



**CITY OF VINCENT**

# **NOTES**

## **Council Briefing**

**14 June 2022**

## Table of Contents

<b>1</b>	<b>Declaration of Opening / Acknowledgement of Country</b> .....	<b>3</b>
<b>2</b>	<b>Apologies / Members on Approved Leave of Absence</b> .....	<b>3</b>
<b>3</b>	<b>Public Question Time and Receiving of Public Statements</b> .....	<b>4</b>
<b>4</b>	<b>Declarations of Interest</b> .....	<b>7</b>
<b>5</b>	<b>Strategy &amp; Development</b> .....	<b>8</b>
5.1	No. 128A (Lot: 2; STR: 80812) Harold Street, Mount Lawley - Proposed Alterations and Additions to Single House.....	8
5.2	No. 7 (Lot: 1; STR: 43011) Galwey Street, Leederville - Alterations and Additions to Single House (Amendment to Approved - Extension of Time) .....	11
5.3	No. 242 (Lot: 2; D/P: 1641) Lake Street, Perth - Proposed Alterations and Additions to a Single House and Shop .....	12
5.4	Outcome of Advertising and Adoption of Amendments to Local Planning Policy No. 7.5.2 - Signs and Advertising .....	16
5.5	Outcome of Advertising and Adoption of Amendments to Local Planning Policy No. 7.5.3 - Education and Care Services .....	19
5.6	Outcomes of Advertising - Vibrant Public Spaces Policy .....	20
5.7	Small Business Friendly Approvals Program - Final Report.....	21
5.8	Expression of Interest for Redevelopment Concepts - The Avenue Car Park and Frame Court Car Park, Leederville .....	22
<b>6</b>	<b>Infrastructure &amp; Environment</b> .....	<b>26</b>
6.1	Tender Recommendation for RFT IE146/2021 - Provision of Small Maintenance Services .....	26
6.2	Review of Colvin Lane Signage and Speed Limit.....	27
<b>7</b>	<b>Community &amp; Business Services</b> .....	<b>28</b>
7.1	Financial Statements as at 30 April 2022 .....	28
7.2	Authorisation of Expenditure for the Period 1 April 2022 to 30 April 2022 .....	29
7.3	Investment Report as at 30 April 2022 .....	30
7.4	Event and Festival Sponsorship 2022/2023 .....	31
7.5	Advertising of amended policy - Recovery of Debts, Rates and Service Charges Policy .....	35
7.6	Terms of Reference - Reconciliation Action Plan Working Group.....	36
7.7	Draft Innovate Reconciliation Action Plan.....	37
7.8	Advertising of new policy - Communications and Social Media Policy.....	39
<b>8</b>	<b>Chief Executive Officer</b> .....	<b>40</b>
8.1	Appointment of the Western Australian Local Government Association (WALGA) - Central Metropolitan Zone - Council Representatives .....	40
8.2	Proposed Licensing of Car Bays for Electric Vehicle Charging Operator.....	41
8.3	Information Bulletin .....	44
<b>9</b>	<b>Motions of Which Previous Notice Has Been Given</b> .....	<b>45</b>
<b>10</b>	<b>Representation on Committees and Public Bodies</b> .....	<b>45</b>
<b>11</b>	<b>Confidential Items/Matters For Which the Meeting May be Closed</b> .....	<b>45</b>
<b>12</b>	<b>Closure</b> .....	<b>45</b>

**NOTES OF CITY OF VINCENT  
COUNCIL BRIEFING  
HELD AS E-MEETING AND AT THE  
ADMINISTRATION AND CIVIC CENTRE,  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 14 JUNE 2022 AT 6.00PM**

<b>PRESENT:</b>	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Ashley Wallace Cr Suzanne Worner Cr Ron Alexander Cr Ross Ioppolo</p>	<p>Presiding Member South Ward North Ward South Ward North Ward North Ward South Ward</p>
<b>IN ATTENDANCE:</b>	<p>David MacLennan Andrew Murphy  Virginia Miltrup  John Corbellini  Joslin Colli  Karsen Reynolds  Tara Gloster  Alanna Curtin  Mark Fallows  Jayde Robbins  Allan Brown Peter Varris  Ian Mickle  John Del Dosso  Gemma Carter  Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Infrastructure &amp; Environment (electronically) Executive Director Community &amp; Business Executive Director Strategy &amp; Development A/Manager Development &amp; Design (left at 7.28pm after item 5.3) Coordinator Planning Services (left at 7.28pm after item 5.3) Manager Policy and Place (left at 8.00pm after Item 7.1) Community and Civic Events Officer (left at 6.27pm after Item 7.4) Manager Built Environment and Wellbeing (left at 7.53pm after Item 5.7) Manager City Buildings and Asset Management (electronically) (left at 8.08pm during Item 8.1) A/Manager Engineering (electronically) Executive Manager Corporate Strategy &amp; Governance Cygnet West (Item 5.8 only) (left at 7.02pm) Cygnet West (Item 5.8 only) (left at 7.02pm) Manager Marketing &amp; Partnerships (arrived at 7.02pm, left at 8.02pm after Item 7.8) Council Liaison Officer</p>

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

## 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, 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 APPROVED LEAVE OF ABSENCE

Cr Ron Alexander is on approved leave of absence from 28 May 2022 to 15 June 2022 but was in attendance at the briefing.

Cr Dan Loden is an apology for this briefing.  
Cr Jonathan Hallett is an apology for this briefing.

### 3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

#### 3.1 Adie Chapman of Maylands – Item 7.4

- Mentioned that she is the founder and creative director of Oh HeyWA, which has been running walking tours in the City of Perth since 2014.
- Stated that she has a connection to Mount Lawley and is excited about conducting tours.
- Mentioned that since submitting the applicatoin she has conducted tours for the No More Blank Walls street art festival in Mt Lawley and they were a huge success.
- Stated that the tours were free and showcased the murals being painted for the festival and included presentations from the artists. The tours sold out almost immediately and additiional tours were added, with 180 guests attending, with 100 people on the waitlist. The feedback was excellent.
- Mentioned that the tours were funded by the City of Stirling and they are eager to continue the street art tours in an ongoing manner, as well as adding food and drink tours.
- Believes this a good opportunity for the two local governments to work together on a collaborative project.
- Stated that the tours have a positive impact on the area as they increase foot traffic and repeat business and create a safe, vibrant and welcoming space and benefit local businesses.
- Presented survey feedback from the tours, which said that 100% of respondents thought the tours added to the cultural life of the area.

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

#### 3.2 Marie Slyth of West Perth – Item 6.2

- Reiterated that it is dangerous for her to leave her garage.
- Stated that she cannot see in either direction when exiting her garage.
- Stated that the lane is different to other lanes in the neighbourhood and has different issues.
- Mentioned that she is requesting only one sign and feels she is not being heard.
- Stated it wouldn't cost a lot and she is willing to contribute to it, as it is affecting her health and wellbeing.
- Noted she was presented a certificate from a previous Mayor for her contribution to the City, as she is very active in the community.

*The Presiding Member, Emma Cole, asked Ms Slyth if her preference is for a sign at the entrance to the laneway, not a mirror. Ms Slyth said she doesn't believe there is any place to put a mirror that would help. Mayor Cole advised that questions would be asked during that item.*

The following questions and statements were received prior to the meeting.

#### Dudley Maier of Highgate – Item 5.6

1. What is the estimated annual revenue obtained from each on-road car bay in the City's town centres?
2. What is the estimated annual revenue that will be obtained from each on-road car bay in the City's town centres if the City reduces the first hour free parking to 30 minutes?
3. Why must businesses be forced to allow dogs in outdoor eating areas if they do not want to have them – why isn't it left to the businesses to decide?
4. Is there potential for public health requirements to be compromised if dogs are allowed in outdoor eating areas?

**Gary Roberts of Leederville – Item 5.2**

1. This is the third planning application for this property. Originally, we had minimal concerns about the planning application, and these were addressed, but since the original application there has been a considerable amount of earth works done. These were never drawn on any of the plans that have been passed by council over the past 4 years?
2. Number 7 has now elevated their land up to the dividing fence well beyond 500mm in height. I believe this is in breach of the design codes, Part 5.3.7, C7.2, Table 4: where the height of site works has increased by more than 500mm there needs to be a setback of 1 meter. Has this been verified by inspection on-site?
3. The levels around the boundary of the property have been raised by over a meter which has impacted on the privacy of our lounge room and private outdoor dining space. A pathway down the side of Number 7 is the only access to the rear of the property and due to the elevation of the land on the east boundary, next door now looks across and into a third of our internal living space. Since there has been no substantive progress on the build for the past 4 years, we request a time stipulation on completion of the build so we can regain some privacy in the near future.

