

**12.2 MINUTES AND MOTIONS FROM THE ANNUAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2022**

**Attachments:** 1. **Minutes - Annual Meeting of Electors on 2 February 2022**

**RECOMMENDATION:**

**That Council:**

1. **RECEIVES the Minutes of the Annual Meeting of Electors (AME) held on Wednesday 2 February 2022, included at Attachment 1; and**
2. **NOTES that due to the short turnaround, responses to the General Business motions carried at the Annual Meeting of Electors will be presented to the Ordinary Council meeting to be held 5 April 2022.**

**PURPOSE OF REPORT:**

To receive the minutes of the City's Annual Meeting of Electors (AME) and to note the motions carried.

**BACKGROUND:**

The Annual Meeting of Electors was held at the North Perth Town Hall on Wednesday 2 February 2022 at 6:00pm. There were 22 electors present, as well as eight Council Members (one electronically) and six City employees. Eleven electors raised 16 general business motions, 15 of which were carried at the meeting. One motion was not moved as an earlier carried motion was of a similar intent.

**DETAILS:**

Other than the motion carried to receive the Annual Report 2020/2021, the following motions were carried at the meeting:

**Motion 1**

1. That the City urgently complete an assessment of the condition of the footpaths in the district to determine locations where they are in poor condition and unsafe for people of all ages and abilities to walk, run and ride on. This includes footpaths that are cracked, where there is vertical and physical displacement, unsafe kerb ramps, particularly where he ramps meet the road surface, etc.
2. This assessment to include identification of locations that have previously been brought to the attention of the City by residents, additional request to residents to provide examples of unsafe and damaged footpath to the City, and pro-active inspection by City Officers.
3. That the City prepare a schedule to repair these footpaths based on user numbers and type, and proximity to schools, shops, parks and community facilities.
4. That the City determine an innovative solution to the common situation where footpaths adjacent to building sites are covered in debris, or damaged for the months or years it takes for the demolition and construction process to occur. This solution to recognise that footpaths are a vital component of transport infrastructure for people of all ages and abilities to walk, ride bikes and scooters, and use wheelchairs and mobility devices on.
5. That the City proactively and regularly ensure that street trees and vegetation from private properties do not encroach on footpaths in any way. This should include regular visual inspection from City officers and be based on reports made by residents and previous instances where obstruction of vegetation has been a problem.
6. That on a daily basis, the City proactively monitor the streets of the district to take action in instances where people have illegally parked their vehicle so as to obstruct people from using a footpath. This should include a roster to visit locations where breaches have recently occurred or been reported.

7. That the City introduce a system that embraces current technology, to make it easier for people to report instances of illegal parking. For example, using social media, snap send solve, etc. The current process of having to contact the City to report instances of illegal parking by telephone is outdated, and can be impractical or overly time consuming, for example, after hours reports.

### **Motion 2**

1. That the City recognises that the current approach to selecting species to plant as street trees is not yielding acceptable outcomes as too many exotic tree species are selected and planted.
2. That the City acknowledge that compared to the common exotic species used, native tree species provide more food for native bird species including the endangered Carnaby's black cockatoo.
3. That the City acknowledge that most Australian native tree species are beautiful and have stunning displays of flowers.
4. That the City acknowledge that the UV index in Perth is only below the level of 3 in June. For all other days, the UV index reaches a level where it is recommended sun protection is applied.
5. That the City recognises that native tree species provide more year round shade than exotic species. Not only is this important for the safety and convenience of users it will reduce the urban heat island effect.
6. That the City acknowledge that the claimed benefit that exotic tree species provide "light penetration and warmth during the winter months" has minimal impact given that during winter there is often cloud cover and in any case, any benefit would only affect dwellings on the south side of east-west oriented streets.
7. That the City acknowledge that Jacaranda trees lose their leaves in late winter and do not regain them until December. As such, any benefit from light penetration and warmth is not relevant.
8. That the City acknowledge that deciduous trees planted in town centres result in grey, dull and bleak streetscapes during the winter months when they are without leaves. And that the all year round vegetation and winter flowering of many native tree species brings colour and vitality to streets during this time of the year.
9. That the City move away from the use of the street tree selection tool. In its place, that it develop a plan in consultation with residents, to identify suitable street trees for each street in the district. This is similar to the best practice approach in other local governments in Perth.
10. If the City does not agree with this proposal, that the street tree selection tool be available for public inspection so that the inputs and assumptions in the model can be viewed.
11. That the City have a goal of at least 75% of street trees planted from this year onwards will be Australian native tree species.

### **Motion 3**

1. That the City acknowledge that for residents to provide accurate, valuable and considered feedback to the City on an initiative or project, that the information they are provided by the City is comprehensive and accurate.
2. That the City acknowledge that any surveys used to gather feedback from residents are structured so that they are unbiased and that the answers provided cannot be misconstrued.
3. That the City acknowledge that the assessment and analysis of community feedback should be carried out by officers in a fair and impartial manner, and accurately represent the views expressed by those providing feedback.
4. That the City acknowledge that the feedback from resident consultation is an essential component in the decision-making process and is essential to good governance.

