



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

27 April 2021

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 27 APRIL 2021 AT 6.00PM**

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Alex Castle	North Ward (electronically)
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward (electronically)
	Cr Joshua Topelberg	South Ward
	Cr Ashley Wallace	South Ward (electronically)
	Cr Sally Smith	North Ward (electronically)
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Andrew Murphy	Executive Director Infrastructure & Environment (electronically from 6.12pm during Item 3A)
	Virginia Miltrup	Executive Director Community & Business Services (electronically)
	John Corbellini	Executive Director Strategy & Development
	Jordan Koroveshi	A/Executive Manager Corporate Strategy & Governance
	Tara Gloster	Manager Policy & Place
	Wendy Barnard	Council Liaison Officer

Public: Approximately seven members of the public.

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

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

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

3.1 Sam Carrello of Como – Item 12.2

- States that he is general manager of Dental Health Services WA
- Requests that lease on the clinic be extended in parity with Kidz Galore
- States that the business case has been delayed due to the State Government elections
- Requests that the clients have to move only once, as they do not handle change well

The Presiding Member, Mayor Cole, thanked Mr Carrello for his comments.

3.2 Simon Thackrah of Perth – Item 12.1

- States that he has been involved in Norwood Neighbourhood Association for 10 years
- States that he is supportive of recommendation
- Mentions that they believe they can get more volunteers
- Requests that the community garden be allowed to continue in some form

The Presiding Member, Mayor Cole, thanked Mr Thackrah for his comments.

3.3 Ross Ioppolo of Leederville

- States that he lives on Vincent Street
- Mentioned that the vehicles parked on the verge are obstructing the vision of people coming out of their driveways
- Mentioned that the Rangers have advised that verge parking by residents is allowed under the law
- Requests the City to consider this law in the interest of public safety

The Presiding Member, Mayor Cole, thanked Mr Ioppolo for his comments.

The following questions were submitted prior to the Meeting and were read out by the A/Executive Director Corporate Strategy and Governance.

3.4 Gary Simmons of Perth – Item 9.1

May I congratulate you on the work and time spent on this complex matter as the plan addresses and provides for well thought out multi-use purposes for all community members.

Question:

In respect to the proposed removal of the heritage “Player huts” located on the northern section of the existing lawn tennis courts (which DPLH has approved subject to compliant photographic and written evidence) can Council please consider and direct its planners to amend the draft plan to retain these amenities so that they are congruent to the use of the adjacent proposed landscape area and proposed community garden. In my opinion this will provide for a shaded retreat for community members to relax and enjoy the sense of place that is being created and at the same time preserve the heritage aspect of these outbuildings. By all means still have them photographed and documented for precautionary reasons.

3.5 Mary Collura-Oldham of Perth – Item 10.2

I'm here in support of Proposal 10.2.

I understand that Council has the unenviable task of balancing the needs of visitors, businesses and residents within this area.

However, rightly or wrongly what I continue to hear is that somehow the needs of residents are secondary to the preferences or expectations of businesses or the public.

For instance, I noted with interest that last week additional details concerning residents' current off-street parking provisions were requested to assist in consideration of the proposal. I wonder whether similar questioning or consideration was given in approving the following highly popular cafes/restaurants and businesses.

I note we now have:

- Chu bakery – with only street parking
- Boo Too –with only street parking.
- Sayer Sisters, Miller and Baker and the adjacent businesses along Lake Street – with only street parking.
- Numerous businesses/cafes along Bulwer Street – with only street parking.

- The nearby hostel (Witches Hat Hostel) - although has some on-site parking it clearly cannot accommodate patrons at all times, as we have seen that parked vehicles overstaying the parking limits have been patrons of that hostel.
- The proposal before you suggests a one hour parking limit on the residential side of the street in acknowledgement I think that residences also have a life and daily business to conduct. Personally I think there is a case to be made for resident only parking along the residential side of the street. However, the current proposal is the least that can be done to compensate for the impact that approvals of businesses in this area has had on residents lives.

I hasten to add, this proposal is not about preventing people from accessing the park or businesses – it's about acknowledging that residents have needs too.

- The point that I have tried to make last week and tonight, is that I, along with my neighbours, encounter daily challenges in gaining reasonable access to our homes and this has become increasingly impossible over the last few years. The recently collected data presented for consideration this evening, does not at all, in our view, reflect the day to day experience of myself or my neighbours. In our experience by 9.30am on weekdays – the street is already almost to capacity. And on weekends it is consistently at capacity.
- As I tried to impress upon you last week, the issue is not just about our personal access to our homes, it is also the issue of adequate parking being available for family and friends who may want to visit and indeed essential services required within our homes. Obviously as I get older, this will be increasingly problematic for me and for others in my position.
- As you know residents along Glendower Street do not have street verges. I do not know why this is the case and whether it has ever been the case. So this option (which is enjoyed by other Vincent residents is not available to us) – my neighbours along Lake Street for instance have this option. Even if all residents had rear access ways or constructed off-street parking there would still be a need for street parking for service providers to access our homes.
- As I've stated before my need for parking is an essential requirement in order for me to conduct my daily life. If a member of the public arrives and is unable to find parking in this area they are undoubtedly disappointed but they have the option of moving to another area to access another park or another café. I do not have this same option. And even if you were to say to me well move out of the area - the fact remains that the issue will be faced by the next occupant of my home.
- Finally, what is most disheartening and frustrating to me is that currently - there are some people who are enjoying the privilege of free all day parking. The fact that people are parked all day restrict other members of the public **and residents** from having access to parking bays. I'm not sure why all day free parking should be allowed to continue under the current circumstances especially given these individuals may or may not even be ratepayers??? Adding salt to this wound is the fact that some people are enjoying all day free parking whether this is in a three hour restricted parking area or unrestricted area. And so the issue of adequate ranger patrols and monitoring of parking is extremely important in helping alleviate parking congestion – whatever the decision tonight.

My Questions again are:

1. What strategies are in place to encourage activation of other parks within the City of Vincent and to also encourage/promote use of these parks for festivals and/or other community events?
2. What strategies are in place to improve public transport to and from the park especially when there are festivals or events in place?
3. What strategies and responsibilities are placed on organisers of such events to provide a parking strategy for volunteers and attendees and to also monitor and police potential congestion and parking issues?
4. Most importantly, will the council commit to ensuring that the increasing and competing demands for parking in this area will be managed with sensitivity to the needs of residents. We should not be forgotten.

An associated issue that has not really been given much discussion and consideration is the fact that Glendower Street – is both a busy thorough fare and parking lot and these two aspects often create a chaotic, unsafe and unpleasant ambience for all concerned.

3.6 Suzanne Burke – Emmerson St, North Perth – Item 13.1

Recently a decision was made to retain the newly spread woodchips at Beatty Park Reserve as part of the Eco Zoning program. It is important to note that this program was rolled out without prior consultation or

engagement with the community. When the woodchips arrived at the park we were immediately alarmed as previous administrative staff had made a commitment to us that woodchips would not be used at the park ever again as they were a direct contributor to blocking drains in the carpark at the rear of our properties. For clarity: When there is significant rain or a storm, the woodchips float on the water and travel to the lowest point which is where the drains are located, directly behind our properties. When the drains are blocked, the water travels onwards and into our properties. In 2010 this caused significant damage to our homes after a large volume of water flooded our home externally and internally. This is not an isolated incident but was certainly the worst and was very traumatic.

The recent decision to use and retain woodchips has been made despite residents providing historical evidence of woodchips blocking drains during significant rain events and subsequently causing flooding to homes on Emerson St on more than one occasion. No logical reason or benefit has been provided to us to explain why it is important for the woodchips to remain. We fail to understand how their use outweighs the health and safety of residents.

Over a series of meetings on site at the park in March of this year, residents have met with the Executive Director of Engineering, all councillors, the CEO and the mayor to plead our case. On the 10th April we received an email letter from the CEO stating that the woodchips would remain and presented no risk of contributing to a flooding event.

I have since sent three emails to the CEO with no response asking the following and I would like a response:

Can you please provide more details on who has made this decision? Is it the CEO? The Mayor? Was it voted on by councillors? If there was a vote, what exactly was voted on, and who cast their vote and which way. I believe we are entitled to know who has provided support and who hasn't. In the interests of full transparency this information must be provided.

In addition, the letter from the CEO states that the woodchips do not increase the flood risk to our properties. How can the CEO come to this conclusion when the evidence clearly contradicts this?

It is my understanding that the Hydraulic Report in 2017 prepared by external consultants showed water coming across the park from all directions. However, I have not been able to verify this, because despite requesting a copy of this report on multiple occasions I am still waiting to receive it. Is there a reason why COV administration cannot release a copy of this report which is a public document? If not, can you please provide it as requested? If this does indeed show water coming from the Charles/Vincent corner of the park, which it has been proven that woodchips float across on, will the CEO reverse this decision?

Undertaking these works without engagement has created great distress for residents. Further to this, when residents have raised valid concerns a compromise was implemented to split the garden into half gravel and half woodchips. However in the view of residents this still leaves us at risk. This issue has created distress and endless hours of meeting, time spent writing emails, taking levels and caused sleepless nights. I support Jonathon Hallett's decision to put forward this motion and encourage COV to comply with its claims of engaging with community, being accountable and transparent in their decision making to avoid others having to go thru the lack of engagement and lack of empathy that we have encountered.

