



CITY OF VINCENT

NOTES

Council Briefing

16 March 2021

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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, 16 MARCH 2021 AT 6.00PM**

| | | |
|-----------------------|--|---|
| PRESENT: | <p>Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Sally Smith Cr Dan Loden Cr Ashley Wallace Cr Joshua Topelberg</p> | <p>Presiding Member South Ward North Ward North Ward South Ward North Ward North Ward (electronically) South Ward South Ward</p> |
| IN ATTENDANCE: | <p>David MacLennan Andrew Murphy Virginia Miltrup John Corbellini Meluka Bancroft Jay Naidoo Tara Gloster Wendy Barnard</p> | <p>Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Community & Business Executive Director Strategy & Development Executive Manager Corporate Strategy & Governance Manager Development & Design Manager Policy & Place Council Liaison Officer</p> |

Public: Approximately 12 members of the public.

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

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

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Nil

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

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

3.1 Damien Caraher – Mount Hawthorn – Items 5.2 and 5.3

- Lives on Egina Street
- Speaks on behalf of others on the street that have objected previously
- The proposed boundary wall will be much longer and impact neighbours
- Suggests that the lot be mirrored to have less impact on the neighbours

3.2 David Wilson – Mount Hawthron – Items 5.2 and 5.3

- Lives on Egina Street
- Boundary wall will impact his property, which is now 10m longer
- Suggests that this does not comply with the code
- This property has a mature tree close to the boundary, which would have to be removed
- Suggests that the landscaping is below the requirements in the Built Form Policy
- Requests an amendment to the development, particularly the wall, before approval.

3.3 Katherine Athanasiou – Mt Hawthorn – Item 5.7

- Lives on The Boulevard
- Opposes the policy as only covers three streets in the neighbourhood
- Would possibly feel different if the whole neighbourhood was included
- Objected to original plan
- Urges Council to reconsider this policy

3.4 Ron Alexander – Perth - Hyde Park

- Complimented the work that the City is doing in Hyde Park
- Spoke against the increase in gravel, blue metal and ivy
- Suggests consulting with a group of interested residents
- Believes that some of the species planted in Hyde Park have now disappeared

3.5 Martin McNiff – Mt Hawthorn – Item 5.7

- Spoke in support of the character retention policy
- Believes that some streets should have their character maintained and suggests that the area included could be increased.

3.6 Lisa Mazzella – Mt Hawthorn – Item 5.7

- Spoke in support of the character retention policy
- Complimented the City on the report

3.7 Mary Gray – North Perth – Item 8.8

- Supports the character retention policy
- Spoke about her comments at the AGM regarding water quality and catchment management
- Mentioned that she has scanned a document to the City regarding phosphorous
- Spoke in support of removing the catcher when mowing.

3.8 Andrea Cole – Mt Hawthorn – Item 5.7

- Lives on The Boulevard
- Spoke in support of policy
- New developments and renovations should be sympathetic to 1920's character
- Some of the current new builds are not in keeping with the streetscape

3.10 Nick Jolly – Patio Living – Item 5.4

- Represents Anthony and Christina Attwood of North Perth, the applicants
- Mentioned that their application for a carport has been recommended for rejection
- Alternative suggestions for location of the carport are not suitable
- Urged Council to reconsider

The below questions were received in writing and was read out by the Executive Manager Corporate Strategy & Governance.

Liam Burns - Mount Hawthorn – Item 5.7

Question:

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

Jason Hughes – Mount Hawthorn – Item 5.7

Policy No: 7.5.15 Character Retention Areas And Heritage Areas set out in Part 2 that:

2.1 A Character Retention Area may include the following:

- 2.1.1 A collection of no less than five adjoining buildings;
- 2.1.2 A street block; or
- 2.1.3 A part of, or whole suburb.

2.2 A Character Retention Area may be nominated in writing by a member of the public or by the City.

2.3 The City will only proceed with the nomination of the Character Retention Area where it is demonstrated by the nominee that owners of at least 40% of affected properties support proceeding with the nomination.

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

Question 1.

Would the Council please confirm that the requirements of section 2.3 of Policy No: 7.5.15 Character Retention Areas And Heritage Areas were satisfied in relation to the inclusion of a portion of Kalgoorlie St in the Character Retention Scheme given:

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

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

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

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

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

Question 2.

Can the Council please advise why it is considered appropriate that less than a majority (greater 40%) of affected properties is required to support inclusion in the Scheme but greater than a majority (greater than 60%) (Clause 6, Policy No: 7.5.15 Character Retention Areas And Heritage Areas) is required to remove the affected portion of the Scheme.

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

The below statements were received in writing prior to the meeting.

Name and Address withheld – Item 5.7

Would like to say and put forward strongly that our homes are ours and we should be able to develop them how we wish without being too silly.

There are a number of homes in Mount Hawthorn brand new and not retain the character look and Us owners should be able to build our dream home and not be dictated by some in our suburbs who would like character.

There are also others that want to build new luxury homes and we should be entitled to do that. Who does the council think they are to listen to a minority group.

This should be immediately dismissed and we should be allowed to build a home we like. If someone wants to keep their character in their home, good luck to them but I have been in this area for 50 years and I want to build a new home soon and be able to build as others in other streets.

Do NOT tell us to keep in the character of the area when there are already heaps of houses in the modern era.

This is a ridiculous suggestion and should be dismissed immediately. Please put my email as a definite No to keeping character homes not allowed to be demolished.

Name and Address withheld – Item 5.7

We wish to register our wholehearted support for the draft Character Retention Areas Policy to be accepted by the City of Vincent.

We are long term residents of The Boulevard and believe that the character and street appeal of the homes, mostly built in the late 1920's, should be respected and retained wherever possible. Future plans for house extensions or new developments on The Boulevard should be sympathetic to the 1920's character and not detract from the current street appeal. This can be achieved through controls on setbacks, bulk and scale of buildings and use of materials and landscaping.

We are concerned by several 2 storey new builds on The Boulevard which are imposing eyesores on the character street scape due to their bulk and scale. If development were to continue without considering the need for new houses and extensions to blend with the street scape the character of our street will be lost forever. Mount Hawthorn's appeal to current and prospective residents is undoubtedly due to the predominance of character homes in leafy, tree lined streets. It is in the long term interests of the residents, the City and future generations to retain and respect this critical feature of our cherished neighbourhood as once it's lost it's lost forever.

Name and Address withheld – Item 5.7

I support the draft character retention areas policy for The Boulevard.

Name and Address withheld – Item 5.7

This email confirms I support character retention on The Boulevard, Mount Hawthorn.

Name and Address withheld – Item 5.7

I would just like to write and confirm my support for the above policy for The Boulevard.

Name and Address withheld – Item 5.7

I wish to voice my wholehearted support for the Character Retention Policy that is being proposed for The Boulevard, Mount Hawthorn.

Name and Address withheld – Item 5.7

I support the character retention policy for The Boulevard.

I really appreciate the efforts of the City of Vincent's staff to prepare this policy.

Retaining the special character of Mount Hawthorn is our responsibility for current residents and for future generations. Several people I've spoken to are supportive but forgot to respond.

Name and Address withheld – Item 5.7

I support the character retention policy for The Boulevard.

Name and Address withheld – Item 5.7

I live at 52 The Boulevard, and fully support the character retention policy for The Boulevard.

Name and Address withheld – Item 5.7

After attending the information session regarding the Character Retention proposal for Kalgoorlie Street Mount Hawthorn last week, and in view of the council meetings this evening and next week which I am unable to attend, I would like to reinforce my objections to this proposal (as outlined in my submission from 2020).

Brett Molony – Highgate - Item 6.3**Background**

- The CoV rolled-out a new parking system in late 2020.
- This was the third or fourth system in the past 4 – 5 years
- The on-line paperless system was meant to make it easier for ratepayers to manage parking permits, especially close to facilities such as HBF Park on event evenings
- The system automatically provides three (3) eParking permits for each rate payer in CoV.
- The system allows for additional eParking permits if each ratepayer applies within 48 hours.

Issues

- When tested, additional short-term (e.g. single day) eParking permits need at least 72 hours in advance, in excess of the 48 hours as stated in the webpage.
- This requires each individual ratepayer to remember to apply for additional permits several days in advance for each event night (currently more than 15 nights on signage around the affected areas)
- The system does not allow for unplanned or unexpected visitors at short notice. It is impractical, not real-time and limiting freedoms.
- This restricts visitors to from being able to visit ratepayers' properties on event nights
- The system is web-based, not application-based and is 'clunky' and slow to use.

Alternative Proposed Solution

- The CoV issue an additional two (2) permits automatically to each impacted ratepayers' properties for all event nights in the affected areas (these are known as the CoV signs and maintains signs in these areas) each time the dates are updated. This would reduce hundreds or thousands of individual ratepayers having to apply for additional eParking permits for each and every event night (likely 25-35 per year)

Advice

- The CoV note the above
- The CoV explore the above solution and provide advice on the pros and cons of the Alternative Proposed Solution.
- The CoV provide an alternative workable solution(s) that is more streamlined for ratepayers
- These are presented back to the next CoV Council Meeting

Brett Molony – Highgate - Item 6.3

Issue: Proposal for City of Vincent (CoV) to engage WALGA to allow more ratepayer involvement with the Development Assessment Panel (DAP) and processes, to allow true Community Involvement and Engagement and empower CoVs Planning Scheme

Background

- The CoV has developed and maintains a Town Planning scheme, as required by all local Government entities. This is required by State law.
- Property owners must follow these schemes and plans, even when building fence or carport
- However, developers with proposals greater than \$2 Million can voluntarily elect to have their development considered by the DAP. These are typically multi-storey, multi-unit developments, commonly in lower density residential streets
- The DAP can also consider proposals that do not meet or exceed Local Planning schemes (e.g. number of storeys, heights, plot ratios)
- While the community can be involved in the process, the final decisions, if required, are referred to the Start Arbitration Tribunal (SAT), that is only attended by representatives of the development proponent, the Council and the DAP. The community is excluded.
- The final decision is made by the DAP, represented by two Councillors, three (pro) developer representatives, one of whom is the Chair.
- Decisions are made that are not consistent with the streetscapes or values of the local COV or other communities.
- A current example is 66-70 Wright Street, Highgate. Here the community formed a group (Right for Wright) funded independent planning advice from professional town planners. However, the DAP overruled and approved a 5 storey development in a street dominated by single storey, federation style properties.

Issues

- The power of the DAP is heavily swayed towards 'pro-development'.
- This is despite CoV exceeding its inner city density targets along major transport routes.
- The DAP overrides the CoVs (and other local Council's) planning schemes and processes, questioning the value of local government schemes.
- There are concerns that more developments inconsistent with local ratepayers' values and local streetscapes will be approved, changing the local communities

Advice

- The CoV note the issue above
- The CoV consult with other Local Governments to determine the extent of the issue.
- The CoV approach WALGA to have the issue discussed.
- Some approaches to consider include;
 - True community involvement with the DAP, including two community members on the

panel and a true independent chair.

- Raising the threshold for voluntary deferral to the DAP from \$2 million to \$10 million or more (noting that individual houses worth more than \$2 million dollar are not uncommon in greater Perth)
 - Requiring developers to truly consult and engage with the local residents and local community.
- The CoV respond back at the next CoV Council Meeting

Name and Address withheld – Item 5.7

I understand the purpose of the continued consultative process is to help with your draft policy for council and to ensure you have as much feedback as possible for your decision.