5. To ensure that residents have faith in the integrity of the consultation process, it is requested that the process used by the City to seek and analyse feedback from the community is assessed by a suitably qualified independent and impartial organisation. This could be the Ombudsman or the Office of the Auditor General.

**Motion 4:**

That Council install signage on Colvin Lane at the Strathcona Street end and another halfway up the Lane asking people to observe the 8kmh speed limit.

**Motion 5:**

That Council trim the trees in Carr Street, so that they are not close to power lines and branches, roots and foliage do not pose a hazard to pedestrians.

**Motion 6:**

1. That Council extend the reconstituted limestone wall and fencing on the North side of Beatty Park Reserve towards Charles Street and connect it to the existing garden wall structure.
2. Affected residents should be involved in the preliminary planning and discussions to extend the wall and fencing.

**Motion 7:**

As part of the engagement strategy can members of middle management and Executive be made to assess how they can better engage with ratepayers and residents?

**Motion 8:**

That Council respect the views of the people they represent and ensure that they act independently and responsibly when voting on council matters.

**Motion 9:**

1. That Beatty Park Reserve be reclassified from District Open Space to Neighbourhood Open Space.
2. That sporting teams are stopped from using Beatty Park Reserve and return the park to community use.
3. That a plan is developed for Beatty Park based on recreational zoning.

**Motion 10:**

1. That the electors note, that in response to a motion passed at last year's Annual General Meeting of Electors which requested that the City improve the promotion of the AGM, the administration stated:

*The City is committed to engaging the community in its decision making and providing a real opportunity for all members of the community to be heard. Administration and will endeavour to improve the promotion of the AGM in 2022 and will consider how newspaper notices, social media and website notices can be improved.*

2. That the electors note the ways in which the City has promoted this year's AGM in particular:
  - 1.1 the fact that the advertisement in the 22 January edition of The Perth Voice was at the bottom of the page on the inside back cover; and
  - 1.2 the initial Public Notice and Facebook post simply stated that the purpose of the AGM is to receive the Annual Report and made no mention of the ability to speak or move motions.
3. Expresses deep disappointment at the administration's continued failure to adequately promote the opportunity that the AGM provides to the community to move motions and participate.

4. Requests that the council consider the failure to adequately promote the AGM when undertaking the next CEO performance review.

**Motion 11:**

That electors:

1. NOTE that:
  - 1.1 prior to December 2017 the City's Code of Conduct had a requirement that Council Members should respond to all enquiries as soon as practicable, but in any case, within 48 hours of receiving a telephone call, and within 5 days of receiving a written enquiry;
  - 1.2 at the council meeting of 12 December 2017 the council voted unanimously for a revised Code of Conduct that no longer contained this requirement;
  - 1.3 the change to the Code of Conduct was made without any public consultation;
  - 1.4 the report that went to council did not indicate that the requirement was to be removed either through the use of tracked changes or by mention within the report, and in fact said there was "little change to the substance and effect of the code"; and
  - 1.5 the report to council stated that there had been several rounds of internal consultation and that all Council Members had an opportunity to provide feedback on the revised Code prior to it being adopted.
2. REQUEST that the City's Code of Conduct be reviewed and amended, and that the previous requirements for Council Members to respond to enquiries from members of the community be reinstated.

**Motion 12:**

1. That the community believes that:
  - 1.1 local government does not function well when there are cliques or factions on councils, or if there are perceptions of factions or cliques existing on council; and
  - 1.2 the Mayor should not encourage the formation of cliques or factions, and should actively act to stop the formation of these.
2. That the community requests that the Code of Conduct be amended to make it clear that the mayor has a special leadership role and should not use their position to encourage electors to vote for or against any particular candidates at local government elections.

**Motion 13:**

That the Hyde Park kiosk agreement be set aside and a proper independent survey be conducted.

**Motion 14:**

That Council investigate the adequacy of street lighting in Florence Street, West Perth for traffic and pedestrian safety.

It is well researched that well-lit streets can:

- improve surveillance and increase risk of offenders being detected.
- assist to help people feel safer with well illuminated streets, this can further assist with deterrence of crimes through ease of surveillance.

**Motion 15:**

That Council:

1. At the very least, say every second year (perhaps on a rotational location basis to minimise budget impact) place a greater focus on the non- power line side of the street verge trees proper maintenance, including at a minimum, removal of all dead branches and all overhanging branches - from both the power lines and all branches extending over the footpath and into the private properties. This would also provide an improved streetscape look for those verge trees too, which are sadly very neglected looking.
2. Clarify the insurance claim position of homeowners, for any damage caused by verge trees, including power reconnection costs (electricians and other trade costs + Western Power charges);
3. I understand from discussions with Western Power that they also feel very frustrated with councils that neglect to remove branches that overhang or encroach within two metres of any powerlines.

