm the approach to compliance should the WAPC grant any extension of time.

The Planning and Development Act 2005 provides for a range of enforcement options which includes fines. Enforcement options would be contemplated based on the nature of any breach of development approval.

- *Administration has not included the suggested condition requiring the provision of public art project/s for the following reasons:*
 - *Administration has recommended that Council not support any continuation of the concrete batching plant operations beyond June 2024.*
 - *The draft conditions included in Administration's recommended submission are there to ensure the use actually ceases if any approval is granted rather than suggest that an approval could be in any way appropriate.*
 - *Including conditions that relate to landscaping or public art may create a perception that these additions would in some way mitigate or reduce the impact of the continued concrete batching plant operations on the community when that would not be the effect of such additions.*

Notwithstanding this it would be open to either Hanson or Holcim to pursue providing public art or additional landscaping to any development approval.

- *Administration is of the view that the operating hours should be informed by a noise assessment, which has not been undertaken for either site since 2010 and 2011. The noise assessment would be required to consider the noise impacts on sensitive uses which have occurred in the area in the last 13 to 14 years.*

Given these changes to the area it is expected that the current 24 hour operations would be required to be restricted to ensure compliance with the Environmental Protection (Noise) Regulations 1997.

There being no further speakers, Public Question Time closed at approximately 6.28pm.

COUNCIL BRIEFING NOTES

12 MARCH 2024

4 DECLARATIONS OF INTEREST

Cr Ashlee La Fontaine declared an impartiality interest in Item 8.4 Responses to Motions Carried at the Annual General Meeting of Electors held on 1 February 2024. The extent of her interest is that one of the residents who proposed a motion supported her election campaign.

Mayor Alison Xamon declared an impartiality interest in Item 5.4 No. 71 (Lot: 200; D/P: 92012) Edward Street and No. 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth - Proposed Extension of Time to Existing Concrete Batching Plants. The extent of her interest is that she lives within the North Claisebrook Planning Framework area and has been an active member of the community.

Mayor Alison Xamon declared an impartiality interest in Item 7.5 Proposal to Hold Events at Leederville Oval. The extent of her interest is that she is a member of the East Perth Football Club, who have a lease of a portion of the Leederville Oval.

REPORTS CALLED OUT

The Presiding Member, Mayor Alison Xamon, requested Council Members to indicate:

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 Worner	5.2, 5.3 and 8.5
Cr Hallett	9.1
Cr Greer	8.4

COUNCIL BRIEFING NOTES

12 MARCH 2024

REPORTS WITH DISCUSSION

6.1 BEAUFORT STREET PRECINCT AREA ROAD SAFETY TREATMENTS

- Attachments:
1. Harold St_Survey Analysis_240216
 2. Highgate Precinct Wide Traffic Analysis
 3. Node#1 - Concept Drawing - Beaufort Street and Harold Street Intersection

RECOMMENDATION:

That Council:

1. REQUESTS Administration to apply to Main Roads WA for approval of Harold Street becoming a formal one-way street either from Vincent Street to Beaufort Street, or from Beaufort Street to Vincent Street;
2. Subject to Main Roads WA approval to point 1, SUPPORTS a capital works project to convert Harold Street from a bi-directional street to a one-way street in the 2024-2025 financial year; and
3. SUPPORTS the development of a 6-year Road Safety Implementation Plan to design and deliver the "Beaufort Street Nodes" project and other projects identified within the precinct-wide Highgate traffic analysis report within attachment 2.

CR HALLETT:

How many residents are there on Harold Street?

MANAGER ENGINEERING:

There are 17 residences accessing Harold Street between Vincent Street and Beaufort Street. This excludes Challis Apartments.

CR LA FONTAINE:

Please provide more information on the proposed 1 way on Harold Street, and more info on the Mary St exit community consultation?

MANAGER ENGINEERING:

(Attachment 7 – 9 September 2014 Council Report - Mary Street)

CR LA FONTAINE

Mini roundabouts were mentioned, can the results of the mini roundabouts trial review be included?

MANAGER ENGINEERING:?

(Attachment 5 – 18 May 2021 Council Report Mini Roundabouts. There is a Mini Roundabouts Pilot Review – Post Survey Analysis which is to be discussed at a Council Workshop meeting.

CR LA FONTAINE

Broome St roundabout blackspot, community consultation notes be included?

MANAGER ENGINEERING:

Attachment 4 – Broome and Wright Street – Community Survey Results).

CR LA FONTAINE

Ausroads guidelines part 8 be included in briefing notes?

MANAGER ENGINEERING:

(Attachment 3 - Ausroads Guideline LATM – Part 8).

COUNCIL BRIEFING NOTES

12 MARCH 2024

8.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 1 FEBRUARY 2024**Attachments:** 1. Annual General Meeting of Electors Minutes 1 February 2024**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 1 February 2024 for the reasons outlined in the report:

1. **Motion 4.1(1) – Laneways** - That Council **NOTES** that condition surveys are undertaken on all the laneways and upgrades are prioritised according to the condition ratings.
2. **Motion 4.2 – Dust at Menzies Park** - That Council **REQUESTS** Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge.
3. **Motion 4.3**
 - (1) **Rat Running Character Area Cleaver Precinct** – That Council **REQUESTS** Administration complete a “Traffic Calming Warrant” score on this area in the 2023/24 financial year and if warranted, consider traffic calming treatments to mitigate issues such as rat running and any other road safety concerns.
 - (2) **Bunnings Traffic Impact** – That Council **NOTES**:
 - Main Roads WA is already undertaking a road safety program on this intersection and the City is providing information and support as required; and
 - The Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District which proposes to include this intersection.
 - (3) **Colvin Lane** – That Council **NOTES** Colvin Lane has sufficient signage including speed advisory signs as noted in the report.
 - (4) **Bunnings Traffic Impact** – That Council **NOTES** the Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District.
 - (5) **Cleaver Precinct Character Area** – That Council **NOTES**:
 - Conditions of the Development Approval for the Bunnings development require the preparation of Management Plans prior to commencement of development to manage vehicle movements to the site, and
 - Administration will send a notification to residents within the area bound by Carr Street, Cleaver Street, Newcastle Street and Fitzgerald Street prior to issuing an occupancy permit for the development. This notification will provide information on how to report instances of delivery and service vehicles using the residential streets if this is observed.
4. **Motion 4.4: Polyphagous Shot Hole Borer** – That Council **NOTES** the CEO’s creation of a Hyde Park Reference Group to provide a forum to engage with stakeholders and community members into the City of Vincent’s restoration of tree canopy and associated plantings post Polyphagous Shot Hole Borer treatment works.
5. **Motion 4.5(1): 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.

COUNCIL BRIEFING NOTES

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6. **Motion 4.5(2): Publishing Policy Related Guidelines** – That Council NOTES the Policy Development and Review Policy outlines Council's position in relation to Local Government Decision Making and the hierarchy of documents guiding decision making and responsibilities.
7. **Motion 4.5(3): Beaufort Street Footpath** –
That Council REQUESTS:
 - Administration program upgrades of the footpaths in the Mount Lawley-Highgate Town Centre in accordance with condition assessment priorities; and
 - Administration review the service level requirements and costs to ensure that footpaths and public paving in areas subject to high pedestrian traffic (including town centres) are maintained in a clean and attractive state, and the findings be presented to a Council Workshop by June 2024.
8. **Motion 4.5(4): Elected member responses to the community** – That Council NOTES that the adopted Code of Conduct is consistent with the *Local Government (Model Code of Conduct) Regulations 2021*.
9. **Motion 4.5(5): Organisation Review** – That Council NOTES results of the FY 22 Australasian Local Government Performance Excellence Program and annual service unit planning undertaken by the organisation provide sufficient metrics to inform organisation planning and structure.

MAYOR XAMON:

If there was an opportunity for small waste – good Sammy conversation to see if they would provide a bin? Can we get some info as to if they think that option is viable and if not, why not?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Feedback from Good Sammys not to hand at time of publishing Briefing Notes – will be provided to Council once obtained.

CR CASTLE:

Motion 4.2 – explanation as to why only a temp solution is being sought, and what could be considered as a permanent solution? Can we consider putting a timeframe around this, and suggest a pathway?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Temporary solution to mitigate dust and disturbance on the verge to deal with immediate parking taking place. Long term permanent solution – looking into sustainable drainage options that incorporated parking within the next 12 months.

CR WORNER:

Has Council approached west one to discuss traffic on Colvin Lane? It would be worth having a chat

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Noted. Administration will consider stakeholder engagement subject to nature of traffic movements in laneway.

COUNCIL BRIEFING NOTES

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5.4 NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET AND NO. 120 (LOT: 1001; D/P: 29129) CLAISEBROOK ROAD, PERTH - PROPOSED EXTENSION OF TIME TO EXISTING CONCRETE BATCHING PLANTS

Ward: South

Attachments:

1. Location Plan
2. Minister's 2018 Approval
3. Recommended Conditions

RECOMMENDATION:

That Council:

1. **MAKES** a submission to the Western Australian Planning Commission regarding the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the *Planning and Development Act 2005*, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23) and advises the Western Australian Planning Commission that:

- 1.1 The City of Vincent **DOES NOT SUPPORT** the development applications as they are inconsistent with the matters that the Western Australian Planning Commission is to have due regard to in accordance with Section 275(6) of the *Planning and Development Act 2005* for the following reasons:

- The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.