As voiced last night we of 24 Kalgoorlie Street wish and hope the policy of character retention does not proceed for the following reasons:

- the 40% plus requirement to support such a policy **no longer exists** as the original 47% (from 16 out of 34 residents) is now 38%, as 3 of the 16 residents have since withdrawn support so council is left with 13 out of 34 residents or 38% supporting the change (below the 40% requirement). **On this basis alone the policy should be abandoned.**
- The original supporters dating back to 2019 have all but disappeared (particularly from Kalgoorlie street) as those for the proposal have not supported it through recent council consultations and surveys.
- When asked to support the character retention policy back in 2019 from the original resident proponents little detail was provided at the time to those residents (the 16) who signed and I believe were misled into supporting the policy. 20% of the 16 have withdrawn their support due to more information being known.
- I understand the recent surveys on the subject received back to council all 8 opposed the policy with not one survey supporting the policy. This is the most recent written feedback received by council and should carry some weight in decision making.
- Elements of the policy like the 4 metre **minimum** setback for the second story is extremely limiting given the block sizes of Mt Hawthorn and also other planning requirements needing to be met like not looking into other neighbours backyards. The second story would simply be a narrow vertical box setback to meet this requirement (and other requirements). The ability to blend in a character looking second story would be hard given the restrictions and cause the need to actually demolish the original character home so that a more modern (no eaves) type second story could be built to fit within these new guidelines.
- One person (from North Perth - outside the affected streets) appeared to be the only supporter of the policy at Anzac house last night.
- I believe the notion of only parts of streets having to comply with the policy makes no sense as in time there will inconsistencies within same streets.
- no information has been gathered to gauge the effects of such a policy being introduced in other areas like the financial impact or what percentage of character homes have been retained given such a policy still allows for character homes to be demolished.

Please feel free to use this email for discussion and as a submission not to support the policy.

Name and Address withheld – Item 5.7

I attended the recent meeting at ANZAC House and wished to confirm that both myself and my wife are in opposition to the programme.

I understand that most recently the council has only received objections to the proposal and I trust on this basis alone that now the programme will now be abandoned.

Name and Address withheld – Item 5.7

I wish to support the Character Retention Policy being considered by the Council with regard The Boulevard, Mount Hawthorn.

I believe that it is in the best interests of Council and current owners that prospective builds are in harmony with and maintain the character of the current streetscape.

I respectfully urge Council to vote in the affirmative for the Character Retention Policy.

Name and Address withheld – Item 5.7

I refer to the Agenda for Council Briefing of 16 March 2021 and Council Meeting of 23 March 2021 and wish to register my strong support for Amendment No. 4 to Local Planning Policy No. 7.5.15 as proposed in Agenda Item 5.7 "Amendment No. 4 To Local Planning Policy No. 7.5.15 - Character Retention and Heritage Areas. Relating to Guidelines for The Boulevard, Kalgoorlie Street, Matlock Street and Buxton Street"

Approving this Amendment enables the City to finally address what has been a major issue for many years, and to take a strong and positive step toward retaining the remaining history, character and streetscapes of our beloved suburb, Mt Hawthorn.

Name and Address withheld – Item 5.7

Thank you to the community for supporting the use of the park at 10 Monmouth St.

1. It is noted that there is an incorrect statement on p 711 regarding the 2 m strip of grass removed by Council along the fence. The reason was not the asbestos, it was because the soil level of the park was pushing the fence over. Council's solution was to remove the top layer of soil to lower the level. Approximately 50% of the fence is asbestos.
2. The report continues to ignore the history of the park from City of Perth – it was acquired for recreational purposes. The Council has a moral obligation to fulfil that intention.
3. Trees are required in the park. The report indicates that is mainly used by dog owners, but if there was shade (as it used to have), it would be used more by community groups. You do not have data of how the park was used when it did have trees.

There being no further speakers, Public Question Time closed at approximately 6.30pm.

4 DECLARATIONS OF INTEREST

- 4.1 Mayor Emma Cole declared an impartiality interest in item 5.7 Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention and Heritage Areas. Relating to Guidelines for The Boulevard, Kalgoorlie Street, Matlock Street and Buxton Street. The extent of her interest is that she has family members living at a residence on The Boulevard.
- 4.2 Mayor Emma Cole declared an Impartiality Interest in Item 5.1 No. 38 (Lot: 18; D/P:2001) Summers Street, East Perth - Proposed Office. The extent of her interest is that there may be a perception that her husband is associated with the WA Prison Officer's Union, however he has not worked for the WA Prison Union there for more than three years.
- 4.3 Cr Dan Loden declared an impartiality interest in item 5.2 No. 48 (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn - Proposed Single House and Item 5.3 No. 48A (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn - Proposed Single House. The extent of his interest is that he has a personal association with affected residents through his involvement in the Fathering Project.
- 4.4 Cr Sally Smith declared an impartiality interest in item 8.9 Report and Minutes of the Audit Committee Meeting held on 2 March 2021. The extent of her interest is that her husband is a member of the Audit Committee.

- 4.5 Cr Topelberg declared a financial interest in the commercial waste portion of item 8.8 Minutes and motions from the Annual General Meeting of Electors held on 9 February 2021. The extent of his interest is that he operates a business in the City that is directly impacted by the proposed changes to Commercial waste collections. He is seeking approval to participate in the debate and is not seeking to vote.

5 STRATEGY & DEVELOPMENT

5.1 NO. 38 (LOT: 18; D/P:2001) SUMMERS STREET, EAST PERTH - PROPOSED OFFICE

Ward: South

- Attachments:
1. Consultation and Location Map
 2. Development Plans
 3. 3D Perspective Image
 4. Urban Design Study
 5. Transport Impact Statement and Parking Management Plan
 6. Acoustic Report
 7. Sustainable Design Report
 8. Waste Management Plan
 9. 11 November 2020 Design Review Panel Minutes
 10. 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 an Office at No. 38 (Lot: 18; D/P: 2001) Summers Street, East Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Plans

This approval is for an Office as shown on the approved plans dated 2 March 2021. No other development forms part of this approval;

2. Use of Premises

This approval is for an Office as defined in the City of Vincent Local Planning Scheme No. 2:

Office means premises used for administration, clerical, technical, professional or similar business activities.

3. Building Design

3.1 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited; and

3.2 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;

4. Boundary Walls

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

5. Landscaping

5.1 Prior to issue of Building Permit A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 14.1 percent deep soil area and 1.1 percent planting areas as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of a minimum of 17 percent canopy coverage at maturity; and

5.2 Prior to the first occupation of the development, all works shown in the plans as identified in Condition 5.1 shall be undertaken in accordance with the approved plans and maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers;

6. Public Art

6.1 In accordance with City of Vincent Policy No. 7.5.13 – Percent for Art the application is required to make a public art contribution of \$15,000 being one percent of the \$1.5 million value of the development.

In order to comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration prior to the lodgement of a Building permit stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

Or

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15 percent discount on the Percent for Art contribution;

6.2 The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Policy No. 7.5.13 – Percent for Public Art:

(a) in conjunction with the above chosen option:

(1) Option 1:

prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

Or

(2) Option 2;:

prior to the issue of an Occupancy Permit pay the above cash-in-lieu contribution amount;

7. Car Parking, Access and Bicycle Facilities

7.1 Prior to the first occupation of the development, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense;

7.2 Prior to the commencement of the approved use, nine car parking bays and related access ways as shown on the approved plans shall be constructed and thereafter maintained in accordance with Australian Standard AS2890.1. The allocation of car parking bays shall be in accordance with the approved Parking Management Plan;

7.3 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans

prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City; and

7.4 Prior to the commencement of the approved uses, bicycle facilities shall be designed and installed on-site in accordance with AS2890.3 and installed in the following locations to the satisfaction of the City:

- One (1) short term bicycle facility provided on-site; and
- Four (4) long term bicycle facilities provided on-site;

8. Construction Management Plan

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 shall be lodged with and approved by the City prior to the issuing of a building permit (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:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours
- Noise control and vibration management
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees on the verge adjacent to the development site;

9. 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;

10. Signage

All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained;

11. Acoustic Report

All of the recommended measures included in the approved Acoustic Report prepared by Sealhurst Acoustic Design & Engineering dated 7 December 2020 shall be implemented prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

12. Waste Management

The approved Waste Management Plan prepared by Whitehaus Architects dated 11 December 2020 shall be implemented at all times to the satisfaction of the City; and

13. Schedule of Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval.

MAYOR COLE:

The planning framework seems a bit odd about this which results in a high number of variations. Can you provide some advice about what the future planning direction for this area should be, separate to this DA?

MANAGER DEVELOPMENT & DESIGN:

The Strategic Plan in the City's Local Planning Strategy identifies this portion of Summers Street as Medium Density Residential. The City's Planning Scheme zones this area Commercial and the City's Built Form Policy identifies it as being in the Residential built form area with a two storey building height permitted.

The City will be undertaking a review of its Local Planning Scheme and Local Planning Strategy in 2023, and this area would be a focus of the review given its close proximity to the East Perth Power Station redevelopment site that is located immediately to the south.

CR HALLETT:

The report states that the Built Form Policy does not provide acceptable outcomes in relation to universal design, can you just explain that a bit further about what is missing?

MANAGER DEVELOPMENT & DESIGN:

The City's Built Form Policy Volume 3 relating to commercial development provides Element Objectives which define the intended outcome for the design element as well as Acceptable Outcomes which are specific measures to assist in meeting the Element Objectives. The Built Form Policy Volume 3 does not provide prescribed Acceptable Outcomes in relation to universal design. This means that an assessment is required against the Element Objective only.

The officer report has been updated to clarify this in the section relating to Universal Design.

This circumstance also exists for the design element relating to Visual Privacy. The Visual Privacy section of the officer report has similarly been updated to provide greater clarity that there are no prescribed Acceptable Outcomes set out in the Built Form Policy and that an assessment has been undertaken against the Element Objectives.

CR HALLETT:

Could the site be included as part of the City's adopt a verge program to maximise landscaping?

MANAGER DEVELOPMENT & DESIGN:

It would be open to the property owner to participate in the City's Adopt a Verge program. A new advice note has been added to **Attachment 10** to inform the applicant/owner about the City's Adopt a Verge Program and to encourage them to apply.

CR HALLETT:

Is there scope for additional tree planting in the verge once the crossover has been removed?

MANAGER DEVELOPMENT & DESIGN:

There is no scope to plant an additional street tree in the location where the existing crossover will be removed.

There are two existing Queensland Box street trees in the verge adjacent to the subject site that are not proposed to be removed as part of this application. The City's Parks team has advised that it would not be feasible to plant any additional trees on the verge given that the existing trees have a canopy spread of approximately 10 metres. There is approximately 3 metres between the canopies of these existing trees. Any additional street tree plantings would be too close and itself would not be capable of growing to maturity, as well as hindering the ability for the existing trees to reach maturity.

CR LODEN:

Note that solar is TBC – does this mean it is not confirmed, and what impact would that have on green star rating

MANAGER DEVELOPMENT & DESIGN:

The applicant has advised that the solar panels are stated as being 'TBC' because the exact configuration is yet to be confirmed. The applicant has advised that their intention is to deliver a solar panel array as part of achieving the proposed 4 star green star rating.

Administration has added a new Condition 14 to the officer report recommendation requiring the development to deliver the outcomes outlined in the applicant's Sustainability Design Report included in **Attachment 7**.

CR LODEN:

Request for an amendment for two additional verge trees to be included.

MANAGER DEVELOPMENT & DESIGN:

Administration would not be supportive for the requirement to plant two additional street trees.

This is because there are two existing Queensland Box street trees in the verge adjacent to the subject site that are not proposed to be removed as part of this application. The City's Parks team has advised that it would not be feasible to plant any additional trees on the verge given that the existing trees have a canopy spread of approximately 10 metres. There is approximately 3 metres between the canopies of these existing trees. Any additional street tree plantings would be too close and itself would not be capable of growing to maturity, as well as hindering the ability for the existing trees to reach maturity.

Should Elected Members seek to still require two additional street trees to be planted irrespective of Administration' advice above, an amendment for the provision of additional verge trees to be planted can be prepared separate to the briefing notes. This can be made available for Elected Members in their consideration and determination of the application.

CR WALLACE:

What is a cost estimate to get this development from a 4 to 5 star green star rating?

MANAGER DEVELOPMENT & DESIGN:

The applicant's ESD consultant has provided a rough estimate of \$150,000 to \$200,000 to get the development from 4 to 5 star green star rating and has advised that a more accurate estimate is unable to be provided within the timeframe since the Council Briefing Session.