Please see photos below:







*The above questions are answered under Item 5.2 of these Notes.*

**Tony Boylan of Perth – Item 5.3**

I wish to object to the proposed building based on its total lack of Compliance with current Building and Planning requirements.

They wish to build 3 storey when only 2 storey complies. Only last year a new house was completed at 59 Glendower St which is 2 storey, the owners had wished to build 3 storey but were refused.

Of the photos of neighbouring buildings submitted by the Applicant it is obvious that all are built on standard street setbacks with front yards and gardens and are visually pleasing with windows and balconies setback from the Lake St boundary, as required by today's rules.

The proposal for 242 Lake is a 3 storey nil setback that Does Not comply and does not blend in or match any other neighbouring building.

The proposed 3 storey parapet wall for the Lake St boundary does not occur anywhere in the neighbourhood and Should Not be allowed to occur here.

Surely a Building Application should be in accordance with City of Vincent's "Deemed to Comply" guidelines , this one rarely has a Compliance and needs to be rejected.

It would appear that the owners are simply trying to build a large house on a 6 metre wide narrow block and wish to totally ignore all setback requirements and most of the building / planning regulations. Let them build within the City of Vincent current requirements that everyone else has complied with, and not just ignore the rules that everyone else has followed

The proposal simply Does Not fit on this corner lot as the proposal is a 3 storey parapet building on both the 30.14m boundaries, one of these is the Lake St boundary which has a footpath along it . Imagine a 3 storey parapet wall butting up to the footpath.

To go from a "Bike Shop" to a "Caretakers Residence Addition to Existing Shop" to the current proposal of a large 4 bed 3 bath family home on a narrow corner block Does Not conform with council rules and guidelines , and should not be allowed to proceed .

The City of Vincent's "Deemed to Comply" and the "Proposed" are vastly different in most of the comparisons listed in the Planning Elements of the application.

This surely cannot be allowed.

*The above comments are addressed under Item 5.3 of these Notes.*

There being no further speakers, Public Question Time closed at approximately 6.10pm.

**4 DECLARATIONS OF INTEREST**

- 4.1 Cr Alex Castle declared an impartiality interest in Item 7.4 Event and Festival Sponsorship 2022. The extent of her interest is as the President of the Floreat Athena Football Club supported her during her election campaign. She also purchased a ticket to the Floreat Athena vs Adelaide United match and received an additional minor amount of hospitality, below the threshold for declaration.
- 4.2 Mayor Cole declared an impartiality interest in Item 7.4 Event and Festival Sponsorship 2022. The extent of her interest is that her son is a junior player of the Club.
- 4.3 David MacLennan, CEO, declared an impartiality interest Item 7.4 Event and Festival Sponsorship 2022. The extent of his interest is that his niece plays junior soccer for Floreat Athena Football Club.
- 4.4 Cr Suzanne Worner declared an impartiality interest in Item 7.4 Event and Festival Sponsorship 2022. The extent of her interest is that she is an acquaintance of the Little People Festival creators, and encouraged them to submit an application.
- 4.5 Cr Suzanne Worner declared a financial interest Item 7.4 Event and Festival Sponsorship 2022. The extent of her interest is that she is General Manager of Revelation Perth International Film Festival and Co-Director of UpBeat Events (who has managed events for some of the applicants).

**5 STRATEGY & DEVELOPMENT****5.1 NO. 128A (LOT: 2; STR: 80812) HAROLD STREET, MOUNT LAWLEY - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE****Ward:** South**Attachments:**

1. Location and Consultation Plan
2. Development Plans
3. Superseded Plans Deferred by Council at 5 April 2022 Meeting
4. Summary of Submissions - Administration's Response
5. Summary of Submissions - Applicant's Response
6. Determination Advice Notes

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the development application for alterations and additions to single house at No. 128A (Lot: 2; S/P: 80812) Harold Street, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

**1. Development Plans**

This approval is for alterations and additions as shown on the approved plans dated 4 May 2022. No other development forms part of this approval;

**2. Boundary Walls**

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

**3. External Fixtures**

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

**4. Visual Privacy**

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

**5. Colours and Materials**

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

**6. Stormwater**

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



**CR CASTLE:**

Would the removal of the roof terrace alfresco cover have any impact on noise mitigation?

**COORDINATOR PLANNING SERVICES:**

*The City's Environmental Health team have reviewed the proposal and confirmed that as the space was not enclosed with solid walls from the ground to the roof, it is assumed that the noise levels emitted from the roof terrace would be similar with or without the roof structure.*

*Noise impacts are not a relevant consideration when determining the acceptability of lot boundary setbacks proposed against the relevant design principles. Notwithstanding, the development would be subject to compliance with the Environmental Protection (Noise) Regulations 1997*

**CR LODEN (IN WRITING):**

Trying to understand the changes to the design as a result of the deferral. Would be greater at if that could be clarified.

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*The changes undertaken by the applicant to address the reason for deferral are summarised at the top of Page 3 of the Briefing Report, though we did not include plans illustrating the changes. Attached are side-by-side images that illustrate the changes to the design between the plans presented to the April Council Meeting and the amended plans submitted 4 May 2022.*

*As mentioned in the report the changes are summarised as follows:*

- *Removal of the skillion roof patio structure that was covering the roof terrace. The roof terrace is now proposed to be completely uncovered;*
- *Modification to the pool access stairs to remove the 1.1 square metre platform at the top of the staircase that was previously proposed. The access to the pool is now proposed to be via a set of four stairs adjacent to the north western lot boundary;*
- *Reduction in the height of portions of the privacy screening around the pool from 2.7 metres previously proposed to 1.6 metres above the finished floor level of the pool terrace;*
- *Addition of a 0.3 metre wide planter box adjacent to the south eastern lot boundary; and*
- *Provision of supporting images to show the proposed design and aesthetic appearance of the perforated metal screens, landscaping and pool structure.*

**CR WALLACE:**

In Section A-A, it appears that the pool sits higher than the finished floor level of the roof terrace. Do the privacy screens sit 1.6 metres above the pool finished floor level?

**COORDINATOR PLANNING SERVICES:**

*The Applicant has confirmed that the finished floor level of the pool sits 200 millimetres above the finished floor level of terrace. As such, the privacy screens sit 1.4 metres above the finished floor level of the pool as shown on the current development plans.*

*To protect the privacy of adjoining properties when people are standing in the pool, the privacy screens around the entire perimeter of the pool should be increased by 200 millimetres. This means the privacy screens would sit 1.6 metres above the finished floor level of the pool in accordance with the Clause 5.4.1 Visual Privacy of the R Codes.*

*Administration's recommendation has been amended to include Condition 7, which requires amended plans to be submitted prior to issue of the building permit that increase the privacy screens to sit 1.6 metres above the finished floor level of the pool. The 200 millimetre height increase would have the following implications:*

- *The development would meet the deemed-to-comply standards relating to visual privacy;*
- *The lot boundary setback required to the south eastern boundary under the deemed-to-comply standards of the R Codes would not change. The application would still propose a 1.1 metre setback in lieu of 2.3 metres from the south eastern boundary. The design features included in the privacy screens would mitigate adverse impacts of building bulk when viewed from the eastern adjoining property, even with the additional 200mm in height;*
- *The shadow cast to the south eastern adjoining property at 12:00pm on 21 June would increase by 0.9 square metres, which equates to a 0.2 percent shadow increase. The total shadow cast to the south eastern adjoining property is 20.42 percent which is less than the 50 percent overshadowing permitted for R50 coded properties under the R Codes deemed-to-comply standard. Additionally, the adjoining*

*eastern properties outdoor living area would not be further affected and would continue to have access to northern sunlight; and*

- *The boundary wall height to the north western boundary would increase from 5.1 metres to 5.3 metres. There would be no adverse visual impacts as a result of this height increase to the adjoining western property given the wall abuts the roof of a garage.*

*The Officer report has been updated to address all implications resulting from 200 millimetre privacy screen increase.*

**5.2 NO. 7 (LOT: 1; STR: 43011) GALWEY STREET, LEEDERVILLE - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (AMENDMENT TO APPROVED - EXTENSION OF TIME)****Ward:** North**Attachments:**

1. Consultation and Location Map
2. Development Plans
3. Previous Council Meeting Minutes and Approved Plans
4. Applicant Justification and Response to Submissions

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Alterations and Additions to Single House (Amendment to Approved – Extension of Time) at No. 7 (Lot 1; STR: 40311) Galwey Street, Leederville, in accordance with the plans shown in Attachment 2, subject to the following condition:

1. All other conditions, requirements and advice notes detailed on the development approval 5.2018.166.1 granted on 21 August 2018 continue to apply to this approval except as follows:
  - 1.1 Condition 1 is modified to read as follows:
    1. This approval is valid for two years from the date of this approval.
  - 1.2 Advice Note 2 is added to read as follows:
    2. In relation to Condition 1, a further two years is added to the date by which the development is to be substantially commenced, pursuant to Schedule 3, Condition 3.1 of the Clause 78H current Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 22 April 2022.

