

**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.

**PURPOSE OF REPORT:**

To receive the minutes of the City's Annual General Meeting of Electors (AGM) and to consider the general business motions carried at the AGM.

**BACKGROUND:**

The AGM was held at the City of Vincent Council Chamber on Tuesday 9 February 2021 at 5:30pm. There were 22 electors present, as well as 5 Elected Members and 6 City employees. Seven electors raised 13 general business motions, which were carried at the meeting.

**DETAILS:**

Administrations' response to each of the above-mentioned motions from the AGM are set out below.

**Motion 1:**

**That Council recognise the great urgency involved in the matter and place the Cleaver Precinct Character Retention Area in the 2020/21 budget.**

Supported in part.

The City received a nomination from landowners in Strathcona Street, Florence Street, Hammond Street, Ivy Street and Prospect Place to consider including these streets as Character Retention Areas in early 2020. All of these streets are within the Cleaver Precinct area and were identified by the City as areas with a high level of original character worth protecting. This is being further investigated and is scheduled to be progressed in the 2021/22 financial year.

There is no need to include any additional funding this financial year as these first steps are covered by the existing operating budget.

**Motion 2:**

**We call on the City of Vincent Council to reconsider the discontinuation of commercial waste collections for the 2,111 small businesses in our community who rely on it every week and consider either:**

- a) **Acting as an agent to negotiate the services required by local businesses and reducing rates permanently to reflect the increased cost of doing business in the City of Vincent.**

**OR**

- b) **Deferring the change by 12 months to explore other service options such as engaging neighbouring Councils to provide commercial waste collections.**

**Not supported**

In respect to **option a)**, this not a feasible option, as the City does not hold waste management information for all City's businesses. The City only holds details of its current bin provision to businesses which would not be the same when a tailored bespoke service is provided to individual businesses. In addition, around 15 percent of businesses don't use the City's services at all and some use the City allowance and then top up from other suppliers. As these are private contractual arrangements the City does not have access to this information. The City's commercial waste database is therefore of limited use to broker commercial arrangements.

As detailed in previous Council reports, it is considered that the tailored service provision from external providers will be a significant improvement. These large integrated waste companies are much better placed to provide these services to businesses. They have economies of scale and can provide competitively priced services that are tailored to individual business needs. These services are also designed and incentivised to maximise recycling and divert waste from landfill.

There is significant competition in the commercial waste sector such there would be no advantage in the City negotiating services for businesses; each business would not be disadvantaged by requesting competitive quotes from a number of commercial providers that would provide tailored services to support the specific waste streams produced by each business. Introducing the City as an agent between a private business and a private waste operator could result in an unnecessary additional level of administration and overhead and interfere with the customer and supplier relationship.

As part of the 15 September Council decision, Council has requested an implementation review report on the discontinuation of the commercial waste service six months after implementation. The review report will include any impacts on commercial ratepayers and at this point consider if further transitional support may be required for commercial ratepayers as part of the 2022-2023 Annual Budget.

In respect to **option b)**, the City has already carried out an extensive review process and does not support a twelve month deferral of the service change. A deferral would adversely impact the FOGO three bin system rollout which is a key waste diversion project. The City has given commercial ratepayers a nine month notice period of the change and transition to a new supplier should be a very straightforward process. These changes can be organised several months in advance so businesses can plan ahead.

The City will be looking to introduce a micro-business three bin system option for those small scale commercial operators which could be accommodated within the City's planned residential collection schedules/routes as part of the adoption of FOGO. This option for micro-businesses would be a discretionary service for premises which fully align with residential collection parameters (bin sizes, quantities and collection frequencies). Requests for multiple collections or additional/larger bin infrastructure beyond the City's residential system would not be accommodated. This option would also need to ensure the best environmental option was achieved by maximising waste recovery.

The City is also making every effort to support businesses during the change. The City is in the process of visiting all businesses and providing guidance and information on the City's website to support this transition.

**Motion 3:**

**Council to resolve to undertake an independent review of its planning and development policies as the policies are often applied, with little realistic achievement or benefit in terms of the aims or objective of the policies. The policy review should be undertaken independently by a party/ies expert in the field of statutory planning including the application of planning policy.**

**The review should be completed within the next three (3) to six (6) months.**

**The key components of the review would be to:**

- 1. Assess the current practices in terms of the development and application of the Council's planning and development policies.**
- 2. Measure the effectiveness of the Council's planning and development policies against independently verifiable criteria and, whether the aims and objectives set out in the policies are in fact being achieved.**

3. **Establish the legitimacy and legality of policy application so as to confirm or otherwise, if Council's planning and development policies are being correctly implemented (for example the use of percent for art funds for purposes other than on properties on which the fees were imposed, parking contributions when parking is not provided within 200m of the development site, or measurements for assessment of power or water saving. If they are not, what rectification needs to happen to ensure the correct application of the Council's policies?**
4. **Advise and recommend to Council the appropriate strategy to adopt and apply policies to ensure fair and appropriate application of policy to achieve the desired outcomes in a legally correct and financially fair manner. (Consideration of public workshops with practitioners operating within the jurisdictions may be considered).**
5. **Presentation of a report containing the findings and recommendations to Council not later than September 2021.**

Supported in part.

The City is committed to improving the design and quality of built form within the City and has had a long standing commitment to increasing the quality and amount of public art within the City; increasing the amount of urban greening and landscaping integrated into new developments; improving integrated transport outcomes particularly around active transport and car parking; as well as achieving sustainability objectives to ensure new developments integrated energy and water efficiency measures where possible. These are consistent with Council's priorities as reflected in the City's Strategic Community Plan, with these priorities having been drawn from the feedback from our community.