The approximate cost for a 5 star green star rating for the proposed development would equate to approximately 10 to 13 percent of the \$1.5 million cost of development. The applicant has advised that this would be cost prohibitive to the project going ahead.

ADDITIONAL INFORMATION:

The following changes have been made to the officer report:

- Condition 5.1 relating to landscaping and Condition 8 relating to a construction management plan have been updated to fix grammatical errors;
- Clarifying in Condition 13 relating to Schedule of Colours and Materials that it is to be to the satisfaction of the City; and
- Since the Council Briefing Session, the applicant has indicated that they are considering using high density fibre cement panels rather than the currently proposed tilt up concrete panels for the external building walls.

This change would not result in any issues from a planning perspective. This is because the new material would not change the external appearance of the building which has been previously endorsed by the City's Design Review Panel.

The applicant has provided some preliminary information from their acoustic and ESD consultants to demonstrate that the change in material would not have any adverse implications on the ability of the development to achieve the acoustic and environmentally sustainable design outcomes that are currently outlined in **Attachments 6** and **7** respectively.

Conditions 11.1 and 14.1 relating to acoustic report and environmentally sustainable design have been added. These conditions would require an amended acoustic report and an amended sustainable design report to be lodged with and approved by the City prior to the issue of a building permit in the instance that the applicant does decide to proceed with the change in material to ensure that the City's desired acoustic and environmentally sustainable design outcomes will still be achieved.

5.2 NO. 48 (LOT: 202; D/P: 413236) EGINA STREET, MOUNT HAWTHORN - PROPOSED SINGLE HOUSE**Ward:** North

- Attachments:**
1. Consultation and Location Map
 2. Lodged Development Plans
 3. Development Plans
 4. Environmentally Sustainable Design Report & Template
 5. Urban Design Study
 6. Administration Streetscape Analysis
 7. Summary of Submissions - Administration'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 Single House at No. 48 (Lot: 202; D/P: 413236) Egina Street, Mount Hawthorn in accordance with the plans in Attachment 3, subject to the following conditions, with the associated advice notes in Attachment 8:

1. Development Plans

This approval is for a Single House as shown on the approved plans dated 4 February 2021. No other development forms part of this approval;

2. Boundary Walls

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

3. External Fixtures

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

4. Visual Privacy

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

5. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval;

6. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 4 February 2021, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

7. Stormwater

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

reserve;

8. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.0 metre of where the driveway meets the right of way, unless the further approval of the City is obtained;

9. Car Parking and Access

- 9.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;
- 9.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;
- 9.3 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; and
- 9.4 Prior to the first occupation of the development, redundant or 'blind' crossovers to Egina Street shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense; and

10. Construction Management Plan

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

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

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

MAYOR COLE:

Does the City have any ability to control the minimum lot widths through the local planning scheme?

MANAGER DEVELOPMENT & DESIGN:

The City can consider including provisions for minimum lot widths as part of its next review of the City's Local Planning Scheme No. 2 (LPS2), which is scheduled for 2023.

CR GONTASZEWSKI:

Referring to comments from resident on mature tree located at adjacent property, does the City have any mechanisms to protect this tree through the building and planning processes?

MANAGER DEVELOPMENT & DESIGN:

There are a number of trees located along the northern boundary of the neighbouring property No. 46 Egina Street, adjacent to the proposed boundary wall. To ensure that impacts on the trees are minimised during construction, mechanisms can be implemented such as the provision of root barriers to prevent damage to the trees.

Administration has updated recommended Condition 10 relating to the need for a construction management plan to include a requirement for measures to be undertaken to ensure that the existing trees located adjacent to the proposed boundary wall would be protected during the construction of the dwelling.

CR LODEN:

Request for an amendment to include an additional tree on the verge, and guidance on whether that would fit.

MANAGER DEVELOPMENT & DESIGN:

Administration would not be supportive for the requirement to plant an additional street tree.

The City's Parks team has confirmed that it would not be feasible to include an additional verge tree on the southern side of the proposed driveway. This is because the canopy spread of the Weeping Peppermint tree species can reach in excess of 10 metres wide at maturity. Planting a new tree approximately 5 metres away from the existing verge tree would be too close and would hinder the ability for the trees to reach maturity.

There is also an existing vehicle crossover for No. 46 Egina Street immediately to the south in line with the southern boundary of the subject site. Further south of this existing crossover to No. 46 Egina Street is an existing Weeping Peppermint street tree located in front of No. 46 Egina Street that is able to grow to full maturity with 10 metres wide canopy spread. These factors limit the extent of verge area for an additional street tree to be accommodated to the southern side of the proposed crossover to No. 48 Egina Street.

Should Elected Members seek to still require an additional street tree to be planted irrespective of Administration' advice above, an amendment for an additional verge tree to be planted can be prepared separate to the briefing notes. This can be made available for Elected Members in their consideration and determination of the application.

CR WALLACE:

Has mirroring the development been discussed with the applicant.

MANAGER DEVELOPMENT & DESIGN:

This suggestion has been put forward to the applicant and they are not proposing to amend the design of No. 48 Egina Street to mirror the development.

The applicant has advised that mirroring the development would not provide an appropriate outcome for the occupants as well as neighbouring properties for the following reasons:

- The design is orientated in such a way as to allow maximum number of major openings to the north, to allow winter sun into the house. Mirroring a house in a development is not a desirable outcome as the resulting house then ends up having all of its major openings on the southern side which creates dark and unpleasant living spaces and has a significant impact on the energy rating of the house. When designing No. 48 Egina Street consideration was given to a mirrored design of No. 48A Egina Street, however, this was determined to produce an undesirable outcome as it would produce a cold, dark house that also would not perform as well in terms of Environmental Sustainability;
- The boundary wall to No. 46 Egina Street is largely compliant with the deemed-to-comply provisions of the R Codes and with Clause 5.2.1 of the City's Built Form Policy, with the exception of the average boundary wall height being slightly higher than the maximum allowable 3 metres. This variation sought to the deemed-to-comply standard relating to average wall height would not be perceivable to the neighbouring residents;
- The boundary wall creates more privacy to No. 46 Egina Street than a mirrored design would. A mirrored design would result in a bedroom window and kitchen window closer to the boundary, which allows for greater noise transfer and thus reduces privacy which is not a desirable outcome for the occupants;
- The current lot boundary wall is adjacent to the vehicular parking area for the adjacent property house and thus has no amenity impact of the adjoining property;
- The proposed design ensures access to direct sunlight to several major openings of habitable rooms to No. 48 Egina Street and does not impact the direct sunlight into any major opening of habitable rooms or outdoor living areas to adjoining property No.46 Egina Street. A mirrored design would significantly impact the development at the subject site, as it would reduce the northern aspect and access to sunlight for the future occupants. Mirroring the development would result in a reduced length of boundary wall along the southern boundary, however, the visual and amenity impact to the adjoining property at No. 46 Egina Street would remain unchanged as there are no existing major openings located adjacent to the proposed northern lot boundary wall;
- Articulation for proposed building walls on the ground and upper floors have been incorporated to align with wall articulations and boundary walls of the ground floor at No. 46 Egina Street. This is to reduce the extent of overshadowing and to increase privacy between openings; and

- North facing opening have been incorporated into the design for No. 48 Egina Street, which would not exist if the design was mirrored. No major openings to habitable rooms are overshadowed to the adjacent property at No. 46 Egina Street.

ADDITIONAL INFORMATION:

Administration has updated Attachment 1 – Consultation and Location Map to show the zoning layer under LPS2, as is convention with Administration's reports for planning applications.

5.3 NO. 48A (LOT: 201; D/P: 413236) EGINA STREET, MOUNT HAWTHORN - PROPOSED SINGLE HOUSE**Ward: North**

- Attachments:**
1. Consultation and Location Map
 2. Lodged Development Plans
 3. Development Plans
 4. Environmentally Sustainable Design Report and Template
 5. Urban Design Study
 6. Administration Streetscape Analysis
 7. Summary of Submissions - Administration'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 Single Dwelling at No. 48A (Lot: 201; D/P: 413236) Egina Street, Mount Hawthorn in accordance with the plans in Attachment 3, subject to the following conditions, with the associated advice notes in Attachment 8:

1. Development Plans

This approval is for a Single House as shown on the approved plans dated 4 February 2021. No other development forms part of this approval;

2. Boundary Walls

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

3. External Fixtures

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

4. Visual Privacy

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

5. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval;

6. Landscaping

6.1 All landscaping works shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

6.2 A minimum of one Weeping Peppermint Tree of a 45 litre capacity shall be planted within the road verge adjacent to the subject site as shown in the approved plans at the expense of the owners/occupiers, prior to occupancy or use of the development and to

the City's satisfaction;

7. **Stormwater**

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

8. **Sight Lines**

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.0 metre of where the driveway meets the right of way, unless the further approval of the City is obtained;

9. **Car Parking and Access**

9.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;

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

9.3 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; and

10. **Construction Management Plan**

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

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

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

CR LODEN:

Same query about an additional verge tree as the previous application (Item 5.2 – 48 Egina Street) as the same thing applies as a mirror image effectively. Request for an amendment to include an additional tree on the verge, and guidance on whether that would fit.

MANAGER DEVELOPMENT & DESIGN:

Administration would not be supportive for the requirement to plant an additional street tree.

The City's Parks team has confirmed that it would not be feasible to include an additional verge tree on the northern side of the proposed driveway. This is because the canopy spread of the Weeping Peppermint tree species can reach in excess of 10 metres wide at maturity. Planting a new tree approximately 5 metres away from the existing verge tree would be too close and would hinder the ability for the trees to reach maturity.

The vehicle crossover for No. 50 Egina Street is also in line with the northern boundary of subject site. This limits the extent of verge area for an additional street tree to be accommodated to the northern side of the proposed crossover to No. 48A Egina Street.

The existing street tree which is located within the verge in front of No. 48A Egina Street is not mature and the City's Parks team has approved for it to be removed to facilitate vehicular access to the site. The tree is to be replaced by a new Weeping Peppermint tree to the south of the proposed crossover to No. 48A Egina Street and would provide adequate separation from the crossover as well as for the canopy to grow to full maturity. This is required by recommended Condition 6.2 in the officer report.

Should Elected Members seek to still require an additional street tree to be planted irrespective of Administration' advice above, an amendment for an additional verge tree to be planted can be prepared separate to the briefing notes. This can be made available for Elected Members in their consideration and determination of the application.

ADDITIONAL INFORMATION:

Administration has updated Attachment 1 – Consultation and Location Map to show the zoning layer under LPS2, as is convention with Administration's reports for planning applications.

5.4 NO. 104 (LOT: 79; D/P: 555) ETON STREET, NORTH PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (CARPORT)**Ward:** North

- Attachments:**
1. Consultation and Location Map
 2. Development Plans
 3. Applicant's Supporting Documentation
 4. Administration's Streetscape Analysis

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **REFUSES** the application for proposed Alterations and Additions to Single House (Carport) at No. 104 (Lot: 79; D/P: 555) Eton Street, North Perth, as shown in the plans in Attachment 2, for the following reasons:

1. The proposed street and lot boundary setbacks of the carport do not satisfy the Local Housing Objectives of Clause 5.2 and 5.4 of the City's Policy No. 7.1.1 – Built Form and the Design Principles of Clauses 5.1.2, 5.1.3 (P3.2) and 5.2.1 of State Planning Policy 7.3: Residential Design Codes – Volume 1. The bulk, scale and setback of the carport would not be consistent with the established streetscape, would detract from the character of the streetscape and the appearance of the dwelling, and would not preserve or enhance the visual character of the existing streetscape;
2. The proposed carport does not satisfy the Design Principles of Clause 5.3.4 and 5.3.5 of State Planning Policy 7.3: Residential Design Codes – Volume 1 relating to the design of car parking spaces and vehicle access. The carport and driveway do not comply with the Australian Standards (AS2890.1) and would result in an insufficient vehicle manoeuvring area which is not capable of being conveniently accessed by current and/or future occupants of the dwelling. It would result in a driveway and crossover with insufficient separation from the street corner which would compromise safety for vehicle access and movement; and
3. As a consequence of the street and lot boundary setbacks of the carport, the proposal:
 - 3.1 Would not be compatible with its setting (Clause 67(m) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - 3.2 Would detract from the amenity and character of the locality (Clause 67(n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*); and
 - 3.3 Would not enhance the amenity and character of the existing neighbourhood and is not compatible with the established area (objective of the Residential zone under Clause 16 of the Local Planning Scheme No. 2).

