

12.5 INFORMATION BULLETIN

- Attachments:**
- 1. Statistics for Development Services Applications as at the end of August 2022**
 - 2. Register of Legal Action and Prosecutions Monthly - Confidential**
 - 3. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 4 August 2022**
 - 4. Register of Applications Referred to the MetroWest Development Assessment Panel - Current**
 - 5. Register of Applications Referred to the Design Review Panel - Current**
 - 6. Register of Petitions - Progress Report - July 2022**
 - 7. Register of Notices of Motion - Progress Report - July 2022**
 - 8. Register of Reports to be Actioned - Progress Report - July 2022**
 - 9. Council Workshop Items since June 2022**
 - 10. Council Meeting Statistics**
 - 11. Council Briefing Notes - June 2022**

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated August 2022.

Statistics for Development Applications As at the end of July 2022

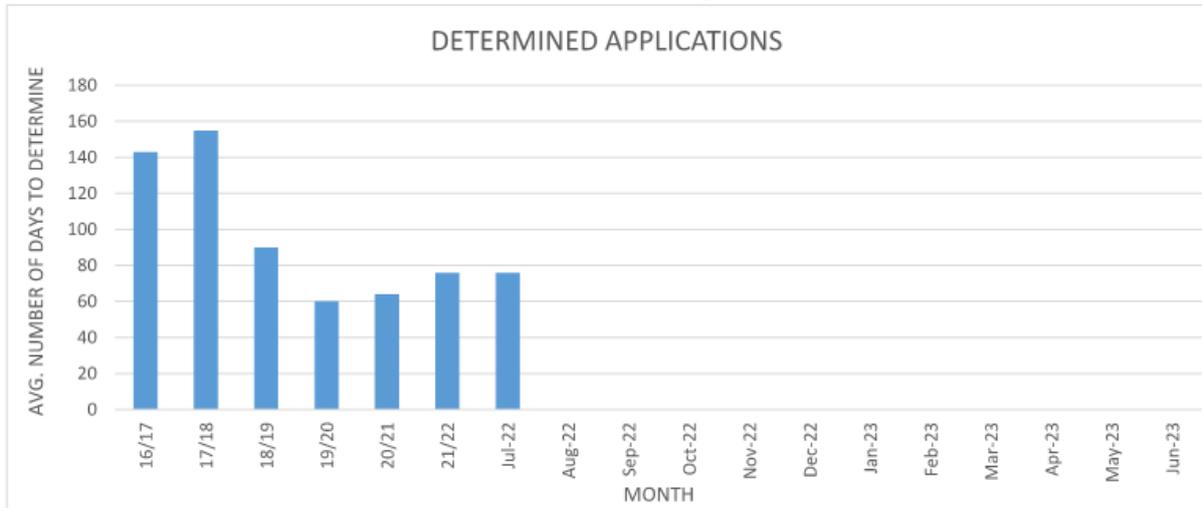


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2021.

Processing Days	16/17	17/18	18/19	19/20	20/21	21/22	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
Minimum	7	1	0	0	0	1	9											
Average	143	155	85	60	64	76	76											
Maximum	924	1008	787	499	268	298	155											

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's Determined	30											
Value of Determined DA's (in millions)	4.28											

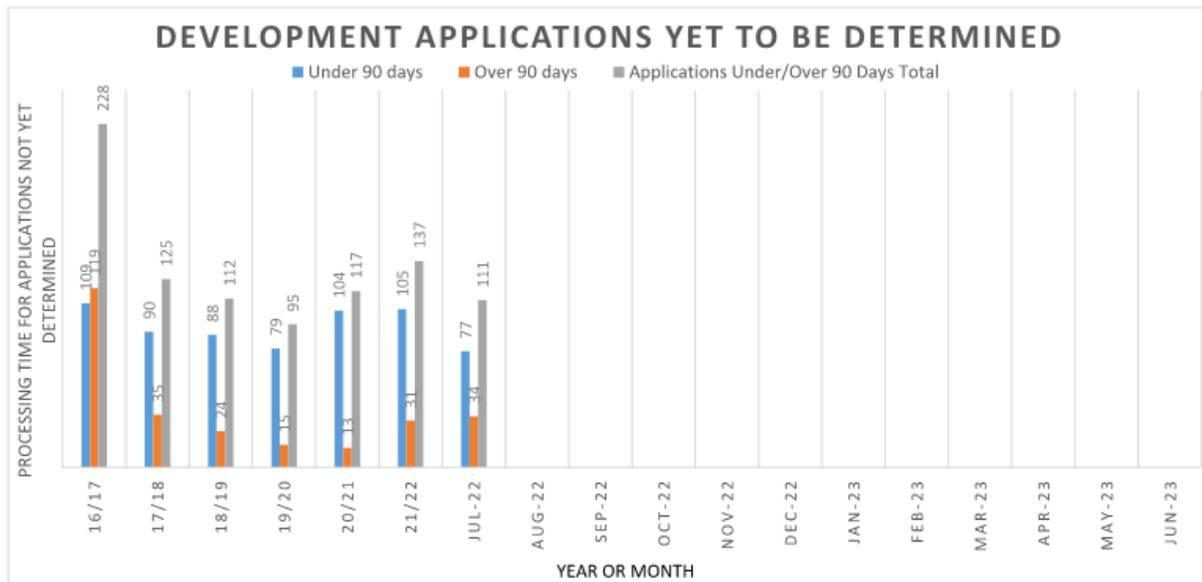


Table 2: No. of DA's to be determined

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's lodged	28											
DA's to be Determined	115											
Value of DA's to be Determined (in millions)	103.59											

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 8 AUGUST 2022**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing is scheduled for 23 December 2021.</p> <p>The 23 December 2021 SAT hearing was cancelled and new hearing scheduled for 1 March 2022 to allow submissions to be made on the validity of the Notice.</p> <p>SAT hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant.</p> <p>On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City, that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act).</p> <p>The matter proceeded to confidential mediation on 5 July 2022. The session centred around a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022.</p> <p><i>Representation by: McLeods</i></p>
2.	Nos. 636-640 Newcastle Street, Leederville (DR 61 of 2022)	4 April 2022	Megara	<p>Application for review of JDAP decision to refuse an application for Mixed Use Development (Amendment to Approved) on 17 March 2022.</p> <p>*****</p> <p>Directions Hearing listed for 29 April 2022 was vacated and the matter referred directly to Mediation scheduled for 26 May 2022. The mediation scheduled for 26 May 2022 was adjourned to 24 June 2022. The applicant is required to provide additional information to the Presiding Member of the Metro-Inner North Joint Development Assessment Panel on or before 10 June 2022. Mediation held. The applicant submitted amended plans and additional information on 10 June 2022 and Mediation was held on 24 June 2022. The JDAP has been invited to reconsider its decision on or by 19 August 2022. The City has submitted a Responsible Authority Report to the JDAP on 8 August 2022.</p> <p><i>Representation by: JDAP</i></p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 8 AUGUST 2022**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
3.	No. 392 Bulwer Street, Perth (DR 82 of 2022)	16 May 2022	Minh Khuu	Application for review of determination of Building Approval Certificate (BAC) (Serial No. 6.2017.237.1) issued on 8 September 2017 for retaining walls and masonry fences. ***** Applicant claiming review under Section 9.7(1)(a) – of <i>Local Government Act 1995</i> – ‘Review of a decision if an objection not lodged’. Seeking BAC to be set aside, retaining and masonry walls to be removed, alleged contaminated fill to be removed and fibro fence to be reinstated on cadastral boundary. Directions Hearing listed for 24 June 2022. Directions Hearing adjourned at request of applicant until 8 July 2022. Further adjourned to 5 August 2022. On 5 August 2022 the matter was reluctantly adjourned to 12 August 2022 (due to the applicant providing SAT with a medical certificate). <i>Representation by: McLeods</i>
4.	Nos. 596-598 Newcastle Street, West Perth (DR 92 of 2022)	8 June 2022	Lateral Planning	Application for review of Council decision to refuse an application for Proposed Amendment to Previous Approval: Billboard Signs (Unlisted Use) on 17 May 2022. ***** Directions Hearing held on 17 June 2022. The mediation listed on 1 August 2022 was vacated and the matter is now listed for mediation on 1 September 2022. <i>Representation by: Allerdin and Associates</i>
5.	Nos. 338-340 Beaufort Street, Perth (DR 108 of 2022)	1 July 2022	Urbanista Town Planning	Application for review of Administration decision to refuse an application for unauthorised signage on 31 May 2022. ***** Directions Hearing held on 22 July 2022. Matter listed for mediation on 25 August 2022. <i>Representation by: Administration</i>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 AUGUST 2022**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 46C Joel Terrace, East Perth	Doepel March Architects and Planners	Form 1 – Multiple Dwellings	3 November 2021	15 August 2022	Currently under assessment. Responsible Authority Report due 3 August 2022.
2.	Nos. 17-39 Robinson Avenue, Perth	Stewart Urban Planning	Form 1 – Alterations and Additions to Hotel	19 January 2022	15 August 2022	Currently under assessment. Responsible Authority Report due 5 August 2022.
3.	No. 391 Lord Street, Mount Lawley	Urbanista Town Planning	Form 1 – Mixed Use Development	22 February 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due 26 August 2022.
4.	No. 6/469 William Street, Perth	Doepel March Architects and Planners	Form 1 – Mixed Use Development	22 April 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due 24 August 2022.
5.	Nos. 533-545 Newcastle Street, 6-15 Cleaver Street & 1-7 Old Aberdeen Place, West Perth	Planning Solutions	Form 1 – Commercial Development	11 May 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due 7 September 2022.
6.	Nos. 370-374 Oxford Street, Mount Hawthorn	PTS Town Planning Pty Ltd	Form 1 – Mixed Use Development	27 May 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due 9 August 2022.
7.	No. 129 Loftus Street, Leederville	Harley Dykstra Planning & Survey Solutions	Form 1 – Commercial Development	12 May 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due 16 August 2022.
8.	No. 40 Frame Court, Leederville	Hatch Roberts Day	Form 1 – Mixed Use Development	25 July 2022	No yet scheduled	Currently under assessment. Responsible Authority Report due 10 October 2022.
9.	No. 67 Cleaver Street, West Perth	Coronada Development Services Pty Ltd	Form 2 – Mixed Use Development (Amendment to Approved)	26 July 2022	Not yet scheduled	Currently under assessment. Responsible Authority Report due date TBC.

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 4 AUGUST 2022**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
Nos. 376-373 Fitzgerald Street and No. 103 Alma Road, North Perth	Celsius Developments	Mixed Use Development	6 July 2022	Pre-lodgement Application The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting. The applicant has refined their previous development concepts which were presented to the DRP on 20 April 2022.
Nos. 370-374 Oxford Street, Mount Hawthorn	PTS Town Planning Pty Ltd	Mixed Use Development	6 July 2022	Pre-lodgement Application – Previously Referred The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting. To consider the proposal in response to the comments of the Design Review Panel (DRP) on 23 June 2021.
Nos. 229-231 Charles Street, North Perth	RAD Architecture / Department of Communities	10 Grouped Dwellings	6 July 2022	Lodged DA – Previously Referred The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting. To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 12 January 2022.



INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – July 2022
DIRECTORATE:	Chief Executive Officer

DETAILS:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

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

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

Key Index:	
CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
1/7/2022	Petition with forty one (41) signatures requesting that Council DISAPPROVE the development application for 469 William Street, Perth.	EDSD	The petition will be included in the Responsible Authority Report to the Development Assessment Panel (DAP), who are the decision maker on this development application.
30/3/2022	Petition with thirty six (36) signatures requesting that Council prohibit Western Diagnostic Pathology from operating a COVID testing drive through clinic at 391 Oxford Street, Mt Hawthorn.	EDIE	City of Vincent and Western Diagnostics are working collaboratively to relocate the COVID testing clinic to an alternate site within City of Vincent. Residents will be updated with information as it becomes available.
15/3/2022	Petition with four (4) signatures requesting residents only parking on Prospect Place, West Perth	EDIE	The Rangers have recently completed the necessary occupancy survey for this street, and are now in the process of going through all of the data to ascertain what the best outcome is. Once we have analysed the data, we can then make a decision whether it is viable or necessary to make this resident only parking.



