

12.3 INFORMATION BULLETIN

TRIM Ref: D22/197392

Author: Wendy Barnard, Council Liaison Officer

Authoriser: David MacLennan, Chief Executive Officer

Attachments:

1. Minutes of the Catalina Regional Council - Special Meeting held on 16 November 2023
2. Statistics for Development Services Applications as at the end of November 2023
3. Register of Legal Action and Prosecutions Monthly - Confidential
4. Register of Legal Action - Orders and Notices Quarterly - Confidential
5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 28 November 2023
6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
7. Register of Applications Referred to the Design Review Panel - Current
8. Register of Petitions - Progress Report - November 2023
9. Register of Notices of Motion - Progress Report - November 2023
10. Register of Reports to be Actioned - Progress Report - November 2023
11. Council Workshop Items since 18 October 2023
12. Council Briefing Notes - 14 November 2023

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated December 2023.



Special Meeting of Council

Thursday 16 November 2023

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 7 December 2023.

Signature:
Chair

Minutes CRC Special Meeting of Council – 16 November 2023

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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 Russ Fishwick Cr Phillip Vinciullo
City of Perth	Cr Brent Fleeton	Cr Viktor Ko
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr David Lagan Cr Karlo Perkov	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

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PRESENT

Councillors	Cr Claire Anderson Cr Helen Berry Cr John Chester Cr Sonet Coetzee Cr Brent Fleeton Cr Lewis Hutton Cr Tony Krsticevic Cr Suzanne Migdale Cr Karlo Perkov Cr Ashley Wallace
Alternate Members	Cr Teresa Olow Cr Michael Le Page
Staff	Mr Chris Adams (Chief Executive Officer) Mr Daniel Govus (Senior Governance Advisor – City of Stirling) Ms Regan Clyde (Senior Governance Officer – City of Stirling)
Apologies Councillors	Cr Jane Cutler Cr David Lagan
Leave of Absence	Nil
Absent	Nil
Consultants	Nil
Apologies Participant Councils' Advisers	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 Special Meeting of Council – 16 November 2023

1. OFFICIAL OPENING

The Chief Executive Officer, Mr Chris Adams, assumed the chair at 5:03pm in order to conduct the meeting until election of a Chair, and formally declared open the Special Meeting of the Catalina Regional Council of 16 November 2023.

The Chief Executive Officer congratulated Councillors on their election to the Catalina Regional Council and wished them well in their deliberations over the next two years.

A formal declaration was verbally made by all Councillors present, and declaration forms were signed to indicate that members agree to abide by the *Local Government (Model Code of Conduct) Regulations 2021*.

2. ELECTION OF CHAIR

In accordance with Clause 4(2) of Schedule 2.3 of the *Local Government Act 1995*, the Chief Executive Officer presided over the conduct of the election of the Chair.

The Chief Executive Officer advised the meeting that he had received three nominations in writing for the position of Chair of Catalina Regional Council, being:

- Councillor Jane Cutler
- Councillor Brent Fleeton
- Councillor Tony Krsticevic

The CEO called for any further nominations. There being none, the CEO declared nominations for Chair closed.

In accordance with Regulation 11A of the *Local Government (Constitution) Regulations 1998*, ballot papers were prepared, with the nominated Councillors listed in alphabetical order. The Chief Executive Officer authenticated each ballot paper by initialling it.

A ballot box was provided to Councillors, and a secret ballot was undertaken.

The Governance Officer oversaw the counting of the votes for Chair by the CEO.

In accordance with Regulation 11F of the *Local Government (Constitution) Regulations 1998*, the Chair declared Councillor Tony Krsticevic elected as Chair of Catalina Regional Council until 18 October 2025.

Cr Krsticevic made the declaration of office in the prescribed form and assumed the Chair to conduct the remainder of the meeting.

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3. ELECTION OF DEPUTY CHAIR

In accordance with Clause 8(2) of Schedule 2.3 of the *Local Government Act 1995*, the Chair presided over the conduct of the election of the Deputy Chair.

The Chair informed the meeting that he had received three nominations in writing for the position of Deputy Chair of Catalina Regional Council, being:

- Councillor Jane Cutler
- Councillor David Lagan
- Councillor Suzanne Migdale

The Chair called for any further nominations. There being none, the Chair declared nominations for Deputy Chair closed.

In accordance with Regulation 11A of the *Local Government (Constitution) Regulations 1998*, ballot papers were prepared, with the nominated Councillors listed in alphabetical order. The Chief Executive Officer authenticated each ballot paper by initialling it.

A ballot box was provided to Councillors, and a secret ballot was undertaken.

The Governance Officer oversaw the counting of the votes for Deputy Chair by the CEO.

In accordance with Regulation 11F of the *Local Government (Constitution) Regulations 1998*, the Chair declared Councillor Suzanne Migdale elected as Deputy Chair of Catalina Regional Council until 18 October 2025.

Cr Migdale made the declaration of office in the prescribed form.

4. APOLOGIES AND LEAVE OF ABSENCE

Nil

5. DISCLOSURE OF INTERESTS

Nil

6. PUBLIC STATEMENT/QUESTION TIME

Nil

7. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

Minutes CRC Special Meeting of Council – 16 November 2023

8. PETITIONS

Nil

9. CONFIRMATION OF MINUTES

Nil

10. ELECTION OF COMMITTEES

10.1 Audit Committee

The Chair called for nominations from elected members for Audit Committee membership.

The following nominations were received:

- Cr Helen Berry
- Cr Jane Cutler
- Cr Lewis Hutton
- Cr Tony Krsticevic
- Cr Suzanne Migdale
- Cr Karlo Perkov

No further nominations were received.

Moved Cr Migdale, Seconded Cr Perkov.

[The recommendation in the agenda]

That in accordance with the provisions of the *Local Government Act 1995*, the following Council members be APPOINTED BY ABSOLUTE MAJORITY to the Audit Committee:

1. Cr Helen Berry
2. Cr Jane Cutler
3. Cr Lewis Hutton
4. Cr Tony Krsticevic
5. Cr Suzanne Migdale
6. Cr Karlo Perkov

(The Chair will be elected at the next Audit Committee Meeting)

The Motion was put and declared CARRIED by ABSOLUTE MAJORITY (12/0).

For: Councillors Anderson, Berry, Chester, Coetzee, Fleeton, Hutton, Krsticevic, Migdale, Le Page, Perkov and Wallace.

Against: Nil.

Minutes CRC Special Meeting of Council – 16 November 2023

11. ADMINISTRATION REPORTS AS PRESENTED

11.1 Change of December Ordinary Council Meeting Location

Moved Cr Chester, Seconded Cr Migdale

That the Ordinary Meeting of Council for the Catalina Regional Council that is scheduled for Thursday 7 December 2023 be CHANGED from an online/instantaneous communication meeting to an in-person meeting with the venue of the meeting being the City of Stirling Council Chambers.

The Motion was put and declared CARRIED BY ABSOLUTE MAJORITY (12/0).

For: Councillors Anderson, Berry, Chester, Coetzee, Fleeton, Hutton, Krsticevic, Migdale, Le Page, Perkov and Wallace.

Against: Nil.

12. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

13. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 5:22pm.

Statistics for Development Applications As at the end of November 2023

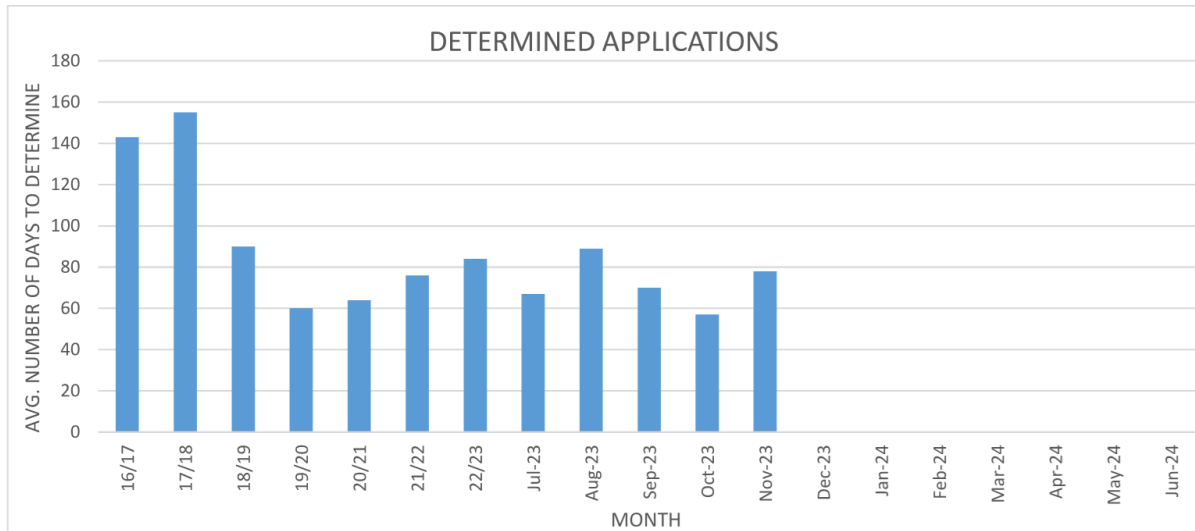
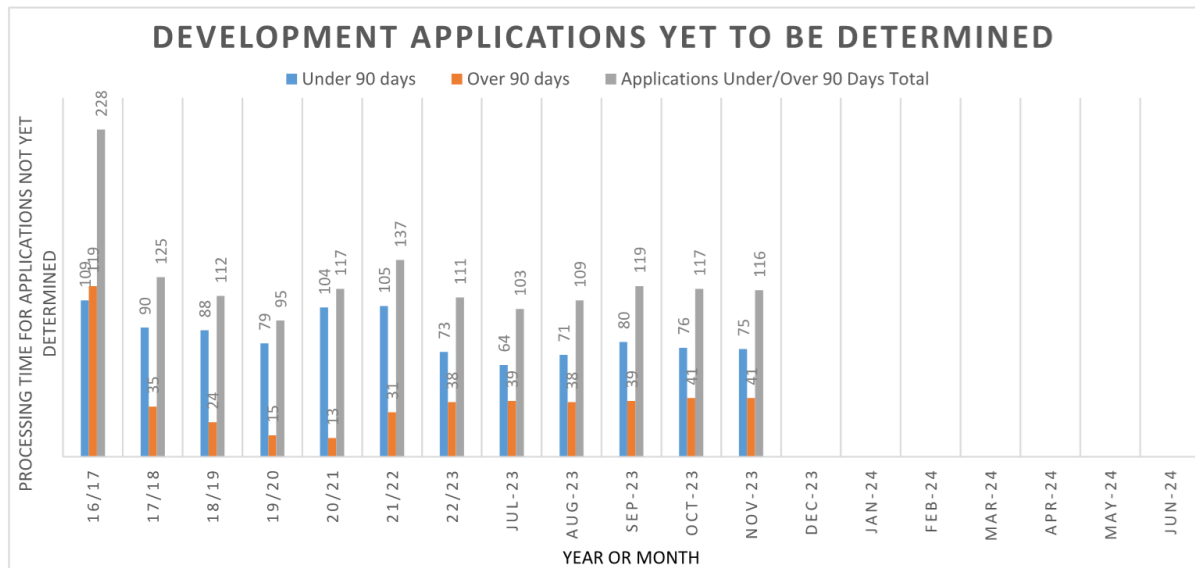


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2022.

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							
Average	143	155	85	60	64	76	84	67	89	70	57	78							
Maximum	924	1008	787	499	268	298	280	301	362	89	89	159							

	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 <i>(excludes exempt from approval or cancelled)</i>	403	385	281	37	18	15	28	18							
Value of Determined DA's <i>(in millions)</i>	217	143	417	12.1	66.42	3.43	10.3	237.3							



	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							
DA's to be Determined	103	109	119	117	116							
Value of DA's to be Determined <i>(in millions)</i>	268.68	252.92	257.1	260.5	78.1							

