



CITY OF VINCENT

NOTES

Council Briefing

10 May 2022

Table of Contents

1	Declaration of Opening / Acknowledgement of Country	3
2	Apologies / Members on Approved Leave of Absence	3
3	Public Question Time and Receiving of Public Statements	3
4	Declarations of Interest	4
5	Strategy & Development	6
5.1	Nos. 596-598 (Lot: 116; D/P: 2360) Newcastle Street, West Perth - Proposed Amendment to Previous Approval: Billboard Signs (Unlisted Use)	6
5.2	Local Planning Strategy and Scheme Report of Review and Amendment No. 10 to the Local Planning Scheme	11
5.3	Accessible City Strategy - Implementation Update.....	12
5.4	Sale of No. 25 (Lot 93) Sydney Street, North Perth [ABSOLUTE MAJORITY DECISION REQUIRED].....	14
6	Infrastructure & Environment	17
6.1	Waste Strategy 8 - Commercial Waste Collections (Update).....	17
6.2	Tender IE164/2021 Menzies Park Pavilion and Ablutions Refurbishment	18
7	Community & Business Services	20
7.1	Investment Report as at 31 March 2022.....	20
7.2	Financial Statements as at 31 March 2022	21
7.3	Authorisation of Expenditure for the Period 1 March 2022 to 31 March 2022.....	22
7.4	Terms of Reference - Children and Young People Advisory Group.....	23
7.5	Advertising of new policy - Sportsground Allocation - Use and Hire Policy.....	24
7.6	Draft Access and Inclusion Plan 2022-2027 - Approval for Public Consultation	29
8	Chief Executive Officer	30
8.1	Annual Review of Council Delegations [ABSOLUTE MAJORITY DECISION REQUIRED]	30
8.2	Approval to Advertise Draft Local Government Property Amendment Local Law 2022.....	33
8.3	Outcome of Advertising new Temporary Employment or Appointment of CEO Policy [ABSOLUTE MAJORITY DECISION REQUIRED]	35
8.4	Outcome of Advertising Amended Council Members – Allowances, Fees and Reimbursement of Expenses Policy and Proposed Repeal of Civic Functions Policy.....	36
8.5	Proposed Repeal of Local Government Elections Policy	37
8.6	Outcome of Advertising amended Council Members Continuing Professional Development Policy [ABSOLUTE MAJORITY DECISION REQUIRED]	38
8.7	Advertising of Amended Policy - Council Member Contact with Developers	39
8.8	Vincent Underground Power Project (VUPP)	40
8.9	Information Bulletin	43
8.10	Report and Minutes of the Audit Committee Meeting held on 3 May 2022	45
9	Motions of Which Previous Notice Has Been Given	46
10	Representation on Committees and Public Bodies	46
11	Confidential Items/Matters For Which the Meeting May be Closed	46
12	Closure	46

**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 10 MAY 2022 AT 6.00PM**

PRESENT:	Cr Susan Gontaszewski	South Ward (Acting Presiding Member)
	Cr Alex Castle	North Ward
	Cr Jonathan Hallett	South Ward
	Cr Dan Loden	North Ward
	Cr Ashley Wallace	South Ward
	Cr Suzanne Worner	North Ward
	Cr Ron Alexander	North Ward (electronically – joined at 6.01pm during Item 3)
	Cr Ross Ioppolo	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer (electronically)
	John Corbellini	Executive Director Strategy & Development (electronically)
	Andrew Murphy	Executive Director Infrastructure & Environment (electronically)
	Virginia Miltrup	Executive Director Community & Business
	Jay Naidoo	Manager Development & Design (electronically) (left at 8.03 after Item 11.1)
	Mitchell Hoad	Specialist Planner (electronically)
	Tara Gloster	Manager Policy and Place (electronically) (Left at 7.22pm after Item 5.4)
	Rhys Taylor	Executive Manager Financial Services (electronically) (left at 7.33 after Item 7.4)
	Peter Varris	Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer
Public:	Approximately three members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Acting Presiding Member, Susan Gontaszewski, declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

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

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Mayor Emma Cole is an apology for this meeting.

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 Suzanne Burke of North Perth – Item 7.5

- Stated that there are only eight sporting fields in Vincent, and their sizes differ dramatically

- Stated that the policy should not apply to all the fields in the same way, and would like conditions added to each field
- Beatty Park Reserve and Birdwood Square are being treated and used as sporting fields, despite not having facilities to support the teams as the facilities were demolished.
- Mentioned that the policy states these grounds are for training only, but queries the difference between sports and training, as both require changerooms and toilet facilities
- Suggested that both parks are rezoned Passive Recreation for Community Use.
- Mentioned the ongoing issues with public urination and public nudity which occurs due to lack of facilities
- Stated that the public health implications in the report paints a positive view of outcomes, but does not mention the ongoing anti-social behaviour the lack of facilities has created
- Stated that Section 4.4 of the policy refers to active sports grounds, asked how this would affect fields that are not active sports grounds, such as Beatty Park
- Suggested that player numbers should be limited on smaller fields, as when a large team turns up to play at Beatty Park Reserve there are issues around parking, noise and proximity to homes
- Mentioned that the wording in the policy around the breach of hire conditions is not strong enough and should include action statements, for example, the City will issue a caution instead of the City may issue a caution
- Stated that a more robust process around complaints and record keeping is required
- Stated that sports users verbally abuse them, at the park and on their private phones
- Mentioned that it can be dangerous, sometimes cricket balls land in their yard during practice
- Stated that she does not feel that the City supports them and asks why can this not be improved
- Requested that issues be recorded so that there is an ongoing record. Potentially a points system for offenders, on a severity scale, which results in a warning, then suspension
- Mentioned that during peak usage times it is not possible to share the park, there is not enough space
- Requested more thought out and specific details in the policy

The Acting Presiding Member, Susan Gontaszewski, thanked Ms Burke for her comments.

3.2 Ray Stevenson of North Perth – Item 7.5

- Stated that since the pavilion was demolished four years ago there have been multiple issues
- Suggested a plan should have been in place for what should happen after the pavilion was demolished
- Stated that fields with facilities should be treated differently to those with no facilities
- Acknowledged that sporting clubs need a place to practice
- Stated that during peak times it is not possible to walk their dogs, as it is not safe
- Disputes the clause that parks without toilet facilities can have sport for 2 hours, requests the removal of this clause
- Mentioned that he feels this policy is not suitable

The Acting Presiding Member, Susan Gontaszewski, thanked Mr Stevenson for his comments.

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

4 DECLARATIONS OF INTEREST

- 4.1** Cr Jonathan Hallett declared a proximity interest in Item 8.8 Vincent Underground Power Project (VUPP). The extent of his interest is that his partner's property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. The report identifies that underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. He is seeking approval to participate in debate and vote in the matter.

- 4.2** Cr Suzanne Worner declared a proximity interest in Item 8.8 Vincent Underground Power Project (VUPP). The extent of her interest is that her property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. The report identifies that underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. She is seeking approval to participate in debate and vote in the matter.
- 4.3** Cr Ron Alexander declared a proximity interest in Item 8.8 Vincent Underground Power Project (VUPP). The extent of his interest is that his property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. The report identifies that underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. He is seeking approval to participate in debate and vote in the matter.
- 4.4** Cr Ashley Wallace declared a proximity interest in Item 8.8 Vincent Underground Power Project (VUPP). The extent of his interest is that his property is within the Project Zone. This is an interest in common with a significant number of ratepayers covering an estimated 5,336 electricity service meters to properties in the City of Vincent. The report identifies that underground power may provide an estimated increase in property value of approximately \$12,000 per residential property. He is seeking approval to participate in debate and vote in the matter.
- 4.5** David MacLennan, CEO declared an impartiality interest in Item 11.1 Appointment of the Design Review Panel. The extent of his interest is that he knows one of the applicants through his involvement in AUDRC – including through his position as AUDRC Chair. He was not involved in the assessment process for the DRP applicants.
- 4.6** Cr Susan Gontaszewski declared a proximity interest in Item 7.5 Advertising of new policy - Sportsground Allocation - Use and Hire Policy. The extent of her interest is a section of her property is directly opposite one of the parks mentioned in the policy. She is not seeking approval to participate in debate and vote in the matter.

5 STRATEGY & DEVELOPMENT

5.1 NOS. 596-598 (LOT: 116; D/P: 2360) NEWCASTLE STREET, WEST PERTH - PROPOSED AMENDMENT TO PREVIOUS APPROVAL: BILLBOARD SIGNS (UNLISTED USE)

Ward: South

Attachments:

1. Consultation and Location Map
2. Development Plans
3. Applicant Supporting Information
4. Road Safety Audit

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 an Amendment to Approved Billboard Signs at Nos. 596-598 (Lot: 116; D/P: 2360) Newcastle Street, West Perth, in accordance with the plans shown in Attachment 2, for the following reasons:

1. The proposed Unlisted Use (Billboard Signs) advertising third party content would be inconsistent with the objectives of the City's Policy No. 7.5.2 – Signs and Advertising, the objectives of the Commercial Zone under the City's Local Planning Scheme No. 2, and Clauses 67(2)(m) and (n) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The permanent approval of this signage would be incompatible with the desired future character of and adversely impact on the amenity of the locality; and
2. The proposed Unlisted Use (Billboard Signs) advertising third party content would be inconsistent with Clause 67(2)(b) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The permanent approval of this signage would be contrary to the purposes of orderly and proper planning, as:
 - The City is reviewing its planning framework in relation to third party advertising. The permanent approval would have the potential to prejudice this outcome; and
 - The planning framework as it relates to the site has not substantially changed since the previous time limit was approved and would result in inconsistent decision-making.