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – July 2022
DIRECTORATE:	Chief Executive Officer

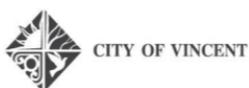
DETAILS:

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

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

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

Details	Action Officer	Comment
18 May 2021 – Submitted by Cr Hallett		
Local Planning Scheme No 2 – Amendment Regarding Tobacco Outlets	EDSD	Policy to be created to address provisions relating to Restricted Premises and businesses whose trade is the sale and consumption of tobacco products. Consider the definition of ‘Restricted Premises’, and the use permissibility for this land use as part of the next Scheme Review. To be completed in 2022.
27 April 2021 – Submitted by Cr Hallett		
Community Engagement For Ecozoning	EDIE	Chief Executive Officer to ensure that future eco-zoning initiatives in public parks/reserves will involve prior public engagement with the local community and park users on the design and implementation, as outlined in the Community Engagement Strategy.



INFORMATION BULLETIN

TITLE:	Register of Reports to be Actioned – Progress Report – July 2022
DIRECTORATE:	Chief Executive Officer

DETAILS:

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

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

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

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
Council Meeting 26 July 2022				
9.5	Outcome of Advertising - Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	EDSD	Form 2A – Standard Amendment to Local Planning Scheme No. 2 relating to rezoning of 26 Brentham Street, Leederville sent to WAPC for consideration.	Late 2022.
9.7	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects	EDSD	Taking place between 1 October and 14 November 2022 the trial will investigate how the area performs as a pedestrian plaza (closed to vehicles for 16 days) and a shared street (shared access and use for four weeks).	The results of the trial and the data collected throughout the trial period will be reported back to Council in late 2022.
9.8	Creation of Mall Reserve - Washing Lane, Perth	EDSD	Formal application through Section 59 process will be sent through to the Minister for Lands	Late 2022/Early 2023
9.9	New Lease to Jigsaw Search & Contact Inc - Portion of Robertson Park, No. 176 (Lot 1) Fitzgerald Street, Perth Lee Hops Cottage)	EDSD	Lease being prepared.	Late 2022
9.10	Final Adoption of Local Government Property Amendment Local Law 2022	EDSD	Gazetting of the Property Amendment Local Law 2022 is due to be published on 9 August 2022, and subsequently sent to the Joint Standing Committee on Delegated Legislation (JDCSL) for final approval.	Late 2022/Early 2023
9.12	Development Compliance Enforcement Policy	EDSD	Advertising commencing in August 2022.	Late 2022
10.1	Halvorsen Hall - Tenant Relocation	EDIE	Lease being prepared. Work will commence in August 2022 and is planned to be completed by late 2022.	Late 2022
11.7	Extension Of Lease And Deed Of Contract To Belgravia Health & Leisure Group Pty Ltd - Loftus Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville	EDCBS	Belgravia have been advised. Administration are preparing the documents for execution. Expected completion date for	2 September 2022

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			document execution is Friday, 2 September 2022	
Special Council Meeting 5 July 2022				
5.1	Adoption of the Annual Budget 2022/23	EDCBS	<p>REQUESTS Administration monitor the impact to number of transactions and revenue following the change to \$1 for first hour to ascertain any detrimental impact on occupancy or use in City car parks and provide a report back to Council by April 2023 in time for setting fees and charges for the 2023/24 Annual Budget; and</p> <p>REQUESTS Administration monitor and review the usage of time limited 15 minute and 30 minute only on street bays in Town Centres following the introduction of \$1 for the first hour in City car parks to ensure short term visitor parking availability.</p>	OCM April 2023
Council Meeting 21 June 2022				
9.8	Request for Proposals for Redevelopment Concepts - The Avenue Car Park and Frame Court Car Park, Leederville	EDSD	Request for Proposal document approved for distribution.	Request for Proposal period to close 8 August 2022. Shortlisted submissions to be presented to Council late 2022.
11.4	Event and Festival Sponsorship 2022/2023	EDCBS	All applicants have been advised of outcome and contracts have been finalised.	Completed 31 July 2022
11.5	Advertising of Amended Policy – Recovery of Debts, Rates and Service Charges Policy	EDCBS	Public Submissions close 12 August. Will be presented to OCM 20 September for adoption	OCM 20 September 2022
11.7	Draft Innovate Reconciliation Action Plan	EDCBS	<p>Consultation closes on 13 July 2022. Will be presented to OCM 23 August 2022 for adoption.</p> <p>We are promoting the consultation process during NAIDOC Week activities.</p>	OCM 23 August 2022
11.8	Advertising of new Policy – Communications and Social Media Policy	EDCBS	Public Submissions closed Friday 22 July. Will be presented to OCM 20 September 2022 for adoption.	OCM 20 September 2022
17 May 2022				
9.2	Local Planning Strategy and Scheme Report of Review and Amendment No. 10 to the Local Planning Scheme	EDSD	The report of review recommends that both the Local Planning Strategy and Local Planning Scheme No. 2 should continue in their current form, with some minor clarifying changes that can be made to assist in the operation of the Scheme. These are to be dealt with as an omnibus Scheme Amendment No. 10. The Department of Planning Lands and Heritage have scheduled	Late 2022.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			the Report of Review to be considered by the Statutory Planning Committee in August 2022. Amendment No. 10 has been advertised for 42 days.	
9.3	Accessible City Strategy - Implementation Update	EDSD	Council received the first implementation progress update relating to the actions within the Accessible City Strategy. These actions will continue to be progressed. Council will receive this update annually with the next update scheduled for May 2023.	May 2023
9.4	Sale of No. 25 (Lot 93) Sydney Street, North Perth	EDSD	Preparations commenced. Car park licences to be extinguished.	November 2022
9.8	Request for Proposals for Redevelopment Concepts - The Avenue Car Park and Frame Court Car Park, Leederville	EDSD	Request for Proposal document approved for distribution. Request for Proposal period to close 8 August 2022. Shortlisted submissions to be presented to Council late 2022.	Late 2022.
11.6	Draft Access and Inclusion Plan 2022-2027 - Approval for Public Consultation	EDCBS	Advertising for public consultation to commence 1 June 2022 for a period of 21 days. The Item, including community feedback, was presented to OCM on 26 July 2022.	Completed OCM 26 July 2022 Item 11.5
12.2	Approval to Advertise Draft Local Government Property Amendment Local Law 2022	EDSD	Public consultation commenced. State agencies informed.	Completed OMC July 2022.
12.7	Advertising of Amended Policy - Council Member Contact with Developers	EDSD	Public consultation commenced.	September 2022
5 April 2022				
9.3	Proposed Amendment No. 9 to Local Planning Scheme No. 2 - No. 21 (Lot: 373; D/P: 1939) Eucla Street, Mount Hawthorn	EDSD	Amendment is currently advertising for 42 days with submissions closing 1 September 2022	Summary of consultation will be presented back to Council in the second half of 2022.
10.4	North Perth Traffic Calming - Public Consultation Results	EDIE	Receive further report on the consultation in August 2022	Report will be presented to Council in August 2022
12.1	Advertising of Amended Policy - CEO Annual Performance Review	EDSD	Advertising of Policy No. 7.5.3 – CEO Annual Performance Review to be arranged.	Completed. Summary of consultation and updated Policy adopted by Council at the OMC of 26 July 2022.
12.5	Responses to motions carried at the Annual Meeting of Electors held on 2 February 2022			
Motion 2	DIRECTS the CEO to provide the Tree Selection Tool publicly on the City website. Council RECEIVE a further report on the review of the Street Tree and other relevant policies to reflect the requirement for at least 75% of street trees planting going forward being native.	EDIE	Further report advising feasibility will be presented to Council in September 2022.	Parks will liaise with ICT to see feasibility of having the Tree Selection Tool made public. We will also have a review of the Street Tree Policy. After investigations, a report advising feasibility will be presented to Council by September 2022.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
Motion 4	Colvin Lane Signage: REQUESTS that Administration undertake further investigation into additional signage, repainting of the carriageway and the addition of a safety mirror. To be reported to Council no later than June 2022 REQUESTS that Administration contact Main Roads regarding the suitability of a reduced enforceable limit in the laneway. To be reported to Council no later than June 2022.	EDIE	Report back to Council in June 2022.	Completed Will investigate additional signage, speed limit and repainting requirements and a report was presented to Council in June 2022.
Motion 6	4. REQUESTS that: 1. The CEO investigates the scope and cost of a suitably qualified consultant to assess and model the capacity of the City's existing drainage network to cope with increasing major rain events and the need to assess climate mitigation; 2. Includes a scope of works is inclusive of cost estimates, a risk-based assessment and a program of prioritised works and recommendations over a 10-year period; and 3. Provides a report back to Council by December 2022.	EDIE	Budget allocation and engaging of contractors underway.	Engaging contractors to have the construction of the retaining wall are underway. Budget to be allocated for the works, and a report will be presented back to Council no later than December 2022.
Motion 9	That Beatty Park Reserve be reclassified from District Open Space to Neighbourhood Open Space. 2. That sporting teams are stopped from using Beatty Park Reserve and return the park to community use. 2. That a plan is developed for Beatty Park based on recreational zoning. <u>Administration will correct the error in Table 11 within the Public Open Space Strategy and modify the existing area size of the reserve to encompass both the Beatty Park Leisure Centre and the green space.</u>	EDSD	Strategy amended to correct the error in Table 11 and modify the existing area size of the reserve to encompass both the Beatty Park Leisure Centre and the green space.	Completed Strategy updated on the website.
8 March 2022				
9.4	Sale of No. 26 Brentham Street, Leederville	EDSD	Investigations/consultation on playground and landscape plan to commence. Subject to rezoning amendment. EOI's from adjoining landowners to be prepared closer to amendment outcome. Prework to be commenced on potential POS locations and road reserve enhancement.	Early 2023
9.5	Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	EDSD	A notice has been sent to relevant public authorities to reclassify the subject site from Public Open Space reserve to Residential zone with density	Completed 26 July 2022. Superseded by Item 9.5 of OMC 26 July 2022 where Council considered

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			code of R60. Advertising of amendment closed on 20 May 2022 and was presented to Council at its Meeting July 2022.	submissions received and adopted the Scheme Amendment.
12.6	Undertakings Relating to the Local Government Property Local Law 2021	EDSD	Response to JSCDL. Legal advice sought.	Amendment to Local Law to be completed Sept 2022.
8 February 2022				
9.1	Advertising of amended Character Areas and Heritage Areas policy - Wilberforce and Kalgoorlie Streets	EDSD	Advertising of Character Areas and Heritage Areas Policy relating to Wilberforce and Kalgoorlie Streets close 21 March 2022. Administration recommendation to progress with Wilberforce Street but not Kalgoorlie Street due to submissions received.	Completed At its Meeting in July 2022, Council approved the amendment to the Character Areas and Heritage Areas Policy to add Guidelines relating to Wilberforce Street
9.3	Public Open Space Strategy - Implementation Progress Update	EDSD	Council received the first implementation progress update relating to the actions within the Public Open Space Strategy. These actions will continue to be progressed. Council will receive this update annually.	February 2023.
9.4	Draft Smoke Free Areas and Smoke Free Areas - Education and Enforcement Policy	EDSD	Public consultation to commence in early 2022. Summary of consultation and updated smoke free areas and Policy will be presented back to Council following advertising period.	Completed. Council approved the Smoke Free Areas as the OMC of 26 July 2022.
9.6	Extension of Lease and Deed of Contract to Belgravia Health & Leisure Group Pty Ltd - Loftus Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville	EDSD	Documents with Belgravia for execution. Negotiations underway in respect to future tenure.	March Mid 2022.
9.8	Outcome of Advertising and Adoption of New Election Signs Policy	EDSD	Council Policy adopted. Review implementation after Federal Election April/May 2022. Conditions of policy to be incorporated into Property Local Law per JSCDL undertaking	Mid 2022
11.7	3 Year Funding Agreement – Y WA	EDCBS	The City has been waiting on the budget breakdown from Y WA and that has delayed finalising the agreement until end August. Y WA have had delays due to staff turnover.	March 2022 June 2022 22 July 2022 31 August 2022
14 December 2021				
9.16	Proposed Lease of Hyde Park Kiosk to Veggio Mama Pty Ltd	EDSD	Proposed Lessee advised – Discussions commenced in respect to fit-out requirements and works program. Draft lease with lessee. City works commenced.	Early Mid 2022.
11.11	Beatty Park Project - Status Update And Change Request	EMCSG	CEO to add the Beatty Park Leisure Centre Infrastructure Renewals project to the City's	2023

