

12.2 INFORMATION BULLETIN

- Attachments:**
- 1. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 13 July 2023**
 - 2. Statistics for Development Services Applications as at the end of July 2023**
 - 3. Register of Legal Action and Prosecutions Monthly - Confidential**
 - 4. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 18 August 2023**
 - 5. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current**
 - 6. Register of Applications Referred to the Design Review Panel - Current**
 - 7. Project on a Page - Beatty Park Leisure Centre 12m and 30m tile renewal**
 - 8. Register of Petitions - Progress Report - July 2023**
 - 9. Register of Notices of Motion - Progress Report - July 2023**
 - 10. Register of Reports to be Actioned - Progress Report - July 2023**
 - 11. Council Workshop Items since 27 June 2023**
 - 12. Council Meeting Statistics**
 - 13. Council Briefing Notes - 18 July 2023**

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated August 2023.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

13 JULY 2023

CITY OF STIRLING

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



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**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

07 JULY 2023

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Stirling at 6.30 pm on 13 July 2023.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr K Vernon (Karen) - Chair	Town of Victoria Park
Cr A Jacob, JP (Albert) Deputy Chair	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr C Hatton (Chris)	City of Stirling
Cr E Re (Elizabeth)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr L Thornton (Lisa)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr F Cvitan, JP (Frank)	City of Wanneroo
Cr P Miles (Paul)	City of Wanneroo
Cr K Shannon (Keri)	Town of Cambridge

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

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Prior to taking their seats for the meeting each member nominated by the Member Councils, made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council (MRC) in accordance with the Local Government Act 1995 (Schedule 9.3, Clause 10) in accordance with s702 of the Local Government Act 1960 (repealed).

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The CEO declared the meeting open at 6.31 pm.

The CEO announced that, prior to the meeting, the Chair had authorised Cr Re to attend the meeting electronically under s14CA Local Government Administration Regulations 1996. Cr Re had previously confirmed that she is located in a private room and can maintain confidentiality during the meeting.

In addition, the CEO announced that Cr Shannon was an apology for the meeting, however, he had authorised Cr Shannon to connect to the meeting electronically as a meeting observer.

2 ELECTION OF CHAIRPERSON

Cr Re connected to the meeting at 6.35 pm

The CEO advised Council that he received the following nominations for the position of Chair:

- Cr Karen Vernon - Self nomination
- Cr Paul Miles - Self nomination

Crs Vernon and Miles made a short speech prior to the voting.

In accordance with the *Local Government Act 1995 (schedule 9.3, Clause 10(c))* an election was conducted under *s.709 (2) of the transitional provisions of the Local Government Act 1960 (repealed)*.

The CEO advised Council that a vote would be conducted for the position of Chair.

The votes were counted and the CEO announced that Cr Miles received the majority of the votes and declared Cr Miles elected as the Chair, by 9 votes to 3.

Cr Miles signed the required Declaration of Office for the position of Chair (Form 7). Cr Miles then assumed the role of Chair.

3 ELECTION OF DEPUTY CHAIRPERSON

The Chair advised Council that the following nominations had been received for the position of Deputy Chair:

- Cr Albert Jacob - Self nomination
- Cr Keri Shannon -Self nomination

In accordance with the *Local Government Act 1995 (schedule 9.3, Clause 10(c))* an election was conducted under *s.709 (3) of the transitional provisions of the Local Government Act 1960 (repealed)*.

The Chair advised Council that a vote would be conducted for the position of Deputy Chair.

The votes were counted and the Chair announced that Cr Shannon received the majority of the votes and declared Cr Shannon elected as the Deputy Chair, by 7 votes to 5.

The Chair thanked Cr Jacob for nominating, and congratulated Cr Shannon on being elected to the role of Deputy Chair.

The Chair thanked Cr Vernon for her dedication to the role of Chair.

4 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillor Attendance

Cr Paul Miles, Chair	City of Wanneroo
Cr Adrian Hill	City of Joondalup
Cr Christopher May	City of Joondalup
Cr Liam Gobbert, JP	City of Perth
Cr Joe Ferrante	City of Stirling
Cr Chris Hatton	City of Stirling
Cr Lisa Thornton	City of Stirling
Cr Elizabeth Re	City of Stirling
<i>attending via Zoom</i>	
<i>from 6.35 pm to 6.57 pm</i>	
Cr Alex Castle	City of Vincent
Cr Frank Cvitan, JP	City of Wanneroo
Cr Jane Cutler	<i>Town of Cambridge</i>
Cr Karen Vernon	Town of Victoria Park

MRC Officers

Chief Executive Officer	Mr Scott Cairns
Manager Finance	Ms Adnana Arapovic
Manager Operations	Mr Morné Hattingh
Manager Projects & Procurement	Mr Aaron Griffiths
Manager Human Resources	Ms Sonia Cherico
Executive Support	Ms Deborah Toward

Apologies/Leave of Absence

Cr Albert Jacob – City of Joondalup – leave of absence.
Cr Keri Shannon – Town of Cambridge - apology

Visitors

Nil

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Observers

Cr Keri Shannon – *via Zoom*.

Member Council Observers

Mr Nico Claassen	City of Joondalup
Mr Gary Taylor	City of Perth
Mr Andrew Murphy	City of Stirling
Mr Perter Varris	City of Vincent
Mr David Parker	City of Vincent
Mr Harminder Singh	City of Wanneroo
Mr Andrew Head	Town of Cambridge
Mr John Wong	Town of Victoria Park

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC QUESTION TIME

Public question time opened at 6.55 pm.
There were no members of the public present.
Public question time closed at 6.55 pm.

7 ANNOUNCEMENT BY THE PRESIDING PERSON

Nil

8 APPLICATION FOR LEAVE OF ABSENCE

Nil

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

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10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Cr Re disconnected from the meeting at 6.57pm

10.1 ORDINARY COUNCIL MEETING – 01 JUNE 2023

The Minutes of the Ordinary Council Meeting held on 01 June 2023 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 01 June 2023 be confirmed as a true record of the proceedings.

Moved Cr Cvitan, seconded Cr May

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

10.2 SPECIAL COUNCIL MEETING – 22 JUNE 2023

The Minutes of the Special Council Meeting held on 22 June 2023 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 22 June 2023 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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11 CHIEF EXECUTIVE OFFICER REPORTS

11.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 31 MAY 2023 AND 30 JUNE 2023
Reference:	GF-23-00000019
Appendix(s):	Appendix No. 1, 2 and 3
Date:	6 JULY 2023
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 by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

DETAIL

The Financial Statements for the month ended 31 May 2023 and Interim Financial Statements for the month ended 30 June 2023 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the two months up to 30 June 2023 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Income 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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Summary of results for the year to date period ended 30 June 2023

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	172,548	170,538	(2,010)
Tonnes – Others	47,050	47,361	311
TOTAL TONNES	219,598	217,899	(1,699)
	\$	\$	\$
Revenue – User Charges	32,632,013	32,286,437	(345,576)
Revenue – Other	6,487,539	7,058,956	571,417
TOTAL REVENUE	39,119,552	39,345,393	225,841
EXPENSES	(37,045,869)	(35,005,466)	2,040,403
NET SURPLUS/(DEFICIT)	2,073,683	4,339,927	2,266,244

Mindarie Regional Council interim financial position for the period ending 30 June 2023 reflects its performance from 1 July 2022 to 30 June 2023. Council's operations have been conducted in line with the adopted budget. As a result of the MRC's mid-year budget review and budget adjustments approved at the OCM 23 February, also in line with materiality adopted by the Council, variances below \$50k do not attract comments.

User charges

Total user charges are \$346k below year end budget mainly due to less tonnages received from some of the Member Councils.

Member Councils have delivered 2,010t below budgeted for the year abated by 311 above budget tonnes from casual and trade customers.

Other Revenue

A positive variance of \$571k exists in other revenue, \$175k due to the continuation of strong interest rates in cash savings, cash management accounts and term deposits and \$376k unbudgeted Gas Power royalty.

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Expenses

Reporting for June 2023 is the MRC's interim position, further adjustments will be processed as part of year end closure.

Depreciation is \$664k above budget due to revaluation of RRF infrastructure assets end of last financial year that impacted opening balances and the depreciation in this financial year. This a permanent variance.

Insurance is \$283k below budget due to a saving the MRC achieved within an insurance policy amendment from Comprehensive to Removal and Demolition.

DEP landfill levy is \$136k below budget which is tonnage driven.

Member Costs is \$65k below budget due to only one Councillor attending budgeted Conferences.

Employee costs currently \$127k under budget pending yearend accruals to be allocated

Consultants and Contracts currently \$365k below budget have some deferred costs such as projects which are FOGO and WtE related.

Landfill Expenses, Office Expenses, IT Expenses, Building Maintenance, Plant & Equipment, Utilities and Administration Expenses all are under budget but yearend adjustments and accruals are yet to be processed.

The interim net result variance is \$2.3m or 109% against year to date budget.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 May 2023 and 30 June 2023.

Moved Cr Ferrante, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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11.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MAY 2023 AND 30 JUNE 2023
File No:	Gf-23-0000019
Appendix(s):	Appendix No. 4 and 5
Date:	6 JULY 2023
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 May 2023 and 30 June 2023 is at **Appendix 4 and 5** 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 29 September 2022, 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 May 2023	General Municipal	Cheques	\$600.00
		EFT	\$759,453.87
		DP	\$5,482,810.52
		Inter account transfers	\$0.00
		Total	\$6,242,864.39
30 June 2023	General Municipal	Cheques	\$6,480.70
		EFT	\$1,141,572.89
		DP	\$448,584.81
		Inter account transfers	\$0.00
		Total	\$1,596,638.40

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VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 May 2023 and 30 June 2023.

Moved Cr Thornton, seconded Cr Cutler

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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11.3	SCOPING STUDY – MRC and TPRC COLLABORATION OPPORTUNITIES
File No:	GF-23-0000230
Appendix(s):	Nil
Date:	30 June 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

This report seeks Council's support for the co-funding of a study to explore opportunities for increased collaboration and/or resource sharing between the Mindarie Regional Council (MRC) and Tamala Park Regional Council (TPRC).

BACKGROUND

The MRC and TPRC are both independent regional Local Government authorities that have been established under State legislative instruments. The Vision/Mission statements for both organisations are:

- **MRC**
 - Vision: Collaborating for a regional Circular Economy.
 - Mission: To deliver sustainable waste management options for members.
- **TPRC**
 - Vision: To create a sustainable urban community offering diverse housing choice, social connectivity and employment opportunities.

At its 20 April 2023 Ordinary Council Meeting the TPRC Council resolved (in part):

REQUEST that the CEO and Chair of TPRC hold regular discussions with the Mindarie Regional Council (MRC) CEO and Chair regarding:

- a) *Future plans for their respective projects;*
- b) *Current odour, noise, landfill gas, groundwater and dust monitoring programs and findings;*
and
- c) *Current and future remediation programs that are scheduled in and around the MRC site;*

and report back to the TPRC Council periodically on these matters.

Accordingly, the TPRC requested a meeting between both Chairs and CEOs, which took place on 23 May 2023. At that meeting, the concept of undertaking the Scoping Study proposed in this report was discussed with the parties agreeing that such an activity may have merit, and with both CEOs committing to present a report to their respective Councils at their earliest convenience.

At its 22 June 2023 Ordinary Council Meeting the TPRC resolved:

That the Council APPROVE co-funding a Scoping Study with the Mindarie Regional Council that explores options, opportunities, risks, costs and impediments for potential greater collaboration and/or resource sharing between the two Local Government authorities.

DETAIL

At the meeting which took place on 23 May 2023, both parties discussed the respective progress of their services and operations and the interlinkage between the ability of both regional councils to deliver for the benefit of member councils. The major points noted during those conversations are highlighted below:

MRC/TPRC Operational Lifespans:

The landfill cell at the Tamala Park Waste Management Facility (TPWMF) will eventually be filled to its design capacity. The final end date of the landfill site depends upon the quantity of materials deposited there by member councils, and is currently forecasted to occur during 2028/29. Any future changes to member council waste management practices are likely to affect that end date.

Once active landfill cell compaction operations cease, ongoing environmental management in relation to leachate and landfill gas of the Tamala Park site will be required, which will result in an ongoing operational requirement to remain in place for decades, post closure.

Both the Light Vehicle Transfer Station and Community Recycling Centre activities undertaken at TPWMF are well-received by the community and therefore likely to continue post landfill closure.

The TPRC Catalina Project has a finite lifespan as the land available for development and sale will ultimately be expended. As the TPRC project has developed, available land for development and sale is now impacted upon by the operations of the MRC's active landfill site, whereas previously this was not an issue.

TPRC Future Development Constraints

TPRC has traditionally been able to develop and sell land unhindered outside of one portion of land designated as a restricted area/buffer zone, by the Western Australian Planning Commission (WAPC), due to the adjacent operation of the MRC's active landfill at the TPWMF.

However, this last remaining potential portion of land within TPRC's neighbouring Catalina Central development sits within the 500m sensitive receptor buffer zone area that is set by WAPC, and therefore is not available for sale.

The operations of MRC's landfill are likely to extend past the date at which all other TPRC land sales are completed, potentially leaving that buffer zone undeveloped until such times as the landfill cells reach their fill capacity.

In effect, the development and sale of this final land portion managed by TPRC can only be undertaken once active landfilling ceases at Tamala Park and the contaminated sites development restraints are lifted.