3.7 Vern Gardam of Mt Lawley – Item 9.2

The Briefing notes to Councillors summarised my comments at the Briefing session as: "*Mentioned that there are errors in the report and attachment.*"

This is incorrect. I have viewed the tape and I said there are errors in the report and there is a missing Attachment which was identified. It was an appendix Attached to the Consultant's report if administration provided and more detailed consideration to what typical past and present projects may sit at different points of the IAP2 Spectrum. This attachment is referred to in the Consultant's report - page 16 para 3. The Appendix was not attached to the Consultant's report that went to the Briefing session. It does not form part of the Consultant's report that council has before it this evening.

At the Briefing session I requested information about the Community Consultation panel. In particular

- (i) how many panellists,
- (ii) how were they selected,
- (iii) how many attended the meeting with the consultant
- (iv) what feedback did the Community panel provide the Consultant

(v) what, if any, feedback did administration provide to the panel. And if feedback was provided when was it provided?

The Manager Policy & Place advised at the meeting that the attachments were not labelled but are on page 47 of the report. In relation to the questions regarding the Community Consultation panel, the reports contains details of the Community workshop which answers those questions.

3.8 Dudley Maier of Highgate

1. What council workshops have been held since 23 March 2021 and what items were presented at each workshop?
2. Prior to September 2019, monthly financial statements and expenditure were included in the agendas for the following month. When the council had two meetings a month the expenditure figures were included in the first meeting of the following month, and the financials were included in the second. The Director has said that the extra month is required to make adjustments and prepare reports. Why was it possible to provide the reports in a more timely manner before September 2019, but not since? Given that the staff said that the proposed meeting cycle would increase transparency around financial statements, thus tying transparency to timeliness, do you agree that the city is less transparent than it was prior to September 2019? Why isn't expenditure available immediately after the end of the month?
3. What was the cost of traffic management at the recent plant sale?
4. Were council members made aware that \$45,000 for the demolition of the Beatty Park Pavilion was included in the 2018/19 Operating Budget before they approved that budget?
5. Why does the press release about the film project, published on 1 April, say that the project is in its fourth year when in reality the project has been going since 2005?
6. How many members of the public, apart from the presenters/facilitators, participated in the Mighty Raw COVID Arts project, and when were the commentaries for the two live AFL games provided?
7. How many of the '16 public artworks in six months', as listed in the press release of 6 July 2020, were actually delivered in the six months?
8. How many times has the community engagement panel met since its inception? Given that membership of advisory groups and committees is made public, why isn't membership of the engagement panel made public? Who is on the panel? The answer to a previous question about the waste strategy project indicated that 43 members were invited and that 20 registered. Why weren't the number that actually participated provided? How many actually participated?

Administrations' responses will be provided in the Agenda for the 18 May 2021 Ordinary Council Meeting.

The following statements were submitted prior to the Meeting and were read out by the A/Executive Director Corporate Strategy and Governance

3.9 Teresa Mangione of Perth – Item 12.1

I spoke at the briefing last Tuesday in regards to the same matter (8.1) where Mr MacLennan assured me that I would be contacted during the week by Jordan . This did not happen ?

I wish to put forward my proposal in relation to the relinquishment by the City of Vincent of my neighbouring property @ 34 Cheriton St, Perth. In the incidence that The Dept. of Lands and Heritage choose to progress with the sale. I propose to purchase and restore the property to its former glory, offer it for lease back to the City of Vincent or Museum of Perth, also allowing the Norwood Garden Assoc. to continue their community garden on the land. I have offered this many times over the past 5 years to the City of Vincent and The Department my interest being to try and resolve the drug use and squatter issues on the property. As I stated at the briefing last Tuesday, there is no mention or copy of any correspondence from me containing my proposal. My proposal would alleviate the financial burden from the Department, while still enabling the Museum of Perth to occupy the property and a big plus being, additional funding to The Department resulting from the sale.

Please consider my offer.

3.10 Dudley Maier of Highgate - Items 13.1, 10.2 and 9.2

Something similar to the Notice of Motion (Item 13.1) was proposed by the community at the AGM, so Council had the opportunity to institute something like this before. This motion therefore appears to be in response to a single issue (Beatty Park Reserve) rather than addressing a broader principle.

Moving this, at the same time that the council is considering the consultation policy (Item 9.2), highlights a flaw of the draft policy. If the consultation policy was well structured, Cr Hallett's motion would simply be a case of making an amendment to the policy. This would provide the community with some visibility and some certainty about whether consultation would take place in similar situations. The policy as it is drafted, does not seem to provide either visibility or certainty to this, and the myriad of similar situations. The policy only seems to provide some visibility and certainty for planning issues.

The fact that the administration is proposing to make changes to parking restrictions (Item 10.2) before it has consulted the community indicates to me that all of the preparation work with consultants over the last few months has been completely lost on some members of the administration who should have been on top of this.

It is also of concern that the draft policy provides a lot of nice sounding words, but not much for which we can hold the administration to account. In this regard it is a step backwards. The fact that there are still a number of typos, indicates to me that this has been rushed and is more about ticking a box, or meeting a deadline, than producing a considered piece of work.

3.11 Ben McLaughlin of Perth – Item 9.1

As the facility manager of Robertson Park Tennis Centre for the previous 10 years, I would like to formally express my support for the proposed Robertson Park Development Plan, in particular, the planned development of Robertson Park Tennis Centre.

The synthetic and hard tennis courts are at the end of their lifespan and in desperate need of re-surfacing. Resurfacing all the courts to hard courts, would be more cost effective long term, and is a recognised surface suitable for player development, events, tournaments and competitions.

Changing the existing lighting to LED will provide very high quantity and quality of light and provide good visibility for players at night for evening play and will require less ongoing maintenance. This is also a much more environmentally friendly option compared to the current set up.

Robertson Park Tennis Centre is at capacity Mon-Fri during peak hour (5:30-9:30pm). Any additional lit courts would cater for the current demand as we regularly turn away players. Although the grass courts are cosmetically pleasing, they are considered more of a luxury. They are expensive to maintain \$66,000 pa and require on going treatment at times and are unplayable for long periods of the year. There are also no lights on the grass which means they can't be used during peak evening times.

I have no objection to the proposal of introducing 3 multi-purpose courts. I believe this will attract the wider community to use the facility.

For many years we have experienced an issue with the parking lot. The carpark is generally full however, these people are not visiting Robertson Park Tennis Centre or the park. I have a team of staff who are required to work at the facility for 4-12 hours per day and are fearful of receiving a parking ticket. I support the proposal of increasing the parking space. Also, would the council consider allocating a set number of parking bays for staff?

Overall, the most important aspect for the development proposal for me, would be to see improved fencing with a more secure entrance to the facility and, public toilets being built in the park. Over the past 10 years, we have experienced many incidents with anti-social behavior in the park which generally results in unruly visitors at Robertson Park Tennis Centre.

The rest of the development plan looks extremely welcoming and I'm an advocate for introducing the wider community to this fantastic park.

There being no further speakers, Public Question Time closed at approximately 6.25pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

These questions were received at the Council Briefing on 16 March 2021

3.1 Liam Burns of Mount Hawthorn – Item 5.7

Since CoV has many streets with houses of character that would benefit from the additional oversight that Character Retention brings, should a more robust system be put in place, sooner rather than later, to propose streets or sections of streets for consideration? In fact where streets, for example like sections of Flinders Street, Mount Hawthorn, as there is no significant developments that have changed the character of the houses not be automatically included or at least considered. Once a development that changes or destroys the character has taken place the argument of precedence gains significant weight.

Currently the Character Retention Area Policy is a community led initiative requiring owner nomination to consider areas for Character Retention. The City is investigating opportunities to streamline the process of identifying and designating areas for character retention more broadly.

3.2 Jason Hughes of Mount Hawthorn – Item 5.7

POLICY NO: 7.5.15 CHARACTER RETENTION AREAS AND HERITAGE AREAS set out in Part 2 that:

- 2.1 A Character Retention Area may include the following:
 - 2.1.1 A collection of no less than five adjoining buildings;
 - 2.1.2 A street block; or
 - 2.1.3 A part of, or whole suburb.
- 2.2 A Character Retention Area may be nominated in writing by a member of the public or by the City.
- 2.3 The City will only proceed with the nomination of the Character Retention Area where it is demonstrated by the nominee that owners of at least 40% of affected properties support proceeding with the nomination.

I note that the wording of 2.3 places a positive onus on the City, that is, at least 40% of the affected properties affected must be in favour of inclusion, not just 40% of those properties that respond during any consultation process.

Question 1.

Would the Council please confirm that the requirements of section 2.3 of POLICY NO: 7.5.15 CHARACTER RETENTION AREAS AND HERITAGE AREAS were satisfied in relation to the inclusion of a portion of Kalgoorlie St in the Character Retention Scheme given:

1. The summary of consultation results included as an attachment to the Council Minutes of 11 February 2020 indicates that whilst the nominated area of Kalgoorlie (between Anzac Road and Ashby street) received 54% support in the initial community consultation meeting:
 - a. no details were provided as to whether this was 54% of the affected properties or included other unaffected properties both in and outside of Kalgoorlie St.
 - b. the number of affected Kalgoorlie St properties that participated in the initial consultation process totalled only four (4) out of 34 i.e. well short of the required 40%
 - c. unaffected properties were included in the City's statistics as it notes that a further 5 residents in the remaining portion of Kalgoorlie street participated in the consultation process, with 3 in support and 2 objecting. Under clause 2.3 the support of unaffected properties should have disregarded in any decision to proceed with the nomination of a portion of Kalgoorlie Street.

