

8.1 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Tamala Park Regional Council Meeting held on 8 December 2022
 2. Minutes of the Tamala Park Regional Council - Special Meeting held on 15 December 2022
 3. Unconfirmed Minutes of the Mindarie Regional Council meeting held on 15 December 2022
 4. Public Open Space Update
 5. Statistics for Development Services Applications as at the end of December 2022
 6. Register of Legal Action and Prosecutions Monthly - Confidential
 7. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 25 January 2023
 8. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 9. Register of Applications Referred to the Design Review Panel - Current
 10. Register of Petitions - Progress Report - January 2023
 11. Register of Notices of Motion - Progress Report - January 2023
 12. Register of Reports to be Actioned - Progress Report - January 2023
 13. Strategic Projects Update - January 2023
 14. Council Workshop Items since 30 November 2022
 15. Council Meeting Statistics
 16. Council Briefing Notes - 6 December 2022
 17. Council Recess Period 2022-2023 - Receiving Of Items Dealt With Under Delegated Authority Between 14 December 2022 And 6 February 2023

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated February 2023.



Ordinary Meeting of Council

Thursday 8 December 2022

MINUTES

Online Zoom Meeting

*Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent, and Wanneroo
Towns of Cambridge and Victoria Park*

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Alaine Haddon-Casey	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

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PRESENT

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Brent Fleeton Cr Alaine Haddon-Casey Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker Cr Karlo Perkov (until 7:11pm) Cr Brett Treby Cr Ashley Wallace
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Sonia Starr (Project Support Officer) Ms Vickie Wesolowski (Executive Assistant/Office Manager) Mr Daniel Govus (Senior Governance Officer – City of Stirling)
Apologies Councillors	Nil
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Noel Ryan (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling) Mr James Pearson (City of Joondalup)
In Attendance Participant Councils' Advisers	Mr Kelton Hincks (Town of Cambridge) Mr Mat Humfrey (City of Joondalup) Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:04pm.

The Chair informed the Council that Cr Alaine Haddon-Casey had been elected the representative of the Town of Cambridge on Tamala Park Regional Council.

A formal declaration was verbally made by Cr Alaine Haddon-Casey, and a declaration form was signed to indicate that she agreed to abide by the *Local Government (Model Code of Conduct) Regulations (2021)*.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair provided Councillors with an overview of TPRC's major milestones and achievements over the 2022 calendar year.

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Treby, Seconded Cr Jones.

That the minutes of the Ordinary Meeting of Council of 20 October 2022 be CONFIRMED as a true and accurate record of proceedings.

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

7A BUSINESS ARISING FROM MINUTES

Nil

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

8. ADMINISTRATION REPORTS AS PRESENTED

8.1 BUSINESS REPORT – FOR MONTH ENDING 30 NOVEMBER 2022

Moved Cr Chester, Seconded Cr Ife.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report for the month ending 30 November 2022.

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

8.2 PROJECT FINANCIAL REPORT – OCTOBER 2022

Moved Cr Parker, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (October 2022) submitted by the Satterley Property Group.

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

8.3 STATEMENT OF FINANCIAL ACTIVITY FOR OCTOBER 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 October 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR OCTOBER 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for October 2022:

October 2022 - \$1,755,187.67

2. APPROVES the CEO Credit Card Statement for October 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

8.5 SALES AND SETTLEMENT REPORT – FOR MONTH ENDING 30 NOVEMBER 2022

Moved Cr Migdale, Seconded Cr Treby.
[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report for the month ending 30 November 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

8.6 ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2022.

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

8.7 APPOINTMENT OF ACTING AND TEMPORARY CHIEF EXECUTIVE OFFICER POLICY

Moved Cr Parker, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That the Council APPROVES the Appointment of Acting or Temporary Chief Executive Officer Policy (November 2022).

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

8.8 MANAGEMENT COMMITTEE AND REVISED COUNCIL MEETING SCHEDULE 2023

Moved Cr Migdale, Seconded Cr Krsticevic.

That Council:

1. Modify the details of the 2023 TPRC Ordinary Council meetings to the following:

- | | | |
|--------------------|------------------|-----------|
| • 16 February 2023 | City of Stirling | 6pm start |
| • 20 April 2023 | Zoom meeting | 6pm start |
| • 15 June 2023 | City of Stirling | 6pm start |
| • 17 August 2023 | Zoom meeting | 6pm start |
| • 19 October 2023 | City of Stirling | 6pm start |
| • 7 December 2023 | Zoom meeting | 6pm start |

 Minutes TPRC Ordinary Meeting of Council – 8 December 2022

2. **Modify the details of the 2023 TPRC Management Committee Meetings to the following:**

- | | | |
|---------------------|------------------|-----------|
| • 16 March 2023 | City of Stirling | 6pm start |
| • 18 May 2023 | Zoom meeting | 6pm start |
| • 20 July 2023 | City of Stirling | 6pm start |
| • 21 September 2023 | Zoom meeting | 6pm start |
| • 16 November 2023 | City of Stirling | 6pm start |

3. **Hold Strategic Project meetings / workshops during 2023 to discuss key opportunities, risks and project options for the TPRC. These meeting are to be held on the following dates/times:**

- | | | |
|--------------------|------------------|-------------------------------------|
| • 16 February 2023 | City of Stirling | After completion of Council Meeting |
| • 15 June 2023 | City of Stirling | After completion of Council Meeting |
| • 19 October 2023 | City of Stirling | After completion of Council Meeting |

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

Reason for alternative resolution:

To retain Management Committee meetings as they provide a purposeful utility for Councillors to be able to review agenda items prior to Council Meetings and request additional information for the benefit of Council at those Council Meetings. To add Strategic Project Meetings / Workshops to Council's 2023 schedule to provide strategic direction to the CEO on project related matters, and a forum for ideas and feedback.

[The recommendation in the agenda]

That the Council:

1. MODIFY the location details of the TPRC Ordinary Meetings for 2023 to the following:

• 16 February 2023	City of Stirling	6pm start
• 20 April 2023	Zoom meeting	6pm start
• 15 June 2023	City of Stirling	6pm start
• 17 August 2023	Zoom meeting	6pm start
• 19 October 2023	City of Stirling	6pm start
• 7 December 2023	Zoom meeting	6pm start
2. DISBAND the Management Committee of TPRC.
3. HOST TPRC Strategy and Project Advisory Meeting in-lieu of Management Committee noting that:
 - The Advisory Meetings are not formal meetings of the TPRC under the provisions of S5.8 of the *Local Government Act 1995*.
 - The intent/purpose of the Advisory Meetings is to:
 - Receive updates on key project matters including the development of special sites, land access and approval matters, land and housing market conditions and/or other matters of relevance to the strategic direction of the TPRC.
 - Workshop strategies/options related to land release, staging and development of the TPRC land estate.

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

- Review opportunities for innovation and best practice in line with the TPRC's Strategic Community Plan Objectives of Built Environment, Natural Environment, Social Development, Economic Development and Governance and Corporate Accountability.
 - All TPRC Councillors are invited to attend Advisory Meetings.
 - The TPRC Strategy and Project Advisory meetings will have no Delegated Authority to make any decision/s on behalf of the TPRC Council.
 - The TPRC Strategy and Project Advisory meetings will be internal meetings of the organisation and, as such, generally not advertised or open to the public.
4. Hold TPRC Strategy and Project Advisory Meetings on the following dates:
- 16 March 2023 Zoom meeting 6pm start
 - 18 May 2023 Zoom meeting 6pm start
 - 20 July 2023 Zoom meeting 6pm start
 - 21 September 2023 Zoom meeting 6pm start
 - 16 November 2023 Zoom meeting 6pm start
5. REQUEST that the TPRC Delegated Authority Register be updated and re-presented to Council with references to the TPRC Management Committee removed from the register.

9. COMMITTEE REPORTS

MANAGEMENT COMMITTEE (17 NOVEMBER 2022)

9.1 PROJECT BUDGET FYE 2023 – MID YEAR REVIEW

Moved Cr Migdale, Seconded Cr Parker.

[The recommendation in the agenda]

That the Council RECEIVES the Mid-Year Project Budget FYE 2023 Review, submitted by the Satterley Property Group (November 2022), and that it be used as the basis for financial planning, including for the Mid-Year TPRC Budget FYE 2023 Review.

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

9.2 PROPOSED ACQUISITION OF WAPC LAND

Moved Cr Parker, Seconded Cr Wallace.

[The recommendation in the agenda]

That the Council:

1. **NOTE the delays in the TPRC's proposed acquisition of 10.2209 ha of land (Part Lot 711) from the State Government in Catalina Green.**
2. **NOT actively pursue the acquisition of Part Lot 711 from the State Government in the short/medium term.**

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3. **REQUEST that alternative staging plans for Catalina Green be presented to the TPRC Council whereby Part Lot 711 is potentially developed as the final component of Catalina Green.**

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

AUDIT AND RISK COMMITTEE (17 NOVEMBER 2022)

9.3 REVIEW OF PROCUREMENT POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Procurement Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.4 REVIEW OF ELECTED MEMBER TRAINING POLICY

Moved Cr Treby, Seconded Cr Migdale.

That Council APPROVES the Elected Member Training Policy (November 2022) and NOTES that the TPRC's website provides a link to each member local government's website where the policy, training, and reporting requirements in respect of each of the TPRC's Councillors is provided.

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

9.5 REVIEW OF SPONSORSHIP POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Sponsorship Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.6 REVIEW OF RECORDKEEPING POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Recordkeeping Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.7 REVIEW OF ELECTED MEMBER CONFERENCE ATTENDANCE POLICY

Moved Cr Chester, Seconded Cr Migdale.

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

That the Council **APPROVES** the Elected Member Conference Attendance Policy (November 2022).

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

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

13. GENERAL BUSINESS

Nil

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Jones, Seconded Cr Ife.

That:

1. Item 14.1 – TPRC LANDHOLDING AND OWNERSHIP be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*

Where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).
2. Item 14.2 – MINDARIE REGIONAL COUNCIL GROUNDWATER MONITORING UPDATE be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*

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- (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*
- 3. **Item 14.3 – REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK be CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*
- 4. **Item 14.4 – CEO PERFORMANCE REVIEW PROCESS AND KEY PERFORMANCE INDICATORS be CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*

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

At 6:42pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

14.1 TPRC LANDHOLDING AND OWNERSHIP UPDATE

Moved Cr Fleeton, Seconded Cr Parker.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(d) and (e) of the *Local Government Act 1995*.

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

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14.2 MINDARIE REGIONAL COUNCIL GROUNDWATER MONITORING UPDATE

Moved Cr Chester, Seconded Cr Wallace.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

Councillor Perkov left the room at 7:11pm.

14.3 REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK

Moved Cr Treby, Seconded Cr Parker.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (11/0).

14.4 CEO PERFORMANCE REVIEW PROCESS AND KEY PERFORMANCE INDICATORS

Moved Cr Migdale, Seconded Cr Treby.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/1).

For: Councillors Fleeton, Haddon-Casey, Ife, Jones, Krsticevic, Migdale, Parker, Sandri, Treby, and Wallace.

Against: Councillor Chester.

Minutes TPRC Ordinary Meeting of Council – 8 December 2022

Moved Cr Fleeton, Seconded Cr Treby.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (11/0).

At 7:17pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:17pm.



Special Meeting of Council

Thursday 15 December 2022

MINUTES

Online Zoom Meeting

*Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent, and Wanneroo
Towns of Cambridge and Victoria Park*

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

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PRESENT

Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Brett Treby
Alternate Members	Nil
Staff	Mr Simon O'Sullivan (Acting Chief Executive Officer) Ms Vickie Wesolowski (Executive Assistant/Office Manager) Ms Sonia Starr (Project Support Officer) Mr Daniel Govus (Senior Governance Advisor – City of Stirling)
Apologies Councillors	Cr Bianca Sandri (Chair) Cr Brent Fleeton Cr Alaine Haddon-Casey (unable to join meeting due to technical difficulties) Cr Glynis Parker Cr Karlo Perkov Cr Ashley Wallace
Leave of Absence	Nil
Absent	Nil
Consultants	Nil
Apologies Participant Councils' Advisers	Mr David MacLennan (City of Vincent) Mr James Pearson (City of Joondalup) Mr Kelton Hincks (Town of Cambridge) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
In Attendance Participant Councils' Advisers	Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

Minutes TPRC Special Meeting of Council – 15 December 2022

1. OFFICIAL OPENING

The Deputy Chair declared the meeting open at 12:07pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Bianca Sandri (Chair)
Cr Brent Fleeton
Cr Alaine Haddon-Casey
Cr Glynis Parker
Cr Karlo Perkov
Cr Ashley Wallace

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

6. PETITIONS

Nil.

7. ADMINISTRATION REPORT AS PRESENTED (ITEM 7.1)

7.1 STATEMENT OF FINANCIAL ACTIVITY FOR NOVEMBER 2022

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 November 2022.

The Motion was put and declared CARRIED (6/0).

8. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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9. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN

Nil

10. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

11. GENERAL BUSINESS

Nil

12. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 12:10pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

15 DECEMBER 2022

CITY OF PERTH

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
15 DECEMBER 2022

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.32 pm

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillor Attendance

Cr K Vernon (Chair)	Town of Victoria Park
Cr A Jacob (Deputy Chair)	City of Joondalup
Cr L Gobbert, JP	City of Perth
Cr C Hatton <i>arrived at 6.36 pm</i>	City of Stirling
Cr E Re <i>arrived at 6.45 pm</i>	City of Stirling
Cr J Ferrante	City of Stirling
Cr Lisa Thornton	City of Stirling
Cr A Castle	City of Vincent
Cr F Cvitan, JP	City of Wanneroo
Cr P Miles	City of Wanneroo
Cr K Shannon <i>arrived 6.35 pm</i>	Town of Cambridge

MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Arapovic (Finance Manager)
Ms S Cherico (Human Resources Officer)
Ms D Toward (Executive Support)

Apologies

Cr C May City of Wanneroo

Approved leave of absence

Nil

Member Council Observers

Mr M MacPherson	City of Joondalup
Mr G Taylor	City of Perth
Mr R Bryant	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr A Kowero	City of Wanneroo

Visitors

Mr Kien Neoh (Director Financial Audit) Office of the Auditor General *(attended electronically)*

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3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Public question time opened at 6.34 pm
There were no members of the public present.
Public question time closed at 6.34 pm

Cr Shannon entered the Council Chambers at 6.35 pm
Cr Hatton entered the Council Chambers at 6.36 pm

5 ANNOUNCEMENT BY THE PRESIDING PERSON

As 2022 draws to a close, on behalf of Council, I would like to thank the CEO, Executive management and staff for their collective efforts to deliver quality Waste management services to our MRC member communities, and for exploring future waste management options that can benefit our communities well into the future.

The past 12 months have been very challenging for the MRC and all member councils as we have all experienced ongoing staff shortages, reductions in front facing services, and the negative impact of rising costs. Council really appreciates the commitment and enthusiasm shown by the MRC administration even when it seemed hard to keep calm and carry on every day.

Thank you to all of the member council officers who assist MRC councillors to be well informed, and who have worked closely with MRC as we navigated preparations for a WTE tender and a FOGO tender.

Finally, I would like to thank my Council colleagues for your patience and good humour as we worked via a hybrid environment for part of this year, for your contributions to the important decisions of Council, for your respect for each other in discussions and debates, and helping me to perform the role of Chairperson. I wish everyone a peaceful and joyous Christmas and festive season with your family and friends, and look forward to seeing you all refreshed in 2023 for the important work that lies ahead.

Procedural Motion

To suspend the operation of clause 5.2 – Order of Business - in accordance with clause 10.1(j) of the Mindarie Regional Council Meeting Procedures Local Law 2020.

Reasons:

For efficiency of the meeting to enable consideration of item 9.5 allowing the representative from the Office Auditor General (OAG), Mr Neoh, to participate in this item and then leave.

Moved Cr Vernon, seconded Cr Cvitan

RESOLVED

That the procedural motion be put

(CARRIED UNANIMOUSLY 10/0)

9.5	ANNUAL REPORT 2022
	GF-21-0000035
Appendices:	Appendix 7
Date:	8 December 2022
Responsible Officer:	Chief Executive Officer

BACKGROUND

The *Local Government Act 1995* (the Act) requires every local government to prepare an Annual Report for each financial year and to accept it prior to 31 December following the end of the financial year (section 5.53 and 5.54 of the Local Government Act 1995). The Act also specifies the contents required to be included in the Annual Report. If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than two months after the auditor's report becomes available.

The annual audit of the Mindarie Regional Council (MRC) has been completed and the Financial Report for the financial year ended 30 June 2022 has been considered by the Audit Committee.

DETAIL

The Annual Financial Report for the financial year ended 30 June 2022 is now submitted to Council for adoption. The Annual Report contains the Annual Financial Report of the MRC for 2021/2022. This includes the Statement of Financial Position, Statement of Changes in Equity, Statements of Comprehensive Income, Statement of Cash Flows and notes to and forming part of the accounts. The Auditor, in accordance with the Local Government (Audit) Regulations 1996 Sections 10.2 and 10.3 is required to issue an audit report after the completion of the annual audit that expresses an opinion on the financial position and results of the operations of the local government for each financial year. Under S7.9 of the Local Government Act 1995, the auditor must prepare and sign a report on the financial audit and present the report to the Chairperson, the CEO and the Minister.

The OAG issued an unqualified report and expressed that in their opinion, the financial report of the MRC gives a true and fair view of the financial position as at 30 June 2022 and complies with the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) and the Australian Accounting Standards.

The Auditor has not issued an interim management letter for 2021/2022. In the final Management Letter that was presented to the MRC only one finding, carried over from prior year's audit was raised and relates to the Long Term Financial Plan and Asset Management pPlan not being reviewed and approved since April 2017. This has been addressed by the management, the date for review has been deferred to 30 June 2023 to coincide with the new Strategic Community Plan.

The Audit Committee met on 1 December 2022 to consider the Financial Report for the year ended 30 June 2022 and have recommended that these be accepted by the Council. The unconfirmed minutes of this meeting are included in the Members' Information Bulletin.

A copy of the Annual Report, including the Financial Report, is included at **Appendix 7**.

The MRC, in accordance with the Local Government (Financial Management) Regulations 1996 Section 51.1, is required to include in the annual Financial Report a signed Statement of Declaration by the Chief Executive Officer after this report has been audited in accordance with the Local Government Act 1995. This declaration is included in the Annual Report.

STATUTORY ENVIRONMENT

Relevant Extracts from the Local Government Act 1995

"5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [[c), (d) *deleted*]
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor's report prepared under section 7.9(1) or s7.12AD(1) for the financial year; and*
 - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*

(iii) any other details that the regulations may require;

and

(i) such other information as may be prescribed.

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

5.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* Absolute majority required.

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.55A Publication of annual reports

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

7.9. Audit to be conducted

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —

- (a) the mayor or president; and
- (b) the CEO of the local government; and
- (c) the Minister."

Relevant Extracts from the Local Government (Audit) Regulations 1996

"10. Report by auditor

(1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.

(2) The report is to give the auditor's opinion on —

- (a) the financial position of the local government; and
- (b) the results of the operations of the local government.

(3) The report is to include —

-
- (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
- (b) any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and
- (c) details of whether information and explanations were obtained by the auditor; and
- (d) a report on the conduct of the audit; and
- (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
- (i) the asset consumption ratio; and
 - (ii) the asset renewal funding ratio.
- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report."

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

The MRC has a deficit from operations of \$12,651,628 which will increase the accumulated losses to \$35,597,552.

STATUTORY IMPLICATIONS

The Annual Report for the MRC has been prepared in accordance with the requirements of Local Government Act 1995 and applicable Australian Accounting Standards.

AMENDMENTS

There have been no amendments made to the Financial Statements presented to the Audit Committee.

VOTING REQUIREMENT

Absolute Majority

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RESPONSIBLE OFFICER RECOMMENDATION

That the Council resolve to:

1. Notes the recommendation of the Audit Committee meeting held on 1 December 2022 to adopt the Financial Report for the year ended 30 June 2022; and
2. Adopts the Annual Report for the year ended 30 June 2022, which includes the Financial Report detailed in point 1 above.

(Absolute Majority Required)

Cr Re entered the Council Chambers at 6.45 pm

The Chair invited Mr Neoh, Director Financial Audit, Office of the Auditor General (OAG), to speak to the item.

Mr Neoh presented to Council the key points of Financial Year 2022 Audit and Final Audit Report and responded to questions from Council. Mr Neoh acknowledged that there had been some complexities in the Audit and congratulated the MRC staff involved in the Audit.

On behalf of the Council, the Chair thanked Mr Neoh for attending the Council meeting and for his work on the MRC Audit.

Moved Cr Vernon, seconded Cr Jacob

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

6 APPLICATION FOR LEAVE OF ABSENCE

Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

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8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 ORDINARY COUNCIL MEETING – 24 NOVEMBER 2022

The Minutes of the Ordinary Council Meeting held on 24 November 2022 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 24 November 2022 be confirmed as a true record of the proceedings.

Moved Cr Hatton, seconded Cr Cvitan

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)

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9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 31 OCTOBER 2022
Reference:	GF-21-0000196
Appendix(s):	Appendix No. 1 and No. 2
Date:	24 November 2022
Responsible Officer:	FINANCE MANAGER

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

DETAIL

The Financial Statements for the month ended 31 October 2022 is attached at **Appendix No. 1** to this Item. The Tonnage Report for 31 October 2022 is attached at **Appendix No. 2**.