The City will continue to review its local planning policies and how they are implemented. This is to make sure the process for applicants is reasonable and delivers the intent of the policies, whilst ensuring that our policies remain current and are continuously improved to reflect our community's expectations and industry best practice.

The City's local planning policies are currently scheduled for review in accordance with the Policy Document Register and Review Plan which was endorsed by Council at its Meeting on 20 October 2020. The plan is reviewed and published annually.

The policy review plan proposes a more thorough assessment of the success of each of the City's 44 policies in achieving their aims and objectives than the three to six month process proposed in the motion.

Each review would involve an assessment of the application of the policy; whether the aims and objectives set out in the policies are being achieved; and consultation with the community and industry, with the results of this consultation informing the review of both the policy and its application.

The City's local planning policies have been developed and are applied in accordance with the requirements of the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* and relevant State Planning Policies. The development of our local planning policies includes consultation with the community and industry, with the results of this consultation informing the final adopted policy and its application.

The City's Built Form Policy for instance, which was adopted in December 2016, involved over two years of development in consultation with the local community and development industry. The Built Form Policy was a response to growing concerns about the poor quality of some of the built form outcomes within the City over a period of several years – particularly around new residential development. The final adoption of the policy considered submissions from the industry and was modified accordingly.

#### **Motion 4:**

**That the City considers a third option of upgrading the park's facilities at 10 Monmouth Street along with the current options of "continue maintaining 10 Monmouth Street in its current condition OR to sell the land", be subject of the current community consultation.**

Supported.

The public consultation on 10 Monmouth Street demonstrated that it is currently providing a valued local public open space to the local community despite it not being in the optimum location and configuration to maximise accessibility and use.

Administration is recommending to Council that 10 Monmouth Street continues to be used as public open space.

The option of upgrading the facilities at 10 Monmouth Street is being considered by Administration and is one of the options which will be presented to Council for consideration at its 23 March 2021 Council Meeting.

**Motion 5:**

**That the community requests that the City adopts the following actions in order to protect our water catchments in accordance with the adopted Sustainable Environment Strategy, also in accordance with much needed climate change action and in particular requests that the City raises community awareness of these issues through such mechanisms as letter box brochures:**

- 1. Encourage residents to replace “fake grass” with real grass and reduce the size of paved areas.**

Supported.

The City is committed to increasing the amount of urban greening and tree canopy to reduce the impact of the urban heat island effect. This will require urban greening and soft landscaping on both private and public lands.

- 2. Advise all landholders and mowing contractors to remove catchers from their mowers and leave lawn clippings in-situ.**

Not Supported.

Where grass is left too long between cuts and there is an excess of grass clippings this is not a practicable exercise for two main reasons:

If left on site, it has the potential to be windswept or washed into storm water drains, which can cause nutrient issues in local water bodies.

If left on the surface in large quantities the clippings can create a hydrophobic barrier once dried out, and decrease water penetrability.

- 3. Increase greening, urban cooling and wildlife habitat by planting more trees and shrubs that are native to the area.**

Supported.

Already actioned through the City's Greening Plan.

- 4. Stop the planting of deciduous trees in verges, parks and public places and encourage the community to do likewise.**

Not supported.

The City plants deciduous trees where it is consistent with the Street Trees Policy, where consistency is required throughout a streetscape.

The City may choose to plant deciduous trees in public spaces and support the community in doing so where summer shade and winter sun are desirable for amenity, liveability and energy efficiency of buildings.

- 5. Promote the existing brochure which identifies native plants that are suitable to the soil types within Vincent.**

Supported.

**6. Provide information to the community about environmental weeds.**

Supported.

The City will consider resource allocation to prepare relevant information.

**7. Reduce fertiliser use and export to waterways.**

Supported in part.

Where possible the City uses slow release organic fertilisers. The City is required to maintain a safe playing surface to facilitate community sports and recreational use of its parks. To maintain this standard of turf some level of fertilising is required.

**8. Stop using glyphosate**

Supported in part.

The City prefers to use organic herbicides where possible. Organic herbicides are not currently effective in the control of perennial weeds and grasses.

The City is committed to reducing the amount of glyphosate used where appropriate. The City has been able to reduce the amount of glyphosate used through precision application technology.

The City will continue to seek and trial alternatives to glyphosate.

**Motion 6:**

**Please explain why Daisy Lane and 5 other lanes are being transferred from the City of Vincent to the State Government.**

**Please explain why only these 6 and not 40 or so other lanes are being transferred?**

**In any transfer of Daisy Lane please ensure that there is a caveat that reads as follows, that:**

**“the residents abutting Daisy Lane each have the right to approve or reject any changes whatsoever to Daisy Lane. This includes any developments.” For clarity that is 100% of the vote is required for any changes.**

Not Supported.

The City is working towards all rights of way which are used by the public being transferred to the State Government (including rights of way currently owned by the City of Vincent) to resolve and clarify liability, maintenance, upgrade and general management issues.

The transfer of the rights of way to the State Government means these rights of way become public rights of way, so that all adjacent owners and occupiers have access. The process for transferring the rights of way to the State Government requires consultation with the community, and therefore the City is undertaking a staggered approach to the transfers, commencing with the rights of way in areas with the potential for high density. On this basis the City has commenced with the rights of way in the City of Perth, which includes Daisy Lane. The six rights of way being considered were privately owned rights of way between Bulwer, Beaufort, Fitzgerald and Vincent Streets, they represent the first tranche of rights of ways (within the suburb of Perth) that will be transferred to the State Government.