Environmental Impact Monitoring

Under the terms of the Tamala Park landfill's environmental licence, regular environmental monitoring for noise, odour, groundwater, landfill stability, surface water management and dust monitoring takes place and is reported to the Department of Water and Environmental Regulation (DWER).

Post closure of the active landfill cells, substantial aftercare will be required to manage the environmentally legacy issues which result from landfill operations. This will continue for decades to come.

Potential for Greater Collaboration between MRC/TPRC

The MRC and TPRC regularly communicate on matters relating to environmental monitoring and results and any other opportunities that exist where operational matters overlap (e.g. the MRC has previously agreed to receive excess limestone materials from TPRC development for future use as cover on the landfill). These open communications continue.

Due to the relatively small size of each administration, in particular TPRC, it was proposed that there may be merit in identifying if there are any other opportunities that could exist for each administration to collaborate more readily, in an effort to increase overall efficiencies to member councils.

The scope of the proposed Scoping Study would be to consider:

- Options for future collaboration and/or resource sharing between TPRC and MRC.
- Pros and Cons (risks) for all Options identified.
- Process and timeframes that would be required (inc. legal, financial, etc.) to implement preferred/recommended Option/s.

If this proposal is supported by Council, then the final details of the Scoping Study will be agreed by both CEOs and a Request for Quote (RFQ) would be released to call for suitably qualified and experienced consultancy firms to quote.

It is proposed that the quote process would be run by the TPRC but both CEOs would be involved in the RFQ evaluation process and consultant selection and would meet regularly with the selected consultant during the development of the study. Consultant engagement with the elected members is also likely to be required.

An indicative timeframe for the delivery of a Scoping Study is:

Date	Action
June/July	The MRC and TPRC agree to progress a Scoping Study.
July	Consultants brief released.
August	Consultant selected.
August/October	Consultant undertakes consultation with Member Councils and stakeholders, develops options, undertakes analysis/assessment of options and prepares report.
October/November	TPRC and MRC Council's consider the findings on the Scoping Study and agree on the next steps.

The timeline highlighted above is dependent upon identifying and contracting with an acceptable consultancy and relevant stakeholder availability thereafter for consultations with member councils and councillors.

CONSULTATION

The MRC has, at this stage, consulted only with colleagues within the TPRC.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An estimate for the Scoping Study to be undertaken is \$50,000. It is proposed that both the MRC and TPRC pay 50% each.

Sufficient budget exists in the proposed 2023/24 budget to pay for these costs.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023– 2032	
Strategic Objective 3 : Deliver best practice governance processes and structures	
Strategy 3.2	Ensure responsible use of organisational resources

COMMENT

While the purposes of the MRC and TPRC vary greatly, increasingly, the operations of both are becoming more closely linked.

The effect of the landfill activities at Tamala Park on TPRC's activities has apparently not been a critical issue in the past, but as its available land for development reduces and its inevitable end date comes closer, then TPRC has identified that the need for communication and collaboration is increasing.

Notwithstanding the impacts of the MRC's operations upon the potential of development for TPRC, it is important to note that TPRC has historically, and continues to, impact upon the MRC's operations; most notably:

- Groundwater abstraction for development purposes potentially impacting groundwater movements in the surrounding area.
- The development of properties for residential purposes adjacent to an active landfill inevitably leads to increased potential for neighbour complaints and management on an essential service for the community.
- Historic and apparently continued suggestions by TPRC's land development partner that the landfill will close soon, and that a golf course is planned for development. This is not the case, and results in nearby residents increased frustrations and the MRC receiving misinformed and emotive communications regarding the operations and lifetime of the landfill facility.

The TPRC and MRC have historically communicated well as related organisations that have common ownership. There has been sharing of information on pertinent matters such as odour, groundwater monitoring, dust management and other strategic and operational matters. While the communication has been good, it has been sporadic as the organisations are independent and have had vastly different strategic imperatives and key issues to address.

The issue of greater collaboration between the MRC and TPRC was highlighted previously by a Councillor Notice of Motion brought forth to Council on 25 August 2022. At that time, the Administration's position was that without any similar parallel instruction to the TPRC CEO, then any investigations by the MRC were unlikely to be thorough enough as to provide value.

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Accordingly, Council resolved not to progress any investigations. However, given TPRC's recent resolution, the Administration is of the view that there may now be sufficient impetus to progress investigations in to how both entities may work together in future to increase efficiencies.

While a Scoping Study is recommended, the MRC is not obliged to undertake this work and may elect not to proceed with the proposal at this time if it feels that the organisation's time and efforts should be spent on other activities.

If a Scoping Study is undertaken, then the MRC is not bound to act upon any options or associated recommendations thereof without future member council and Council endorsement.

Given that the TPRC and MRC are directly adjacent to each other, owned by the same Members, have planning and approval matters that directly impact on each other and are increasingly impacting on each other's operations, there is merit in considering options for closer alignment between both. There are also potential opportunities for economy of scale through the two organisations jointly working on administrative and governance matters.

Should Council agree with the officer's recommendation, it should be noted that a Scoping Study is proposed as the 'first step' into potentially progressing options for better collaboration between TPRC and the MRC.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

APPROVE the co-funding of a Scoping Study with Tamala Park Regional Council that explores options, opportunities, risks, costs and impediments for potential greater collaboration and/or resource sharing between the two entities.

Moved Cr Thornton, seconded Cr Gobbert

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

11.4	ANNUAL BUDGET 2023/24
File No:	GF-21-0000169
Appendix(s):	Appendix No. 6
Date:	30 June 2023
Responsible Officer:	Finance Manager

SUMMARY

This report presents the Draft 2023/24 Annual Budget for adoption by Council.

BACKGROUND

The 2023/24 Annual Budget has been prepared in accordance with the requirements of the *Local Government Act 1995*. The Annual Budget is an important part of the MRC's Integrated Planning Framework and is guided by the Strategic Community Plan (SCP) 2022-2032 (adopted by Council 27 April 2023), Corporate Business Plan 2023-2026 and Long Term Financial Plan 2023-2032. The SCP has been instrumental in guiding the activities of the MRC both at the strategic and operational levels.

The 2023/24 budget process workshop with Councillors and Officers was originally planned 1 June 2023 after the Ordinary Council Meeting (OCM) held at the City of Stirling. The budget workshop was deferred to 22 June 2023 after the Special Council Meeting (SCM) and was held in person and on-line at the City of Wanneroo.

The MRC has carefully considered resources and funding requirements necessary to deliver ongoing services, statutory and governance activities and assets renewal program. The MRC's budget financial strategy strives to achieve as low as practical a gate fee, to minimise the financial burden placed on members whilst also maintaining tight control of costs and funds allocated for post closure rehabilitation.

The development of the 2023/24 Annual Budget plays an important role in positioning the MRC's finances to a sustainable future. The underlying operating budget has been developed in discussion with the managers across the business and has been reviewed in detail to ensure that the Mindarie Regional Council (MRC) continues to deliver its current service offering in an efficient, cost effective manner and in line with the Waste Strategy 2030 and the MRC's Waste Plan.

Some of the key assumptions with regard to the 2023/24 budget include:

- Landfill to continue receiving 100% of Member Council residual waste;
- Member councils' gate fee to be set at \$151 per tonne excl. GST;
- Non-members' gate fee to be set at \$215.00 per tonne excl. GST;
- Governance and Administration costs to be apportioned using equity share, and invoiced directly to Member Councils;
- Maintain Reserves established for a specific purpose;
- Interest earned from investments on cash backed funds to be allocated to reserves;
- Nil increase to the Landfill Levy for 2023/24; and
- WtE and FOGO - pending outcomes – not forming part of the proposed 2023/24 budget.

DETAILS

The final draft Annual Budget for 2023/24 is included as an attachment Appendix 6 to this report.

Part 3 of the *Local Government (Financial Management) Regulations 1996* requires the Annual Budget to contain certain information, including:

- Prescribed financial statements;
- Other information to be included in the budget notes;
- Information relating to hire charges and fees; and
- Information relating to service charges.

Overall, in terms of the Statement of Comprehensive Income, the Annual Budget 2023/24 includes Operating Revenue of \$39.2m and Operating Expenses \$37.5m. Following the inclusion of non-ordinary revenue \$50k and profit/loss on sale \$350k this will see a Net trading result of \$1.45m.

Of the total Operating revenue, 81.52% comes from the fees and charges (\$32m) and interest (\$1.7m). A marginal tonnage increase is expected from 206,355 tonnes in 2022/23 to 207,406 tonnes based on information provided by the member councils. 176,006 tonnes of residual waste will be delivered to the MRC by Member Councils during the course of the year. Non-members are expected to deliver the same level of waste, 31,400 tonnes.

The MRC Annual Budget is also anticipating receiving \$900k in other revenue mostly from gas power and royalties and \$4.6m contribution by Member councils to recoup administration and governance costs.

The Annual Budget process is subject to external factors. Western Australia and the globe at large have seen an increase in the cost of living as a result of elevated demand and global supply issues. Inflation as portrayed in the movements in the Consumer Price Index will be the focus in the coming year.

The MRC's ordinary budgeted expenditure for 2023/24 is estimated at \$37.5m (\$37.0m in 2022/23), of which the most significant cost is materials and contracts \$18.3m, \$5.9m depreciation on assets and \$5.5m employee costs. Expenditure by nature and type is detailed in the statement of comprehensive income.

The financial assumptions anticipate movements in both the consumer price index, wages growth and interest rates. Any unplanned changes in any of these parameters and the general economic environment are likely to have an impact on the proposed budget.

The Minister for Environment has announced an increase in the waste levy rate commencing 1 July 2024 thus leaving this budget at the same level, of \$70 per tonne. A one-off 'catch-up' inflation increase of \$15 per tonne will commence on 1 July 2024.

Labour shortages and a historically low unemployment rate directly impact on wages price index (State budget indicates a 4% wage price index for 2023/24 year). The MRC's employee costs \$5.5m represent 15% of the overall operating expenditure. During 2022/23 financial year the MRC Council approved two new FTEs to perform specific projects and procurement. Within the same financial year the RRF monitoring contract was extended and two additional FTE's were introduced to provide essential services within operations and financial compliance. Part of the employment costs increase is as a result of contract labour being now reported under the employment costs while previously budgeted as materials and contracts.

The Resource Recovery Facility (RRF) budget overall decreased by \$890k; the most significant impact coming from an insurance premium reduction from \$1.0m to \$70k. The RRF depreciation budget has increased by \$600k to \$4.6m (79% of the RRF 2023/24 budget) due to this facility now being an asset owned by Mindarie Regional Council (79% of the overall budget), however this depreciation figure has not been included in the new gate fee calculation as was the case for the 2022/23 financial year. At the end of last year, the RRF infrastructure assets were subject to a revaluation process that impacted opening balances and the depreciation in 2022/23 as well as a level of budget for 2023/24.

The MRC is anticipating receiving \$50k in a non-operating grant for capital work on E-waste from the state government.

The total budget of the Capital works program in 2023/24 is \$10.05m. This program is planned to deliver budgeted building works \$310k, infrastructure including landfill works of \$9.02m, plant and equipment of \$618k and computing \$105k. Included in the amounts is carry forward of \$7.1m.

Cash backed reserves 2023/24 closing budget is estimated at \$21.4m. Transfers into reserve \$3.2m include \$755k in interest earned on investments.

Post closure reserve transfers will result in an estimated \$18.5m budget closing position to cover post closure liability. Any unfunded portion of the post closure liabilities will need to be funded over the remaining life of the landfill.

CONSULTATION

The MRC held 2023/24 budget workshop with Councillors on 22 June 2023. Budget was also discussed with senior officers from Member Councils at the SWG meeting held 5 July 2023 at the City of Stirling. The 2023/24 budget workshop with Councillors and Officers was originally planned 1 June 2023. The budget workshop was deferred to a SCM on 22 June 2023 and was held in person and on-line.

ATTACHMENTS

Draft Annual Budget 2023/24 (Appendix 6)

STATUTORY IMPLICATIONS

In accordance with section 6.2 of the Local Government Act 1995, Council is required to formally adopt the Annual Budget on or before 31 August each year.

Part 3 of the *Local Government (Financial Management) Regulations 1996*

Modifications of existing reserves and creation of new reserves is done in compliance with section 6.11 of the Local Government Act 1995.

FINANCIAL IMPLICATIONS

The financial implications of adopting the 2023/24 budget are disclosed in the Draft 2023/24 Annual Budget and supplementary Notes. (Appendix No. 6)

The Members' gate fee will be set at \$151 per tonne (excluding GST) for the 2023/24 financial year. The Non-members' gate fee will be set at \$215 per tonne (excluding GST) for the 2023/24 financial year.

STRATEGIC IMPLICATIONS

- Strategic Community Plan 2023-2032
- Corporate Business Plan 2023-2027
- Long Term Financial Plan 2023-2032
- Asset Management Plan 2023-2032
- Workforce Plan 2023-2027

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council resolve:

1. That the Draft 2023/24 Annual Budget be adopted including the following:**1.1 Statement of Comprehensive Income**

That the Statement of Comprehensive Income by Nature/Type in the Draft 2023/24 Annual Budget be adopted.

1.2 Statement of Financial Position

That the Statement of Financial Position in the Draft 2023/24 Annual Budget be adopted.

1.3 Statement of Cash Flow

That the Statement of Cash Flow in the Draft 2023/24 Annual Budget be adopted.