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 7 DECEMBER 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022. SAT agreed to further adjournment to 21 September 2022. Applicant required to submit mechanical drawings prior to the next SAT Hearing. Matter further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. Mediation listed for 17 November 2022 was vacated, and matter is listed for hearing on 3 March 2023. A development approval has been issued for external fixtures, and the City is awaiting submission of a building application for solution.</p> <p>The SAT mediation hearing that was schedule for 3 March 2023, was adjourned, with the matter relisted for a Directions Hearing on 14 April 2023. The City is advised the installation of the new exhaust system at the premises is imminent.</p> <p>The SAT hearing that as schedule for 14 April 2023, was adjourned, with the matter relisted for 12 May 2023. The City is advised the installation of the new exhaust system will be completed by 2 May 2023.</p> <p>The two parties will return to SAT on 23 June 2023. At this time, the matter will either be resolved to the satisfaction of both parties, adjourned to a later mediation or programmed for a Hearing by the SAT Member.</p> <p>29 June 2023. The SAT Directions hearing set for 23 June was adjourned and relisted for 21 July 2023. At this time, the matter will either be resolved to the satisfaction of both parties, or it will likely be programmed for a Hearing by the SAT Member.</p> <p>The matter was heard by the Senior Member at SAT on 21 July 2023. The matter was listed for a directions hearing on 29 September 2023. Within the timeframe specified by the Order, the City and the Applicant lodged their statements of issues, facts and contentions.</p> <p>As at 30 October 2023 – matter has been listed for a final hearing, commencing 18 March 2024. <i>Representation by: McLeods</i></p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 7 DECEMBER 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
2.	No. 129 Loftus Street, Leederville (DR 76 of 2023)	23 May 2023	Hidding Urban Planning	Application for review of a Joint Development Assessment Panel decision to refuse an application for a Child Care Premises on 1 May 2023. ***** Directions hearing held on 9 June 2023 and programmed to mediation. Mediation was scheduled for 24 August 2023 and 8 November 2023, which were both vacated. Mediation has now been rescheduled for 31 January 2024. <i>Representation by: JDAP Presiding Member</i>
3.	Nos. 41-43 & 45 Angove Street, North Perth (DR 81 of 2023)	1 June 2023	Hidding Urban Planning/Lavan	Application for review of a Joint Development Assessment Panel decision to refuse an application for a Service Station on 3 May 2023. ***** Directions hearing held on 16 June 2023. Mediation held on 4 July 2023, with Mayor Cole and interested community members in attendance to make a presentation. A second mediation was scheduled for 14 August 2023 and was vacated. Mediation was rescheduled to 10 October 2023 and was subsequently vacated. The matter was listed for a directions hearing on 10 November 2023 to schedule a new date for mediation. This was vacated. The matter has been listed for a directions hearing on 2 February 2024 with the applicant to provide additional information by 11 January 2024. <i>Representation by: JDAP Presiding Member</i>
4.	No. 12 Brookman Street, Perth (DR 83 of 2023)	4 June 2023	Peter Arnell	Application for review of Council decision to refuse an application for Alterations and Additions to Single House on 16 May 2023. ***** Directions hearing held on 30 June 2023. Mediation held on 26 July 2023. The SAT issued Orders on 26 July 2023 with the application to be reconsidered by no later than 27 October 2023. Following discussions with the applicant, on 22 September 2023, the City lodged proposed Orders by Consent to delay the date by which the application was to be reconsidered. On 22 September the SAT issued orders with the following key dates associated: <ul style="list-style-type: none"> • 1 December 2023 – The Respondent is invited to reconsider its decision on the application by this date pursuant to Section 31 of the <i>State Administrative Tribunal Act 2004</i>. • 8 December 2023 – Directions hearing scheduled. The application was reconsidered by Council at its Ordinary Meeting held on 21 November 2023 and was approved subject to conditions. On 4 December 2023 the SAT confirmed the matter has been withdrawn by the applicant and scheduled directions hearing vacated. Completed. <i>Representation by: Administration</i>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 7 DECEMBER 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	Nos. 334-336 Beaufort Street, Perth (DR 87 of 2023)	9 June 2023	Dark Knight Retail Pty Ltd t/as Evolution Bikes Australia	<p>Application for review of Council decision to refuse an application for Proposed Alterations and Additions to Shop (Roller Shutters) (Unauthorised Existing Development) on 16 May 2023. *****</p> <p>Directions hearing held on 23 June 2023. Mediation held on 13 July 2023. The SAT issued Orders on 13 July 2023 with the following key dates associated:</p> <ul style="list-style-type: none"> • 27 July 2023 – The Applicant to provide additional information to the City. • 10 August 2023 – Second mediation scheduled. <p>The Mediation on 10 August 2023 was vacated and has been rescheduled for 3 November 2023. Following this Mediation, a Directions Hearing was held on 25 November 2023 where the SAT issued Orders listing the matter for a Directions Hearing on 11 December 2023 to program for a final hearing. <i>Representation by: Administration</i></p>
6.	No. 80 Auckland Street, North Perth (DR 131 of 2023)	10 August 2023	Number 80 Pty Ltd/Altus Planning	<p>Application for review of deemed refusal following Council's decision to defer an application for a Single House on 20 June 2023. *****</p> <p>Directions hearing scheduled for 25 August 2023 was vacated. Mediation held on 29 August 2023. SAT Orders to be issued with the following key dates associated:</p> <ul style="list-style-type: none"> • 19 September 2023 – The Applicant to submit additional information to the City. • 21 November 2023 – The Respondent is invited to reconsider its decision on the application by this date pursuant to Section 31 of the <i>State Administrative Tribunal Act 2004</i>. • 8 December 2023 – Directions hearing scheduled. <p>The application was reconsidered by Council at its Ordinary Meeting held on 21 November 2023 and was refused. On 5 December 2023 the SAT confirmed the matter has been withdrawn by the applicant and scheduled directions hearing vacated. Completed. <i>Representation by: Administration</i></p>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 28 NOVEMBER 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	Nos. 37-43 Stuart Street, Perth	Planning Solutions	Form 1 – Change of Use to Unlisted Use (Community Purpose) and Alterations and Additions	5 May 2023	10 November 2023	<p>The DAP meeting was held on 3 August 2023. The DAP resolved to defer consideration of the application (3-2) by no later than 1 December 2023. The meeting minutes can be found here.</p> <p>The application was reconsidered and approved at the DAP meeting on 10 November 2023, against the City's recommendation 3-2.</p> <p>Cr Hallett and Cr Wallace voted to refuse the application.</p> <p>The meeting minutes can be found here.</p>
2.	Nos. 38-44 Brisbane Street, Perth	Rowe Group	Form 1 – Mixed Use Development	2 June 2023	30 November 2023	<p>The application is scheduled to be considered by the JDAP on 30 November 2023.</p> <p>The City has recommended that the application be approved, and the agenda can be viewed here.</p>
3.	Nos. 367-373 Fitzgerald Street and 103 Alma Road, North Perth	Celsius Property	Form 1 – Mixed Use Development	30 June 2023	30 November 2023	<p>The application is scheduled to be considered by the JDAP on 30 November 2023.</p> <p>The City has recommended that the application be approved, and the agenda can be viewed here.</p>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 28 NOVEMBER 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
4.	Nos. 384-388, 390 and 392 Oxford Street, Mount Hawthorn	Planning Solutions	Form 1 – Mixed Use Development	6 July 2023	24 November 2023	The application approved at the DAP meeting on 24 November 2023, against the City’s recommendation 3-2. Cr Hallett and Cr Castle voted to refuse the application. The meeting minutes can be found here .
5.	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.

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 28 NOVEMBER 2023

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
Nil items referred to the Design Review Panel between 6 November – 28 November 2023.				



CITY OF VINCENT

INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – November 2023
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
06/11/2023	A petition with 23 signatures has been received from Andre Rampono of Mt Hawthorn. The petition requests that Council explore options for improved signage, line marking and road infrastructure, around and approaching the corner of Scarborough Beach Road and Killarney Street, with a view to preventing vehicles driving into and through the one-way street (Killarney Street). An increasing number of cars are driving the wrong way up Killarney Street. Mostly on weekends and more so over the school holiday periods. With the opening of the cafe Il Falco - at 214 Scarborough Beach Road, our concern is driver and patrons of the cafe will turn into Killarney Street to access the parking zone along the Mount Hawthorn Primary side of the road, reinforcing the idea that it is a two-way street.	EDIE	Report will be submitted to December 2023 Council Meeting.
04/11/2023	A petition with 12 signatures has been received from Gerald Frichot of North Perth. The petition requests that the parking signpost on the street verge of 18 Ellesmere Street, North Perth be removed for the following reasons: <ol style="list-style-type: none"> 1. There is no need for it since people very rarely park there. 2. People usually park on Les Lilleyman Reserve because it is safer. 3. The signpost erected is dangerously close to Highlands Rd side street. More than 50 cars per day are now using Ellesmere Street to avoid Green Street and travel at high speed over the hill down to London Street. We recommend a No Right Turn sign in Charles Street would reduce the traffic on Ellesmere Street.	EDIE	Report will be submitted to December 2023 Council Meeting.



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – November 2023
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
No outstanding Notices of Motion		



INFORMATION BULLETIN

TITLE:	Register of Reports to be Actioned – Progress Report – November 2023
DIRECTORATE:	Chief Executive Officer

DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

Key Index:
CEO: Office of the CEO
CFO: Chief Financial Officer
EDSD: Executive Director Strategy & Development
EDIE: Executive Director Infrastructure & Environment

Item	Meeting Date	Meeting Type	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion
17.1	21/11/2023	OCM	Undertakings relating to the Parking Local Law 2023	EDIE	Amendment process commenced.	Amendment to Council by April 2024
10.1	21/11/2023	OCM	Advertising of amended policy - Street Trees	EDIE	public consultation initiated.	March 2024
9.2	17/10/2023	OCM	Amendment to the Municipal Heritage Inventory: 40 Guildford Road, Mount Lawley	EDSD	Applicant is considering Council's deferral reasons and request for additional information.	March 2024.
11.4	17/10/2023	OCM	Advertising of amended policy – Diversity, Access and inclusion	EMC&E	Advertising commenced 26 October 2023. Outcome of advertising report will be presented to Council in early 2024.	Early 2024
9.3	19/09/2023	OCM	Community Sporting and Recreation Facilities Fund - Annual and Forward Planning Round Application	EDIE	Council endorsed Robertson Park Tennis Precinct Stage 1B Implementation as priority for application to CSRFF 2024/25 forward planning grants round. Submitted 29 September 2023.	Grants to be awarded February 2024.
11.4	19/09/2023	OCM	Advertising of New Policy – Child Safe Awareness	EMC&E	Advertising commenced 26 October 2023.	Outcome of advertising report will be presented to Council in early 2024.
9.9	22/08/2023	OCM	Community Sporting and Recreation Facilities Fund - July Small Grants Round Application	EDSD	Council approved the grant application for submission to the Department of Local Government, Sport and Cultural Industries.	Elected Members will be notified once the results of the grant application are released in late 2023.
10.1	22/08/2023	OCM	Advertising Of New/Amended Policy - Asset Management Policy	EDIE	To come back to Council after advertising	The outcome of consultation to be presented

Item	Meeting Date	Meeting Type	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion
						back to Council in December 2023.
10.2	22/08/2023	OCM	Harold Street - Black Spot Project	EDIE	MRWA contacted in regards City return of prepaid black spot funds. Project investigations initiated.	March 2024
10.4	22/08/2023	OCM	Tender - Escooter Shared Scheme Trial	EDIE	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
11.5	22/08/2023	OCM	Dual Naming of Warndoolier / Banks Reserve	EMC&E	Community consultation to commence after LG elections.	Estimated to be reported back to Council Feb 2024
5.5	04/05/2023	Audit Committee	Review of Audit Committee Terms of Reference	EDSD	Comprehensive review completed. Deferred to the December Meeting.	Deferred to December Audit Committee
9.5	14/03/2023	OCM	Minor Amendment to Metropolitan Region Scheme - Leederville Parade Primary Regional Road Reserve	EDSD	Council requested that the WAPC proceed with a Minor Amendment to the Metropolitan Region Scheme to remove the Primary Regional Road reservation.	Advertising carried out by the WAPC. To be determined by the Minister.
10.3	14/03/2023	OCM	Waste Strategy Project – Verge Valet Vincent Trial Update	EDIE	Extend trial 12 months (July 2023- June 2024).	Further report (inclusive of community consultation feedback) to Council on progress of trial in March 2024.
12.4-4.2(1)	14/03/2023	AGM	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.	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.	Administration will present this review and the impact to the Built Form Policy to Council once the approach to the approach to medium density development is determined by the State Government.
Motion 4.5	14/03/2023	AGM	"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	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	2024

Item	Meeting Date	Meeting Type	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion
			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)."" "" ""		has the support of the proposer of the motion.	
12.4-4.11	14/03/2023	AGM	"Speed Humps That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023."	EDIE	Workshop item 29/11/2024. Info Bulletin Item for OCM December 2023	December 2023
12.4-4.16(3)	14/03/2023	AGM	"E-Waste That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness; and REQUESTS:"	EDIE	Investigation to be commenced. Proposal to Council Workshop for information.	To be presented to Council at the end of the trial. First trial drop-off day highly successful. Second drop-off day being scheduled.
10.1	13/12/2022	OCM	Stormwater Drainage	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.	Anticipated be undertaken during the 2023 - 2024 financial year (funded through the above modelling project); and 2023 - 2024 Annual Budget preparations.
10.4	13/12/2022	OCM	Full Median Strip for Angove Street and Woodville Street Intersection	EDIE	Workshop item 29/11/2024. Info Bulletin Item for OCM December 2023	December 2023
9.7	26/07/2022	OCM	Beaufort Street and Grosvenor Road Pedestrian	EDSD	Following the trial, concept plan options for a flexible public plaza are being developed, including investigating the feasibility of	To be presented to Council in late 2023.

Item	Meeting Date	Meeting Type	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion
			Improvement Projects		reconfiguring or integrating the car parks with key consideration given to the key movement issues identified during the trial. A road safety audit would be completed on these plans.	
9.4	08/03/2022	OCM	Sale of No. 26 Brentham Street, Leederville	EDSD	Scheme Amendment approved. Liaising with potential purchaser. Confirmation with adjoining landowner, interested in making offer for purchase.	Late 2023
9.7	14/09/2021	OCM	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan – Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	EDSD	LPSP referred to WAPC for comment and endorsement. 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.	Late 2023

COUNCIL WORKSHOPS

One workshop has been held since 18 October 2023, the items on the agenda were:

- Scarborough Beach Road, Green Street and Brady Street - Blackspot Roundabout project
- Governance Scorecard
- Grosvenor Road Trial Outcomes – Options Analysis
- Children and Young People Advisory Group
- Update on Innovate Reconciliation Action Plan, Reconciliation Action Plan Working Group and Stretch Reconciliation Action Plan
- Sustainability and Transport Advisory Group (STAG) and review the Sustainability Strategy
- Speed Hump Condition Assessment
- Traffic Calming Project Update
- Community Facility Unfunded Priorities
- Update of the Strategic Projects in the Corporate Business Plan 2023/24 – 2026/27
- Update on Vincent Underground Power Program (VUPP)
- Update on North Perth Planning Framework (NPPF)
- Council Capacity Building Program and Decision making Forward Agenda – 2024
- Administration Foyer Upgrades
- Neuron Mobility
- Auckland Street Character Area Nomination

Speed Hump Condition Assessment

As a consequence of a motion arising from the Annual General Electors Meeting, Council at its March 2023 meeting requested a review of speed humps and other interventions in local areas with findings to be presented to a Council Workshop prior to the end of 2023.

Administration presented its findings at the November 2023 Council Workshop with the report included as **Attachment 1**.

Traffic Calming Project Update

At the November 2023 Council Workshop Administration presented an update on various traffic calming projects, the report included as **Attachment 2**.

COUNCIL WORKSHOP AGENDA

28 NOVEMBER 2023

4.7 SPEED HUMP CONDITION ASSESSMENT

Attachments: 1. A visual condition assessment

BACKGROUND:

At the 14 March 2023 Ordinary Council Meeting, Council noted and endorsed item 12.4 point 10.

Motion 4.11 – Speed Humps *“That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023.”*

DETAILS:

The Engineering Team has a reactive roads maintenance budget of **\$232,849** per year, to maintain kerbing, road pavement, speed humps, raised plateaus, median islands, and other road furniture. The Team is endeavouring to update asset management information and GIS mapping of assets which will allow prioritising planned maintenance works in the annual budget.

In January 2023 the Team undertook a high-level desktop review of all speed humps including raised plateaus within the City of Vincent. It was decided that a full detailed condition survey of speed humps including other traffic interventions such as raised plateaus was required to determine a planned maintenance and renewal program. Talis consultants were already engaged in November 2022 to complete other infrastructure asset condition surveys and had capacity in March 2023 to undertake the speed hump condition survey.

In July 2023 results of the condition assessment by Talis Consultants were received. The information is summarised as detailed within attachment 1. All speed hump and raised plateau information is now mapped within the City Asset Management System.

COMMENT:

Following the condition survey, Administration confirms that there are in total **1,128** speed humps throughout the City of Vincent. It is calculated that the replacement cost for these assets is **\$5.5 million** with the majority constructed from Asphalt material.

The condition of all speed humps has been rated as follows –

- Very Good Condition – 9.2%
- Average Condition – 89%
- Very Poor Condition – 1.8%

A speed hump level of service of 'very poor condition' suggests that the device is ineffective and therefore not able to slow traffic speeds as designed.

The Team has started to analyse the need of all 1,128 speed humps, and it is expected that the number of installations may be reduced by around 10% due to factors such as:

- The current placement and location of the Speed Humps.
- Outcomes of the long-term strategic precinct wide traffic modelling which is likely to make some speed humps redundant with new traffic calming measures.
- The implementation of the 40km/h residential speed limit.

Although a short-term decrease in speed humps is likely, longer term the number may increase to address specific residential streets where the 40km/h limit has not influenced driver behaviour and speeding.

DISCUSSION POINTS:

- Need for Planned Maintenance.
- Desired Level of Service.
- 10-year program renewal and replacement cost.

COUNCIL WORKSHOP AGENDA**28 NOVEMBER 2023****ANTICIPATED OUTCOME FROM COUNCIL WORKSHOP:**

To note –

1. the outcome of the condition assessment of speed humps as requested through the Annual Meeting of Electors.
2. Further work required to determine an appropriate level of service for speed humps and applicable environment and use criteria.
3. The requirement for operational maintenance funds to complete "Planned" maintenance of all speed humps within the City of Vincent.
4. A 10-year capital renewal and replacement program to address the desired speed hump level of service needs is to be prepared, with works commencing in 2024-2025 financial year.