MAYOR COLE:

If the applicant was to hold off on the application until the R Codes changes came into effect, what would the implications be for this application?

MANAGER DEVELOPMENT & DESIGN:

Administration has reviewed the R Codes interim changes which come into effect from 2 July 2021. These changes would have no implications on the assessment or acceptability of this application.

The R Codes interim changes would result in minor changes to the deemed-to-comply requirements listed in the R Codes relating to carports and setbacks. However, the clauses affected by these changes are already amended and replaced by the City's Built Form Policy. This means that assessment of the application would be performed against the City's Built Form Policy as it is now, and not against these minor changes to clauses in the R Codes interim changes. The acceptability of this application would therefore not change with the introduction of R Codes interim changes.

CR TOPELBERG:

If Council disagrees with the officer's recommendation and was to approve the development application, would a double crossover be approved by Engineering?

MANAGER DEVELOPMENT & DESIGN:

The City's Engineering team has advised that if the double carport was to be approved, they would not support a separate application for a double crossover. This is because it would not comply with Australian Standard 2890.1 (AS2890.1), as crossovers are not permitted to be located within 6 metres of the tangent point at the intersection of Eton Street and Loch Street. The City's Engineering team has advised that a crossover within this 6 metres of the tangent point would reduce vehicle safety due to its proximity to the intersection.

To comply with AS2890.1, the current single crossover could only be upgraded or replaced in its current location to a maximum width of 3.0 metres.

If Council were of the mind to approve the double carport, an advice note should be included stating that crossovers are subject to separate approval from the City and that only a single 3.0 metre wide crossover would be permitted in accordance with AS2890.1.

5.5 COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANTS APPLICATION – FORREST PARK CROQUET CLUB

Attachments: 1. 2021 CSRFF Small Grants Application Form Forrest Park Croquet Club

RECOMMENDATION:

That Council:

1. **NOTES** the Community Sporting and Recreation Facilities Fund Small Grant submission received from Forrest Park Croquet Club and **ENDORSES** Administration's assessment of the submission;
2. **SUPPORTS IN PRINCIPLE** the Forrest Park Croquet Club's Community Sporting and Recreation Facilities Fund Small Grant application included as Attachment 1 subject to:
 - 2.1 The application being successful in obtaining funding from the Department of Local Government, Sport and Cultural Industries; and
 - 2.2 Including \$16,438.07 ex GST in the City's budget for the 2021/2022 financial year to fund one third of the project; and
3. **NOTES** that following Council support, Administration will forward the submission to the Department of Local Government, Sport and Cultural Industries for consideration.

CR FOTAKIS:

Out of 72 members, what portion are Vincent residents?

MANAGER POLICY & PLACE:

62% are residents.

CR HALLETT:

What have the CSRFF applications numbers and success rates been in previous rounds?

MANAGER POLICY & PLACE:

CSRFF has an allocation of \$12 million per year, over three rounds, to be shared across the state. Previous applications within the City are listed below:

- Leederville Tennis Club – Successful (2020 round)
- City of Vincent - Leederville Oval Master Plan - Successful (2018/2019 round)
- City of Vincent - Woodville Reverse Master Plan – Unsuccessful (2019/2020 round)
- Perth Soccer Club – Successful (2015/2016 round)

It is not unusual to only have one club submitting an application per round given the number of sporting clubs across the City. It is proposed that an outcome of the Sport and Recreation Plan would be to have a proactive approach to sport infrastructure upgrades. Such an upgrade program would ensure the City worked strategically and closely with clubs years in advance to seek all grant funding opportunities available.

5.6 AMENDMENT NO. 6 TO LOCAL PLANNING SCHEME NO. 2 AND AMENDMENT NO. 1 TO LOCAL PLANNING POLICY NO. 7.4.5 - TEMPORARY ACCOMMODATION

- Attachments:**
1. Amendment No. 6 to Local Planning Scheme No. 2
 2. Summary of Submissions
 3. Amendment No. 1 to Local Planning Policy No. 7.4.5 - Temporary Accommodation (Tracked Changes from Advertised Version)
 4. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (Modified from Advertised Version)
 5. Amendment No. 1 to Local Planning Policy No. 7.4.5 - Temporary Accommodation (Alternative Policy Amendment)

RECOMMENDATION:**That Council:**

1. **ENDORSES** the Administration response to submissions, included at Attachment 3, received during advertising of Amendment No. 6 to Local Planning Scheme No. 2 and Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation;
2. **SUPPORTS** Standard Amendment No. 6 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 1;
3. **FORWARDS** Standard Amendment No. 6 to Local Planning Scheme No. 2 included as Attachment 1 and any required documentation to the Western Australian Planning Commission pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. **PROCEEDS** with Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation with modifications pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 4; and
5. **NOTES** that Administration will notify submitters of Council’s decision but will not publish notices of adoption until after the Western Australian Planning Commission has determined Amendment No. 6 to Local Planning Scheme No. 2.

MAYOR COLE:

Flagging an amendment – return to min two night stay where unhosted

Where we refer to maintaining one stay only, up to 3 months, foreshadowing an amendment relating to no limit on bookings for a maximum of 3 months in any 12 month period in Local Centre, District Centre, Regional Centre or Commercial zones.

MANAGER DEVELOPMENT & DESIGN:

Proposed amendment will be prepared.

CR GONTASZEWSKI:

Refers to management plan and code of conduct – flagging an amendment to the requirement to notify the City when it is only a single rental in a 12 month period and expanding the hosted Holiday House and Holiday Accommodation exemptions to allow multiple rentals for up to a maximum of three months in Local Centre, District Centre, Regional Centre or Commercial zones.

MANAGER DEVELOPMENT & DESIGN:

Proposed amendment will be prepared.

5.7 AMENDMENT NO. 4 TO LOCAL PLANNING POLICY NO. 7.5.15 - CHARACTER RETENTION AND HERITAGE AREAS. RELATING TO GUIDELINES FOR THE BOULEVARDE, KALGOORLIE STREET, MATLOCK STREET AND BUXTON STREET

- Attachments:**
1. **Summary of Submissions**
 2. **Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention Areas and Heritage Areas (Tracked Changes from Advertised Version)**
 3. **Table of Modifications**
 4. **Amendment No. 4 to Local Planning Policy No. 7.5.15 - Character Retention Areas and Heritage Areas**

RECOMMENDATION:

That Council PROCEEDS with Amendment No. 4 to Local Planning Policy No. 7.5.15 – Character Retention Areas and Heritage Areas with modifications, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as shown at Attachment 4.

MAYOR COLE:

Can the table on page 406 have another column referring to additional comments received in last 2.5 weeks?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The table has been amended in the report to include an additional column for submissions received within the 2 weeks prior to and at the Briefing meeting.

MAYOR COLE:

Please outline why the consultation included a question regarding Heritage Areas.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The question regarding interest in Heritage Areas was included in the formal consultation survey, as during the initial consultation period a number of community members had expressed interest in measures to protect houses from demolition. Administration asked the community during the formal consultation period if they had interest in the City investigating their street as a Heritage Area, explaining that the City had not undertaken any Heritage Assessments, the question was simply to gauge the level of interest within the community to determine if an assessment of the heritage value of any areas should be undertaken. Due to the low level of interest, no heritage assessments have been carried out as part of this process.

MAYOR COLE:

Can a list of any other character retention areas be provided? What is the status and timeframe of these processes.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The following is a current list of nominations:

- Wilberforce Street, Mt Hawthorn
- Strathcona Street, West Perth
- Florence Street, West Perth
- Hammond Street, West Perth
- Ivy Place, West Perth
- Prospect Place, West Perth

Once the Mount Hawthorn Character Retention Area is finalised, Administration will progress these nominations with a view to Council formally considering these later this calendar year.

CR CASTLE:

Since the original consultation, there have been lots of comments. Can all the comments be compiled, including those emails to governance and public speakers at Briefing? Council wants the most up to date picture of who supports and who does not. Can the City proceed with some sections only?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The comments and concerns raised with the City since the close of formal consultation have been emailed to

Council Members.

The issues raised in these emails and during public question time reiterate the issues raised during the formal consultation period, which are captured in the submission table in Attachment 1 of the report.

CR FOTAKIS:

Can a colour coding of support and against character retention be provided. Needs to be clear who is in support and who is against in total.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

A colour coded map has been prepared and will be circulated confidentially to Elected Members.

CR LODEN:

Request an amendment to remove Kalgoorlie Street from the character retention area.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

An amendment has been prepared to remove Kalgoorlie Street from the proposed Character Retention Guidelines.

CR TOPELBERG:

Could you please outline the difference in the deemed-to-comply standards between the proposed Character Retention Area Guidelines and the Built Form Policy.

MANAGER DEVELOPMENT & DESIGN:

Difference between proposed Mount Hawthorn Character Retention Guidelines and current Built Form Policy.

The primary differences are highlighted in **grey**. Minimal or no difference is shown as white. Operational metrics are underlined where they exist.

| Proposed Character Retention Guidelines | Current Built Form Policy |
|--|--|
| Street Setback | |
| C1.1 Ground floor primary street setbacks to be an average of the <u>two</u> directly adjoining properties on either side of the proposed development. | C5.1.1 The primary street setback is to be calculated by averaging the setback of the <u>five</u> adjoining properties, either side of the proposed development. |
| C1.2 Two storey development is to be setback a minimum of <u>4m</u> behind the predominant ground floor building line. | C5.1.3 Walls on upper floors setback a minimum of <u>2 metres</u> behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City |
| Building Height | |
| C3.1 Dwellings shall be a maximum of two storeys and comply with the following heights: <ul style="list-style-type: none"> • Top of external wall: <u>7 metres</u> • Top of pitched roof: <u>10 metres</u> | C5.3.1 Development that is consistent with the building heights provided in Table 1-5.3 and Figure 2. [2 storey - Top of external wall: <u>6 metres</u> - Top of pitched roof: <u>9 metres</u>] |
| C3.2 Loft additions must be contained wholly within the roof space and shall not result in a visible change to the dwelling's appearance from the street. | No equivalent standard. |
| Garages and Carports | |
| C4.1 Carports, garages or hardstand car parking bays are to be located at the rear of the property <u>where right of way access is available</u> . | As per clause 5.3.5 of the R Codes: C5.1 Access to on-site car parking spaces to be provided: <ul style="list-style-type: none"> • <u>where available, from a right-of-way</u> available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street; • from a secondary street where no right-of-way exists; or • from the primary street frontage where no secondary street or right-of-way exists. |
| C4.2 Garages shall be setback a minimum of <u>500mm</u> behind the front building line where access is from the primary street. | C5.4.2 Garages are to be setback a minimum of <u>500mm</u> behind the dwelling alignment (excluding any porch portico verandah or balcony or the like). |