This motion is not supported as the proposed caveat would not allow the City to manage the rights of way appropriately (which includes to upgrade and maintain the rights of way in accordance with its ROW management and upgrade procedures).

All adjacent owners and occupiers are consulted prior to the transfer of any right of way, and these comments are considered by the City and the State Government.

**Motion 7:**

1. All works involving removal of grass and sand, and the placement gravel for paths or other purposes, and planting of ivy stop immediately and do not recommence until a comprehensive master planning process has been completed.
2. The Hyde Park masterplan shall address matters including:
  - a. Shade friendly grass to be immediately planted in patchy areas and the recently gravelled areas near the roundabout/main entrance on Glendower Street.
  - b. The aesthetics in the area near the main entrance to Hyde Park in proximity to the Glendower Street roundabout enhanced by the following actions including removing, painting or softening of the yellow bollards and other gas infrastructure and other innovations including way finding (painting the bollards green – with reflective tape to ensure visibility perhaps).
  - c. Instigate actions to reverse to water quality decline by 2021/2022 and safeguard the wildlife.
  - d. Make public all information in the City's possession in relation to water quality assessment and recommendations.
  - e. The City to take immediate action to have the water quality and associated drains maintained to a standard and quality recommended by ARI Water, Craig Rothleitner and Bob Humphries Water Hydrologists.
3. All development works either planned or approved do not proceed until completion of a revised Hyde Park masterplan has been the subject of community consultation, referral to and approval by the Heritage Council of Western Australia and the Council of the City of Vincent.
4. The Council of the City of Vincent seek specialist expert input for the review of recent works, and proposed plans for Hyde Park not later than the first week of April 2021. The brief for the specialist input would be the subject of review by a Hyde Park working group established by the Council of the City of Vincent.
5. The main entrance to Hyde Park near the roundabout on Glendower Street to be investigated with following actions to beautifying it including removing, painting or softening some of the yellow bollards and other gas infrastructure and other innovations including way finding (painting the bollards green – with reflective tape to ensure visibility perhaps).
6. The City of Vincent Hyde Park working group shall consist of Elected Members and appropriate Community Members. The City of Vincent Hyde Park working group be called for and established within one month from the date of this meeting.
7. The Hyde Park working group shall provide input and direction on the style of the Hyde Park garden themes and make comment on plans and associated reports prepared by the specialists. In addition, the Hyde Park working group would be expected to provide input and comment on plans and concepts which may be under consideration, previously considered or previously approved for Hyde Park and considered for inclusion in the Hyde Park masterplan.
8. The Council of the City of Vincent seek specialist input for design services inputs from appropriately qualified and experienced independent consultants and allocate an appropriate budget (circa \$50,000.00) to engage specialist consultants to prepare the masterplan for community consultation, Heritage Council of Western Australia approval or guidance as necessary, Council adoption and approval.
9. All community consultation to include electronic media, signs on site, and letters to owners and residents, with a minimum of twenty eight (28) days public submission period.

Not supported.

Hyde Park is highly valued by the local and wider community as a tranquil retreat. It forms a visual, social and recreational focus for the neighbourhood and the wider community. It is also a registered Aboriginal site of significance.

Hyde Park has scientific and historic value as a remnant of a chain of wetlands that extended through the district. It is a notable example of the aspirations for wetlands that were held during the Federation period.

Hyde Park is one of Perth's most loved and beautiful parks and the City is committed to ensuring it remains so in line with its listing as a State Heritage site.

The City's custodian role for Hyde follows the Burra Charter's cautious approach to change: we will do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Undertaking a master planning process for Hyde Park would not be viable or practicable within the time period requested and given no significant changes are being proposed for the park.

Council has an adopted Public Open Space Strategy which includes a Key Action to *Prepare and Implement a Hyde Park Masterplan* over the medium term (4-7 years).

Council is currently committed to planning and park projects for Leederville Oval, Banks Reserve, Beatty Park, Robertson Park, Britannia Reserve North West (Litis Stadium), Woodville Reserve and Haynes Street Reserve.

The City is currently consulting the community on a Hyde Park Kiosk proposal. We are seeking community views on how they want to enjoy Hyde Park into the future and what food and drink options should be available at the park.

In response to some specific issue raised Administration provides the following additional information:

The installation of laterite gravel in areas throughout Hyde Park has been completed over a number of years and the Heritage Council of WA has been provided photographic evidence of all areas of works. Their response was received on 14 January 2021 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".

Shade friendly grass or cooler season grasses require daily watering, particularly where located under mature trees. The City's groundwater allocation would not sustain the volume of watering required to maintain high shade friendly turfed areas.

The main Palmerston Street entrance into Hyde Park has adjacent a significant amount of ATCO GAS infrastructure that cannot be relocated or obstructed nor will they consider changing the standard colour (yellow for gas) of various pipework. Planting is also restricted within certain distances around this infrastructure.

Avian botulism bacteria/spores are present in all wetland areas. Outbreaks where evident are managed by removing dead or affected waterfowl immediately. No significant outbreaks of botulism have occurred at Hyde Park lakes for many years. Dead birds or affected birds are always likely to be found at the lake as they may have flown in from areas where an outbreak of botulism has occurred.

The City in conjunction with a federal government grant, completed the Restoration of Hyde Park Lakes in 2012/13 at a cost of > \$2 million. This work included construction of a 'treatment train' which captures the majority of storm water entering the lakes via the Norfolk Main drain. A water quality testing regime over a number of years was implemented following completion of the works and indicated no alarming trends. Further testing will be carried out in the next 12 months and the City does not anticipate that it will identify any significant water quality issues.