CR ALEXANDER:

The owner has advised that there is only one buyer for the land, who is next door, and this wouldn't provide the owner with an appropriate financial return. Realistically what are the options for the site given the commercial viability of this situation?

MANAGER DEVELOPMENT & DESIGN

As outlined in Administration's report, options for the subject site include:

- *For the site to be amalgamated with adjoining properties and provide for a coordinated development;*
- *For the site to be redeveloped on its own and consistent with the vision for a mixed use or commercial development as outlined in the City's planning framework; or*
- *For the site to be sold and redevelopment opportunities explored by the new owner.*

Although it is a factor for the owner, the commercial viability of these options is not a valid planning consideration and it is not a matter contained in the planning framework.

Administration is not able to advise what is 'realistic' from a commercial viability perspective.

Rather, Council is required to consider the acceptability in the permanent approval of billboards on the site having due regard to the current planning framework and the appropriateness of the planning outcome.

In relation to this planning outcome, it was not intended for the existing billboard signs to be permanently approved on this site. This is reflected in Council's most recent 2018 approval which supported a 10 year

extension for the signs in lieu of the applicant's proposed permanent approval. There are challenges in developing the site, and the approval for the billboard signs on a time-limited basis was to provide the opportunity to explore and progress redevelopment options.

The following information relates to Council's policy position on billboard signs and recent Council decisions on billboards to assist with informing Council's planning consideration of this application.

Council Policy Position on Billboards

Council has established a clear and consistent position in relation to the acceptability of billboard signage throughout the City. The following is relevant to this:

- The City's Policy No. 7.5.2 – Signs and Advertising (Signs Policy) was approved by Council in 2001. Since its approval the Signs Policy has maintained a provision which outlines that billboard signage is not permitted within the City;
- At its meeting on 20 October 2020 Council requested Administration to investigate the suitability of billboards through community consultation, and to undertake a review of the Signs Policy by December 2021;
- Administration undertook community consultation regarding the suitability of billboards from 12 May 2021 to 7 June 2021. 34 submissions were received during this period, of which 74 percent (25 respondents) opposed third party billboard signage;
- At its meeting on 14 December 2021, Council resolved to request Administration to amend LPS2 to prohibit billboard signage throughout the City. Administration is currently undertaking a review of LPS2 which is scheduled to be completed in 2024; and
- Also at this meeting Council resolved to undertake consultation on a review of the Signs Policy. This review retains the existing provision which does not permit billboard signage. An additional provision is proposed for any existing billboard signs which have a time limit to not be extended beyond 2024. The draft Signs Policy will be presented to Council mid-2022 for final approval.

While it is acknowledged that the retention of the existing billboards in perpetuity may be more commercially viable for the landowner than any of the alternative options, this is not a valid planning consideration.

There are a number of vacant sites along transport corridors which are awaiting redevelopment. While billboard signs may provide greater commercial returns to landowners, permitting these sites to erect billboards would result in a proliferation of third party advertising throughout the City. This would be contrary to outcomes of community consultation and the established position of Council.

Recent Council Decisions on Billboard Proposals

This established position of Council has been reflected in recent decisions related to billboard signage, including:

- No. 12 Newcastle Street, Perth – The applicant proposed the permanent approval of a billboard sign located on the roof of the existing building. Council refused this application on 17 March 2020. The applicant subsequently sought a review of this decision through the State Administrative Tribunal (SAT). SAT invited Council to reconsider its decision, and Council refused the application again at its meeting on 15 September 2020. The applicant ultimately withdrew the SAT review; and
- No. 374 Newcastle Street, West Perth – The applicant proposed a five year extension to the existing approved time limit for billboard signs on site, to pursue redevelopment options. At its meeting on 14 September 2021, Council approved the application for a one year period. The applicant subsequently sought a review of this decision through SAT. SAT invited Council to reconsider its decision, and Council approved the application for a three year period to coincide with the completion of the LPS2 review. The applicant ultimately withdrew the SAT review.

CR HALLET:

Is there anything that the City can do to assist with encouraging discussions with adjoining landowners regarding amalgamation?

MANAGER DEVELOPMENT & DESIGN:

Administration has contacted the applicant to understand the potential for the subject site to be amalgamated with surrounding properties. The applicant has advised that the landowner of the subject site has discussed

the potential for amalgamation with adjoining properties.

From these discussions it is understood that the owner of the adjoining property to the east at No. 590 Newcastle Street has no immediate plans to redevelop.

The owner of the adjoining property to the north at No. 65 Kingston Avenue is considering development opportunities, but this would not include amalgamation with the subject site.

CR WALLACE:

Why can access not be achieved from Newcastle Street? The access for No. 590 Newcastle Street next door is hard up against the western boundary of the site. Given access to the subject site would result in this being approximately 3 metres closer to the intersection, is there a specific requirement which prohibits this, or is it considered on a case-by-case basis?

MANAGER DEVELOPMENT & DESIGN:

While Main Roads WA (MRWA) is not responsible for managing either Newcastle Street or Loftus Street, it is responsible for managing signalised intersections.

MRWA Guide to Driveways requires new crossovers to be located 50 metres from signalised intersections. This 50 metre distance is referred to as the acceleration lane. The purpose of this separation distance is to avoid potential conflicts between vehicles accelerating out of the intersection and vehicles that would be entering or exiting the subject site.

The subject site has a frontage of 11 metres to Newcastle Street. This would mean that a new crossover would be located at its furthest approximately 8 metres from the signalised intersection of Newcastle and Loftus Streets and would be within the acceleration lane.

MRWA is capable of considering access within the acceleration lane, and this would be on a case-by-case basis where no alternative access is possible. In this instance, the Department of Planning, Lands and Heritage has indicated that alternative access could be contemplated from Loftus Street, subject to modifications being undertaken. It is unlikely that access from Newcastle Street would be supported as a result.

Administration's report has been updated to reflect this.

The adjoining site at No. 590 Newcastle Street has an existing crossover from Newcastle Street which falls within the acceleration lane. This site was developed prior to the MRWA requirements. It is also noted that this site does not have any alternative access available

CR IOPPOLO:

The Signs Policy provides for a definition which states that if there is a product that is offered for sale on site, then the sign would not be considered a billboard. There is currently a Connoisseur ice cream ad on the site. Is there the potential that if this ice cream were to be offered for sale on a temporary and unattended basis from the subject site that the billboard would not be considered a billboard under the Signs Policy?

MANAGER DEVELOPMENT & DESIGN:

It is possible but not realistic to establish a business for the duration of an advertisement on site so that they relate to one another.

The current Signs Policy defines billboard as 'means a sign erected for the purpose of advertising products or services which are not being offered on a site on which the sign is erected.'

In such a scenario, approvals would first be required to be obtained from the City to establish the business from the site and then any construction works undertaken.

It would also mean that when the advertising sign changes (ice cream in this example), the products or services displayed on the new sign would no longer be offered on site. This would be problematic for a genuine ice cream business that would be seeking advertising signs to promote its ice cream products that it is offering for sale from the site.

QUESTIONS RECEIVED IN WRITING PRIOR TO COUNCIL BRIEFING**CR IOPPOLO:**

Acknowledging that this is a revenue generating activity for the ratepayer without a building on the property, is the subject site with billboards erected (whether temporary or permanently) considered commercial or commercial vacant for rate setting?

MANAGER DEVELOPMENT & DESIGN:

The use of the property for rating purposes is commercial. This is due to the billboards erected, building permits issued and applicable owner insurances.

Rates revenue generated by the development is not a valid planning consideration.

CR IOPPOLO:

What is the approximate rate applicable to the subject site payable in in the 2021/22 financial year if it was considered commercial or commercial vacant?

MANAGER DEVELOPMENT & DESIGN:

The commercial rates charge for the 2021/22 financial year was \$2066.93.

Rates revenue is not a valid planning consideration.

CR WORNER:

What charges are paid by the applicant for leasing of the space?

MANAGER DEVELOPMENT & DESIGN:

The subject site is privately owned and is not owned by the City. It is unknown as to how much the landowner charges for the advertising of the billboards.

Leasing cost is not a valid planning consideration.

CR WORNER:

What are the plans for this space post 2029? Are we hoping that redevelopment issues may have been resolved by then?

MANAGER DEVELOPMENT & DESIGN:

The applicant's intention for the subject site is for the permanent approval of the billboard signs. This is reflected by the current development application which Council is considering.

The City's vision for the subject site is for a high quality mixed use or commercial development which is compatible with the character of the locality. This vision is outlined within the objectives of the Commercial zone of the City's LPS2.

As outlined above and in Administration's report, options for the subject site include:

- *For the site to be amalgamated with adjoining properties and provide for a coordinated development;*
- *For the site to be redeveloped on its own and consistent with the vision outlined above; or*
- *For the site to be sold and redevelopment opportunities explored by the new owner.*

The time-limited approval was intended to provide the owner with the opportunity to pursue and progress these redevelopment options. While access to the site is constrained, there are opportunities for this to be resolved. This is reflected in the advice received from the Department of Planning, Lands and Heritage which indicated that access from Loftus Street may be possible.

It is not known what the applicant's intention for the site would be following the expiration of the current planning approval on 21 October 2029.

As outlined in Administration's report, vehicle access is a constraint to redeveloping the site. The current approval period for the signs is considered to be adequate for the applicant to explore redevelopment opportunities for the site.

CR WORNER:

The City recently adopted a new policy prohibiting third party advertising. Is this publicly available?