Council provides at least annual updates on the status of the underground power installation program for the whole of the COV location. Clearly this would (if commenced) go a long way to solving the issues I have raised above that are of concern to many private property owners.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

The AME of the City of Vincent was held in accordance with section 5.27 of the *Local Government Act 1995* (the Act). Section 5.33(1) of the Act requires that all decisions made at an Electors' Meeting are to be considered at the next practicable Ordinary Meeting of Council, which is the 5 April 2022 meeting.

Council must consider the motions from the AME but is not obliged to make a decision on all or any of those Motions. If Council chooses to make a decision in response to an AME Motion then reasons for that decision need to be recorded in the Minutes of the Council Meeting.

**RISK MANAGEMENT IMPLICATIONS:**

Low: It is low risk for Council to consider decisions made at the AME in accordance with section 5.33 of the *Local Government Act 1995*.

**STRATEGIC IMPLICATIONS:**

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

Innovative and Accountable

*We are open and accountable to an engaged community*

*Our community is satisfied with the service we provide*

*Our community is aware of what we are doing and how we are meeting our goals*

**SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*. Any implications will be addressed in the responses to the carried motions.

**PUBLIC HEALTH IMPLICATIONS:**

This item does not align with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.



CITY OF VINCENT

# **MINUTES**

**Annual Meeting of Electors**

**2 February 2022**

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## ANNUAL MEETING OF ELECTORS MINUTES

2 FEBRUARY 2022

**MINUTES OF CITY OF VINCENT  
ANNUAL MEETING OF ELECTORS  
HELD AT THE NORTH PERTH TOWN HALL, 26 VIEW STREET, NORTH PERTH  
ON WEDNESDAY, 2 FEBRUARY 2022 AT 6.07PM**

<b>PRESENT:</b>	Cr Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Alex Castle	North Ward
	Cr Ashley Wallace	South Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward (Electronically)
	Cr Suzanne Worner	North Ward
	Cr Ron Alexander	North Ward
	Cr Ross Ioppolo	South Ward
<b>IN ATTENDANCE:</b>	David MacLennan	Chief Executive Officer
	Andrew Murphy	Executive Director Infrastructure & Environment
	John Corbellini	Executive Director Strategy & Development
	Virginia Miltrup	Executive Director Community & Business Services
	Peter Varris	Executive Manager Corporate Strategy & Governance
	Peter Ferguson	Executive Manager Information and Communication Technology
	Wendy Barnard	Council Liaison Officer
<b>Public:</b>	Approximately twenty two members of the public.	

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

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.07pm and read the following Acknowledgement of Country statement:

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

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

Nil

### 3 REPORTS

The CEO, David MacLennan, gave a short presentation on the Annual Report.

Executive Director Community and Business Services gave a short presentation on the financial report.

Mayor Cole spoke to the successes included in the Annual Report.

Presiding Member Mayor Emma Cole called for questions in relation to the Annual Report. The following questions were received:

#### 3.1 Bec Johnson of Mt Hawthorn

Stated that she is concerned about the adverse trends in the budget. Queried why budgets in deficit are being approved and if Council intend to approve another budget in deficit in this financial year. If so are they comfortable with that from a Governance perspective, and why?

*David MacLennan, CEO, advised that the annual budget will be prepared over the next 5 months, making it sustainable over the long term, which means making sensible short term decisions. This includes ensuring that the capital works program is managed effectively. The City of Vincent is a low rating Council, against increasing demand to maintain facilities and provide services, which creates the gap that you have identified.*

*The Presiding Member, Mayor Emma Cole, stated that there has been work in the background to ensure that the best possible decisions are made in regards to finance. For example, the Project Management Framework is a work in progress to ensure projects are completed on time and on budget. This has been challenging as some of the assets the City deals with, like Beatty Park, are complex and there are now rising construction costs which are having an impact.*

*Part of the process in establishing and implementing a strategy for Asset Management and Sustainability is having a conversation with the community about what the problems are with the City's assets, and how they are managed. Is it through rates increases, rationalisation, co-sharing etc. The City reviewed lease and licencing arrangements and established the Property Management Framework, which is fair to all, and all are aware of their obligations. There is a 4 year capital works program which is included in the Long Term Financial Plan.*

*The City is investigating how to better utilise assets, for example utilising Leederville car park in the best possible manner. Major work is being undertaken at Beatty Park, advocacy has been made to State and Federal Governments for funding grants.*

*The City has received a \$3M grant for Litis Stadium, and continues to advocate to the State and Federal Governments, in particular in relation to the Beatty Park Grandstand. New systems and processes that have been established are setting the City up for the future.*

#### 3.2 Marie Slyth of West Perth

Queried how far is Council prepared to go to look after the vulnerable in our community ?

*The Presiding Member, Mayor Emma Cole, asked for clarification of the question.*

Marie Slyth advised that the question would be covered by her motion, but it relates to laneway traffic safety.

#### 3.3 Bec Johnson of Mt Hawthorn

Queried if Council intends to put forward another budget which is in deficit?

*David MacLennan, CEO, advised that Council decides every year if there is a need to go into a deficit, but the aim is to present a balanced budget position over the medium to long term. It is not sustainable to run year to year deficits.*

Queried that the first two years in the Long Term Financial Plan are in deficit, which makes 7 consecutive years of deficit, is that a medium to long term plan?