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			internal audit plan for review of governance, expenditure and project management processes.	
12 October 2021				
9.3	Creation of City of Vincent Animal Local Law	EDSD	Animal Local Law advertised.	Report back to Council in early mid-2022.
9.7	Response to Notice of Motion - Local Planning Scheme No. 2 Amendment Regarding Tobacco Outlets	EDSD	Policy to be created to address provisions relating to Restricted Premises and businesses whose trade is the sale and consumption of tobacco products. Consider the definition of 'Restricted Premises', and the use permissibility for this land use as part of the next Scheme Review.	To be completed in 2022.
9.9	Car Parking Licence for Minister for Education (School of Isolated and Distance Education)	EDSD	GEO to approve and execute licence. Awaiting Minister for Education to execute.	Early Mid 2022.
14 September 2021				
9.7	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan - Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	EDSD	LPSP referred to WAPC for comment and endorsement.	Final comments not expected until mid 2022.
10.7	Forrest Street Traffic Petition - Response to Petition	EDIE	Community Consultation to be carried out and Administration will review once completed.	Community Consultation to be carried out and Administration will review once completed.
17 August 2021				
10.1	E-Permits Implementation Progress Report	EDIE	A report will be prepared for the August Audit Committee Meeting and will be brought back to council for further review no later than October 2021. As a consequence of issues raised with the implementation of the permits in respect to the collection management and retention of privacy data, a review of the City's Privacy policy is being undertaken. A report will be submitted to Audit Committee early mid 2022 on the Privacy Policy.	To go to Audit Committee and back to Council by October 2024 in August 2022
23 March 2021				
10.2	Waste Strategy Project - 2 Bulk Hard Waste Options Appraisal	EDIE	Carry out one final scheduled collection in July 2021. Implement an 18 month trial of the WMRC Verge Valet from January 2022. Further report will be provide to council on the progress and the community feedback.	Carry out one final scheduled collection in July 2021. Implement an 18 month trial of the WMRC Verge Valet from January 2022. Report to be presented to Council in March 2023
15 December 2020				
9.9	Review of Policy No. 4.1.22 - Prosecution and Enforcement	EDSD	Review presented to August Council Workshop.	Completed. Superseded by Item 9.12 of OMC 26 July 2022 where the draft policy was approved for

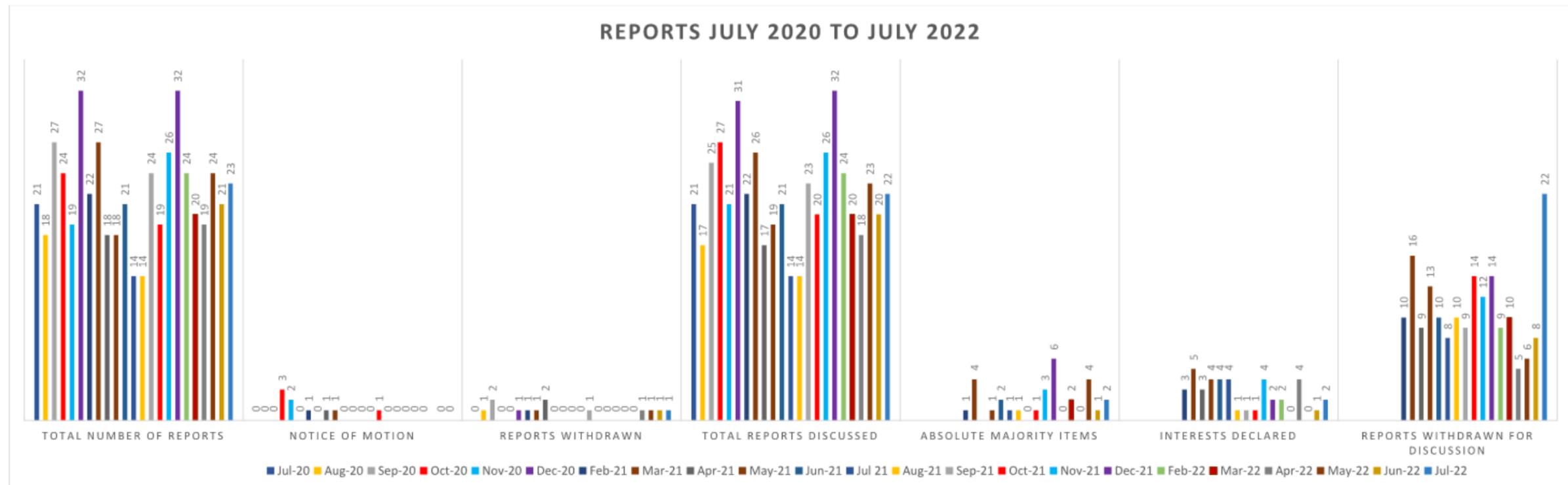
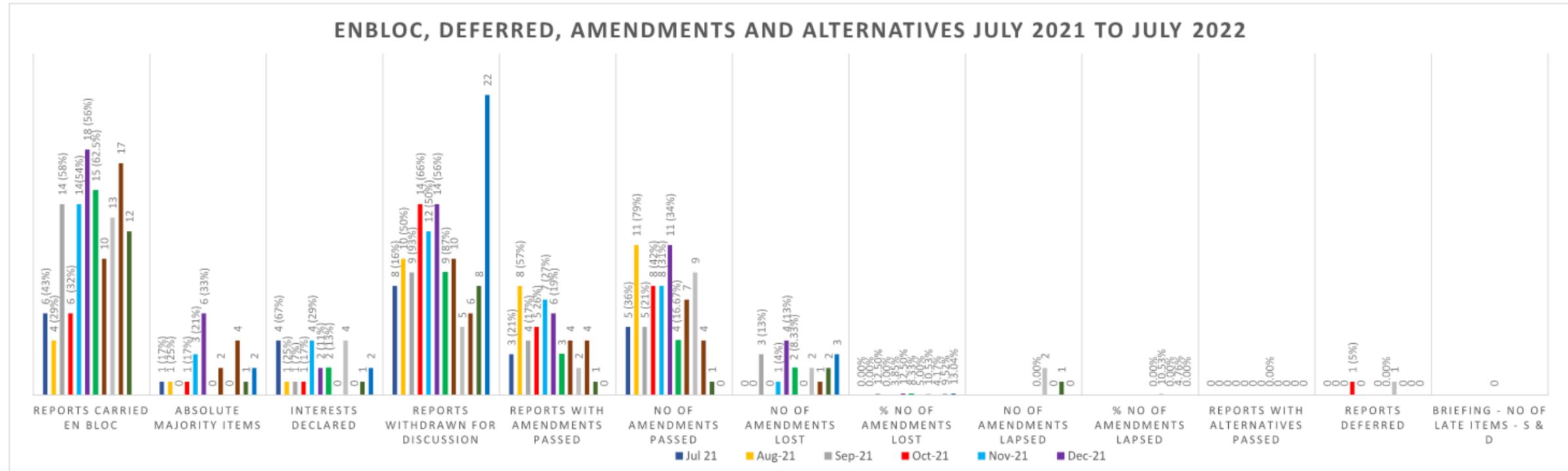
Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
				community consultation by Council.
20 October 2020				
12.2	Request to the Minister for Lands to Acquire Six Rights of Way as Crown Land and Reserve as Public Rights of Way - Perth Precinct	CEO	Request submitted to the Minister for Lands in February 2021 Assessment expected to take 6 – 12 months. Five RoWs completed. One pending.	Expected completion 31 December 2021. End of 2021/22 financial year. September 2021 Late 2021 During 2022
15 September 2020				
9.4	City of Vincent Rebound Plan	EDSD	The Rebound Plan is a living document that will constantly update and evolve to meet the changing needs of businesses and the community. The plan will be updated and reported monthly to the Rebound Roundtable and quarterly to Council.	Completed. The final quarterly update and closure report was presented to Council at its meeting in July 2022.
12.2	Repeal of the City of Vincent Parking and Parking Facilities Amendment Local Law 2020	EDSD	The Joint Standing Committee has been advised of Council's decision. Public notice of the repeal of the amendment local law occurred in January 2021. The public comments proposed to be provided to Council in early 2022.	A new local law is being drafted for Council's review in early mid 2022.
Council Meeting – 23 July 2019				
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to COVID and presented back to Council for consideration.	The revised draft Policy will be presented to Council for consideration in the 2020/21 financial year. 2021- 2022
Council Meeting – 30 April 2019				
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	Main Roads to organise State Solicitors Office to prepare have prepared transfer documents. Awaiting signing by both parties. Acquisition of Lot 66 on hold due to adverse possession claim. Resolution of adverse possession claim waiting on Landgate decision.	To be signed by 30 October 2020. Waiting on Landgate decision
Council Meeting – 30 May 2017				
12.5	Perth Parking Levy	EDIE	State Government yet to release results of consultation.	Update scheduled to be provided in late 2021- 2022
Council Meeting – 27 May 2014				
9.3.4	East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	CEO	Further discussions ongoing as part of broader discussions with Football Clubs.	Early 2022 Mid 2022