1.4 Notes to and Forming part of the Annual Budget 2023/24

That the Notes to and Forming Part of the Draft 2023/24 Annual Budget be adopted.

1.5 Reserves

That the Reserve accounts in the Draft 2023/24 Annual Budget be adopted.

1.6 Capital works program 2023/24

That the Capital Works Program in the Draft 2023/24 Annual Budget be adopted.

1.7 Operating budget by Department

That the Budget by Department in the Draft 2023/24 Annual Budget be adopted.

1.8 Schedule of Fees and Charges 2023/24

That the Schedule of Fees and Charges in the draft 2023/24 Annual Budget be adopted.

2. That interest earned on cash funds associated with cash backed reserves be credited to the respective reserves**3. Financial Reporting and Materiality**

As per Local Government (Financial Management) Regulations 1996 Section 34 (5) each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with the AAS (Australian Accounting Standards), to be used in financial statements for reporting material variances. For the purpose of materiality in financial reports for the 2023/24 financial year, variances shall be those greater than \$50,000.

Moved Cr May, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
13 JULY 2023

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12 MEMBERS INFORMATION BULLETIN – ISSUE NO. 77

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 77 be received.

Moved Cr Ferrante, seconded Cr Cvitan

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**13.1 NOTICE OF MOTION – CR LIAM GOBBERT – NEERABUP RESOURCE RECOVERY FACILITY**

In accordance with clause 5.4 of the Mindarie Regional Council Meeting Procedures Local Law 2020, Cr Gobbert has given notice of his intention to move the following Motion:

That Council:

REQUESTS the Mindarie Regional Council's CEO prepare a report for Mindarie Regional Council's next Ordinary Meeting considering;

- 1. the disposal of the Neerabup RRF facility; and**
- 2. options for holding the proceeds of the disposal such as a growth fund to offset the future costs associated with closing the Tamala Park Landfill and ongoing site management costs**

Reasons for Motion:

- The Neerabup facility is currently lying dormant and a liability for member councils.
 - MRC does not have the resources or experience to operate the Neerabup facility as a FOGO plant and needs to enter into contract with a third party to do so - Member Councils paid a considerable amount of money to exit a similar contract arrangement in recent years.
 - With the closure of Tamala Park landfill, member councils are not bound under the MRC Constitution to the direction of the MRC and so can decide where to deliver waste independently.
 - Entering into a new facility management contract (for FOGO) is likely to extend the obligation of member councils towards the MRC in addition to the ongoing Tamala Park site management.
 - The costs to close the landfill and manage the site into the future will be a considerable financial liability for member councils, which could be offset by the sale and investment of existing assets.
 - The Asset Management Plan indicates the land, buildings and Infrastructure associated with the Neerabup facility has a combined asset value of some \$63M.
 - I acknowledge the MRC Administration is currently investigating options to develop the site as a FOGO receiving and processing facility which in general is supported if member councils agree to it. This NOM does not prevent the use and ownership of the facility as a FOGO processing site by a third party to benefit member councils and others.
-

Officer response to Notice of Motion

Responsible officer	Chief Executive Officer
Voting requirement	Simple Majority

Officer comment

The administration proposes that such a report be prepared after the completion of the current FOGO tender process, rather than for the September OCM. The reasons for this are highlighted below:

- Sufficient time is required to ensure that staff adequately consider all relevant matters (financial, legal, etc.) relevant to both the potential sale of the asset and the setting up of a growth fund, as suggested. External advice is likely to be sought regarding this.
- Limited capacity currently exists within the administration to undertake this task given that efforts are presently concentrated on the finalisation of a successful WtE services procurement exercise and the development and delivery of a FOGO services tender.
- Additional to the above, and following the recent adoption of the new Corporate Business Plan, as amended, the administration must now review timelines and resourcing to ensure that the actions planned for 2023/24 can be completed.
- Generally, the administration notes that Council has previously resolved to endorse the publication of a FOGO tender, currently planned for publication in August 2023, and has concerns that bringing forth a report on this matter whilst a FOGO tender runs in parallel sends a negative message to industry and may adversely impact the market's and other potential stakeholders' views of this regional proposal. This could result in an increased perception of risk to potential tenderers which arguably may result in less favourable offers being received, and potentially in smaller numbers.
- The administration also notes the previous feedback received from other interested parties regarding the MRC's and member councils' alignment and commitment to delivering FOGO services, and its impact.

Should a positive outcome from the current FOGO tender process not be forthcoming, then a sale of the asset could be considered once that process is completed.

The administration believes that delaying any report will have minimal, if any, negative implications as any residual value in the asset will not be impacted by waiting until after the FOGO tender process, and as any future growth fund resulting from that sale will not be required for a number of years until after the landfill ceases to accept member councils' waste materials.

The administration notes that the landfill is not currently forecasted to close until 2028 dependent upon the outcome of the current WtE tender process, which could extend that time further.

Moved Cr Gobbert, seconded Cr May

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ORDINARY COUNCIL MEETING MINUTES
13 JULY 2023

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PROPOSED AMENDMENT

Moved Cr Gobbert, seconded Cr May

Remove the word 'next' and replace with the words 'November 2023'

LOST 4/7

For: Crs Cvitan, Gobbert, Hill and May

Against: Crs Castle, Cutler, Ferrante, Hatton, Miles, Thornton and Vernon

SUBSTANTIVE MOTION:

That Council:

REQUESTS the Mindarie Regional Council's CEO prepare a report for Mindarie Regional Council's next Ordinary Meeting considering;

1. the disposal of the Neerabup RRF facility; and
2. options for holding the proceeds of the disposal such as a growth fund to offset the future costs associated with closing the Tamala Park Landfill and ongoing site management costs

LOST 5/6

For: Cvitan, Gobbert, Hill, May and Miles

Against: Crs Castle, Cutler, Ferrante, Hatton, Thornton and Vernon

14 URGENT BUSINESS

Nil

15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr Miles, seconded Cr Hatton

Procedural motion:

That Council:

1. Closes the meeting to the members of the public at 7.45 pm to consider items 16.1 in accordance with section 5.23(2)(c) of the Local Government Act 1995.
2. Permits the MRC Chief Executive Officer, MRC staff and Member Council Officers to remain in the chamber during discussion for item 16.1.

Doors closed at 7.45 pm.

There were no members of the public present in the gallery.

MRC Officers and Member Council Officers remained observing the meeting.

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ORDINARY COUNCIL MEETING MINUTES
13 JULY 2023

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The CEO has not released the report for item 16.1 for public viewing.

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into.	
16.1	TENDER TO AUCTION LANDFILL CAPACITY FINANCIAL YEAR 2023-2024
File No:	GF-22-0000113
Appendix(s):	Nil
Date:	27 June 2023
Responsible Officer:	Chief Executive Officer

VOTING REQUIREMENT

Simple majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Award the tender for the auction of landfill capacity financial year 2023/24 (Tender Number: 13/161) to Cleanaway and West Tip, and
2. Authorises the CEO to inform the tenderers of the decision.

Moved Cr Vernon, seconded Cr Hatton

PROPOSED AMENDMENT:

Moved Cr May, seconded Cr Hill

Remove the words 'to Cleanaway and West Tip' and replace with the words 'as per the confidential attachment'

LOST 2/9

For: Crs Hill and May

Against: Crs Castle, Cutler, Cvitan, Ferrante, Gobbert, Hatton, Miles, Thornton and Vernon.

SUBSTANTIVE MOTION:

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
13 JULY 2023

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Moved Cr Cvitan, seconded Cr Cutler

Procedural Motion:

That Council:

- **Reopens the meeting to members of the public at 7.54 pm.**

To re-open the meeting to the public.

(CARRIED UNANIMOUSLY 11/0)

Doors reopened at 7.54 pm and the Chair declared the meeting re-opened.

No members of the public were present.

The Chair read out the resolution passed behind closed doors.

17 NEXT MEETING

The next Ordinary Council meeting will be held on Thursday 21 September 2023 at the City of Vincent commencing at 6.30 pm.

18 CLOSURE

The Chair closed the meeting at 7.55 pm and thanked the City of Stirling for their hospitality and use of their meeting facilities.

SignedChair

Dated.....day of2023

Statistics for Development Applications As at the end of July 2023

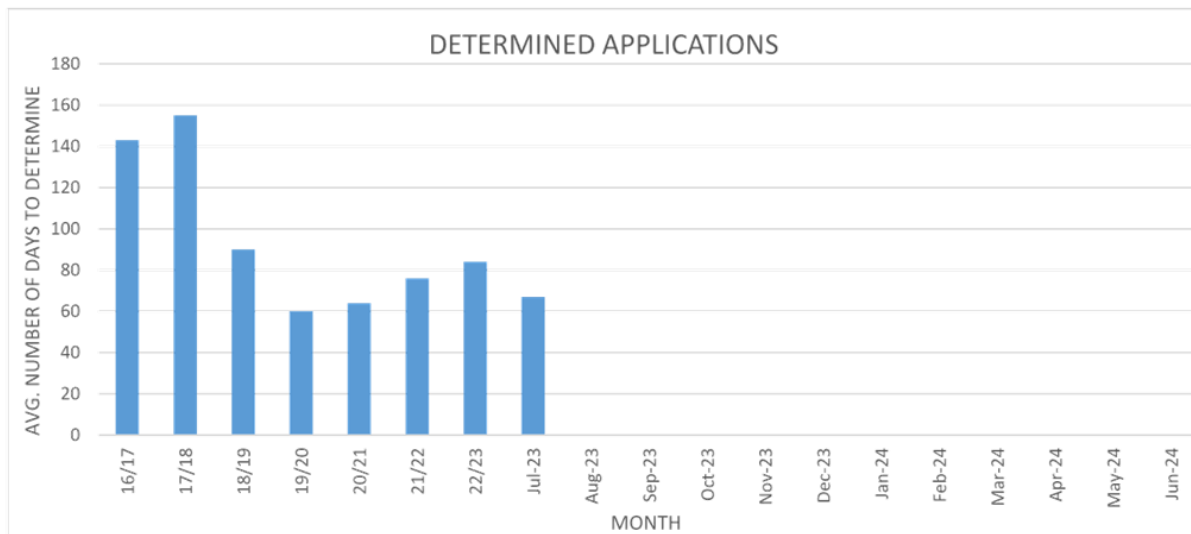
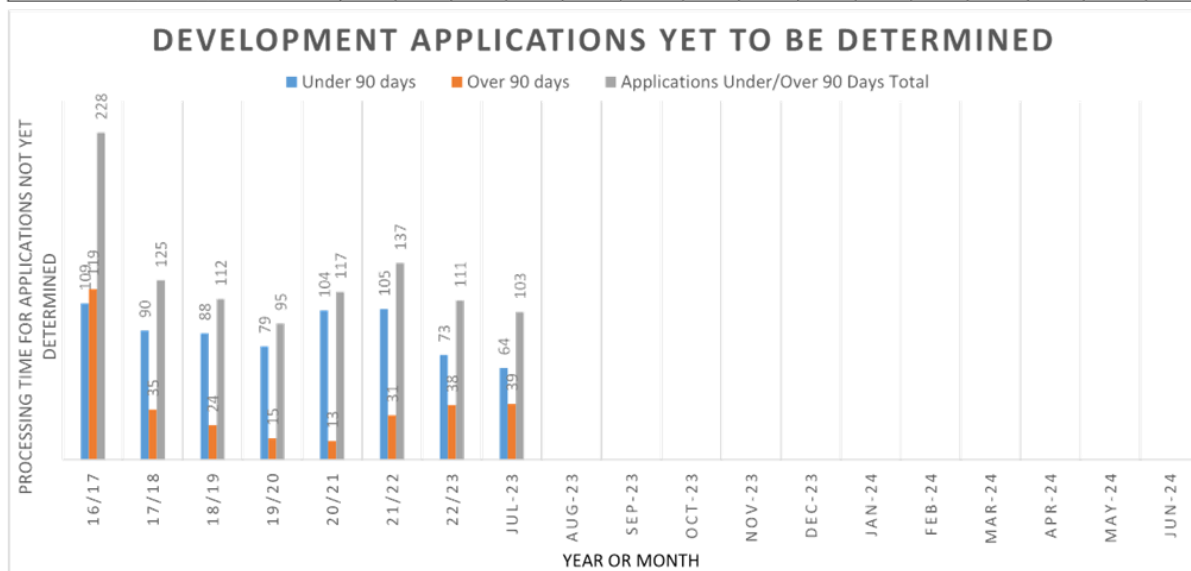


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2022.