As an aside I note that this suggests that at most only 9 residents in Kalgoorlie St out of over 115 as a whole (less than 8%) participated in the initial consultation process to consider its nomination in any character retention scheme.

2. The notes to the Council Briefing on 9 February indicates that 8 out of 35 affected Kalgoorlie St properties (24%) provided responses over the course of the formal consultation process, of which 100% objected to the inclusion of the nominated portion of Kalgoorlie St.

The number of affected properties in Kalgoorlie St total 35, accordingly, at least 15 of the affected properties are required to positively support the proposal to satisfy the "at least 40%" threshold for

inclusion in the scheme under clause 2.3, not 40% of respondents. It would appear from both the minutes of the 11 February 2020 and the current Council Briefing Notes that the requirement for any portion of Kalgoorlie Street in the Scheme has been satisfied.

Question 2

Can the Council please advise why it is considered appropriate that less than a majority (greater 40%) of affected properties is required to support inclusion in the Scheme but greater than a majority (greater than 60%) (Clause 6, POLICY NO: 7.5.15 CHARACTER RETENTION AREAS AND HERITAGE AREAS) is required to remove the affected portion of the Scheme.

Noting that 100% of respondents by affected Kalgoorlie St properties during the formal consultation period objected to inclusion. Based on a similar approach to that seemingly being adopted to its inclusion, this would also satisfy the support requirements for its exclusion.

Clause 2.3 of Policy No. 7.5.15 requires that 40 percent of owners in the affected area support the nomination. The requirements of 2.3 were met for Kalgoorlie Street where 16 out of 34 affected property owners supported the nomination (47 percent).

The 40 percent and 60 percent relate only to the nomination for Council to consider either including or removing a Character Retention designation, not to the final decision Council would make. In both instances the City requires a significant basis of support to engage in the process of working with community to include or remove a character retention designation. The above factor is also considered in the determination of a Character Retention Area.

These questions were received at the Ordinary Council Meeting on 23 March 2021.

3.3 Ross Tolley of Mt Hawthorn – Item 9.7

I have sought and obtained legal advice in relation to the inclusion of Kalgoorlie street in the Character Retention Policy.

I along with other residents of Kalgoorlie street oppose the inclusion of Kalgoorlie street on the basis that Kalgoorlie street is no longer supported by the 40% requirement and pose the following question to Council: Can the Council please consider applying clause 3.4 of LPP 7.5.15 to abandon Kalgoorlie street from the policy in light of the prevailing views that the residents of Kalgoorlie street on clear evidence presented in the briefing meeting and other consultative opportunities no longer wish to proceed with the Character Retention policy for our street?

Please see attached legal advice from Lavan.

Thank you for your time and the opportunities to engage with Council on this policy.

Legal Advice from Paul McQueen at Lavan Lawyers

I refer to the above matter listed on the agenda of the City of Vincent (City) ordinary council meeting on Tuesday, 23 March 2021 at 6pm and your letter dated 2 March 2021. In particular, I confirm that I have been instructed by Ross Tolley and Christine Stevenson of Kalgoorlie Street, Mount Hawthorn to provide legal advice and related written submission in relation to the proposed inclusion of Kalgoorlie Street in the City's Character Retention Area Policy (Mount Hawthorn).

In particular, and consistent with item 9.7 on the Council Agenda, Amendment No.4 to Local Planning Policy 7.5.15 – Character Retention and Heritage Areas (LPP), proposes the addition of new character retention guidelines for a number of areas (including part of Kalgoorlie Street). As you may be aware, my client, and a number of other resident's on Kalgoorlie Street have campaigned for the removal of the Kalgoorlie Street from the proposed LPP on the basis that the proposal is no longer supported by the community.

I note that the premise of the Amendment (pertaining to a number of areas including Kalgoorlie Street) is based on preliminary community consultation carried out in 2019. It would appear from the officer's report to Council that the basis for the nomination is in fact the views of majority of the owners at the time of the original nomination (consistent with the clause 2.3 of the LPP).

Importantly since then there has been a clear articulation in subsequent consultation by a number of owners in Kalgoorlie Street objecting to Amendment No.4 to the LPP. Despite that being the case, the officer's report

appears to overlook that opposition due to the assumption that the majority of owners who were part of the original nomination did not subsequently make a submission or complete a further survey during the subsequent community consultation.

With respect, this assumption is flawed, and in circumstances of serious and significant implications for the residents of Kalgoorlie Street (arising from the implementation of the proposed character retention area) does not represent the current views of the requisite a percentage of the community in Kalgoorlie Street.

Further, I draw to your attention clause 3.4 of the LPP which indicates that the City may abandon the nomination at any time during the process if there is a prevailing view from the community that it no longer wishes to proceed. I note with concern that no reference to this option is presented in the officer's recommendation to Council, despite the clear indication that this is indeed the prevailing view of the residents in Kalgoorlie Street.

In summary, whilst it is accepted that the original consultation carried out in 2019 represented the necessary percentage of residents in support of the nomination of Kalgoorlie Street for character retention, that is certainly no longer the case. Accordingly, in the interest of procedural fairness, a further consultation of that community is required prior to making a formal resolution for the application of the LPP to Kalgoorlie Street. In addition and any event, it is my client's instruction to me to request that Council should give consideration to clause 3.4 of LPP and now abandon the proposal with respect to Kalgoorlie Street.

The Officer Recommendation to include Kalgoorlie Street was based on the below:

- 1. The initial nomination received by the City in 2019 demonstrated over 40 percent of owners supported the proposed inclusion of Kalgoorlie Street into LPP 7.5.15. Throughout subsequent consultation stages, original nominators remained silent creating difficulty in assessing whether their initial support for the proposal was withdrawn;*
- 2. Subsequent submissions received during the consultation period and prior to the Council Meeting mostly identified two issues which resulted in amendments to the advertised guidelines to address these issue; and*
- 3. An extensive review of Kalgoorlie Street indicates a predominant character representative of an early 20th century streetscape façade, for which the guidelines provisions of LPP 7.5.15 seek to retain as was understood was the intent of the original nomination.*

Notwithstanding the above Officer recommendation, having consideration of the number of objections received, Council resolved to exercise its discretion in line with Clause 3.4 of LPP 7.5.15 and remove Kalgoorlie Street from proposed Mount Hawthorn Character Retention area.

3.4 Dudley Maier – Highgate – Item 12.7

1. What Council Workshops have been held since 24 November 2020 and what items were presented at each workshop?

There was one further workshop since 24 November 2020 and that was held on 23 February 2021. Topics on the agenda were:

- Western Metropolitan Regional Council (WMRC) Presentation: Verge Valet*
- Community Engagement Framework*
- Development on City Owned or Managed Land Policy - Progress Update*
- Robertson Park Development Plan*
- Britannia North West Reserve Development Plan*
- CEO KPIs 2020 - 2021: 7 Strategic Projects Monthly Update*
- Service Delivery Review Program 2021*
- FY20 Australasian LG Performance Excellence Program - Key Findings of Benchmarking Report*
- Review of Council Members - Allowances, Fees and Reimbursement of Expenses Policy (4.2.7)*
- Review of Council Member Contact with Developers Policy (4.2.15)*
- Update - Commercial Waste Services Transition*
- Update on new Code of Conduct and CEO Standards*

2. Why has the time taken for the letter concerning the Uluru Statement blown out to three months?

There was no specific deadline for the completion of the letter. Care was taken to ensure the letter was drafted in a sensitive and appropriate manner. This letter has now been completed and forwarded to the Prime Minister and key political figures.

3. With regards to the demolition of the Alfred Spencer Pavilion, how do you reconcile the claim that “all bricks, concrete, masonry, metals and wood were recovered for recycling”, with the statement from the workers doing the demolition that they were only recovering the aluminium, window frames and copper pipes. Again, did the contract have a requirement to recover as much as possible, yes or no?

The City can reconcile this claim because the demolition process involved initial separation of metal on site before all remaining material was carted off to a recovery plant where brick, masonry, remaining metal and wood were recovered. The contract did not have a specific requirement “to recover as much as possible” as this is not necessary; recovery is standard practice and is economically advantageous to contractors due to the landfill levy.

4. Given that Beatty Park Reserve is on the state register of heritage places, place number 3553. Was approval sought from the Heritage Council before the Alfred Spencer Pavillion was demolished? If yes, when was it obtained?

The Heritage conservation Plan for Beatty Park states that “The 1994 adaptations of the original City of Perth Aquatic Centre, the later additions to the north of the original complex completed in 1994, together with the associated car park, and the Alfred Spencer Pavilion are of little cultural heritage significance”. On that basis approval was not sought from the Heritage Council.

5. Last month I asked questions about two grants for street Christmas parties, to the value of \$2,776 and \$2,582 and specifically what the payments were for. I got what I found was an evasive answer saying it was for Christmas parties, which is something I had already identified. So what exactly were those grants spent on? For example, food, beverages, etc and how much was spent on each element? Why wasn't I provided with the correct answer the first time?

The grants are used by residents to close their street to hold a Christmas gathering. A break down of the costs for each of the grants is provided. The funds are primarily used to offset the cost of closing the thoroughfare.

\$2,776.00 – Christmas Party #1

\$2498.10 – Traffic Management Fees

\$84.30 – lodgement of road closure with Police

\$193.60 – face painter, Christmas decorations & catering

\$2,582.40 – Christmas Party #2

\$2498.10 – Traffic Management Fees

\$84.30 – lodgement of road closure with Police

6. Were people that moved motions at the AGM notified that responses to their motions are on tonight's agenda?

It was reflected in the minutes of the AGM that responses would be at the 23 March 2021 Council Meeting.