The 'Industry' land use, which the Concrete Batching Plant operation would fall within, is an X use in the Mixed Use zone under LPS2 and is a use that is not permitted by LPS2 in these locations. LPS2 provides an additional use of Concrete Batching Plant for the two sites but includes a condition stating that this "*additional use will expire 30 June 2024.*"

In support of LPS2 the City's endorsed Local Planning Strategy identifies for the Concrete Batching Plants to relocate from the area to facilitate transit-oriented developments in close proximity to the Perth CBD within the Claisebrook area which is identified as a 'High Density Mixed Use' and 'Planned Urban Growth' area.

The City's approved North Claisebrook Planning Framework local planning policy provides for a clear statement of intent for the Cityscape subprecinct of which the Concrete Batching Plants are located in. This seeks to provide for a greater intensity of development that capitalises on the proximity to the Perth CBD and Claisebrook Station by providing landmark transit-oriented developments.

An extension of the Concrete Batching Plant use on these sites beyond 30 June 2024 would be inconsistent with the Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- The Concrete Batching Plants are inconsistent with the principles of orderly and proper planning as they are an incompatible industrial use within an area that is zoned Mixed Use R160 under LPS2 and has already been developed as high density mixed use.

The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the area.

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The relocation of the Concrete Batching Plants at the earliest opportunity would be a matter of state and regional significance as it would finally allow for the provision of high density infill development, providing an estimated 3,258 additional dwellings in the immediate locality consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were previously.

These impacts would continue to increase as the number and intensity of these sensitive uses increase in line with LPS2 and the North Claisebrook Planning Framework;

- The Concrete Batching Plants have operated from their respective locations prior to the COVID-19 Pandemic and the continued operation would not provide for any greater economic investment, jobs, housing or activity to the region in response to this.

The relocation of the Concrete Batching Plants at the earliest opportunity would provide the opportunity for revitalisation of the North Claisebrook area by unlocking two strategic development sites and would have a wider economic benefit to the broader area, including an anticipated 3,258 additional dwellings in the North Claisebrook Planning Framework area alone that would provide much needed housing; and

- The Concrete Batching Plants continue to be inconsistent with broader State policies including Directions 2031, Perth & Peel @ 3.5 Million, the Central Sub-regional Planning Framework, the Capital City Planning Framework, and State Planning Policy 1 – State Planning Framework.

These policies seek to achieve consolidated urban form by providing infill development that is adjacent to activity centres, station precincts and urban corridors, and within close proximity to the Perth CBD and public transport connections, with these sites on the boundary of the CBD and adjacent to the Claisebrook Train Station; and

1.2 Should the Western Australian Planning Commission be of the view to approve the development applications then Council:

- a) **ADVISES** that any approval should require a set a of short term relocation gateways that the operators must achieve in order to continue operating, as well as decommissioning of each of the sites at the expiry of any extension.

Such conditions would facilitate the economic investment, jobs, housing and activity sort for the area by requiring the relocation of both Concrete Batching Plants in the shortest possible time. This would allow for the redevelopment potential of the region to be realised consistent with the local and state planning framework;

- b) **PROVIDES** recommended conditions that are included in Attachment 3; and
- c) **REQUESTS** that all possible options be considered by the State Government to prevent land banking and to ensure that redevelopment of both sites occurs consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework as a matter of state and regional significance.

This includes the making of an Improvement Plan area in accordance with Part 8 of the *Planning and Development Act 2005*; and

2. PROVIDES a copy of the report and accompanying attachments from the agenda of the Council Meeting on 19 March 2024 to the Western Australian Planning Commission.

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MAYOR XAMON:

Can information be provided on the process to refer an application under Section 38 of the *Environmental Protection Act 1986* and request wording for this to be added to further strengthen the City's submission?

DIRECTOR MAJOR PROJECTS:

DWER have advised the following in relation to referrals under Section 38 of the *Environmental Protection Act 1986*:

- Referrals are most commonly undertaken by the proponent as part of a self-assessment. Referrals can also occur by a third party or a decision-maker.
- Third party referrals should provide information in relation to the nature of the use and technical information to validate any conclusions to inform whether an assessment is required.
- In investigating a third party referral DWER can also request information from the proponent to inform whether an assessment is requirement.

As set out above Administration has updated the recommendation to advise the WAPC not to determine the subject applications until they are satisfied that any necessary approvals under the *Environmental Protection Act 1986* have been obtained.

MAYOR XAMON:

Request draft wording for a condition which provides for a maximum two year approval period.

DIRECTOR MAJOR PROJECTS:

A draft amended condition has been prepared below:

That Recommendation 1.2(b) be updated to read as follows:

- b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- Conditions 1 and 2 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth which reads as follows:

No. 71 Edward Street, Perth

1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the *Planning and Development Act 2005* and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or
 - b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or
 - c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating;

No. 120 Claisebrook Road, Perth

1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the *Planning and Development Act 2005* and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or
 - b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or
 - c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating;

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CR HALLETT:

Can Administration confirm if there have been any referrals to the Department of Water and Environmental Regulation (DWER) in accordance with Section 38 of the *Environmental Protection Act 1986* for either of the Concrete Batching Plants?

DIRECTOR MAJOR PROJECTS:

Due to confidentiality, DWER have not been able to advise if there are any current Section 38 referrals for either Concrete Batching Plant.

CR WALLACE:

Can Administration confirm if either a licence or works approval have been issued for either Concrete Batching Plant by DWER, or if licences are required or have otherwise been waived?

DIRECTOR MAJOR PROJECTS:

The requirements for a licence and/or works approval are set out in the Environmental Protection Act 1986 and is administered by DWER.

The City is not responsible for administering the Environmental Protection Act 1986 but is responsible for enforcing any development approvals granted under the Planning and Development Act 2005 as well as the Environmental Protection (Noise) Regulations 1997.

Ultimately it is the proponent's responsibility to ensure that Concrete Batching Plants have obtained and are operating in accordance with all approvals required by the relevant legislation.

Administration has contacted DWER but has yet to receive confirmation that either Site has the necessary approvals under the Environmental Protection Act 1986.

Because of this Administration has updated the recommendation to advise the Western Australian Planning Commission (WAPC) not determine the subject applications until they are first satisfied that any necessary approvals under the Environmental Protection Act 1986 have been obtained.

CR WALLACE:

Could a dust study be required through the recommended conditions to include an assessment of the dust which is being emitted from the both plants, not just management measures? Request draft wording for a condition be provided.

DIRECTOR MAJOR PROJECTS:

Yes. A requirement for a dust study to be provided as part of the updated Environment Management Plan has been included in the recommended conditions.

UPDATE TO REPORT FOLLOWING COUNCIL BRIEFING

In addition to the changes set out above Administration has made a number of other updates to the report. These include:

- Updating the Recommendation to endorse the Mayor and/or Chief Executive Officer write to the WAPC requesting the initiation of an Improvement Plan over a portion of the North Claisebrook area.
- Updating the Consultation/Advertising section of the report to reflect an additional two submissions that was received following the publishing of the Council Briefing agenda. The total number of submissions the City has been provided with is 10. All of these do not support the proposed applications.

Including additional information in relation to the proposed Improvement Plan, including a new Attachment 4 which shows the area.

UPDATE TO ATTACHMENT 3 FOLLOWING COUNCIL BRIEFING

Administration has updated the recommended conditions in Attachment 3 and were informed by legal advice received by Administration following the Council Briefing.

The intent and content of the conditions remains as proposed, with the extent of the changes to provide for further clarity and ensure the enforceability of these conditions.

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The updated conditions are below (with the changes emphasised):

Recommended Conditions – 71 Edward Street, Perth
Conditions:

Approval Period

1. Subject to Condition 2, this approval is granted for a ~~term~~ **limited** period expiring 30 June 2027;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the Planning and Development Act 2005 and a building permit under the Building Act 2011 have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or
 - b) 30 June 2026, if by that date the new concrete batching plant has not been substantially commenced on the alternative site **the subject of paragraph (a) above**; or
 - c) 30 June 2027, if by that date the new concrete batching plant **the subject of paragraph (a) above** has not been completed at an alternative site and ~~an occupancy certificate obtained for that plant under the Building Act 2011~~ **has commenced operating**;
3. When this approval ~~lapses~~ **expires** under Condition 1 or **lapses** at an earlier time under Condition 2, this approval will cease to have any effect from the date on which it **expires or lapses**, with the exception of Conditions 4, 5, **6** and ~~6-7~~;

Site Decommissioning

4. Within 6 months of the date of this approval ~~lapses~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2, all ~~on-site~~ **buildings and** structures shall be removed from the site **by the landowner/operator**;
5. Within 6 months of the date of this approval ~~lapses~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2: ~~an investigation for soil and groundwater contamination is to be carried out to determine the extent of any contamination and if remediation is required, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation;~~
 - a) **A suitably qualified environmental consultant must be engaged to investigate whether there has been any soil or groundwater contamination at the site and to prepare a report detailing the extent of any soil or groundwater contamination at the site and recommending any remediation works required to remediate any contamination (Contamination Report); and**
 - b) **a copy of the Contamination Report must be provided to the Western Australian Planning Commission by the landowner/operator;**
6. Within 9 months of the date of this approval ~~lapses~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2 a **Decommissioning Plan (Decommissioning Plan)** for the site must be submitted to the Western Australian Planning Commission for its approval, on advice from the City of Vincent and the Department of Water and Environmental Regulation **by the landowner/operator**.