The financial statements are pending external auditor approval and are subject to change.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

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	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	59,663	58,889	(774)
Tonnes – Others	11,467	22,085	10,618
TOTAL TONNES	71,130	80,974	9,844
	\$	\$	\$
Revenue – Members	8,651,135	8,644,586	(6,549)
Revenue – Other	3,676,462	5,169,596	1,493,134
TOTAL REVENUE	12,327,597	13,814,182	1,486,585
Expenses	(11,866,027)	(12,382,844)	516,817
NET SURPLUS/(DEFICIT)	461,570	1,431,338	969,768

Members

Member's tonnages for the financial period ended 31 October 2022 were 774 tonnes below budget.

Trade & Casuals

The Casual and Trade tonnages are 10,618 tonnes higher than forecast for the financial year to date, 16,069 tonnes delivered through the discounted rate waste tender.

Overall tonnages for the financial period ended 31 October 2022 were 9,844 tonnes more than budgeted.

The net result variance against year to date budget \$969,768 is attributable to increased revenue (tonnages) above budgeted forecast, increased landfill levy costs and amortisation for cell development and decrease in depreciation expense.

VOTING REQUIREMENT

Simple Majority

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RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 31 October 2022.

**Moved Cr Re, seconded Cr Vernon
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)**

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9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 31 OCTOBER 2022
File No:	GF-21-0000196
Appendix(s):	Appendix No. 3
Date:	24 November 2022
Responsible Officer:	Finance Manager

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 October 2022 is at **Appendix 3** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 16 September 2021, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
31 October 2022	General Municipal	Cheques	\$1,633.76
		EFT	\$4,845,265.24
		DP	\$2,407,103.04
		Inter account transfers	\$0.00
		Total	\$7,254,002.04

VOTING REQUIREMENT

Simple Majority

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RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 31 October 2022.

**Moved Cr Re seconded Cr Cvitan
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)**

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9.3	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2022
Reference:	GF-21-0000196
Appendix(s):	Appendix No. 4 and No. 5
Date:	24 November 2022
Responsible Officer:	FINANCE MANAGER

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Statement of Comprehensive Income by Nature and Type
- Income Statement by Program
- Statement of Financial Position
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

DETAIL

The Financial Statements for the month ended 30 November 2022 is attached at **Appendix No. 4** to this Item. The Tonnage Report for 30 November 2022 is attached at **Appendix No. 5**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

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	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	74,549	73,741	(808)
Tonnes – Others	14,151	24,933	10,782
TOTAL TONNES	88,700	98,674	9,974
	\$	\$	\$
Revenue – Members	10,809,605	10,799,590	(10,015)
Revenue – Other	4,489,787	6,149,503	1,659,716
TOTAL REVENUE	15,299,392	16,949,093	1,649,701
Expenses	(14,758,792)	(15,263,517)	504,725
NET SURPLUS/(DEFICIT)	540,600	1,685,575	1,144,975

Members

Members tonnages for the financial period ended 30 November 2022 were 808 tonnes below budget.

Trade & Casuals

The Casual and Trade tonnages are 10,782 tonnes higher than forecast for the financial year to date with 10857 tonnes attributed to the discounted rate waste tender.

The financial period ended 30 November 2022 closed with an overall 9,974 tonnes delivered more than budget year to date.

The net surplus against year to date budget variance \$1,144,975 is a result of increased revenue (tonnages) above budgeted forecast, directly impacted landfill levy costs and amortisation for cell development and on the other hand a decrease in depreciation expense.

VOTING REQUIREMENT

Simple Majority

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RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 4 for the month ended 30 November 2022.

Moved Cr Jacob, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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9.4	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 NOVEMBER 2022
File No:	GF-21-0000196
Appendix(s):	Appendix No. 6
Date:	24 November 2022
Responsible Officer:	Finance Manager

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 30 November 2022 is at **Appendix 6** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 16 September 2021, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
30 November 2022	General Municipal	Cheques	\$1,678.10
		EFT	\$817,989.48
		DP	\$4,432,699.32
		Inter account transfers	\$0.00
		Total	\$5,252,366.90

VOTING REQUIREMENT

Simple Majority

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RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 30 November 2022.

Moved Cr Re, seconded Cr Cvitan

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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9.6 GENERAL INSURANCE RENEWAL 2022/23	
File No:	GF-21-0000495
Appendices:	Nil
Date:	8 December 2022
Responsible Officer:	Chief Executive Officer

SUMMARY

This report seeks to update Council on the progress of an investigation in to the advantages and disadvantages of undertaking a regular cyclic process of publishing public tenders for general insurance services, as per previous council resolution.

BACKGROUND

At the 30 July 2020 Audit Committee Meeting, a query was raised as to why the Mindarie Regional Council (MRC) had not gone out to tender for its general insurance renewals.

At that time, the MRC sought advice from WALGA, which held the view that local governments do not need to go out to tender for insurance services purchased from LGIS.

Accordingly, the MRC has continued to access general insurance services through LGIS. These practices have continued since.

On 24 March 2022 a report was presented to Council that highlighted the results of a review undertaken on the experiences of other Western Australian local governments with respect to accessing adequate insurance provision in the current market, and sought endorsement of the recommendation to renew general insurances for 2022/23, Council resolved:

That the Council:

1. *Notes the information contained in this report.*
2. *Recommends that the MRC does not undertake a public tender process for the provision of insurance services, and continues to remain within the LGIS WA local government group self-insurance scheme.*
3. *Requests the CEO to investigate the advantages and disadvantages of undertaking a regular cyclic process for undertaking a public tender process for insurance services, and if necessary to seek independent expert advice, and bring a report back to Council by December 2022, including a recommendation for the procurement of insurances services in 2023.*

DETAIL

On 16 August 2022 the administration sent out a request for quotation to risk advisory consultants, seeking independent expert advice to review the MRC's current insurance arrangements, develop a tender, assist in the evaluation of responses and provide an assessment report.

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At the time of close two proposals were received:

- *Risk Advisory Services* provided a short proposal, with minimal information, stating a service fee of circa \$25k.
- *Procurement Australia* provided a detailed proposal, stating a service fee of \$15k.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2022/23 budget approved by Council at the 7 July 2022, has been made in respect of risk advisory services.

VOTING REQUIREMENT

Absolute majority

COMMENTS

Given the level of detail provided, Procurement Australia's response was considered to be the highest value proposal when compared to that received from Risk Advisory Services.

Accordingly, the MRC engaged Procurement Australia's services on 16 September 2022. It is expected that a tender for the provision of insurance services shall be released in late January 2023, and an evaluation report finalised by March/April 2023. The Administration intends to present a report to the 27 April 2023 Ordinary Council meeting with the outcome of the review and evaluation of the insurance tender.

LGIS were formally advised that the MRC had resolved to release a formal tender for the 2022/23 insurances on 28 November 2022, and asked to provide an initial response to this decision. Their response is provided, below:

- *"The Scheme will not be in a position to respond to an 'insurance broking / insurer' tender as the mutual is neither an insurer nor an insurance broker. MRC would need to ensure the tender is crafted in a manner that would allow the mutual to respond.*
- *Members may only withdraw membership from the Scheme at the expiry of a fund year (30 June) provided that at least 60 days' notice is given (please refer to Section 35.1 of the LGISWA Scheme Rules available from the Members Section of the LGIS website). The email below does not suffice as formal notification of exit.*
- *We note the timing of the tender (early in January/ February) will limit our ability to respond. LGIS does not respond to speculative pricing and would be reluctant to provide terms outside our usual renewal cycle.*
- *Membership of the Scheme provides MRC with a whole of risk approach to protection and LGIS provides a single membership and cost. Exit of any one protection would result in MRC existing all protection policies offered by LGISWA.*
- *We would also like to add that MRC, along with all Cities, Towns and other Shires across the State, was gazetted by the Minister as an "exempt employer" under the Act. This has placed it as part of a self-insured group (WA Local Government Sector,*

through the LGIS WorkCare Scheme) for workers compensation. Withdrawing from this arrangement in favour of a return to the workers compensation system through insurance arrangements, would require application to, the Minister and publication of his approval of the change in the Government Gazette. Please note there are regulatory requirements under WorkCover to apply for exit. We are happy to provide MRC with copies of same if this has not been considered by PA. I believe the period of notice is 90 days

- *Exit of the Scheme would obviously lead to a loss of access to a range of complimentary risk services across Injury Management, LGIS Health and Wellbeing, Liability Risk Management, Organisation Risk Management, Occupational Safety and Health and HR Risk Management."*

The administration is currently assessing these responses, and will work with Procurement Australia to ensure that all necessary steps are taken to undertake a compliant tender process that takes account of the apparent prerequisites and timelines highlighted by LGIS.

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

- 1. Notes the information contained in this report.**
- 2. Requests the CEO to present a report to Council with a recommendation for the procurement of insurance for 2023/24 in April 2023.**

Moved Cr Re, seconded Cr Jacob

Moved Cr Shannon, seconded Cr Re

AMENDMENT

To add the following words:

- 3. Requests the CEO to obtain independent legal advice in relation to whether Local Governments have to go out to Tender for Insurance services and whether they are exempt from s3.57 of the Local Government Act.**

REASONS:

To clarify previous advice so that the MRC understands whether it needs to go to tender every year.

(CARRIED 10/1)

*For: Crs Castle, Cvitan, Ferrante, Gobbert, Hatton, Miles, Re, Shannon, Thornton, Vernon
Against: Cr Jacob*

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SUBSTANTIVE RECOMMENDATION, AS AMENDED

That the Council:

- 1. Notes the information contained in this report.**
- 2. Requests the CEO to present a report to Council with a recommendation for the procurement of insurance for 2023/24 in April 2023.**
- 3. Requests the CEO to obtain independent legal advice in relation to whether Local Governments have to go out to Tender for Insurance services and whether they are exempt from s3.57 of the *Local Government Act*.**

(CARRIED UNANIMOUSLY 11/0)

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9.7	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2023
File No:	GF-20-0000469
Appendix(s):	Nil
Date:	02 December 2022
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide notice of the dates, times and locations for the Mindarie Regional Council's (MRC) Ordinary Council Meetings (OCM) and to provide advice regarding Strategy Workshops (SW) for 2023.

BACKGROUND

In accordance with the *Local Government Act 1995*, the MRC is required to schedule OCM's for the forthcoming calendar year and provide public notice of their dates, times and locations. In addition, the MRC also set two SW dates for the year.

DETAIL

In setting the dates for the 2023 OCM's consideration is given to the following:

- The Tamala Park Regional Council meeting dates for 2023
- The WALGA Metropolitan Zone meeting dates for 2023
- The Australian Local Government Association (ALGA) Annual Conference
- Relevant Waste Conferences
- Availability of Member Councils' Chambers.

To achieve compliance and present financial reports within 2 months after the end of the month to which the statement of financial activity relates in accordance with *s.6.4 of the Local Government Act 1995* and *s.34(4) of the Local Government (Financial Management) Regulations 1996*, the MRC are required to meet 7 times in 2023.

With a view to trying to achieve compliance, and at the same time being mindful of conflicting priorities, the following meeting dates are proposed for consideration:

23 February 2023	6.30pm	City of Joondalup	OCM
27 April 2023	6.30pm	City of Wanneroo	OCM
01 June 2023	6.30pm	Town of Cambridge	OCM
13 July 2023	6.30pm	City of Stirling	OCM
21 September 2023	6.30pm	City of Vincent	OCM
30 November 2023	6.30pm	Town of Victoria Park	OCM
14 December 2023	6.30pm	City of Perth	OCM

Traditionally the MRC also holds two strategic workshops which are usually included in the meeting schedule. These workshops are important as they provide Councillors, member council CEOs and representatives on the Strategic Working Group and MRC management an opportunity to review and discuss the MRC's strategic direction.

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The MRC held a SW on 10 September 2022 and a follow up SW is planned for 2 February 2023. The MRC propose to consult with the Chair after the 2 February 2023 SW to decide on the timing of future SWs in 2023.

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Administration) Act 1996

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The proposed schedule for OCM's for 2023 is submitted for approval.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. **Adopt the meeting dates as follows:**

23 February 2023	6.30pm	City of Joondalup	OCM
27 April 2023	6.30pm	City of Wanneroo	OCM
01 June 2023	6.30pm	Town of Cambridge	OCM
13 July 2023	6.30pm	City of Stirling	OCM
21 September 2023	6.30pm	City of Vincent	OCM
30 November 2023	6.30pm	Town of Victoria Park	OCM
14 December 2023	6.30pm	City of Perth	OCM

2. **Issue a Public Notice on the meeting locations, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.**

3. **Note that a Strategy Workshop has been planned for 2 February 2023. Future workshop dates for 2023 will be determined, in consultation with the Chair, later in 2023.**

Moved Cr Vernon, seconded Cr Re

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)

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10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 73

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 73 be received.

Moved Cr Ferrante, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, the Chair requests the Council to meet “behind closed doors” to allow the Council to consider item 14.1 as the items are of a confidential nature.

No members of the public were present in the gallery.

**Moved Cr Vernon, Seconded Cr Re
 Procedural Motion**

- 1. Closes the meeting to the members of the public at 7.47 pm to consider item 14.1 in accordance with Section 5.23 of the *Local Government Act 1995*.**
- 2. Permits the MRC Chief Executive Officer and MRC staff to remain in the chamber during discussion for these items.**

(CARRIED UNANIMOUSLY 11/0)

Doors closed at 7.47 pm

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2) (c) of <i>The Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into	
14.1	AUDIT AND RISK COMMITTEE CONFIDENTIAL DOCUMENTS
File No:	GF-22-000070
Attachment(s):	Nil
Date:	5 December 2022
Responsible Officer:	Chief Executive Officer

That Council:

- Notes the Annual Financial Audit Planning Summary Year Ended 30 June 2022
- Notes the Auditor General Independent Auditors Report 2022
- Notes the Annual Financial Audit Exit Brief Year Ended 30 June 2022
- Notes the Representation Letter Year Ended 30 June 2022

**Moved Cr Vernon, seconded Cr Cvitan
 RESOLVED**

That the recommendation be adopted
 (CARRIED UNANIMOUSLY 11/0)

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Moved Cr Vernon, seconded Cr Hatton

**Procedural Motion:
That Council:**

- **Reopen the meeting to members of the public at 7.56 pm**

To re-open the meeting to the public
(CARRIED UNANIMOUSLY 11/0)

Doors re-opened at 7.57 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors

15 NEXT MEETING

The next Ordinary Council meeting will be held on 23 February 2023 at the City of Joondalup.

16 CLOSURE

The Chair closed the meeting at 7.58 pm and thanked the City of Perth for their hospitality and use of their meeting facilities.

SignedChair

Dated.....day of2023

Public Open Space Strategy							
Annual Implementation Progress Update - 2023							
Public Open Space plays a vital component to the community and provides a wide range of health, social, environmental and economic benefits. It is important the City continues to plan and prioritise future investment, development and improvements to our public open spaces for the years to come. The Public Open Space Strategy minor review is scheduled for financial year 2024/2025.							
No.	Key Actions	Tasks	Priority	Proposed FY	Lead Team	Status	Comments
1	Develop a clear framework for lease, licence and hire agreements within POS	<ul style="list-style-type: none"> Assess the effectiveness of hire agreements, licenses and leases for community, sport and recreation, and commercial groups utilising POS. Identify and implement preferred tenure arrangements that meet user group needs while maximising community accessibility to POS. 	Short	20/21	Corporate Strategy & Governance	Completed	Council adopted the Property Management Framework in November 2020. Implementation of the framework has commenced.
2	Establish Shared Use Agreements with the Department of Education to enable community access to school ovals and other amenities	<ul style="list-style-type: none"> Lease with the Department of Education and specific School Principals in priority order: <ul style="list-style-type: none"> MI Hawthorn Primary School North Perth Primary School Negotiate Shared Use Agreements using the Department of Education Guidelines. Identify and implement Shared Use Agreements at other local school sites based upon community demand. 	Short - Medium	24/25	Policy & Place	On track	Commence following the Land Utilisation Policy.
3	Establish Management Agreements with private land owners to enable short/medium term conversion to POS	<ul style="list-style-type: none"> Identify undeveloped or transitional landholdings in areas with identified POS gaps Explore opportunities for interim land use agreements with private land owners to enable short/medium term functionality as POS. 	Short - Medium	24/25	Policy & Place	On track	Commence following the Land Utilisation Policy.
4	Repurpose City owned land as POS in strategic locations where gaps have been identified within the network	<ul style="list-style-type: none"> Identify opportunities to repurpose land upon expiry or cessation of existing leases or other similar changes in land management, with a specific focus on key locations within Vincent: <ul style="list-style-type: none"> Within the suburb of Mount Hawthorn Within the suburb of North Perth Within the suburb of West Perth 	Medium	23/24	Corporate Strategy & Governance	On track	Opportunities have been identified at the expiry of leases. This includes Sydney Haynes. Further development of this key action will be reliant on the completion of the Land Utilisation Policy.
5	Prepare a POS Land Acquisition Strategy to provide POS in strategic locations where gaps have been identified within the network	<ul style="list-style-type: none"> Develop a framework and methodology to nominate site specific land targets. 	Medium	23/24	Policy & Place	On track	No formal framework has been prepared and will commence in 24/25. In the interim Council has approved investigation of the potential sale of several lots. This includes Monmouth and Brentham Street Reserve. The Land Utilisation Policy will help inform other key actions in the POS strategy, such as, management agreements, repurposing of land, and sale of land.
		<ul style="list-style-type: none"> Acquire land in strategic locations through a dedicated Reserve Fund in order to increase the provision of POS. Identify land swap opportunities. Prepare a business case as the basis for any proposed land disposal. Undertake periodical POS gaps analysis to assess effectiveness of other 'Provision' actions. 		24/25	Corporate Strategy & Governance	On track	Pending outcomes of the Land Utilisation Policy.
		<ul style="list-style-type: none"> Identify remaining gaps in the POS network, and investigate alternative strategies to increase public open space provision. 		24/25	Policy & Place	On track	
6	Initiate a POS Development and Land Acquisition Reserve Fund	<ul style="list-style-type: none"> Investigate the sale of underperforming and/or surplus City owned land / facilities. Specifically ring-fence any land disposal proceeds for the purposes of the POS Reserve Fund. Follow the appropriate planning process for rezoning, subdivision, and development applications to optimise value prior to sale. Implement a program of regular contributions to these reserve funds to ensure the availability of sufficient funding over the long-term. 	Medium	23/24	Policy & Place	On track	POS Reserve Fund has been created. Further action items to be investigated in 23/24.
		<ul style="list-style-type: none"> Investigate the feasibility of attracting developer contributions for community infrastructure (POS) in accordance with State Planning Policy 3.6 		22/23		On track	
		<ul style="list-style-type: none"> Investigate the feasibility of attracting developer contributions for community infrastructure (POS) in accordance with State Planning Policy 3.6 		21/22		Completed	Council endorsed 'Implementing the Western Australian Planning Commission's Development Control Policy 3.3 – Public Open Space in Residential Areas' at its Meeting in November 2022. The implementation timeline of the POS cash-in-lieu is extensive (commencement July 2023) to allow for significant notice and engagement, to inform developers prior to lodgement of a development application, so that this can be considered in their development feasibility. The Leederville Precinct Structure Plan incorporates provisions for cash-in-lieu of Public Open Space as well as incentives for developers to provide community infrastructure. These are currently being assessed by the Western Australian Planning Commission.