MANAGER DEVELOPMENT & DESIGN:

Council considered amendments to the current Signs Policy at its Ordinary Meeting on 14 December 2021, where it resolved to undertake consultation on the proposed changes.

Consultation on the draft Signs Policy has concluded and it is intended to be presented to Council mid-2022 for approval. The advertised Policy can be found at: <https://imagine.vincent.wa.gov.au/signs-and-advertising-policy-review>

The Signs Policy currently outlines that billboard signage is not permitted within the City. The draft Signs Policy does not change this position.

ADDITIONAL INFORMATION

Inclusion of reference to Clause 67(2)(w) of the Deemed Provisions in Schedule 2 of the Planning Regulations in the second reason for refusal in the officer report recommendation, as well as including reference to this clause in the Comments section of the report. This Clause 67(2)(w) relates to having due regard to the history of the site.

5.2 LOCAL PLANNING STRATEGY AND SCHEME REPORT OF REVIEW AND AMENDMENT NO. 10 TO THE LOCAL PLANNING SCHEME

- Attachments:
1. City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review
 2. Amendment No. 10 to Local Planning Scheme No. 2 - Summary of changes
 3. Amendment No. 10 to Local Planning Scheme No. 2 - Form 2A

RECOMMENDATION:

That Council:

1. **ENDORSES** the City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review contained in Attachment 1;
2. **RECOMMENDS** that the Western Australian Planning Commission agrees to the recommendation in the City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review contained in Attachment 1;
3. **PREPARES** Amendment No. 10 to Local Planning Scheme No. 2 as at Attachment 3, pursuant to Section 75 of the *Planning and Development Act 2005* for the purpose of public advertising, subject to approval of the Environmental Protection Authority; and
4. **CONSIDERS** Amendment No. 10 to Local Planning Scheme No. 2 as a standard amendment under Regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the amendment;
 - 4.1 Has minimal impact on land in the scheme area that is not the subject of the amendment, due to the predominately minor text changes proposed;
 - 4.2 The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - 4.3 The amendment is not a complex or basic amendment.

CR GONTASZEWSKI:

The column 2 tree details – should this be ‘or’ instead of ‘and’?

MANAGER POLICY & PLACE:

*The ‘and’ is necessary so that the removal of a tree is only exempt if it complies with both of the conditions, i.e. not being on the inventory **and** not being shown on a landscaping plan.*

By changing the ‘and’ to an ‘or’ the provision would be read as meaning a person can remove a tree provided it is does not meet both requirements, i.e. a tree that was on the significant tree inventory could be removed without approval provided it was not also shown on a landscape plan and vice versa.

5.3 ACCESSIBLE CITY STRATEGY - IMPLEMENTATION UPDATE

Attachments: 1. Accessible City Strategy - Implementation Framework

RECOMMENDATION:

That Council NOTES the Accessible City Strategy implementation update as at Attachment 1.

CR HALLETT:

Review of bike network plan – has there been consideration to e-rideables and overlapping infrastructure requirements?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

I can confirm the review of the bike network plan will consider e-rideables.

Administration acknowledges that riders of devices such as e-scooters will use the same infrastructure as people riding bicycles and that the e-rideable sector of transport is growing. The research for the new plan will have the aim of providing a safe mobility network for people of all ages and abilities. It will include a wide range of devices such as bicycles, tricycles, hand-cycles and e-rideables.

CR HALLETT:

Advocacy through the mid-tier transport consortium. Have the state and federal government been receptive and if not, what do they see as the barriers other than funding?

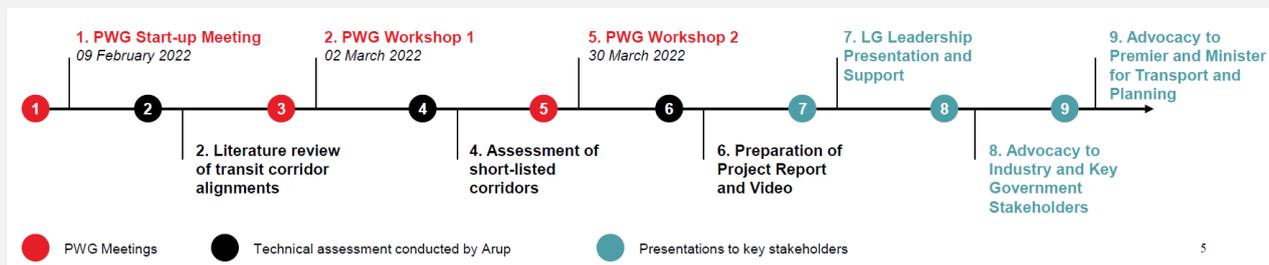
MANAGER POLICY & PLACE:

The consortium of 15 Local Governments within Perth’s inner and middle municipalities have come together to form a voice in support of a Mid-Tier Transit Strategy to be developed by State Government. The purpose of this project is to seek the support of State Government for the following:

- Preparation of a holistic Mid-Tier Transit Strategy for Perth.
- Funding for the plan over the 2023/24 and 2024/25 budget cycles.
- Provide certainty for LGAs to accommodate for State urban infill targets.

The process has involved two interactive stakeholder workshops involving the Consortium in collaboration with the State Transport Agencies to identify the corridors to short-list and to agree on the assessment of the corridors.

State Government support has not yet been gained and is the next step in the project. We are currently at step six of the timeline below:



CR HALLETT:

Draft warrant system for assessing traffic concerns. We have not implemented. What is the anticipated meeting date for presentation to the STAG?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

A ‘draft’ warrant system has previously been developed to assess both qualitative and quantitative data as a basis for impartially assessing resident’s requests for traffic calming. The system has in the past been discussed by the (then) Urban Mobility Advisory Group (UMAG) and it is recommended it be referred to the Sustainability & Transport Advisory Group (STAG) for further consideration.

CR LODEN:

How many of the items are in the Long Term Financial Plan?

MANAGER POLICY & PLACE:

Each year of the life of the ACS has been allocated \$300,000 in the LTFP, as this is the estimated cost of implementing all the items in the plan. This is revised each year through the budgeting process when more accurate costs are determined for the actions proposed to be delivered. This includes determining if the actions can be funded through the cash-in-lieu reserve.

The implementation table has been updated to include estimated budget information.

5.4 SALE OF NO. 25 (LOT 93) SYDNEY STREET, NORTH PERTH

Attachments: 1. Valuation Report - 25 (Lot 93) Sydney Street, North Perth - 16.04.21 - Confidential

RECOMMENDATION:

That Council:

- 1. APPROVES the disposition of No 25 (Lot 93) Sydney Street, North Perth (Land) in accordance with the *Local Government Act 1995***
- 2. DELEGATES BY ABSOLUTE MAJORITY to the Chief Executive Officer the authority to:**
 - 2.1 determine the best method of sale i.e. public auction, public tender or private treaty;**
 - 2.2 appoint a licensed real estate agent to advertise the sale of the Land;**
 - 2.3 accept offers;**
 - 2.4 in respect of:**
 - 2.4.1 Public auction:**
 - (a) determine the reserve price; and**
 - (b) accept the highest bidder;**
 - 2.4.2 Public Tender:**
 - (a) accept the tender in accordance with the City's Purchasing Policy; or**
 - 2.4.3 Private treaty:**
 - (a) set the date for sale of the Land;**
 - (b) provide local public notice;**
 - (c) consider submissions;**
 - (d) enter into private treaty negotiations; and**
 - (e) conclude contract of sale with private treaty entity, and in this respect, determine and vary the settlement date and/or date of satisfaction of any conditions pursuant to the Contract of Sale between the City of Vincent and the prospective buyer; and**
- 3. AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the Transfer of Land document.**

CR GONTASZEWSKI:

Why has Administration not requested sale after licences for of parking? Approval should be after licences are cancelled.

CR IOPPOLO:

Why has Administration not requested approval for disposition of the land after the termination of the car park licences as it would affect the market value of the proceeds ? Approval should be after the licences are cancelled and be include in recommendation.

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The Recommendation has been updated to clarify that the sale process is subject to the termination or expiry of the car park licences:

“APPROVES the sale process relating to the disposition of Land to commence after the expiry or termination of the car park licences granted on the Land;”

CR GONTASZEWSKI:

Proposed rezoning – If land should be rezoned to maximise returns to the City, that should be a separate amendment – what would the timelines be and risk assessment on property values?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

The subject property is currently zoned Residential R20, which is consistent with the properties immediately adjoining and opposite. The intent of this zoning in the Local Planning Scheme was to maintain a predominately low density appearance to protect the character of residential areas while focussing density on major activity corridors and in town centres.

When considering a proposal to rezone, it is not sufficient planning justification that the subject property could see an increase in land value. In this specific example, Administration considers that the R20 code is appropriate for this site, given its surrounding low-scale residential context. Additionally, the Department of Planning, Lands and Heritage have previously advised that re-codings of individual sites are generally not supported, especially where the basis for such a rezoning is based on increasing land value.

CR CASTLE:

With regards to the POS reserve allocation, was this contemplated as part of the transition plan when Council made the arrangements for Sydney/Haynes precinct?

CR LODEN:

Report states that funds from the sale of the land is to be allocated into POS strategy but not in the resolution and if not, can an amendment be prepared?