Processing Days	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Minimum	7	1	0	0	0	1	0	8											
Average	143	155	85	60	64	76	84	67											
Maximum	924	1008	787	499	268	298	280	301											

	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's Determined <i>(excludes exempt from approval or cancelled)</i>	403	385	281	37											
Value of Determined DA's <i>(in millions)</i>	217	143	417	12.1											



	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's lodged	16											
DA's to be Determined	103											
Value of DA's to be Determined <i>(in millions)</i>	268.68											

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 18 AUGUST 2023

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

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 18 AUGUST 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
2.	Nos. 596-598 Newcastle Street, West Perth (DR 92 of 2022)	8 June 2022	Thomson Geer	<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. 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 a full hearing held on 25, 26 and 31 May 2023. On 17 August 2023 the City received the decision of SAT, which affirmed Council’s decision to refuse the application on 17 May 2022. Completed.</p> <p><i>Representation by: Castledine Gregory</i></p>
3.	No. 391 Lord Street, Mount Lawley (DR 192 of 2022)	31 October 2022	Urbanista Town Planning	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 19 October 2022.</p> <p>.....</p> <p>Directions hearing was vacated and mediation was listed for 30 November 2022. Mediation held on 30 November 2022. A second mediation was held on 1 February 2023. A third mediation was held on 3 April 2023 to discuss further modifications to the proposal. The SAT issued Orders on 3 April 2023 with the following key dates associated:</p> <ul style="list-style-type: none"> • 15 May 2023 – The Applicant provided an amended application to the City for assessment. • 20 July 2023 – The Respondent is invited to reconsider its decision on the application by this date pursuant to Section 31 of the <i>State Administrative Tribunal Act 2004</i>. • 28 July 2023 – Directions hearing scheduled. <p>On 16 May 2023 the applicant submitted amended plans to the City. On 4 July 2023, the SAT issued an extension of time and invited the JDAP to reconsider its decision on or before 17 August 2023. The application was reconsidered by the JDAP on 8 August 2023. The JDAP resolved to support the City’s recommendation to approve the application (4-1). A Directions Hearing is scheduled for 25 August 2023.</p> <p><i>Representation by: JDAP Presiding Member</i></p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 18 AUGUST 2023**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
4.	No. 129 Loftus Street, Leederville (DR 76 of 2023)	23 May 2023	Hidding Urban Planning	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a Child Care Premises on 1 May 2023. *****</p> <p>Directions hearing held on 9 June 2023 and programmed to mediation. A mediation was scheduled for 24 August 2023 and has since been vacated. Mediation has been rescheduled for 8 November 2023. <i>Representation by: JDAP Presiding Member</i></p>
5.	Nos. 41-43 & 45 Angove Street, North Perth (DR 81 of 2023)	1 June 2023	Hidding Urban Planning/Lavan	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a Service Station on 3 May 2023. *****</p> <p>Directions hearing held on 16 June 2023. Mediation held on 4 July 2023, with Mayor Cole and interested community members in attendance to make a presentation. A second mediation was scheduled for 14 August 2023 and was vacated. This is in the process of being rescheduled and the new date for the second mediation has yet to be confirmed. <i>Representation by: JDAP Presiding Member</i></p>
6.	No. 12 Brookman Street, Perth (DR 83 of 2023)	4 June 2023	Peter Arnell	<p>Application for review of Council decision to refuse an application for Alterations and Additions to Single House on 16 May 2023. *****</p> <p>Directions hearing held on 30 June 2023. Mediation held on 26 July 2023. The SAT issued Orders on 26 July 2023 with the following key dates associated:</p> <ul style="list-style-type: none"> • 25 August 2023 – The Applicant to provide an additional information to the City for assessment. • 27 October 2023 – The Respondent is invited to reconsider its decision on the application by this date pursuant to Section 31 of the <i>State Administrative Tribunal Act 2004</i>. • 10 November 2023 – Directions hearing scheduled. <p><i>Representation by: Administration</i></p>
7.	Nos. 334-336 Beaufort Street, Perth (DR 87 of 2023)	9 June 2023	Dark Knight Retail Pty Ltd t/as Evolution Bikes Australia	<p>Application for review of Council decision to refuse an application for Proposed Alterations and Additions to Shop (Roller Shutters) (Unauthorised Existing Development) on 16 May 2023. *****</p> <p>Directions hearing held on 23 June 2023. Mediation held on 13 July 2023. The SAT issued Orders on 13 July 2023 with the following key dates associated:</p> <ul style="list-style-type: none"> • 27 July 2023 – The Applicant to provide an additional information to the City. • 10 August 2023 – Second mediation scheduled. <p>The Mediation on 10 August 2023 was vacated and is in the process of being rescheduled. The new date for the second mediation has yet to be confirmed. <i>Representation by: Administration</i></p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 18 AUGUST 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
8.	No. 80 Auckland Street, North Perth (DR 131 of 2023)	10 August 2023	Number 80 Pty Ltd/Altus Planning	Application for review of deemed refusal following Council's decision to defer an application for a Single House on 20 June 2023. Directions hearing scheduled for 25 August 2023 was vacated. Mediation listed for 29 August 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 8 AUGUST 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	Nos. 139 and 141 Lake Street, Perth	Planning Solutions	Form 1 – Mixed Use Development	17 January 2023	8 August 2023	<p>The DAP meeting was held on 8 August 2023.</p> <p>The DAP resolved to support the City's recommendation to approve the application (3-2).</p> <p>The meeting minutes can be found here.</p>
2.	No. 554 Newcastle Street, West Perth	Tomaria Construction	Form 1 – Mixed Use Development	20 January 2023	1 August 2023	<p>The DAP meeting was held on 1 August 2023.</p> <p>The DAP resolved to unanimously support the City's recommendation to approve the Application.</p> <p>The meeting minutes can be found here.</p>
3.	Nos. 37-43 Stuart Street, Perth	Planning Solutions	Form 1 – Change of Use to Unlisted Use (Community Purpose) and Alterations and Additions	5 May 2023	3 August 2023	<p>The DAP meeting was held on 3 August 2023.</p> <p>The DAP resolved to defer consideration of the application (3-2) by no later than 1 December 2023.</p> <p>The meeting minutes can be found here.</p>
4.	Nos. 38-44 Brisbane Street, Perth	Rowe Group	Form 1 – Mixed Use Development	2 June 2023	Not yet scheduled	<p>Currently under assessment.</p> <p>Responsible Authority Report is currently due on 17 August 2023.</p>
5.	Nos. 533-545 Newcastle Street, 1-7 Old Aberdeen Place and 5-16 Cleaver Street, West Perth	Planning Solutions	Form 2 – Amendment to Commercial Development	15 June 2023	Not yet scheduled	<p>Currently under assessment.</p> <p>Responsible Authority Report is currently due on 1 September 2023.</p>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 8 AUGUST 2023**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
6.	Nos. 367-373 Fitzgerald Street and 103 Alma Road, North Perth	Celsius Property	Form 1 – Mixed Use Development	30 June 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed.
7.	Nos. 463-507 Newcastle Street, West Perth	Rowe Group	Form 1 – Mixed Use Development	21 July 2023	Not yet scheduled	Currently under assessment. Responsible Authority Report is currently due on 11 October 2023.
8.	Nos. 384-388, 390 and 392 Oxford Street, Mount Hawthorn	Planning Solutions	Form 1 – Mixed Use Development	6 July 2023	Not yet scheduled	Currently under assessment. A due date for the Responsible Authority Report has not yet been confirmed.

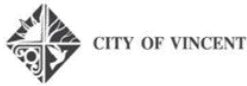
DAP Process Improvements:

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

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 3 AUGUST 2023**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 299 Charles Street, North Perth	Space Collective	Mixed Use Development	5 July 2023	Pre-lodgement Application The proposal would benefit from referral to the Design Review Panel to consider amendments made following the last DRP Meeting on 30 November 2022.

Risks (what could happen): <ul style="list-style-type: none"> Both swimming pools will continue to fail, adding to the cost of the renewal Public safety will be compromised Damage to Community expectations Risk of regular sporting groups using alternative facilities Loss of revenue for the complex 					Issues (what has been identified): <ul style="list-style-type: none"> Tiles are delaminating from both 12m and 30m pools Public and staff safety issues identified Swimming pools may have to be close to the community Risk of long term damage to the structures, increasing the cost of repairs if delayed for a prolonged period 					What happens (if we don't do the project)? <ul style="list-style-type: none"> Swimming pools will be decommissioned Significant corrosion damage to internal pool steel and structure Failure to provide a level of service aligned with community expectations Failure to provide a duty of care to patrons and staff Loss of revenue 				
People or Engagement Activities <ul style="list-style-type: none"> Project manager Finance and Procurement Sporting clubs / pool users 					Process/Policy changes or improvements required for this project to succeed <ul style="list-style-type: none"> NIL 					Technology tools or infrastructure changes or improvements required for this project <ul style="list-style-type: none"> NIL 				
Internal Service Requirements: Please discuss with the appropriate Service Area as soon as practicable and indicate here which areas will be included.														
	Consulted	Plan attached	Plan to be developed	Not applicable		Consulted	Plan attached	Plan to be developed	Not applicable		Consulted	Plan attached	Plan to be developed	Not applicable
Engagement / Media:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Human Resources:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Risks & Issues:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Engineering / Parks:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICT:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other (insert):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planning: Consulted:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Finance / Procurement:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – July 2021
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: Office of the CEO
EDC&BS: Executive Director Community & Business Services
EDI&E: Executive Director Infrastructure & Environment
EDS&D: Executive Director Strategy & Development

No outstanding Petitions as at 8 March 2022



INFORMATION BULLETIN

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

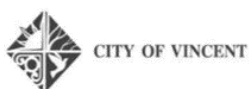
DETAILS:

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

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

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

Details	Action Officer	Comment
No outstanding Notices of Motion		



INFORMATION BULLETIN

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

DETAILS:

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

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

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

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
Council Meeting 25 July 2023				
9.10	Request for Proposals for Redevelopment of Leederville Carparks	EDSD	Business Plan approved for state-wide consultation.	The results of consultation will be presented to Council in late 2023.
10.2	Approval to advertise draft Animal Amendment Local Law 2023	EDIE	To go back to Council on completion of advertising	September 2023
10.4	RFT IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal	EDIE	Project Plan is included in Infobulletin in August 2023 OCM	Completed August 2023
12.2	Report and Minutes of the Audit Committee Meeting held on 29 June 2023	EMCSG	Report to go to Council with details of internal audit	September 2023
Council Meeting 20 June 2023				
9.1	No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth - Proposed Single House	MD&D	Application deferred to allow applicant the opportunity to consider Council's reasons for deferral and changes to the proposal. Applicant is considering their options.	Anticipated second half of 2023.
Council Meeting 16 May 2023				
9.4	Request for Proposals for Redevelopment of Leederville Carparks	EDSD	Superseded by Item 9.10 at July 2023 OMC	Completed.
9.7	Advertising of New Policy - North Claisebrook Planning Framework	EDSD	Council approved the draft planning framework for advertising.	The results of consultation and the updated framework will be presented to Council in late 2023.
9.8	Advertising of New Policy - West Perth Planning Framework	EDSD	Council approved the draft planning framework for advertising.	The results of consultation and the updated framework will be presented to Council in late 2023.
9.9	City of Vincent Arts Plan - Approval to Advertise	EDSD	Council approved the draft plan for advertising.	The results of consultation and the updated plan will be presented to Council in late 2023.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
9.10	Thriving Places Strategy - Approval to Advertise	EDSD	Council approved the draft strategy for advertising.	The results of consultation and the updated strategy will be presented to Council in late 2023.
10.5	Draft Bike Plan	EDIE	21 Days local public notice – was adopted at the July OCM	OCM 25 July 2023
11.4	Advertising of amended policy - Recognition of Noongar Boodjar Culture and History through Welcome to Country and Acknowledgement of Country	EMC&E	Public Consultation closes 14 June 2023 and was presented to OCM 25 July 2023 for adoption.	OCM 25 July 2023
12.4	Reports and Minutes of the Audit Committee Meeting Held on 4 May 2023	EMCSG	Outstanding agenda items to be reported back to June Audit Committee meeting. Minutes of the June Audit Committee presented to Council at July 2023 OCM.	OCM 25 July 2023
Council Meeting 4 April 2023				
9.2	Review of Design Guidelines	EDSD	Council approved advertising for the Brookman & Moir Street Heritage Area and Lacey Street Character Area Local Planning Policies. Also approved for advertising was the associated amendment to the Built Form Policy and the revocation of Appendix 3, 12. 14. 15. 16 and 18.	The results of advertising and the updated local planning policies will be presented to Council in 2023.
Council Meeting 14 March 2023				
9.5	Minor Amendment to Metropolitan Region Scheme - Leederville Parade Primary Regional Road Reserve	EDSD	Council requested that the WAPC proceed with a Minor Amendment to the Metropolitan Region Scheme to remove the Primary Regional Road reservation.	Advertising will be undertaken by the WAPC, with results presented back to Administration in late 2023.
10.3	Waste Strategy Project – Verge Valet Vincent Trial Update	EDIE	Extend trial 12 months (July 2023-June 2024).	Further report (inclusive of community consultation feedback) to Council on progress of trial in March 2024.
12.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2023				
4.2(1)	<u>Development Green Space</u> - That Council REQUEST the CEO to present a review of the landscaping requirements in the City's Built Form Policy to Council by December 2023.	EDIE	Administration is completing a review of the City's Built Form Policy against the State's Medium Density Codes and will present this review and the impact to the Built Form Policy to Council in late 2023.	Late 2023

4.5	<p>Pedestrian Safety (Newcastle / Fitzgerald):</p> <p>4.5.1 That the City of Vincent addresses the safety issues for pedestrians at the corner of Fitzgerald Street and Newcastle Street in this financial year 2022/23.</p> <p>4.5.2 That the City of Vincent places a bollard or visual deterrent to offer a pedestrian refuge and protection of the Heritage listed building on the corner Newcastle Street and Fitzgerald Street. (similar to what exists on the City of Perth side of the fore mentioned intersection).</p>	EDIE	Improvements / modifications to the intersection of Newcastle and Fitzgerald Streets requires the collaboration of several stakeholders and is expected to take over eighteen months to achieve. The interim solution has the support of the proposer of the motion	2024
4.8	<p>Chemical Sprays – That Council REQUESTS that Administration provide a report to Council by June 2023 on options and costs for further reduction in the use of glyphosate.</p>	EDIE	Report by July 2023 Inc. soil sample analysis.	Completed OCM July 2023
4.11	<p>Speed Humps - That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023.</p>	EDIE	Report by December 2023	December 2023
12.4 4.12	<p>Refund of Rates AUTHORISES Administration present such a model along with all assumptions to Council for approval, including an indication of when each area will be consulted about the preferences for up- front payment.</p>	CFO	The Vincent Underground Power Project model will be presented to OCM 20 June 2023.	OCM 20 June 2023
4.16(3)	<p>E-Waste – That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness; and REQUESTS:</p> <ul style="list-style-type: none"> • a six-month trial of E-waste drop-off points; • that a report be presented to Council at the end of the trial detailing the findings from the trial; and • that the Administration promote the trial in the media, social media, and other normal channels. 	EDIE	Investigation to be commenced. Proposal to Council Workshop for information.	To be presented to Council at the end of the trial.