The **Decommissioning Plan** is to include:

- a) ~~Investigation for soil and groundwater contamination is to be carried out to determine if remediation is required~~ **The results and recommendations of the Contamination Report;** and
- b) ~~If required, remediation, including validation of remediation, of any contamination identified shall be completed~~ **Any additional remediation works required** to ensure that the entire site is suitable for a future residential or other sensitive use; **and**

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- c) **Procedures for certifying that any required remediation works have been properly carried out;**

7. The ~~approved Decommissioning Plan in Condition 6~~ shall be implemented in its entirety **by the landowner/operator** within 24 months of the date of the approval lapsing under Condition 1 or at an earlier time under Condition 2, unless otherwise agreed by the Western Australian Planning Commission;

~~All contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission;~~

Environmental Management Plan

8. Within 28 days of the date of this approval the Environmental Management Plan prepared by Strategen-JBS&G dated 14 May 2021 shall be updated **by the landowner/operator** and submitted to the Western Australian Planning Commission for approval on the advice of the City of Vincent.

The updated Environmental Management Plan is to address the following:

- a) Provide a new environmental noise assessment which:
- Includes an assessment of the noise impacts of the operations of the plant on surrounding sensitive receiver (including from vehicle movements); **and**
 - Demonstrates compliance with the assigned levels of the Environmental Protection (Noise) Regulations 1997, including any management measure or modification to the existing development and/or operations that would be required to ~~de-se~~ **demonstrate compliance;**
- b) Specify ~~that~~ **that** truck and semi-trailer access routes ~~to be~~ **are** limited to Lord Street and Edward Street only **and that** truck movements shall not extend beyond **Lord Street and Edward Street** ~~this~~ into the local road network unless for the purposes of deliveries to sites within the area bound by Lord Street, the Graham Farmer Freeway, the railway reserve and Summers Street; **and**
- c) Specify that **heavy vehicles such as** trucks and semi-trailers ~~access to the site is managed so that heavy vehicles are not queuing or idling~~ **must not queue or idle** within the road network while waiting to enter ~~site~~; **and**

9. The plant is to operate in accordance with the Environmental Management Plan approved in Condition 8 subject to:

- a) **The landowner/operator submitting an annual review of the Environmental Management Plan for the approval of the Western Australian Planning Commission on advice of the City of Vincent. The annual review shall be submitted within 12 months of after** each year following the granting of approval; and
- b) The inclusion on the environmental management plan of any addenda necessary to address any specific matter identified by either Hanson Constructional Materials Pty Ltd, the Western Australian **Planning** Commission, or the City of Vincent between annual reviews. These addenda are to form part of the Environmental Management Plan;

10. ~~This approval limits access to the site by Trucks and semi-trailers to anytime~~ **are only permitted** Monday to Saturday inclusive (excluding public holidays) ~~only~~, unless otherwise restricted under the approved Environmental Management Plan; ~~in accordance with Condition 9 to meet the assigned levels of the Environmental Protection (Noise) Regulations 1997.~~

Landscaping

11. ~~The landowner/operator Landscaping is to be maintained~~ **maintain on-site landscaping** in accordance with the Landscape Management Plan dated 26 June 2012, or other landscaping management plan approved by the Western Australian Planning Commission on advice from the City of Vincent; and

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General

12. Where any of the above conditions have a time limitation for compliance and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues while the approved development exists.

Advice Note

1. **The landowner/occupier is advised that all contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission.**

Recommended Conditions – 120 Claisebrook Road, PerthConditions:Approval Period

1. Subject to Condition 2, this approval is granted for a term expiring 30 June 2027;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the Planning and Development Act 2005 and a building permit under the Building Act 2011 have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or
 - b) 30 June 2026, if by that date the new concrete batching plant has not been substantially commenced on the alternative site **the subject of paragraph (a) above**; or
 - c) 30 June 2027, if by that date the new concrete batching plant **the subject of paragraph (a) above** has not been completed at an alternative site and **an occupancy certificate obtained for that plant under the Building Act 2011 has commenced operating**;
3. When this approval ~~lapses~~ **expires** under Condition 1 or **lapses** at an earlier time under Condition 2, this approval will cease to have any effect from the date on which it **expires or lapses**, with the exception of Conditions 4, 5, **6** and ~~6-7~~;

Site Decommissioning

4. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2, all ~~on-site~~ **buildings and** structures shall be removed from the site **by the landowner/operator**;
5. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2: ~~an investigation for soil and groundwater contamination is to be carried out to determine the extent of any contamination and if remediation is required, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation;~~
 - a) **A suitably qualified environmental consultant must be engaged to investigate whether there has been any soil or groundwater contamination at the site and to prepare a report detailing the extent of any soil or groundwater contamination at the site and recommending any remediation works required to remediate any contamination (Contamination Report); and**
 - b) **A copy of the Contamination Report must be provided to the Western Australian Planning Commission by the landowner/operator;**
6. Within 9 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2 a **Decommissioning Plan (Decommissioning Plan)** for the site must be submitted to the Western Australian Planning Commission for its approval, on advice from the City of Vincent and the Department of Water and Environmental Regulation **by the landowner/operator**.

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The **Decommissioning Plan** is to include:

- a) ~~Investigation for soil and groundwater contamination is to be carried out to determine if remediation is required~~ **The results and recommendations of the Contamination Report;** and
- b) ~~If required, remediation, including validation of remediation, of any contamination identified shall be completed~~ **Any additional remediation works required** to ensure that the entire site is suitable for a future residential or other sensitive use; **and**
- c) **Procedures for certifying that any required remediation works have been properly carried out;**

7. The ~~approved Decommissioning Plan in Condition 6~~ shall be implemented in its entirety **by the landowner/operator** within 24 months of the date of the approval lapsing under Condition 1 or at an earlier time under Condition 2, unless otherwise agreed by the Western Australian Planning Commission;

~~All contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission;~~

Environmental Management Plan

8. Within 28 days of the date of this approval the Environmental Management Plan prepared by Holcim dated 12 December 2023 shall be updated **by the landowner/operator** and submitted to the Western Australian Planning Commission for approval on the advice of the City of Vincent.

The updated Environmental Management Plan is to address the following:

- a) Provide a new environmental noise assessment which:
 - Includes an assessment of the noise impacts of the operations of the plant on surrounding sensitive receiver (including from vehicle movements); **and**
 - **Demonstrates** compliance with the assigned levels of the Environmental Protection (Noise) Regulations 1997, including any management measure or modification to the existing development and/or operations that would be required to ~~de-se~~ **demonstrate compliance;**
- b) Specify **that** truck and semi-trailer access routes ~~to be~~ **are** limited to Lord Street, Edward Street, Caversham Street and Claisebrook Road (south of Caversham Street) only **and that** truck movements shall not extend beyond **Lord Street, Edward Street, Caversham Street and Claisebrook Road (south of Caversham Street)** ~~this~~ into the local road network unless for the purposes of deliveries to sites within the area bound by Lord Street, the Graham Farmer Freeway, the railway reserve and Summers Street;
- c) Provide for all truck and semi-trailer access between the hours of 7pm to 6am to only occur from Caversham Street, with no access to occur from Claisebrook Road. Updated internal traffic flows should be provided demonstrating how this would occur; **and**
- d) Specify that **heavy vehicles such as** trucks and semi-trailers ~~access to the site is managed so that heavy vehicles are not queuing or idling~~ **must not queue or idle** within the road network while waiting to enter **site;**

9. The plant is to operate in accordance with the Environmental Management Plan approved in Condition 8 subject to:

- a) **The landowner/operator submitting an annual review of the Environmental Management Plan for the approval of the Western Australian Planning Commission on advice of the City of Vincent. The annual review shall be submitted within 12 months of** ~~after~~ each year following the granting of approval; **and**
- b) The inclusion on the environmental management plan of any addenda necessary to address any specific matter identified by either Holcim Australia Pty Ltd, the Western Australian **Planning** Commission, or the City of Vincent between annual reviews. These addenda are to form part of the Environmental Management Plan;

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Site Access

10. ~~This approval limits access to the site by Trucks and semi-trailers to anytime~~ **are only permitted Monday to Saturday inclusive (excluding public holidays) only**, unless otherwise restricted under the approved Environmental Management Plan; ~~in accordance with Condition 9 to meet the assigned levels of the Environmental Protection (Noise) Regulations 1997.~~

Landscaping

11. ~~The landowner/operator Landscaping is to be maintained~~ **maintain on-site landscaping** accordance with the Landscape Management Plan dated 26 June 2012, or other landscaping management plan approved by the Western Australian Planning Commission on advice from the City of Vincent; and

General

12. Where any of the above conditions have a time limitation for compliance and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues while the approved development exists.

Advice Note

1. **The landowner/occupier is advised that all contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission.**

DRAFT AMENDED CONDITIONS

Administration has provided draft amended conditions in response to requests from Elected Members, as well as the public gallery and public questions received.

Administration can provide reasons and a response should Elected Members advise that they wish for any of these to be formally prepared prior to the Council Meeting.