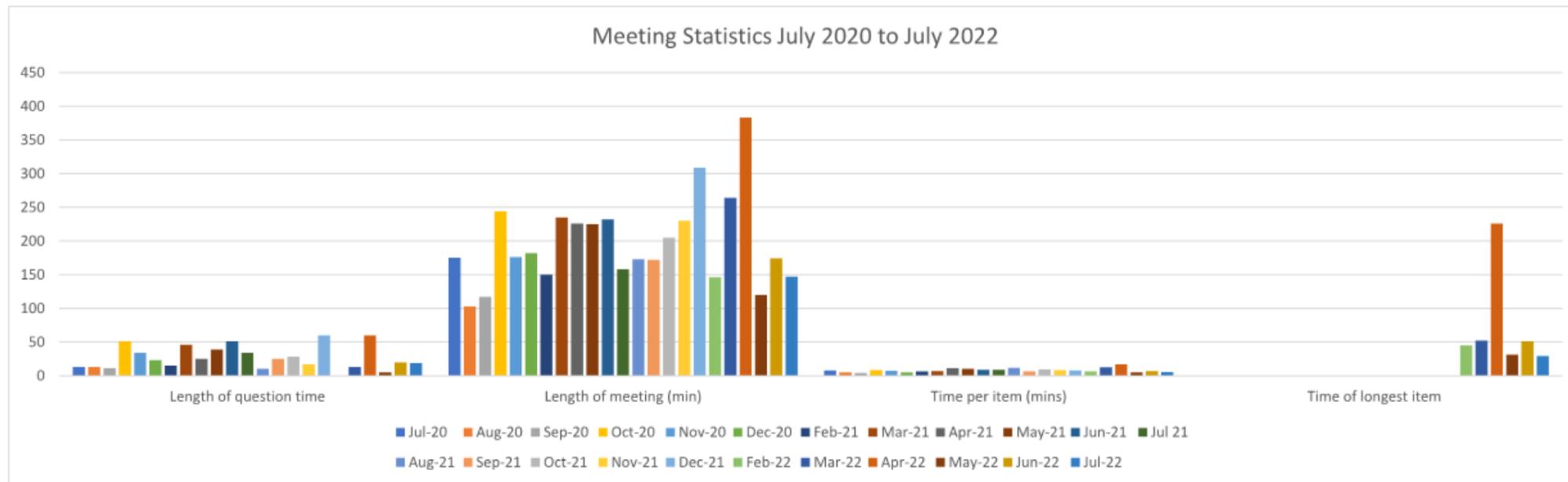
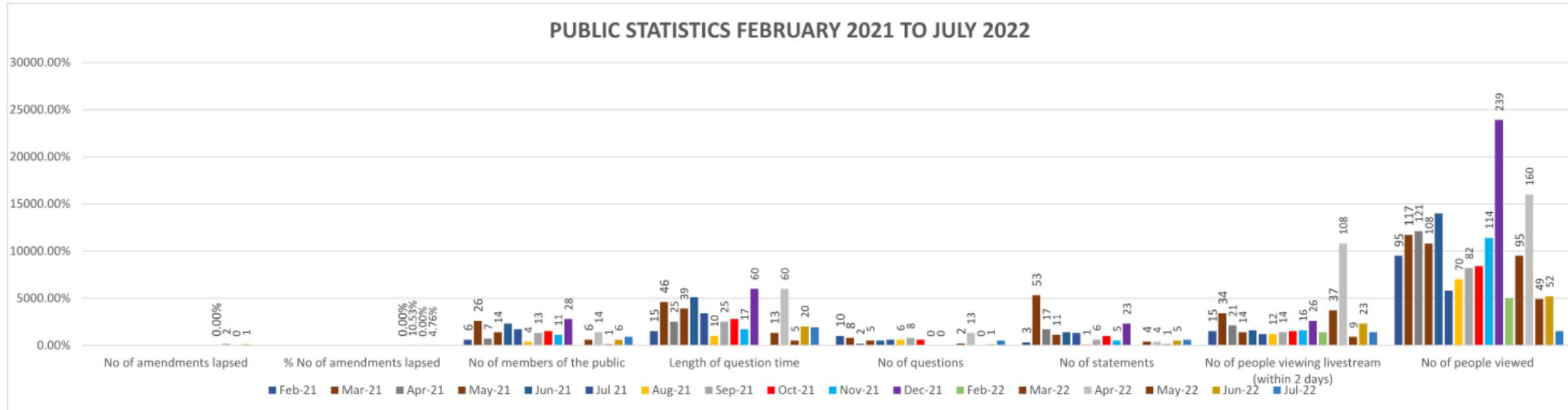
COUNCIL WORKSHOPS

A workshop was held on 2 August 2022.

The topic of this agenda was the Long Term Financial Plan and 4 Year Capital Works Project Plan, which will underpin the Corporate Business Plan.

Council Meeting statistics – July 2022







CITY OF VINCENT

NOTES

Council Briefing

19 July 2022

Table of Contents

1	Declaration of Opening / Acknowledgement of Country	5
2	Apologies / Members on Approved Leave of Absence	5
3	Public Question Time and Receiving of Public Statements	5
4	Declarations of Interest	8
5	Strategy & Development	9
5.1	No. 10 (Lot: 2545; D/P: 143599; RES: 12965) Farmer Street, North Perth - Two Outbuildings (Shipping Containers) Addition to Men's Shed (Amendment to Approved - Unauthorised Existing Development)	9
5.2	No. 12a (Lot: 62 ; D/P: 90521) Highlands Road, North Perth: Change of use from Single House to Holiday House	10
5.3	Character Areas and Heritage Areas: Outcomes of Advertising Guidelines for Wilberforce and Kalgoorlie Streets Mount Hawthorn.....	12
5.4	Review of Design Guidelines and Minor Amendment to Community Engagement Policy.....	13
5.5	Outcome of Advertising - Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	15
5.6	Vincent Rebound Plan Closure Report.....	16
5.7	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects.....	17
5.8	Creation of Mall Reserve - Washing Lane, Perth	18
5.9	New Lease to Jigsaw Contact & Search Inc - Portion of Robertson Park, No. 176 (Lot 1) Fitzgerald Street, Perth Lee Hops Cottage)	20
5.10	Final Adoption of Local Government Property Amendment Local Law 2022 [ABSOLUTE MAJORITY DECISION REQUIRED].....	22
5.11	Outcome of Advertising and Adoption of New Smoke Free Areas, and Smoke Free Areas - Education and Enforcement Policy.	24
5.12	Development Compliance Enforcement Policy.....	25
6	Infrastructure & Environment	26
6.1	Halvorsen Hall - Tenant Relocation	26
7	Community & Business Services	29
7.1	Financial Statements as at 31 May 2022 [ABSOLUTE MAJORITY DECISION REQUIRED]	29
7.2	Investment Report as at 31 May 2022.....	30
7.3	Authorisation of Expenditure for the Period 1 May 2022 to 31 May 2022	31
7.4	Approval to Increase Number of Stallholders for Kyilla Farmers Market Permit	33
7.5	Outcome of Public Consultation and Adoption of Access and Inclusion Plan 2022-2027	34
7.6	Advertising of amended Customer Service Charter	35
7.7	Extension Of Lease And Deed Of Contract To Belgravia Health & Leisure Group Pty Ltd - Loftus Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville	36
8	Chief Executive Officer	38
8.1	Outcome of Advertising Amended Policy - Flying and Displaying of Flags and Banners Policy.....	38
8.2	Outcome of Advertising of Amended Policy - CEO Annual Performance Review Policy.....	39
8.3	Information Bulletin	40

COUNCIL BRIEFING NOTES

19 JULY 2022

9 Motions of Which Previous Notice Has Been Given.....41

10 Representation on Committees and Public Bodies41

11 Confidential Items/Matters For Which the Meeting May be Closed41

12 Closure41

**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE
ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 19 JULY 2022 AT 6.00PM**

PRESENT:	Mayor Emma Cole	Presiding Member
	Cr Susan Gontaszewski	South Ward
	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
	Cr Ross Ioppolo	South Ward
IN ATTENDANCE:	David MacLennan	Chief Executive Officer
	John Corbellini	Executive Director Strategy & Development
	Andrew Murphy	Executive Director Infrastructure & Environment (electronically)
	Virginia Miltrup	Executive Director Community & Business
	Joslin Colli	A/Manager Development & Design (electronically) (left at 6.36pm)
	Rhys Taylor	Executive Manager Financial Services
	Allan Brown	A/Manager Engineering (electronically) (left at 7.02pm)
	Mark Fallows	Manager Built Environment & Wellbeing (electronically) (left at 6.56pm)
	Jayde Robbins	Manager City Buildings & Asset Management (electronically) (left at 6.36)
	Tara Gloster	Manager Policy and Place (left at 7.15pm)
	Peter Varris	Executive Manager Corporate Strategy & Governance
	Wendy Barnard	Council Liaison Officer
Public:	Approximately six members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Emma Cole, declared the meeting open at 6.01pm 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 Cole will be an apology next week, Cr Gontaszewski will chair.

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

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

COUNCIL BRIEFING NOTES

19 JULY 2022

Christopher McLelland of West Perth - Item 6.1

- Stated he is one of the artists from Robertson Park Artist Studios
- Spoke in support of the recommendation, as the new location has better parking, the facilities are better and the new building is in much better condition
- Requested that the lease and rent stay the same as what they have currently

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

Bianca Sandri from Urbanista Town Planning, Perth – Item 5.8

- Spoke in support of the recommendation
- Thanked Administration for their help during the process
- Mentioned that there is road traffic in the area, but there is little interaction between the street and the businesses
- Stated that most of the community are in support of this application
- Queried the number of objections, as they are different in the report
- Stated that the plan will deliver more landscaping, more seating, more shade, more vibrancy and more connection for people to gather
- Mentioned that the plan is aligned with the City's Public Spaces Policy
- Encourages Council to approve the plan
-

The Presiding Member, Mayor Emma Cole, thanked Ms Sandri for her comments.

Steve Yarwood of Doubleview - Item 5.2

- Stated he is the Manager of Let Go, the applicant for this development. Let Go is a rental management company that manages 60 properties throughout Perth
- Stated that Let Go has a demonstrated ability and track record of successfully managing short term rentals in Perth without disruption to any neighbours or local amenities
- Mentioned that the house is in an urban medium density area, near high frequency public transport and shops, which needs a diverse range of housing options
- Stated that the application has been substantially revised in response to community comments and occupancy has been limited to four adults. There is also provision for up to four children, to provide options for families, which is our target demographic.
- Mentioned the issue raised of noise and antisocial behaviour at some previous short stay houses. This will be managed by staff and is in the management plan and Code of Conduct. The development application is committed to no parties, no loud music, no using the courtyard after 10pm, video monitoring of guests and visitors in external areas, and the installation of a noise monitoring device
- Stated that the above restrictions are far more stringent than other short term properties or property owners
- Requested Council to approve the development

The Presiding Member, Mayor Emma Cole, asked how many properties Let Go manages and if any of the properties are in the City of Vincent. Mr Yarwood advised that at the moment they manage 62 properties, none of which are in the City of Vincent.

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

The following questions and statements were received in writing prior to the meeting.

Tina Ly of Mount Hawthorn– Item 5.3

1. 12/23 land-owners **do not support** the Character St proposal for Wilberforce St (that is, 52%, which is majority of the landowners), yet, the planning team are 'recommending' to proceed with the Character area. This is preposterous! We live in a democracy, yet I feel like our views and objection are not being heard at all. What is the point of saying we do not support this, for the Council to just push ahead with their desire for some level of character recognition.

I would be very interested to know if the landowner for the final property on Wilberforce St has been contacted for a response, for support or non-support?

You keep re-iterating in your report and your guidelines that 40% is enough of an indication that the process is *'led and driven by the community'*. Yet 52% of the 'community' on the Street is not enough to indicate an objection for this proposal after review of the proposed guidelines. It is completely disrespectful to the **majority of residents** on Wilberforce Street, and appears very, very biased towards the Council's desire to make changes where they can. Perhaps you could again, submit the reviewed guidelines to the street and see if you have support, rather than just assuming the amended guidelines are accepted? Especially since the guidelines are adamant 70% of support is needed to rescind the guidelines once established.

2. The report says *'there is evidence that the planning framework can improve land value where important character aspects are maintained and enhanced'*. Could we please be presented with this evidence? The few real estate agents I have spoken with has said the opposite, that if you place 2 identical properties side by side – the one where restrictions are in place, the land value is less than the one with no restrictions.
3. Before the Character St proposal was initiated, our street was actually pretty happy, as evidenced by our yearly Christmas party gatherings. However now, I feel like this whole proposal has completely divided our street. Reading some of the comments from the submissions, I'm convinced some of the desire for the proposal has arisen due to a personal nature. Comments such as 'we have a neighbour that parks his industrial truck on the street and makes the street feel like we are in Malaga'. This is just an example of one particular resident with unrealistic views of what living in a community is all about and not accepting of diversity and needs. If Council proceeds with voting this in and not listening to the majority of residents, I feel like the whole 'community' nature of the street will be divided.

Shawn Offer of Mt Lawley – Item 5.7

I reach out today to voice my concerns about the closure of Grosvenor Road on a permanent basis.

This access way into the heart of Mt Lawley Parking is a critical access way for clients to turn in to utilise the carparks left and right from it. From this vantage point clientele coming into the area can easily see where parking is mostly available rather than having to choose Chelmsford Road where the line of sight is restricted by an uphill angle and the levelling off past Grosvenor Road and traverse two car parks to reach their end destination.