Council Meeting 13 December 2022				
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 Consultation results received for full median strip for Angove Street and Woodville Street intersection and is currently being evaluated.	Design is complete and further traffic analysis is underway. Late 2023
Council Meeting 15 November 2022				
10.2	EOI for E-Scooter Shared Scheme in the City of Vincent	EDIE	Council approved the CEO inviting Expressions of Interest for and e-Scooter Share Scheme to operate within the City of Vincent.	EOI issued in June. Outcome will be presented to Council at August OCM
Council Meeting 18 October 2022				
9.5	Local Planning Scheme Amendment No. 11	EDSD	Council approved Special Control Area for inclusion in Local Planning Scheme No. 2 at its Meeting on 25 July 2023.	Completed July 2023 OCM
9.10	Place Plan Annual Review		Council received update at its Meeting on 25 July 2023.	Completed July 2023 OCM
Council Meeting 23 August 2022				
9.5	Advertising of Amended Character and Heritage Areas Policy - Orange Avenue and Hope Street	EDSD	Council approved Orange Avenue and Hope Street Character Area Guidelines at its Meeting on 25 July 2023.	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. The draft Policy following community consultation was presented to Council to the 25 July 2023 OMC and received final approval. Results from advertising and the updated Policy will be presented to Council for consideration in late 2022 early mid 2023.	Completed. 25 July 2023.

Council Meeting 26 July 2022				
9.7	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects	EDSD	Following the trial, concept plan options for a flexible public plaza are being developed, including investigating the feasibility of reconfiguring or integrating the car parks with key consideration given to the key movement issues identified during the trial. A road safety audit would be completed on these plans.	To be presented to Council in late 2023.
9.8	Creation of Mall Reserve - Washing Lane, Perth	EDSD	DPLH advised Washing Lane Mall reserve created.	Completed 19 July 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, advised they will be vacating facility December 2023.	Completed 10 July 2023
Council Meeting 17 May 2022				
9.4	Sale of No. 25 (Lot 93) Sydney Street, North Perth	EDSD	Settlement 25 July 2023.	Completed. 25 July 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 2023.
Council Meeting 8 March 2022				
9.4	Sale of No. 26 Brentham Street, Leederville	EDSD	Scheme amendment approved, liaising with potential purchaser. Confirmation with adjoining landowner, interested in making offer for purchase.	Late 2023
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 late 2023
Council Meeting 20 October 2020				
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. Final RoW subject to Adverse Possession claim completed.	Completed. 29 June 2023

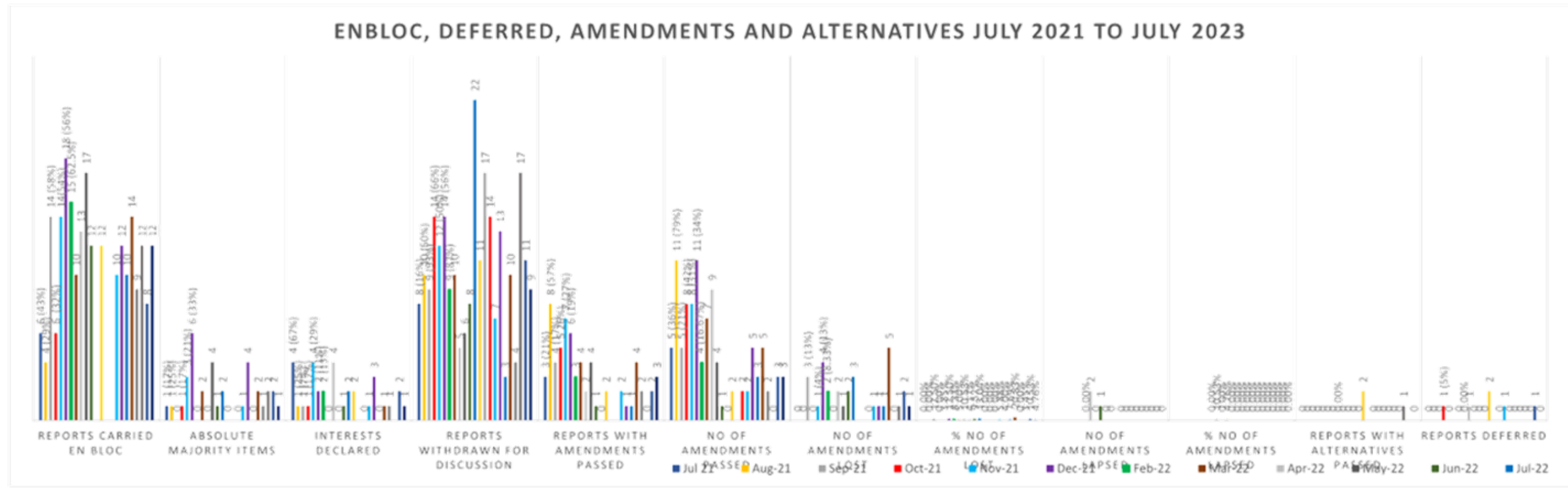
Council Meeting – 23 July 2019				
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	<p>The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to COVID.</p> <p>The revised draft Policy was presented to Council at the 23 August OMC, 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-mid 2023.</p> <p>The draft Policy following community consultation was presented to Council to the 25 July 2023 OMC and received final approval.</p>	Completed 25 July 2023.
Council Meeting – 30 April 2019				
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	The Application is in its finalisation stage with a new survey being lodged by the Applicant (being DP424973) which is In Order For Dealings. Adverse Possession claim finalised Landgate advised DP created.	Completed. 29 June 2023
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 2024 - 2022 Early 2023

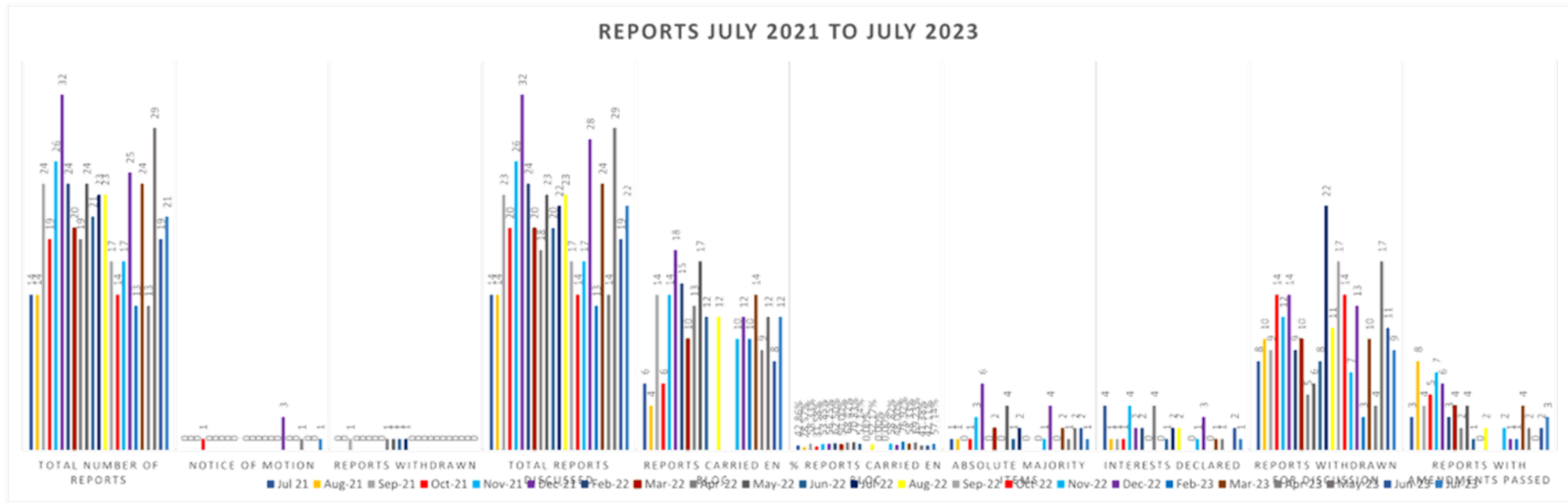
COUNCIL WORKSHOPS

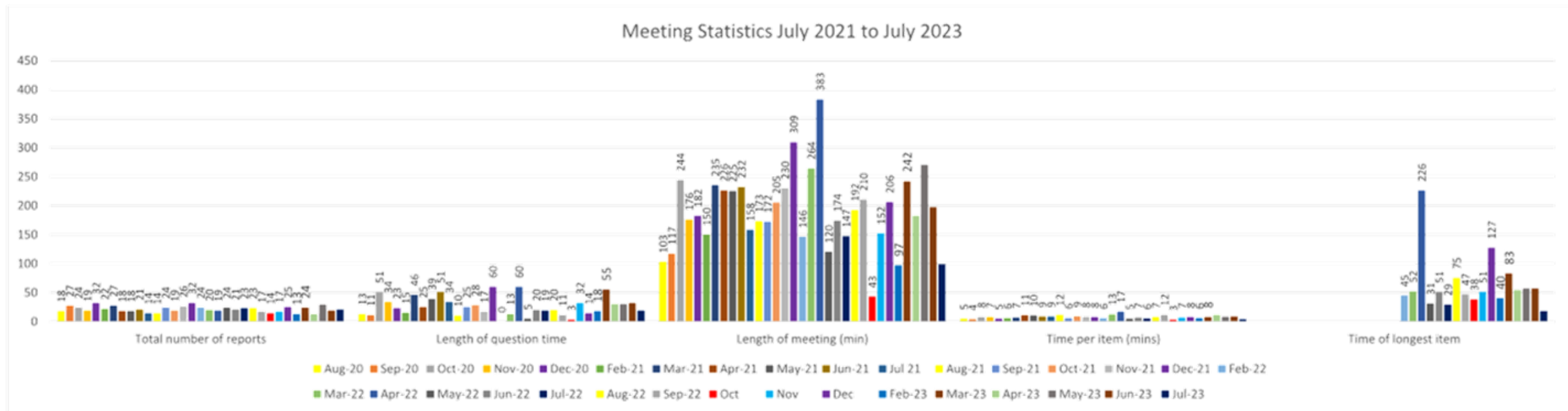
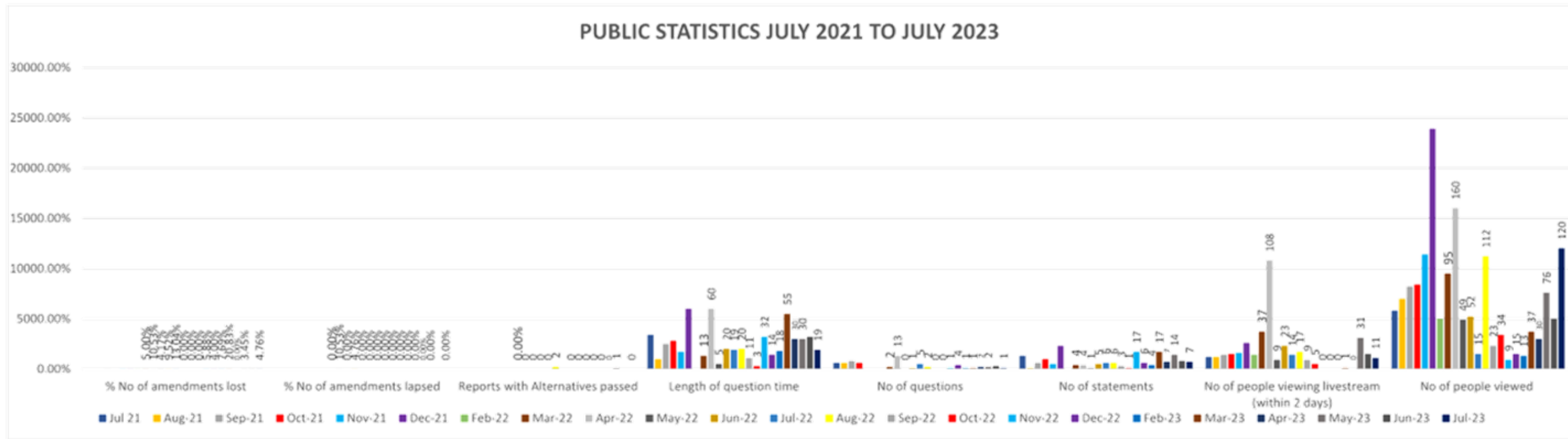
One workshop has been held since 27 June - it was on 8 August 2023 and had the following items on the agenda:

- MARKYT Waste Scorecard –Survey Findings
- Mount Hawthorn Public Open Space Options
- Update of the Strategic Projects in the Corporate Business Plan 2023/24 - 2026/27
- Review of Street Activation Policy
- Community Infrastructure Plan
- Dual Naming of Banks Reserve
- New Proposal for Christmas Lights and Decorations
- Council Member Decision Making Forward Agenda

Council Meeting Statistics – July 2023









CITY OF VINCENT

NOTES

Council Briefing

18 July 2023

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**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 18 JULY 2023 AT 6.00PM**

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Jonathan Hallett Cr Dan Loden Cr Ashley Wallace Cr Ron Alexander Cr Suzanne Worner	Presiding Member South Ward North Ward South Ward North Ward South Ward North Ward North Ward
IN ATTENDANCE:	David MacLennan John Corbellini Peter Varris Rhys Taylor Jay Naidoo Tara Gloster Luke McGuirk David Gerrard Sarah Hill Simon Moen Joslin Colli Wendy Barnard	Chief Executive Officer Executive Director Strategy & Development Executive Director Infrastructure & Environment Chief Financial Officer Manager Development & Design (electronically) (left at 7.20pm after Item 5.7) Executive Manager Urban Design & Strategic Projects Manager Engineering (left at 7.40pm after Item 7.2) Coordinator Parks Strategy and Projects (left at 7.38pm after Item 6.3) Manager Parks (left at 7.39pm after Item 6.3) Jackson McDonald (Item 5.10 only) A/Executive Manager Corporate Strategy & Governance Council Liaison Officer
Public:	Approximately five members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present, and the City is proud to support the Uluru Statement from the Heart."