**MAYOR COLE:**

A compliance matter was raised in the questions from the public. Could these please be responded to?

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*The information provided by the member of the public has been referred to the City's compliance team for investigation. The alleged works are not part of the development application being considered by Council and are a separate matter to this development application.*

*The City will liaise directly with owner and member of the public to ensure all works that have been carried out in the backyard comply with legislative requirements and work with the parties to help facilitate a mutually agreeable outcome.*

**5.3 NO. 242 (LOT: 2; D/P: 1641) LAKE STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO A SINGLE HOUSE AND SHOP****Ward:** South

- Attachments:**
1. Consultation and Location Map
  2. Development Plans
  3. 3D Perspectives
  4. Overshadowing Diagram
  5. Applicant's Cover Letter
  6. Detailed Streetscape Analysis
  7. Summary of Submissions - Applicant's Response
  8. Summary of Submissions - Administration's Response
  9. Determination Advice Notes

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for and Alterations and Additions to a Single House and Shop at No. 242 (Lot: 2; D/P: 1641) Lake Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 9:

**1. Development Plans**

This approval is for Alterations and Additions to a Single House and Shop as shown on the approved plans dated 14 April 2022. No other development forms part of this approval;

**2. Amended Plans**

Prior to development commencing, revised plans shall be submitted and approved demonstrating the following:

- a) The mid level bedroom 2 window shroud shall be extended to ensure that a 4.5 metre cone of vision setback is provided from this window to the south eastern lot boundary, in accordance with the deemed-to-comply standards of the Residential Design Codes Volume 1, Clause 5.4.1 (Visual Privacy), to the satisfaction of the City; and
- b) The height of the solid balustrading along the south eastern side of the upper floor roof deck shall be increased from 1 metre to 1.6 metres above the finished floor level of the roof deck, in accordance with the deemed-to-comply standards of the Residential Design Codes Volume 1, Clause 5.4.1 (Visual Privacy), to the satisfaction of the City.

The revised plans shall not result in any greater non-compliance with the deemed-to-comply standards of the Residential Design Codes or the City's Policy No. 7.1.1 – Built Form.

**3. Boundary Walls**

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

**4. Visual Privacy**

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

**5. Colours and Materials**

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



of the City;

## 6. Landscaping

- 6.1 All landscaping works shall be undertaken in accordance with the approved plans dated 14 April 2022;
- 6.2 One new verge tree shall be planted within the Lake Street verge adjacent to the subject site, at the expense of the applicant/owner, to the satisfaction of the City. The species of the new street tree shall be *Agonis flexuosa* (Weeping Peppermint) and shall be a minimum of 90 litre capacity;

## 7. Stormwater

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

## 8. Car Parking and Access

- 8.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;
- 8.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;
- 8.3 One new short-term bicycle bay shall be provided within the verge adjacent to the subject site. The bicycle bay shall be designed in accordance with AS2890.3 and installed prior to occupation or use of the development, at the expense of the owner/applicant, to the satisfaction of the City;

## 9. Building Design

- 9.1 The Shop shall maintain an active and interactive relationship with Bulwer Street and Lake Street during the hours of operation, to the satisfaction of the City. Darkened, obscured, mirrored or tinted glass, roller shutters or the like are prohibited. Curtains, blinds and other internal treatments that obscure the view of the internal area from Bulwer Street and Lake Street are not permitted to be used during the hours of the Shop's operation.
- 9.2 Ground floor glazing and/or tinting to the Shop shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City are prohibited;
- 9.3 All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City; and

## 10. Construction Management Plan

Prior to the development commencing a Construction Management Plan shall be lodged with and approved by the City (including demolition and/or forward works). The Construction Management Plan is required to detail how the construction will be managed to minimise the impact on the surrounding area and shall include the following:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;

- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the development site.

**CR LODEN (IN WRITING):**

Request following amendment:

Additional 3 trees planted in the verge (administration guidance on appropriate trees to fit street tree theme) one on Bulwer St and 2 on Palmerston St.

Note: will take guidance from administration if the Bulwer St tree will create a visual truncation issue and if the closer of the two trees on Palmerston will impact the Telstra dome (i don't think so but want to be sure).

Justification: Trees in verge will help to address bulk and scale of the development and the deficiency in deep soil zone and tree canopy requirements.

**COORDINATOR PLANNING SERVICES:**

*The City's Parks team have considered the ability to plant additional verge trees to the Lake Street (rather than Palmerston) and Bulwer Street verge areas.*

*To Lake Street, it is possible to fit one additional verge tree. Two trees cannot be accommodated due to the existing Telstra pit, dome and other infrastructure present on the verge. Condition 6.2 of Administration's recommendation requires a Agonis Flexuosa (Weeping Peppermint) to be planted in the Lake Street road reserve at a minimum 90 litre capacity prior to occupation and to the expense of the owner/applicant.*

*To Bulwer Street, one verge tree could be accommodated adjacent to the development. The recommended species is Melaleuca Quinquenervia (Broad Leaved Paperbark) at a 90 litre minimum capacity.*

*Administration will prepare an amendment that includes a condition for the planting of a verge tree to Bulwer Street at the recommended specifications and to the owner/applicants expense.*

**RESPONSE TO PUBLIC STATEMENT - FROM COORDINATOR PLANNING SERVICES:**

*Administration provides the following comments in response to the written statement received from Tony Boylan of Perth.*

*Pathways for assessment*

*The State Government's Residential Design Codes (R Codes) provide two pathways for assessing and determining a development application, either against the deemed-to-comply standards or the design principles.*

*The deemed-to-comply standards are one way of satisfactorily meeting the design principles and are quantitative measures.*

*Design principles are qualitative measures which describe the outcome that is sought rather than the way that it can be achieved (i.e. does it achieve the desired outcome).*

*If an element of an application does meet the applicable deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.*

*If an element of an application does not meet the applicable deemed-to-comply standard/s then Council's discretion is required to decide whether this element meets the design principles.*

*This proposal seeks a combination of complying with the deemed-to-comply standards while also seeking a*

*qualitative assessment to be undertaken against the relevant design principles of the R Codes for some elements.*

*The acceptability of elements seeking assessment against the design principles are discussed in detail in the Officer report and also summarised below in respect to the concerns raised relating to impacts to the streetscape.*

*Comments on the Built Form Outcome*

*In response to the public statement raising concern with the streetscape impacts from the development to Lake Street, Administration notes that the overall building height and street setbacks of the development would satisfy the relevant design principles of the R Codes and local housing objectives and element objectives of the Built Form Policy for the following reasons:*

- The existing development along Lake Street is characterised by two and three storey townhouses that have minimal street setbacks and limited articulation between the ground and upper floors. This is demonstrated in the detailed streetscape analysis included in **Attachment 6** of the Officer report;*
- The proposed alterations and additions would be consistent with, and contribute positively to the existing and future streetscape context as it uses glazing, contrasting colours and materials, and different roof heights and forms to provide horizontal and vertical articulation as viewed from Lake Street. The proposed development would not be setting a new or undesirable precedent for the area;*
- The aforementioned design features as well as the provision of landscaping assists in effectively reducing the appearance of blank solid walls and associated building bulk to the streetscape;*
- Three-storey parapet walls are found within the immediate locality, including directly across the street at No.247 and 249 Lake Street, Perth which are visible from both Lake Street and Bulwer Street;*
- The subject site is constrained in its ability to provide setbacks to Lake Street at the upper floor levels whilst still delivering functional internal spaces due to its 6 metre width. The overall building design would provide an effective balance between high quality internal amenity for its residents and appropriate visual interest as viewed from the street; and*

*The City's DRP Chairperson has reviewed the proposed development and is supportive of the setback and design of the building with respect to the Lake Street streetscape.*

At 7:28 pm, Karsen Reynolds left the meeting and did not return.