7. On page 79 of the agenda the report concerning waste strategy project refers to a community engagement panel. Who was on that panel, when was it established and when have they met?

Residents from the City of Vincent's Community Engagement Panel were invited to participate in a bulk hard waste verge collection options workshop on Saturday, 7 March 2020. The Community Panel was set up as part of our Imagine Vincent Strategic Community Plan consultation. The invite was sent to 43 people on the Panel and 20 registered their interest.

8. Does the CEO take responsibility for the Community Consultation Policy review/Community Engagement Framework taking over two years so far? If he is not responsible for the long time frame, who is?

The Community Engagement Framework has been developed in conjunction with the community and Council Members. In order to improve the current practices, a detailed understanding of how Council and the community perceives community engagement has been needed in order to improve the practices in the most effective way possible. Administration has taken additional time to ensure the necessary engagement with the community and Council Members has occurred to achieve this and to appropriately consider the issues.

3.5 Corey Freeman of Mt Hawthorn – Items 9.2 and 9.3

Queried what level of consultation is planned for the construction management plan for these dwellings, if approved? All aspects, including noise dust, working hours and traffic management should be discussed with the residents to ensure they are not negatively impacted, particularly around vehicle parking on an already busy thoroughfare.

The construction management plan would be required to be prepared by the builder undertaking the works. The builder would be required to notify affected properties, including those which immediately abut the properties, and those directly opposite. The City encourages early and ongoing dialogue between the builder and affected properties to minimise disruption during the building works. The City does not carry out formal consultation of construction management plans. Once approved, the construction management plan would be able to be viewed on request.

3.6 Andrew Main of North Perth - Items 12.7 and Item 12.9

Accountability:

Tenders register 2020 – hasn't been updated since November and no 2021 register. Where are the previous years?

The tender register was not updated with tenders that occurred in December 2020 and this has since been rectified. In accordance with the Local Government (Administration) Regulations, the City publishes tenders for the current financial year only. Previous registers are available upon request.

Contracts register has not been updated since 2019.

The incorrect Contracts register was uploaded to the City's website by mistake. The error has since been rectified.

Where is the latest audit report on the website?

The latest audit report was available on our website prior to the meeting. It has now been given a more prominent location and can now be found at the following link:

<https://www.vincent.wa.gov.au/council/council-committees/advisoryworking-groups-and-other-bodies/audit-committee.aspx>

The other registers were updated when there was a change. The City will update these registers every month in the future.

4 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Hallett, **Seconded:** Cr Smith

That Cr Susan Gontaszewski's request for leave of absence from 26 June to 8 August 2021 for personal reasons be approved.

CARRIED UNANIMOUSLY (9-0)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Council received the following deputation:

5.1 Barbara Joan Martin of Clarkson – Item 12.2

- Spoke in relation to the petition presented at the last meeting
- Concerned that only 3 months extension with a possible further 3 month extension has been proposed in the report
- Stated that the business case for the permanent relocation of the clinic is awaiting approval, estimated to be approved in August 2021, but the execution of the business case will take time to complete
- Hopes that Council would then approve a further extension to allow for construction to be completed
- The Attorney General's office will not consider any extension beyond December 2021
- Stated that there is no equivalent interim transition solution for vulnerable clients, meaning that recall of clients will double from 14 months to between 28 months and 3 years, allowing for emergencies
- Asks on behalf on clients that Council request a variation on the Haynes Street Reserve plan from the Attorney General's office to allow the clinic to remain in situ until the relocation of the clinci occurs in the next four years, as there is no suitable interim solution

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Hallett, **Seconded:** Cr Fotakis

That the minutes of the Ordinary Meeting held on 23 March 2021 be confirmed.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 COVID UPDATE

Advice has been received that Council Members are able to remove their masks while speaking.

The City has just emerged from lockdown, there have been 20 people at a time swimming at Beatty Park and the library is open, although it is quiet. Some City staff are working from home and some, for example Rangers and waste staff, are continuing as normal. The timing of the lockdown meant that the City could not conduct the Anzac Day celebrations for the second year running, but driveway dawn services were held

instead. Some community consultation has been delayed. The Asset Sustainability and Management Strategy face to face consultation will be rescheduled and on Saturday it is planned to meet with community members at Banks Reserve. Residents are encouraged to continue to wear a mask, sanitise and get tested if feeling unwell.

8 DECLARATIONS OF INTEREST

- 8.1 David MacLennan, CEO, declared an impartiality interest in item 11.1 Leederville Gardens Trust - COVID-19 Funding - Derbarl Yerrigan Health Service Aboriginal Corporation. The extent of his interest is that he is married to an employee at Derbarl Yerrigan Health Services. He has had no involvement in the preparation of this report, and will not remain in the Chamber while this item is discussed.
- 8.2 Cr Susan Gontaszewski declared an impartiality interest in item 9.1 Robertson Park Development Plan. The extent of her interest is that her daughter is a member of the North Perth Dynamites netball club that may utilise any netball facilities implemented should the plan be approved.
- 8.3 Cr Ashley Wallace declared a financial interest in item 9.3 Draft Leederville Precinct Structure Plan and Draft Leederville Place Plan. The extent of his interest is that he is employed by GHD, who prior to his election were contracted by the City to prepare the Leederville Precinct Structure Plan (Leederville Activity Centre Plan). He was not involved in the preparation of the plan. He is not seeking approval to participate in the debate or to remain in the meeting or vote in the matter.

REPORTS

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

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**
Items 9.1, 9.2, 10.2, 12.1, 12.2 and 13.1.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Nil
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Items 9.1, 9.3, 11.1.

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

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor Cole	<Type text>
Cr Gontaszewski	9.3 and 17.1
Cr Loden	9.4

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

- (e) **Unopposed items which will be moved “En Bloc”, being:**
Items 10.1, 11.1, 11.3, 11.4, 11.5, 11.6, 11.7 and 12.4
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 17.1.

ITEMS APPROVED "EN BLOC":

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

RECOMMENDATION

That the following unopposed items be adopted "En Bloc", as recommended:

Items 10.1, 11.1, 11.3, 11.4, 11.5, 11.6, 11.7 and 12.4

10.1 E-PERMITS IMPLEMENTATION PROGRESS REPORT

Attachments: Nil

RECOMMENDATION:

That Council NOTES the progress in the implementation of the E-Permit system.

COUNCIL DECISION ITEM 10.1

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.1 LEEDERVILLE GARDENS TRUST - COVID-19 FUNDING - DERBARL YERRIGAN HEALTH SERVICE ABORIGINAL CORPORATION

Attachments: Nil

RECOMMENDATION:

That Council:

- 1. NOTES the funding provided to Derbarl Yerrigan Health Services Aboriginal Corporation (Derbarl Yerrigan) under the Leederville Gardens Trust COVID-19 Relief Grant Funding program;**
- 2. APPROVES the request from Derbarl Yerrigan to extend the end date of their Leederville Gardens Trust COVID-19 Grant Agreement from January 2021 to June 2021, to enable the remaining \$27,116 of unspent grant funding to be acquitted;**
- 3. NOTES that the Executive Director, Community & Business Services will prepare and enter into a variation to the funding agreement for Derbarl Yerrigan; and**
- 4. NOTES that Administration will provide a detailed report of the Leederville Gardens Trust COVID-19 Relief Grant Funding program, including measurable outcomes, to Council in August 2021.**

COUNCIL DECISION ITEM 11.1

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.3 OUTCOME OF ADVERTISING AND ADOPTION OF LIBRARY AND LOCAL HISTORY COLLECTION POLICY

- Attachments:**
1. **Library and Local History Collection Policy** 
 2. **Library Collection Management Policy** 
 3. **Local History Collection Management Policy** 

RECOMMENDATION:

That Council:

1. **NOTES** that at the conclusion of the public notice period, no public submissions were received in relation to the Library and Local History Collection Policy;
2. **ADOPTS** the Library and Local History Collection Policy at Attachment 1; and
3. **REPEALS** the Library Collection Management Policy at Attachment 2 and the Local History Collection Management Policy at Attachment 3.

COUNCIL DECISION ITEM 11.3

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.4 REPEAL OF CODE OF TENDERING POLICY (1.2.2)

Attachments: 1. Code of Tendering Policy (1.2.2) 

RECOMMENDATION:

That Council REPEAL the Code of Tendering Policy (1.2.2) at Attachment 1.


COUNCIL DECISION ITEM 11.4

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.5 INVESTMENT REPORT AS AT 28 FEBRUARY 2021

Attachments: 1. Investment Statistics as at 28 February 2021 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 28 February 2021 as detailed in Attachment 1.




COUNCIL DECISION ITEM 11.5

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.6 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 FEBRUARY 2021 TO 28 FEBRUARY 2021

- Attachments:**
1. **Payments by EFT and Payroll February 21** 
 2. **Payments by Cheque February 21** 
 3. **Payments by Direct Debit February 21** 

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 February 2021 to 28 February 2021 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$3,704,349.46
Cheques	\$2,378.69
Direct debits, including credit cards	\$172,090.20
Total payments for February 2021	\$3,878,818.35

COUNCIL DECISION ITEM 11.6

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

11.7 FINANCIAL STATEMENTS AS AT 28 FEBRUARY 2021

Attachments: 1. Financial Statements as at 28 February 2021 

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 28 February 2021 as shown in Attachment 1.