A visual condition assessment of the City's Road and footpath network was conducted in March 2023. As part of this survey all speed humps were located, and condition rated. In total there are 1,128 and Figure 1 displays them by material type.

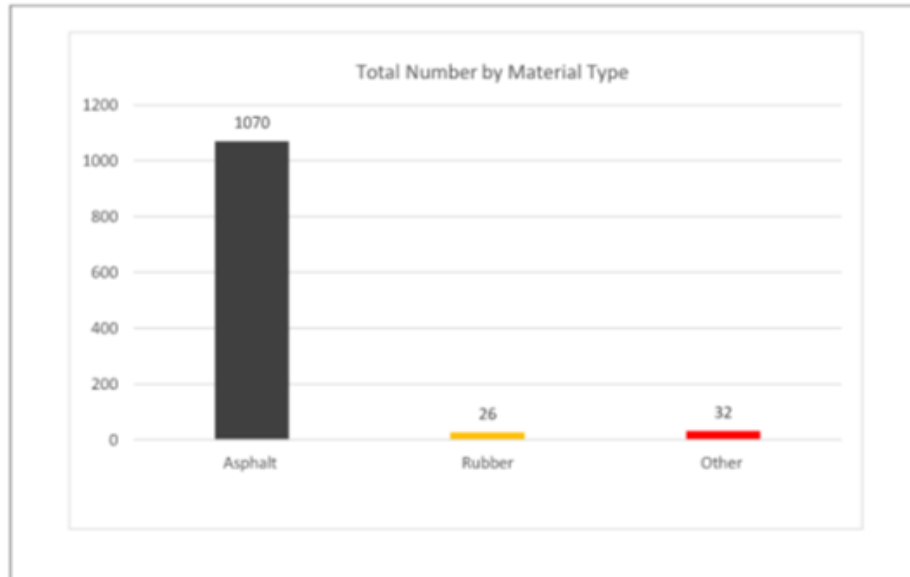


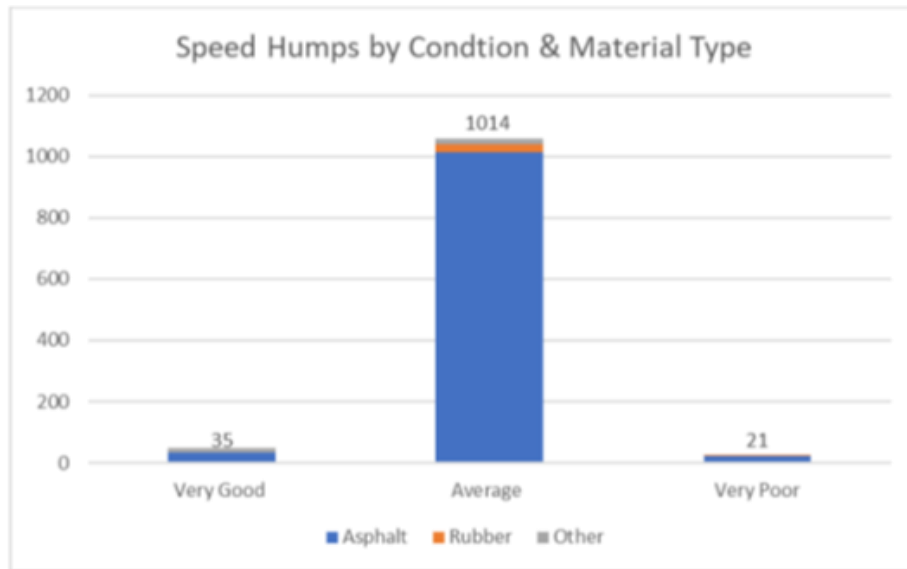
Figure 1 – Speed humps by material type.



Figure 2- All speed humps coloured by material type.

All speed humps were given a condition score from 1- Very Good, 3- Average, and 5- Very Poor.
Note: Functionality was not considered as part of this assessment.

At the time of this survey there were only 21 speed humps there were rated 5- Very Poor



COUNCIL WORKSHOP AGENDA**28 NOVEMBER 2023****4.8 TRAFFIC CALMING PROJECT UPDATE****Attachments: Nil****BACKGROUND:**

Administration has an annual capital works allocation of **\$125,000** per year for "Minor Traffic Management Improvement Program", these funds are municipal funds used for reactive Traffic and Transport project which deals with speeding, community concerns for unsafe roads and other road safety issues which the community requests the City of Vincent to investigate.

Traffic Warrant scoring systems (as per the Austroad Traffic Engineering guidelines) are used to determine if a road requires traffic management intervention. Where a score warrants intervention, the Engineering Team would prepare a concept design and go out for community consultation. If the community is supportive of the concept design, the project and calming device is installed; if not supportive, Administration would take to a Council meeting for final decision on the matter.

If the Traffic Calming warrant score determined there was no need for any intervention, the requesting resident/s would be notified of the outcome.

Planned Traffic and Transport projects which deal with road safety are co-funded or fully funded by Main Roads Western Australia. Funding can be through:

- Federal Blackspot
- State Blackspot
- Low-Cost Urban Road Safety Program

Over 2022-2023 and 2023-2024 financial years, there has been around **\$400,000** of funding provided to the City of Vincent from Main Roads WA for Blackspot projects. Blackspot projects have typically been ad hoc, stand-alone projects that have strict funding conditions attached to.

DETAILS:

Currently Administration has over sixty (60) Traffic and Transport requests, some short-term measures, and other longer-term projects. The Engineering Team is currently working on priority Traffic and Transport Projects, some of which are approved Blackspot funding projects due for delivery in 2023-2024.

Local Area Traffic Management Projects include:

- Britannia Road and Matlock Street Traffic Calming.
- Eucla Street and Federation Street Intersection Changes.
- Green Street and Merredin Street Intersection Changes.

Historical Community Consultation and project Information as of June 2023 is available via the below link:
Local Area Traffic Management Projects | The City of Vincent

Blackspot Projects include:

- Brady Street and Tasman Street Blackspot Project
- Beaufort Street and Harold Street Blackspot Project
- Fitzgerald Street and Lawley Street Blackspot Project
- William Street and Forrest Street Blackspot Project
- Fitzgerald and Forrest Street Blackspot Project
- Broome Street and Wright Street Blackspot Project

Historical Community Consultation and project Information as of August 2023 is available via the below link.
Black Spot Program | The City of Vincent

COUNCIL WORKSHOP AGENDA**28 NOVEMBER 2023****Other Traffic and Transport Projects** include:

- Angove Street and Woodville Street Intersection Changes
Historical Community Consultation and project Information as of March 2023 is available via the below link.
Angove Street and Woodville Street Intersection changes | The City of Vincent
- View Street and Fitzgerald Street Median Island trail.
Historical Community Consultation and project Information as of April 2022 is available via the below link.
North Perth Traffic Calming | The City of Vincent

COMMENT:

The Engineering Team (the Team) has been working through the eleven (11) priority Traffic and Transport projects over the last two (2) financial years and obtaining community support on these 'ad hoc' road safety projects has been difficult. The Team is now conducting precinct wide traffic modelling starting with the Mt Lawley area (including Beaufort Street) and will not deliver any ad hoc projects within the 2024-2025 financial year. This is intended to address traffic safety and intervention analysis on a broader scale with the objective to deliver sound and informed project outcomes.

Current update on projects as of November 2023 are below:

- *Britannia Road and Matlock Street* Traffic Calming – Community consultation has been reviewed with community support for a slow point on Britannia Road to slow traffic. Speed humps and cycle lanes were not supported, the Team is finalising the drawings with works due to start in 2024.
- *Eucla Street and Federation Street Intersection Changes* - Community consultation has been reviewed on Option 1 and 2, 67% of the community do not support options 1 or 2 however if one were to be constructed, 51% would choose Option 1.

This project has come from the Local Member with \$25K of funding already received. The Main Roads WA roundabout design at the corner of SBR, Brady St and Green Street plays a key role regarding this project which is expected to assist in deterring "rat running" down Federation Street and Eucla Street. The design for Option 1 is completed and construction is due to start once agreement has been reached with Main Roads WA on timing.

- *Green Street and Merredin Street Intersection Changes* – On hold to see what positive impacts the new Main Roads WA roundabout design at the corner of SBR, Brady St and Green Street brings. The Team continues to receive community concern regarding safety issues with several crashes witnessed over the last 6 months. The Team will meet with the City of Stirling regarding previous design solutions which is proven to eliminate 95% of crashes but not yet implemented as the City of Stirling were not supportive of the project in 2022.
- *Brady Street and Tasman Street Blackspot Project* - Community consultation has been reviewed with community support for the project. The design is now completed with works starting in early 2024.
- *Beaufort Street and Harold Street Blackspot Project* – Project cancelled, and funds returned to Main Roads WA. Council minutes for the 22 August 2023 OCM can be found in Minutes of Ordinary Council Meeting - Tuesday, 22 August 2023 (infocouncil.biz)
- *Fitzgerald Street and Lawley Street Blackspot Project* – Completed.
- *William Street and Forrest Street Blackspot Project* – Completed.
- *Fitzgerald and Forrest Street Blackspot Project* - Community consultation has been reviewed with community support for the project. The Team has taken into consideration past Blackspot Project treatments within the area, considered future developments and completed some additional traffic modelling.

After careful consideration it is determined that negative impacts on the Wesley Street intersection with Fitzgerald Street is highly likely. Wesley Street intersection with Fitzgerald Street has known safety issues and cannot be negatively impacted upon therefore the Fitzgerald and Forrest Street Blackspot Project is recommended not to proceed as designed.

COUNCIL WORKSHOP AGENDA**28 NOVEMBER 2023**

- *Broome Street and Wright Street Blackspot Project* - Community consultation has been reviewed with community support for the project. The design is completed however delays with Western Power works are ongoing and likely result in delivery being pushed into the 2024-2025 financial year.
- *Angove Street and Woodville Street Intersection Changes* - Community consultation has been reviewed with community not supporting the concept design. The Team recommend the design is reviewed to focus on free-flowing traffic which improves accessibility for pedestrians. Council minutes for the 13 December 2022 OCM can be found in Minutes of Ordinary Council Meeting - Tuesday, 13 December 2022 (infocouncil.biz)
- *View Street and Fitzgerald Street Median Island trail* – Community consultation in April 2022 asked the community if the trial was beneficial. There have been mixed responses with around 50% suggesting it has had a negative impact and 30% suggesting it had a positive impact. The Team has reviewed the traffic data from the Main Roads WA crash map site and recommends that there have been significant benefits with over 80% of crashes eliminated, therefore it should remain permanent.

DISCUSSION POINTS:

- View Street and Fitzgerald Street Median Island trail recommended to become permanent.
- Fitzgerald and Forrest Street Blackspot recommended to be cancelled.
- Angove Street and Woodville Street Intersection Changes recommended not to proceed with the trial.

ANTICIPATED OUTCOME FROM COUNCIL WORKSHOP:

Council NOTES:

1. The process for reactive traffic calming requests.
2. Administration's strategic direction for planned Traffic and Transport requests in conducting precinct wide traffic analysis rather than approving ad hoc individual projects.
3. There is no ad hoc Blackspot Projects for delivery in 2024-2025 financial year.
4. Administration will take the opportunity to improve accessibility including pedestrian crossings and footpaths at the Angove Street and Woodville Street intersection.



CITY OF VINCENT

NOTES

Council Briefing

14 November 2023

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

PRESENT:	Mayor Alison Xamon Cr Ron Alexander 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 (electronically) South Ward
IN ATTENDANCE:	David MacLennan John Corbellini Peter Varris Main Bhuiyan Jim Siu Karsen Reynolds Jay Naidoo Jayde Robbins Paul Morrice David Gerrard Sarah Hill Luke McGuirk Joslin Colli Wendy Barnard	Chief Executive Officer Executive Director Strategy & Development Executive Director Infrastructure & Environment Acting Chief Financial Officer (left at 7.23pm, after Item 8.9) Senior Financial and Projects Analyst (left at 7.20pm during Item 8.7) Coordinator Planning Services (left at 7.02pm during Item 5.6) Executive Manager Development & Design and Strategic Planning (left at 7.02pm during Item 5.6) Manager City Buildings & Asset Management (left at 7.23pm, after Item 6.2 confidential question) Manager Rangers Services (left at 6.39 during Item 5.7) Coordinator Parks Strategy & Project Manager Parks (left at 7.19pm after Item 6.2) Manager Engineering (left at 7.23pm, after Item 8.9) Executive Manager Corporate Strategy & Development Council Liaison Officer
Public:	Approximately eighteen 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 Alex Castle is an apology for this Briefing.

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 David Di Prospero – Item 5.7

- Spoke in support of the recommendation.
- Suggested the land be used for more affordable community housing.

The Presiding Member, Alison Xamon, thanked Mr Di Prospero for his comments.

3.2 Judy Barrows of North Perth – Item 5.3

- Encouraged Council to refuse the application.
- Mentioned precedence surrounding the setback of the property and highlighted discussions with previous Mayor, and mentioned that she was under the impression that there was no precedent.
- Requested written clarification as to where precedence stands as it is being used to compare 80 Auckland Street and 31 Gill Street
- Requested a consultation process which allows at least 6 residents to participate.

Ms Burrows submitted an email following the meeting on the same topic, which is below.

At last night's meeting I raised this issue and was asked to send this question to Governance for a written reply and if different to what the Vincent Planner outlined to me, what the difference is.

By the Vincent Planner:-

I was told that setbacks are decided based on the average of 5 lots either side of a development. First floor setbacks were required at 2 metres or again any precedent.

I was told that Precedence could only be taken from those same 5 properties and only on the same side of the street and could not be assessed based on properties on the opposite side of the street or around the street corner or a build at the rear of the applicants.

Ex Mayor Emma Cole told residents that there was no Precedence.

Question – what is the truth around Precedence in Vincent?

Administration provided the following response:

This query refers to the assessment of street setbacks for the ground floor and upper floor of a house. This relates to assessment against the street setback standards under the City's Policy No. 7.1.1 – Built Form (Clause 5.1). The deemed-to-comply standards for the ground floor and upper floor are:

C5.1.1 *The primary street setback is to be calculated by averaging the setback of the five adjoining properties, either side of the proposed development.*

C5.1.4 *Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.*

This means that for an assessment against the deemed-to-comply standards:

- *For the purposes of calculating deemed-to-comply primary street setback, it is based on the five adjoining properties on either side of the site. This means that properties on the opposite side of the street, around the corner or at the rear of the site are not used to calculate the deemed-to-comply standard.*
- *The upper floor setback deemed-to-comply standard is 2 metres behind the ground floor predominant building line, not 2 metres behind the calculated deemed-to-comply ground floor setback. The ground floor predominant building line is the minimum setback of the proposed development on the ground floor. For this proposal, the minimum setback is 2.97 metres to the Living Room and all other dwelling portions of the ground floor is setback further. 2.97 metres is the ground floor predominant building line along the length of the Auckland Street frontage for this proposal.*

- *Calculating the deemed-to-comply street setback is the only deemed-to-comply standard in the City's Built Form Policy that requires existing setbacks of dwellings on adjoining properties to inform the deemed-to-comply standard – or 'precedence' as it is referred to in the question.*
- *The method of determining the deemed-to-comply standard for street setback under the City's Built Form Policy replaces the deemed-to-comply standard of the R Codes. This means that the deemed-to-comply street setbacks in the R Codes Volume 1 have been replaced by the City's Built Form Policy and do not apply.*

Where a proposal does not satisfy the deemed-to-comply standard for street setbacks set out in the Built Form Policy, it is required to be assessed against the corresponding design principles of the R Codes and local housing objectives of the Built Form Policy.