At 7:28 pm, Joslin Colli left the meeting and did not return.

#### 5.4 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.2 - SIGNS AND ADVERTISING

- Attachments:
1. Amended LPP 7.5.2 - Signs and Advertising (with tracked changes)
  2. Amended LPP 7.5.2 - Signs and Advertising (clean version)

#### RECOMMENDATION:

That Council **PROCEEDS** with Amendment No. 1 to Local Planning Policy No. 7.5.2 – Signs and Advertising with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at Attachment 2.

#### MAYOR COLE:

Limiting one sign to tobacco and alcohol related premises – would this be problematic for premises such as The Paddington or small bars?

Does the policy include enough clarity around the number of permitted signs for differing size tenancies?

#### MANAGER POLICY & PLACE:

*In reference to questions relating to signage on premises selling alcohol such as the Paddington Hotel or small bars, LPP 7.5.2 does not limit the number of signs to 'one sign' only. Any limit of this nature would only apply to businesses where the primary purpose is the sale or consumption of tobacco or smoking related products, for example a shisha bar or smoke shop. The following clause applies:*

- 3.7 *Any premises where the primary purpose is the sale of tobacco or other smoking products shall be permitted no more than one sign, which shall be used for the purpose of identifying a registered business name, to a maximum of 2 square metres.*

*The intent of this clause is not to include premises primarily selling alcohol, hotels or small bars. Signs on these types of premises would be assessed in the same way that other business signs are assessed and would be limited only by premises size, to a maximum of four **types** of signs only in accordance with the following clause:*

- 7.3 *A maximum of four (4) different sign types in accordance with Clause 10 for sites in non- residential zones, and a maximum as per Clause 9 for sites in the Residential zone.*

*The sign specific standards of the policy would dictate the total sign number and/or coverage on any business, determined by the lot frontage. Only four different sign types are permitted (i.e.. wall, window, awning and integrated roof, or any other sign combination).*

*A small businesses in the town centre area where the average lot frontage is 10 metres would be permitted four sign types, with the number and/or coverage restricted through the sign specific standards. For example they may be permitted one awning facia, one under awning, 30 percent window coverage and one wall sign not exceeding 10 percent of the wall size or any other combination totalling four sign types only.*

*A tenancy where the lot frontage is much larger would also be restricted to four sign types. Due to its larger lot frontage, the sign specific standards would allow a greater number of signs and/or coverage. For example, as in the case of a premises such as Dan Murphy's or the Paddington with approximately 30 metres of frontage, they may be permitted two under awning signs, 30 percent window coverage, a wall sign not exceeding 10 percent and one roof sign per frontage or any other combination of four complying sign types.*

*Existing signs are grandfathered in as well, and any non-compliance for new businesses will simply mean that an application is required, with the proposal being assessed individually against the objectives of the policy.*

*There was clarification required in the Council Report at the end of the Background section, which stated that:*

- "6. On private land, smoking shops and bars will be limited to one sign per tenancy, solely advertising the*



business name.”

This relates to bars whose primary purpose is the consumption of tobacco or other products used for smoking, rather than all bars. This has been clarified in the report and the policy.

**MAYOR COLE:**

Foreshadow an amendment, focus on third party alcohol adverts.

**MANAGER POLICY & PLACE:**

*Third party advertising is prohibited in LPP 7.5.2. This includes but is not limited to alcohol. Where a business is selling alcohol, it may advertise the sale of goods and services available on its premises as this does not fall within the definition of third party advertising. The Sign specific standards would apply in limiting the total number and coverage of signs.*

**MAYOR COLE:**

Billboards carried over from City of Perth with approval in perpetuity, could these be listed?

**MANAGER POLICY & PLACE:**

*The table will be circulated to Council Members.*

*The City's existing billboards, with the exclusion of the two time limited billboards on Newcastle Street, would not be subject to this policy as they have either already have approval under a previous planning scheme (City of Perth) or were erected prior to the requirement of a development approval. The policy has no ability to regulate the continuation of these billboards and so it is not recommended that they be listed in the policy.*

**MAYOR COLE:**

Smoking, alcohol and unhealthy foods advertising is restricted – does that mean that the ice cream advertising in Beatty Park would not be permitted by this policy?

**MANAGER POLICY & PLACE:**

*The ice cream signage in question is internal to the Beatty Park building.*

*The policy was not intended to regulate internal signs as internal building works that do not materially affect the external appearance of the building are exempt from the need for development approval under the Clause 61(1)(b)5. of the Schedule 2 Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, unless they are being carried out on a heritage building.*

*Beatty Park is a heritage building and so in order to clarify that the policy was not intended to apply to any internal signage, the 'scope' of the policy has been adjusted to state this. Development approval may still be required for the internal signage in City of Vincent owned heritage buildings, depending on who is proposing to install that signage, and these would be considered on a case by case basis in accordance with the heritage listing statement of significance and applicable scheme.*

*The section of the policy titled 'smoking, alcohol and unhealthy foods' only relates to 'Eco signs', which are defined as:*

**Eco sign** means a temporary sign that advertises a local community event within the City that is run or sponsored by the City of Vincent.

*These signs are either installed by or associated with sponsorship from the City of Vincent, and so this provision was included to clarify the City's position on its own signs.*

*Regarding signage on leased City of Vincent property, this would not fit under 'Eco sign' in the proposed policy and would be treated the same as any other private signage proposed in the City of Vincent. This means that the signage by the Beatty Park Café, which is leased by the City to a privately run cafe, is treated the same as any other private signage proposal under the policy. Any restrictions the City wishes to apply to signage on its leased property can be controlled through the lease itself.*

*Other sign requirements for wall signs, portable signs etc have no requirements in regards to the advertising of alcohol, tobacco and unhealthy foods. Under the current Public Health Plan (PHP), the City's deliverables are to 'advocate' for reduced exposure to alcohol and tobacco and 'support and encourage' local businesses*

to provide healthy food environments. The PHP does not propose the planning framework be used to regulate advertising of alcohol, tobacco and unhealthy foods, which is governed by separate Federal and State regulation.

**MAYOR COLE:**

One of the adverts was for gambling, was that considered?

**MANAGER POLICY & PLACE:**

In reviewing the policy, Administration focused on specific actions that align with the City’s Public Health Plans, in particular clause 18.4 of the plan:

18.4 Advocate for reduced exposure to alcohol and tobacco advertising, marketing, promotion and sponsorship.

Where appropriate, LPP 7.5.2 aligns with the Public Health Plan objectives, in particular:

Clause 2

<p><b>Eco sign</b> means a temporary sign that advertises a local community event within the City that is run or sponsored by the City of Vincent.</p>	<p>a) Located on City owned land; and b) Does not include the promotion of smoking, alcohol or unhealthy food and drink.</p>
--	--

and,

Clause 3.7 Any premises where the primary purpose is the sale of tobacco or other smoking products shall be sign, which shall be used for the purpose of identifying a registered business name, to a maximum of 2 square metres.

The PHP does not propose the planning framework be used to regulate advertising of gambling, which is governed by separate Federal and State regulation.

It is recommended that Council consider gambling in its next Public Health Plan as determining the most appropriate approach would require an additional body of work to consult with affected businesses, industry and existing government regulators.

**CR WALLACE:**

Did Admin consider having a restriction on the integrated roof signs? Flag potential amendment – percentage of building use to permit a sign.

**MANAGER POLICY & PLACE:**

Administration did consider further restriction of integrated roof signs and recommended that the policy allow a business to advertise from these signs as long as the business is operating from the site. The Policy includes in the definition of third party advertising that the products or services are actually offered at the site. That means the business cannot just be a post box or administration office.