**Motion 8:**

1. That the City investigate options for funding a long-term program to provide underground power throughout the City;
2. That one option that must be considered is one based on the model developed by the City of Subiaco in the 10980s and which saw the all power put underground within about 35 years, and was mainly based on funding the program by taking out loans which were paid off by a small increase in annual rates;
3. That any models developed address issues of equity for community members in the Highgate East area who have already contributed to have their power put underground;
4. That any models that are developed to be used as a basis for consulting the community about the possibility of putting power underground.

Supported in part.

The City strongly supports the amenity benefits and improvement to tree canopy that results from undergrounding power lines. The City is also committed to keeping downward pressure on rates to deliver high quality and cost effective services, projects and programs.

Council has previously considered a number of funding models to expedite the undergrounding of power rather than rely upon the State Underground Power Program (SUPP).

The State Government, through the Public Utilities Office, has been running the SUPP since the early 1990s.

The City has, in the past, applied for funding through the SUPP to undertake both Localised Enhancement Projects (LEP), typically single streets of either extensive tree canopy or heritage significance, and Major Residential Projects (MRP), which encapsulates upwards of 800 residential properties.

The first trial projects, called Round 1 in the 1990's, were based upon two-thirds State to one-third local government funding (which was subsequently passed onto the ratepayers within the project area).

From Round 2 onwards it became a 50/50 funding split.

In respect of LEPs the City has had two past projects:

- 1) Mary Street, Highgate, in recognition of the significant trees, completed in the late 1990's; and
- 2) William Street, Perth (Brisbane to Newcastle Streets), as part of the William Street Upgrade Project, completed in late 2000's.

The City was successful in Round 3 in 2006, and secured funding for the Highgate East MRP Project, approx. 900+ properties, completed in 2009.

Under the Round 6 Program, local governments proposed project areas based on community requirements and preferences. Local governments nominated their contribution (50% - 90%), while Western Power contributed its net benefit (as a result of replacement and maintenance costs avoided), and the State Government funded the remainder. In this instance the residents contributed to a portion of the network infrastructure costs and all of their consumer mains connection.

In 2017, 17 projects were funded from 70 Local Government applications in Round 6 of the SUPP. The last of these projects are scheduled to complete construction in late 2022. The selection criteria is extensive and includes the percentage of public support, ability to pay (lower socio-economic areas are eligible for additional funding), the age and reliability of the infrastructure, terrain and soil conditions, and housing density. The number of lots in the project areas is generally restricted to about 800. A previous estimate to install underground power in the remainder of the City was over \$100 million.

The City remains engaged in the future of the SUPP and is open to participation in subsequent rounds.

While there is strong support for the clear amenity and tree canopy benefits from undergrounding power, this is unlikely to justify this significant financial cost of undergrounding power for the foreseeable future, unless significant State Government contributions are made.



Given the huge financial cost of underground power, the City is focussed on its ongoing investment in the parks and greening program instead.

Technological change is also disrupting the global energy sector and we expect this could change the landscape for the traditional electricity supply industry and impact on the cost-benefit equation from undergrounding power.

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.

Further advice will be provided to Council if there is a significant change in energy technology, public support or the costs involved for the City or property owners in undergrounding power.

#### **Motion 9:**

##### **That the electors:**

##### **1. NOTE that:**

- 1.1 Prior to December 2017 the City's Code of Conduct had a requirement that Council Members should respond to all enquiries as soon as practicable, but in any case, within 48 hours of receiving a written enquiry;**
- 1.2 At the council meeting of 12 December 2017 the council voted unanimously for a revised Code of Conduct that no longer contained this requirement;**
- 1.3 The change to the Code of Conduct was made without any public consultation;**
- 1.4 The report that went to council did not indicate that the clause was to be removed either through the use of tracked changes or by mention within the report, and in fact said there was "little change to the substance and effect of the code", and**
- 1.5 The report to council stated that there had been several rounds of internal consultation and that all Council Members had an opportunity to provide feedback on the revised Code prior to it being adopted.**

##### **2. REQUEST that the City's Code of Conduct be reviewed and amended, and that the previous requirements for Council Members to respond to enquiries from members of the community be reinstated prior to the document being advertised for community comment.**

Supported in part.

On 3 February 2021 the *Local Government (Model Code of Conduct) Regulations 2021 (Model Code)* took effect, which repeals and replaces the *Local Government (Rules of Conduct) Regulations 2007*. These new regulations require local governments to adopt a Code of Conduct for Elected Members, committee members and candidates that incorporates the terms of the Model Code.

The Model Code includes general principles and behaviours to be observed by Elected Members, committee members and election candidates. Local governments may include additional requirements in the behaviour section of the Code of Conduct, provided the additions are not inconsistent with the Model Code.

Administration will present a new Code of Conduct (with several amendments to the behaviours section) to Council at its 23 March 2021 Meeting for adoption. Administration is also updating its Governance Framework based on changes to the regulations, the Model Code and new gift and conflict of interest provisions.

The new Code of Conduct requires a Council member to be open and accountable to, and represent, the community in the district.

City of Vincent Elected Members are highly accessible to the community and very responsive to enquiries from residents and ratepayers. Enquiries are nearly always responded to as soon as possible and a great deal of care and sensitivity is shown in response to issues raised by community members.