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5.3 NO. 121 (LOT: 2; D/P: 1080) FITZGERALD STREET, WEST PERTH - PROPOSED CHANGE OF USE FROM OFFICE TO RESIDENTIAL BUILDING (SHORT TERM ACCOMMODATION) INCLUDING ALTERATIONS AND ADDITIONS

Ward: South

- Attachments:**
1. Location and Consultation Plan
 2. Development Plans
 3. Parking Management Plan
 4. Management Plan
 5. Code Of Conduct
 6. Noise Management Plan
 7. Acoustic Report
 8. Sustainability Statement
 9. Waste Management Plan
 10. Summary of Submission - Applicant's Response
 11. Summary of Submissions - Administration's Response
 12. 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 a proposed Change of Use from Office to Residential Building (Short Term Accommodation) including Alterations and Additions at No. 121 (Lot: 2; D/P: 1080) Fitzgerald Street, West Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Approval

This approval is for a Change of Use from Shop to Residential Building (Short Term Accommodation) including Alterations and Additions as shown on the approved plans dated 20 February 2024. No other development forms part of this approval;

2. Use of Premises

2.1 This approval is for a Residential Building as defined in State Planning Policy 7.3: Residential Design Codes Volume 1. The use of the subject land for any other land use may require further approval from the City;

2.2 The operation shall be carried out in accordance with the definition of Short Term Accommodation/Short Stay Accommodation as defined in the City of Vincent Local Planning Policy: Short Term Accommodation, to the City's satisfaction;

Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

2.3 The total number guests staying the premises shall be limited to 47 persons at any one time, to the satisfaction of the City; and

2.4 A maximum of 1 staff member on site at any given time, who are also not a guest of the premises, to the satisfaction of the City;

3. Management Plan and Code of Conduct

3.1 The premises shall operate in accordance with the approved Management Plan and Code of Conduct dated 30 January 2024, to the satisfaction of the City; and

3.2 The approved Code of Conduct shall be provided to guests at the time of check-in and displayed in a prominent location where it is visible to guests, to the satisfaction of the

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City;

4. Car Parking and Access

- 4.1** Prior to the first occupation or use of the development, two parking bays shall be provided on-site, as depicted on the approved plans, to the satisfaction of the City. The car bay accessed from Fitzgerald Street, shall be reserved as a dedicated pick up/drop off bay. The car bay accessed from the right of way should be reserved as for staff car parking only;
- 4.2** Prior to the first occupation or use of the development, the pick up/drop off car parking bay shall be marked and clearly signposted as a dedicated drop off/pick up bay with a maximum time restriction of 15 minutes, to the satisfaction of the City;
- 4.3** The premises shall operate in accordance with the approved Parking Management Plan dated 11 December 2024, to the satisfaction of the City;
- 4.4** All pedestrian access levels shall match into existing verge and footpath levels, to the satisfaction of the City; and
- 4.5** Three bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the development, to the satisfaction of the City;

5. Building Design

- 5.1** Prior to the issue of a Building Permit, a detailed schedule of external finishes including materials, colour schemes and details, that are generally consistent with those shown on the approved plans, shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development, to the satisfaction of the City;
- 5.2** All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City; and
- 5.3** The roof of the proposed addition shall have a maximum solar absorptance rating of 0.4, to the satisfaction of the City;

6. Façade Design

- 6.1** Doors and windows and adjacent floor areas fronting Fitzgerald Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;
- 6.2** Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy, to the satisfaction of the City;
- 6.3** Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City; and
- 6.4** The portion of the courtyard wall to the Fitzgerald Street elevation, as indicated in red on the approved plans, shall provide a minimum of 50 percent visual permeability, to the satisfaction of the City;

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7. Landscaping

7.1 Prior to the issue of a Building Permit, a detailed landscape and reticulation plan for the development site, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall be drawn to a scale of 1:100 or 1:200, shall be generally in accordance with the plan previously provided to the City dated 11 August 2023, and show the following:

- The location and type of proposed plants, including pot sizes, and permeable paving treatments;
- Areas to be irrigated or reticulated;
- The *Callistemon 'Kings Park Special'* tree shall be minimum of 35 litres;
- The *Syzygium Australe 'Straight and Narrow'* species shall be replaced with an alternative species, on advice of the City's Parks Team; and
- The roof top planter bed depth and volume, and roof top planter bed access provisions for maintenance. The planter bed shall have a minimum depth of 0.5 metres;

to the satisfaction of the City;

7.2 All works shown in the approved landscape and reticulation plan as identified in Condition 5.1 shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

9. Waste Management

9.1 Prior to the issue of a Building Permit, an updated Waste Management Plan, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall include details of the following:

- Two bins located in the rear car bay area to be relocated within the drying court area, to ensure suitable vehicle access for the rear car bay;
- Waste collection times;

9.2 The updated Waste Management Plan, as required by Condition 9.1, shall be implemented at all times to the satisfaction of the City; and

9.3 Waste and refuse generated on the site by the development shall be collected by a private contractor at the expense of the applicant/landowner;

10. Acoustic Report and Noise Management

10.1 Prior to the issue of a Building Permit, an updated acoustic report shall be submitted to and approved by the City, to the satisfaction of the City. The updated acoustic report shall demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, namely in relation to the construction of the building and mechanical services;

10.2 The updated report, as required by Condition 10.1, should be generally consistent with the report provided to the City, dated 11 December 2023, and should modify the recommendation for a 1.8 metre high fence to be provided in the front setback area, as included in the Environmental Noise Assessment recommendations, to remove the requirement for fence of Colourbond construction and ensure the fence can be provided in a high quality material and with suitable vehicle sightline truncations incorporated into the design provided, to the satisfaction of the City.

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10.3 The recommended measures of the report required, as required by Condition 10.1, shall be implemented, to the satisfaction of the City; and

10.4 The premises shall operate in accordance with the approved Noise Management Plan dated 11 December 2023, to the satisfaction of the City; and

11. Construction Management Plan

Prior to the issue of a Building Permit, a Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding properties (including demolition and/or forward works), shall be submitted to, and approved by the City. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors; and
- Consultation plan with nearby properties.

At 7.09pm Director Major Projects left the meeting and did not return.

At 7:12 pm, Cr Ashley Wallace left the meeting.

MAYOR XAMON:

In relation to the issue of the parking, can I just have it confirmed that if there is only going to be the one parking bay that is required and that we will not be issuing any further parking permits for that particular business?

A/MANAGER DEVELOPMENT & DESIGN:

Commercial parking permits would not be issued for the proposed business.

The City's Parking Permits Policy identifies that commercial enterprises with a parking restriction on their street may be issued with a commercial parking permit for bona fide employees, as designated by the City.

The proposed development could be eligible for a commercial parking permit. This is because Fitzgerald Street contains parking restrictions for on-street bays and the business would have bona fide employees.

The application does not propose to utilise street parking for employees, as detailed in the Parking Management Plan (PMP) provided by the applicant. The PMP confirms that due to the operation of the business only one parking bay would be required to be utilised by staff which is provided at the rear of the site.

This means that parking demand generated by the proposed development would be provided on-site. This is based on the PMP and the issuing of a commercial parking permit would not be necessary for the proposal.

The recommended Determination Advice Notes have been updated to include an additional advice note confirming that commercial parking permits would not be issued by the City for the use of any guest or employee.

CR WORNER:

Is utilising residents as staff an established model that the operator has employed in their other business? Is the operator confident in being able to utilise the same system in this facility as well?

A/MANAGER DEVELOPMENT & DESIGN:

Administration has confirmed with the operator that the proposed model of operation is consistent with the

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model utilised for their other business, being the Spinners Hostel located at No. 342 Newcastle Street, Perth.

The applicant advised that the model of utilising guests as employees is also an industry standard used by other operators in the hostel industry.

CR HALLETT:

One of the specific concerns from locals was them using the parking of the adjacent property because there is no fence between there.

Just wondering if you can run through if there is anything we can do in terms of conditions to stop that or whether there is a need for any additional signage that is paid for by the applicant.

A/MANAGER DEVELOPMENT & DESIGN:

Parking unauthorised and without consent on another landowner's property is not permitted but is not a matter that can be dealt with as part of a development approval.

Administration is satisfied that parking arrangements would be suitably managed within the subject site, in accordance with the management measures identified within the PMP.

If in the case that unauthorised parking did occur on the adjoining properties, Administration would recommend in the first instance that neighbours engage directly with one another to resolve any issues.

In the case that the adjoining landowners did want the ability for infringements to be issued if unauthorised cars park on their property, they are able to apply to the City's Ranger Services Team for the commercial bays on the site to be registered with the City.

It would be the responsibility for the adjoining property owner to provide any alternate physical restrictions for unauthorised parking to their site, such as fencing or signs. The City cannot require the subject site's landowner/operator to secure the adjoining property from unauthorised parking by any driver.

CR HALLETT:

Are you able to tell me more about the transparent Perspex sheet that is proposed to be installed on top of portions of the wall and if we have any images of what that would look like?

CR WALLACE:

I appreciate that we don't like Colourbond for amenity reasons, does Administration have a view on if Perspex is a better amenity outcome or will we be pushing for another kind of treatment?

A/MANAGER DEVELOPMENT & DESIGN:

Amended plans have been provided and Perspex is no longer being proposed as part of the northern acoustic wall.

The Perspex sheet was one option provided by the acoustic consultant to ensure compliance with the Noise Regulations, whilst meeting vehicle sightline requirements. There are alternative options available.

The City's Built Form Policy does not preclude Perspex from being provided as fencing materiality if it is of a high-quality design and is maintained to a high standard for the life of the development.

*Following the Council Briefing Session, the applicant provided amended plans indicating the proposed design of the acoustic wall to the northern boundary. This is shown in **Image 1** below.*

These plans have been reviewed by the acoustic consultant and who has confirmed that the proposal would meet relevant Noise Regulation requirements. This means that the northern acoustic wall as shown is suitable to achieve attenuate the noise and without the need for the Perspex sheet to be included in the design.