COUNCIL DECISION ITEM 11.7

Moved: Cr Fotakis, **Seconded:** Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

12.4 INFORMATION BULLETIN

- Attachments:
1. Minutes of the Mindarie Regional Council - Special Meeting of Council held on 4 March 2021 
 2. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 25 March 2021 
 3. Minutes Children and Young People's Advisory Group (CYPAG) 17 February 2021 
 4. Unconfirmed Minutes of the Sustainability and Transport Advisory Group held on 18 March 2021 
 5. Statistics for Development Services Applications as at March 2021 
 6. Quarterly Street Tree Removal Information 
 7. Register of Legal Action and Prosecutions Monthly - Confidential
 8. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 8 April 2021 
 9. Register of Applications Referred to the MetroWest Development Assessment Panel - Current 
 10. Register of Applications Referred to the Design Review Panel - Current 
 11. Register of Petitions - Progress Report - March 2021 
 12. Register of Notices of Motion - Progress Report - March 2021 
 13. Register of Reports to be Actioned - Progress Report - March 2021 
 14. Letter confirming Cr Joshua Topelberg's appointment as alternate member of the DevelopmentWA Central Perth Land Redevelopment Committee until 16 October 2021 
 15. Confirmation of receipt of Uluru Statement from the Heart 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated April 2021.

COUNCIL DECISION ITEM 12.4

Moved: Cr Fotakis, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

**11.2 NORTH PERTH COMMUNITY GARDEN LICENCE FOR CONTAINERS FOR CHANGE
COLLECTION BIN - 10 FARMER STREET, WOODVILLE RESERVE - WITHDRAWN BY
ADMINISTRATION**









**This item has been withdrawn by Administration as the North Perth Community Garden have
withdrawn their request for a licence.**

12.3 APPOINTMENT OF AN ALTERNATE MEMBER FOR THE MINDARIE REGIONAL COUNCIL MEETING - 27 MAY 2021 – WITHDRAWN BY ADMINISTRATION

Attachments: Nil

This item has been withdrawn by Administration as Mayor Emma Cole is now able to attend the meeting in person.

REPORTS WITH DISCUSSION**12.2 EXTENSION OF LEASE - NORTH PERTH SPECIAL NEEDS (SHALOM COLEMAN) DENTAL CLINIC, 31 SYDNEY STREET, NORTH PERTH AND ADVERTISING OF SALE OF 25 SYDNEY STREET, NORTH PERTH**

- Attachments:
1. Letter from Executive Director Mental Health, Public Health and Dental Services dated 25 February 2021 requesting a lease extension 
 2. Letter from General Manager Dental Health Services dated 1 April 2021 - requesting a lease extension 
 3. Haynes Street Reserve Development Plan - Final 
 4. Haynes Street Reserve Development Plan - Proposed Transition Plan 
 5. Submission from petitioner in support of the lease extension 
 6. Submission from former dentist at the Special Needs Dental Clinic North Perth in support of lease extension 
 7. Submission from Kidz Galore Pty Ltd in respect to parking at 25 Sydney Street, North Perth 
 8. Market valuation for 25 Sydney Street, North Perth - Confidential
 9. Plan of parking restrictions 

RECOMMENDATION:

That Council:

1. NOTES:

- 1.1 That the Minister for Health's (Dental Health Services) lease of 31 Sydney Street, North Perth, which operates as the North Perth Special Needs (Shalom Coleman) Dental Health Clinic, expires on 30 June 2021; and
- 1.2 The petition received at the 23 March 2021 Council Meeting requesting the extension of the Minister for Health's lease to enable the continuity of this service, on compassionate grounds, until December 2025 in parity with the Kidz Galore Pty Ltd lease extension;
2. **RECEIVES** the request from the Minister for Health (Dental Health Services), as set out in the letters at Attachments 1 and 2, for the lease referred to in Recommendation 1.1 above to be extended until December 2025, in parity with Kidz Galore Pty Ltd's lease extension, in order to ensure continuity of this service and prevent relocation prior to a final alternative site being secured;
3. **APPROVES** a short term extension of the current lease of 31 (Lot 100) Sydney Street, North Perth to the Minister for Health (Dental Health Services) and short-term licence of 9 car bays within the carpark at 25 (Lot 93) Sydney Street, North Perth, to provide the Dental Health Services with further time to secure an alternative site to operate the special needs dental clinic, on the following key terms:
 - 3.1 3 month extension of lease and licence term, commencing 1 July 2021 and expiring 30 September 2021;
 - 3.2 3 month further extension of lease and licence term, at the discretion of the City's Chief Executive Officer based on the progress made by the Minister for Health to secure an alternative site – the Minister for Health must submit its relocation plan and timeframe to the City by 31 August 2021; and
 - 3.3 All other lease and licence terms to remain the same.
4. **APPROVES** the following variations to the Haynes Street Reserve Transition Plan, as shown in the proposed revised Transition Plan at Attachment 4:
 - 4.1 timing for the conversion of 31 Sydney Street, North Perth to a park from June 2021 to January 2022; and

- 4.2 timing for sale of 25 Sydney Street, North Perth from 2020/21 to 2021/22;
5. NOTES that the variation to the Haynes Street Reserve Transition Plan, as set out in Recommendation 4. above, will be referred to the Attorney General for approval, without additional public comment;
6. Subject to final satisfactory negotiations being carried out between the Chief Executive Officer and the Minister for Health in respect to the variation of the lease and licence to extend the term as set out in Recommendation 3. above, AUTHORIZES the Mayor and Chief Executive Officer to affix the common seal and execute the Deed of Variation of Lease and Licence;
7. APPROVES the advertising of 25 (Lot 93) Sydney Street, North Perth for sale by a suitably qualified real-estate agent SUBJECT to:
- 7.1 Timing: Marketing to commence in May 2021 and to close after a minimum of 21 days;
- 7.2 Minimum price: To be based on the market valuation, as at Confidential Attachment 7;
- 7.3 Method of sale: Set date sale or auction; and
- 7.4 Public Notice: To be provided in accordance with section 3.58 of the *Local Government Act 1995*.
8. APPROVES the Chief Executive Officer providing public notice of the best offer as determined through the sale process as set out in Recommendation 7. above, in accordance with section 3.58 of the *Local Government Act 1995*;
9. NOTES that following the provision of public notice as set out in Recommendation 8. above, any offers and submissions will be presented to Council for consideration and approval;
10. APPROVES, in mutual agreement with Kidz Galore Pty Ltd, the variation of Kidz Galore Pty Ltd's lease of 15 Haynes Street, North Perth, to remove the car bay licence (licence to use 7 car park bays at 25 Sydney Street, North Perth) at Item 14.2, at the time of the transfer of 25 Sydney Street, North Perth, or at a later date subject to agreement with the purchaser subject to the parking changes set out in their submission at Attachment 7;
11. APPROVES seven on street parking spaces in Haynes Street, immediately adjacent to the child care centre, being restricted to 1/4P 8.00am to 5.30pm Monday to Friday, as shown in the plan at Attachment 9;
12. CONFIRMS that the variation of Kidz Galore Pty Ltd's lease as set out in Recommendation 10. above will have no impact on Kidz Galore Pty Ltd's operation of the commercial child care centre at 15 Haynes Street, North Perth (specifically staff parking requirements);
13. NOTES that the proceeds of the sale of 25 Sydney Street, North Perth would be used to fund the creation of a high quality public open space at the Haynes Sydney Street Reserve with any balance from the proceeds held in the Public Open Space Reserve to fund the implementation of other public open space projects in the City.

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That recommendations be deleted as follows:

That Council:

1. NOTES:

- 1.1 That the Minister for Health's (Dental Health Services) lease of 31 Sydney Street, North Perth, which operates as the North Perth Special Needs (Shalom Coleman) Dental Health Clinic, expires on 30 June 2021; and
- 1.2 The petition received at the 23 March 2021 Council Meeting requesting the extension of the Minister for Health's lease to enable the continuity of this service, on compassionate grounds, until December 2025 in parity with the Kidz Galore Pty Ltd lease extension;

2. RECEIVES the request from the Minister for Health (Dental Health Services), as set out in the letters at Attachments 1 and 2, for the lease referred to in Recommendation 1.1 above to be extended until December 2025, in parity with Kidz Galore Pty Ltd's lease extension, in order to ensure continuity of this service and prevent relocation prior to a final alternative site being secured;

3. APPROVES a short term extension of the current lease of 31 (Lot 100) Sydney Street, North Perth to the Minister for Health (Dental Health Services) and short-term licence of 9 car bays within the carpark at 25 (Lot 93) Sydney Street, North Perth, to provide the Dental Health Services with further time to secure an alternative site to operate the special needs dental clinic, on the following key terms:

- 3.1 3 month extension of lease and licence term, commencing 1 July 2021 and expiring 30 September 2021;
- 3.2 3 month further extension of lease and licence term, at the discretion of the City's Chief Executive Officer based on the progress made by the Minister for Health to secure an alternative site – the Minister for Health must submit its relocation plan and timeframe to the City by 31 August 2021; and
- 3.3 All other lease and licence terms to remain the same.