In this assessment, a proposal is to demonstrate compliance with these design principles and local housing objectives. These are outcomes focused and is not an assessment of how 'close' or 'far' the proposal is from the calculated deemed-to-comply standard.

One of the design principles for street setback for example requires the consideration of the 'established streetscape'. Unlike for calculating the street setback deemed-to-comply standard, this design principle assessment is not limited to five properties adjoining and requires the consideration of other properties in the streetscape. In other words based on the term used in the question, it requires the consideration of other 'precedence' in the streetscape.

Based on the Built Form Policy the home should be set back 7.7m at ground level and 9.7m on first floor. (Average of connecting 5 homes for "Precedence would be more like 8m+)

Based on R20 Codes the home should be set back 6m at ground level and 8m on first floor.

I would also ask whether the Planning Dept has upheld the integrity promised to residents and therefore also request the recorded transcripts of the original meetings between Planners and Riverstone regarding requirements for this block. The Riverstone representative stated in Council that they were given the large reductions to work from at their first meeting with planners.

Question: What is the truth?

There are no recorded transcripts of meetings.

The City's planning officers regularly have meetings with landowners and builders looking to develop a property and who are seeking advice. The City's planning officers provide general advice in those meetings based on the planning framework and relevant policies. If specific or detailed advice is requested by a landowner or builder then a separate written planning advice request is required to be lodged with the City.

Meetings commonly include an explanation by the City's officers of the two pathways available in assessing a development application, being the deemed-to-comply standards and the design principles and also explaining the difference between these.

As part of these discussions, it is available to a landowner and builder to have intentions to propose a house that seeks a design principles assessment and that does not satisfy the deemed-to-comply standards. The acceptability of which can only be confirmed once a development application is lodged and the City can undertake a full assessment and undertake community consultation as required.

The Presiding Member, Alison Xamon, thanked Ms Barrows for her comments.

3.3 Julian Teles of East Perth – Item 5.1

- Provided context of land topography, surrounding streetscape and the proposed development.
- Encouraged Council to support the officer recommendation

The Presiding Member, Alison Xamon, thanked the speaker for his comments.

3.4 Trish Byrne of Perth – Item 5.7

- Spoke in support of the recommendation.
- Requested information on the City's expectation in reference to the shortest possible extension.

The Presiding Member, Alison Xamon, thanked Ms Byrne for her comments.

3.5 David Hunter of North Perth – Item 5.3

- Mr Hunter encouraged Council to refuse the application.

Mr Hunter submitted the comments below in writing, and spoke to them.

Firstly, congratulations to all those newly appointed in your respective roles. We wish you all the best for the future as you continue to make a difference in the City of Vincent.

My wife and I write to you all as the owners of **31 Gill Street, North Perth**. We write in opposition to the *amended* plans for **80 Auckland Street, North Perth**, which is the property directly to the south. Hopefully everyone is aware of the extensive and complex history with this block and series of events that has lead everyone to this point. All the neighbours affected by this development have vehemently opposed this development, resulting in the unanimous decision made by council on the **20/06/2023** deferring the application;

'To allow the applicant to consider a greater graduation of the development as it transitions to the south. This is both distance from the street horizontally across the development as well as greater articulation of the development in setbacks between the ground floor and upper floor.'

Following a review of the Agenda Briefing and the 'Amended Plans', it is quite clear that the applicant has disrespected this direction as they still try to preserve the large house that they wish to have at the expense of others. The applicant has made it clear that they want to house grandchildren and look after elderly parents as set out in the misleading and factually inaccurate **Altus Report**. Those are emotional considerations, which are important, but has no place in discretionary approvals that affect all neighbours in the immediate vicinity. The onus is on the buyer to research and carry out proper due diligence when purchasing a block and to understand limitations when it comes to **R20 zoning** and other factors.

Here is an excerpt from our legal submission from **Glen McLeod Legal**, to provide some context around some of the discretions being sought;

12. The Proposed Development seeks to vary the deemed-to-comply provisions in relation to the street setback requirements in the following ways, providing for:

*(a) a front setback of 2.95 m, a **67% variation** to the required 7.7 m setback;*

*(b) a porch setback of 2.7 m, a **30% variation** to the required 3.85 m setback;*

*(c) a setback for the walls on the upper floor of 1.12 m between the ground floor building line, a **44% variation** to the required 2 m setback; and*

*(d) a northern boundary setback on the ground floor of 1.2m, a **20% variation** to the required 1.5m setback.*

The applicant has made minimal changes to the setbacks, in particular the northern quadrant of the house that affects us the most. The applicant has moved the upper floor setback in 'Bedroom 3' > **1 cm**. That is beyond insulting as we have fought to protect our asset and have some level of fairness applied to this process. There is absolutely no mention of this important detail anywhere in the Agenda briefing. The other changes are minimal including an unnecessary setback of 0.5 cm off the northern boundary which was not directed by Council. This whole endeavour has consumed the last year of our lives and has a taken a personal toll on the mental and emotional well-being of us as a couple and all we expect are changes consistent with Council direction.

The Agenda briefing also mentions the importance of the **DRP on page 6** as repeated questions have been raised regarding the massive disparity in processing and approval times for certain DA's.

'The City has also been seeking to improve its development assessment practices since 2021 to better inform its decision making. This has included introducing Design Review Panel review of single houses'

If this is the case, please be informed that the DRP still has issues with Bulk and Scale as per page 11 on the Agenda Briefing. The changes have not addressed the Bulk and Scale issues. This is because of the level of discretion being sought and the design of the house, which has a prominent ridgeline on a 2 metre pitched roof, not to mention 0.75m eaves that almost negate the 1.12m setback on the upper floor which is already a 40% concession on the 2metre setback rule.

The Agenda Briefing repeatedly mentions our house at 31 Gill Street as a level of precedence because of the concessions we sought for our approval. Bear in mind, our address is 31 Gill Street and our setback falls into line with the other properties on Gill Street. Our levels of concession were nowhere near what 80 Auckland Street seeks.

We also had the decency and foresight to consult our direct neighbours before we put in our development application. If our design impacted our neighbours we would have changed it, without question. It should also be noted that our Upper Floor size is a modest **49%** of our bottom floor, whilst the upper floor size on 80 Auckland Street is **76 %** of the bottom floor. There is a bulk and scale issue with 80 Auckland street, which is being exacerbated by the 2 metre pitched roof and the 0.75m eaves.

My wife and I are reasonable people and we understand there must be some level of discretion, however, as it stands now, the discretion being sought is still unreasonable and it still affecting the adjoining properties mostly through bulk and scale. There are ways to remedy this and lessen the impact of the design, such as ;

- Enforcing bigger setbacks.
- Designing a house with a flat roof
- Excavating down into the block and transitioning to lower levels as the house moves to the south.

Please consider these facts and we hope to see you all out at the block prior to the Council meeting so you can hear the neighbours collective voice.

The Presiding Member, Alison Xamon, thanked Mr Hunter for his comments.

3.6 Fiona Hunter of North Perth – Item 5.3

- Encouraged Council to refuse the application.
- Mentioned that she believes the agenda report contains inaccurate information.

Mrs Hunter submitted the comments below in writing, and spoke to them.

We have been most upset that comparisons have been made in regard to our build that is currently in progress for a number of reasons that we will speak about when we hopefully meet you all on site. However our biggest issue are the comparisons drawn with the bulk and scale of our property.

Please see attached a comparison of our upper floor footprint at 31 Gill Street compared with 80 Auckland Street.

We have 49% upper floor compared with our ground.
80 Auckland has 76%.

Considering one of the main issues with all adjoining neighbours and residents in the street is bulk and scale this is where the problem lies.

When looking at Bulk and Scale, 80 Auckland have also added 0.75m eaves (highlighted blue) to this which brings their already top heavy home up to over 90% coverage of their ground floor footprint.

***Please note that the DRP has also stated that the Bulk and Scale needs to be further addressed. Also I would like it to be noted that we have a 5m ground floor setback on Gill Street in line with all other Gill Street homes.**

The Presiding Member, Alison Xamon, thanked Ms Hunter for her comments.

3.7 Nicola Barnes of Perth – Item 5.3

- Spoke in support of the application, on behalf of the applicants
- Stated that many alterations have been made to the plans in response to neighbours concerns

The Presiding Member, Alison Xamon, thanked Ms Barnes for her comments.

3.8 Joe Algeri of South Perth – Item 5.3

- Stated he is from Atlus Planning and is representing the applicants
- Spoke in support of the application
- Urged Council to take professional advice, mentioning that visual privacy, overshadowing and height of the proposal all comply.

The Presiding Member, Alison Xamon, thanked Mr Algeri for his comments.

3.9 Pauline Holdaway of Claisebrook – Item 5.7

- Spoke in support of the recommendation.
- Mentioned that the companies requesting extension would have contingency plans in place if their extension is rejected, and notes that there would be no risk to the City if the requested extension is rejected.
- Requested that Council maintain their original expiry date and hold true to the commitments made to the community.

The Presiding Member, Alison Xamon, thanked Ms Holdaway for her comments.

3.10 Ross Ioppolo of Leederville – Item 5.8

- Mentioned that he has doubts about the financial outcomes of the project.
- Encouraged new Council Members to watch previous Council meetings to understand the background of this item
- Urged Council to abandon current process and move to a request for tender process.

The Presiding Member, Alison Xamon, thanked Mr Ioppolo for his comments.

3.11 Dudley Maier of Highgate – Item 5.7

- Spoke in support of the recommendation.
- Requested that more information be included in the report regarding the financial aspect of the land and relocating costs.

Item 5.8

- Urged Council to research extensively before making a decision.

The Presiding Member, Alison Xamon, thanked Mr Maier for his comments.

The following statements were received in writing prior to the meeting.

Kathryn Haykin of North Perth – Item 5.3

We are disappointed in the Administration's determination to recommend a development which seeks such excessive deviation to the setback provisions and which has such strong community objections. Successive briefing papers have lacked balance, omitted pertinent context, disregarded reviews by specialist planning and development lawyers and the DRP and the objections raised by the consulted community.

The applicant's obstinate refusal to incorporate permanent privacy screening between themselves and adjoining neighbours supports the conclusion the design brief is to capture city views from every level at the expense of the amenity of occupants, adjoining properties and neighbourhood. The applicant has been afforded numerous opportunities to present a more respectful design that is sympathetic to the streetscape and which addresses the concerns raised by adjoining neighbours. Instead they have elected not to engage or discuss the issues or to make any material changes.

We note the Administration's assessment that "The amended proposal would not substantially change the overall development. The site planning and building form remains similar to the previously deferred plans." We concur with this statement, the design has not materially changed nor has the excessive level of discretion being sought and therefore it is incumbent on the Council to maintain its original position of 20 June 2023.

In making its decision, we implore Council members to:

- 1) Attend a site visit to meet the impacted residents and see for yourselves the context of the proposed development;
 - 2) Read the reasons set forward for refusing the applicant by Glen McLeod Legal (specialist planning and development lawyers) (Attachment 1);
 - 3) Read the reasons set forward by the community why the development is out of context and should be refused (Attachment 2); and
 - 4) View the online recording of 20 June 2023 Ordinary Meeting to provide context to the reasons for the deferral.
- Public question time where multiple statements were presented regarding the development applicant. Commence at time stamp 1:32 and conclude at 31:51
 - Mayor and councillors' debate of item commences at time stamp 49:20

Reason for Deferral

Council's reasons for deferral at the Ordinary Meeting on 20 June 2023 are fully detailed in the online recording. The minuted reasons for deferral, which are included in the briefing paper are an abridged version. The reason for deferral, as voted on by Council was:

"To allow the applicant to consider a greater graduation of the property as it moves to the south, from both a horizontal, so distance from the street and also vertical, to pick up on Mayor Cole's comments. And also to look at greater articulation of the development, so setbacks between the ground floor and the top floor as well."

(online recording of the Ordinary Meeting <https://www.youtube.com/watch?v=TyB-Ha8DJuA> at time stamp 1:01:37)

The minor amendments to the current plans under consideration have not addressed the vertical graduation of the property as it moves to the south. Nor do they materially address the other reasons for deferral.

Streetscape

The applicant has again provided a streetscape which claims to be to scale and favourably presents the proposed development as comparable in bulk and scale to the adjoining property at 78 Auckland Street (refer to Fig 1 below). This is manifestly inaccurate.

Administration were advised of this spurious streetscape, but this inaccurate streetscape and conclusions drawn from it by the DRP and Altus has been included in the briefing paper without correction.



Fig 1. Incorrect streetscape elevation presented to Administration, DRP, Altus and the community during consultation.

Clearly, the proposed 2 storey building with ground floor ceiling heights of 3.5m, on an elevated block will be significantly higher and have a significantly greater bulk and scale than that shown in the applicant's streetscape.

The Altus Planning report draws conclusions based on the grossly inaccurate streetscape presented in Fig 1 (Attachment 6 of the report). These conclusions should be disregarded.

The DRP's comments and its support in relation to 'Context and Character' and 'Aesthetics' have relied on the grossly inaccurate streetscape presented in Fig 1. These should be disregarded.

Inaccurate and Incomplete Information

The briefing paper, including the Applicant's Reconsideration Report, contains factual inaccuracies and conclusions drawn and inferred from incorrect, inaccurate, and incomplete information. This includes:

1. *Administration's reasons for recommending approval of the applicant include "The applicant's proposed outdoor living area would not unduly impact the amenity of the adjoining southern property". This is completely refuted by the residents of this property. The applicant's proposed outdoor living area is elevated, unscreened and directly overlooks the bay window to our living room. Our privacy concerns were recognised by Mayor Cole in her comments made in the Ordinary Meeting 20 June 2023. We extend an invitation to the Mayor and Councillors to come and see for yourselves the impact this proposed development will have on the adjoining neighbours and the street.*
2. Council's reasons for deferral are not stated in full.
3. The term "key changes" is used to describe setback changes to the proposed design of between 4cm and 8cm.
4. *Administration's reasons for recommending approval of the application include "The site planning and aspects of the proposal where discretion is being sought are primarily the result of the irregular lot shape and site characteristics." This assertion is misleading and fails to provide context that the proposed development is 38% larger than the average new-build house in Perth according to the Australian Bureau of Statistics. The magnitude of the discretion being sought by the applicant is primarily the result of overdevelopment of the site.*
5. *Administration's reasons for recommending approval of the applicant include "The design response of the proposed development has been guided by adjoining properties to the north and south along Auckland Street. This has informed street setbacks....." This statement is inaccurate. The design does not take into account the 11m street setback of the southern adjoining property (78 Auckland Street), nor does it follow guidance provided by the Government of Western Australia in the R-Codes Explanatory Guidelines which define an appropriate setback for blocks where the pattern varies, as mid-way between that of the adjacent buildings on either side. The proposal only seeks to be "consistent" with 31 Gill Street, which is a corner block. The R-Codes treat corner blocks differently as they are unable to be consistent with the street setback on both adjoining streets. Non corner blocks (e.g. 80 Auckland Street) should not be consistent with corner blocks (e.g. 31 Gill Street).*
6. Existing Auckland Street streetscape and existing Auckland Street 2 storey buildings are discussed, but is silent on the context that all have R-20 compliant ground floor setbacks equal to or greater than 6m. Resulting in all second storeys being setback from the street equal to or greater than of 6m.
7. The briefing notes state that in relation to the deemed to comply standard "a portion of the outdoor living area is located within the street setback area." This implies an insignificant area, when it is in fact more than 50% of the outdoor living area within the street setback area. The design is so overdeveloped that it can only comply with the outdoor living area requirement by significantly encroaching into the street setback area.
8. Lot creation and site characteristics are discussed, but is silent on the context that:
 - The subject site's 26.2m frontage to Auckland Street is the single largest street frontage on the street by more than 4m;
 - The subject site is elevated 1m higher at the boundary than the neighbouring single storey lot to the South (78 Auckland Street); and
 - The subject site is in a prominent elevated position on the street.