The Grosvenor Road approach to my business and the other businesses in this area is vitally important. It takes out the need to wait at the traffic lights to take a 'around the back' approach to the parking area making it far more convenient to access the centre just inside the City of Vincent's Boundary, go past this point and who knows if they still stop in Mount Lawley. It also adds the same convenience for those wanting to leave the area back onto Beaufort Street. The need to navigate the busy corner turning right onto Walcott Street at Ragland Road can be avoided especially for those with less confident driving skills or wanting to further reduce risk with their precious cargoes. Many clients utilise the Grosvenor Road exit for this reason. To remove the Grosvenor Road exit will add congestion to those trying to turn right out of Ragland Road or turning in either direction out of Chelmsford Road. I know the numbers do not seem like much, however, what is important here is that the time those occasions happen are compressed to when traffic in the area is at its busiest. The impact back from the carpark after 3.30pm in a day until after 6pm (8pm on Weekends) will be very noticeable. A gridlocked carpark does nothing for an area. This may come from blocked egress and ingress or from vehicles negotiating parking. If a release is closed it will block up in other places as a consequence.

This is before the logistical issues with larger vehicles accessing the area. Chelmsford Road requires close to 135 degrees turn, difficult for large vehicles into it especially when the road is narrow and it has a centre island. This will create issues as large vehicles cannot use this street easily. It also has a similarly small angle and crossover to negotiate accessing the carpark from this road. Ragland Road and the Car Park cannot accommodate all larger traffic for the residential and commercial traffic.

When I was presented this idea, I was aghast, why do we need this? I arranged my time to protest with the Town Manager and was told bluntly that whether there was support for it or not by the local businesses and community that the Mayor and the Councillors had already voted that a trial would take place and that regardless of the feedback nothing would be changing ahead of the trial. I was surprised by this approach as the bluntness of the "consultation". Apparently, this idea stemmed from local community consultation. With who? I know the Beaufort Street Network (BSN) is supposedly advocating for locals in the area. Who are they? Who are the members and where is the transparency of this group? My partners and I have never

COUNCIL BRIEFING NOTES**19 JULY 2022**

been consulted on these concepts and have no idea about who is on the BSN except for one person who was trying to run for council or politics recently.

In my discussion with the Town Manager, it became clear that we had to manage the situation without being oppositional. We could handle a trial. There is no consent to this though. We have put support behind the one-way trial be the better of two evils. Some access or no access. My preference for my business's sake is as it is. Sure, the area can and needs a tidy up. I like the planned pavement improvements. Does the City need a family area outside a drinking venue that will be filled with smokers, foul mouthed punters and vagrants that will come to where they know they can hit up more people in one place whilst being on public space?

The BSN plan for local events and ideas from a few years ago has been lost. Nothing has come of this except for potentially this idea.

We are further reducing parking in the area, making it less convenient and creating another neighbourhood area that won't get used for a foreseeable reason – it is next to a pub! I guess an irregular terrain cannot be the reason this time. But look at the expense the trial is generating for the activities. Are we really going to times this budget by a factor of 10 to make it work? Does the CoV have money to burn making a bad idea work later?

Beautify the area, hold ad hoc events and take over the street from time to time. Close it permanently? That is a no from us and plenty of our customers who think poorly of the idea. The ultimate cost of this exercise to justifying the productivity of the Town Managers are the local businesses in Beaufort Street. They area is only just beginning to recover let the new ones get a chance before they get smacked down by more government works.

There being no further speakers, Public Question Time closed at approximately 6.12pm.

4 DECLARATIONS OF INTEREST

- 4.1 Cr Susan Gontaszewski declared an impartiality interest in Item 9.9 New Lease to Jigsaw Search & Contact Inc Portion of Robertson Park No. 176 (Lot 1) Fitzgerald Street, Perth (Lee Hops Cottage). The extent of her interest is that she has had some engagement with Jigsaw through her work at the Department of Health.
- 4.2 Cr Susan Gontaszewski declared an proximity interest in Item 9.4 Review of Design Guidelines and Minor Amendment to Community Engagement Policy. The extent of her interest is that her property is directly adjacent to the boundary of the Highgate Design Guideline area.
- 4.3 Cr Alex Castle declared an proximity interest in Item 9.3 Character Areas And Heritage Areas: For Wilberforce And Kalgoorlie Streets Mount Hawthorn. The extent of her interest is that her residence is adjoining the section of Kalgoorlie Street being considered in this item.

5 STRATEGY & DEVELOPMENT

5.1 NO. 10 (LOT: 2545; D/P: 143599; RES: 12965) FARMER STREET, NORTH PERTH - TWO OUTBUILDINGS (SHIPPING CONTAINERS) ADDITION TO MEN'S SHED (AMENDMENT TO APPROVED - UNAUTHORISED EXISTING DEVELOPMENT)

Ward: North

Attachments: 1. Location Map
2. Development Plans
3. Previous Delegated Approval Notice and Approved Plans

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Two Outbuildings (Shipping Containers) Addition to Men's Shed (Amendment to Approved – Unauthorised Existing Development) at No. 10 (Lot: 2545; D/P: 143599; RES: 12965) Farmer Street, North Perth, in accordance with the plans shown in Attachment 2, subject to the following condition:

1. All other conditions, requirements and advice notes detailed on the development approval 5.2020.180.1 granted on 9 June 2020 continue to apply to this approval.

NO QUESTIONS

At 6.36pm A/Manager Development & Design left the meeting and did not return.

5.2 NO. 12A (LOT: 62 ; D/P: 90521) HIGHLANDS ROAD, NORTH PERTH: CHANGE OF USE FROM SINGLE HOUSE TO HOLIDAY HOUSE

Ward: North

Attachments:

1. Consultation and Location Map
2. Development Plans
3. Code of Conduct
4. Management Plan
5. Applicant Justification
6. Summary of Submissions - Applicant Response
7. Summary of Submissions - Administration Response

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 Change of Use from Single House to Holiday House at No. 12A (Lot: 62; D/P: 90521) Highlands Road, North Perth in accordance with the plans shown in Attachment 2 for the following reasons:

1. As a consequence of the intensity of the proposed Holiday House and the mid-block battleaxe location of the subject site, the development would result in noise and amenity impacts on an established residential area that:
 - 1.1 Would not be compatible or complimentary with the adjoining residential development and would be contrary to the objectives of the Residential zone under Local Planning Scheme No. 2;
 - 1.2 Would not enhance the amenity of the existing neighbours and its location and setting is not compatible with the established residential amenity and character of the North Perth locality in accordance with Clause 67(m) and (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
 - 1.3 Does not meet the Acceptable Development Criteria and Objectives of the City's Local Planning Policy – Short Term Accommodation and would not operate in a manner which protects the established residential context and would have an undue impact on the amenity of the area and surrounding residential properties.

MAYOR COLE:

Could we review management practices of 'Let's Go' as the property managers, and if they're successful in the management of their other short stay properties?

A/MANAGER DEVELOPMENT & DESIGN:

The applicant has confirmed that Let Go Pty Ltd currently manages 64 properties across the Perth metropolitan area, largely within the City of Stirling local government area. The applicant has advised it has not received any complaints from its properties.

Administration completed a desktop review of the Let Go Pty website and their listings. This review found that Let Go Pty manage a short term accommodation property at No. 27/154 Newcastle Street, Perth, which is a four storey mixed use development on the corner of Newcastle Street and Beaufort Street opposite Weld Square. The Short Term Accommodation was approved by the Metropolitan Redevelopment Authority (MRA) on 8 December 2020. The use was approved with a Management Plan that permits a maximum of two people with a minimum two night stay. The Management Plan also sets out rules and procedures including complaint management, parking management, waste management, house rules and code of conduct for guests.

To date the City has not received any complaints for the Short Term Accommodation use at No. 27/154 Newcastle Street, Perth since it commenced operation on 29 December 2020.

Development Approvals when granted run with the land, not the owner or applicant. Changes to operators

COUNCIL BRIEFING NOTES

19 JULY 2022

after any initial or subsequent approvals may not result in the same level of site management of the Holiday House. Reliance on a Management Plan and Code of Conduct for mitigating the potential amenity impact from the operations of the land use is not supported by Administration.

CR LODEN:

Query about option of temporary 12 month approval to see how the use would go, as raised by the applicant.

A/MANAGER DEVELOPMENT & DESIGN:

The City's adopted Short Term Accommodation Policy sets out acceptable development criteria for the appropriate scale and intensity of short term accommodation within the Residential zone.

The proposed change of use seeks an increased intensity outside the limits set by the City, with up to eight guests, no host on site and located at the rear of a battleaxe lot.

The primary outdoor living area for the Holiday House is located on the northern boundary, accessible from the dining and family rooms of the property. The proximity and location of the outdoor living area to adjoining property boundaries would also have immediate and continued noise impacts to adjacent outdoor living areas and habitable rooms.

Should Council consider a temporary approval appropriate, it should consider:

- *If the Holiday House is appropriately located in the Residential zone given the mid-block, battleaxe setting;*
- *Whether the proposal would be compatible within the permanent residential locality. Consideration would be needed regarding the intensity of the Holiday House as proposed (no host on site and up to eight guests) as well as the change from a residential to commercial land use; and*
- *Whether the management measures and code of conduct provide sufficient mechanisms to operate the Holiday House without generating nuisance detrimental to the amenity of the surrounding residential properties.*

Consistency in Decision Making

It is also necessary Council consider the implications of issuing a time limited approval and the matters to be considered should the applicant seek a permanent or extended approval after the 12 months.

Consistency in decision-making is an important guiding principle recognised by the Tribunal in a number of decisions. Based on learnings from previous case law, the following principles would apply when considering whether a time limited approval should be extended for an additional period of time:

1. *Establish whether or not the proposed development is substantially the same as that considered previously; and*
2. *Establish whether there has been any significant change in the planning framework for the area to warrant revision of the appropriateness of the proposed development.*

In respect to these established principles, the City's Local Planning Strategy identifies the subject site and immediate locality as Residential R30/40 and this is not intended to change.

If there was insufficient management during the time limited period there would be the ability to require justified changes to the conditions of approval, including the maximum number of guests and management plan requirements but the ability to refuse a subsequent application would be severely constrained if the framework has not changed and the land use has already been accepted.

COUNCIL BRIEFING NOTES

19 JULY 2022

5.3 CHARACTER AREAS AND HERITAGE AREAS: OUTCOMES OF ADVERTISING GUIDELINES FOR WILBERFORCE AND KALGOORLIE STREETS MOUNT HAWTHORN

- Attachments:**
1. **Community Consultation Survey - Anonymous responses**
 2. **Summary of Submissions - Wilberforce Street, Mount Hawthorn**
 3. **Summary of Submissions - Kalgoorlie Street, Mount Hawthorn**
 4. **Summary of Submissions - Comments from outside advertised character areas**
 5. **Amended Character Areas and Heritage Areas Policy**
 6. **Appendix 10 - Wilberforce Street Design Guidelines**

RECOMMENDATION:**That Council:**

1. **NOTES Administration's responses to community feedback, included in the Summary of Submissions and Schedule of Modifications included in Attachment 2, 3 and 4; and**
2. **PROCEEDS with the amendment to the Character Areas and Heritage Areas Policy with modifications, included in Attachment 5, including the Design Guidelines for Wilberforce Street, included as Attachment 6 pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

MAYOR COLE:

Have the modified guidelines been circulated to residents? Any feedback?

MANAGER POLICY & PLACE:

All respondents and participants in the consultation regarding the proposed Wilberforce Character Area were notified of the Council Briefing Session, which included the modified design guidelines relating to Wilberforce Street, before midday on Thursday 14 July. One response was received leading up to the council briefing session and two were received the days following the council briefing session (20/07/22). Both responses reiterated the initial concerns received through the community consultation periods and are summarised below:

- *The level of support for the guidelines is less than the majority of comments received;*
- *The 40 percent level of support for initiation does not reflect the majority of landowners;*
- *Impacts to property value;*
- *The guidelines have and will adversely impact the community feel of the area, pitting residents against one another; and*
- *The adequacy of the existing framework.*

The guidelines have been amended based on the feedback received from the community through the consultation period. While the guidelines may not satisfy those comments that either wholly oppose or wholly support the document, what is presented to Council balances the spectrum of feedback we received as part of the consultation.