The recommended conditions of approval in the Officer Report and the development plans have been updated to reference this amended northern acoustic wall.

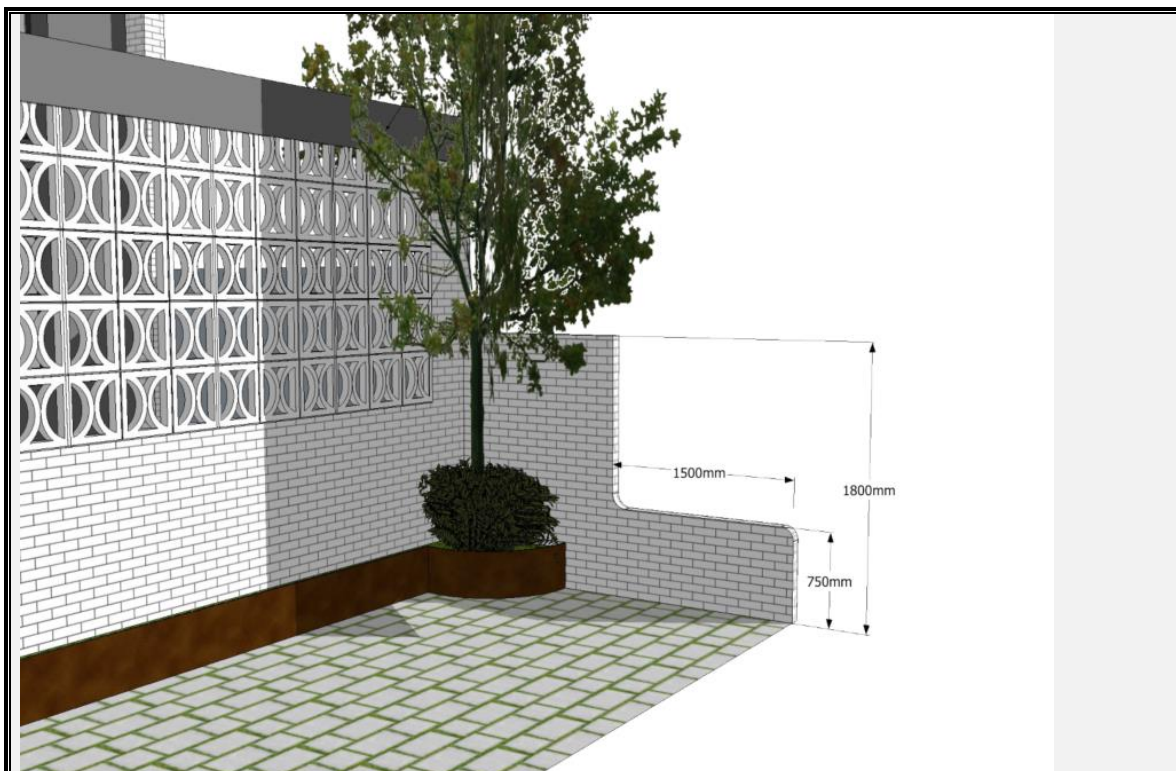


Image 1. Source: Attachment 2 – Amended Development Plans showing northern acoustic wall

CR WOOLF:

I just wanted to confirm that, if the change of use application is approved, would ventilation be something that the City's Health Team would then consider from a health and safety perspective prior to occupancy?

A/MANAGER DEVELOPMENT & DESIGN:

Yes, this would be considered at the building permit stage and prior to occupancy.

As a lodging house/hostel, the proposed development would be a Class 3 building which has certain ventilation requirements under the National Construction Code (NCC) [Part 3.8.5 Ventilation | NCC \(abcb.gov.au\)](#).

The proposed skylights would meet the minimum ventilating area and minimum floor area standards under the NCC.

The details of the skylights would be confirmed with the applicant's private building surveyor when lodging the building permit application for the proposed development.

CR WOOLF:

I'm just wondering if we can confirm that the bike racks being proposed are the type that is ideal for scooter use given that that is being promoted in their policy?

A/MANAGER DEVELOPMENT & DESIGN:

Yes, the bicycle storage being proposed can accommodate scooters.

The bicycle storage proposed by the proposed development would be located internally within the building.

*The applicant proposes to install hanging bicycle racks within this storeroom (see **Image 2** below) for the parking of three bicycles.*

The internal bicycle storage room would be sufficient in size to accommodate the parking of three e-scooters in addition to the storage of the three hanging bicycles. E-scooters are also able to be stored on the hanging racks.

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Image 2. Source: Applicant.

ADDITIONAL INFORMATION:

Changes have been made to the Detailed Assessment table in the Officer Report.

This is because the Officer Report erroneously included an assessment against General Requirements for other zones in addition to those applicable to the 'Residential and Mixed-Use Zones'. Only the 'Residential and Mixed-Use Zones' standards are applicable because the site is zoned Mixed Use under LPS2.

These updates do not impact the comments provided by Administration in the Officer Report and do not increase any areas of discretion in the application.

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5.2 NO. 12 (LOT: 609; D/P: 49287) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO OFFICE**Ward:** South Ward

- Attachments:**
1. Consultation and Location Plan
 2. Development Plans
 3. Heritage Impact Statement
 4. Applicant Photos of Steel Floor Tiles
 5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Office at No. 12 (Lot: 609; D/P: 49287) Lindsay Street, Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5.

1. Development Plans

This approval for Alterations and Additions to Office as shown on the approved plans dated 13 November 2023 and 9 January 2024. No other development forms part of this approval;

2. Works

- 2.1 All works shall be undertaken in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City;
- 2.2 All works shall be carefully undertaken to ensure that minimal damage occurs to original building fabric, to the satisfaction of the Heritage Council of Western Australia; and
- 2.3 Security camera surface mounted conduit is to be colour matched to the adjacent surface to minimise the impact to the original fabric and setting, to the satisfaction of the Heritage Council of Western Australia;

3. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve; and

4. Documented Record

Within 28 days of completion of the approved works, a photographic record of the works undertaken (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City.

At 7:15 pm, Cr Ashley Wallace returned to the meeting.

CR WORNER:

What is going to happen to the tiles when they are removed and stored? How do we know they are not going to deteriorate further? Has any consideration been given to how can we utilise them in some other way?

A/MANAGER DEVELOPMENT & DESIGN:

The removed tiles would be treated with a rust inhibitor to prevent deterioration of the tiles during their storage. Removal and treatment of the affected tiles would prevent the heritage significant fabric from deteriorating beyond repair if left in situ.

The tiles would be stored on-site in a labelled weatherproof container within the internal roof space above the staff kitchen on the ground floor.

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The Heritage Council of Western Australia (HCWA) provided support for the storage method and storage location of the tiles.

Administration have updated the Officer Report recommendation to include a condition of approval to ensure the tiles are stored in an appropriate manner to preserve the tiles during storage. The condition will require details of how this condition has been satisfied in writing to be submitted to the City within 28 days of the approved works being completed. The applicant and the HCWA were both supportive of this condition of approval.

The proposal is consistent with the heritage agreement between the HCWA and the NDS which requires all significant fabric at the subject site to be maintained and preserved to an appropriate standard. This requirement of the heritage agreement would also apply to the steel floor tiles in storage.

The benefits of the proposal to remove and store affected tiles include:

- Preservation of the existing heritage significant steel floor tiles by preventing their degradation, so they can be utilised at a later date. Floor mats currently cover the tiles because the surface needs to be slip resistant. But the mats are preventing airflow to the tiles and are trapping moisture. This causes the tiles to rust and degrade;*
- Ensure that the building meets National Construction Codes standards pertaining to safe site access and the requirement for slip-resistant walking surfaces to the entry to this commercial building; and*
- Supporting the NDS in fulfilling their conservation duties as outlined in the heritage agreement. This is to maintain and preserve all heritage significant fabric at the subject site.*

The overall result of the proposal is that the landmark heritage building is maintained and remains in continued use by the NDS.

Regarding interpretation of the steel tiles that hold heritage significance, the HCWA advised that an interpretation approach was considered when the proposal was referred for comment but was limited due small extent of tiles to be removed. Approximately 24 square metres of steel floor tiles to the entry lobby would be retained and would remain visible for appreciation and interpretation by users and visitors of the building. An interpretation approach would be warranted if wholesale removal was proposed.

CR GREER:

What is the preferred storage model for the tiles and what does on-site mean?

A/MANAGER DEVELOPMENT & DESIGN:

As mentioned above, the removed tiles would be stored in a weatherproof labelled container within the internal roof space of the building at the subject site. This is consistent with advice from the HCWA.

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8.5 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Catalina Regional Council Meeting held on 15 February 2024
 2. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 29 February 2024
 3. Unconfirmed Minutes of Sustainability and Transport Advisory Group 8 February 2024
 4. Unrecoverable Parking Infringements Write-Off
 5. Update on the Innovate Reconciliation Action Plan 2022/24, the Access & Inclusion Plan 2022/27 and the Youth Action Plan 2020/26
 6. Statistics for Development Services Applications as at the end of February 2024
 7. Register of Legal Action and Prosecutions Monthly - Confidential
 8. Register of Legal Action - Orders and Notices Quarterly - Confidential
 9. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 27 February 2024
 10. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 11. Register of Applications Referred to the Design Review Panel - Current
 12. Nature Play in the Park program outcome
 13. Register of Petitions - Progress Report - March 2024
 14. Register of Notices of Motion - Progress Report - March 2024
 15. Register of Reports to be Actioned - Progress Report - March 2024
 16. Council Workshop Items since 22 November 2023
 17. Council Briefing Notes - February 2024

RECOMMENDATION:

That Council **RECEIVES** the Information Bulletin dated March 2024.