9. Information about a sewer easement on the site is presented as an impediment to development but is silent on the context that the easement and permitted encroachment have no bearing on the actual proposal.
10. DRP's comments in relation to context and character and aesthetics are provided "the addition of a street scape eleva...is positive". However, it is not clear what streetscape the DRP received. This is pertinent as Administration provided community members with a version of the applicant's streetscape (Fig 1) which was grossly inaccurate and not to scale.
11. Administration's response to the DRP includes "the proposed single house has been designed to respond to the primary street setbacks of the adjoining proper". Given the adjoining property on the southern boundary has a street setback of 11m this assertion is very much contested.
12. Page 20 of the briefing notes contains an inaccurate representation of the setbacks along Auckland Street, this has previously been pointed out to Administration. The setbacks shown are not ground floor setbacks, instead they incorrectly show setbacks measured to car ports, verandas. The information shown on this diagram should not be relied upon.
13. The Altus report presents images of varied setbacks (Attachment 5 of the report) but fails to provide the critical context that although the setbacks are varied, they are all R-20 compliant setbacks.
14. Information about the 2018, 2020 and 2021 Lot 80 Auckland Street approvals and the number of community consultation submissions is provided, but is silent on the context of how these community consultations were conducted, who was sent the consultant information, whether there were any conflict of interests (e.g. Lot 31 Gill Street and Lot 80 Auckland Street were owned by the same developer) and how this met with the Councils' guidelines.
15. Planning information about one adjoining property (31 Gill Street) is discussed, but is silent on the context of the other 2 adjoining proper. It is not apparent why planning information regarding 31 Gill Street specifically (a corner block) is relevant to this applicant.
16. The briefing notes state in relation to Auckland Street Character Retention Area that the "*nomination not yet seriously entertained*" This statement is egregious and out of context. Administration fails to provide the details of the nomination and the amount of community support received for the nomination.
17. A comparison with the 2021 Lot 80 Auckland Street approval is provided but is silent on the context that each application assessed on its own merits and that previous approvals do not set any form of precedent (as stated by Mayor Cole).
18. The argument of precedence is used in the Altus report. Mayor Cole has previously addressed precedence in relation to planning and has stated that there is no such thing as precedence and each decision is taken on an individual basis based on its own merit.

Tristan Marshall of North Perth – Item 5.3

As my family and I have been on an extended tour of our beautiful state I have been unable to provide detailed comment on the latest iterations of the planned development under review of 80 Auckland Street . The proposed changes to the design of the building are minimal, do not address the intent of the tribunal and are not considered appropriate by any of the immediate neighbours.

A flat roofed, graduated structure would be far more fitting for this difficult space in an increasingly highly foot trafficked community.

There being no further speakers, Public Question Time closed at approximately 6.36pm.

4 DECLARATIONS OF INTEREST

Cr Nicole Woolf declared an impartiality interest in Item 5.2 No. 12 (Lots: 69 and 80; Plan: 4576) Brookman Street, Perth - Alterations and Additions to Single House Section 31 Reconsideration. The extent of her interest is that a close friend of hers lives next to the proposed development, and her property is mentioned multiple times in the report.

Cr Ashlee la Fontaine declared an impartiality interest in Item 7.4 First Quarter Budget Review 2023-2024. The extent of her interest is that she owns and resides in a property on Forrest Street, North Perth, which is included in one of the items in Attachment 4, Capital Budget including Carry Forward, specifically "Blackspot - Fitzgerald/Forrest North Perth".

5 STRATEGY & DEVELOPMENT

5.7 CONCRETE BATCHING PLANTS RELOCATION PLAN

- Attachments:
1. Relocation of Concrete Batching Plants from Claisebrook - Letter from Mayor to Minister
 2. No. 1 Linwood Court, Osborne Park - Zoning and Aerial Plan
 3. Batching Plants and Operations Depot - Location Plan
 4. Crown Reserve 29320 - Proposed Operations Depot Location Plan
 5. Letter from Minister for Lands - Management Order Crown Reserve 29320 - Confidential

RECOMMENDATION:

That Council:

1. **ENDORSES** the Relocation of the two concrete batching plants from the City of Vincent as per Attachment 1;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 accept a Management Order of Crown Reserve 29320, Mount Claremont for the relocation of the City of Vincent's Depot operations;
 - 2.2 progress development of a Heads of Agreement with Hanson Australia Pty Ltd that is non-binding in relation to the relocation of Hanson's operations to No. 1 Linwood Court, Osborne Park;
 - 2.3 sign a Development Application as landowner of No. 1 Linwood Court, Osborne Park on an Application for Development Approval to the City of Stirling for the relocation of Hanson's Claisebrook Concrete Batching Plant to No. 1 Linwood Court, Osborne Park;
 - 2.4 obtain any required valuations of No. 1 Linwood Court, Osborne Park; and
 - 2.5 prepare a Business Plan that addresses sections 3.58 and 3.59 of the *Local Government Act 1995* in relation to the relocation of Hanson's Claisebrook operations to No. 1 Linwood Court, Osborne Park and the relocation of the City's Depot operations to Crown Reserve 29320, Mount Claremont; and
3. **NOTES** that:
 - 3.1 the Heads of Agreement key terms, along with a Business Plan, setting out Hanson's relocation of the City's depot operations to Mount Claremont and the relocation of their Claisebrook operations to the City's current depot site in Osborne Park would be presented to Council in the future for approval:
 - 3.1.1 To determine the key terms of the non-binding Heads of Agreement with Hanson Australia Pty Ltd; and
 - 3.1.2 To approve public notice and in due course thereafter consider submissions on that Business Plan before Council then decides whether or not to dispose of the land for the purposes of section 3.58 (if required) and enter into a major land transaction for the purposes of section 3.59 of the *Local Government Act 1995*;
 - 3.2 Hanson Australia Pty Ltd has indicated that they are applying to the State Government for development approval so they can continue their operations in Claisebrook while they implement the above relocation plan in the shortest period possible. The Western Australian Planning Commission would be the decision maker on this application and the community and City of Vincent would have the opportunity to comment as part of the State Government's process; and

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- 3.3 Holcim (Australia) Pty Ltd has received development approval to relocate from Claisebrook to an existing Holcim site in Welshpool but construction has not commenced and the company has advised it is also applying to the State Government for development approval so they can continue their operations in Claisebrook. The Western Australian Planning Commission would be the decision maker on this application and the community and City of Vincent would have the opportunity to comment as part of the State Government's process.
4. **AGREES** not to object to the shortest possible extension to Hanson's current planning approval in order to undertake a smooth and orderly relocation of its operations to No. 1 Linwood Court, Osborne Park based on the regional importance of facilitating a high-density mixed-used transit oriented development on its Claisebrook land in line with the City's local Planning Scheme and North Claisebrook Planning Framework (see Attachment 1 – Letter to Planning Minister).
5. **OBJECTS** in the strongest possible terms to any extension to Holcim's planning approval in Claisebrook as there is no legal, planning nor economic justification which would meet the threshold set by the State Government for the WAPC to consider this development application under its extraordinary planning powers and override the City's approved local planning scheme and local planning framework.
6. **AUTHORISES** the Chief Executive Officer to enter into non-binding discussions with Holcim (Australia) Pty Ltd regarding the purchase of No.120 Claisebrook road, Claisebrook to facilitate a high-density mixed-used transit oriented development in accordance with the North Claisebrook Planning Framework.

ADDITIONAL INFORMATION:

In response to questions raised in the public gallery, additional information has been included in the report.

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5.3 NO. 80 (LOT: 102; D/P: 413590) AUCKLAND STREET, NORTH PERTH - PROPOSED SINGLE HOUSE SECTION 31 RECONSIDERATION

Ward: North

- Attachments:
1. Consultation and Location Plan
 2. Development Plans
 3. Applicant Reconsideration Report
 4. 20 June 2023 Council Minutes and Deferred Plans
 5. Auckland Street Render and Perspective
 6. Summary of Submissions - Administration Response
 7. Summary of Submissions - Applicant Response
 8. Clause 67 of the Deemed Provisions and Residential Zone Objectives - Administration Assessment
 9. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 20 June 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVE the application for a Single House at No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth in accordance with the plans shown in Attachment 2 with the associated determination advice notes in Attachment 8, subject to the following conditions:

1. Development Plans

This approval is for Single House as shown on the approved plans dated 29 May 2023 and 6 October 2023. No other development forms part of this approval;

2. External Fixtures

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

3. Colour and Materials

The colours, materials and finishes of the development shall be in accordance with the approved schedule of finishes which forms part of this approval. The development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, prior to occupation of the development;

4. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 (Visual Privacy) of the Residential Design Codes Volume 1 deemed-to-comply provisions, to the satisfaction of the City;

5. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the practical completion of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

6. Street Walls and Fences

The gate and/or fencing infill panels above the approved solid portions of wall shall be visually permeable in accordance with the Residential Design Codes, to the satisfaction of the City;

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7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Landscaping

8.1 An updated detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Spacing between and pot size of proposed trees and plantings;
- Low maintenance groundcover and shrubs, such as native *hibberta scandens* (Snake Vine) or *grevillea obstusifolia* (Gin Gin Gem);
- Areas to be irrigated or reticulated;
- The provision of a minimum 15 percent deep soil and planting areas, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees to maximise canopy coverage within deep soil and planting areas and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list; and

8.2 All works shown in the plans as identified in Condition 8.1 above 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; and

9. Car Parking and Access

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

9.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City.

CR CASTLE (SUBMITTED IN WRITING)

Can you please confirm the planning timeframe for this application now? Did the SAT process stop the clock, or restart the time? Could a deferral be considered a deemed refusal (and are we then likely to proceed to the 8 Dec hearing?)

MANAGER DEVELOPMENT & DESIGN:

The time for deciding the application is 216 days (as of Council's Ordinary Meeting dated 21 November 2023). This is reflective of agreed timeframes with the applicant.

The commencement of the SAT appeal had the effect of not contributing to these application processing days.

The application has already been taken as a deemed refusal and an application for review lodged with the SAT. If Council was to again defer its consideration of the application, it would not change this. The SAT appeal process would continue, with a directions hearing scheduled for 8 December 2023. The purpose of this directions hearing is to plan how the SAT application will proceed following Council's decision. This may include proceeding to final hearing for a decision by the SAT.

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CR CASTLE (SUBMITTED IN WRITING)

Have the applicants continued to engage with the process and do you think they are prepared to discuss any further changes, or do they want Council to just decide on these plans as is?

MANAGER DEVELOPMENT & DESIGN:

Yes the applicant has continued to engage with the application process.

It has been confirmed that the applicant will not consider making any further changes to their proposal and are seeking a decision on the amended plans submitted.

CR CASTLE (SUBMITTED IN WRITING)

A member of the public has mentioned inaccuracies in the Altus report from the applicant – can you shed any light?

MANAGER DEVELOPMENT & DESIGN:

The submission received from the resident detailed several inaccuracies within the applicant's planning report.

These matters have been detailed in and responded to by Administration in its response to submissions received included as Attachment 6 of the officer report. The applicant has also provided a response in Attachment 7.

Several queries related to concerns with specific wording or descriptions within the applicant's planning report.

There were also inaccuracies identified including:

- *Incorrectly stating the amount of submissions received in opposition (three submissions in lieu of nine). This is a factual error and the applicant confirmed and recognised this in their response.*
- *The streetscape elevation prepared not being to scale. Administration raised this with the applicant on the second day of advertising and the applicant provided an updated plan with an accurately scaled streetscape elevation. Community members were emailed once this update was made and the elevation drawing made available on the City's website for viewing.*

Administration has updated the officer report to confirm that the accurate and to scale streetscape elevation is included as Attachment 5 and that the applicant's planning report included as Attachment 3 to the officer report includes the not-to-scale streetscape elevation as initially submitted by the applicant.

CR CASTLE (SUBMITTED IN WRITING)

Can you please clarify if obstruction of view is a valid planning consideration in and of itself, or a factor in considering amenity impact?

MANAGER DEVELOPMENT & DESIGN:

Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape... and where appropriate maintains access to views of significance' is one of the design principles under R Codes Clause 5.1.6 – Building Height.

This means that maintaining access to views of significance can be a planning consideration under the R Codes when there is a design principles assessment required in respect to building height.

The proposal complies with the applicable deemed-to-comply standard in the R Codes. This means there is no design principles assessment applicable and is not relevant for this application.

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CR CASTLE (SUBMITTED IN WRITING)

Could you please prepare an alternative for next week on the basis of the amenity impact as a result of the bulk and scale of the development (similar to alternative prepared in June). Noting this is so Councillors have some options prepared for the Council Meeting should the application be refused and not necessarily an indication of how I will vote.

Reasons for the alternative recommendation are:

Despite minor variations to the setbacks as a result of the SAT process, the combined impact of setback variations sought and the bulk and scale of the development will have a negative impact on the streetscape and amenity of the neighbouring properties, in particular 78 Auckland St to the south.

An Alternative Recommendation for refusal is included below.

That Council, in accordance with Section 31 of the State Administrative Tribunal Act 2004, SETS ASIDE its decision dated 20 June 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, REFUSE the application for a Single House at No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth for the following reasons:

1. *The proposed development is inconsistent with the objectives of the Residential Zone under the City of Vincent's Local Planning Scheme No. 2, as the proposal does not result in a design that is compatible with, and that enhances the amenity and character of the residential neighbourhood and streetscape. This is because the proposed development that faces the Auckland Street frontage does not offer sufficient setbacks to reduce impacts of building bulk to the street and the amenity of neighbouring properties including No. 78 Auckland Street;*
2. *The proposed development does not satisfy relevant design principles of State Planning Policy 7.3 – Residential Design Codes Volume 1 (R Codes) and local housing objectives of the City's Policy No. 7.1.1 – Built Form (Built Form Policy), including:*
 - (a) *Clause 5.1 of the Built Form Policy and Clause 5.1.2 of the R Codes in relation to Primary Street Setback. The development is not set back from the street sufficiently to contribute to, or be consistent with, the established streetscape. The proposed setback from the street results in a building bulk and scale that is not consistent with, and does not contribute to the established streetscape and would adversely affect the amenity of the neighbouring properties including No. 78 Auckland Street; and*
 - (b) *Clause 5.1 of the Built Form Policy in relation to Upper Floor Primary Street Setbacks. The front elevation of the development has not been designed and does not offer sufficient setbacks behind the ground floor building line so as to clearly distinguish all upper floors from the ground floor of the dwelling. This adds to the building bulk and scale presented to Auckland Street that is not consistent with, and does not contribute to the established streetscape; and*
3. *Having regard to the reasons above, the proposed development:*
 - (a) *Is not physically compatible with its setting nor with adjoining developments (Clause 67(2)(m) of the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015); and*
 - (b) *Would have an adverse and detrimental impact on the amenity and character of the locality (Clause 67(2)(n) of the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

ADDITIONAL INFORMATION

All changes that have been made from the plans that were previously deferred by Council are detailed below. The officer report has also been updated to reflect this.