**ANNUAL MEETING OF ELECTORS MINUTES**

**2 FEBRUARY 2022**

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*David MacLennan, CEO, advised that when the 10 year long term financial plan is put together, the City looks at each decision they make so that at the end of the Plan the City is in a balanced position.*

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****3.1 2020/21 ANNUAL REPORT (INCLUDING 2020/21 FINANCIAL REPORT)****Attachments: 1. Annual Report 2020/2021**

Presiding Member Mayor Emma Cole called for an Elector to move and second the motion. In the absence of a mover or seconder from the public gallery, Presiding Member, Mayor Emma Cole called for a Council Member (as an elector) to move and second the motion.

**Moved: Cr Wallace Seconded: Cr Gontaszewski**

**That the Annual Report for the year ended 30 June 2021 inclusive of the Audited Financial Report 2020/2021 be received.**

**CARRIED**

**NOTE:** Prior to putting the motion the Presiding Member, Mayor Emma Cole, called for any further comments in relation to the annual report.

**3.2 DUDLEY MAIER FROM HIGHGATE**

**Dudley Maier made the following comments:**

- Mentioned that the link on the webpage is linked to last year's report.
- Mentioned that commercial waste is no longer collected, but he noticed one instance of all waste at one premise going into one skip, which goes to landfill.
- Mentioned the refurbishment of Beatty Park included a project budgeted at \$2.2M, which cost \$3.4M. Queried why the overspend was not picked up earlier.
- Stated that the City didn't get the \$3M grant for Litis Stadium, the football club did.
- Mentioned that this year's capital program was \$22M. Halfway through the year, at the end of December 2021, only \$6M had been spent. Stated there is a pattern of money being collected from ratepayers and not being spent.

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4 GENERAL BUSINESS****4.1 ANDREW MAIN OF NORTH PERTH**

Mr Main submitted the below motions:

**Motion 1 – Footpath safety and useability**

1. That the City urgently complete an assessment of the condition of the footpaths in the district to determine locations where they are in poor condition and unsafe for people of all ages and abilities to walk, run and ride on. This includes footpaths that are cracked, where there is vertical and physical displacement, unsafe kerb ramps, particularly where he ramps meet the road surface, etc.
2. This assessment to include identification of locations that have previously been brought to the attention of the City by residents, additional request to residents to provide examples of unsafe and damaged footpath to the City, and pro-active inspection by City Officers.
3. That the City prepare a schedule to repair these footpaths based on user numbers and type, and proximity to schools, shops, parks and community facilities.
4. That the City determine an innovative solution to the common situation where footpaths adjacent to building sites are covered in debris, or damaged for the months or years it takes for the demolition and construction process to occur. This solution to recognise that footpaths are a vital component of transport infrastructure for people of all ages and abilities to walk, ride bikes and scooters, and use wheelchairs and mobility devices on.
5. That the City proactively and regularly ensure that street trees and vegetation from private properties do not encroach on footpaths in any way. This should include regular visual inspection from City officers and be based on reports made by residents and previous instances where obstruction of vegetation has been a problem.
6. That on a daily basis, the City proactively monitor the streets of the district to take action in instances where people have illegally parked their vehicle so as to obstruct people from using a footpath. This should include a roster to visit locations where breaches have recently occurred or been reported.
7. That the City introduce a system that embraces current technology, to make it easier for people to report instances of illegal parking. For example, using social media, snap send solve, etc. The current process of having to contact the City to report instances of illegal parking by telephone is outdated, and can be impractical or overly time consuming, for example, after hours reports.

**Moved: Andrew Main Seconded: Lynda Quinn**

Andrew Main made the following comments:

- Mentioned that he has been injured trying to avoid an illegally parked car.
- Stated that he has been abused and chased when asking somebody not to park in the area.

Norelle O'Neill spoke in support of the motion.

*The Presiding Member, Mayor Emma Cole, mentioned that the expenditure on the footpath upgrade is being increased in the capital works program, which may solve this issue.*

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****Motion 2 – Street Trees**

1. That the City recognises that the current approach to selecting species to plant as street trees is not yielding acceptable outcomes as too many exotic tree species are selected and planted.
2. That the City acknowledge that compared to the common exotic species used, native tree species provide more food for native bird species including the endangered Carnaby's black cockatoo.
3. That the City acknowledge that most Australian native tree species are beautiful and have stunning displays of flowers.
4. That the City acknowledge that the UV index in Perth is only below the level of 3 in June. For all other days, the UV index reaches a level where it is recommended sun protection is applied.
5. That the City recognises that native tree species provide more year round shade than exotic species. Not only is this important for the safety and convenience of users it will reduce the urban heat island effect.
6. That the City acknowledge that the claimed benefit that exotic tree species provide "light penetration and warmth during the winter months" has minimal impact given that during winter there is often cloud cover and in any case, any benefit would only affect dwellings on the south side of east-west oriented streets.
7. That the City acknowledge that Jacaranda trees lose their leaves in late winter and do not regain them until December. As such, any benefit from light penetration and warmth is not relevant.
8. That the City acknowledge that deciduous trees planted in town centres result in grey, dull and bleak streetscapes during the winter months when they are without leaves. And that the all year round vegetation and winter flowering of many native tree species brings colour and vitality to streets during this time of the year.
9. That the City move away from the use of the street tree selection tool. In its place, that it develop a plan in consultation with residents, to identify suitable street trees for each street in the district. This is similar to the best practice approach in other local governments in Perth.
10. If the City does not agree with this proposal, that the street tree selection tool be available for public inspection so that the inputs and assumptions in the model can be viewed.
11. That the City have a goal of at least 75% of street trees planted from this year onwards will be Australian native tree species.