No.	Key Actions	Tasks	Priority	Proposed FY	Lead Team	Status	Comments
7	Assess the effectiveness of converting road reserves (or part of) to POS, and identify further opportunities in strategic locations where gaps have been identified within the network	<ul style="list-style-type: none"> Assess the effectiveness of converting underperforming and/or surplus road reserves to POS 	Short - Medium	23/24	Policy & Place	On track	A trial to temporarily convert a section of Grosvenor Road in the Beaufort Street Town Centre into a pedestrianised area occurred in October 2022. The project aimed to understand the possibilities for public realm improvements, and demonstrate the benefits of putting people first and creating places for people. The project also delivered a permanent continuous footpath across Grosvenor Road (adjacent to Beaufort Street) to improve the pedestrian experience. The project was delivered in partnership with RAC through its Reconnect WA initiative, which aims to create vibrant streets and public spaces for Western Australians to interact and connect with each other. Outcomes and next steps following the trial will be presented to Council in early 2023. Further investigation into other sites will be pending outcomes of the Land Utilisation Policy.
		<ul style="list-style-type: none"> Identify further sites of unused road reserve and re-purpose as POS. 					
		<ul style="list-style-type: none"> Establish a high quality civic open space within each Town Centre <ul style="list-style-type: none"> Implement North Perth Common 					
		<ul style="list-style-type: none"> Implement Axford Park Improvements 					
		<ul style="list-style-type: none"> Maintain and manage Oxford Street Reserve and Mary Street Piazza. <ul style="list-style-type: none"> Identify opportunities within remaining Town Centres 					
8	Reallocate active reserves and revise community lease and licence arrangements, to better accommodate sporting club growth trends and improve community accessibility to POS	<ul style="list-style-type: none"> Assess participation and membership trends amongst sporting clubs as the basis for active reserve allocations Align sporting codes and clubs with specific POS that can accommodate their respective growth and future needs Develop shared-use licence arrangements in lieu of exclusive use lease arrangements Implement performance based lease and licence arrangements with targets relating to membership, diversity, governance and community impact Align lease and licence arrangements with any revised POS ground allocations 	Short	22/23 - 23/24	Policy & Place	On track	Commenced Sport and Recreation Facilities Plan. The Plan will address this key action.
		<ul style="list-style-type: none"> Ensure that future investment in dog exercise areas and associated infrastructure balances community expectations and broader POS accessibility 					
9	Prepare and implement a Dog Exercise Strategy/Policy to ensure infrastructure provision aligns with community expectations	<ul style="list-style-type: none"> Review the effectiveness of the existing off-leash dog exercise areas Prepare a dog exercise areas strategy/policy aligned with POS hierarchy and levels of service and dog ownership geography Include fenced dog exercise areas within the strategy/policy and minimum design requirements Establish decision making criteria for the assessment of off-leash and on-lease areas within POS Progress the establishment of fenced dog exercise areas in specific POS (identify based on dog ownership, community demand or POS suitability) 	Short - Medium	24/25	Policy & Place	On track	Strategy/Policy to commence 24/25.
		<ul style="list-style-type: none"> Adopt the POS hierarchy and levels of service to directly inform infrastructure investment and rationalisation Implement minimum levels of service and associated design guidelines Identify, prioritise and undertake POS amenity upgrades utilising the POS audit and levels of service Manage community expectations through communication of the POS hierarchy, classifications and levels of service Prepare a POS upgrade program aligned with the Annual Budget, Long Term Financial Plan and Asset Management Plan Review and revise POS maintenance standards based on the POS hierarchy, classifications and levels of service Align maintenance standards, schedules and practices with POS functionality and community use: <ul style="list-style-type: none"> Determine specific maintenance standards and lifecycle costs for <ul style="list-style-type: none"> Playing fields Town Centre POS POS identified as being suitable for festivals and events 					
10	Implement the POS hierarchy and levels of service as the basis for investing in parks, reserves and other green spaces	<ul style="list-style-type: none"> Adopt the POS hierarchy and levels of service to directly inform infrastructure investment and rationalisation Implement minimum levels of service and associated design guidelines Identify, prioritise and undertake POS amenity upgrades utilising the POS audit and levels of service Manage community expectations through communication of the POS hierarchy, classifications and levels of service Prepare a POS upgrade program aligned with the Annual Budget, Long Term Financial Plan and Asset Management Plan Review and revise POS maintenance standards based on the POS hierarchy, classifications and levels of service Align maintenance standards, schedules and practices with POS functionality and community use: <ul style="list-style-type: none"> Determine specific maintenance standards and lifecycle costs for <ul style="list-style-type: none"> Playing fields Town Centre POS POS identified as being suitable for festivals and events 	Short - Medium	2021	Parks	On track	POS hierarchy and levels of service being implemented through Capital Works Program - Ongoing. Maintenance standards and lifecycle costs yet to be progressed.
		<ul style="list-style-type: none"> Adopt the POS hierarchy and levels of service to directly inform infrastructure investment and rationalisation Implement minimum levels of service and associated design guidelines Identify, prioritise and undertake POS amenity upgrades utilising the POS audit and levels of service Manage community expectations through communication of the POS hierarchy, classifications and levels of service Prepare a POS upgrade program aligned with the Annual Budget, Long Term Financial Plan and Asset Management Plan Review and revise POS maintenance standards based on the POS hierarchy, classifications and levels of service Align maintenance standards, schedules and practices with POS functionality and community use: <ul style="list-style-type: none"> Determine specific maintenance standards and lifecycle costs for <ul style="list-style-type: none"> Playing fields Town Centre POS POS identified as being suitable for festivals and events 					
11	Implement asset renewal and rationalisation in accordance with the broader Asset Management Plan	<ul style="list-style-type: none"> Establish scheduled asset maintenance and renewal programs for POS through the City's operating/capital budget. 	Medium	21/22 - ongoing	City Building	On track	Asset Management and Sustainability Strategy was endorsed November 2021. Strategy Implementation on-going.

No.	Key Actions	Tasks	Priority	Proposed FY	Lead Team	Status	Comments	
12	Undertake local history and heritage studies as the basis for POS design, development and management	<ul style="list-style-type: none"> Undertake heritage investigations across the POS network to identify sites of historical importance and cultural value. 	Medium	22/23	Community Development	On track	<p>Len Collard from Moodjar Consultancy with the assistance of Officers from the City completed the Aboriginal Heritage Interpretation Strategy (AHIS).</p> <p>The AHIS is now a working document that has relevance and use for a range of City projects including signage, naming, art policy, landscaping, collection development, community development and engagement, events and activation and place plans.</p> <p>As a tool, it is a cohesive and focused approach to the collection and sharing of Aboriginal History and heritage in Vincent.</p> <p>The document brings together existing information from prior consultations with Elders, researchers and consultants about 3 key areas relating to Aboriginal heritage in Vincent being:</p> <ol style="list-style-type: none"> 1. Which stories/themes have been identified by Aboriginal people as significant for the Vincent area 2. How can or should these stories be told 3. What are the protocols and principles for collecting and telling these stories <p>This component is now completed.</p>	
		<ul style="list-style-type: none"> Undertake Whatdjuk Noongar 'sense of place' studies and ethnographic surveying as the basis for POS remaining, design, development and management. 		23/24			On track to be delivered in 23/24.	
		<ul style="list-style-type: none"> Identify specific opportunities for sites of historical importance to be recognised through signage, interpretation and other amenities. 		25/26			On track to be delivered in 25/26.	
		<ul style="list-style-type: none"> Plan and develop walking trails between all identified Aboriginal significant sites. 		25/26			On track to be delivered in 25/26.	
13	Prepare and implement a Play space Strategy/Policy to ensure infrastructure provision aligns with community demographics	<ul style="list-style-type: none"> Undertake a detailed audit of all play space infrastructure including both condition and functionality. Prepare a Play space Strategy aligned with the POS hierarchy and levels of service, and local community demographics/profiles. Undertake a strategic play space replacement, rationalisation and upgrade program. Directly engage with local children and young people and other relevant stakeholders to ensure POS functionality and amenity aligns with community needs. 	Medium	23/24	Policy & Place	On track	Project to commence in 23/24.	
14	Integrate art and creativity into POS design and development	<ul style="list-style-type: none"> Identify strategic locations for major art works and percent for art projects. 	Medium	2022/23	Policy & Place	On track	Investigated through the development of the Wayfinding Plan and to be formalised as living document in new Arts Plan which is to be presented to Council in 2023.	
		<ul style="list-style-type: none"> Consider usage of Noongar inspired 'sense of place' themes and artwork as the basis for POS design. 		ongoing			On track	Planning a mural with Tourism WA (on behalf of FIFA) for mural at Perth Soccer Club, to include Noongar sense of place themes. To be completed 2023. Planning for a Noongar mural and upgrade to talking post at Hyde Park in 2023/24. Continued to be considered during relevant projects.
		<ul style="list-style-type: none"> Ensure art and creativity is embedded within POS design through the POS upgrade program 		ongoing			On track	Currently being considered in planning for Leaworth Revitalisation Project as per the Beaufort Street Town Centre Place Plan. Investigating commissioning new Noongar artwork in Kaadajiny Lane to include mural and potentially lighting. Continued to be considered during relevant projects.
15	Review POS management policies and procedures, and implement contemporary practices that maximise accessibility and utilisation	<ul style="list-style-type: none"> Review existing POS bookings and management policies with a specific focus on the customer experience. 	Short - Medium	21/22 - 22/23	Beauty Park	On track	Current policy is being reviewed and will be presented to Council in 2023.	
		<ul style="list-style-type: none"> Review and improve existing management procedures including (but not limited to) sporting club ground allocations, trading in public places permits, mobile food vendor permits, and event applications. 		22/23 - 23/24			On track	Terms and conditions for all hirers, as well as management practices have been reviewed and will be implemented once the new policy has been endorsed. Special consideration will be applied to small businesses who want to make use of outdoor spaces.
		<ul style="list-style-type: none"> Review current fees and charges to determine relationship with POS utilisation. 		ongoing			On track	Fees and charges were reviewed and streamlined in 2018. Fees and charges are reviewed annually as part of the City's annual budget process. A further review will be undertaken as part of the 2023/24 budget process.
		<ul style="list-style-type: none"> Expand POS online booking functionality and investigate the incorporation of app technology and linkages to a broader customer relationship management system. 		18/19			Completed	Online booking system Spacetoco implemented.
		<ul style="list-style-type: none"> Improve community awareness of POS through specific marketing initiatives, including specific marketing campaigns for key locations such as Hyde Park. 		23/24			On track	Marketing officer has completed updating all content on Spacetoco. No key campaigns have been created yet.
		<ul style="list-style-type: none"> Measure POS utilisation and occupancy to better inform management decision making. 		ongoing			On track	Report of income is sent to Centre Manager monthly. Utilisation and occupancy is reviewed prior to confirmation of seasonal sporting allocations. Information will be used as part of the annual budget allocation process to ensure funds are spent where needed.
		<ul style="list-style-type: none"> Align suitability of specific POS with events and festivals as part of the City's event approvals process review. 		ongoing			On track	Marketing and Communications
16	Develop a Signage Strategy for implementation across the POS network	<ul style="list-style-type: none"> Review existing signage practices and infrastructure and proactively rationalise to reduce 'signage pollution' within POS. 	Short	22/23	Policy & Place	On track	The City of Vincent Wayfinding and Signage Plan was adopted at the 15 November Ordinary Council meeting. \$198,000 has been allocated for implementation in the 22/23 financial year.	
		<ul style="list-style-type: none"> Develop consistent branding and placement protocols for POS and facility signage. 		24/25				
		<ul style="list-style-type: none"> Consider usage of Noongar inspired 'sense of place' themes and artwork as the basis for standardised signage across the POS network. 		25/26				
		<ul style="list-style-type: none"> Investigate private signage, sponsorship signage opportunities and implement regulation. 		21/22				Completed
17	Review use of pesticides and fertilisers on City parks and reserves	<ul style="list-style-type: none"> Review and monitor application of fertilisers and pesticides across the City's POS, in accordance with the Australian Pesticides Veterinary Medicines Authority (APVMA) and the Code of Practice for the use of agricultural and veterinary chemicals in VWA. 	Short	Ongoing	Parks	Completed on-going	The City has reviewed the use of pesticides and fertiliser, and continues to review and monitor. Currently controlling the risk of pesticides and using alternatives where possible. Methods include: <ul style="list-style-type: none"> • Use of alternative weed controls wherever possible (organic pesticide – pelargonic acid, manual removal, use of mulch for weed suppression) • Glyphosate use minimised, no spraying near playgrounds or during school holidays (unless approved by manager i.e. adjacent to schools). Predominantly only used to control perennial woody weeds or perennial running grasses that are not controlled by other options. All practices are in accordance with the APVMA (Australian Pesticides Veterinary Medicines Authority).	
18	Prepare and implement local water management strategies and an Urban Water Management Plan	<ul style="list-style-type: none"> Promote an integrated water cycle management approach. 	Medium	22/23 - review ongoing operation	Engineering & Parks and sustainability	On track	In progress and ongoing.	
		<ul style="list-style-type: none"> Review current water management policies. 					Water sensitive urban design review of the City's Policies, Strategies and Plans completed – recommendations from this review to be implemented in compliance with State Planning Policy 2.9 Planning for Water.	
		<ul style="list-style-type: none"> Establish a water management policy that balances water conservation while enabling required irrigation of green spaces. 					A Water Wise Council Action Plan has been prepared and is currently with Water Corporation for approval. Further Water Policies/ Management Plans will need to be prepared in accordance with State Planning Policy 2.9 once adopted.	
<ul style="list-style-type: none"> Investigate opportunities to embellish drainage systems within open spaces to offer expanded biodiversity habitat, canopy cover and improve storm water quality. Measure and report on total water usage in accordance with the City's commitment to the Water wise Council Program. 	<ul style="list-style-type: none"> Investigating Lynton Street, Walters Brook, and Hyde Park annual replanting program and review. Engineering investigating Storm Water Drainage Policy. 	Ongoing investigation. Lynton Street, Walters Brook, and Hyde Park annual replanting program and review. Engineering investigating Storm Water Drainage Policy.						
							Ongoing annual task completed every year.	

No.	Key Actions	Tasks	Priority	Proposed FY	Lead Team	Status	Comments	
19	Review and implement alternative landscape treatments within POS	<ul style="list-style-type: none"> Manage and reduce water consumption through contemporary landscape treatments. Expand eco-zoning projects and consider future sustainable options. Communicate the benefits of alternative landscape treatments to the community to ensure understanding and acceptance. 	Medium	Ongoing	Parks	Completed & ongoing	Completed and ongoing - native plant sales and adopt a verge program, eco zoning program.	
20	Review and implement the Greening Plan 2018-2023 in relation to the future greening of POS	<ul style="list-style-type: none"> Implement the City's Greening Plan including objectives to green, enlarge and enhance POS. Optimise all opportunities to increase canopy cover on public land, including POS. Enhance habitat and promote biodiversity throughout the POS network. 	Medium	Ongoing	Parks	Completed	Greening Plan has been completed and currently being implemented.	
21	Protect public open space through the City's town planning framework	<ul style="list-style-type: none"> Reserve land under the Local Planning Scheme and Metropolitan Region Scheme in accordance with the Strategy. 	Medium	18/19	Policy & Place	Completed	Considered in Local Planning Scheme, endorsed in 2018. Further consideration taken during future reviews.	
		<ul style="list-style-type: none"> Ensure encroaching development positively contributes to POS. 		18/19				Ongoing considerations when processing development applications.
		<ul style="list-style-type: none"> Zone land around and near POS in accordance with the Strategy. Encourage and permit development forms that complement POS. 		18/19				Considered in Local Planning Scheme, endorsed in 2018. Further consideration taken during future reviews.
22	Prepare and implement the Leederville Oval Master Plan	<p>Provide a long term Plan that considers:</p> <ul style="list-style-type: none"> Capabilities as a multi-use community asset (that increases community access and utilisation) within the Leederville Town Centre. Current and future requirements of the WA Football Commission, East Perth Football Club and Subaco Football Club. Facility management options. Capital funding model options. 	Short	18/19 - ongoing	Policy & Place	On track	Ongoing discussions with relevant key agencies regarding outcomes and funding opportunities. As per December 2022 Council Notice of Motion the working group has formed and will provide an update on the Master Plan process by 30 April 2023 for Council consideration at its meeting on 16 May 2023.	
23	Prepare and implement Woodville Reserve Master Plan review	<p>Provide a long term Plan that considers:</p> <ul style="list-style-type: none"> Maximising the potential for additional green space to service the North Perth community. Rationalisation of built infrastructure. Improved co-location of clubs and activities. Responsiveness to community demand for outdoor court sports, including netball and basketball. 	Short	24/25	Policy & Place	Delayed	The Sport and Recreation Facilities Plan is integral to the development of the revised Master Plan, and it is proposed that the development of the Master Plan be completed following this adoption. In the interim, the Woodville Reserve Landscape Plan was implemented in 2022/23. The landscape plan has been designed to allow for integration into any future developments on site.	
24	Prepare and implement Britannia Reserve Master Plan review	<p>Prepare a long term Plan that considers:</p> <ul style="list-style-type: none"> Capabilities to accommodate the growth of local sporting clubs. Future use and management of the Lillis Stadium site. Management of surface and sub-surface subsidence issues. Community demand for a mountain bike track and other passive recreational activities. Maximise opportunities for additional tree canopy and shade, subject to sporting field requirements and alignments. 	Short	19/20 - 21/22	Policy & Place	On track	Britannia Reserve Master Plan has been replaced with the Britannia North West Development Plan. The Development Plan has been endorsed by Council and detailed design has commenced with implementation works to begin in 2023. An election commitment of \$200,000 was announced for a new skate/scooter park in Mount Hawthorn. The Mount Hawthorn Youth Skate Space Plan at Britannia was endorsed in December 2022 for implementation to be completed in 2023.	
25	Investigate and consider Robertson Park Development Plan, in partnership with the State Government and Tennis West	<p>Investigate a long term development plan that considers:</p> <ul style="list-style-type: none"> Community accessibility to high quality tennis court infrastructure. Retention and where possible, improvement to existing tree canopy and shade Aboriginal and non-Aboriginal cultural history associated with the site is addressed. 	Short	21/22	Policy & Place	Completed	The Development Plan endorsed by Council in September 2021. Currently working on detailed design. Stage 1 (Tennis precinct) implementation to begin late 22/23. Funding applications submitted and waiting on outcomes. Successful funding advocacy with Tennis West to secure 6 clay courts at the venue for high performance junior training. The construction of the six clay courts is fully funded by Tennis West, which includes court surface, lighting, and fencing. Resulting in the City no longer being required to fund the upgrade to six courts. New lease for the facility to be presented to Council in early 2023.	
26	Identify opportunities to deliver community gardens as part of the POS network	<ul style="list-style-type: none"> Determine key locations for additional community garden infrastructure based on community need and capacity. Identify effective volunteer management model to support additional community garden infrastructure. 	Short - Medium	on-going	Policy & Place	On track	Community gardens are considered throughout the development of POS projects. Two potential locations identified at Robertson Park.	
27	Prepare and implement Hyde Park Master Plan	<p>Prepare a long term Plan that considers:</p> <ul style="list-style-type: none"> Alignment with levels of service as per POS hierarchy. Aboriginal and non-Aboriginal cultural history associated with the site. Infrastructure upgrades aligned with regional POS and associated levels of service. Improve amenities and capabilities to accommodate community events. Improve key infrastructure including public toilets, path connections, gazebos, shade and playgrounds. 	Medium	25/26	Policy & Place	On track	Master Plan to commence in 25/26.	
				25/26				Community Development
28	Prepare and implement Forrest Park Development Plan	<p>Prepare a development plan to maximise community value that considers:</p> <ul style="list-style-type: none"> Alignment with levels of service as per POS hierarchy. Realignment of sports playing fields. Improved utilisation of built infrastructure, including courts and buildings. Investigate potential location for a community garden. 	Medium	26/27	Policy & Place	On track	Master Plan to commence in 26/27.	
29	Prepare and implement Charles Veryard Reserve Development Plan	<p>Prepare a development plan to maximise community value that considers:</p> <ul style="list-style-type: none"> Capabilities to accommodate the growth of local sporting clubs. Maximise opportunities for additional tree canopy and shade particularly on the reserve perimeter. Effectively manage active and passive recreational demands. 	Medium	24/25	Policy & Place	On track	Master Plan to commence in 24/25. This plan will now include Beatty Park and Smiths Lake Reserve.	
30	Review the effectiveness of parklets within each unique Town Centre and identify further opportunities in strategic locations where gaps have been identified within the network	<ul style="list-style-type: none"> Encourage the development of privately owned parklets within town centres to partially offset the deficit of POS provision. Identify new parklet development opportunities within the suburbs of Mount Hawthorn, Highgate, West Perth and North Perth. 	Medium	21/22	Policy & Place	Completed	The Vibrant Public Spaces Policy was adopted in June 2022 and sets the process and requirements for street furniture, affixed seating area furniture, parklets and e-scooters. The 24-month parklet fee free trial, that enabled businesses to host parklets without paying an application fee has now ended. Vibrant Public Space queries and applications continue to be received in these town centres.	
31	Investigate the possibility of creating an urban wetland stream within the Claisebrook Drain	<ul style="list-style-type: none"> Consider the undeveloped land upstream within Claisebrook Drain, near East Parade and Pakenham Street. Realise the potential opportunity to enhance the biodiversity within the City's POS. 	Long	28/29	Parks	On track	Commencing 28/29.	

No.	Key Actions	Tasks	Priority	Proposed FY	Lead Team	Status	Comments
32	Prepare and implement landscape plans, aligned with hierarchy / minimum levels of service, for:	Jack Marks Reserve <ul style="list-style-type: none"> Develop dog exercise area specific infrastructure and reserve management requirements. Improve seating and shade provisions. Address drainage and reserve surface issues. 	Short	22/23	Parks	Delayed	Delayed to Medium term priority. Completed short term action of seating, water fountain and path upgrades, and on-going action of drainage issues addressed. Further works pending Play Space Strategy and Dog Exercise Strategy, this is to balance use between Brigati Gardens and Jack Marks.
		Brentham Street Reserve <ul style="list-style-type: none"> Enhance local amenity and connectivity. Further tree planting contributing to local biodiversity. Potential for proposed greenway network. 	Short	20/21	Parks	Completed	Completed pathway, lighting upgrade and eco-zoning
		Birdwood Square <ul style="list-style-type: none"> Discontinue usage as an active open space by sporting clubs. Improve amenities and capabilities to accommodate community events. Consider installation of multipurpose outdoor sports courts consistent with POS hierarchy/levels of service. Rationalisation of public toilets as per POS hierarchy/levels of service. Improve tree canopy and shade coverage. 	Short	21/22, 22/23	Policy & Place	On track	To be investigated in the Sport and Recreation Facilities Plan.
		23/24		Policy & Place	On track	To be considered.	
		23/24		Policy & Place	On track	\$100,000 election commitment granted to the City to deliver Active Zone. Currently considering the viability of the project against the need for public toilets. Outcome to be determined by March 2023.	
		23/24		City Building / Policy & Place	On track	Public toilets at Birdwood Square have been demolished. New public toilets currently being considered.	
		Menzies Park <ul style="list-style-type: none"> Identify opportunities to enhance biodiversity. Improve the balance between active and passive reserve users. Identify infrastructure improvements through park fencing, toilet and playground upgrades. 	Medium	24/25	Parks	On track	To be reviewed when developing new eco zoning program.
		21/22, 22/23		Policy & Place	On track	To be considered during the Sport and Recreation Facilities Plan.	
		Beatty Park Reserve <ul style="list-style-type: none"> Improve tree canopy and shade coverage. Investigate feasibility as potential location for current POS amenity gaps (i.e. fenced dog exercise area, BMX pump track). 	Medium	24/25	Policy & Place	On track	Beatty Park Pavilion was removed and eco zoning with small tree species replaced the Pavilion. Key action #29 - Prepare and implement Charles Veyard Reserve Development Plan will now include Beatty Park Reserve and Smiths Lake. Actions will be considered during this plan.
		Brigati Gardens <ul style="list-style-type: none"> Replace dated infrastructure and enhance seating areas. 	Medium	24/25	Parks	On track	Infrastructure upgrade pending development of the Play Space Strategy and Dog Exercise Strategy outcomes in-relation to Jack Marks Reserve.
		Kylla Park <ul style="list-style-type: none"> Potential rationalisation of built infrastructure. Improve tree canopy and shade provision, and parkland hydro-zoning. Improve integration with Kylla Primary School. Improve amenities and capabilities to accommodate community events. 	Medium	27/28	Parks	Delayed	Delayed to long term priority. Concept Plan to upgrade Kylla Park to commence 27/28.
		Les Lilleyman Reserve <ul style="list-style-type: none"> Improve balance between active and passive reserve users. Review playing field configuration. Built infrastructure improvements. Playground upgrades. 	Medium	25/26	Policy & Place	On track	Concept Plan upgrade to commence 25/26 following endorsement of the Sport and Recreation Plan and Play Space Strategy.
		Leake / Alma Reserve <ul style="list-style-type: none"> Minor investment to enhance safety and increase usage. Asset renewal as per POS hierarchy/levels of service. Improve accessibility for children and young people. 	Long	28/29	Parks	Completed	Improvement works completed on site. Upgrades include lighting, eco-zoning and pop up play sand pit.