EXECUTIVE DIRECTOR STRATEGY AND DEVELOPMENT:

Administration previously informed Council that the proceeds from the sale of the land would be used to develop the park at Haynes Reserve:

<p><i>Special Council Meeting on 28 January 2020</i></p>	<p><i>No. 25 (Lot 93) Sydney Street is proposed to be converted to Residential following the conversion of the park. It is recommended that this property be developed to a vacant residential standard and sold to <u>offset the cost to develop the park</u>. This disposal would be subject to a separate Council decision and the requirements of the Local Government Act 1995.</i></p>
<p><i>Ordinary Council Meeting on 20 October 2020</i></p>	<p><i>The potential sale of No. 25 (Lot 93) Sydney Street, <u>could fund the construction of the park</u>. The 561 square metres property was given a market value by Landgate of \$785,000 on 9 April 2019. The sale would be subject to a future Council decision and would need to be sold in compliance with section 3.58 of the Local Government Act 1995.</i></p>

Consistent with Administration’s advice above, the Recommendation has been modified to clarify that the proceeds of sale be applied towards the development of the park on the Haynes Street Reserve and any remainder would be held in the POS Reserve for the creation of upgrade of other POS in the City of Vincent

CR LODEN:

Valuation. Is it up to Administration to decide what the minimum acceptable value would be? What is a minimum acceptable value that the CEO is prepared to accept.

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Based on the updated market valuation, Administration proposes that the CEO be delegated the authority to accept offers which are equal to or higher than the market value. The recommendation has been modified to reflect this.

CR ALEXANDER:

Why does the proceeds from the sale of the land only go towards the POS and not debt reduction, further discussion on POS and how that is paid for. Admin consider what recommendation should say – prepare amendment

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Please refer to the response above with respect to Cr Castle and Cr Loden's query which addresses the allocation of the sale proceeds.

CR IOPPOLO:

Requests and updated market valuation – 3 scenarios: (i) with as with current car parking licences, (ii) without car parking licences, and (iii) market value if land rezoned under the relevant code?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

A market valuation based on vacant land for R20 and vacant land for R30/R40 has been requested from a valuer.

6 INFRASTRUCTURE & ENVIRONMENT

6.1 WASTE STRATEGY 8 - COMMERCIAL WASTE COLLECTIONS (UPDATE)

- Attachments:
1. Survey Results
 2. Commercial Survey - Verbatim

RECOMMENDATION:

That Council NOTES the results of the survey carried out in relation to the discontinuation of commercial waste collection.

CR HALLETT:

We have identified the challenge of internal data accuracy of current contacts for businesses within Vincent – have we had any improvement in this area? Do we know how many businesses are signed up to our e-news as a proportion of commercial waste ratepayers, given that that's suggested to be a key vehicle for Waste Education?

MANAGER MARKETING & PARTNERSHIPS:

Administration aims to make the signup process for the City's newsletters simple, no demographic data exists to identify business owners within the general news distribution list.

The business news is a communication tool tailored for businesses within the City. There are currently 1012 businesses subscribed to that newsletter list.

There are reform projects being run as an outcome of the Small Business Friendly Approvals (SBFA) Program the City recently participated in to improve recording keeping and maintaining small business records:

- *Reform 1.11 Expand access and reach of business e-news to keep small business updated on the City's programs and initiatives*
- *Reform 3.5 Centralise and actively maintain small business customer records to improve quality and consistency of communication*

The City has 1012 businesses subscribed to E-News (this removes the staff subscriptions, the people who have since unsubscribed and the email addresses that no longer exist).

That's an increase from the 930 subscribed in February 2022 and the 974 subscribed in April 2022.

6.2 TENDER IE164/2021 MENZIES PARK PAVILION AND ABLUTIONS REFURBISHMENT

Attachments: 1. Tender Evaluation Summary - Confidential

RECOMMENDATION:

That Council

1. **NOTES** the outcome of the evaluation process for Tender IE164/2021 Menzies Park Pavilion and Ablutions Refurbishment; and
2. **ACCEPTS** the tender submission of Devco Holdings for Tender IE164/2021 Menzies Park Pavilion and Ablutions Refurbishment.

CR WALLACE:

Could you provide the spec provided to tenderers?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Will be emailed to Council Members separately.

CR IOPPOLO:

Are the tenderers required to provide an ASIC search? If not, can it be provided?

PROCUREMENT & CONTRACTS OFFICER:

The City assesses the financial risk associated to a requirement during the procurement planning stage. The financial risk related to this project was considered low, as such the City requested details of company ownership structure and confirmation by a Certified Practising Accountant of the financial capacity of the organisation to carry out works for this project. Additionally, the City checks that status of the organisation on the ASIC website and <https://abr.business.gov.au> but does not pay for ASIC extracts or illion reports unless there is a financial risk identified in the planning or evaluation stage.

CR HALLETT:

Given the extent we use Devco has there been any discussion on how they might improve their environmental performance?

PROCUREMENT & CONTRACTS OFFICER:

As part of the transparent, compliant and competitive procurement process, due diligence on the capability and capacity of the preferred Respondent to deliver the tendered project is carried out, and this is factored into the value for money assessment. There is no limit on how much work can be awarded to one contractor.

Feedback is offered to Respondents that are unsuccessful for a request, and advice is given on where there may be room for improvement with their response. For the successful Respondent, there is scope in the Contract Management phase relating to a particular project to discuss the performance (environmental or other) of the Contractor and advise areas for improvement. The City would have to be careful to not coach a Respondent, so this feedback would not be appropriate unless it is related to a contract on foot.

It should also be noted that in part, Devco's score was impacted by not elaborating on some aspects as much as LKS did, hence the score difference.

CR HALLETT:

- Is there capacity to require specific standards or thresholds as minimum requirements under this criterion rather than just a scoring that where all score poorly one is still recommended?

PROCUREMENT & CONTRACTS OFFICER:

As part of the transparent, compliant and competitive procurement process, due diligence on the capability and capacity of the preferred Respondent to deliver the tendered project is carried out, and this is factored into the value for money assessment. There is no limit on how much work can be awarded to one contractor.

There is capacity to have minimum standards for any procurement qualitative criteria, but careful consideration from an anti-competitive position in local government has to be made to ensure it is appropriate to the scope of works and pool of potential suppliers for those works. For example, if ISO certification were a minimum standard for the environmental criterion, many operators that service LG's would not be able to meet this criterion, and would likely be ruled out and this could be seen as anti-competitive. For large private sector organisations dealing with other large organisations, this may be entirely appropriate and still result in many potential Respondents. Having said that, there are other minimum

requirements that can be considered and the City does consider the information and evidence required for each requirement during the planning stage, and adjust the criteria where required.

If the risks were low for the criteria relating to environmental practices (no hazardous chemicals etc) and all Respondents scored poorly, a consideration would then be made if it were in the City's best interest and low risk to recommend proceeding with the requirement, and clearly justify the reasons why.

CR CASTLE:

Award a high proportion to one operator, is there an issue with that?

PROCUREMENT & CONTRACTS OFFICER:

As part of the transparent, compliant and competitive procurement process, due diligence on the capability and capacity of the preferred Respondent to deliver the tendered project is carried out, and this is factored into the value for money assessment. There is no limit on how much work can be awarded to one contractor.

7 COMMUNITY & BUSINESS SERVICES

7.1 INVESTMENT REPORT AS AT 31 MARCH 2022

Attachments: 1. Investment Statistics as at 31 March 2022

RECOMMENDATION:

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

NO QUESTIONS

7.2 FINANCIAL STATEMENTS AS AT 31 MARCH 2022**Attachments: 1. Financial Statements as at 31 March 2022****RECOMMENDATION:**

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

CR HALLETT:

There was an unfavourable variance in relation to the road reserve labour costs, just wondering if I can get a short explanation in the briefing notes.

EXECUTIVE MANAGER FINANCIAL SERVICES:

The Roads reserve labour costs variance of \$28,400 was a timing difference in March 2022. The majority of these costs have been reallocated in April to various parks and reserve maintenance programs.

7.3 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MARCH 2022 TO 31 MARCH 2022

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

RECOMMENDATION:

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

EFT payments, including payroll	\$7,254,959.65
Cheques	\$884.01
Direct debits, including credit cards	\$138,624.37
Total payments for March 2022	\$7,394,468.03

NO QUESTIONS

7.4 TERMS OF REFERENCE - CHILDREN AND YOUNG PEOPLE ADVISORY GROUP

- Attachments:**
- 1. Proposed Terms of Reference - Children and Young People Advisory Group**

RECOMMENDATION:

That Council ADOPTS the Terms of Reference of the City's Children and Young People Advisory Group (CYPAG) (at Attachment 1).

NO QUESTIONS

At 6:13 pm, Cr Susan Gontaszewski left the meeting. With agreement of Council, Cr Hallett assumed the Chair.

7.5 ADVERTISING OF NEW POLICY - SPORTSGROUND ALLOCATION - USE AND HIRE POLICY

Attachments: 1. **Proposed Sportsground Allocation - Use and Hire Policy**

RECOMMENDATION

That Council APPROVES the Sportsground Allocation - Use and Hire Policy, at Attachment 1, for the purpose of community consultation.

CR LODEN:

I may have missed it in my review but can you give us an example of a case of where say BP Reserve vs Charles Veryard, where there would be a distinction between how those two spaces were treated.

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Beatty Park is booked with a preference for junior training (lower intensity) and has strict set up conditions (East/West – avoiding set up near Farr Ave and the playground). Information regarding toilet use is provided to users, and casual hire of the Reserve is limited.

During winter 2022 Beatty Park has two nights booked in by a Junior Soccer Club; Wednesday and Friday No training goes after 8:00pm. (Noting that further bookings may occur from time to time)

In comparison Charles Veryard Reserve is hired every day of the week during winter. Hockey and AFL coexist during winter; and this includes training and match playing for both juniors and adults.