The size controls on integrated roof signs (up to 10sqm) would also severely limit any potential for exploitation. Including a shop or office in a large building just to acquire a 10sqm roof sign would be highly unlikely and, as explained above, would be acceptable as long as there was a service offering from the building. It should also be noted that only one roof sign is allowed per frontage, not one for each tenant.

**5.5 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.3 - EDUCATION AND CARE SERVICES**

- Attachments:**
1. **Local Planning Policy: Child Care and Family Day Care**
  2. **Response to Submission**

**RECOMMENDATION:**

That Council **PROCEEDS** with Amendment 2 to Local Planning Policy: Child Care and Family Day Care, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as at Attachment 1.

<b>NO QUESTIONS:</b>
----------------------

**5.6 OUTCOMES OF ADVERTISING - VIBRANT PUBLIC SPACES POLICY**

- Attachments:**
- 1. Vibrant Public Spaces Policy - Summary of Submissions**
  - 2. Vibrant Public Spaces Policy (Amendments Highlighted)**
  - 3. Vibrant Public Spaces Policy (Final)**

**RECOMMENDATION:**

**That Council:**

- 1. RESCINDS Policy No. 2.2.13 – Parklets;**
- 2. ADOPTS the Vibrant Public Spaces Policy at Attachment 3; and**
- 3. NOTES the proposed fees and charges to be included in the 2022/23 Fees and Charges.**

<b>NO QUESTIONS</b>
---------------------



**5.7 SMALL BUSINESS FRIENDLY APPROVALS PROGRAM - FINAL REPORT**

**Attachments:** 1. Small Business Friendly Approvals Program - Final Report

**RECOMMENDATION:**

**That Council NOTES:**

1. the Small Business Friendly Approvals Program – City of Vincent Final Report at Attachment 1; and
2. Administration will be reporting progress of the 33 reforms of this report to the Small Business Development Corporation every six months, and a copy of these reports can be included in the Information Bulletin to Council.

**ADDITIONAL INFORMATION:****MANAGER BUILT ENVIRONMENT AND WELLBEING:**

*The recommendation has been changed so there is a clear commitment to reporting progress of this program every six months.*

Mark Fallows left the meeting at 7.53pm and did not return.

## 5.8 EXPRESSION OF INTEREST FOR REDEVELOPMENT CONCEPTS - THE AVENUE CAR PARK AND FRAME COURT CAR PARK, LEEDERVILLE

- Attachments:
1. Expression of Interest Process
  2. Project Plan
  3. Expression of Interest Material
  4. Preliminary Business Case - Confidential

### RECOMMENDATION:

#### That Council:

1. **APPROVES** the Expression of Interest (EOI) material, at Attachment 3, for the purpose of advertising, noting that graphic design will be completed prior to distribution;
2. **AUTHORISES** the Chief Executive Officer to advertise the Expression of Interest material for a period of at least 42 days for the purpose of receiving redevelopment concepts for The Avenue Car Park and Frame Court Car Park, Leederville; and
3. **NOTES** the:
  - 3.1 **Project Plan**, at Attachment 2, including the final step following the advertising period where the shortlisted redevelopment concepts will be presented to Council; and
  - 3.2 **Preliminary Business Case**, at confidential Attachment 4.

#### **MAYOR COLE:**

Reference to the draft Leederville Precinct Structure Plan and the Leederville Masterplan – does including both make this confusing? Would it be worth considering removing the Leederville Masterplan?

#### **MANAGER POLICY AND PLACE:**

*Details regarding the Leederville Masterplan have been removed from the report and the Expression of Interest material in order to provide clear guidance that the provisions in the draft Leederville Precinct Structure Plan will replace those in the Leederville Masterplan when the draft Leederville Precinct Structure Plan is approved by the West Australian Planning Commission.*

#### **MAYOR COLE:**

If Council was of the view to increase the minimum number of car parking bays, what impact would that have?

#### **MANAGER POLICY AND PLACE:**

*The response to this question has been circulated under confidential cover, in accordance with Section 5.23 (2) (c), (e) and (h) of the Local Government Act 1995.*

#### **CR IOPPOLO:**

Attachment 3 refers to The Avenue site being developed as a supermarket – is that prescriptive? Can Administration look at the wording, as it reads as if it is a foregone conclusion to provide this?

#### **MANAGER POLICY AND PLACE:**

*The Leederville Masterplan vision which references a supermarket on The Avenue site has been removed from the report and the Expression of Interest material in order to remove confusion and provide clarity.*

#### **CR IOPPOLO:**

Section 6 Terms and Conditions – do they relate to the City and the proponent, and is Cygnet West a party to this?

#### **MANAGER POLICY AND PLACE:**

*Section 6.0: Terms and Conditions has been edited to add the below text as a preamble, to be clear about who this section relates to.*

*“The Terms and Conditions relate to the City and/or Cygnet West acting on behalf of the City and the Proponent.”*

*There is no agreement with an expression of interest process. A proponent who submits a proposal is bound by the Terms and Conditions of the expression of interest document similar to 'a set of rules'. Section 1 of the Expression of Interest material states that "by submitting a proposal, Proponents agree to be bound by the Terms and Conditions in Section 6".*

*The expression of interest is a request for information process and is managed and undertaken by Cygnet West, who acts on behalf of the City. Cygnet West has been appointed through the City's successful procurement process and is evidenced by a contractual arrangement between the City and Cygnet West.*

*In respect of Cygnet West's obligations as an agent, the terms of their contract with the City will govern their performance, responsibilities and accountability to the City. In addition, the adherence to the City's Code of Conduct for employees applies to the City's employees and to an agent who is a 'person engaged by a local government under a contract for services' within the meaning of the Local Government (Administration) Regulations 1996. This includes Cygnet West.*

**CR IOPPOLO:**

6.12 – should read "governing".

**MANAGER POLICY AND PLACE:**

*This typo has been rectified.*

**CR IOPPOLO:**

Table 1 – if the proponent is a legal entity, why would we not ask for all director names and any additional directors and underlining shareholders in order to identify any underlining conflict of interest with the proponent?

**MANAGER POLICY AND PLACE:**

*Within Table 1 Proponent Contact Details, the first field 'Proponents Full Name:' has been changed to 'Full Names of Proponent including all Directors and Shareholders:'"*

**CR IOPPOLO:**

There is an argument the EOI advertising should be deferred for a month because the EOI proposed is brief on detail compared to similar exercises undertaken by other Cities. Is it a good idea to make adjustments to the EOI and defer the item?

**MANAGER POLICY AND PLACE:**

*The level of detail in the Expression of Interest material sits within the context of the significant detail around the requirements and desired outcomes for the area and the specific land parcels set out in the draft Leederville Precinct Structure Plan. This was developed following significant community consultation and analysis and provides much of the necessary background, context and supporting information required by proponent, avoiding the need for this to be replicated in the EOI itself, like in the case of other exercises carried out by other local governments.*

*Cygnet West who has been engaged to provide commercial expertise on this project has advised that this is the level of detail required from prospective proponents at this stage of the process. This is based on best-practice government examples that have carried out similar processes throughout Western Australia.*

**CR IOPPOLO:**

Should full discussion/disclosure regarding encumbrances on the land be included in the Expression of Interest material?

**MANAGER POLICY AND PLACE:**

*All of this information is publicly available, including in the draft Leederville Precinct Structure Plan. It is expected that Proponents complete their own due diligence for each of the sites.*

**CR IOPPOLO:**

Confidentiality provisions - how does this interact with Freedom of Information provisions or a Court Order.

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

*As there is no confidential information in the Expression of Interest material, it is unlikely for a Freedom of Information request to be made.*

*In the event that confidential information is provided and a Freedom of Information application is received, the City is entitled to rely on the provisions in Schedule 1, cl 4 of the Freedom of Information Act 1992 which refers to an exempt matter in relation to information which has commercial value and which the release of this information would have an adverse effect on the City's business.*

**4. Trade secrets, commercial and business information**

(1) Matter is exempt matter if its disclosure would reveal trade secrets of a person.

(2) Matter is exempt matter if its disclosure —  
 (a) would reveal information (other than trade secrets) that has a commercial value to a person; and  
 (b) could reasonably be expected to destroy or diminish that commercial value.