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

An apology was received from Cr Ross Ioppolo.

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.

COUNCIL BRIEFING NOTES**18 JULY 2023****3.1 Lewis Shugar of Perth– Item 5.9**

- Stated that he is from Element represented the East Metropolitan Health Service
- Spoke in support of the recommendation
- Gave some background on the item
- Stated that without this amendment ongoing development within the City could compromise the safety of emergency helicopter flights, which could lead to the decommissioning of the helipad at Royal Perth Hospital, which could affect treatment of patients
- Urged Council to approve the recommendation

The Presiding Member, Emma Cole, thanked Mr Shugar for his comments and asked what is the maximum a R160 site could go to in this area? Mr Shugar advised that R160 is in the current Scheme, and the draft North Claisebrook Planning Framework allows for up to 16 stories.

3.2 Peter Holcz of Perth – Item 5.8

Mr Holcz submitted the below comments in writing and spoke to them:

Orange and Hope Street history

The streets of Orange Avenue and Hope Street form a short dog-leg where both sides of the streets are lined with pre-dominantly double fronted terraces dating back to the early 1900's. As well as other original character stand-alone houses from the same era this L shaped neighbourhood is a unique inner city example of original semi-detached workers houses located around the corner from the more notable 'baker's dozen' on Lake Street. Additions and alterations to some of the dwellings include the removal of original federation verandas that have been replaced with concrete porches, which reflect the influence of mid-century immigration patterns. More contemporary additions (including second storeys) generally preserve the heritage character and are in keeping with policy recommendations. Additions have been set back from the street so are not visible and therefore do not negatively impact this distinctive and intact urban fabric from both of these primary streetscapes.

Nomination Process

The nomination was submitted in April 2022. There are twenty-eight houses in the precinct proposed for Character Retention. At the time of the initial nomination process to determine whether the Orange and Hope Precinct would submit guidelines for Character Retention, six of these houses were rentals and one was unoccupied. Three houses were not able to be contacted for comment and it was not established if they were rental, or owner occupied. Of the eighteen known owner occupied houses, sixteen supported commencing the process, one was undecided, and another decided not to comment.

Consultation Process

There was a thorough consultation process.

1. Prior to the public meeting organised by the City Of Vincent for 10 October 2022, the residents on the email list (the residents) from the original nomination process were invited to a meeting on Saturday 1 October to discuss the process and what potential guidelines we would want to see. Copies of the relevant material from the City of Vincent were provided to the residents prior to the meeting.
2. The public meeting on 10 October 2022 was facilitated by Michael Flanagan. The public were informed of the meeting by the City of Vincent through newspaper consultation, a post on social media as well as letters going to landowners advising of an on-site meeting on 10 October 2022. The residents were also emailed regarding the public meeting. The meeting outlined how the process would work, what was meant by Character Retention and the required steps to develop Orange Avenue and Hope Street Character Area Guidelines. The meeting resolved to form a working group to progress the development of the guidelines.
3. Two working group meetings were held at the City of Vincent in November 2022 and April 2023.
4. The working group had additional meetings and communicated regularly through email with suggested modifications to the guidelines.
5. The residents were then emailed the penultimate version of the guidelines and were invited to a meeting on 13 May 2023 to comment and propose modifications.

COUNCIL BRIEFING NOTES**18 JULY 2023**

6. Modifications were made and they, and the reasons for the modifications, were emailed to the residents. The final version of the guidelines was emailed to Michael Flanagan at the City of Vincent.
7. These guidelines were readvertised to reflect our feedback with less prescriptive deemed-to-comply criteria and now included key concepts of sympathetic design.
When compared to the guidelines originally advertised for comment, the criteria removed included:
 - street walls and fences and associated local housing objectives;
 - roof pitch and street facing window provisions; and
 - materiality of new development.
 In their place, building height, street setback, streetscape provisions and guiding diagrams were included.
8. A further two emails were sent to residents encouraging them to comment on the guidelines through the City Of Vincent website.

Concluding comments

In all, sixteen residents were on our emailing list, and we had eleven submissions support the guidelines and one objection. It should be noted that the objection was during the initial advertising period and prior to the final guidelines being advertised.

While it has been a lengthy process, it has been very thorough and has been rewarding to produce these guidelines, which are practical but also will assist in the character retention of Orange Avenue and Hope Street.

We have been deliberately pedantic in the development of these guidelines. We believe it still allows residents to develop their properties while preserving the unique character of the Orange and Hope Precinct.

I would like to acknowledge City of Vincent staff - the initial work of Cameron Hartley and the ongoing support of Michael Flanagan.

The Presiding Member, Emma Cole, thanked Mr Holcz for his comments and for his advocacy on this matter. Mayor Cole stated that some of the matters mentioned, particularly the working group meetings, could be something that could be carried forward to other character retention applications.

3.3 Nick Grindrod of Highgate – Item 5.2

- Spoke in support of the recommendation
Mentioned that he is an owner/occupier of the property behind this development
- Requested that recommendation 10 be amended to specifically include the requirement to conduct dilapidation surveys of all townhouses at 324 Stirling Street, given the complex directly adjoins the development site
- Urges Council to approve the recommendation with that amendment

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

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

4 DECLARATIONS OF INTEREST

Cr Gontaszewski declared a proximity interest in Item 6.1 Bike Plan 2022-2028. The extent of her interest is that one of the proposed bike lanes is in proximity to her residential property. She is not seeking approval to participate in the debate or to remain in Chambers or to vote in the matter.

Cr Worner declared impartiality interest a Item 5.9 Outcome of Advertising - Amendment 11 to Local Planning Scheme No.2 (Royal Perth Hospital Emergency Flight Path). The extent of her interest is that the consultant, Element, is a supporter of Revelation Film Festival via a Board member. They offer support in grant applications, no financial support.

Cr Hallett declared a proximity interest in Item 6.1 Bike Plan 2022-2028. The extent of his interest is that Action 4.5 relates to a proposed bike lane which is in proximity to his residential property. He is not seeking approval to participate in the debate or to remain in Chambers or to vote in the matter.

5.9 OUTCOME OF ADVERTISING - AMENDMENT 11 TO LOCAL PLANNING SCHEME NO.2 (ROYAL PERTH HOSPITAL EMERGENCY FLIGHT PATH)

- Attachments:**
1. Form 2A - Amendment 11
 2. Amendment No.11 Maps

RECOMMENDATION:

1. **SUPPORTS** Amendment 11 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, included in Attachment 1; and
2. **FORWARDS** all relevant information in accordance with Regulation 44 of the Planning and Development (Local Planning Schemes) Regulations 2015 to the Western Australian Planning Commission for approval.

At 6.14pm CEO left the meeting.

At 6.14pm CEO returned to the meeting.

MAYOR COLE:

If this scheme amendment was adopted now and we wanted to amend the flight path in the future, what would the process for this be?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

Through the preparation of this amendment, the Department of Health worked closely with a range of stakeholders including the Department of Planning, Lands and Heritage; Department of Fire and Emergency Services; DevelopmentWA; the City of Perth; relevant technical professionals and the Civil Aviation Safety Authority. This has allowed a number of relevant matters to be considered as part of the ongoing refinement of the proposed emergency flight paths, as to determine the most appropriate alignment with respect to flight requirements, strategic land use planning and minimising the impact to existing development potential.

In order to amend this flight path in the future, considerable work would need to be undertaken to again address each of the relevant matters to the satisfaction of the stakeholders. The work required to address each of the relevant matters would need to be carried out by the party seeking amendment to the Scheme.

MAYOR COLE:

Can you please provide an analysis for the 16 storey height limit in the Draft North Claisebrook Planning Framework and if this is the appropriate height given consideration of the Leederville Precinct Structure Plan heights and the similar context of this area?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT

The two batching plant sites are located within the Cityscape sub-precinct of the Draft North Claisebrook Planning Framework (NCPF), which sets a maximum height limit of 16 storeys for these sites. The draft height limit of 16 storeys doubles the existing maximum heights set by the City's Local Planning Policy No. 7.1.1 – Built Form.

The proposed heights within the NCPF were selected to provide a gradual transition to account for changes in topography and the lower density area to the north through to the higher density areas to the south adjoining the Claisebrook Train Station and closest to the CBD. Starting in the north, the precinct transitions from a maximum height of 3 storeys stepping up to 4, 6, 8, 12 and then 16 storeys on the batching plant sites at the southern end of the precinct. This transition balances the need for increased density whilst at the same time, minimising impact to the established residential areas and allowing for a lower height around Gladstone Street Reserve.

Increasing the heights of the batching plant sites to a level seen in the Leederville PSP, would require greater heights in other areas of the precinct in order to manage this transition between different sub-precincts.

*It should be noted that the 16-storey maximum height proposed in the draft NCPF for the area impacted by Scheme Amendment 11 is a conservative figure based upon Table 2.2 of the R Codes Volume 2 (**figure 1**) which considers developments varying these indicative heights. Based on this table, 16 storeys would lead to a development of an approximate height of 53 metres.*

Table 2.2 Indicative building height

Storeys	Indicative overall building height in metres
2	9
3	12
4	15
5	18
6	21
7	24
8	27
9	30
10	33

- Overall building heights are set by adding together the floor to ceiling heights for the desired number of storeys, with a nominal allowance of 4m for the ground floor and 3m for subsequent floors. Add at least 2m to the total to allow for rooftop articulation.

- Building height limits for higher density typologies: These default heights are provided as a conservative baseline and higher building height limits may be appropriate subject to detailed local planning.

Figure 1: Table 2.2 Residential Design Codes Volume 2

Amendment 11 proposes to limit the development potential for a number of landholdings by imposing height limits between 70AHD and 90AHD. The maximum development height that could be realistically achieved for the two concrete batching plants is approximately:

- 60 metres (18 storeys) for the Hanson site; and
- 78 metres (22 storeys) for the Holcim site.

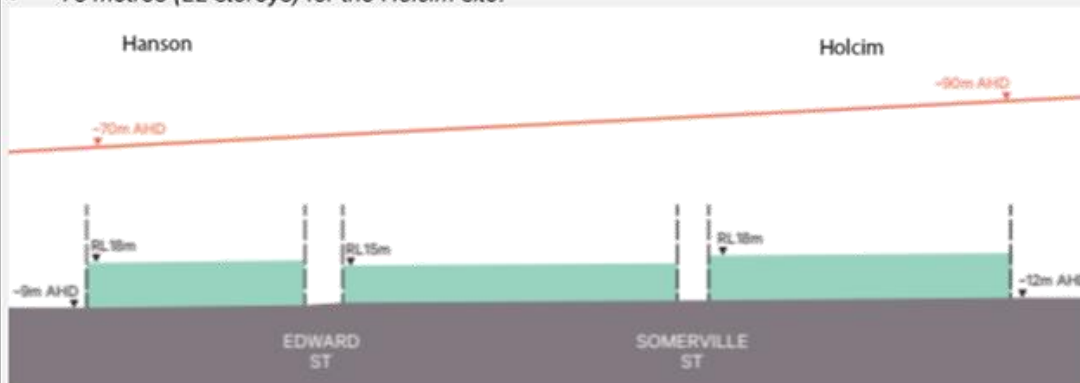


Figure 2: Height Impact Study of the Northern Corridor (Scheme Amendment Request)

In relation to the NCPF, there is the potential for the final policy to adopt a maximum height as set by Amendment 11 to LPS2. This would allow for the two sites to reach the 18 and 22 storey heights that would be possible under Scheme Amendment 11, as set out above.

MAYOR COLE:

Why can't the flight path be moved further west to avoid the batching plan sites?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT

The Royal Perth Hospital (RPH) helicopter landing site is a strategically important helicopter landing site as defined under Guideline H of the National Airports Safeguarding Framework (Department of Infrastructure, Transport, Regional and Development and Communities).