CR LODEN:

The other one was just around breaches for people using those spaces and it does talk to that but it is a bit high level, I assume there is subsidiary information either in other policies or administrative documents? is it possible to share some of that information I guess just to map out what those steps are and the process, how many strikes do you have to have or whatever the case may be, just to give us a bit more confidence in how that breach process is utilised

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

The City receives complaints from both the community about the behaviour of club members, and also receives complaints from club members about the behaviour of community members. These issues are frequently occurring, vary in severity, and are managed by Administration on a day-to-day basis without incident.

The breach of hiring conditions is initially dealt with as a breach of terms of use, and the City will advise the club that a complaint has been made and work with them to resolve the matter.

The current feedback refers to a more timely resolution of serious complaints that have not been immediately resolved to the satisfaction of the complainant. In other words, where the complaint shifts from the club to the resident's:

“dissatisfaction about the ... action or inaction by the City of Vincent or its Employees or its Elected Members” (Source: Customer Service Complaints Management Procedures)

The City can improve how the resident complaint is managed, escalating it through the existing Customer Service Complaints Procedure. This process is documented in Policy 4.1.3.

The City has also improved how complaints relating to clubs are documented, and will review them during the seasonal allocation process, which will improve the management of issues that repeat from season to season.

CR LODEN:

If Council were to form a view that we need to strengthen our provisions in the policy, particularly around the antisocial behaviour side of things rather than us trying to wordsmith it on the night, would administration be able to propose some options or some words that might be helpful or how that could be achieved as part of the Briefing Notes and that might not be in the Policy it might be in some subsidiary guidelines. That might be useful information for Cr Members.

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Antisocial behaviour is mentioned in the existing policy and hire conditions. The issue has been resident dissatisfaction with the City's speed in resolving these issues in a timely matter, which can be addressed by more quickly activating the customer complaint process documented in Policy 4.1.3.

CR IOPPOLO:

Under Policy 4.1.3, Customer Complaints Management and Procedures, is there a required time for Administration to get back to the complainant about the investigations that are occurring

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

In accordance with the City's Customer Service Charter -

- *We will acknowledge emails within two working days and, any written request within five working days of receipt.*
- *Whenever possible, we will provide a completion date when requests require in-depth research which will take longer than 10 working days.*

The formal Customer Complaint process in Policy 4.1.3 also sets time frames for each step of the complaints process.

CR IOPPOLO:

Could we be advised of how many complaints under that Policy have been made in relation to the Beatty Park Reserve specifically over the last 2 years and importantly how many people, i.e. 10 complaints from 2 people or is it 10 complaints from 10 people

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

A list of complaints from the past 2 years is summarised below. [SC] refers to one club who were cancelled in March 2022.

- *In this period there were 17 complaints, and 9 referenced club [SC]. 12 complaints were from 2 residents.*
- *In March 2021 club [SC] were provided with a warning for public urination. On the next occasion, March 2022 their booking was cancelled.*
- *Two complaints related to groups who used the reserve without a booking.*
- *Three complaints were of a general nature and referred to issues from previous seasons.*
- *Three complaints related to individuals changing into or out of sports gear, and one was a swimmer at BPLC.*

<i>Date</i>	<i>Issue</i>	<i>Complainant (R =Resident)</i>
<i>March 2022</i>	<i>Urination by senior soccer player under tree (Club bookings cancelled) [SC]</i>	<i>Cr Womer</i>
<i>March 2022</i>	<i>Swearing [SC]</i>	<i>R1</i>
<i>March 2022</i>	<i>AFL players on ground (unbooked)</i>	<i>R1</i>
<i>March 2022</i>	<i>Player getting changed, no nudity [SC]</i>	<i>R1</i>
<i>March 2022</i>	<i>Swearing. Referred to complaints from other residents.[SC]</i>	<i>R5</i>
<i>January 2022</i>	<i>Early morning training group (unbooked)</i>	<i>R1</i>
<i>January 2022</i>	<i>Perth Junior Soccer kids too close to Northern edge of reserve (club sent email reminder and BPLC Manager attended oval for next few weeks to assist with correct setup)</i>	<i>R1</i>
<i>Dec 2021</i>	<i>Perth Junior Soccer Club too close to playground (Coach asked to move over)</i>	<i>R2</i>
<i>Sept 2021</i>	<i>Player getting changed in carpark (was a BPLC Swimmer)</i>	<i>R3</i>
<i>Sept 2021</i>	<i>List of issues provided for season review (setup, hours of use, toilets availability, noise) [SC]</i>	<i>R3</i>
<i>June 2021</i>	<i>Club late to finish by 8 minutes. And noisy (BPLC Supervisor attended and Club were finished) [SC]</i>	<i>R3</i>

April 2021	List of issues that may arise during soccer season and asking how they may be dealt with [SC]	R3
April 2021	Public getting changed (no nudity)	R2
April 2021	Goals setup incorrectly – balls kicked into yard and against fence (Club contacted and this was addressed) [SC]	R3
March 2021	Urination [SC]	R4
Feb 2021	List of possible issues that may happen now soccer season is recommencing (urinating and changing in view of residents). No dates or times or actual events listed [SC]	R1
September 2020	Afl 9's noise	R1

CR ALEXANDER:

There is a dearth of sporting ovals in Vincent as we know and I am supportive of this being a sporting oval but there are a number of things that concern me. Are we just going to maintain. I don't see anything in these new regulations that are going to solve the problem that we have had there in the past. So given that there has been all the trouble because there is no changerooms, what is going to be different this time, because it just went on and on and on, where the sporting people did the wrong thing and were never held to account. It was just an open wound. What in the new regulations are going to be different this time. Do you believe the only way to achieve this that if there are changerooms there then it's a sporting field, if changerooms are not there then you don't have a sporting field.

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Complaints at Beatty Park related to one local club and that club has now been prohibited from using the reserve. As mention earlier, the resident frustration built up for several years and it is reasonable that the process is reviewed and improved to deal with the situation in a more timely manner. The City has already made changes to ensure more timely resolution of complaints. This has included:

- (a) Creating the role of Coordinator Sport and Recreation who liaises with clubs to ensure they are meeting the required standards and addresses issues that arise.
- (b) Moving the Sport and Recreation portfolio, and the booking of halls and reserves, to the team at Beatty Park Leisure Centre who are experts in dealing with sports clubs, sport facilities and customer management.
- (c) Improving the timely management of complaints through this team
- (d) Ensuring seasonal ground allocations consider resident and community feedback from one season to the next.
- (e) Customising the terms of use for specific clubs based on feedback from the previous season.

A dedicated complaints process was created for the residents at Beatty Park Reserve to enable them to have their complaints managed in real time by having a duty manager from Beatty Park to attend, however they later provided feedback that they felt the process was inadequate and did not meet their needs.

As mentioned above, the complaint process for residents can also be improved for complaints that are of a more serious or prolonged nature.

It should be noted that Beatty Park Reserve is also used regularly by 40 families and children for junior sports training without attracting similar complaints from residents.

As to the question about changerooms. Birdwood and Beatty Park are both designated as sports grounds in the Public Open Space Strategy and are being used in that manner.

All hirers are made aware that toilets are available at Beatty Park Leisure Centre via a fixed sign at the reserve (as requested by residents) and as part of the email confirmation. The distance from Beatty Park Reserve to the toilets at Beatty Park Leisure Centre is similar to the larger grounds ie Britannia. Hirers using Birdwood are aware there are no bathrooms available. Schools using Birdwood for carnivals will use portaloos organised/paid for by the school.

The City is currently working on a more strategic Sport and Facilities Plan that will evaluate the minimum requirements and needs for each ground and will consider the issue of facilities. This plan will also call for public comments.

CR ALEXANDER:

What is going to be different to what has happened in the past? What in these regulations is going to be different because the sporting people who have used it generally have been getting changed there and urinating there so what in these regulations is now going to be different?

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Refer response above.

CR CASTLE:

Last dot point in that clause refers to hours of use, I am just wondering if that is intended to cover the total hours of use in a week for example, rather than just in a particular session? Would that be considered as part of that degree or that assessment of intensity? If you are looking across bookings for a number of clubs on the 1 reserve, are you keeping track of how many hours it is being used and sort of accumulative intensity I suppose for over a course of a week?

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

When taking applications for seasonal hire the City looks at the whole week before approving allocations and the accumulative intensity is considered. The parks team are also involved in reviewing the plan to ensure the ground can accommodate the level of intensity. Yes, the team is keeping track of this.

CR CASTLE:

Was there any consideration given to aligning the definitions of the sportsgrounds with the Public Open Space Strategy, so that there was a connection between how we have classified those reserves in that strategy, with how we might define them in this particular one because we have obviously had a discussion about changerooms and toilet facilities and where they fit in the Public Open Space Strategy and whether they are then considered active sportsgrounds so I am just wondering if there should be some sort of link between that Strategy that sits above this Policy and how they interact

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

The ground is being used in a manner consistent to its designation in the Public Open Space Strategy. As a "reserve" it has a primary purpose of:

- *Passive Recreation*
- *Passive Activities*
- *Dog Exercise Area*
- *Playground*
- *Access Way*
- *Town Centre*
- *Active Recreation*
- *Sport Stadium*
- *Sports Ground*
- *Tennis Club*
- *Lawn Bowls Club*

Beatty Park Reserve has the designation of sports ground, and its manner of use is consistent with this.