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| <p>C4.3 Carports may be considered in front setback areas but only where no alternative location exists and a <u>minimum setback of 1.5m</u> from the primary street is maintained.</p> | <p>C5.4.3 Carports shall be setback in accordance with Clause C5.2.1 of this Policy [avg. five adjoining]. This setback (avg. five adjoining) may be reduced by half [i.e. <u>half the avg. five adjoining properties primary street setbacks</u>] in accordance with Clause 5.1.2 C2.1 iii of the R Codes Volume 1.</p> |
| <p>C4.4 Where carports are considered appropriate in front setback areas, carports shall be open in style and allow an unobstructed view of the dwelling from the street.</p> | <p>C5.4.5 Carports must provide an unobstructed view to major openings of the dwelling from the street. Gates or doors to carports are required to be <u>visually permeable</u>.</p> |
| <p>C4.3 cont. Such carports <u>shall not be fitted</u> with any style of roller or tilt up panel door.</p> | |
| <p>C4.5 Garages and carports <u>must respect</u> the existing dwellings' predominant colour, scale and materials and must be complementary and subservient to the dwelling.</p> | <p>C5.4.4 Garages and carports <u>must match</u> the existing dwellings predominant colour, scale and materials and must be complementary and subservient to the dwelling.</p> |
| <p>C4.6 Carports and garages shall have a maximum wall height of <u>2.7m</u>.</p> | <p>C5.3.1 Development that is consistent with the building heights provided in Table 1-5.3 and Figure 2. [1 Storey - Top of external wall: <u>3 metres</u>]</p> |
| <p>C4.7 Carports located within front setback areas shall have a maximum width of <u>5.5 metres (internal)</u> or <u>one-third</u> the frontage of the lot, whichever is the lesser.</p> | <p>C5.4.7 The total width of any carport within the street setback area is not to exceed <u>50 per cent</u> of the frontage (including strata lots) of the lot or <u>six metres [external]</u> whichever is the lesser.</p> |
| <p>Street Surveillance</p> | |
| <p>C5.1 There must be at least one habitable room incorporated into the front elevation of the dwelling.</p> | <p>As per 5.2.3 of the R Codes:</p> |
| <p>C5.2 Each habitable room facing the primary street must have at least one major opening with clear glazing and a clear view of the street and approach to the dwelling.</p> | <p>C3.2 At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.</p> |
| <p>Street Walls and Fences</p> | |
| <p>C6.5 The material(s) proposed include one or more of the following selected to reflect the predominate materials of fences within the Guideline Area:</p> <ul style="list-style-type: none"> i. <u>Timber pickets; or</u> ii. <u>Brick; or</u> iii. <u>Rendered masonry.</u> | <p>C5.7.1 Street walls, street fences and gates are to be of a style and materials compatible with those of the dwelling on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement and metal sheeting.</p> |

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| <p>C6.1 The maximum height of new fences within the front setback area is to be <u>1.2m</u> above the adjacent footpath level.</p> | <p>C5.7.2 Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: 1. Maximum height of <u>1.8 metres</u> above the natural ground level;</p> |
| <p>C6.2 The maximum height of any solid portion of a new fence is to be <u>500mm</u> above the adjacent footpath level. The remaining portion is to be a minimum <u>40% visually permeable</u>.</p> | <p>5.7.2 3. Maximum height of solid portion of wall to be <u>1.2 metres</u> above adjacent footpath level and are to be visually permeable above <u>1.2 metres</u>; 5. The distance between piers should not be less than <u>the height of the piers</u> except where pedestrian gates are proposed.</p> |
| <p>C6.3 The maximum height of fence piers with decorative capping is to be <u>1.8m</u> above the adjacent footpath level.</p> | <p>C5.7.2 2. Maximum height of piers with decorative capping to be <u>2 metres</u> above the natural ground level;</p> |
| <p>C6.4 The maximum width of piers is to be <u>470mm</u>.</p> | <p>C5.7.2 4. Posts and piers are to have a maximum width <u>400 millimetres</u> and a maximum diameter of <u>500 millimetres</u>;</p> |
| <p>OR</p> | |
| <p>C6.6 The maximum height of new fences within the front setback area is to be <u>1.8m</u> above the adjacent footpath level.</p> | <p>C5.7.2 Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: 2. Maximum height of <u>1.8 metres</u> above the natural ground level;</p> |
| <p>C6.7 The maximum height of any solid portion of a new fence is to be <u>750mm</u> above the adjacent footpath level. The remaining portion is to be a minimum of <u>80% visually permeable</u>.</p> | <p>5.7.2 3. Maximum height of solid portion of wall to be <u>1.2 metres</u> above adjacent footpath level and are to be visually permeable above <u>1.2 metres</u>; 5. The distance between piers should not be less than <u>the height of the piers</u> except where pedestrian gates are proposed.</p> |
| <p>C6.8 The maximum height of fence piers with decorative capping is to be <u>2m</u> above the adjacent footpath level</p> | <p>C5.7.2 2. Maximum height of piers with decorative capping to be <u>2 metres</u> above the natural ground level;</p> |
| <p>C6.4 The maximum width of piers is to be <u>470mm</u>.</p> | <p>C5.7.2 4. Posts and piers are to have a maximum width <u>400 millimetres</u> and a maximum diameter of <u>500 millimetres</u>;</p> |

CR TOPELBERG:

Is it fair to assume that the development at 92 Flinders Street would not be able to be approved if this policy was applied.

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The 92 Flinders Street development was approved in May 2017 against the first version of the Built Form Policy and the R-Codes.

A deemed-to-comply assessment of this proposal against the provisions of the proposed The Boulevard, Kalgoorlie Street and Matlock Street Character Retention Area Guidelines highlights that a number of elements of this proposal would not meet the deemed-to-comply standards proposed, noting that for some elements such as street setback, regard would need to be given to the surrounding context as that has a direct influence on the applicable requirement (2 adjoining either side).

The development at 92 Flinders Street, Mount Hawthorn would also not meet the development objectives and statement of character set out in the proposed The Boulevard, Kalgoorlie Street and Matlock Street Character Retention Area Guidelines.

These matters are only one of a number of considerations that are required to be given due regard when assessing and determining an application for development approval such as this and so it is not possible to conclude whether this development would be approved if the proposed policy applied.

8.1 CITY OF VINCENT REBOUND PLAN - QUARTERLY UPDATE

- Attachments:**
- 1. Vincent Rebound Plan - Implementation Framework**
 - 2. Rebound Roundtable Forward Agenda**

RECOMMENDATION:

That Council NOTES the quarterly update on the City of Vincent Rebound Plan implementation includes as Attachment 1, and the monthly reporting to the Rebound Roundtable.

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| NO QUESTIONS |
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6 INFRASTRUCTURE & ENVIRONMENT

6.1 TENDER NO IE105/2020 DESIGN, SUPPLY AND INSTALL SOLAR PHOTOVOLTAIC SYSTEMS AT CITY OF VINCENT SITES

Attachments: 1. Confidential Attachment 1 Evaluation Worksheet - RFT IE105-2020 - Solar Panel RFT - Confidential

RECOMMENDATION:

That Council **ACCEPTS** the tender submitted by DNX Energy Pty Ltd for Tender No. IE105/2020 for the Design, Supply & Installation of Solar Photovoltaic Systems at various City of Vincent sites.

MAYOR COLE:

Can details be included of the options for the City – can this come back to the City? Could this be considered as part of the lease negotiations? Need to understand how City installing solar PV impacts lease arrangements.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The details and explanation requested above has been included in the Council Report.

CR GONTASZEWSKI:

Installation of solar panels at the Perth Soccer Club building at Dorrien Gardens – what is the status?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

At the 17 November Council Meeting (as part of the Mid-Year Budget Review) Council approved funds for a self-supporting loan to be provided to Perth Soccer Club to procure and install a solar PV system. The release of funds was conditional on Administration preparing an internal procedure to govern the self-supporting loan process and presenting it to Council. Administration is close to finalising the procedure, and intends to publicise the ability for community groups to apply for self supporting loans to fund capital works which align with the City's CBP and SCP priorities and actions as part of the 2021/22 budget process.

It is noted that the installation of solar PV at Perth Soccer Club is outside the scope of the City's Solar Tender as the Perth Soccer Club will be organising and paying for the installation. This has been added to the Council report.

CR HALLETT:

Can we have the table of sites and include this?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

A table of the sites, as presented in the feasibility study, is included in the report.

CR LODEN:

Curious tenders are out until 2020, but can City assess these for other sites beyond this period?

What are the state government low interest loans, and is this an option?

Can we retrofit a battery into systems?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Multi-year tenders are standard practice for services such as waste collection, cleaning and electrical contracts. They are also considered prudent for capital purchases like solar, where a larger number of installations in a single Tender delivers economies of scale on the overall price.

Borrowing to fund solar installations was considered early in the project but found to be unnecessary as municipal funds are sufficient to cover the installations planned under phase two of the City's Solar PV program. The Program extends to 2022/23, after which a further review (phase 3) will be undertaken to determine if any sites previously excluded as unviable from the phase two Feasibility Study may become feasible due to technological, regulatory or pricing changes.

The phase 3 Feasibility Study will revisit battery storage, which in the City's context is currently estimated to have an 18 year payback period versus a 10 year expected battery life.

6.2 WASTE STRATEGY PROJECT - 2 BULK HARD WASTE OPTIONS APPRAISAL**Attachments: 1. Community Consultation Survey Results****RECOMMENDATION:****That Council:**

- 1. NOTES the feedback from the Community Consultation; and**
- 2. APPROVES:**
 - 2.1 the adoption of an 18 month trial of an on-request collection service (uncontained with a limited volume) from January 2022; and**
 - 2.2 one final scheduled collection in July 2021,**
- 3. NOTES that the costs of the final collection and the trial will be included in the annual budget for 2021/22 and the Long Term Financial Plan.**
- 4. NOTES that Administration will prepare a further report on the progress of the trial to be presented to Council in March 2023.**

MAYOR COLE:

Need survey of community comments?
Can WAMRC provide some details of verge valets

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

WMRC Presentation Slides have now been included as Attachment 2.

CR TOPELBERG:

Report not clear on length of time between booking and delivery?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Set out time is at the Council's discretion. This is typically 1-3 days for existing scheme users, however Administration propose a maximum 48 hour set out time for the City of Vincent trial. This detail has now been added to the report.

CR TOPELBERG:

Under recommendation 4 – can the market information be provided prior to the end of the trial.

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Trial data and community feedback will be provided (as per recommendation 4) to enable Council to make an informed decision on the most suitable approach for the City of Vincent going forward. Up-to-date market information will also be provided as part of that process. However, it should be noted that WMRC have already completed a formal tender process for these contracted collection services on behalf of their member councils, which ensures that the appropriate probity checks have been undertaken and proposed trial rates are market tested and competitive. This detail has now been added to the report.

6.3 E-PERMIT IMPLEMENTATION UPDATE

This report will be circulated prior to the council meeting on 23 March 2021.

7 COMMUNITY & BUSINESS SERVICES

7.1 MANAGEMENT AGREEMENT - LEEDERVILLE TOY LIBRARY - PORTION OF LOT 10927, 99 LOFTUS STREET, LEEDERVILLE

Attachments: 1. Community Centre Floor Plan

RECOMMENDATION:

That Council:

1. APPROVES a Management Agreement for the use of a portion of the Community Centre, Lot 10927, 99 Loftus Street, Leederville to the Leederville Toy Library (LTL) on the following key terms, which align with the terms for a Category One (1) tenant under the City's Property Management Framework:
 - 1.1 Term: five years;
 - 1.2 Option term: 2 x five-year options at City's sole discretion;
 - 1.3 Lease fee: \$104 (excluding GST), which includes a 50% community benefit rebate, indexed at CPI (if option exercised);
 - 1.4 Outgoings: payable by the City;
 - 1.5 Public liability: LTL to effect and maintain current public liability insurance of not less than \$20,000,000 (per claim);
 - 1.6 Building insurance: payable by the City, with excess on any claim payable by LTL;
 - 1.7 Maintenance/repairs:
 - a) the City will be responsible for maintenance of roofing, mechanical services and the main structure (unless damage caused by tenant) as well as capital renewal of existing assets and re-painting of premises as required; and
 - b) LTL to maintain the property in good repair, as detailed in the property condition report. LTL is also responsible for general minor maintenance such as replacement of fittings (e.g. globes) and for cleaning;
 - 1.8 Capital upgrades: capital upgrade and capital expansion of all assets within the leased area at the City's discretion;
 - 1.9 Inspections: the City will inspect the premises annually (or as required);
 - 1.10 Pest Control: payable by the City;
 - 1.11 Bins: payable by the City;
 - 1.12 ESL: payable by LTL; and
 - 1.13 Statutory Compliance: payable by the City; and
 - 1.14 Termination: by mutual agreement in writing; and
2. Subject to final satisfactory negotiations being carried out between Leederville Toy Library and the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the management agreement in recommendation 1. above.