CR WORNER:

Can you please provide additional information regarding the State Administrative Tribunal review of refusal of the signage development application at No. 412-414 Fitzgerald Street, North Perth?

A/MANAGER DEVELOPMENT & DESIGN:

The State Administrative Tribunal application located at No. 412-414 Fitzgerald Street, North Perth (corner of Fitzgerald and Forrest Streets) relates to a current development application that seeks to amend a previous development approval relating to window signage. A summary of this application is provided below.

- *A Chemist Warehouse business operates from the premises and displays signage on the windows in accordance with a development approval issued by City on 23 July 2021.*
- *The applicant lodged an amended development application in April 2022 that sought to amend conditions of the 2021 approval. These conditions relate to requirements for an active and engaging street frontage to be provided to areas of windows not covered by approved signage. The amendment is sought to allow the retention of existing solid internal blinds that are closed at all times, located behind all windows facing Fitzgerald Street and Forrest Street.*
- *The proposed amended application has not been determined and, pursuant to clause 75(2) of Schedule 2 to the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions), the City is to be taken to have refused the application. That being the case, the applicant has lodged an application for review of the City taken to have refused the amendment application with the State Administrative Tribunal, pursuant to clause 76(2) of the Deemed Provisions.*

The SAT has scheduled the matter for mediation between the parties on 25 March 2024.

The purpose of the mediation is to allow the parties to discuss the issues related to the matter and to identify whether there are any potential solutions to resolve these. The outcomes from the mediation may be that the matter is listed for a further mediation, that the matter is scheduled for a final hearing, or that Administration is invited to reconsider its decision.

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CR WORNER:

Could you please provide additional information regarding the Development Assessment Panel report due for No. 168 Scarborough Beach Road, can we get a copy?

A/MANAGER DEVELOPMENT & DESIGN:

The current Development Assessment Panel (DAP) application located at No. 168 Scarborough Beach Road, Mount Hawthorn seeks approval to redevelop the site into a four-storey commercial development, including a Child Care Premises and Restaurant/Café.

The Restaurant/Café component is located to the ground floor, orienting to Scarborough Beach Road, and with carparking located behind, accessed from the rear laneway.

The Child Care Premises is proposed on the first, second and third floors of the building.

Administration is awaiting additional information to be submitted by the applicant. Once this is received, Administration will prepare a Responsible Authority Report (RAR) that provides a recommendation to the DAP. The RAR due date will be confirmed once the amended plans and additional information have been received.

A copy of the RAR will be available on the DAP's website after it has been submitted by Administration. A website link to this, together with details of the DAP meeting to determine this application, will be sent to all community consultation submitters.

This information will also be updated on the page dedicated to this item on the City's Imagine Vincent website.

Further information relating to this proposal, including the proposed plans and its progress, can be found on Imagine Vincent here:

No. 168 (Lots 1-4) Scarborough Beach Road, Mount Hawthorn | The City of Vincent.

The Development Assessment Panel Meeting Register as part of the Information Bulletin has been updated with the current status of the this application, as mentioned above.

CR GREER:

Reconciliation Access Plan, Access and Inclusion Plan, there is a great list of achievements, but can we get any information on anything not on track, if there is anything of note?

EXECUTIVE MANAGER COMMUNICATIONS & ENGAGEMENT

The AIP and YAP are on track. There has been one scheduling delay to one of the deliverables in the RAP:

<i>Maintain relationship with Noongar Outreach Services and host two events per year to grow relationship.</i>	<i>Sep-23</i>	<i>A gathering with Noongar Outreach is planned for late June/ early July 2024. The relationship continues to be maintained through regular, ongoing work with the organisation.</i>
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7.5 PROPOSAL TO HOLD EVENTS AT LEEDERVILLE OVAL

Attachments: 1. Map of Leederville Oval Leased Area

RECOMMENDATION:

That Council:

1. Subject to the approval of the Minister of Lands, APPROVES the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the following key terms:

- 1.1 Initial Term: Two (2) years as follows:
Events including use of Leederville Oval:
1 October 2024 to 7 January 2025; and
1 October 2025 to 7 January 2026.

Events solely using internal common area, club rooms and car park:
1 October 2024 to 30 September 2026.
- 1.2 Option Term: Two x One (1) year term as follows:
Events including use of Leederville Oval:
1 October 2026 to 7 January 2027; and
1 October 2027 to 7 January 2028;

Events solely using internal common area, club rooms and car park:
1 October 2026 to 30 September 2027; and
1 October 2027 to 30 September 2028;

both at the absolute discretion of the City.
- 1.3 Licence Fee: 1 October 2024 to 30 September 2026:
Based on City of Vincent's fees and charges applicable to Leederville Oval for financial year 2024/25.

1 October 2026 to 30 September 2028:
Based on City of Vincent's fees and charges applicable to Leederville Oval as at 1 July of the respective financial year.

No fees apply for single day events on the oval that meet the following criteria:
 - a. Entry is free of charge or low cost and open to all members of the community
 - b. Event is single day in duration with bump in and bump out taking place within a 24 hour period before and after event day
 - c. Event is family friendly in terms of content and activities being suitable for all ages and fostering a positive and inclusive atmosphere
 - d. If alcohol is to be sold on the oval, it must be confined to one self-contained area to be limited in capacity.
- 1.4 Licence Area: Portion of Leederville Oval, being oval section, common area section, additional facilities, and car parking area (i.e. all of Lot 500 Vincent Street, Leederville except the areas leased to East Perth Football Club Inc., Subiaco Football Club Inc. and the Department of Local Government, Sport and Cultural Industries).

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- 1.5 Permitted Purpose: To host a number of events focused around food, music or family friendly entertainment. Proposed events under this Licence shall be operated in keeping with the deliverables of the City's Public Health Plan, including:
- a) The event activities shall not be focused on the consumption of alcohol;
 - b) Alcohol advertising, marketing, promotion and sponsorship shall be limited; and
 - c) All events shall be smoke and vape free.
- 1.6 Outgoings: Lighting as per City of Vincent's fees and charges adopted as at 1 July annually.
- 1.7 Cleaning and Maintenance: Licensee's responsibility.
- 1.8 Make good: Licensee's responsibility, including through bond payment for turf repair by City.
- 1.9 Approvals The licensee shall make all relevant applications to the City, prior to each event, for approval under relevant Environmental Noise, Building and Health legislation.
- 1.10 Redevelopment: If the City:
- a) wishes to develop the Land or its surrounds; or
 - b) determines that it can no longer maintain the Land in a safe and occupiable condition,
- the City, may upon providing the Licensee with 3 months' prior notice, require the Licensee to surrender the licence over the Land.
2. Subject to the Minister's approval in Recommendation 1 and final satisfactory negotiations being carried out by the Chief Executive Officer, APPROVES BY ABSOLUTE MAJORITY the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the key terms set out in 1. Above, including the fees and charges included therein, and AUTHORISES the Mayor and the Chief Executive Officer to affix the common seal and execute the Licence; and
3. NOTES that the event organiser would be required to inform the community of event details ahead of events.

NO QUESTIONS

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9.1 NOTICE OF MOTION - MAYOR ALISON XAMON - PROTECTION AND PROMOTION OF TREES ON PRIVATE LAND

That Council:

1. **NOTES** the critical role that tree canopy plays in making cities liveable, reducing the urban heat island effect and providing a habitat for local flora and fauna; and
2. **REQUESTS** that the City:
 - 2.1 **Prioritises** the progress of planning controls to ensure greater protection of trees and canopy provision on private land; and
 - 2.2 **Advocates** to the Western Australian Planning Commission and Minister for Planning for greater protection of trees on private land.

At 7.23 pm A/Manager Development & Design left the meeting and did not return.

At 7.23 pm Executive Manager Communications & Engagement left the meeting and did not return.

At 7.25pm Manager Engineering left the meeting and did not return

CR CASTLE:

Can Administration provide a summary of what actions other local governments have taken in relation to tree protection? This information would help to identify what pathways are available and what other local governments have or haven't been able to enact.

A/EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

Administration has provided a table further below which reflects other local governments' approaches to tree protection.

This level of detail is intended to be discussed at an upcoming workshop with Elected Members on the topic of tree retention and tree provision on private properties. Administration's response to the Notice of Motion has been updated to reflect this.

In summary:

Significant Tree Registers

The most common form for tree protection on private property is a Significant Tree Register or Tree Preservation Order. These are incorporated in local planning schemes and are supported by a related local planning policy. Development approval is required for works to or the removal of a tree listed on this register or protected by a preservation order. This method requires both the consent of the landowner and the assessment of the tree against certain criteria (specific to each local government).

Current City of Vincent Approach

The City currently has a Tree of Significance Inventory under its Local Planning Scheme No. 2 (LPS2) which is supported by Policy No. 7.6.3 – Trees of Significance. There are currently nine trees on the Inventory that are located on private property.

Local Planning Scheme Provisions

The City of Nedlands recently sought to amend its local planning scheme to include provisions for the removal of large trees in areas coded R20 and below to require development approval. This was proposed to be supported by a local planning policy to guide the assessment of applications that propose the removal of a large tree, as well as providing trees as part of new developments.