These changes that were not highlighted in the Briefing Session report primarily relate to the setbacks to the primary street (Auckland Street) for every room on the ground and upper floors.

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A side by side comparison of the deferred plans and the amended plans, highlighting the areas of change are also included below and appear in the officer report. These have been included to correspond to the reasons for Council's deferral.

- Setback of the ground floor Alfresco to the southern lot boundary increased from 1.5 metres to 2.8 metres.
- Alfresco roof form change from a pitched roof to a flat roof. The former pitched roof had a maximum height of 4.2 metres. The proposed flat roof has a height of 3.1 metres.
- Ground floor setbacks from Auckland Street as follows:
 - Setback of the Garage to Auckland Street increased from 3.44 metres to 3.48 metres.
 - Setback of Staircase to Auckland Street decreased from 4.36 metres to 4.34 metres.
 - Setback of Living Room to Auckland Street increased from 2.92 metres to 2.97 metres.
 - Setback of Dining Room to Auckland Street increased from 2.92 metres to 3.0 metres.
 - Setback of the Alfresco to Auckland Street increased from 3.0 metres to 3.85 metres.
- Upper floor setbacks as follows:
 - Setback of the upper floor Bed 3 behind the ground floor predominant building line **increased decreased** from **1.34 1.70** metres to 1.66 metres.
 - Setback of the upper floor Staircase behind the ground floor predominant building line decreased from 1.44 metres to 1.37 metres.
 - Setback of the upper floor Sitting Room behind the ground floor predominant building line increased from 0.67 metres to 1.12 metres.
 - Setback of the upper floor Bed 1 behind the ground floor predominant building line increased from 1.29 metres to 1.49 metres.
 - Setback of the upper floor Balcony behind the ground floor predominant building line increased from 0.58 metres to 1.0 metre.
- Garage width reduced from 6.7 metres to 6.4 metres.
- Setback of the ground floor boundary wall of the Garage increased from nil to 0.5 metres to the northern lot boundary.

1. Further consideration to the graduation of the development as it transitions to the south

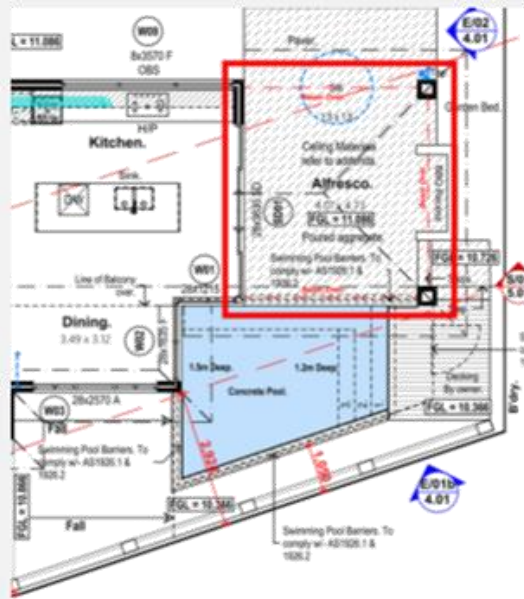


Figure 1 – Deferred Proposal

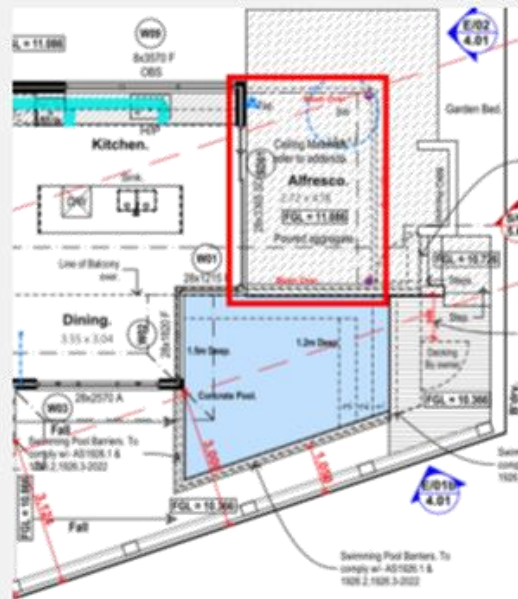


Figure 2 – Amended Proposal



Figure 3 – Deferred Proposal

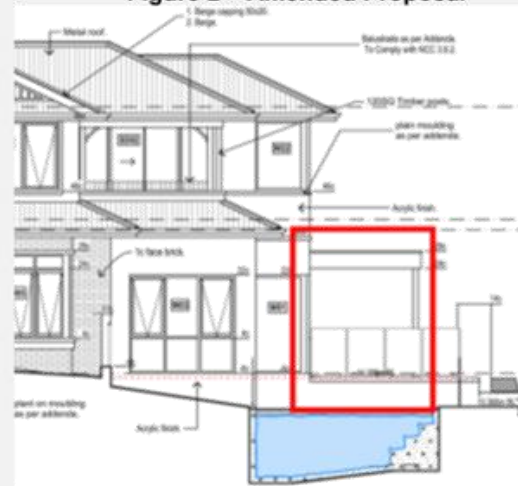


Figure 4 – Amended Proposal

2. Further consideration to the distance from the street horizontally across the development

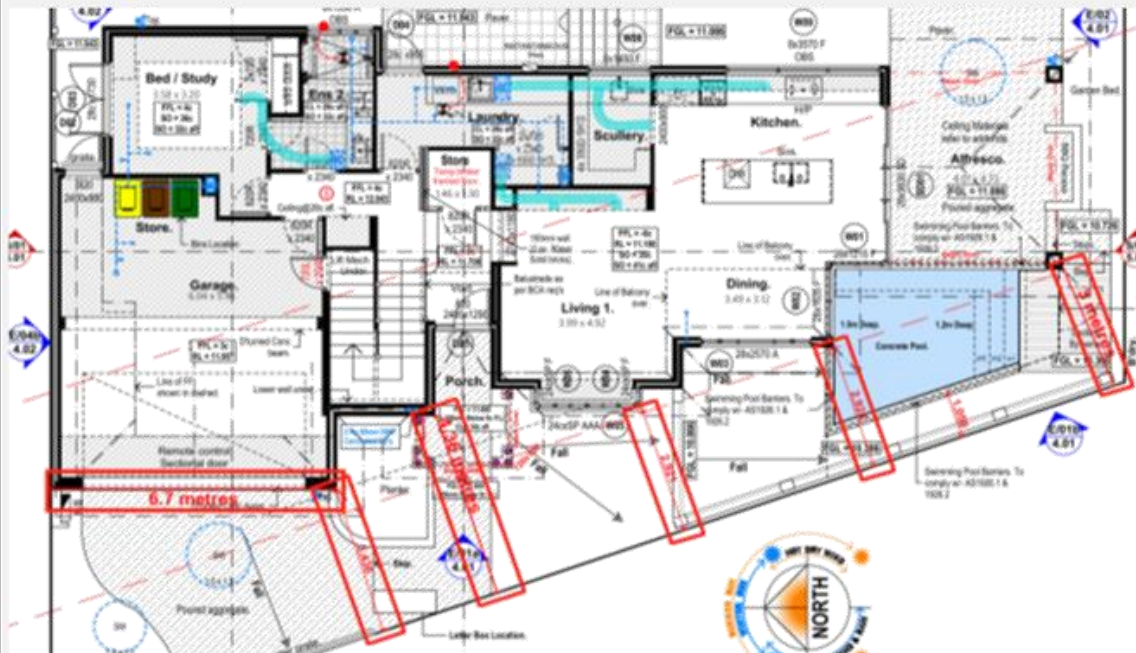


Figure 5 – Deferred Proposal

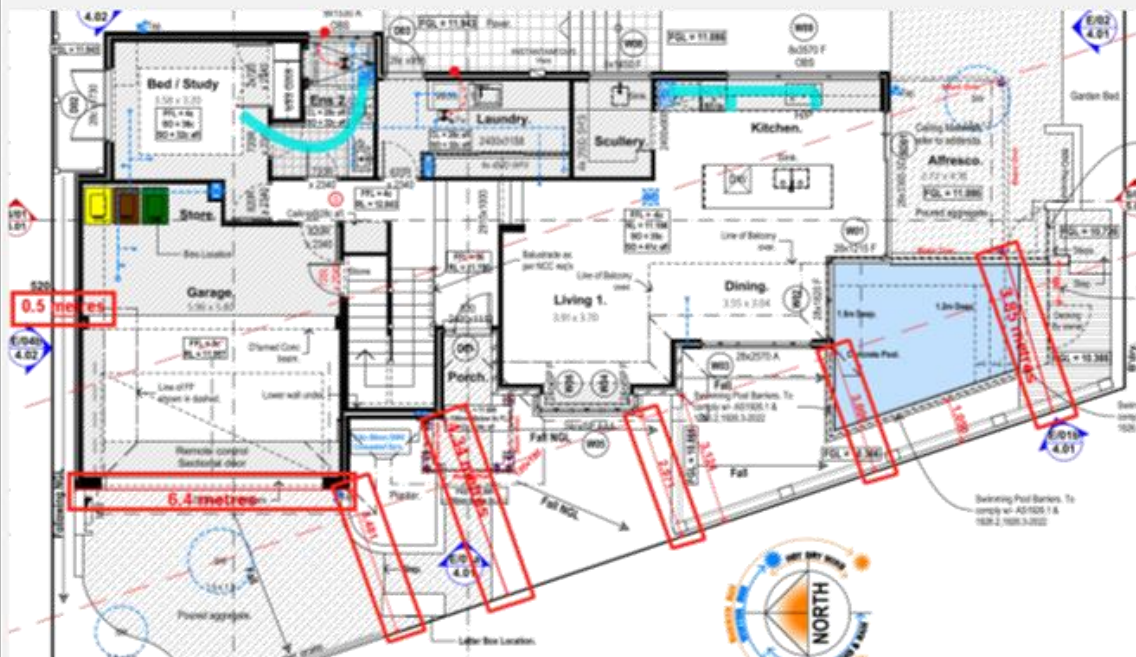


Figure 6 – Amended Proposal

3. Further consideration to providing greater articulation of the development in setbacks between the ground floor and upper floor

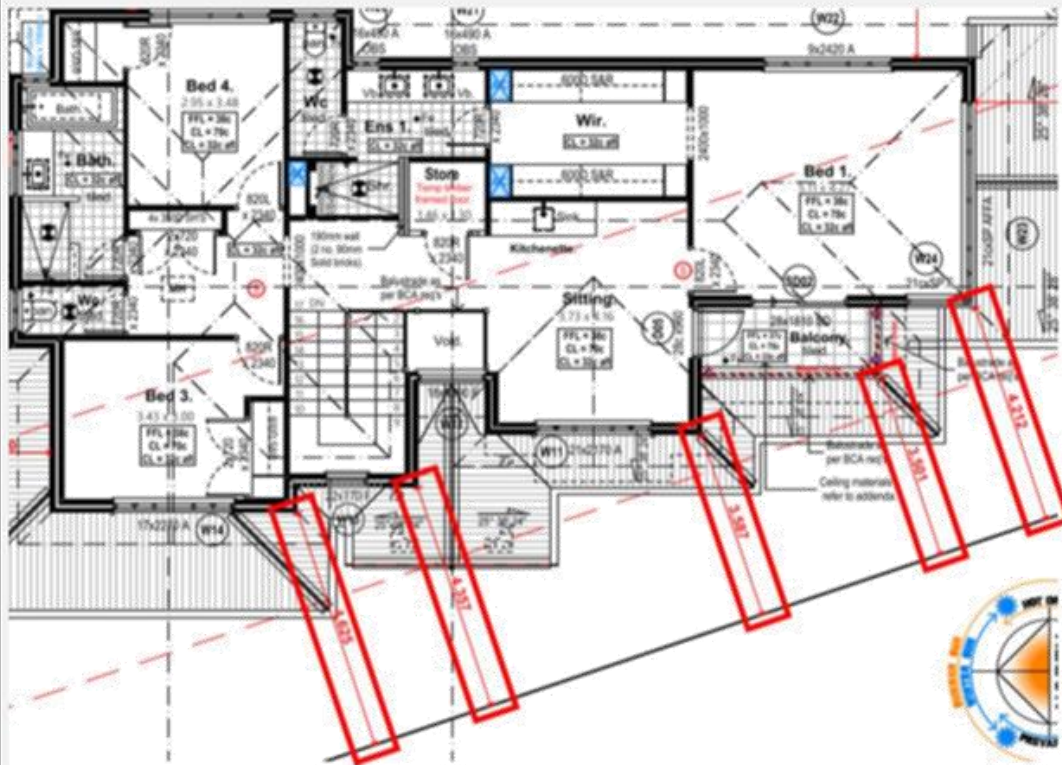


Figure 7 – Deferred Proposal

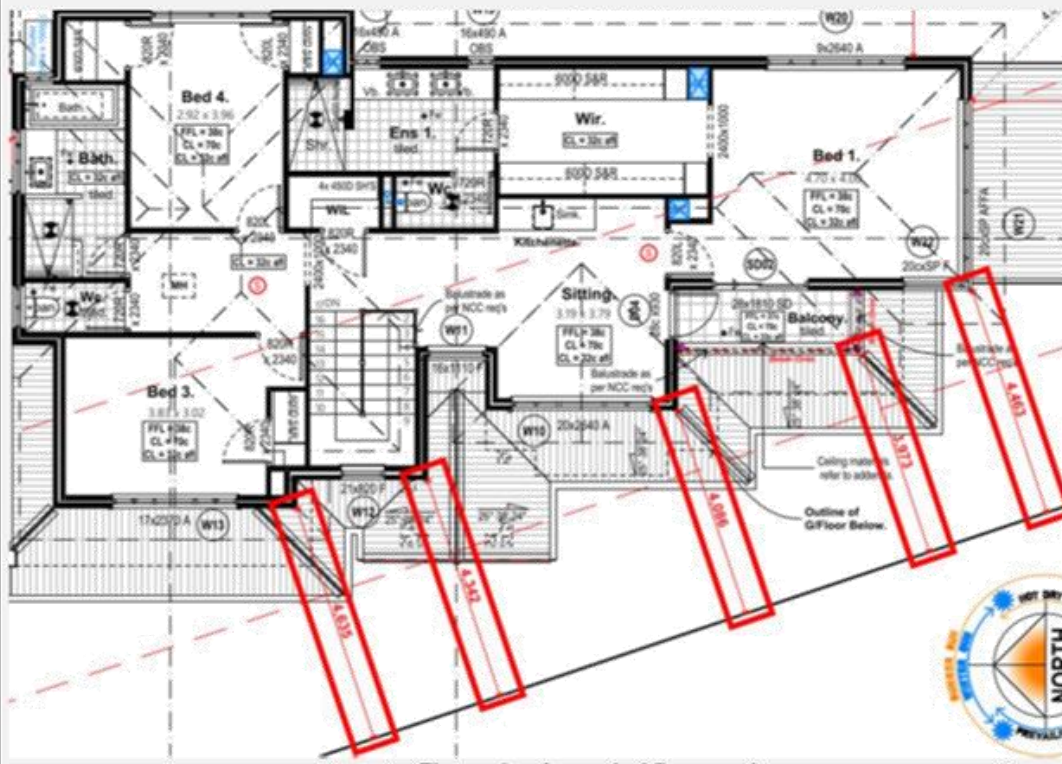


Figure 8 – Amended Proposal

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

5.1 NO. 46B (LOT: 1; PLAN: 417673) JOEL TERRACE, EAST PERTH - PROPOSED SINGLE HOUSE**Ward: South**

- Attachments:**
1. Consultation and Location Plan
 2. Development Plans
 3. Summary of Submissions - Administration Response
 4. Summary of Submissions - Applicant Response
 5. Applicant Context and Character Study
 6. Administration's Streetscape Review
 7. Administration's Height Analysis
 8. Administration's Overshadowing Analysis
 9. Life Cycle Assessment
 10. 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 a Single House at No. 46B (Lot: 1; D/P: 417673) Joel Terrace, East 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 Plans

This approval is for a Single House as shown on the approved plans dated 29 September 2023. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary wall facing No. 56 Joel Terrace, East Perth shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be face brick as shown on the approved plans, to the satisfaction of the City;

3. External Fixtures

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

4. Colours and Materials

4.1 Prior to first occupation or use of the development, the colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, and thereafter maintained, to the satisfaction of the City; and

4.2 The meter box is to be painted the same colour as the wall it is attached so as to not be visually obtrusive, to the satisfaction of the City;

5. Landscaping

5.1 All landscaping works annotated on the approved plans shall be undertaken in accordance with the approved plans, prior to the occupancy or use of the development and maintained thereafter at the expense of the owners/occupiers, to the satisfaction of the City; and

5.2 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the

COUNCIL BRIEFING NOTES**14 NOVEMBER 2023**

satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the visual privacy standards of the Residential Design Codes, to the satisfaction of the City;

7. Car Parking and Access

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

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.