Multiple emergency flightpath options were considered as part of the planning for the new helicopter landing site. More than 20 options were considered for the north-eastern flight path. The following matters were considered in determining the most appropriate flight paths:

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- *Minimising the impact to private landholdings by taking advantage of major road and rail reservations and utilising the Swan River for a large proportion of the flight path.*
- *Considering the current and existing planning framework as to limit the impact to existing development potential as far as practical and reducing the impact to land that is of strategic importance to the State, DevelopmentWA, City of Perth and City of Vincent for future infill.*
- *Ensuring that all relevant aviation safety standards and requirements were met.*

The flightpath proposed as part of Amendment 11 was chosen as it:

- *Largely encompasses publicly owned land such as major roads, rail corridors, parks and the Swan River;*
- *Has the least impact to areas of private landholdings already identified for substantial development height (particularly areas still within the City of Perth to the immediate northwest of the helipad).*
- *Minimises the impact to areas of private development already earmarked for substantial development potential in the future, in particular the East Perth Power Station site, and large parcels of underutilised land to the immediate south of the Graham Farmer Freeway/Midland Railway Line.*
- *At the time the scheme amendment was lodged, its impact to Vincent was minimal as it allowed for heights more than double what the current framework prescribes.*
- *Limited the overall local government area of City of Vincent impacted, with only 14.7 percent of the north eastern flightpath impacting on the City of Vincent's local government area. The total area of the north eastern flightpath is 52.98ha, which only 7.76ha within the City of Vincent.*

An alternative flight path that traversed in a more northerly direction was considered but this would still impact one of two batching plant sites. A much larger number of private landholdings would also be impacted in the City of Vincent, with the flightpath either continuing north or curving towards the Swan River once passed the Hansom batching plant site. Due to the helicopter flight design characteristics that need to be adhered to, a flightpath that travelled north, and then curved towards the Swan River once past the batching plant site/s would not be able to maximise the area of publicly owned land utilised as the proposed flightpath has been able to do. This results in the development potential of a much larger area of private landholdings being impacted in the long term.

5.8 OUTCOMES OF ADVERTISING: CHARACTER AREA GUIDELINES

- Attachments:**
1. Summary of Submissions
 2. Local Planning Policy: Character Area Guidelines
 3. Local Planning Policy: Heritage Area Guidelines
 4. Local Planning Policy: Character Areas and Heritage Areas

RECOMMENDATION:

That Council:

1. PROCEEDS with:

- 1.1. Local Planning Policy: Character Area Guidelines with modifications, included in Attachment 2, including the Character Area Guidelines for Orange Avenue and Hope Street and Character Area Guidelines for Lacey Street, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- 1.2. Local Planning Policy: Heritage Area Guidelines with modifications, included in Attachment 3, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. REVOKES Local Planning Policy: Character Areas and Heritage Areas, included in Attachment 4, in accordance with Schedule 2, Part 2, Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
3. PREPARES a notice of revocation for the following appendices, pursuant to Schedule 2, Part 2, Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - 3.1. Appendix 3 – Design Guidelines for Richmond on the Park;
 - 3.2. Appendix 12 – Elven on the Park Design Guidelines;
 - 3.3. Appendix 14 – Design Guidelines for No. 95 Chelmsford Road;
 - 3.4. Appendix 15 – Joel Terrace Design Guidelines;
 - 3.5. Appendix 16 – Design Guidelines Perth; and
 - 3.6. Appendix 18 – Design Guidelines for William.

CR HALLETT:

Should these guidelines be delayed until the Medium Density Code review has been completed.

EXECUTIVE MANAGER URBAN DESIGN & STRATEGIC PROJECTS:

Orange Avenue and Hope Street is zoned Residential R50 and is prescribed a height limit of 3 storeys. Lacey Street is zoned Residential R80 and is prescribed a height limit of 4 storeys. As to maintain the existing character of the proposed character areas, the proposed guidelines seek to restrict development to a maximum height of 2 storeys. In accordance with clause 3.2.3(a) of Volume 1 of the R Codes, this modification will require approval of the Western Australian Planning Commission (WAPC). Should these character area guidelines be adopted by Council, Administration will forward them onto the WAPC for determination.

ADDITIONAL INFORMATION:

A new Recommendation 4 has been inserted as follows to outline next steps:

"4. NOTES in accordance with clause 3.2.3(a) of State Planning Policy 7.3 Residential Design Codes Volume 1, Administration will forward Orange Avenue and Hope Street Character Area Guidelines and the Lacey Street Character Area Guidelines to the Western Australian Planning Commission for determination."

5.2 NO. 33 (LOT: 73; D/P: 32) SMITH STREET, HIGHGATE - PROPOSED SIX GROUPED DWELLINGS**Ward:** South

- Attachments:**
1. Consultation and Location Map
 2. Development Plans
 3. Streetscape Perspective
 4. Applicant's Urban Design Study
 5. Applicant's Life Cycle Assessment
 6. Summary of Submissions - Administration's Response
 7. Summary of Submissions - Applicant's Response
 8. 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 Six Grouped Dwellings at No. 33 (Lot: 73; D/P: 32) Smith Street, Highgate in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

1. Development Plans

This approval is for Six Grouped Dwellings as shown on the approved plans dated 6 June 2023 and 20 June 2023. No other development forms part of this approval;

2. Boundary Walls

The surface finish of boundary walls 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. Colours and Materials

4.1 Prior to the issue of a Building Permit, a schedule detailing the colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, and including the details on the finish and design of the front elevation and portal frame feature to Smith Street, shall be submitted to and approved by the City in consultation with the City's Design Review Panel. The development must be finished, and thereafter maintained, in accordance with the schedule approved by the City, prior to occupation or use of the development; and

4.2 The meter 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;

5. Landscaping

5.1 All landscaping works shall be undertaken in accordance with the approved plans dated 6 June 2023, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City; and

5.2 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Privacy Screening

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

7. Sight Lines

Walls, fences, and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street, with the exception of:

- One pier at max width of 0.4 metres x 0.4 metres and 1.8 metres height, with decorative capping permitted to a height of 2.0 metres;
- Infill that provides a clear sight line;
- If a gate is proposed:
 - When closed: a minimum of 50 percent unobstructed view; or
 - When open: a clear sight line;

unless otherwise approved by the City;

8. Street Walls and Fences

Fencing infill panels above the approved solid portions of fence shall be visually permeable in accordance with the Residential Design Codes Volume 1, to the satisfaction of the City;

9. 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, two visitor parking bays 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, unless otherwise approved by the City;

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

9.5 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

9.6 Prior to occupation or use of the development, lighting shall be installed throughout the pedestrian pathways, communal street and car parking areas in accordance with the Residential Design Codes, to the satisfaction of the City.

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10. Construction Management

Prior to the issue of a Building Permit, a Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- The delivery of and delivery times for materials and equipment to the site;
- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Dilapidation report of nearby surrounding properties (including No. 31 and No. 37 Smith Street);
- Notification to affected land owners; and
- Construction times.

The management plan shall be complied with for the duration of the construction of the development, to the satisfaction of the City; and

11. Clothes Drying Area

Each grouped dwelling shall be provided with a clothes drying area that shall be adequately screened in accordance with the Residential Design Codes, or with mechanical drying, prior to occupancy or use of the development and shall be completed to the satisfaction of the City.

12. Stormwater

All stormwater produced on the subject land shall be retained on site or connected to the City's drainage system at the expense of the applicant/landowner, to the satisfaction of the City.

CR GONTASZEWSKI:

Could commentary be provided in relation to the dark cladding in terms of the contrast with the heritage building to the south?

MANAGER DEVELOPMENT & DESIGN:

Administration sought advice from the City's Heritage DRP Member, who advised that the dark coloured roof and wall cladding is desirable so that it contrasts with the copper dome of the Church. They stated that the landmark value of the Church, which is best appreciated from the streetscape and from a distance, is unlikely to be diminished by the use of this dark coloured cladding.

They agreed that it was appropriate for a detailed schedule of colours and materials to be provided, as recommended in Condition 4. This is to determine the final specified colour and the type of cladding, as they advised that the depth of corrugations and the texture can help with breaking up monolithic dark colours.

This information has been included under the 'Design Review Panel (DRP)' header in the officer report.

CR LODEN:

For the query raised in the gallery around the dilapidation report, could Administration please provide a response on whether this is appropriate to include and would they consider included it?

MANAGER DEVELOPMENT & DESIGN:

Yes this would be appropriate to include in accordance with the City's Policy No. 7.5.23 – Construction Management Plans.

The recommendation has been updated so that Condition 10 also requires a dilapidation report to be provided for No. 326 Stirling Street at the rear of the subject site.

CR LODEN:

Can an additional street tree be included on the adjacent verge to the south in front of the Church on the basis of the bulk and scale and the front setback discretion?

MANAGER DEVELOPMENT & DESIGN:

The Parks Team will investigate the viability of planting an additional street tree outside of 31 Smith Street and include any possible planting in the City's annual street tree planting program

COUNCIL BRIEFING NOTES

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5.1 NO. 26 (LOT: 29; D/P: 4576) MOIR STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (AMENDMENT TO APPROVED)**Ward:** South**Attachments:**

1. Consultation and Location Plan
2. Development Plans
3. Heritage Impact Statement
4. Previous Development Approval

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Single House (Amendment to Approved) at No. 26 (Lot: 29; D/P: 4576) Moir Street, Perth, subject to the following conditions:

1. All conditions, requirements, advice notes and plans detailed on the development approval 5.2020.452.1 granted on 14 December 2021 continue to apply to this approval except as follows:
 - 1.1 Condition 1 is modified as follows:
 1. This approval is for Alterations and Additions to Single House as shown on the approved plans dated 17 March 2023. No other development forms part of this approval.

NO QUESTIONS

COUNCIL BRIEFING NOTES**18 JULY 2023**

At 6.28pm the livestream was stopped to discuss the confidential attachments for Item 5.10 Proposed Major Land Transaction, Leederville, Item 6.4 RFT IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal and Item 8.2 Report and Minutes of the Audit Committee Meeting held on 29 June 2023.

Manager Engineering left the meeting.

Manager Development & Design, Coordinator Parks Strategy and Projects and Manager Parks were put into the waiting room.

5.10 PROPOSED MAJOR LAND TRANSACTION, LEEDERVILLE

- Attachments:**
1. Major Land Transaction Business Plan - Confidential
 2. Major Land Transaction Business Plan - Appendix 1 - Confidential
 3. Heads of Agreement - Key Terms - Confidential

RECOMMENDATION

That Council:

1. **APPROVES** the Major Land Transaction Business Plan at Attachment 1 and 2 for state-wide public notice as per section 3.59 of the *Local Government Act 1995*, to invite and consider submissions on the Business Plan before Council considers whether to enter into a major land transaction under sections 3.58 and 3.59 of the *Local Government Act 1995*.
2. **AUTHORISES** the Chief Executive Officer to execute a Heads of Agreement with Hesperia in relation to the key terms as outlined in Attachment 3, provided that the Heads of Agreement is not a binding agreement to sell or undertake any redevelopment of the land due to the City's obligations under sections 3.58 and 3.59 of the Local Government Act that must be complied with before the City can agree to proceed with any major land transaction.

CONFIDENTIAL RESPONSE PROVIDED SEPARATELY

At 6.46pm, Simon Moen from Jackson McDonald left the meeting and did not return.

COUNCIL BRIEFING NOTES**18 JULY 2023****6.4 RFT IE259/2023 BEATTY PARK LEISURE CENTRE 12 & 30 METRE POOL TILE RENEWAL****Attachments: 1. Evaluation Summary - Confidential****RECOMMENDATION:****That Council:**

- 1. NOTES the outcome of the evaluation process for Tender IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal; and**
- 2. ACCEPTS the tender submission of Paragon Construction Solutions Pty Ltd for Tender IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal.**

CONFIDENTIAL RESPONSE PROVIDED SEPARATELY
--

COUNCIL BRIEFING NOTES**18 JULY 2023****8.2 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 29 JUNE 2023**

- Attachments:**
- 1. Audit Committee Minutes 29 June 2023**
 - 2. Audit Log Attachments - Confidential**

RECOMMENDATION:**That Council:**

- 1. RECEIVES the minutes of the Audit Committee Meeting of 29 June 2023, as at Attachment 1; and**
- 2. ENDORSES the remaining recommendations contained within the Audit Committee minutes of 29 June 2023.**

CONFIDENTIAL RESPONSE PROVIDED SEPARATELY
--

COUNCIL BRIEFING NOTES

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At 7.11pm the livestream recommenced.

Manager Engineering, Manager Development & Design, Coordinator Parks Strategy and Projects and Manager Parks rejoined the meeting.

5.3 NO. 165 (LOT 5; D/P 63704) LAKE STREET, PERTH - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (GARAGE)

- 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 and Alterations and Additions to Single House (Garage) at No. 165 (Lot: 5; D/P: 63704) Lake Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. Development Plans

This approval is for Alterations and Additions to Single House (Garage) as shown on the approved plans dated 21 December 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 shall be fibre cement cladding, as shown on the approved schedule of materials, or material as otherwise approved, to the satisfaction of the City;

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the approved schedule of materials and colours that forms part of this approval, to the satisfaction of the City;

4. 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;

5. Car Parking and Access

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

5.2 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;

5.3 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;

6. Right of Access Easement

Prior to use of the approved development, an easement benefit/burden shall be registered

COUNCIL BRIEFING NOTES**18 JULY 2023**

against the titles of Nos. 165 and 167 Lake Street, Perth to formalise the existing vehicle access arrangement over driveway areas and legal right of access, to the satisfaction of the City. All costs associated with the easement shall be at the owners/occupier's expense; and

7. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 21 December 2022, prior to the use of the approved development and maintained thereafter to the satisfaction of the City.