4. APPROVES the following variations to the Haynes Street Reserve Transition Plan, as shown in the proposed revised Transition Plan at Attachment 4:

- 4.1 timing for the conversion of 31 Sydney Street, North Perth to a park from June 2021 to January 2022; and
- 4.2 timing for sale of 25 Sydney Street, North Perth from 2020/21 to 2021/22;

5. NOTES that the variation to the Haynes Street Reserve Transition Plan, as set out in Recommendation 4. above, will be referred to the Attorney General for approval, without additional public comment;

6. Subject to final satisfactory negotiations being carried out between the Chief Executive Officer and the Minister for Health in respect to the variation of the lease and licence to extend the term as set out in Recommendation 3. above, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the Deed of Variation of Lease and Licence;

~~7. APPROVES the advertising of 25 (Lot 93) Sydney Street, North Perth for sale by a suitably qualified real-estate agent SUBJECT to:~~

~~7.1 Timing: Marketing to commence in May 2021 and to close after a minimum of 21 days;~~

~~7.2 Minimum price: To be based on the market valuation, as at Confidential Attachment 7;~~

~~7.3 Method of sale: Set date sale or auction; and~~

~~7.4 Public Notice: To be provided in accordance with section 3.58 of the Local Government~~

~~Act 1995.~~

- ~~8. APPROVES the Chief Executive Officer providing public notice of the best offer as determined through the sale process as set out in Recommendation 7. above, in accordance with section 3.58 of the Local Government Act 1995;~~
- ~~9. NOTES that following the provision of public notice as set out in Recommendation 8. above, any offers and submissions will be presented to Council for consideration and approval;~~
- ~~10. APPROVES, in mutual agreement with Kidz Galore Pty Ltd, the variation of Kidz Galore Pty Ltd's lease of 15 Haynes Street, North Perth, to remove the car bay licence (licence to use 7 car park bays at 25 Sydney Street, North Perth) at Item 14.2, at the time of the transfer of 25 Sydney Street, North Perth, or at a later date subject to agreement with the purchaser subject to the parking changes set out in their submission at Attachment 7;~~
- ~~11. APPROVES seven on street parking spaces in Haynes Street, immediately adjacent to the child care centre, being restricted to 1/4P 8.00am to 5.30pm Monday to Friday, as shown in the plan at Attachment 9;~~
- ~~12. CONFIRMS that the variation of Kidz Galore Pty Ltd's lease as set out in Recommendation 10. above will have no impact on Kidz Galore Pty Ltd's operation of the commercial child care centre at 15 Haynes Street, North Perth (specifically staff parking requirements);~~
- ~~13. NOTES that the proceeds of the sale of 25 Sydney Street, North Perth would be used to fund the creation of a high quality public open space at the Haynes Sydney Street Reserve with any balance from the proceeds held in the Public Open Space Reserve to fund the implementation of other public open space projects in the City.~~

REASON:

The leasing extension request and the sale of 25 Sydney Street does not need to be determined concurrently. Certainty regarding the status of the lease extension request and revised Transition Plan will better inform the land sale decision making process at a later time.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 12.2

That Council:

1. NOTES:

- 1.1 That the Minister for Health's (Dental Health Services) lease of 31 Sydney Street, North Perth, which operates as the North Perth Special Needs (Shalom Coleman) Dental Health Clinic, expires on 30 June 2021; and
- 1.2 The petition received at the 23 March 2021 Council Meeting requesting the extension of the Minister for Health's lease to enable the continuity of this service, on compassionate grounds, until December 2025 in parity with the Kidz Galore Pty Ltd lease extension;

2. RECEIVES the request from the Minister for Health (Dental Health Services), as set out in the letters at Attachments 1 and 2, for the lease referred to in Recommendation 1.1 above to be extended until December 2025, in parity with Kidz Galore Pty Ltd's lease extension, in order to ensure continuity of this service and prevent relocation prior to a final alternative site being secured;

3. APPROVES a short term extension of the current lease of 31 (Lot 100) Sydney Street, North

Perth to the Minister for Health (Dental Health Services) and short-term licence of 9 car bays within the carpark at 25 (Lot 93) Sydney Street, North Perth, to provide the Dental Health Services with further time to secure an alternative site to operate the special needs dental clinic, on the following key terms:

- 3.1 3 month extension of lease and licence term, commencing 1 July 2021 and expiring 30 September 2021;
 - 3.2 3 month further extension of lease and licence term, at the discretion of the City's Chief Executive Officer based on the progress made by the Minister for Health to secure an alternative site – the Minister for Health must submit its relocation plan and timeframe to the City by 31 August 2021; and
 - 3.3 All other lease and licence terms to remain the same.
4. APPROVES the following variations to the Haynes Street Reserve Transition Plan, as shown in the proposed revised Transition Plan at Attachment 4:
- 4.1 timing for the conversion of 31 Sydney Street, North Perth to a park from June 2021 to January 2022; and
 - 4.2 timing for sale of 25 Sydney Street, North Perth from 2020/21 to 2021/22;
5. NOTES that the variation to the Haynes Street Reserve Transition Plan, as set out in Recommendation 4. above, will be referred to the Attorney General for approval, without additional public comment;
6. Subject to final satisfactory negotiations being carried out between the Chief Executive Officer and the Minister for Health in respect to the variation of the lease and licence to extend the term as set out in Recommendation 3. above, AUTHORIZES the Mayor and Chief Executive Officer to affix the common seal and execute the Deed of Variation of Lease and Licence;



CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

The Presiding Member, Emma Cole, requested that the letters sent to the Department of Health be attached to the minutes. They will be uploaded to the website separately.

12.1 FUTURE USE AND MANAGEMENT OF 34 CHERITON STREET, PERTH

- Attachments:
1. Submission from the Museum of Perth dated 5 April 2021 - proposed future use of 34 Cheriton Street, Perth 
 2. Submission from the Norwood Neighbourhood Association dated 13 April 2021 in support of proposal 

RECOMMENDATION:

That Council:

1. NOTES that:

- 1.1 the Norwood Neighbourhood Association which operated a community garden at the rear of 34 Cheriton Street, Perth is in the process of being wound up; and
- 1.2 the Perth History Association Inc (Museum of Perth) has requested that the Minister for Lands grant it use and management of 34 Cheriton Street, Perth (either through a long term peppercorn lease, a management order or disposal) in order to upgrade the property and operate its office and training operations from the property, and facilitate the ongoing operation of a community garden at the rear of the property.

2. ADVISES the Minister for Lands that:

- 2.1 it is no longer necessary for the community garden portion of 34 Cheriton Street, Perth to be excised from the lot as the City of Vincent will no longer be overseeing the operation of a community garden at this site;
- 2.2 the City of Vincent's management order in respect to 34 Cheriton Street, Perth, can be relinquished, effective immediately;
- 2.3 the City of Vincent supports the Perth History Association Inc (Museum of Perth) being granted future use and management of 34 Cheriton Street, Perth, and recommends this occur simultaneously with the City's management order being relinquished;
- 2.4 the Norwood Neighbourhood Association will be wound up upon the City's management order being relinquished; and
- 2.5 the City of Vincent will continue to maintain the site until a divestment decision by the Minister for Lands is made.

COUNCIL DECISION ITEM 12.1

Moved: Cr Hallett, Seconded: Cr Gontaszewski

That the recommendation be adopted.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

9.1 DRAFT ROBERTSON PARK DEVELOPMENT PLAN

- Attachments:
1. Draft Robertson Park Development Plan 
 2. Communications Plan - Robertson Park 

RECOMMENDATION:

That Council:

1. **APPROVES** the Draft Robertson Park Development Plan to be advertised for community consultation in accordance with the City's Policy No. 4.1.5 – Community Consultation; and
2. **NOTES** that the Draft Robertson Park Development Plan will be presented back to Council for endorsement following the Community Consultation.

Moved: Cr Topelberg, **Seconded:** Cr Hallett

MOTION

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Loden, **Seconded:** Cr Topelberg

That the recommendation be amended as follows:

1. **APPROVES** the Draft Robertson Park Development Plan to be advertised for community consultation in accordance with the City's Policy No. 4.1.5 – Community Consultation **subject to the following amendment:**
 - 1.1 **Remove the angled parking proposed on the northern side of Robertson Park;**

REASON:

There is currently sufficient parking around Robertson Park to facilitate access to the park, therefore providing additional parking is not justified. Through the City's Draft Accessible City Strategy, the City prioritises walking, then cycling, then public transport and then car usage so creating additional bays is not in line with this. Removal of the car bays reduces the project expenditure by \$120,000, which is new expenditure currently unbudgeted.

AMENDMENT CARRIED (9-0)

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

Against: Nil

AMENDMENT 2

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

That the recommendation be amended as follows:

1. **APPROVES** the Draft Robertson Park Development Plan to be advertised for community consultation in accordance with the City's Policy No. 4.1.5 – Community Consultation **subject to the following amendment:**
 - 1.2 **Remove the proposed enclosed dog fence and replace with a hedge along Stuart Street;**

REASON:

The proposed dog fence is a new asset and if not installed will provide a project cost saving of \$40,000 to the City. The removal of the fence can be replaced with hedging on the side closest to Stuart Street. Enclosing the dog park area creates a barrier for non-dog users in accessing the space or walking through the space. This is consistent with past Council decision making about a proposed enclosed dog park at Charles Veryard Reserve.