MANAGER POLICY AND PLACE:

Administration completed a public open space amenity gap review in 2020/21. This identified gaps in amenity to provide the minimum standard of provision across the City's public open spaces. Beatty Park Reserve did not identify any gaps to achieve the minimum standard, therefore other amenities across the City are of a higher priority. The City is currently completing the Sport and Recreation Plan which will assess the provision further and will result in a program of works and upgrades that align with the findings, the City's Long Term Financial Plan and the City's Asset Management Sustainability Strategy. This may result in either public toilets, a sporting pavilion or no further amenities required.

CR WALLACE:

Intensity of use, section in policy does a really good job of generally describing the principles through which we decide if the intensity of use was appropriate or not, if any consideration was given to proposing a cap on the amount of hours that certain fields could be used for? We have the maximum hours of operation, if some of these fields were to be used for the entire length of those maximum hours of operation, I think most people would be of the view that that's too intense. Have we considered putting a limit on the number of hours?

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Refer to the response to Cr Castle above.

The accumulative intensity is considered by the allocation team and that, in turn, considers a range of interdependent variables.

While the policy sets the range of hours the grounds are available, the sports grounds cannot physically tolerate bookings for the full duration.

It should also be noted that even when the ground is booked, it is rare that the whole reserve is used. When Beatty Park Reserve is in use for Junior Soccer there is ¼ of the available space on the reserve for the public to use. So the intensity is not only about bookings, but the amount of space used, type of use etc. Dog walkers and passive users can also use the outskirts of the Beatty Park reserve and can also head north to Smith's Lake Reserve and through to Charles Veryard Reserve.

CR WORNER:

Community consultation – we need to be asking these questions. I feel like if we are just on the Socials, the newspapers, the noticeboard and the website, we might actually be missing a lot of people and this is a great opportunity to be out there talking to people. I know that puts pressure on resources and staffing and I apologise for that, but this is the perfect thing to go out to different organisations, different sporting grounds, to actually get that feedback. Is that a possibility?

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

Administration will consider how to create opportunity for community and sports ground user input. One consideration is that the City is also consulting with the same groups for the Sport and Recreation Plan over the coming 12 months, so consideration will be given how best to coordinate those processes.

At 6:38 pm, Cr Susan Gontaszewski returned to the meeting.

V7.6 DRAFT ACCESS AND INCLUSION PLAN 2022-2027 - APPROVAL FOR PUBLIC CONSULTATION

Attachments: 1. Draft City of Vincent Access and Inclusion Plan 2022-2027

RECOMMENDATION:

That Council:

1. **RECEIVES** the Draft Access and Inclusion Plan 2022-2027, at Attachment 1
2. **AUTHORISES** the Chief Executive Officer to provide local public notice of the Draft Access and Inclusion Plan 2022-2027 for public comment for a period of 21 days, inviting written submissions in accordance with the City's Community and Stakeholder Engagement Policy

CR GONTASZEWSKI:

Would it be possible in the Briefing Notes to get a breakdown of costs and if they are amounts that are proposed to be drawn from generic buckets, as to where they would fit

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

The draft DAIP includes a mix of:

- *actions that have no financial costs but are process and planning changes*
- *actions which will have a specific budget allocation*
- *actions which can be covered under existing budgets*

Request for specific budget for 2022/23:

Access and Inclusion - \$20,000 has been requested for events, partner projects, increased promotion, marketing, trialling augmented communication boards, Auslan interpreters and some training initiatives. ACROD Parking Improvement Program is under the Car Parking Renewal Program – requested \$30,000 for survey and mapping of public ACROD parking bays and \$30,000 each year after (4 years) for implementation.

City Buildings and Asset Management - \$50,000 additional requested each year for five years for DAIP initiatives (building audits, upgrades and additions).

Actions covered under existing projects and budgets include:

Website accessibility – existing website improvement budget

IT improvements – existing ICT budget

All staff training – existing training budget

Footpaths maintenance – increase has been requested to footpath maintenance budget (not specific to DAIP) but would ensure that DAIP priorities are addressed when undertaking footpath renewal and maintenance.

CR LODEN:

Did we engage with the education support centre in Mt Hawthorn?

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Yes. The Education Support Centre was contacted and sent the draft plan for feedback. They indicated they were supportive of the plan and no amendments were requested.

8 CHIEF EXECUTIVE OFFICER

8.1 ANNUAL REVIEW OF COUNCIL DELEGATIONS

Attachments: 1. Register of Council Delegations - Marked up for 2022 Review

RECOMMENDATION:

That Council:

1. **NOTES** the annual review of its delegations in accordance with Section 5.46(2) of the *Local Government Act 1995*, as outlined in this report; and
2. **DELEGATES BY ABSOLUTE MAJORITY** the local government functions listed in the City's Council Delegated Authority Register included as Attachment 1.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

In relation to 2.2.28 Power to invest and manage investments, please clarify if the amendment is seeking to increase the CEO's power to invest and manage investments from 1 to 3 years or is it the review and reporting requirements only?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The delegation condition is changed to require that the internal control procedures in respect to investment activity are presented to the Audit Committee every three years for confirmation as 'fit for purpose' rather than every year. This aligns with the requirements of regulation 17 of the Local Government (Audit) Regulations 1996. Council's Investment Policy <https://www.vincent.wa.gov.au/documents/642/investment-policy> provides the parameters for the CEO's approach to investment.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Reference is provided twice on page 2 in relation to 2.2.32? Please confirm this is a typographical error in one of those references as one relates to a deleted delegation and the other a new of delegation?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The current 2.2.32 Appointment of Authorised Persons is proposed to be deleted. A replacement (new) delegation for Appointment of Community Directors – Leederville Gardens, will take up the delegation 'number'.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Why hasn't 2.1.1 Delegation on page 14 related to COVID-19 Relief and Recovery Committee been struck out as per intent in the briefing?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Delegation 2.1.1 should be struck out in the attachment. It is recommended for deletion. The attachment has been updated for the Council Agenda and the renumbering of Delegation 2.1.2 (Behaviour Complaints Committee) to 2.1.1 has been noted in the report.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Regarding delegations that relate to demolition of any structures/building on a heritage place, please confirm the inclusion of the words, "unless the structure/building does not contribute to the heritage significance of the heritage place" means that for example, the Smith Street Highgate Place of Worship application from the 8 March 2022 Council Meeting would not come for Council consideration because the works related to the Hall could be deemed by Administration to not be as culturally significant as the Church, even though the entire site is Heritage Listed?

MANAGER DEVELOPMENT AND DESIGN:

Yes. The intent of this addition to the delegation is that modification to those structures that are not part of the 'statement of significance' adopted by Council for that heritage place can be determined under delegated authority.

The development application at No. 31 Smith Street, Highgate was for modifications to a part of a heritage place that was not part of its 'statement of significance' adopted by Council and so would not have gone to Council for determination if this change was in place.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Regarding the request that the CEO have the authority to select appointments of Community Directors to the Leederville Gardens Board of Management, please confirm:

- a. Whether these are paid appointments
- b. Whether these are external appointments or from Councillors and
- c. Whether the City is in any way responsible for the conduct of such appointments

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The Rules of Association for Leederville Gardens Inc provides –

14. Selection criteria

- (1) The Board will review the selection criteria every year and send any revisions to the City.
- (2) Once the City has agreed to the revised selection criteria they will remain in place until revised or new selection criteria are developed by the Board and approved by the City.

18. Appointment of community Directors by the City

- (1) The Secretary will give the City at least 90 days' notice of the expiry of the term of office of each community Director appointed by the City.
- (2) The City will run a search and selection process for each community Director to be appointed by the City, before that position becomes vacant, as follows:
 - (a) The City will use the selection criteria in its search and selection process.
 - (b) The City will provide a shortlist of potential appointees to the Board.
 - (c) The Board will interview the potential appointees and recommend to the City its preferred candidate for appointment to the Board.
 - (d) The City will appoint one (or more) of the potential appointees to the Board after taking into consideration the Board's recommendation and the selection criteria.
- (3) Where a community Director is eligible for reappointment and confirms their willingness to be reappointed, and the Board recommends that they be reappointed, the City may reappoint them without undertaking a search and selection process.

27. Payments to Directors and subcommittee members

- (1) A Director or a member of any subcommittee is entitled to be paid out of the funds of the Association only if:
 - (a) the payment is for any out-of-pocket expenses for travel and accommodation in connection with the performance of the Director's functions; or
 - (b) the payment is authorised by resolution at a general meeting on the basis that the payment is:
 - (i) reimbursement for an expense not referred to in rule 27(1)(a), that has been properly incurred in connection with the Association's business; or
 - (ii) a fee or allowance for the Director or subcommittee member's work not exceeding reasonable market rates for that work.

In summary, the Leederville Gardens Inc Board recommends to the City the appointment of a Board Director from the shortlist provided by the City.

The role is in essence a 'voluntary' one and external to Council Members.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Given that the authority sort includes extending the CEO's ability to appoint Authorised Persons with delegation powers and that:

- d. Authorised Persons may not necessarily be employees of the City and
- e. the Local Government Act s5.71 only requires that employees are required to disclose conflicts and

- f. a delegate must otherwise ensure that there is no actual or perceived conflict

where is the protection and accountability where the CEO delegates to a delegate where there indeed exists a conflict?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

There is a legislative requirement that the Employee Code of Conduct extends to those engaged by the City of Vincent under a contract for service. The Code addresses (as legislatively required) the management of conflict of interest of those subject to the Code in their decision-making role.

The management of conflicts of interest is addressed in letters of appointment, induction training and organisational procedures.