NO QUESTIONS

5.4 NO. 742 NEWCASTLE STREET (LOT: 301; DP: 416772), LEEDERVILLE - UNLISTED USE (SIGNAGE ADDITION TO ELECTRIC LANE - AMENDMENT TO APPROVED)

Ward: South

Attachments:

1. Location Plan
2. Development Plans
3. Previously Approved Plans

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a proposed Unlisted Use (Signage to Electric Lane – Amendment to Approved) at No. 742 (Lot: 301; D/P: 46772) Newcastle Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2022.190.1 dated 13 December 2022 continue to apply to this approval, except as follows:

1.1 Condition 1 is amended to update the reference to the date of the approved plans. There is no other amendment to this condition. Condition 1 is now as follows:

1. Development Plans

This approval is for Unlisted Use (Signage Addition to Electric Lane) as shown on the approved plans dated 4 July 2023. No other developments forms part of this approval; and

1.2 Condition 5 is amended to update the reference to 'the land' being No. 742 Newcastle Street, Leederville. There is no other amendment to this condition. Condition 5 is now as follows:

5. Access and Indemnity

Prior to the lodgement of a Building Permit for the proposed development on No. 742 Newcastle Street, Leederville ("the land"):

5.1 The applicant shall enter into an agreement for access and indemnity (Agreement) with the City of Vincent ("the City") whereby the applicant:

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 applicant shall maintain at its cost the development constructed over the road reserve to the satisfaction of the City.

NO QUESTIONS

5.5 NOS. 54-56 (LOTS 4 AND 3; S/P 7987) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO GROUPED DWELLINGS**Ward:** South**Attachments:**

1. 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 and Alterations and Additions to Grouped Dwellings at Nos. 54-56 (Lots: 4 and 3; S/P: 7987) Lindsay Street, Perth, 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 Alterations and Additions to Grouped Dwellings (Doors, Window and Street Wall) as shown on the approved plans dated 30 May 2023 and 5 July 2023. No other development forms part of this approval;

2. External Fixtures

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

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the approved schedule of colours and materials dated 5 July 2023 and which forms part of this approval, to the satisfaction of the City; and

4. Stormwater

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

NO QUESTIONS

5.6 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.1 - MINOR NATURE DEVELOPMENT

- Attachments:**
1. Local Planning Policy: Planning Exemptions
 2. Advertised Draft Local Planning Policy: Planning Exemptions
 3. Local Planning Policy: Planning Exemptions - Tracked Changes

RECOMMENDATION:

That Council:

1. **PROCEEDS** with the Amendment to Local Planning Policy No. 7.5.1 – Minor Nature Development, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations*, as at Attachment 1; and
2. **PREPARES** and **PUBLISHES** the notice of revocation for Local Planning Policy No. 7.5.8 – Temporary Viewing Platforms, pursuant to Schedule 2, Part 2, Clause 6(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

NO QUESTIONS

COUNCIL BRIEFING NOTES

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**5.7 AMENDMENT TO THE MUNICIPAL HERITAGE INVENTORY - NO. 82 (LOTS 42 & 43)
PALMERSTON STREET, PERTH****Attachments:** 1. Place Record Form - No. 82 Palmerston Street, Perth**RECOMMENDATION:****That Council:**

1. **RESOLVES** that No. 82 (Lots: 42 & 43) Palmerston Street, Perth be entered in the Municipal Heritage Inventory as Management Category A – Conservation Essential without modification pursuant to Schedule 2, Part 3, Clause 8(3)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. **NOTES** that Administration will notify the Heritage Council of Western Australia and each owner and occupier of the place of this decision pursuant to Schedule 2, Part 3, Clause 8(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

NO QUESTIONS

At 7.20pm Manager Development & Design left the meeting and did not return.

COUNCIL BRIEFING NOTES**18 JULY 2023**

At 7.20pm Cr Gontaszewski and Cr Hallett left the meeting due to a previously declared proximity interest.

6.1 BIKE PLAN 2022-2028

Attachments:

1. Survey Response Report Bike Plan 2023-2028
2. Bike Plan 2023-2028

RECOMMENDATION:

That Council **ADOPTS** the Bike Plan 2023 – 2028 as detailed in Attachment 2.

MAYOR COLE:

Any changes made to bike plan in result of consultation?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Information has been included in the report.

COUNCIL BRIEFING NOTES**18 JULY 2023**

At 7.23pm Cr Gontaszewski and Cr Hallett returned to the meeting.

6.2 APPROVAL TO ADVERTISE DRAFT ANIMAL AMENDMENT LOCAL LAW 2023

Attachments: 1. **Animal Amendment Local Law 2023**

RECOMMENDATION:**That Council:**

1. **AUTHORISES** the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the *Local Government Act 1995*, for a period of at least 6 weeks, that:
 - 1.1 it is proposed to make the City of Vincent *Animal Amendment Local Law 2023* at Attachment 1;
 - 1.2 the purpose of this amendment local law is to amend certain provisions of the City of Vincent *Animal Local Law 2022*;
 - 1.3 The effect of this amendment local law is to provide further clarity of the requirements with which owners and occupiers of premises within the district must comply with in order to keep cats.
 - 1.4 Copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website;
2. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed amendment local law and public notice will be provided to the Minister for Local Government;
3. **NOTES** that any submissions received as a result of the public notice provided as set out in recommendation 1 above will be presented to Council for consideration.

NO QUESTIONS

6.3 GLYPHOSATE USE IN THE CITY OF VINCENT

- Attachments:**
1. **WALGA Fact Sheet - Integrated Weed Management Practices**
 2. **WALGA Fact Sheet - Benefits and Limitations of Weed Control Methods**

RECOMMENDATION:**That Council**

1. **NOTES the information contained within this report on the City's integrated weed management processes including:**
 - 1.1 **The Australian Pesticide and Veterinary Medicines Authority regulations on the use of glyphosate;**
 - 1.2 **The City's use of glyphosate for weed control in public open space to maintain fit for purpose public open space; and**
 - 1.3 **Cost estimates for further reduction in the use of glyphosate.**

MAYOR COLE:

Much more targeted application of glyphosate? Does the City know what the volumes of usage over the last 5 years is? What volume have we been applying, where are we now? What impact would other measures have on the use?

MANAGER PARKS:

Information has been included in report.

CR GONTASZEWSKI:

Confirmation on appropriate standards on equipment, etc for team members using this, review of the document referred to and confirmation that the workers comply with the guidelines – Guide to management of Pesticides

MANAGER PARKS:

Although Local Government employees are exempt from requiring a licence to apply herbicides under the Health (Pesticide) Regulations 2011, all Parks Staff are trained via an external licenced trainer in the safe handling and application of chemicals. In accordance with the regulations all chemicals are applied in accordance with the label, herbicide spraying records are kept (including locations, chemical, application rate and equipment used), Material Safety Data Sheets are available and Job Safety Analysis specific to herbicide applications have been developed.

CR CASTLE:

Consider trialling the use of volunteers for manual weeding?

MANAGER PARKS:

There are currently limited community groups within Vincent that carry out weed control. Although this is something that administration could explore further, there is currently no staff resources to do so. As weed growth explodes during early winter and spring, it is essential that control is carried out before seeding. It is therefore unlikely that community weeding groups would have the capacity to effectively remove all weeds in a timely manner prior to seeding and therefore risk the possibility of increased weed growth in subsequent years.

7.1 FINANCIAL STATEMENTS AS AT 31 MAY 2023

Attachments: 1. Financial Statements as at 31 May 2023

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 May 2023 as shown in Attachment 1.

NO QUESTIONS

COUNCIL BRIEFING NOTES

18 JULY 2023

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MAY 2023 TO 31 MAY 2023

- Attachments:
1. Payments by EFT and Payroll - May 2023
 2. Payments by Direct Debit- May 2023
 3. Payments by Cheque- May 2023

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 May 2023 to 31 May 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,192,473.42
Cheques	\$787.18
Direct debits, including credit cards	\$131,200.47
Total payments for May 2023	\$5,324,461.07

CR GONTASZEWSKI:

\$17523 for bain marie supplies? How many bain maries does this relate to? If it relates to a premises under lease, can you check if that is our cost, or will it be recouped?

CHIEF FINANCIAL OFFICER:

This was for the replacement of the commercial oven (\$9,875) and deep fryer (\$5,855) plus a \$200 delivery fee ex GST at the Loftus Centre Café.

These were funded from the Loftus Recreation Centre Reserve account in accordance with the capital works provisions of the lease.

The description in the expenditure report has been updated to "Loftus Centre - Commercial oven & deep fryer"

At 7.41pm Manager Engineering left the meeting and did not return.

7.3 INVESTMENT REPORT AS AT 31 MAY 2023**Attachments:** 1. Investment Statistics as at 31 May 2023**RECOMMENDATION:**

That Council **NOTES** the Investment Statistics for the month ended 31 May 2023 as detailed in Attachment 1.

CR HALLETT:

Cost of \$31k imagine Vincent subscription. Are we doing a review of whether that platform is fit for purpose?
Can I have an update?

EXECUTIVE MANAGER COMMUNICATIONS AND ENGAGEMENT:

In April 2022 we signed a three year agreement with Granicus (formerly Bang The Table). We will commence a full review and evaluation of the stakeholder engagement platforms of the market in mid-2024. We are in regular discussion with other local governments about online engagement suppliers and although there are a couple of new emerging contenders, it is generally considered that Granicus remains best of breed.

7.4 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO RECOGNITION OF NOONGAR BOODJAR CULTURE AND HISTORY THROUGH WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY

- Attachments:**
1. Recognition of Noongar Boodjar Culture through Welcome to Country and Acknowledgment of Country - Clean Version
 2. Recognition of Noongar Boodjar Culture Welcome to Country and Acknowledgment of Country - Marked Up Version
 3. Submissions

RECOMMENDATION:

That Council **ADOPTS** the Recognition of Noongar Boodjar Culture and History Through Welcome to Country and Acknowledgement of Country Policy at Attachment 1.

MAYOR COLE:

Report could include details of the submission.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The report has been updated.

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

Attachments: Nil

RECOMMENDATION:

That Council APPOINTS the following Elected Member to represent the City of Vincent on the Western Australian Local Government Association (WALGA) – Central Metropolitan Zone and as voting delegates/proxy delegates for WALGA Annual General Meetings for the term 26 July 2023 to the next ordinary local government election, being 21 October 2023:

Members/Voting Delegate:

- 1.;

MAYOR COLE:

Add Cr Hallett’s name to the recommendation

A/EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Report has been updated.

COUNCIL BRIEFING NOTES

18 JULY 2023

8.3 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Tamala Park Regional Council Meeting held on 22 June 2023
 2. Unconfirmed Minutes of the Mindarie Regional Council Meeting 1 June 2023
 3. Unconfirmed Minutes of the Mindarie Regional Council Special meeting held on 22 June 2023
 4. Unconfirmed Minutes of the Sustainability and Transport Advisory Group - 1 June 2023
 5. Unconfirmed Minutes Arts Advisory Group -7 June 2023
 6. Statistics for Development Services Applications as at the end of 30 June 2023
 7. Register of Legal Action and Prosecutions Monthly - Confidential
 8. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 30 June 2023
 9. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 10. Register of Applications Referred to the Design Review Panel - Current
 11. Register of Petitions - Progress Report - June 2023
 12. Register of Notices of Motion - Progress Report - June 2023
 13. Register of Reports to be Actioned - Progress Report - June 2023
 14. Council Workshop Items since 24 May.2023
 15. Council Meeting Statistics
 16. Council Briefing Notes - 13 June 2023
 17. Annual Place Plan Reviews - Beaufort Street, Leederville and Mount Hawthorn

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated July 2023.

CR LODEN:

On the Development Application statistics, the report does not show how many applications were processed in a given year as well as the total value of that. Could you please make that data available to gauge work rate over the years?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The below table provides a summary of development application determination numbers, values and processing days over the last three financial years.

Administration will update the development application statistics template next month to include a summary of the above totals from previous financial years to allow comparisons to be undertaken on workload trends.

	2020/21	2021/22	2022/23
Number of determined DA's	403	360	356
Total value of determined DA's	\$216.7 million	\$142.9 million	\$416.54 million
Average number of days to determine	64 days	76 days	84 days

Volume of development applications and value of those applications are indicators for work rate. Other indicators for work rate are not captured in that reporting. This includes:

- *Complexity of applications increasing, with State Government exemptions in 2020 applying to simpler applications and introduction of the Medium Density Code that provides a new framework to assess the majority of residential development that the City deals with.*
- *Improvement in the quality of the City's development assessment processes, including community consultation practices that exceed minimum standards prescribed by the State Government and design review processes extending to smaller scale developments.*

CR LODEN:

Does generating the monthly development application statistics create significant workload for Administration?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

No, Administration have developed processes to undertake this work and it does not take significant time to populate this monthly. The monthly statistics are beneficial as they demonstrate workload trends, providing an ability to reflect upon and predict market trends which can inform resource needs or changes as well as assist in identifying improvement opportunities.

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

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

Nil

12 CLOSURE

There being no further business the meeting closed at 7.48pm.