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| NO QUESTIONS |
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7.2 ADOPTION OF COMMUNITY FUNDING POLICY - STUDENT CITIZENSHIP AWARDS

- Attachments:**
1. **Community Funding Policy - Updated Version**
 2. **Community Funding Policy - New Version**
 3. **City of Vincent Student Citizenship Award Policy 4.1.2**

RECOMMENDATION:**That Council:**

1. **NOTES** that no submissions were received during the advertising of the draft Community Funding Policy comment period;
2. **ADOPTS** the Community Funding Policy at Attachment 2; and
3. **REPEALS** the City's Policy 4.1.2 - City of Vincent Student Citizenship Award, at Attachment 3.

MAYOR COLE:

\$50 book voucher and a framed certificate – changing to \$100 voucher in the form of book voucher and certificate?

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Policy recommendation has been amended to remove requirement for \$50 book voucher

7.3 INVESTMENT REPORT AS AT 31 JANUARY 2021**Attachments: 1. Investment Statistics as at 31 January 2021****RECOMMENDATION:****That Council NOTES the Investment Statistics for the month ended 31 January 2021 as detailed in Attachment 1.****MAYOR COLE:**

It is my understanding that we have maxed out our investments with ME Bank is that correct? That's the only bank that seems to be offering divestment at the moment.

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Yes. ME Bank has imposed a limit on the amount of funds we can invest with them, which is currently \$2m. At this stage the majority of the divested banks are not accepting additional monies.

7.4 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 JANUARY 2021 TO 31 JANUARY 2021

- Attachments:
1. Payments by EFT and Payroll January 2021
 2. Payments by Cheque January 2021
 3. Payments by Direct Debit January 2021

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2021 to 31 January 2021 as detailed in Attachments 1, 2 and 3 as summarised below:

| | |
|--|-----------------------|
| EFT payments, including payroll | \$3,508,420.87 |
| Cheques | \$274.35 |
| Direct debits, including credit cards | \$276,783.35 |
| Total payments for January 2021 | \$3,785,478.57 |

CR HALLETT:

The expenses related to APARC for parking machine maintenance, is that an annual amount or just for a smaller time period?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Invoices come through monthly and they are for maintenance, enforcement application, software licence, licence plate recognition and parking permit system. These are generally fixed costs – for example the annual maintenance cost per machine is \$2,310 and is not increasing. There are fluctuations based on when payments are due for certain aspects of the contracted services e.g. we may pay some licensing fees up front but maintenance on a quarterly basis hence the fluctuations.

CR HALLETT:

There is a payment for about \$4,500 for supply and installation of a bus shelter on William Street, what are the parameters for these and is there scope for the City to be more innovative in their design when these are replaced.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

A response will be provided at a later date.

CR HALLETT:

There is an entry earmarked as an annual subscription and I am wondering if information could be added to recurring expenses, or whether that would be too onerous.

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

- Promapp \$41,250 – This is the City's procedures and process mapping software. This payment relates to the annual fee for that software and is consistent with the Council approved competitive tender and contract
- Manage Engine - \$ \$2,189 - this software is used by our Information Technology team for managing Information Technology service enquiries

CR HALLETT:

There was a range of entries for printing expenses and I am wondering if Admin has considered but decided against using local printers.

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

We don't have a policy or position around avoiding local suppliers for printing. In fact our procurement policy does encourage us to use local suppliers so I can say that is certainly our approach.

There appears to be 1 printing transaction that was not processed locally. We believe this was because it

was processed online.

CR FOTAKIS:

Cleanaway contract 8 January, I notice it mentions recycling contract in Hyde Park Event for almost \$40,000. Can we get an indication of what event that was and whether it was with one of the events that we are sponsors of and it was an in-kind component?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The event was the Hyde Park Fair 2020. The cost for the bins for the event were \$825.00 which is the in-kind component to support the event.

The remaining amount of \$39,092.45 was the City's normal contractual monthly recycling payment.

CR FOTAKIS:

21 January 2021 Bee removal services, indication of where that is just removal or if there is a relocation component through that and an indication of what our Policy is with regard to the handling of bees and whether we do have a requirement for bees to be humanely relocated.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

They bees are relocated. If by chance they are unrelocatable, which doesn't happen very often, the contractor will destroy them.

We do not have a formal policy in relation to bees and the potential issues around them when they swarm and form a hive on the City's infrastructure/trees etc.

Generally when they are swarming (around September/October mostly) we follow the below procedure

- 1. Wait a few days to identify if the hive relocates elsewhere. (invariably they move on)*
- 2. If the hive does not move on and becomes an issue, an apiarist is called and takes the hive away*

On the odd occasion, and only if the hive is a safety issue (inside the trunk of a street tree and near a school etc), the hive is destroyed

CR FOTAKIS:

Can we get an indication of what the APARC spend is over this financial year on APARC and a little bit more understanding about some of those items that have all been grouped in together as per Cr Hallett's query.

The annual spend for APARC for the year to date is \$498,837.58. The description for APARC services is answered to Cr Hallett above.

CR FOTAKIS:

Catering for City functions, there are a few. Are they in-house functions, e.g. Dinners for Councillors and whether we can specify some of those. I know that the Christmas Party for Seniors was specified nicely.

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Specific descriptions -

- Innovations Catering \$785.00 – Council Dinner 15/12/20
- Primavera Quality Meats \$300.00 – Staff end of year function
- Source Foods \$495.00 – Community Engagement Workshop
- Woolworths \$83.50 – Hosting of Tamala Park Regional Council and Council Meeting
- Dan Murphy's \$491.69 – Hosting of Tamala Park Regional Council and Council Meeting

Leederville Foods Pty Ltd \$291.05 – Parks Team Building Day

7.5 FINANCIAL STATEMENTS AS AT 31 JANUARY 2021

Attachments: 1. Financial Statements as at 31 January 2021

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 January 2021 as shown in Attachment 1.

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| NO QUESTIONS |
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7.6 MID YEAR BUDGET REVIEW

- Attachments:**
1. **Statement of Comprehensive Income by Nature and Type**
 2. **Statement of Comprehensive Income by Program**
 3. **Rate Setting Statement**
 4. **Cash backed reserves**
 5. **Capital Budget excluding additional Capex**
 6. **Additional Capital Expenditure**
 7. **Operating Budget Analysis**

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2020/2021 Annual Budget:

- a) **A net increase in the Operating Budget of \$1,065,454 as per Attachments 1 and 2;**
- b) **A net increase in Special Purpose Reserves totalling \$43,000 as per Attachments 3 and 4;**
- c) **A net increase in the Capital Expenditure Budget of \$174,406 as per Attachment 5;**
- d) **A net increase in the closing surplus of \$2,254,930, resulting in a forecast year end surplus at 30 June 2021 of \$1,687,205, as per Attachment 3;**
- e) **Further amendments to the 2020/2021 budget, totalling \$1,665,990, as detailed in Tables 6.1, 6.2, 6.3, 6.4 and 6.5 in Attachment 6 resulting in a net forecasted surplus of \$21,215.**

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| NO QUESTIONS |
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8 CHIEF EXECUTIVE OFFICER

8.2 OUTCOME OF ADVERTISING AND ADOPTION OF NEW POLICY - ATTENDANCE AT EVENTS POLICY

Attachments: 1. Attendance at Events Policy

RECOMMENDATION:

That Council:

1. **NOTES** that at the conclusion of the local public notice period, no public submissions were received in relation to the Attendance at Events Policy; and
2. **ADOPTS BY ABSOLUTE MAJORITY** the Attendance at Events Policy as at Attachment 1.

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| NO QUESTIONS |
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8.3 AMENDMENT OF FRAUD AND CORRUPTION PREVENTION POLICY

- Attachments:**
1. **Fraud and Corruption Prevention Policy - draft**
 2. **Fraud and Corruption Prevention Policy - current**

RECOMMENDATION:

That Council:

1. **APPROVES** the new Fraud and Corruption Prevention Policy, at Attachment 1, for the purpose of public notice, which is proposed to replace Policy 4.1.17 – Fraud and Corruption Prevention Policy, at Attachment 2;
2. **AUTHORISES** the Chief Executive Officer to provide local public notice of the proposed new policy and invite public comments for a period of at least 21 days; and
3. **NOTES** that at the conclusion of the public notice period any submissions received would be presented to Council for consideration.

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| NO QUESTIONS |
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8.4 REPEAL OF CITY OF VINCENT PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2020

- Attachments:
1. City of Vincent Parking and Parking Facilities Repeal Local Law 2020 advert
 2. City of Vincent Parking and Parking Facilities Repeal Local Law 2020

RECOMMENDATION:

That Council:

1. **NOTES** that public notice of the City of Vincent Parking and Parking Facilities Repeal Local Law 2020, as at Attachment 1, was provided for the period 16 January 2021 to 3 March 2021 and no submissions were received;
2. **APPROVES BY AN ABSOLUTE MAJORITY**, in accordance with section 3.12(4) of the *Local Government Act 1995*, making the City of Vincent Parking and Parking Facilities Repeal Local Law 2020, at Attachment 1, **SUBJECT TO** the Chief Executive Officer:
 - 2.1 publishing the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 in the *Government Gazette* in accordance with section 3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government;
 - 2.2 following Gazettal, providing local public notice that the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 has been published in the *Government Gazette*, in accordance with s3.12(6) of the *Local Government Act 1995*; and including the following details in the public notice:
 - a. stating the title of local law;
 - b. summarising the purpose and effect of the local law;
 - c. stating the day the local law comes into operation; and
 - d. advising that copies of the local law may be inspected and obtained from the City's office; and
 - 2.3 following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, providing a copy of the City of Vincent Parking and Parking Facilities Repeal Local Law 2020 and duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

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| NO QUESTIONS |
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8.5 ADOPTION OF COUNCIL MEMBER, COMMITTEE MEMBER AND CANDIDATES CODE OF CONDUCT AND CEO STANDARDS AND APPROVAL OF AMENDMENTS TO THE COUNCIL ELECTION PERIOD POLICY

- Attachments:**
1. CEO Standards
 2. Code of Conduct (marked up)
 3. Council Election Period Policy (marked up)

RECOMMENDATION THAT COUNCIL:

1. **APPROVE BY ABSOLUTE MAJORITY**
 - 1.1 the adoption of the CEO Standards at Attachment 1; and
 - 1.2 the adoption of the Code of Conduct at Attachment 2;
2. **AUTHORISES** the Chief Executive Officer to publish a copy of the CEO Standards and Code of Conduct adopted in accordance with Recommendation 1. on the City's website;
3. **ACKNOWLEDGES** that the Chief Executive Officer will prepare and implement an Employee and Contractor Code of Conduct in accordance with the *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*;
4. **REPEALS** the City's Code of Conduct 2017;
5. **ADOPTS** the Council Election Period Policy, as at Attachment 3 (marked-up), which has been amended to remove the Voluntary Code of Conduct for Candidates, as candidate conduct is now covered by the Code of Conduct; and
6. **NOTES** that amendments to the Governance Framework are proposed to reflect content previously contained within the City's Code of Conduct 2017, and these will be presented to Council later this year.

NO QUESTIONS

8.6 ADOPTION OF ELECTION SIGNS POLICY

- Attachments:**
- 1. Election Signs Policy (for adoption)**
 - 2. Election Signs Policy (marked up)**

RECOMMENDATION:**That Council:**

- 1. NOTES that public notice of the new Election Signs Policy was provided from 11 August 2020 to 1 October 2020 and no public submissions were received; and**
- 2. ADOPTS the Election Signs Policy at Attachment 1.**

This item has been withdrawn by Administration to allow further work on the proposed Election Signs Policy to be undertaken.