AMENDMENT LOST (3-6)

For: Cr Castle, Cr Loden and Cr Wallace

Against: Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Topelberg and Cr Smith

COUNCIL DECISION ITEM 9.1

That Council:

1. **APPROVES** the Draft Robertson Park Development Plan to be advertised for community consultation in accordance with the City's Policy No. 4.1.5 – Community Consultation subject to the following amendment:
 - 1.1 **Remove the angled parking proposed on the northern side of Robertson Park; and**
2. **NOTES** that the Draft Robertson Park Development Plan will be presented back to Council for endorsement following the Community Consultation.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

10.2 PROPOSED 12 MONTH TRIAL OF NEW AND AMENDED PARKING RESTRICTIONS IN THE STREETS SURROUNDING HYDE PARK - VINCENT, HYDE, WILLIAM, AND GLENDOWER STREETS, PERTH, NORTH PERTH, MT LAWLEY AND HIGHGATE

- Attachments:
1. Plan of Proposed New and Amended Parking Restrictions in the Streets Surrounding Hyde Park 
 2. Car Count Survey Hyde Park and Surrounding Streets 

RECOMMENDATION:

That Council:

1. **RECEIVES** the report on the proposed 12 month trial of new and amended parking restrictions in Vincent, Hyde, William and Glendower Streets, Perth, North Perth, Mt Lawley and Highgate.
2. **APPROVES** for a trial period of 12 months from date of installation;
 - 2.1 Vincent Street, between Throssell and William Streets, both sides, 3P, 8.00am to 6.00pm Monday to Friday parking restrictions, in the currently unrestricted sections (to match those of the existing), and
 - 2.2 Hyde Street, between Vincent Street and Chelmsford Road, both sides, 3P, 8.00am to 6.00pm Monday to Friday parking restrictions, and
 - 2.3 William Street, between Vincent and Glendower Streets, eastern side 3P, 9.00am to 6.00pm Monday to Friday, and the western side, 3P 8.00am to 4.15pm Monday to Friday parking restrictions in the unrestricted sections of William Street, allowing for the existing 'Clearway' Restrictions, and
 - 2.4 Glendower Street, between William and Palmerston Streets, retain the existing 3P (At All Times) on the northern side (park side) and change the southern side from 3P (At All Times) to 1P (At All Times).
3. **NOTES** that residents will continue to be eligible for parking permits other than those excluded as a condition of a development approval.
4. **ADVISES** the residents and businesses in those street surrounding Hyde Park of Council's decision.

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

That the recommendation be adopted.

AMENDMENT

Moved: Cr Castle, **Seconded:** Cr Fotakis

That the recommendation be amended as follows:

That Council:

1. **RECEIVES** the report on the proposed 12 month trial of new and amended parking restrictions in Vincent, Hyde, William and Glendower Streets, Perth, North Perth, Mt Lawley and Highgate.
2. **~~APPROVES for a trial period~~ ENDORSES for the purposes of public consultation the proposed restrictions ~~for 12 months from date of installation:~~**
 - 2.1 Vincent Street, between Throssell and William Streets, both sides, 3P, 8.00am to 6.00pm Monday to Friday parking restrictions, in the currently unrestricted sections (to match

those of the existing), and

- 2.2 Hyde Street, between Vincent Street and Chelmsford Road, both sides, 3P, 8.00am to 6.00pm Monday to Friday parking restrictions, and
- 2.3 William Street, between Vincent and Glendower Streets, eastern side 3P, 9.00am to 6.00pm Monday to Friday, and the western side, 3P 8.00am to 4.15pm Monday to Friday parking restrictions in the unrestricted sections of William Street, allowing for the existing 'Clearway' Restrictions, and
- 2.4 Glendower Street, between William and Palmerston Streets, retain the existing 3P (At All Times) on the northern side (park side) and change the southern side from 3P (At All Times) to 1P (At All Times).

3. **REQUESTS that the results of the consultation is the subject of a further report to Council by June 2021.**

~~3. NOTES that residents will continue to be eligible for parking permits other than those excluded as a condition of a development approval.~~

~~4. ADVISES the residents and businesses in those street surrounding Hyde Park of Council's decision.~~

REASON:

This is due to the fact that there is no urgency to proceed without using our normal community consultation processes, which play an important part in both keeping community informed of changes that impact them and provide for their feedback based on their on-ground experience.

AMENDMENT CARRIED (9-0)

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

Against: Nil

AMENDMENT 2

Moved: Cr Gontaszewski, **Seconded:** Cr Topelberg

That the recommendation be amended as follows:

- 2.1 Vincent Street, between Throssell and William Streets, both sides, 3P, 8.00am to 6.00pm Monday to **Friday Sunday** parking restrictions, in the currently unrestricted sections (to match those of the existing), and
- 2.3 William Street, between Vincent and Glendower Streets, eastern side 3P, 9.00am to 6.00pm Monday to **Friday Sunday**, and the western side, 3P 8.00am to 4.15pm Monday to Friday and **8.00am to 6.00pm Saturday and Sunday** parking restrictions in the unrestricted sections of William Street, allowing for the existing 'Clearway' Restrictions, and

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 10.2

That Council:

- 1 **RECEIVES** the report on the proposed 12 month trial of new and amended parking restrictions in Vincent, Hyde, William and Glendower Streets, Perth, North Perth, Mt Lawley and Highgate.
- 2 **ENDORSES** for the purposes of public consultation the proposed restrictions;
 - 2.1 **Vincent Street, between Throssell and William Streets, both sides, 3P, 8.00am to 6.00pm Monday to Sunday parking restrictions, in the currently unrestricted sections (to match those of the existing), and**
 - 2.2 **Hyde Street, between Vincent Street and Chelmsford Road, both sides, 3P, 8.00am to 6.00pm Monday to Friday parking restrictions, and**
 - 2.3 **William Street, between Vincent and Glendower Streets, eastern side 3P, 9.00am to 6.00pm Monday to Sunday, and the western side, 3P 8.00am to 4.15pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday parking restrictions in the unrestricted sections of William Street, allowing for the existing 'Clearway' Restrictions, and**
 - 2.4 **Glendower Street, between William and Palmerston Streets, retain the existing 3P (At All Times) on the northern side (park side) and change the southern side from 3P (At All Times) to 1P (At All Times).**
- 3 **REQUESTS** that the results of the consultation is the subject of a further report to Council by June 2021.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

9.2 COMMUNITY AND STAKEHOLDER ENGAGEMENT FRAMEWORK

- Attachments:
1. Consultant's Report 
 2. Draft Community and Stakeholder Engagement Strategy 
 3. Draft Community and Stakeholder Engagement Policy 

RECOMMENDATION:

That Council:

1. APPROVES the proposed:
 - 1.1 Draft 'Community and Stakeholder Engagement Strategy' included as Attachment 2, for the purpose of advertising; and
 - 1.2 Draft 'Community and Stakeholder Engagement Policy' included as Attachment 3, in accordance with Schedule 2, Part 2, Clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising;
2. AUTHORISES the Chief Executive Officer to provide local notice of the proposed new strategy and policy in Recommendations 1 and 2 above and invite public comments for a period of at least 21 days; and
3. NOTES that:
 - 3.1 that at the conclusion of the public notice period any submissions received will be presented to Council for consideration; and
 - 3.2 That attachment 2 and 3 are proposed to replace the City's Policy No. 4.1.5 – 'Community Consultation' and Appendices 1 – 5.

Moved: Cr Gontaszewski, Seconded: Cr Castle

That the recommendation be adopted.

AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be amended as follows:

1. APPROVES the proposed:
 - 1.1 Draft 'Community and Stakeholder Engagement Strategy' included as Attachment 2, for the purpose of advertising **subject to the following amendment:**
 - 1.1.1 **In Guiding Principles include the following wording under 'Engage in a way that facilitates the involvement of impacted communities':**

"We will go to the affected community and engage on site to ensure that interested, impacted and hard to reach groups are able to participate in decision making.";
and

REASON:

On site engagement was a feature of the Imagine Vincent process. Engaging on site, through signage, pop-ups, community meetings etc., ensures that the views of the impacted community can be heard. It is recognised that those impacted by a decision relating to a public facility or space goes beyond those that may live adjacent.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 9.2

That Council:

1. APPROVES the proposed:

1.1 Draft 'Community and Stakeholder Engagement Strategy' included as Attachment 2, for the purpose of advertising subject to the following amendment:

1.1.1 In Guiding Principles include the following wording under '*Engage in a way that facilitates the involvement of impacted communities*':

"We will go to the affected community and engage on site to ensure that interested, impacted and hard to reach groups are able to participate in decision making."; and

1.2 Draft 'Community and Stakeholder Engagement Policy' included as Attachment 3, in accordance with Schedule 2, Part 2, Clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of advertising;

2. AUTHORISES the Chief Executive Officer to provide local notice of the proposed new strategy and policy in Recommendations 1 and 2 above and invite public comments for a period of at least 21 days; and

3. NOTES that:

3.1 that at the conclusion of the public notice period any submissions received will be presented to Council for consideration; and

3.2 That attachment 2 and 3 are proposed to replace the City's Policy No. 4.1.5 – '*Community Consultation*' and Appendices 1 – 5.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

13.1 NOTICE OF MOTION - CR JONATHAN HALLETT - COMMUNITY ENGAGEMENT FOR ECO-ZONING

That Council

1. **NOTES** the role of meaningful public engagement and participation for good decision making.
2. **REQUIRES** the Chief Executive Officer to ensure that future eco-zoning initiatives in public parks/reserves will involve prior public engagement with the local community and park users on the design and implementation.

COUNCIL DECISION ITEM 13.1

Moved: Cr Hallett, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

At 8:21 pm, Cr Ashley Wallace left the meeting.