Statistics for Development Applications As at the end of December 2022

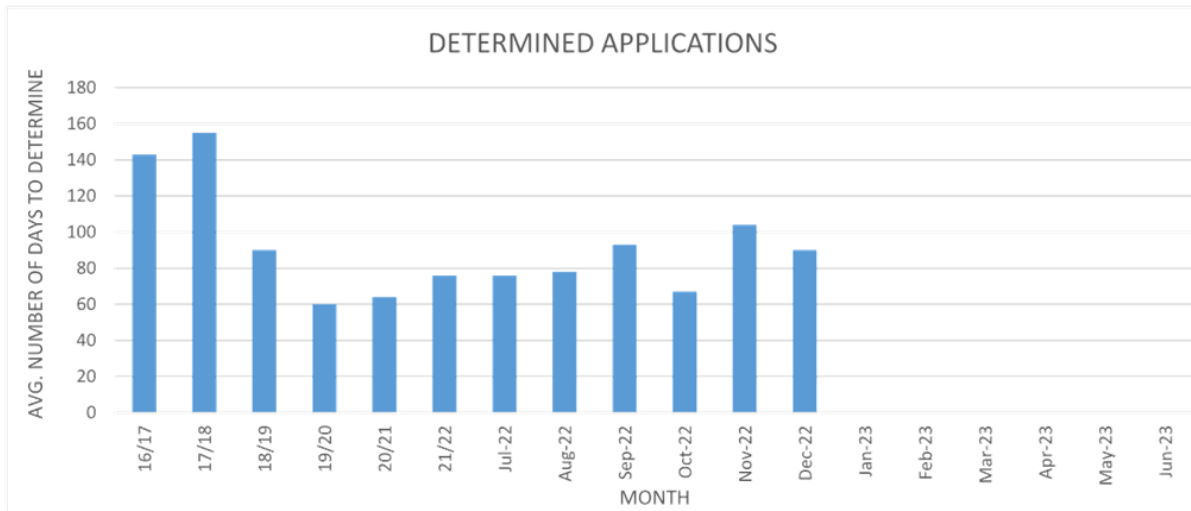


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2021.

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's Determined	31	27	31	19	12	31						
Value of Determined DA's (in millions)	4.28	31	69.8	3.01	53.4	145.4						

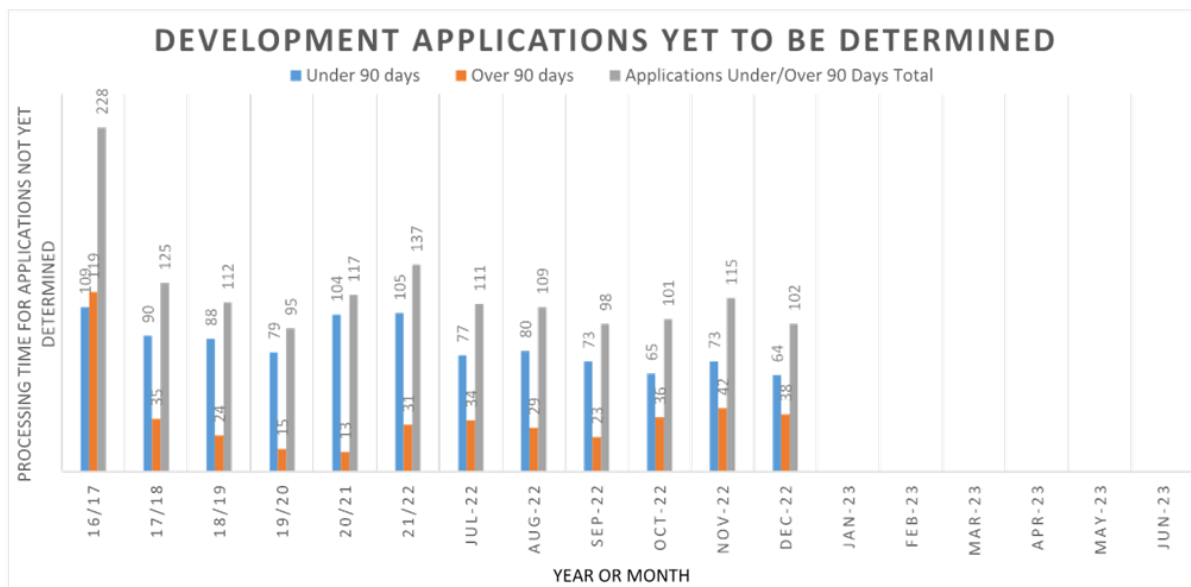


Table 2: No. of DA's to be determined

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's lodged	27	25	23	27	25	18						
DA's to be Determined	111	109	96	101	115	102						
Value of DA's to be Determined (in millions)	238.59	305.59	244.36	287.49	273.64	106.44						

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022.</p> <p>SAT agreed to further adjournment to 21 September 2022. The applicant is required to submit mechanical drawings prior to the next SAT Hearing. The matter has been further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. SAT Directions hearing scheduled for early March. Development approval has been issued and building application is pending.</p> <p><i>Representation by: McLeods</i></p>
2.	Nos. 596-598 Newcastle Street, West Perth (DR 92 of 2022)	8 June 2022	Lateral Planning	<p>Application for review of Council decision to refuse an application for Proposed Amendment to Previous Approval: Billboard Signs (Unlisted Use) on 17 May 2022.</p> <p>*****</p> <p>Directions Hearing held on 17 June 2022. The mediation listed on 1 August 2022 was vacated and the matter is now listed for mediation on 1 September 2022. Following mediation the matter has been listed for a full hearing. Key dates for this are as follows:</p> <ul style="list-style-type: none"> • 14 October 2022 – City Statement of Issues, Facts and Contentions due to SAT. • 28 October 2022 – Applicant Statement of Issues, Facts and Contentions due to SAT. • 8 February 2023 – Witness statements and draft conditions due to SAT. • 23 and 24 February 2023 – SAT Hearing. <p>Subsequent to this the applicant confirmed withdrawal of matter on 19 October 2022. The applicant has since requested the matter be reopened and a Directions Hearing was held on 25 November 2022 and a further Directions Hearing on 16 December 2022 to consider this.</p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
				<p>At the 16 December 2022 Directions Hearing, the SAT allowed for the appeal to be reinstated following the previous withdrawal, with the matter to be listed for full hearing. Directions Hearing scheduled for 13 January 2023 was vacated. The SAT issued Orders on 13 January 2023 with the following key dates associated with full hearing:</p> <ul style="list-style-type: none"> • 3 February 2023 – City’s Statement of Issues, Facts and Contentions due to SAT. • 24 February 2023 – Applicant Statement of Issues, Facts & Contentions due to SAT. • 17 March 2023 – Witness statements due to SAT. • 24 March 2023 – City’s draft conditions if approved due to SAT • 31 March 2023 – Applicant’s draft conditions if approved due to SAT • 25 and 26 May 2023 – SAT Hearing. <p><i>Representation by: Castledine Gregory</i></p>
3.	Nos. 338-340 Beaufort Street, Perth (DR 108 of 2022)	1 July 2022	Urbanista Town Planning	<p>Application for review of Administration decision to refuse an application for unauthorised signage on 31 May 2022.</p> <p>*****</p> <p>Directions Hearing held on 22 July 2022. Mediation held 25 August 2022. Matter listed for further mediation to discuss possible modifications to the proposal on 19 September 2022 which was deferred until 17 October 2022.</p> <p>At mediation the SAT invited a S.31 reconsideration of a modified proposal on or before 16 December 2022. Administration reconsidered a modified proposal submitted by the applicant and approved the development under delegated authority on 16 December 2022, subject to conditions. The City’s Compliance team are working with the applicant to modify signage on-site to be in-align with the approved plans. Subsequent to this the applicant confirmed withdrawal of matter on 19 December 2022. Completed.</p> <p><i>Representation by: Administration</i></p>
4.	Nos. 107-109 Summers Street, Perth (DR 167 of 2022)	30 September 2022	Urbanista Town Planning	<p>Application for review of Council decision to refuse an application for six grouped dwellings on 20 September 2022.</p> <p>*****</p> <p>Directions hearing listed for 14 October 2022. Directions hearing listed for 14 October 2022 was vacated and mediation listed for 3 November 2022, starting with a site visit. The Mayor and Elected Members invited to attend the SAT mediation in accordance with the SAT orders. Mediation held 3 November 2022. At mediation the SAT invited a S.31 reconsideration of an amended proposal on or before 20 December 2022. The applicant submitted the amended proposal to the City on 4 November 2022 and a directions hearing is listed for 21 December 2022. The application was presented to the December Ordinary Council Meeting for reconsideration and the application was approved subject to Conditions. Subsequent to this the applicant confirmed withdrawal of matter on 15 December 2022. Completed.</p> <p><i>Representation by: Administration</i></p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	No. 391 Lord Street, Mount Lawley (DR 192 of 2022)	31 October 2022	Urbanista Town Planning	Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 19 October 2022. Directions hearing was vacated and mediation was listed for 30 November 2022. Mediation held on 30 November 2022. Matter listed for further mediation to discuss modifications to the proposal on 1 February 2023. <i>Representation by: Administration</i>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 25 JANUARY 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 129 Loftus Street, Leederville	Harley Dykstra Planning & Survey Solutions	Form 1 – Child Care Premises	12 May 2022	Not yet scheduled	Currently under assessment. The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
2.	No. 40 Frame Court, Leederville	Hatch Roberts Day	Form 1 – Mixed Use Development	25 July 2022	Not yet scheduled	Approved by DAP unanimously on 1 December 2022 in accordance with City recommendation. The Meeting Minutes can be found here .
3.	Nos. 367-373 Fitzgerald Street and 103 Alma Road, North Perth	Element Advisory	Form 1 – Mixed Use Development	23 August 2022	Not yet scheduled	Refused by DAP unanimously on 16 December 2022 in accordance with City recommendation. The Meeting Minutes can be found here .
4.	Nos. 41-45 Angove Street, North Perth	Hidding Urban Planning	Form 1 – Service Station	7 September 2022	Not yet scheduled	Currently under assessment. The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
5.	No. 141 West Parade, Mount Lawley	Planning Solutions	Form 1 – Mixed Use Development	27 October 2022	Not yet scheduled	Currently under assessment. The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
6.	Nos. 194-200 Carr Place, Leederville	Taylor Burrell Barnett	Form 1 – Multiple Dwelling Development	3 January 2023	Not yet scheduled	Currently under assessment. Responsible Authority Report is currently due by 21 March 2023.

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 25 JANUARY 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
7.	Nos. 139 and 141 Lake Street, Perth	Planning Solutions	Form 1 – Mixed Use Development	17 January 2023	Not yet scheduled	Currently under assessment. Responsible Authority Report due date not yet set.
8.	No. 554 Newcastle Street, West Perth	Tomaria Construction	Form 1 – Mixed Use Development	20 January 2023	Not yet scheduled	Currently under assessment. Responsible Authority Report due date not yet set.

DAP Process Improvements:

The City's Administration is changing the process for DAP matters. This will include early confirmation of the availability of Elected Members that are DAP Members to attend DAP meetings. This will also include the circulation of the Responsible Authority Report to all Elected Members on contentious DAP items.

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 25 JANUARY 2023**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 299 Charles Street, North Perth	Space Collective Architects	Mixed Use Development	30 November 2022	Pre-lodgement Application The applicant is seeking preliminary comment from the Design Review Panel regarding the proposed concept and the appropriateness of the development within the surrounding context.
Nos. 381-387 Oxford Street, Mount Hawthorn	DMG Architects and Planning Solutions	Mixed Use Development	11 January 2023	Pre-lodgement Application – Previously Referred To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 19 October 2022.

TITLE:	Register of Petitions – Progress Report – January 2023
DIRECTORATE:	Chief Executive Officer

DETAILS:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

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

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

Key Index:

CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
15/3/2022	Petition with four (4) signatures requesting residents only parking on Prospect Place, West Perth	EDIE	The Rangers have recently completed the necessary occupancy survey for this street, and are now in the process of going through all of the data to ascertain what the best outcome is. Once we have analysed the data, we can then make a decision whether it is viable or necessary to make this resident only parking.

TITLE:	Register of Notices of Motion – Progress Report – January 2023
DIRECTORATE:	Chief Executive Officer

DETAILS:

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

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

Key Index:
CEO: Office of the CEO
EDCBS: Executive Director Community & Business Services
EDIE: Executive Director Infrastructure & Environment
EDSD: Executive Director Strategy & Development

Details	Action Officer	Comment
13 December 2022 – Submitted by Cr Loden		
Compulsory Citizenship Ceremonies	EDSD	Citizenship Ceremony held on 27 January 2023 following Federal Government decision to allow local governments to choose to not hold Citizenship Ceremonies on Australia Day.
13 December 2022 – Submitted by Cr Wallace		
Local Planning Scheme No. 2 Amendment Regarding Service Stations	EDSD	Scheme Amendment documents prepared and submitted to EPA for assessment. Mid 2023.
13 December 2022 – Submitted by Cr Loden		
Leederville Oval Master Plan	EDSD	The Leederville Oval Working group has formed with an inception meeting on 21 December 2022. An update on the progress is to be presented to the May OCM.
18 May 2021 – Submitted by Cr Hallett		
Local Planning Scheme No 2 – Amendment Regarding Tobacco Outlets	EDSD	Complete. Policy created to address provisions relating to Restricted Premises and businesses whose predominate trade is the sale and consumption of tobacco products. Approved for advertising 23 August 2022 OMC. Outcomes of advertising presented to Council 13 December 2022.
27 April 2021 – Submitted by Cr Hallett		
Community Engagement For Ecozoning	EDIE	Complete The Community Engagement Strategy and Capital Works Program ensure appropriate consultation on these projects as they arise.

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

DETAILS:

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

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

Key Index:

CEO:	Office of the CEO
EDCBS:	Executive Director Community & Business Services
EDSD:	Executive Director Strategy & Development
EDIE:	Executive Director Infrastructure & Environment

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
Council Meeting 13 December 2022				
9.6	Draft Strategic Community Plan 2022 - 2032	EDSD	The draft Strategic Community Plan was authorised for advertising for 28 days. Following advertising, the revised draft will be presented to Council in mid 2023.	Mid 2023
9.8	Mount Hawthorn Youth Skate Space	EDSD	Results from advertising and the updated concept plan was approved by Council. The tendering and construction process will be completed in mid 2023.	Mid 2023
9.9	Redevelopment Proposals, Leederville	EDSD	Council approved the Stage 2 Request for Detailed Proposals. These have been distributed to the three shortlisted proponents. Following the evaluation process and due diligence, this will be presented to Council in mid 2023.	Mid 2023
10.1	Stormwater Drainage	EDIE	Commencing within the Mount Hawthorn precinct; Hydraulic modelling to be undertaken in 2023 – 2024 financial year (estimated cost of \$80,000 - \$160,000)	Anticipated be undertaken during the 2023 - 2024 financial year (funded through the above modelling project); and 2023 - 2024 Annual Budget preparations.
10.4	Full Median Strip for Angove Street and Woodville Street Intersection	EDIE	Administration to finalise the concept design drawings of the Angove Street and Woodville Street median strip proposal. Community consultation based on the finalised concept design drawings proposing a 12 month trial of the traffic management treatment	Report back to Council on the outcome of the community consultation and advice whether the traffic management treatment trial should proceed. Late 2023
11.6	Draft Annual Report 2021/2022	EDCBS	The Annual Report was accepted and will be presented to the AGM.	AGM 2 February 2023
12.3	Vincent Underground Power Project – Five Additional project areas	CFO	For inclusion on the Business Plan, to reflect the ongoing nature of the VUPP	
Council Meeting 15 November 2022				
9.1	No. 109 (Lot: 100, D/P: 43470) Palmerston Street, Perth - Proposed	EDSD	Application deferred for a period of 90 days to allow applicant to	By February 2023 OMC

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
	Four Grouped Dwellings		consider Council's reasons for deferral and changes to the proposal. Applicant is working with Administration to address Council reasons for deferral, with the intention of providing amending plans to a future Council Meeting.	Mid 2023
9.2	Advertising of Reviewed Local Planning Policy No. 7.5.13 - Percent for Art	EDSD	Council approved advertising of the modified draft Local Planning Policy No. 7.5.13 - Percent for Art. Community consultation has commenced. The results of consultation and the updated Policy will be presented to Council for approval.	Early 2023.
11.5	Advertising of amended policy - Sponsorship to the City Policy	EDCBS	The Policy will be advertised for consultation from 24 November to 16 December. It is included in the agenda for the OCM 14 February 2023.	14 February 2023
Council Meeting 18 October				
9.3	Local Planning Scheme Amendment No. 9	EDSD	Form 2A – Standard Amendment to Local Planning Scheme No. 2 relating to rezoning of 21 Eucla Street, Mount Hawthorn to be sent to WAPC for consideration.	Late 2022. Completed. Local Planning Scheme No. 2 Amendment documentation sent to WAPC on 20 December 2022.
9.5	Local Planning Scheme Amendment No. 11	EDSD	Special Control Area drafted for inclusion in Local Planning Scheme No. 2 to protect the Royal Perth Hospital Emergency Helicopter Flight Path. Scheme amendment approved for advertising.	Results from advertising and the updated scheme amendment will be presented to Council for consideration in early 2023.
9.7	Redevelopment Proposals - The Avenue and Frame Court Car Parks, Leederville		Superseded by Item 9.9 at December 2022 OMC.	Completed.
9.8	Mount Hawthorn Youth Skate Space		Superseded by Item 9.8 at December 2022 OMC.	Completed.
9.10	Place Plan Annual Review		Final review of Volume 1: Vincent Town Centre Place Plan and Volume 2: North Perth Town Centre Place Plan. Annual review of Volume 3: Mount Hawthorn Town Centre Place Plan, Volume 4: Leederville Town Centre Place Plan, Volume 5: Beaufort Street Town Centre Place Plan and Volume 7: Pickle District Place Plan.	Council will receive this update annually with the next update scheduled for October 2023.
Council Meeting 23 August 2022				
9.5	Advertising of Amended Character and Heritage Areas Policy - Orange Avenue and Hope Street	EDSD	Guidelines and updated Policy approved for advertising. Results from advertising and the updated Guidelines and Policy will be presented to Council for consideration in early 2023.	Early 2023.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
9.6	Advertising of Amended Policy - Local Planning Policy No. 7.5.1 - Minor Nature Development	EDSD	Policy amendments drafted to update exemptions proposed to be applicable in the City of Vincent. Amended policy approved for advertising. Results from advertising and the updated Policy will be presented to Council for consideration in late 2022 early 2023.	Early 2023.
9.7	Advertising of New Policy - Restricted Premises - Smoking Policy	EDSD	December 2022 OMC.	Completed.
10.4	<ul style="list-style-type: none"> Outcome Of Consultation: 12 Month Diagonal Diversion Trial/Proposed Reduction Of Speed Limit Within Area Bounded By Charles, Fitzgerald, Angove And Vincent Streets 	EDIE	To come back to Council after completion of the trial (if proceeds).	2023
Council Meeting 26 July 2022				
9.5	Outcome of Advertising - Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	EDSD	Form 2A – Standard Amendment to Local Planning Scheme No. 2 relating to rezoning of 26 Brentham Street, Leederville is awaiting consideration from the Minister for Planning.	Late 2022 Early 2023.
9.7	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects	EDSD	Taking place between 1 October and 14 November 2022 the trial will investigate how the area performs as a pedestrian plaza (closed to vehicles for 16 days) and a shared street (shared access and use for four weeks).	The results of the trial and the data collected throughout the trial period will be reported back to Council in late 2022 early 2023..
9.8	Creation of Mall Reserve - Washing Lane, Perth	EDSD	Formal application through Section 59 process will be sent through to the Minister for Lands	Late 2022/Early Mid 2023
9.9	New Lease to Jigsaw Search & Contact Inc - Portion of Robertson Park, No. 176 (Lot 1) Fitzgerald Street, Perth Lee Hops Cottage)	EDSD	Tenant's position has changed, reviewing options. They will inform the City later part of 2023.	Late 2022. Early 2023 Late 2023
10.1	Halvorsen Hall - Tenant Relocation	EDIE	Draft Lease sent to tenants for review. Awaiting comments. Works to North Perth Community Centre have commenced and is planned to be completed by end of 2022. Early 2023	Late 2022. Early 2023
11.7	Extension Of Lease And Deed Of Contract To Belgravia Health & Leisure Group Pty Ltd - Loftus Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville	EDCBS	Draft Extension of Lease and Contract sent to Belgravia for Execution. Awaiting executed documents.	15 September Late 2022. Early 2023
Special Council Meeting 5 July 2022				
5.1	Adoption of the Annual Budget 2022/23	EDCBS	REQUESTS Administration monitor the impact to number of transactions and revenue following the change to \$1 for first hour to ascertain any	OCM April 2023