(3) Matter is exempt matter if its disclosure —  
 (a) would reveal information (other than trade secrets or information referred to in subclause (2)) about the business, professional, commercial or financial affairs of a person; and  
 (b) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of information of that kind to the Government or to an agency.

*A Court order will always trump any confidentiality arrangements between parties. If the City fails to comply with a Court order, it would be held liable to be in contempt of court.*

**CR IOPPOLO:**

Who are the parties to the implied consent – proponent, COV and agent?

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

*There is no implied consent with an EOI process. When a proponent submits a proposal, it agrees to be bound by the Terms and Conditions (Section 6) of the Expression of Interest material.*

**CR IOPPOLO:**

Who is the owner of Submissions?

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE**

*The proponent will own the proprietary right to their submission and the information contained in the submission. The City will have the right to use and refer to the information in the submission.*

**CR IOPPOLO:**

What is the difference between actual signoff on T&Cs versus implied consent?

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE**

*There is no requirement to sign the T&Cs. This is industry practice. The act of submitting a proposal automatically binds the proponent to the T&Cs.*

**CR IOPPOLO:**

Cr Ioppolo requested an amendment regarding number of car parking bays required.

**MANAGER POLICY AND PLACE:**

*A proposed amendment has been prepared as follows:*

1. *APPROVES the Expression of Interest (EOI) material, at Attachment 3, for the purpose of advertising, noting that graphic design will be completed prior to distribution, subject to:*

*1.1 The first point of 4.2 Non-weighted Compliance Criteria – Commercial Terms be amended to require 500 car parking bays;*

For the convenience of the conduct of proceedings (due to the attendance of consultants in relation to the item), the Mayor directed that the Briefing be closed to the public so questions can be raised on confidential matters pertaining to item 5.8. At 7.00pm the briefing went behind closed doors.

At 7.02pm John Del Dosso and Ian Mickle, Cygnet West consultants, left the meeting and did not return.

**6 INFRASTRUCTURE & ENVIRONMENT**

**6.1 TENDER RECOMMENDATION FOR RFT IE146/2021 - PROVISION OF SMALL MAINTENANCE SERVICES**

**Attachments: 1. Evaluation Worksheet - Confidential**

**RECOMMENDATION:**

**That Council:**

- 1. NOTES the outcome of the evaluation process for Tender IE146/2021 Provision of Small Maintenance Services; and**
- 2. ACCEPTS the tender submission of Devco Builders for Tender IE146/2021 Provision of Small Maintenance Services for a period of three (3) years with the option to extend for a further one (1) year.**

<b>NO QUESTIONS</b>
---------------------

At 6:28 pm, Cr Suzanne Worner returned to the meeting.

## 6.2 REVIEW OF COLVIN LANE SIGNAGE AND SPEED LIMIT

Attachments: Nil

### RECOMMENDATION:

That Council;

1. **RECEIVES** the report containing additional information on Colvin Lane signage and speed limit as requested at the Ordinary Council Meeting of 5 April 2022, and
2. **NOTES** that Administration do not support further intervention in Colvin Lane.

#### **CR CASTLE:**

Requested a proposed sign in the notes – requested to see a design within Main Roads guidelines that could still be effective, although non regulatory. Foreshadowed amendment.

#### **EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:**

*Based on the discussion at Briefing the City will be able to install a second sign on the verge at the entrance to Colvin Lane designed to remind motorists to drive slowly, similar to that requested by the resident. The report has been amended to reflect this change since briefing.*



**7 COMMUNITY & BUSINESS SERVICES**

**7.1 FINANCIAL STATEMENTS AS AT 30 APRIL 2022**

**Attachments: 1. Financial Statements as at 30 April 2022**

**RECOMMENDATION:**

**That Council RECEIVES the Financial Statements for the month ended 30 April 2022 as shown in Attachment 1.**

**NO QUESTIONS**

At approximately 8.00pm Tara Gloster left the meeting and did not return

**7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 APRIL 2022 TO 30 APRIL 2022**

- Attachments:
1. Payments by EFT and Payroll April 22
  2. Payments by Cheque April 22
  3. Payments by Direct Debit April 22

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 April 2022 to 30 April 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,811,164.16
Cheques	\$302.60
Direct debits, including credit cards	\$168,868.62
<b>Total payments for April 2022</b>	<b>\$5,980,335.38</b>

<b>NO QUESTIONS</b>
---------------------

**7.3 INVESTMENT REPORT AS AT 30 APRIL 2022**

**Attachments: 1. Investment Statistics as at 30 April 2022**

**RECOMMENDATION:**

**That Council NOTES the Investment Statistics for the month ended 30 April 2022 as detailed in Attachment 1.**

**NO QUESTIONS**

At 6:15 pm, Cr Suzanne Worner left the meeting.

#### 7.4 EVENT AND FESTIVAL SPONSORSHIP 2022/2023

- Attachments:**
1. Event and Festival Application Detailed Summary
  2. WA Jigsaw Competition - Confidential
  3. Mt Lawley Guided Walking Tours - Confidential
  4. Open Streets Leederville - Confidential
  5. Leederville Connect Events - Confidential
  6. Revelation Perth International Film Festival - Confidential
  7. City of Vincent Football Festival - Confidential
  8. Little People Festival - Confidential
  9. Little Day Out - Confidential
  10. Dogtober - Confidential
  11. Vincent Wellbeing Festival - Confidential
  12. Mt Hawthorn Hawkers Markets - Confidential
  13. Jazz Picnic In The Park - Confidential
  14. Twilight Christmas Market - Confidential
  15. PrideFEST 2022 Fairday - Confidential
  16. Party on The Pitch - Confidential
  17. Hyde Park Fair - Confidential
  18. Neon Picnic - Confidential
  19. St Patrick's Day Festival - Confidential
  20. Urban Wine Walk - Confidential
  21. City of Vincent Match - Confidential
  22. Pickle Lit - Confidential

#### RECOMMENDATION:

1. That Council APPROVES an amount of \$287,500 in 2022/2023 for Event and Festival Sponsorship as follows

Event	Amount
Australian Jigsaw Puzzle Association WA Jigsaw Competition	\$0
Oh Hey WA Mt Lawley Guided Walking Tours	\$15,000
Leederville Connect Open Streets Leederville	\$2,500
Leederville Connect Leederville Connect Event Calendar	\$30,000
Revelation Perth International Film Festival Revelation International Film Festival	\$20,000
East Perth Football Club City of Vincent Football Festival	\$5,000
Premier Events Little People Festival	\$1,500
Mt Hawthorn Hub Little Day Out	\$10,000
Beaufort Street Network Dogtober	\$7,000
Evolve WA Vincent Wellbeing Festival	\$0
Heart Inspired Events Mt Hawthorn Hawkers Markets	\$5,000
Perth International Jazz Festival Jazz Picnic in The Park	\$20,000
Beaufort Street Network Twilight Christmas Market	\$5,000
Pride WA Pride Fairday	\$20,000
Floreat Athena Party on the Pitch – New Year's Eve	\$10,000

Rotary Club of North Perth Hyde Park Fair	\$15,000
RTRFM Neon Picnic	\$10,000
St Patricks Day WA St Patricks Day Festival	\$20,000
Neighbourhood Events Co Urban Wine Walk	\$4,500
Subiaco Football Club City of Vincent Match	\$7,000
The Pickle District Pickle Lit	\$30,000
Event Allocation Year-Round Applications	\$50,000
<b>TOTAL EVENT SPONSORSHIP</b>	<b>\$287,500</b>

2. **NOTES that the allocation of all 2022/2023 Festival and Events Sponsorships remains subject to the recipient signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations; and**
  
4. **NOTES that the allocation of the \$50,000 year-round budget is for events that apply in the 2022/2023 financial year and meet the criteria in the Event and Festival Sponsorship Application. Subject to approval by Executive Director Community and Businesses Services.**

**MAYOR COLE:**

In regard to postponing decision until budget, can we get some further information about prioritising and if we did need to deal with some and not all and could you please give some advice around that?