9.3 DRAFT LEEDERVILLE PRECINCT STRUCTURE PLAN AND DRAFT LEEDERVILLE PLACE PLAN

- Attachments:
1. Outcomes of Design Leederville 
 2. Opportunities & Constraints 
 3. Draft Leederville Precinct Structure Plan 
 4. Draft Leederville Town Centre Place Plan 
 5. Leederville Stakeholder Engagement Plan 

RECOMMENDATION:

That Council:

1. PREPARES Draft Leederville Precinct Structure Plan, included as Attachment 3, for the purpose of public advertising pursuant to Schedule 2, Part 4, Clause 16(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. ENDORSES the Draft Leederville Town Centre Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation; and
3. NOTES:
 - 3.1 That the outcomes of advertising and the Draft Leederville Precinct Structure Plan and Leederville Town Centre Place Plan will be presented to Council for endorsement following the 42 day advertising period; and
 - 3.2 Administration will forward a copy of the draft Leederville Precinct Structure Plan to the Western Australian Planning Commission pursuant to Schedule 2, Part 4, Clause 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be adopted.

AMENDMENT

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That the recommendation be amended as follows:

1. PREPARES Draft Leederville Precinct Structure Plan, included as Attachment 3, for the purpose of public advertising pursuant to Schedule 2, Part 4, Clause 16(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* **subject to the following amendment:**
 - 1.1 **Figure 19 of the Draft Leederville Precinct Structure Plan is updated to reflect the sub-precincts in Plan 2;**

REASON:

Plan 2 and Figure 19 are not consistent.

AMENDMENT CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg and Cr Smith

Against: Nil

(Cr Wallace was absent from the Council Chamber and did not vote.)

COUNCIL DECISION ITEM 9.3

That Council:

1. **PREPARES** Draft Leederville Precinct Structure Plan, included as Attachment 3, for the purpose of public advertising pursuant to Schedule 2, Part 4, Clause 16(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following amendment:
 - 1.1 **Figure 19** of the Draft Leederville Precinct Structure Plan is updated to reflect the sub-precincts in Plan 2; and
2. **ENDORSES** the Draft Leederville Town Centre Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation; and
3. **NOTES:**
 - 3.1 **That the outcomes of advertising and the Draft Leederville Precinct Structure Plan and Leederville Town Centre Place Plan will be presented to Council for endorsement following the 42 day advertising period; and**
 - 3.2 **Administration will forward a copy of the draft Leederville Precinct Structure Plan to the Western Australian Planning Commission pursuant to Schedule 2, Part 4, Clause 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

CARRIED UNANIMOUSLY (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg and Cr Smith

Against: Nil

(Cr Wallace was absent from the Council Chamber and did not vote.)

At 8:32 pm, Cr Ashley Wallace returned to the meeting.

9.4 DRAFT BEAUFORT STREET TOWN CENTRE PLACE PLAN

Attachments: 1. Draft Beaufort Street Town Centre Place Plan 

RECOMMENDATION:

That Council:

1. ENDORSES the Draft Volume 5: Beaufort Street Town Centre Place Plan for the purpose of advertising in accordance with the City’s Policy No. 4.1.5 – Community Consultation; and
2. NOTES that the outcomes of advertising and Draft Volume 5: Beaufort Street Town Centre Place Plan will be presented to Council for endorsement following the 42 day advertising period.

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be adopted.

AMENDMENT

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be amended as follows:

1. ENDORSES the Draft Volume 5: Beaufort Street Town Centre Place Plan for the purpose of advertising in accordance with the City’s Policy No. 4.1.5 – Community Consultation, **subject to:**
 - 1.1 the inclusion of the following action, to be implemented 2022/23-2024/25, included under the Enhanced Environment section:

ACTION 1.3 Business Community Solar	
Diagnosis	There is currently low uptake of solar in the business community compared to the residential sector.
Analysis	<p>Growth in business community solar is a high growth area of solar investment in the next decade. The low uptake of solar is primarily due to owners of the properties not being the operator who receives the power bill. However, there are a significant number of options available to enable business owners and building owners to mutually benefit through the installation of solar. Options for tenants are currently limited and in all cases need the building owner's cooperation and permission to proceed.</p> <p>The City of Vincent currently has significant understanding of how these options work, including direct installation in facilities or creating a Purchasing Power Agreement (PPA). For business that operate during the day, installation of solar will pay for itself in 2-3 years where it is directly used on site.</p> <p>The City is currently in the process of working with tenants to identify mutually beneficial mechanisms for funding solar on leased facilities.</p>
Solution	Engage with local business owners directly and through the town team, to communicate the benefits of solar and support further actions being undertaken.

REASON:

Based on the recent Power Purchase Agreement (PPA) work the City of Vincent has completed, the City has been permitted to submit contestable and non-contestable sites within the City to be part of the PPA. There is an opportunity to install solar on business tenancies along Beaufort Street, but a PPA has larger potential abatement and more work involved.

Although the business community solar opportunity is included in the Sustainability Environment Strategy (SES), there is an opportunity to clarify and be specific in the intent of this project within the Beaufort Street Town Centre Place Plan. The intent of this amendment is to undertake specific engagement with the business community and to confirm when this will be undertaken.

AMENDMENT CARRIED (9-0)

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

Against: Nil

COUNCIL DECISION ITEM 9.3

1. **ENDORSES** the Draft Volume 5: Beaufort Street Town Centre Place Plan for the purpose of advertising in accordance with the City's Policy No. 4.1.5 – Community Consultation, subject to:

1.1 the inclusion of the following action, to be implemented 2022/23-2024/25, included under the Enhanced Environment section:

ACTION 1.3 Business Community Solar	
Diagnosis	There is currently low uptake of solar in the business community compared to the residential sector.
Analysis	<p>Growth in business community solar is a high growth area of solar investment in the next decade. The low uptake of solar is primarily due to owners of the properties not being the operator who receives the power bill. However, there are a significant number of options available to enable business owners and building owners to mutually benefit through the installation of solar. Options for tenants are currently limited and in all cases need the building owner's cooperation and permission to proceed.</p> <p>The City of Vincent currently has significant understanding of how these options work, including direct installation in facilities or creating a Purchasing Power Agreement (PPA). For business that operate during the day, installation of solar will pay for itself in 2-3 years where it is directly used on site.</p> <p>The City is currently in the process of working with tenants to identify mutually beneficial mechanisms for funding solar on leased facilities.</p>
Solution	Engage with local business owners directly and through the town team, to communicate the benefits of solar and support further actions being undertaken.

2. **NOTES** that the outcomes of advertising and Draft Volume 5: Beaufort Street Town Centre Place Plan will be presented to Council for endorsement following the 42 day advertising period.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

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

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

**17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE
CLOSED****PROCEDURAL MOTION****Moved: Cr Fotakis, Seconded: Cr Loden**

Pursuant to Section 5.23(2) of the *Local Government Act 1995* and clause 2.14 of the Meeting Procedures Local Law 2008, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential reports.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

At 8.45pm the livestreaming was stopped to consider confidential item 17.1 Leederville Gardens Inc. - Consideration of Request by Leederville Gardens to repay trust monies.

PROCEDURAL MOTION**Moved: Cr Topelberg, Seconded: Cr Hallett**

That the Council resume an “open meeting”.

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

At 9.45pm the livestreaming recommenced.

The Presiding Member, Mayor Cole, advised of the below decision, as carried behind closed doors.

17.1 LEEDERVILLE GARDENS INC. - CONSIDERATION OF REQUEST BY LEEDERVILLE GARDENS TO REPAY TRUST MONIES.

COUNCIL DECISION

Moved: Cr Gontaszewski, Seconded: Cr Fotakis

That Council:

- 1. NOTES the legal advice obtained by the Board of Leederville Gardens Inc. (Association) as at Confidential Attachments 2 and 4 that:

 - 1.1 a proper calculation of the accumulated operating surplus of the Association requires allowances to be made for operating or capital expenditure in each financial year and requires the exclusion of reserves for the purchase, replacement or periodic maintenance of capital items or equipment; and**
 - 1.2 as funds (or sufficient funds) were not reserved for these purposes, a mistake was made in the declared surplus subsequently transferred by the Association to the City to be held on trust;****
- 2. APPROVES a one-off reimbursement of \$1.295m of the trust funds, inclusive of accumulated interest, to the Association;**
- 3. NOTES that the reimbursement in Recommendation 2 would be conditional on the Association entering into a legally binding agreement with the City of Vincent as both the Local Government Authority and Trustee not to make any further claims for reimbursement from the trust funds or from the City of Vincent;**
- 4. NOTES that the return of the funds in Recommendation 2 would enable the Board of Association to promptly initiate works at the Leederville Garden Village in the form of major maintenance items as follows:**

Major items of maintenance – 10 years from 2019			
	Cost of replacement as at 2019		
	Overdue	Under-reserved	Total as at 2019
Roof (26/35 of total)	63,000	540,000	603,000
External painting	259,000		259,000
Roads (26/36 of total)	-	58,000	58,000
Lattices	75,000		75,000
Gates	35,000		35,000
Skylights	135,000		135,000
Gutters & downpipes	130,000		130,000
	\$697,000	\$598,000	\$1,295,000

CARRIED UNANIMOUSLY (9-0)

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

Against: Nil

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.46pm with the following persons present:

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	Cr Alex Castle	North Ward (electronically)
	Cr Joanne Fotakis	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward (electronically)
	Cr Joshua Topelberg	South Ward
	Cr Ashley Wallace	South Ward (electronically)
	Cr Sally Smith	North Ward (electronically)
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	Andrew Murphy	Executive Director Infrastructure & Environment (joined at 6.12pm during Item 3A)
	Virginia Miltrup	Executive Director Community & Business Services (electronically)
	Jordan Korovesi	A/Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer
Public:	No members of the public.	

These Minutes were confirmed at the 18 May 2021 meeting of Council as a true and accurate record of the Ordinary Meeting of Council Meeting held on 27 April 2021.

Signed: Mayor Emma Cole

Dated