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			<p>detrimental impact on occupancy or use in City car parks and provide a report back to Council by April 2023 in time for setting fees and charges for the 2023/24 Annual Budget; and</p> <p>REQUESTS Administration monitor and review the usage of time limited 15 minute and 30 minute only on street bays in Town Centres following the introduction of \$1 for the first hour in City car parks to ensure short term visitor parking availability.</p>	
Council Meeting 17 May 2022				
9.2	Local Planning Strategy and Scheme Report of Review and Amendment No. 10 to the Local Planning Scheme	EDSD	The report of review recommends that both the Local Planning Strategy and Local Planning Scheme No. 2 should continue in their current form, with some minor clarifying changes that can be made to assist in the operation of the Scheme. These are to be dealt with as an omnibus Scheme Amendment No. 10. The Department of Planning Lands and Heritage have scheduled the Report of Review to be considered by the Statutory Planning Committee in August 2022. Amendment No. 10 has been advertised for 42 days.	Completed.
9.3	Accessible City Strategy - Implementation Update	EDSD	Council received the first implementation progress update relating to the actions within the Accessible City Strategy. These actions will continue to be progressed. Council will receive this update annually with the next update scheduled for May 2023.	May 2023
9.4	Sale of No. 25 (Lot 93) Sydney Street, North Perth	EDSD	Draft surrender of licence prepared. Communications required with Licensee.	November Late 2022- Early 2023
Council Meeting 5 April 2022				
9.3	Proposed Amendment No. 9 to Local Planning Scheme No. 2 - No. 21 (Lot: 373; D/P: 1939) Eucla Street, Mount Hawthorn	EDSD	Amendment advertised and determined by Council at the 22 October Council Meeting. Amendment has been forwarded to the WAPC for consideration before being presented to Minister for determination.	Response from Minister expected in mid-2023.
12.5	Responses to motions carried at the Annual Meeting of Electors held on 2 February 2022			
Motion 2	DIRECTS the CEO to provide the Tree Selection Tool publicly on the City website. Council RECEIVE a further report on the review of the Street Tree and other relevant policies to reflect the	EDIE	Further report advising feasibility will be presented to Council in early 2023.	Parks will liaise with ICT to see feasibility of having the Tree Selection Tool made public. We will also have a review of the Street Tree Policy.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
	requirement for at least 75% of street trees planting going forward being native.			The feasibility report has been delayed due to staff shortages and will be presented to Council in September October early 2023.
Motion 6	<p>4. REQUESTS that:</p> <ul style="list-style-type: none"> • 1. The CEO investigates the scope and cost of a suitably qualified consultant to assess and model the capacity of the City's existing drainage network to cope with increasing major rain events and the need to assess climate mitigation; 2. Includes a scope of works is inclusive of cost estimates, a risk-based assessment and a program of prioritised works and recommendations over a 10-year period; and 3. Provides a report back to Council by December 2022. 	EDIE	Budget allocation and engaging of contractors underway.	<p>Engaging contractors to have the construction of the retaining wall are underway. Budget to be allocated for the works, and a report will be presented back to Council in December 2022. Contractors engaged to construct wall—anticipated commencement September 2022. Wall construction complete – October 2022</p>
Council Meeting 8 March 2022				
9.4	Sale of No. 26 Brentham Street, Leederville	EDSD	Scheme Amendment considered by SPC awaiting Minister's determination. Follow up required with adjoining landowners to confirm interest in sale.	Early 2023
Council Meeting 8 February 2022				
9.3	Public Open Space Strategy - Implementation Progress Update	EDSD	Council received the first implementation progress update relating to the actions within the Public Open Space Strategy. These actions will continue to be progressed. Council will receive this update annually.	February Early 2023.
Council Meeting 12 October 2021				
9.3	Creation of City of Vincent Animal Local Law	EDSD	Animal Local Law advertised.	Completed December 2022
Council Meeting 14 September 2021				
9.7	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan - Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	EDSD	LPSP referred to WAPC for comment and endorsement.	Final comments not expected until mid late 2022. early 2023
Council Meeting 23 March 2021				
10.2	Waste Strategy Project - 2 Bulk Hard Waste Options Appraisal	EDIE	<p>Carry out one final scheduled collection in July 2021.</p> <p>Implement an 18 month trial of the WMRC Verge Valet from January 2022.</p> <p>Further report will be provide to council on the progress and the community feedback.</p>	<p>Carry out one final scheduled collection in July 2021.</p> <p>Implement an 18 month trial of the WMRC Verge Valet from January 2022.</p> <p>Report to be presented to Council in March 2023</p>
Council Meeting 20 October 2020				

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
12.2	Request to the Minister for Lands to Acquire Six Rights of Way as Crown Land and Reserve as Public Rights of Way - Perth Precinct	CEO	Request submitted to the Minister for Lands in February 2021 Assessment expected to take 6 – 12 months. Five RoWs completed. One pending.	Expected completion 31 December 2021. End of 2021/22 financial year. September 2021 Late 2021 During Late 2022 Early 2023
Council Meeting 15 September 2020				
12.2	Repeal of the City of Vincent Parking and Parking Facilities Amendment Local Law 2020	EDSD	New Parking Local Law 2022 2023 in final stages of drafting to be presented to Council for approval to advertise.	Completed. Superseded by Item 10.2 OMC 13 December 2022.
Council Meeting – 23 July 2019				
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to COVID.	The revised draft Policy will be was presented to Council for consideration in 2022 at its 23 August Meeting, where it was adopted for the purposes of community consultation. The results of consultation and a final policy scheduled to be presented to Council in late 2022 early 2023.
Council Meeting – 30 April 2019				
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	Main Roads to organise State Solicitors Office to prepare have prepared transfer documents. Awaiting signing by both parties. Acquisition of Lot 66 on hold due to adverse possession claim. Resolution of adverse possession claim waiting on Landgate decision.	To be signed by 30 October 2020. Waiting on Landgate decision
Council Meeting – 30 May 2017				
12.5	Perth Parking Levy	EDIE	State Government yet to release results of consultation.	Update scheduled to be provided in late 2021. 2022 Early 2023



City of Vincent Strategic Project Update |

Updated 17 January 2023

Project Count

16

Project Status



Key Messages

Vincent Underground Power Project - MOU for the next 5 project areas executed in December.

Leederville car park - Stage 2 Request for Further Information distributed to shortlisted proponents.

Beatty Park:

- Heritage Grandstand - Water ingress project completed.
- Grandstand electrical works - Works commenced.
- Change rooms - Currently reviewing architectural documents.
- Advocacy - Response from recent meeting expected January 2023.

- Mt Hawthorn Youth Skate Space - Procurement plan for final design and construction being prepared.

Litis Stadium - Revised grant application approved by Federal Government. Heritage Council reviewing Development Plan.

New, Updated or Completed Projects for Review

New Projects

Nil for this period

Project Changes

Beatty Park - Indoor Pool Changerooms

Check-ins

Nil for this period

Project Closures

Nil for this period

Upcoming Items for Consideration

Nil for this period

SCP Category



Total Strategic Program Cost

\$15.7M

2022/23

\$3.94M

2023/24

\$7.4M

2024/25

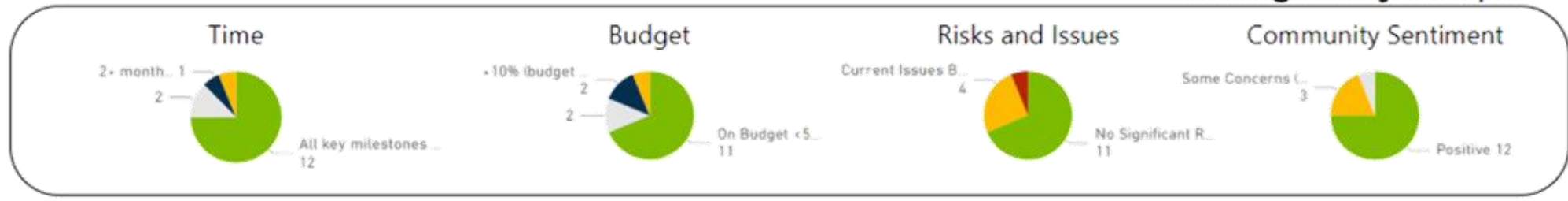
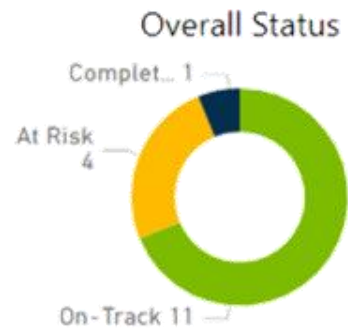
\$1.61M

2025/26

\$750K

Out Years

2.00M



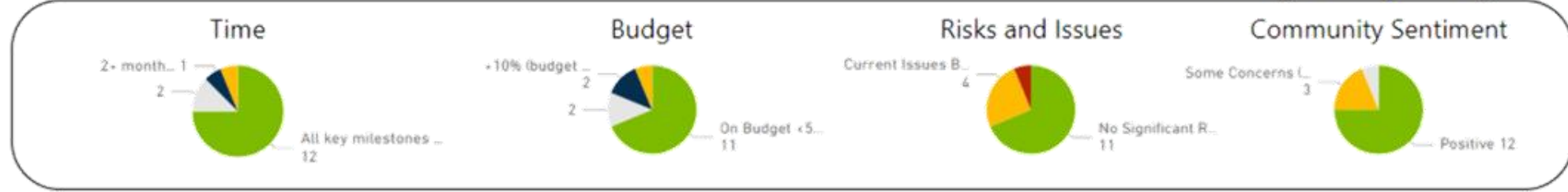
Strategic Project Update

Index	Strategic Priority #	Status	Project	Sub Project	Overall Status	% Complete	Original Finish Date	Upcoming Milestones	Getting back on Track
1	2023FY-1	●	Vincent Underground Power Project	Vincent Underground Power Project	Design under way for first project area under NRUP-T2 - North Perth/Mount Hawthorn. Council approved MOU for next five project areas (under TUPP and RUP). Executed in December 2022. Eight project areas under the two MOUs will cover the entire municipal area.	10%	June 2030	Six week Community engagement campaign for 17 primary equipment sites in North Perth/Mount Hawthorn project area to start at end Jan/beginning Feb 2023.	Delays are beyond the City's control. There is no major impact on the City from these delays. Overall the impact is positive as delays to the project timeline allow for smoothing of financial impact on the City.
2	2023FY-2	●	Redevelopment Proposals, Leederville		The Stage 2 Request for Further Information was distributed to the shortlisted proponents in December 2022.	55%	June 2023	Stage 2 submissions are due from the shortlisted proponents on 28 February 2023. The Evaluation Panel will meet to assess these on 15 March 2023.	
3	2023FY-3.1(a)	✓	Beatty Park 2062	Repair and Maintain Heritage Grandstand	Water ingress project is now complete with a great result being achieved. Project has been delivered on time and within budget with no variations being sought by contractor.	100%	June 2022	Close-out report being finalised, End of January.	
4	2023FY-3.1(b)	●	Beatty Park 2062	Heritage Grandstand Electrical Works	Project has moved into the delivery stage with works continuing to proceed on schedule. The installation of new electrical cable trays to the western and southern ends of the complex is due for completion by the end of January.	35%	June 2022	Sign off of the switchboard workshop drawings to be finished by end of January.	
5	2023FY-3.2(a)	●	Beatty Park 2062	Construction & Fit Out of Indoor Pool Changerooms	Review of architectural documents are underway with some minor adjustments to be included. Architect has been delayed by the availability of trade consultants.	25%	June 2023	Review completion due to be finalised by the end of January. Procurement process and tender release for the construction stage to be released by March.	Due to delays in tender documentation which will delay the procurement of this construction contract it is recommended to reallocate LRCi funding to other capital projects identified that will be completed within LRCi timeframes (30 June 2023).
6	2023FY-3.2(b)	●	Beatty Park 2062	Advocacy	Onsite meeting to discuss alternate grandstand development options with Peter Baxendale (Structural Engineer), Barbara Gdowski (DPLH), CEO, MBPLC, Cord S+R held on 18/11/2022	75%	June 2024	Barbara to consider options and possible partnerships and will get back to CEO on progress. Follow up on response in Jan 2023	
7	2023FY-3.2(c)	●	Beatty Park 2062	Pool Tiling Works	Project has moved to the initiation stage with consultation being sort in regard to products and methodology	10%	June 2024	Secure funding, confirm timeline, receive consultants' recommendations.	

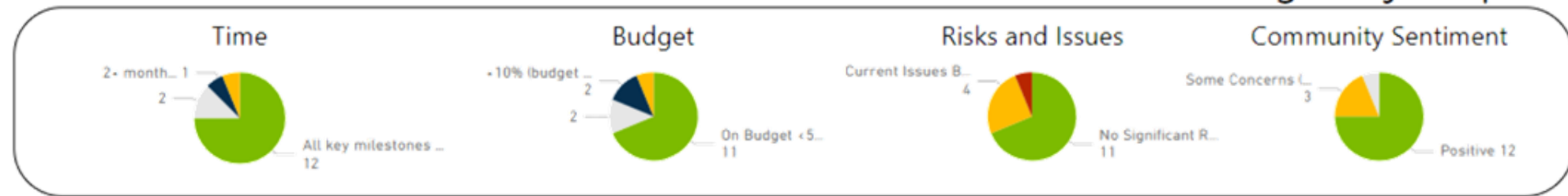
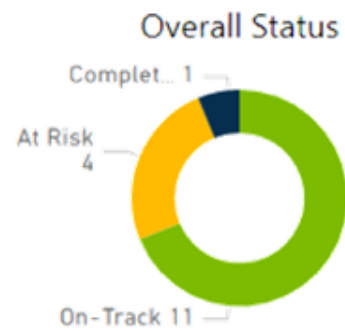
Overall Status



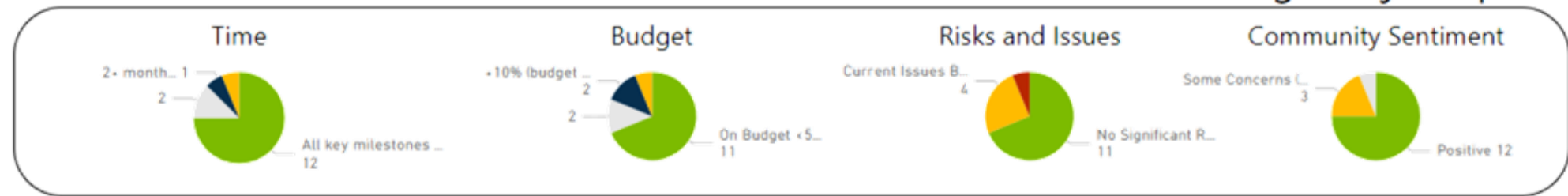
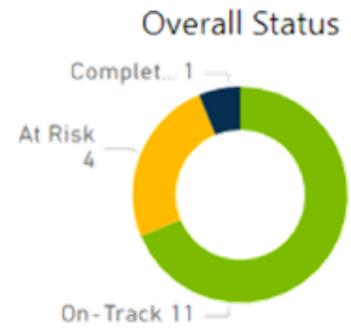
Strategic Project Update



Index	Strategic Priority #	Status	Project	Sub Project	Overall Status	% Complete	Original Finish Date	Upcoming Milestones	Getting back on Track
8	2023FY-3.2(d)	●	Beatty Park 2062	Facilities Infrastructure Renewal	Quotation are being sort from building maintenance professional to provide a schedule of works for 4- and 10-year asset management planning to allow for efficient budget forecasting and management of existing funds.	10%	June 2023	Schedule of works for asset management due for completion early April.	
9	2023FY-4	●	Accessible City Strategy Implementation	Accessible City Strategy Implementation Program Action 3.3.1 Action 3.3.4 Action 2.2.1	Actions to be undertaken in the 2022/23 period are being progressed as outlined at the May 2022 Ordinary Council Meeting.	35%	May 2032	Annual review to be presented to the May 2023 Ordinary Council Meeting.	
10	2023FY-5.1	●	Public Open Space Strategy	Robertson Park Development Plan - Stage 1 - Refurbish Courts for multisports and LED lighting upgrade. - Tennis Court upgrade	Robertson Park progressing well	60%	June 2024	- Lease negotiations with Tennis West	



Index	Strategic Priority #	Status	Project	Sub Project	Overall Status	% Complete	Original Finish Date	Upcoming Milestones	Getting back on Track
11	2023FY-5.2	●	Public Open Space Strategy	Robertson Park Development Plan - Stage 2 - Leisure Park footpath extension - Leisure Park playground upgrade - Other amenities and Fitzgerald Street crossing - Public Art - Turf / Eco Area	Stage 1 priority and stage 2 to commence following more progress in stage 1		June 2024		
12	2023FY-6	●	Public Open Space Strategy	Banks Reserve Master Plan Implementation Stage 1 (23FY) - New public toilets and other general improvements	The proposed public toilets RFQ has been posted to VendorPanel, with submissions closing on 7/12/22. The City and DBCA are gathering content for the Interpretation Node and have commenced with concept design.	50%	June 2023	Public toilets RFQ closes on 7/12/22 with contract to be awarded by 14/12/22.	
13	2023FY-7	●	Mount Hawthorn Youth Skate Space	Mt Hawthorn Skate Park - Youth Skate Facility (Election Commitment)	Currently preparing procurement documentation to Tender the Concept Design for final design and construct.	30%	June 2024	- Complete Request for Tender process - Present RFT process to Council	
14	2023FY-8	●	Haynes Street Reserve Development Plan Implementation	Haynes Street Reserve Development Plan Implementation Stages 1 & 2	The demolition for Stage 1 (31 Sydney St) commenced on 8 October and is expected to be completed mid-November, with conversion of park to follow.	30%	June 2023	- Completion of the demolition to the former North Perth Playgroup and Shalom Coleman Dental Clinic buildings at 31 Sydney St (Lot 100). - Preparation of land following demolition - Conversion of Stage 1 to public open space; inc Nature Play area, turfing, planting	