NO QUESTIONS

5.8 OUTCOME OF PUBLIC NOTICE - PROPOSED MAJOR LAND TRANSACTION, LEEDERVILLE

- Attachments:**
1. Business Plan - Leederville Car Parks Major Land Transaction
 2. Proposed Concept and Vision - Appendix 1 of Business Plan - Leederville Car Parks Major Land Transaction
 3. Head of Agreement Key Terms
 4. Summary of Submissions - Administration's Comment
 5. Proposed Additional Public Car Parks in Leederville

RECOMMENDATION:**That Council:**

1. **BY ABSOLUTE MAJORITY**, having considered the submissions made, pursuant to Section 3.58 (3) of the *Local Government Act 1995*, **PROCEEDS** with the Major Land Transaction included in the Business Plan included in Attachments 1 and 2 in accordance with the Key Terms included in Attachment 3 and the Heads of Agreement with Hesperia Pty Ltd, pursuant to Section 3.59 (5) of the *Local Government Act 1995*, for the reason that it would improve the Leederville Town Centre, and **AUTHORISES** the Mayor and Chief Executive Officer to enter into, sign and seal the transaction documents;
2. **AUTHORISES** and **DELEGATES** to the Chief Executive Officer the performance of the City's rights, functions and obligations in any signed transaction documents in relation to the agreement that will need to be made between the City and Leederville Asset Pty Ltd as to the plans and specifications for the new multi storey car park to be constructed by Leederville Asset Pty Ltd or its builder on part of the Frame Court site;
3. **DETERMINES** that the City of Vincent Parking Local Law applies to the car park located on the northern and eastern side of No. 164 Oxford Street, Leederville (Oxford Street SIDE Car Park), between the hours of 4:00pm and 7:00am Monday to Friday and on Saturday, Sunday and Public Holidays, and is to be controlled and managed by the City of Vincent as a parking station, subject to the agreement in writing of the owners of that land and pursuant to Clause 1.5(3)(b) of that Local Law;
4. **DETERMINES** that the City of Vincent Parking Local Law applies to the car park located at No. 629 Newcastle Street, Leederville and No. 40 Frame Court, Leederville (Newcastle Street Car Park), and is to be controlled and managed by the City of Vincent as a parking station, subject to the agreement in writing of the owners of that land and pursuant to Clause 1.5(3)(b) of that Local Law;
5. **AUTHORISES** and **DELEGATES** to the Chief Executive Officer the authority to negotiate and approve agreements between the City of Vincent and the owners for the care, control and management of the Newcastle Street Car Park subject to the following:
 - 5.1 The distribution of parking ticket revenue being split after expenses once the City of Vincent has fully recouped the cost of constructing the parking station on that owner's land, until which time all revenue to be retained exclusively by the City of Vincent;
 - 5.2 Revenue from infringements and any other penalties issued at the Newcastle Street Car Park to be retained exclusively by the City;
 - 5.3 Specified costs including the construction of the car park (demolition, removal of fences, grading, surfacing, drainage and installation of a crossover, landscaping, line marking, lighting, signage and ticket issuing machines) and replacement of boundary fencing and associated work for No. 40 Frame Court post use as a public car park, to be funded exclusively by the City of Vincent;
 - 5.4 Specified costs including the maintenance and repair of the car park and crossover surface, drainage, landscaping, line marking, lighting, signage and ticket issuing machines will be split between the City and owners; and

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

- 5.5 The owners reserving the right to allow all or part of their land to be used in extraordinary circumstances, subject to notice being provided to the City of Vincent; and
6. NOTES that adequate funding exists in the Cash-in-Lieu of Car Parking Reserve to fund the construction of the parking stations and that funding of this project would be considered by Council as part of the Mid Year and 2023/24 Budget.

ADDITIONAL INFORMATION:

Recommendation 3., which relates to the proposed Newcastle Street Car park, has been updated to include an additional qualifier requested by the Water Corporation as follows:

The use of any portion of 629 Newcastle St as a public carpark (and the associated terms) are subject to final approval from the Water Corporation Executive.

Recommendation 5.5, which relates to the owners rights to close the car park in extraordinary circumstances, has been updated in line with a request by the Water Corporation to refer instead to circumstances 'agreed' between the City of Vincent and Water Corporation.

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

5.2 NO. 12 (LOTS: 69 AND 80; PLAN: 4576) BROOKMAN STREET, PERTH - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE SECTION 31 RECONSIDERATION

Ward: South

- Attachments:
1. Consultation and Location Plan
 2. Development Plans
 3. Perspectives
 4. Heritage Impact Statement
 5. 16 May 2023 Council Minutes and Refused Plans
 6. 8 September 2023 Superseded Development Plans
 7. Summary of Submissions - Applicant Response
 8. Summary of Submissions - Administration Response
 9. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 16 May 2023 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVE the application for Alterations and Additions to Single House at No. 12 (Lots: 69 and 80; P: 4576) Brookman Street, Perth in accordance with the plans shown in Attachment 2 with the associated determination advice notes in Attachment 9, subject to the following conditions:

1. Development Plans

This approval is for Alterations and Additions to Single House as shown on the approved plans dated 13 October 2023. No other development forms part of this approval;

2. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, 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. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered, face brick or limestone, or material as otherwise approved, to the satisfaction of the City;

4. Colours and Materials

4.1 Prior to the lodgement of a building permit, a schedule providing detailed specifications of the colour and texture of the building materials, consistent with the annotations on the approved plans, must be submitted to, and approved by the City; and

4.2 The development shall be finished, and thereafter maintained, in accordance with the schedule identified in Condition 4.1, prior to occupation of the approved development;

5. Landscaping

5.1 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 prior to commencement of the development and show the following:

- Areas to be irrigated or reticulated;
- The location and type of proposed plants including the provision of a minimum of

one tree on the subject site within the deep soil area; and

- 5.2 All works shown in the plans as identified in Condition 5.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the approved development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. **Construction Management Plan**

A Construction Management Plan shall be lodged with and approved by the City prior to the issue of a building permit. This plan is to detail how construction (including demolition and/or forward works) will be managed to minimise disruption in the area and shall include:

- The delivery of and delivery times for materials and equipment to the site;
- Parking arrangements for contractors and sub-contractors;
- Dilapidation reports of the adjoining properties at Nos. 10 and 14 Brookman Street;
- Notification to affected landowners; and
- Construction times.

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

7. **Vehicle Access and Manoeuvring**

- 7.1 Prior to the lodgement of a Building Permit, amended plans shall be submitted to and approved by the City, showing the garage door to be 3 metres wide, to the satisfaction of the City;
- 7.2 The layout and dimensions of all parking area shall be in accordance with Australian Standard AS2890.1;
- 7.3 Car parking areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and
- 7.4 Prior to the first occupation or use of the garage, the kerbing and access point to Wellman Street shall be modified to align with the approved garage door. The kerb, bitumen and paving shall be made good at the applicant/owner's expense, to the satisfaction of the City; and

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.

NO QUESTIONS

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

5.4 GREENTRACK INCENTIVES FOR ENVIRONMENTALLY SUSTAINABLE DESIGNED DEVELOPMENTS

- Attachments:**
1. Amended Fees and Charges 2023/2024 (pages 15-16)
 2. RapidLCA City of Vincent Case Study

RECOMMENDATION:**That Council:**

1. **APPROVES BY ABSOLUTE MAJORITY**, in accordance with Section 6.16 of the *Local Government Act 1995*, to adopt the following amendment to the Schedule of Fees and Charges 2022/2023 and as shown in red text in Attachment 1:
 - 1.1 To reduce development application fees for Single House and Grouped Dwelling proposals, including alterations and additions, that submit a Lifecycle Assessment Report in accordance with Local Housing Objectives of Policy No. 7.1.1 – Built Form. The development application fee shall be reduced by the cost incurred by the proponent to obtain the Life Cycle Assessment Report, capped at a maximum reduction of \$200.00 per development application;
2. **SUPPORTS** Administration to implement a trial pre-lodgement consultation service until the end of the 2023/24 financial year for homeowners, developers and designers to receive advice from a member of the City's Design Review Panel on how they can improve energy efficiency in their design; and
3. **SUPPORTS** Administration to implement a Priority Assessment Process where Single House and Grouped Dwelling proposals submit an eligible Lifecycle Assessment Report in accordance with Local Housing Objectives of Policy No. 7.1.1 – Built Form.

CR WOOLF:

Would like to better understand the length of the queue that would be skipped in the priority assessment stream. Can you please provide some indicative timeframes that an applicant would experience with and without a Lifecycle Assessment?

COORDINATOR PLANNING SERVICES:

When development applications are lodged with the City, Administration triage proposals and may prioritise their assessment dependant on a range of considerations including complexity and proposal type.

The timeframe of when the initial assessments are undertaken range dependant on these factors, anywhere from 7 days for proposals of low complexity to 21 days for applications of greater complexity.

Single House and Grouped Dwellings development applications are often considered to be of greater complexity and the initial assessments are undertaken on-average at 21 days or greater, also dependant on Officer workload at any given time.

The GreenTrack process would prioritise the assessment of Single House and Grouped Dwelling development applications submitted with a LCA report at the time of lodgement. Administration have set an indicative timeframe of first assessment to be undertaken within 7 calendar days from lodgement and any assessment of amended plans and/or additional information to also be undertaken within 7 days of submission. This would effectively reduce the timeframe of first assessment by 2 weeks on-average.

By prioritising the initial assessment and re-assessment of these applications, Administration would seek to reduce the overall processing times which would be tracked over time to monitor the success of the priority assessment stream.

The current average processing time for development applications this financial year is 71 days. Based on these current average processing timeframes, if say a 50 percent uptake occurs, the GreenTrack priority assessment would reduce the total processing timeframes for applicable applications by approximately two weeks, reducing their total average processing time down to 57 days.

Administration notes that this re-prioritisation would increase the processing days of remaining Single House and Grouped Dwelling applications that do not submit a Life Cycle Assessment with their proposal to 85 days, which is still within statutory timeframe of 90 days set out in the Planning and Development (Local Planning schemes) Regulations 2015.

COUNCIL BRIEFING NOTES**14 NOVEMBER 2023**

5.5 OUTCOME OF ADVERTISING OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.22 - CONSULTING ROOMS

Attachments: 1. **Draft Amended Local Planning Policy: Consulting Rooms and Medical Centres**

RECOMMENDATION:

That Council **PROCEEDS** with the amendments to Local Planning Policy 7.5.22 – Consulting Rooms, included as Attachment 1, in accordance with Schedule 2, Part 2, Clause 5(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

NO QUESTIONS

5.6 PUBLIC HEALTH PLAN (2020 - 2025) - ANNUAL REVIEW 3**Attachments:** 1. Annual Review - Public Health Plan - 2020-2025 - Review 3**RECOMMENDATION:**

That Council **NOTES** the third annual review and progress towards the deliverables within the Public Health Plan 2020 – 2025, at Attachment 1.

At 7.02pm Coordinator Planning Services and Manager Development & Design left the meeting and did not return.

CR WORNER:

Note that the update states all actions are on track, except for one item, what is the ETA of this action?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

Deliverable 4.3 of the Public Health Plan is to 'Review proposals to introduce new smoke-free environments on City owned land' and is scheduled for commencement this financial year.

This project is proposed to commence at the end of this financial year, in mid 2024. Administration will assess new public places/spaces that could become smoke-free within the City. Thereafter, a report will be presented to Council to propose new designated smoke-free areas in accordance with the Local Government Property Local Law, if suitable locations are identified.

6 INFRASTRUCTURE & ENVIRONMENT

6.1 ADVERTISING OF AMENDED POLICY - STREET TREES

- Attachments: 1. Proposed Amended Street Tree Policy
 2. Policy No. 2.1.2 - Street Trees

RECOMMENDATION

That Council APPROVES the proposed amendments to the Street Tree Policy, at Attachment 1, for the purpose of community consultation.

CR HALLETT:

Objective, care control and management of trees in thoroughfares – can this objective include the increasing the quantities of trees in thoroughfares?

MANAGER PARKS:

The below amendment has been made to the draft policy objective:

To provide guidance for the planting and management of street trees to maximise canopy coverage within thoroughfares.

CR WALLACE:

Street tree planting within the road itself. Could the policy be updated to offer guidance on where in-road planting could be included, where verge planting is not possible?

MANAGER PARKS:

Clause 1 of the draft policy states (in summary) that tree planting locations are determined by the City with the intent of providing continuity of canopy. Therefore this would include tree planting within the verge, median or road subject to investigations and consultation.

CR WALLACE:

Item 5 – street tree protection – can we refer to the Australian Standard on this item? Storage of material and debris within the street tree canopy?

MANAGER PARKS:

The Australian Standards for Protection of Trees within Development Sites (AS 4870-2009) predominantly refers to the tree protection zone (TPZ) which is calculated from tree measurements (12 times the trunk diameter at breast height). The TPZ generally correlates to the canopy drip line of the tree.

Given the space constraints within some areas of the City, Administration did not believe it would be feasible to expect exclusion of the TPZ for all developments. It was therefore included in the draft Policy for provision of a protection zone two meters from the base of the tree.

Clause 5(ii) point two has been amended to include that the no building materials are to be stored within the fenced off protection area. Point four which states that building material must not be stored under the canopy has been removed to provide consistency within the policy.

Administration will be providing additional guidance on tree protection for developments within the supporting policy procedures and guidelines.

At 7.19pm Manager Parks left the meeting and did not return.