The Election Signs Policy was considered by Council at its 28 July 2020 Council Meeting, along with the proposed amendments to the Local Government Property Local Law. Council resolved at this meeting to provide public notice of the Election Signs Policy. Public notice was provided and no submission were received. The adoption of the Election Signs Policy has been delayed as this was proposed to occur simultaneously with the making of the Local Government Property Amendment Local Law. This has been delayed due to comments from the Department of Local Government in respect to the drafting of the local law, and also due to proposed additions to create smoke free areas. These proposed changes to the local law are scheduled to be discussed with Elected Members at a workshop in April 2021.

Administration's intention in presenting the Election Signs Policy to Council for adoption at the March Meeting was to enable the new provisions to apply at the upcoming local government election. It is noted that the current local law would still apply at the time of the local government election this October, and the election sign provisions in the local law differ (and are less prescriptive) to those in the Election Signs Policy. This inconsistency could be resolved as signage that complied with the policy would be acceptable (no permit required), but if a permit was applied for, it would be assessed in accordance with the local law (less prescriptive requirements). On further thought, this may become difficult for Administration to manage.

On this basis it is proposed that the Election Signs Policy is adopted simultaneously with the making of the Local Government Property Amendment Local Law. This is not expected to occur until 2022, as advertising of the further amendments to the local law is required. This means the current election sign provisions will apply for the upcoming election – see clause 6.5 of the current local law - [https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Document-Centre/Local Laws/Local Government Property Local Law 2008.pdf](https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Document-Centre/Local%20Laws/Local%20Government%20Property%20Local%20Law%202008.pdf)

Prior to presenting the Election Signs Policy to Council for adoption in due course, Administration will consider the comments made at Briefing and provide further details, as follows:

- Consider the complaints received in respect to election signs;
- Consider the health and safety risk posed by election signs
- Provide a comparison between the current election sign requirements and the proposed requirements;
- Provide a map of thoroughfares where election signs could be installed;
- Consider a cap for the number of signage in an area or per candidate.

8.7 RESULTS OF COMMUNITY CONSULTATION - FUTURE USE OF 10 MONMOUTH STREET, MOUNT LAWLEY

- Attachments:**
1. Results of community consultation - survey responses
 2. Summary of community comments and Administration's responses
 3. Map of Public Open Space within the Mount Lawley, Highgate and North Perth area
 4. Map of potential Local Open Space within the Mount Lawley, Highgate and North Perth area

RECOMMENDATION:**That Council:**

1. **NOTES** that public notice of the options for the future use of 10 Monmouth Street, Mount Lawley was provided from 17 October 2020 to 27 November 2020 via on site signage, notices in the local papers, on the City's website, social media and a locally distributed brochure;
2. **CONSIDERS** the 69 submissions received in response to the public notice, as included at Attachment 1 and summarised at Attachment 2;
3. **APPROVES** 10 Monmouth Street, Mount Lawley continuing as public open space;
4. **NOTES** that eco-zoning of 10 Monmouth Street, Mount Lawley is scheduled for 2021/22;
5. **NOTES** that 10 Monmouth Street, Mount Lawley is currently providing a valued Local Level Public Open Space to the local community, but it is not in the optimum location or of the appropriate configuration to maximise accessibility and use by the community in the longer term;
6. **AUTHORISES** the Chief Executive Officer to express an interest in potentially acquiring a new Local Level Public Open Space site in the vicinity of the area bounded by William, Walcott, Beaufort and Vincent Streets, Mount Lawley, preferably in a location south of Alma Road and close to the location shown in Attachment 4, and preferably a corner lot to maximise accessibility and use, **SUBJECT TO** a report being presented to Council prior to a formal offer to purchase the land being made; and
7. **NOTES** that any future report to Council in relation to Recommendation 6. above would provide advice on whether any new Local Level Public Open Space site should be in addition to or replace 10 Monmouth Street, Mount Lawley in the longer term.

CR TOPELBERG:

Can you provide details of what eco-zoning is proposed and has that been communicated?

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

The eco-zoning proposed involves retaining a section of turf (grass) adjacent to the street, planting a verge tree and several other trees at the rear of the property, planting native shrubs and ground covers, providing a seat and also some gravel hardstand. A plan of the proposed eco-zoning is attached to the Council report and has been provided to submitters.

8.8 MINUTES AND MOTIONS FROM THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 9 FEBRUARY 2021

Attachments: 1. Minutes of Annual General Meeting of Electors - held on 9 February 2021

RECOMMENDATION:

That Council:

1. **RECEIVES** the Minutes of the Annual General Meeting (AGM) of Electors held on Tuesday 9 February 2021, included at Attachment 1; and
2. **NOTES** and **ENDORSES** the responses provided by Administration to the General Business motions carried at the Annual General Meeting of Electors held on Tuesday 9 February 2021 for the reasons outlined in the report.

MAYOR COLE:

Can this additional information be contained in the report as part of the responses to these motions?

Motion 2.

In relation to commercial waste, can we have further information on the City holding landlord details as opposed to business owner details?

Further to motion being put forward, can City of Perth provide this service?

Can the City use this data (private details of owners etc) and pass on to another operator / commercial provider?

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

This information has been added to the report.

Motion 3 – Independent review of planning and development policies.

Independent review of planning and development policies.

Could Administration please provide additional information on the upcoming review of policies, including a list of the policies scheduled for review this financial year?

EXECUTIVE MANAGER STRATEGY AND DEVELOPMENT:

Council's recently adopted Policy Development and Review Policy requires that the City schedule a regular review of all of its planning policies and specifies how each individual review should be undertaken. This includes a requirement to assess the objectives of each policy; review examples of current best practice; and evaluate the effectiveness of the policy in achieving its objectives.

The review of the policy objectives is required to incorporate consultation with relevant statutory and regulatory agencies and any other key stakeholders (including preliminary community engagement if required). All draft reviews of the City's local planning policies will be advertised for community consultation, with the results of that consultation presented to Council for consideration when making a final decision on the review.

In accordance with the City's current Policy Document Register and Review Plan and Council's notice of motion from its meeting in October 2020, the review of the following local planning policies is scheduled to commence this financial year (2020/21):

- Local Planning Policy No. 7.4.5 – Temporary Accommodation;
- Local Planning Policy No. 7.5.1 – Minor Nature Development;
- Local Planning Policy No. 7.5.13 – Percent for Public Art;
- Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas; and
- Local Planning Policy No. 7.5.2 – Signs and Advertising.

In addition, the City's Policy No. 4.1.5 – Community Consultation is currently being reviewed, with this review scheduled to be completed in 2021/22.

In accordance with the City's current Policy Document Register and Review Plan, the review of the following local planning policies is scheduled to commence next financial year (2021/22):

- Local Planning Policy No. 7.1.1 – Built Form;
- Local Planning Policy No. 7.5.9 – Home Business Home Occupation Home Office and Home Store;
- Local Planning Policy No. 7.5.10 – Sustainable Design;
- Local Planning Policy No. 7.5.22 – Consulting Rooms Policy; and
- Local Planning Policy No. 7.7.1 – Non-residential Development Parking Requirements.

The State Government is scheduled to release new parking standards. When is the City's parking policy scheduled for review?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The City's Local Planning Policy No. 7.7.1 – Non-residential Development Parking Requirements is scheduled for review in 2021/22.

Could Administration please provide further information regarding the legality of the City's policies and their implementation?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The City's planning policies are developed in accordance with the requirements of the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* and the relevant State Planning Policies.

The City's policies are applied in accordance with the *Planning and Development Act 2005* and any relevant State Administrative Tribunal (SAT) decisions.

Could Administration please provide specific information regarding the legitimacy and application of the City's Percent for Art Policy?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The City's Local Planning Policy No. 7.5.13 – Percent for Public Art requires that developments valued over a particular threshold value (currently \$1,092,000) make a minimum one percent contribution, based on the cost of the proposed development, to public art. The proponent can elect to provide this as either public art they coordinate themselves or pay a cash-in-lieu contribution to the City. In cases where the developer elects to pay cash-in-lieu, the Policy requires that the City hold those funds in the City of Vincent Public Art Fund and expend the funds on Public Art projects.

This approach is consistent with that of other local governments in Western Australia and has been successfully upheld by the State Administrative Tribunal.

The Local Planning Policy No. 7.5.13 – Percent for Public Art guides the City's expenditure of the money in the cash-in-lieu fund and the City's expenditure of these funds is consistent with the Policy.

The review of Local Planning Policy 7.5.13 – Percent for Art is scheduled to commence this financial year. This review would include consultation with the development industry, local art and cultural industry and the local community to help inform how the policy should guide expenditure of cash-in-lieu contributions in the future.

Could Administration please provide specific information regarding the legitimacy and application of the City's cash-in-lieu of car parking policy provisions?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The City's Local Planning Policy No. 7.7.1 – Non-residential Development Parking Requirements sets out the option for developers to provide cash-in-lieu of providing car parking in certain circumstances. The Policy requires that the contribution be held by the City of Vincent in a Reserve Account for the purpose of providing and/or upgrading existing and proposed Transport Infrastructure.

This approach is consistent across many other local governments in Western Australia and has been successfully upheld by the State Administrative Tribunal.

The City holds all cash-in-lieu of car parking contribution in Reserve.

Between 2016 and 2020 the City extensively audited the contributions made into the cash-in-lieu reserve as well as the expenditure from the reserve. The audit sort to identify the location of each cash-in-lieu of car

parking contribution and the location of each expenditure. The findings demonstrated that there was a clear nexus between all money collected and where/how it has been spent.

The findings of this audit have been used to guide the expenditure of funds to ensure that the transport infrastructure is provided in the immediate vicinity of the development from which the contribution was received or, where the source of the funds is unknown, it is used to provide transport infrastructure that benefits the entire City.

A review of the Local Planning Policy No. 7.7.1 – Non-residential Development Parking Requirements is scheduled for next financial year (2021/22) in response to the recent and upcoming changes to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Could Administration please provide specific information regarding the legitimacy and application of the City's power and water saving provisions?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The City's Local Planning Policy No. 7.1.1 – Built Form is an industry leading policy that was been used by the State Government when developing Residential Design Codes Volume 2 – Apartments.

In the first iteration of the City's Local Planning Policy No. 7.1.1 – Built Form, all commercial, apartment and mixed used developments were required to demonstrate that they had considered the whole of life environmental impact of the building as part of the design process. This approach was successful in reducing the environmental impact of developments, simply by ensuring that opportunities were not missed because they were not considered at the start of the design process.

The State Government's Residential Design Codes Volume 2 – Apartments was subsequently developed and not only required the consideration of these matters at the design stage, but also required that apartment and mixed used developments exceed standard minimum energy efficiency requirements.

The recent review of the City's Local Planning Policy No. 7.1.1 – Built Form has sort to again lead the industry by requiring that, in addition to commercial, mixed use and multiple dwelling developments, all single house and grouped dwelling developments demonstrate that the energy efficiency and water use had been considered and certain standards could be achieved.

The initial implementation of these new requirements for single houses and grouped dwellings was a challenge for some developers due to the cost of considering these matters early in the design stage, particularly when development concepts were well advanced but had not yet been lodged as development applications. The City has improved its application of these policy requirements, through the development of information sheets and standard templates that applicants can use as a guide when considering energy efficiency and water use.

The City is scheduled to review the Local Planning Policy No. 7.1.1 – Built Form next financial year (2021/22) and as part of this review the City will consult with the industry and community in order to consider these issues further.

What is the status of the City's landscaping provisions, which are still awaiting endorsement from the Western Australian Planning Commission?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

Amending the following provisions of the R Codes through the City's Local Planning Policy No. 7.1.1 – Built Form require the approval of the Western Australian Planning Commission:

1. TO AMEND THE DEEMED TO COMPLY REQUIREMENTS OF THE FOLLOWING CLAUSES, PURSUANT TO CLAUSE 7.3.2 OF THE R CODES VOLUME 1:
 - 5.1.3 LOT BOUNDARY SETBACK C3.1; AND
 2. LANDSCAPING C2 ; AND
2. TO AMEND THE ACCEPTABLE OUTCOMES OF THE FOLLOWING CLAUSES, PURSUANT TO CLAUSE 1.2.3 OF THE R CODES VOLUME 2:
 - 3.3 TREE CANOPY AND DEEP SOIL AREAS A3.3.4, A3.3.5, A3.3.7;
 - 3.9 CAR AND BICYCLE PARKING A3.9.9; AND
 - 4.15 ENERGY EFFICIENCY A4.15.1.