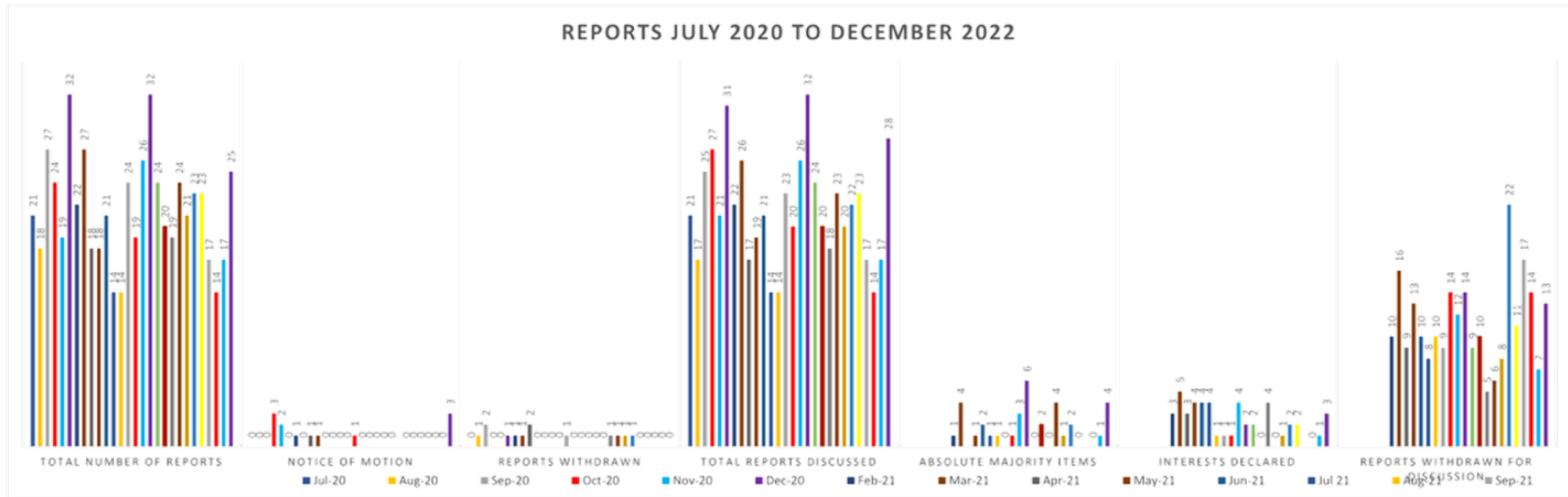


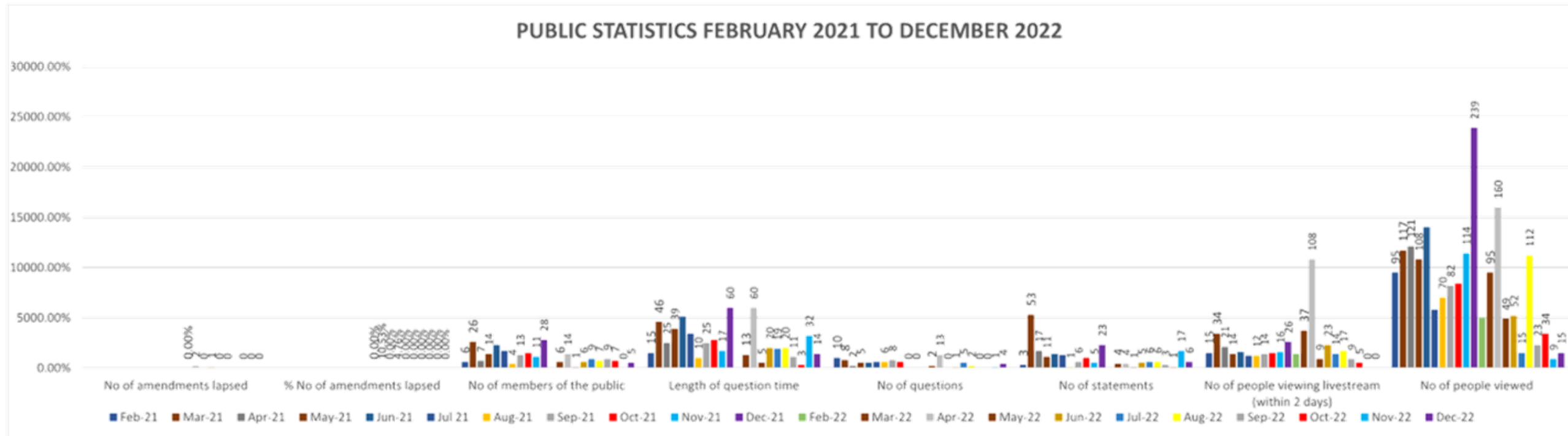
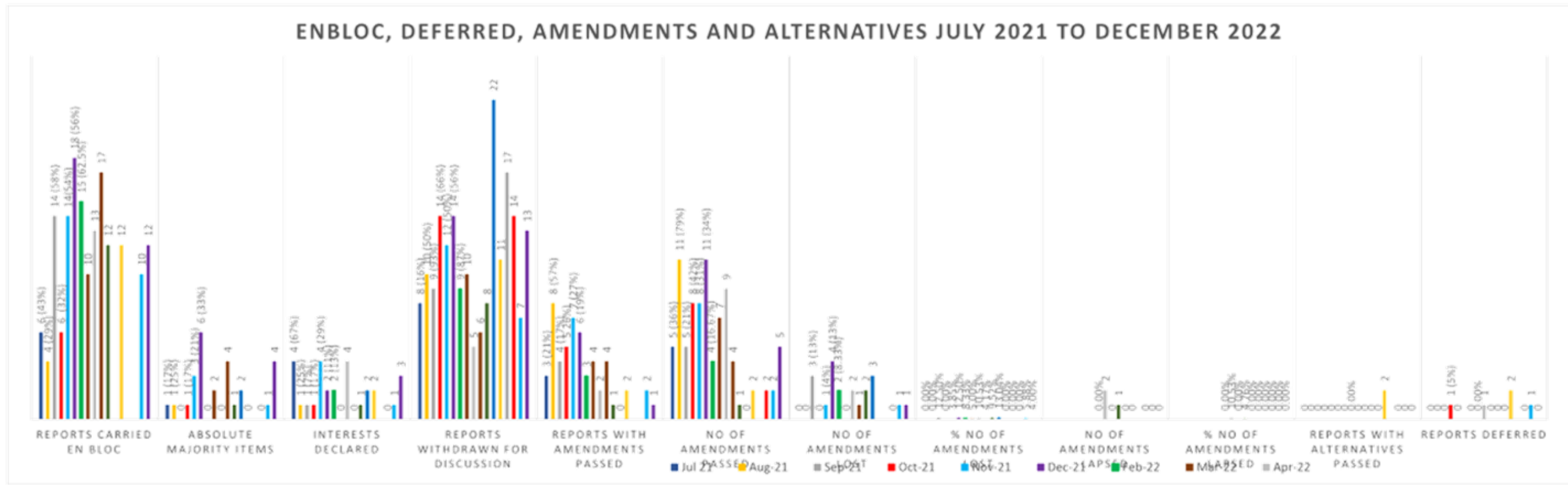
Index	Strategic Priority #	Status	Project	Sub Project	Overall Status	% Complete	Original Finish Date	Upcoming Milestones	Getting back on Track
15	2023FY-9	●	Land and Building Asset Renewal Projects Removal of old grandstand and construction of new club changerooms	Litis Stadium, 41 Britannia Road, Leederville - leased / non-leased areas of Litis Stadium infrastructure works	The revised (RFI) grant application has now been approved and signed off by the Federal Government, the City is now awaiting the funding agreement. Heritage Council also reviewing Development Plan given its significance as the former Velodrome site.	10%	December 2021	- Awaiting Funding Agreement to set out actions and milestones relating to the \$3mil funding. - Heritage Council to review Development Plan and bring to their 24 February Meeting.	Budget estimates higher than required, however value exercise managing cost levels.
16	2023FY-10	●	Arts Rebound: Town Centre Artworks		New Leederville location for artwork approved by Council. Artist and the City have agreed upon amended project timeline, with completion by 30 June 2023. Artist making changes to William St artwork design, administration to determine degree of change and whether re-approvals necessary.	45%	June 2025	Construction documentation for Leederville artwork. Updated design development for William Street artwork.	No real issue with delay, does not impact any other works/project. Project will still be completed in same 2022/23 financial year.

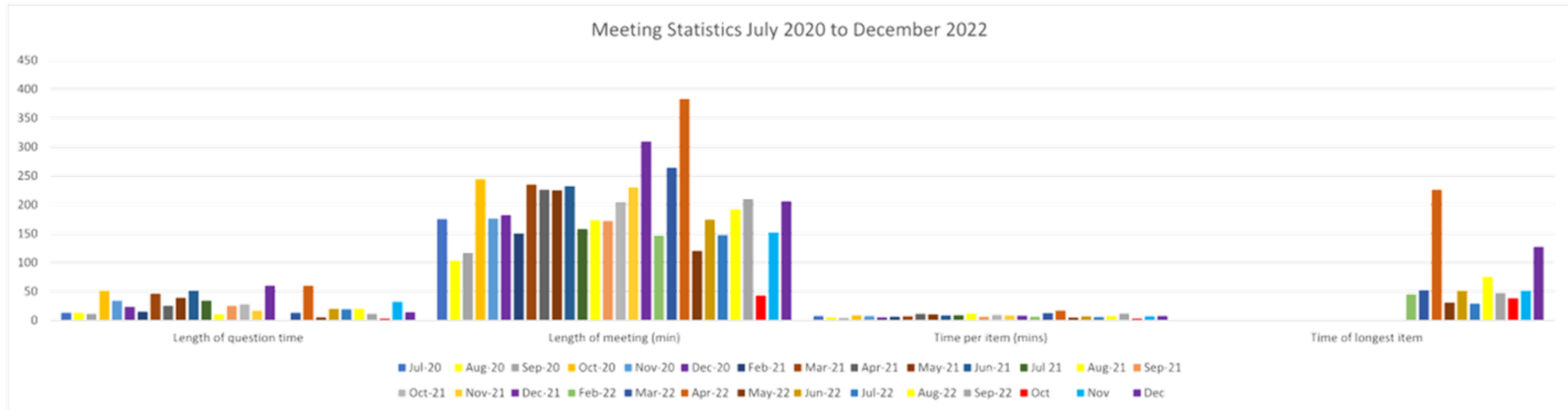
COUNCIL WORKSHOPS

No workshops have been held since 30 November 2022

Council Meeting Statistics – December 2022









CITY OF VINCENT

NOTES

Council Briefing

6 December 2022

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**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 6 DECEMBER 2022 AT 6.00PM**

PRESENT:	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Jonathan Hallett Cr Dan Loden Cr Ashley Wallace Cr Suzanne Worner Cr Ron Alexander Cr Ross Ioppolo</p>	<p>Presiding Member South Ward North Ward South Ward North Ward South Ward North Ward North Ward South Ward</p>
IN ATTENDANCE:	<p>David MacLennan John Corbellini Rhys Taylor Peter Varris Jay Naidoo Tara Gloster Luke McGuirk Jade Olnyk Chris Dixon Mark Fallows Lisa Williams Courtney Aylett Ian Mickle John Del Dosso Kevin Donnelly Wendy Barnard</p>	<p>Chief Executive Officer (left at 8.16pm after Item 8.5) Executive Director Strategy & Development (electronically) (left at 8.15pm after Item 8.5) Chief Financial Officer (left at 8.16pm after Item 8.5) A/Executive Director Infrastructure & Environment Manager Development & Design (left at 6.40pm after Item 5.8) Manager Policy and Place (left at 7.15pm after Item 5.9) Manager Engineering (left at 7.30pm during Item 6.2) Jackson McDonald (electronically) left at 7.47pm after Item 6.3) Project and Strategy Officer, Ranger Services (electronically) (left at 7.47pm after Item 6.3) Manager Built Environment & Wellbeing (electronically) (left at 7.47pm after Item 6.3) Manager Marketing & Partnerships (left at 8.08pm during Item 8.4) Community Development Advisor - Children, Young People & Funding (left at 7.52pm after Item 7.5) Cygnet West (Item 5.9 only) (left at 7.13pm after Item 5.9) Cygnet West (Item 5.9 only) (left at 7.13pm after Item 5.9) Stantons (Item 5.9 only) (left at 7.13pm after Item 5.9) Council Liaison Officer</p>
Public:	<p>Three members of the public.</p>	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Emma Cole, declared the meeting open at 6.01pm and delivered 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

Nil

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 Melissa Ledger of Mt Hawthorn - Item 5.5

- Stated she is the director of Cancer Prevention and Research at the Cancer Council
- Spoke in support of the recommendations
- Commended the City for progressing this matter and stated that this will help meet the objectives of the Public Health Plan
- Cancer Council is very supportive of this policy, as tobacco use is the single largest cause of preventable disease in Australia. Reducing the supply and use of tobacco and related products is a crucial step in increasing smoke free environments, supporting healthy life styles and reducing chronic disease risk factors
- Stated that once this policy is finalised it may set a significant precedent to illustrate the role of local government has on integrating public health with planning considerations
- Stated that Local Planning Frameworks should reflect public health and the needs of the community
- Mentioned that they are supportive of longer term plan to progress a scheme amendment which would further restrict smoking related uses and land uses in the City

The Presiding Member, Emma Cole, thanked Ms Ledger for her engagement and comments.

3.2 Dudley Maier of Highgate – Items 7.6, 11.1 and 5.6

Item 7.6

- Stated that he is concerned about the AGM being held at the Mt Hawthorn Main Hall
- Mentioned that the Administration Centre has better facilities for parking, public speaking and streaming of the meeting

Item 11.1

- Urged Council to not automatically renew the CEO's contract
- Believes the job should be advertised and the CEO be invited to apply

Item 5.6

- Stated that on page 2 it is claimed the tagline "Vibrant, diverse and sustainable" is unique to Vincent, which is not true

The Presiding Member, Emma Cole, thanked Mr Maier for his comments.

There being no further speakers, Public Question Time closed at approximately 6.07pm.

4 DECLARATIONS OF INTEREST

- 4.1 Cr Alex Castle declared a proximity interest in Item 8.3 Vincent Underground Power Project - five additional project areas. The extent of the interest is that her property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 10,482 electricity service meters to properties in the City of Vincent. Underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. She is seeking approval to participate in debate and vote in the matter.
- 4.2 Cr Dan Loden declared a proximity interest in Item 8.3 Vincent Underground Power Project - five additional project areas. The extent of the interest is that his property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 10,482 electricity service meters to properties in the City of Vincent. Underground power may provide an estimated increase in property value of approximately he is seeking approval to participate in debate and vote in the matter.
- 4.3 Mayor Emma Cole declared a proximity interest in Item 8.3 Vincent Underground Power Project - five additional project areas. The extent of the interest is that her property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 10,482 electricity service meters to properties in the City of Vincent. Underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. She is seeking approval to participate in debate and vote in the matter.
- 4.4 Cr Ross Ioppolo declared a proximity interest in Item 8.3 Vincent Underground Power Project - five additional project areas. The extent of his interest in this matter is that his property is within the Project Zone, albeit on a main road where the likely benefits of the Project may be somewhat limited. Transmission lines are located on main roads and he is advised that the full benefit of the Project, to his residence, may be limited as compared to other properties. This is an interest in common with a significant number of ratepayers covering an estimated 10,482 electricity service meters to properties in the City of Vincent. Underground power may provide an estimated increase in property value of approximately \$12,000 per residential property but it is unclear whether this would apply to my property. He is seeking approval to participate in debate and vote in the matter.
- 4.5 Cr Suzanne Worner declared a financial interest in Item 11.2 Authorisation of Expenditure for the Period 1 October 2022 to 31 October 2022. The extent of her interest is that she is Director of Upbeat events who were the event managers for the City for the WAFL Grand Final. She is not seeking approval to participate in debate and vote in the matter.

5.5 LOCAL PLANNING POLICY: RESTRICTED PREMISES - SMOKING

- Attachments:**
1. **Advertised Draft Local Planning Policy: Restricted Premises - Smoking**
 2. **Summary of Submissions**
 3. **Local Planning Policy: Restricted Premises - Smoking (Tracked)**
 4. **Local Planning Policy: Restricted Premises - Smoking**

RECOMMENDATION:

That Council **PROCEEDS** with Local Planning Policy: Restricted Premises – Smoking, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* at Attachment 4.

CR HALLETT:

Can the full consultation submission please be made public?

MANAGER POLICY & PLACE:

This has been added as an attachment to the Council report.

7.6 DRAFT ANNUAL REPORT 2021/2022

- Attachments:**
1. Draft Annual Report 2021/2022
 2. CEO KIPs 2022

RECOMMENDATION:**That Council:**

1. Pursuant to Section 5.54(1) of the *Local Government Act 1995*, **ACCEPTS BY AN ABSOLUTE MAJORITY** the City of Vincent Annual Report for the 2021/2022 Financial Year, included as Attachment 1;
2. Pursuant to Section 5.27 of the *Local Government Act 1995*, **CONVENES** an Annual Meeting of Electors of the City of Vincent to be held on Thursday 2 February 2023 at 5:30pm at the Mount Hawthorn Town Hall, to present the City of Vincent Annual Report for the 2021/2022 Financial Year; and
3. **NOTES that:**
 - 3.1 the City of Vincent Annual Report may be subject to further formatting and styling, to be determined by the Chief Executive Officer prior to publication, as well as the inclusion of the final 2021/22 Financial Statements following review by the Audit Committee;
 - 3.2 pursuant to Sections 5.29 and 5.55 of the *Local Government Act 1995*, the Chief Executive Officer will give local public notice of the Annual Meeting of Electors to be held on 2 February 2023, and of the availability of the City of Vincent Annual Report for the 2021/2022 financial year, and will make the report available on the City of Vincent website within fourteen days; and
 - 3.3 pursuant to Regulation 51 of the *Local Government (Financial Management) Regulations 1996*, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the City of Vincent Annual Report for the 2021/2022 Financial Year, inclusive of the Annual Financial Report for the same period, and the associated Auditor's Report.

CR IOPPOLO:

Include note in annual report to reflect that senior staff have left.

A/EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

The Local Government Act 1995 specifies the mandatory content of a local government Annual Report, with focus on information relevant to the year under review. Information in respect to the organisational structure and the identity of senior management (with the exception of the CEO) is not mandated content, but is included by the City to enhance the information available to the reader.

Including content beyond the year under review risks confusing the document. It is acknowledged that one Director had tendered resignation in the period under review, and as consequence the Report will be amended to reflect this.

CR IOPPOLO:

Need to change former Cr Sally Smith end date in report.

MANAGER MARKETING AND PARTNERSHIPS:

The Annual Report has been updated to reflect Cr Smith's term.

CR HALLETT:

On Page 41 the list of informing strategies and plans, which I suspect is not meant to be exhaustive, but it is not the same as the subsequent full-page summary of plans and also there is no public health plan, Just wondering if that was purposeful or could be included?

MANAGER MARKETING AND PARTNERSHIPS:

The Public Health Plan has been added to the list of informing strategies on page 41. The subsequent pages detail progress on a selection of key strategies for the year. A lot of groundwork was done on the Public Health Plan during 2012-2022 including applications for grant funding, relationship building and policy development. Next year's Annual Report will feature the Public Health Plan implementation including the successful launch of Smoke Free Town Centres.

5.6 DRAFT STRATEGIC COMMUNITY PLAN 2022 - 2032

- Attachments: 1. Community Engagement Summary Report
2. Draft Strategic Community Plan 2022 - 2032

RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to advertise the Draft Strategic Community Plan at Attachment 2 for public comment for a period of not less than 28 days.

MAYOR COLE:

'Power lines in residential streets are undergrounded', does this relate to more than residential streets?

MANAGER POLICY & PLACE:

Enhanced Environment objective has been amended:

Power lines in residential streets are undergrounded

MAYOR COLE:

'More people living in and enjoying our town centres' – should that include working?

MANAGER POLICY & PLACE:

Sensitive Design objective has been amended:

*More people living in, **working in** and enjoying our town centres*

MAYOR COLE:

Fairness in procurement – is this reflected?

MANAGER POLICY & PLACE:

Innovative and Accountable objective has been amended:

*We deliver our services, projects and programs in the most **inclusive**, efficient, effective and sustainable way possible*

MAYOR COLE:

'We engage with our community so they are aware in what we are doing' - should aware change to involve?

MANAGER POLICY & PLACE:

Innovative and Accountable objective has been amended:

*Innovative and Accountable: We engage with our community so they are **aware involved** in what we are doing and how we are meeting our goals.*

MAYOR COLE:

How does that meet the IAP2 spectrum?

MANAGER POLICY & PLACE:

The following has been added to the Council report:

A core principle of the Community and Stakeholder Engagement Strategy is to meaningfully include the community in the decision-making process. This is achieved by understanding who should be involved, engaging them as early as possible, and making them aware of the level of influence based on the IAP2 Spectrum of Public Participation.

MAYOR COLE:

Innovative doesn't appear – replace different with innovative?

MANAGER POLICY & PLACE:

Innovative and Accountable objective has been amended:

*We embrace good ideas or different **innovative** approaches to our work to get better outcomes for the City and our community*

MAYOR COLE:

How was the tagline decided?

MANAGER POLICY & PLACE:

The following has been added to the Council report:

A survey was sent to Elected Members, the community panel and administration staff to select the three adjectives contained within the vision (leafy, vibrant, 24 hour city, quality design, sustainability, diverse, supported, innovative) that best represents Vincent.

Vibrant (80 percent), Diverse (56 percent), and Sustainable (44 percent) were the most popular responses.

'Vibrant' Diverse & Sustainable' is recommended to be included as a tag line to represent Vincent and highlight the organisation's purpose.

MAYOR COLE:

Does the word 'all' reflect decisions that are not always aligned with our strategic direction?

MANAGER POLICY & PLACE:

Innovative and Accountable objective has been amended:

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

CR IOPPOLO:

Does the size of the word clouds represent the frequency of the word?

MANAGER POLICY & PLACE:

Yes, upon review of this, the Innovative and Accountable objective has been amended:

*We deliver our services, projects and programs in the most **inclusive**, efficient, effective and sustainable way possible*

5.1 NO. 107 - 109 (LOTS: 1 - 2; S/P 1896) SUMMERS STREET, PERTH - SECTION 31 STATE ADMINISTRATIVE TRIBUNAL RECONSIDERATION - PROPOSED SIX GROUPED DWELLINGS

Ward: South

Attachments:

1. Consultation and Location Map
2. Development Plans for Reconsideration
3. 3D Perspectives
4. Applicant's Written Response to Refusal Reasons
5. 20 September 2022 Council Minutes and Refused Plans
6. Summary of Submissions - Administration's Response
7. Summary of Submissions - Applicant's Response
8. Urban Design Study
9. Environmentally Sustainable Design Report
10. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, SETS ASIDE its decision dated 20 September 2022 and SUBSTITUTES its new decision to, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVE the application for Six Grouped Dwellings at No. 107-109 (Lots: 1 – 2; S/P: 1896) Summers Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Plans

This approval is for Six Grouped Dwellings as shown on the approved plans dated 16 November 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 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;

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

4.1 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; and

4.2 Prior to occupancy or use of the development, permanent fixed cabinetry no less than 600 millimetres in width shall be provided against the western wall of the 'Kitchen' of Unit 6, to the satisfaction of the City;

5. Colours and Materials

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

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5.2 The metre boxes are to be painted the same colour as the wall they are attached so as to not be visually obtrusive, to the satisfaction of the City;

6. Landscaping

6.1 An updated landscaping plan including deep soil and planting areas that are consistent with the development plans dated 16 November 2022 shall be submitted to and approved by the City prior to the issuing of a building permit;

6.2 All landscaping works shown in the plans as identified in Condition 6.1 above shall be undertaken in accordance with the approved plans, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City;

6.3 Prior to the first occupation of the development, the redundant or "blind" crossovers shall be removed, the verge area landscaped and the kerb made good to the City's specifications and to the satisfaction of the City, at the applicant/owner's full expense; and

6.4 Prior to first occupation of the development, one additional tree shall be provided along the eastern boundary of the site where they do not provide conflict with vehicle manoeuvring to the City's satisfaction. Evergreen species shall be provided and should seek to maximise canopy cover;

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. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.5 metres of where:

- Walls, letterboxes or fences adjoin vehicle access points to the site; or
- A driveway meets a public street; or
- Two streets intersect;

Unless otherwise approved by the City of Vincent;

9. Car Parking and Access

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

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

9.3 Prior to the occupation or use of the development, one visitor parking bay shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City; and

9.4 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided;

10. Construction Management Plan

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

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Notification to affected land owners; and
- Construction times.

The approved Construction Management Plan shall be complied with for the duration of the construction of the development; and

11. Noise Attenuation Requirements

11.1 Prior to the issue of a building permit a detailed Noise Management Plan must be submitted to and approved by the City which demonstrates that the development has been designed to meet the relevant requirements of State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning' (SPP5.4). The report must be prepared by a suitably qualified and competent person in accordance with the SPP5.4; and

11.2 Prior to occupation or use of the development, the development shall incorporate all noise mitigation measures as outlined in the noise management plan or quiet house design package, to the satisfaction of the City.