6.2 RFT IE233/2022 LITIS STADIUM CHANGEROOM REDEVELOPMENT

- Attachments:**
1. Evaluation Worksheet RFT IE233-2022 - Confidential
 2. Project on a Page (POAP) - Litis Stadium Changeroom Development
 3. Britannia North West Reserve Development Plan - Council Endorsed
 4. Litis Changeroom Concept & Floor Plan

RECOMMENDATION:**That Council:**

1. **NOTES** the outcome of the evaluation process for Tender IE233/2022 Litis Stadium Changeroom Redevelopment; and
2. **ACCEPTS** the tender submission of Schlager Group Pty Ltd for Tender IE233/2022 Litis Stadium Changeroom Redevelopment.
3. **APPROVE** the capital project budget of \$1,724,799, as outlined in the 2023/2024 First Quarter Budget Review (November 2023- OCM report) for the Litis Stadium Redevelopment and Floreat Athena Football Clubroom refurbishments;
4. **ALLOCATE** a capital project budget of \$1,600,000 in the 2024/2025 annual budget for the delivery of this project and update the 4 year capital works program accordingly.

CONFIDENTIAL response provided separately

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

6.3 RFT IE254/2023 INDOOR POOL CHANGE ROOM RENEWALS AT BEATTY PARK LEISURE CENTRE

Attachments:

1. Evaluation Summary - Confidential
2. Project on a Page - Beatty Park Changeroom Upgrade

RECOMMENDATION:**That Council:**

1. **NOTES** the outcome of the evaluation process for Tender IE254/2023 Indoor Pool Change Room Renewals at Beatty Park Leisure Centre; and
2. **ACCEPTS** the tender submission of LKS Constructions (WA) Pty Ltd for Tender IE254/2023 Indoor Pool Change Room Renewals at Beatty Park Leisure Centre.
3. **ALLOCATES** an additional \$650,000 to be sourced from the 2024/25 Annual Budget to fund the Indoor Changeroom renewal project over two financial years.

CR HALLETT:

In relation to the reallocation of the funds from 24/25 budget, why was that? Was the estimate significantly less than what was proposed in the submissions?

MANAGER CITY BUILDINGS & ASSET MANAGEMENT:

No the estimate was not less, this project was planned to be delivered over two financial years and therefore the budget was funded over two financial years. A modification has been made to clause 3 of the recommendation, to clarify that \$550,000 allocated in the 2024/2025 (4 year capital budget) has been recommended to increase to \$650,000 to allow for project contingency bringing the total project budget to \$1,300,000 (funded over two years 2023/24 & 2024/25).

7 COMMUNITY & BUSINESS SERVICES**7.1 FINANCIAL STATEMENTS AS AT 30 SEPTEMBER 2023**

Attachments: 1. Financial Statements as at 30 September 2023

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 30 September 2023 as shown in Attachment 1.

CR HALLETT:

Can you clarify cancelled projects of Solar installation in Belgravia and Replace electrical distribution boards in the capital works schedule report as at 30 September 2023.

ACTING CHIEF FINANCIAL OFFICER:***Belgravia Solar Installation project:***

The roof structure will need improvements in order to support the solar panels and structures. The project was to be funded by contribution from Belgravia. They have identified other projects they would like to priorities and pursue. In addition, given the current lease terms are for four years, Belgravia does not see any benefit or payback in the short term.

Replacement of Electrical distribution boards:

The electrical distribution board replacement–(part of the asbestos management program) has been completed. The funds have been reallocated to the Miscellaneous asset renewal budget which is used for reactive maintenance and these types of unplanned capital replacements should the need arise.

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 SEPTEMBER 2023 TO 30 SEPTEMBER 2023

- Attachments:**
- 1. Sept 2023 Payment by EFT and Payroll
 - 2. Sept 2023 Payments by Direct Debit
 - 3. Sept 2023 Payments by Cheques

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 September 2023 to 30 September 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$7,591,415.94
Cheques	\$240.30
Direct debits, including credit cards	\$160,440.49
Total payments for September 2023	\$7,752,096.73

NO QUESTIONS:

7.3 INVESTMENT REPORT AS AT 30 SEPTEMBER 2023

Attachments: 1. Investment Statistics as at 30 September 2023

RECOMMENDATION:

That Council **NOTES** the Investment Statistics for the month ended 30 September 2023 as detailed in Attachment 1.

NO QUESTIONS:

COUNCIL BRIEFING NOTES

14 NOVEMBER 2023

7.4 FIRST QUARTER BUDGET REVIEW 2023-2024

- Attachments:**
1. Statement of Comprehensive Income 2023/24
 2. Rate Setting Statement 2023/24
 3. Reserves 2023/24
 4. Capital Works Budget 2023/24

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2023/2024 Annual Budget:

1. A net decrease in the Operating result of \$1,819,530 as per Attachment 1;
2. An increase to Cash Backed Reserves of \$586,684 as per Attachments 2 and 3;
3. A net increase in the Capital Expenditure Budget of \$681,538 as per Attachment 4; and
4. A net increase in the closing surplus of \$1,908,932 resulting in a forecast year end surplus at 30 June 2024 of \$1,954,040 as per Attachment 2.

CR CASTLE (SUBMITTED IN WRITING):

Were the legal fees for the Heads of Agreement etc unbudgeted or in excess of estimates? Why the increase?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

Last year's budget for the Leederville Car Park Redevelopment project was \$170,000 but only \$90,000 of that was spent by 30 June 2023, as much of the work occurred in July as the Heads of Agreement negotiations were finalised. As a result an additional \$60,000 is being requested as part of this first quarter budget review. The remaining \$190,000 is being requested on the basis that Council decide to proceed with the Major Land Transaction, in order to develop and finalise the transaction documents.

CR CASTLE (SUBMITTED IN WRITING):

Can you provide detail of the extra legal fees for various land matters?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The \$130,000 is being requested on the basis that should Council decide to proceed with the concrete batching plant relocation plan for Hanson Australia Pty Ltd, with the \$100,000 estimated for development of the Heads of Agreement and Business Plan. An additional \$30,000 has been requested in order to finalise the Business Plan, though no estimate for this work has been provided and it would be dependent on the submissions received and legal issues that required consideration at that time.

8 CHIEF EXECUTIVE OFFICER

8.1 COUNCIL BRIEFING AND ORDINARY MEETING OF COUNCIL DATES FOR 2024

Attachments: 1. Council Briefing and Ordinary Meeting of Council Dates 2024

RECOMMENDATION:

That Council:

- 1. **ADOPTS** the 2024 monthly cycle of Council Briefings and Ordinary Meetings of Council, each commencing at 6:30pm and held at the City of Vincent Council Chambers, 244 Vincent Street, Leederville, as listed below and shown in the calendar at Attachment 1; and

Council Briefing	Ordinary Meeting of Council
6 February	13 February
12 March	19 March
16 April	23 April
14 May	21 May
11 June	18 June
16 July	23 July
13 August	20 August
10 September	17 September
15 October	22 October
12 November	19 November
3 December	10 December

- 2. **PROVIDES** local public notice of the Council Briefing and Ordinary Meeting of Council dates, time and place, as listed in Recommendation 1. above.

NO QUESTIONS:

8.2 APPOINTMENT OF COUNCIL MEMBER AND COMMUNITY REPRESENTATIVES TO THE CITY OF VINCENT AUDIT COMMITTEE

- Attachments:**
- 1. Resume - Applicant 1 - Confidential
 - 2. Resume - Applicant 2 - Confidential
 - 3. Resume - Applicant 3 - Confidential

RECOMMENDATION:

That Council:

- 1. In accordance with section 7.1A of the *Local Government Act 1995*, **APPROVES BY ABSOLUTE MAJORITY** the appointment of the following Council Members to the City's Audit Committee for the term 22 November 2023 to the date of the next ordinary local government election, 16 October 2025:

- Cr _____;
- Cr _____;
- Cr _____;
- Cr _____;

- 2. In accordance with section 7.1A of the *Local Government Act 1995*, **APPROVES BY ABSOLUTE MAJORITY** the appointment of the following three external independent members details contained in Confidential Attachments 1, 2 and 3 to the City's Audit Committee for the term 22 November 2023 to the date of the next ordinary local government election, 16 October 2025:

- Applicant 1;
- Applicant 2;
- Applicant 3;

NO QUESTIONS:

8.3 APPOINTMENT OF COUNCIL MEMBERS TO CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL

Attachments: Nil

RECOMMENDATION:

That Council:

1. **APPOINTS** the following Council Members to the Chief Executive Officer (CEO) Performance Review Panel for the term 21 October 2023 to the next ordinary local government election, 18 October 2025:
 1. Mayor Xamon Chairperson
 2. Cr
 3. Cr
 4. Cr

2. **NOTES** appointed Council Members are required to undertake relevant CEO performance review training course provided by the Western Australian Local Government Association (WALGA), or similar industry recognised training provider, within six months of appointment to the panel.

NO QUESTIONS

8.4 APPOINTMENT OF COUNCIL MEMBERS AND COMMUNITY REPRESENTATIVES TO ARTS ADVISORY GROUP

- Attachments:**
- 1. DRAFT Arts Advisory Group - Terms of Reference
 - 2. Arts Advisory Group nominations - November 2023 - Confidential

RECOMMENDATION:

That Council:

- 1. **APPROVES** the Terms of Reference for the Arts Advisory Group, as at Attachment 1;
- 2. **APPOINTS** the following Council Members as Council's representatives on the Arts Advisory Group for a term expiring on 18 October 2025.

Members:

- 1. Cr _____;
- 2. Cr _____;

and the Chair of the Advisory Group will be Cr _____;

- 3. **APPOINTS** to following community members to the Arts Advisory Group, as detailed in Confidential Attachment 2;

- 1. Applicant 1;
- 2. Applicant 2;
- 3. Applicant 3;
- 4. Applicant 4;
- 5. Applicant 5;
- 6. Applicant 6;
- 7. Applicant 7;

NO QUESTIONS

8.5 APPOINTMENT OF COUNCIL MEMBERS TO THE METRO INNER NORTH JOINT DEVELOPMENT ASSESSMENT PANEL

- Attachments:**
- 1. Department of Planning, Lands and Heritage Letter - Local Government Nominations
 - 2. Local Government Development Assessment Panel Members - Nomination Form

RECOMMENDATION:

That Council **APPOINTS** the following Council Members to represent the City of Vincent on the Inner City North Joint Development Assessment Panel (JDAP) for the period 26 January 2024 to 26 January 2026:

Member:

- 1. Cr
- 2. Cr

Alternate Members:

- 1. Cr
- 2. Cr

NO QUESTIONS

COUNCIL BRIEFING NOTES**14 NOVEMBER 2023**

8.6 APPOINTMENT OF ELECTED MEMBER TO THE METROPOLITAN REGIONAL ROAD SUB-GROUP (CENTRAL)

- Attachments:**
1. Metropolitan Regional Road Group WALGA reference information for Elected Members on a Regional Road Group.
 2. Metropolitan Regional Road Group Policies and Practices.

RECOMMENDATION:

That Council APPOINTS _____ as the City of Vincent Elected Member representative on the Metropolitan Regional Road Group, Sub-Group (Central) for a term expiring on 18 October 2025.

Sarah left at 7.19pm

NO QUESTIONS

8.7 POLICY DOCUMENT REGISTER AND REVIEW PLAN - PROGRESS UPDATE AND IMPLEMENTATION REVIEW 2023

- Attachments:**
1. Policy Document Register and Review Plan (clean)
 2. Policy Document Register and Review Plan (marked up)
 3. Policy Review Schedule 2024
 4. Policy Review Statistics
 5. Policy Review Summary

RECOMMENDATION:

That Council:

1. **APPROVES** the:
 - 1.1 updated Policy Document Register and Review Plan, at Attachment 1; and
 - 1.2 Policy Review Schedule for the remainder of 2024 at Attachment 3; and
2. **NOTES** the:
 - 2.1 Policy Review Statistics at Attachment 4; and
 - 2.2 Policy Review Summary at Attachment 5

At 7.20pm Senior Financial and Projects Analyst left the meeting and did not return.

NO QUESTIONS

8.8 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 18 OCTOBER 2023

- Attachments:**
1. Minutes of the Audit Committee Meeting 18 October 2023
 2. Attachments to Audit Committee -18 October 2023 - Confidential

RECOMMENDATION:**That Council:**

1. **RECEIVES** the minutes of the Audit Committee Meeting of 18 October 2023, as at Attachment 1 and Confidential Attachments as at Attachment 2; and
2. **APPROVES** the recommendations from the Audit Committee as follows:
 - 2.1 **RECEIVES** the HR Policies and Procedures Audit Report and Use of Assets & Resources Report at Attachment 1;
 - 2.2 **ENDORSES** the management comments provided by Administration which are included in the Audit Reports at Attachment 2;
3. **NOTES :**
 - 3.1 the findings and any actions arising from the internal audits will be included in the City's audit log until such time as they are completed; and
 - 3.2 any new or emerging corporate risks, identified as a result of the internal audit findings, will be documented, assessed and managed through the City's Risk Management Framework

NO QUESTIONS

8.9 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Catalina Regional Council meeting held on 19 October 2023
 2. Statistics for Development Services Applications as at the end of October 2023
 3. Unrecoverable Parking Infringements Write-Off
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 6 November 2023
 6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 7. Register of Applications Referred to the Design Review Panel - Current
 8. Register of Petitions - Progress Report - October 2023
 9. Register of Notices of Motion - Progress Report - October 2023
 10. Register of Reports to be Actioned - Progress Report - October 2023
 11. Council Workshop Items since 7 September 2023
 12. Council Meeting Statistics
 13. Council Briefing Notes - 10 October 2023

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated November 2023.

CR HALLETT:

Register of SAT appeals I note that there was a hearing on Friday for a new mediation date on item number 3 Nos. 41-43 & 45 Angove Street, North Perth, do you have any update on the outcome? What is the status of new application?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The SAT Appeals register has been updated to confirm that the directions hearing scheduled for 10 November 2023 was vacated and has been rescheduled for 2 February 2024.

The new application is under assessment and is currently awaiting further information from the applicant.

At 7.23pm Manager Engineering left the meeting and did not return.

At 7.23pm Financial Controller left the meeting and did not return.

At 7.23pm Manager City Buildings & Asset Management left the meeting and did not return.

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**11.1 UNDERTAKINGS RELATING TO THE PARKING LOCAL LAW 2023****RECOMMENDATION:**

That Council:

1. **RESPONDS** to the Joint Standing Committee on Delegated Legislation indicating its agreement to the following undertakings in respect to the City of Vincent Parking Local Law 2023:
 - 1.1 Provide feedback to the Committee by 27 November 2023, about how Australian Standard 1742.11-1999 and a symbol specified from time to time by Standards Australia for use in the regulation of parking can be accessed by the public free of charge;
 - 1.2 Within 6 months, amend clause 2.16 and correct typographical errors in clauses 1.6 and 2.6(1);
 - 1.3 Ensure the local law will not be enforced in a manner contrary to Recommendation 1.2;
 - 1.4 Ensure all consequential amendments arising from Recommendation 1.2 will be made; and
 - 1.5 Where the local law is made publicly available by the City, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.
2. **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.
3. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed amendment local law and public notice will be provided to the Minister for Local Government;
4. **NOTES** that any submissions received as a result of the public notice provided as set out in recommendation 2 above will be presented to Council for consideration; and
5. **APPROVES** the amended days and times of operation of the Parking Facilities under the care, control and management of the City, as shown in Attachment 3.

NO QUESTIONS:

12 CLOSURE

There being no further business, the meeting closed at 7.24pm.