**Moved: Andrew Main Seconded: Norelle O'Neill****Andrew Main made the following comments:**

- Mentioned that he is aware that some people like non-native trees, but believes that native trees would be an improvement.

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****Motion 3 – Community Consultation**

1. That the City acknowledge that for residents to provide accurate, valuable and considered feedback to the City on an initiative or project, that the information they are provided by the City is comprehensive and accurate.
2. That the City acknowledge that any surveys used to gather feedback from residents are structured so that they are unbiased and that the answers provided cannot be misconstrued.
3. That the City acknowledge that the assessment and analysis of community feedback should be carried out by officers in a fair and impartial manner, and accurately represent the views expressed by those providing feedback.
4. That the City acknowledge that the feedback from resident consultation is an essential component in the decision-making process and is essential to good governance.
5. To ensure that residents have faith in the integrity of the consultation process, it is requested that the process used by the City to seek and analyse feedback from the community is assessed by a suitably qualified independent and impartial organisation. This could be the Ombudsman or the Office of the Auditor General.

**Moved: Andrew Main Seconded: Dudley Maier**

Andrew Main made the following comments:

- Mentioned two issues where the consultation carried out raised questions as to how information was provided to residents and how the feedback was analysed and assessed by Officers.
- Stated that when the North Perth Roundabout consultation took place, the officer's report stated that there was a 50/50 split in favour and against. Further analysis by residents showed that approximately 2/3 of people were opposed to the project.
- Stated that there were two groups for feedback, one was all responses received and another for people deemed to be in the affected area. He lives in that area and was not included.
- Information to residents about the project was incomplete and had inaccuracies in it. It also did not list the pros and cons, just the benefits.
- Stated that the consultation for the Hyde Park kiosk was controversial as to how the feedback was assessed.
- Requested that Council have their process assessed by a third party.

Dudley Maier spoke in support of the motion.

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.2 MARIE SLYTH OF WEST PERTH**

Ms Slyth submitted the below motions:

**Motion 1: Traffic on Colvin Lane**

That Council install signage on Colvin Lane at the Strathcona Street end and another halfway up the Lane asking people to observe the 8kmh speed limit.

**Moved: Marie Slyth Seconded: Norelle O'Neill**

Marie Slyth made the following comments:

- Mentioned that it is becoming more dangerous on the Lane as it is used more and more by vehicles including large trucks.
- Stated that few drivers observe the speed limit and she has almost been hit by speeding vehicles.

**CARRIED**

**Motion 2: Street Trees in Carr Street**

That Council trim the trees in Carr Street, so that they are not close to power lines and branches, roots and foliage do not pose a hazard to pedestrians.

**Moved: Marie Slyth Seconded: Ross Ioppolo**

Marie Slyth made the following comments:

- Mentioned that the trees on the verges in front of the houses are too close to the power lines.
- Stated that during a storm this could cause damage to the lines, which would mean power outages and possibly fires.
- Mentioned that the branches are so low in some areas they are a danger to passers-by.
- Stated that the roots could cause damage to the footpath, and some roots are going under residents' fences.

Ross Ioppolo spoke in support of the motion.

**CARRIED**



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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.3 RAY STEVENSON OF NORTH PERTH**

Mr Stevenson submitted the below motion:

**Motion:**

1. That Council extend the reconstituted limestone wall and fencing on the North side of Beatty Park Reserve towards Charles Street and connect it to the existing garden wall structure.
2. Affected residents should be involved in the preliminary planning and discussions to extend the wall and fencing.

**Moved: Ray Stevenson Seconded: Suzanne Burke**

Ray Stevenson made the following comments:

- Stated that this motion is about the flooding into Emmerson Street from Beatty Park Reserve.
- Mentioned that during a severe storm event water had cascaded from the Beatty Park Aquatic Centre car park into their houses.
- Stated that Council By-laws state that any water caused by rain water had to be contained on the property, so the water coming from Beatty Park Reserve should be contained by the City.
- Stated that the consultants appointed to investigate this issue stated in their report that the Claisebrook Main Drain is over capacity for most of the drain.
- Queried what the \$150,000 expenditure approved by Council to carry out recommendations by the appointed consultants was spent on?
- Mentioned that he received an email which stated that the City's observations are that the water is not from the car park, but from his roof structures and paved areas. Can you advise who did this observing?