This amendment was refused by the Minister for Planning in February 2024. The reasons for the Minister's approval have not been published but quotes attributed to the Minister through the media related to concerns over the punitive approach that would require approval before a tree could be pruned as well as there being a lack of community support. Upon refusal of the amendment, the City did not proceed with the LPP.

At the same time that the amendment was refused the State Government announced the preparation of a

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new Perth and Peel Urban Greening Strategy. This is intended to explore opportunities to enhance tree canopy within the public realm rather than private property.

In March 2023 the City of South Perth endorsed draft Local Planning Scheme No. 7. The draft scheme seeks to protect trees on private land by requiring development approval for the removal of a tree that meets certain size criteria or is included on the Significant Tree Register.

Whilst LPS7 has yet to be determined, recent media statements from the Minister of Planning have stated that scheme provisions which provide blanket protection for trees across a local government area would not be supported.

Local Planning Policies

In 2023, the City of Kalamunda endorsed a local planning policy for the protection of trees with a certain height and canopy size as well those with hollows that provided breeding habitat for black cockatoos. This policy applied to areas coded R25 or less.

This policy was rescinded on 27 February 2024 with the reasons including:

- *The Policy has been in operation for a period of at least 12 months.*
- *There have been reported instances of perverse outcomes to the Policy's implementation and application, particularly regarding the safety of City residents.*
- *It is warranted to repeal the Policy, as the text of the Policy renders it inappropriate and inadequate in balancing the interests of ratepayers, alongside the interest of conservation of our natural assets.*

Current City of Vincent Approach

The City's Policy No. 7.1.1 – Built Form (Built Form Policy) currently provides for landscaping standards which are over and above the standards of the Residential Design Codes (R Codes).

These standards cannot be enforced as they require the approval of Western Australian Planning Commission (WAPC).

The WAPC considered the landscaping provisions of the Built Form Policy in July 2022. The landscaping and tree canopy provisions were not supported by the officers at the Department of Planning, Lands and Heritage on the basis that they were inconsistent with the R Codes. The WAPC ultimately deferred its decision on these provisions due to the amendment to the R Codes to introduce standards for medium density developments.

Although the WAPC has yet to approve these standards, Administration assesses development applications against these provisions and works with applicants to maximise canopy cover on development sites as part of the assessment process.

The amended R Codes were released on 8 March 2024 and will take effect from 10 April 2024. The amendments do not provide for any significant change to the previous landscaping provisions.

In the absence of any formal statement from the State Government, the amended R Codes are considered to represent the State Government's position on landscaping and tree canopy as part of new developments.

Given this, it is unclear how the City's provisions within the Built Form Policy would ultimately be determined by the WAPC.

CR HALLETT:

Can the report be updated to address the WALGA's Tree Protection Planning Policy template that was recently released?

A/EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The report has been updated to reflect WALGA's Tree Protection Planning Policy template that was released on 5 March 2024, as well as the updated R Codes which were released on 8 March 2024.

Good morning

Thank you for your comments below, they will be circulated to Council Members prior to the meeting and included in the minutes.

Kind regards

Corporate Strategy & Governance

City of Vincent     | [Subscribe to our enewsletter](#)

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Engaging | Accountable | Making a Difference

The City of Vincent acknowledges the traditional lands of the Whadjuk Noongar people.
We pay our respect to their Elders, past and present and we recognise their strength and resilience.



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REPORTS WITH NO DISCUSSION

5.1 NO. 99 (LOT: 1; S/P: 48216) BRISBANE STREET, PERTH - ALTERATIONS AND ADDITIONS TO GROUPED DWELLING**Ward:** South

- Attachments:**
1. Consultation and Location Plan
 2. Development Plans
 3. Applicant Justification
 4. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Grouped Dwelling at No. 99 (Lot: 1; S/P: 48216) Brisbane Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Development Plans

This approval is for Alterations and Additions to Grouped Dwelling as shown on the approved plans dated 19 February 2024 and 21 February 2024. No other development forms part of this approval;

2. External Fixtures

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

3. Colours and Materials

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

4. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

NO QUESTIONS

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7.1 FINANCIAL STATEMENTS AS AT 31 JANUARY 2024

Attachments: 1. Financial Statements as at 31 January 2024

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 January 2024 as shown in Attachment 1.

NO ACTIONS

COUNCIL BRIEFING NOTES

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7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 JANUARY 2024 TO 31 JANUARY 2024

- Attachments:
1. January 2024 Payments by EFT and Payroll
 2. January 2024 Payments by Direct Debit
 3. January 2024 Payments by Cheques

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2024 to 31 January 2024 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,865,358.51
Cheques	\$463.85
Direct debits, including credit cards	\$185,233.31
Total payments for January 2024	\$6,051,055.67

NO QUESTIONS

COUNCIL BRIEFING NOTES**12 MARCH 2024**

7.3 INVESTMENT REPORT AS AT 31 JANUARY 2024**Attachments: 1. Investment Statistics as at 31 January 2024****RECOMMENDATION:**

That Council NOTES the Investment Statistics for the month ended 31 January 2024 as detailed in Attachment 1.

NO QUESTIONS

COUNCIL BRIEFING NOTES

12 MARCH 2024

7.4 MID YEAR BUDGET REVIEW 2023/24

- Attachments:
1. Rate Setting Statement 2023/24
 2. Net Current Assets 2023/24
 3. Cash Backed Reserves 2023/24
 4. Capital Budget 2023/24
 5. Operating Budget Analysis 2023/24

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2023/24 Annual Budget:

- a) A net increase in the Operating result of \$1,899,197 as per Attachments 1;
- b) A net increase in Cash Backed Reserves totalling \$3,178,691 as per Attachments 3;
- c) A net decrease in the Capital Expenditure Budget of \$375,837 as per Attachment 4;
- d) A net decrease in closing surplus of \$1,300,157, resulting in a forecasted year end surplus at 30 June 2024 of \$653,883 as per Attachment 1; and
- e) Additional loan payment of \$1,400,000 towards Beatty Park Loan 10

NO QUESTIONS

COUNCIL BRIEFING NOTES

12 MARCH 2024

8.1 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 29 FEBRUARY 2024

- Attachments:
1. Audit and Risk Committee Minutes - 29 February 2024
 2. Confidential Attachments - Audit and Risk Committee Minutes - 29 February 2024 - Confidential

RECOMMENDATION:

That Council:

1. **RECEIVES** the minutes of the Audit Committee Meeting of 29 February 2024, as at Attachment 1 and Confidential Attachments as at Attachment 2; and
2. **APPROVES** the recommendations from the Audit Committee as follows:
 - 2.1 **ADOPTS** the Local Government Statutory Compliance Audit Return for the period 1 January 2023 to 31 December 2023.
 - 2.2 **ENDORSES** the key findings and management actions arising from the Regulation 17 review of the *Local Government (Audit) Regulations 1996* prepared by Paxon
 - 2.3 **APPROVES** the risk management actions for high and extreme risks outline in the Corporate Risk Register.
 - 2.4 **APPROVES** closure of action items noted within the Audit Log.
 - 2.5 **ENDORSES** the Audit and Risk Committee Self-Assessment process.
3. **NOTES**
 - 3.1 The Audit and Risk Committee Forward Agenda at Attachment 1.
 - 3.2 Alignment of Corporate Risks to risk appetite and tolerance ratings.

NO QUESTIONS

COUNCIL BRIEFING NOTES

12 MARCH 2024

8.2 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2023**Attachments:** 1. Compliance Audit Return 2023**RECOMMENDATION:****That Council:**

1. **NOTES** that the City of Vincent's Compliance Audit Return for the period 1 January 2023 to 31 December 2023 was reviewed by the Audit Committee at its 29 February 2024 meeting;
2. **ADOPTS** the Compliance Audit Return for the period 1 January 2023 to 31 December 2023, 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*.

NO QUESTIONS

COUNCIL BRIEFING NOTES

12 MARCH 2024

8.3 MEETING ATTENDANCE FEES FOR INDEPENDENT COMMITTEE MEMBERS

- Attachments:
1. Salaries and Allowances Act 1975 - Determination Variation
 2. Audit and Risk Committee Terms of Reference - Clean version
 3. Audit and Risk Committee Terms of Reference - Tracked changes

RECOMMENDATION:

That Council:

1. **ADOPTS** the Maximum fee for Band 2 Independent Committee Members as set out in the Salaries and Allowances Act 1975 at Attachment 1; and
2. **APPROVES** the payment of the Maximum fee to Independent Committee Members on the Audit and Risk Committee.
3. **APPROVES** the updated Audit and Risk Committee Terms of Reference at Attachment 2;

NO QUESTIONS

COUNCIL BRIEFING NOTES12 MARCH 2024

5 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

This item was discussed under Reports with Discussion above.

6 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

**7 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE
CLOSED**

Nil

12 CLOSURE

There being no further business the meeting closed at 7.29pm.

12.3 NOMINATION TO URBAN95 ACADEMY 2024 PROGRAM

Attachments: 1. Program Brochure [↓](#) 

RECOMMENDATION:

1. That Council **APPROVES** the following members for nomination to the URBAN95 Academy 2024 Program:
 1. Cr
 2. Cr
2. **NOTES** that that the Chief Executive Officer will nominate one suitably qualified member of staff to form part of the application.

PURPOSE OF REPORT:

To seek nominations for a maximum of two Elected Member to join the Urban95 Academy 2024 Program, a seven week program designed for municipal leaders across the world to learn and develop strategies to make cities better for babies, toddlers and their caregivers.