In many instances, an Elected Member may require advice or information from Administration staff in order to respond to an enquiry from a resident or ratepayer. Administration is committed to responding to all such requests within ten working days unless the matter is likely to require a diversion of considerable staff resources.

The majority of resident and ratepayer enquiries are responded to quickly and urgent matters are dealt with immediately. Administration seeks to continuously improve our customer service and staff generally receive a lot of positive feedback from residents and community members.

**Motion 10:**

**That in the future years the City improve the promotion of the Annual General Meeting of Electors as an opportunity for the community to be engaged and have their say, and that any promotion emphasises that community members may speak on any issue relating to Vincent, or may move motions that must be considered by the Council if passed.**

Supported.

The City is committed to engaging the community in its decision making and providing a real opportunity for all members of the community to be heard. Administration will endeavour to improve the promotion of the AGM in 2022 and will consider how newspaper notices, social media and website notices can be improved.

**Motion 11:**

**That the electors:**

- 1. NOTE that there is a mixture of uncertainty and scepticism within the community that the City's rangers check streets for adherence with parking rules on a regular or frequent basis;**
- 2. REQUEST that the City's website display information which is updated on a weekly basis, and which shows which streets or street segments have been checked for compliance with parking rules and that the information contain the street or street segment and the time(s) of day that the street was checked.**

Not Supported.

The City's approach to parking is outlined in the draft Accessible City Strategy. The needs for parking differ greatly across Vincent. These needs are influenced by the activity, density and variety of development in the area, as well as the availability of alternative transport modes.

An appropriate supply of quality, well located car parking is a critical issue for people and businesses. The City's management approach is to ensure public parking is available for use by residents, employees and visitors. This includes regular patrols particularly in areas of high demand. The Rangers will also respond to any reports of illegal parking or instances which impact on health, safety or amenity.

There would be no public benefit in shifting or adding resources to prepare and publish this information as suggested. This information could be used to attempt to avoid Ranger patrols in particular areas and increase instances of illegal parking. Rangers also carry out a range of duties in addition to parking when they undertake patrols.

**Motion 12:**

**That the City reinstate the former practice of displaying proposed amendments in the council chamber prior to each council meeting, and that the proposed amendments be placed on the City's web site prior to the meeting where practicable.**

Supported in Part

There is no requirement for amendments and alternatives to be provided/prepared by Elected Members prior to a Council Meeting. It would not always be possible for Administration to make amendments or alternatives public prior to a Council Meeting.

Where possible, Administration will attempt to ensure amendments or alternatives received in writing and prior to the meeting are published or provided to the public gallery in consultation with the relevant Elected Member.

**Motion 13:**

**That the electors:**

1. **NOTE that the signature block on emails sent by City employees contains the words "Engaging, Accountable, Making a Difference:"**
2. **NOTE the examples provided at the meeting of instances where transparency and accountability have diminished, and where engagement has been poor;**
3. **REQUEST that the administration stop using the words "engaging" and "accountable" on their signature block until such time as they are.**

Not supported.

In October 2018 Council adopted a ten-year Strategic Community plan with a vision to:

*"In 2028, the City of Vincent is a leafy and vibrant 24-hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a Council that says YES!"*

The community wants us to be a Council and an organisation that is clever, creative and courageous; that is in tune with community appetites and expectations; open-minded and willing to push the boundaries and willing to think and act as an enabler rather than a traditional local government regulator.

Our organisational values reflect the Strategic Community Plan and a Team Vincent approach to building innovation and strategic thinking capabilities.

The organisational values to guide a clever, creative and courageous organisation are:

'Engaging', 'Accountable', and 'Making a Difference'.

**Engaging:** Listening, understanding and communicating is the key to our success

**Accountable:** We work openly and transparently to earn our community's trust

**Making a Difference:** Our work improves our community and the lives of our residents

The City is implementing a range of projects, programs and services to achieve the objectives of Strategic Community Plan.

We are committed to finding the simplest, quickest and most cost effective way to deliver our services to the community. At the same time we are always looking to finding new and different approaches to get better outcomes for the City and community.

We want to be the best organisation we can be.

We are always open and willing to hear from residents, ratepayers and customers on how we can improve.

We don't expect we will always get it right.

We understand that we will sometimes make mistakes.

But every day our staff are working hard to achieve Council's vision of a well-designed, vibrant and sustainable 24-hour city.

And we love working with our community to make this happen.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

The AGM of the City of Vincent was held in accordance with section 5.27 of the *Local Government Act 1995* (the Act). Section 5.33(1) of the Act requires that all decisions made at an Electors' Meeting are to be considered at the next practicable Ordinary Meeting of Council, which is the 23 March 2021 meeting.

Council must consider the motions from the AGM but is not obliged to make a decision on all or any of those Motions. If Council chooses to make a decision in response to an AGM Motion then reasons for that decision need to be recorded in the Minutes of the Council Meeting.

**RISK MANAGEMENT IMPLICATIONS:**

Low: It is low risk for Council to consider decisions made at the AGM in accordance with section 5.33 of the *Local Government Act 1995*.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

*We are open and accountable to an engaged community*

*Our community is satisfied with the service we provide*

*Our community is aware of what we are doing and how we are meeting our goals*

**SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

**PUBLIC HEALTH IMPLICATIONS:**

This item does not align with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.