NO QUESTIONS

5.2 NO. 188 (LOT: 1; D/P: 33790) VINCENT STREET, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO PLACE OF WORSHIP

Ward: South

Attachments:

1. Consultation and Location Plan
2. Development Plans
3. Images of Subject Site
4. Heritage Impact Statement
5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the development application for Alterations and Additions to Place of Worship at No. 188 (Lot: 1; D/P: 33790) Vincent Street, North Perth, in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Development Plans

This approval is for Alterations and Additions to Place of Worship as shown on the approved plans dated 11 November 2022 and 16 November 2022. No other development forms part of this approval;

2. 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;

3. Colours and Materials

3.1 The colours, materials and finishes of the development shall be in accordance with the details as indicated on the approved plans, to the satisfaction of the City; and

3.2 The glazing to the covered walkway and Narthex shall provide a minimum of 70 percent visible light transmission to provide unobscured visibility;

4. Demolition Works

The deconstruction of the confessional and new openings to the Tribune Screen wall shall be undertaken with care. As much of the fabric as possible, including limestone should be retained for reuse, to the satisfaction of the City;

5. Internal Modifications

All internal modifications to significant fabric shall be carried out in a like for like manner that matches existing materials, profiles and finishes, to the satisfaction of the City;

6. Documented Record

Within 28 days of completion of the approved works, a photographic record of the works undertaken (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City; and

7. Door Hardware

Prior to the issue of a Building Permit a schedule shall be submitted to and approved by the City, providing specifications and locations of the proposed new door hardware. **Original**

door hardware shall be retained on the door alongside new hardware where compliance with the National Construction Code can be achieved.

ADDITIONAL INFORMATION:**MANAGER DEVELOPMENT & DESIGN:**

Determination Advice Notes included as Attachment 5 to the officer report has been updated to include Advice Note 7. This Advice Note confirms the proposed conservation works that are exempt from the need to obtain development approval under Clause 61(1) of the Planning and Development (Local Planning Scheme) Regulations 2015 and as referenced in the officer report.

5.3 NO. 21A (LOT: 25; D/P: 2422) VIEW STREET, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO COMMERCIAL PREMISES (SIGNAGE)**Ward:** South**Attachments:**

1. Consultation and Location Plan
2. Development Plans
3. Applicant's Heritage Impact Statement
4. Historical Image of Signage
5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Commercial Premises (Signage) at No. 21A (Lot: 25; D/P: 2422) View Street, North Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Development Plans

This approval is for Alterations and Additions to Commercial Premises (Signage) as shown on the approved plans dated 1 November 2022. No other development forms part of this approval;

2. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details as indicated on the approved plans, to the satisfaction of the City; and

3. Signage

3.1 All signage is to be in strict accordance with the City's Local Planning Policy: Signs and Advertising, unless further development approval is obtained;

3.2 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;

3.3 The signage shall not be illuminated: and

3.4 All signage shall advertise the business operating, or products or services that are available on the site, for the duration of its display on-site and to the satisfaction of the City.

ADDITIONAL INFORMATION:**MANAGER DEVELOPMENT & DESIGN:**

Condition 1 has been updated to correctly reference the date of the plans that are the subject of this application.

5.4 NO. 138B (LOT: 1; STR: 12047) OXFORD STREET, LEEDERVILLE - SIGNAGE ADDITION TO ELECTRIC LANE

Ward: South

Attachments:

1. Consultation and Location Map
2. Development Plans
3. 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 Unlisted Use (Signage Addition to Electric Lane) at No. 138B (Lot: 1; STR: 12047) Oxford Street, Leederville, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. Development Plans

This approval is for Unlisted Use (Signage Addition to Electric Lane) as shown on the approved plans dated 23 June 2022. No other development forms part of this approval;

2. Signs and Advertising Policy

All signage is to be in strict accordance with the City's Local Planning Policy: Signs and Advertising, unless further development approval is obtained;

3. Signage Illumination

Illuminated signage shall:

- 3.1 not cause a nuisance, by way of light spillage, to abutting sites;
- 3.2 not comprise flashing, intermittent or running lights, or images that change more than once in any five minute period; and
- 3.3 not interfere with or be likely to be confused with, traffic control signals;

4. Maintenance

All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and

5. Access and Indemnity

Prior to the lodgement of a Building Permit for the proposed development on No. 138B Oxford Street, Leederville ("the land"):

- 5.1 the owner of the land shall enter into an agreement for access and indemnity (Agreement) with the City of Vincent ("the City") whereby the owner:
 - 5.1.1 Indemnifies the City against any loss or damage to any property or thing or death or injury to any person in accordance with the terms of the Agreement;
 - 5.1.2 Agrees to take out and maintain a policy of public liability insurance with a reputable insurer in an amount satisfactory to the City; and
- 5.2 The owner shall maintain at its cost the development constructed over the road reserve to the satisfaction of the City.

MAYOR COLE:

It is not clear if it is a neon sign or if it would have some kind of backlighting?

Is a perspective of day time vs night time able to be provided?

MANAGER DEVELOPMENT & DESIGN:

The Oxford Street frontage of the sign is proposed to be made up of acrylic lettering with Neonflex attached to the lettering. Neonflex is also attached to the shape at the centre of the proposed sign. The Neonflex would be the only illuminated element of the sign. The acrylic lettering would not be illuminated.

The Electric Lane frontage of the sign would not be illuminated.

The applicant has provided the below perspective of the sign at night. This has been included in the development plans being Attachment 2 to the officer report.

The perspective of the sign at day time taken from the development plans has also been included below.



CR WALLACE:

Condition 3.1 – how will that be measured and assessed?

MANAGER DEVELOPMENT & DESIGN:

The measurement of the impact of illuminated signage would be undertaken by the City's Health Service team through a site inspection. The City's Environmental Health Officers would use the Australian Standards

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for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) as reference in making an assessment. This has been included as an advice note in Attachment 3 to the officer report.

In addressing complaints relating to illuminated signage under the Local Government Act s3.25, the City can issue a Notice to the applicant for the following:

13. *Take specific measures to prevent —*
- a) artificial light being emitted from the land; or*
 - b) natural or artificial light being reflected from something on the land, creating a nuisance.*

CR IOPPOLO:

Of the 11 responders that were in the positive, can you confirm if the two owners of the adjoining properties were included in the 11.

MANAGER DEVELOPMENT & DESIGN:

No submissions were received from the landowners of the adjoining properties.

CR IOPPOLO:

Given the City has care and control of the land, who is paying for the sign and the electricity?

MANAGER DEVELOPMENT & DESIGN:

The costs of the sign and the electricity are the responsibility of the applicant and the landowner of No. 138B Oxford Street.

CR IOPPOLO:

Does the public liability insurance referenced in Condition 5.1.2 specifically require naming the City of Vincent as an insured party such that it then ties into the indemnification noted in Condition 5.1.1 to an ability to pay via the insurance policy?

Does the agreement require that the applicant continually furnish the proof of insurance each year to ensure that this coverage is current?

A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The Agreement for Access and Indemnity prepared by Administration makes it an obligation for the applicant to provide public liability insurance of up to \$20million. Administration will include in the agreement for the City to be a named insured. If during the negotiations of the agreement, the applicant refuses this request, usually for reason that they would incur a higher premium, the City will request to be an interested party to the policy. It is important to note that it is unlikely that the City will want to expend costs to make a claim against the policy, rather, the City would make a claim against the applicant under the terms of the indemnity in the agreement. This is considered sufficient protection for the purpose of the agreement.

The applicant is under an obligation under the agreement to provide a copy of the certificate of currency when required by the City.

CR IOPPOLO:

Does the height of sign restrict regular service vehicles from accessing the laneway? Can you amend the notes under Public Use to include a reference to that because that note only refers to when we need to do major works?

MANAGER DEVELOPMENT & DESIGN:

Yes, the height of the sign does not restrict regular service vehicles from accessing Electric Lane. The officer report has been updated to reflect this under the Public Use section.

5.7 ARTS REBOUND: TOWN CENTRE ARTWORKS - LEEDERVILLE ARTWORK LOCATION

- Attachments:
1. Arts Rebound: Leederville Town Centre Artwork - Concept Design Proposal
 2. Arts Rebound: Leederville Town Centre Artwork - New Proposed Location

RECOMMENDATION:

That Council **ENDORSES** the new proposed location for the Arts Rebound: Leederville Town Centre Artwork at Attachment 2.

MAYOR COLE:

Bus route turns the opposite way.

MANAGER POLICY & PLACE:

The Council report has been updated to be clear that the issue occurs when buses and large vehicles move through this part of the road:

*When completing the design development phase, an issue was identified that buses and large vehicles travelling west on Newcastle Street often need to move into the median strip to **move through this part of the road.** ~~make the left turn onto Oxford Street.~~*

5.8 MOUNT HAWTHORN YOUTH SKATE SPACE

- Attachments:**
1. **Mount Hawthorn Youth Skate Space - Preliminary Consultation Summary**
 2. **Mount Hawthorn Youth Skate Space - Concept Plan**
 3. **Mount Hawthorn Youth Skate Space - Concept Perspectives**
 4. **Mount Hawthorn Youth Skate Space - Consultation Summary**

RECOMMENDATION:

That Council **ENDORSES** the Mount Hawthorn Youth Skate Space Concept Plan at Attachment 2.

NO QUESTIONS

5.9 REQUEST FOR PROPOSALS FOR REDEVELOPMENT OF LEEDERVILLE CARPARKS: STAGE 2

- Attachments:**
1. Redevelopment Proposals Process
 2. Redevelopment Proposals Selection Criteria
 3. Stage 2 Request for Detailed Proposals
 4. Probity Certificate

RECOMMENDATION

That Council:

1. **APPROVES** the Stage 2 Request for Detailed Proposals at Attachment 3 for the second stage of the Redevelopment Proposals process relating to The Avenue and Frame Court Car Parks, Leederville; and
2. **AUTHORISES** the Chief Executive Officer to engage an independent external accounting firm to conduct due diligence on the commercial and financial assessment undertaken relating to the Stage Two proponent submissions, prior to presenting the preferred proposal to Council for approval to advertise.

At 6.40pm Manager Development & Design left the meeting and did not return.

MAYOR COLE:

Date of the meeting was 29 November, can this be updated in the Probity Certificate?

MANAGER POLICY & PLACE:

This is the date reflected on Page 3 of the Probity Certificate. The earlier date that is referenced in the Probity Certificate is the date of an earlier Council Workshop.

CR IOPPOLO:

Can the Probity Officer respectfully advise whether the scope of its and Stantons appointment includes regulation an impartial process for all Proponents and the City of Vincent, and that includes not prejudicing the likelihood of generating a financial outcome that is fair, reasonable and equitable for the City of Vincent?

PROBITY ADVISOR:

The scope was set via the CUA AFA2018 issued to Stantons on 6 April 2022 with our submission provided on 7 April 2022. The scope does not specifically detail this point and was not addressed in the proposal, which was accepted by the City on 8 April 2022.

CR IOPPOLO:

Can the Probity Officer respectfully confirm that the scope of the Probity Officer ordinarily includes due diligence assessment of the underlying beneficial interests of all shortlisted Proponents and any key partners so that the full extent of any potential conflicts may be identified by relevant stakeholders? Was this undertaken prior to short listing Proponents and if not, why?

PROBITY ADVISOR:

No, it does not normally include this assessment. It was not undertaken prior to shortlisting as it was not detailed as a scope item.

CR IOPPOLO:

Can the Probity Officer respectfully confirm whether he has undertaken a due diligence review to identify common interests or significant relationships between and amongst the short-listed Proponents that may result in a lack of commercial tension between bidders? If this has been done, was this done prior to the shortlisting of candidates? If this was not done, can we please receive an explanation as to why?

PROBITY ADVISOR:

No, this was not done. It was not undertaken as it was not detailed as a scope item.

CR IOPPOLO:

Can the Probity Officer respectfully advise the rationale as to why the City of Vincent seeking secondary advice from appointed advisers such as the fairness of the commercial/financial terms of any Proponent's bid (or legal advice as to drafting a proposed contract of sale to enforce qualitative design and build requirements) adversely affects the impartiality of the Leederville EOI process to the detriment of any Proponent, even though this assessment would be applied to all shortlisted Proponents submissions?

PROBITY ADVISOR:

City of Vincent followed an endorsed procurement and evaluation plan which transferred much of the responsibility for the conduct of the administrative function to the Commercial Advisor (Agent). A principle of sound probity oversight is that the endorsed key procurement documents which detail the steps to be followed during the overall process should not be amended after the release of the documents, as amendment raises questions relating to external influence and the potential to produce a different outcome to that which the original documentation would have produced. The endorsed processes are those which the probity advisor must follow and against which we prepare our probity certificate and as such, should not be amended to alter the subsequent procurement process. The proposed review by a secondary advisor was not contemplated in any of the key procurement documents. To introduce such an overlay, at this stage in the process, would constitute a probity risk as it would represent a change to a previously agreed process advised to the potential and actual proponents.

CR IOPPOLO:

In the event the Probity Officer's opinion in question 5 is it would compromise the existing process, please advise how this does not also compromise the City of Vincent's ability to seek a just and fair financial outcome for its ratepayers?

PROBITY ADVISOR:

The City of Vincent has every right to ensure that it achieves a just and fair financial outcome for its ratepayers. This is a two-stage process where significant responsibility has been delegated to the Evaluation Panel supported by the appointed Agent and where the steps in that process are following an agreed process, including advice to the potential and actual proponents via the terms and conditions of the EOI. The City would be able to take further steps in obtaining this level of security at the conclusion of the State 2 process. In my view, the process can be amended at that stage to provide for two sources of advice to Council following the completion of the Stage 2 Request for Detailed Proposal (RFDP) stage. These two sources of advice could be:

- *The formal report to Council from the Evaluation Panel supported by the Stage 2 probity certificate, and*
- *An independent financial analysis of the proposals prepared by a suitably qualified and experienced third-party financial analyst.*

CR IOPPOLO:

Has the Probity Officer requested disclosures of all Proposal Evaluation members, relevant City of Vincent staff and Elected Members contact with shortlisted Proponents and representatives and advisers, in relation to the subject matter of this EO, both prior to and after the EOI process has commenced? If not, why?

PROBITY ADVISOR:

All parties involved in the process have been requested by the CoV project team to submit conflict of interest declarations that declare any known or potential conflicts of interest and which are referred to the probity advisor for consideration and, where necessary, the development of a management plan. The probity advisor does not initiate this action but maintains a record of decisions made.

CR IOPPOLO:

Can the Probity Officer respectfully impart his opinion on whether under the existing EOI process, is it conceivable that all short-listed Proponents be eliminated bar one and then negotiations proceed with that Proponent on a materially different proposal that no bidder, including the remaining proponent, contemplated or explored? If so, in this scenario, can the Probity Officer speculate whether it is possible that all competitive tension and leverage may be lost in to the benefit of that remaining proponent and that this may likely disadvantage the City of Vincent in the realisation of an optimal financial result.

CHIEF EXECUTIVE OFFICER:

The Probity Advisor role is to document and certify that the City is following proper/due process and to provide probity advice on that process. To request the Probity Officer to speculate would be outside of their scope and engagement with the City.

The process is seeking to identify one preferred proponent which is most advantageous to the City to recommend to Council. The proposal would be based on the Stage 1 submission plus additional information provided in Stage 2, as well as an independent financial analysis of the proposals prepared by a suitably qualified and experienced third- party financial analyst and a Business Case prepared by the City setting out the financial impact for the City of the proposals.

If, based on that information, Council endorsed progressing with a preferred proposal, the Business Case would be publicly advertised before the submissions were presented back to Council to determine whether to then enter into a major land transition or major trading undertaking based on key contractual terms. The advertising of the Business Case would maintain a level competitive tension and leverage as it would allow anyone to make a submission on the proposal. Council would then consider the submissions, along with the key contractual terms to ensure they aligned with the Business Case endorsed at the time the preferred proposal was selected and did not include anything other proposals did not contemplate or explore.

CR IOPPOLO:

Under the existing EOI process, can the Probity Officer advise whether it is permissible for the City of Vincent to enforce the Proponents qualitative aspects of their development proposals as a condition of sale for any land disposed of (noting that the development application is likely to go to JDAP and therefore not within the City of Vincent's influence and control)?

PROBITY ADVISOR:

From a probity perspective, it would be quite reasonable to make these qualitative undertakings conditions of sale which could be monitored through the use of KPIs and other reporting mechanisms. It is called active contract management.

Confidential response circulated separately.

At 7.13pm Ian Mickle and John Del Dosso of Cygnet West and Kevin Donnelly of Stantons left the meeting and did not return.

At 7.15pm Manager Policy and Place left the meeting and did not return.

At 7:14 pm, Cr Dan Loden left the meeting.

At 7:16 pm, Cr Dan Loden returned to the meeting.

6.1 STORMWATER DRAINAGE

- Attachments:
1. Drainage Technical memorandum - Confidential
 2. Ordinary Council Meeting Minutes 5 April 2022

RECOMMENDATION:

That Council **SUPPORTS** the City's approach to develop a stormwater drainage strategy over the next three (3) financial years relating to –

1. Engineering Design

- 1.1 Current capital budget provision of \$425K is allocated for drainage data capture and minor drainage capital work upgrades throughout the City of Vincent, commencing within the Mount Hawthorn precinct;
- 1.2 Hydraulic modeling costs ranging from \$80K - \$160k are planned to be spent within 2023 - 2024 financial year;
- 1.3 Climate Change scenario to be assessed based on the current drainage system anticipated be undertaken during the 2023 - 2024 financial year; and
- 1.4 Cost for drainage design and construction over a 10 year period to be prepared for 2024 - 2025 financial year onwards.

2. Engineering Operations

- 2.1 Current operational budget provision for 2022 - 2023 financial year is \$160k, allocated to external contractors for cleaning out stormwater drainage systems limited to the two hundred (200) hotspot flooding areas; and
- 2.2 Increase the Level of Service for cleaning out the stormwater drainage system using internal resources, (subject to the finalisation and approval of a business case) to mitigate the risk and severity of flooding.

MAYOR COLE:

I didn't see reference in the report to the fact that it was a Council Resolution. I did see the resolution attached but thought that probably could be mentioned in the introduction to the report.

MAYOR COLE: Can the recommendation be written in a way that is perhaps seeking endorsement of things that are beyond our current approvals such as talking about money to be spent in the 2023/24 financial year, for example if it was to say to endorse this amount to be put into the Long Term Financial Plan I think that would be slightly different but I just thought perhaps the recommendation before us could be tightened up a little bit to be very clear about what it is that we are approving next Tuesday. I think it needs to be expressed differently or it could say that it asks us to amend the Long-Term Financial Plan to accommodate these things, which will then be considered in the forward budget years.

MANAGER ENGINEERING:

The council resolution from April 2022 has been included in background. The recommendation has been clarified to articulate the desired outcome from Council. Wording has also been included in the financial section of the report to clarify existing funding sources.

MAYOR COLE:

Foreshadowing an impartiality declaration as potentially in one of the 200 hundred hotspots. Foreshadowing potential after seeing the map.

MANAGER ENGINEERING:

Noted

CR WALLACE:

Could we get that mapping in the briefing notes?

MANAGER ENGINEERING:
This has been added at Attachment 3.

6.2 NEW PARKING LOCAL LAW 2023

Attachments: 1. Attachment 1 - Parking Local Law 2023 - Advertised copy

RECOMMENDATION:

That Council:

1. **GIVES** statewide and local public notice, in accordance with section 3.12 of the *Local Government Act 1995* stating that:
 - 1.1 It is proposed to repeal the *City of Vincent Parking and Parking Facilities Local Law 2007* and replace it with the *City of Vincent Parking Local Law 2023* at Attachment 1;
 - 1.2 The purpose of the *City of Vincent Parking Local Law 2023* is to provide for the regulation, control and management of parking and vehicles within the local government;
 - 1.3 The effect of this local law is to ensure that any person parking a vehicle within the *City of Vincent* is to comply with these provisions;
 - 1.4 Copies of the proposed local law are available for inspection at the City's Administration & Civic Centre, Library and Local History Centre and on its website; and
 - 1.5 Submissions on the proposed local law may be made to the City within a period of not less than six weeks after public notice is given;
2. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed local laws and public notice will be provided to the Minister for Local Government; and
3. **NOTES** that any submissions received as a result of the public notice provided as set out in 1. Above will be presented to Council for consideration.

MAYOR COLE:

Can the letter from the Department and City response be included?

A/DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

This has been sent to Council Members separately due to the confidential nature of the correspondence.

MAYOR COLE:

As above, the request is for a Summary of changes from old Local Law to new Local Law. Is that something that could be summarised at a high level and included in the report?

CR IOPPOLO:

Has Administration prepared or intend to prepare a summary to show key changes to enhance community understanding of the changes?

PROJECTS AND STRATEGY OFFICER – RANGERS SERVICES:

Please see below summary of some of the key changes.

Summary of changes from Parking and Parking Facilities Local Law 2007 to Parking Local Law 2023

<p><i>Various new definitions added, some of which are:</i></p>	<p><i>Bicycle crossing and Bicycle crossing lights to give the City more flexibility should these be introduced, as it moves more towards 'safe active streets' etc Electronic parking detection device – with the introduction now of parking sensors</i></p>
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	<p>Entrance ticket machine, and Exit ticket Should the City, in the future, introduce parking facilities where these are required as the parking fee payment mechanism Parking app, Parking app zone, and Parking period to enable the City to introduce parking app zones School zone to enable tighter monitoring and clarity around schools and school times.</p>
<p>Penalty Increases</p>	<p>Various penalty increases have been applied ranging from 20% - 50% increase based on the considered severity of the offence.</p>

CR IOPPOLO:

Part of Administrations justification to replace the parking legislation was lower fees and maintenance costs and efficiencies in enforcement, yet this is not quantified under the financial budget implications heading, do we have a ballpark estimate of the costs and revenue upside as a result of the change? Could you also consider that when it comes to preparing the FY24 budget?

