

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

3 A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Response to questions from Mr Dudley Maier taken on notice at the Ordinary Council Meeting held on 12 November 2019.

Questions - Fairfield Street:

1. Can you confirm that the Special Council Meeting of 19/11/14 that Council explicitly decided to pursue zoning at 40-60 Fairfield Street as R40?

18 November 2014 – yes as follows:

AMENDMENT 3

Moved: Cr Cole, Seconded: Cr Topelberg

That a new Recommendation 3.4.1 (d) be added as follows:

3.4.1 (d) To abandon the advertised zoning changes at 40-60 Fairfield Street, Mount

Hawthorn from Residential R30 to Residential R60 and to instead prescribe a new coding of Residential R40.

AMENDMENT 3 PUT AND CARRIED (6-2)

2. Can you confirm that the Gazetted scheme map shows 40-60 Fairfield Street coded as R60 (except for 50 Fairfield Street which is coded as R40)?

No, the Gazetted map currently shows all of 40-60 (even numbers only) as R60. 50 Fairfield is R60 as of Amendment 1 to LPS gazetted 3 August 2018. Prior to Amendment 1, 50 Fairfield Street was R40.

3. Can you confirm that on 29/5/18 the Council approved amendment to scheme map – coding to 50 Fairfield Street from R40 to R60?

Council 'prepared' the amendment, they did not 'approve' it.

4. Why have the properties at 40-60 Fairfield Street been coded R60 when council explicitly decided to code them as R40?

On 8 December 2017, the A/Minister for Planning Ben Wyatt decided to modify the City's proposed Local Planning Scheme No. 2 to code 40, 42, 44, 48, 48A, 48B, 52, 54, 56, 58 and 60 Fairfield as R60.

5. Were the owners of the affected properties consulted on the changes to the approved after the 18/11/14 decision?

The affected owners were informed by letter following Gazettal of LPS2.

6. Were council members made aware of the changes prior to the gazette of the LPS2?

Yes, on 28 February 2018 at a Council Workshop. Also, Mayor Emma Cole signed the modified LPS 2 Mt Hawthorn map prior to forwarding to the WAPC for endorsement by the Minister for Planning.

Questions - Baker Avenue:**1. Did the City apply the standard condition about finishing boundary walls when approval was given to– 9 Baker Avenue on either the (28/1/16 or 25/5/18)?**

Yes, the City imposed the following condition (Condition 1) as part of the development approval issued on 28 January 2016 for the subject building:

“The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing 7 Baker Avenue and 11 Baker Avenue, in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City”.

The development approval issued on 25 May 2018 related to unauthorised alterations to the building and did not relate to the finish of the boundary walls.

2. Did the plans for either of these approvals show the external walls would be rendered brickwork?

The plans in the development approval issued on 28 January 2016 that is applicable to the finish of the boundary walls of the building does not show that the walls would be rendered. Condition 1 of the development approval requires the boundary walls facing 7 Baker Avenue and 11 Baker Avenue to be either fully rendered or face brickwork finish.

3. Given that the development plans in the Agenda on 15/10/19 Council meeting show that all external walls are to be rendered brickwork and that these plans date back to 2016 will the City be requiring the owner to render those walls?

The development approval issued on 15 October 2019 relates to a change of use of the building to a Music Studio only and does not relate to the finish of the boundary walls. The finish of the boundary walls are required to be rendered or face brickwork as per Condition 1 in the development approval issued on 28 January 2016.

4. If so by when – if not why not?

The boundary walls are not required to be finished in render. This is because the boundary walls of the building have been finished in face brickwork which satisfies Condition 1 of the development approval issued on 28 January 2016.

Questions - Cheriton Street:**1. Can you confirm that at the Special Council Meeting of 18/11/14 the Council decided to code 34 Cheriton Street as either public purpose or mixed use R100?**

No. 34 Cheriton was shown as Public Purpose under the Metropolitan Region Scheme (MRS). This was not a decision, it was a reflection of the current MRS Zone.

2. Can you confirm that the current scheme map shows this lot as being coded ‘commercial’.

Yes.

3. Why was the lot coded commercial rather than mixed use R20 [it is mixed use R100 to the west and R80 to the north] like all the surrounding lots?

On 8 December 2017, the A/Minister for Planning Ben Wyatt decided to modify the City's proposed Local Planning Scheme No. 2 to zone 34 Cheriton Street as Commercial. The reasons for each of the A/Minister's modifications have not been made public

4. Were Council members made aware of the changes from public purpose to commercial if so, when?

Yes, on 28 February 2018 at a Council Workshop.

Questions - Public Registers:

1. Who's responsible for updating the publicly available Council registers – such as Contact with Developers, gifts, contracts register, tenders, community funding grants, etc? Why aren't these being updated in a timely manner?

Registers are updated by the relevant officers as required to ensure the information remains relevant and accurate:

- Common Seal Usage – updated as the Common Seal is applied
- Contact with Developers – updated as disclosures are received
- Current Register of Gifts – updated as disclosures are received
- Freedom of Information Requests – updated as cases are received
- Register of Complaints – updated after any minor breach findings are determined
- Conflicts of Interests at Meetings – updated after each Council Meeting
- Council Members and Employee Business Dealings / Contracts Register – updated as disclosures are received
- Contracts Register – updated as contracts are entered into (currently reviewing and updating register)
- Tenders Register 2019 – updated as tenders close
- Lease Register – updated annually - currently being reviewed
- Community Funding Grant Registers – updated as grants are processed – currently being updated.

Questions - Purchase of iPad for Councillor:

1. Can you confirm that the city paid \$1,855 for an iPad and keyboard for the former Cr Harley on 19/3/19?

Yes, this is correct.

2. Why was the iPad brought for the former Cr Harley but not any other council members?

Cr Harley's iPad had some operating/ technical issues, which meant it was not fit for purpose and required replacement.

3. Was the model purchased consistent with others provided for other council members? It was a newer version, but consistent with the model provided to all other Elected Members.

4. Did the former Cr Harley purchase that iPad at the end of her term and office and how much did she pay?

Cr Harley was given the option to purchase the iPad in accordance with the City's Policy 4.2.7 "Council Members – Allowances, Fees and Reimbursement of Expenses" but chose to return it to the City. It was returned on 19 November 2019.

4 APPLICATIONS FOR LEAVE OF ABSENCE

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

6 CONFIRMATION OF MINUTES

Ordinary Meeting of Council - 12 November 2019

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

8 DECLARATIONS OF INTEREST