**CITY OF VINCENT**

# **MINUTES**

**Annual General Meeting**

**9 February 2021**

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## ANNUAL GENERAL MEETING MINUTES

9 FEBRUARY 2021

**MINUTES OF CITY OF VINCENT  
ANNUAL GENERAL MEETING  
HELD AS E-MEETING AND AT THE  
ADMINISTRATION AND CIVIC CENTRE  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 9 FEBRUARY 2021 AT 5.30PM**

<b>PRESENT: (AS ELECTORS)</b>	Cr Emma Cole Cr Susan Gontaszewski Cr Jonathan Hallett Cr Dan Loden Cr Sally Smith Cr Ashley Wallace	<b>Presiding Member</b> South Ward South Ward North Ward North Ward South Ward
<b>IN ATTENDANCE:</b>	David MacLennan Andrew Murphy  Virginia Miltrup  John Corbellini  Emily Williams Wendy Barnard	<b>Chief Executive Officer</b> Executive Director Infrastructure & Environment Executive Director Community & Business Services Executive Director Strategy & Development Senior Land and Legal Advisor Council Support Officer
<b>Media:</b>	Nil	
<b>Electors:</b>	Ron Alexander Paul Kotsoglo Paul Perich Adrian Easton Douglas Maier Lisa Coyle Katherine Athanasiou Peter Le Lidio Fiore Jeffrey Locke Celia Gray Fiona Keating Marie Slyth Norelle O'Neill Ray Stevenson Nick Catania Elector (Name Withheld) Cameron Sinclair Kathleen Ruffo David Parker Geraldine Box Susan Winter	Perth Perth Leederville Perth Highgate Mt Lawley Mt Hawthorn Highgate Mt Hawthorn North Perth North Perth Highgate West Perth Mt Hawthorn North Perth North Perth West Perth Leederville Mt Lawley Mt Lawley North Perth West Perth

**1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member, Mayor Emma Cole declared the meeting open at 5.37pm 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".

The Presiding Member, Mayor Emma Cole, provided the following introduction to the meeting:

"Good evening everyone and welcome to our Annual General Meeting of Electors.

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The purpose of this meeting is twofold – firstly, to receive the City's 2019/20 Annual Report and secondly, to provide electors with an opportunity to raise any general business or motions relating to the City of Vincent.

To speak or vote at this meeting you must be an elector of the City of Vincent. If you are not an elector then you are welcome to remain in the Chamber as an observer to the proceedings.

Every elector present has one vote on each matter to be decided at the meeting, but voting is not compulsory.

All decisions at this meeting are to be made by a simple majority, meaning more than 50% of the votes in favour of the motion. The mover and seconder for all decisions will be recorded in the minutes of meeting, with votes being recorded as simply 'Carried' or 'Lost' based on a show of hands.

The procedures for tonight's meeting have been outlined on page 3 of the agenda papers, which are available online and have also been placed around the Council Chamber.

Speakers at tonight's meeting will need to come forward to the microphone and please state their name and address and address the meeting through me, the Presiding Member. All speakers are asked to keep their questions and comments respectful and relevant to the business of the City of Vincent.

If you wish to move a motion at tonight's meeting, then I would ask that you please submit it in writing. Motions will need to be seconded by another elector before they can be debated. A form to submit your Notice of Motion was available online and also here at the meeting tonight.

Please note that decisions made at tonight's meeting are not binding on Council. Rather, Council will consider tonight's decisions at its next practicable meeting. Depending on the number and nature of motions this evening, this will be at either the 16 February Council Meeting or the 23 March Council Meeting.

The CEO will provide a brief outline of the 2019/20 Annual Report before I call for a mover and seconder."

**2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE**

Cr Alex Castle (Apology) [A retrospective leave of absence was approved at the 16 February 2021 Ordinary Council Meeting]  
Cr Joanne Fotakis (Apology)  
Cr Joshua Topelberg (Apology)



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The CEO provided a brief outline of the Annual Report.

**3.1 2019/20 ANNUAL REPORT (INCLUDING 2019/20 FINANCIAL REPORT)**

**Attachments:** 1. 2019/20 Annual Report (including 2019/20 Financial Report) 

**RECOMMENDATION:**

That the City of Vincent's 2019/20 Annual Report be presented to the Annual General Meeting of Electors for discussion.

**ELECTORS' DECISION ITEM 3.1**

**Moved: Susan Winter Seconder: Ron Alexander**

That the recommendation be adopted.

**CARRIED**

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**4 GENERAL BUSINESS****4.1 MARIE SLYTH – WEST PERTH**

Marie Slyth submitted the following motion:

**Moved: Marie Slyth Seconded: Susan Winter**

**That Council recognise the great urgency involved in the matter and place the Cleaver Precinct Character Retention Area in the 2020/21 budget.**

**CARRIED**

**4.2 CAMERON SINCLAIR - LEEDERVILLE**

Cameron Sinclair submitted the following motion:

**Moved: Cameron Sinclair Seconded: Dudley Maier**

**We call on the City of Vincent Council to reconsider the discontinuation of commercial waste collections for the 2,111 small businesses in our community who rely on it every week and consider either:**

- a) **Acting as an agent to negotiate the services required by local businesses and reducing rates permanently to reflect the increased cost of doing business in the City of Vincent.**

**OR**

- b) **Deferring the change by 12 months to explore other service options such as engaging neighbouring Councils to provide commercial waste collections.**

**CARRIED**

*The Presiding Member, Mayor Emma Cole, provided an explanation of the reasons that Council made the original decision.*

**4.3 PAUL KOTSOGLO - PERTH**

Paul Kotsoglo submitted the following motion:

**Moved: Paul Kotsoglo Seconded: Ron Alexander**

**Council to resolve to undertake an independent review of its planning and development policies as the policies are often applied, with little realistic achievement or benefit in terms of the aims or objective of the policies. The policy review should be undertaken independently by a party/ies expert in the field of statutory planning including the application of planning policy.**