*David MacLennan, CEO, advised that the Manager of Engineering lives close by and monitors the area closely.*

- Queried how many times the situation would be observed over night or on the weekend.

The following electors spoke in support of the motion:

Suzanne Burke  
Lynda Quinn  
Steve Burke

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.4 NORELLE O'NEILL OF MOUNT HAWTHORN**

Ms O'Neill submitted the below motions:

**Motion**

As part of the engagement strategy can members of middle management and Executive be made to assess how they can better engage with ratepayers and residents?

**Moved: Norelle O'Neill Seconded: Dudley Maier**

Norelle O'Neill made the following comments:

- Commended two staff members she has been dealing with on her noise complaint.
- Stated that she has asked multiple times to meet with management to understand the process, but the requests were ignored.
- This extended to upper management.<sup>1</sup>
- Questioned who was running the City of Vincent<sup>2</sup>

The following electors spoke in support of the motion:

- Dudley Maier
- Islam Bouyihia
- Steve Burke
- Jenny Olma – also requested a community forum regarding a multi-storey development on Fitzgerald Street.

*The Presiding Member, Mayor Emma Cole, advised that there is a meeting with developers next week. There is no planning application at the moment, this would be pre-lodgement consultation. When the application was lodged with the City independent community consultation would be undertaken, and The Mayor would organise a community forum at that stage. The Mayor advised that she would have no decision-making role whatsoever.*

*Mayor Emma Cole also acknowledged the dissatisfaction with the engagement, but refuted that the City does not go out and engage in face to face consultation. Council Members regularly interface with residents.*

- Ray Stevenson
- Lynda Quinn – mentioned the consultation on the North Perth Common and the closure of the road.

*David MacLennan, CEO, advised that further details on the background would be provided outside of meeting. The Presiding Member, Mayor Emma Cole, advised that feedback on the consultation on North Perth Common can be provided. The median is a trial and further detail can be provided.*

**CARRIED**

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<sup>1</sup> Clarified in response to request from mover.

<sup>2</sup> Added in response to request from mover.

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.5 STEPHEN GRAVES OF MT LAWLEY**

Mr Graves submitted the below motions:

**Motion:**

That Council respect the views of the people they represent and ensure that they act independently and responsibly when voting on council matters.

**Moved: Stephen Grave Seconded: Lynda Quinn**

Stephen Graves made the below comments:

- Stated that relating to the kiosk in Hyde Park, there is a feeling that Council is carried away with its power and not respecting the views of the people.
- Stated that it was easy to go along with what was proposed, and noted a case of corruption in the Queensland State Government.

*The Presiding Member, Mayor Emma Cole, advised that the discussion of corruption makes her uncomfortable and asked that the speaker remain respectful.*

Mr Graves continued -

- Stated that there was a perception that Council was ignoring the views of the people, and that Hyde Park kiosk was a good example of that. The consultation showed that 76% of the people were in favour of the food vans, but this was not what was decided, as six members of the Council decided that they knew better.

*The Presiding Member, Mayor Emma Cole, acknowledged that the speaker had strong views on this matter, but asked that he refrained from being derogatory to Council Members. She advised that there was vigorous debate on this item, which was on the record. Any suggestion that they were following other members' lead cannot be justified. The debate was lengthy and comprehensive.*

Mr Graves continued –

- Asked Council to examine their own voting records and if they challenge what people are saying.
- Stated that he feels that the community feeling was ignored, and urges Council to be independent.

The following electors spoke in support of the motion:

Steve Burke - Mentioned that this decision may be reflected in the next Council elections.

*The Presiding Member, Mayor Emma Cole, advised that we live in a democracy and the next Local Government Elections are in October 2023.*

- Islam Bouyihia
- Ray Stevenson
- Bec Johnson

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.6 SUZANNE BURKE OF NORTH PERTH**

Ms Burke presented the following motion:

**Motion**

1. That Beatty Park Reserve be reclassified from District Open Space to Neighbourhood Open Space.
2. That sporting teams are stopped from using Beatty Park Reserve and return the park to community use.
3. That a plan is developed for Beatty Park based on recreational zoning.

**Moved: Suzanne Burke Seconded: Steven Burke**

**Suzanne Burke made the following comments:**

- States that she lived adjacent to the Reserve.
- The demolition of the Pavilion meant there were no toilets or change rooms on the Reserve.
- There had been multiple occasions of people changing and urinating on the field.
- The Leisure Centre had been made available for toilets and changing room use but this doesn't appear to be working.
- Soccer training takes place all year round. The noise they make is heard on the other side of the house.
- The Beatty Park Reserve does not meet the requirements for District Open Space and is one of the only reserves listed for sport in the Public Open Space Strategy.