MANAGER POLICY & PLACE:

With respect to the changes made to the guidelines following consultation, the report has been updated to summarise the changes to the guidelines following comments from the community raising concern with some of the criteria proposed. The criteria removed which reflects comments from the community include:

- *Setback of upper floors and associated local housing objective;*
 - *Loft addition provisions and associated local housing objective;*
 - *Street surveillance local housing objective;*
 - *Street walls and fences and associated local housing objectives; and*
- Roof pitch and street facing window provisions.*

At 6:25 pm, Cr Alex Castle left the meeting due to a declared proximity interest.

COUNCIL BRIEFING NOTES

19 JULY 2022

At 6:28 pm, Cr Alex Castle returned to the meeting.

At 6:28 pm, Cr Susan Gontaszewski left the meeting due to a declared proximity interest.

At 6:34 pm, Cr Susan Gontaszewski returned to the meeting.

5.4 REVIEW OF DESIGN GUIDELINES AND MINOR AMENDMENT TO COMMUNITY ENGAGEMENT POLICY

- Attachments:**
1. Design Guidelines Review
 2. Summary of Submissions
 3. Draft Local Planning Policy: Heritage Area Brookman & Moir Streets
 4. Draft Local Planning Policy: Heritage Area Lacey Street
 5. Draft Amendment 1 to Community and Stakeholder Engagement Policy - Tracked Changes

RECOMMENDATION:

That Council:

1. PREPARES an amendment to Appendix 6 – Brookman and Moir Streets Design Guidelines, included as Attachment 3, for the purposes of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. PREPARES an amendment to Appendix 17 – Design Guidelines for Lacey Street, included as Attachment 4, for the purposes of community consultation, pursuant to clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. PROPOSES designation of Lacey Street as a Heritage Area, for the purposes of community consultation, pursuant to clause 9(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. NOTES Administration will commence an administrative amendment to Local Planning Policy: Character Areas and Heritage Areas to move the Harley Street Heritage Area to its own local planning policy;
5. PREPARES a notice of revocation for the following appendices, pursuant to clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - 5.1 Appendix 3 – Design Guidelines for Richmond on the Park;
 - 5.2 Appendix 8 – Highgate Design Guidelines;
 - 5.3 Appendix 12 – Elven on the Park Design Guidelines;
 - 5.4 Appendix 14 – Design Guidelines for No. 95 Chelmsford Road;
 - 5.5 Appendix 15 – Joel Terrace Design Guidelines;
 - 5.6 Appendix 16 – Design Guidelines Perth; and
 - 5.7 Appendix 18 – Design Guidelines for William Street;
6. PUBLISHES the notice of revocation in accordance with Clause 6(b)(ii) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, if no submissions are received during the community consultation period;
7. NOTES that if any submissions are received during the community consultation period of the notice of revocation, that these would be presented to Council for consideration;
8. PREPARES the amendment to the Community and Stakeholder Engagement Policy, included as Attachment 5, pursuant to clauses 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
9. DETERMINES that the amendment to the Community and Stakeholder Engagement Policy, included as Attachment 5, is a minor amendment, pursuant to Clause 5(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
10. PROCEEDS with the amendment to the Community and Stakeholder Engagement Policy, included as Attachment 5, pursuant to clauses 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

Development (Local Planning Schemes) Regulations 2015.**MAYOR COLE:**

Harley Street is a heritage area in the existing policy. Can we put the heritage areas if approved in one policy instead of separate? Can we reword the change to the consultation policy to include that we would consult to the entire area on things that impact the streetscape?

MANAGER POLICY & PLACE:

Administration has removed this item from the Council Meeting Agenda in order to further review the potential impact of the changes proposed; the provisions of the draft local planning policies; and inclusion of the Janet Street Heritage Area.

Administration will also investigate creating a single Heritage Area policy and the requirements for consultation during this time.

The item will be presented back to Council in the coming months.

5.5 OUTCOME OF ADVERTISING - AMENDMENT 8 TO LOCAL PLANNING SCHEME NO. 2 (NO. 26 BRENTHAM STREET, LEEDERVILLE)

- Attachments:**
1. Form 2A - Amendment 8 to Local Planning Scheme No. 2
 2. Map Showing Nearby Public Open Space
 3. Map Showing Private Landholdings
 4. Summary of Submissions - Amendment 8

RECOMMENDATION:

That Council **SUPPORTS** Amendment 8 to Local Planning Scheme No. 2, included as Attachment 1, without modification for submission to the Western Australian Planning Commission, pursuant to section 75 of the *Planning and Development Act 2005*.

NO QUESTIONS

5.6 VINCENT REBOUND PLAN CLOSURE REPORT

- Attachments:**
1. Implementation Framework
 2. COVID-19 Summary

RECOMMENDATION:

That Council NOTES the final update on the Vincent Rebound Plan – Implementation Framework at Attachment 1 and the cessation of the Rebound Roundtable.

CR GONTASZEWSKI:

Vinyl wraps on William Street – can we continue this rollout?

MANAGER POLICY & PLACE:

The application of vinyl wrapping to 53 street poles was trialled in 2021 to deter vandalism and graffiti. The vinyl wrappings featured an artwork design from Aboriginal artist Kambarni and was applied to all street poles within the William Street Town Centre boundary. The project was completely funded by the WA Police at a total cost of \$21,077.33 as an addition to the Anti-Graffiti Project for William Street. The street poles have acted as a deterrent to graffiti and stickers are easily removed.

Based on the results of the trial and precedence case studies, vinyl wrapping of poles has been identified as a preferred signage type through the development of the Vincent Wayfinding Plan due to its ease of application, cost effectiveness (applied to existing infrastructure) and robustness.

The application of vinyl wrapping to street poles as a deterrent to vandalism and graffiti will also be considered in the development of the Safer Vincent Plan 2022/25.

5.7 BEAUFORT STREET AND GROSVENOR ROAD PEDESTRIAN IMPROVEMENT PROJECTS**Attachments:** Nil

1. Inhabit Place Audit Report - Grosvenor Road
2. Inhabit Place Audit Report - Beaufort Street (Howard Street to Mary Street)
3. Beaufort Street Streetscape Improvement Plan
4. Grosvenor Road Footpath Upgrade - Community Engagement Plan
5. Grosvenor Road Footpath Upgrade - Final Design
6. Grosvenor Road Trial - Community Engagement Plan
7. Grosvenor Road Trial Plan

RECOMMENDATION:**That Council:****1. NOTES:**

- 1.1 **The completion of Action 2.2 Improved Pedestrian & Cyclist Environment of the Beaufort Street Town Centre Place Plan, and its outcome of a Streetscape Improvement Plan for the Beaufort Street Town Centre (St Albans Avenue to Walcott Street); and**
- 1.2 **Delivery of Improvement Action 9 of the Streetscape Improvement Plan to upgrade the Grosvenor Road crossing as a continuous footpath to improve connectivity and walking experience;**

2. APPROVES the Grosvenor Road Trial Plan and Community Engagement Plan; and**3. AUTHORISES Administration to implement the Grosvenor Road Trial from 1 October to 14 November 2022 at Grosvenor Road, Mount Lawley to achieve Action 2.3 Trial Pedestrian Streets of the Beaufort Street Town Centre Place Plan.****CR GONTASZEWSKI:**

Confirmation there is no obstructions in relation to heavy vehicle traffic – for trucks accessing the markets, do they have capacity to turn into the other roads to access Fresh Provisions, the supermarket and other businesses around it?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

Administration has undertaken a turning assessment for access in the surrounding roads. The results indicate that for a heavy vehicle (service truck) all turning movements are feasible.

CR IOPPOLO:

Is there a mechanism that businesses adversely impacted by the trial can prove that they have been disrupted and can they claim damages?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

Business owners are able to lodge a claim to seek compensation from the City's insurer at any time. Compensation would only be paid by the City's insurers if it can be proven by the business owner that the City's works were the sole reason for the adverse impact.

TO NOTE:

Harold Street was incorrectly referenced as Howard Street throughout the Council Report. This has been corrected and all reference of Howard Street amended to Harold Street.

5.8 CREATION OF MALL RESERVE - WASHING LANE, PERTH

- Attachments:**
1. Plan Showing Portion of Road Proposed to be Mall Reserve
 2. Consultation Responses - EHQ and Email
 3. EHQ Responses Diagrams
 4. Key Themes and Administration Response

RECOMMENDATION:

That Council:

1. NOTES the:

- 1.1 City advertised its proposal to create a mall reserve on Washing Lane, Perth, pursuant to section 59(2) of the *Land Administration Act 1997*;
- 1.2 submissions received as a result of public notice given on the potential creation of a mall reserve and road closure of the portion of public road on Washing Lane, as at Attachment 2; and
- 1.3 portion of land will continue to be Crown land, under the care, control, and management of the City of Vincent; and

2. **REQUESTS** the Minister for Lands to reserve the portion of Washing Lane shown in Attachment 1, as a mall reserve, pursuant to section 59 of the *Land Administration Act 1997*.

MAYOR COLE:

What condition is the bitumen in? Is it due for a resurface?

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The Brick Paved surface of Washing Lane is in a good condition with this section being upgraded as part of the development, Engineering see no reason to undertake works on the brick paved section for the foreseeable future, short of an unforeseen incident.

In relation to the small amount of red asphalt that is Washing Lane from the entrance of Money Street to the brick paved section, is in average condition and will be resurfaced this in the next two years irrespective of whether this proposal proceeds or not.

CR GONTASZEWSKI:

In relation to the financial and budget implications, the report mentions installation of bollards and construction of any temporary infrastructure being the financial responsibility of the applicant. Does the applicant pay for the bollards, and what is the approval process would be for any improvements or temporary infrastructure to be placed within that space?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The Local Government Act 1995 allows the City to control and approve any infrastructure on Local Government property and thoroughfares. Washing Lane is under the care, control and management of the City.

A range of mechanisms could be used for the City's approval process, depending on what the applicant proposes.

Approval for the construction of any street furniture or affixed eating area furniture would be through the Vibrant Public Spaces Policy. Either each business could individually apply with their Vibrant Public Spaces furniture proposals, or the applicant could apply through the Vibrant Public Spaces process for the land as a whole, which would encapsulate outdoor dining for all businesses and any fixed planters proposed.

Should the businesses decide it is more appropriate to remove their street furniture after trading hours and not have it affixed to the ground, the approval process would require an Alfresco Permit through our online

application.

It is anticipated that the applicant would provide the City with a proposal/landscape plan for the activation of the land. This proposal would incorporate bollards, planter boxes, trees, affixed furniture, and lighting. This plan would be assessed by the Policy and Place, Parks and Urban Green, and Engineering teams, taking into consideration the Vibrant Public Spaces Policy and the Local Government Property Local Law 2021.

Bollards would be paid for by the applicant aligned with City specifications, ensuring the land is accessible to emergency services and public utility providers. While the initial install would be paid for by the applicant, The City would be required to then perform any maintenance or replacement of them from that point as they are effectively within a road reserve and a public asset. The City will have a degree of influence over the bollard type and look to ensure keeping in line with City vision as well as being able to provide some assurance of availability in future for maintenance or replacement if required.

CR GONTASZEWSKI:

Can another mechanism other than bollards be used to close the road? Would anything else be sufficient from a safety perspective? What will be used at the William Street end to block vehicles?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The treatment being proposed needs to meet compliance for crash standards as this will be the way of stopping vehicles from running into a pedestrian zone. It will also need to be accessible to Emergency Vehicles from both points of Entry/Exit from Money Street and William Street. The ideal solution would be to have retractable bollards installed so they can remain up permanently, but lowered for emergency access/egress.

CR HALLETT:

Can you comment on the feedback received on the impact on traffic access to William Street? A specific concern about right turns – turning right from Lindsay and Money into Newcastle, is seen as challenging during peak periods, although that is the proposed alternative that Admin has suggested to using Washing Lane to get to William.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

While the right turn movements from Money Street and Lindsay Street onto Newcastle Street may be difficult during peak periods, it would be no more difficult than making the left out from Washing Lane onto William During Peak periods. There are also alternative movements that can be made from Monger Street onto Beaufort Street or Lindsay onto Brisbane Street. Traffic is not strictly limited to exiting from Lindsay and Money Streets onto Newcastle Street.