**The review should be completed within the next three (3) to six (6) months.**

**The key components of the review would be to:**

- 1. Assess the current practices in terms of the development and application of the Council's planning and development policies.**
- 2. Measure the effectiveness of the Council's planning and development policies against independently verifiable criteria and, whether the aims and objectives set out in the policies are in fact being achieved.**
- 3. Establish the legitimacy and legality of policy application so as to confirm or otherwise, if Council's planning and development policies are being correctly implemented (for example the use of percent for art funds for purposes other than on properties on which the fees were imposed, parking contributions when parking is not provided within 200m of the development site, or measurements for assessment of power or water saving. If they are**

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not, what rectification needs to happen to ensure the correct application of the Council's policies?

4. Advise and recommend to Council the appropriate strategy to adopt and apply policies to ensure fair and appropriate application of policy to achieve the desired outcomes in a legally correct and financially fair manner. (Consideration of public workshops with practitioners operating within the jurisdictions may be considered).
5. Presentation of a report containing the findings and recommendations to Council not later than September 2021.

CARRIED

**4.4 KATHLEEN RUFFO – MT LAWLEY**

Kathleen Ruffo submitted the following motion:

**Moved:** Kathleen Ruffo **Seconded:** Lisa Coyle

**That the City considers a third option of upgrading the park's facilities at 10 Monmouth Street along with the current options of "continue maintaining 10 Monmouth Street in its current condition OR to sell the land", be subject of the current community consultation.**

CARRIED

*The Presiding Member, Mayor Emma Cole, advised that Monmouth Street land is not for sale. No decision has been made on the Monmouth Street item and it has been made clear that if it was sold the proceeds of any sale would have to be used for public open space.*

**4.5 CELIA GRAY – NORTH PERTH**

Celia Gray submitted the following motion:

**Moved:** Celia Mary Gray **Seconded:** Dudley Maier

**That the community requests that the City adopts the following actions in order to protect our water catchments in accordance with the adopted Sustainable Environment Strategy, also in accordance with much needed climate change action and in particular requests that the City raises community awareness of these issues through such mechanisms as letter box brochures:**

1. Encourage residents to replace "fake grass" with real grass and reduce the size of paved areas.
2. Advise all landholders and mowing contractors to remove catchers from their mowers and leave lawn clippings in-situ.
3. Increase greening, urban cooling and wildlife habitat by planting more trees and shrubs that are native to the area.
4. Stop the planting of deciduous trees in verges, parks and public places and encourage the community to do likewise.
5. Promote the existing brochure which identifies native plants that are suitable to the soil types within Vincent.
6. Provide information to the community about environmental weeds.
7. Reduce fertiliser use and export to waterways.
8. Stop using glyphosate.

CARRIED

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## 4.6 RON ALEXANDER - PERTH

Ron Alexander submitted the following motions:

**Motion 1**

**Moved: Ron Alexander Seconded: Paul Kotsoglo**

Please explain why Daisy Lane and 5 other lanes are being transferred from the City of Vincent to the State Government.

Please explain why only these 6 and not 40 or so other lanes are being transferred?

In any transfer of Daisy Lane please ensure that there is a caveat that reads as follows, that:

“the residents abutting Daisy Lane each have the right to approve or reject any changes whatsoever to Daisy Lane. This includes any developments.” For clarity that is 100% of the vote is required for any changes.

**CARRIED**

**Motion 2**

**Moved: Ron Alexander Seconded: Paul Kotsoglo**

The electors of the City of Vincent resolve the following:

1. All works involving removal of grass and sand, and the placement gravel for paths or other purposes, and planting of ivy stop immediately and do not recommence until a comprehensive master planning process has been completed.
2. The Hyde Park masterplan shall address matters including:
  - a. Shade friendly grass to be immediately planted in patchy areas and the recently gravelled areas near the roundabout/main entrance on Glendower Street.
  - b. The aesthetics in the area near the main entrance to Hyde Park in proximity to the Glendower Street roundabout enhanced by the following actions including removing, painting or softening of the yellow bollards and other gas infrastructure and other innovations including way finding (painting the bollards green – with reflective tape to ensure visibility perhaps).
  - c. Instigate actions to reverse to water quality decline by 2021/2022 and safeguard the wildlife.
  - d. Make public all information in the City’s possession in relation to water quality assessment and recommendations.
  - e. The City to take immediate action to have the water quality and associated drains maintained to a standard and quality recommended by ARI Water, Craig Rothleitner and Bob Humphries Water Hydrologists.
3. All development works either planned or approved do not proceed until completion of a revised Hyde Park masterplan has been the subject of community consultation, referral to and approval by the Heritage Council of Western Australia and the Council of the City of Vincent.
4. The Council of the City of Vincent seek specialist expert input for the review of recent works, and proposed plans for Hyde Park not later than the first week of April 2021. The brief for the specialist input would be the subject of review by a Hyde Park working group established by the Council of the City of Vincent.