CR IOPPOLO (PROVIDED IN WRITING PRIOR TO THE BRIEFING):

Regarding delegations under 16.1.1 relating to taverns accommodating less than 120 patrons, in assessing why this maybe appropriate, what proportion of such applications are likely to relate to less than 120 patrons and therefore not required to come to Council for consideration?

MANAGER DEVELOPMENT AND DESIGN:

The delegation is proposed so that 'Small Bars' that are looking to sell packaged liquor (i.e. also acting as a 'Liquor Store') are also able to be determined under delegated authority.

A 'Small Bar' is defined as a licensed premises with a capacity of less than 120 people.

Under State Government planning exemptions and subject to conditions, there are exemptions from the need to obtain planning approval for a Small Bar and Liquor Store- Small.

The CEO currently has delegation to determine applications for Small Bars and Liquor Stores on their own if there are not more than 5 objections.

The change proposes to allow the CEO to determine proposals that combine these two uses (i.e. a Tavern that accommodates less than 120 patrons).

Three development applications proposing Taverns have been submitted to the City over the last year. All three of these propose less than 120 patrons and under the proposed delegation all of these would be determined under delegated authority provided there was not more than 5 objections.

8.2 APPROVAL TO ADVERTISE DRAFT LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2022

- Attachments:
1. Local Government Property Amendment Local Law 2022
 2. Local Government Property Local Law 2021 - Tracked Changes
 3. Table of Amendments
 4. Final Memorandum of Legal Advice - Confidential

RECOMMENDATION:

That Council:

1. **AUTHORISES** the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the *Local Government Act 1995*, for a period of at least 6 weeks, that:
 - 1.1 it is proposed to make the City of Vincent Local Government Property Amendment Local Law 2022 at Attachment 1;
 - 1.2 The purpose of the City of Vincent Local Government Property Amendment Local Law 2022 is to:
 - 1.2.1 amend clause 1.6 by inserting additional definitions for ‘election day’, ‘election period’, and ‘election sign’;
 - 1.2.2 amend clause 5.3(l) to delete the restriction on mobile phone use in a change room at a community facility, and to insert the restriction on any person taking images or recording of another person without their prior consent in a change room at a community facility;
 - 1.2.3 amend clause 5.14 to specify the responsibility of property owners to maintain awnings, balconies, and verandahs applies to those which are erected over a thoroughfare;
 - 1.2.4 amend clause 5.16(c) and (d) to specify that smoke free areas do not include vehicles within thoroughfares;
 - 1.2.5 amend clause 6.1(e) to change term from a ‘minor nature development’ to a ‘minor sign’ and provide further clarity to the definition;
 - 1.2.6 amend clause 6.8 to align with the City’s Election Signs Policy provisions for erection of signs on local government property without requiring a permit and to specify conditions for the City in determining an application for a permit for an election sign;
 - 1.2.7 delete clause 13.2(f) to remove the provision for an approved manager to refuse entry, suspend admission, or direct a person to leave a local government facility due to a person being deemed undesirable by reason of their past conduct; and
 - 1.2.8 amend typographical errors in and further clarify clauses 1.6, 4.4(2), 5.13, 6.2(2)(a), 6.3(1), 6.3(2)(a), 9.3(2), 9.7(1)(f), and 9.11(1);
 - 1.3 The effect of the City of Vincent Local Government Property Amendment Local Law 2022 is to:
 - 1.3.1 note and clarify new definitions used throughout additions to clause 6.8 regarding election signs;
 - 1.3.2 clarify that no images or recording shall be taken of another person in a change room at a community facility without their prior consent;
 - 1.3.3 clarify that owners with properties which have awnings, balconies, and verandahs

over thoroughfares have a public safety duty to maintain them;

- 1.3.4 clarify that persons smoking within their own private property (being a vehicle) situated on a thoroughfare in a smoke free area is not prohibited by the local law;
- 1.3.5 remove any confusion due to terminology used for signs in local planning policies and the City of Vincent's Local Planning Scheme No. 2;
- 1.3.6 clarify the conditions under which erection of an election sign on local government property does not require a permit and to provide guidance for the City in determining an application for a permit for an election sign;
- 1.3.7 remove grounds for discrimination in this manner against any person on local government property or in a community facility by an authorised person or approved manager; and
- 1.3.8 provide clarity in clauses 1.6, 4.4(2), 5.13, 6.2(2)(a), 6.3(1), 6.3(2)(a), 9.3(2), 9.7(1)(f), and 9.11(1);

1.4 Copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website;

2. NOTES that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed amendment local law and public notice will be provided to the Minister for Local Government;
3. NOTES that any submissions received as a result of the public notice provided as set out in recommendation 1. above will be presented to Council for consideration; and
4. RESPONDS to the Joint Standing Committee on Delegated Legislation indicating its intention to amend clause 5.3(l), as reflected in Attachment 1.

NO QUESTIONS

8.3 OUTCOME OF ADVERTISING NEW TEMPORARY EMPLOYMENT OR APPOINTMENT OF CEO POLICY

- Attachments:**
1. Temporary Employment or Appointment of CEO Policy
 2. WALGA Template Policy - Temporary Employment or Appointment of CEO

RECOMMENDATION:

That Council **ADOPTS BY ABSOLUTE MAJORITY** the new Temporary Employment or Appointment of CEO Policy at Attachment 1.

CR IOPPOLO:

Queried whether the policy would allow the remuneration of acting appointments to exceed the substantive CEO reward package.

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Minor amendments to clause 4.1 and 4.2 have been added to provide clarification of the City's existing practice that the determined remuneration and benefits for acting appointments must not exceed the substantive CEO's total reward package.

8.4 OUTCOME OF ADVERTISING AMENDED COUNCIL MEMBERS – ALLOWANCES, FEES AND REIMBURSEMENT OF EXPENSES POLICY AND PROPOSED REPEAL OF CIVIC FUNCTIONS POLICY

- Attachments:**
- 1. Council Members – Allowances, Fees and Reimbursement of Expenses Policy (clean copy)**
 - 2. Council Members – Allowances, Fees and Reimbursement of Expenses Policy (marked up)**
 - 3. Civic Functions, Ceremonies, Receptions and Provision of Hospitality Policy and the use of Council Chamber, Function Room and Committee Room Policy (4.1.29)**

RECOMMENDATION:

That the Council:

- 1. ADOPTS the Council Members – Allowances, Fees and Reimbursement of Expenses Policy at Attachment 1; and**
- 2. REPEALS Policy No. 4.1.29 – Civic Functions, Ceremonies, Receptions and Provision of Hospitality Policy and the use of Council Chamber, Function Room and Committee Room at Attachment 3.**

NO QUESTIONS:

8.5 PROPOSED REPEAL OF LOCAL GOVERNMENT ELECTIONS POLICY

Attachments: 1. Policy No. 4.2.14 - Local Government Elections

RECOMMENDATION:

That Council REPEAL Policy No. 4.2.14 – Local Government Elections Policy at Attachment 1.

NO QUESTIONS

8.6 OUTCOME OF ADVERTISING AMENDED COUNCIL MEMBERS CONTINUING PROFESSIONAL DEVELOPMENT POLICY

- Attachments:**
1. Council Member Continuing Professional Development Policy - (clean copy)
 2. Council Member Continuing Professional Development Policy - (marked up)
 3. WALGA Template Policy - Council Members Continuing Professional Development

RECOMMENDATION:

That Council **ADOPTS BY ABSOLUTE MAJORITY** the Council Member Continuing Professional Development Policy at Attachment 1.

NO QUESTIONS

8.7 ADVERTISING OF AMENDED POLICY - COUNCIL MEMBER CONTACT WITH DEVELOPERS**Attachments: 1. Council Member Contact with Developers Policy (Marked Up)****RECOMMENDATION:****That Council APPROVES the proposed amendments to the Council Member Contact with Developers Policy, at Attachment 1, for the purpose of community consultation.****CR GONTASZEWSKI:**

Clarity in relation to how Admin segregates decision making from person who signs off on the application. How does the City ensure that the staff member who is a decision maker - how do they manage the contact with developer. Is there any restriction in relation to decision makers contact with developer – or documentation on when an officer contacts developer.

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The City's Code of Conduct for Employees, supplemented by induction and training, underpins Administration's approach to delegated decision-making. City officer contact with members of the public, including those seeking advice on and subsequent approval of development is a routine and regular part of officer duties. It would be impracticable to separately record these types of contact, however local government record keeping requirements prevail and contact is captured through this mechanism.

Administration separates the development assessment process and the development approval process, with appropriate oversight in place.

CR CASTLE:

Different types of contact and how will they be dealt with?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The Policy provides the definition of 'Contact' and 'Exempt Contact'. An 'Exempt Contact' "does not involve the Council member engaging in any discussion or communication with the developer on the planning or development proposal."

The introduction of the Policy identifies that contact with developers "can sometimes lead to allegations or perceptions of bias, influence or even corruption being made towards Council Members" and that stakeholders "must have trust in Council members' ability to make decisions free of influence or the perception of influence".

A contact should be recorded where the substance of that contact could give rise to a possible allegation of bias or influence. It would be up to the Council Member to determine whether a contact is an 'Exempt Contact'. It will depend on the nature and detail of the contact initiated by the developer, and the nature and detail of any response.

A simple contact from a developer to which the Council Member responds by directing the developer to the Administration, pragmatically could be seen as an 'Exempt Contact'. Any response where the Council Member seeks further information or engages in the nature of the development would likely not be seen as 'Exempt'.

CR IOPPOLO:

Requested clarification in relation to recording contact with developers prior to the lodgement of a development application.