DELEGATION:

This report seeks nominations from council members for the program and requires a decision of Council. A formal decision of Council is also required to accompany the application.

BACKGROUND:

The program is a joint collaboration between the Bernard Van Leer Foundation - an independent Dutch organisation working globally to foster inclusive societies where all children and communities can flourish – and the London School of Economics and Political Science (LSE).

The program aims to help city planners, designers and other urban professionals working for local government understand how their work impacts early childhood development.

The program is open to all local governments and applicants must nominate three staff members. With one of the nominees to be a political/elected representative, another must have at least 10 years of experience. Nominees should reflect the diversity of the local government. Local governments that include the Mayor as part of their team will be prioritised.

The program is delivered online across seven weeks with the group required to submit a final report applying the learnings to a project site in the City of Vincent. The cities with the most promising ideas for making their cities better for young children will be invited to attend a sponsored in-person training week at LSE in London.

The program commences in May 2024.

DETAILS:

The programme features seven weeks of online course content as well as weekly live virtual sessions with LSE faculty, Bernard van Leer Foundation leadership and global knowledge partners. All participants who complete the online course will receive a certificate from LSE.

The online programme is divided into three components:

1. Vision and Analysis

Understand how cities that are designed to support the wellbeing of babies, toddlers and caregivers are better for all. Evaluate what matters for young children and caregivers and gain the tools and skills to build your own baseline assessment to measure long-term impact.

2. Strategy and Delivery

Develop effective strategies that invest in improving social and spatial infrastructures. Understand how to implement policy and deliver services that meet the needs of young children, caregivers and make cities more sustainable and equitable. Learn how to design accessible neighbourhoods, public spaces and transport systems, and develop financially viable projects that provide public value for money for the benefit of all citizens.

3. Leadership

Learn key skills for public purpose leadership and effective leadership styles for different situations. Build an innovation culture across departments and help support an innovation ecosystem between public, private and third sector organisations. Understand how a systems lens that prioritises babies, toddlers and caregivers, can bring together diverse stakeholders and effect change.

Towards the end of the online course, all cities will prepare a strategic outline on how they would change an aspect of their city to improve the lives of babies, toddlers, and caregivers. The project should be open-ended and tailored to the local municipality. Proposals can be spatial or policy-oriented or a combination of both.

The cities with the most promising ideas for making their cities better for young children will be invited to attend a sponsored in-person training week at LSE in London.

Upon completing the programme, cities may also be eligible to receive additional technical support from the Bernard van Leer Foundation and its partners and be invited to join the Urban95 global network of city practitioners and officials.

CONSULTATION:

Nil.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to support Council Members to nominate for the program. This is because there is no cost incurred by the City to nominate and participate.

Should the City's final project be identified as being the most promising idea for making cities better for young children, the group would be invited to attend a week long training session in London. This session is entirely sponsored with flights, accommodation and other amenities covered by the program.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

Our parks and reserves are maintained, enhanced and are accessible for all members of the community.

Accessible City

Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.

Connected and Healthy Community

We are an inclusive, accessible and equitable City for all.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Innovative and Accountable

We embrace good ideas or innovative approaches to our work to get better outcomes for Vincent and our community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however designing places that are suitable for all users of our community is more sustainable than places that cater for specific user groups only.

PUBLIC HEALTH IMPLICATIONS:

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

Increased physical activity

FINANCIAL/BUDGET IMPLICATIONS:

There is no cost to the City to nominate for the program. All costs for the one week intensive learning in London are covered by the Program if the City is successful.

COMMENTS:






As at the 2021 Census the City had a population of 36,538 people of this 5.5% were aged 0-4 years. This program is focussed on supporting local governments to learn and develop strategies to make cities better for babies, toddlers and their caregivers.

The City's SCP identifies Connected and Healthy Community and Thriving Places as being priorities for our community. The City's Youth Action Plan 2020-2026 is focussed on children between the ages of 12-25, with no strategy having been developed to support early childhood.

The City is in the process of developing Town Centre Planning Frameworks across Beaufort Street, North Perth, Mount Hawthorn and William street in 24/25 which will include the preparation of place plans being tangible initiatives identified by the community to make thriving places. This work presents an opportunity for the City to consider incorporating learning from this program to make places better for babies, toddlers and their caregivers.

The program calls for nominations of three representatives from the local government.

The Town of Mosman Park participated in the program in 2023 and were successful in being selected to travel to the intensive learning week in London. In discussions with the Town of Mosman Park they advised that their successful group comprised of the Deputy Mayor and two Administration staff with experience in Town Planning and Community Development. Based on the course content and the required submission it is recommended that the City nominate two Elected Members to be determined by the Council and one member of Administration staff with relevant experience as determined by the CEO.

							
							
<h2>Urban95 Academy</h2> <p>An executive education programme for designing and delivering better cities for young children</p>							
			 <small>THE LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE</small>				

The **Urban95 Academy** is a leadership programme designed for municipal leaders across the world to learn and develop strategies to make cities better for babies, toddlers and their caregivers.

The Urban95 Academy is a joint collaboration between the Bernard van Leer Foundation and the London School of Economics and Political Science (LSE) building on their experience in executive education. The programme aims to help city planners, designers, and other urban professionals working for local government understand how their work impacts early childhood development.

The programme features seven weeks of online course content as well as weekly live virtual sessions with LSE faculty, Bernard van Leer Foundation leadership and global knowledge partners. All participants who complete the online course will receive a certificate from the LSE.

Towards the end of the online course, all cities will prepare a strategic outline on how they would change an aspect of their city to improve the lives of babies, toddlers, and caregivers. The project should be open-ended and tailored to the local municipality. Proposals can be spatial or policy-oriented or a combination of both. The cities with the most promising ideas for making their cities better for young children will be invited to attend a sponsored in-person training week at LSE in London.

Upon completing the programme, cities may also be eligible to receive additional technical support from the Bernard van Leer Foundation and its partners and be invited to join the Urban95 global network of city practitioners and officials.





PROGRAMME STRUCTURE

The online programme is divided into three components: Vision & Analysis, Strategy & Delivery, and Leadership. Topics covered will include neighbourhood design, mobility for families, social and environmental challenges, transforming behaviour through design, and principles of creating playful public spaces.

Vision & Analysis

Understand how cities that are designed to support the wellbeing of babies, toddlers and caregivers are better for all. Evaluate what matters for young children and caregivers and gain the tools and skills to build your own baseline assessment to measure long-term impact.

Strategy & Delivery

Develop effective strategies that invest in improving social and spatial infrastructures. Understand how to

implement policy and deliver services that meet the needs of young children and caregivers, and make cities more sustainable and equitable. Learn how to design accessible neighbourhoods, public spaces and transport systems, and develop financially viable projects that provide public value for money for the benefit of all citizens.

Leadership

Learn key skills for public purpose leadership and effective leadership styles for different situations. Build an innovation culture across departments and help support an innovation ecosystem between public, private and third sector organisations. Understand how a systems lens that prioritises babies, toddlers and caregivers, can bring together diverse stakeholders and effect change.



HOW TO APPLY

The Urban95 Academy is open to all local governments. To apply, cities must nominate three members of staff, who can be from the same or different departments. A formal letter of support on official letterhead must be submitted along with the application. One of the three members of staff will need to be a political or elected appointee in the city administration, and one must have at least 10 years of experience.

The more teams reflect the diversity of your city the better and you may also consider one participant from outside your administration coming from other public, private or third sector organisation with a long standing partnership dedicated to urban development in your city. Cities which include the Mayor as part of their team will be prioritised.

The Urban95 Academy will provide training to cities in two separate cohorts throughout 2024 with rolling applications accepted until April 2024. Cohorts will be structured to have city teams representing a diverse mix of geographical backgrounds. Participation in the Academy is fully funded by the Bernard Van Leer Foundation.

Application Deadline

31 January 2024

30 April 2024

Cohort Start Date

February 2024

May 2024

REGISTER INTEREST

For more information and to receive an application form, please register at:
urban95academy.org

PROGRAMME PARTNERS

LSE Cities

LSE Cities is an international centre that investigates the complexities of the contemporary city. It carries out research, graduate and executive education, outreach and advisory activities in London and abroad. LSE Cities explores how complex urban systems are responding to the pressures of growth, change and globalisation with new infrastructures of design and governance that both complement and threaten social equity and environmental sustainability.

[Lse.ac.uk/cities](https://lse.ac.uk/cities)

[@LSECities](#)

LSE

The London School of Economics and Political Science is a social science university based in central London with a global reach. Ranked first in Europe and second in the world for social sciences and management in the QS subject rankings 2021. Since 1895 the LSE has been pioneering social science research, challenging existing ways of thinking, and seeking to understand the causes of things in order to transform them.

Bernard van Leer Foundation

The Bernard van Leer Foundation is an independent Dutch organisation working worldwide to ensure that all babies and toddlers have a good start in life. We inspire and inform large-scale action that improves the health and wellbeing of young children – especially the most vulnerable – and the people who care for them.

bernardvanleer.org

[@BvLFoundation](#)

Knowledge Partners

The Urban95 Academy learning modules are developed and led by LSE Cities and the Bernard Van Leer Foundation, featuring original content and guest faculty from: Arup; Brookings; Clean Air Fund; Gehl; ITDP; NACTO; Princeton University's Innovations for Successful Societies program.

Register Interest

urban95academy.org

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Pune: Courtesy of Wild Combination/ Jacob Krupnick

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**16 URGENT BUSINESS**

Nil

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

Nil

18 CLOSURE