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5. The main entrance to Hyde Park near the roundabout on Glendower Street to be investigated with following actions to beautifying it including removing, painting or softening some of the yellow bollards and other gas infrastructure and other innovations including way finding (painting the bollards green – with reflective tape to ensure visibility perhaps).
6. The City of Vincent Hyde Park working group shall consist of Elected Members and appropriate Community Members. The City of Vincent Hyde Park working group be called for and established within one month from the date of this meeting.
7. The Hyde Park working group shall provide input and direction on the style of the Hyde Park garden themes and make comment on plans and associated reports prepared by the specialists. In addition, the Hyde Park working group would be expected to provide input and comment on plans and concepts which may be under consideration, previously considered or previously approved for Hyde Park and considered for inclusion in the Hyde Park masterplan.
8. The Council of the City of Vincent seek specialist input for design services inputs from appropriately qualified and experienced independent consultants and allocate an appropriate budget (circa \$50,000.00) to engage specialist consultants to prepare the masterplan for community consultation, Heritage Council of Western Australia approval or guidance as necessary, Council adoption and approval.
9. All community consultation to include electronic media, signs on site, and letters to owners and residents, with a minimum of twenty eight (28) days public submission period.

CARRIED

*Marie Slyth asked if the botulism referred to was tested as botulism, as if so aerators would help with that. The Presiding Member Emma Cole advised that she would take that question on notice.*

**4.7 DUDLEY MAIER - HIGHGATE**

Dudley Maier submitted the following motions:

**Motion 1**

Moved: Dudley Maier Seconded: Geraldine Box

1. That the City investigate options for funding a long-term program to provide underground power throughout the City;
2. That one option that must be considered is one based on the model developed by the City of Subiaco in the 1980s and which saw the all power put underground within about 35 years, and was mainly based on funding the program by taking out loans which were paid off by a small increase in annual rates;
3. That any models developed address issues of equity for community members in the Highgate East area who have already contributed to have their power put underground;
4. That any models that are developed to be used as a basis for consulting the community about the possibility of putting power underground.

CARRIED**Motion 2**

Moved: Dudley Maier Seconded: Norelle O'Neille

That the electors:

1. NOTE that :

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- 1.1 Prior to December 2017 the City's Code of Conduct had a requirement that Council Members should respond to all enquiries as soon as practicable, but in any case, within 48 hours of receiving a written enquiry;
  - 1.2 At the council meeting of 12 December 2017 the council voted unanimously for a revised Code of Conduct that no longer contained this requirement;
  - 1.3 The change to the Code of Conduct was made without any public consultation;
  - 1.4 The report that went to council did not indicate that the clause was to be removed either through the use of tracked changes or by mention within the report, and in fact said there was "little change to the substance and effect of the code", and
  - 1.5 The report to council stated that there had been several rounds of internal consultation and that all Council Members had an opportunity to provide feedback on the revised Code prior to it being adopted.
2. REQUEST that the City's Code of Conduct be reviewed and amended, and that the previous requirements for Council Members to respond to enquiries from members of the community be reinstated prior to the document being advertised for community comment.

CARRIED

**Motion 3**

Moved: Dudley Maier Seconded: Geraldine Box

That in the future years the City improve the promotion of the Annual General Meeting of Electors as an opportunity for the community to be engaged and have their say, and that any promotion emphasises that community members may speak on any issue relating to Vincent, or may move motions that must be considered by the Council if passed.

*Mayor Cole advised that her mobile phone number is on the website and she spends a lot of her time speaking to residents in her daily life. She advised she is happy to support this motion.*

CARRIED

**Motion 4**

Moved: Dudley Maier Seconded: Geraldine Box

That the electors:

1. NOTE that there is a mixture of uncertainty and scepticism within the community that the City's rangers check streets for adherence with parking rules on a regular or frequent basis;
2. REQUEST that the City's website display information which is updated on a weekly basis, and which shows which streets or street segments have been checked for compliance with parking rules and that the information contain the street or street segment and the time(s) of day that the street was checked.

CARRIED

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**ANNUAL GENERAL MEETING MINUTES****9 FEBRUARY 2021****Motion 5****Moved: Dudley Maier Seconded: Geraldine Box**

That the City reinstate the former practice of displaying proposed amendments in the council chamber prior to each council meeting, and that the proposed amendments be placed on the City's web site prior to the meeting where practicable.

**CARRIED****Motion 6****Moved: Dudley Maier Seconded: Geraldine Box**

That the electors:

1. NOTE that the signature block on emails sent by City employees contains the words "Engaging, Accountable, Making a Difference:"
2. NOTE the examples provided at the meeting of instances where transparency and accountability have diminished, and where engagement has been poor;
3. REQUEST that the administration stop using the words "engaging" and "accountable" on their signature block until such time as they are.

**CARRIED**

**In accordance with section 5.33 of the *Local Government Act 1995*, these motions will be considered by Council at the next practical Ordinary Council Meeting of Council, which will be 23 March 2021.**

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**5 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 7.46pm with the following persons present:

<b>PRESENT:</b>	<b>Cr Emma Cole</b>	<b>Presiding Member</b>
<b>(AS ELECTORS)</b>	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Sally Smith</b>	<b>North Ward</b>
	<b>Cr Ashley Wallace</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>David MacLennan</b>	<b>Chief Executive Officer</b>
	<b>Andrew Murphy</b>	<b>Executive Director Infrastructure &amp; Environment</b>
	<b>Virginia Miltrup</b>	<b>Executive Director Community &amp; Business Services</b>
	<b>John Corbellini</b>	<b>Executive Director Strategy &amp; Development</b>
	<b>Emily Williams</b>	<b>Senior Land and Legal Advisor</b>
	<b>Wendy Barnard</b>	<b>Council Support Officer</b>

**Public:** Approximately 22 members of the public.

These Minutes were confirmed by the Council as a true record and accurate of the Annual General Meeting of Electors held on 9 February 2021.

Signed: Mayor Emma Cole

Dated