The following electors spoke in support of the motion:

- Steve Burke
- Dudley Maier
- Lynda Quinn
- Ray Stevenson

*The Presiding Member, Mayor Emma Cole, asked Mr Stevenson to close his comments as he had exceeded his speaking time. Mr Stevenson advised that he had freedom of speech and would continue.*

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.7 DUDLEY MAIER OF HIGHGATE**

Mr Maier presented the following motions:

**Motion 1 – Advertising of AGM**

1. That the electors note, that in response to a motion passed at last year's Annual General Meeting of Electors which requested that the City improve the promotion of the AGM, the administration stated:

*The City is committed to engaging the community in its decision making and providing a real opportunity for all members of the community to be heard. Administration and will endeavour to improve the promotion of the AGM in 2022 and will consider how newspaper notices, social media and website notices can be improved.*

2. That the electors note the ways in which the City has promoted this year's AGM in particular:
  - 2.1. the fact that the advertisement in the 22 January edition of The Perth Voice was at the bottom of the page on the inside back cover; and
  - 2.2. the initial Public Notice and Facebook post simply stated that the purpose of the AGM is to receive the Annual Report and made no mention of the ability to speak or move motions.
3. Expresses deep disappointment at the administration's continued failure to adequately promote the opportunity that the AGM provides to the community to move motions and participate.
4. Requests that the council consider the failure to adequately promote the AGM when undertaking the next CEO performance review.

**Moved: Dudley Maier Seconded: Norelle O'Neill**

**Dudley Maier made the following comments:**

- Presented details of how the AGM was advertised and expressed dissatisfaction.
- Mentioned that this was an opportunity to engage with the community.

Steve Burke spoke in support of the motion.

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****Motion 2 – Responding to the Community**

That electors:

1. NOTE that:
  - 1.1. prior to December 2017 the City's Code of Conduct had a requirement that Council Members should respond to all enquiries as soon as practicable, but in any case, within 48 hours of receiving a telephone call, and within 5 days of receiving a written enquiry;
  - 1.2. at the council meeting of 12 December 2017 the council voted unanimously for a revised Code of Conduct that no longer contained this requirement;
  - 1.3. the change to the Code of Conduct was made without any public consultation;
  - 1.4. the report that went to council did not indicate that the requirement was to be removed either through the use of tracked changes or by mention within the report, and in fact said there was "little change to the substance and effect of the code"; and
  - 1.5. the report to council stated that there had been several rounds of internal consultation and that all Council Members had an opportunity to provide feedback on the revised Code prior to it being adopted.
2. REQUEST that the City's Code of Conduct be reviewed and amended, and that the previous requirements for Council Members to respond to enquiries from members of the community be reinstated.

**Moved: Dudley Maier Seconded: Norelle O'Neill****Dudley Maier made the following comments:**

- Stated that Councillors are not responding to contacts promptly, and felt this may partly be due to there being new Councillors who are not aware of the previous requirement.
- Stated that the response to the motion at the AGM last year was that a requirement that Councillors should respond to queries within 10 days was going to be included in the Governance Framework, but it has not been included.
- Queried if this could be included in the Code of Conduct if the Council Members are already responsive to queries.

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****Motion 3 – Mayor to be Impartial**

1. That the community believes that:
  - 1.1. local government does not function well when there are cliques or factions on councils, or if there are perceptions of factions or cliques existing on council; and
  - 1.2. the Mayor should not encourage the formation of cliques or factions, and should actively act to stop the formation of these.
2. That the community requests that the Code of Conduct be amended to make it clear that the mayor has a special leadership role and should not use their position to encourage electors to vote for or against any particular candidates at local government elections.

**Moved: Dudley Maier Seconded: Lynda Quinn**

*The Presiding Member, Mayor Emma Cole, stated that Mr Maier is casting aspersions on her integrity in a public forum.*

**Dudley Maier made the following comments:**

- Mentioned that personal endorsements of council candidates were placed on a private Facebook page, which could be perceived as coming from the City of Vincent, as there were some hyperlinks to the City of Vincent website.
- Stated that he has no issue with endorsements in the Mayor's private capacity.
- Requests that there is guidance as to what is acceptable and what is not.

*The Presiding Member, Mayor Emma Cole stated that this is the second time Mr Maier has raised this in a public forum, and maligning her integrity as Mayor. He has the opportunity to raise a formal complaint under the Code of Conduct, and these issues should not be raised in a public forum. Mayor Cole had sought advice and she had not breached the Code of Conduct or Regulations. The Facebook page was not an official page, no City of Vincent resources were used to run this page - it was a personal page.*

The following electors spoke in support of the motion:

- Lynda Quinn – mentioned that she felt that the members of the public should be able to express their opinion without being interrupted or shot down, as long as they were respectful.

*Mayor Cole responded that as Presiding Member, if she felt the comments being made were unfounded and impacted her reputation - she had the right to defend herself. Public question time was not a time to make accusations that were unfounded.*

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.8 TOM YOUNG OF HIGHGATE****Motion**

That the Hyde Park kiosk agreement be set aside and a proper independent survey be conducted.

**Moved: Tom Young Seconded: Lynda Quinn**

**Tom Young made the following comments:**

Stated that the kiosk deal was the worst deal he has ever seen.

Queried why the 9 months free was changed to 3 months free, what pressure what brought to bear to change that agreement, and who brought it?

Suggested that the agreement made the Council look bad.