A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The new local law introduces initiatives and flexibilities with how the City can administer this local law and manage parking within the City. This may bring about efficiencies, savings and increased revenue but it is difficult to quantify these at this stage.

CR IOPPOLO:

There is a definition of vehicle and vehicles permitted to be parking in a parking bay under this new Local Law, are E-Scooters included in the definition of vehicle – and therefore would E-Scooters be liable to pay parking fees, should it be parked within our outside of a dedicated car parking bay?

PROJECTS AND STRATEGY OFFICER – RANGERS SERVICES:

The Road Traffic Code 2000 defines an “electric rideable device” as extracted below:

- 3A. Electric rideable devices**
- (1) An *electric rideable device* is a scooter, skateboard, or other vehicle, that —
 - (a) has at least 1 wheel; and
 - (b) is designed to be used by a single person; and
 - (c) has an electric motor or motors; and
 - (d) is fitted with an effective stopping system controlled by use of brakes, gears or motor control; and
 - (e) when propelled only by the motor or motors, is not capable of going faster than 25 km/h on level ground; and
 - (f) complies with the mass and dimension requirements referred to in subregulation (2).

Administration does not consider it necessary to include the definition of “electric rideable device” in the Parking Law as “vehicle” adequately addresses the City’s requirements.

At 7.30pm Manager Engineering left the meeting and did not return.

6.3 FINAL ADOPTION OF CITY OF VINCENT ANIMAL LOCAL LAW 2021

- Attachments:**
1. Attachment 1 - City of Vincent Animal Local Law 2022 Final version for adoption
 2. Attachment 2 - Animal Local Law 2021 - Advertised version
 3. Attachment 3 - Summary of feedback from the Department of Local Government, Sport and Cultural Industries (DLGSC)
 4. Attachment 4 - Graphical summary of survey responses - draft Animal Local Law 2021
 5. Attachment 5 - Summary of written comments from respondents, draft Animal Local Law 2021

RECOMMENDATION:**That Council:**

1. **GIVES NOTICE** that the purpose of the Animal Local Law 2021 is to:
 - 1.1 provide for the effective management, control, and regulation of the keeping of dogs, cats, large animals, animals of potential burden, poultry, pigeons, miscellaneous birds and bees within the City;
 - 1.2 effectively control and manage cat numbers, confinement, and curfews for cats, consistent with the State Government review findings from November 2019 of the Statutory review of the *Cat Act 2011* and *Dog Amendment Act 2013*; and
 - 1.3 to effectively deter failing to comply with select provisions of the proposed Animal Local Law 2021;
2. **GIVES NOTICE** that the effect of the Animal Local Law 2021 is to:
 - 2.1 introduce regulations, conditions, and penalties relating to the keeping of dogs, cats, large animals, animals of potential burden, poultry, pigeons, miscellaneous birds and bees within the City;
 - 2.2 introduce a regulatory framework for the control and management of cat numbers, confinement, and curfews for cats; and
 - 2.3 introduce modified penalties for failing to comply with select provisions of the proposed Animal Local Law 2021;
3. **MAKES BY ABSOLUTE MAJORITY**, the Animal Local Law 2022 at Attachment 1, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer.

MAYOR COLE:

Why is cat curfew in recommendation 1.2 (and 2.2)? Details of anything beyond *Cat Act*?

A/DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Will remove wording as it is not reflective of current Cat legislation.

CR GONTASZEWSKI:

Consultation responses – open spaces inclusion in prohibited areas. Cats walking on leash in prohibited areas, no scope for that to be contemplated – clarification in notes? Clause 2.4 that was included when advertised has been removed, Council decision to designate existing dog exercise areas, what are the current areas, which meeting were they designated at?

Is not clear if City is able to pass resolutions more specific – advice from Department?

A/DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Cat prohibited area would be aligned with a 'dog prohibited area' – where a cat can't be there even if on a lead. The DLGSC recommendation is based on the Department being cautious in respect to 'permitting cats on leash' or providing approval for cats in prohibited areas because there is no head of power in the Cat Act for it, which would then provide the risk of it being disallowed through the Joint Standing Committee.

Council resolution at its 14 November 2017 OMC, approved the below locations as dog exercise areas.

Administration will review these areas and further consider the community need for fenced dog exercise areas, based upon key action #9 of the Public Open Space Strategy.

LIST OF DOG EXERCISE AREAS WITHIN THE CITY OF VINCENT

DOG EXERCISE AREAS - UNRESTRICTED TIME LIMITS

Item No.	Description of Public Place
1.	Britannia Road Reserve: Between E D Litis Stadium and Freeway Reserve, north-east of the E D Litis Stadium, Leederville.
2.	Lake Monger Estate: Between Brentham Street and Oxford Street, south of Wylie Street, Leederville.
3.	Charles Veryard Reserve, North Perth, in its entirety, except when there is an approved Council activity in progress.
4.	Robertson Park: on the north-east corner of the intersection of Fitzgerald and Stuart Streets, Perth (South of Halvorson Hall).
5.	Jack Marks Reserve: on the north east corner of the intersection of Broome and Wright Streets, Highgate.
6.	Banks Reserve: Joel Terrace, East Perth.
7.	The south portion of Les Lилleyman Reserve bounded by Gill Street, to the south and the prolongation of the northern kerb-line of Woodstock Street, eastwards across Les Lилleyman Reserve.

DOG EXERCISE AREAS DURING SPECIFIED TIMES ONLY

Item No.	Description of Public Place	Times During Which Place is a Dog Exercise Area
1.	Forrest Park-Mount Lawley: - Reserve No. 7338.	At all times except where the public place is used for a function, sports training or activities approved by the local government.
2.	Woodville Reserve-North Perth: Bounded by Namur, Fitzgerald, Farmer and Mignonette Streets, North Perth.	At all times except where the public place is used for a function, sports training or activities approved by the local government.
3.	Les Lilleyman Reserve-North Perth, except that portion of the reserve roughly bounded by Gill Street, to the south and the prolongation of the northern kerb-line of Woodstock Street, eastwards across Les Lilleyman Reserve: - part of Certificate of Crown Land Title Volume 1077 Folio 517.	At all times except where the public place is used for a function, sports training or activities approved by the local government.
4.	Menzies Park-Mount Hawthorn: Bounded by East, Purslowe, Egina and Berryman Streets, Mount Hawthorn.	At all times except where the public place is used for a function, sports training or activities approved by the local government.
5.	Britannia Road Reserve South: Bounded by the Mitchell Freeway, Richmond Street and the prolongation of Namatjira Place where it meets the Mitchell Freeway.	At all times except where the public place is used for a function, sports training or activities approved by the local government.
6.	That portion of No. 310 Pier Street, Perth, known as Loton Park, bounded by Lord Street, Bulwer Street and the eastern fence-line of the rectangular Stadium, at that address, and excluding the enclosed fenced area used by Loton Park Tennis Club	At all times except when the public place is used for an event, function, sports training or other activities, approved by the local government.

CR LODEN:

Setbacks for chicken coops have been included in the final version of the Local Law? What is the reason for this? Foreshadow an amendment to remove that portion.

MANAGER BUILT ENVIRONMENT AND WELLBEING:

This occurred from an administrative error as clauses relating to poultry and aviaries were amalgamated from the draft Animal Local Law. Clause 4.11 (d) of the final version has now been removed, which means if supported, setbacks would not apply to poultry enclosures.

CR WALLACE:

Summary of additional provisions around cat movements. Control of road reserves can they not be added to green areas?

A/DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The local law with respect to cats is at its limit to what powers are afforded to it, under the Cat Act. This is consistent with comparison to, for example, City of Fremantle and City of Bayswater.

As per advice from DLGSC, the Parliament's Joint Standing Committee on Delegated Legislation (JSCDL) has previously formed the view that the Cat Act does not contemplate local laws that –

(a) ban cats from all public areas

(b) place conditions on when a cat may be permitted in a public area.

If the City wished to exclude cats from road reserves, these would need to be individually referenced in a schedule. This would become administratively burdensome as any change to a road reserve would potentially predicate an amendment to the local law. Further, the JSCDL may consider this as an attempt to circumvent the limited powers of the Cat Act and may disallow the local law.

At 7.47pm Jade Olyk of Jackson McDonald left the meeting and did not return.

At 7.47pm Manager Built Environment & Wellbeing & Environment left the meeting and did not return.

At 7.47pm Project and Strategy Officer, Ranger Services left the meeting and did not return.

COUNCIL BRIEFING NOTES

6 DECEMBER 2022

7.5 DRAFT YOUTH ACTION PLAN 2023-2026

- Attachments:**
1. Draft Youth Action Plan 2023-2026
 2. Youth Action Plan 2020-2022

RECOMMENDATION:

That Council **APPROVES** the draft Youth Action Plan 2023-2026 for the purpose of community consultation.

NO QUESTIONS.

At 7.52pm Community Development Advisor - Children, Young People & Funding left the meeting and did not return.

7.1 FINANCIAL STATEMENTS AS AT 31 OCTOBER 2022

Attachments: 1. Financial Statement as at 31 October 2022

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 October 2022 as shown in Attachment 1.

NO QUESTIONS

COUNCIL BRIEFING NOTES

6 DECEMBER 2022

At 7:55 pm, Cr Suzanne Worner left the meeting due to a previously declared financial interest.

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 OCTOBER 2022 TO 31 OCTOBER 2022

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

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 October 2022 to 31 October 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$4,889,139.72
Cheques	\$351.90
Direct debits, including credit cards	\$167,792.80
Total payments for October 2022	\$5,057,284.42

MAYOR COLE:

So for example, if the lift was being repaired again, I can't see that that would have an impact or that that would be material to a proximity interest? Is that the sort of thing, perhaps you could give Cr Ioppolo some examples of what would be of a magnitude that would trigger something and then what would be so internal to the building and of little consequence that it wouldn't. Might be useful to provide some guidance.

A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The Department of Local Government's Operational Guidelines '[Declaring Financial Interests in Meetings](#)' and '[Disclosure of interests affecting impartiality](#)' provide sound guidance and examples around the requirement to declare interests.

The guidelines state "Given the importance of probity, accountability and transparency, persons affected by the financial interest provisions of the Act are advised to err on the side of caution and disclose an interest in any matter before council or council committee where they may, or may appear to have, an interest." It is noted that the responsibility to declare (or not) resides with the individual.

The principle underpinning the need to declare a financial interest relates to a **reasonable expectation** that a decision will result in a financial gain, loss, benefit or detriment for the person (or person with whom one is closely associated). The Guidelines note -

"It must be objectively reasonable to expect that a particular decision will result in a financial gain, loss, benefit or detriment for the person (or person with whom he or she is closely associated). Further, that question is to be addressed at the time the matter is to be dealt with by the relevant decisionmaker(s). Therefore, it may not be reasonable to entertain such an expectation if the prospect of any gain, loss etc from the decision depends on mere speculation as to future events. For example, it could be that the person (or closely associated person) may be in a position to gain/lose etc if, at some future time, particular events take place.

However, if the future events, which would place the person (or closely associated person) in a position to gain/ lose etc, can be regarded as certain to take place, or highly probable, then it may still be objectively reasonable to expect that the decision will have the relevant consequences for the person (or closely associated person)."

An exemption to the above provides that you are not required to disclose a financial interest unless the land subject of the proposed changes or development is your land or land adjacent to your land. It is important to understand that this exemption only applies in relation to effects on the valuation of your land. If the land subject to the changes or development has a common boundary with your land a **proximity** interest exists and is not exempt from disclosure.

The Guidelines note that the "Act does not define 'adjacent'. However, dictionaries define adjacent as 'adjoining' or 'near to'. Legal precedents recognise that 'adjacent' has a wider meaning than 'adjoin'.

Although the word indicates a degree of proximity, its meaning is not necessarily confined to a physical link, but is to be determined as a question of fact. Accordingly, there is no certain measure that can establish that within a prescribed distance one property is 'adjacent' to another. All that can be said is that a degree of proximity is required in the particular circumstances applying."

However, **proximity** interest relies on physical location, not effects on valuation. It is established purely by the location of land, a financial effect on the valuation of your land or on the profitability of a business does not have to be established.

The Guidelines further provide *"the existence of a **proximity interest**. It is therefore important that you fully understand when a proximity interest exists."*

The DLG Operating Guidelines provide that Proximity interest relates to –

- a proposed change to a planning scheme affecting land that adjoins the person's land;
- a proposed change to the zoning or use of land that adjoins the person's land; or
- a proposed development of land that adjoins the person's land (development refers to the development, maintenance or management of the land or of services or facilities on the land).

Land that adjoins a person's land is defined by the Act as land that:

- not being a thoroughfare, has a common boundary with the person's land;
- is directly across a thoroughfare from the person's land; or
- is that part of a thoroughfare that has a common boundary with the person's land.

In respect to a proximity interest, it then may come to whether maintenance or management of the land is considered development. For example, is it reasonable to consider the mowing of grounds 'development' or 'maintenance'? Is it reasonable to consider minor maintenance work to the administration building a matter that requires the declaration of a proximity interest? What likely impacts might there be for an adjoining property, or those directly across the road?

A pragmatic perspective suggests that general maintenance works on the Administration building would neither be a financial or proximity interest. Administration will pursue clarification with the Department of Local Government and the Western Australian Local Government Association.

CR GONTASZEWSKI:

Can I request clarification in relation to the approval of a report that lists that expenditure and whether that differs from the approval of the expenditure and the activity to take place and then also some clarification in relation to if Council is approving a budget their interest in common provision in relation to the Annual Budget and then the difference between proximity interests around that, which is the heart of Cr Ioppolo's questions in relation to the development of land versus routine maintenance of that land that wouldn't necessarily require a development approval or anything like that.

A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Refer to response above. In approving payments, it is not a reasonable expectation that a Council Member (beyond those payments made direct to the Member or a closely related person / entity) will need to declare an interest as the payment relates to already committed expenditure. It is unlikely to result in a financial gain, loss, benefit or detriment.

Further clarification (particularly around the adoption of the Annual Budget and Corporate Business Plan) will be sought to provide future guidance for Council Members and City Officers in this area.

CR IOPPOLO:

To clarify and to get on record, to the extent that these expenditure reports may include maintenance costs on this administration building, would I have to personally disclose a proximity interest because I live directly across from this building? Can I get clarification as to whether that would give rise to a proximity interest, and if so, is it possible to flag those items out when this report comes out because there is so much detail, I want to be sure that any proximity interest is disclosed in relation to those items.

Not sure if Loftus Recreation Centre is on the same lot because then that and the Library would be included. Is Admin Building on its own lot?

A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

COUNCIL BRIEFING NOTES

6 DECEMBER 2022

Response at meeting:

In respect to having to declare an interest, a Council Member needs to know that they have, or be aware that they have, an interest in a matter that's being dealt with. So if you are unaware that information in the financial reports directly relate to the Administration building, or the maintenance of the Administration building, you wouldn't need to declare it because you are not aware of it. As soon as the City identifies it, then you may need to declare it.

As noted in an earlier response, the principle in respect to interests is reasonable expectation. This can relate to size and scale and potential impact of the maintenance or management of the land.

Administration will seek further clarification and prepare future guidance in respect to the declaration of interests.

At 8:01 pm, Cr Suzanne Worner returned to the meeting.

7.3 INVESTMENT REPORT AS AT 31 OCTOBER 2022

Attachments: 1. Investment Statistics as at 31 October 2022

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 October 2022 as detailed in Attachment 1.

NO QUESTIONS

7.4 OUTCOME OF ADVERTISING AND ADOPTION OF NEW CUSTOMER SERVICE CHARTER

Attachments: 1. Draft Customer Service Charter

RECOMMENDATION:

That Council ADOPTS the Customer Service Charter at Attachment 1.

At 8.02pm Chief Financial Officer left the meeting.

NO QUESTIONS

8.1 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDED RISK MANAGEMENT POLICY

- Attachments:**
1. Risk Management Policy (clean copy)
 2. Risk Management Policy (marked up)
 3. Risk Appetite and Tolerance Statements

RECOMMENDATION:

That Council APPROVES the amended Risk Management Policy at Attachment 1

NO QUESTIONS

8.2 COUNCIL RECESS PERIOD 2022-23 - DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER

Attachments: Nil

RECOMMENDATION:

That Council **DELEGATES BY ABSOLUTE MAJORITY**, pursuant to section 5.42 of the *Local Government Act 1995*, to the Chief Executive Officer, the power to deal with any items of business that may arise between 14 December 2022 and 6 February 2023, and which are not the subject of delegated authority already granted by Council, subject to:

1. Reports being issued to all Council Members for a period of three business days prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Council Members;
2. Reports being displayed on the City's website for a period of three business days prior to the delegated decision being made;
3. A report summarising the items of business dealt with under delegated authority being submitted for information to Council at its Ordinary Meeting to be held on 14 February 2023; and
4. A Register of Items Approved under this Delegated Authority is being kept and made available for public inspection on the City's website during the period that the delegation applies.

NO QUESTIONS

At 8.04pm Chief Financial Officer returned to the meeting.

8.3 VINCENT UNDERGROUND POWER PROJECT - FIVE ADDITIONAL PROJECT AREAS

- Attachments:**
1. Undergrounding Invitation No. 2 - five additional project areas
 2. Preliminary Business Case - five additional project areas
 3. MoU No.2 - five additional project areas

RECOMMENDATION:**That Council:**

1. **NOTES** the invitation from Western Power for the City of Vincent to participate in the Network Renewal Underground Program (NRUP) – now changed to Targeted Underground Power Program (TUPP) and the Retrospective Undergrounding Projects (RUP) program (Attachment 1).
2. **NOTES** the proposed project areas would underground power at 10,482 electricity service meters in Leederville, Mount Hawthorn, West Perth, and North Perth as per the boundaries identified in the maps in Attachments 2 and 3.
3. **NOTES** that when combined with existing undergrounded areas and the first three project areas under NRUP-T2, these five project areas complete the undergrounding of all residential areas and town centres within Vincent.
4. **NOTES** the poles and wires would be replaced like for like with an expected serviceable life of 40-50 years in the event the City does not co-partner in an underground power project.
5. **NOTES** the preliminary business case on participation in TUPP and RUP at Attachment 2.
6. **AUTHORISES** the CEO to sign the Memorandum of Understanding at Attachment 3 to enable Western Power to commence detailed design of the project.
7. **NOTES** these projects will be included in the Corporate Business Plan 2023/24-2027/28.

NO QUESTIONS

8.4 WALGA BEST PRACTICE GOVERNANCE REVIEW

- Attachments:**
1. WALGA Governance review background paper
 2. WALGA best practice governance review consultation paper

RECOMMENDATION:**That Council:**

1. **SUPPORTS** the Western Australian Local Government Association's best practice governance review consultation paper.
2. **NOTES** that Administration will forward a submission in support of 'option four' to the Western Australian Local Government Association.

At 8.08pm Manager Marketing & Partnerships left the meeting and did not return.

NO QUESTIONS

8.5 INFORMATION BULLETIN

- Attachments:**
1. Unconfirmed Minutes of the Arts Advisory Group Meeting - 2 November 2022
 2. Unconfirmed Minutes of the Mindarie Regional Council Meeting - 24 November 2022
 3. Minutes Children and Young Peoples Advisory Group 12 October 2022
 4. Statistics for Development Services Applications as at the end of December 2022
 5. Register of Legal Action and Prosecutions Monthly - Confidential
 6. Register of Legal Action - Orders and Notices Quarterly - Confidential
 7. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 24 November 2022
 8. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 9. Register of Applications Referred to the Design Review Panel - Current
 10. Register of Petitions - Progress Report - November 2022
 11. Register of Notices of Motion - Progress Report - November 2022
 12. Register of Reports to be Actioned - Progress Report - November 2022
 13. Council Workshop Items since 25 October 2022
 14. Council Meeting Statistics
 15. Council Briefing Notes - 8 November 2022

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated December 2022.

NO QUESTIONS

COUNCIL BRIEFING NOTES**6 DECEMBER 2022****5 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Citizenship Ceremony – Cr Dan Loden
Non conforming use for service stations – Cr Ashley Wallace
Leederville Oval – Cr Ron Alexander
Dog Local Law and exercise areas – Cr Susan Gontaszewski – potential NOM

6 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

7 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

At 8.15pm Executive Director Strategy & Development left the meeting and did not return.
At 8.16pm Chief Financial Officer left the meeting and did not return.

At 8.15pm Chief Executive Officer noted that he has a financial interest in item 11.1 Employment Contract Renewal – Chief Executive Officer, as he will receive a financial benefit or detriment subject to the approval or otherwise of a contract extension. The Chief Executive Officer left the meeting and did not return.

At 8.15pm the meeting went behind closed doors to discuss the confidential item.

Responses to the questions on the Confidential item were provided separately.

At 8:33 pm, Cr Dan Loden left the meeting.
At 8:35 pm, Cr Dan Loden returned to the meeting.

8 CLOSURE

There being no further business the meeting closed at 8.42pm.

**COUNCIL RECESS PERIOD 2022-2023 - RECEIVING OF ITEMS DEALT WITH UNDER
DELEGATED AUTHORITY BETWEEN 14 DECEMBER 2022 AND 6 FEBRUARY 2022**

At its 13 December 2022 meeting Council delegated to the Chief Executive Officer, subject to conditions, the power to deal with any items of business that may arise between 14 December 2022 and 6 February 2023, and which are not the subject of delegated authority already granted by Council.

No items were dealt with during the period under this delegation.