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*If Council were to delay the decision to provide approval for events, those taking priority for approval would be:*

*Mt Lawley Guided Walking Tours – events starting from July 1 onwards*

*Leederville Connect events – events starting from July 1 onwards*

*Revelation Film Festival – event 7 – 17 July*

*City of Vincent Football Festival – event 30 July*

*Once applications receive approval, time needs to be allowed to have agreements signed, appropriate event planning and promotion and health approvals received.*

**MAYOR COLE:**

Overall figure – we have this current financial year's figure, can we have the last four financial year's figures to see an analysis of how much is spent? Pre COVID vs what happened in COVID to have a bit more of an analysis of typical spend on festivals

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*2021/2022 - \$229,000*

*2019/2020 - \$296,300*

*2018/2019 - \$299,450*

*2017/2018 - \$263,000*

*2016/2017 - \$270,830*

*Average - \$271,716*

**MAYOR COLE:**

A bit more advice on dealing with for profit events, because traditionally we have dealt with not for profit events. A bit more information on how we draw out the community benefit in relation to those particular events.

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*This year's funding was open to profit and not for profit groups who can demonstrate community and economic benefit to assist in the rebound since covid. Those profit groups that were put forward for funding were the Mt Lawley Guided walking tours, Little People Festival, Mt Hawthorn Hawkers Markets and Urban Wine Walk who were able to demonstrate previous success around Perth and directly benefit local businesses and create community connection. The City will work closely with these groups to ensure community benefit.*

**MAYOR COLE:**

Where we do have a capped or ticketed event, would you be able to give Council a bit of an idea of total numbers and cost per head based on sponsorship

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

<b>Event</b>	<b>Recommended Funding</b>	<b>Ticket Price</b>	<b>Estimated Attendance</b>	<b>Cost Per Head</b>
<i>Mt Lawley Guided Walking Tours</i>	\$15,000	<i>\$50 per person (food and wine)</i>	<i>72 people over 6 sessions</i>	\$48.07
		<i>Free (Street Art Tour)</i>	<i>240 people over 12 sessions</i>	
			<i>Total attendance 312</i>	
<i>Revelation Film Festival</i>	<i>\$20,000</i>	<i>\$15 per person</i>	<i>22,000</i>	<i>\$1.10</i>
<i>St Patricks Day</i>	<i>\$20,000</i>	<i>\$10 per person</i>	<i>20,000</i>	<i>\$1.00</i>
<i>Urban Wine Walk</i>	<i>\$4,500</i>	<i>\$75 per person</i>	<i>400</i>	<i>\$11.25</i>

**MAYOR COLE:**

We have 2 events for the football clubs, I thought previously we had a Vincent football event where the clubs played against one another but now we have 2. Just interested in your thoughts on having the 2 events as opposed to the 1? I can see they are inviting people along like the Mt Hawthorn Cardinals and that would definitely mean local residents are going but have they been able to show that the local residents are getting along to the WAFL games when those events happen?

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*East Perth Football Clubs event proposal is to host the West Coast Eagles and Mt Hawthorn Cardinals will be playing a half time match. 1,500 – 3,000 people would be expected to attend however it's unknown how many of those would be Vincent residents. Those that are residents would receive free entry.*

*Subiaco Football Club are proposing to host their annual City of Vincent Football Match with family passes provided to local residents. The Football Club promote to 8,000 residents however its unknown how many attendees live locally.*

**CR GONTASZEWSKI:**

Urban wine walk – What does the sponsorship yield up for the community? Is it subsidising ticket prices or is it promoting the businesses that are going to be featured in the broader community?

Consideration in terms of how that would fit under our Public Health Plan and how that would contribute or otherwise

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*The total event budget for the Urban Wine Walk is \$12,000 with \$4,500 requested from the City. A session is open to 400 attendees who receive a \$10 voucher to spend on food and drinks at a local venue on the tour. Funding also goes towards the development and promotion of the event and the produce from venues.*

*Urban Wine Walk offers wine tastings alongside food and does not encourage drinking alcohol to a harmful level. The event is designed to highlight local neighbourhood venues and their offerings.*

**CR CASTLE:**

Perhaps for the Council meeting the table showing the Locations possibly should could come off list, if we

are not recommending funding for that area then we can get a sense of how many events planned for each area?

**EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:**

*The Vincent Wellbeing Festival has been removed from the list in the report.*

**CR LODEN (IN WRITING):**

As this item is related to the 2022/23 financial year budget, if council members were of the view that it should be reduced in the 2022/23 budget, would now be the appropriate time to make that amendment and what would be the consequence of amending it later at the subsequent budget adoption meeting?

**EXECUTIVE MANAGER COMMUNITY & BUSINESS SERVICES:**

*This item has been brought forward due to delays with budget approval.*

*We are seeking approval for these events to allow sufficient time for event organisers to plan from 1 July 2022 onward.*

*These figures are included in the proposed budget.*

*If Council wishes to reduce the 2022/2023 budget, now would be the appropriate time. Any deletions will increase the budget surplus unless reallocated by Council for another purpose.*

At 6.27pm Alanna Curtin left the meeting and did not return.



**7.5 ADVERTISING OF AMENDED POLICY - RECOVERY OF DEBTS, RATES AND SERVICE CHARGES POLICY**

**Attachments: 1. Recovery of Debts, Rates and Service Charges Policy**

**RECOMMENDATION**

**That Council APPROVES the proposed amendments to the Recovery of Debts, Rates and Service Charges Policy, at Attachment 1, for the purpose of community consultation.**

<b>NO QUESTIONS</b>
---------------------

**7.6 TERMS OF REFERENCE - RECONCILIATION ACTION PLAN WORKING GROUP**

**Attachments: 1. DRAFT Terms of Reference - Reconciliation Action Plan Working Group**

**RECOMMENDATION:**

**That Council ADOPTS the Terms of Reference of the City's Reconciliation Action Plan Working Group (RAPWG) (at Attachment 1).**

**NO QUESTIONS**

**7.7 DRAFT INNOVATE RECONCILIATION ACTION PLAN****Attachments:** 1. Draft Innovate Reconciliation Action Plan 2022-2024**RECOMMENDATION:**

That Council

1. **AUTHORISES** the Chief Executive Officer to advertise the draft Innovate Reconciliation Action Plan for public comment for a period of 21 days.
2. **NOTES** that the draft Innovate Reconciliation Action Plan is subject to endorsement by Reconciliation Australia.
3. **NOTES** that the draft Innovate Reconciliation Action Plan will be subject to further formatting and styling, as determined by the Chief Executive Officer, prior to publication.
4. **NOTES** that a further Report will be submitted to Council at the conclusion of the public comment period in regard to any written submission received.

**MAYOR COLE:**

Were we looking to appointing a new member of the RAP?

**MANAGER MARKETING AND PARTNERSHIPS:**

*We have added approval to appoint a new member as part of the Terms of Reference report at Item 7.6.*

**CR LODEN (IN WRITING):**

Request the following minor amendments:

RAP employment number should be expressed in FTE and clarify the distinction between staff, contractors and casuals (what is and is not included in the target)

**MANAGER MARKETING AND PARTNERSHIPS:**

*Support – will amend the Draft RAP*

**CR LODEN (IN WRITING):**

RAP procurement target - Should include an approximate \$ value or range given the procurement values vary from year to year.

This was raised at last night's RAP working group meeting.

**MANAGER MARKETING AND PARTNERSHIPS:**

*Administration do not support this change.*

*One inadvertent outcome of this suggestion is that it might increase overall spending in order to achieve the desired target.*

*Action 18 of draft RAP is:*

*Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.*

*Part of this action is we will report RAP progress to all Bridyas Elders, RAPWG, staff and senior leaders quarterly.*

*The new system for reporting on the procurement target in the draft RAP is a quarterly metric which identifies what percentage of spending (by tracking purchase orders raised through our procurement system) go towards identified Aboriginal businesses over the prior three months. We hope to demonstrate this in the quarterly report as a graph that shows percentage of spend over time.*

*It is anticipated that by improving relationships and systems that graph in the quarterly report will be showing an upward trend towards consistently achieving that 3% aim before the deadline of December 2024 stipulated in the draft RAP. As we cannot anticipate at what stage in the RAP the City will be regularly achieving this 3% aim, a monetary figure would be difficult to estimate and is also not aligned to the way progress on this action in the RAP is tracked and reported on to our stakeholders.*

*By setting up this reporting and sharing our progress towards that 3% aim regularly with stakeholders it encourages the City to consistently support Aboriginal businesses through all areas of the organisation, across all times of the year and limits the possibility of making a few major purchases sporadically simply to achieve a set dollar amount.*

**7.8 ADVERTISING OF NEW POLICY - COMMUNICATIONS AND SOCIAL MEDIA POLICY**

- Attachments:**
- 1. Attachment 1 - Communications and Social Media Policy**
  - 2. Attachment 2 - Social Media Protocol 4.1.20**
  - 3. Attachment 3 - Media Policy 4.1.25**

**RECOMMENDATION**

That Council **APPROVES** the Communications and Social Media Policy, at Attachment 1, for the purpose of community consultation, which is proposed to replace the Social Media Protocol 4.1.20 at Attachment 2 and Media Policy 4.1.25 at Attachment 3.