**CARRIED**

**The following motions were submitted in writing prior to the meeting and were read out by the Executive Manager Corporate Strategy & Governance.**

**4.9 TIFFANY ELLIOTT OF WEST PERTH**

Ms Elliott presented the following motion:

**Motion**

That Council investigate the adequacy of street lighting in Florence Street, West Perth for traffic and pedestrian safety.

It is well researched that well lit streets can:

- improve surveillance and increase risk of offenders being detected.
- assist to help people feel safer with well illuminated streets, this can further assist with deterrence of crimes through ease of surveillance.

**Moved: Marie Slyth Seconded: Lynda Quinn**

Marie Slyth spoke in support of the motion.

**CARRIED**



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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.10 LYALL BEAR OF NORTH PERTH**

Mr Bear presented the following motion:

**Motion**

That Council:

- At the very least, say every second year (perhaps on a rotational location basis to minimise budget impact) place a greater focus on the non- power line side of the street verge trees proper maintenance, including at a minimum, removal of all dead branches and all overhanging branches - from both the power lines and all branches extending over the footpath and into the private properties. This would also provide an improved streetscape look for those verge trees too, which are sadly very neglected looking.
- Clarify the insurance claim position of homeowners, for any damage caused by verge trees, including power reconnection costs (electricians and other trade costs + Western Power charges);
- I understand from discussions with Western Power that they also feel very frustrated with councils that neglect to remove branches that overhang or encroach within two metres of any powerlines.
- Council provides at least annual updates on the status of the underground power installation program for the whole of the COV location. Clearly this would (if commenced) go a long way to solving the issues I have raised above that are of concern to many private property owners;

**Lyall Bear provided the following comments:**

I have been a long-term resident of the COV and have a matter I wish to raise for Council comment and action please.

I have also provided some recommendations for consideration on the matter addressed which may be helpful.

**Maintenance of Verge Street Trees:**

Trimming of verge trees is currently principally limited to the side of the streets where the Western Power poles are located.

However there is minimal to no verge tree maintenance done on the non-pole sides of streets, despite the fact that there are obvious dead branches and branches extending across the power lines that connect to each individual house.

In addition, there also branches that cross the boundaries into the owner's properties, placing the owner's property infrastructure at risk - for example, fences, carports, vehicles, and even the houses themselves. A ratepayer can feel justifiably disadvantaged when they pay the same rates as the powerline's side of the street and yet receive little or no reasonable annual verge tree maintenance services.

During my lengthy tenure as a home owner resident in North Perth, I have had a number of instances of branches knocking down or damaging the Western Power lines into my home and also the house facade connection too. I have had to fund the repairs personally as I have been told that COV will not reimburse my out of pocket expenses incurred to rectify the damage caused by the verge trees. In addition, I have had an instance where a substantial verge tree branch fell, just missing hitting a trades person I had working in my driveway.

I also understand it is COV policy that no verge tree maintenance can be directly commissioned by the property owner. I currently have branches extending across my property that could potentially cause tens of thousands of damage in a worst case scenario, yet am advised that I can do nothing.

**Moved: Ross Ioppolo Seconded: Lynda Quinn**

**CARRIED**

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**ANNUAL MEETING OF ELECTORS MINUTES****2 FEBRUARY 2022****4.11 JOANNE AND STEVEN BAITZ**

Mr and Mrs Baitz presented the following motion:

**Motion**

That Council revoke the decision on the food truck in Hyde Park. They are an intrinsic part of the developing culture at Hyde Park and I would not like them to disappear.

**Moved: Not moved as covered by motion 4.10 .**

**In accordance with section 5.33 of the Local Government Act 1995, these motions will be considered by Council at the next practical Ordinary Meeting of Council, which will be the 8 March 2022 or 5 April 2022 Council Meeting.**

*The Presiding Member, Mayor Emma Cole, explained that the resolutions made at this meeting were not binding on Council, but the Administration would look at the extent of resolutions and respond to each. The resolutions would then come to Council and Council would vote.*

*Each person who proposed a motion will be contacted and advised when the response is going to go to Council Meeting.*

## ANNUAL MEETING OF ELECTORS MINUTES

2 FEBRUARY 2022

**5 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.28pm with the following persons present:

<b>PRESENT:</b>	Cr Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Alex Castle	North Ward
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward (Electronically)
	Cr Suzanne Worner	North Ward
	Cr Ron Alexander	North Ward
	Cr Ross Ioppolo	South Ward
<b>IN ATTENDANCE:</b>	David MacLennan	Chief Executive Officer
	Andrew Murphy	Executive Director Infrastructure & Environment
	John Corbellini	Executive Director Strategy & Development
	Virginia Miltrup	Executive Director Community & Business Services
	Peter Varris	Executive Manager Corporate Strategy & Governance
	Peter Ferguson	Executive Manager Information and Communication Technology
	Wendy Barnard	Council Liaison Officer

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

These Minutes were confirmed by the Council as a true record and accurate of the Annual Meeting of Electors held on 2 February 2022.

Signed: . Mayor Emma Cole

Dated