5.9 NEW LEASE TO JIGSAW CONTACT & SEARCH INC - PORTION OF ROBERTSON PARK, NO. 176 (LOT 1) FITZGERALD STREET, PERTH LEE HOPS COTTAGE)

- Attachments:**
1. Plan - Lee Hops Cottage
 2. Maintenance Obligation Schedule

RECOMMENDATION:

That Council

1. **APPROVES a new lease of a portion of Robertson Park, No. 176 (Lot 1) Fitzgerald Street, Perth (known as the Lee Hop's Cottage) to Jigsaw Search & Contact Inc (ABN 12 451 584 318) on the following key terms:**
 - 1.1. **Term:** Three (3) years
 - 1.2. **Option:** Two (2) years
 - 1.3. **Rent** \$12,416.70 per annum indexed to CPI
 - 1.4. **Rent Review:** CPI on 1 July each year of the term, commencing on 1 July 2023
 - 1.5. **Premises area:** Approximately 380m² (subject to survey).
 - 1.6. **Outgoings:** Tenant responsibility including rates and taxes, ESL, rubbish and recycling bin charges, utilities (including scheme water, electricity and gas) and minimum level of services statutory compliance testing (including RCD, DFES and pest inspection fees and charges), building insurance applicable to the Premises.
 - 1.7. **Public Liability Insurance:** Tenant responsibility – minimum of \$20 million per one claim.
 - 1.8. **Building Insurance** Tenant to reimburse the City for the building insurance premium payable in respect of the Premises. If the Tenant requests the City to make a claim on the Tenant's behalf (under the building insurance policy) the City may require the Tenant to pay any excess payable in respect to that claim.
 - 1.9. **Repair/maintenance:** As per maintenance schedule at **Attachment 2**.
 - 1.10. **Permitted Use:** Conducting community and office activities related to the search and contact centre. The Premises is not to be used for illegal or immoral purposes.
 - 1.11. **Special conditions:** **Premises condition:**
 - a) The Tenant leases the Premises from the City on an 'as is, where is' condition.
 - b) The Tenant acknowledges that the Premises is in a condition that commensurate with its age and the City does not anticipate making any capital upgrades or improvements to the Premises or its surrounds.
 - 1.12. **Redevelopment or demolition:**

If:

 - a) the City wishes to redevelop the Premises or its surrounds; or
 - b) the City determines that it can no longer maintain the Premises in a safe and occupiable condition,

the City may, upon providing the tenant with a minimum of 12 months'

prior notice, require the tenant to surrender its lease of the Premises.

1.13.

Quiet enjoyment

Tenant acknowledges that its quiet enjoyment of the Premises may be affected from time to time by works that the City or its agents may reasonably undertake or facilitate in the vicinity of the Premises that may include but are not limited to:

- Disruption or closure of roads, reserves and road reserves;
- Pedestrian movement and access;
- Vehicle movement, access and parking;
- Vibration and noise; and
- Dust and dirt.

The City will not be liable to compensate the Tenant in the event that the above affects the Tenant's quiet enjoyment of the Premises.

2. **Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the lease in accordance with the Execution of Documents Policy.**

NO QUESTIONS

5.10 FINAL ADOPTION OF LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2022

- Attachments:**
1. Local Government Property Amendment Local Law 2022
 2. Amendment Local Law 2022 as Advertised
 3. Amendment Local Law 2022 Showing Tracked Changes from Advertised Following Advice from DLGSC

RECOMMENDATION:

That Council:

1. NOTES that local public notice of the *City of Vincent Local Government Property Amendment Local Law 2022* was provided for the period 21 May 2022 to 3 July 2022 and no submissions were received;
2. NOTES the purpose of the *Local Government Property Amendment Local Law 2022* is to:
 - 2.1 amend clause 1.6 by inserting additional definitions for 'election day', 'election period', and 'election sign';
 - 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;
 - 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;
 - 2.4 amend clause 5.16(c) and (d) to specify that smoke free areas do not include vehicles within thoroughfares;
 - 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;
 - 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;
 - 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
 - 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);
3. NOTES the effect of the *Local Government Property Amendment Local Law 2022* is to:
 - 3.1 note and clarify new definitions used throughout additions to clause 6.8 regarding election signs;
 - 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;
 - 3.3 clarify that owners with properties which have awnings, balconies, and verandahs over thoroughfares have a public safety duty to maintain them;
 - 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;
 - 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;

COUNCIL BRIEFING NOTES

19 JULY 2022

- 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;
 - 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
 - 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);
4. **MAKES BY ABSOLUTE MAJORITY**, the *Local Government Property Amendment Local Law 2022* at Attachment 1, in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to the Chief Executive Officer:
- 4.1 publishing the *Local Government Property Amendment Local Law 2022* in the Government Gazette in accordance with s3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
 - 4.2 following Gazettal, providing local public notice in accordance with s3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

NO QUESTIONS

5.11 OUTCOME OF ADVERTISING AND ADOPTION OF NEW SMOKE FREE AREAS, AND SMOKE FREE AREAS - EDUCATION AND ENFORCEMENT POLICY.

- Attachments:**
1. Smoke Free Areas
 2. Smoke Free Areas - Education and Enforcement Policy

RECOMMENDATION:**That Council:**

1. **NOTES** final adoption of the *Local Government Property Amendment Local Law 2022* (addressed in a separate item) allows Council to determine smoke free areas;
2. **APPROVES** a determination in accordance with Part 5, Division 6 of the *Local Government Property Local Law 2021* (as amended), that the five areas demonstrated in Attachment 1 be smoke free, subject to the Chief Executive Officer providing local public notice in accordance with clause 5.19(3)(a) of the *Local Government Property Local Law 2021* (as amended), noting determination of the five smoke free areas after final scrutiny of the *Amendment Local Law 2022* by the Joint Standing Committee on Delegated Legislation; and
3. **ADOPTS** the *Smoke Free Areas – Education and Enforcement Policy* at Attachment 2.

NO QUESTIONS

5.12 DEVELOPMENT COMPLIANCE ENFORCEMENT POLICY

Attachments: 1. Development Compliance Enforcement Policy

RECOMMENDATION:

That Council **APPROVES** the proposed Development Compliance Enforcement Policy at Attachment 1, for the purpose of community consultation, which is proposed to replace Policy No. 4.1.22 – Prosecution and Enforcement.

CR GONTASZEWSKI:

Do we have a Policy in place for managing compliance and enforcement of Local Laws?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The compliance and enforcement of Local Laws is guided by Fines, Penalties and Infringement Notices Enforcement Act 1994.

At 6.56pm Manager Built Environment & Wellbeing left the meeting and did not return.

6 INFRASTRUCTURE & ENVIRONMENT

6.1 HALVORSEN HALL - TENANT RELOCATION

- Attachments: 1. Option Analysis
 2. Maintenance Obligations

RECOMMENDATION:

That Council:

1. **APPROVES** the relocation of the lessees at Halvorsen Hall comprising of Graham Hay, Frances Dennis, Carol Rowling, Sarah Marchant and Christopher McClelland to the North Perth Community Centre;
2. **APPROVES** reallocation of \$40,000 in the 2022/2023 approved capital budget from Halvorsen Hall to North Perth Community Centre;
3. **APPROVES** the provision of local public notice pursuant to section 3.58 of the Local Government Act 1995 of the proposed lease to the lessees on the following key terms:

- | | | |
|-------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1. | Term: | Five (5) years |
| 1.2. | Rent | \$6,706.70 including GST per annum indexed at CPI. |
| 1.3. | Rent Review: | CPI on 1 July each year of the term, commencing on 1 July 2023. |
| 1.4. | Premises area: | Approximately 285 m ² (subject to survey) |
| 1.5. | Outgoings: | Tenant responsibility including rates and taxes, ESL, rubbish and recycling bin charges, utilities (including scheme water, electricity and gas) and minimum level of services statutory compliance testing (including RCD, DFES and pest inspection fees and charges), building insurance applicable to the Premises. |
| 1.6. | Public Liability Insurance: | Tenant responsibility – minimum of \$20 million per one claim |
| 1.7. | Building Insurance | Tenant to reimburse the City for the building insurance premium payable in respect of the Premises. If the Tenant requests the City to make a claim on the Tenant's behalf (under the building insurance policy) the City may require the Tenant to pay any excess payable in respect to that claim. |
| 1.8. | Repair/maintenance: | As per maintenance schedule at Attachment 2 . |
| 1.9. | Permitted Use: | Arts, recreational activities and ancillary purposes. The Premises is not to be used for illegal or immoral purposes. |
| 1.10. | Special conditions: | Premises condition:
a) The Tenant leases the Premises from the City on an 'as is, |

where is' condition.

- b) The Tenant acknowledges that the Premises is in a condition that commensurates with its age and the City does not anticipate making any capital upgrades or improvements to the Premises or its surrounds.

1.11. Redevelopment or demolition:

If:

- a) the City wishes to redevelop the Premises or its surrounds; or
 b) the City determines that it can no longer maintain the Premises in a safe and occupiable condition,

the City may, upon providing the tenant with a minimum of 12 months' prior notice, require the tenant to surrender its lease of the Premises.

1.12. Quiet enjoyment

Tenant acknowledges that its quiet enjoyment of the Premises may be affected from time to time by works that the City or its agents may reasonably undertake or facilitate in the vicinity of the Premises that may include but are not limited to:

- Disruption or closure of roads, reserves and road reserves;
- Pedestrian movement and access;
- Vehicle movement, access and parking;
- Vibration and noise; and
- Dust and dirt.

The City will not be liable to compensate the Tenant in the event that the above affects the Tenant's quiet enjoyment of the Premises.

4. **DELEGATES authority to the Chief Executive Officer to consider any submissions received and to determine whether to proceed with the lease, ensuring that the reasons for such a decision are recorded;**
5. **Subject to final satisfactory negotiations being carried out by the Chief Executive Officer and approval from the Department of Planning, Lands and Heritage, AUTHORISES the Mayor and Chief Executive Officer to affix the common seal and execute the lease in accordance with the Execution of Documents Policy.**
6. **DELEGATES authority to the Chief Executive Officer to approve future variations to the lease as required for the sole purpose of adding or removing joint lessees to the lease.**

MAYOR COLE:

Request for maintenance over life of lease term – see Cr Castle's question.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

As the building is considered in good condition it will only require minor maintenance (consistent with the property management framework – category 3) over life of the lease term.

CR GONTASZEWSKI:

Does the lease allow the City to have commercial operations on it? Are there any caveats on the land that prohibit a particular type of activity to be undertaken on the land?

SENIOR LAND AND LEGAL ADVISOR

Pursuant to sections 41 and 47 of the Land Administration Act 1997 (LAA) and the 999 lease from the

Crown, Woodville Reserve is a Class A reserve specified as 'solely for the purposes of recreation'. The A classification is used solely to protect areas, in this case, of high community value.

Administration has sought clarification from the Department of Planning, Lands and Heritage (DPLH) on the basis that the:

- (a) artist tenants are providing some community benefit to the community by the running of art classes/sessions; and*
- (b) City will ensure that the permitted use by the tenants under the lease will prohibit any commercial use.*

Based on the above, DPLH is supportive of this lease being suitable over Woodville Reserve.

The report has been amended to include the purpose of Woodville Reserve:

~~North Perth Community Centre~~

~~The North Perth Community Centre is located at Woodville Reserve on a portion of 10 Farmer Street, North Perth. The City has care control and management of Woodville Reserve pursuant to a lease dated 30 June 1925 for a term of 99 years from the Crown.~~

~~Pursuant to sections 41 and 47 of the Land Administration Act 1997 (LAA) and the lease, Woodville Reserve is a Class A reserve specified as 'solely for the purposes of recreation'. Pursuant to section 18 of the LAA, the Minister for Lands' consent and approval will be required for any lease or licence of Woodville Reserve.~~

~~The North Perth Community Centre has been vacant since early 2022.~~

CR CASTLE:

Condition of North Perth Community Centre – any works required and what the life of the building is.

EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:

The North Perth Community Centre was last inspected in March 2022 and has been assessed with an overall condition grade of (3) being in fair to good condition. Only minor renewal works have been identified as immediate, prior to the building being re-occupied to suit the needs of the tenant.

It has been requested that the budget allocation of \$40,000 for Halvorsen Hall be re-allocated to the North Perth Community Centre to undertake the following works:

- *Replacing carpet with vinyl flooring*
 - *Lighting replacement*
 - *Painting*
 - *Installation of blinds.*
 - *Bricking up an internal door way & roller door installation for artist's Kiln with 3-phase power*

This building is in reasonable condition and with on-going routine maintenance is expected to last at least another 20 years.

7 COMMUNITY & BUSINESS SERVICES

7.1 FINANCIAL STATEMENTS AS AT 31 MAY 2022

Attachments: 1. Financial Statements as at 31 May 2022

RECOMMENDATION:

That Council:

- RECEIVES the Financial Statements for the month ended 31 May 2022 as shown in Attachment 1;
- APPROVES BY ABSOLUTE MAJORITY to impose a new fee & charge for the inspection of new pools; and
- NOTES an additional \$25k will be required to complete the Charles Veryard Lighting project and that these funds will be sourced through the first quarter budget review.

CR GONTASZEWSKI:

There is a reference to credit note in Magistrates Court what is that, what was that for?

EXECUTIVE MANAGER FINANCIAL SERVICES:

This credit note relates to a case regarding building structures without a building permit. The Court ruled against the defendant and the City raised an invoice for \$25,813 in June 2020. The defendant appealed and the case was reheard resulting in a credit note being raised in October 2021 for the original amount of \$25,813. A new invoice was raised later in October 2021 for the reduced penalty of \$18,800 which has contributed \$7,013 towards the current unfavourable variance in compliance service fees. This has been referred to the Fines Enforcement Registry and the debtor is on 'On Time to Pay Plan' with FER.

CR GONTASZEWSKI:

15 cash in lieu debtors, 3 on payment plans, of the remaining 12 have their payment dates fallen due?, should they have paid or been on a payment plan, if not either what are we doing with them what happens with cash in lieu debtors that are not on a plan?

EXECUTIVE MANAGER FINANCIAL SERVICES:

At 31 May 2022 of the remaining 12 debtors, 4 were under a payment plan but had stopped payment and the remaining 8 were not currently on a payment plan. These outstanding debtors date back as far as 2013. Between 1 April 2020 and 4 March 2022 the City was unable to collect these funds as a result of regulatory changes in response to the State of Emergency for the COVID-19 pandemic.

Now that the exemption has been lifted the City will attempt to move the remaining outstanding debtors to payment plans. Of the outstanding \$217,818 at 31 May 2022, \$97,200 relates to a new debtor raised at 25 June 2021.

7.2 INVESTMENT REPORT AS AT 31 MAY 2022

Attachments: 1. Investment Statistics as at 31 May 2022

RECOMMENDATION:

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

NO QUESTIONS:

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

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

RECOMMENDATION:

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

EFT payments, including payroll	\$5,768,866.33
Cheques	\$947.55
Direct debits, including credit cards	\$135,180.39
Total payments for May 2022	\$5,904,994.27

CR GONTASZEWSKI:

Can I please get some more information in relation to the customer experience review and the customer service establishment fee and phone coverage items, do they relate to Item 7.6 (Customer Service Charter) or what work program they are coming under and a bit more information would be great?

EXECUTIVE DIRECTOR COMMUNITY AND BUSINESS SERVICES:

The Customer Service Establishment Fee and Phone Coverage invoice from Cleanaway is for Customer Services provided during the three bin (FOGO) rollout in November/December 2021.

The Catalyse (Customer Experience Review) invoice is for the Customer Experience Focus Groups in December 2021.

These focus groups were referenced in the Customer Service Charter council report under the community consultation section:

Three focus groups were held in December 2021 with City staff and a small group of customers to identify key themes for the City's Customer Experience Project. Feedback from the customer focus group was referenced in the development of this draft Charter.

An update on the Customer Experience Project was also included in Council Workshop in June, however time constraints limited discussion. Information about the project supplied was:

The Customer Experience Project commenced in late 2021 to review the City's customer service touchpoints. The project is entitled 'Making it Easy' as we aspire to make it easier for our customers to do business with us.

The Customer Experience Project is a long-term project that involves a number of teams across the organisation. There is also considerable cross over with other projects including the 'Better Approvals' Small Business Development Corporation project, and plans to improve the website, IT infrastructure and systems.

As our customer touchpoints are varied and the project has a number of elements, we have broken the project into three main focus areas of listen, welcome and simplify.



7.4 APPROVAL TO INCREASE NUMBER OF STALLHOLDERS FOR KYILLA FARMERS MARKET PERMIT**Attachments: Nil****RECOMMENDATION:****That Council:**

- 1. APPROVES, pursuant to the City of Vincent Local Government Property Local Law 2008, a change to the Permit for the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to operate the Kyilla Community Farmers Market at Kyilla Park as follows:**
 - 1.1 Increase the number of stalls permitted to 50 stalls, whilst maintaining all other conditions of the existing permit, as approved by council at the Ordinary Meeting of Council on 16 October 2018.**

NO QUESTIONS

7.5 OUTCOME OF PUBLIC CONSULTATION AND ADOPTION OF ACCESS AND INCLUSION PLAN 2022-2027

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

RECOMMENDATION:

That Council

- 1. NOTES** the outcome of the public consultation period for the draft Access and Inclusion Plan 2022-2027;
- 2. RECEIVES** the amended draft Access and Inclusion Plan 2022-2027; and
- 3. ADOPTS** the draft Access and Inclusion Plan 2022-2027 and **NOTES** that the Plan will be subject to the addition of the Mayor's foreword, graphic design, formatting, styling and accessibility checks as determined by the Chief Executive Officer, prior to publication.

NO QUESTIONS

7.6 ADVERTISING OF AMENDED CUSTOMER SERVICE CHARTER

Attachments: 1. Draft Customer Service Charter 2022

RECOMMENDATION

That Council APPROVES proposed Customer Service Charter at Attachment 1, which replaces the previous Customer Service Charter, for the purpose of community consultation.

MAYOR COLE:

Would this be an opportune time to seek community feedback on how they liking or are experiencing the hub at the library. Can I have some info on this? Given this is about Customer Service Charter and it talks about the Customer Service Hub, can you provide information and then I will consider foreshadowing amendment from there

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Feedback was received from Customers during the Customer Experience Focus Groups that the customer experience at the Library hadn't met its intended aims. The City has also received feedback from customers via other feedback channels that the library is not an ideal location for some customer service interactions, particularly when customers had detailed questions that required the assistance of specialist staff not located within the library, such as planning and building.

Ipads will be installed soon at Customer Service Hub and the Administration Concierge to collect more feedback on in person experiences.

The Administration Centre's Concierge is functioning as a full service Customer Hub during the busy rates period and we have promoted through signage and other publications that the Administration Concierge is the best customer location for planning and building enquiries.

If feedback remains consistent that Administration is the preferred location for Customer Service, the aim is to transition the Hub back in a phased approach.

CR GONTASZEWSKI:

Does the City have any other documentation/policy/protocol that would sit under other local laws or our community engagement framework related to how service requests, service suggestions or complaints or reported breaches of policy or local law are managed?

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

The Complaints Management Policy is due for review in line with the Customer Experience Project and to bring it in line with the recently reviewed Code of Conduct Complaints Management Policy.

One element of the Customer Experience Project is to improve the City's Customer Relationship Management (CRM) tools used to record interactions with customers. Once this project has progressed further, the policy can be updated to reflect the current systems and processes used by the organisation to receive, track and respond to Customer Complaints.

At 7.01pm Executive Manager Financial Services left the meeting and did not return.

At 7.02pm A/Manager Engineering left the meeting and did not return.

7.7 EXTENSION OF LEASE AND DEED OF CONTRACT TO BELGRAVIA HEALTH & LEISURE GROUP PTY LTD - LOFTUS RECREATION CENTRE - PORTION LOT 501 (99) LOFTUS STREET, LEEDERVILLE

- Attachments:**
1. Loftus Recreation Centre - Profit and Loss Statement - Confidential
 2. Loftus Recreation Centre - Loan Statement - 31 May 2022
 3. Loftus Recreation Centre - Loan Repayment Schedule
 4. DRAFT Deed of Extension of Lease - Belgravia Leisure - Confidential
 5. Belgravia Leisure - Counter Party Credit Report - 13 July 2022 - Confidential

RECOMMENDATION:

That Council:

1. **APPROVES** an extension to Belgravia Health & Leisure Group Pty Ltd (CAN 005 087 463) of the:
 - 1.1 **Deed of Contract, governing the operation and management of the Loftus Centre, for a further five (5) years commencing 1 January 2022 and expiring on 31 December 2027 subject to the following:**
 - 1.1.1 **The annual fee is reduced by an amount equal to 50% of the annual land tax liability on the lease of the Loftus Recreation Centre;**
 - 1.1.2 **All other terms and conditions remaining the same.**
 - 1.2 **Lease (including the Car Parking Licence) for part of the Loftus Centre at Lot 501 (99) Loftus Street, Leederville, for a further term of five (5) years commencing 1 January 2022 and expiring on 31 December 2027 subject to the following:**
 - 1.2.1 **A repayment plan is agreed in writing with the Chief Executive Officer, for the repayment of the Deferred Amount of \$64,900.72, within the term of this contract;**
 - 1.2.2 **The Lessor and Lessee to agree an annual program of capital works, to include the allocation of the Loftus Recreation Fund, for the purpose of facilitating venue improvements and capital purchases to assist in maintaining the facility and improving profitability of the Loftus Recreation Centre; and**
 - 1.2.3 **All other terms and conditions remaining the same.**
 - 1.3 **AUTHORISES** the affixing of the Common Seal of the City of Vincent to the extension of the Deed of Contract and Lease in accordance with the City's Execution of Documents Policy.

CR GONTASZEWSKI:

Work in out years – does it need to be in CBP, business case, or is an amendment required? Could the report be updated so that it is in the recommendation

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

The report has been updated.

CR LODEN:

Collaborative model, requirement to report back to Council on that – foreshadow amendment

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Will create amendment

CR IOPPOLO:

Is the security held in cash?

EXECUTIVE DIRECTOR COMMUNITY & BUSINESS SERVICES:

Will advise off line as it relates to confidential items

8 CHIEF EXECUTIVE OFFICER

8.1 OUTCOME OF ADVERTISING AMENDED POLICY - FLYING AND DISPLAYING OF FLAGS AND BANNERS POLICY

- Attachments:**
1. Flying and Displaying of Flags and Banners Policy (clean copy)
 2. Flying and Displaying of Flags and Banners Policy (marked up)

RECOMMENDATION:

That Council **ADOPTS** the Flying and Displaying of Flags and Banners at Attachment 1.

NO QUESTIONS

8.2 OUTCOME OF ADVERTISING OF AMENDED POLICY - CEO ANNUAL PERFORMANCE REVIEW POLICY

- Attachments:**
1. CEO Annual Performance Review Policy - (clean copy)
 2. CEO Annual Performance Review Policy - (marked up)

RECOMMENDATION:

That Council **ADOPTS** the CEO Annual Performance Review Policy at Attachment 1.

NO QUESTIONS

8.3 INFORMATION BULLETIN

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

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated July 2022.

CR LODEN:

Numbers of development applications don't add up – 29 determined, 27 lodged, went up by 4? Is this a mistake?

EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT

The number of lodged and determined development applications for the month of June were incorrect due a system error.

These figures have now been updated in the Information Bulletin noting that in 30 June development applications were lodged and 26 development applications were determined.

COUNCIL BRIEFING NOTES

19 JULY 2022

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

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

Nil

12 CLOSURE

There being no further business the meeting closed at 7.25pm