<b>NO QUESTIONS</b>
---------------------

At 8.07pm Gemma Carter left the meeting and did not return

8 CHIEF EXECUTIVE OFFICER

8.1 APPOINTMENT OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) - CENTRAL METROPOLITAN ZONE - COUNCIL REPRESENTATIVES

Attachments: Nil

RECOMMENDATION:

That Council APPOINTS the following Elected Member to represent the City of Vincent on the Western Australian Local Government Association (WALGA) – Central Metropolitan Zone and as voting delegates/proxy delegates for WALGA Annual General Meetings for the term 22 June 2022 to the next ordinary local government election, being 21 October 2023:

Members/Voting Delegate:

- 1. ....; 1.

**NO QUESTIONS**

At 8.08pm, during discussion of this item, Jayde Robbins left the meeting and did not return.

## 8.2 PROPOSED LICENSING OF CAR BAYS FOR ELECTRIC VEHICLE CHARGING OPERATOR

Attachments: 1. Location of Proposed Site

### RECOMMENDATION:

That Council

1. **APPROVES** a Licence to Fast Cities Australia Pty Ltd (trading as Evie Networks) for the use of the City's car parking bays at Chelmsford Road Car Park (2 Chelmsford Rd) in accordance with the following Key Terms:
  - 1.1 **Term:** 5 year Initial Term, with a 5 year Further Term
  - 1.2 **Licence area:** That part of the Land marked for 'Evie' at Chelmsford Road Car Park (2 Chelmsford Rd, Mount Lawley) – Attachment 1.
  - 1.3 **Licence fee:** During the Initial Term (July 2022 to July 2027) a Licence Fee of \$1 per annum will be payable if demanded. For the Further Term (July 2027 to July 2032), the Licence Fee will be \$1,500 per annum (plus GST).
  - 1.4 **Permitted use:** Constructing, maintaining and operating an electric vehicle parking and charging station.
2. **DELEGATES AUTHORITY** to the Chief Executive Officer to consider submissions received under Section 3.58 (3) under the Local Government Act 1995 and dispose the land by way of licence.
3. **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the Licence, subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

#### **MAYOR COLE:**

Local Law – parking within an EV bay, can Rangers enforce this? What parking management agreement is there? Rangers, and under what Local Law? And at whose cost?

#### **COORDINATOR SUSTAINABILITY & INNOVATION:**

*For regulating parking in the bays, Ranger Services can enforce according to the City of Vincent Parking and Parking Facilities Local Law 2007, as they already do for the bays in The Avenue Car Park.*

*Current signage over EV charging bays in the Avenue Car Park prohibit parking of vehicles other than Electric Vehicles, and enforced infringements are issued under either of the below offences:*

- *4.1(1)(a) Parking by vehicles of a different class. Penalty \$95 (Issued where vehicles in these bays are not Electric Vehicles)*
- *3.3(1)(b) Parking contrary to sign in parking station. Penalty \$60 (issued to any vehicle including an electric vehicle if parked for longer than 2 minutes unattended and not connected to charging point)*

*The draft Licence includes the following section:*

#### 1. *Enforcement Procedures*

- 1.1 *The Licensee and Licensor acknowledge that demand for parking in the City of Vincent is high.*
- 1.2 *The Licensee must, at the premises, provide the following procedural information on how to report a non-EV occupying a charging bay*



- (a) *an individual may notify Ranger Services at the City of Vincent, via the general contact number and provide them with the location of the offending vehicle and its registration details.*

- 1.3 *Ranger Services will respond to requests to infringe illegally parked vehicles subject to the response times listed in the City of Vincent Parking and Parking Facilities Local Law 2007.*

**CR CASTLE:**

Complaints management – any extra burden on the City?

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

*Based on the experience with the charging station at The Avenue Car Park, it is not anticipated that complaints relating to the use of the proposed EV charging bays will be onerous.*

**CR LODEN (IN WRITING):**

Is the 2nd 5 year term at our discretion of the providers?

Is the \$1500 per annum in the 2nd term the estimated cost to the city of those bays not being available for pa

**COORDINATOR SUSTAINABILITY & INNOVATION:**

*Evie Networks requires a total term of 10 years to recoup their investment.*

*Evie has proposed an automatic renewal of the further term, subject to a termination clause.*

*The \$1,500 pa licence fee was offered by Evie Networks.*

*The estimated market rental value of the car bays is \$3,600 gross per annum (provided by McGees Property – based on the value of renting the car bays to a nearby business).*

*Administration supports the \$1,500 figure given the public benefit of this infrastructure being provided by a 3<sup>rd</sup> party (subsidised by the Federal Government) and given it meets actions in the Sustainable Environment Strategy Implementation Plan:*

- *Identify and engage with businesses seeking to invest in public electric vehicle charging infrastructure.*
- *Work with charge station providers to ensure any infrastructure they install is in appropriate locations.*
- *Identify and implement mechanisms to encourage developers to incorporate EV charging in new developments.*

*For comparison, the recent licence granted by the Shire of Esperance to Horizon Power to install a fast charger is similarly for an initial term of 10 years, with a 5 year further term at the Licensee's discretion.*

*Annual rent has been waived. ([Agenda of Ordinary Council - 24 00 2022 \(esperance.wa.gov.au\)](https://www.esperance.wa.gov.au))*

**CR WALLACE:**

What will the provider charge and how much profit will they make?

**COORDINATOR SUSTAINABILITY & INNOVATION:**

*Charging fee for the site will be \$0.40 per kwh. Cost of energy is around \$0.30 per kwh. Margin is therefore \$0.10 per kwh. (For a total charge of roughly \$20, the operator would make \$10. It is not known how many EVs would charge per day).*

**CR IOPPOLO:**

What is the loss of revenue from car parking bays?

**COORDINATOR SUSTAINABILITY & INNOVATION:**

*EVs will be required to display a valid parking ticket, and are expected to only park for a maximum of 1 hour.*

*In addition to the market rental value provided by McGees Property (\$3,600 gross per annum), the City offers a monthly car bay permit for \$180. At this rate, the two bays would be valued at \$4,320. However, according to McGees, the more appropriate calculation of value requires a comparison to nearby and other inner city car parks, including Highgate, East Perth, Subiaco and Leederville.*

**CR IOPPOLO:**

Does the applicant have the right to assign the licence to another party, and if so would that be subject to our approval?

**EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

*The proposed Licence Agreement provides that an assignment is permitted to a "Related Body Corporate of the Licensee or to a third party, where that third party is being assigned a majority of the Licensee's leases in its portfolio or is an occupant of the land". The assignment requires the consent of the City (which must not be unreasonably withheld or delayed).*

**8.3 INFORMATION BULLETIN**

- Attachments:**
1. **Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 26 May 2022**
  2. **Minutes of the Reconciliation Action Plan Working Group (RAPWG) 2 May 2022**
  3. **Statistics for Development Services Applications as at the end of May 2022**
  4. **Register of Legal Action and Prosecutions Monthly - Confidential**
  5. **Register of Legal Action - Orders and Notices Quarterly - Confidential**
  6. **Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 2 June 2022**
  7. **Register of Applications Referred to the MetroWest Development Assessment Panel - Current**
  8. **Register of Applications Referred to the Design Review Panel - Current**
  9. **Register of Petitions - Progress Report - May 2022**
  10. **Register of Notices of Motion - Progress Report - May 2022**
  11. **Register of Reports to be Actioned - Progress Report - May 2022**
  12. **Council Workshop Items since 20 April 2022**
  13. **Council Meeting Statistics - May 2022**
  14. **Council Briefing Notes - 10 May 2022**

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated June 2022.

<b>NO QUESTIONS</b>
---------------------

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**11 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**12 CLOSURE**

There being no further business the meeting closed at 8.22pm.