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Administration has considered the practicalities of the City maintaining a register for Council Members to record contact with developers prior to the lodgement of a Development Application (DA). It is recommended that the City provides Council Members with a log to record any contact with developers that occurs prior to a DA submission. These logs can be kept in accordance with the record keeping requirements for Council Members.

This will underpin the Council Member's responsibilities to record and then declare any contact when a Development Application becomes 'live'.

8.8 VINCENT UNDERGROUND POWER PROJECT (VUPP)

- Attachments:**
1. Invitation to participate - Tranche 2 - NRUPP
 2. NRUPPT2 Presentation
 3. Memorandum of Understanding
 4. Project Summary

RECOMMENDATION:**That Council:**

1. **NOTES** the invitation from Western Power for the City of Vincent to participate in Tranche 2 of the Network Renewal Underground Pilot Program (NRUPP) at Attachment 1.
2. **NOTES** the proposed project areas would underground power at 5,336 electricity service meters in 1) North Perth/Mount Lawley, 2) North Perth/Mount Hawthorn and 3) Perth/Highgate as per the boundaries identified in the maps contained in Attachment 2.
3. **NOTES** Western Power advice that the overhead network assets in these areas are coming to the end of their service life for replacement and renewal. The poles and wires would be replaced like for like with an expected serviceable life of 40-50 years in the event the City does not co-partner in an underground power project.
4. **AUTHORISES** the CEO to sign the Memorandum of Understanding at Attachment 3 to enable Western Power to commence detailed design of the project.
5. **NOTES** the project summary at Attachment 4 will be included as a new Strategic Project in the Corporate Business Plan 2023/24-2027/28.
6. **REQUESTS** Administration to prepare a preliminary business case on participation in NRUPP Tranche 2 as part of the preparation of the Annual Budget and update to the Corporate Business Plan (noting that the final business case would be finalised following 12 months of detailed design by Western Power which will confirm estimated costs for the project).
7. **APPROVE** utilisation of \$222,000 in the Underground Power Reserve to provide for two FTE over 12 months for project management and community engagement work to undertake this significant project.

ROSS IOPPOLO:

1. Regarding the recommendation 7 that Council approve use of \$222k in the City's Underground Reserve to manage the project, what is the total amount in that reserve and what proportion of all annual rates is typically collected from ratepayers in Vincent from the 3 designated project areas?

CHIEF EXECUTIVE OFFICER:

\$216,000 is the total amount in the reserve. The 3 project areas include properties which account for 26% of total rate revenue.

2. If the % requested above is not proportional to what has been collected from these 3 project areas, would administration agree it is equitable that only the proportion of the reserve be spent that relates to these areas benefiting?

CHIEF EXECUTIVE OFFICER:

Administration is recommending the City utilises the entire \$216,000 currently in the reserve to project manage the Vincent Underground Power Program. The City would be aiming for this to become a rolling program to provide underground power through out the City of Vincent following completion of the first three project areas. The program is commencing in those areas identified by Western Power as meeting the criteria for underground power under NRUPP due to the age and condition of the infrastructure. The City collects rates, some of which is held in reserve, to fund the full range of City projects, programs and

services. Many new projects have a very specific locational benefit (eg. an upgrade to a park or building).

Very few programs provide such a transformational impact across the City in terms of increasing public amenity, streetscape appearance and increased urban tree canopy as undergrounding power.

Council decides the amount allocated to the City's reserves during the adoption of the Annual Budget.

Council sets the budget each year in alignment with the Corporate Business Plan and Four Year Capital Works Program to ensure the City is meeting its obligations and priorities across the entire City.

The equity of the City's expenditure on individual projects, programs and services must be considered across the entire suite of the Corporate Business Plan and Four Year Capital Works Program taking into account priority and need.

Administration considers underground power a very high priority and community consultation being undertaken for the review of the Strategic Community Plan is showing strong support for the amenity benefits and improvement to tree canopy that results from undergrounding overhead distribution power lines.

Underground power delivers lower operating and maintenance costs, improved network reliability and security, better public safety, an improved street appearance, opportunities for increased and more sustainable tree canopy and enhanced opportunities for emerging technologies.

Administration has no concerns about recommending expenditure to appropriately project manage the VUPP in an identical manner for the City's other major projects and programs.

The total project cost is estimated to be \$48.9 million. The City of Vincent portion of this would be around \$17-18 million.

It would be a high risk to the success of the program if the City did not ensure appropriate resourcing for project management and community engagement on this transformational project.

3. Has Administration sought to amend the MOU such that the definition of Project and Project Area is limited to the relevant meters falling within the City of Vincent because the relevant Project Areas go beyond the City's boundaries in certain areas? Specifically, Annexure 2 – Project Area North Perth/Mt Hawthorn extends north of Green St.

CHIEF EXECUTIVE OFFICER:

The project area does incorporate properties within the City of Stirling.

Western Power will liaise with the City of Stirling on that section of the project and it will liaise with the City of Vincent on properties within our local government boundary.

The City of Stirling would be responsible for engaging with affected properties within its local government boundary.

For clarity, the City has updated the MOU to confirm it is only responsible for those meters which fall within the City's local government boundary as follows:

1d:

Western Power and the LGA wish to jointly investigate replacing these overhead distribution assets with underground assets "contained in the Project Area which are within the City of Vincent local government boundary", as this is expected to be mutually beneficial and result in an efficient solution for Western Power and the LGA.

4. Does the Project on a Page on page 33 require amendment to note that expenditure type is both OPEX and CAPEX and update for Project Manager Craig Wilson who has retired?

DAN LODEN:

My additional questions are also on the \$222,000. My understanding is that this is the amount in the reserve, however it is likely that the cost to fulfill our obligations under this MoU is different, weather higher or lower. Does administration have a view on what the cost of supporting the MoU from now through to the end of the

end of the MoU obligations?

If the amount is larger then should the resolution request additional funds as well?

If the amount is less then why not adjust the amount released from reserve to this amount?

CHIEF EXECUTIVE OFFICER:

Administration estimates that the now Reserve balance of \$216,000 would be sufficient to provide project management and community engagement resourcing for the first 12 months of the duration of the program.

This would cover the detailed design and community engagement stages of the project.

Administration will provide further advice about resourcing the subsequent stages of the program when Council considers the Co-Funding Agreement in 2023.

8.9 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Mindarie Regional Council Meeting held on 24 March 2022
 2. Minutes of the Tamala Park Regional Council Meeting held on 21 April 2022
 3. Minutes of the Children and Young People Advisory Group (CYPAG) held on 16 March 2022
 4. Minutes of the Reconciliation Action Plan Working Group (RAPWG) held on 14 March 2022
 5. Minutes of the Sustainability and Transport Advisory Group held on 24 March 2022
 6. Statistics for Development Services Applications as at the end of April 2022
 7. Register of Legal Action and Prosecutions Monthly - Confidential
 8. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 28 April 2022
 9. Register of Applications Referred to the MetroWest Development Assessment Panel - Current
 10. Register of Applications Referred to the Design Review Panel - Current
 11. Register of Petitions - Progress Report - April 2022
 12. Register of Notices of Motion - Progress Report - April 2022
 13. Register of Reports to be Actioned - Progress Report - April 2022
 14. Council Workshop Items since 5 April 2022
 15. Council Meeting Statistics
 16. Council Briefing Notes - 29 March 2022

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated May 2022.

CR LODEN:

Could we please have some more information on how development application timeframes are calculated? Is there a way to tell how long it is taking to process development applications?

MANAGER DEVELOPMENT AND DESIGN:

The City's statutory timeframes for processing of development applications are:

- 60 days to determine applications where no community consultation is required;
- 90 days if community consultation is required; or
- Another timeframe agreed by the applicant.

As per the Planning Regulations, where the City requests amended plans and/or additional information they are also requested to agree that the 60 or 90 day timeframe be extended by the time it takes for them to provide this information.

This means that the 60/90 day timeframe is effectively extended by the amount of days that the applicant needs to amend their plans or to provide additional information.

The City and the applicant generally do not have a final agreed timeframe for an application until the time of determination. This is because the agreed timeframes change throughout the assessment period.

In terms of reporting timeframes of development applications to Council, the City's internal reporting system is structured in a way where the timeframes are 'paused' when the City is awaiting amended plans and/or additional information to be submitted by the applicant or when the application crosses over a holiday period. The reporting therefore removes the additional period of time that the applicant has agreed to from the 60 or 90 days, as per provisions within the Planning Regulations.

The City's internal reporting system presents some constraints to how information is reported on but the way the data is presented can be changed. Administration will continue to review how data is presented in the Information Bulletin to improve clarity around agreed timeframes.

ADDITIONAL INFORMATION

Attachment 8 relating to the register of State Administrative Tribunal (SAT) appeals has been updated to confirm that the SAT appeal in respect to a Development Assessment Panel decision for an amendment to an approval at Nos. 636-640 Newcastle Street, Leederville has been listed for mediation.

8.10 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 3 MAY 2022

- Attachments:**
- 1. Audit Committee Minutes - 3 May 2022**
 - 2. Confidential Attachments to Audit Committee Meeting - 3 May 2022 - Confidential**

RECOMMENDATION:

That Council **RECEIVES** the minutes of the Audit Committee Meeting of 3 May 2022, as at Attachment 1 and **NOTES** the recommendations.

NO QUESTIONS

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**11.1 Appointment of the Design Review Panel**

The meeting went behind closed doors at 8.00pm to discuss the confidential item and the confidential attachments to tenders.

NO QUESTIONS

122 CLOSURE

There being no further business the briefing closed at 8.24pm.