The City forwarded these provisions to the Western Australian Planning Commission for approval in September 2020 and is still awaiting a decision. The City understands that officers at the Department of Planning, Lands and Heritage have assessed the provisions and propose to present a recommendation to the WAPC's Statutory Planning Committee in the coming months.

These provisions form the policy position of Council. These provisions in the Built Form Policy have been adopted following community consultation and are considered 'seriously entertained', and any decision maker will need to consider the weight to be applied to these provisions given this status. However, the weight afforded to these provisions in decision making should reflect that they have not yet received the final approval by the WAPC in their current form.

The City is transparent about the status of these provisions in the Local Planning Policy No. 7.1.1 – Built Form, with this information written into the policy itself and the City informing all applicants regarding the current status of the provisions.

A further review of the Local Planning Policy No. 7.1.1 – Built Form is scheduled to commence next financial year (2021/22) in response to the draft Medium Density Codes recently released for public comment by the State Government. The State Government has advised that the Medium Density Code is intended to come into effect by the end of this calendar and which would form part of R Codes Volume 1.

Motion 5 – water catchments

What power does the city have to provide advice on use of lawn clippings – can City advice or require?
Can information to residents be provided?

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

A response will be provided at a later date.

What stalls will be available at the sustainability fair to speak to residents about more organic treatments in their gardens?

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

The Waste stall (composting), the Water stall (water wise soil treatments) and the Eco-design stall will all be able to provide advice on that topic.

And of course the Horticulturists on duty at the Plant Sale will have relevant information about this as well.

Motion 6 – transfer of laneways

What is the proposal to transfer rights of way to the State Government, what is the process and how does that impact management and maintenance of the rights of way?

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

At the 13 October 2020 Council Meeting (Item 12.2) the transfer of 6 privately owned rights of way within the City of Perth to the State Government was approved. As stated in the report, the City is working towards transferring all privately owned rights of way to the State Government. The purpose of transferring private rights of way to the State Government is so that they become public rights of way. Once they become public rights of way liability, maintenance, upgrade and general management issues are clarified and resolved. The City will be responsible for the future maintenance and upgrade of these rights of way, but (as an example) will not be responsible for half the cost of repairing adjacent fences.

A plan for the transfer of the rights of way has been prepared and can be presented to Council.

The response to Motion 6 in the AGM report has been updated to include reference to the relevant Council decision.

The City has commenced the transfer with the rights of way in Perth (refer to the council decision) – see action register. This does not impact management and maintenance.

Motion 7 - Hyde Park

Can we be provided with details of the residents meeting in 2003 to discuss Hyde Park, which mentioned species that were planned to be planted and have not been.

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

Planting at Hyde Park is in accordance with the Hyde Park Conservation Plan 2003. Administration will review whether any plantings intended to be planted where not

Motion 8 – Underground Power

Has not included the Brookman and Moir Streets Heritage Precinct project that the City received funding for, what happened there?

CHIEF EXECUTIVE OFFICER

The City consulted residents on a SUPP project on Brookman Street and Moir Street Heritage Precinct in 2015 and majority of respondents indicated they did not support paying \$8,260 per residential property to underground the power. Council had approved proceeding with this precinct in principle subject to the full costs being re-couped from the residents and businesses with the project area.

Process moving forward, could we have a process to address underground power, separate to asset management strategy? Discuss with community panel?

CHIEF EXECUTIVE OFFICER:

The City will explore further opportunities to gauge the level of public support for underground power including through the draft Asset Management and Sustainability Strategy. This could take the form of a community panel where the costs and benefits of underground power are presented to a representative group to determine the level of community interest and willingness to pay compared to other priorities.

Investigation into bundled cabling Council requested Administration investigate.

Insulated aerial bundled cabling (ABC cabling) to reduce tree pruning under power-lines was identified as a specific task in the City's 5 Year Implementation Greening Plan.

The City approached Western Power to discuss reducing pruning requirements of street trees to enable an increase in canopy. Options discussed included a reduction in the clearance requirements for low voltage cables and the possibility of changing existing uninsulated cables into ABC cables.

Western power advised that they would not consider a reduction in the clearance requirements for low voltage cables as these distances are specified to ensure a safe working distance for workers undertaking vegetation management. Western Power advised that changing low voltage cables to ABC would be at the City's cost and a feasibility study would need to be submitted to Western Power identifying specific areas. Western Power would then provide a report to the City with options and cost estimates.

CR GONTASZEWSKI:

Motion 8 – underground power

If the City is open to other SUPP application, what are mechanisms to identify suitable areas for inclusion and progressing these projects?

CHIEF EXECUTIVE OFFICER:

The gas infrastructure is required. The City has approached ATCO to ask whether there are alternative colours to yellow. ATCO has advised that yellow is the standard code colour for gas piping/ vents and will not consider changing the colour.

CR GONTASZEWSKI:

It was suggested that it was Celia Gray and not Marie Slyth who asked the question on the botulism.

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

The name has been corrected in the AGM minutes.

CR CASTLE:

Apology – Cr Castle had put in a leave in absence in December.

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

The minutes of the AGM and the February Council Meeting have been updated.

CR FOTAKIS:

Motion 7

Hyde Park – refer to outbreak of disease.

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

Avian botulism bacterial spores exist in the sediments of all freshwater wetland areas including Hyde Park. In most instances a small number of water fowl are affected every year, most likely now through infected birds flying in from other wetlands areas. Since the restoration of Hyde Park lakes no **major** outbreaks of botulism have been recorded.

What would be considered a major outbreak, occurred in the late nineteen nineties and again around 6 years later which resulted in hundreds of birds dying and several hundred more being taken away by wildlife carers for treatment?

CR HALLETT:

Motion 9

Can a reference to the reason for a change in response time (previously as soon as reasonably practicable or within 48 hours) be made?

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

At the 12 December 2017 Council Meeting the amendments to the Code of Conduct were approved by Council. The reason for not consulting with the community in respect to these amendments was listed in the report as due to it being “*substantially an internal document and there is little change to the substance or effect of the code. It is considered that there is little value in undertaking public consultation on the revised code.*” Administration recommends that the same response time which is applicable for staff as set out in the Council Member Requests Policy applies to Elected Members – so 10 days. This has been included in the response to Motion 9 in the AGM report.

CR HALLETT:

Cr Topelberg was not an apology - correct minutes.

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

The minutes of the AGM have been updated.

CR TOPELBERG:

Motion 7

Can a response on creating a working group be provided, to be involved in creating the Masterplan?
Is it prudent to start involving the community, ie Friends of Hyde Park

CHIEF EXECUTIVE OFFICER:

Administration would support a working group being created as part of a future masterplan. There is no requirement for a working group at this time as there are no significant changes being proposed with the exception of the public consultation process on the kiosk.

Is it prudent to start involving the community, ie Friends of Hyde Park

CHIEF EXECUTIVE OFFICER:

The City welcomes community involvement in Hyde Park.

Atco gas – can we discuss with Atco gas whether this infrastructure is required.

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

The gas infrastructure is required. The City has approached ATCO to ask whether there are alternatives colours to yellow. ATCO has advised that yellow is the standard code colour for gas piping/ vents and will not consider changing the colour.

Is gravel an appropriate treatment, what is the visual element and impact on amenity, are there alternatives to gravel?

EXECUTIVE MANAGER INFRASTRUCTURE AND ENVIRONMENT:

Based on the purpose and slope of the areas concerned, gravel was deemed to be the most appropriate and safest medium to use. Providing shade friendly turf options was not considered sustainable given the City's

groundwater licence allocation and objective to reduce groundwater use.

The Heritage Council WA have been approached for comment in relation to the use of gravel within Hyde Park and their response is as follows:

"The use of this gravel does not appear to visually dominate the park and offers a soft, recessive materiality while assisting in the functioning of the park.

The approach to any works should be a cautious approach that respects significant fabric and changes only as much as is necessary but as little as possible. The gravel used is a sympathetic material which also offers a function for public access.

The 2003 Conservation Plan states that in 1906 a gravel roadway at the Lake Street entrance was formed, and that later pathways included gravel. From 1920, paths were kerbed with jarrah. By July 1921, pathways had been kerbed and regraded and rolled, again suggesting the paths were still largely gravelled. Paths are now paved with bitumen. Gravel has been a material used in the past and can therefore be considered to be an appropriate material used for the current purpose".

8.9 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 2 MARCH 2021

- Attachments:**
1. **Audit Committee Meeting Minutes - 2 March 2021**
 2. **Attachments to Audit Committee Minutes - 2 March 2021**

RECOMMENDATION:

That Council:

1. **RECEIVES** this report from the Audit Committee meeting of 2 March 2021 and the minutes of that meeting at Attachment 1;
2. **APPROVES** the recommendations of the Audit Committee as follows:
 - 2.1 **RECOMMENDS** that Council adopts the Local Government Statutory Compliance Audit Return for the period 1 January 2020 to 31 December 2020, noting the two areas of non-compliance and explanation for this non-compliance (refer to separate Item in Council Agenda).
 - 2.2 **RECEIVES** the report on the risks associated with three ageing sporting infrastructure assets being Leederville Oval Grandstand, Beatty Park Grandstand and Litis Stadium Grandstand; and **REQUESTS** a further report at the 4 May 2021 Audit Committee meeting detailing the associated non-structural risks relating to these three assets, including financial, reputational and strategic risks.
 - 2.3 **NOTES** the status of the City's Audit Log as at 23 February 2021 and the amendment to the proposed completion date for the following items:
 - (a) **EA2020/10 (5) – register of operational ICT risks – delayed from January 2021 to February 2021 due to other ICT priorities;**
 - (b) **EA:2020/10 (7) Office of the Auditor General Information Systems Audit – Network Access Management delayed from January 2021 to March 2021 due to other ICT priorities;**
 - (c) **EA 2020/12 (13) - Preparation of internal audit program – delayed from 30 April 2021 to 4 May 2021 due to other priorities and to align with the next Audit Committee Meeting date.**
 - 2.8 **NOTES** the review of the Western Australian Auditor General's (OAG) Report – Waste Management – Service Delivery and actions recommended as detailed in this report.

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| NO QUESTIONS |
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8.10 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2020**Attachments: 1. Compliance Audit Return 2020****RECOMMENDATION:****That Council:**

- 1. NOTES that the City of Vincent's Compliance Audit Return for the period 1 January 2020 to 31 December 2020 was reviewed by the Audit Committee at its 2 March 2021 Meeting;**
- 2. ADOPTS the Compliance Audit Return for the period 1 January 2020 to 31 December 2020, at Attachment 1, noting the two areas of non-compliance reported; and**
- 3. AUTHORISES the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.**

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| NO QUESTIONS |
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8.11 INFORMATION BULLETIN

- Attachments:**
- 1. Minutes of the Tamala Park Regional Council Meeting held on 18 February 2021**
 - 2. Statistics for Development Services Applications as at January and February 2021**
 - 3. Quarterly Street Tree Removal Information**
 - 4. Register of Legal Action and Prosecutions Monthly - Confidential**
 - 5. Register of Legal Action - Orders and Notices Quarterly - Confidential**
 - 6. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 3 March 2021**
 - 7. Register of Applications Referred to the MetroWest Development Assessment Panel - Current**
 - 8. Register of Applications Referred to the Design Review Panel - Current**
 - 9. Register of Petitions - Progress Report - February 2021**
 - 10. Register of Notices of Motion - Progress Report - February 2021**
 - 11. Register of Reports to be Actioned - Progress Report - February 2021**
 - 12. Minutes Reconciliation Action Plan Working Group (RAPWG) 15 February 2021**
 - 13. Minutes of the Arts Advisory Group held on 24 February 2021**

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2021.

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| NO QUESTIONS |
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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